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**TOWN OF HEMPSTEAD**

ONE WASHINGTON STREET

TOWN HALL PAVILION

HEMPSTEAD, NEW YORK 11550

APRIL 24, 2018

10:30 A.M.

BEFORE: LAURA A. GILLEN,

SUPERVISOR

**APPEARANCES :**

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- DEPUTY SUPERVISOR/COUNCILMAN BLAKEMAN (ABSENT)
- SENIOR COUNCILWOMAN GOOSBY
- COUNCILMAN AMBROSINO
- COUNCILMAN D'ESPOSITO
- COUNCILMAN DUNNE, SR.
- MAJORITY LEADER/COUNCILWOMAN KING-SWEENEY
- TOWN CLERK CABANA
- DEPUTY TOWN CLERK SEDACCA
- TOWN ATTORNY RA
- COMPTROLLER CONROY

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVISOR GILLEN: Good Morning and  
2 welcome to the Hempstead Town Board Meeting.

3 For those that have never attended a  
4 Meeting before, we will, first, have Public  
5 Hearings, followed by the Administrative Calendar.

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6 There are Meeting agendas in the rear of  
7 the Pavilion and if you would like to be heard on  
8 a matter, please, fill out a slip which you can  
9 obtain from one of our Safety Officers.

10 After our Meeting is adjourned, we will  
11 honor our custom of three hundred and fifty years  
12 to remain in session to hear residents that would  
13 like to be heard on any other matter.

14 Madam Clerk, would you, please, call the  
15 roll.

16 CLERK CABANA: Good Morning, thank you for  
17 coming, to the meeting.

18 Councilman Ambrosino?

19 COUNCILMAN AMBROSINO: Here.

20 CLERK CABANA: Councilman D'Esposito?

21 COUNCILMAN D'ESPOSITO: Here.

22 CLERK CABANA: Councilman Dunne?

23 COUNCILMAN DUNNE: Here.

24 CLERK CABANA: Senior Councilwoman Goosby?

25 SENIOR COUNCILWOMAN GOOSBY: Here.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 CLERK CABANA: Councilwoman King-Sweeney?

2 COUNCILWOMAN KING-SWEENEY: Here.

3 CLERK CABANA: Supervisor Gillen?

4 SUPERVISOR GILLEN: Here.

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5 Now, I ask that we stand for the Pledge of  
6 Allegiance to be led by Councilman Ambrosino but  
7 before we say the Pledge, I like to bow our heads  
8 in a moment of silence to remember the passing of  
9 First Lady Barbara Bush and Deputy Town Supervisor  
10 Bruce Blakeman's Father, Robert Blakeman.

11 (Whereupon, a moment of silence was  
12 observed. After, the following ensued.)

13 COUNCILMAN AMBROSINO: And, join with me  
14 and place your hand over your heart.

15 (Whereupon, Councilman Ambrosino led the  
16 Assembly in the Pledge of Allegiance. After, the  
17 following ensued.)

18 SUPERVISOR GILLEN: Madam Clerk, would you,  
19 please call the first Public Hearing.

20 CLERK CABANA: Petition of Commissioner of  
21 Buildings to demolish & remove the one story wood  
22 frame one-family dwelling with detached garage &  
23 remove all litter & debris from property - East  
24 Meadow (1803 Stuyvesant Avenue) North Side of  
25 Stuyvesant Avenue, 305 feet, northeast of East

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Meadow Avenue - Department of Buildings.

2 SUPERVISOR GILLEN: I have a slip on this  
3 one, Johnathan Zelig? (phonetic spelling)

4 (Whereupon, "I believe he is on the next <sup>Page | 5</sup>  
5 one," was heard calling out from the audience.)

6 SUPERVISOR GILLEN: Does anybody else wish  
7 to be heard on this first Public Hearing?

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

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

12 COUNCILMAN DUNNE: I make a Motion to close  
13 the Hearing and adopt the item.

14 SENIOR COUNCILWOMAN GOOSBY: I second the  
15 Motion.

16 CLERK CABANA: Councilman Ambrosino?

17 COUNCILMAN AMBROSINO: Aye.

18 CLERK CABANA: Councilman D'Esposito?

19 COUNCILMAN D'ESPOSITO: Aye.

20 CLERK CABANA: Councilman Dunne?

21 COUNCILMAN DUNNE: Aye.

22 CLERK CABANA: Senior Councilwoman Goosby?

23 SENIOR COUNCILWOMAN GOOSBY: Aye.

24 CLERK CABANA: Councilwoman King-Sweeney?

25 COUNCILWOMAN KING-SWEENEY: Aye.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 CLERK CABANA: Supervisor Gillen?

2 SUPERVISOR GILLEN: Aye.

3 Madam Clerk, please, call the next Public  
4 Hearing. Page | 6

5 CLERK CABANA: Petition of Commissioner of  
6 Buildings to demolish & remove the non-conforming  
7 two-family dwelling with store attached & remove  
8 all litter and debris from property - INWOOD (1-3  
9 Clinton Avenue) northwest corner of Clinton Avenue  
10 & Wanser Avenue - Department of Buildings

11 SUPERVISOR GILLEN: Mr. Zelig is this the  
12 Public Hearing that you like to be heard on?

13 COMMISSIONER OF BUILDINGS: Good Morning,  
14 Supervisor, I spoke to Mr. Zelig (phonetic  
15 spelling) and, um, I worked with him and he  
16 doesn't want to speak anymore.

17 SUPERVISOR GILLEN: Okay, great.

18 Is there anybody else that would like to be  
19 heard on this Public Hearing?

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

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

24 COUNCILMAN D'ESPOSITO: I move that the  
25 Public Hearing be closed and the petition be

**HEMPSTEAD TOWN MEETING 4/24/18**

1 granted.

2 SENIOR COUNCILWOMAN GOOSBY: Second the  
3 Motion.

4 CLERK CABANA: Councilman Ambrosino?

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5 COUNCILMAN AMBROSINO: Aye.

6 CLERK CABANA: Councilman D'Esposito?

7 COUNCILMAN D'ESPOSITO: Aye.

8 CLERK CABANA: Councilman Dunne?

9 COUNCILMAN DUNNE: Aye.

10 CLERK CABANA: Senior Councilwoman Goosby?

11 SENIOR COUNCILWOMAN GOOSBY: Aye.

12 CLERK CABANA: Councilwoman King-Sweeney?

13 COUNCILWOMAN KING-SWEENEY: Aye.

14 CLERK CABANA: Supervisor Gillen?

15 SUPERVISOR GILLEN: Aye.

16 Madam Clerk, please, call the next Public  
17 Hearing.

18 CLERK CABANA: Proposed Local Law Re:  
19 "Regulations and Restrictions" to limit parking in  
20 Oceanside (To amend Chapter 202 of the Code of the  
21 Town of Hempstead)

22 SUPERVISOR GILLEN: I do not have any slips  
23 on this Public Hearing, is there anybody that  
24 wishes to be heard?

25 (Whereupon, no response was heard. After

1 the following ensued.)

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

4 COUNCILMAN D'ESPOSITO: I move that the  
5 Public Hearing be closed and the item adopted.

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6 SENIOR COUNCILWOMAN GOOSBY: I second the  
7 Motion.

8 CLERK CABANA: Councilman Ambrosino?

9 COUNCILMAN AMBROSINO: Aye.

10 CLERK CABANA: Councilman D'Esposito?

11 COUNCILMAN D'ESPOSITO: Aye.

12 CLERK CABANA: Councilman Dunne?

13 COUNCILMAN DUNNE: Aye.

14 CLERK CABANA: Senior Councilwoman Goosby?

15 SENIOR COUNCILWOMAN GOOSBY: Aye.

16 CLERK CABANA: Councilwoman King-Sweeney?

17 COUNCILWOMAN KING-SWEENEY: Aye.

18 CLERK CABANA: Supervisor Gillen?

19 SUPERVISOR GILLEN: Aye.

20 Madam Clerk, please, call the next Public  
21 Hearing.

22 CLERK CABANA: Proposed Local Law Re:

23 "Parking or Standing Prohibitions" in Bellmore,  
24 Hewlett, Inwood, Oceanside, Uniondale, Woodmere

25 (To amend Section 202-1 of the Code of the Town



**HEMPSTEAD TOWN MEETING 4/24/18**

1 of Hempstead)

2 SUPERVISOR GILLEN: Is there anybody that  
3 would like to be heard on this Public Hearing?

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

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

8 COUNCILWOMAN KING-SWEENEY: Supervisor, I  
9 move that the Hearing be closed and the item be  
10 adopted.

11 COUNCILMAN D'ESPOSITO: I second the  
12 Motion.

13 CLERK CABANA: Councilman Ambrosino?

14 COUNCILMAN AMBROSINO: Aye.

15 CLERK CABANA: Councilman D'Esposito?

16 COUNCILMAN D'ESPOSITO: Aye.

17 CLERK CABANA: Councilman Dunne?

18 COUNCILMAN DUNNE: Aye.

19 CLERK CABANA: Senior Councilwoman Goosby?

20 SENIOR COUNCILWOMAN GOOSBY: Aye.

21 CLERK CABANA: Councilwoman King-Sweeney?

22 COUNCILWOMAN KING-SWEENEY: Aye.

23 CLERK CABANA: Supervisor Gillen?

24 SUPERVISOR GILLEN: Aye.

25 Madam Clerk, please, call the next

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Public Hearing.

2 CLERK CABANA: Proposed Local Law Re: "U-  
3 Turns Prohibited" in North Merrick (To amend  
4 Section 191-2 of the Code of the Town of  
5 Hempstead)

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6 SUPERVISOR GILLEN: I do not have any slips  
7 on this Hearing, is there anybody that wishes to  
8 be heard?

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

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

13 COUNCILMAN DUNNE: I make a Motion that the  
14 Hearing be closed and adopt the item.

15 SENIOR COUNCILWOMAN GOOSBY: I second the  
16 Motion.

17 CLERK CABANA: Councilman Ambrosino?

18 COUNCILMAN AMBROSINO: Aye.

19 CLERK CABANA: Councilman D'Esposito?

20 COUNCILMAN D'ESPOSITO: Aye.

21 CLERK CABANA: Councilman Dunne?

22 COUNCILMAN DUNNE: Aye.

23 CLERK CABANA: Senior Councilwoman Goosby?

24 SENIOR COUNCILWOMAN GOOSBY: Aye.

25 CLERK CABANA: Councilwoman King-Sweeney?

**HEMPSTEAD TOWN MEETING 4/24/18**

1 COUNCILWOMAN KING-SWEENEY: Aye.

2 CLERK CABANA: Supervisor Gillen?

3 SUPERVISOR GILLEN: Aye.

4 Madam Clerk, please, call the next Public <sup>Page | 11</sup>  
5 Hearing.

6 CLERK CABANA: Proposed Local Law Re:  
7 "Traffic Regulations in the Vicinity of Schools"  
8 in Wantagh (To amend Section 197-13 of the Code of  
9 the Town of Hempstead)

10 SUPERVISOR GILLEN: I do not have any slips  
11 on this Public Hearing, is there anybody that  
12 wishes to be heard?

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

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

17 COUNCILMAN DUNNE: I make a motion to close  
18 the Hearing and adopt the item.

19 SENIOR COUNCILWOMAN GOOSBY: I second the  
20 Motion.

21 CLERK CABANA: Councilman Ambrosino?

22 COUNCILMAN AMBROSINO: Aye.

23 CLERK CABANA: Councilman D'Esposito?

24 COUNCILMAN D'ESPOSITO: Aye.

25 CLERK CABANA: Councilman Dunne?

**HEMPSTEAD TOWN MEETING 4/24/18**

1 COUNCILMAN DUNNE: Aye.

2 CLERK CABANA: Senior Councilwoman Goosby?

3 SENIOR COUNCILWOMAN GOOSBY: Aye.

4 CLERK CABANA: Councilwoman King-Sweeney? Page | 12

5 COUNCILWOMAN KING-SWEENEY: Aye.

6 CLERK CABANA: Supervisor Gillen?

7 SUPERVISOR GILLEN: Aye.

8 Madam Clerk, please, call the next Public  
9 Hearing.

10 CLERK CABANA: Proposed Local Law to be  
11 entitled "Apprenticeship Training Programs for  
12 Town Contracts" (To establish Chapter 3 of the  
13 Code of the Town of Hempstead)

14 SUPERVISOR GILLEN: Felix Procacci?

15 FELIX PROCACCI: Felix Procacci, 1165 Barns  
16 Street, Franklin Square, New York.

17 Um, what is the punishment if a contractor  
18 or Town employee violates this apprentice law?

19 Stop the clock, please.

20 SUPERVISOR GILLEN: It will impair their  
21 ability to continue to do business with the Town.

22 TOWN ATTORNEY RA: They could be barred  
23 from further bidding, that is one of the things.

24 FELIX PROCACCI: I read the law. Could you  
25 tell me where it says that in the law?

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1           That was from the web site. I have it  
2 right, here.

3           I printed the whole thing out.

4           Could you show me where it says that?

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5           Stop the clock, please.

6           TOWN ATTORNEY RA: It says, "enforcement,  
7 take whatever steps that are necessary," and, um,  
8 regulations but that is one of the things that  
9 municipalities do if they do not follow the, um,  
10 apprenticeship rules and we catch them.

11           FELIX PROCACCI: I understand that, but,  
12 unfortunately, I have had problems in this Town  
13 regarding laws that were not properly written and  
14 based on your answer and based on what I see, I  
15 think that you should table this until you write  
16 it correctly because to leave it to the Town  
17 Attorney - - suppose the Town Attorney - - some  
18 contractor says this company doesn't have the  
19 apprenticeship program and Joe Ra does what he  
20 normally does and says, yes, they do.

21           I show evidence and he ignores it, that is  
22 the end of it because that is the similar thing I  
23 did with the Building Commissioner, I showed my  
24 evidence.

25           It was overwhelming and he did nothing and

1 the Board did nothing.

2 So, you can present evidence.

3 You have no rule of law and depending on  
4 the Town Attorney to enforce things, he has a Page | 14  
5 pretty poor track record because he just wants to  
6 dictate something himself, even though the words  
7 in the law say otherwise and the rule of law is  
8 very important to me.

9 It should be important to everybody here  
10 and unfortunately, I do not see that as being the  
11 case.

12 I go through a number of them, if it wasn't  
13 that example there are many other examples but  
14 this just seems like leaving it vague, it will  
15 open the Town to more litigation, unnecessary  
16 litigations, violations of the law, based on maybe  
17 it is somebody's friend, who is a contractor, so,  
18 they ignore it and somebody reports it and the  
19 Town Attorney is the enforcer and he does nothing  
20 and what do we do, we go to Court and we spend  
21 millions of dollars of taxpayers' money because he  
22 refuses to settle the case.

23 And, we spend more money.

24 It just seems to be - - I don't have  
25 enough time to go through all the

1 examples of my experience with it, but, it is very  
2 important that we table the law.

3 It is a good idea to have an apprentice  
4 program.

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5 I think it should be a higher bar.

6 It eliminates small companies from bidding  
7 which takes out - - it raises the price of  
8 contracts.

9 It is less bidding, but, I think it needs  
10 to be rewritten and enforcement definitely is  
11 lacking, here.

12 Thank you.

13 SUPERVISOR GILLEN: I assure you, Mr.  
14 Procacci, we are not trying to pass this  
15 regulation so it won't be enforced if you bring  
16 evidence.

17 We will investigate the evidence that you  
18 bring forward and we will look at it for sure.

19 I am not pushing forward this resolution so  
20 we don't enforce it.

21 FELIX PROCACCI: I understand what you  
22 said.

23 You may not be the Supervisor forever and I  
24 bring forward things that are written in law and I  
25 have had, you know, especially in the

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1 past two administrations, total neglect of the  
2 law.

3 It needs to be in words, regardless of the  
4 integrity of the person who is in charge, the Page | 16  
5 words are important.

6 The Court needs to look at the words, the  
7 intent is not everything and just to write stuff  
8 vague like this is leaving the Town opened for a  
9 lot of litigation, unnecessary litigation.

10 You have a lot of staff, a lot of people,  
11 lawyers, wall to wall in this place, write a good  
12 law.

13 Make sure that you can bring the bar so  
14 smaller contractors can bid on it, even if they  
15 don't have apprentice programs because they maybe  
16 able to give a better price to the Town.

17 Just redo this thing and don't vote on it  
18 today, that is my recommendation.

19 SUPERVISOR GILLEN: We also have a Labor  
20 Advisory Board, Mr. Procacci, that will watch that  
21 this is enforced.

22 FELIX PROCACCI: Once, again, people have  
23 problems with a lot of things that go on here,  
24 who do I complain to?

25 Nobody, right, now, the way the



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1 current Ethics Law is written, I can't complain.

2 They kick it back without saying, "we don't  
3 have to respond to you at all."

4 They are not - - they don't have to.

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5 They could respond, but, they don't have  
6 to.

7 Like if I was an employee, they would have  
8 to respond.

9 So, put the words down.

10 What is the big deal? Put the words there  
11 and make a good law.

12 Don't vote on something where the words are  
13 not there and say, we will fix it later, that is a  
14 bad way to go about it.

15 SUPERVISOR GILLEN: Thank you, Mr.  
16 Procacci.

17 Patrick Dolan?

18 PATRICK DOLAN: Good Morning.

19 SUPERVISOR GILLEN: Good Morning.

20 PATRICK DOLAN: Supervisor Gillen and  
21 Members of the Town Board.

22 Thank you for the opportunity to discuss an  
23 amendment which would create Chapter 3 of the Code  
24 of the Town of Hempstead which deals with  
25 apprenticeship training programs.

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1 My name is Patrick Dolan and, I am the  
2 President of the Association of Teamsters 638.

3 Local 638 is part of the United Association  
4 which is part of the AFLCIO.

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5 Our Members live and work in the Town of  
6 Hempstead.

7 Local 638 strongly supports the passage of  
8 this legislation.

9 Local 638 operates one of the largest  
10 apprenticeship programs in this country.

11 We currently represent eight thousand five  
12 hundred members and have over four hundred  
13 apprentices in our apprenticeship program.

14 It takes five years to complete our  
15 apprenticeship program.

16 We know that the best trained workers in  
17 our industry are those that create our program.

18 Apprenticeship training programs have been  
19 the gateway of thousands of workers that earn a  
20 living wage and enter the middle class.

21 Workers who complete our programs have  
22 health care coverage and pensions and work on the  
23 safest job sites in the construction industry.

24 The most amazing part of these stories are  
25 that these training programs are free, unlike

**HEMPSTEAD TOWN MEETING 4/24/18**

1 College which can plunk many students into  
2 thousands of dollars of debt.

3 Our programs are paid by the Union and its  
4 members which the workers in our program, they are <sup>Page | 19</sup>  
5 on the job training and earn an income.

6 Our Union, like many Unions understand the  
7 importance of attracting programs and ensuring  
8 that they have the state of the art skills to meet  
9 the everchanging needs of the construction  
10 industry, whether we are using our programs to  
11 attract non-traditional workers to our trade so it  
12 can be more accurately reflected.

13 The importance of apprenticeship programs  
14 was highlighted in a report from Cornell  
15 University School, the report was commissioned by  
16 the New York State Senate as entitled "New York  
17 State's Prevailing Bridge Law Defining Public  
18 Works" which was published this year.

19 The report states apprenticeship program  
20 credibility and need for continued supply of  
21 highly skilled workers benefits the industry while  
22 providing meaningful career opportunities and  
23 middle class living standards for a key segment of  
24 the Nation's blue colored workforce.

25 This stable, secure living standard and

1 especially for non-college educated blue colored  
2 workers, a group whose economic opportunities have  
3 sharply declined with manufacturing jobs.

4 The report also notes that apprenticeship <sup>Page | 20</sup>  
5 also benefits important demographics within the  
6 industry.

7 Veterans who represent seven percent of the  
8 blue color construction workforce as compared to  
9 5.8 percent for all other industries.

10 This amendment will ensure that  
11 construction projects in the Town of Hempstead  
12 strengthen apprenticeship programs across the  
13 trades.

14 The amendment will not only support  
15 apprenticeship programs that are certified by the  
16 New York State Department of Labor, contractors  
17 who do not have programs would be allowed to bid.

18 This amendment means that the Town of  
19 Hempstead construction projects will be built by  
20 the highly trained workers in the construction  
21 industry under the safest conditions.

22 As importantly, the amendment will keep our  
23 State economically competitive by training the  
24 next generation of construction labor.

25 I thank you for the opportunity to

1 speak to you this morning.

2 SUPERVISOR GILLEN: Thank you, Mr. Dolan.

3 Meta Mereday?

4 META MEREDAY: Meta Mereday, Baldwin

5 resident.

6 I am in support of anything clearly that is  
7 going to make it better, um, for our Veterans.

8 Again, I am extremely cautious about these  
9 types of activities because it always seems to  
10 work for a photo opportunity but when the rubber  
11 meets the road, it doesn't seem to be a  
12 connection.

13 So, my concern seems to be where the actual  
14 enforcement and incorporation of those services  
15 and skills will take place.

16 Where the funding will come from and why we  
17 can't, at this point, still document the number of  
18 services, Veteran-owned businesses that are  
19 currently doing business with the Town of  
20 Hempstead because we do have existing service and  
21 Veteran-owned businesses that can't be able to get  
22 a contract with the Town of Hempstead or Nassau  
23 County.

24 So, I am all for increasing opportunities  
25 for the workforce but not every Veteran is

1 unskilled.

2 They are largely unemployed, so, we need to  
3 do a better job in making that happen, so, if this  
4 is real, if this is not just for a fifteen second <sup>Page | 22</sup>  
5 soundbite, then, I am all for it.

6 If this is genuine, then, I am hoping that  
7 you involve and engage those organizations and  
8 individuals like the one seated before you here  
9 and in intense pain that this will come to  
10 fruition because they have to read this.

11 We are talking about apprenticeships and  
12 building up and reinforcing our workforce.

13 Why do I need to read in Newsday something  
14 I have been saying for years that our V.A.  
15 Hospital was falling apart?

16 So, if we are talking about rebuilding,  
17 let's start there.

18 Let's talk about why we don't have in this  
19 township and within this County our own V.A.  
20 facility that I have been trying to advocate for,  
21 as well as, others for years that we are in a  
22 region that has the highest Veteran population in  
23 the State.

24 We are in a County and a Township that has  
25 a higher Veteran population than

1 many locations that have fully functional and  
2 comprehensive V.A. services.

3 This is a disgrace.

4 Everyone should be up in arms about it. Page | 23

5 So, if we are talking about an  
6 apprenticeship program, let's not stop there.

7 Let's talk about a real Veteran contact, a  
8 procurement program.

9 Less than ten percent of our Veteran-owned  
10 businesses have the capacity to hire another  
11 Veteran and eighty percent of our Veteran-owned  
12 businesses have the capacity to hire another  
13 Veteran and eighty-five percent of our Veterans  
14 prefer to work for another Veteran.

15 So, if we build the capacity of our Veteran  
16 businesses, they could get the qualified contracts  
17 that they can hire and get more of the prevailing  
18 wage to our Veterans who are leaving here in  
19 droves.

20 So, again, if this is genuine, if this is  
21 real, then I am all for it.

22 If not, stop wasting my time and stop  
23 wasting taxpayers just to get another opportunity  
24 to be in the newspaper.

25 Too many of our residents are suffering.

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1 Too many of our Veterans are suffering in  
2 silence.

3 They are living in homes that are up for  
4 foreclosure.

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5 We need to stop it and we need to stop it,  
6 now.

7 We don't have time for lawsuits and drama.

8 We need to fix the problem.

9 Our young people are leaving here.

10 Our senior citizens can barely feed  
11 themselves.

12 We need to stop, so, if this is going to be  
13 the start of something proactive and productive, I  
14 am all for it.

15 If it is not, stop wasting my time.

16 (Whereupon, applause from the audience was  
17 heard. After, the following ensued.)

18 SUPERVISOR GILLEN: Next, we have George  
19 Bernandez?

20 George Bernandez? (phonetic spelling)

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

23 SUPERVISOR GILLEN: Art Gipson?

24 ART GIPSON: Good Morning, Supervisor,  
25 Board Members; Art Gipson, business agent,



**HEMPSTEAD TOWN MEETING 4/24/18**

1 Plumbers Local 200 of Long Island/New York and  
2 Business Agent for Nassau County.

3 Just to address one of the comments that  
4 was said earlier in regard to who police's this Page | 25  
5 type of, um, if it becomes a crime, I can assure  
6 you, firsthand, that the Department of Labor, the  
7 District Attorney's Office, A.G.'s Office.

8 And, we have had cases that we brought  
9 forth back in the past where men were cheating and  
10 they walked away, we had the case, you know, where  
11 they got the two hundred, three hundred thousand  
12 dollars that they were owed back money and we  
13 cleaned up the industry up on Long Island.

14 It was prevalent back in the day.

15 So, I can assure you that anybody who has  
16 any questions about this, it is a felony and the  
17 District Attorney's Office loves these kind of  
18 cases.

19 So, I don't think that would be a problem,  
20 honestly.

21 I have a document here that I would like to  
22 submit because it is too long to read.

23 It pretty much echoes the words from the  
24 President Pat Dolan from 638.

25 I would like to just say, personally,

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1 I am a product of an apprenticeship program from  
2 my school.

3 With no direction, I got lucky enough to  
4 become one of the apprentices of the Plumbers Page | 26  
5 Union.

6 Five years of school, what I took out of  
7 that is I could go anywhere in the World with a  
8 trade and make good money and in today's World,  
9 you would be amazed about how many people are  
10 coming in and applying for this because at the end  
11 of the five years, I didn't owe two hundred three  
12 hundred thousand dollars.

13 I was making that kind of money, not two or  
14 three hundred thousand dollars, but I was being  
15 paid to go to school and work on the job and I  
16 could go anywhere with my skills.

17 So, to add, if you build a wall, you build  
18 a ladder.

19 This is something that has to be  
20 continually looked at and updated.

21 Understand right, now, my Union spends 2.6  
22 million dollars a year, per year on apprenticeship  
23 program which is means we generate it.

24 It comes out of no tax dollars.

25 It is private money.

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1           There are more non-unions, so, bring it to  
2 a union.

3           There are more non-union apprenticeship  
4 programs on the streets of New York than there are <sup>Page | 27</sup>  
5 union, at a fraction of any cost.

6           Nassau County, in fact, what I learned  
7 recently is looking to do an online apprenticeship  
8 program.

9           How do you learn online?

10           I don't know if they will look into this.  
11 These things are scary, so, legitimate future for  
12 our youths, that is important and that is what  
13 these apprenticeship programs bring.

14           So, we stand wholly behind this.

15           Thank you so much for your time.

16           SUPERVISOR GILLEN: Thank you, Mr. Gipson.

17           Joe Montalbano?

18           JOE MONTALBANO: Good Morning, Supervisor  
19 and Board.

20           SUPERVISOR GILLEN: Good Morning, state  
21 your name and address for the record, please.

22           JOE MONTALBANO: Joe Montalbano. I reside  
23 at 113 Old Orchard, Woodmere, New York.

24           Um, to the Honorable Supervisor Laura  
25 Gillen and the Town of Hempstead Council Members;

1 my name is Joe Montalbano.

2 I am a representative of Greater New York  
3 Laborers Employees Cooperation Education Trust,  
4 which is GNYLECT. Page | 28

5 GNYLECT represents twenty thousand laborers  
6 that live and work on Long Island and New York  
7 City.

8 Our members are the highest trained, safest  
9 workers in the construction industry.

10 We pride ourselves in ensuring that our  
11 members training provides them with a true career  
12 in the industry where a fair day's work receives a  
13 fair day's pay including middle class wages,  
14 health care and retirement benefits.

15 Our commitment to safety working practices  
16 ensures that our members come home safe every  
17 night to their families.

18 We have preliminarily reviewed the Town's  
19 proposed Local Law 3 and strongly support the  
20 efforts by the Town of Hempstead to train our next  
21 generation of local construction workers in the  
22 highest safety standards and to ensure public  
23 dollars for capital projects are prudently spent  
24 by the use of the responsible contractors.

25 Our research shows that skilled workers

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1 Deliver a safer built and fiscally sound  
2 investment, one of the greatest tools used to  
3 ensure skilled workers are the adoption of  
4 apprenticeships mandated by municipal governments. Page | 29

5 Section 816-B of the New York State Labor  
6 Law details affirmative support for the  
7 development and use of the registered  
8 apprenticeship programs by authorizing new  
9 municipalities, such as, the Town of Hempstead to  
10 adopt apprenticeship mandates in their procurement  
11 process.

12 GNYLECT supports the Town of Hempstead's  
13 efforts to protect taxpayers and workers by  
14 developing next generation of trained workers  
15 while the Town's public works projects are being  
16 built by responsible contractors who are dedicated  
17 to such training and safety standards.

18 Thank you.

19 SUPERVISOR GILLEN: Thank you.

20 Next, we have Matthew Aracich?

21 MATTHEW ARACHCH: Good Morning, Supervisor  
22 Gillen, Council Members, for the record, I will  
23 give my card. Who is taking it. For the record,  
24 greetings, good morning.

25 Thank you for this opportunity.

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1 My name is Matthew Aracich. I am President  
2 of the Building Construction Council of Nassau and  
3 Suffolk Counties.

4 Local Law 3, here, is actual enforcement. Page | 30

5 We believe this is one of the most  
6 important pieces of legislation that helps.

7 Um, I also note, I concur with both  
8 President Dolan and Art Gipson and Joe Montalbano  
9 about the importance of all of this.

10 One of the things we do with Unions and I  
11 speak outside of what we are trying to do is  
12 change the face of unions.

13 This is not the face we are looking at.

14 We are talking about the new apprentice  
15 programs, the opportunities that we derive for  
16 people of color, women, minorities.

17 The idea that we take homage to hardhats  
18 and all the other programs along is just showing  
19 we are inclusive and we want to expand the use of  
20 unions through Towns and through Villages, Cities  
21 throughout the State just like yours.

22 Um, we also have to make sure that  
23 everybody understand we are not a drag on society.

24 As a matter of fact, as we said before, we  
25 provide our own training.

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1 One of the most important things to realize  
2 is that you get paid as you learn.

3 One of the issues that we have going  
4 forward is that we go to college, many people are <sup>Page | 31</sup>  
5 told when you are young you are going to college,  
6 you are going to college and that is a great  
7 thing.

8 College versus trades.

9 If college is not meant for you and you do  
10 go to college, one of the things you say, here,  
11 you got an education and you are not losing it but  
12 you are not using it.

13 When you get out of the trades, you are  
14 guaranteed a job at the end of your apprentice  
15 program.

16 You do not have that when you get out of  
17 college.

18 When you are talking about college, you are  
19 talking about unemployed by educational  
20 attainment.

21 One of the things in 2016, some people  
22 actually, um, put this together called the  
23 Department of Labor.

24 Thirty-eight percent of those that had  
25 Bachelors Degrees or higher are not employed in

1 their field.

2 These are not things that were made up by  
3 me.

4 This was a report that came out at the end <sup>Page | 32</sup>  
5 of February.

6 Like I said before, this is all about  
7 educational opportunities.

8 One of the other things, our business  
9 prospective having apprentice programs could  
10 actually be regarded as having risk management.

11 In the Metro area, more than thirty-five  
12 people have passed away from accidents.

13 Those accidents actually come from people  
14 that are employed by the non-union sector.

15 And, the idea, here, is if you can lower  
16 your costs, you can make sure your on time and on  
17 budget and make sure you get representation and  
18 paying your fair share in all the appropriate  
19 fees, such as, unemployment, payroll, taxes.

20 And, furthermore, it is one of the things  
21 we also mentioned we pay our own way for  
22 everything.

23 Health care is another one for apprentice  
24 programs.

25 One issue about health care, when we go



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1 to the Emergency Room, we pay for that, but when  
2 undocumented workers or anybody who does not have  
3 coverage goes there, eight percent of our premium  
4 pays for that, as well.

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5 So, thank you very much for your time.

6 I appreciate it and again, um, we are in  
7 favor of endorsing Local Law 3.

8 Thank you.

9 SUPERVISOR GILLEN: Thank you. I do not  
10 have any other slips on this item.

11 Is there anybody else that wishes to be  
12 heard?

13 NATHAN VAZE: Hello, my name is Nathan  
14 Vaze. (phonetic spelling)

15 And, I am a proud member of Sheet Metal  
16 Workers Local 28.

17 I personally have a personal stake in this  
18 legislation because I am a perfect example why you  
19 need apprenticeship programs.

20 I grew up in an impoverished neighborhood  
21 in Suffolk County called Wyandanch.

22 In that area, it was very hard to actually  
23 get out of the neighborhood.

24 I found a job at a local Sheet Metal  
25 Workers local air conditioning company and because

1 of one particular job I was on, there was a  
2 minority quota by the contract, itself, the  
3 company was forced to and had no choice but to  
4 join Sheet Metal Workers Local 28 and when we  
5 joined Local 28, um, I immediately went into an  
6 apprentice program and I understood what  
7 brotherhood meant.

8 I understood, now, what an affordable way  
9 was.

10 Prior to me doing this, I was working sixty  
11 hours a week for minimal pay.

12 Now, based on the apprenticeship program,  
13 what I receive from this local, I can now afford  
14 to live where I want to live, feed my family and  
15 give my family, um, a good way of life.

16 Um, as far as myself is concerned, I came  
17 from nothing.

18 All right, I was told I was going to be  
19 nothing, but, because of this local apprenticeship  
20 program and Local Sheet Metal Workers, I became  
21 the first elected African American business  
22 representative in a hundred years in the Sheet  
23 Metal Business.

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

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1 NATHAN MAZE: Because I don't forget where  
2 I came from, I personally go to High Schools in  
3 Nassau County.

4 I went to the EEOC and we have a program Page | 35  
5 called "Opportunities Long Island."

6 This is exactly what we need,  
7 opportunities.

8 Long Island gives opportunities to people  
9 that would have not normally had these  
10 opportunities.

11 And, I bring these people in and I show  
12 them how to get into the Sheet Metal Workers Union  
13 and how to get into the Building Trades.

14 This is something that everyone should  
15 provide because there are marvelous opportunities  
16 to give back.

17 And, we always prefer giving back to the  
18 community.

19 Thank you for your time.

20 (Whereupon, applause from the audience was  
21 heard. After, the following ensued.)

22 SUPERVISOR GILLEN: Is there anybody else  
23 that would like to be heard on this Public  
24 Hearing?

25 (Whereupon, no response was heard.)

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1 After, the following ensued.)

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

4 COUNCILMAN D'ESPOSITO: Supervisor, I move <sup>Page | 36</sup>  
5 that the Public Hearing be closed and the item be  
6 adopted.

7 SENIOR COUNCILWOMAN GOOSBY: I second the  
8 Motion, gladly and I thank you for the  
9 opportunities and I thank you.

10 SUPERVISOR GILLEN: Madam Clerk, would you,  
11 please, call the roll.

12 CLERK CABANA: Councilman Ambrosino?

13 COUNCILMAN AMBROSINO: Aye.

14 CLERK CABANA: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 CLERK CABANA: Councilman Dunne?

17 COUNCILMAN DUNNE: Aye.

18 CLERK CABANA: Senior Councilwoman Goosby?

19 SENIOR COUNCILWOMAN GOOSBY: Aye.

20 CLERK CABANA: Councilwoman King-Sweeney?

21 COUNCILWOMAN KING-SWEENEY: I am proud to  
22 say I am for organized labor and enthusiastically  
23 vote yes.

24 CLERK CABANA: Supervisor Gillen?

25 SUPERVISOR GILLEN: I am proud to finally

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1 in the year 2018, the Town of Hempstead is  
2 codifying apprenticeship requirements for public  
3 projects exceeding two hundred and fifty thousand  
4 dollars.

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5 This legislation closes a loophole by  
6 subcontractors currently participating in  
7 apprenticeship programs by, now requiring them to  
8 show that their programs are actually graduating  
9 apprentices from apprenticeship programs, programs  
10 entail a combination of on-the-job training and  
11 instruction with workers practical and technical  
12 aspects have a highly skilled occupation.

13 These programs open the door for younger  
14 people to access educational training and earn  
15 college credits.

16 This legislation will not only ensure  
17 people are skilled but will help give taxpayers  
18 the confidence that important projects are done  
19 safely which is very important like in the Town of  
20 Hempstead, the largest Township in America where  
21 our infrastructure, building and repairs need the  
22 greatest talent more than possibly anywhere else.

23 So, I enthusiastically vote yes.

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

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1 SUPERVISOR GILLEN: Madam Clerk, will you  
2 call the next Public Hearing, please.

3 CLERK CABANA: Application of 2765 Broadway  
4 Realty LLC & 2200 Bellmore Avenue Realty, LLC for <sup>Page | 38</sup>  
5 special exception (Public Garage) to permit a  
6 conversion of the existing public garage/auto  
7 repair facility into a public garage/auto repair  
8 facility and an auto body and paint repair  
9 facility - Bellmore - southwest corner of Bellmore  
10 & Grand Avenues.

11 Supervisor, I also have a companion  
12 Application of 2765 Broadway Realty LLC & 2200  
13 Bellmore Avenue Realty, LLC for a modification of  
14 Declaration of Restrictive Covenants - Bellmore -  
15 southwest corner of Bellmore & Grand Avenues.

16 ATTORNEY D'AGOSTINO: Good Morning, Madam  
17 Supervisor, Members of the Town Council: My name  
18 is Albert D'Agostino.

19 I am a Partner at Minerva & D'Agostino,  
20 P.C., 107 South Central Avenue, Valley Stream.

21 And, we are the Attorneys for the  
22 applicants.

23 As the Clerk has mentioned, the  
24 applications before you, two calendar items are  
25 related and they are the applications of 2765

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1 Broadway Realty, LLC., and 2200 Bellmore Avenue,  
2 LLC., seeking a special permit and modification of  
3 existing covenants and restrictions to permit an  
4 auto body use with respect to property located at <sup>Page | 39</sup>  
5 2765 Broadway, Bellmore, New York and 2200  
6 Bellmore Avenue, New York.

7 They are contiguous properties.

8 And, for the purpose of this application or  
9 these applications and my presentation, I will  
10 refer to them selectively as the premises for the  
11 site.

12 The subject property is bounded by Grand  
13 Avenue on the North, Bellmore Avenue on the East,  
14 Broadway on the South and by an existing building  
15 located adjacent to it immediately to the West of  
16 the subject property.

17 The site contains a total land area of  
18 approximately twenty-five thousand three hundred  
19 and sixty-six square feet and it is currently  
20 improved with a public garage, auto body repair  
21 facility of five thousand six hundred and forty-  
22 seven square feet and separate commercial building  
23 of two thousand four hundred and fifty-five square  
24 feet.

25 The property appears on the Nassau

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1 County Land and Tax Map as Section 56, Lot 340,  
2 Lots 12 and 22 through 25, inclusive.

3 The site is a mostly rectangular-shaped  
4 parcel located on the southwest corner of Bellmore <sup>Page | 40</sup>  
5 Avenue and Grand Avenue with approximately one  
6 hundred and eighteen feet of frontage on Bellmore  
7 Avenue, one hundred and ninety-five feet of  
8 frontage on Broadway, one hundred and sixty-nine  
9 feet of frontage on Grand Avenue.

10 The subject property is zoned "Business."

11 The uses and zoning of the surrounding  
12 properties is as follows:

13 To the North, the property is zoned  
14 "Business," containing an auto body shop and  
15 office building followed by a music school and  
16 pool supply store.

17 To the South is the Town of Hempstead  
18 Municipal Parking Lot which is zoned "Residence B"  
19 and the Long Island Railroad.

20 To the East, a commercial building zoned  
21 "Business" and a Town of Hempstead Municipal  
22 Parking Lot also zoned "Residence B."

23 To the West is zoned "Business," is a  
24 property which received a special permit from this  
25 Board, um, for an auto body use which is



1 unrelated to the applicant.

2 The subject property was granted a special  
3 exception by the Town Board for public garage,  
4 auto body repair facility by Resolution 1055 of Page | 41  
5 1977 and, then, for expansion to the existing  
6 public garage, auto repair facility by Resolution  
7 267 of 1990.

8 The applicant seeks to amend the  
9 Declaration of Covenants and Restrictions dated  
10 February 20, 1990 recorded at libre 10056, Page  
11 199 in the Office of the Nassau County Clerk.

12 Those Covenants were imposed in connection  
13 with the application of the prior owner of the  
14 site to expand the subject building in 1990 and  
15 1991, the former owner used the property for its  
16 automotive repair business, specifically for  
17 transmission repairs and replacement.

18 The applicant seeks to amend the  
19 Declaration by eliminating condition 4, which  
20 prohibits auto body repair work and limits the use  
21 solely on the automotive repairs.

22 In accordance with Section 319 of the Town  
23 Code, the applicant is required to provide 11  
24 vehicular parking spaces for the commercial uses  
25 and 15 vehicular spaces for the "Business" use,

1 for a total required parking of 26 spaces.

2 The applicant has provided 26 on-site  
3 parking spaces.

4 Um, it is not anticipated at this time or <sup>Page | 42</sup>  
5 in the foreseeable future that the applicant will  
6 be seeking any waiver of the parking requirements  
7 from the Board of Zoning Appeals.

8 Parking is fully compliant with the  
9 Ordinance.

10 The proposed auto body use on the site will  
11 be located in an existing one-story masonry  
12 building consisting of five thousand six hundred  
13 and forty-seven square feet located at 2765  
14 Broadway.

15 That structure contains seven overhead  
16 garage doors on the South side and three overhead  
17 garage doors on its North side.

18 The intended operator of the proposed auto  
19 body shop will be Advanced Auto Body which has  
20 been operating the facility across the street and  
21 to the North since 1988 for a period of thirty  
22 years.

23 We are proposing to incorporate the site  
24 that is before you into our overall operation in  
25 order to improve the efficiency and, um,

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1 provide the large compliant parking area, um, in  
2 order to park the vehicle for customers who come  
3 to our facility and employees, as well.

4 Now, the unique part of this application is <sup>Page | 43</sup>  
5 unlike, um, most others that I have presented  
6 before this Board and other Boards.

7 The entity which is known to operate the  
8 proposed facility, Advance Auto Body is a known  
9 entity in the neighborhood as you will hear from a  
10 large number of people have shown up this morning  
11 and wish to speak in favor, of course, of the  
12 application before you, Advance Auto Body has  
13 operated this business in a manner which has  
14 earned the respect and praised from its neighbor  
15 in the area.

16 Advance Auto Body has likewise and will  
17 continue to act in a manner which is respect its  
18 neighbors.

19 Presently, customers enter into the  
20 existing facility at 2160 Bellmore Avenue on the  
21 North side of Grand Avenue.

22 What is proposed is to have customers enter  
23 the overall site, the new site, um, on the South  
24 side of the proposed new facility on Broadway.

25 A customer would pull up to

1 one of the seven bays, access through the overhead  
2 doors on the South side of the new building.

3 That would be the area where they will be  
4 greeted by a representative of Advance Auto Body <sup>Page | 44</sup>  
5 and the customer's vehicle would be inspected and  
6 estimated process would commence.

7 Vehicles would exit the building on the  
8 North side through the, um, pass through, um,  
9 overhead, um, doors.

10 I mentioned there are three overhead doors  
11 on that side and the appointment would be made  
12 with the appropriate insurance carriers.

13 The adjustors will inspect the car at the  
14 subject property.

15 Once approved, work on the vehicle would  
16 commence.

17 The vehicles would be worked on.

18 The process would be commenced at the  
19 facility, the new site, on the subject site,  
20 preparation and repairs through paint, priming  
21 would occur at the site, that is before you.

22 The proposed facility would contain state-  
23 of-the-art equipment.

24 All equipment, machinery and supplies would  
25 be fully compliant with all fire

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1 Safety, environmental and applicable governmental  
2 rules, regulations, ordinances and laws.

3 The final painting of the vehicle, detail  
4 and delivery to the customer would occur at the <sup>Page | 45</sup>  
5 existing site on the North side of Grand Avenue,  
6 the address which is 2160 Bellmore Avenue.

7 The intention of the applicant is to create  
8 a much more efficient customer friendly process  
9 while continuing to respect their neighbors.

10 The applicant proposes to erect a six-foot  
11 rod iron state type fence.

12 It may not be rod iron.

13 It maybe aluminum with the appearance of  
14 rod iron at the perimeter of the property except,  
15 of course, at the corners where we have to comply  
16 with site distance and visibility requirements of  
17 the Town Code.

18 It is further the intent of the applicants  
19 to provide appropriate landscaping on the  
20 perimeter of the property.

21 Again, in compliance with the light sight  
22 distance and visibility requirements of the Town  
23 code, the visual appearance that the applicants  
24 are intending to create by installation of the rod  
25 iron tack aluminum fence and

1 Landscaping and the manner of processing the  
2 vehicles, um, through the, um, um, inspection, um,  
3 estimation, um, adjustment, um, by the insurance  
4 company and repair containing process would be  
5 analysis to many of the luxury car dealerships  
6 that you see throughout Long Island and  
7 specifically in the Town.

8 In terms of employees, the proposed use, if  
9 approved, would generate approximately three  
10 additional employees beyond those already employed  
11 by Advance Auto Body at the existing 2160 Bellmore  
12 Avenue facility.

13 It is anticipated that there would be one  
14 additional office employee and, um, approximately,  
15 three mechanics to work in the shop.

16 Again, um, the equipment which is being  
17 installed and utilized is highly efficient, modern  
18 equipment and it is not what we remember in, um,  
19 um, our father or grandfather's days, um, of  
20 banging our fenders.

21 It is not what happens.

22 Um, the - - we are also requesting  
23 permission to, um, have the facility operate  
24 between 7:00 a.m. and 9:00 p.m., um, Monday to  
25 Fridays and, um, um, half day on

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1 Saturday and that would be for the operation of  
2 the, um, of the facility.

3 Of course, there maybe some paperwork that  
4 is going on in the office after that, bill paying <sup>Page | 47</sup>  
5 or going through adjustments, reports, etc.

6 Um, I would also like to mention, for the  
7 record, um, that, um, um, Advance Auto Body does  
8 not own any tow trucks.

9 It is not a situation where we would be  
10 storing or bringing in tow trucks.

11 The only time tow trucks are involved is  
12 when a car cannot come in under its own power and  
13 it would be dropped off to start the process.

14 I do have a real estate expert with me, who  
15 I am sure the Board is quite familiar with, Barry  
16 Nelson.

17 I have asked Mr. Nelson to inspect the  
18 property and to - - and surrounding area and to  
19 make a report to the Board.

20 I can qualify him as an expert, if you  
21 would like, although, as I said, I know he has  
22 appeared before this Board and the Zoning Board of  
23 Appeals in this Town and other Towns and other  
24 municipalities in this County, scores and scores  
25 of times.

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1 So, my first question is will you accept  
2 him as an expert or would you like me to qualify  
3 him for the record?

4 SUPERVISOR GILLEN: Qualify him for the Page | 48  
5 record.

6 ATTORNEY D'AGOSTINO: Mr. Nelson, would you  
7 state your name and address for the record?

8 APPRAISER NELSON: Good Morning,  
9 Supervisor, Members of the Town Board, Barry  
10 Nelson. 220 Petit Avenue, Bellmore, New York  
11 11710.

12 ATTORNEY D'AGOSTINO: Can you state your  
13 educational and experience qualifications for the  
14 testimony which I am going to ask you to report  
15 into the record?

16 APPRAISER NELSON: Absolutely, I am a  
17 licensed real estate appraiser, a license real  
18 estate broker.

19 I am a graduate of Hofstra University.

20 I have been practicing since 1975 in Nassau  
21 County and Queens County.

22 I have continuing education both in my real  
23 estate license and brokers license and I am a  
24 certified general appraiser.

25 My specialty would be in expert testimony



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1 before Town Boards, Board of Appeals Zoning  
2 Boards.

3 I have qualified in every municipality in  
4 Nassau County, many within Suffolk County. Page | 49

5 I have qualified before Supreme Court,  
6 Bankruptcy Court and District Court for matters  
7 pertaining to real estate valuation and similar.

8 I have testified before this Board, the  
9 Town Board of the Town of Hempstead since early  
10 1980's, late 1970's and I do practice before the  
11 Board of Zoning Appeals.

12 I am up-to-date on my education and these  
13 are my qualifications.

14 ATTORNEY D'AGOSTINO: If you can give the  
15 Supervisor and the Board a rough estimate how many  
16 times you appeared and testified as an expert  
17 before this Board and the Zoning Board of Appeals?

18 APPRAISER NELSON: Do I really have to?

19 I have, at least, over a thousand times  
20 before the Zoning Board and before the Town Board,  
21 probably, in excess of three, four hundred times.

22 ATTORNEY D'AGOSTINO: I am old enough to  
23 have called your Father as an expert.

24 APPRAISER NELSON: Thank you.

25 ATTORNEY D'AGOSTINO: May I proceed,

1 Madam Supervisor?

2 SUPERVISOR GILLEN: Yes, please.

3 ATTORNEY D'AGOSTINO: Mr. Nelson, at my  
4 request, have you inspected the subject site and <sup>Page | 50</sup>  
5 surrounding neighborhood with a view toward making  
6 a report and issuing your conclusions to the  
7 Board, today?

8 APPRAISER NELSON: Yes, sir.

9 ATTORNEY D'AGOSTINO: Can you in a  
10 narrative fashion commence with that report?

11 APPRAISER NELSON: Certainly, I have some  
12 photographs I have taken of the subject property  
13 and surrounding uses.

14 They include the subject property along  
15 Grand Avenue, Bellmore Avenue and Broadway which  
16 is also known as Petit Avenue.

17 My office, as I indicated is 220 Petit  
18 Avenue which his less than two blocks West of the  
19 subject property.

20 I am a long time resident of Bellmore, as  
21 well.

22 I reside not too far away from the subject  
23 property.

24 The interesting aspect of this application  
25 is that there is no proposed change to the

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1 existing buildings, the one on Bellmore Avenue or  
2 to the automotive related building on Broadway.

3 The only changes coming before this Board  
4 would be the type of use and the previous use that <sup>Page | 51</sup>  
5 had been approved by the Town Board and Board of  
6 Appeals are special exceptions to the automotive  
7 transmission and automotive and repairs.

8 Now, the applicant is looking to do auto  
9 collision eliminating transmission and auto  
10 repairs.

11 The applicant currently operates at its  
12 current location directly opposite the subject  
13 property, northwest corner of Grand Avenue and  
14 Bellmore Avenue, the, um, uses, automotive  
15 collision and the applicant has been at that  
16 location for over thirty years.

17 The uses in the area would include CVS at  
18 the northeast corner of Bellmore Avenue and Grand  
19 Avenue.

20 At the southeast corner has an automotive  
21 repair shop and formerly a hardware store is, now,  
22 a substantial improvement for Long Island Railroad  
23 Parking Field and that entire Section 56, Lot 244  
24 opposite the subject property on the South side as  
25 currently mentioned is the South side

**HEMPSTEAD TOWN MEETING 4/24/18**

1 of Broadway, also known as Petit Avenue is the  
2 Long Island Municipal Parking Field.

3 To the West would be a similar auto  
4 collision shop that has been before the Town Board <sup>Page | 52</sup>  
5 and the Board of Appeals within the last two or  
6 three years, they are currently under renovation  
7 and, um, upgrading of the existing facility for  
8 automotive collision shop.

9 Uses in the block will include typical  
10 downtown Business Districts, little boutiques, dry  
11 cleaners, offices, right up to Bedford Avenue to  
12 the West where there is a bar and grille.

13 There is a Bivarton Pub on the South side  
14 of Grand Avenue, most of the properties in the  
15 subject lot do run from street to street, Grand  
16 Avenue on the North and Petit, Broadway to the  
17 South.

18 The interesting aspect would be that the  
19 applicant is looking for the change of type of  
20 automotive use.

21 He has been at that current location on the  
22 North side, it has not been detrimental or onerous  
23 to the surrounding community.

24 There is no vacancy. Some of the tenants  
25 have changed over the years, but, just about

1 everything in this immediate vicinity on Grand  
2 Avenue, Bellmore Avenue and Broadway are fully  
3 occupied.

4 There might be one or two rentals, in my <sup>Page | 53</sup>  
5 research, those will be rented up very quickly  
6 without a problem.

7 It is my professional opinion that the  
8 change of automotive transmission and engine  
9 repair and automotive collision is not going to be  
10 detrimental and onerous to the surrounding area,  
11 which has substantial amounts of downtown Business  
12 District uses from all related uses, municipal  
13 parking to the North and opposite the property the  
14 nearest residential would be northeast of the  
15 subject property and that would be East of the  
16 Business Zone on Grand Avenue and Chapman.

17 With that said, I reviewed the locations, I  
18 know the applicant for many years, in fact, I  
19 patronize his use.

20 He has been a good neighbor. The use  
21 provides local automotive collision to the local  
22 community.

23 In my opinion the special exception, I  
24 reviewed most all of that criteria and he will  
25 meet that adequate with on-site parking,

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Maintaining the work within the building, etc. and  
2 providing adequate on-site parking.

3 There will be proposed new fencing, estate-  
4 type fencing along Gran Avenue, Broadway and on <sup>Page | 54</sup>  
5 Petit.

6 Thank you.

7 COUNCILMAN D'ESPOSITO: Just a couple  
8 questions, Counselor, I see in the report, you are  
9 going to be adding a spray booth in the building,  
10 right?

11 ATTORNEY D'AGOSTINO: Yes.

12 COUNCILMAN D'ESPOSITO: I am not saying  
13 that is required, the building is currently there  
14 is sprinklered?

15 ATTORNEY D'AGOSTINO: The site, um, is  
16 sprinklered, yes.

17 COUNCILMAN D'ESPOSITO: All right, with  
18 that being said, the only thing I want to address  
19 and I will put my fire hat on for a moment, just  
20 the blocking of the Siamese connection of the  
21 building when the building was inspected by the  
22 Town of Hempstead, um, there would have definitely  
23 been an issue if the Bellmore, North Bellmore,  
24 North Merrick Fire Department responded to,  
25 especially, we know auto body shops could get

1 out of control quickly, so, the necessity of time  
2 is important.

3 So, if we could, moving forward, none of  
4 those connection on the building are blocked. Page | 55

5 The, m, exterior walkways are unobstructed  
6 and, obviously, the key to good firefighting is to  
7 protect the structure, so, obviously, they can get  
8 there and get into operation, the better.

9 ATTORNEY D'GOSTINO: If I might respond to  
10 that, you are absolutely correct, um, the building  
11 is obviously not currently been used for auto body  
12 work.

13 Um, all I reviewed the Building Department  
14 reported - - well, um, the, um, the Siamese  
15 connection was installed by my client, um, that  
16 area is going to be appropriately striped, "no  
17 parking" and, if necessary, signage put in place.

18 We will do that.

19 The report also mentioned the state of the  
20 blacktop, etc. and, um, if our application is  
21 approved, we absolutely intend to expeditiously  
22 replace the blacktop.

23 I don't know when it was last done,  
24 probably done thirty or more years ago.

25 Um, and, um, having it restriped and

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1 provide, um, diagonal stripping in front of all  
2 exits, "no parking," if necessary in appropriate  
3 locations to make sure there is enough room.

4 COUNCILMAN D'ESPOSITO: Thank you.

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5 COUNCILMAN DUNNE: Madam Supervisor?

6 SUPERVISOR GILLEN: Go ahead.

7 COUNCILMAN DUNNE: Thank you for your very  
8 well prepared and informative presentation.

9 It was quite, um, educational.

10 I have two quick questions, one is, is the  
11 store vacant right, now?

12 Is that piece of property vacant?

13 ATTORNEY D'AGOSTINO: No, it is not vacant,  
14 um, there is a permitted auto related use.

15 It is not being used for that, but,  
16 equipment is used in connection with general  
17 repairs has been upgraded and replaced, um, so,  
18 there is state-of-the-art equipment in there  
19 hoping that this Board, with the support of the  
20 community, which you will hear from shortly, will  
21 approve the auto body use.

22 COUNCILMAN DUNNE: My second question is  
23 this, we don't like seeing vacant areas in any  
24 Village, um, the Annual Bellmore Street Fair is  
25 held there once a year.



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1 ATTORNEY D'AGOSTINO: Yes.

2 COUNCILMAN DUNNE: It is sponsored by the  
3 Chamber of Commerce and the community, itself.

4 It is well attended.

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5 Parking is, forget about it. Do you have a  
6 plan for that weekend?

7 It is a two-day fair, each and every year,  
8 is there going to be - - we don't want to see any  
9 fireworks be there and we get beat up on, do you  
10 have a plan for that?

11 ATTORNEY D'AGOSTINO: Yeah, the point that  
12 I made earlier, the unusual aspect of this  
13 application is that the operator or the proposed  
14 operator is already in the community and already  
15 participates in the weekend fair and will be  
16 closed on a Sunday and um, on Saturday, um, um,  
17 the hours would be limited on that weekend.

18 I am sure my client will, as he has since  
19 the thirty years he has had the existing facility  
20 across the street, accommodate that, which I  
21 believe he has supported in the past.

22 I attended myself.

23 It is - - I know how well attended it is.

24 COUNCILMAN DUNNE: You are well aware of  
25 the crowd that they get.

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1 Every parking spot is sought after as long  
2 as you have that in your plan, half a day on  
3 Saturday, whatever, you know, to accommodate the  
4 people that go there, not just the Chamber, but Page | 58  
5 the people that attend it.

6 ATTORNEY D'AGOSTINO: We will accommodate  
7 it and have in the past.

8 COUNCILMAN DUNNE: Thank you.

9 ATTORNEY D'AGOSTINO: Madam Supervisor, if  
10 there are no other questions from the Board, there  
11 are a number of people, here, who would like to  
12 speak, some have to run to work.

13 I do have some letters in support, which I  
14 will get to after they speak, with your  
15 permission.

16 SUPERVISOR GILLEN: Yes, that is fine.

17 So, if you step aside, I will call some of  
18 the people that asked to speak on this Public  
19 Hearing.

20 Ronald DiRusso?

21 RONALD DiRUSSO: Ronald DiRusso. 2305  
22 Lincoln Street, Bellmore.

23 I have been a resident there since 1978.

24 I have my vehicles over the years repaired  
25 at, um, the auto body shop,

1 Advance Auto Body.

2 I don't see any reason why somebody  
3 improving, um, in the neighborhood would be  
4 adverse, you know, something bad.

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5 So, I could be in favor of something like  
6 this.

7 He is expanding his body shop for the  
8 public.

9 SUPERVISOR GILLEN: Thank you for your  
10 comments.

11 Sandra Bedell?

12 SANDRA BEDELL: Good Morning.

13 SUPERVISOR GILLEN: Good Morning, if you  
14 could state your name and address for the record.

15 SANDRA BEDELL: My name is Sandra Bedell.  
16 I live in Bellmore for over thirty years.

17 I am about two and a half blocks from the  
18 Nassau line.

19 I do walk passed it every day.

20 I exercise about two miles a day. I walk  
21 in the community, pick up garage, um, look at  
22 storm drains.

23 I am very, very aware of the community.

24 I am involved with community projects,  
25 cleaning up, Seaford Wellness

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Council, so, one thing I always look at is sewer  
2 drains.

3 I look in front of stores and one of the  
4 things I am seeing repeatedly in Bellmore is  
5 people not cleaning up in front of their stores.

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6 And, it is upsetting.

7 I see a lot of businesses that have gone  
8 under in Bellmore as quickly as they come in, they  
9 go out and Bobby has been there, I guess, for  
10 almost as long as I have, the Advance Auto.

11 I did see the new facility.

12 I love the way that you did it. I did use  
13 Banner previously for transmission work.

14 Those guys were always friendly when you  
15 walk by, always said, "Hello."

16 I see a lot of his employees in the  
17 community.

18 They spend money which is important.

19 They are very friendly. There are security  
20 cameras, as a woman, I feel better walking passed  
21 that.

22 Um, I definitely, for those reasons and  
23 many more, I saw the inside, it is so clean and  
24 the machines were beautiful and it kind of looked  
25 like his other shop.

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1 I know he recycles. I don't know if it is  
2 important to everybody else, here, it is important  
3 to me.

4 Um, he is also involved in the community, <sup>Page | 61</sup>  
5 know he supports some of the sport teams.

6 I never saw him say no to anybody for a  
7 couple of dollars to help out.

8 I have had probably six vehicles over  
9 thirty years that have been repaired there, if  
10 this was something I didn't like, I would go back  
11 and he would make the adjustment, whatever it was  
12 and I never had a problem.

13 In the community, I never heard an unkind  
14 word said about either Glenn or Bobby, which is  
15 kind of weird in Bellmore, were are very quick.

16 As far as the Street Fair, I think the  
17 gentleman on the end brought that up.

18 I notice it is no longer the "Bellmore  
19 Street Fair."

20 It has gone to other people coming from  
21 other Towns to Bellmore and they open their little  
22 booths and when they leave, it is a mess.

23 I have watched Bobby's shop during the  
24 Bellmore Street Fair, it is usually closed.

25 You don't see it.

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1 I never been stuck in traffic there.

2 I never seen cars illegally parked there,  
3 so, I can't find one good reason.

4 I looked and I looked hard, so, I am all Page | 62  
5 for it and I hope that you do - and, by the way,  
6 Dave McDonough's wife did pass away.

7 I like to mention that.

8 SUPERVISOR GILLEN: Thank you for your  
9 comments.

10 Stuart Schneiderman?

11 STUART SCHNEIDERMAN: Thank you for having  
12 me, today.

13 My name is Stuart Schneiderman. I own  
14 Steel Fitness, which is about a half block West of  
15 Advance Auto Body at 2742 Grand Avenue in  
16 Bellmore.

17 We have been there for eleven years.

18 I have known Bobby and Glenn for about that  
19 time and if I can sum it up in one sentence, they  
20 are good neighbors.

21 Um, like I said, any time anything is  
22 needed, they have been there for us.

23 One thing I noticed about the shop, um,  
24 that was said here before, everything is state-of-  
25 the art.

1 Um, the overhead doors on both ends allow  
2 easy access from not only Broadway and Grand  
3 Avenue, too.

4 And, if the Board knows anything about  
5 Grand Avenue and I am sure they do, it does narrow  
6 a little bit as it gets towards Bellmore Avenue  
7 and it is a bus route.

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8 However, because of ample parking, he has  
9 twenty-six, so no variance needed, there will not  
10 be any traffic backing up cars that would normally  
11 be left out on the street.

12 Um, and just another thing for the, um,  
13 Councilman D'Esposito, okay, the building, I am  
14 in, now, use to be the old firehouse.

15 It has been there since 1906. We ae well  
16 aware the fire department is only a block away on  
17 the other side of Bedford Avenue and, um, again,  
18 there shouldn't be a problem.

19 COUNCILMAN D'ESPOSITO: Great.

20 STUART SCHNEIDERMAN: Mr. Dunne, the  
21 Bellmore Street Fair, fortunately, it only affects  
22 one half of the day, which would be that Saturday  
23 morning.

24 Usually, the vendors don't start to get  
25 their until 8:00, 9:00 o'clock and

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1 Usually the crowds don't - - they usually start  
2 after 12:00 o'clock, by that time, they will be  
3 out, in fact, my business will be out.

4 That has happened before. We, um, with the <sup>Page | 64</sup>  
5 Chamber of Commerce, we tell all of our clients to  
6 come in through Bellmore Avenue.

7 They are told where they are going to and  
8 it is less than a half block in.

9 The vendors, um, do not - - who set up  
10 their shops on the street or their kiosk on the  
11 street really do not go more - - about, I would  
12 say, two hundred feet passed Bedford Avenue, so,  
13 you don't have, um, - - you don't have really  
14 traffic that is being blocked, so, what they do it  
15 cuts it off right where we are in the middle of  
16 Grand Avenue and traffic is diverted into the, um,  
17 municipal parking lot.

18 And, like I said, I have no qualms  
19 whatsoever that, um, Bobby and Glenn will run  
20 their business with the utmost respect for all the  
21 vendors, to all the, um, businesses that are there  
22 and I don't see any problem at all with them.

23 Thank you.

24 SUPERVISOR GILLEN: Thank you.

25 Edward Mantell?



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1 EDWARD MANTELL: Good Morning.

2 SUPERVISOR GILLEN: Good Morning, please,  
3 state your name and address for the record.

4 EDWARD MANTELL: Edward Mantell, 2542  
5 Malibu Road, Bellmore, New York.

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6 Five years ago, I went into a diner and I  
7 met Glenn and we started talking.

8 We were b.s.-ing.

9 He gave me his car. He told me he has a  
10 body shop.

11 I always use to do my business in Brooklyn  
12 and, unfortunately, one day I met Bobby by  
13 accident, the greatest guy, the greatest thing  
14 that ever happened to me, the most loving and  
15 wonderful.

16 I have my own business. I never met a  
17 person that takes care of a person the way he  
18 does.

19 He has a business that has the highest  
20 quality of business.

21 They are very kind. First of all, they  
22 keep the place so clean.

23 I feel like - - I am going to my doctor  
24 and I have to go to the doctor after. I am not a  
25 good public speaker but I would do anything

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1 for Bobby because the way he has done work, I  
2 brought people to him that could not afford to do  
3 the work.

4 When he said he will help, he has take care <sup>Page | 66</sup>  
5 of them. He has a heart of gold and that is for  
6 the community.

7 We need more people like him.

8 We need more businesses like this in  
9 Bellmore.

10 I love the people. I love Bobby and I just  
11 - - I hope everything goes good.

12 Thank you.

13 SUPERVISOR GILLEN: Thank you.

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

16 SUPERVISOR GILLEN: Barry Nelson?

17 APPRAISER NELSON: I spoke already.

18 SUPERVISOR GILLEN: I do not have any other  
19 slips on this item.

20 Is there anybody else that wishes to be  
21 heard?

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

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

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1 ATTORNEY D'AGOSTINO: Madam Supervisor, may  
2 I submit letters, as well?

3 SUPERVISOR GILLEN: Yes.

4 ATTORNEY D'AGOSTINO: Just for the moment, <sup>Page | 67</sup>  
5 I have letters in support from Catherin Rose that  
6 lives at 1934 Allison Drive in Bellmore, um, one  
7 from James Saminella residing at 255 Maple Avenue,  
8 East Meadow.

9 He has done business with Advance Auto  
10 Body.

11 Another one from Sharon Jones, um, and  
12 another one from Island Greenery Nursery signed by  
13 Mark Bule (phonetic spelling) and Island Greenery  
14 is located at 2036 Bellmore Avenue in Bellmore.

15 And, um, the last one from, um, it is hard  
16 reading the signature, R. Budan of Mark Avenue,  
17 Bellmore.

18 They all speak of their long-term  
19 relationship and pretty much what you already  
20 heard, but, I would like to offer these for the  
21 record.

22 Thank you very much.

23 I have nothing further.

24 SUPERVISOR GILLEN: Is there anybody else  
25 that would like to be heard?

**HEMPSTEAD TOWN MEETING 4/24/18**

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

3 SUPERVISOR GILLEN: Hearing none, may I  
4 have a Motion?

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5 COUNCILMAN D'ESPOSITO: I move that the  
6 Public Hearing be closed and be reserved.

7 SENIOR COUNCILWOMAN GOOSBY: I second the  
8 Motion.

9 SUPERVISOR GILLEN: Madam Clerk, would you,  
10 please, call the roll.

11 CLERK CABANA: Councilman Ambrosino?

12 COUNCILMAN AMBROSINO: Aye.

13 CLERK CABANA: Councilman D'Esposito?

14 COUNCILMAN D'ESPOSITO: Aye.

15 CLERK CABANA: Councilman Dunne?

16 COUNCILMAN DUNNE: Aye.

17 CLERK CABANA: Senior Councilwoman Goosby?

18 SENIOR COUNCILWOMAN GOOSBY: Aye.

19 CLERK CABANA: Councilwoman King-Sweeney?

20 COUNCILWOMAN KING-SWEENEY: Aye.

21 CLERK CABANA: Supervisor Gillen?

22 SUPERVISOR GILLEN: Aye.

23 Madam Clerk, please, call the next Public  
24 Hearing.

25 CLERK CABANA: Application of DEKA

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Associates, LLC. for a modification of a  
2 Declaration of Restrictive Covenants dated October  
3 26, 2009 affecting real property located at 2870  
4 Grand Avenue - Baldwin - west side of Grand  
5 Avenue, 230 feet south of Barnes Avenue.

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6 I also have a companion application,  
7 Supervisor, application of DEKA Associates, LLC,  
8 for modification of a Declaration of Restrictive  
9 Covenants dated October 26, 2009 affecting real  
10 property located at 2870 Grand Avenue - Baldwin,  
11 west side of Grand Avenue, 230 feet south of  
12 Barnes Avenue.

13 ATTORNEY WALSH: Good Morning, Madam  
14 Supervisor and Members of the Town Board: I am  
15 Kevin Walsh from the firm of Walsh, Marcus,  
16 McDougal and Debellis. 229 Seventh Street,  
17 Garden City, New York.

18 And, I am, here, today representing DEKA  
19 Associates, LLC, the applicant in both of these  
20 applications.

21 Um, both applications deal with the  
22 property that DEKA owns in Baldwin and 2870 Grand  
23 Avenue in Baldwin.

24 This property is along a deep rectangular  
25 piece of property which is located just on the

**HEMPSTEAD TOWN MEETING 4/24/18**

1 West side of Grand Avenue, just North of  
2 Atlantic.

3 Um, both applications deal with that.

4 I like to give some history of this  
5 property because I think it is important, here.

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6 Um, in 2004, this Board granted a zoning  
7 change to permit to change the zone from  
8 Residential B to Golden Age Zone.

9 Um, the applicant in 2004 set out to  
10 construct a 25 unit senior housing coop based upon  
11 the Resolution approved by this Board that was  
12 going to be a senior project and it is a senior  
13 project that had certain criteria as to income,  
14 age and the like.

15 Um, the economy got in the way of his  
16 development back in that time, so, in 2009, I  
17 began representing him and we came before the  
18 Board and ready to build, again, and in 2009, um,  
19 he sought an application to increase the prices of  
20 the units higher based on the time this Board  
21 granted this application, a number of Resolutions  
22 that was the only change made in 2009.

23 And, then, he set out building and  
24 Superstorm Sandy came through and affected his  
25 development at that point in time.

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1           So, when it was clear, he had to bet back  
2 to building, he asked me to come back to this  
3 Board in 2017, he was in the middle of  
4 construction.

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5           We came back to this Board and asked that  
6 you permit the only change in Resolution that had  
7 been passed back in 2004 was to permit the prices  
8 to be a little bit higher to consume the extra  
9 expense that he had associated with that.

10           We satisfied the Board that those prices  
11 were in line with what the Golden Age Developments  
12 were in the Town at the time and the Board granted  
13 that.

14           He has, now, built the project.

15           It has a C of O.

16           It is twenty-five units. It is two stories  
17 each, first floor units are, approximately, eight  
18 hundred and twenty-nine square feet and the second  
19 floor is slightly less, given the staircase and  
20 those units are now under market.

21           There is a pending offering plan.

22           There are five of the twenty-five units are  
23 under contract to sell and representation to the  
24 plan say we will be back and seek an, um, um,  
25 resolution from this Board freezing of taxes and

**HEMPSTEAD TOWN MEETING 4/24/18**

1 setting the PILOT which was originally approved as  
2 right that we had to go back to the Board under  
3 the finance law to go for a PILOT.

4 So, the other thing that has happened is Page | 72  
5 and the reason we only have five apartments are is  
6 the income levels associated with these projects  
7 are still at the 2004 resolution.

8 They are for single wage earner, forty five  
9 thousand dollars.

10 You can't make forty-five thousand dollars  
11 and buy one of these units and for additional wage  
12 earners and more, they are sixty thousand dollars.

13 These are totally inadequate. They are in  
14 the way of getting people to buy because people  
15 you either need a lot of cash or you don't need  
16 the loan or have some flexibility to be able to  
17 make a few more dollars to get the loan and to buy  
18 the units.

19 So, we have had a number of contracts that  
20 have failed because we can't find the right mix of  
21 people who, um, can buy the units or have  
22 sufficient cash to do so but the pricing and the  
23 income levels were set back in 2004.

24 It is fourteen years later, um, I attached  
25 as Exhibit I to my petition a list of the Town



1 of Hempstead Golden Age Projects, um, the most  
2 easy one to compare us to will be Millburn Estates  
3 and we are seeking the levels, the Housing  
4 Authority prepared this data.

5 We are seeking the levels of income from  
6 one-wage earner and two-wage earners that are  
7 consistent with that.

8 So, the application on that first  
9 application is to grant a Resolution permitting  
10 sixty-two thousand dollars to be the maximum that  
11 a single-wage earner can make and seventy-two  
12 thousand any two or more wage earners to make.

13 COUNCILMAN D'ESPOSITO: How many nits are  
14 in this facility?

15 ATTORNEY WALSH: Twenty-five.

16 COUNCILMAN D'ESPOSITO: How many are  
17 occupied?

18 ATTORNEY WALSH: None are occupied. We  
19 can't occupy until we close. We need fifteen  
20 percent to declare effective. We are waiting, now  
21 to get a map on it because of the timeframe.

22 COUNCILMAN D'ESPOSITO: Okay.

23 ATTORNEY WALSH: And, then we will close  
24 but we have plenty more people that would love to  
25 and we can't occupy pursuant to your Resolution,

**HEMPSTEAD TOWN MEETING 4/24/18**

1 we can't occupy until we actually close, so, it is  
2 sitting vacant and waiting for this closing to  
3 occur, that is the first application.

4 On the second application that is asking Page | 74  
5 this Board to pass a Resolution freezing the taxes  
6 and setting a PILOT in place and the calculation  
7 that I used and it is in the application, it would  
8 be asking you to approve our project plan.

9 The project plan would be described for  
10 taxes going forward and the request is taxes are  
11 set twenty-five hundred and eighty dollars per  
12 unit or as a tax on these units at this time and  
13 continuing for twenty-five years.

14 The method of this calculation is I have  
15 used the last vacant land assessed valuation of  
16 eight hundred and twenty-nine dollars that is set  
17 forth in the project line, eight hundred and  
18 twenty-nine dollars and that would be the land  
19 assessment, um, per unit.

20 And, then that is thirteen thousand seven  
21 hundred and forty-five dollars.

22 This is a co-op.

23 It will be combined taxes, even though they  
24 will be calculated per unit, it will all be paid  
25 as one tax bill.

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1 The PILOT would be fixed.

2 The way I have seen the last one was you  
3 take the gross sale value, last increase sale  
4 price, two hundred and fifty-eight thousand  
5 dollars, multiply it by the twenty-five, take one  
6 percent of that and get sixty-four thousand and  
7 four hundred and fifty dollars, that sixty-four  
8 thousand four hundred and fifty dollars would be  
9 the PILOT amount.

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10 You subtract from that the land, tax amount  
11 which we will continue to pay and come up with a  
12 PILOT of equivalent of two hundred and ninety  
13 dollars a unit and it would be for per month, so,  
14 twenty-five, eighty per unit over the years.

15 COUNCILMAN D'ESPOSITO: If I can interrupt  
16 for a minute, Mr. Ra, if you can, I am not - - I  
17 just want to make sure we all understand, um,  
18 especially with the - - in the event, a lot of  
19 people hear "PILOT", they think, "IDA", so can you  
20 just give a brief explanation as to what this  
21 actually is so everyone that is hear understands.

22 TOWN ATTORNEY RA: First of all, this is a  
23 true Golden Age Zone application, meaning and we  
24 don't have many of them in the Town of Hempstead.

25 So, generally speaking, the PILOT number

1 is one percent, um, and so that is a layman's way  
2 of coming up to twenty-five eighty as opposed to  
3 the very, very astute way the Attorney came up  
4 with twenty-five eighty would be the number that <sup>Page | 76</sup>  
5 the Town Board would grant.

6 But, a true Golden Age as follows, number  
7 1, it is income restricted.

8 You can only make a certain income level to  
9 be eligible to buy these units, that is the help  
10 for lower-income seniors.

11 Number 2, the resale number is restricted.

12 You have to come to the Town of Hempstead  
13 Housing Authority when you sell.

14 If you bought a unit for two hundred and  
15 fifty-eight thousand dollars, here, when you went  
16 to sell, you can get cost of living increase in  
17 your, um, purchase price and no more.

18 And, it has to be through the Town of  
19 Hempstead Housing Authority, that is why  
20 historically PILOT's have been granted on these  
21 kinds of applications.

22 So, IDA is a totally different issue than  
23 this.

24 This zone was created in order to help  
25 lower-income senior are able to, you know,

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1 sell their houses but stay in the community.

2 COUNCILMAN D'ESPOSITO: Right, so, this  
3 PILOT is specific to the zoning of Golden Age?

4 TOWN ATTORNEY RA: Correct.

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5 ATTORNEY WALSH: I just like to add, I  
6 thank Councilman D'Esposito, Counsel Ra for that.

7 I should have started with this, not your  
8 traditional, this is built into it because of the  
9 benefits on annual restrictions on these units.

10 They are not market and they can't be sold  
11 as market and that is the trade-off.

12 Thank you, Councilman.

13 SENIOR COUNCILWOMAN GOOSBY: That is what I  
14 needed to understand, too.

15 We don't give PILOTS. The Board does not.

16 You go to the IDA Board for that.

17 They take care of the PILOTS. This one is  
18 different because of the Golden Age, so, that is  
19 why it comes under the Town Board, is that  
20 correct, Mr. Ra?

21 TOWN ATTORNEY RA: Correct.

22 ATTORNEY WALSH: The Finance Law expressly  
23 gives you permission to do this and that is why it  
24 is set up this way.

25 I will indicate we are not going to come

1 back, here, seeking to reduce the 62 age, that is  
2 fine there and it works well.

3 We know there will never be children in the  
4 schools from that site.

5 And, it is a very, I will say, the sales,  
6 um, even though it might seem slow, we are under  
7 five contracts of twenty-five.

8 We have only gotten approved awhile back  
9 and a lot of people, quite frankly, are waiting  
10 the two, "what if's", here.

11 What if you broaden the market, make a few  
12 more dollars and buy them and I don't have to come  
13 in with all cash and number two is making sure,  
14 um, we are on our way to producing some of those  
15 tax benefits that people are paying for by the  
16 restrictions.

17 SENIOR COUNCILWOMAN GOOSBY: And, you open  
18 it up to everyone that wants to buy?

19 ATTORNEY WALSH: Based on the Resolution  
20 that this Board enacted years ago, first comes  
21 Baldwin, Town of Hempstead, Nassau County  
22 residents.

23 If you don't have anyone on one, you go to  
24 the next tier.

25 It is centered around the location and

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1 you go outside of that, but, that is part of the  
2 Resolution that this Board passed, back in 2004,  
3 2009 and, again, in 2017.

4 SENIOR COUNCILWOMAN GOOSBY: Do you have Page | 79  
5 any changes as far as, um, the residents who can  
6 offer PILOTS, Mr. Ra, in recent years I know there  
7 are changes as far as affordable housing?

8 Is there any changes to that rule?

9 Does that apply to this?

10 TOWN ATTORNEY RA: The Covenants and  
11 Restrictions on this property, um delineate  
12 Baldwin residents and, then, Town of Hempstead and  
13 Nassau County.

14 COUNCILWOMAN KING-SWEENEY: Can you please  
15 explain to me why you are only, now, applying for  
16 a PILOT?

17 ATTORNEY WALSH: Um, well, ideally, we want  
18 to set PILOTS in its starting date, at the date  
19 when the building is occupied and done.

20 You don't want, you know, you don't want to  
21 get the PILOT too early because if no one is  
22 living there, so, you somewhat hitting a moving  
23 target.

24 You have to get an offering plan.

25 You have to make sure you have sold

1 Fifteen percent of the units.

2 So, actually, this PILOT application, the  
3 project plan a number of months ago, it has waited  
4 its course to get on the agenda, but, it will tie <sup>Page | 80</sup>  
5 in nicely with closing and, then, it hopefully  
6 goes on the rolls at that point in time.

7 It would be six or seven months, but the  
8 owner has to deal with that in terms of keeping  
9 the units until it can get off.

10 COUNCILWOMAN KING-SWEENEY: Mr. Ra, could  
11 you, please, comment on that?

12 My understanding was this could have been  
13 applied quite a while ago.

14 TOWN ATTORNEY RA: There could have been an  
15 application to try to anticipate what the purchase  
16 price would be and what the PILOT would be and  
17 given the circumstances of this particular site,  
18 they would have just been back, here, again, now  
19 because it would have been, um, probably too low  
20 at the time.

21 COUNCILWOMAN KING-SWEENEY: Is it standard  
22 to have a PILOT granted when a building is built?

23 TOWN ATTORNEY RA: It is not done all the  
24 time, but it has been done before.

25 ATTORNEY WALSH: If I could add,



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1 Councilwoman Sweeney, um, if I had gotten a PILOT  
2 a year ago my developer would have been the one  
3 who got the benefits associated with that.

4 It would have changed the tax rate or I Page | 81  
5 would have been cutting into the twenty-five  
6 years.

7 It is ideal, it seems to me, that the PILOT  
8 goes in place when the people who are supposed to  
9 benefit from the PILOT being to occupy, that is  
10 the plan, here, so, there would be no prohibition  
11 to have that years ago, but we are trying to time  
12 it to a point in time when I do, at least, to have  
13 occupancy there because those are the ones who are  
14 supposed to get the benefit.

15 I have nothing further. I am available to  
16 answer any questions.

17 SUPERVISOR GILLEN: We have a couple of  
18 people that wish to be heard on this.

19 If you could step aside, if they have any  
20 questions, you can address them, Mr. Walsh.

21 Karen Montalbano?

22 KAREN MONTALBANO: Karen Montalbano, 2611  
23 Park Avenue, Baldwin.

24 I am President of the Baldwin Civic  
25 Association.

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1 Um, I was not aware of all of this, today.  
2 I have been asking questions about the Covenants  
3 which seems to have been answered but, I do have  
4 some grave reservations about the PILOT. Page | 82

5 Residents of Baldwin, um, get taxed for  
6 their school taxes based on the tax base, so, a  
7 PILOT is a payment in lieu of taxes, correct?

8 So, this means that our tax base with our  
9 tax pact for our school taxes are going to be  
10 affected.

11 Now, I understand the reasoning for wanting  
12 to protect our citizens who are older and they are  
13 getting some protections, here, but I really  
14 wonder why we need this PILOT for twenty-five  
15 years to affect our students in our community and  
16 why this PILOT which normally is an inducement for  
17 building is coming in at this point?

18 SUPERVISOR GILLEN: Mr. Walsh?

19 ATTORNEY WALSH: I explained why the PILOT  
20 was coming in at this point, it would be premature  
21 to put it in place when my client would be the  
22 beneficiary of it, not the people that would buy  
23 there.

24 And, I deal with the argument and the issue  
25 with schools all the time and I am aware that the

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1 State calculation of the tax cap is not allowing  
2 municipalities - - not allowing school districts  
3 not to treat the PILOT payments the same way they  
4 do everything else, they get the money. Page | 83

5           There is no way about it, but in terms it  
6 has a negative impact on their PILOT, the  
7 literature in Albany had the Governor veto in  
8 November, December, an effort the school districts  
9 had made to change that calculation to treat tax  
10 PILOTS as if they were increases in assessed  
11 valuation which could affect positively to the tax  
12 gap.

13           That is a State deal and we have no control  
14 over that that.

15           Back to Councilman D'Esposito's point,  
16 these cannot be sold or occupied.

17           Nobody would buy them. They, in essence,  
18 become market units if, in fact, you can't get tax  
19 relief, that is the only reason.

20           So, to not give a tax PILOT, here, would be  
21 saying to the people that are under contract, you  
22 will be restricted in the ability to sell these.

23           You can only make a certain amount of money  
24 if you sell them.

25           Market forces you can't use, however, we

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1 are not going to get any relief under that tax cap  
2 under the PILOT and that would seem very unfair.

3 This is a negligible number in the School  
4 Boards of Baldwin. Page | 84

5 It is not an enormous complex. It will  
6 have very little affect on it.

7 As I said, we will pay PILOT payments.

8 It is in line, if you were in the business  
9 of promoting Seniors to stay in their homes and  
10 live in the areas that they have lived for many,  
11 many years and they need the help to do this and  
12 that whole basis of these plans and to take a  
13 portion of it that, um, restricts them in terms of  
14 the sale-ability and values and just impose that  
15 on them without imposing the benefits associated  
16 with that in terms of tax PILOTS seems to be not  
17 the direction you want to go in.

18 SUPERVISOR GILLEN: Mr. Walsh, are you  
19 saying in terms you comply with the zoning  
20 requirements, these PILOTS are as of right?

21 ATTORNEY WALSH: They are not as of right,  
22 it still has to be passed by this Board but the  
23 very Resolution that gave rise to the zoning  
24 change set forth in there allowing the owner to  
25 make an application pursuant to the Finance Law

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1 for a PILOT referencing the original brand.

2 KAREN MONTALBANO: Can I ask how much is  
3 the PILOT going to affect the tax base?

4 ATTORNEY WALSH: This was vacant land.  
5 PILOT - -

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The

6 KAREN MONTALBANO: It wasn't vacant land.  
7 There was a house that burnt down.

8 ATTORNEY WALSH: Okay.

9 KAREN MONTALBANO: We are not starting with  
10 vacant land, a house was on there that burnt down.

11 ATTORNEY WALSH: Okay.

12 KAREN MONTALBANO: We are not starting with  
13 vacant land.

14 I want to know, now, how this is going to  
15 affect the tax base?

16 How much is this PILOT going to cost?

17 ATTORNEY WALSH: The PILOT will not cost  
18 anything.

19 I stand correct, if there was a house  
20 twenty years ago, I did not know, there, the real  
21 estate tax associated with the PILOT component for  
22 school taxes associated with the property will  
23 greatly exceed what could have been generated by  
24 the single-family house that was there.

25 But, how much is it?

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1           ATTORNEY WALSH: If the PILOT were granted  
2 the way it was presented in the project plan, it  
3 would be twenty-five hundred and eighty dollars  
4 per unit, per year and the bulk of that number     Page | 86  
5 would be split between the Town and the school,  
6 the vast majority of that number would be going to  
7 the school.

8           It is not an inconsequential PILOT from the  
9 purposes of what was there before and what revenue  
10 the School District will achieve.

11           COUNCILMAN D'ESPOSITO: So, to break it  
12 down, you said there is twenty-five units. Let's  
13 just use round numbers, twenty-five units, twenty-  
14 five hundred per unit, let's say being nice,  
15 eighty percent of that goes to the School  
16 District, the other twenty percent would go to the  
17 County and Town and Special Sanitation Districts?

18           ATTORNEY WALSH That is correct.

19           COUNCILMAN D'ESPOSITO: Twenty-five hundred  
20 times twenty-five is six hundred and twenty-five  
21 thousand, okay, I am just figuring it out myself.

22           KAREN MONTALBANO: I had figured sixty-four  
23 thousand five hundred dollars originally, um, now,  
24 does - - I want to understand how that is going to  
25 affect my school taxes and my fellow residents'

1 School taxes?

2 COUNCILMAN AMBROSINO: Mr. Walsh, may I ask  
3 you a question, Mr. Walsh, isn't it true if there  
4 was a house there a year ago and the house burnt <sup>Page | 87</sup>  
5 down on the Nassau County Assessment Roll, the  
6 house would be carried as vacant land.

7 Your PILOT is necessary to build this  
8 Complex but for the PILOT, you wouldn't have to  
9 build this Complex and the taxes would have been  
10 vacant land, so, your PILOT is more money than the  
11 School District would have but for the project  
12 being built.

13 ATTORNEY WALSH: It is true, Councilman,  
14 this project was vacant land tax.

15 I know a house was - -

16 COUNCILMAN AMBROSINO: Burnt down to a  
17 vacant land tax.

18 ATTORNEY WALSH: It is one hundred percent  
19 - - our client would have not - - never would have  
20 purchased the property to build Senior Housing if  
21 the PILOT wasn't an integral part of that because  
22 he never would be able to sell the units.

23 COUNCILMAN AMBROSINO: And, the impact on  
24 the school district through Senior Housing is  
25 motivating, correct?

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1           ATTORNEY WALSH: I can never say no, these  
2 are seven hundred and fifty square foot units.

3           I don't see school children at all being  
4 involved.

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5           There are no applications.

6           We have, now, five that are identifying  
7 that they are going to have children there and  
8 just to go - - sixty-four thousand dollars is the  
9 tax, the PILOT coupled with tax revenue that would  
10 be achieved if eighty percent is going to the  
11 Schools, that would significantly be greater than  
12 one or two homes or three homes, there, it is  
13 between, I mean, we all know school taxes are a  
14 big chunk of our taxes.

15           COUNCILMAN D'ESPOSITO: I didn't know if it  
16 was eighty percent.

17           COUNCILWOMAN KING-SWEENEY: Have you had  
18 any conversation with the School about this and  
19 what they expect the impact to be?

20           ATTORNEY WALSH: No, because - - no, I  
21 have not. I have not spoken to the school about  
22 it.

23           I only know historically they don't  
24 generate a lot of children and if they generate  
25 any children, they wouldn't have an impact on



1 what our application would be, quite frankly,  
2 because there is no way to sell these and figure  
3 in school taxes for children that we historically  
4 know don't exist.

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5 And, I would imagine the school would be  
6 saying the similar thing at the Hearing, "let's  
7 get us more taxes and not do the PILOT," that is  
8 the way they approach these things from their  
9 particular point of view, which I understand, but,  
10 this Board has to look at it from the overall - -

11 KAREN MONTALBANO: Unfortunately, it  
12 doesn't matter if you have a child in the school  
13 or not, you still pay your school taxes.

14 Secondly, I do know the School Board does  
15 have concerns, particularly with another project,  
16 as well, about PILOTS, so, just to add that in.

17 COUNCILMAN D'ESPOSITO: I just have the one  
18 question, I did redo this whole thing, I just got  
19 it.

20 I don't know if you mentioned, um, lowering  
21 the, um, income, correct, is there any age change?

22 ATTORNEY WALSH: No, there is no age  
23 change, 62.

24 COUNCILMAN D'ESPOSITO: Right.

25 ATTORNEY WALSH: And, that will not change.

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1 COUNCILMAN D'ESPOSITO: Because if you  
2 below 62, then, you need the extra parking spot  
3 per person.

4 ATTORNEY WALSH: And, in addition to that, <sup>Page | 90</sup>  
5 somebody saying to me - -

6 COUNCILMAN D'ESPOSITO: I am just making  
7 sure.

8 KAREN MONTALBANO: It is twenty-five years  
9 of frozen taxes that is hard to swallow sometimes.

10 SUPERVISOR GILLEN: If they change the age  
11 requirements, the Golden Age application fails on  
12 it face.

13 ATTORNEY WALSH: Anyone has to apply to the  
14 Town Housing Authority who has to do their due  
15 diligence that the applicant who is buying meets  
16 the criteria that this Board has set up.

17 KAREN MONTALBANO: Thank you.

18 SUPERVISOR GILLEN: Is there anybody else  
19 that would like to be heard on this Public  
20 Hearing?

21 (Whereupon, "yes," was called out from the  
22 audience. After, the following ensued.)

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

25 I am concerned, first of all, with regard

1 to these audiovisual equipment and I come here and  
2 see these blank screens and I am concerned that  
3 residents don't get to see the material and the  
4 information that is impacting our overall taxes Page | 91  
5 and information that is, um, important for  
6 residents to be aware of just kind of hearing  
7 things and hearing that our elected officials are  
8 just reading over things now and kind of tossing  
9 out questions that clearly makes me very  
10 uncomfortable.

11 Um, and as the previous speaker, the  
12 resident, Karen Montalbano from Baldwin, we are as  
13 anyone in this area, because we pay so much in  
14 taxes and we are still trying to see what that  
15 return on the investment is when we hear the word,  
16 "PILOT", it does cause great concern and we want  
17 to make sure it is addressed early and not in  
18 NEWSDAY and not in NEWS 12, not in some New York  
19 Times, expose.

20 And, we need to have another Hearing and a  
21 Commission to find out who didn't know and what  
22 they didn't know, so, that issue of any type of  
23 frozen costs that are going to be obviously, the  
24 residents, those of us that are fighting to keep  
25 the number of zombie homes down in our community,

1 we need to make sure that those of you who are  
2 making these decisions do not do so operating in a  
3 vacuum, so, some of the things I did hear, um,  
4 with regard to the fact that there aren't a lot of <sup>Page | 92</sup>  
5 Golden Age Zones, why is that?

6 There is a reason that we do not have a lot  
7 of Golden Age Zones.

8 I do agree that we do need to have  
9 something comparable and affordable for our older  
10 residents who no longer can afford to maintain the  
11 large home.

12 I get it.

13 I deal with Veterans who are fighting to  
14 stay in their homes or suffering in silence and  
15 chose to eight thousand in our rolls in Nassau  
16 County, State Supreme Court fighting for closure,  
17 I get it.

18 But when we look at how this is going,  
19 about the fact that the President of the Baldwin  
20 Civic Association didn't even know about these  
21 properties and to hear that the Baldwin community  
22 is going to have basically the first right of  
23 refusal or choice, that concerns me, who is the  
24 market place, that this is going after.

25 How is the outreach going to take place to

1 determine who the viable attendees or residents of  
2 this facility will be?

3 I hear about the changes in Sandy and this  
4 of that nature. Page | 93

5 Twenty-five units, I get it, we still have  
6 young people that can't afford housing, who can't  
7 afford to live here, so we still have development  
8 issues in downtown Baldwin.

9 As I said, I just happened to drive by this  
10 property because I just happened to be down that  
11 part of Grand Avenue, but, you have local  
12 residents in Baldwin, like myself, like Mrs.  
13 Montalbano, who doesn't even know about this  
14 structure, so, again, who is going in there?

15 What is it going to be about?

16 What is really the fiscal impact for those  
17 of us who will have to eat the balance of the  
18 balance of these taxes?

19 You can call it a good PILOT.

20 You can call it a bad PILOT, just like you  
21 have good cholesterol, you got bad cholesterol,  
22 either way, it is going to impact the overall  
23 system and we need to make sure we address it.

24 The income level where I agree, no one and  
25 unfortunately, we still have residents in this

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1 Township that are only making forty-five thousand  
2 dollars that have to pay for the taxes for this  
3 township, so, I agree there are certain  
4 requirements within this process that do need to <sup>Page | 94</sup>  
5 be revised.

6 But, I am, again, hopeful that you are not  
7 looking at this blindly and just voting for it,  
8 and, then, it comes back later to bite us all  
9 because it is biting us in the pockets, a lot  
10 deeper,

11 And, like I said, when I sat here, can we  
12 get this equipment that we pay for that some  
13 contractor has gotten some money, so that the  
14 residents can find out what is going on, on a  
15 regular basis because hearing about stuff and  
16 trying to write down questions and to get some  
17 answers, it is enough already.

18 It is enough.

19 We pay too much to have broken down, you  
20 know, every time we come here, something is broken  
21 down, if it is not the HVAC, it is the  
22 audiovisual.

23 Stop paying the money if we cannot get the  
24 quality service or we can't get the products or we  
25 cannot get the equipment or the technology.

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1 It is 2018, already.

2 Thank you.

3 COUNCILWOMAN KING-SWEENEY: Ms. Mereday, I  
4 want to thank you for your comments and, also, for <sup>Page | 95</sup>  
5 Ms. Montalbano's, both of you are leaders in the  
6 community and you are also passionate voices for  
7 Baldwin.

8 And, I agree with you. I have some  
9 concerns and I think we need to look into this  
10 more.

11 I think there needs to be some outreach  
12 within the Baldwin community.

13 Um, so, I heard what you said and thank  
14 you.

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

17 ATTORNEY WALSH: Supervisor Gillen, I just  
18 - - I feel the need to just make sure the record  
19 is clear, this is not taking money.

20 We are not losing anything.

21 If a property can't sell at market rates  
22 and market value and therefore generate those  
23 taxes, so, you have to look at what you started  
24 with.

25 You started with a vacant piece of

1 Property.

2 It may have been a single home at one point  
3 and we have built something good for the community  
4 and I believe you all believe it is good for the <sup>Page | 96</sup>  
5 community because it creates some important senior  
6 housing and tax wise it needs some relief but it  
7 will generate taxes well more than it is  
8 generating the way it was.

9 Um, you know, it is the same thing, we look  
10 out for senior exemptions and all the exemptions  
11 we can apply for, they are based on public policy  
12 and good public policy, so, I could come into a  
13 meeting and say why are we giving senior  
14 exemptions out?

15 I am paying out more but that is not the  
16 question.

17 The question is how do we generate and how  
18 do we create things that we need in the community  
19 considering all factors, one of which is we need  
20 seniors to stay, so, they get exemptions.

21 Senior get exemptions.

22 They are all going to be exemptions, so, we  
23 are asking, give them some exemptions, here. And,  
24 thank you for your time.

25 SUPERVISOR GILLEN: Thank you, sir.



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1 Thank you. I do agree with Councilwoman  
2 Sweeney, that we need some involvement and some  
3 discussion with the Baldwin community.

4 I think that is an important part but this <sup>Page | 97</sup>  
5 is also considering PILOTs, so, that is an  
6 important part of this component.

7 Um, is there anybody else that wishes to be  
8 heard?

9 SENIOR COUNCILWOMAN GOOSBY: Since we are  
10 talking about this, I think we must meet with the  
11 community before we meet, again, with the  
12 developers because the project, we must make sure  
13 all residents in Baldwin are invited to the  
14 meeting that we must have, so we have to do that  
15 soon.

16 SUPERVISOR GILLEN: Is there a Motion on  
17 this Hearing?

18 COUNCILWOMAN KING-SWEENEY: I would like to  
19 make a Motion to grant Item Number 10 and to  
20 reserve judgment on Item Number 11.

21 SENIOR COUNCILWOMAN GOOSBY: I second the  
22 Motion.

23 TOWN ATTORNEY RA: Two separate votes,  
24 Supervisor, one on ten and call ten.

25 SUPERVISOR GILLEN: On Public Hearing

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1 Number 10, may I have a Motion.

2 SENIOR COUNCILWOMAN GOOSBY: I second the  
3 Motion. You made the Motion.

4 TOWN ATTORNEY RA: For clarity on the  
5 Motion, on 10.

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6 COUNCILWOMAN KING-SWEENEY: On Item Number  
7 10, I like to make a Motion to grant Item 10.

8 SENIOR COUNCILWOMAN GOOSBY: Second the  
9 Motion.

10 SUPERVISOR GILLEN: Madam Clerk, please,  
11 call the roll.

12 CLERK CABANA: Councilman Ambrosino?

13 COUNCILMAN AMBROSINO: Aye.

14 CLERK CABANA: Councilman D'Esposito?

15 COUNCILMAN D'ESPOSITO: Aye.

16 CLERK CABANA: Councilman Dunne?

17 COUNCILMAN DUNNE: Aye.

18 CLERK CABANA: Senior Councilwoman Goosby?

19 SENIOR COUNCILWOMAN GOOSBY: Aye.

20 CLERK CABANA: Councilwoman King-Sweeney?

21 COUNCILWOMAN KING-SWEENEY: Aye.

22 CLERK CABANA: Supervisor Gillen?

23 SUPERVISOR GILLEN: Aye.

24 May I have a Motion on Item Number 11.

25 COUNCILWOMAN KING-SWEENEY: Supervisor, I

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1 like to make a Motion to reserve judgment on Item  
2 11.

3 SENIOR COUNCILWOMAN GOOSBY: I second the  
4 Motion. Page | 99

5 SUPERVISOR GILLEN: Madam Clerk, please,  
6 call the roll.

7 CLERK CABANA: Councilman Ambrosino?

8 COUNCILMAN AMBROSINO: Aye.

9 CLERK CABANA: Councilman D'Esposito?

10 COUNCILMAN D'ESPOSITO: Aye.

11 CLERK CABANA: Councilman Dunne?

12 COUNCILMAN DUNNE: Aye.

13 CLERK CABANA: Senior Councilwoman Goosby?

14 SENIOR COUNCILWOMAN GOOSBY: Aye.

15 CLERK CABANA: Councilwoman King-Sweeney?

16 COUNCILWOMAN KING-SWEENEY: Aye.

17 CLERK CABANA: Supervisor Gillen?

18 SUPERVISOR GILLEN: Aye.

19 That concludes our Public Hearings - -

20 COUNCILMAN D'ESPOSITO: Decision Calendar.

21 SUPERVISOR GILLEN: Please, call our  
22 Decision Calendar.

23 CLERK CABANA: Supervisor, there is one  
24 Item on the Decision Calendar which is the  
25 application of Nassau Land Developers, LLC.,

**HEMPSTEAD TOWN MEETING 4/24/18**

1 for rezoning from Residence "B" District to  
2 Business District located at 1184 Hempstead  
3 Turnpike - Uniondale - southeast corner of  
4 Hempstead Turnpike & Walton Avenue.

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5 SUPERVISOR GILLEN: May I have a Motion.

6 SENIOR COUNCILWOMAN GOOSBY: I reserve  
7 decision on Item Number 12.

8 COUNCILMAN D'ESPOSITO: I second the  
9 Motion.

10 SUPERVISOR GILLEN: Madam Clerk, please,  
11 call the roll CLERK CABANA: Councilman Ambrosino?

12 COUNCILMAN AMBROSINO: Aye.

13 CLERK CABANA: Councilman D'Esposito?

14 COUNCILMAN D'ESPOSITO: Aye.

15 CLERK CABANA: Councilman Dunne?

16 COUNCILMAN DUNNE: Aye.

17 CLERK CABANA: Senior Councilwoman Goosby?

18 SENIOR COUNCILWOMAN GOOSBY: Aye.

19 CLERK CABANA: Councilwoman King-Sweeney?

20 COUNCILWOMAN KING-SWEENEY: Aye.

21 (Whereupon, Supervisor Gillen was not  
22 called to vote.)

23 CLERK CABANA: On the Administrative  
24 Calendar, Items 13 through 50 and I also have a  
25 Resolution that is of an urgent nature, the

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Resolution is a Resolution rescinding Resolution  
2 Number 1449-2017 and authorizing the Supervisor to  
3 execute an intermunicipal agreement with the  
4 County of Nassau.

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5 This will be Number 51 on the Calendar.

6 SUPERVISOR GILLEN: Are there any Council  
7 Members that wish to sever any items on the  
8 Administrative Calendar.

9 COUNCILMAN DUNNE: I like to make a Motion  
10 to sever 38.

11 COUNCILMAN AMBROSINO: I second the motion.

12 COUNCILMAN DUNNE: I would like to add 41  
13 to that, also.

14 COUNCILMAN AMBROSINO: I second the Motion.

15 COUNCILMAN DUNNE: I would like to table 38  
16 and 41.

17 COUNCILMAN AMBROSINO: I second the Motion.

18 SUPERVISOR GILLEN: Madam Clerk, would you,  
19 please, call the roll.

20 CLERK CABANA: Councilman Ambrosino?

21 COUNCILMAN AMBROSINO: Aye.

22 CLERK CABANA: Councilman D'Esposito?

23 COUNCILMAN D'ESPOSITO: Aye.

24 CLERK CABANA: Councilman Dunne?

25 COUNCILMAN DUNNE: Aye.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 CLERK CABANA: Senior Councilwoman Goosby?

2 SENIOR COUNCILWOMAN GOOSBY: Aye.

3 CLERK CABANA: Councilwoman King-Sweeney?

4 COUNCILWOMAN KING-SWEENEY: No, I wish we <sup>Page | 102</sup>

5 would go ahead and discuss and vote on it.

6 I fully support, um, this Resolution which  
7 calls for greater transparency in the RFP process  
8 and I hope in the next two weeks that we can come  
9 to something that is agreeable to the majority of  
10 the Town Board, so, no.

11 CLERK CABANA: Supervisor Gillen?

12 SUPERVISOR GILLEN: I, too, wish we were  
13 moving forward on the RFP proposal, um, I was made  
14 aware just the beginning of this Meeting that  
15 there was an issue with one of the Commissioners  
16 who has been negotiating in this bipartisan way in  
17 good faith to move forward with this Resolution.

18 I am disappointed. I only found outright  
19 before the Board Meeting that there was an issue  
20 with this Resolution.

21 I wish I found that out sooner but I do  
22 look forward to working in good faith with this  
23 Board in a bipartisan way that this transparency  
24 issue moves forward, so, I vote no.

25 Can I have a Motion on the Administrative

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Calendar excluding the tabled items.

2 SENIOR COUNCILWOMAN GOOSBY: I move the  
3 Administrative Calendar in its entirety with the  
4 exception of ones that have severed, 38 and 41 - <sup>Page | 103</sup>

5 (Whereupon, "can't hear," was heard calling  
6 out from the audience. After, the following  
7 ensued.)

8 SENIOR COUNCILWOMAN GOOSBY: I move the  
9 Administrative Calendar it its entirety from 13 to  
10 51 with the exception of the two that have been  
11 severed, 38 and 41.

12 COUNCILMAN DUNNE: I second the Motion.

13 SUPERVISOR GILLEN: Madam Clerk, would you,  
14 please, call the roll.

15 CLERK CABANA: Councilman Ambrosino?

16 COUNCILMAN AMBROSINO: Aye.

17 CLERK CABANA: Councilman D'Esposito?

18 COUNCILMAN D'ESPOSITO: Aye.

19 CLERK CABANA: Councilman Dunne?

20 COUNCILMAN DUNNE: Aye.

21 CLERK CABANA: Senior Councilwoman Goosby?

22 SENIOR COUNCILWOMAN GOOSBY: Aye.

23 CLERK CABANA: Councilwoman King-Sweeney?

24 COUNCILWOMAN KING-SWEENEY: I have  
25 something to say, what are we voting on?

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SENIOR COUNCILWOMAN GOOSBY: With the  
2 exception of 38 and 41.

3 COUNCILWOMAN KING-SWEENEY: So, this is the  
4 remainder of the Administrative Calendar, got it, <sup>Page | 104</sup>  
5 so, um, I do support the remainder of the  
6 Calendar.

7 CLERK CABANA: Supervisor Gillen?

8 SUPERVISOR GILLEN:

9 We have a Motion on the Administrative  
10 Calendar, yes, we have a Motion, so, now, we are  
11 going to hear Public Comment on the Administrative  
12 Calendar, a Motion and a second, now, we will hear  
13 Public Comment on the Administrative Calendar.

14 We have Felix Procacci?

15 FELIX PROCACCI: Felix Procacci. 1165  
16 Barnes Street, Franklin Square.

17 Um, first, um, on Item Number 39 regarding  
18 the tent that was going to be put up and since  
19 there are performances there, do they need a  
20 cabaret permit to perform, um, have acts under  
21 that tent in that area?

22 SUPERVISOR GILLEN: Mr. Ra, is there a  
23 cabaret license needed for Cirque de Soleil to  
24 come to the Nassau Veterans Memorial Coliseum?

25 TOWN ATTORNEY RA: No, I believe the



**HEMPSTEAD TOWN MEETING 4/24/18**

1 Building Department has looked at this and they do  
2 not need a cabaret license.

3 FELIX PROCACCI: On Item Number 43, the  
4 various Resolutions, Gail Rosenbaum, what was she <sup>Page | 105</sup>  
5 doing for the Supervisor's Office?

6 SUPERVISOR GILLEN: When I arrived, there  
7 was no receptionist on the 4<sup>th</sup> Floor, so, we had to  
8 call DGS to fill in those duties until we found a  
9 receptionist, so, Ms. Rosenbaum will be acting as  
10 a receptionist for the 4<sup>th</sup> floor.

11 FELIX PROCACCI: On Item Number 42,  
12 retaining Bee, Ready, Fishbein, etc., to represent  
13 Santino, that firm already represents, um, this  
14 Town on other items and being the nature of the  
15 type of litigation that is going to be needed to  
16 represented, I feel they have a conflict of  
17 interest in that and she should find another firm.

18 SUPERVISOR GILLEN: And, I agree with you.

19 FELIX PROCACCI: And, also the fact of the  
20 matter is since you know, Supervisor Santino  
21 violated all State protocol when he passed that  
22 Resolution never explained it.

23 There were no meetings, no analysis was  
24 done because he was totally off the rails and I am  
25 not sure why you should give him any benefit,

**HEMPSTEAD TOWN MEETING 4/24/18**

1 you know, being that he, basically, did this  
2 almost independent of the Town Board and he just  
3 pushed through because he knew he could get the  
4 votes because he violated Town Law, it violated Page | 106  
5 the Ethics Law because Mr. D'Esposito, Mr. Dunne  
6 and Mr. Santino's immediate families, members  
7 benefited from that CBA agreement, so, being that  
8 it was all illegal and he has a history of letting  
9 people feel, even though they have legal  
10 arguments, he should pick up his own legal tab.

11 Sue the own and say why he is entitled to  
12 it, he broke all the laws when he entered into  
13 this.

14 He wasn't doing this out of public policy.

15 He wasn't doing this to help the residents.

16 There was no discussion, here.

17 The reason - - Mr. Ra, he wouldn't even  
18 explain anything.

19 Mr. Ra said it spoke for itself.

20 The law spoke for itself and it didn't  
21 speak for anything.

22 There was no explanation why this was in  
23 the benefit of the taxpayers, so, I am against  
24 that.

25 In addition, um -

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVISOR GILLEN: Mr. Ra, do you want to  
2 explain the indemnification of the former  
3 Supervisor.

4 TOWN ATTORNEY RA: Supervisor, since the Page | 107  
5 circumstance surrounding this matter leads to my  
6 recusal, the recusal of my office, there are other  
7 attorneys in the office that, perhaps, can talk a  
8 bout that, would that be okay if I call on  
9 somebody else?

10 SUPERVISOR GILLEN: To explain why the Town  
11 has to indemnify the former Supervisor?

12 TOWN ATTORNEY RA: Under Town Law, the, um,  
13 the Town Code provides that for any official acts  
14 conducted by an elected official, the Town must  
15 indemnify and hold harmless those elected  
16 officials for those official acts, so, that it is  
17 a Town Code provision and that is the answer.

18 FELIX PROCACCI: I understand but he wasn't  
19 doing this as an act for the Town.

20 He broke Town law in doing that act, so, he  
21 was acting outside of the law, right, because the  
22 Ethics Law is very clear.

23 And, that is one of the things on the first  
24 Public Hearing I spoke on, on how the Town,  
25 itself, not one of the Town Officials have

1 Brought that.

2 Although, I urged all of you to do that to  
3 bring - - get an advisory person and no one did  
4 that even though it was very clear.

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5 So, without enforcing Town Law, any way,  
6 so, why are you enforcing this Town Law, but you  
7 didn't want to enforce the Ethics Law?

8 This one you care about, the  
9 indemnification.

10 Why didn't you care about the Ethics Law  
11 that was violated?

12 No one cared about that, but we care about  
13 this one.

14 Why do you care about this one?

15 One law is as good as another. If you are  
16 going to go off the rails, go off the rails all  
17 the way.

18 Why are you going to pick and choose which  
19 law you are going to enforce?

20 And, like I said, he violated the law.

21 You should get an advisory opinion, first  
22 before you vote on this and see what the Ethics  
23 Law says as to the benefit to the immediate family  
24 of the members who voted for this.

25 Get an advisory person, first.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Don't go off the rails. Follow Town Code.

2 You are telling me you are going to follow  
3 Town Code, here, now.

4 You won't follow Town Code when I tell you <sup>Page | 109</sup>  
5 to follow Town Code.

6 Please, follow Town Code.

7 Thank you.

8 COUNCILWOMAN KING-SWEENEY: Actually, I  
9 think, um, Mr. Procacci, facing issues, I think we  
10 need public conversation about this.

11 There are a lot of, I think, questions that  
12 we need to ask about this, um, and I certainly  
13 have not been a vocal supporter of Supervisor  
14 Santino over the last eighteen months or so.

15 I think that is fair to say.

16 And, I voiced my opposition to the  
17 Collective Bargaining Agreement.

18 And, I voted against it.

19 I don't think there was any stronger words  
20 I could have used, perhaps you can go through my  
21 public statements and suggest otherwise.

22 I was clear, um, in my dislike for that.

23 So, I don't know what is to be gained,  
24 however, by suing Supervisor Santino because I am  
25 not sure what relief Supervisor Santino, at this

**HEMPSTEAD TOWN MEETING 4/24/18**

1 point could possibly give the Town.

2 So, that action in and of itself is a  
3 colossal waste of resource.

4 Hold on, let me speak, now, let me speak. Page | 110

5 I also question what is possibly to be  
6 gained by suing all of the Town Board Members in  
7 our personal individual capacity.

8 I am speaking. It is a completely accurate  
9 statement.

10 If anyone has the caption of the lawsuit,  
11 we can show that the Town Board is being sued,  
12 which I think is also a waste of time and then  
13 individually all of us are named, which means that  
14 had I not authorized Counsel to the Town Board to  
15 accept service on my behalf, someone would have  
16 been knocking at my front door.

17 And, I can tell you if my child answered  
18 the door, there would be holy war right, now.

19 And, I voted against this now and to go  
20 ahead and each of these people on the Town Board  
21 in our personal and private capacity and it is  
22 right, here, we can use this.

23 We can share. We can toss it around the  
24 audience today.

25 My name, along with all of my fellow

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Board Members, whether they voted for or against  
2 it, we are named personally and individually.

3 I have spoken to about twenty lawyers in  
4 the last week, a waste of time, they are all in Page | 111  
5 agreement, we were sued personally and  
6 individually.

7 This is nothing more than a massive P.R.  
8 stunt.

9 I have a family and I have a professional  
10 job and, now, I need to deal with a lawsuit for  
11 something I voted against.

12 And, I also have to be leaving, here right  
13 after this vote and avoid public session, not  
14 avoid, miss public session because I still need to  
15 see a lawyer at 2:30 in Manhattan to figure out  
16 how to defend myself in this lawsuit for something  
17 I voted against.

18 So, in connection with all of this, I have  
19 spoken with our Comptroller and I have asked him  
20 to provide us with monthly updates and impact that  
21 this, um, functionally will have in the Town of  
22 Hempstead.

23 I will be posting that on my FACEBOOK  
24 every month so the Town of Hempstead residents can  
25 see how absurd this lawsuit is.

**HEMPSTEAD TOWN MEETING 4/24/18**

1           There were a lot of ways to resolve this,  
2 one, which is talking with each other, but to  
3 actually go ahead and have the insane notion of  
4 suing Town Board Members for a vote yes or no,  
5 whether or not it was right individually and  
6 personally is shameful and hurtful.

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7           SENIOR COUNCILWOMAN GOOSBY: I agree with  
8 the same, as well.

9           FELIX PROCACCI: Let me finish, first of  
10 all, I am not going to discuss all of that stuff  
11 about the lawsuit because that is irrelevant.

12           I didn't say we are going to sue Supervisor  
13 Santino, what I asked all of you to do back in  
14 January was to ask the Ethics Board for an  
15 advisory opinion on his actions prior to do  
16 anything because that is in law, that is what I  
17 asked.

18           I am not even going to discuss the lawsuit  
19 because I read the whole case, that is another  
20 discussion we can have over, like you know, a  
21 three-week hiatus but, the thing is just to ask  
22 for an advisory person.

23           I don't think it is off the rails.

24           I think it is very appropriate. It is not  
25 an accusation.



**HEMPSTEAD TOWN MEETING 4/24/18**

1 It is just asking an advisory opinion on  
2 the actions of a Board Member and I think it is  
3 very appropriate and I wish one of you would  
4 have done that.

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5 (Whereupon, the five-minute bell rang.  
6 After, the following ensued.)

7 SENIOR COUNCILWOMAN GOOSBY: I have  
8 something to say, as well, I too, voted against  
9 it but I am also sued individually, my name is  
10 on there, "Dorothy L. Goosby."

11 And, I am certainly happy that they didn't  
12 come to my home because my kids, my dog would  
13 not have allowed anyone, actually, to come in  
14 there.

15 She is a good dog. She makes sure you  
16 don't come into that house.

17 It wouldn't happen, you know and I really  
18 don't appreciate it, so, I am finding out after,  
19 it was done, I am being sued, also.

20 Why?

21 This is the second time I have been sued,  
22 second time for political reasons because I do  
23 what I know is right for the people that I  
24 represent and I really resent it.

25 SUPERVISOR GILLEN: I like to explain that

1 it is surprising to me someone who holds a law  
2 degree from a very prestigious institution and  
3 university, um, doesn't understand that she is  
4 not being sued in her personal capacity.

5 No one is being sued in their individual  
6 capacity, that is clear in reading the  
7 Pleadings.

8 It is something that can be resolved, quite  
9 easily, if there is some confusion.

10 No one is being sued in their individual  
11 capacity.

12 Their lawyer can explain to them why this  
13 was necessary to sue the Town Board, um, in  
14 order to get relief for the taxpayers.

15 To spin it that people are being sued  
16 individually in their individual capacity to  
17 make themselves a victim instead of the real  
18 victims, here, who are the taxpayers of the Town  
19 of Hempstead who got saddled with an agreement  
20 that takes away the authority of this Board and  
21 this office in order to respond to a fiscal  
22 emergency, I was left with no choice to  
23 properly manage this budget other than to raise  
24 taxes.

25 The taxpayers are the victims here and

**HEMPSTEAD TOWN MEETING 4/24/18**

1 that is why I am surprised from any resistance  
2 from this Board because most of the people on this  
3 Board either voted against the MOA or said they  
4 didn't believe it was enforceable and they should  
5 join me in seeking adjudication of that point by  
6 the Court who is the only person who can resolve  
7 it as with the agreement with the Union.

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8 SENIOR COUNCILWOMAN GOOSBY: You have your  
9 statement written.

10 We didn't write one.

11 I didn't know this was coming up. The  
12 whole thing is incorrect, that sheet of paper has  
13 "Dorothy L. Goosby," as one of the people that is  
14 being sued.

15 Your name is also on there. (Indicating to  
16 Board Member.)

17 And, all of us, everybody's name. It did  
18 not say because you did not vote for it that your  
19 name is not here. I can read.

20 SUPERVISOR GILLEN: Actually, look at the -  
21 -

22 SENIOR COUNCILWOMAN GOOSBY: No, no, I see  
23 the paper and it was supposed to come to my house  
24 and serve me.

25 I am not being sued? Why do they

**HEMPSTEAD TOWN MEETING 4/24/18**

1 have to come to my home and serve me?

2 SUPERVISOR GILLEN: Nobody came to your  
3 home.

4 SENIOR COUNCILWOMAN GOOSBY: Because we  
5 were fortunate that someone stopped them from  
6 coming to our homes and we got it here.

7 COUNCILWOMAN KING-SWEENEY: I would like to  
8 talk, thank you, Senior Councilwoman.

9 First, I do appreciate the shout out to  
10 Notre Dame.

11 That said, yes, I read the, um, this  
12 complaint.

13 I read that it is noted and myself and  
14 others did vote against this and yet if you read  
15 the Complaint, it is clear that it was due to  
16 official action of mine.

17 However, the caption does sue me personally  
18 and that is accurate.

19 And, I hope the Town of Hempstead will not  
20 be paying legal bills of anyone but, let alone,  
21 someone who drafted a caption such as this, um,  
22 because we are being sued personally.

23 I mean I have spoken - - the amount of  
24 lawyers I have spoken on this, Mr. Ra, can you  
25 comment on this whether there is nothing

**HEMPSTEAD TOWN MEETING 4/24/18**

1 about - - are you recused from commenting on this?

2 TOWN ATTORNEY RA: There are other  
3 attorneys that can answer on this.

4 COUNCILWOMAN KING-SWEENEY: Okay, Mr.  
5 Regina?

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6 ATTORNEY REGINA: Yes, Councilwoman.

7 COUNCILWOMAN KING-SWEENEY: Am I being sued  
8 alone, my Town Board, are we being sued  
9 personally?

10 ATTORNEY REGINA: All six names are listed  
11 individually.

12 COUNCILWOMAN KING-SWEENEY: Right, so,  
13 then, when I have clients that require me to  
14 disclose if I have ever been a Defendant in a  
15 lawsuit, what do I have to do?

16 ATTORNEY REGINA: The correct answer would  
17 be yes.

18 COUNCILWOMAN KING-SWEENEY: All my legal  
19 business that has zero to do with the Town of  
20 Hempstead, zero to do with Nassau County, zero to  
21 do with the State of New York, I still have to let  
22 them know?

23 ATTORNEY REGINA: That is correct.

24 COUNCILWOMAN KING-SWEENEY: Is that  
25 friendly, is that helpful?

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Is that actually trying to resolve this  
2 matter I voted against?

3 SENIOR COUNCILWOMAN GOOSBY: I also ask you  
4 when I go into my community and people ask me why <sup>Page | 118</sup>  
5 I am being sued, what am I supposed to do?

6 I am telling them that I am being sued,  
7 not something that I did because someone has a  
8 vendetta that they have to get through, that is  
9 all.

10 SUPERVISOR GILLEN: As I said, the  
11 Pleadings speak for itself.

12 No one is named in their individual  
13 capacity.

14 SENIOR COUNCILWOMAN GOOSBY: How can you  
15 say that?

16 SUPERVISOR GILLEN: And, as a Plaintiff, I  
17 think I would know if people were being sued in  
18 their individual capacity or not being sued in  
19 their individual capacity.

20 They are being sued in their capacity as a  
21 Council Member of the Board at the time that these  
22 two horrible Resolutions passed at the detriment  
23 to the taxpayers.

24 COUNCILWOMAN KING-SWEENEY: So, we have  
25 been complain about this for ten days that we have

**HEMPSTEAD TOWN MEETING 4/24/18**

1 all been sued in our individual capacity and you  
2 have had every opportunity to reach out to your  
3 lawyer to amend the caption.

4 Do you want to call him, now?

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5 We can do a group conference call and  
6 advise him to change the caption, so, it is clear  
7 for everyone to see that we have not been sued  
8 individually.

9 SUPERVISOR GILLEN: Actually, I haven't  
10 spoken to you at all about the lawsuit before  
11 today, Councilwoman but amending the caption maybe  
12 something we can consider if it would give you  
13 greater comfort.

14 COUNCILWOMAN KING-SWEENEY: Why has it not  
15 been done?

16 SUPERVISOR GILLEN: We have never talked  
17 about it at all.

18 The caption speaks for itself.

19 COUNCILWOMAN KING-SWEENEY: Exactly, we  
20 have not talked about it because you told me after  
21 it was filed and unless I am in a public setting,  
22 I am certainly not going to have any dialog with  
23 you because you are suing me.

24 So, why would I have a conversation with  
25 you unless an attorney is present.

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1 In fact, I don't even have one to represent  
2 me, personally, yet.

3 I am going into the City this afternoon and  
4 hopefully, I can retain someone.

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5 SUPERVISOR GILLEN: So, we didn't have a  
6 discussion about it, so, we never discussed that  
7 possibility.

8 COUNCILWOMAN KING-SWEENEY: Well,  
9 obviously, you read about it in the papers that  
10 all of us are so upset ab out the fact that we  
11 have been sued, personally and individually, so,  
12 why - - so, why would you have not corrected it?

13 SUPERVISOR GILLEN: I think the meeting is  
14 very clear that you are not being sued in your  
15 individual capacity.

16 I think it is very clear you are being sued  
17 in your official capacity as a Council Member and  
18 that this lawsuit is being sued to protect the  
19 taxpayers, just as we said, just as you encouraged  
20 people to do that in December.

21 COUNCILWOMAN KING-SWEENEY: I was totally  
22 opposed to it.

23 There was no question I was opposed to it.

24 I couldn't have been more clear. I remain  
25 opposed to it.



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1           The question is can you, please, amend this  
2 caption, today to confirm we are not being sued in  
3 our individual capacity?

4           This is a simple request.

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5           SUPERVISOR GILLEN: I will take it under  
6 advisement.

7           COUNCILWOMAN KING-SWEENEY: Why not just  
8 say yes?

9           Remove all of us and say the "Town of  
10 Hempstead," if you are - -

11           SENIOR COUNCILWOMAN GOOSBY: I don't  
12 understand, you are an attorney, why you have to  
13 discuss this with an attorney when you are the one  
14 bringing the lawsuit.

15           I am no an attorney but I know better than  
16 that.

17           SUPERVISOR GILLEN: I think the Pleading  
18 speaks for itself.

19           SENIOR COUNCILWOMAN GOOSBY: That is what I  
20 am saying.

21           You are also suing us individually and you  
22 will not admit it.

23           SUPERVISOR GILLEN: I wouldn't admit it  
24 because I am not doing that.

25           I think the Pleading is very clear.

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1 I don't think this requires clarification  
2 but, if it does, we will clarify it.

3 I think it speaks very clearly.

4 Everybody is being sued in their official Page | 122  
5 capacity.

6 SENIOR COUNCILWOMAN GOOSBY: Official  
7 capacity but my name is still "Dorothy Goosby."

8 COUNCILWOMAN KING-SWEENEY: Just to clarify  
9 because your refusal to amend this caption and to  
10 remove me personally from the lawsuit, I have to  
11 go into Manhattan, likely hire an attorney and the  
12 Town of Hempstead absorbs those expenses.

13 SUPERVISOR GILLEN: I just made it  
14 perfectly clear on the record no one sitting on  
15 this Board is being sued int their individual  
16 capacity.

17 You can take the Minutes and you can take  
18 them to Court.

19 COUNCILWOMAN KING-SWEENEY: If we really  
20 want to have clarify, I have a lawsuit that is  
21 against me as an individual right, now, so, let's  
22 change it.

23 SENIOR COUNCILWOMAN GOOSBY: Who is going  
24 to pay for this?

25 COUNCILWOMAN KING-SWEENEY: Town of

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Hempstead residents are going to pay for it,  
2 exactly, because I am indemnified for all  
3 professional actions that I take in the Town of  
4 Hempstead.

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5 Absolutely, and I voted the way that you  
6 wanted me to vote, so, this is doubly crazy.

7 (Whereupon, calling from the audience was  
8 heard. After, the following ensued.)

9 SUPERVISOR GILLEN: I am trying to save  
10 taxpayers money.

11 (Whereupon, "no, you are not, no, you are  
12 not," was heard calling out from the audience.  
13 After, the following ensued.)

14 SUPERVISOR GILLEN: I have had a lot of  
15 support for this lawsuit.

16 What happened on December 12<sup>th</sup> is an  
17 outrage.

18 (Whereupon, "you won't be elected again,"  
19 was heard calling out from the audience. After,  
20 the following ensued.)

21 COUNCILWOMAN KING-SWEENEY: Just to  
22 clarify, we are not going to amend the caption and  
23 I do have to go into Manhattan and hire a personal  
24 attorney to defend myself.

25 I just want to make this clear and they

**HEMPSTEAD TOWN MEETING 4/24/18**

1 don't come cheap and that is for sure.

2 SUPERVISOR GILLEN: Captions are not  
3 allegations, the allegations are very clear in  
4 your official capacity.

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5 COUNCILWOMAN KING-SWEENEY: Change it,  
6 simple, change it.

7 I don't want a lawsuit suing me personally.

8 I have a family and I have a business,  
9 change it.

10 This is simple.

11 (Whereupon, "just like our President you  
12 don't have concern for the taxpayers," was heard  
13 calling out from the audience. After, the  
14 following ensued.)

15 SUPERVISOR GILLEN: Okay, Robert Weiss?

16 (Whereupon, "woe" was heard calling out  
17 from the audience. After, the following ensued.)

18 ROBERT WEISS: Robert Weiss, 51 Main  
19 Street, New Jersey.

20 It shows not to be in this part of the  
21 program I would have, but that said, good  
22 afternoon, Supervisor Gillen, Town Council, thank  
23 you for allowing me to speak today.

24 My name is Robert Weiss. I am President of  
25 Weiss Properties, also, I am co-owner of the

1 Woodmere Club.

2 COUNCILMAN D'ESPOSITO: Could you just  
3 identify which item you are speaking on?

4 ROBERT WEISS: I am speaking on Item 48, <sup>Page | 125</sup>  
5 am sorry.

6 I have been a real estate developer for  
7 over thirty years and I appeared hundreds of times  
8 in many different townships in front of Town  
9 Councils and Zoning Boards.

10 We purchased the Woodmere Club on April 26,  
11 2017.

12 And, currently have no debt on the  
13 property.

14 We have successfully operated the club for  
15 over a year and have a contractual obligation to  
16 do so for an additional three and a half years.

17 Since we purchased the property, we made  
18 numerous overtures and outright requests through  
19 our professionals to discuss the potential  
20 rezoning of our property in order to create an  
21 award-winning community that everybody could be  
22 proud of.

23 COUNCILMAN D'ESPOSITO: Sir, if I could  
24 just interrupt you one minute, just a question,  
25 um, because it is not an actual Public Hearing,

1 today, on the Calendar, are you discussing the  
2 date, is that an issue?

3 ROBERT WEISS: I am not discussing the  
4 Ordinance.

5 COUNCILMAN D'ESPOSITO: Okay, you are here.  
6 There is a problem with the date of the Hearing?

7 ROBERT WEISS: Yes.

8 COUNCILMAN D'ESPOSITO: Just making sure.

9 ROBERT WEISS: Yes, I am not discussing the  
10 Ordinance.

11 As I was saying, we made numerous  
12 overtures, um, to be able to discuss this project.

13 We were told that the Town was in the  
14 process of discussing a comprehensive study to  
15 ensure that any new development in our property  
16 would consist with the existing - - consist of  
17 existing residential lots in the surrounding area  
18 and that nothing would happen until presented to  
19 the public.

20 A year has gone by and we still have not  
21 seen the study.

22 However, we did our comprehensive study and  
23 that only took us two months.

24 It was my clear understanding of the  
25 opportunity to review the Town's report and

1 have the opportunity to have a constructive  
2 conversation with both the Town and our respective  
3 professionals prior to any new proposed zoning  
4 changes.

5 I was extremely disappointed.

6 I have to say I was pretty shocked to hear  
7 last Friday at 5:00 p.m. that this Board intended  
8 to introduce a Resolution calling for a public  
9 meeting in nine working days to hear comments on  
10 the proposed new zoning ordinance without the  
11 benefit of any reports or information from the  
12 Town on what is probably the most significant  
13 proposed zoning change in decades.

14 Does that make any sense?

15 It doesn't make any sense to me and I am  
16 pretty good at this.

17 In fact, I regularly receive awards from  
18 planning and development design and construction.

19 One award that was given to me this year  
20 was the Sommerset County Development and Planning  
21 award.

22 I would like to read you the inscription  
23 because I think it is pertinent.

24 "This award is for a project that  
25 exemplifies superior site design, address

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Contemporary planning issues and exerts a positive  
2 influence on the character of the County and  
3 surrounding communities."

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4 This is what I do for a living.

5 And, this is what I would like to have the  
6 opportunity to do at the Woodmere Club.

7 But, I can only give the Town of Hempstead  
8 the project they deserve with cooperation and  
9 dialogue.

10 I can not do it in a vacuum.

11 If the Town truly desires to have a fair  
12 and transparent process addressing the zoning on a  
13 property as is our desire.

14 This report must be immediately released to  
15 the public.

16 I would, then, respectfully request that  
17 the Town officials and professionals are  
18 instructed to begin immediate working discussions  
19 and meetings to collaborate with all the parties  
20 and how to best move forward with this project.

21 It is our desire to create a fantastic  
22 project that works within the needs of the  
23 community, but, to do this, we must be involved  
24 with the process.

25 Thank you very much for your time.



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1 Any questions? Thank you.

2 SUPERVISOR GILLEN: Michael Watts?

3 (Whereupon, no response was heard. After,  
4 the following ensued.) Page | 129

5 SUPERVISOR GILLEN: Mary Ellen Kreye?

6 Good Afternoon.

7 MARY ELLEN KREYE: Good Afternoon, Mary  
8 Ellen Kreye. 436 Locust Avenue in Uniondale.

9 On Item Number 13, so, I am wondering what  
10 is this property, the building has been razed, um,  
11 what is intended to be done with it?

12 And, whether there is a thought to working  
13 with Uniondale Community Land Trust to, um, put  
14 another property on it or is the Town intending  
15 to?

16 SUPERVISOR GILLEN: Commissioner?

17 COMMISSIONER: Good Afternoon, which  
18 specific item?

19 MARY ELLEN KREYE: Fifteen.

20 COMMISSIONER: Southern Parkway, yes, um,  
21 basically, what is happening with that one, um,  
22 the location it needs to be taken down, um, it is  
23 going to be taken down, solely because it is on a  
24 zero lot line, the properties are so close  
25 together at that point, um, you can reach out

1 to the other owner and look into, you know  
2 purchasing.

3 MARY ELLEN KREYE: So, the Town has not  
4 taken over possession?

5 COMMISSIONER: No, the Town has not and  
6 will not.

7 MARY ELLEN KREYE: I see, so, you feel the  
8 structure is unsafe and has to be demolished?

9 COMMISSIONER: That is correct.

10 MARY ELLEN KREYE: Thank you.

11 COMMISSIONER: Sure.

12 MARY ELLEN KREYE: On Item 24, the - - I am  
13 wondering what kind of training do the  
14 landscapers, um, who work on the Town properties  
15 get in things like fertilizer application and  
16 horticulture and so on?

17 I know for the, um, pesticide application  
18 license, there are requirements for eight hour  
19 course and so on or sometimes thirty hour courses,  
20 so, I am just wondering how well are we training  
21 our landscapers to do these kinds of work that is  
22 required on Town properties?

23 SUPERVISOR GILLEN: Which item?

24 MARY ELLEN KREYE: That is 24.

25 SENIOR COUNCILWOMAN GOOSBY: We will find

1 that out.

2 MARY ELLEN KREYE: Thank you.

3 CONSERVATION & WATERWAYS COMMISSIONER:

4 Hello, everyone.

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5 SENIOR COUNCILWOMAN GOOSBY: Number 24.

6 CONSERVATION & WATERWAYS COMMISSIONER: Hi,

7 Conservation and Waterways Commissioner.

8 Item Number 24 is regarding - -

9 SENIOR COUNCILWOMAN GOOSBY: I don't think  
10 the audience can heard you, I can't.

11 CONSERVATION & WATERWAYS COMMISSIONER:

12 Item 24 relates to Conservation and Waterways

13 Department has thirty years, possess a license and  
14 commercial application of pesticides.

15 MARY ELLEN KREYE: Right.

16 CONSERVATION & WATERWAYS COMMISSIONER:

17 That is something that is done, um, periodically  
18 not a lot.

19 It is called out not for my department but  
20 other departments.

21 The same person operates the whole Town in  
22 terms of taking care of freshwater wetland areas,  
23 the streams, he cuts the trails.

24 He cuts the grass, so, he takes care of a  
25 lot of other things besides that, but if the

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Situation occurs, he is able to take care of the  
2 issue.

3 MARY ELLEN KREYE: Yes and so I am  
4 wondering, also, in the other areas of expertise, <sup>Page | 132</sup>  
5 what kind of training that he gets ongoing?

6 CONSERVATION & WATERWAYS COMMISSIONER: As  
7 far as what?

8 MARY ELLEN KREYE: As far as, um,  
9 fertilizing application, which we have read in  
10 the papers is a big deal right, now and, um,  
11 horticulture, things of that type?

12 CONSERVATION & WATERWAYS COMMISSIONER: He  
13 has a license and degree, the various boards and  
14 he has training from the local universities, as  
15 well, so, he has been doing this for over thirty  
16 years and, um, never had a problem.

17 MARY ELLEN KREYE: Thank you.

18 CONSERVATION & WATERWAYS COMMISSIONER:  
19 You're welcome.

20 MARY ELLEN KREYE: I go to training  
21 sessions, I never heard of people being there from  
22 the Town of Hempstead, that is why I am wondering.

23 CONSERVATION & WATERWAYS COMMISSIONER:  
24 Most of the time he has special training.

25 MARY ELLEN KREYE: Specifically on site?

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1 CONSERVATION & WATERWAYS COMMISSIONER:

2 Yes.

3 MARY ELLEN KREYE: Thank you.

4 On Item 34, Energy Performance Consulting Page | 133

5 Services, does this include solar?

6 SENIOR COUNCILWOMAN GOOSBY: Commissioner  
7 of Engineering?

8 ENGINEERING COMMISSIONER: Hi, how are you  
9 doing?

10 The projects haven't been selected yet.

11 This is just to hire the consultant to  
12 potentially enter into a contract with, so, the  
13 projects have not been selected yet.

14 MARY ELLEN KREYE: I see.

15 ENGINEERING COMMISSIONER: Most likely  
16 includes solar.

17 MARY ELLEN KREYE: That is something that  
18 you would try to encourage?

19 ENGINEERING COMMISSIONER: Oh, yeah, one  
20 hundred percent, that is at the top of the list.

21 MARY ELLEN KREYE: Okay, thank you.

22 On Item 37, I am just wondering  
23 construction or reconstruction of sidewalk area  
24 long certain streets, usually it mentions  
25 communities and this is sort of open.

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1 SENIOR COUNCILWOMAN GOOSBY: Mr. Tully?

2 TOWN ATTORNEY RA: It is various locations  
3 throughout the Town of Hempstead that is why it  
4 doesn't have - - you have to list them all. Page | 134

5 They are throughout the Town of Hempstead.

6 MARY ELLEN KREYE: Is this the type of  
7 thing where the residents would be, um, billed  
8 then for the sidewalk renovations?

9 TOWN ATTORNEY RA: Generally speaking, yes.

10 MARY ELLEN KREYE: These are mostly  
11 residential areas?

12 TOWN ATTORNEY RA: Well, they could be.

13 There are various locations throughout the  
14 Town of Hempstead, they could be commercial, also,  
15 but mostly residential, but, it is throughout the  
16 Town of Hempstead.

17 MARY ELLEN KREYE: Thank you.

18 So, on the Public Hearing is it necessary  
19 to, um, refile, I am sorry, Number 50?

20 SENIOR COUNCILWOMAN GOOSBY: Number 50?

21 MARY ELLEN KREYE: Yes, calling a Public  
22 Hearing, is it necessary for, um, gas stations and  
23 so on to refile every few years, is that why this  
24 is coming up?

25 Are they managing something new?

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1 SENIOR COUNCILWOMAN GOOSBY: I think it is  
2 new.

3 TOWN ATTORNEY RA: This is a gasoline  
4 station/service station that wants to come into Page | 135  
5 the gasoline service station district, so, they  
6 are currently not in the GSS District.

7 They want to do repairs and they want to do  
8 improvements to the property and in order for a  
9 gasoline service station to do that, they must  
10 join the zone.

11 They have to apply to get into the gasoline  
12 service station zone.

13 MARY ELLEN KREYE: Well, this is very  
14 interesting.

15 I just assumed if you were a gasoline  
16 service station you had to be part of that.

17 TOWN ATTORNEY RA: Well, some time, a long,  
18 long time ago, before I got here, which is a  
19 really long time, the GSS District was formed and  
20 as all gasoline service stations had to join and  
21 over the years some did and some didn't but now  
22 the Board has a policy if you want to do  
23 improvements, you just join.

24 The numbers - - there are still some out  
25 there that are not in the GSS District.

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1 MARY ELLEN KREYE: That is very  
2 interesting, so, you go out and look at locations,  
3 "X, Y, Z" and, say they are not on the list of the  
4 GSS District, you better?

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5 TOWN ATTORNEY RA: No, we don't.

6 MARY ELLEN KREYE: Excuse me?

7 TOWN ATTORNEY RA: We do not.

8 MARY ELLEN KREYE: I think that is it,  
9 thank you.

10 SENIOR COUNCILWOMAN GOOSBY: All right,  
11 Stuart Pearl.

12 (Whereupon, "I am going to pass" was heard  
13 calling out from the audience. After, the  
14 following ensued.)

15 SENIOR COUNCILWOMAN GOOSBY: You are  
16 passing, okay.

17 Wilhelmina Funderburke?

18 WILHELMINA FUNDERBURKE: Wilhelmina  
19 Funderburke. I reside at 156 East Clinton Avenue,  
20 Roosevelt, New York.

21 Um, I really want to talk about, um, our  
22 elected Supervisor, Item 42.

23 You know, I have been coming back and forth  
24 to the Meetings and in the beginning, you know,  
25 she had a crowd back there was clapping and



1 all for her and all against, um, the past  
2 Supervisor Santino.

3 Um, the last two Meetings I have been at it  
4 seems like they are not clapping for her.

5 The last meeting was something else.

6 Now, you come to the point where she is  
7 supposed to be making sure the taxpayers, um,  
8 don't have to pay a lot, our taxes are not going  
9 to be increased.

10 I would like to figure out how in the world  
11 can a person who is driving a bus and the Board  
12 Members are on the bus with her and she is the one  
13 that is supposed to guide this bus but, yet,  
14 instead she hasn't presented her agenda to them.

15 She doesn't know where she is going, but  
16 all of a sudden she stops the bus and she decides  
17 that she is going to put them all off the bus.

18 You know, you can't sue your workers,  
19 people who have to cover you back, people who have  
20 to make sure that your agenda, um, get pushed  
21 forward.

22 How do you sleep at night?

23 You know when you first came aboard, like I  
24 said, you had people back there cheering, you  
25 know, saying everything about you.

**HEMPSTEAD TOWN MEETING 4/24/18**

1           They didn't agree. They had nasty remarks  
2 to make, now, they are making all the nasty  
3 remarks about you.

4           And, you had seven people on the Board.  
5 You just one vote and I heard you say that last  
6 time and I was really happy that you really,  
7 really, realized that you only had one vote.

8           There are seven of you.

9           You are one of seven and you don't discuss  
10 things with your Board Members?

11           How do you expect to handle any problems?

12           How do you expect to move your wagon  
13 forward and how do you expect to get reelected  
14 when the time comes?

15           All the things that you promised you  
16 haven't done any of them.

17           And, one thing about taxpayers, we don't  
18 like when our taxes are increased and this, when  
19 you start suing your Board Members, that is a long  
20 process and I am sitting there and I am haring you  
21 say, "Oh, no, you are not individually sued."

22           It is all in NEWSDAY.

23           All over NEWSDAY and you even made a  
24 statement in NEWSDAY, well, I thought I had the  
25 support of my Board but, no, I don't know.

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1 Well, hell, you can't think you have the  
2 support of your Board when you are suing them.

3 I mean, come on.

4 You are supposed to be able to sit down, Page | 139  
5 speak with them, run things by them and you are  
6 supposed to come together.

7 One thing you need to learn from Mr.  
8 Santino, he did that and he talked to the Board  
9 because I came to a lot of Board Meetings.

10 I was here. I am not saying he was  
11 perfect, none of us are perfect, no matter who you  
12 are, what side of the track you are on, you are  
13 not perfect, but, I tell you this, if you have a  
14 dog and you start kicking him a lot, he will bite  
15 you and that is what is happening up, here with  
16 your Board Members.

17 And, if you don't get it together, you  
18 might sit there and look smug face, I tell you, if  
19 you don't work with the people who helped elect  
20 you, you can forget it, simply forget it.

21 And, taxpayers, you know, you, um, Senator  
22 - - Dorothy Goosby got 93 percent of the vote and  
23 I will tell you something, my people, we have not  
24 learned how to spin our vote, so, when they walk  
25 in an they vote Democrat, they go straight across

1 the board.

2 I guarantee you the next time come around,  
3 they will not go across the board for you,  
4 believe me, when I tell you and I have been  
5 walking a lot.

6 I have been to a lot of these Board  
7 Meetings and I get on School Boards an I tell  
8 you if you can't work with your Board Members,  
9 you are lost.

10 So, you better get it together, young lady  
11 and you better do it real fast because you are  
12 on your way out.

13 (Whereupon, the five-minute bell rang.  
14 After, the following ensued.)

15 SUPERVISOR GILLEN: Lucille Defina?

16 LUCILLE DEFINA: Lucille Defina. Thank you  
17 so much for saying everything that I would have  
18 said but much better.

19 It is amazing to me that, here we are and  
20 this is the advice that you have taken from  
21 somebody.

22 Most likely, some Democrat Attorney who is  
23 telling you what to do.

24 You came here with promises and I want to  
25 make it real clear, I really don't care about

1 this whole political things.

2 I don't care about Republican. I don't  
3 care about Democrats. I am here since 2010  
4 because of the animal shelter and what has gone  
5 on in the animal shelter for all of these years,  
6 pretty much is exactly what is going on right,  
7 here at the Town Board.

8 You are acting like a bunch of animals and  
9 those poor animals are definitely paying the  
10 price.

11 This is not what you were supposed to come  
12 here to do and I don't want to hear a list of  
13 what you are doing at the animal shelter.

14 What you came here to do is to bring both  
15 Parties together.

16 You were supposed to make some sort of  
17 peace.

18 You were supposed to get them to cooperate  
19 and this is what you do?

20 You do damage.

21 Well, by the time this lawsuit comes up to  
22 be, you know, you are not going to be sitting  
23 there anymore.

24 So, what was the sense you could have made  
25 all of the changes you needed to make as soon

1 as you got elected.

2 What does it matter, now what Santino does?  
3 What anybody does?

4 You are in charge, now. You are the Boss. <sup>Page | 142</sup>

5 I think you need to stop listening to all  
6 the people that you heard from, the Democratic  
7 Club that are advising you totally wrong because  
8 it is your career that is on the line, because  
9 it is you that is not going to be sitting there.

10 Why don't we all get it together,  
11 Democrats, Republicans, somebody tell me who is  
12 going to help the animals?

13 Who is going to help the animal shelter?

14 Somebody please step up because I am sick  
15 and tired of them being caught in this war zone.

16 (Whereupon, applause from the audience was  
17 heard. After, the following ensued.)

18 SUPERVISOR GILLEN: Is there anybody else  
19 that wants to be heard on the Administrative  
20 Calendar?

21 (Whereupon, "I do," was heard from the  
22 audience. After, the following ensued.)

23 VALERIE LAMPE: So, a couple of things, um

24 - -

25 SUPERVISOR GILLEN: Which item are you

1 Speaking on?

2 VALERIE LAMPE: I am speaking about this,  
3 the controversial Resolution with regards to  
4 paying the legal fees for Santino.

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5 And, also, I actually I am in Councilwoman  
6 Erin King-Sweeney's District, so, let me take a  
7 breath.

8 I am hoping to appeal to your side of  
9 mending fences and not erect them.

10 I would like to see it sounds like a very  
11 simple request and if you can change the  
12 caption, you are saying it is clear. It is  
13 clear. It is clear.

14 It is clearly not clear because every  
15 single person on this Board is under the  
16 impression that they are, in fact, being  
17 personally sued.

18 Apparently, there was some kind of  
19 intervention that they weren't served papers at  
20 their personal homes.

21 I am trying to appeal to you to bury this  
22 hatchet, right, now, there is a better way of  
23 going about this.

24 You can easily change the caption.

25 Erin won't have to go into the City and

1 hire a very expensive attorney.

2 All the other Board Members won't have to  
3 hire very expensive Counsel, as well, to the  
4 tune of whatever it is on the taxpayers' backs. Page | 144

5 If you don't take this opportunity to  
6 bridge some of the differences, I think it is a  
7 big mistake.

8 SUPERVISOR GILLEN: As I said, on the  
9 record, none of the Council Members are being  
10 sued in their individual capacity.

11 I am in the middle of a Board Meeting.  
12 There are a lot of procedural rules that rely to  
13 amending Pleadings, um, I have to consult with  
14 Counsel.

15 If it needs to be clarified, it can be  
16 further clarified.

17 I am not going to amend a Pleading, right,  
18 now in front of a Board Meeting without  
19 consulting my Counsel.

20 As I said, the Pleading is very clear, that  
21 people are being sued in their official capacity  
22 and not in their individual capacity.

23 And, I will revisit that issue. If, in  
24 fact, there is a disagreement with the Court or  
25 with my Attorney - -



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1 VALERIE LAMPE: It is clearly ambiguous  
2 because there is a lot of angst right, now and  
3 they are asking for a verbal commitment from  
4 you.

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5 You're saying I am not doing it. I am not  
6 doing it. I am no doing it.

7 So, put it in writing. Make the commitment  
8 to put it in writing.

9 I think it is simple.

10 SUPERVISOR GILLEN: I think it is already  
11 in writing.

12 VALERIE LAMPE: I understand but clearly  
13 there is a discrepancy in the interpretation,  
14 so, Erin is saying just change the caption.

15 Release these Board Members that you have  
16 to govern with over the next, what do we have  
17 left?

18 Eighteen months, I don't know where we are,  
19 eighteen months left, I don't know.

20 You have to govern with these people.

21 You have to caucus. They can't even meet  
22 with you without having personal Counsel with  
23 them because otherwise, you know, it is  
24 dangerous for them.

25 And, effectively, they need to be able to

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1 work with you and to trust you, so, if you're  
2 sitting here saying, it is clear, it is clear,  
3 it is clear, they are saying, it is not clear.

4 Take this moment to shine and say, you know <sup>Page | 146</sup>  
5 what, there is miscommunication.

6 Let's make it clear. I will put it in  
7 writing and let's work together.

8 SUPERVISOR GILLEN: As I said, if it is not  
9 clear in the Pleading, it is something that will  
10 be addressed by amendment but there are  
11 procedural rules that relate to an amendment  
12 that I have to confer with my Attorney to see if  
13 we are in compliance on procedural rules.

14 And, I really can't comment further than  
15 that.

16 COUNCILWOMAN KING-SWEENEY: I am a lawyer -  
17 - you can stop her time.

18 I am not in Court all the time. I don't do  
19 this type of stuff on a daily basis, but, it is  
20 really easy to amend a caption, so, I am not  
21 sure what procedural, complicated rules,  
22 discussions we need to have to amend the  
23 caption.

24 We have been complaining about this for ten  
25 days.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 It is clear. What is to be gained by suing  
2 us all individually and personally?

3 I don't understand, other than like maximum  
4 P.R. stuff.

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5 "She sued all the Town Board Members," and  
6 I have this hanging over my head.

7 I don't understand it.

8 SUPERVISOR GILLEN: As I said, I am not  
9 suing anyone in their individual capacity.

10 I will speak with my Attorney about the  
11 rules, if an amendment is necessary to make that  
12 clear to the Judge and to the Court, that non  
13 one is being sued in their individual capacity,  
14 I will do that.

15 I will confer with my Attorney about it  
16 and, then, we will do what we need to do to make  
17 sure it is clear, if it is not already clear by  
18 the language that is in the Pleadings.

19 COUNCILWOMAN KING-SWEENEY: So, the last  
20 ten days we had this hanging over our heads. I  
21 have spent countless hours on the phone with  
22 Attorneys trying to get an Attorney, one that  
23 you would object to, um, so, I am going down the  
24 line trying to get an Attorney after Attorney,  
25 hours and hours spent on this.

1 I can't even tell you.

2 I don't see how this helps the residents of  
3 the 5<sup>th</sup> Councilmatic District of the Town of

4 Hempstead and unlike Senior Councilwoman Goosby, <sup>Page | 148</sup>

5 I didn't get elected by 93 percent of the vote.

6 I think you can minus forty from that,  
7 thirty or whatever it was and we have to work  
8 hard for our District.

9 And, I have this stupid burden hanging over  
10 my head and I don't see what the value is,  
11 particularly since I voted against it.

12 VALERIE LAMPE: Okay, well, what I can do,  
13 I don't have to speak to Counsel and while you  
14 are talking to yours, we will start a petition  
15 on change.org and requesting signatures from  
16 every single resident of the Town of Hempstead  
17 and we are going to ask you to change the  
18 caption so that it is not going to cost the  
19 taxpayers, I don't know how much money it is,  
20 but, I know lawsuits take forever and you are  
21 talking an individual Attorney per Board Member,  
22 correct?

23 Each Board Member is going to get their  
24 Attorney?

25 COUNCILWOMAN KING-SWEENEY: I would imagine

**HEMPSTEAD TOWN MEETING 4/24/18**

1 potentially and I am just speaking off the cuff, I  
2 am not sure if every single person's interest are  
3 perfectly aligned because I voted against it,  
4 others voted against it, some voted for it, maybe  
5 we all had different reasons for doing it.

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6 I voted for the transfers with the  
7 exception of three people. I don't know where  
8 that all shakes itself out.

9 And, I think we all learned even at the  
10 Federal level with all the lawsuits going on with  
11 the Press, you have no idea where these things end  
12 up.

13 So, I can tell you with certainty, I am  
14 going to do everything I can humanly do to protect  
15 my reputation and my family's reputation.

16 VALERIE LAMPE: I get that.

17 All right, well, that is all actually one  
18 last thing I have been speaking, now, it feels  
19 like forever, I am getting gray hair because of I  
20 but I also think that, you know, what Laura, you  
21 didn't come to the first two Board Meetings after  
22 you were immediately elected.

23 People were definitely looking for you.  
24 They wanted to hear your voice and at the last  
25 Board Meeting, I don't believe you spoke.

**HEMPSTEAD TOWN MEETING 4/24/18**

1           You didn't take the microphone, maybe you  
2           could have persuaded that vote from happening,  
3           definitely, maybe, instead of 4 to 3 and you know  
4           the way that it went it would have gone 4 to 3 the <sup>Page | 150</sup>  
5           other way.

6           I don't know but additionally, I think you  
7           are supposed to be a leader and leaders bring  
8           sides together.

9           You could have spoken with your Board prior  
10          to whipping out this lawsuit, smacking them in the  
11          face with it.

12          I think it is a little harsh, I really do.

13          SUPERVISOR GILLEN: There is a binding  
14          contractual obligation that the Town is bound by  
15          because of what happened on December 12<sup>th</sup>.

16          It is - -

17          VALERIE LAMPE: You did not speak out  
18          against - -

19          SUPERVISOR GILLEN: I absolutely spoke out  
20          against.

21          VALERIE LAMPE: Not at the meeting, I was  
22          there.

23          You did not take the microphone.

24          SUPERVISOR GILLEN: It is a binding  
25          contractual obligation we cannot negotiate away

1 amongst ourselves.

2 A binding contractual obligation, it has to  
3 go before a Court unless the Union agrees.

4 We reached out to the Union. The Union did <sup>Page | 151</sup>  
5 not agree to modify that language.

6 We cannot agree to abide by that contract  
7 by the Town of Hempstead.

8 VALERIE LAMPE: You think this has been  
9 executed in a positive way?

10 You think this was the best way to go about  
11 seeking a Resolution and teamwork?

12 SUPERVISOR GILLEN: I think it was  
13 absolutely necessary to stand up for the taxpayers  
14 of the Town of Hempstead who have been saddled  
15 with a burden far beyond any of the costs  
16 associated with this litigation could be.

17 VALERIE LAMPE: How do you know that?

18 SUPERVISOR GILLEN: Because we already have  
19 over a two million dollar burden that was added to  
20 the budget and the budget was out of balance on  
21 day 1.

22 VALERIE LAMPE: Okay, you have two million  
23 is salary and you have no idea what this lawsuit  
24 is going to cost.

25 (Whereupon, applause from the audience was

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Heard. After, the following ensued.)

2 SUPERVISOR GILLEN: That is for one year,  
3 that goes on and on and on and health care costs  
4 and pensions costs associated with that, not to <sup>Page | 152</sup>  
5 mention the fact that what happened if we face a  
6 fiscal emergency.

7 VALERIE LAMPE: Well, I have no doubt that  
8 adding this very costly lawsuit and each  
9 individual person has to get their own attorney  
10 including the former Supervisor Santino and the  
11 taxpayers have to pay for it that we are most  
12 likely headed for a financial crisis.

13 COUNCILWOMAN KING-SWEENEY: Mrs. Lampe,  
14 just to follow-up on some of your comments, I have  
15 nothing but absolute respect for the President of  
16 the CSEA, Charlie Solitto.

17 He is a great guy and he works tirelessly  
18 for his Members.

19 Um, and it is my understanding that there  
20 were no attempts to sit down with him and try to  
21 resolve this specific issue.

22 Second, um, the communication that was had  
23 was 5:15 on the day that the lawsuit was filed wen  
24 I was at Tallulah Pizza with my kids getting take-  
25 out, so, that is how I found out about it.



**HEMPSTEAD TOWN MEETING 4/24/18**

1 Um, but, lastly, I do want to, um,  
2 definitely applaud the Supervisor on her  
3 bipartisanship.

4 She did sue Republicans and Democrats, so, <sup>Page | 153</sup>  
5 something good happened.

6 SUPERVISOR GILLEN: There was a meeting  
7 with witnesses present at that meeting.

8 META MEREDAY: You did ask if anyone else  
9 wanted to speak on the Administrative Calendar?

10 SUPERVISOR GILLEN: Yes.

11 META MEREDAY: Meta J. Mereday, Baldwin  
12 resident.

13 It has been eloquently spoken by others  
14 prior to me sitting, here with regards to, um,  
15 the nature of this lawsuit, um, and I just want  
16 to appeal to the Supervisor to really take into  
17 context the passion that has been expressed by  
18 your colleagues with regard to this situation  
19 and the fact that we, um, we all need to come  
20 together with regard to how our image is  
21 portrayed, um, in the media.

22 As I look to the thirty-plus homes that are  
23 - - including the three, not the four, that are  
24 listed for Baldwin, in, here, that are subject  
25 to being boarded up, we have some significant

1 crisis, here, in addition, to this impending  
2 fiscal issue, um, that, again, we need to - -  
3 we need to reign in some of this, um, animosity  
4 and to try to address some of the real issues  
5 that our residents are on a daily basis that are  
6 losing their homes and things of that nature.

7 So, um, again, the issue of a lawsuit has  
8 been, um, well addressed and at this point, it  
9 is up to you to decide how you are going to move  
10 forward.

11 And, others have to decide how they are  
12 going to move forward.

13 On the Calendar, itself, um, issue 37,  
14 directing construction, reconstruction of  
15 sidewalks in areas of the Town of Hempstead, can  
16 we talk about the potholes, um, again, the Town  
17 roads are just as bad as the County?

18 They are all kind of blending in together  
19 and a number of residents that are facing  
20 serious issues with regard to having work done  
21 on their cars and I am hoping I don't have to do  
22 the same conversation that I had with the  
23 previous Supervisor Santino because I am really  
24 particular about this going on and no none  
25 listening to me, particularly the Presider

1 of the discussion.

2 So, I will add those twenty seconds,  
3 whenever they are ready.

4 They are ready? Okay, just count that when <sup>Page | 155</sup>  
5 the buzzer goes, I am not getting up.

6 I don't care how many Public Safety  
7 Officers come forward.

8 So, 37, the potholes that is really an  
9 issue.

10 And, again, we have a number of contracts  
11 that are going out to businesses and individuals  
12 that are outside of the Township since we are  
13 going to have to pay for all of these sundry  
14 lawsuits.

15 And, again, I need undivided attention and  
16 I will wait.

17 Are we done?

18 On Item 19, 20, 21, 23, quite a few of  
19 these are outside of the Township and, again, I  
20 am concerned about the lack of outreach.

21 It would be nice, for example, if we, when  
22 we list these contractors, that we are paying  
23 these monies to that, we put maybe that they are  
24 minority-owned, women-owned a service Veteran-  
25 owned business, maybe it might give me a certain

1 feeling that I am not wasting my time to sit, here  
2 and try to address these concerns for those  
3 constituencies and something is actually being  
4 heard and something is actually being done.

5 So, that is a suggestion.

6 I am trying to bring something positive to  
7 this discussion.

8 Item 34, I am curious as to the outreach  
9 when we talk about providing energy performance,  
10 energy consulting services, such a long, lengthy  
11 scenario, what was the outreach and who is ECG  
12 Group?

13 What was the vetting process with regard to  
14 that?

15 Can someone give me an answer to that  
16 question?

17 SUPERVISOR GILLEN: There was an RFP that  
18 was put on this service and, um, this was the  
19 only bidder.

20 META MEREDAY: And how was that RFP - -  
21 again, we are using the same channels to do this  
22 outreach and, then, we figure, get one and that  
23 was it.

24 Did anybody think we might expand the base?

25 Mr. Ra finish yawning, I just like to know.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVISOR GILLEN: Commissioner?

2 META MEREDAY: Somebody?

3 COMMISSIONER: That was publicly posted on  
4 the Town's website with all our public bids and <sup>Page | 157</sup>  
5 public RFP's and public RFQ's, anybody that is  
6 in business that does public works should  
7 certainly know that they could go to the Town of  
8 Hempstead website to see all, you know, all  
9 public bids.

10 META MEREDAY: So, we are not doing any  
11 radio testing, anything like that?

12 Everything is on the website?

13 COMMISSIONER: No, we put it in the  
14 newspaper.

15 We have to do that but my point is you  
16 always referenced it is 2018, I think the  
17 Internet is something that everyone has access  
18 to and anyone that is doing work in the Town of  
19 Hempstead should know they can access the Town  
20 of Hempstead website to see all current projects  
21 that are being posted, um, you know, it is all  
22 out there.

23 It is all open.

24 It is all transparent.

25 It can all be accessed by anyone that has

1 Internet connection.

2 META MEREDAY: Yeah, I agree with that in  
3 the sense but, then, you also have, you know, we  
4 have job fairs.

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5 We have outreach.

6 We have parades. We got all these  
7 luncheons and all these activities that we pay  
8 for, um, my - -

9 COMMISSIONER: My point is something as  
10 specific as engineering consulting, anybody that  
11 is in that business is well aware of the RFP  
12 that was posted, RFQ, actually.

13 META MEREDAY: But, we don't have already  
14 an established list of companies that have done  
15 business in the past that we utilize, just one?

16 COMMISSIONER: I don't understand your  
17 question.

18 META MEREDAY: So, you are saying all of  
19 that outreach, there is only just one company?

20 COMMISSIONER: This is the one - - we had  
21 companies that called us, um, and said they  
22 weren't interested in responding.

23 This is the one company that responded and  
24 submitted a response to this RFQ.

25 It is kind of specific in what their

1 needs are.

2 META MEREDAY: Okay.

3 COMMISSIONER: This is one company that was  
4 qualified for the work.

5 META MEREDAY: So, other people did call?

6 COMMISSIONER: Yeah, other people called,  
7 like I said, it is publicly posted, um, we  
8 advertised it like we do.

9 I am just repeating, I do know that you  
10 often ask this question about outreach, I want  
11 to make a point all of our bids are publicly  
12 posted on the Town of Hempstead website, in  
13 addition, to the fact that they need to be  
14 advertised.

15 My point is everybody has access to the  
16 Internet.

17 Anybody that is interested in doing work  
18 for the Town probably the best thing they can do  
19 is, um, check the website every day.

20 META MEREDAY: Okay, okay, all right, that  
21 answered that question.

22 Um, with regard to and I guess, that is  
23 definitely the Board is structured that there  
24 are Members that have issues can request tabling

25 - -

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

3 META MEREDAY: It is disconcerting for  
4 residents when they do access, pull up this  
5 information on the agenda and they take the time  
6 to come to address their issues as it pertains  
7 to different issues when it is tabled and it  
8 shows up later and they are not able to come and  
9 give their input, it just makes it a little  
10 disingenuous.

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11 I did have some concern with 38, as well  
12 as, 41 and, you know, kind of find out when you  
13 are halfway in the meeting, you know, there was  
14 some issues from your side of the table, so that  
15 kind of, you know, impacted those of us to be  
16 able to address this issue.

17 So, just, again, having those types of  
18 concerns, I am just hoping, again, you kind of  
19 hear the voices of the residents.

20 And, again if we can get these blank  
21 screens kind of fixed, you know, again, yes, I  
22 will keep saying it is 2018 and we pay too much  
23 to have too many things int this Township that  
24 are broken down.

25 So, now, we have equipment that is broken



**HEMPSTEAD TOWN MEETING 4/24/18**

1 down and we have relationships that are broken  
2 down and we need to fix it.

3 Too many people are leaving in the middle  
4 of the night and those of us staying are getting <sup>Page | 161</sup>  
5 a little tired.

6 Thank you.

7 COUNCILWOMAN KING-SWEENEY: Mr. Ra, do you  
8 know who we can talk to about the screens?

9 SUPERVISOR GILLEN: I believe they are  
10 fixed.

11 (Whereupon, "the screens are working," was  
12 called out from the audience. After, the  
13 following ensued.)

14 SENIOR COUNCILWOMAN GOOSBY: The screens  
15 are working, right.

16 META MEREDAY: So, they are working?

17 SUPPERVISOR GILLEN: The screens are  
18 working?

19 META MEREDAY: So, why weren't we able to  
20 see the plans and things like that from the  
21 earlier Hearings to get a sense of what is going  
22 on with, you know, the Elmont project and, you  
23 know, the DECA project if we don't know if it is  
24 working, if it is not on?

25 SUPERVISOR GILLEN: The applicants we let

1 them know.

2 META MEREDAY: So, the applicants are aware  
3 that they can access the audiovisual or that is  
4 something that has to be posted on the website <sup>Page | 162</sup>  
5 and have to read that out to figure it out?

6 SUPERVISOR GILLEN: I believe they have  
7 used it in the past.

8 META MEREDAY: It has been broken for so  
9 long.

10 SUPERVISOR GILLEN: It was only broken for  
11 a week.

12 TOWN ATTORNEY RA: The applicants know they  
13 can use it.

14 META MEREDAY: They know, okay, hopefully  
15 if there is some way that you can inform them  
16 that the public wants to know where our tax  
17 dollars are going if we can help them to make  
18 their decisions that impact us because we, the  
19 residents, don't know.

20 We are still thinking it is broken, that is  
21 why we have to basically hear and ask questions  
22 based upon information that is thrown at us all  
23 of a sudden, just saying.

24 I am trying to be proactive.

25 Thank you.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVIOR GILLEN: Madam Clerk, would you  
2 please, call the roll.

3 COUNCILMAN D'ESPOSITO: I have a question  
4 on 43, in light of the climate that we are in <sup>Page | 163</sup>  
5 and the burden that we are saddling, I want to  
6 confirm with our Comptroller, Mr. Conroy or  
7 somebody from Human Resources, that we have the  
8 ability for the funds for this new hire in the  
9 Supervisor's staff?

10 COMPTROLLER CONROY: With regard to this  
11 item, I have not seen whether or not - - I have  
12 not confirmed that the monies are available.

13 I suspect they are available.

14 It is subject to check.

15 It is a lengthy process that we have to go  
16 through to determine if funds are available as a  
17 result of the transfers that took place on  
18 December the 12<sup>th</sup> and New Year's that took place  
19 subsequent to that and some PAR's and the line.

20 We are going department by department to  
21 determine whether or not the funds are  
22 available.

23 At this point, I am not in a position to  
24 comment if they are or if they are not.

25 COUNCILMAN D'ESPOSITO: Okay.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVISOR GILLEN: I believe there are  
2 sufficient funds allocated within the  
3 Supervisor's staff budget that would cover this  
4 hire. Page | 164

5 They have not been expended, is that  
6 correct?

7 COMPTROLLER CONROY: Again, Supervisor, I  
8 would like the opportunity to go through case by  
9 case, as a result, again, of the voluminous  
10 amount of hires, transfers, par and the like.

11 SUPERVISOR GILLEN: You're talking about  
12 the one hundred and ninety-two personnel moves  
13 that were made on December 12<sup>th</sup>?

14 COMPTROLLER CONROY: Actually, there was  
15 thirty-eight personnel moves.

16 The one hundred and ninety-two refers to  
17 both the personnel moves and the PAR which would  
18 be salary adjustment.

19 SUPERVISOR GILLEN: We have enough money  
20 for the receptionist on the 4<sup>th</sup> floor.

21 COMPTROLLER CONROY: I respectfully like to  
22 go evaluate department by department which we  
23 have been doing and, again our computer system  
24 is thirty years old.

25 This is an overwhelming manual task

1 to make that determination.

2 I am not in a position at this point to  
3 answer Councilman D'Esposito's question  
4 definitively whether there is or isn't.

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5 I like the opportunity to go through this.

6 COUNCILMAN D'ESPOSITO: If I may, I think  
7 the Supervisor deserves the respect of having  
8 her office audited, first, if that is possible.

9 Um, with that being said, I am not sure,  
10 Mr. Ra, how it can be handled.

11 I would like to sever the item and table it  
12 to the next meeting when we are hoping Mr.  
13 Conroy will have been able to tell us if the  
14 money is available.

15 I don't want to get myself into any further  
16 litigation.

17 COMPTROLLER CONROY: I will have that done  
18 by the next meeting for sure.

19 TOWN ATTORNEY RA: You want to sever one,  
20 if you want to make a Motion to table.

21 COUNCILMAN D'ESPOSITO: Sure, I am not  
22 saying it is off the table, I don't even know  
23 the person, all I am saying is that we can't be  
24 told if the money is available, as long as the  
25 Comptroller will go forward.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 I am not going to get myself, like I said,  
2 into further litigation.

3 (Whereupon, "you're a piece of work," was  
4 heard calling out from the audience. After, <sup>Page | 166</sup> the  
5 following ensued.)

6 SUPERVISOR GILLEN: It is stunning, at the  
7 December 12<sup>th</sup> Board Meeting, when you approved  
8 all those personnel changes, Mr. Conroy said he  
9 had not made any analysis of the financial  
10 impact, but, you voted in favor of it, anyway.

11 COUNCILMAN D'ESPOSITO: I also was sued,  
12 then.

13 So, however, we can figure it out.

14 (Whereupon, "you live and learn, that is  
15 good," was heard calling out from the audience.  
16 After, the following ensued.)

17 COUNCILWOMAN KING-SWEENEY: Well, actually,  
18 I think this does personalize a point, when you  
19 are a Defendant in a lawsuit, everything  
20 becomes, um, very concerning, every vote you  
21 take.

22 In fact, Mr. Ra, considering every vote  
23 that we take, we, then, need advice from Counsel  
24 if we are subjecting ourselves to any future  
25 litigation, that is the environment that we

1 are creating.

2 It is unprecedented. I have lawyers I have  
3 reached out to, they are not aware of any  
4 circumstances in which a Supervisor has  
5 individually sued Town Board Members, so, this  
6 is not - - this is a new climate that we are  
7 dealing with, so, all bets are off, right, now.

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8 I am not sure what we do.

9 SUPERVISOR GILLEN: I think any time you  
10 vote you could subject yourselves to litigation,  
11 if you are not voting in the best interests of  
12 the taxpayers.

13 So, I don't think that is anything that has  
14 changed, here, as I made it clear repeatedly, no  
15 one is being sued in their individual capacity.

16 If there is some confusion, we can  
17 straighten that out, no one is being sued in  
18 their individual capacity.

19 What we should be focused on is the  
20 taxpayers who have been saddled with the  
21 unspeakable burden, which most of the people  
22 sitting up, here, now, voted against and  
23 recognized that it was a terrible thing to enter  
24 into it any way.

25 SENIOR COUNCILWOMAN GOOSBY: I voted

1 against it because I thought you had the right to  
2 hire and you have hired a lot of people.

3 Nobody said anything and supported you with  
4 all of that and what we are seeing there were <sup>Page | 168</sup>  
5 only thirty-eight people, thirty-nine people  
6 that were transferred.

7 Other people were entitled to those raises.

8 They were already hired. It had nothing to  
9 do with you.

10 We are not - - we don't know who you hired,  
11 when you hired them.

12 We don't know who they are.

13 But, yet, you want to know as Council  
14 people, were responsible for hiring people in  
15 our own Districts, who will make sure that we  
16 get done what we need to do, but, you want to  
17 control that, too.

18 We don't control you.

19 We don't try to control you. We don't try  
20 to control you. We let you do what you need to  
21 do.

22 And, as Council Members, we are responsible  
23 for our own and to make sure it is within our  
24 budget, that is what we do.

25 SUPERVISOR GILLEN: Yes.



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1 SENIOR COUNCILWOMAN GOOSBY: You need to  
2 respect that and when someone tells me you take  
3 all the names off the signs in the Parks, then,  
4 I want my name back on. Page | 169

5 Three quarters of the people in my District  
6 do not have computers when they see TOH they  
7 don't know what it means.

8 I want them to know who I am if they need  
9 me they can call me.

10 I don't need somebody else who doesn't know  
11 this Town to go around and looking at policies  
12 who is telling me what to do.

13 I have staff to do that.

14 There are some things that are just wrong.

15 We need to put it together. Everybody  
16 working together for all of the residents, not  
17 just some, all of them.

18 And, I don't want to hear from someone  
19 telling me I can't put my name of signs in my  
20 District.

21 And, especially, I am not an employee, I am  
22 the Senior Councilwoman which fought for this  
23 District.

24 I need it and I don't want to see it go  
25 away.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVISOR GILLEN: I am just trying to get  
2 a receptionist for the 4<sup>th</sup> floor, that is what  
3 this personnel is about, getting a receptionist  
4 because we were left without a receptionist and  
5 we had to call someone to answer the phone.

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6 I am just trying to get someone to answer  
7 the phone on the 4<sup>th</sup> floor. Mr. Locaruba?  
8 (phonetic spelling)

9 MR. LOCARUBA: Supervisor, Members of the  
10 Board:

11 There was a clear understanding of the  
12 funding that was going to be available for the  
13 Supervisor's Office.

14 We have not exceeded that funding nor does  
15 this hire exceed that funding that we had a  
16 clear understanding was available.

17 I just want to make sure that is clear.

18 Whether or not Mr. Conroy has had an  
19 opportunity to review this particular par, I  
20 would be more than happy to show him our  
21 staffing sheet and this does not exceed the  
22 monies we were advised were available.

23 COMPTROLLER CONROY: If I may, Supervisor,  
24 just comment, Mr. Locaruba's (phonetic spelling)  
25 comments, his clear understanding did not

**HEMPSTEAD TOWN MEETING 4/24/18**

1 include the Town Comptroller and all I am looking  
2 for, respectfully, like I do with every  
3 department I go through line item by line item  
4 to determine funds available, so, I appreciate  
5 the fact we can sit down, now and go through the  
6 PAR.

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7 I believe a likelihood is, I think, Mr.  
8 Locaruba was right, the likelihood there is  
9 funding available, subject to check and I want  
10 to go in a position to be definitive about that.

11 MR. LOCARUBA: My understanding was with  
12 the Chief of Staff of the Town Board, as far as,  
13 how much funding was available to the  
14 Supervisor's Office, which, I believe, was after  
15 consultation with your office.

16 COUNCILWOMAN KING-SWEENEY: I think there  
17 has been a lot of clear understanding and  
18 conversations had in good faith.

19 Um, I think changes a lot when you are  
20 sued.

21 SUPERVISOR GILLEN: So, do you want to  
22 sever - -

23 COUNCILMAN D'ESPOSITO: I ask what is the  
24 opinion of the Board, if Mr. Locaruba is willing  
25 to say there is funds available, if you like

**HEMPSTEAD TOWN MEETING 4/24/18**

1 To - - you want to make the transfer pending  
2 approval of the funds, I mean, the hire, pending  
3 the approval of the funds.

4 Like I said, we are in different times, <sup>Page | 172</sup> so,  
5 we need to make sure we have our ducks in a row.

6 COUNCILMAN AMBROSINO: Supervisor, clearly,  
7 a receptionist is not going to kill the Town  
8 Board.

9 Why don't we do the following, if it is  
10 acceptable to the Board as a whole, Mr. Conroy,  
11 you will look at the position, if the Resolution  
12 were passed today and you determine that funding  
13 was not available, Supervisor, we, then, could  
14 make in two weeks from, now, repeal it.

15 I think that is not likely, so, pass it,  
16 today, subject to Mr. Conroy confirming Mr.  
17 Locaruba's representation that funds are  
18 available.

19 If it is determined that funds are not  
20 available, that changes everything, but, it is a  
21 receptionist.

22 COUNCILMAN D'ESPOSITO: Mr. Conroy, are you  
23 comfortable with that?

24 COMPTROLLER CONROY: I am relatively  
25 comfortable that the funds are available.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 I want the opportunity to determine that  
2 definitively.

3 SUPERVISOR GILLEN: I have no problem  
4 making sure funds are available.

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5 Mr. Ra, procedurally, what do you think the  
6 best way to do this is right, now?

7 TOWN ATTORNEY RA: I think it is on the  
8 record, what the intent of the Board is and I  
9 think we can go forward with the vote.

10 COUNCILWOMAN KING-SWEENEY: Before we vote,  
11 I just want to jump back to something real quick  
12 and I am paraphrasing and if I am paraphrasing  
13 incorrectly, please, let me know, when you cast  
14 votes, you could expect to be sued?

15 I am definitely casting bad votes. I know  
16 I have, um, free air people out here, I casted a  
17 bad vote. It was stupid of me, but, you have  
18 the right to cast stupid votes and that  
19 shouldn't then subject you to a lawsuit.

20 But, if we, now, have that new expectation  
21 of0 the Town of Hempstead as a Council Member,  
22 that I have stupid votes, that I take or even  
23 good votes, I actually voted against the subject  
24 of litigation.

25 We have reached, um, new depths in this

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Town and I don't know how, based on that mindset,  
2 you are ever going to attract new people to get  
3 involved with government and public service.

4 It is a cold, sad day in the Town of  
5 Hempstead if that is our mindset.

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6 SUPERVISOR GILLEN: I think you are grossly  
7 mischaracterizing this lawsuit.

8 I actually think you would be in favor  
9 since you voted against the MOA to seek the  
10 relief of the Court to try to undo what was a  
11 terrible agreement made in bad faith to saddle  
12 the taxpayers with a horrible burden.

13 And, that you should support the litigation  
14 and understand you can talk to your lawyer about  
15 this, why it was necessary to bring the Board  
16 before the Court.

17 And, you should support trying to undo what  
18 was a terrible deal for the taxpayers of the  
19 Town of Hempstead.

20 And, this is not about a stupid vote, this  
21 is allocating two million dollars of budget  
22 costs that were not counted for in the budget.

23 COUNCILWOMAN KING-SWEENEY: Just to be  
24 clear, I still support - -

25 SENIOR COUNCILWOMAN GOOSBY: Excuse me,

**HEMPSTEAD TOWN MEETING 4/24/18**

1 I think it is time we stopped because I know what  
2 you said and I know some things and you do, too  
3 and it would make it real bad for her, so, we  
4 are not saying any of those things. Page | 175

5 She didn't know because she is new and she  
6 is learning.

7 We stopped getting finished with this part  
8 of the meeting.

9 (Whereupon, applause from the audience was  
10 heard. After, the following ensued.)

11 SUPERVISOR GILLEN: I agree.

12 Mr. Ra, I have no objections to Mr. Conroy  
13 doing an analysis that he needs to do to make  
14 him feel comfortable that there is sufficient  
15 funds to pay our receptionist, um, so, whatever  
16 we need to do procedurally, what is the best way  
17 to proceed?

18 TOWN ATTORNEY RA: Supervisor, I think that  
19 it is on the record that Mr. Conroy is going to  
20 confer with Mr. Locaruba's statement and, um, if  
21 it happens not to be accurate, then, we will  
22 revisit this in two weeks.

23 I think it is on the record that is what we  
24 are going to do.

25 SUPERVISOR GILLEN: Table this so

**HEMPSTEAD TOWN MEETING 4/24/18**

1 Everybody has the information before they vote.

2 SENIOR COUNCILWOMAN GOOSBY: No, that is  
3 not right. No, I don't think that is right to  
4 punish people. Page | 176

5 It is not just one person.

6 TOWN ATTORNEY RA: You can table it or you  
7 can go forward with the vote.

8 SUPERVISOR GILLEN: Is there any way to  
9 just not impact the people in the personnel  
10 resolution and just put this particular item  
11 tabled?

12 COUNCILMAN D'ESPOSITO: We can pull the  
13 resolution apart.

14 TOWN ATTORNEY RA: Yes, the personnel  
15 calendar consists, I think, of eight separate  
16 resolutions.

17 This one resolution can be pulled.

18 COUNCILMAN D'ESPOSITO: We are willing to  
19 give you your receptionist, as long as in two  
20 weeks we can confirm the funding is available.

21 SUPERVISOR GILLEN: I just don't want  
22 people to vote without having all the  
23 information that they feel that they need.

24 SENIOR COUNCILWOMAN GOOSBY: We will  
25 caution ourselves.



**HEMPSTEAD TOWN MEETING 4/24/18**

1 We will not be in trouble. We are trying  
2 to help you as much as we can.

3 We want to cooperate.

4 It is just things are not as it should but, <sup>Page | 177</sup>  
5 anyway, let's do it, okay, make a resolution - -

6 TOWN ATTORNEY RA: We are calling the roll  
7 on the Administrative Calendar.

8 COUNCILMAN D'ESPOSITO: Mr. Conroy, when  
9 you do conduct the audit and find that the funds  
10 are either available or not available, will you,  
11 please, relay it to each Council Member and  
12 Supervisor's Office, so, we have that  
13 communication?

14 COUNCILWOMAN KING-SWEENEY: Mr. Conroy,  
15 will that estimate, now, include the, um, costs  
16 of the lawsuit going forward for all of us  
17 obtaining attorneys?

18 We are looking at a couple hundred thousand  
19 dollars.

20 COMPTROLLER CONROY: Councilwoman, I have  
21 no idea, first of all, the lawsuit are "Fees and  
22 Services."

23 It doesn't impact salary.

24 COUNCILWOMAN KING-SWEENEY: Okay.

25 COMPTROLLER CONROY: This is a salary

**HEMPSTEAD TOWN MEETING 4/24/18**

1 issue, A & B, if there is, um, attorney fees

2 warranted in this regard, I have - - would have  
3 no idea to make a projection.

4 COUNCILWOMAN KING-SWEENEY: We will track <sup>Page | 178</sup>  
5 it on a monthly basis and post it on my  
6 FACEBOOK, so, other money we are wasting.

7 SENIOR COUNCILWOMAN GOOSBY: And, post it  
8 on the website.

9 COUNCILWOMAN KING-SWEENEY: Yeah, we are.

10 SENIOR COUNCILWOMAN GOOSBY: And, I will  
11 tell my people because they don't have a  
12 computer.

13 TOWN ATTORNEY RA: So, I am clear - -

14 COUNCILWOMAN KING-SWEENEY: Mr. Conroy - -  
15 hold on one second - - could we figure out an  
16 accounting mechanism to set aside a litigation  
17 reserve?

18 COMPTROLLER CONROY: Yes, that mechanism  
19 would be the budget, '18 budget calls for a Fund  
20 Balance restoration about twenty million  
21 dollars.

22 We would somehow project, I would have to  
23 work with Mr. Ra on it, what the potential legal  
24 fees would be in this regard and garnish some of  
25 the Fund Balance.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 COUNCILWOMAN KING-SWEENEY: Okay.

2 COMPROLLER CONROY: That would be the deal  
3 by which this would be paid.

4 COUNCILWOMAN KING-SWEENEY: Would that Page | 179  
5 potentially impact our rating or anything like  
6 that?

7 COMPROLLER CONROY: Yeah, I think the  
8 budget called for a Fund Balance of "X" and when  
9 we close the books in '18, it will be less.

10 SENIOR COUNCILWOMAN GOOSBY: Would we be in  
11 jeopardy, the reason the Supervisor had to do  
12 some of the things he did to make up that money  
13 because we were low, we didn't have money in  
14 the Fund Balance as the State required, will  
15 that take away some of that so we will be back  
16 in the position we were in before this year?

17 COMPROLLER CONROY: Councilwoman, I was  
18 trying to follow that question, I am very sorry.

19 SENIOR COUNCILWOMAN GOOSBY: That was okay,  
20 the State Comptroller came in and said we did  
21 not have enough funds in our balance to be sure  
22 in case of an emergency, you know, we could  
23 survive it.

24 He did a lot of things to make sure we had  
25 that money there, so, what affect will this

**HEMPSTEAD TOWN MEETING 4/24/18**

1 have up on that amount of money we should have in?

2 COMPROLLER CONROY: I understand your  
3 question.

4 A number of years ago, this Town Board  
5 passed a Resolution so as to maintain a Fund  
6 Balance level of about one third of our  
7 expenditure budget, our expenditure budget about  
8 four hundred million dollars.

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9 Over the last few years, we recognized, um,  
10 that the economy was not doing as well as it  
11 could and mitigating any tax increase, we  
12 balanced our budget utilization of the Fund  
13 Balance.

14 What we are doing, now, in the '17 and '18  
15 budget, we are restoring the Fund Balance to  
16 that level that this Town Board approved that  
17 Town Board Resolution that being one third of  
18 the expenditure budget, so, anything that would  
19 adversely affect this and this certainly would  
20 stagger our momentum to get to that level of a  
21 Fund Balance, again, of one third of the  
22 expenditure budget.

23 SENIOR COUNCILWOMAN GOOSBY: And, that is  
24 what we voted on last year. Last year's budget  
25 was good.

**HEMPSTEAD TOWN MEETING 4/24/18**

1           The one coming up for 2018 probably will  
2 not be because of all the lawsuits we have to  
3 pay for, am I correct?

4           COMPTROLLER CONROY: What we are saying, Page | 181  
5 and, in fact, I have a meeting with the  
6 Supervisor's team regarding closing the books  
7 for '17 and, um, we will have a surplus.

8           I will discuss that in detail, Supervisor.

9           SENIOR COUNCILWOMAN GOOSBY: With all of  
10 us, we ant to know, too, because, you know, we  
11 have to pay for our attorneys, as well, from the  
12 Town's money.

13           COMPTROLLER CONROY: Again, the '18 called  
14 for, subject to check, a twenty million dollar  
15 restoration of the Fund Balance, twenty million  
16 dollar surplus.

17           SENIOR COUNCILWOMAN GOOSBY: Okay, well, we  
18 don't have to go - -

19           SUPERVISOR GILLEN: Okay, Madam Clerk - -

20           TOWN ATTORNEY RA: There are no Motions  
21 pending, correct, Councilman D'Esposito?

22           COUNCILMAN D'ESPOSITO; Unless we are all  
23 good and understand where we are heading.

24           TOWN ATTORNEY RA: Madam Supervisor, you  
25 may proceed.

**HEMPSTEAD TOWN MEETING 4/24/18**

1 SUPERVISOR GILLEN: Madam Clerk, will you  
2 call for the roll on Items 13 through 51  
3 excluding items 38 and 41 which have been  
4 tabled.

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5 CLERK CABANA: Councilman Ambrosino?

6 COUNCILMAN AMBROSINO: Aye.

7 CLERK CABANA: Councilman D'Esposito?

8 COUNCILMAN D'ESPOSITO: Aye.

9 CLERK CABANA: Councilman Dunne?

10 COUNCILMAN DUNNE: Aye.

11 CLERK CABANA: Senior Councilwoman Goosby?

12 SENIOR COUNCILWOMAN GOOSBY: Aye.

13 CLERK CABANA: Councilwoman King-Sweeney?

14 COUNCILWOMAN KING-SWEENEY: Aye.

15 CLERK CABANA: Supervisor Gillen?

16 SUPERVISOR GILLEN: Aye, with the exception  
17 of Item Number 22 on which I must recuse myself  
18 because this is a client of my firm and on Item  
19 42, while I do not object to Santino being  
20 indemnified, I do object to the selection of his  
21 Counsel, which I feel has a clear conflict.

22 SENIOR COUNCILWOMAN GOOSBY: I move that we  
23 adjourn.

24 COUNCILMAN D'ESPOSITO: I second the  
25 Motion.

**HEMPSTEAD TOWN MEETING 4/24/18**

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SUPERVISOR GILLEN: Madam Clerk, please,  
call the roll.

CLERK CABANA: Councilman Ambrosino?

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COUNCILMAN AMBROSINO: Aye.

CLERK CABANA: Councilman D'Esposito?

COUNCILMAN D'ESPOSITO: Aye.

CLERK CABANA: Councilman Dunne?

COUNCILMAN DUNNE: Aye.

CLERK CABANA: Senior Councilwoman Goosby?

SENIOR COUNCILWOMAN GOOSBY: Aye.

CLERK CABANA: Councilwoman King-Sweeney?

COUNCILWOMAN KING-SWEENEY: Aye.

CLERK CABANA: Supervisor Gillen?

SUPERVISOR GILLEN: Aye.

(Whereupon, the official meeting of the  
Hempstead Town Board held on April 24, 2018 was  
concluded. )

**HEMPSTEAD TOWN MEETING 4/24/18**

CERTIFICATE BY COURT REPORTER

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I, do hereby certify that the foregoing  
testimony in the matter of the Hempstead Town  
Board Meeting held on April 24, 2018, consisting  
of pages 1 through 184 inclusive is an accurate  
transcription of my cryptic notes.

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IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



*MDW*

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CERTIFIED COURT REPORTER

NORTH SHORE COURT REPORTERS

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