July 16, 2019

A Public Hearing for the Board of Trustees was held on the above date at 8:00 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 and Building Department Stephen Siwinski, Deputy Superintendent of Public Works Kevin Ginnane, Police Commissioner Stephen McAllister, Fire Chief Sal Arrigo and Village Attorney John E. Ryan

Purpose: To provide residents of the Village with the opportunity to present written and oral comments in relation to extending the existing Franchise Agreement with AAA Taxi Service, Inc. for a term of three (3) years and its related entity, Victory Leasing Corp., for the solicitation of commercial business for the transportation of passengers for taxi service in Floral Park, New York.

On motion by Trustee Fitzgerald, seconded by Trustee Pombonyo, and carried unanimously, the Board closed the hearing and reserved decision which was 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 8:25 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

LEGAL NOTICE

NOTICE OF PUBLIC HEARING OF THE VILLAGE OF FLORAL PARK

NOTICE is hereby given that, pursuant to Chapter 85 of the Code of the Incorporated Village of Floral Park, the Board of Trustees of the Incorporated Village of Floral Park, New York will hold a public hearing at the Village Hall, One Floral Boulevard, Floral Park, New York on Tuesday. July 16, 2019 at 8:00 pm in relation to extending the existing Franchise Agreement with AAA Taxi Service, Inc. for a term of three (3) years and its related entity, Victory Leasing Corp. for the solicitation of commercial business for the transportation of passengers for taxi service in Floral Park, New York.

A copy of the existing Franchise Agreement is on file in the Office of the Village Clerk, One Floral Boulevard, Floral Park, New York 11001 and may be examined by any persons interested therein during business hours Monday through Friday, inclusive, except legal holidays, from 8:30 am to 4:30 pm.

NOW TAKE NOTICE that all parties in interest and citizens will be given the opportunity to be heard at the aforesaid time and place.
BY ORDER OF THE BOARD OF TRUSTEES
VILLAGE OF FLORAL PARK, NY

SUSAN E. WALSH VILLAGE CLERK

Dated: July 3, 2019

1	MINUTES
2	OF THE MEETING
3	OF THE
4	PUBLIC HEARING
5	INCORPORATED VILLAGE OF FLORAL PARK
6	July 16, 2019
7	8:00 p.m.
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9	PRESENT:
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11	DOMINICK LONGOBARDI, MAYOR
12	KEVIN M. FITZGERALD, DEPUTY MAYOR/TRUSTEE
13	ARCHIE T. CHENG, TRUSTEE
14	DR. LYNN POMBONYO, TRUSTEE
15	FRANK J. CHIARA, TRUSTEE
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17	ALSO PRESENT:
18	JOHN RYAN, ESQ. Village Attorney
19	GERARD M. BAMBRICK, Village Administrator
20	SUSAN E. WALSH, Village Clerk
21	STEPHEN SIWINSKI, Supt. Public Works & Bldgs.
22	STEPHEN MCALLISTER, Police Commissioner
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25	Catherine P. Murphy Court Reporter

MAYOR LONGOBARDI: Good evening everybody. Thank you all for being here. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance said.)

MAYOR LONGOBARDI: Again, welcome everybody. Thank you again for coming tonight. It is a beautiful summer night. I know you don't want to spend time here.

First and foremost, we have a public hearing tonight. After that, we will have our administrative calendar. Following that, we will have our Board reports and then of course, we will open up the floor to our residents.

With that, Miss Walsh, let's get started with the public hearing.

MS. WALSH: Thank you, Mayor Longobardi.

Legal Notice. Notice of Public Hearing of the

Village of Floral Park.

Notice is hereby given that pursuant to
Chapter 5 of the Code of the Incorporated
Village of Floral Park, the Board of Trustees
of the Incorporated Village of Floral Park, New
York will hold a public hearing at the Village
Hall, One Floral Boulevard, Floral Park, New
York on Tuesday, July 16, 2019 at 8:00 p.m. in

relation to extending the existing Franchise Agreement with AAA Taxi Service, Inc, for a term of three (3) years and its related entity, Victory Leasing Corp, for the solicitation of commercial business for the transportation of passengers for taxi service in Floral Park, New York.

A copy of the existing Franchise Agreement is on file in the Office of the Village Clerk, One Floral Boulevard, Floral Park, New York 11001 and may be examined by any persons interested therein during business hours Monday through Friday, inclusive, except legal holidays from 8:30 a.m. to 4:30 p.m.

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

By Order of the Board of Trustees Village of Floral Park, New York. Susan E. Walsh, Village Clerk, dated July 3, 2019.

This legal notice has been published in the official paper of the Incorporated Village of Floral Park, New York and posted according to law.

MAYOR LONGOBARDI: Thank you, Miss Walsh.

As everybody knows, AAA Taxi is a long
established business in our community. We're
very grateful for the many years they have been
a solid part of our community and the many
things they have done.

There are some questions that I know we all have in regards to some of the things that are associated with your application. So, I will ask if a representative from AAA Taxi will come up. Thank you. You can introduce yourself and give your name and address and be sworn in by the Court Stenographer.

MS. SWENSON: My name is Karen Swenson from Long and Tuminello, 120 Fourth Avenue, Bayshore, New York. I'm the attorney for AAA Taxi. Good evening.

Good evening Mayor Longobardi and Members. I am here as a representative of AAA Taxi for the renewal of Franchise Agreement with the Village of Floral Park. Their prior agreement was dated May 7, 2016 and they're currently seeking, not only to renew, but a modification of the rate adjustment. The current rate is \$3.50 plus a 50 cent fuel charge. We are now

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requesting that that rate be increased to a \$6 flat fee with no fuel anywhere as a local fare.

I think that everyone can attest to the fact that AAA has provided excellent service to the Village for over 50 years and has done such gratuitous things as offering free rides to senior citizens to and from church and will continue to do so. However, the current environment requires a rate increase and I will explain why.

Members of the Board, New York State has passed a law in 2017 that requires our companies to continue to register and to be monitored by villages and towns and counties. However, transportation network companies such as Uber and Lyft and other transportation network companies where there's an app involved, to be treated completely differently. They do not have to comply with any kind of Village regulations. They do not have to be inspected. They do not have to do driver background checks. They do not have to obtain permits. They don't have to pay permits with the Village. They do not have to run sex offense checks. All that we do and that incurs

So, Uber in and of itself is now, the average rate locally is approximately \$8 to \$9. We're not asking for that. We're just simply asking for a \$6 flat fee to be able to compete in the ever changing environment where technology has completely changed the transportation industry. Our clients love the area, love the community. They do what they can to provide free rides to seniors when possible, but we are required, of course, and are happy to do so because safety, it is the upmost importance of the community. We have no problem with complying with that.

We have permits to obtain. We have to do vehicle inspections, no surge pricing, annual taxi cab fees, driver permits, insurance requirement, twenty-four hour dispatch requirement and office requirement within the Village which we comply with all costs.

However, with that, the \$3.50 is not adequate at this point three years later.

So, we therefore request to renew our relationship with the Village and continue to be the provider of transportation within the

Village. We're only requesting that \$6 flat fee as opposed \$3.50 plus 50 cent fuel charge.

Does anyone have any questions?

MAYOR LONGOBARDI: Thank you very much. There are several questions. There are some items within the current franchise agreement that over the time seems to be lacking and I just want to raise the attention of that.

First and foremost of course is the location on Verbena Avenue and the use of cars parking, taxi cab parking on Verbena or sitting double parked at times and things like that.

We have had issues with that and I want to make sure those issues are going to be addressed before we again renew this agreement.

As I said, it's been a phenomenal staple in our community and yes, we are very grateful for the things they do. Unfortunately, we have other issues with that. That is one thing that I know and I realize it is part of doing business, but it has caused us some issue, cars double parked on Verbena and in front of the office and so on. I need to be assured and the residents need to be assured that is going to be addressed, taking care of and will not

happen going forward. So --

MS. SWENSON: I can assure you now that I am aware of the issues, we will be making it a priority to make sure that we're not congesting traffic in the Village or in anyway impeding the cars in and out of Verbena. We will be making sure that all vehicles are parked properly and we will now be moving across the street within the next month and going to be making other arrangements for vehicles so they will not be double parked.

MAYOR LONGOBARDI: Thank you. I am going to turn it over to my colleagues. So, Deputy Mayor Kevin Fitzgerald.

TRUSTEE FITZGERALD: Thank you and thank you for all you do in the community. I really appreciate it. You said moving across the street?

MS. SWENSON: Yes, sir.

TRUSTEE FITZGERALD: There's no parking on that side of the street at all.

MS. SWENSON: Just the office is moving.

The cars will not be parked there. It is just
a matter of the office for clerical purpose.

TRUSTEE FITZGERALD: If I can ask the

Police Commissioner, are you aware of any complaints by any residents about the taxi service, placed into the police department?

POLICE COMMISSIONER MCALLISTER: No, not actually. The only thing will be maybe complaints about double parking on Verbena.

TRUSTEE FITZGERALD: No individual complaints about drivers or --

POLICE COMMISSIONER MCALLISTER: No.

TRUSTEE FITZGERALD: Thank you.

POLICE COMMISSIONER MCALLISTER: We had them out before.

TRUSTEE FITZGERALD: And once they're approved, everything's been fine?

POLICE COMMISSIONER MCALLISTER: Correct.

We have turned several applications as Richie knows.

MS. SWENSON: And that's the beauty of having our company that you are able to monitor them. As you know with Uber, Lyft, if you read in the paper, there are people with extensive criminal records driving, no background checks. So, the Village has very tight control and we're happy to comply with all the regulations to prove to our community that we are very

- 7/16/19 - BOARD OF TRUSTEES - AAA TAXI SERVICE - interested in their safety.

TRUSTEE FITZGERALD: And the agreement as it stands, the cars will be 2015 or later. Is that changing at all or all cars --

MS. SWENSON: Well, the maximum ability to be two -- to be seven years old. We would like to request and don't want to make it contingent upon that, but if possible, we would like to make it an additional year of 8 years, given the fact, our cars are driven a lot less because of the influx of Uber and Lyft. The business down-turn is tremendous across the board for all of taxi cabs on Long Island. There's absolutely no question about that. And so therefore, the mileage is less, maintenance is less and given the fact the Village has the opportunity to inspect all the vehicles, we would also like it to be extended even just a year, if the Village would approve that. course, you always have the ability to turn down any vehicle that you do not feel is safe, but our client is very vigilant in maintenance and repairs and if the mileage is low and condition of the vehicle is excellent, it seems like a little bit of a waste to incur

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additional costs to get rid of a safe and reliable vehicle in good condition.

TRUSTEE FITZGERALD: So I understand, you're requesting not to have -- have vehicles that are no older than 8 years old at all times?

MS. SWENSON: Yes, sir.

TRUSTEE FITZGERALD: Okay.

TRUSTEE POMBONYO: Thank you. Thank you for your service to the Village and thank you.

Just two questions. One relates to the parking, specifically on Caroline Place which is in front of the public library. It is across from the train station. It is available, but it is not allowed. Taxis that are often parked in a couple of spaces and several there, they might be double parked with drivers talking to each other. What is the follow-up when that is reported to the cops, how is that handled?

MS. SWENSON: We will implement a company policy with all our drivers to make sure they're properly trained that this is something that will cause possible termination if they violate the rules that the Village is very

concerned about this and it is not acceptable in their performance as employees. We are happy to implement that employee plan that will address this issue with each driver individually to make sure they're aware of the Board's strong feelings about this issue.

TRUSTEE POMBONYO: Because parking does seem to come up again and again with the Trustees and Police Commissioner. It has to be a priority.

Also, it is noted by many that the condition of the various vehicles varies tremendously from really excellent and clean and just a pleasure to drive in to, I guess, older ones, not seemingly in good condition, are making noises, things like that and filled with cigarette smoke or an odor of it, very pervasive.

So, what is done by management to check these vehicles on a more regular basis because some of the problems ones can't be just problematic for that one ride. They seem to be in that condition and how can we prevent that from happening?

MS. SWENSON: The Franchise Agreement

calls for no smoking in the vehicles. My client has a company policy with regard to no smoking in the vehicles. Therefore, if it is something now addressed and my client wasn't aware of that, again, it will be addressed with each driver. It is something forbidden in vehicles and we're aware that's a major concern of anyone riding in a vehicle. We don't want to be exposed to smoke, specially our elderly people.

TRUSTEE POMBONYO: How often are the vehicles checked by management for conditions like that that will show up?

MR. VITELLO: Periodically we check on them all the time. Sometimes there's smoke on them. They're not smoking in the car, they smoke out of the car. There's nothing I can do about that.

TRUSTEE POMBONYO: How often is periodically?

MR. VITELLO: Once a week I go through all the cars.

TRUSTEE POMBONYO: That's important. Thank you.

MS. SWENSON: Once again, we reinforce

with all the drivers that smoking is prohibited by the Franchise Agreement and our company policy.

TRUSTEE CHENG: My turn. I want to make sure I understand. This agreement right now is with Victory Least Corp or AAA Taxi Service, Inc. a subsidiary? Is that still the corporate?

MS. SWENSON: Yes, it is.

TRUSTEE CHENG: Under the agreement we have right now, it is my understanding that the majority of the shares or has there been a change of ownership in reference to the shareholders in the corporation?

MS. SWENSON: 95 percent.

TRUSTEE CHENG: If he has to speak, he has to be sworn in. I apologize.

MS. SWENSON: Okay.

(Whereupon, Richard Vitello was sworn in.)

MR. VITELLO: Richard Vitello,

V-I-T-E-L-L-O.

TRUSTEE CHENG: Continuing in paragraph 29 of the agreement as it exists, we have never been given any kind notice of change of ownership. When did that sale occur?

MR. VITELLO: Well --

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MS. SWENSON: There was a death in the Vitello family where shares were left.

MR. VITELLO: Left to my brother and myself.

MS. SWENSON: Two brothers and one brother who is not in the business and therefore, my client has purchased his share in the business but it is all in the same family, left pursuant to a will. This wasn't an outside transfer or transfer to any third party of management changed. My client always managed the business with his father, who is deceased.

TRUSTEE CHENG: I'm not doubting that.

I'm just going by the terms of the agreement.

It hasn't been specified in reference to the change by the majority of the shares, and that has occurred.

Mr. Ryan, can I just ask you. I don't know if you know this, but Section 85-4 of the code requires a public hearing for us to consent to the sale.

MR. VITELLO: I didn't know that.

TRUSTEE CHENG: It is in the agreement.

MR. RYAN: I think if Counsel could

provide us with the documentation of the transferred shares and we can consider it part of this hearing.

TRUSTEE CHENG: I just want to make sure.

MS. SWENSON: No problem. I will be happy

to provide you with the document.

TRUSTEE CHENG: At the last hearing, I'm a little bit of a nitpicker, I want you to know that we do appreciate and I appreciate the service that you provide the Village.

MR. VITELLO: Thank you.

TRUSTEE CHENG: But this is an agreement that's long standing and you have a definite financial interest in this and benefit and we provide also a benefit. To me, we have to go by the terms of the agreement.

MR. VITELLO: Of course.

TRUSTEE CHENG: So, what I understood in 2016 when we talked about the age of the vehicles, was any new vehicles being purchased or any new taxi cabs coming into service would be a 2015 or newer model car. We will keep, however, in those circumstances, can a vehicle be older than seven years. Currently now, how many vehicles are over seven?

MR. VITELLO: I would say about three that are.

TRUSTEE CHENG: Out of how many vehicles in the fleet?

MR. VITELLO: We have 17 now. We used to have 26, but with business and financial, we had to get rid of them because they were old and got new ones. I bought three new ones Chryslers in '17, Mercedes which is '13. We're trying to do the best I could with that.

TRUSTEE CHENG: My next question is the same question I asked last time. The rate cars are not posted in the back seats.

MR. VITELLO: We have them on the visor. TRUSTEE CHENG: I know that. I'm going by

the agreement.

MR. VITELLO: Sometimes they fall off.

TRUSTEE CHENG: I can pull out the minutes, but that's the answer I got the last time. The agreement says it will be on the back of the seat.

MR. VITELLO: Right. Sometimes they fall They get kicked around. We have to glue them a certain way where they stay.

TRUSTEE CHENG: This next one is really

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- 7/16/19 - BOARD OF TRUSTEES - AAA TAXI SERVICE -1 for the Police Commissioner. 2 POLICE COMMISSIONER MCALLISTER: Yes. 3 TRUSTEE CHENG: In the agreement, it says 4 that each taxi cab should be inspected no less 5 than three months. Is that being done at the 6 present time? 7 POLICE COMMISSIONER MCALLISTER: Yes, we 8 inspect the cars regularly. 9 TRUSTEE CHENG: Do we have some kind of 10 record on that? 11 POLICE COMMISSIONER MCALLISTER: Yes. 12 TRUSTEE CHENG: Every three months? 13 POLICE COMMISSIONER MCALLISTER: I have a 14 taxi -- one of my Sergeants does it as a taxi 15 coordinator, if you will. He runs all the 16 background checks on licenses, runs all their 17 licenses, does inspections on the vehicles. I 18 think -- I don't know if we do it every three 19 months. It is more like --20 MR. VITELLO: Six. 21 POLICE COMMISSIONER MCALLISTER: Half a 22 year, six months. 23 TRUSTEE CHENG: Okay. 24 POLICE COMMISSIONER MCALLISTER: It could

be up to three months if we so choose.

TRUSTEE CHENG: I'm trying to get the background from the agreement we have. That's all.

You've heard us talk about the parking on Verbena and there is a major issue as far as double parking, why there is no parking in front of the Chase Bank and the reason is because the fire department vehicles exit and access most of the Village on the south side and north side, and Hillcrest area, by traversing Verbena, passing Chase. If your vehicles are double parked on that section on the legal side to park and if cars illegally park on the other side by the bank, our fire trunks can't get through. We have signs up there saying do not double park. It doesn't matter. People do what they want to do. Chase has spaces to park but people don't do that.

It is really important and I would ask the Board to consider amending the agreement to include, besides Caroline Place and Atlantic Avenue, Verbena Avenue in its entirety, not only because of you, but we have restaurants and other businesses on that spot that depend on the traffic of people that can park, drop a

- 7/16/19 - BOARD OF TRUSTEES - AAA TAXI SERVICE quarter in, run into the store or put four quarters in and have a meal. MR. VITELLO: Right. TRUSTEE CHENG: So I would ask the Board 5 to think about that. It is just me talking 6 now. The next one is for the Commissioner of Taxis. That's Miss Walsh who is down there. Do you receive or does the Village receive weekly logs to specify agreements from each driver? MS. WALSH: I do not receive weekly logs from each driver.

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TRUSTEE CHENG: I think we will wait on addressing the increase. So, you're asking us, subsequent to a three year extension that we just had for another period of time, for basically a 50 percent increase?

MS. SWENSON: It was really, at minimum, of \$4 to \$6. So, that's not really -- yes, okay.

TRUSTEE CHENG: My math says 50 percent of four is two.

MS. SWENSON: Yeah, you're correct. TRUSTEE CHENG: So we understand.

1 MS. SWENSON: Yes.

TRUSTEE CHIARA: Thank you for the service in the community. I have no questions.

MAYOR LONGOBARDI: With that, I will bring it up to the public if anyone has any questions. You can take a seat.

MS. SWENSON: Thank you.

MR. VITELLO: Thank you for that.

MAYOR LONGOBARDI: Anybody in the audience who wishes to speak in regards to this application? Okay, if not, anything else you wish to add?

MS. SWENSON: No, sir.

MAYOR LONGOBARDI: The Board has one more question.

TRUSTEE FITZGERALD: Do you operate taxis in any other villages or is Floral Park the only place?

MR. VITELLO: We drop off and leave. We don't stay there.

TRUSTEE FITZGERALD: Do you have any other agreement?

MS. SWENSON: No originating agreement, no.

TRUSTEE FITZGERALD: Thank you.

MS. SWENSON: Thank you.

MAYOR LONGOBARDI: Being nothing more in regards to this right now, I want to reiterate and thank AAA Taxi for all the effort and all the things we do for all the residents and business here. We are very grateful to everyone.

I will ask for now a motion to close the public hearing and reserve decision. The Board will deliberate based on some of the comments and issues that were raised tonight and get back to you on that.

MR. RYAN: Also, subject to you providing the information on the officers share.

MS. SWENSON: Yes, sir, I will do so within seven days.

MR. RYAN: Thank you.

MAYOR LONGOBARDI: Thank you. With that, can I get a motion to close?

TRUSTEE FITZGERALD: So moved.

TRUSTEE POMBONYO: Second.

MS. WALSH: Trustee Fitzgerald?

TRUSTEE FITZGERALD: Aye.

MS. WALSH: Trustee Pombonyo?

TRUSTEE POMBONYO: Aye.

	- 7/16/19 - BOARD OF TRUSTEES - AAA TAXI SERVICE -
1	MS. WALSH: Trustee Cheng?
2	TRUSTEE CHENG: Aye.
3	MS. WALSH: Trustee Chiara?
4	TRUSTEE CHIARA: Aye.
5	MS. WALSH: And Mayor Longobardi?
6	MAYOR LONGOBARDI: Aye. Again, thank you
7	very much for being here. Thank you.
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10	Certified to be a true and
11	accurate transcript of the proceedings.
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13	CATHERINE P. MURPHY
14	Court Reporter
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