

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE
BOARD OF TRUSTEES

May 11, 2016
6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,
Mayor
PAUL A. PEREIRA, Deputy Mayor
PAUL S. CUSATO,
GEORGE R. DURHAM,
DENNIS J. WALSH,
Trustees.

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JOHN P. GIBBONS, JR., ESQ.
Village Attorney

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DANIEL WHALEN
Superintendent of Buildings

JOSEPH R. SCALERO
Village Clerk

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PATRICIA A. TAUBER, RPR
Official Court Reporter

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1 MR. SCALERO: Ladies and gentlemen, please
2 silence all pagers and cell phones. In the event of an
3 emergency there are exits located in the rear of the
4 room.

5 MAYOR STRAUSS: Evening, ladies and gentlemen.
6 Mr. Scalero, the first hearing.

7 (Off the record discussion ensued between Mayor
8 Strauss and Mr. Scalero.)

9 Folks, I apologize. Starbucks was originally
10 planning to be here this evening, but they've been
11 postponed. They're still evaluating the concerns that
12 they have heard at the last hearing. So we're going to
13 postpone it till June 8th.

14 If anybody is here for the Starbucks
15 presentation, we'll look to reschedule this for June 8th.
16 However, with that being said, it might not happen on
17 June 8th, depending on them. So if you were interested
18 in attending the June 8th hearing to hear specifically
19 Starbucks, please give Village Hall a call during
20 business hours on June 8th and you'll be able to get an
21 answer whether they're going to be on for that night
22 also. So we're waiting on that.

23 Mr. Scalero?

24 * * *

1 MR. SCALERO: Yes.

2 "Legal Notice, Public Hearing, Incorporated
3 Village of Mineola.

4 "Please take Notice that the Board of Trustees
5 of the Incorporated Village of Mineola will hold a Public
6 Hearing on Wednesday, May 11, 2016 at 6:30 p.m. at the
7 Village Hall, 155 Washington Avenue, Mineola, New York
8 11501, or at some other location to be hereafter
9 designated by the Board of Trustees, in order to receive
10 public comment upon the following:

11 "Application of GoHealth Urgent Care for a
12 Special Use Permit pursuant to Chapter 550 of the Code of
13 the Incorporated Village of Mineola, entitled 'Zoning',
14 Section 550.12, entitled 'B-1 Districts', Subsection (B),
15 entitled 'Special Uses', for the purpose of establishing
16 an urgent care facility upon the property known as
17 12 East Jericho Turnpike, Mineola, New York, known and
18 designated on the Nassau County Land and Tax Map as
19 Section 9, Block 366, Lots 1 through 15, 70 through 75,
20 and 92.

21 "The Village of Mineola does not discriminate
22 on the basis of handicapped status in administration or
23 access to or employment in its projects and activities.
24 Joseph R. Scalero has been directed to coordinate
25 compliance with non-discrimination requirements of the

1 Federal Revenue Sharing regulations.

2 "At this scheduled meeting of its Board of
3 Trustees reserved decisions from previous meetings, if
4 any, may be acted upon by the Board of Trustees.

5 "At the aforesaid time and place all interested
6 persons will be given an opportunity to be heard.

7 "By Order of the Board of Trustees of the
8 Incorporated Village of Mineola. Joseph R. Scalero,
9 Village Clerk.

10 "Dated April 11, 2016."

11 MAYOR STRAUSS: Thank you.

12 Mr. Whelan, report on mailings?

13 MR. WHALEN: All the mailings were done, Mayor.
14 We have signed and notarized affidavits of same for both.

15 MAYOR STRAUSS: Thank you.

16 Mr. Gibbons, anything?

17 MR. GIBBONS: Yes. We have not heard back yet
18 from the Nassau County Planning Commission, and I would
19 ask for a SEQRA designation of this action as a Type II.

20 MAYOR STRAUSS: Motion on that?

21 MR. PEREIRA: Motion.

22 MAYOR STRAUSS: Motion by Trustee Pereira.

23 Second by --

24 MR. WALSH: Second.

25 MAYOR STRAUSS: -- trustee Walsh.

1 All in favor?

2 MR. DURHAM: Aye.

3 MR. PEREIRA: Aye.

4 MR. CUSATO: Aye.

5 MR. WALSH: Aye.

6 MAYOR STRAUSS: Aye.

7 Any opposed?

8 Carried.

9 MAYOR STRAUSS: Ladies and gentlemen, this will
10 be the format for tonight's hearing. The applicant will
11 make its presentation. I ask anybody that is approaching
12 the podium to please speak clearly and slowly, state your
13 name and your address, or your affiliation, if you have
14 one with the company, so the reporter can appropriately
15 and accurately get your marks down. We'll hold all
16 questions from the public until the end. The Board will
17 interact with the applicant, and then we'll open it up
18 for public comment.

19 Gentlemen?

20 MR. MINEO: Good evening, Mayor, Members of the
21 Board. My name is Peter Mineo, I'm the attorney, with
22 offices at 333 Earle Ovington Boulevard, in Uniondale,
23 and I appear here this evening on behalf of the
24 applicant.

25 There are a number of people with me this

1 evening on behalf of the engineering firm that prepared
2 the plans, the architectural firm, traffic engineers, as
3 well as the representative of the applicant. They will
4 not all address the Board, unless there's a specific
5 question that I can't answer, or some of the other
6 speakers are unable to answer, but just to mention a few
7 of them: Marc Steinberg of Mark Development is present
8 this evening. Sara Arora of GoHealth, Kristin DeLuca of
9 Bohler Engineering, and John Harter of Atlantic Traffic
10 Design. I'm going to ask Ms. Arora and Mr. Harter at
11 some point during the presentation to address the Board
12 on various aspects of the application.

13 As was pointed out, this is an application for
14 a Special Permit for an urgent care facility in a B-1
15 district. It has been classified as a condition or
16 special use pursuant to Mineola Code Section
17 550.12(B)(8), under the designation of a clinic.

18 Ms. Arora will explain the operation to the Board in more
19 detail to show what it actually is. I think clinic is
20 probably a generic term that doesn't accurately describe
21 what's taking place at the premises, but Ms. Arora will
22 address that in greater detail.

23 As was pointed out by Mr. Scalero, the property
24 is at the northeast corner of Roslyn Road and Jericho
25 Turnpike. It's currently being developed with a

1 Walgreens pharmacy, before that it was an Entenmann's
2 outlet, and before that, for an earlier generation, it
3 was Frame Chevrolet since the 1920's.

4 The Walgreens was approved by this Board as a
5 Special Permit in June of 2014. The pharmacy portion is
6 a permitted use in the B-1, but the sale of food at
7 Walgreens required Special Permit. And in connection
8 with that Special Permit application I believe final site
9 plan approval was also granted. And one of the important
10 aspects of that was the location of the curb cuts and the
11 means of ingress and egress to the property. And if
12 there's any questions concerning that, Mr. Harter will
13 address that. But in short, all of the approvals from
14 the county and the state have been obtained for the
15 access as depicted on the approved site plan.

16 There is currently an application pending
17 before the Planning Board for a waiver of subdivision
18 approval to divide the parcel into two parcels with the
19 GoHealth parcel to the east -- and I believe you can
20 probably see the devising line right along there, that
21 heavy dark line -- and the Walgreens to the west. Just
22 as this Board cannot act on this application this evening
23 because the Nassau County Planning Commission has yet to
24 be heard, neither could the Planning Board act on the
25 waiver application.

1 The parking for the two uses will require 70
2 off-street parking spaces. There are 78 spaces on the
3 site. So there's more parking than is actually required
4 by the two uses.

5 Unless the Board has any questions for me on
6 any of the legal aspects of this, at this time I would
7 like to have Ms. Arora address the Board and introduce
8 GoHealth to the Board and describe the operation.

9 MAYOR STRAUSS: Thank you.

10 MS. ARORA: Thank you very much.

11 MR. MINEO: While she's doing this, I would
12 like to hand up copies of a PowerPoint presentation
13 reduced to photographs.

14 (Same handed up to the Board.)

15 MS. ARORA: Thank you so much for having us
16 today. Excited to have the opportunity to tell you a
17 little bit about our business, and hopefully take any
18 questions you may have. Please, you speed me up if you
19 feel like. This group may already know some of these
20 details.

21 My name is Sarah Arora. I'm the president of
22 the New York market for GoHealth Urgent Care, which is
23 the Northwell joint venture partner in building out
24 urgent care centers across New York.

25 So for those of you who don't know Northwell

1 Health, and to give you a little bit of background into
2 that partnership, one of the goals of Northwell is to
3 really meet patients in the communities that they work
4 and they live, and GoHealth was one of the ways to do
5 that. And so our whole mission is to build centers in
6 the communities where people live their lives. So rather
7 than having large hospitals that may not be convenient to
8 patients, to create efficient, smaller, really
9 high-quality health care facilities in the community
10 where people are living their lives. Very technically,
11 it's a 50/50 giant venture between Northwell and
12 GoHealth. We are set to develop about 40 to 60 urgent
13 care centers over the course of three years. We are in
14 our second year of operation. So currently we have about
15 21 sites open, with two more coming in May in Manhattan.

16 GoHealth is responsible for the implementation
17 of the day-to-day operations. So we are responsible for
18 getting the centers up and running, for staffing the
19 centers, and Northwell has complete control over the
20 clinical quality. So all of our providers, our physician
21 assistants and our physicians, are credentialed through
22 Northwell. So their quality is vetted by the Northwell
23 Health system.

24 If you go to page three, just to give you a
25 very basic rundown of what happens within our centers.

1 So if you walk into one of our centers today you will
2 likely find three clinical staff members. It will be one
3 provider. -- again, defining that term as a physician
4 assistant or a physician -- you'll find one x-ray tech
5 who is licensed to image patients, and then you'll find a
6 medical assistant who is a support to the provider,
7 they'll do any type of testing.

8 Within the centers, you know, the way we like
9 to talk about it is that, if it's not life-threatening,
10 you can come to us and we can either, you know, see you
11 within the four walls of our center or we can get you the
12 care that you need and you deserve outside the four walls
13 of our center.

14 In the centers we see a pretty low-acuity
15 volume. So lots of coughs, lots of colds. A lot of
16 people have a primary care office but don't have access
17 at a given time, and so they come to us to receive care.

18 Hours we operate our centers. We will be
19 opening, kind of, every new center with an 8:00 to 8:00
20 schedule on weekdays. So that's 8:00 a.m. to 8:00 p.m.
21 Monday through Friday, and 9:00 to 5:00 on weekends.
22 Again, you know, we always think about what the community
23 really needs. So if you look at Manhattan, for example,
24 we have longer hours, but this is 5 percent of our
25 centers, 95 percent of our centers fall on this kind of

1 76-hour week schedule.

2 Volume we typically see in our centers.

3 Obviously there's a ramp-up as we open a center. So
4 we're seeing pretty low volume when we start. We kind of
5 tap out at around 48 to 56 patients a day, but that's
6 about 3 to 5 patients an hour. That is a fully mature
7 center, quite frankly, a very highly performing center,
8 at 48 patients a day.

9 Page four kind of lays out a little bit of the
10 centers we have right now. Again, I mentioned we have 21
11 currently throughout Staten Island, Westchester, Long
12 Island, Queens and Manhattan.

13 You know, one of the things that we take great
14 pride in is the beauty of our centers. So we have just
15 recently won a design award. One of the very first
16 health care institutions to actually win this award. We
17 did a lot of work when we were first building these
18 centers and found quite a bit of research that talks
19 about how the environment of the facility actually
20 facilitated healing of the patient. This has become a
21 study across a number of different settings. So we take
22 great, great, pride in our centers and the way that they
23 look and feel.

24 Page six is the draft site layout for a
25 GoHealth center. Typically our centers have about four

1 exam rooms, which is frankly why we start tapping out at
2 about 48 patients a day, or 4 patients an hour. That's
3 about as many patients as we can really run through that
4 center while still really providing high quality care to
5 those patients.

6 We like to think of ourselves, at GoHealth, as
7 the intersection of health care and retail. Therefore we
8 measure patients in a very retail-oriented way. We use
9 Net Promoter Score. For those of you who don't know that
10 particular metric, it asks one very simple question: How
11 likely are you to recommend GoHealth to a friend or
12 colleague? And currently we have an extremely high NPS.
13 The Nordstroms and the Amazons of the world are 70
14 percent. We're at 90 for April of 2016. So we feel
15 pretty proud of that and very happy that the community is
16 accepting us as graciously as they are.

17 This last page talked a little bit about a new
18 online technology we rolled out where patients have the
19 ability to have transparency into our wait times prior to
20 coming into our center. Now one of the issues we always
21 face in urgent care is that you want to be able to get
22 your patients in quickly and avoid wait time. So we
23 implemented a technology that online you can go and you
24 can see, OK, well, what's the wait time at Roslyn versus
25 Syosset. You can self-select which center you think is

1 the less wait time that you're sitting in the middle of
2 the two. And you can check yourself in. And then you
3 have the ability to avoid wait time in the four walls of
4 the center.

5 And that is all I had. Any questions for me or
6 for any of my team members?

7 MR. MINEO: I have a question for you.

8 MS. ARORA: Please.

9 MR. MINEO: How does GoHealth handle deliveries
10 and the removal or disposal of waste?

11 MS. ARORA: Sure.

12 So our largest delivery time is during opening.
13 So that's when we're getting delivered our exam room
14 tables. I say our biggest item is our x-ray machine, but
15 we use mobile x-ray. So I would say it's about -- maybe
16 you can help me out. It's about six feet high and about
17 four feet wide. So that's pretty much our largest
18 delivery, exam room tables being kind of second. Biggest
19 delivery time period is when we open. Beyond that, you
20 know, frankly, because of the low acuity, that we see a
21 low acuity of patients, we see our supplies are fairly
22 minimal. Bandages, sutures, medicines. They all come
23 through Fed Ex. We do same-day ordering. We order. We
24 get it the next day.

25 And then, from a waste perspective, we have

1 to -- obviously, since we're a medical facility, you
2 segment your waste. You have kind of your basic
3 janitorial services. You have a contractor that works
4 with you on your basic janitorial services. And then you
5 have medical waste, which is very properly stored in a
6 specific container and is picked up daily and can be
7 picked up twice a day, if need be, which is very rare.

8 MAYOR STRAUSS: Anything else on the
9 presentation? Are you done?

10 MR. MINEO: I'm done.

11 MAYOR STRAUSS: All right.

12 I have a couple of questions for you.

13 MS. ARORA: Sure.

14 MAYOR STRAUSS: What kind of signage is going
15 to be on the building?

16 MS. ARORA: Do you want me to take that, or
17 would you like to speak to that?

18 VOICE: If you know the answer.

19 MS. ARORA: Sure.

20 So we have kind of a typical sign on our
21 building. I'm not sure exactly on this particular site
22 how large it will be. And then, in a lot of our sites we
23 have a pylon sign within the complex itself.

24 MAYOR STRAUSS: I ask that you please adhere to
25 the Village Code, if you're approved, with regard to

1 signage.

2 MS. ARORA: Of course.

3 MAYOR STRAUSS: Thank you.

4 Any lighting in the parking lot depicted in the
5 schematics we have?

6 MS. DeLUCA: Kristin DeLuca, Bohler
7 Engineering.

8 The lighting is per the approved overall site
9 plan that was approved during Walgreens. So we're not
10 changing or adding any light fixtures. There will be
11 some wall lights that were not accounted for, but the
12 aerial lights are all the same.

13 MAYOR STRAUSS: So those wall lights won't be
14 shining on people's homes?

15 MS. DeLUCA: No. They're full cutoff downward.
16 They don't project out further than just maybe 20, 30,
17 feet into the parking lot.

18 MAYOR STRAUSS: OK. Great. Thank you.

19 What about access for emergency vehicles into
20 the property? If for example, worst case scenario, the
21 parking lot is full, is there enough turning radius for
22 emergency vehicles to get in and out of the property?

23 MS. ARORA: Yes.

24 John, do you want to speak to that?

25 MR. HARTER: John Harter, Atlantic Traffic and

1 Design. I previously testified on the application. We
2 prepared the traffic study for the use. I was actually
3 consulting with the site engineer.

4 I know we designed the site for WB67, which is
5 a large tractor trailer -- it's actually the largest
6 tractor trailer used for retailers -- and I know it can
7 accommodate that. So I would expect emergency vehicles
8 would be smaller.

9 MAYOR STRAUSS: Thank you very much.

10 Who can talk about property maintenance?

11 Who is responsible for property maintenance?

12 The reason I ask is that we've had less than
13 cooperation from some of our other bigger stores --
14 Walgreens being one of them, CVS being the other -- as
15 far as maintaining their property and, since you're on
16 the Walgreens property, does that fall to you for your
17 property, for your operation, or does it fall to
18 Walgreens to take care of the entire property?

19 MR. MINEO: You want to answer that?

20 MR. STEINBERG: Yes.

21 I'm Marc Steinberg. I'm the developer, Mark
22 Development.

23 The way that this lease has been structured
24 with GoHealth is that they're responsible for hiring a
25 maintenance company to take care of their portion of the

1 property, and there may be a lot of synergies and joint
2 maintenance with Walgreens for curb cuts and snow
3 removal, but for the most part GoHealth is responsible
4 for that portion of the property.

5 MAYOR STRAUSS: Great.

6 And I ask whoever the building manager is going
7 to be -- are they here?

8 You don't need to get up. Please maintain the
9 property. If you are approved, if you're successful,
10 please maintain the property. We've been less than
11 successful with Walgreens and CVS, and it's been a
12 challenge. So please.

13 All right. I'll turn it over to Deputy Mayor
14 Pereira.

15 MR. PEREIRA: Thank you.

16 Actually, Mr. Mineo, I have a question for you
17 because you are someone that does this. You're going for
18 a subdivision. Do we have to go to East Williston
19 because we're within a certain distance? Because I know
20 that this was the case when we had other developments
21 going on. I thought 300 feet --

22 MR. MINEO: There's a 300 foot. I'm not sure
23 if this is within 300 feet.

24 MR. PEREIRA: But obviously that would trigger
25 for subdivision, if we were, and we would have to --

1 MR. MINEO: Actually, it would be the
2 applicant's responsibility to obtain that approval.
3 We're in the process of, as I said, the application. So
4 the county is doing it for that purpose as well.

5 MR. PEREIRA: OK. The other question is: I
6 remember during the Walgreens application that --
7 although at that time we didn't know what was going to be
8 going in here -- that the parking lot and the interior
9 circulation was done in such a way that it would
10 accommodate it.

11 So these sites are commingled in terms of the
12 parking and the movement of traffic?

13 MR. MINEO: Right.

14 MR. PEREIRA: Similar to other shopping centers
15 that have multiple structures on them.

16 MR. MINEO: Yes.

17 MR. PEREIRA: So that traffic will flow and the
18 signage will be appropriate in terms of when they're
19 coming out of the Walgreens.

20 There's also a drive-through on Walgreens,
21 correct?

22 MR. MINEO: Yes, on the north side.

23 MR. PEREIRA: So all the signs would be
24 appropriate.

25 No curb cuts on Arlington, correct?

1 MR. MINEO: Absolutely not.

2 MR. PEREIRA: OK. And now, this is where it
3 gets a little dicey, in terms of maintenance. One of the
4 issues is going to be -- it may be great that it looks
5 great on the Walgreens side and on the GoHealth side --
6 what happens on the other side of the fence, right, with
7 the neighbors that live on Arlington?

8 I know this happened with CVS, where they tend
9 to forget what happens on the other side, weeds and
10 overgrown . . . so there has to be some kind of
11 coordination.

12 Now if we have to issue a Notice of
13 Violation -- I hope we don't but, if experience is an
14 indication, we probably will -- who will be responsible
15 for that once the property is subdivided and --

16 MR. MINEO: Well, it would be subdivided.
17 Probably, my guess is probably, for the purposes of
18 fining, I think the Frames will continue to own --

19 MR. PEREIRA: Both?

20 MR. MINEO: -- both properties. And of course
21 tenants, under your code, are no doubt also responsible
22 for maintaining the property. So in the event that it's
23 two different owners, or two different tenants, they
24 would all have the responsibility of doing that. And
25 those people are here tonight, and they're hearing what

1 you're saying about maintaining the property in good
2 order. And it's unfortunate you had these other
3 experiences in the past. It should not be the case here.
4 But, as I said, the applicant is hearing what the Board
5 is saying.

6 MR. PEREIRA: Again, if I remember correctly,
7 when the Walgreens application was here all the curb cuts
8 were worked out with the county and the state in terms of
9 Jericho and turning lanes and all of that, correct?

10 MR. MINEO: Yes.

11 MR. PEREIRA: This doesn't change any of that?

12 MR. MINEO: No. The curb cuts are all
13 identical to what was approved. That's not changing.
14 Mr. Harter is here. He can describe the approvals again,
15 if the Board would like. But all those approvals are in
16 place.

17 MR. PEREIRA: And some of the trees were going
18 to have to be removed, and those trees will be replaced
19 and new tree wells, and that all remains the same from
20 the prior application?

21 MR. MINEO: Right.

22 The only thing that's changing, really, is the
23 fact that -- instead of the original bank that was kind
24 of the generic building at the time -- we've gone through
25 a few reiterations of different types of use and decided

1 that an urgent care facility was the best fit and
2 probably something that the Village would embrace. And
3 that's the only real change from the last plan.

4 The building has been shifted a little bit to
5 the west, but it does not change -- Mr. Harter can
6 testify to this -- does not change the internal traffic
7 flow or entering or exiting the site.

8 MR. PEREIRA: Obviously people can park
9 anywhere. So Walgreens customers can park in the
10 GoHealth. I mean, there's enough parking for both.

11 MR. MINEO: There's more than sufficient there.
12 I said there's 70 required and 78 provided. So there's
13 actually eight more parking spaces than required.

14 MR. PEREIRA: And the handicapped spots will
15 obviously have to be placed appropriately under --

16 MR. MINEO: Of course.

17 MR. PEREIRA: Thank you. That's all.

18 MAYOR STRAUSS: Thank you, Mr. Pereira.

19 Mr. Cusato?

20 MR. CUSATO: Thank you.

21 Good evening, Mr. Mineo.

22 Mr. Pereira asked about parking. So that's
23 been answered. And regard the lighting, which the Mayor
24 spoke of, so the same lighting posts and fixtures? It
25 will be the same thing that exists in Walgreens? So it's

1 going to be conforming to one another, right?

2 MS. DeLUCA: Right.

3 MR. CUSATO: Building. I see you have a brick
4 veneer. Is this building going to look somewhat like
5 Walgreens? Is it going to look like you guys work
6 together, or not?

7 MR. MINEO: Well, interestingly enough, we have
8 the architect present as well. I hadn't introduced him
9 earlier on.

10 Would you like to step up?

11 MR. SIRIZZOTTI: Anthony Sirizzotti, vice
12 president of architecture, Bannett Group, 1998 Springdale
13 Road, Cherry Hill, New Jersey.

14 The building is brick veneer with --

15 THE COURT: Sir, if you could, we televise our
16 meetings, so that's why I'm asking you to go to the
17 podium. If you need to move the easel, certainly do
18 that.

19 MR. SIRIZZOTTI: The building is a mixture of a
20 brick veneer and composite panel. Due to the nature of
21 the use -- it's a lot different than a retail facility,
22 so we wanted to keep the outside of the building in
23 keeping with what's going on on the inside. The inside
24 is very bright, open, modern medical facility. We wanted
25 to bring some of that feeling out into the skin of the

1 building.

2 One of the things that we did do is we brought
3 out a sunscreen that wraps around the windows. They're
4 interested in very large windows so they can bring in
5 daylight. It's better for the patients. So we have to
6 screen those large windows with sunscreens so that we can
7 keep in -- the building is very sustainable. It's not a
8 LEED building, but we tried to put as many sustainable
9 features into the building as we can. So it's very
10 well-insulated. It has efficient equipment, HVAC. The
11 lighting is efficient. Water. So I think they are
12 complementary.

13 MAYOR STRAUSS: All right. Thank you.

14 MR. CUSATO: I'm guessing -- I know Mr. Walsh
15 asked about the wheat grass. Is the shrubbery, bushes,
16 all of that, going to be conforming with Walgreens as
17 well, or are you on your own?

18 MR. MINEO: I believe there's an overall
19 landscaping plan that hasn't changed because of the
20 nature of the new use. I'm not sure if the landscaping
21 plan was specifically presented and approved by any of
22 the boards, but whatever that plan originally was has not
23 changed.

24 MR. CUSATO: OK. And just an outside question.
25 I guess you're not affiliated with any hospital. You're

1 on your own, I guess.

2 MS. ARORA: So GoHealth Urgent Care is a joint
3 venture partnership, joint venture partnership, and our
4 joint venture partner in New York is Northwell Health.
5 So we are affiliated with Northwell Health, with that
6 system.

7 MR. CUSATO: OK. That's it, Mayor. Thank you.

8 MAYOR STRAUSS: Thank you, Mr. Cusato.

9 Trustee Durham?

10 MR. DURHAM: I just want to draw on the
11 pictures of the building. Which is the side that faces
12 Jericho? Which is the side that faces the back of the
13 Walgreens building?

14 MR. SIRIZZOTTI: The back of the Walgreens is
15 this elevation here. These windows are for the lounge
16 and one of the patient rooms. This is the Jericho
17 Turnpike elevation and this is the main parking lot
18 elevation.

19 MR. DURHAM: So the bottom side is the side, if
20 you were walking in Walgreens, towards it --

21 MR. SIRIZZOTTI: Yes. The bottom elevation is
22 this elevation here, the property line, and then here's
23 the canopy. So that long elevation with the two large
24 windows faces the primary parking area, and the smaller
25 elevation with the large windows is facing Jericho

1 Turnpike.

2 MR. DURHAM: OK. Then on the interior you said
3 with the x-ray technician and the x-ray machine, it's
4 mobile. So it goes room to room. Because I don't see a
5 room for it. So whatever room needs it, they wheel it
6 into that room?

7 MS. ARORA: It does. We found, just from the
8 perspective of patient ease, it was better to move the
9 x-ray to the patient, rather than move them to the x-ray.
10 They often tend to be the least mobile patients, the ones
11 who need x-rays. We use the same mobile x-rays that
12 they're using on the floors at in-patient units within
13 the hospital.

14 MR. DURHAM: And now the staffing. You said
15 the staffing, the clerical staff is from GoHealth and
16 then the technical and medical staff is from Northwell?

17 MS. ARORA: Yes.

18 So all of our physician assistants and
19 physicians, our providers, are clinicians credentialed
20 through Northwell. So they're not technically from
21 Northwell. We go through the process of recruiting them
22 for this particular urgent care center, but then they go
23 through the quality vetting process that Northwell puts
24 all of their providers through.

25 The clinical staff, the rad techs and staff,

1 which is usually medical assistant, again, hired by us
2 and vetted by us.

3 MR. DURHAM: Thank you.

4 No further questions.

5 MAYOR STRAUSS: Thank you.

6 Trustee Walsh?

7 MR. WALSH: Yes. Thank you, Mayor.

8 Hello. Good evening.

9 When you exit your parking lot onto Jericho
10 Turnpike you have the ability to make a left and head
11 east; is that correct?

12 MS. ARORA: That is correct.

13 MR. WALSH: And, you know, I had the same
14 problem with Walgreens. There's no light there. Nassau
15 County is not going to put a light there. And I guess
16 this was approved by Nassau County, but I always found
17 that to be a dangerous condition.

18 Can anybody address that?

19 Just before you start, I want to say that the
20 traffic -- the cars that stop on Roslyn Road back up way
21 beyond the bakery that is to your east, almost always.
22 So it's very, very, difficult to make a left. And if
23 it's not backed up, then the cars that are coming east on
24 Jericho Turnpike when the light changes, it's very
25 difficult to make a left out of there. I wonder if you

1 can speak to that fact.

2 MR. HARTER: Yes. Certainly.

3 As I indicated earlier, our office prepared the
4 traffic report for the application, and we worked on the
5 Jericho Turnpike approvals, New York State DOT and the
6 Nassau County approval on Roslyn Road. And the access
7 you're referring to, the eastern access to Jericho
8 Turnpike, was approved as full movement.

9 And I would just start to give you a little
10 history on trip generation. The original trip generation
11 done was Walgreens and a bank, and now the current use is
12 actually more ideal because it's a much lower generator.
13 Peak hours, the bank was generating in the order of 75
14 trips in peak hour and the GoHealth is going to generate
15 on the order of ten trips in an hour. So about 70 to 85
16 percent reduction. So that the benefit is this use, this
17 application, is actually better from a traffic
18 perspective.

19 But there's a little history here with the
20 access because, you're right, it's going to be a
21 challenge to make that left. We all acknowledge that.
22 But, going back, early concepts of the plan looked at an
23 access on Arlington Street. There's some old access
24 points there. And those we agreed to remove. And they
25 were not proposed. But one issue is if that left turn

1 were restricted -- and that was discussed in the earlier
2 application -- the result would be traffic leaving on
3 Roslyn, taking Arlington and going back to the next
4 signalized intersection at Columbus Parkway.

5 MR. WALSH: They may have to do that anyway.
6 Just if I could make a point.

7 Whether it's 75 cars or ten cars an hour, it's
8 near impossible to make a left-hand turn coming out of
9 there. So, I mean, did anyone from your group approach
10 Nassau County and speak to them about a light there?

11 MR. HARTER: This would be the state
12 jurisdiction. The county would be Roslyn Road.

13 MR. WALSH: Did you approach the state?

14 MR. HARTER: We did not. I mean, we know the
15 volume of traffic at our driveway. And we did also count
16 McKinley Parkway, which is too low to warrant a signal.
17 So the state, we did discuss with them full movement and
18 they were accepting of it because of the location away
19 from the Roslyn signal. So I think there's no practical
20 way to signalize that, in their eyes, due to the low
21 volume of the driveway and the location. So really it's
22 a combination of concerns for the neighborhood and the
23 best design for the site given the other issues.

24 MR. WALSH: I get that.

25 One other thing, if I can speak to -- is it

1 Mr. Steinberg? I just want to speak to you briefly about
2 the landscaping.

3 You know, I remember you from the last hearing
4 having to do with Walgreens. And you had a beautiful
5 landscaping plan. And just like when Walgreens opened up
6 across the street, they had a beautiful landscaping plan.
7 And when CVS opened up across the street, they had a
8 beautiful landscaping plan. But in the end even the
9 Walgreens that exists today doesn't look nice over there.
10 They put this grass up that they spoke about and
11 everything else, and after a few years that all died and
12 it's all wood chips. And I mean, that's what you have to
13 deal with. If that's what you wanted, you know, it
14 invites people in or it doesn't invite people in. But my
15 concern is what Mr. Pereira spoke about, the grass
16 growing on the side, on Jericho Turnpike, in between the
17 cracks and such and, as you said, the Frame family is
18 responsible for maintaining this.

19 MR. MINEO: No. I said the Frame family
20 continues to be the owners, and I guess the Village
21 could, you know, could insist that they maintain the
22 property, but it would probably fall on the tenants.

23 MR. WALSH: That would be better, because the
24 Village has had problems with those folks maintaining
25 their property, frankly.

1 And how about shoveling of snow? How often --
2 and landscaping. How often do you have a landscaper come
3 in a month to cut the grass and to maintain the property?

4 MR. STEINBERG: Well I will say you're asking
5 operational questions that are sort of after I
6 hand-deliver the property, per the plans, to Walgreens.
7 So I can't answer very specific questions like that. But
8 what I can do is tell you that when we deliver it we meet
9 all of the engineering plans regarding landscaping, and
10 they are all irrigated, and they are supposed to flourish
11 and thrive.

12 MR. WALSH: But you do see the Walgreens across
13 the street.

14 MR. STEINBERG: And I know that over time --
15 and I've seen it on a lot of stores -- that the
16 plantings, rather than flourish -- in the first year or
17 two they're all guaranteed. If something goes out, they
18 replace it right away. But over time I do know that,
19 some stores, the plantings don't look nearly as nice five
20 or six or seven years later as it did when it was first
21 installed. And that's really the responsibility of
22 Walgreens to do that.

23 They would be sort of in violation of their
24 lease with us if they don't maintain it. So as landlord
25 or developer we can continue to say: Hey, you're not

1 meeting the code and the approvals that we obtained back
2 then. You need to do a better job maintaining the
3 landscaping. But that's what I can do in terms of
4 operationally what happens with the landscaping.
5 However, I really need a store manager in here to say how
6 often the grass gets cut and, you know, when the
7 irrigation system goes on and off.

8 MR. WALSH: Is there anybody here that can
9 speak to how often the grass gets cut?

10 MR. STEINBERG: No. No.

11 MR. WALSH: Because just with another applicant
12 or another store, maybe a year ago, it was revealed that
13 they bring in a landscaper once a month. So, you know,
14 we want to avoid problems that exist happening with the
15 new location. And that's my only comment.

16 MR. STEINBERG: And I understand that it's a
17 little surprising, but I do see exactly what you're
18 talking about because a lot of money is spent in the
19 beginning of these projects on the landscaping and the
20 irrigation systems for this. So it's a shame if some
21 stores really don't look the way they should all the
22 time.

23 MR. WALSH: OK. Thank you.

24 That's all, Mayor.

25 MAYOR STRAUSS: Any other comments from the

1 Board?

2 Ma'am, you can have a seat. We're going to
3 open up to public comment.

4 I ask anybody approaching the podium if you
5 would please speak clearly, state your name and your
6 address for the record. Ask any questions or make any
7 comments you want.

8 Mr. Mineo, I ask that someone from your staff,
9 your team, record any questions and we'll address them at
10 the end of the public comment session.

11 Anybody in the first row? Second row? Third
12 row?

13 MR. HEYDUK: Mr. Heyduk. I live on Emory Road
14 in Mineola.

15 The question that I want to ask is that suppose
16 I get sick and I need emergency service -- oh --

17 (Mr. Heyduk steps to the podium.)

18 MAYOR STRAUSS: Thank you.

19 MR. HEYDUK: -- I need an emergency ambulance,
20 who's going to provide the ambulance, Mineola Volunteer
21 or 911?

22 MAYOR STRAUSS: Well, if you get sick at home --

23 MR. HEYDUK: No. When I go to the urgent care.

24 MAYOR STRAUSS: OK. So we'll ask them.

25 MR. HEYDUK: Who is going to provide the

1 ambulance for me?

2 MAYOR STRAUSS: OK.

3 MR. HEYDUK: And if I do need emergency care
4 and an ambulance does come, do I choose the hospital
5 where I'm supposed to go or, since I'm going to this
6 urgent care, I have to go to their hospitals?

7 Thank you very much, Mayor, Board of Trustees.
8 Thank you.

9 MAYOR STRAUSS: Thank you, sir.

10 Anybody else in the third row? Fourth row?
11 Fifth row?

12 Yes, ma'am?

13 MS. ENGLIS: Sunday Englis, 235 Wellington
14 Road.

15 I had a question about this. Northwell is
16 formerly LIJ, right?

17 MR. MINEO: Yes.

18 MS. ENGLIS: Are the patients -- are you
19 attending to folks -- you spoke about community. Are the
20 folks coming in from other communities, or are you just
21 handling folks from Mineola, Roslyn, Williston Park,
22 Albertson, like within, you know, a three-mile radius,
23 five-mile radius? Is it just community-based, or is it
24 open for anybody and everybody?

25 And the other thing was, I get really

1 frustrated with the landscaping in our town and other
2 towns surrounding us. I think decapitation of our trees.
3 So when you speak of sustainability in your building, why
4 isn't that, you know, imposed maybe a bit harsher or
5 firmer with the landscaping? Plant native Long Island
6 plants. Plant trees that are going to be low
7 maintenance. Maybe move away from lawns and water and
8 all that.

9 Thank you.

10 MAYOR STRAUSS: Thank you.

11 Anybody else in the fifth row? Sixth row?
12 Seventh row? Anyone else at all?

13 Mr. Mineo?

14 MR. MINEO: Sarah, perhaps you can answer the
15 question about ambulance service.

16 MS. ARORA: Sure.

17 So when we have a patient that is in need of an
18 ED transfer, which sometimes will happen -- about one to
19 two percent of our patients will walk in and they're in
20 need of emergency services -- the first call that we make
21 is we have a direct line to Northwell CEMS, which is
22 Center for Emergency Medical Services. And so that's our
23 first call that we make. And the reason we developed
24 that is because we do have a direct line to them, and
25 over time we realized that they were the fastest to

1 respond to us.

2 In terms of where they will take the patient,
3 that is a more sophisticated dispatching program that
4 happens more centrally. So it depends on the acuity of
5 the patient which, of course, will dictate the proximity
6 of the ED that they go to, and also depends on which EDs
7 are then accepting ambulances at that time.

8 But to answer very specifically the question:
9 The first call we make is Northwell CEMS.

10 MAYOR STRAUSS: And the first hospital would
11 probably be Winthrop.

12 MS. ARORA: And the first hospital could be
13 Winthrop, yes. Yes. Depending. Yes, depending on the
14 call that they make.

15 MAYOR STRAUSS: OK. Can you speak to the
16 question about who is going to be going to GoHealth,
17 Mineola residents, Roslyn residents, whoever?

18 MS. ARORA: Yes. So we, of course, accept all
19 patients that walk in our doors. I can give you a little
20 bit of history of kind of our draw.

21 You know, in our more urban centers our draw is
22 much smaller. So if you go to Forest Hills, Queens,
23 we're probably drawing on average a patient that is
24 within a one-mile, 1.5-mile radius. In our more suburban
25 areas we draw, obviously, a little bit larger. I can

1 imagine we would draw patients from different
2 communities. Although what we are really attempting to
3 do, obviously, with our scale is to place centers kind of
4 across Long Island that are kind of within the
5 communities. So my guess is that draw will become
6 smaller as we become a more dense network.

7 MAYOR STRAUSS: And there was a question about
8 landscaping, about choice of trees and landscaping.

9 MR. MINEO: I think that gets back to what we
10 were talking about earlier, about the responsibility of
11 Walgreens and GoHealth to ensure that their landscaping
12 is alive and viable.

13 I'm not sure, again, if there was a specific
14 landscaping plan approved by this Board, or if it was a
15 generic plan. But what one of the speakers suggested
16 about plants and trees that need less, perhaps, less
17 care, maybe less water use, is not a bad idea at all.
18 I'm sure that if this Board's message is received by
19 Walgreens, and of course by GoHealth -- and GoHealth is
20 present tonight -- that that will be considered in the
21 choice of the landscaping materials.

22 MAYOR STRAUSS: Thank you.

23 Any other comments from the Board?

24 Yes, sir?

25 MR. DURHAM: With the setup you're looking for

1 more customers with sprains, breaks, stuff like that. So
2 as far as medications, I didn't see a safe or anything
3 like that. So most of it would be just set up for
4 outpatient? They would get their prescriptions at
5 Walgreens next door? So --

6 MS. ARORA: Exactly. So, we do not fill
7 prescriptions within the four walls of our center. We
8 will write them and then they will be expected to go to a
9 local pharmacy to fill those prescriptions.

10 MR. DURHAM: All right.

11 MR. MINEO: As you pointed out, there seems to
12 be a certain synergy, a certain compatibility, of the two
13 uses one next to the other. So that's probably another
14 reason why Marc ultimately decided on an urgent care
15 facility, because these two uses would work very well
16 together.

17 MAYOR STRAUSS: Thank you.

18 Any other comments from the Board?

19 Mr. Gibbons, anything?

20 MR. GIBBONS: No.

21 MAYOR STRAUSS: Any other comments from the
22 public?

23 Mr. Mineo, I hope you're successful.

24 And I ask that the operators of the business,
25 if you are successful, you get involved in the Chamber of

1 Commerce, and I know you're going to do community
2 outreach and things like that. So that will be a great
3 plus.

4 But General Municipal Law 239-m requires us to
5 send any proposed local laws concerning zoning to Nassau
6 County Planning Commission, as Mr. Mineo mentioned
7 earlier. We have done that. We're just waiting on their
8 response. So based on that, I'll entertain a motion to
9 close the hearing and reserve decision.

10 MR. PEREIRA: Motion.

11 MAYOR STRAUSS: Motion by Trustee Pereira.

12 Do I have a second?

13 MR. CUSATO: Second.

14 MAYOR STRAUSS: Second by Trustee Cusato.

15 All in favor?

16 MR. DURHAM: Aye.

17 MR. PEREIRA: Aye.

18 MR. CUSATO: Aye.

19 MR. WALSH: Aye.

20 MAYOR STRAUSS: Aye.

21 Any opposed?

22 Carried.

23 MR. MINEO: Thank you very much.

24 MAYOR STRAUSS: Thank you, folks. Appreciate

25 it. * * *

1 MAYOR STRAUSS: Ladies and gentlemen, we're
2 going to begin our next public hearing.

3 Mr. Scalero?

4 MR. SCALERO: Yes, sir.

5 "Legal Notice, Public Hearing, Incorporated
6 Village of Mineola.

7 "Please take Notice that the Board of Trustees
8 of the Incorporated Village of Mineola will hold a Public
9 Hearing on Wednesday, May 11, 2016 at 6:30 p.m. at the
10 Village Hall, 155 Washington Avenue, Mineola, New York
11 11501, or at some other location to be hereafter
12 designated by the Board of Trustees, in order to receive
13 public comment upon the following:

14 "Application of Great Neck Games & Productions
15 for an extension/modification of a Special Use Permit
16 previously granted pursuant to Chapter 550 of the Code of
17 the Incorporated Village of Mineola, entitled 'Zoning',
18 Section 550.12, entitled 'B-1 Districts', to host parties
19 on the mezzanine level and to now extend the hours of
20 operation to 11:00 p.m. and allow for parties on nights
21 other than Friday, Saturday and Sunday, at the property
22 known as 275 Jericho Turnpike, Mineola, New York 11501
23 and designated on the Nassau County Land and Tax Map as
24 Section 9, Block 391, Lot 115.

25 "The Village of Mineola does not discriminate

1 on the basis of handicapped status in administration or
2 access to or employment in its projects and activities.
3 Joseph R. Scalero has been directed to coordinate
4 compliance with non-discrimination requirements of the
5 Federal Revenue Sharing regulations.

6 "At this scheduled meeting of its Board of
7 Trustees reserved decisions from previous meetings, if
8 any, may be acted upon by the Board of Trustees.

9 "At the aforesaid time and place all interested
10 persons will be given an opportunity to be heard.

11 "By Order of the Board of Trustees of the
12 Incorporated Village of Mineola. Joseph R. Scalero,
13 Village Clerk.

14 "Dated April 11, 2016."

15 MAYOR STRAUSS: Thank you, Mr. Scalero.

16 Mr. Whalen, mailings?

17 MR. WHALEN: Yes, sir.

18 An Affidavit of Mailing has been received,
19 signed, and notarized accordingly.

20 MAYOR STRAUSS: Thank you.

21 Mr. Gibbons, anything?

22 MR. GIBBONS: Yes.

23 This Board had previously declared this a Type
24 II Action, so no SEQRA resolution is necessary.

25 This Board also previously referred this matter

1 to the Nassau County Planning Commission, and they have
2 recommended local determination.

3 MAYOR STRAUSS: Thank you very much.

4 Again, the format for this evening's hearing
5 will be that the applicant will make its presentation,
6 there will be interaction with the Board, and then we'll
7 open it up for public comment.

8 I ask anybody who is approaching the podium to
9 please speak clearly, slowly, state your name and your
10 address for the reporter.

11 Sir?

12 MR. HATAMI: Good evening.

13 Victor Hatami, H-A-T-A-M-I, 5 The Crest,
14 Woodbury, New York 11797.

15 I'm here tonight to apply for renewal of the
16 Special Use Permit graciously approved by yourself and
17 the Board of Trustees on April 22, 2015. The Special Use
18 Permit has permitted me to host small events at my
19 premises. The parties have all gone very well and I have
20 enjoyed wonderful feedback from my customers. I have
21 received no complaints from my neighbors, as far as on
22 the south, and I continue to work hard to keep the place
23 wonderful and keep my neighbors happy. I have complied
24 with all conditions in the Special Use Permit and at this
25 time I would like to have the days and hours to extend it

1 to be able to make more business.

2 MAYOR STRAUSS: Anything else?

3 MR. HATAMI: Well, if I am approved, I am in
4 position to, by permit, beautify my property with a brick
5 sidewalk and a nicer entrance in the building from my
6 parking lot, so do not disturb Jericho Turnpike.

7 MAYOR STRAUSS: That won't be part of this
8 application process. That will have to go through the
9 Building Department.

10 MR. HATAMI: I understand.

11 MAYOR STRAUSS: All right. Thank you.

12 I don't have any comments. I'll hear what the
13 public has to say.

14 Deputy Mayor?

15 MR. PEREIRA: Agreed. I'll wait till the
16 public speaks.

17 MAYOR STRAUSS: Mr. Cusato?

18 MR. CUSATO: I'll agree.

19 MAYOR STRAUSS: Mr. Durham?

20 MR. DURHAM: I agree.

21 MAYOR STRAUSS: Mr. Walsh?

22 MR. WALSH: Yes.

23 MAYOR STRAUSS: OK. Mr. Hatami, I'll ask that
24 you have a seat and we'll open up to public comment.

25 Anybody in the first row? Second row? Third

1 row? Fourth row? Fifth row? Sixth -- yes, sir?

2 MR. SMITH: Hello. My name is Kevin Smith. I
3 live at 260 Wellington Road, Mineola.

4 I'm probably, I would say, within 300 feet of
5 the subject game store. The problem here is one that
6 this is a pure residential neighborhood. I myself have a
7 three year-old toddler. These are very small residential
8 lots, 50 by 100. So the houses are very close to the
9 sidewalk.

10 So generally people, when they attend these
11 businesses, many of them don't use the parking lot.
12 They'll actually park on the street, on Wellington Road,
13 which is right next door, you know, and convenient access
14 to this subject game store. As a result they'll be
15 walking back to their car making noise at night.

16 Generally parties, when you're looking at 8:00
17 to 11:00 clock at night, I'm going to guess you're not
18 looking at toddler parties where parents are going to be
19 there chaperoning. You're going to be looking at
20 probably high school kids at minimum, I would think.

21 So I think this is going to have a direct
22 negative impact on the quality of life and potentially,
23 you know, could impact marketability of the property,
24 certainly if someone is looking to sell. That's the
25 first thing I would look at, you know, especially -- you

1 don't have to be right up against a commercial property
2 for it to become an issue. If you're within 1,000 feet
3 of one, you know, you have to look at the ripple effects
4 to a prospective purchaser of this property.

5 So I think Friday, Saturday, Sunday, the man
6 has to earn a living, but Monday through Thursday, 8:00
7 to 11:00 o'clock, especially for when you're in a family
8 area, small children. My neighbors are here. They have
9 two children. I just think nothing good can come of
10 this, and I think it will have a negative impact on the
11 quality of our lives. So I strongly oppose this.

12 Thank you.

13 MAYOR STRAUSS: Anyone else in the fifth row?

14 MS. ENGLIS: Me again. This is the main reason
15 why I came here.

16 MAYOR STRAUSS: State your name again.

17 MS. ENGLIS: Sunday Englis, 235 Wellington
18 Road.

19 Yeah. I appreciate everybody has to earn a
20 living. It's an embarrassment to have this kind of
21 activity when I'm entertaining friends and they come down
22 the block and they have like, what is that, another
23 Jericho Terrace? You know, we've had that. We knew what
24 that was. Now we have this. It was one thing providing
25 games, equipment, to facilitate parties outside of this

1 facility. Now they want it to be an entertaining
2 facility to host parties.

3 And I agree with my neighbor about the value
4 and the impact on the value of our homes and properties.
5 And I appreciate also the comment from the Great Neck
6 Games owner -- I'm sorry. I'm sorry if I butcher your
7 name -- Mr. Hatami, but, you know, in putting in a brick
8 sidewalk and all that, that's lovely but, you know, when
9 the parking lot was given, and that non-parking on
10 Wellington Road was taken away, all those trees, or
11 whatever, it's just one big, you know, cement. From my
12 friend Alan at that first house to Jericho Turnpike it's
13 all cement. There are no trees around that building.

14 And the noise is, you know, enough as it is
15 here with the turnpike and the reduction of the amount of
16 trees that, you know, are buffering the sound. So added
17 noise, added people on the block, not good. It's bad
18 enough as it is.

19 People have two, three, four cars. They all
20 spill out onto the streets.

21 The flavor in this area has changed, and it's
22 changing more and more and it's becoming a turnoff, I
23 know, for a lot of people. It's not a -- you know, I
24 mean, I have my garden and my sanctuary to come home to.
25 But at night, you know, the quiet, it's not there, you

1 know, with the noise on the turnpike and then add this
2 and parking on the street, all hours.

3 Now, you know, Monday through Friday. Now it's
4 Friday, Saturday and Sunday. You know, it's just -- I
5 find it a little distasteful and offensive almost, you
6 know, that we come to this point and you ask for one
7 permit for one thing and then another year later here,
8 let's push the envelope a little bit more. Let's get a
9 little bit more.

10 I agree, nice moneymaker. I'm all for that,
11 not on my block, though. Sorry.

12 Thank you.

13 MAYOR STRAUSS: Well, ma'am, what would be the
14 alternative?

15 MS. ENGLIS: The alternative?

16 MAYOR STRAUSS: Yes. What would be the
17 alternative?

18 MS. ENGLIS: First of all, you'd have to really
19 back up quite a way for an alternative. You know, for me
20 to be satisfied is not having such a thing up there. But
21 to have that as an entertainment hub . . . You saw the
22 house that's still on Horton Highway that they refuse to
23 move, and they're sitting on top of Jericho Terrace. I
24 don't want it to become like that.

25 Our block was always quite beautiful and quite

1 stunning. It was photographed years ago because of the
2 canopy of trees. You know, now its up to each individual
3 neighbor, because we all pay taxes, to plant a tree or
4 not, and it changed the look of our community. You know.

5 And I don't know what the alternative is. It's
6 to say no. It's either yes or no. But year after year
7 they're going to keep pushing the envelope. You know,
8 then maybe they're going to want to buy a couple of
9 houses and expand.

10 MAYOR STRAUSS: They can't expand into the
11 residential community.

12 MS. ENGLIS: That's what we say today, in 2016.
13 We'll see what happens in 2020. Who knows. Laws change.
14 Amendments are made. Motions are made. Things are
15 carried.

16 You know, last time I was here was for a
17 neighbor putting up an illegal fence. It's still up.
18 Nothing was done. So I don't really bank on a lot of
19 things happening in favor of the neighbors.

20 MAYOR STRAUSS: If you call my office tomorrow
21 about that illegal fence, I'll --

22 MS. ENGLIS: Right on the corner of Garfield
23 and Wellington.

24 MAYOR STRAUSS: If you can call my office
25 tomorrow with the address, I'd certainly appreciate that.

1 MS. ENGLIS: I bring it out only for the point
2 of we have these hearings. You send out letters.
3 Appreciated. I know it's mandatory. But in my opinion
4 the Village goes for the money and moneymakers to fill
5 the empty buildings and empty lots.

6 MAYOR STRAUSS: That's not true, but you're
7 entitled to your opinion.

8 MS. ENGLIS: And that is my opinion. I have
9 seen the change.

10 MAYOR STRAUSS: Please call me tomorrow about
11 the illegal fence.

12 Anybody else in the sixth row?

13 Yes, sir?

14 MR. SIMONE: Hi. My name is Greg Simone. I
15 live at 256 Wellington Road, next to over there.

16 So I guess it was last summer -- those are my
17 two little kids in the back -- and we couldn't keep their
18 windows open at night because even on the weekend it was
19 that loud. You hear the music from the building. And
20 then when everybody let's out -- like, I know there's
21 supposed to be valet parking, or whatever I read in the
22 last thing -- but people still park on our street.
23 People don't use valet. The parents drop their kids off,
24 or they park on our street, and you get a bunch of
25 teenagers at night. We actually even called the police

1 one time because -- I don't remember what time it was --
2 it was something like 11:00 or 10:00, 11:00 at night, and
3 my kids are sleeping and I had to shut their windows
4 because it was that loud. But I mean, the main thing is
5 about the property values and --

6 MAYOR STRAUSS: We understand. I appreciate
7 your bringing the noise issue to our attention but, if it
8 happens, we would like to know the next day or within a
9 couple of days.

10 MR. SIMONE: We called the police that night.

11 MAYOR STRAUSS: We can address the owner on
12 topics like that also.

13 MR. SIMONE: Especially if this happens,
14 especially week nights, that's --

15 MAYOR STRAUSS: Understood.

16 MR. SIMONE: I have little kids. Any night is
17 the same. I can't keep their window open on Friday night
18 or Saturday, but in the middle of the week, when they're
19 older and in school? Like, Jericho Terrace, we have
20 that. So there's, you know, a bunch of things going on
21 right in that spot. And it's a residential neighborhood
22 and, I mean, that changes your quality of life.

23 MAYOR STRAUSS: I totally understand that. I
24 live, myself, right off of Jericho Turnpike. So I
25 totally understand.

1 MR. SIMONE: And the noise from the cars down
2 the road, but then to hear music blasting, everybody
3 walking around.

4 MAYOR STRAUSS: I live that life myself. I
5 certainly understand. Although I'm not on Wellington
6 Road, like you are, with an establishment like this, but
7 I totally understand.

8 Anything else, sir?

9 MR. SIMONE: No. That's it.

10 MAYOR STRAUSS: Thank you. Appreciate it.

11 Anyone else in the sixth row?

12 Yes, sir?

13 MR. SMITH: No. I went already.

14 MAYOR STRAUSS: Seventh row? Anyone else?

15 Mr. Hatami, you've heard from the public.

16 MR. HATAMI: Yes.

17 MAYOR STRAUSS: We have questions about the
18 patrons aren't using the parking lot. Can you address
19 that for us?

20 MR. HATAMI: As I referred to you guys, I have
21 the bank next door to me has a parking lot with 40
22 parking spots, which I have a lease from them that I rent
23 from them any time I have a party. I have also about 19
24 spots on my property.

25 The parties that I'm holding usually is not

1 more than 20 to 30 adults, mostly kids the age of 13, ten
2 to 14, 15 years old. It's bar mitzvahs that I hold in
3 that premises mostly. Very rare occasion -- like next
4 door neighbor, his name is Alan Siegel, he had his wife's
5 birthday party, come to me, to be over at my place.

6 I respected everything that you guys told me to
7 do. I never had any trees around my property before I
8 brought it to the level that it is now. I never took one
9 tree down. The pavement is a pavement. That's what I
10 have right now and I have it.

11 If you guys want me to put more trees over
12 there to make the value of your homes come up, I would be
13 happy to do it if they let me do it. I believe that by
14 redoing my building --

15 MAYOR STRAUSS: Sir, if you can address us.

16 MR. HATAMI: I'm sorry.

17 By rebuilding my building the way it is now, I
18 brought the property in Mineola higher, not lower. I do
19 not have any complaint once, forever, during the time
20 that you gave me permit. I proved that I have complete
21 sound system that is impossible that the noise goes out.
22 We never had a visit from the police department.

23 And if there's something like that, you know,
24 complaints, what's good about the complaints is that we
25 can make it better. I welcome any complaint or anything

1 that anybody has. Give it to me directly and I'd be more
2 than happy to take care of it.

3 I am for Mineola. I'm here 33 years. Last
4 year was 32. Today 33.

5 MAYOR STRAUSS: Sir --

6 MR. HATAMI: And I did nothing that hurt
7 Mineola neighbors. And I will be here. My son is going
8 to be here. And I want to do the right thing. So
9 anything you guys told me, I did.

10 But what I got from you guys last year was nine
11 hours. It was Friday, Saturday and Sunday, three hours
12 each night. I agree that if these people are very
13 concerned about Monday, Tuesday, Wednesday, so on, I
14 agree not to do it. But some holidays, like somebody
15 wanted to do a party, I don't want to be restricted not
16 to do it.

17 As you guys know, I do a lot of parties all the
18 time. Any party that you go, the term of parties is
19 usually, like, four hours. So that's what I'm looking
20 for. That's what I'm asking for. I'm not asking for
21 anything unusual.

22 And again, anybody has any problem, you guys
23 stop by. You are more than welcome to come in. Come
24 look at the premises. Look what I have. I'm not Jericho
25 Terrace. I can't do that kind of thing.

1 MAYOR STRAUSS: Thank you.

2 I'll open up to comments from the Board.

3 Mr. Pereira?

4 MR. PEREIRA: Thank you.

5 You know, Mr. Hatami, my concerns are the same
6 as they were a year ago, and I share some of the concerns
7 with the neighbors. But I do agree with you on one
8 thing. And I don't know if Mr. Smith and Mr. Simone and
9 Ms. Englis, if they're talking about the problems that
10 were going back years before last year, or if this is
11 something that has happened within the last year, because
12 the Village has not gotten any official complaints since
13 this permit was issued.

14 However, I do agree that going from Friday
15 Saturday, Sunday, you know, 7:00 to 10:00, I believe it
16 was, to now, you know, seven days a week until 11:00,
17 that's extreme. That's extreme.

18 MR. HATAMI: I agree.

19 MR. PEREIRA: And I'm not prepared to -- and as
20 was mentioned before, you have a right to make a living.
21 You pay taxes, a lot of taxes. You own the property.
22 You do have a right. We have to balance those rights
23 with the rights of the neighbors, of course, and that's
24 the hard thing about sitting up here. But I think that
25 for me you're asking for too much. I may be comfortable

1 in giving you another trial period on some extension on
2 the hours, the existing days, but having a party on
3 Monday, Tuesday, Wednesday, Thursday, till 11:00 o'clock,
4 I think that's too much to ask from the neighbors.

5 Now if there were to be exceptions -- and we
6 can discuss that -- you know, it's the Wednesday before a
7 Thursday holiday, or something like that, that's --

8 MR. HATAMI: That's all I'm talking about.

9 MR. PEREIRA: But I'm not prepared to give you
10 what you're asking for here, which is to extend hours to
11 11:00 p.m. and allow parties seven days a week.

12 And I also would like to see you back here in a
13 year, and see the neighbors back here in a year, and see
14 if you're a man of your word and if you will continue to
15 be a good neighbor. And I believe that you do want to do
16 that, but sometimes business gets in the way.

17 As you said, I go to a party, I go to a wedding
18 or any party, it's four or five hours. So you may be
19 telling us 7:00 to 10:00, but you're telling the
20 customers 7:00 to 11:00, and so we want you to be honest
21 and we want to know all of it up front so we know what to
22 expect and that we know what you have to be held to.

23 But as the Mayor mentioned before -- this is to
24 the neighbors that are here, or anybody that's there,
25 (Indicating) -- anything, don't wait, make the complaint.

1 Call the Mayor's office, call the Building Department, so
2 that we have a record so that if a year from now we're
3 sitting here and we say there's noise, rubbish, parking,
4 so on and so forth. But when we don't hear from the
5 neighbors for a year, and then we hear tonight, it
6 certainly sends a mixed message. Because last year we
7 had a number of people speaking about issues, about a
8 window that had to be shaded, and that has been done,
9 about certain other issues, valet parking, things like
10 that, and Mr. Hatami has addressed those. But if he's
11 not addressing those, we do our part by driving by and
12 taking notes, but please, neighbors, call us. Let us
13 know the minute that happens. And absolutely call the
14 police department. And if they don't file a report, make
15 sure that you call us so that we know, because that's the
16 only ammunition that we have.

17 And frankly, I don't think Mr. Hatami is there
18 all the time. So maybe he doesn't know about any of
19 these things and, if he knew, maybe he would enforce it.
20 But --

21 MR. HATAMI: Honestly, even though I'm not
22 there, but I'm there all the time. Anybody, at any time,
23 anything. Like I said, complaints are what's good about
24 it, is good to hear them and you can correct them. The
25 whole year I never had any complaint, nothing. Maybe

1 prior to that, as you said, I have problems.

2 And one more thing that I want to say. I'm
3 sorry I don't know his name. He said this neighborhood
4 was 100 percent residential. Wrong. Where I am is 100
5 percent commercial. OK. I pay \$132,000 a year tax.
6 So . . .

7 MR. PEREIRA: I think that argument,
8 Mr. Hatami, is not helping you. We understand that, but
9 I don't think that that's the argument. We want you to
10 be a good neighbor. We want you to be successful. We
11 want them to be --

12 MR. HATAMI: Honestly, I'm trying. And if this
13 lady wants a tree --

14 MR. PEREIRA: Sometimes less is more.

15 MR. HATAMI: I'll be happy to put trees around.
16 But, you know --

17 THE COURT: Mr. Hatami, you're in a 100 percent
18 business district, and they're in a 100 percent
19 residential district. The problem is that they border
20 each other. So, you know, again, the residents are
21 absolutely right. You know, they live in a residential
22 community. Unfortunately, like my house, it borders
23 commercial.

24 MR. HATAMI: I understand. I understand.

25 MAYOR STRAUSS: So . . .

1 MR. PEREIRA: That's it.

2 MAYOR STRAUSS: Thank you, Mr. Pereira.

3 What I want to add onto Mr. Pereira's
4 statements is that -- to the residents in the room -- if
5 you do call the police, please also call my office
6 because I don't get told of every police complaint or
7 police issue in the Village, but certainly these I need
8 to know about how it impacts you guys. And if you had to
9 call the police for a noise complaint, any building,
10 whether it's this building or any other building, I would
11 like to know that too because I want to work with the
12 residents to address those issues.

13 Mr. Cusato?

14 MR. CUSATO: Yes.

15 Good evening, sir.

16 So if we gave you permission to go to 11:00,
17 are you having -- what's the need for the extra hour?
18 What's . . .

19 MR. HATAMI: Well, usually I try to keep it at
20 three hours all the time, that's my deal, because the
21 kids, I see they don't need four hours and so on. But
22 sometimes they stay, and I don't want to violate
23 anything. I want to be according to what you guys tell
24 me to do and I want to do it.

25 MR. CUSATO: So your parties are three-hour

1 parties, right?

2 MR. HATAMI: Right.

3 MR. CUSATO: And you'll lose business if you
4 can't do four-hour parties? They'll go somewhere else
5 for a four-hour party?

6 MR. HATAMI: Not too often. Not too often.

7 MAYOR STRAUSS: And you currently end at 10:00.
8 So they start at 7:00, or I guess they'll start at 8:00.
9 Are you saying that since they end at 10:00, now the
10 people going --

11 MR. HATAMI: They can't go further than 11:00,
12 no matter what time they start.

13 MAYOR STRAUSS: Well if you're successful they
14 can't, but right now they can't go any further than
15 10:00.

16 MR. HATAMI: Right. I'm just saying in case.

17 MAYOR STRAUSS: Some of the partygoers might
18 say it's a little early to end at 10:00 o'clock. But
19 you're throwing them out of the building at 10:00
20 o'clock. So they go out to the streets and are still
21 hanging around, which is probably causing concern for the
22 residents.

23 MR. HATAMI: Your Honor, these are kids. The
24 parents will come in when we tell them the party is over.
25 They all get picked up, or they have a bus to come and

1 pick them up. There is nothing to hang around the street
2 or anything like that.

3 MAYOR STRAUSS: What's the age group?

4 MR. HATAMI: Also, also, we hire -- every party
5 that I do I hire security guard. And I'm sorry, I can't
6 recall his name. He's a neighbor. He lives one block
7 away from me. He's police. And he works with us all the
8 time. And he keeps the law and the order and everything
9 else. We don't let any kids to hang around Jericho
10 Turnpike because it's dangerous.

11 MAYOR STRAUSS: So the security guard will be
12 outside?

13 MR. HATAMI: The security guard is always
14 there.

15 MAYOR STRAUSS: You kind of just push them out
16 the front of your building and out into the residential
17 community?

18 MR. HATAMI: No. The kids are in the building
19 till they leave. There's no way we let them outside.

20 MAYOR STRAUSS: But once they leave, that's the
21 issue. The residents are complaining. Some of the
22 issues, from what I gather, is the residents --

23 MR. HATAMI: No. The parents -- they're 13
24 years old.

25 MAYOR STRAUSS: What's the average age of

1 parties that you have?

2 MR. HATAMI: Bar mitzvahs is 13 years old.

3 MAYOR STRAUSS: Right.

4 MR. HATAMI: And they have friends, and they
5 have sometimes immediate family, grandparents, uncle,
6 aunt, stuff like that.

7 MAYOR STRAUSS: Thank you.

8 Anything else, Mr. Cusato?

9 MR. CUSATO: No. Thank you.

10 MAYOR STRAUSS: Mr. Durham?

11 MR. DURHAM: Mr. Hatami, on the informational
12 packet that you give out to your customers about the
13 parties and stuff like that, does it specifically state
14 that the parking is in the bank on Marcellus on those
15 things?

16 MR. HATAMI: When they come to book we ask them
17 how many people are coming and, if they say more than ten
18 people, yes.

19 MR. DURHAM: But I'm saying most places provide
20 an invitation, that the invitation is mailed out to the
21 party guests, or whatever.

22 MR. HATAMI: We have valet parking. Valet
23 parking. We take care of that.

24 MR. DURHAM: So the valet parks into the lots?

25 MR. HATAMI: Correct.

1 MR. DURHAM: I just went back and I looked at
2 the previous hearing that you had, and none of the
3 residents that came and spoke at the last hearing spoke
4 tonight. So that I guess you satisfied those residents
5 in the area.

6 I know we had spoken in the previous hearing
7 about noise dampening in the hall. Did you do anything
8 towards that on the walls to take and dampen noise and
9 absorb some of the music so that the surrounding area
10 doesn't hear?

11 MR. HATAMI: Hundred percent. I have proof to
12 show you the sound and so on. I spent a lot of money.
13 No noise goes out, no matter what. It's impossible to
14 hear anything that happens in there.

15 MR. DURHAM: But we have neighbors here that
16 say they can hear it several houses away.

17 MR. HATAMI: It could be, like Mr. Pereira
18 said, could be year before, not this year. Absolutely
19 not.

20 MR. DURHAM: Thank you.

21 MAYOR STRAUSS: Thank you.

22 Mr. Walsh?

23 MR. WALSH: Yes. Thank you, Mayor.

24 Hello. Good evening. How are you?

25 To start off with, you had just said -- when

1 speaking about the hours being late at night during the
2 week you said: I agree not to do it. You just said
3 something like that.

4 Are you looking to change your application now?
5 Because on your application you had said that you want to
6 be open till 11:00 every night; is that correct?

7 MR. HATAMI: I don't think I said that.

8 MR. WALSH: What is your application asking for
9 now? What are you asking to do?

10 MR. HATAMI: I would like to have the hours
11 extended to 11:00 p.m. and be able to occasionally host
12 events on other days of the week.

13 MR. WALSH: So you are asking -- because I'm
14 still confused. You're asking to be allowed to be open
15 till 11:00 o'clock seven nights a week; is that correct?

16 MR. HATAMI: No.

17 MR. WALSH: OK. Then could you please tell me
18 what your application is?

19 MR. HATAMI: Well my application said I would
20 like to have the hours extended to 11:00 p.m. on those
21 days that you gave me permit.

22 MR. WALSH: And what days are they?

23 MR. HATAMI: Friday, Saturday, Sunday.

24 MR. WALSH: OK. So you want to be open till
25 11:00 o'clock only on Friday, Saturday, Sunday.

1 MS. ENGLIS: No. No. No.

2 MAYOR STRAUSS: Ma'am.

3 MR. WALSH: So you're applying tonight to be
4 open till 11:00 o'clock on Friday, Saturday and Sunday;
5 is that correct? Is that correct?

6 MR. HATAMI: Correct. Those are the dates that
7 you gave me.

8 MR. WALSH: No. No. I'm not asking you what
9 we gave you. You're here putting in an application to do
10 something with your business.

11 MR. HATAMI: Correct.

12 MR. WALSH: And I'm trying to understand what
13 it is that you want to do.

14 So you just said you want to stay open till
15 11:00 o'clock on Friday, Saturday and Sunday; is that
16 correct?

17 MR. HATAMI: Correct.

18 MR. WALSH: How about Monday, Tuesday,
19 Wednesday and Thursday?

20 MR. HATAMI: No.

21 MR. WALSH: OK. So what hours -- just stick
22 with me now, Mr. Hatami.

23 What time would you like to close on Monday,
24 Tuesday, Wednesday and Thursday? So we understand what
25 you're applying for.

1 MR. HATAMI: I usually close my store 5:30,
2 6:00 o'clock.

3 MR. WALSH: I'm talking about parties. How
4 late do you want to have these parties during the week,
5 Monday, Tuesday, Wednesday and Thursday?

6 We just established that you don't want to have
7 a party beyond 11:00 o'clock on Friday, Saturday and
8 Sunday. What time Monday, Tuesday, Wednesday and
9 Thursday would you like to apply to stay open until?

10 MR. HATAMI: My application, I put down:
11 Occasionally host events on other days of the week.

12 MR. WALSH: Occasionally is really too, you
13 know, it's too general for me. What does occasionally
14 mean? Occasionally could mean seven days a week.

15 MR. HATAMI: No. Like a night before, let's
16 say, Memorial Day weekend or, you know, the days that
17 there is no school, or things like that.

18 I'm not applying to have Monday, Tuesday,
19 Wednesday, Thursday, to have parties over there. No.

20 MR. WALSH: OK. But, you see, we can't just
21 say -- but see, in other words, you're asking us to give
22 you permission occasionally. We don't have a definition
23 of occasionally. You're asking us to give you permission
24 to stay open till 11:00 o'clock for these parties seven
25 nights a week, that's what I understand, because when you

1 say occasionally, what is occasionally? Can you give us
2 a list of dates that are occasionally so we understand it
3 a little better, or at least so I can understand better?
4 Because, you know -- do you follow what I'm saying?

5 MR. HATAMI: I understand.

6 MR. WALSH: So the people know when you're
7 going to close during the week. Occasionally is just --
8 if you get very busy and people want to have other than
9 bar mitzvahs, and they want to have parties on Tuesday
10 and Wednesday and Thursday till 11:00 o'clock at night,
11 that will become occasionally for you. And we have to be
12 specific here when we give out permission to do things.

13 Do you follow what I'm saying?

14 So I think your application has to be rewritten
15 somehow for me. You have to redefine your application.

16 That's all I have.

17 But do you follow what I'm saying.

18 MR. HATAMI: I understand. I understand. I
19 should -- I understand.

20 MAYOR STRAUSS: Any other comments from the
21 Board?

22 MR. DURHAM: Are you looking for, like, holiday
23 eves? So like the night before a holiday, or whatever?

24 MR. HATAMI: Exactly.

25 MR. DURHAM: Is that the additional day that

1 you're looking for?

2 MR. HATAMI: Correct.

3 MR. WALSH: See, I understood that. But, you
4 know, what's a holiday? You know, you just repeated what
5 I asked. You said that before. But for me, I need to
6 know.

7 MR. HATAMI: Let's say Fourth of July is
8 Tuesday, so night before that.

9 MR. WALSH: OK. So we'll put down the 3rd,
10 July 3rd.

11 Any other dates in the year? You see what I'm
12 saying? In other words, you have to be more, you know,
13 specific.

14 MR. HATAMI: As you see, I'm not that good of
15 representing myself, but I understand.

16 MR. WALSH: I think you did a fine job
17 representing yourself. You just have to understand that
18 if there was no one here in the room and everyone said
19 everything was fine, then there would be no problem but,
20 you know.

21 And I have to agree with you on one thing you
22 said, that you pay a certain figure for your taxes, and
23 commercial property pays four times the amount of taxes
24 that residential does. And when you buy a house near
25 Jericho Turnpike, near a commercial property, you have to

1 expect something from Jericho Turnpike. I live on the
2 main line of the Long Island Railroad. I would love to
3 have the horns stop at 4:00 o'clock in the morning when
4 the trains go by, but I have no choice in that matter
5 because when I bought my house my house was on the main
6 line of the Long Island Railroad.

7 So your business did not exist, this partying
8 at night, when you started it, or when the people bought
9 their houses. But when you buy a house a few houses away
10 from Jericho Turnpike, on commercial property, you have
11 to understand that something is going to go there. It
12 may not be what you want, but something is going to go
13 there. So that goes part and parcel with buying a
14 property so close to Jericho Turnpike and it's just
15 something that -- you know. But that doesn't mean that I
16 don't want you to define the nights that you're looking
17 to stay open.

18 MR. HATAMI: No. I understand. Where I live
19 I'm close to a parkway and, like you said, I pay much
20 less than the other houses that are not close to the
21 parkway and I expect noise from the parkway to come
22 there. I can't tell them that the ambulance that passes
23 by at 3:00 o'clock should no longer go over there. I
24 bought the house because it was cheaper and I decided to
25 live there, and I live with all the bad things that can

1 happen over there. So . . . thank you.

2 MAYOR STRAUSS: Any other comments from the
3 Board?

4 MR. WALSH: No.

5 MAYOR STRAUSS: Mr. Gibbons, anything?

6 MR. GIBBONS: No.

7 MAYOR STRAUSS: I'll entertain a motion to
8 close the hearing and reserve decision.

9 MR. PEREIRA: Motion.

10 MAYOR STRAUSS: Motion by Trustee Pereira.

11 Second by --

12 MR. WALSH: Second.

13 MAYOR STRAUSS: -- Trustee Walsh.

14 All in favor?

15 MR. DURHAM: Aye.

16 MR. PEREIRA: Aye.

17 MR. CUSATO: Aye.

18 MR. WALSH: Aye.

19 MAYOR STRAUSS: Aye.

20 Any opposed?

21 Carried.

22 Thank you. Thank you, folks, for coming out.

23 MR. HATAMI: Thank you, Mayor, Board of
24 Trustees.

25 MAYOR STRAUSS: Thank you. We appreciate you

1 coming out this evening.

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MAYOR STRAUSS: Mr. Scalero?

1 MR. SCALERO: Yes, sir.

2 "Legal Notice, Public Hearing, Incorporated
3 Village of Mineola.

4 "Please take Notice that the Board of Trustees
5 of the Incorporated Village of Mineola will hold a Public
6 Hearing on Wednesday, May 11, 2016 at 6:30 p.m. at the
7 Village Hall, 155 Washington Avenue, Mineola, New York
8 11501, or at some other location to be hereafter
9 designated by the Board of Trustees, in order to receive
10 public comment upon the following:

11 "A proposed Local Law amending Section 550-17
12 of the Municipal Code of the Incorporated Village of
13 Mineola, entitled 'Commencement Fences and Buffers',
14 Subsection C, to require screening on fences bordering
15 residential districts.

16 "The Village of Mineola does not discriminate
17 on the basis of handicapped status in administration or
18 access to or employment in its projects and activities.
19 Joseph R. Scalero has been directed to coordinate
20 compliance with non-discrimination requirements of the
21 Federal Revenue Sharing regulations.

22 "At this scheduled meeting of its Board of
23 Trustees reserved decisions from previous meetings, if
24 any, may be acted upon by the Board of Trustees.

25 "At the aforesaid time and place all interested

1 persons will be given an opportunity to be heard.

2 "By Order of the Board of Trustees of the
3 Incorporated Village of Mineola. Joseph R. Scalero,
4 Village Clerk.

5 "Dated April 11, 2016."

6 MAYOR STRAUSS: Thank you.

7 Mr. Gibbons, do you have anything?

8 MR. GIBBONS: I do not.

9 MAYOR STRAUSS: Folks, what we're looking to do
10 here is just a little bit more latitude into one of the
11 codes that we have in the Village. It was very specific
12 regarding the fencing. I think it said redwood material
13 had to be used. I think it was kind of narrow. So we're
14 looking to just make that a little bit broader. That's
15 all we're looking to do here with this change.

16 I'll ask for any comments from the Board.

17 Deputy Mayor?

18 MR. PEREIRA: No.

19 MAYOR STRAUSS: Trustee Cusato?

20 MR. CUSATO: No.

21 MAYOR STRAUSS: Trustee Durham?

22 MR. DURHAM: No.

23 MAYOR STRAUSS: Trustee Walsh?

24 MR. WALSH: No.

25 THE COURT: I'll open it up to public comment.

1 Anybody in the public wishing to comment on
2 this?

3 I'll entertain a motion to approve.

4 MR. PEREIRA: Motion.

5 MAYOR STRAUSS: Motion by Trustee Pereira.

6 Second by --

7 MR. CUSATO: Second.

8 MAYOR STRAUSS: -- Trustee Cusato.

9 Mr. Scalero?

10 MR. SCALERO: Yes, sir.

11 Trustee Durham?

12 MR. DURHAM: Yes.

13 MR. SCALERO: Trustee Pereira?

14 MR. PEREIRA: Yes.

15 MR. SCALERO: Trustee Cusato?

16 MR. CUSATO: Yes.

17 MR. SCALERO: Trustee Walsh?

18 MR. WALSH: Yes.

19 MR. SCALERO: Mayor Strauss?

20 MAYOR STRAUSS: Yes.

21 I'll entertain a motion to close this public
22 hearing.

23 MR. PEREIRA: Motion.

24 MAYOR STRAUSS: Motion by Trustee Pereira.

25 Seconded by --

1 MR. DURHAM: Second.

2 MAYOR STRAUSS: -- Trustee Durham.

3 All in favor?

4 MR. DURHAM: Aye.

5 MR. PEREIRA: Aye.

6 MR. CUSATO: Aye.

7 MR. WALSH: Aye.

8 MAYOR STRAUSS: Aye.

9 Any opposed?

10 Carried.

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1 MAYOR STRAUSS: All right. The last one --
2 we're going to combine these last two, if you would,
3 Mr. Scalero, please.

4 MR. SCALERO: Yes.

5 "Legal Notice, Public Hearing, Incorporated
6 Village of Mineola.

7 "Please take Notice that the Board of Trustees
8 of the Incorporated Village of Mineola will hold a Public
9 Hearing on Wednesday, May 11, 2016 at 6:30 p.m. at the
10 Village Hall, 155 Washington Avenue, Mineola, New York
11 11501, or at some other location to be hereafter
12 designated by the Board of Trustees, in order to receive
13 public comment upon the following:

14 "A proposed Local Law amending Section 550-3 of
15 the Municipal Code of the Incorporated Village of
16 Mineola, entitled 'Word Usage; Definitions', to define
17 'Marijuana Derivatives' and 'Electronic Cigarette'."

18 Next one is:

19 "A proposed Local Law amending Section 550-16
20 of the Municipal Code of the Incorporated Village of
21 Mineola, entitled 'M Districts, (Light Manufacturing and
22 Industrial)', to regulate vape shops and Hookah bars.

23 "The Village of Mineola does not discriminate
24 on the basis of handicapped status in administration or
25 access to or employment in its projects and activities.

1 Joseph R. Scalero has been directed to coordinate
2 compliance with non-discrimination requirements of the
3 Federal Revenue Sharing regulations.

4 "At this scheduled meeting of its Board of
5 Trustees reserved decisions from previous meetings, if
6 any, may be acted upon by the Board of Trustees.

7 "At the aforesaid time and place all interested
8 persons will be given an opportunity to be heard.

9 "By Order of the Board of Trustees of the
10 Incorporated Village of Mineola. Joseph R. Scalero,
11 Village Clerk.

12 "Dated April 11, 2016."

13 MAYOR STRAUSS: OK.

14 Mr. Gibbons, anything?

15 MR. GIBBONS: Yes.

16 Mayor, pursuant to General Municipal Law 239-m
17 these two laws have been referred to the Nassau County
18 Planning Commission. We have not heard back. Therefore
19 at the conclusion of the hearing I would ask that the
20 Board close and reserve until we hear back from the
21 Nassau County Planning Commission. At that time we can
22 vote.

23 MAYOR STRAUSS: Thank you.

24 Ladies and gentlemen, what we're looking to do
25 here is just define a little bit better this part of the

1 code. Really no heavy lift here.

2 And the other Section, 550-16, we're not
3 against Hookah bars. We're not against vape shops.
4 We're just looking to redistrict them and zone them in
5 certain areas similar to what we do with commercial
6 premises and residential premises.

7 We don't have homes in business communities.
8 We don't have businesses in residential communities. So
9 that's what we're looking to do here is kind of define it
10 a little bit better and give them a place to land should
11 they want to come into the Village, and I hope they do to
12 some level.

13 So I'll open it up to comments from the Board.

14 Deputy Mayor?

15 MR. PEREIRA: Mayor, you hit on it. We touched
16 on this a couple of months ago with Hookah bars but, as
17 society changes and as trends change, we have to change
18 our code to keep up and stay ahead of the curve and
19 prepare ourselves for what may or may not happen. Not
20 that we have a plethora of these businesses, or we have
21 people knocking down our doors for these, but we
22 certainly want to be prepared to address this should it
23 become an issue and place businesses where they most
24 adequately belong, is my view. And that's what we try to
25 do by updating the code from time to time and dealing

1 with changing trends and the changing nature of
2 businesses.

3 So it certainly is prudent on our part to do
4 this now, rather than having to deal with it later on.
5 That's my opinion.

6 MAYOR STRAUSS: And if it needs to be addressed
7 later on, it can be altered again later on in life here.

8 Trustee Cusato?

9 MR. CUSATO: Thank you, Mayor.

10 Mr. Pereira is absolutely right. I have
11 nothing more to say on this.

12 MAYOR STRAUSS: Trustee Durham?

13 MR. DURHAM: I have no comment. I believe that
14 the statements of Mr. Pereira and yourself are fine.

15 MAYOR STRAUSS: Trustee Walsh?

16 MR. WALSH: It's my understanding that any that
17 now exist, they're grandfathered in and won't be changed,
18 correct?

19 MAYOR STRAUSS: Correct.

20 MR. WALSH: So this is to go to any future
21 people who come in and want to open up a vape shop or any
22 of these places. They have to go to a new location.

23 That's all. Thank you, Mayor.

24 MAYOR STRAUSS: At this time I'll open up for
25 any public comment.

1 Anybody in the first row? Second row? Third
2 row? Fourth row? Fifth row? Sixth row? Seventh row?

3 I'll entertain a motion to close the hearing
4 and reserve decision pursuant to Mr. Gibbons' statement
5 about the Nassau County Planning Commission.

6 MR. WALSH: Motion.

7 MAYOR STRAUSS: Motion by Trustee Walsh.

8 Second by --

9 MR. PEREIRA: Second.

10 MAYOR STRAUSS: -- Trustee Pereira.

11 All in favor?

12 MR. DURHAM: Aye.

13 MR. PEREIRA: Aye.

14 MR. CUSATO: Aye.

15 MR. WALSH: Aye.

16 MAYOR STRAUSS: Aye.

17 Any opposed?

18 Carried.

19 Thank you, folks, for coming out this evening.

20 One last thing before we leave is that I would
21 like to remind everybody about the opening ceremony at
22 Memorial Park. It's going to be on Friday, May 20, at
23 7:00 p.m. We're going to have the Cold Spring Harbor
24 band there, which is a Billy Joel tribute band. It's a
25 free concert. Come on out. Bring your family, bring

1 your friends. we're going to have a great evening.

2 Folks, we'll see you then. Have a great

3 evening.

4 * * *

5 This is to certify that the within and foregoing is a
6 true and accurate transcript of the stenographic notes as
7 recorded by the undersigned Official Court Reporter.

8 * * *

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10 PATRICIA A. TAUBER, RPR
11 OFFICIAL COURT REPORTER
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- Board of Trustees Hearing of 5/11/2016 -

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