

INCORPORATED VILLAGE OF MINEOLA

HEARING OF THE

BOARD OF TRUSTEES

May 12, 2021
6:30 o'clock p.m.

B e f o r e:

SCOTT P. STRAUSS,

Mayor,

PAUL A. PEREIRA, (Via Zoom)

Deputy Mayor

PAUL S. CUSATO,

GEORGE R. DURHAM,

DENNIS J. WALSH,

Trustees:

* * *

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

* * *

JOSEPH R. SCALERO,
Village Clerk

* * *

KELLY CULEN
Official Court Reporter

1 MAYOR STRAUSS: Ladies and gentlemen, we have
2 a hearing this evening on the revocation of a special
3 use permit. Mr. Scalero.

4 MR. SCALERO: Notice of hearing to revoke the
5 special use permit issued to First Hartford Realty
6 Corp. (CVS) for the property known as 17 East Jericho
7 Turnpike, Mineola, New York, known and designated on
8 the Nassau County Land and Tax Map as Section 9, Block
9 342, Lots 28, 35 and 36, by decision of the Board of
10 Trustees of the Incorporated Village of Mineola
11 pursuant to Mineola Village Code Chapter 550, Section
12 550-55, entitled "Special Use Permits," Subdivision H
13 to be held on April 21st, 2021.

14 MAYOR STRAUSS: Thank you. Mr. Gibbons, come
15 on up to the podium.

16 Folks, we have Deputy Mayor Paul Pereira
17 coming to us from Portugal. He's taking care of some
18 family responsibilities and, obviously, he's still
19 actively engaged in what we have going on here.

20 So Mr. Gibbons.

21 MR. GIBBONS: Good evening. Everyone should
22 have a copy of a binder. I put together some exhibits
23 to make it easier for everyone to refer to. I also
24 provided counsel to CVS with a copy of the binder last
25 week. In order to contextualize tonight's hearing, I

1 would like to refer to Exhibit A, which is a letter
2 dated March 25th, 2021. It's addressed to the
3 president and CEO of CVS and to the local CVS at 17
4 East Jericho Turnpike. The document is entitled Notice
5 of Hearing to Revoke the Special Use Permit, issued to
6 First Hartford Realty Corp. (CVS) by decision of the
7 Board of Trustees of the Incorporated Village of
8 Mineola Pursuant to Mineola Village Code Chapter 550
9 Section 550-55, entitled Special Use Permits
10 Subdivision H, to be held on April 21st, 2021.

11 Now, I would just like to read the letter
12 because it's going to set forth the issues that we will
13 be discussing at tonight's hearing.

14 Dear Sir and Madam, By decision of the Board
15 of Trustees of the Incorporated Village of Mineola
16 dated January 9, 2008 and entered in the office of the
17 Village Clerk on January 18, 2008, copy enclosed, First
18 Hartford Realty Corp. CVS, hereinafter referred to as
19 CVS, was granted a special use permit to sell and store
20 food and beverages upon the property known as 17 East
21 Jericho Turnpike, Mineola, New York, hereinafter
22 referred to as the Property.

23 This notice is to advise you that the Board of
24 Trustees will hold a public hearing on April 21st to
25 consider whether the special use permit should be

1 revoked based upon the continual failure of CVS to
2 abide by the conditions set forth in the decision and
3 CVS's frequent, numerous and continued violations of
4 the Mineola Village Code.

5 The decision required, among other things,
6 compliance with the conditions set forth in the
7 decision including:

8 Number 1, the property shall be maintained in
9 a clean and broom-swept condition at all times. Snow
10 shall be removed promptly from all sidewalks and
11 surrounding the property.

12 Two, the garbage dumpster on the premises
13 shall be maintained in the fully enclosed area and the
14 gates to the dumpster shall be closed at all times
15 except during loading and pickup. The garbage dumpster
16 and surrounding area shall remain free from debris,
17 odors or litter at all times. All putrescible waste
18 shall be refrigerated indoors until pick up.

19 Number 3, perimeter fencing around the
20 property shall be of closed construction, shall be six
21 feet in height along Washington Avenue and along Royal
22 Avenue and shall be four feet in height along Roslyn
23 Road. The design of the fencing shall be subject to
24 the approval of the board -- of the Building
25 Department.

1 And No. 5, it's No. 5 because it's No. 5 in
2 the decision. A full landscape plan shall be submitted
3 to the Building Department for approval. The plan
4 shall include plantings on the side of Washington
5 Avenue and Royal Avenue as well as along the interior
6 side of the fence along said streets. The landscaping
7 shall be appropriately irrigated and maintained at all
8 times. A street scape plan employing the paver,
9 lighting and street furniture design pallet for Roslyn
10 Road, Old Country Road and a wraparound on to Royal
11 Avenue shall be submitted and upon approval
12 implemented.

13 The decision recites that each of these
14 conditions is material to the approval granted by the
15 Board of Trustees. Violations of any of them shall
16 subject the applicant or its successors to enforcement
17 pursuant to the Village's municipal code including
18 possible revocation of this special permit.

19 Municipal Code Section 550-55 H, copy
20 enclosed, provides revocation of permit. Any special
21 permit granted pursuant to this chapter shall be
22 revocable on the order of the Board of Trustees at any
23 time upon the failure of the owner or operator of the
24 use or structure covered by the special permit to
25 observe all requirements of this chapter with respect

1 to the maintenance and conduct of the use or structure
2 or upon failure to observe all conditions in connection
3 with such special permit, which were designated by the
4 Board of Trustees issuing the same.

5 Prior to revoking any such special permit, the
6 Board of Trustees shall give the holder of the special
7 permit at least ten days written notice of violation.
8 If within such ten days the special permit holder
9 requests, the Board of Trustees shall hold a hearing on
10 the revocation of such permit and shall give the
11 applicant for the hearing at least ten days written
12 notice thereof either by certified mail, return receipt
13 requested or by personal service.

14 The foregoing provisions shall not be deemed
15 to preclude the use of any conditions of the special
16 permit. The violation of any condition imposed by the
17 Board of Trustees as per the special permit shall
18 constitute a violation of this Chapter.

19 You are directed to attend the hearing on
20 April 21st, 2021, at 6:30 p.m. to show cause why this
21 special use permit should not be revoked. In the event
22 you fail to appear at the hearing scheduled for April
23 21st, 2021, to answer these allegations, the special
24 use permit will be revoked. Based upon a request by
25 CVS on April 21st, the hearing was adjourned to this

1 date.

2 The letter that I just read which is notice of
3 the hearing is dated March 25th, 2021. It was sent by
4 certified mail. It was received by the CVS
5 headquarters in Rhode Island and the local CVS and
6 signed for on March 29th.

7 If you look at Exhibit B, Exhibit B contains
8 the conditions that I read from from the letter. Thank
9 you, Mayor.

10 MAYOR STRAUSS: Thank you, sir. Mr. Whalen,
11 our Building Department superintendent.

12 MR. WHALEN: Good evening. For the record, my
13 name is Daniel B. Whalen, I'm the superintendent of the
14 Building Department of the Incorporated Village of
15 Mineola 11501, having offices at 155 Washington Avenue
16 Mineola.

17 Mayor, I have reports regarding tonight's
18 matter with regard to the proposed revocation. I will
19 go through a number of particular exhibits relative to
20 it and then I have some photos that I would like to
21 hand up to the Board as well when I conclude my
22 information.

23 I have been involved with the situation at CVS
24 now personally for twelve years, and we recently
25 started -- when we originally started having issues as

1 far back as 2013.

2 From Exhibit C, I'm going to read from Notice
3 of violation May 13, 2013 that was issued to CVS at the
4 17 East Jericho location. It was Code Subsection
5 393-4A4 which was a failure to maintain the property by
6 allowing overgrown grass, weeds and et cetera.

7 We have information in the summons on August
8 9th of the same year, 2013, for Code Section 458-11
9 whereby CVS did permit the sidewalks to become
10 obstructed with weeds, rubbish and litter. Additional
11 summonses issued August 9, 2013 for Code Section
12 393-4A7, did permit accumulation of garbage,
13 wastepaper, rubbish and litter on the sidewalk in a
14 public space and private property within the Village of
15 Mineola. The disposition of said summonses was an
16 agreed upon plea of guilty and a fine of \$750.

17 Exhibit D, again, summonses were issued upon
18 May 20 of 2014 for Code Section 3934A6, did fail to
19 maintain grass, shrubs and weeds. Additionally, on
20 February 7th, 2014, Code Subsection 4B-11 did permit
21 the obstruction of sidewalk with ice and snow. Failed
22 to clear sidewalk of ice and snow after reasonable
23 amount of time to do so as is required. Disposition of
24 said summonses was a plea of guilty by the defendant
25 and a fine of \$1,500.

1 Exhibit E, January 7, 2015 summonses by my
2 office, under Code Section 393-4A7, did allow the
3 accumulation of junk, garbage and rubbish on a lot
4 within the Village of Mineola.

5 May 17, 2015 for Code Subsection 393-4A4, did
6 fail to maintain grass, shrubs, et cetera, on a lot
7 within the Village of Mineola. The disposition of
8 those charges were a plea of guilty by the defendant
9 and an additional fine of \$1,500.

10 Exhibit E will outline the summonses for
11 January 4th, 2016 under Code Subsection 393-4A7, did
12 allow the accumulation of junk, garbage and rubbish on
13 a lot within the Village of Mineola again.

14 Summons of January 26, 2016 under Code
15 Subsection 458-11, did permit sidewalk to remain
16 covered, obstructed or covered in snow after reasonable
17 opportunity had been given to remove same.

18 Summonses of February 18, 2016, under Code
19 Subsection 393-4A7, defendant did allow the
20 accumulation of junk, garbage and rubbish on a lot,
21 again, within the Village of Mineola.

22 February 24, 2016, Code Subsection 393-4A7,
23 did allow the accumulation of junk, garbage and rubbish
24 on a lot within the proposed Village of Mineola.

25 February 24, 2016, Code Subsection 393-4A4,

1 failed to maintain landscaping from becoming overgrown
2 and unsightly.

3 February 24th, 2016, Code Subsection 393-4A5,
4 did fail to maintain walks, driveways, parking spaces
5 and similarly paved areas to afford safe passage under
6 normal use and weather conditions.

7 February 24, 2016, Code Subsection 393-4A6,
8 failed to prevent rubbish from being blown about the
9 neighborhood and to keep lot clean and free of physical
10 hazards.

11 February 24, 2016, again, Code Subsection
12 550-55H, failed to observe all conditions in connection
13 with issuance of special use permit thereby subjecting
14 said permit to possible revocation. Garbage dumpster
15 has not been maintained in a fully enclosed area and
16 gates have not been closed as agreed upon.

17 February 24, 2016, Subsection 550-55H, failed
18 to observe all conditions in connection with issuance
19 of special use permit thereby subjecting said permit to
20 possible revocation. Garbage dumpster and surrounding
21 area have not been kept free of debris, odors and/or
22 litter.

23 February 24, 2016, Code Subsection 550-55H,
24 failed to observe all conditions in connection with the
25 issuance of a special use permit thereby subjecting

1 said permit to possible revocation. Landscaping has
2 not been appropriately irrigated and maintained at all
3 times.

4 February 24, 2016, Code Subsection 550-55H,
5 failed to observe all conditions in connection with
6 issuance of a special use permit thereby subjecting
7 said permit to possible revocation. All employees do
8 not park upon premises as agreed upon.

9 February 24th, 2016, again, Code Subsection
10 393-4A7, did allow for the accumulation of junk,
11 garbage and rubbish on a lot within the Incorporated
12 Village of Mineola.

13 February 24, 2016, Code Subsection 393-4A4,
14 failed to maintain landscaping from becoming overgrown
15 and unsightly.

16 There were, additionally, at that time seven
17 more summonses issued to CVS for similar violations in
18 2016. At that time the defendant pled guilty as
19 charged to all of the summonses and paid a fine of
20 \$10,000.

21 Exhibit G, there was a letter that I'm going
22 to read to the Board penned by myself to the
23 then-president and CEO CVS. You can read along with me
24 if you'd like.

25 TRUSTEE CUSATO: Is that the March 6th letter,

1 Mr. Whalen?

2 MR. WHALEN: Yes, it is.

3 Mayor, we had gotten to the point where the
4 situation here that my office was becoming painfully
5 aware of the fact that CVS was not going to be
6 responsible and/or honor their commitments to the
7 Village based upon the conditions imposed of and a part
8 of the decision issued by this Board for special use
9 permit. To that end, after a number of trips to court,
10 and at this point having paid somewhere in the
11 neighborhood of \$11,000 in fines, I took it upon myself
12 to write the following letter on March 6 of 2017 to Mr.
13 Larry Merlo, at the time CEO and president of CVS at
14 CVS headquarters, 1 CVS Drive, Woonsocket, Rhode Island
15 02985. Re: In the matter of CVS at 17 East Jericho
16 Turnpike, Mineola, New York 11501, continuing municipal
17 violations.

18 Dear Mr. Merlo, it is with a great sense of
19 frustration that I am compelled to bring what should be
20 a simple business practice to the attention of one of
21 the top corporate executives at CVS. For far too long
22 the aforementioned CVS location in Mineola Long Island
23 had been, shall I say, less than a good influence on
24 and/or a good neighbor to this community.

25 Since its opening in March of 2009, the

1 Mineola Building Department has had a continuing and
2 progressive property maintenance problem with this
3 particular location. Such issues include but are not
4 limited to snow removal, garbage, trash, debris,
5 litter, unkempt flower and planting beds, as well as
6 illegal parking of CVS rental trucks, trailers and more
7 on the lot.

8 Today, it is my understanding and, again, just
9 to remind you this was 2017 I'm reading from. At that
10 date, I understand the issuance of Village justice
11 court summonses had resulted in the imposition and the
12 payment of over \$11,000 in fines as of this writing.
13 Clearly ridiculous when you consider that our fine
14 schedule has a range of between \$250 as a low up to and
15 including \$1,000 per offense. So at that time they had
16 already accumulated \$11,000 in fines based on their
17 non-commitment with regard to their responsibilities
18 under the special use permit issued by this Board.

19 For the past eight years, Mineola has had to
20 assuage the evermore vociferous complaints from not
21 only the immediate surrounding homeowners but, also,
22 from your very own customers who, like the Village,
23 cannot understand why this store continues to be such a
24 blight on this community.

25 On more than a handful of occasions, my office

1 has reached out to individuals that had represented to
2 us to be either regional or district managers, both of
3 whom are either male or female representatives of the
4 organization, and as such, little in the way of
5 cooperation or compliance has ever been forthcoming.

6 As recently as January 30, 2017, this location
7 was, again, summonsed to property maintenance issues
8 regarding garbage. As if this wasn't enough, a summons
9 was also issued on February 10th, 2017 for failure to
10 remove snow and ice thereby obstructing the public way
11 and creating a trip and fall hazard to the general
12 public as well as your customers.

13 It is my understanding that there was no
14 representation at the arraignment for these summonses
15 of February 27, 2017. Unfortunately, typical of the
16 lack of cooperation this Village has come to expect.
17 Apparently, CVS counsel has contacted the Village
18 attorney and has requested and set a new date for
19 arraignment for March 6, 2017.

20 So while the summonses were issued, we got
21 absolutely no response from corporate headquarters or
22 anyone else with regard to the summonses of those
23 dates. Didn't even show to the arraignment.

24 It's also interesting to note there was
25 another CVS location within Mineola at 410 Jericho

1 Turnpike. While over the years there had been one or
2 two issues with this property that required the
3 attention of the Building Department, there's no
4 comparison between the two with regard to compliance
5 issues -- excuse me, with no regard to compliance
6 issues.

7 Additionally, Walgreen's has recently opened a
8 superstore directly across the street from the CVS
9 store in question. To date, the Village and this
10 office has had zero issues with their operation
11 regarding --

12 TRUSTEE CUSATO: Mr. Whalen, can you repeat
13 that? Walgreen's has zero issues; is that correct?

14 MR. WHALEN: That is correct.

15 TRUSTEE CUSATO: Thank you.

16 MR. WHALEN: The Village has had zero issues
17 with their operation.

18 TRUSTEE CUSATO: And they are just across the
19 street?

20 MR. WHALEN: They are immediately across the
21 street from CVS.

22 TRUSTEE CUSATO: Thank you, Mr. Whalen.

23 MR. WHALEN: This would include any issues in
24 or outside the building including the lots, plantings,
25 shrubberies, et cetera, which would have been

1 incorporated into their special use permit as was CVS.
2 To date, we still have had no issues of any consequence
3 having been reported to or acted upon by my office.

4 And I conclude by saying to Mr. Merlo, I
5 address you directly in the hope maybe you would be to
6 help the Village obtain some level of cooperation and
7 continue compliance with this operation. Please
8 understand the position of the Village is quite clear.
9 We seek compliance through cooperation not
10 confrontation. That is our ultimate goal. However, we
11 are prepared for either.

12 Since that letter of 2017, which, again, went
13 to the CEO/president of the company at that time, there
14 was also a copy that went to the Honorable Scott P.
15 Strauss Mayor of the Village of Mineola as well as John
16 P. Gibbons, Junior, Village attorney to the
17 Incorporated Village of Mineola. Additional thereto,
18 there was cc letters to the following individuals who
19 are representative of having been or are what's known
20 as the CVS headquarters executive team. So not only
21 did the CEO and president get this, but the following
22 names and the positions within the organization also
23 received this from my office. They would have been at
24 the time:

25 Paulina Fockles, who is an executive vice

1 president;

2 David Denton, also executive vice president;

3 Thomas Moriarty, executive vice president;

4 Troyen Brennan, executive vice president;

5 Lisa Bisaccia, executive vice president;

6 Per Lofberg, executive vice president;

7 Jonathan Roberts, executive vice president;

8 David Joyner, executive vice president;

9 Stephen Gold, senior vice president;

10 Andrew Sussman, senior vice president;

11 Ava Boratta, senior vice president.

12 Mayor, this letter went to ten of the higher
13 executives at -- I'm sorry, a dozen of the executive
14 members, including the CEO of this headquarters
15 executive team. Since March 6 of 2017 till this
16 evening, I have heard from none of them. The issue
17 continues unabated. The summonses continue unabated.

18 Point of interest -- at the point of the
19 writing of this letter the defendant had been
20 summonsed, pled guilty to and paid \$11,000 in fines.
21 Those numbers are now up to \$22,000 that have already
22 been paid and approximately a dozen to twenty more
23 summonses waiting to be arraigned. So we have seen
24 little or no cooperation whatsoever on any level
25 including the CEO's office of the organization. Our

1 continued pleas to the local store bring little or no
2 satisfaction whatsoever with regard to cooperation.

3 Interesting to note, also, with so many issues
4 at the store, there was a point in time where we were
5 advised that there was a homeless woman who had taken
6 up residence in the CVS parking lot. There was a
7 vehicle there where this woman was identified. The car
8 was filled with her personal belongings. She was found
9 to be asleep in the vehicle with her feet hanging out
10 the door of the particular vehicle. The complaints
11 from the neighbors came unabated. The store was
12 approached, and when speaking with what was led to
13 believe one of the managers at the time, we were told
14 that they're fully aware of but not to be concerned
15 because she is a very nice person.

16 We also had the illegal renting of trucks on
17 and off the lot. Small vans and package delivery
18 vehicles, similar to what you would rent from a U-Haul,
19 took us a good number of months to get all of those out
20 of there as well.

21 On some occasions there was attempts that were
22 made to get some of the garbage and the like cleaned up
23 off the lot. We have photos that I don't have in front
24 of me right now, but I have them in my file and office,
25 where the garbage situation had become so ridiculous

1 that we had the plastic takeout bags from around the
2 neighborhood and from CVS customers, I would imagine,
3 hanging out of most of the trees on the property.
4 There was a bus stop there directly in front of the
5 store where there are people who clearly either waiting
6 for the bus and/or disembarking from same or people
7 walking by are depositing things in the lower shrubs in
8 front of the store on the Jericho Turnpike side on a
9 continual basis.

10 The East Washington side of the property, the
11 south side, excuse me, but East Washington Avenue is
12 completely neglected at any time that I have personally
13 been to the site, which is probably a couple of dozen.
14 I have seen the same rubbish, trash and the like not
15 only coming out of their dumpster and off of their
16 property, but the full length of the block, which is
17 probably 60 yards where you find the same trash in
18 there day after day week after week and month after
19 month.

20 So if I may, Mayor, that, to a great degree,
21 is the sum total with regard to the letter and our
22 attempts which have now gone on for a dozen years,
23 which brings us to this hearing tonight. The only
24 conclusion that one can draw from this, certainly on a
25 personal level, I have hundreds of man hours tied up in

1 this with my staff as well as myself, as well as the
2 Court, certainly Village counsel has been involved in
3 this at least as much as we have with regard to the
4 prosecution, successful prosecution of every single
5 summons and continues to be. So the only conclusion
6 that one can draw from this is that CVS has a total
7 utter and complete disregard for what they have agreed
8 to with regard to the special use permit, clearly the
9 neighborhood and the authority of the Village with
10 regard to this administration and my office.

11 Give me one second.

12 At this point, Mayor, I would like to also say
13 to you, in conclusion, that the notice for the hearing
14 detailing the despicable conditions at the site was
15 received by CVS headquarters and Woonsocket, Rhode
16 Island, and the CVS location on March 29, 2021. I
17 would like to hand up some of the photographs that have
18 been given to me with regard to the CVS property taken
19 between the dates of March 19th, 2021, and May 4th of
20 2021, showing that there has been no improvement,
21 excuse me, at the property by CVS since the notice of
22 the hearing was received by the corporation.

23 So with your permission, Mayor, I will hand
24 these up.

25 MAYOR STRAUSS: Yes.

1 MR. WHALEN: I think they're fairly
2 self-explanatory. I would also like to note those
3 pictures are clearly indicative of a continuing
4 situation from 2013 that has gone unabated, although in
5 some cases it may be of a lesser degree. It has not
6 subsided, it has not abated, and, as stated in that
7 letter of the 17th, there were a dozen senior
8 executives at the firm that I'm still waiting to hear
9 from since 2017.

10 That's all I have, Mayor, unless anyone has
11 any comments.

12 MAYOR STRAUSS: Thank you.

13 Before I ask the CVS representatives to come
14 up, I would like to say a couple of things to them.
15 You have two stores in our community, and both have
16 been nothing but headaches. By not shoveling the snow,
17 snowstorm after snowstorm and the days following them,
18 you have forced children going to school and our senior
19 citizens trying to get to their medications to walk in
20 the roadways of main thoroughfares, risked being hit by
21 cars and trucks because you, your staff, the senior
22 leadership of your company can't do simple tasks. Our
23 residents, visitors and people driving through our
24 community see your properties full of garbage with
25 gates damaged and stop signs and other signs ripped

1 from the ground and laying in the parking lot because
2 you, your staff and the senior leadership of your
3 company can't do simple tasks.

4 We, our attorneys, our Building Department
5 have had to spend an incredible amount of time over the
6 years trying to get you to do what you're supposed to
7 do. We spent hours and hours and hours preparing for
8 this hearing. Documenting, researching and cataloging
9 the dozens of summonses, notices of violations,
10 dispositions and the hundred and fifty pictures we have
11 showing the appalling conditions of your properties.
12 The senior leadership of your company, including the
13 CEO, executive vice presidents, senior vice presidents
14 as well as regional managers and store managers all
15 received these notices and summonses, yet nothing was
16 done. We've tried everything to get you to do what
17 you're supposed to do and you have fought us every step
18 of the way. You just pay a fine and another fine and
19 another. It stops tonight.

20 Your entire organization should be as
21 disgusted as we are, but you're not. It is completely
22 obvious that the leadership of CVS couldn't care less
23 about our community. For if you did, this wouldn't
24 have been going on for years and years and years, and
25 we wouldn't be here right now. I've lived in this

1 Village for 57 years and had been mayor for the last
2 ten. This is the first of that I am aware of in the
3 history of Mineola we've had to have a hearing like
4 this. I hope you're proud of that. Come on up.

5 MS. HELMAN: Good evening everyone, I do have
6 some exhibits that I would like to distribute to the
7 board, if I may. What would be the best way?

8 MAYOR STRAUSS: Mr. Scalero, would take them?

9 Ma'am, if you could state your name and your
10 affiliation with CVS for the record.

11 MS. HELMAN: Yes, good evening everyone my
12 name is Andrea Helman. I'm with the law firm of Allyn
13 & Fortuna, and we're here tonight on behalf of CVS.

14 MAYOR STRAUSS: If I can interrupt you, do you
15 have anybody from CVS here?

16 MS. HELMAN: Yes, I do. This is Ms. Lana
17 Sholomoba and she is the district leader for CVS
18 responsible for the store in question.

19 So we are here tonight in opposition to the
20 revocation of the special use permit. It's very
21 upsetting to hear everything that Mr. Whalen and the
22 Board and the Mayor have had to say. We want to say at
23 the outset that CVS is very happy to be here in Mineola
24 and we, you know, it's very upsetting that this is
25 going on so long and we are here tonight with a very

1 concrete specific plan going forward to address, which
2 we've laid out in your packets, how we're going to
3 address everything going forward, because it is
4 extremely important to CVS to be in Mineola and to keep
5 the special use permit.

6 And I also want to say that this issue does
7 have very high visibility within CVS. Ms. Sholomoba
8 and I have had several meetings, like very long
9 meetings, over Zoom with people in New York, people in
10 Rhode Island, and the reason that it took a little
11 while to have the photos, as you can see, we have
12 photos now over the last week of everything looking
13 much better, was to really put together a plan that we
14 felt was going to work and was going to address the
15 problems, because over the years, CVS has tried a
16 number of things.

17 In 2017 after the letter from Mr. Whalen was
18 received, one thing that was put into place is CVS
19 hired its landscaping company as an outside vendor to
20 do two times a week sweeping of that particular
21 premises in addition to what the store staff was
22 supposed to do. And that is not done for any CVS.
23 That was done just specifically to try to address the
24 issues here. Unfortunately, we see that that didn't
25 work. So we didn't want to come and just say, oh,

1 we're gonna try this, we're gonna try that. We spent
2 several weeks on several calls, several meetings,
3 saying, okay, what is really the issue here and what
4 are we going to do to address it?

5 And CVS is very happy to be a part of this
6 community, and we look forward to partnering and being
7 an asset to the community. We acknowledge, you know,
8 there's problems to be addressed and we are here with
9 new systems prepared to provide that. And this is in
10 no means by way of trying to shirk responsibility. We
11 are absolutely accepting responsibility and moving
12 forward. This is not going to be an issue, but I did
13 want to make a few comments about some of the
14 particular challenges at this property that have sort
15 of contributed to the situation.

16 So one is the fact that the landscaping on
17 this property is really, really very like rich and
18 abundant. It's textured, you know, it's not just like
19 a few Holly bushes put up there. They really wanted it
20 to look beautiful for the community, and it's a really
21 high-end installation to look beautiful for the
22 community, but, unfortunately, the downside with the
23 fence and the landscaping is it does create a wind
24 tunnel and it is attracting a lot of back trash into
25 that area. And, as Mr. Whalen pointed out, we do also

1 have the adjacent bus stop which, you know, there is
2 trash coming from there, and it's getting trapped. So,
3 you know, that's one issue that some of the neighbors
4 don't have.

5 I've also, you know, seen in the surrounding
6 properties that the landscaping is not as lush and, you
7 know, I think that, unfortunately, while it's beautiful
8 in some ways, ironically, it is attracting a lot of the
9 trash. And there is also dumping at the store that,
10 you know, they have had a lot to keep up with.

11 So the new measures that CVS has recently
12 implemented or will be putting in place to ensure
13 compliance with the conditions of the special use
14 permit we have provided a summary in our packet of
15 materials, and that's the lead page which is the
16 ongoing compliance plan.

17 So the highlight of this is that CVS has
18 created a new position called porter and no CVS store
19 has this position. It's special. It's going to be
20 special to CVS 1952, and what this person is going to
21 do, this person is going to be responsible for, you
22 know, a layered in position to enhance the store level
23 staff that's there to special attention having been
24 paid to the exterior. So that's really something
25 that's never been tried before. It was something that

1 came out of all of the discussions that we had and this
2 will also let them target the parking lot at the
3 busiest hours. You know, so if it was an issue that
4 there wasn't enough staff, this is going to address
5 this.

6 The second thing, if you wouldn't mind turning
7 to page 2 of our materials, CVS has issued a policy
8 directive and, again, specifically to CVS 1952, that
9 effective immediately the following monitoring and
10 cleaning tasks must be completed three times per day
11 and photo documentation must be reviewed by Ms.
12 Sholomoba, the district leader.

13 You can see it is a very detailed list so that
14 the person who is tasked with doing this understands
15 very specifically there's five checkpoints that need to
16 be done every morning, every afternoon, every evening,
17 and that includes checking that the dumpster gate is
18 closed because that's been an issue. So now we know
19 that at least three times a day that is going to be
20 checked that it's closed.

21 And this is going to be reviewed by Ms.
22 Sholomoba. She's going to supervise it and review it
23 and she's going to look at photos every day to check,
24 you know, was this done and then she would know
25 immediately if it was not done.

1 So, you know, we're also adding a layer of
2 direct and, like, persistent supervision by someone
3 above the store level.

4 And then we did also include in our packet,
5 towards the end, there are photos, so I guess,
6 ironically, May 5th was the day after Mr. Whalen's
7 photos, and you can see that everything looks nice and
8 clean. And I know we also have photos from the 8th and
9 everything looked nice and clean.

10 And, I'm sorry, it didn't make it into the
11 packet, but I have already sent them to be bound, but
12 we have photos from yesterday May 11. So, basically,
13 over the last week since we've put the new plans in
14 place, I hope you will agree that there's been, you
15 know, very, very substantial improvement.

16 And then, additionally, the district leader is
17 fully familiar with the scope of the services. She's
18 reviewed the services that are to be provided by CVS's
19 outside vendors. So her supervision is going to
20 include, in addition to her regularly scheduled visits
21 to the store, she's going to now introduce the idea of
22 pop-ins, random visits to the store, so that, you know,
23 the manager isn't gonna know, oh, Lana, is coming
24 today, better make sure everything's clean. The
25 manager is not going to know when is Lana coming,

1 everything better be clean all of the time and the
2 vendors too. If the landscaping doesn't look good, if
3 something doesn't look good, she is going to see that
4 and know if the required responsibilities are being
5 completed.

6 The next thing that was added is the trash
7 pickup was increased from two times to three times per
8 week, so that there's less trash that's accumulating
9 inside the dumpsters. We really don't think that the
10 issue is that the trash is coming from the CVS
11 dumpsters or things that are coming from the CVS store
12 but, you know, just in case, we're adding that as well
13 to decrease what's being kept in the dumpsters at the
14 time.

15 Another thing that CVS did is while they're
16 phasing in the porter position, they have increased
17 their outside vendor sweeping services from two times
18 per week and that vendor is now coming three times per
19 week.

20 And another thing that CVS is going to
21 introduce is warning signage to install in the exterior
22 to try to deter people from dumping things in the lot
23 because if things aren't dumped in the lot, then
24 there's going to be less to clean up, which, you know,
25 is good for everyone.

1 So I do want to say, additionally, the store
2 manager has been made extremely aware that this is a
3 priority. This is very important, obviously, to
4 Mineola, and it's very important to CVS, and this is
5 something that has to be addressed and he has
6 strenuously reiterated this to the store staff as well.
7 He's also been given additional guidance and reminders,
8 you know, if someone comes and dumps something large,
9 who is he supposed to call, does he know? Who are you
10 supposed to call to make sure that this is taken care
11 of right away so that things aren't just lingering?

12 In addition, the landscaping and snow removal
13 are contracted for and will continue. I have included
14 the detailed information on this in your packet and
15 that is immediately following the policy directive.
16 The first thing that we have is the supplemental
17 exterior sweeping and cleaning services. So this is
18 something that was originally done in 2017 special to
19 this CVS two times a week. It's now been temporarily
20 increased to three times a week because CVS really
21 wanted to throw everything they could at this, and
22 while they're getting the porter position up to speed,
23 they didn't want there to be, you know, any sort of a
24 lapse.

25 The second page is the landscaping services

1 spec. This was also performed at Campanili and this
2 details everything that's supposed to be done, and
3 Ms. Sholomoba will be supervising to make sure that
4 that is done.

5 The next exhibit is the very detailed snow
6 removal contract and specs, exactly what the snow
7 removal contractor is supposed to be doing. And,
8 again, if they're not doing that, we will be paying
9 closer attention and supervising because, as you see,
10 there's one, two, three, four, five, six pages. This
11 comes directly out of their contract. Very specific
12 how they're supposed to be performing the work and
13 they're being paid to perform that work.

14 Another thing that I would like to say is that
15 CVS has an approved proposal to seal and restripe the
16 parking lot.

17 TRUSTEE CUSATO: Say that again.

18 MS. HELMAN: CVS has an approved proposal to
19 seal and restripe the parking lot which will, you know,
20 really spruce up the parking lot, and that's expected
21 to be done over the next few months.

22 I also wanted to say that the special use
23 permit does continue to provide a desirable service and
24 convenience to the neighborhood. You know, it's a
25 twenty-four hour store on a main thoroughfare. It is

1 within walking distance of a community, and they sell
2 staples like milk, bread, eggs, which is a convenience
3 to the community to be able to have that nearby and
4 accessible. You know, I would also like to say from
5 our position that the food that's being sold, like, in
6 terms of the permit, doesn't really correlate with the
7 issue. You know, it's not the food and beverages being
8 sold. It is not the fact that CVS is selling bread and
9 milk and eggs that's causing the trash. The trash is
10 being caused by a lot of different factors, as we
11 discussed, and a hundred percent CVS is committed to
12 addressing that but, you know, the permit does provide
13 convenience to the community. It's still desirable to
14 the community and it's not that taking the permit away
15 is going to, you know, improve the situation. What's
16 going to improve the situation is, you know, obviously
17 this has CVS's attention and everything is going to be
18 addressed.

19 So if you don't have immediate questions for
20 me, I would like to ask Ms. Sholomoba to come up
21 because she would also like to address the board with
22 some personal remarks.

23 MAYOR STRAUSS: I have plenty of questions,
24 but come on up.

25 MS. HELMAN: Okay, would you like to hear her

1 speak first?

2 MAYOR STRAUSS: Absolutely. And, ma'am,
3 please state your name and affiliation for the record.

4 MS. SHOLOMOBA: Of course. Good evening, my
5 name is Lana Sholomoba. I am a licensed district
6 leader with CVS in Nassau County. I've been with the
7 company for eleven and a half years, and I've been
8 enrolled as a district leader as of late November 2019.

9 Once again, as Andrea has mentioned,
10 compliance with the conditions of the special use
11 permit and the condition of the property is definitely
12 a priority for CVS. We have put a lot of time, effort
13 and thought into devising and implementing the new
14 measures and have had many meetings across a number of
15 departments within CVS corporate as well as the
16 operations teams. As we have indicated, CVS has put
17 substantial new measures in place. A highlight of the
18 new measures, is a new porter position especially
19 created to address the specific needs of this location.

20 I am confident that the new measures will be
21 successful in achieving compliance with the conditions
22 of the special use permit. Again, I would like to
23 apologize, and I understand the pain that we have
24 caused you, but by going forward definitely would like
25 to say that we're definitely confident that the

1 measures will be successful.

2 MAYOR STRAUSS: Okay, anything else?

3 MS. SHOLOMOBA: That's all I have.

4 MAYOR STRAUSS: Anything else?

5 MS. HELMAN: Would it make sense for us both
6 to come up?

7 MAYOR STRAUSS: Sure, if you're comfortable
8 standing there. I'm sure there's going to be questions
9 from us for the both of you.

10 MS. HELMAN: This way we can address depending
11 on who makes more sense.

12 MAYOR STRAUSS: Absolutely. I appreciate
13 that.

14 Whoever, what's your corporate policy
15 regarding the handling of legal documents?

16 MS. HELMAN: Regarding the handling of legal
17 documents?

18 MAYOR STRAUSS: When you get a notice like
19 this, like the dozens we have sent you, what happens to
20 them?

21 MS. HELMAN: Well, it would depend --

22 MAYOR STRAUSS: Can you speak to the
23 microphone because we televise these meetings?

24 TRUSTEE CUSATO: Can you take down your mask,
25 so we hear you better.

1 MS. HELMAN: Sure, that's fine.

2 I would say it would depend what it is. So if
3 it's a summons the summons would usually be routed to
4 the legal department. In this case, because the
5 summonses were issued to the CEO, that was escalated
6 like to an executive response team, so I was contacted
7 from legal by an attorney in the legal department who
8 works on those kinds of issues and who would be
9 contacted if there was summons issued to the CEO, and
10 she contacted me to let me know that these summonses
11 were received. So if it's summonses or if it's
12 summonses that's issued to the corporation, those get
13 routed to legal and we represented CVS -- I personally
14 have represented CVS in many, many jurisdictions for
15 almost 25 years, so, basically, these are things that,
16 generally, these type of matters do end up getting
17 routed to my office if they're anywhere in the New York
18 Metropolitan area. I handle some things as far away as
19 Albany and other upstate areas, so members of my office
20 have been in contact with various members of the
21 Village attorney's office, and we would generally work
22 out the disposition on the summons.

23 Now, in terms of the year 2017 letter, so my
24 office was involved with the disposition of the 2016
25 summonses, and I believe at that time that a facilities

1 manager did meet with members of the Village and that
2 was when the idea of the extra sweeping, that contract
3 came into play at that time.

4 MAYOR STRAUSS: I've been Mayor for the last
5 ten years which encompasses that time frame, did not
6 happen.

7 MS. HELMAN: Oh, it did not?

8 MAYOR STRAUSS: Did not happen, otherwise, we
9 wouldn't be here.

10 So when you get the summonses, going back to
11 2013 and all the way up until now, and you got the
12 summonses on March 29, why didn't anybody call us? Why
13 didn't anybody reach out to us? Why didn't anybody
14 clean the property, which you didn't until just last
15 week? In fact, maybe five days ago. Why? Please
16 answer that for me.

17 MS. HELMAN: Okay, so what happened was when
18 we received the summonses, my colleagues Diane Okemo
19 [phonetic], who is an attorney in my office, and she's
20 worked with, and I apologize if I say his name wrong,
21 Mr. Truncale for many years on the summonses, and then
22 she was referred to Mr. Trentacoste to work on this,
23 and then Mr. Trentacoste informed her the same day that
24 the attorney that I work with at CVS corporate informed
25 me a few hours later that the revocation hearing notice

1 had been issued. So Diana was in contact with Mr.
2 Trentacoste about it. We, you know, didn't realize
3 that it would be appropriate to contact the Board
4 directly. We thought that, really, we should be
5 working to address the problem, and then come here
6 tonight to see you personally and respond.

7 And I'm sorry if that wasn't the appropriate
8 way to go about it. The reason too that it took so
9 long is, and I agree, you know, and I apologize for
10 that as well, but CVS really just wanted to come up
11 with a good plan that was going to work and because
12 they have tried some different plans that didn't end up
13 working as well as they had hoped. They really just
14 wanted to get everything together and it did take a
15 little while, you know, unfortunately, to get it in
16 place. So over the last week, we've really seen
17 tremendous improvement. You can see those photos, are
18 samplings from, I believe it was, last Wednesday,
19 Saturday and yesterday.

20 MAYOR STRAUSS: Okay --

21 MS. HELMAN: We are on a good progression
22 forward with this new plan.

23 MAYOR STRAUSS: Mr. Truncale and Mr.
24 Trentacoste are our Village attorneys, so you're
25 working out the summonses with them and the courts.

1 Did anybody think, and maybe this is a bizarre
2 thought, but did anybody think from your office or your
3 office or the executive vice president's office or the
4 CEO's office or the other executive vice presidents or
5 the other senior vice presidents who've gotten these,
6 to pick up the phone and call the store itself and say
7 what's going on down there? Was that done?

8 MS. HELMAN: Um, no.

9 MAYOR STRAUSS: Why?

10 MS. HELMAN: You know, I don't think that it
11 really, you know, I think that they knew -- you know,
12 they knew what the issues were that needed to be
13 addressed, and they were working to address them.

14 MAYOR STRAUSS: They didn't address them.
15 There's a hundred fifty pictures there from just before
16 you got the summonses until May 5th. You didn't fix
17 them. You didn't fix them at all until you were
18 brought in here and forced to fix them, and that's been
19 your MO since the time you moved into Mineola.

20 MS. HELMAN: I'm sorry.

21 MAYOR STRAUSS: I appreciate -- I got it. I
22 appreciate your apologies. I'm tired of hearing it. I
23 don't want to hear "I'm sorry" anymore. I want to hear
24 why CVS does this. I'm sure it doesn't happen just in
25 Mineola. Does it happen in your other communities?

1 It's got to because it is a lack of corporate oversight
2 from start to finish from your company, and it's
3 disgusting.

4 MS. HELMAN: I mean, I do think that this
5 particular property does have some challenges that
6 allow the property --

7 MAYOR STRAUSS: Ma'am, please don't go into
8 the shrubbery and things like that. There's pictures
9 in there of your dumpsters that are supposed to be
10 fenced in and on the sides of the dumpsters is garbage
11 for years. That didn't blow in by the wind and get
12 caught in by the shrubs. Please, we've all lived here
13 for over 50 years, every one of us. Don't sing us that
14 song. It's not true. You guys failed to do what you
15 were asked to do for years. I'm not saying a couple of
16 days. I'm not saying a couple of months, years.

17 And, finally, to somebody's credit, when the
18 CEO got these letters, the final letters, oh, they're
19 gonna yank our special permit. Oh, maybe, maybe we
20 should give them a call, but you didn't even do that.

21 MS. HELMAN: Well, again, I do apologize. We
22 did reach out to the Village attorney, that is what we
23 thought was appropriate under the circumstances, and I
24 do apologize if that wasn't --

25 MAYOR STRAUSS: But why didn't you clean up

1 the property?

2 MS. HELMAN: It is cleaned out.

3 MAYOR STRAUSS: I saw it and I went past there
4 yesterday. It's clean, it is clean, but why did it
5 take you from March 29th when you got the summonses
6 till --

7 TRUSTEE CUSATO: Two days ago.

8 MAYOR STRAUSS: -- this past weekend to clean
9 the property? Why -- I don't know. It's mind-boggling
10 to me. Why didn't somebody in your office who got the
11 summonses or your office who got the summonses or the
12 CEO and the senior leadership of CVS who got the
13 summonses pick up the phone and say, hey, get somebody
14 out there to clean up the garbage?

15 Well, we don't have a porter position, it
16 hasn't been created yet.

17 I don't care who it is. Get somebody on your
18 staff out there to clean up the garbage, but you didn't
19 do it because you don't care, and the only reason you
20 care now is because you're in front of us and we're
21 gonna shut the doors on you. That's the only reason
22 why you care. And you say, oh, you're taking away our
23 permit, taking away our permit won't approve the
24 situation. Well, it will because you won't have any
25 garbage on your property. The dumpsters won't be

1 overloaded, the fences won't be a mess, the signs won't
2 be ripped off and laying in the parking lot.

3 MS. HELMAN: Well, I respectfully do not
4 believe that that's where the garbage is emanating
5 from.

6 MAYOR STRAUSS: You're not getting the point,
7 ma'am.

8 MS. HELMAN: But, you know, I would like to
9 say, though, I really do feel that our plan going
10 forward was extremely comprehensive and, overall,
11 that's what we all want. We all want the premises to
12 be clean and this is an extremely comprehensive plan.
13 We met with so many different departments at CVS.
14 Facility was involved, legal was involved, compliance
15 was involved, store operations team was involved,
16 senior management was involved to, you know, really
17 just say what can we do here, what can we do here
18 that's special and different? Because the store
19 evidently needs something that's special and different,
20 and that's why, you know, they had the two times a week
21 sweeping. They increased it to three times a week.
22 They increased the dumpster pickup, and they are hiring
23 the porter which has started to be implemented and we
24 really do feel that this is going to be successful in
25 keeping everything clean.

1 You know, we want to partner with the
2 community, we really, really do, and that's why we're
3 here, and I'm very sorry that it did not come across as
4 intended, but we have been working very, very hard over
5 the past, you know, month or so since we got the notice
6 just to say, you know, what can we really do, what is
7 really going to work now and what can we present and
8 what can we do?

9 MAYOR STRAUSS: Thank you. Deputy Mayor?

10 DEPUTY MAYOR PEREIRA: Thank you, Mayor. I've
11 been on the board since 2008, and I actually came on
12 just as this was approved. This was actually approved
13 immediately before I came on the board. And I have to
14 agree with the mayor that, as I was preparing for
15 tonight's meeting, this definitely has to be a
16 one-of-a-kind situation for me, and I hope the last
17 time because it's embarrassing. It's mind-boggling.

18 I have researched CVS. It is a \$230 billion
19 company with \$7.7 billion net assets last year alone.
20 And you can't pay someone, you know, a couple of
21 thousand dollars a year to keep your property clean.
22 It just boggles the mind.

23 And then, you know, I don't have any questions
24 because I think I have the answers and the answers are
25 what the Mayor said, you just don't care, you pay the

1 fines. It's easier to just pay the fines, and as
2 you've said, you've been representing them for 25
3 years. Now, I would imagine that a lot of those times
4 you've been representing them have been in situations
5 like this. Of course, you've also been making
6 applications and other situations, but, we're not the
7 only ones. We can't possibly be the only ones. We
8 know that because in Mineola alone the other property
9 you have in Mineola is really not much better. You
10 know, obviously in the last year with the pandemic
11 we've gotten complaints about masks and gloves in
12 parking lots and the customers, of course, come into
13 personal responsibility. All of us as citizens have a
14 responsibility. And you're right, you know, maybe the
15 garbage is not coming from the Wonder bread or the milk
16 or the bag of chips that you sell, but it's coming from
17 the people who are attracted to your store to get the
18 milk, the bread and the chips. So regardless of
19 whether they drop something that they bought at your
20 store or not, they are there because they're shopping
21 and you're responsible for that.

22 You know, the property on the backside of the
23 fence on the East Washington is disgusting and it's
24 always been disgusting and you don't care. I guess you
25 figure if you don't see it, it doesn't happen, it

1 doesn't exist, and it just is really just sad and
2 embarrassing. We feel, thankfully, mostly in Mineola
3 with the small mom and pop businesses here we can
4 approach one another and get them to rectify the
5 situation rather quickly.

6 If you took the time or the young lady there
7 with you takes the time to drive up and down Jericho
8 Turnpike, you will see the owners of the deli outside
9 in the morning sweeping in front of their store. You
10 will see owners of buildings picking up litter, being
11 responsible neighbors, and they are not \$230 billion
12 company.

13 So you're hiring a porter, you're creating
14 this position. Really? It's taken this long for CVS
15 to realize they need this position, especially in the
16 summer do they need a position like this? Really, it
17 took, you know, a group of people -- we could have told
18 you that twelve years ago. We would have saved you a
19 lot of money and headaches. I'm sure that some
20 executive senior vice president got a lot of money to
21 come up with the idea of having a porter. I mean,
22 honestly, I suggest we make that a position in every
23 CVS. I mean it just makes sense to do that. So more
24 than anything, I'm embarrassed, and I know you're there
25 representing CVS you didn't create the problem, but you

1 certainly should be part of the solution, and I hear
2 that you're trying to be part of the solution, but we
3 have heard this song and dance before.

4 About three or four years ago we had other
5 representation here wanting to have some storage
6 containers placed on the property and we brought up
7 those issues and they promised us that if we allow them
8 to keep the storage things on the property, that they
9 would fix all the problems, and nothing, nothing's
10 changed. And it's almost insulting that you actually
11 paid the fines and don't even fight the fines because
12 it's just easier, I guess, you know, and it seems to me
13 that that's a business model and that is not, you know,
14 17 East Jericho Turnpike's decision. I think that that
15 comes from the higher, you know 500 bucks here, 750
16 bucks here, who cares, just keep it going, don't worry
17 about it.

18 Well, now it's come to a point where it's
19 going to affect you and your bottom line, and it's sad
20 because this community, you're right, it provides a
21 service. Certainly we have learned the value of
22 pharmacies and how they work within the community this
23 last year. We can all appreciate that. But you can't
24 take it for granted and you can't take the solution for
25 granted, and that's exactly what you have done. As the

1 Mayor has mentioned, I am sure that this happens in
2 other communities, but I am also sure that in a
3 different community, this would never happen, and I
4 don't want to be treated any better than anybody else,
5 and I certainly don't want to be treated any worse than
6 anyone else, so get your act together and be good
7 neighbors and do what you promised back in 2008 because
8 it just looks bad for you. It's just utterly
9 embarrassing, and it is --

10 I don't understand how a company with a
11 corporate image of CVS would tolerate this. Because
12 it's so simple. I think the mayor put it in simple
13 tasks. I get my kids to after dinner pick up their
14 plates and put it in the sink. It's very easy. We're
15 not asking you to move mountains and heaven and earth.
16 It's find someone during a dead time of the day, and
17 say, hey, go outside and pick up the garbage; go
18 outside and take a look around; go outside and close
19 the gate on the dumpsters. It's not rocket science,
20 you know, it's not that complicated. You don't have to
21 come up with a -- you know, I appreciate that you have
22 a plan, but the plan is great, but what you gave us was
23 a bunch of paper, a bunch of pieces of paper that talk
24 about a plan. Now you have to put that into action,
25 and that comes down to, frankly, the store manager, and

1 it really comes down to the people on the frontline and
2 they have to care. And that starts at the top. If
3 there's pride in a brand, if there's pride in the
4 store, in its appearance from the top, then that
5 trickles all the way down to the fort. Because you can
6 higher a porter, but if the message from the top is we
7 don't care, then it's gonna trickle down to the lowest
8 level employee.

9 So I don't have any questions because I think
10 I know the answers to all of them. I just hope that
11 this changes the culture and the behavior, if not
12 corporate CVS, at least CVS at 17 East Jericho
13 Turnpike, and I would ask that you consider doing the
14 same thing to the other CVS further west on Jericho
15 Turnpike because, frankly, it's not much better. It's
16 not on the corner, and it does not have that fence
17 around it, and it does not have the elaborate
18 landscaping that you talk about to catch anything and
19 yet it's still pretty filthy, and I think we have a
20 pretty, you know, neck to neck race between those two
21 CVSes for most summonses issued to any single business
22 in the Village of Mineola as long as I've been on the
23 Board.

24 Thank you, Mayor, for your time, and thank you
25 for your time.

1 MAYOR STRAUSS: Thank you Deputy Mayor.
2 Trustee Cusato?

3 TRUSTEE CUSATO: Thank you, Mayor.

4 Deputy Mayor Pereira talks about insulting.
5 This is insulting. Today is May 12th, and you give
6 these pictures to us dated May 11th. What happened?
7 It's pristine. If I would say, hey, what's the
8 problem? You're lot's pristine. It hasn't been
9 pristine for years.

10 Secondly, why is this dated just -- East
11 Jericho Turnpike. Why is 410 not part of this plan?

12 MAYOR STRAUSS: The hearing, Trustee Cusato,
13 is on for the revocation of 17 East Jericho.

14 TRUSTEE CUSATO: I want --

15 MAYOR STRAUSS: You're absolutely right. It
16 is valid question, but as the Deputy Mayor said, that
17 property is running a close second.

18 TRUSTEE CUSATO: Okay. All right.

19 So I have four words to you tonight. Word
20 one, pride, pride. When I think of the word pride, I
21 need to go back to the 1960s, '70s and '80s when my
22 father owned a business in Mineola. It was called
23 Mineola Music, 162 Jericho Turnpike, right across the
24 street. If there was ever a person who had pride it
25 was my father. Proud to be owner of the store. Proud

1 to serve the residents of our Village. He would sweep
2 the sidewalks in front of the store, shovel snow
3 whenever needed and when the snow plow would come down
4 Jericho Turnpike to clear that snow, he would take the
5 time to clear a pathway, so when residents parked on
6 Jericho Turnpike, they can use this pathway to find the
7 sidewalk.

8 According to dictionary, pride, the most
9 excellent part of anything.

10 That was my father and so many of our
11 businesses in Mineola fit that description, but hooray
12 for them, but you know what, you're way out in left
13 field. Why is that?

14 Word two, responsibility. Taking
15 responsibility for handling the operations of the
16 store, in particular, outscaping landscaping. A
17 responsibility that your store agreed to.

18 Therefore be it resolved that the special use
19 permit is granted subject to the following conditions:
20 The property shall be maintained in a clean and
21 broom-swept condition at all times. Snow shall be
22 removed promptly from all sidewalks surrounding the
23 property. Obviously, you were also negligent in doing
24 this.

25 And with that being said word three, respect.

1 Respect, respect. Again, the dictionary, having a good
2 appearance, being a good name and repute. Now what
3 does repute mean? The state of being in high regard
4 and esteem. Obviously, that doesn't apply to your
5 store.

6 But what does apply, it is another word,
7 disrespect. Disrespect. No need for a direct
8 interpretation because everyone knows what disrespect
9 means. Particularly, the residents on East Washington
10 Avenue and Royal Avenue, and they have seen this for
11 years and years and years, and, Mayor, I will support
12 any action we need to take against this store because,
13 you know, a total disregard for the Village of Mineola.

14 MAYOR STRAUSS: Thank you.

15 Trustee Durham.

16 TRUSTEE DURHAM: Thank you. I'm not gonna
17 beat you up on the grounds of the building as has been
18 done. I want to address your plan that you named just
19 right now. Your high priority policy directive.
20 Nowhere on this page does it mention that they're to
21 take a walk around the block to take care of the side
22 streets that breaches all of your property and all of
23 that garbage and debris that are in the bushes.

24 There was garbage in the bushes from March
25 until May that was the same garbage. There was like a

1 big orange bag that was in one of the bushes or
2 whatever. All you had to do was drive by and see it
3 was never addressed and never clean. So where in this
4 is it going to take you to address the area? Your
5 whole property covers the whole sidewalk around your
6 property. So you have to maintain your property.
7 Okay?

8 MS. HELMAN: So that is -- that's definitely
9 something that we can add, and we will put that right
10 on to the directive and revise that.

11 TRUSTEE DURHAM: So now I move to your
12 contract with your landscaper, May 5th. Your contract
13 with your landscaper says it's now going to increased
14 to three times per week with weekly sweeping, hand
15 picking of all trash and debris including parking area
16 and landscaped areas.

17 If you were paying for him to do it two times
18 a week, he was ripping you off because he, obviously,
19 never cleaned any of the bushes, so he owes you a lot
20 of cash. You should be suing him because he hasn't
21 done any work on the property. I mean, I'm not gonna
22 mention his name, but you gave us his name here. He
23 certainly hasn't done anything to take care and
24 maintain it. If you've been paying him twice a week to
25 take care of the property, he owes you a lot of cash

1 because he hasn't taken care of the property in the
2 slightest. So you might be taking him and having him
3 join you with the summonses.

4 When you're taking the snow, the contract you
5 just signed here with Global, are they all your CVSes
6 or is this just for this CVS?

7 MS. HELMAN: It's not just for this CVS. It
8 is a number of CVS locations. I don't know precisely
9 how many, but it's not just this one.

10 TRUSTEE DURHAM: Is it going to be doing the
11 410 Jericho Turnpike also? Because they don't shovel
12 that unless we take and summonses them. All they do is
13 the inside sidewalk, and they don't do the outside
14 until we take and threaten to summons them and somebody
15 comes and shovels, but until they get the letter and
16 notice they're going to be summoned, you don't take
17 care of sidewalks and remove the snow. You need to
18 have this on everything and they need to take care of
19 it.

20 MS. HELMAN: Okay. We will definitely address
21 that at both locations with Global. Ms. Sholomoba just
22 confirmed that Global is also responsible for 410, so
23 we will definitely make sure that it is addressed for
24 both.

25 TRUSTEE DURHAM: I just want to ask you where

1 do you live? What state or what region?

2 MS. SHOLOMOBA: I live in Bayside Queens.

3 TRUSTEE DURHAM: You live in Bayside Queens.

4 How many times do you visit the store?

5 MS. SHOLOMOBA: Twice a week.

6 TRUSTEE DURHAM: Twice a week you visit a
7 store. So twice a week from March, April, May, you
8 came out and visited this CVS and you saw what a mess
9 and pigsty the property was, and you did nothing about
10 it?

11 MS. SHOLOMOBA: So, if I can say so myself,
12 within that store I've had many challenges outside of
13 the housekeeping. So in terms of leadership, so I've
14 had to change the leader of the building. Once I took
15 over the role, it took sometime. I will say there were
16 challenges, and I can't say that I didn't do anything.
17 I have escalated to my facilities manager. I could
18 even forward you the e-mails that I have seen. Like I
19 would come in and I would see the gate, for example,
20 was broken, right away I've escalated that myself
21 personally to my manager.

22 So I don't want you to think that I have
23 dismissed all of the problems. I mentioned it to my
24 store manager at the time along with the new one that
25 just took over recently within the last couple of

1 months. I will take accountability and say that maybe
2 the lack of follow-up after that was something that I
3 have missed, but I can definitely say that I didn't go
4 into that store with my eyes closed and dismiss it. Is
5 there opportunity? For sure, and I do take
6 accountability for the follow-up as well.

7 TRUSTEE DURHAM: If you're talking to a store
8 manager about the property and maintaining the
9 property, and you keep coming down twice a week and the
10 property still looks the same, that store manager
11 wouldn't last long in my book.

12 MS. SHOLOMOBA: Correct.

13 TRUSTEE DURHAM: He would be terminated very
14 quickly.

15 MS. SHOLOMOBA: And, you know, if I can say it
16 would be done overnight, that would be the case, but
17 obviously I have to follow the procedure. That's why
18 from the time I took over in November that store
19 manager has been counseled and put on performance and I
20 recently, literally just as of March, actually, right
21 before Easter and the holidays took over, that's when I
22 transitioned into a new store manager.

23 TRUSTEE DURHAM: You only took over this job
24 in November?

25 MS. SHOLOMOBA: Late November of 2019.

1 TRUSTEE DURHAM: Late November of 2019.

2 I would say keep your eyes open. I would say
3 maybe watch that, and Mr. Gibbons?

4 MR. GIBBONS: Yes.

5 TRUSTEE DURHAM: Is it possible for -- I know
6 we've had previous things self-termination contracts.
7 That if they don't maintain this in six months and they
8 keep getting fines, that they automatically revoke
9 their own license?

10 MR. GIBBONS: Yeah, we can discuss that if
11 that's one of the issues the Board wants to do.

12 TRUSTEE DURHAM: So it would be on their own,
13 that they would revoke their own license if they didn't
14 maintain their property.

15 MS. HELMAN: We would request instead if you
16 would consider, sir, the idea of, perhaps, we could
17 come back in six months, you know, and see where
18 everything is as opposed to right now deciding because,
19 you know, as Ms. Sholomoba indicated, she is somewhat
20 new to the role. She did take care of dismissing the
21 last store manager who was not performing up to
22 performance. We are now going to proceed full steam
23 with this new plan in place, so, perhaps, if instead of
24 saying that the permit would self-revoke itself within
25 six months, perhaps we can set a date in six months

1 that we would come back and say, okay, how does it look
2 now kind of thing?

3 TRUSTEE DURHAM: I would prefer that it
4 self-revokes. It puts you on the spot that you have to
5 take and maintain your property because I think if
6 you're gonna come back in six months and then say can
7 we come back in another six months --

8 MS. HELMAN: We have to be here, so we're
9 going to make sure that we're not going to have to be
10 here in, you know, in an uncomfortable or a bad
11 situation, you know, so we would rather, you know, have
12 that opportunity rather than, you know, have it sort of
13 revoking again, and then perhaps then my office could
14 follow up with whoever you would like for us to and
15 say, you know, how is it going along the way, we would,
16 you know, a hundred percent be happy to do that. It
17 shouldn't be the Village attorney's office; it should
18 be the Village attorney's office, you know, whether or
19 not it's needed for us to come back. Is everyone
20 happy? We can have some check-ins along the way as
21 well, you know, and before it gets to the point of, you
22 know, there being a problem, just head it off in the
23 path. I'm willing to be a contact. We can give you
24 like a direct contact at CVS. However --

25 TRUSTEE DURHAM: I don't think it's going to

1 be an outside legal firm that is the contact. I think
2 it should be a CVS employee that should be the contact
3 for CVS property. I think when we hand it off to a
4 legal firm, it's just taking that hand down the road
5 that they're not --

6 MS. HELMAN: We can absolutely provide that.

7 TRUSTEE DURHAM: Because I think you just
8 treat these cases and tickets like a flea on a dog.
9 You just brush it off and the flea is gone, you're done
10 with it.

11 MS. HELMAN: I would like to say,
12 respectfully, that my office does also become very
13 involved, you know, and we see that there's a summons,
14 we do reach out directly to the manager and say, look,
15 you know, this is what's going on, it needs to be
16 cleaned up. We can't have this happen. And when we do
17 get very involved, you know, as a law firm -- I do
18 think here, unfortunately, there has been a number of
19 turnover over the years and that's why I think it's
20 important and, you know, that Ms. Sholomoba is going to
21 be overseeing it. Because this way, if, for some
22 reason, this store manager decides to move on, it's not
23 like the next store manager is going to come in and not
24 know, you know, oh, this is the policy, this is
25 everything that I need to be doing, you know, like this

1 has high visibility now at multiple layers of CVS over
2 various departments. It's not just being left to the
3 store, and I do think that possibly that has been a
4 problem in the past which is a point that we're
5 addressing now, but I do feel that it is going to be
6 different going forward, that it is not just on the
7 store manager or the district leader. You know, it's
8 higher than that, and Ms. Sholomoba is going to have
9 the direct supervision because she's onsite the most
10 often of anyone above the store level, and she's going
11 to be reviewing the photos, so that's going to give her
12 additional vibes, so it's not just going to be the two
13 times a week. She's going to be looking at the
14 pictures. So she's going to know, oh, why didn't I get
15 the pictures? Where are the pictures? How do the
16 pictures look? So it's really going to be like very
17 specific eyes on this for that purpose.

18 TRUSTEE DURHAM: I don't have anything
19 further.

20 MAYOR STRAUSS: Thank you. Trustee Walsh?

21 TRUSTEE WALSH: Yes, thank you, Mayor, and
22 thank you both for coming down. The first question I
23 want to ask are you from Rhode Island?

24 MS. HELMAN: Am I? No, I'm from New York.

25 TRUSTEE WALSH: We were supposed to have this

1 hearing last week, and the hearing was delayed, we were
2 told because an attorney from Rhode Island had to come
3 and represent the CVS and for me, that in itself is a
4 problem that you need to have an attorney come from
5 Rhode Island.

6 But it gets worse than that because I had
7 spent twenty minutes on the phone today with a woman
8 who lives on the corner of Royal Avenue and East
9 Washington, and she is right now traveling to Texas to
10 help one of her family members living in Mineola
11 relocate. She wanted to come to this hearing, and she
12 was unable to come to this hearing tonight. She could
13 have come last week, but she didn't -- two weeks ago.
14 She didn't come two weeks ago because you said you
15 needed somebody from Rhode Island to be here.

16 MS. HELMAN: I'm sorry if that was
17 misinterpreted. The request was actually made by my
18 colleague to Mr. Trentacoste, and the actual reason was
19 because I had a personal conflict that evening and I
20 couldn't make it, and, in addition, I was having my
21 vaccine at that time and I really preferred --

22 TRUSTEE WALSH: Listen, please, let me speak.
23 That has nothing to do with it. What I was told was
24 that someone, an attorney had to come from Rhode
25 Island; is that correct, counsel.

1 MR. GIBBONS: I don't know if it was an
2 attorney, but I was told by my partner Peter that a
3 representative from CVS was coming from Rhode Island.

4 TRUSTEE WALSH: Okay, so anyway this woman, I
5 won't mention her name, but I asked her to write a
6 letter that can be delivered to this Board to describe
7 her issues. And one of the issues that Mr. Whalen
8 mentioned that had really stood out to me that this
9 woman before COVID, maybe about 14 months ago, there
10 was a homeless woman living in a blue minivan in CVS
11 for a month.

12 MS. HELMAN: When was this --

13 TRUSTEE WALSH: Hold on, please, you can speak
14 when I finish.

15 She went to the manager of that store twice
16 and said, Do you know that there's a homeless woman
17 living with her feet hanging out of the car with all of
18 her belongings in front of the car on the grassy area
19 and stuff all over, trash and everything outside of her
20 car, and the manager or the person who claimed to be
21 the manager told this resident, She's a very nice
22 person and it's okay, we don't mind.

23 Does CVS -- is CVS okay with homeless people
24 camping out 24 hours a day on their property? And I
25 would like to ask the representative from CVS, the

1 woman who works for CVS.

2 MS. SHOLOMOBA: No, we do not.

3 TRUSTEE WALSH: Okay, so can you understand
4 the frustration of this woman who lives right across
5 the street from all the garbage in the bushes and
6 everything that she spoke to the manager and the
7 manager told her that it's okay, we like the lady,
8 she's a nice woman.

9 MS. SHOLOMOBA: I totally understand her
10 frustration.

11 TRUSTEE WALSH: I believe this woman because
12 I've known her for twenty years and she's going to
13 write a letter to us as part of this herring.

14 When I heard that and, you know, it doesn't
15 surprise me because I lived here, like the Mayor said,
16 before both of you were born, and I know this area and
17 I find that kind of --

18 Listen, I'm an advocate for homeless people
19 and I'm an advocate for the place called the Interfaith
20 Nutrition Network, and I was a New York City cop and I
21 understand the problems with homeless people, but you
22 can't have a homeless person living in your parking lot
23 and then tell the neighbor, it's okay, she's a nice
24 lady. So right off the bat, that's a problem.

25 Now, I'd say a few years ago, I don't know how

1 many years ago, but a few years ago, time flies, we had
2 a hearing similar to this with all these problems and
3 we had, not you, but another man who was a district
4 manager who was gonna come in and just about everything
5 that you said you were gonna do he said he was gonna do
6 at that time, and it never transpired.

7 Now something else that bothered me
8 personally. At one point CVS put a C container, a
9 cargo container at the back of their property against
10 the fence that stood about four feet over the fence and
11 neighbors could see it, and they were slamming the door
12 and closing the door, and they use that for seasonal
13 items. So the Village, on complaint of the neighbors
14 and having to take them to court --

15 And when we take people to court, we pay for
16 attorneys and everything else, this all comes out of
17 the residents' pocket books.

18 And they finally moved the cargo container,
19 and within 48 hours they put two box trucks or was it
20 three box trucks?

21 AUDIENCE MEMBER: Three.

22 TRUSTEE WALSH: At the same exact spot that
23 stood like one foot less over the property. That's
24 being defiant. Do you understand? That's being
25 defiant.

1 So you come here and tell us what a great job
2 you're gonna do, and I just find that your defiance is
3 more descriptive than what you say you're gonna do.

4 Do you know this Mr. Merlo? Have you ever
5 heard of him?

6 MS. SHOLOMOBA: Of course.

7 TRUSTEE WALSH: What is his position in CVS?

8 MS. SHOLOMOBA: He used to be the CEO of CVS.

9 TRUSTEE WALSH: He used to be?

10 MS. SHOLOMOBA: Yes.

11 TRUSTEE WALSH: So at the time he was the CEO.
12 It's pretty hard to go much further than the CEO, and
13 Mr. Whalen had many letters written to Mr. Merlo to no
14 avail. Do you know what I'm saying?

15 So what when we look for here in Mineola is
16 good neighbors, and CVS has not been a good neighbor,
17 and as Mr. Whalen told us, there's between 12 and 21
18 outstanding summonses right now, you know, and you tell
19 us you're gonna clean this up.

20 Last Sunday I saw a lone landscaper at the
21 Emory Road, and we're not here for Emory Road, but it
22 is the same company. I saw a lone landscaper cleaning
23 up on Sunday a few days before the hearing. But the
24 mess still remained at the location that we're here to
25 talk about.

1 Now, I have two of the hundred fifty photos
2 and if you want to look at them or maybe you know
3 these, but one is of a stop sign. How many months did
4 that stop sign lay there, Mayor?

5 MAYOR STRAUSS: At least six.

6 TRUSTEE WALSH: Six months.

7 MAYOR STRAUSS: Six weeks, at least six weeks.

8 TRUSTEE WALSH: That downed stop sign laid in
9 you are parking lot, and look at the second picture.
10 The second picture is right now. You see that garbage,
11 the broken fence that's next to the area where you put
12 your garbage? There's a black rubber bungee cord
13 that's holding that fence up with the help of God, and
14 you say that you're going to change everything. You
15 changing these things with a bungee cord, that's not
16 acceptable, and inside there there's still a ton of
17 garbage.

18 I was there this morning. Things have been
19 cleaned up but too little way too late.

20 Now, you know, I took the time, we had the
21 attorneys took the time to put this together for us.
22 And it goes all the way to Exhibit B, so I just fumbled
23 through this while I was sitting here. I read the
24 entire thing while you were speaking and I went to
25 Exhibit F, okay, and I just picked it out of nowhere

1 and it starts with January 4, 2016. Description of
2 violation, did allow the accumulation of junk, garbage,
3 rubbish on the lot within the Village of Mineola.

4 Next page, January 26, permit sidewalk to
5 remain covered, obstructed encumbered with snow after a
6 reasonable opportunity to remove the snow.

7 This is all in the same month.

8 Then we go to February 23rd, did allow
9 accumulation of junk, garbage, rubbish on the lot of
10 the Village of Mineola on the property.

11 Let's go to March 2nd, allowed accumulation of
12 garbage, the same thing.

13 I mean, this is just in one month.

14 Failed to maintain landscaping. That was the
15 spring. Now we're at April. Failed to maintain
16 landscaping. We have walked by there in various
17 parades that we have in Mineola, and we have a lot of
18 parades, and I like to go to a parade and walking by
19 the Mayor says to me, do you believe this, the weeds
20 were this high? While the whole parade is walking by
21 CVS, it was a Little League parade or something, the
22 weeds are this high, and you're trying to convince us
23 that everything is gonna change.

24 So then I look through here, and here's some
25 more from the same year, failed to maintain sidewalk,

1 failed to maintain sidewalk. Each one of these is a
2 separate summons.

3 So I looked ahead to 2019. Now we're at
4 3/22/2021, did allow accumulation of garbage, waste,
5 the same thing. There has been no attempt to clean up
6 that area. There has been garbage bags in trees on
7 your property that stuck to the trees for six months.
8 There are people in the audience here now that live
9 right there that have been dealing with this eyesore
10 since the beginning.

11 Now, something else that the attorneys said or
12 the woman said that you want -- that you have a good
13 plan and you want to keep the landscaping, you said the
14 landscaping is nice. The landscaping -- now you go
15 there, you've been there several times. The
16 landscaping on Jericho Turnpike which was nice when you
17 put the store together and you expressed at that time
18 that you were gonna maintain the landscaping, it's
19 nonexistent. It just all died. I guess ice and snow
20 over the years, and you never took one ounce of effort
21 to maintain that landscaping, and if you look at it
22 right now, it's just rubble with some wood chips and
23 some stones and occasionally dirt. That's not even
24 attempting to do the right thing.

25 When you look right across the street at

1 Walgreen's, and I'm not trying to put CVS against
2 Walgreen's, but at least they maintain the bushes.

3 Your people have been terrible neighbors, and
4 for me, I'm gonna have a difficult time believing that
5 things are gonna change now because a leopard does not
6 change its spots, and the last guy came here and told
7 us what you're telling us tonight.

8 So I'm not gonna kill you any further because
9 I would like to hear from the residents, but I find it
10 hard to believe that things are gonna change because
11 that bungee cord that you put there three days ago
12 that's holding that broken down fence together is just
13 an example of what you're trying to put over here
14 tonight that, oh, I'm fixing this up. You fixed it up
15 with \$1.29 bungee cord instead of changing the gate,
16 and I don't believe you will change the gate.

17 And we -- you know, when you deal with a small
18 government, we live in Mineola, it's two square miles.
19 We hear from residents all the time. People have my
20 cell phone number, and that's great, I'm glad they have
21 my cell phone number, but people call me on my cell
22 phone. This is one of the major complaints I get from
23 the people is the disgrace of that CVS on my cell
24 phone. So I find it hard to believe what you're saying
25 tonight.

1 And that's all I have to say, thank you very
2 much.

3 MAYOR STRAUSS: Thank you.

4 TRUSTEE WALSH: Leave it for the residents.

5 TRUSTEE DURHAM: I just want to -- while I'm
6 sitting here listening to Trustee Walsh walking about
7 the bags in the tree. Your photo May 11 your lead
8 photo actually has a bag in the tree. You can see
9 there's a bag in the tree.

10 TRUSTEE WALSH: Yes.

11 TRUSTEE DURHAM: A photo that you submitted to
12 us from May 11 that it's fixed, the lead photo you can
13 see there's a white bag in a tree.

14 TRUSTEE WALSH: I see it.

15 MS. SHOLOMOBA: Where is it?

16 MAYOR STRAUSS: It doesn't matter. It's in
17 there. We're wasting time with semantics.

18 MS. HELMAN: If I may ask, would it be
19 possible for us to receive a packet of the photos and
20 then we can share that more widely in corporate as
21 well?

22 TRUSTEE CUSATO: Sure.

23 MS. HELMAN: Thank you.

24 MR. WHALEN: Mayor, with your permission?

25 MAYOR STRAUSS: Sure.

1 Bear in mind, those are only from March 19 and
2 not previous months.

3 MS. HELMAN: Understood but I think it would
4 be helpful.

5 MAYOR STRAUSS: I don't know what would be
6 helpful. We gave them a whole ton of summonses right
7 up to the CEO and that hasn't helped.

8 Anything else, ma'am, you would like to say
9 before we open it up to the public?

10 MS. SHOLOMOBA: Again, I can only speak for my
11 time here since I took over in 2019, and I myself had
12 plenty of opportunity in terms of following up, but I
13 do want you to know that I am taking this very
14 seriously. I actually have already put in a work order
15 for both, and I do have the manager approving both.
16 They just have to come in I believe Monday of next week
17 to fix both the gate as well as the stop sign.

18 And, again, I know you guys have said it many
19 times that we just like said a lot and people before me
20 have come in, but I do want you guys to know that I do
21 take this seriously. Just hearing the Mayor speak your
22 frustrations, it's -- I'm not a resident of Mineola,
23 but it's a bad representation and that's the last thing
24 that I want you guys to go through as well as the
25 residents of Mineola, but, you know, yes, to say my

1 word is one thing, but I definitely want to put actions
2 behind it and make sure there's improvement going
3 forward.

4 TRUSTEE WALSH: When is it you say started,
5 2019 what month?

6 MS. SHOLOMOBA: End of November.

7 TRUSTEE WALSH: Didn't you see that stop sign?

8 MS. SHOLOMOBA: Again, we call it in to the
9 facilities manager, they correct it and then a few
10 months later I've had to have them call again. So this
11 time around, I actually contacted someone above them to
12 completely remove it.

13 TRUSTEE WALSH: So it took going up and up and
14 up the ladder to get a stop sign removed that was
15 laying on the ground, so how do we expect this to
16 become okay in the future?

17 MS. SHOLOMOBA: Again, I just want to make one
18 more point that it's not coming from my end. We've had
19 challenges in our store, the leadership, the colleagues
20 in the store, and it's not as easy just to take
21 everyone and fire them and bring in a whole new team.
22 So that, obviously, took literally over a year, but I'm
23 confident by going forward we do have the right people
24 in place to make sure it's executed.

25 TRUSTEE WALSH: If you think that's answering

1 why a stop sign should lay at the entrance to the
2 parking lot for months, it doesn't answer it in my
3 opinion.

4 I would like to hear from the residents, so
5 I'll say no more. Thank you.

6 MAYOR STRAUSS: Okay, folks, have seat. We'll
7 open it up to anyone that wishes it make a comment.

8 Yes, sir, in the front row. We'll go from row
9 three to four.

10 AUDIENCE MEMBER: Good evening, Jeff Larky
11 [phonetic]. Mayor, Trustees, I think you have done a
12 fantastic job over the years of trying to improve this
13 Village, great efforts, great attempts to bring in new
14 businesses to beautify the Village, and, clearly, we
15 have a resident who is not interested in being a part
16 of that team. I am sitting here, it's shocking to hear
17 all of the efforts that Mr. Whalen has gone through and
18 so lack of response, it's more than a slap in the face.
19 Revoke them, Mayor. You only get their attention, you
20 know, Trustee Walsh said too little too late. Just
21 revoke them, Mayor.

22 MAYOR STRAUSS: Thank you, sir. Anybody in
23 the last row? Yes, sir.

24 MR. BRUNO: It's been a long time coming.
25 James Bruno. I live on 23 East Washington Avenue.

1 Since 2009 I've been going over to CVS complaining
2 about things. To dumpsters being dumped at 4 o'clock
3 in the morning waking my family up. Now, their
4 building faces a residential area. They have lights on
5 the top of their building. We have to have shade
6 darkeners. I went over and asked them can you please
7 use less lighting, something dimmer, whatever, so that
8 we can go to sleep at night. That's just -- let me
9 look at my book in my notes here.

10 And I want to educate you guys, too, a little
11 bit about something. They keep blaming the store
12 managers. That's bull crap, okay? I worked in this
13 business. I worked for Merit Service Solutions. One
14 of our accounts was CVS. This was back in 2015. Our
15 job -- my job was to oversee to make sure that the
16 contractors did their jobs -- plowed, shoveled,
17 landscaped, did all of those things. I took pictures.
18 I sent in reports. The stop sign was done, I send in a
19 report. Then there's a company that is hired by Merit
20 for CVS that's supposed to do this work, and then Merit
21 gets paid from CVS and Merit pays them. So the problem
22 is they don't hire good people. Okay?

23 I've been living there -- let me tell you
24 something, if they cut the grass once a month, we're
25 lucky. Right now I took a picture before I left my

1 house. The dandelions are like a foot and a half high,
2 so that was a week ago they cut it. When are they
3 gonna cut it again? I don't know. There's two,
4 there's three trees that aren't trees that are weeds
5 that grew to become trees, that are entangled in the
6 wires across from my house, and during Sandy they blew
7 the transformer at the end of the block. We had no
8 power for two weeks. We go through this every year
9 hurricane season. I please ask them can you trim the
10 trees, do something with these trees. Nothing done
11 with the trees.

12 The sidewalk is buckled. It's a tripping
13 hazard. Ice, snow, garbage, forget about it.

14 Okay, the storage units, Dennis made a good
15 point, I called about them, they were hanging over the
16 fence, and we went over what are you doing here? They
17 brought the trucks, the trucks came in. Right?

18 No irrigation. Everything is dead. Any grass
19 that they had there has died twelve years ago. All you
20 had was dandelions.

21 I break my butt. I got a beautiful lawn. You
22 can ask Dennis. You can come by my house any time you
23 want. I break my butt to keep mine nice, but we have
24 dandelions getting blown across the street, tons of
25 them, tons of them. I'm -- it's amazing. It is just

1 amazing. I mean, these dandelions -- if dandelions
2 were useful, I guess you can make a soup out of it, I
3 don't know.

4 My sister has called numerous times to the
5 Village to complain about them dumping garbage at 4
6 o'clock in the morning. We are a residential area
7 where they are adjacent to. They should be respectful
8 and not dumping garbage at 4 o'clock. You know what it
9 sounds like when they dump that dumpster? You know how
10 does that feel like at 4 o'clock in the morning when
11 you're sleeping? You know, my sister's called numerous
12 times called the Village.

13 I've gone over to CVS. I went over and told
14 them when they were stealing from them, when the kids
15 were throwing stuff over the fence and then coming
16 around and grabbing it. I went over to the manager
17 back in 2009, 2010.

18 We put up with the generator that they had.
19 While they had energy, we had no power, and they had
20 the generator working during Sandy. Kept us up all
21 night long listening to that generator. Asked them,
22 listen, can you shut it off for five minutes so we can
23 have five minutes of peace? Until they got their power
24 back.

25 Garbage everywhere. Never saw rats in

1 Mineola, man. I see rats now. Okay, they're not big
2 cats; they're rats. First time.

3 You know, when I moved here there was woods
4 and trees there. And Ed Smith told my parents zoned
5 for one-family housing. It can only be one-family
6 housing, and all of a sudden, the diner got built and a
7 parking lot went up, and all those beautiful woods and
8 trees that blocked Jericho Turnpike from us now we had
9 Jericho Turnpike in our ears every day. You know what,
10 do you think my property value is as good as yours on
11 McKinley Parkway or yours wherever you live and your
12 blocks? No, it's not. Mine is down, and I pay the
13 same damn tax money. The same damn tax money that's
14 paying to fight these people causing these problems.

15 My sister's lost sleep. She has to have a
16 sound machine. I have a sound machine so that we can
17 sleep so we don't get woke up at 4 o'clock in the
18 morning twice that they're dumping the garbage.

19 And landscapers, listen, the problem is it's
20 not the store manager, okay? It's upper management.
21 It's because they don't want to spend the money to
22 higher legitimate companies to come in and do the work.
23 A company that's gonna show up every week when they're
24 supposed to show up.

25 I mean, I'm in the business. I was in the

1 business, I know. I have had the problems. I've had
2 guys -- they don't pay the guys either. So the guys
3 don't show up. They don't get a check. Merit Services
4 was horrible. I had guys threatening my life because
5 they weren't gettin' paid. This is the problem that
6 management companies stink. And they try to find the
7 cheapest guy to come and do the work, and this is what
8 you get. You get a mess.

9 You know, we got these trees and I'm sure once
10 the wind starts blowing, I'm gonna lose my power again.
11 I got an 86-year-old mother in my house. I don't need
12 that. I had to go out and buy a generator, a \$2,000
13 generator, had a special hookup in my house, so that if
14 I do lose power, I can keep my mom around. All right?

15 Because these trees are entangled in our phone
16 lines and they're weeds. They're not even trees. They
17 were just let grow. They were just let grow. There's
18 stuff all over the place growing. There's weeds
19 growing. There's more of them going to start growing.
20 There's going to be more trees. I seen them growing in
21 the bushes on my way here. I should have took more
22 pictures. I had to delete the pictures I had so many
23 pictures in my phone because it was takin' up all of my
24 memory of all the stuff when I kept sending them to
25 Dennis. Dennis, look at this, Dennis, look at that,

1 look at the ice, look at the snow. They're not
2 shovelling. People are walking in the street. It's
3 just nonstop.

4 And I'm telling you, blaming store managers is
5 a bunch of crap. It's beyond the store manager. It's
6 management itself. It's the CEOs, it's the district
7 managers. It's all of these people because they're not
8 hiring the proper people to do the work. These
9 companies don't show up because they don't get paid or
10 they're not getting paid enough to do the work they're
11 supposed to do, and that's the bottom line. I've seen
12 it, and that's what happens in this industry.

13 And you know what, I really appreciate you
14 guys pulling these people to task because, let me tell
15 you something, you get really, really, really
16 frustrated like you want to do stupid crazy things
17 sometimes. And I don't want to do that, but they have
18 no respect for us at all. I walked over and I've
19 talked to the manager numerous times, and to no avail,
20 so, you know what, if you revoke them, more power to
21 you.

22 MAYOR STRAUSS: Mr. Bruno, thank you very much
23 for your time. Thank you for coming down, and you're
24 absolutely right, it's a lack of oversight.

25 TRUSTEE CUSATO: Good job.

1 MAYOR STRAUSS: Yes, sir.

2 MR. HOHARE: I want to reiterate Paul's words.
3 That was great, I liked it. The last one disrespect.
4 How many executives, executive vice presidents, the
5 CEO, senior vice presidents, none of them are here
6 tonight. Why? They don't want to go through this. In
7 a way, I feel sorry for them that they got stuck with
8 it, but, you know, that's their job, but, you know,
9 that goes to show you nothing's going to get changed
10 it's only going to get worse and Jeff you're right.

11 Frank Hohare, Levy Road.

12 MAYOR STRAUSS: Thank you, Mr. Hohare, thank
13 you very much.

14 Ladies, come back on up. The gentleman here
15 in the audience and those who have reached out to us
16 over the years for this are absolutely right. What's
17 the store manager's responsibility as far as the
18 landscaping and things? If they don't see something
19 happening, you don't see something happening when you
20 make your two time visits through the week, and it gets
21 escalated, as you say, and nothing's happened the day
22 after that and the time after that, the time after
23 that, what happens? It just falls into a black hole
24 and nothing happens, nothing's ever done? It just
25 disappears for months and months and months and years

1 and years and years until we have to revoke your permit
2 and shutter the doors on your building? What's the
3 responsibility of a store manager and you?

4 MS. SHOLOMOBA: We both have the same
5 responsibility in terms of making sure that inside as
6 well as outside that the store conditions are kept and,
7 obviously, that include everything that was mentioned
8 during tonight's hearing, but they are to make sure
9 that, obviously, the garbage is inside the dumpsters,
10 that there's no litter outside and parking lot is swept
11 at all times, and that it's presentable both inside and
12 outside of the store.

13 MAYOR STRAUSS: Okay. So when I have -- in my
14 professional life, if I give someone a task to do part
15 of their responsibility and they give it to somebody
16 else and they give it to somebody else, and it's not
17 done --

18 MS. SHOLOMOBA: Right.

19 MAYOR STRAUSS: -- I make that person, the
20 person I first gave it to, do it. If I got to get
21 aggravated, they are gonna get aggravated, and who
22 aggravated them? That's for them to deal with, but
23 obviously that doesn't happen at CVS. Nobody cares.
24 Nobody cares. I'll believe this when I see it. Whose
25 responsibility is to make sure that this is happening?

1 MS. SHOLOMOBA: So I currently have
2 assigned -- we have our schedules published three weeks
3 out, and what I have them do is coordinate who is on
4 schedule during those times and then that person on
5 that shift is designated to complete the checklist
6 during the morning, afternoon and evening, and we have
7 a porter specifically for busy hours of 1 p.m. to 5
8 p.m.

9 MAYOR STRAUSS: What about the oversight of
10 the contractors because, obviously, you've had
11 contractors and there's an oversight there, and how do
12 we know there's not going to be an oversight as to
13 these guys?

14 MS. SHOLOMOBA: I will make sure going forward
15 that between the facility's manager and the feedback
16 I'm getting from my store manager because any time a
17 contractor is there and the job is done, they are to
18 complete a specific survey, so I will make sure before
19 that goes anywhere else, it comes to me as well.

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

22 TRUSTEE WALSH: Mayor, if I can for a second,
23 you know, you have this picture in the packet that was
24 given to you and it is of a fence, a six foot entrance
25 gateway where the bottom hinge is broken, and it's the

1 metal rod is all wrecked, and it looks like the wreck
2 of the house was here, and you repair that with a
3 bungee cord, do you intend to discard that bungee cord
4 and put new doors on here?

5 MS. SHOLOMOBA: I've actually put a work
6 order, and I'm having next week by Monday, I just have
7 to confirm, but I believe Monday is when our people
8 specifically for the fence, we're going to have it
9 replaced completely. I have to confirm the dates.

10 TRUSTEE WALSH: You've been there since 2019.
11 Why did it take until yesterday or the day before
12 yesterday for you to put in that request? Because this
13 has been broken off the hinges for years.

14 MS. SHOLOMOBA: We've had work orders placed
15 in during my time. I wish I can say also for my time I
16 have put in work orders to have it fixed, however, they
17 didn't at the time they didn't approve for it to be
18 completely replaced. They -- which I'm not saying was
19 the right answer but --

20 TRUSTEE WALSH: But this is a gate, and they
21 didn't approve it, but, you see, we're here not to
22 lecture you, we're to learn from you as to why things
23 aren't going well, and I haven't learned too much from
24 you tonight other than future promises that we've
25 already been given these promises, you know.

1 And Mr. Bruno has to put up with rodents from
2 that area. Now, is it possible because someone else
3 asked me who lives in East Williston yesterday if this
4 whole setup could be put in another spot? Because it's
5 very visible to Roslyn Road and Jericho Turnpike and
6 it's right at the entranceway. Can you relocate this
7 garbage collection that you have over there? Would you
8 agree to that or just look into it?

9 MS. SHOLOMOBA: No, no. I can see where
10 you're coming from. I will just have to, obviously,
11 consult with the people that are in charge of this, and
12 I'll definitely put that in.

13 TRUSTEE WALSH: That would be terrific because
14 this is not coming from me --

15 MS. SHOLOMOBA: I understand, I understand it.

16 TRUSTEE WALSH: This is coming from a resident
17 who spoke to me about it and who speaks to me about it
18 once a month when she sees me.

19 And that's all I have to say, but you have to
20 understand that things have not been going well, and
21 for you to come here and kind of repeat what somebody
22 said, I don't know, was it three or four years ago when
23 we had a similar hearing? It's just more of the same
24 and it's hard to believe for me anyway. I can only
25 speak for myself. So that's all I have to say.

1 MS. HELMAN: The one thing I would like to
2 say, sir, is neither of us were involved in that
3 previous proceeding regarding the store, but what I can
4 assure you is that the two of us, this has had really
5 high visibility due to the fact --

6 Again, we're so sorry it had to come to this
7 but the fact that it did, really raises the visibility
8 of it. This really has very high visibility over
9 various departments at CVS, and, you know, I don't know
10 the last time someone was here whether or not that was
11 the case, neither of us were involved, I can't say, but
12 I can assure you that that now that is the case. I
13 mean, there has to be at least --

14 Would you say like ten people, fifteen people?

15 That were involved in from, you know, across
16 all different respects of CVS, all different kinds of
17 responsibilities, all different levels. People in
18 local, the local operational people, people in Rhode
19 Island overseeing facilities, several people. All, you
20 know, putting all hands on deck to come up with, you
21 know, what are we going to do, how are we going to fix
22 this and how are we going to make sure that it stays
23 fixed?

24 So I will say that I am assuming that that is
25 a difference from last time that we're hoping will make

1 a difference.

2 TRUSTEE WALSH: Are any of those vast group of
3 people that you just described, do any of them have a
4 higher position in CVS than Mr. Merlo --

5 MS. HELMAN: No.

6 TRUSTEE WALSH: -- who is the CEO?

7 But we had gone to the CEO and got nowhere, so
8 now you have other people and everybody's working on
9 it, and the solution you came up with for tonight is
10 \$1.79 rubber bungee cord. Do you know what I'm saying?

11 MS. HELMAN: No, we hear you.

12 TRUSTEE WALSH: I hear you, but you have to
13 hear -- we speak for the residents. And I don't know
14 if you're getting it, and you're assigned to come here
15 and try to do what you can, and I get that, but we're
16 here to represent the people of Mineola who have been
17 disgusted with this place, and to say that the other
18 woman is the manager since 2019, and you would have
19 stumbled over that stop sign if you walked by it, and
20 it was there for months, you had to see it, and yet it
21 laid there for months while you went to this other
22 person who called the other person who is gonna remove
23 a stop sign that's laying on the ground. Somebody from
24 the store could have walked out and dragged that stop
25 sign to the side. Do you expect our residents to do

1 that for you?

2 That's where my frustration lies. I'm not
3 trying to be frustrated but I'm just trying to explain
4 to you how the residents feel, and it's hard to believe
5 something that you've been promised already, and that's
6 all. Thank you, Mayor.

7 TRUSTEE CUSATO: Mr. Walsh, like I said, it's
8 total disregard, disrespect for our residents, plain
9 and simple, disrespect.

10 MAYOR STRAUSS: Ms. Helman, if you could, take
11 this back to the CEO and the executive vice presidents
12 and the senior vice presidents, whoever. This is the
13 last time. I'm not sure what we're gonna do. We're
14 gonna close the hearing and reserve decision on this,
15 but why, why did it take a threat -- promise to
16 possibly close down your store to get action? We have
17 sent letters before to the CEO, the executive
18 president, vice presidents everybody up that food
19 chain? Did they sit there and say -- get the letter
20 and say, oh, wow, this is more than a summons, you know
21 what, maybe we should clean up the property. And it
22 still took you six weeks to do it. It's disgusting.
23 Tell them we're pissed off.

24 MS. HELMAN: They understand.

25 MAYOR STRAUSS: I doubt it.

1 MS. HELMAN: They a hundred percent
2 understood.

3 MAYOR STRAUSS: I doubt it.

4 MS. HELMAN: And it will be a hundred percent
5 passed on.

6 MAYOR STRAUSS: Trustee Durham, any other
7 comments?

8 TRUSTEE DURHAM: My only question was do
9 either of you work for CVS Albany?

10 MS. HELMAN: CVS Albany, L.L.C.?

11 TRUSTEE DURHAM: Yeah.

12 MS. HELMAN: So CVS Albany, L.L.C. is the
13 corporation like in New York all CVS's are incorporated
14 as CVS Albany L.L.C. Many years ago each store had its
15 own L.L.C., but this goes back a good bunch of years at
16 this point. Like every -- maybe there's very, very few
17 exceptions but every -- the corporate entity at the
18 store level in New York is CVS Albany L.L.C.

19 TRUSTEE DURHAM: Because they're the ones that
20 simply write the check for ten grand and do not care.

21 MS. HELMAN: I'm sorry, again, if it comes
22 across that way, and I understand, I understand how it
23 does, but, you know, definitely Ms. Sholomoba cares.
24 The people we spent extensively on the phone with over
25 the past several weeks, you know, they care, they

1 understand. We're certainly going to go back again and
2 speak to them again and say, look, this is what
3 happened and, you know, this is it. So, you know, that
4 will definitely be expressed, addressed and what the
5 gentleman mentioned about the dumpster in the middle of
6 the night, we will certainly look into that too. That
7 wasn't something that come up before but, you know, we
8 will definitely look into that as well.

9 MAYOR STRAUSS: It hasn't come up to you
10 before?

11 MS. HELMAN: Right.

12 MAYOR STRAUSS: But it has come to us and the
13 store managers and hopefully the regional and district
14 managers.

15 MS. SHOLOMOBA: If I can say something about
16 that.

17 MAYOR STRAUSS: Sure you can.

18 MS. SHOLOMOBA: I actually personally have
19 spoken to our not only facilities manager in regards to
20 the garbage being dumped at 4 a.m. but also requested
21 to have our truck deliveries placed on earlier time as
22 well. So I did make note of both, and I will say that
23 I'm working with both of them to make sure that we
24 change that and, in regards to the dumpster, definitely
25 making sure that it will not be done at a late hour

1 such as that. It shouldn't.

2 MAYOR STRAUSS: Thank you.

3 Deputy Mayor, anything?

4 DEPUTY MAYOR PEREIRA: The only question I
5 have is so where does this go tomorrow? Right? You
6 leave here today, you lick your wounds a little bit,
7 what's the chain of command, you know, as much as I
8 would like for the CEO to hear about it, honestly, I
9 don't care. I want the person that has to hear about
10 it hear about it. So where do you take this
11 information tomorrow? Where does it go on both of your
12 ends?

13 MS. HELMAN: Do you want to answer first?

14 MS. SHOLOMOBA: It doesn't matter. Personally
15 for myself, obviously, I will be mentioning this to the
16 store manager but not just to the store manager, I
17 think this is a lesson in general that I will be taking
18 with me to my entire market, an expectation that should
19 have been and always will be going forward to make sure
20 that all of my store managers have this expectation in
21 terms of the cleanliness and their responsibilities as
22 store managers, and, in addition to that, I'll,
23 obviously, be providing the feedback to my boss, the
24 regional director of Long Island.

25 DEPUTY MAYOR PEREIRA: Okay, thank you.

1 MS. HELMAN: And in addition to that, we'll
2 also be reporting back to CVS legal and all of the
3 people that have been involved in putting the plans
4 together which include people in the compliance
5 department, regional leadership, did I say the legal
6 department? And then there are gentlemen in the
7 facilities department in Rhode Island who have this
8 oversight as well on a national level from the
9 corporate headquarters of the various landscaping, the
10 snow removal. So we will a hundred percent give the
11 feedback on those vendor services as well because those
12 are the gentlemen that are overseeing those contracts
13 and, you know, we certainly want to share with them
14 that it's not being performed the way that it's written
15 out.

16 DEPUTY MAYOR PEREIRA: Thank you.

17 MAYOR STRAUSS: Thank you.

18 Yes, sir?

19 MR. BRUNO: Can I say one question?

20 MAYOR STRAUSS: Yes, come on back up here.

21 MR. BRUNO: Again, pertaining to the lights,
22 again, James Bruno, East Washington. Pertaining to the
23 lights. Is there -- because I know that the Walgreen's
24 used to be across the street where there's the kidney
25 place now, okay? And they always had a light in the

1 back but because it was adjacent to residential, they
2 had a very low kind of sodium light that was on there.
3 So there wasn't, you know, intrusive to people's homes.
4 I'm telling you, dude, I can sit on my stoop and read
5 my newspaper at 10 o'clock at night. Okay? Is there
6 any ordinance that says that if you are adjacent to a
7 residential section, that your lighting has to be in a
8 certain compliance? That's my question.

9 MAYOR STRAUSS: We will have our Building
10 Department take a look at it, thank you, sir.

11 Any other comments before we close shop here?

12 Anything else you would like to say?

13 MS. HELMAN: Just, you know, in conclusion, we
14 just like to emphasize again, you know, how serious we
15 are about this, you know, we -- the two of us together
16 can't change what happened in the past, unfortunately,
17 but we are making a commitment to going forward in the
18 future, and we would ask that you do give CVS, even if
19 it's one last chance, you know, to go at this plan, and
20 this plan is going to be successful because we do have
21 the right team and the right people involved and we're
22 making the commitment to do that.

23 MAYOR STRAUSS: Thank you.

24 MS. HELMAN: Thank you.

25 MAYOR STRAUSS: I'll entertain a motion to

1 close the hearing and reserve decision.

2 TRUSTEE WALSH: I'll make the motion.

3 MAYOR STRAUSS: Motion by Trustee Walsh. Do I
4 have a second?

5 TRUSTEE CUSATO: I'll second.

6 MAYOR STRAUSS: Seconded by Trustee Cusato.
7 All in favor?

8 TRUSTEE DURHAM: Aye.

9 TRUSTEE CUSATO: Aye.

10 TRUSTEE WALSH: Aye.

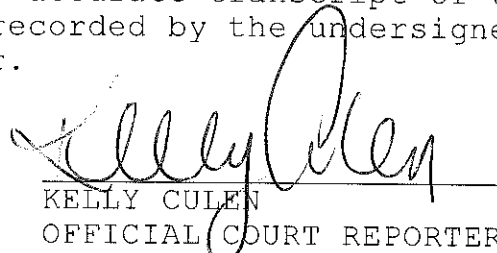
11 DEPUTY MAYOR PEREIRA: Aye.

12 MAYOR STRAUSS: Opposed? Carried.

13 Folks, thanks for coming out this evening.
14 You'll be hearing from us.

15
16 * * * * *

17 This is to certify that the within and
18 foregoing is a true and accurate transcript of the
19 stenographic notes as recorded by the undersigned
20 Official Court Reporter.

21 
KELLY CULLEN
22 OFFICIAL COURT REPORTER
23
24
25