

March 5, 2019

A Public Hearing for the Board of Trustees was held on the above date at 8:15 pm.

Present were Mayor Dominick A. Longobardi, Trustees Kevin M. Fitzgerald, Lynn Pombonyo, Archie T. Cheng and Frank J. Chiara, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Superintendent of Public Works Stephen Siwinski, Deputy Superintendent of Public Works Kevin Ginnane, Police Commissioner Stephen McAllister and Village Attorney John E. Ryan

The application of Sureshbhai S. Patel, Lessee, 47 Covert Avenue, Floral Park, NY, is made in accordance with Article III, Section 99-10(B) 2 of the Zoning Ordinance of the Incorporated Village of Floral, NY, which requires a Special Use Permit authorized by the Board of Trustees for a retail store that sells food in a B-1 District.

Trustee Fitzgerald offered Resolution No. 2019-47 to reserve decision and close the public hearing.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye
Trustee Cheng	- Aye
Trustee Chiara	- Aye
Mayor Longobardi	- Aye

The hearing was closed at 9:05 pm.

A copy of the transcript and a copy of the legal notice of public hearing is attached and made a part of these minutes.

Susan E. Walsh  
Village Clerk

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M I N U T E S  
OF THE MEETING  
OF THE  
PUBLIC HEARING  
INCORPORATED VILLAGE OF FLORAL PARK

March 5, 2019

8:00 p.m.

P R E S E N T:

DOMINICK LONGOBARDI,	MAYOR
KEVIN M. FITZGERALD,	DEPUTY MAYOR/TRUSTEE
ARCHIE T. CHENG,	TRUSTEE
DR. LYNN POMBONYO,	TRUSTEE
FRANK J. CHIARA,	TRUSTEE

ALSO PRESENT:

JOHN RYAN, ESQ. Village Attorney  
GERARD M. BAMBRICK, Village Administrator  
SUSAN E. WALSH, Village Clerk  
STEPHEN SIWINSKI, Supt. Public Works & Bldgs.  
STEPHEN MCALLISTER, Police Commissioner  
KEVIN GINNANE, DEPUTY SUPT. OF PUBLIC WORKS

Catherine P. Murphy  
Court Reporter

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1           MAYOR LONGOBARDI: At this time, we'll  
2           hear our next applicant. Thank you. Okay.  
3           With that, Miss Walsh, would you read -- this  
4           will be on the Public Hearing on 47 Covert  
5           Avenue.

6           MS. WALSH: Thank you, Mayor Longobardi.  
7           Legal Notice. Notice of Public Hearing  
8           Incorporated Village of Floral Park, New York.  
9           Notice is hereby given that the Board of  
10          Trustees in the Incorporated Village of Floral  
11          Park, New York will hold a Public Hearing at  
12          the Village Hall, One Floral Boulevard, Floral  
13          Park, New York on Tuesday, March 5, 2019 at  
14          8:00 p.m. in relation to the following  
15          application:

16          The application of Sureshbhai S. Patel,  
17          Lessee, 47 Covert Avenue, Floral Park, New York  
18          is made in accordance with Article III, Section  
19          99-10(B) 2 of the Zoning Ordinance of the  
20          Incorporated Village of Floral Park, New York,  
21          which requires a special Use Permit authorized  
22          by the Board of Trustees for a retail store  
23          that sells food in a B-1 District.

24          The structure for which said Special  
25          Permit is applied is situated on the west side

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1 of Covert Avenue, 35.72 feet south of Beverly  
2 Avenue and known as 47 Covert Avenue, Section  
3 32, Block 270, Lots 168A-168B on the Nassau  
4 County Tax Map.

5 A copy of the application is on file in  
6 the Office of the Village Clerk, One Floral  
7 Boulevard, Floral Park, New York and may be  
8 examined by any persons interested therein  
9 during business hours Monday through Friday  
10 inclusive, except legal holidays from 8:30 a.m.  
11 to 4:30 p.m.

12 Now Take Notice that all parties in  
13 interest and citizens will be given the  
14 opportunity to be heard at the aforesaid time  
15 and place.

16 By Order of the Board of Trustees  
17 Incorporated Village of Floral Park, New York,  
18 Susan E. Walsh, Village Clerk, Dated February  
19 20, 2019.

20 This Legal Notice has been published in  
21 the official paper of the Incorporated Village  
22 of Floral Park, New York, and posted according  
23 to law and sent to the Nassau County Planning  
24 Commission who recommended taking action as  
25 deemed appropriate.

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1           MAYOR LONGOBARDI: Thank you, Miss Walsh.  
2           At this point, I wish to place on the record  
3           that the applicant had previously filed an  
4           affidavit of service indicating that all  
5           neighbors within a 200 foot radius of the  
6           dwelling had been served with notice.

7           With that, I would ask the applicant to  
8           stand up please and be sworn in by our Court  
9           Stenographer and present your application.

10           (Whereupon, Kenneth Garvin and Sureshbhai  
11           Patel were sworn in.)

12           MR. GARVIN: My name is Kenneth Garvin,  
13           Architect. I reside at 545 Eighth Avenue, New  
14           Hyde Park, New York.

15           MR. PATEL: Sureshbhai Patel.

16           MAYOR LONGOBARDI: Can you show us what  
17           you're showing the audience. I want to see  
18           what it is.

19           MR. GARVIN: What I have basically shows  
20           what the previous store front looks like and  
21           what our proposed design will look like with an  
22           awning that needs to be reviewed by the ARB. I  
23           realize that. Also on the board is a map  
24           showing the location of the application on  
25           Covert it relates to other stores on Covert

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1 Avenue to the north and south. It also has a  
2 couple of floor plans in case the Board needs  
3 to ask questions regarding that.

4 TRUSTEE FITZGERALD: Thank you.

5 MR. GARVIN: Good evening, Mr. Mayor,  
6 Board of Trustees and residents of the Village  
7 of Floral Park. I'm here tonight requesting a  
8 special use for my client, Mr. Patel, to be  
9 able to develop a retail store on Covert Avenue  
10 and to be able to sell food products, such as  
11 candy, you know, grocery type elements. His  
12 store will be a convenient store. It's kind of  
13 unique to Covert Avenue. It's -- I can't  
14 really think of one totally the same at what he  
15 is proposing unless you go to another town like  
16 Mike's Convenience on Jericho Turnpike,  
17 something like that.

18 He is here to explain more about the  
19 products that he will be selling in the store  
20 and he did explain to me that he will not be  
21 selling vaping materials or tools or products.  
22 That's one thing that he did explain to me.

23 So, it is a unique business on Covert  
24 Avenue. We feel it will make that strip a  
25 little nicer to have a shop, business of it and

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1 not a vacant store. He has shown that he is  
2 looking to put the money into the store. He  
3 put a new store front in. That was, you know,  
4 the situation, but he did it. He didn't walk  
5 away and he continues -- he wants to open a  
6 store.

7 So, any questions architecturally, I can  
8 answer them. As far as the business, that will  
9 be Mr. Patel, okay? I will turn it over to  
10 him.

11 MAYOR LONGOBARDI: Does he want to say  
12 something right now?

13 MR. PATEL: Yes. First of all, I  
14 apologize for like I take down the store front  
15 without the permit. I didn't know. I guess  
16 this is my first business. I didn't have idea  
17 about this one. Yeah, I fix the, like -- the  
18 previous architect didn't have idea about like  
19 this town and I spent lots of time like, like  
20 11 month, I spent almost like more than \$50,000  
21 behind the store. And like I did water work  
22 and do like -- we fix the front door with the  
23 violation and like, I'm going to do like the  
24 convenient store there mostly like for the like  
25 babies and like mostly like the other like old

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1 people.

2 Like we are going to do delivery for the  
3 grocery and everything like convenient for  
4 single people around there. Like I'm going to  
5 sell their like candy for the kids, books and  
6 everything like frozen product and those kind  
7 of stuff. Yeah, I'm going to sell.

8 MR. GARVIN: He has a list written down of  
9 the products. Do you want a copy of that? It  
10 is a handwritten list.

11 MAYOR LONGOBARDI: That will be very  
12 helpful to us, I think.

13 MR. GARVIN: Okay.

14 MAYOR LONGOBARDI: You can give it to the  
15 Clerk.

16 MR. GARVIN: Is there any question you  
17 have for Mr. Patel?

18 MAYOR LONGOBARDI: At this time, I will  
19 open it up to questions and turn it over to our  
20 Hillcrest Representative on the Board here and  
21 that is Dr. Lynn Pombonyo.

22 TRUSTEE POMBONYO: Thank you. Mr. Patel,  
23 Mr. Garvin. I'm glad you started off by  
24 acknowledging what happened on Saturday,  
25 August 18, 2018 with the demolition of the



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1 store front. I do have to ask you questions  
2 about that. I was there that day in the  
3 afternoon after a lot of the demolition was  
4 done, along with some of the other Covert store  
5 owners, along with the Floral Park Police.

6 You were told by our Building Inspector  
7 earlier in the day to cease demolition. Yet,  
8 when I got there, you're still demolishing the  
9 store. It took Floral Park Police to get that  
10 to stop. What I want to know is why did you  
11 continue?

12 MR. PATEL: Probably like there was a  
13 Chinese guy like didn't list their work like  
14 there -- don't listen to what we say to them.  
15 Like they're like little bit confusing, like  
16 this fixing, like they want to close it because  
17 they were already open. The doors they close.  
18 That's what they're trying to do but like this,  
19 they're like was differently in there. Like  
20 hardly we tried to contact the boss because  
21 they didn't understand what we said to them.

22 TRUSTEE POMBONYO: Were you on site that  
23 day?

24 MR. PATEL: Was I in there?

25 TRUSTEE POMBONYO: At all?

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1           MR. PATEL: No, I wasn't there because  
2 mostly like that is -- wasn't my -- that is the  
3 contractor's decision to do that thing. I  
4 didn't have idea first time I hear the thing.  
5 I have no idea. I took the responsibility and  
6 I fix the thing.

7           TRUSTEE POMBONYO: Yes, the Village is  
8 following up on that problem. Going forward,  
9 we have a lot of important laws in our Village  
10 about stores and properties and what the owners  
11 can do. They're very important to us. We have  
12 them to maintain quality businesses and  
13 maintain businesses that are taking care of  
14 everybody and benefit both communities of  
15 Floral Park and Stewart Manor.

16           How are you going to proceed insuring that  
17 you know what our code requires since this  
18 tremendous problem developed in the beginning  
19 and so much damage was done? We have codes  
20 that have to do with garbage, when you can put  
21 it out, where you can store it. We have codes  
22 about modifying the building and making changes  
23 in it. We have codes about hours that you can  
24 be open. Once you -- if you get accepted for  
25 permits to proceed, there will be laws about

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1 what you can sell and what you can't sell. How  
2 do we know that you are going to obey those  
3 laws?

4 MR. PATEL: Yeah. What I would like -- I  
5 move to do, I can like contract the one like  
6 Village Department, show them they can inspect  
7 all the time. If like, whatever I am going to  
8 put there, if anything like accepted, you can  
9 like penalize me or whatever. I can like -- I  
10 will follow the rules. I can swore to that.

11 TRUSTEE POMBONYO: You understand that you  
12 will be limited on what you can sell there and  
13 you need to check to find out if you're  
14 changing that, if that is legal.

15 MR. PATEL: Yeah, I understand now. I  
16 didn't know I had to go through this process  
17 and these things. I had no idea. I went  
18 upstate and all of this.

19 TRUSTEE POMBONYO: Construction work  
20 didn't either. We are all very sorry about  
21 that too and more than very sorry.

22 MR. PATEL: I understand now what the  
23 process now.

24 TRUSTEE POMBONYO: What hours do you  
25 intend to be open?

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1 MR. PATEL: Morning 7:00 to 8:00 p.m.

2 TRUSTEE POMBONYO: What hours do you  
3 intend to be there?

4 MR. PATEL: Mostly in the evening.

5 TRUSTEE POMBONYO: Who will be there and  
6 how many people will be there?

7 MR. PATEL: My brother will be there.  
8 Mostly like two people.

9 MR. GARVIN: His brother.

10 MR. PATEL: My brother. Most likely two  
11 people will be working there all the time. One  
12 will do delivery and one in the store.

13 TRUSTEE POMBONYO: How are you going to  
14 insure those employees that are there, when you  
15 are not there, will know what to do to make  
16 sure that they are obeying the law with the way  
17 they carry on your business?

18 MR. PATEL: For setting up the business, I  
19 will be there for first two months. After then  
20 I will come -- I will explain. I will take  
21 fully responsibility if anything like happens  
22 like not like Village requirement. I will take  
23 fully responsibility for that.

24 TRUSTEE POMBONYO: Thank you. I may ask  
25 to continue questioning you.

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1           MAYOR LONGOBARDI: I will turn it over to  
2 our Deputy Mayor.

3           TRUSTEE FITZGERALD: Thank you. Following  
4 along with Trustee Pombonyo, you said the hours  
5 will be 7:00 a.m. to 8:00 p.m. Is that seven  
6 days a week?

7           MR. PATEL: Yeah. Sunday will be 5:00.

8           TRUSTEE FITZGERALD: Open or close?

9           MR. PATEL: Close, sorry. 5:00 p.m.  
10 close. 7:00 a.m. to 5:00 p.m. on Sunday.

11           MAYOR LONGOBARDI: Do we have any seating  
12 in the building, seating area?

13           MR. GARVIN: Any chairs for people to sit  
14 down?

15           MR. PATEL: Yeah. There will be one table  
16 and five chairs.

17           TRUSTEE FITZGERALD: Do you know where it  
18 will be on the diagram? I didn't see it.

19           MR. GARVIN: There's a diagram has a round  
20 table. That's where the chairs will be.

21           TRUSTEE FITZGERALD: No more than five  
22 chairs?

23           MR. PATEL: If require then I will put  
24 more chairs.

25           TRUSTEE FITZGERALD: I'm asking you how

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1 many do you anticipate?

2 MR. GARVIN: Five.

3 TRUSTEE FITZGERALD: Will you be doing any  
4 food preparation or food on-site?

5 MR. PATEL: No.

6 TRUSTEE FITZGERALD: Will there be a  
7 microwave in use?

8 MR. PATEL: No, not for -- only for  
9 employee only.

10 TRUSTEE FITZGERALD: Okay. I saw on the  
11 list of items, you said beer. Did you obtain a  
12 beer state liquor license yet?

13 MR. GARVIN: He applied.

14 MR. PATEL: I applied last year but I have  
15 to renew it, but I don't have one now.

16 TRUSTEE FITZGERALD: You don't have one?

17 MR. PATEL: No, it expired.

18 TRUSTEE FITZGERALD: On the list, one of  
19 the items is Boss, B-O-S-S?

20 MR. PATEL: That's a phone card.

21 TRUSTEE FITZGERALD: Okay. Mr. Garvin,  
22 Any changes to the roof?

23 MR. GARVIN: Now that I know of.

24 TRUSTEE FITZGERALD: H-Vac?

25 MR. GARVIN: The roof will stay the same

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1 as it is.

2 TRUSTEE FITZGERALD: Okay. What about  
3 storing products that are not in the cabinets  
4 that exist, that will exist? Like if you get a  
5 delivery, where will you store the products  
6 that you are not immediately selling?

7 MR. GARVIN: Are you going to have a  
8 storage room?

9 MR. PATEL: We have a basement to store  
10 the product.

11 MR. GARVIN: He has a basement.

12 MR. PATEL: Except like --

13 TRUSTEE FITZGERALD: I'm not interested in  
14 the basement or the street. Is it in the  
15 building?

16 MR. GARVIN: There's both. There's a  
17 sidewalk stair that goes down to the basement.  
18 And also there's a stairway in the building  
19 that they can go down.

20 TRUSTEE FITZGERALD: What time do you  
21 expect deliveries to arrive?

22 MR. PATEL: Mostly in the morning, early  
23 in the morning. Like one delivery will be  
24 around 11:00.

25 TRUSTEE FITZGERALD: What delivery

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1 specifically will that be, do you know? You  
2 said one delivery at 11:00.

3 MR. PATEL: Like candy and cigarettes and  
4 all those stuff, like --

5 TRUSTEE FITZGERALD: Okay. Thank you  
6 Mr. Mayor, I may have something later.

7 TRUSTEE CHENG: I'll pass.

8 MAYOR LONGOBARDI: Mr. Chiara?

9 TRUSTEE CHIARA: How does delivery service  
10 work?

11 MR. PATEL: We are going to buy the small  
12 electric bikes so we will use all the time for  
13 delivery and all the stuff in the store, all  
14 the time.

15 TRUSTEE CHIARA: Where are you going to  
16 store the bike?

17 MR. PATEL: Behind the -- we have  
18 backyard.

19 TRUSTEE CHIARA: Excuse me?

20 MR. GARVIN: There's a rear yard right  
21 behind the strip of stores and there's a door  
22 that goes from the store right to the backyard.  
23 So I guess the bike will be back there.

24 TRUSTEE CHIARA: We are talking about an  
25 electric bike or regular bicycle?



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1 MR. PATEL: Yeah, like electric bike.

2 TRUSTEE CHIARA: So, is it going to be  
3 licensed?

4 MR. PATEL: No.

5 MR. GARVIN: If it needs a license?

6 MR. PATEL: I will apply for it.

7 Otherwise, go for the small vehicle -- bicycle.

8 TRUSTEE CHIARA: What hours are you going  
9 to have delivery service to our residents?

10 MR. PATEL: Most in the -- mostly in the  
11 evening like 12:00.

12 TRUSTEE CHIARA: What time will it stop?

13 MR. PATEL: 8:00 in the evening. Close --  
14 when we close the store, we stop delivery.

15 TRUSTEE CHENG: 8:00 p.m.?

16 MR. PATEL: 8:00 p.m, yeah.

17 TRUSTEE CHIARA: Thank you.

18 MAYOR LONGOBARDI: What hours again for  
19 clarification? What items will be delivered to  
20 people?

21 MR. PATEL: Grocery like food products.

22 Mostly candy, water people ask for. I will --

23 am going to make a -- there's like a website,

24 Food Hub, something like on the front people can

25 --

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1           MAYOR LONGOBARDI: So, you have them go  
2 on-line and order food?

3           MR. PATEL: Yeah. Yeah. I would like,  
4 yeah.

5           MAYOR LONGOBARDI: I never heard that for  
6 a convenient store. Something new to me.

7           MR. PATEL: You know like Manhattan, they  
8 do those things now. We will do it too.

9           MAYOR LONGOBARDI: Let me ask you a  
10 question. Does this facility, does the  
11 building have a finished basement?

12          MR. GARVIN: It has a basement, that  
13 store.

14          MAYOR LONGOBARDI: Is it finished? Is it  
15 inhabitable for people to --

16          MR. GARVIN: It's -- I don't -- I'm not  
17 sure if it is habitable. I think it is good  
18 for storage. I don't think people should be  
19 down there for long periods of time.

20          MAYOR LONGOBARDI: You wouldn't be  
21 planning any type of gathering down in the  
22 basement?

23          MR. PATEL: No. I will put the stairs --  
24 they're only like in case, whatever, soda and  
25 everything like that. Maybe the --

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1           MAYOR LONGOBARDI: Strictly for storage,  
2           that's it?

3           MR. PATEL: Only for storage. Nothing  
4           else. Only for storage.

5           MAYOR LONGOBARDI: Another question I have  
6           for you just on the trash and garbage. Where  
7           do you plan on storing the garbage?

8           MR. GARVIN: Where will you store the  
9           garbage?

10          MR. PATEL: In the backyard.

11          MR. GARVIN: The rear yard.

12          MAYOR LONGOBARDI: Will you be using  
13          municipal service for that or private service  
14          for that?

15          MR. PATEL: Probably private. I'm not  
16          sure about that.

17          MAYOR LONGOBARDI: Okay.

18          MR. GARVIN: But you know, as a new  
19          business owner coming into the Village for the  
20          first time, there's a lot of things he has to  
21          learn, as the Boards knows. So maybe there is  
22          a list you can give him of, you know, this is  
23          what you have to do. As owning a retail store  
24          in the Village, these are the rules for him to  
25          show it to his employees. These are the

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1 rulings and --

2 MR. PATEL: I'll ask the neighbors in like  
3 use the same company like they are using.

4 MAYOR LONGOBARDI: Okay. You know at this  
5 time, what we will do at this time is if the  
6 Board doesn't have any questions -- Dr.  
7 Pombonyo?

8 TRUSTEE POMBONYO: You plan to sell beer?  
9 What will be your procedure of ensuring that it  
10 is just the customers of age that are to ones  
11 to buy beer?

12 MR. PATEL: I will tell my employees to  
13 get the training for the tobacco and ask for --  
14 I'll tell my employees to ask all the time the  
15 I.D. cards for the like.

16 TRUSTEE POMBONYO: Are you familiar with  
17 such training program?

18 MR. PATEL: Yeah. Like my cousin, he like  
19 in other place like the -- for all the as --  
20 like on-line training to the, like work  
21 requirement, you know. I'm familiar with that.

22 TRUSTEE POMBONYO: Have you ever taken  
23 that training?

24 MR. PATEL: No, I didn't take it.

25 TRUSTEE POMBONYO: Do you intend to take

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1 the training?

2 MR. PATEL: Yeah, I will do the training.  
3 Yeah, it is like \$25 or something like that. I  
4 will do that.

5 MAYOR LONGOBARDI: You mention, I  
6 apologize, another place. Where is your  
7 other -- what other location?

8 MR. PATEL: No, my cousin. My cousin did  
9 the training, so I know like --

10 MAYOR LONGOBARDI: I'm sorry. I  
11 misunderstood.

12 TRUSTEE CHENG: So, I'm a little confused.  
13 You said you obtained a liquor license that's  
14 now expired?

15 MR. PATEL: Like I apply for the liquor  
16 license. I got the license, but I give like  
17 the picture photos, like the sign photos and  
18 everything now like it is 2018. I applied in  
19 June.

20 TRUSTEE CHENG: You're saying to me you  
21 obtained a liquor license through this lawyer?

22 MR. PATEL: Yeah and also he didn't give  
23 my -- the license, but before, that I give them  
24 like pictures, inside pictures, outside  
25 pictures. After then license.

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1 TRUSTEE CHENG: You made the application?

2 MR. PATEL: Yeah, we made the application.

3 TRUSTEE CHENG: You did not get the  
4 license because you have to go through the  
5 training prior to getting the license. So, you  
6 never had a license?

7 MR. PATEL: No, never -- never had a  
8 license.

9 TRUSTEE CHENG: Thank you.

10 MR. RYAN: Can I ask a question?

11 MAYOR LONGOBARDI: Yes, Mr. Ryan.

12 MR. RYAN: I may not have heard it clearly  
13 because of the board, but you said that you are  
14 going to have a table inside the premises?

15 MR. PATEL: Yeah.

16 MR. RYAN: With five chairs?

17 MR. PATEL: Yeah.

18 MR. RYAN: What is that for?

19 MR. PATEL: For Quick Draw.

20 TRUSTEE CHENG: The lottery?

21 MR. RYAN: Keno.

22 MAYOR LONGOBARDI: Quick Draw is a form of  
23 lottery that plays every couple of, I think it  
24 plays every 10 minutes, every 4 minutes? 4  
25 minutes.

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1           MR. RYAN: I want to understand that he  
2 will have people sitting at a table watching  
3 this thing all day?

4           TRUSTEE CHENG: It is a screen.

5           MR. PATEL: It is a screen, like a T.V.  
6 screen.

7           MAYOR LONGOBARDI: The way I understand  
8 Quick Draw, it is a lottery game put out, I  
9 believe, by New York State. You watch it on  
10 the screen. It plays every four minutes so  
11 people, I guess, will be congregating and  
12 sitting there watching the game play?

13          MR. PATEL: Yeah.

14          MAYOR LONGOBARDI: You can bet on it every  
15 time; is that correct?

16          MR. PATEL: Correct.

17          MAYOR LONGOBARDI: You have to forgive me.  
18 My wife will not let me gamble. Mr. Ryan, do  
19 you have any other questions?

20          MR. RYAN: I think he explained what it  
21 is. I know he has to get a license after the  
22 program. It is up to you though. If it is a  
23 convenient store, I don't know if having a  
24 table and five chairs is with that use, but  
25 that's up to you.

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1           MAYOR LONGOBARDI: Okay. Thank you. At  
2 this time, unless the Board has any other  
3 questions, right now, I'd like to open it up to  
4 the residents and neighbors. So, I ask you to  
5 please take a seat. If anybody wants to be  
6 heard on this application, we ask that you come  
7 up, please state your name and please be sworn  
8 in by our Stenographer, okay? So again, sir,  
9 we'll start with you and go there. I'll let  
10 him go, then you.

11           (Whereupon, Anthony DeFrancesco was sworn  
12 in.)

13           MR. DEFRANCESCO: Anthony DeFrancesco, 14  
14 Marshall Avenue. We're going to sell liquor  
15 and gambling on Covert Avenue? This -- there's  
16 nothing this gentleman is going to sell that is  
17 not for sale already. It is just -- doesn't  
18 seem that -- you got high school kids walking  
19 up and down the street and a store like this is  
20 going to draw them like flies to honey and it  
21 just doesn't seem right that you could have  
22 this type of business with people walking up  
23 and down. It doesn't seem right.

24           MAYOR LONGOBARDI: Okay.

25           MR. DEFRANCESCO: Okay.



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1           MAYOR LONGOBARDI: Thank you, sir.

2           (Whereupon, Barry Frank was sworn in.)

3           MR. FRANK: Barry Frank, 39 Beverly  
4 Avenue. So, in the very beginning, I don't  
5 remember the gentleman's name, this will be a  
6 different type of convenient store? And with  
7 Key Food, Raindew, the deli, with all the other  
8 stores to buy all of these products, I want to  
9 know what makes this different? In addition to  
10 that, with the addition of on-line delivery  
11 service, the store doesn't seem to offer  
12 anything that is not already available. My  
13 question to you, what makes your service store  
14 different?

15           MR. GARVIN: It has a table and five  
16 chairs.

17           MR. FRANK: Okay. The second thing I  
18 would like to piggy-back on what the previous  
19 gentleman said, if you are going to sell to  
20 gambling and alcohol around the corner from me  
21 and my three year old daughter, doesn't seem  
22 like it is the best decision for this  
23 neighborhood.

24           MAYOR LONGOBARDI: Thank you. Anybody  
25 else like to be heard? Sir.

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1 (Whereupon, Mark Relmo was sworn in.)

2 MR. RELMO: Mark Relmo, 31 Beverly Avenue.

3 A couple of questions. First of all, it is  
4 probably my fault I can't hear as well as I  
5 used to. I didn't understand much of the  
6 conversation. What I did get though was, first  
7 of all, five chairs and a table. What is the  
8 parking? How is that going to impact parking?  
9 There will be people congregating there.

10 They're not all going to walk there. They will  
11 be driving. Where are they going to put the  
12 cars? Did anybody do a study on that? Second  
13 of all, alcohol. This man, you mentioned they  
14 had a problem in the beginning of this. They  
15 began work without the proper permits. Is that  
16 what it was?

17 TRUSTEE POMBONYO: Correct.

18 MR. RELMO: I don't know if that speaks  
19 for itself right there. How do I know this  
20 will be a legit place? I don't know.

21 MAYOR LONGOBARDI: Thank you. We're  
22 taking everything all of you say, so thank you.

23 (Whereupon, Catherine Grassman was sworn  
24 in.)

25 MS. GRASSMAN: Catherine Grassman. I live

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1 at -- in -- I own property on Covert Avenue.  
2 I'm here as a representative of the Covert  
3 Avenue Chamber of Commerce, which I am now the  
4 Vice President of on both sides of Covert  
5 Avenue, Stewart Manor, Floral Park. I get  
6 nervous when I talk. Sorry.

7 From a business point of view, we don't  
8 like empty store fronts. my particular business  
9 is on Covert Avenue for over 30 years and in  
10 the 30 years, we've all been mom and pop  
11 businesses, all very personal. We know the  
12 neighbors, the families, everything that is  
13 going on. I know I am a stickler for store  
14 front cleanliness.

15 The parking, like the gentleman said, is  
16 going to be a really big issue and everyone  
17 that knows me, I'm like a parking advocate on  
18 the avenue there. The congestion as it is,  
19 bicycle, pedestrians walking. I don't live  
20 here, but I do live here.

21 The alcohol part and then I also think of  
22 at night. You don't know what is going to be  
23 drawn to buy that beer, that six pack of beer,  
24 cigarettes and you know. You never know what  
25 else might be sold that you don't see under the

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1 counter. I have boys. I have kids and I'm  
2 sure we all do. Things mysteriously appear.  
3 It will bring vandals. We have to watch out  
4 for our stores and store owners. I don't wish  
5 anybody bad, anything like that, by all means,  
6 but I am here to protect the store owners also.  
7 We invest a lot. I invested my whole life, 30  
8 years. I want to make sure it doesn't bring  
9 any -- it is a safe community. It is a great  
10 community. I don't want to bring any ill-will,  
11 bad karma. I'm trying to be correct here. I  
12 know a lot of the families and children and I  
13 watch them grow up. It is a great place and  
14 keep bringing in more. I'm rambling. I think  
15 you got the point.

16 MAYOR LONGOBARDI: Thank you for your  
17 comments.

18 MS. GRASSMAN: Thank you.

19 MAYOR LONGOBARDI: Anybody else who wishes  
20 to be heard? Sir.

21 (Whereupon, Angela Savares was sworn in.)

22 MR. SAVARESE: Angela Savarese, 29  
23 Marshall Avenue. I would like to know if he  
24 will have lotto? Is it -- is there going to be  
25 lotto machines there?

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1           MAYOR LONGOBARDI: Yes.

2           TRUSTEE CHENG: Yes.

3           MR. SAVARESE: Raindew already has lotto  
4 and 7-Eleven and I don't know who else, but  
5 there's -- we don't need another lotto place.  
6 Is he going to sell the little tissues for the  
7 now -- special little tissues that they sell in  
8 the store for the pot? Are they going to sell  
9 that?

10          TRUSTEE CHENG: That's not on the list.

11          MS. SAVARESE: That's not on the list,  
12 okay. So, he is not going to sell that?

13          TRUSTEE CHENG: I didn't say that. I said  
14 it is not on the list. I'm not saying that.

15          MS. SAVARESE: Because there's a lot of  
16 teenagers. They all hang out by the pizza, all  
17 by pizza. Before you know it, they will be  
18 going into that store, buying things that are  
19 not legal. This is how we feel. Okay. That's  
20 all I have to say. Okay.

21          MAYOR LONGOBARDI: Thank you.

22                 (Whereupon, Peter Figueroa was sworn in.)

23          MR. FIGUEROA: Peter Figueroa, 47 Beverly,  
24 Floral Park. My question is, that again, is  
25 the -- a lot of kids go around that area during

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1 lunch time and they gather in front of any  
2 store they can get comfortable with. Again,  
3 back to the five chairs and the table, are they  
4 going to be allowed to sit there and eat cake,  
5 candy at the table and then maybe someone come  
6 in and say, I will sit, take a beer, sit there  
7 and drink it? That's my question. Are they  
8 available for that?

9 MAYOR LONGOBARDI: We will give the  
10 applicant an opportunity to address all the  
11 questions.

12 MR. FIGUEROA: Okay. That's fine. I just  
13 bring it up. There will be little kids going  
14 out for ice cream, Carvel. All the facilities  
15 for the kids to enjoy. If that store is any  
16 different, I can't catch the difference because  
17 somebody said before there's a lotto machine  
18 over at Raindeew across the street. There's ice  
19 cream across the street and the delis. There's  
20 ice cream. That will be food at Key Food.  
21 There will be food at the new 7-Eleven. So, I  
22 don't know what this is going to generate.

23 So, I'm a little concerned with what they  
24 started off with. Are they going to sell  
25 cigarettes and cigars? I guess maybe other

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1 artificial cigarettes that throw smoke all over  
2 the place. Those are my concerns with the  
3 store there. We have a lot of stores that the  
4 people can get all the stuff they need.

5 And the other thing is that I just found  
6 out about the store just the other day and I  
7 said, I live very close to Covert. I never got  
8 any information regarding 47 Beverly being  
9 taken up for a store.

10 MAYOR LONGOBARDI: I'm checking,  
11 Mr. Figueroa. Let me see if you are on the  
12 list, if you -- we got the list.

13 MR. FIGUEROA: I think some of my  
14 residents didn't get it either right next to  
15 me.

16 TRUSTEE CHENG: 47 Beverly?

17 MR. FIGUEROA: Yes.

18 TRUSTEE CHENG: Off of Covert Avenue after  
19 the fish market?

20 MR. FIGUEROA: Yes.

21 TRUSTEE CHENG: There's approximately four  
22 and a quarter lots in that 200 radius. I don't  
23 know if you're not by address. We don't have  
24 it by address. I can show you the map.

25 MR. GARVIN: How many houses are you in

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1 from Covert?

2 MR. FIGUEROA: I would say about seven.

3 MR. GARVIN: Yeah.

4 TRUSTEE CHENG: If it is -- the address,  
5 it goes up to a quarter of 27 Beverly that's  
6 200 feet.

7 MR. FIGUEROA: Okay.

8 TRUSTEE CHENG: Again, I am going by what  
9 the map is here.

10 MAYOR LONGOBARDI: That's what is here.

11 TRUSTEE CHENG: 11, 15, 19, 27 and a small  
12 section of 27.

13 MR. FIGUEROA: The other thing --

14 MS. WALSH: And I have those.

15 MR. FIGUEROA: I don't understand how this  
16 is up for grabs now. They fixed up the whole  
17 store prior to -- I mean the front of it, prior  
18 to them being approved to go in there. Why are  
19 they spending all the money on it?

20 MAYOR LONGOBARDI: Basically from what I  
21 can tell you, from my perspective is very  
22 simply they damaged the front of the building  
23 and had to fix it.

24 MR. FIGUEROA: Okay. I didn't know that.

25 MAYOR LONGOBARDI: Without the permits.



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1 MR. FIGUEROA: So, they damaged, they had  
2 to replace the whole thing. Good idea. Very  
3 good idea. Okay, that's my question.

4 MAYOR LONGOBARDI: Thank you,  
5 Mr. Figueroa.

6 MR. FIGUEROA: The concern is the little  
7 kids in the neighborhood that enjoy going up to  
8 Covert for ice cream cones and things like  
9 that. Thank you very much.

10 MAYOR LONGOBARDI: Thank you so much.  
11 Thank you for your comments. Anybody else  
12 would like to be heard? With that, I would  
13 like to get -- I'm sorry. Again, I want to  
14 thank our CSEA President for being here with  
15 his staff. I realize tomorrow is an early  
16 morning. Thank you guys.

17 (Whereupon, Joan O'Connor was sworn in.)

18 MS. O'CONNOR: Joan O'Connor, 121 Beverly  
19 Avenue in Floral Park. I've lived there for 25  
20 years with my husband and I. We are -- we try  
21 very hard to support all the stores on Covert  
22 Avenue and on both sides of the street and in  
23 Floral Park. And I -- I'm not, again, a new  
24 store coming in because that's the tax revenue  
25 for the town.

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1           I have a couple of questions. The license  
2           for selling the beer, which is -- many of the  
3           stores has it. It is not an issue, but what is  
4           going to be enforcement if somebody buys a beer  
5           from that store and open it up in front of the  
6           store? Can't do it by the bars. Can't do it  
7           by 7-Eleven. They're a pretty good neighbor.  
8           But it really has to be to the person of the  
9           store making sure that is not happening.

10           The other thing is Mike's Convenient Store  
11           which is on Jericho Turnpike, a nice store. I  
12           buy my newspaper there. They just expanded  
13           with the vaping and all of that and the JUUL  
14           and all the stuff going on with these kids. It  
15           is a profit margin for them in a new store. If  
16           you're not making money, are you going to go to  
17           that? What are we going to do about that if  
18           Floral Park said you cannot sell it? Are we  
19           going to stick to that? Who is going to  
20           enforce that? That's a problem with the young  
21           kids with the vaping already. And the schools,  
22           it is outside the schools. I'm retired from  
23           the police department. I know what is going  
24           on. These guys -- the kids are out there,  
25           kids. You don't want to fault them, but what

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1 are we going to do if the store starts to sell  
2 the stuff? Are we going in tell them they  
3 can't do it? What can we do?

4 MAYOR LONGOBARDI: What we can do is  
5 establish and stipulate they can't.

6 MS. O'CONNOR: They won't.

7 MAYOR LONGOBARDI: Again, it is an  
8 agreement, basically. That will give us the  
9 ability to enforce it.

10 MS. O'CONNOR: Okay. Thank you.

11 MAYOR LONGOBARDI: Thank you, Miss  
12 O'Connor.

13 (Whereupon, Sam Siriano was sworn in.)

14 MR. SIRIANO: Sam Siriano, 17 Kenneth  
15 Court. The five chairs and table, you really  
16 don't need this store because you can sell  
17 lotto without selling that one game whether you  
18 have to sit and watch the screen. Rainew  
19 sells them. The liquor store across the street  
20 sells lotto and do very well, but there is no  
21 one sitting there all day or whatever, playing  
22 this one game. So he can eliminate that one  
23 game. But I want to know, the big thing with  
24 me, he is not going to sell hot food, correct?

25 MR. PATEL: No.

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1 MR. SIRIANO: Not a hot dog?

2 MR. PATEL: No.

3 MR. SIRIANO: There will be nothing, a  
4 microwave warming up there?

5 MR. PATEL: No, nothing.

6 MAYOR LONGOBARDI: Thank you. Anyone else  
7 that wishes to be heard?

8 (Whereupon, Bob Slatic was sworn in.)

9 MR. SLATIC: Bob Slatic, S-L-A-T-I-C.  
10 Floral Park for 40 years. I live at 81  
11 Marshall Avenue. I know the strip very well.

12 The bagel shop across the street is  
13 doing -- all the kids from the high school  
14 going over there buying bagels and stuff like  
15 that and there's -- it is very safe community  
16 that we live in. I mean, you already going to  
17 have gambling over at the track, you know and  
18 there's no necessity to have something like  
19 that. There's nothing that he is providing  
20 that we don't have already in the Village. As  
21 people say, you got Raindeu and that's a very  
22 nice store. It carries plumbing. It carries  
23 everything. We got rid of the gas station,  
24 increased the value of the area. We don't have  
25 the smell in petroleum around anymore.

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1           But you know along the whole area over  
2 there, you have the restaurant next door. They  
3 have a liquor license. Some villages have  
4 liquor license. You have to allow 300 to  
5 500 feet before you can have another liquor  
6 license availability. Because of, you know,  
7 congestion of, you know, and stuff like that.  
8 And you have lottery tickets all over the  
9 place, you know. Stewart Manor, you had the  
10 Irish store over there, which I don't know what  
11 happened to them, but you had the piano store  
12 studio over there giving lessons and stuff like  
13 that.

14           But you know, things change. People are  
15 on computers and cell phones, that sort of  
16 dissipates. That's why they retired and went  
17 out of business, you know. We're looking at  
18 stores that give value to the community, you  
19 know. Kids walk up and down the Covert Avenue.  
20 You have Stewart Manor across the street. I  
21 don't know if they have any input to what we're  
22 having. We have a small Village. We have been  
23 intact a long time. We have to take a look at  
24 what the business schedule is for. What is  
25 happening, you know, okay. That's all I have

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1 to say. Thank you.

2 MAYOR LONGOBARDI: Thank you. Thank you,  
3 sir. Thank you.

4 (Whereupon, Harry Soehngen was sworn in.)

5 MR. SOEHNGEN: Harry Soehngen,  
6 S-O-E-H-N-G-E-N, 40 Marshall Avenue. My  
7 problem is with the parking. The problem with  
8 parking on Marshall, every place around there  
9 all the time. So, you will have a table with  
10 five people by chance. Where are they going to  
11 park the cars? Plus there was another store  
12 few years ago that tried to do the same thing,  
13 open a convenient store. They found out they  
14 will be serving coffee, bagels in the morning,  
15 butter bagels, coffee and everything else.  
16 These people will be sitting there playing all  
17 day, playing Keno or whatever game there is.  
18 It is not the type of store that is really  
19 needed there.

20 MAYOR LONGOBARDI: Okay. Thank you very  
21 much. Thank you. Anybody else wishes to be  
22 heard?

23 With that, I will invite the applicant  
24 back to address any of these issues that they  
25 wish to.

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1           MR. GARVIN: Thank you, Mr. Mayor, Board  
2 of Trustees. All the opinions and comments  
3 from the neighbors are well taken. My client  
4 explained to me that he is now going to get rid  
5 of the table and chairs and get rid of the  
6 Quick Draw machine. He will still sell lotto  
7 tickets, scratch-off, but will not have a sit  
8 down area in his store.

9           The other thing is with regards to I.D.  
10 and proofing anyone that comes into buy tobacco  
11 products or alcohol. He will make sure his  
12 employees are trained and understand how to  
13 check I.D. and make sure that these people look  
14 like their licenses, et cetera. I don't know  
15 if it's -- when you issue a special use, if you  
16 can put conditions on it. I'm not sure if this  
17 is something that --

18           MAYOR LONGOBARDI: As far as I know, yes,  
19 we can.

20           MR. GARVIN: Maybe as you issue special  
21 use and list the conditions such as, you know,  
22 no table and chairs, no Quick Draw, no selling  
23 to underage people and then if he violates it,  
24 close the store. He gets fined and then the  
25 store is empty again. But at least you have

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1 something to, you know, do the right thing.  
2 I'm sure he doesn't want to hurt his business.  
3 I am sure he wants to be a welcoming part of  
4 the community. He will have a little  
5 different -- a different selection of beers  
6 than Key Food has or I don't know who else has  
7 beer on the strip, but it will be a little  
8 different.

9 MR. PATEL: We're going to sell like craft  
10 beer, different kinds of beer like going to be,  
11 like, do like if people want single thing, like  
12 it is too crowded like when people go like, I  
13 think, like because too crowded in the place.  
14 Even Key Food you go check out all the services  
15 provide like the convenient too fast. If one  
16 thing people want to go and come out. That's  
17 all I would like.

18 MAYOR LONGOBARDI: Let me ask you about  
19 delivery service again. Would you be  
20 delivering beer?

21 MR. PATEL: Not beer, just food.

22 TRUSTEE CHENG: It is a violation.

23 MR. PATEL: Grocery and not beer.

24 MAYOR LONGOBARDI: It is just a violation.

25 TRUSTEE CHENG: I know the hearing is



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1 still going on. I hope that people from --  
2 people Hillcrest stick around about the  
3 meeting. We want to talk about roads,  
4 specifically about Hillcrest. So please don't  
5 leave. I'm sorry.

6 MAYOR LONGOBARDI: Okay. Will you have a  
7 security system in the store with cameras?

8 MR. PATEL: Yes, camera and system, yeah.

9 MAYOR LONGOBARDI: Okay. Anybody on the  
10 Board have any other questions?

11 TRUSTEE FITZGERALD: If may, Mr. Mayor.  
12 For the record, will there be consumption of  
13 food or beverages on-site, yes or no? Will  
14 people be allowed to --

15 MR. GARVIN: Drink or eat inside?

16 MR. PATEL: No. No. No, not in the  
17 store.

18 TRUSTEE FITZGERALD: I believe Miss  
19 Savarese spoke about selling cigarette paper.

20 MR. PATEL: No, not cigarette paper, just  
21 cigarettes only.

22 TRUSTEE FITZGERALD: Thank you.

23 MAYOR LONGOBARDI: With that, I thank you  
24 for your application. I thank everybody for  
25 their comments. They're very important to us.

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1 They're very important to us and I ask for  
2 actually a motion to close the public hearing  
3 and reserve decision.

4 TRUSTEE FITZGERALD: So moved.

5 TRUSTEE POMBONYO: Second.

6 MAYOR LONGOBARDI: Miss Walsh, would you  
7 poll the Board, please.

8 MS. WALSH: Trustee Fitzgerald?

9 TRUSTEE FITZGERALD: Aye.

10 MS. WALSH: Trustee Pombonyo?

11 TRUSTEE POMBONYO: Aye.

12 MS. WALSH: Trustee Cheng?

13 TRUSTEE CHENG: Aye.

14 MS. WALSH: Trustee Chiara?

15 TRUSTEE CHIARA: Aye.

16 MS. WALSH: And Mayor Longobardi?

17 MAYOR LONGOBARDI: Aye. Thank you again  
18 very much.

19 MR. GARVIN: Thank you for your  
20 consideration.

21

22 Certified to be a true and  
23 accurate transcript of the proceedings.

24

25

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CATHERINE P. MURPHY  
Court Reporter