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VILLAGE OF LYNBROOK

BOARD OF TRUSTEES MEETING

1 COLUMBUS DRIVE

LYNBROOK, NEW YORK

APRIL 13, 2020

7:00 P.M.

BEFORE: ALAN C. BEACH

MAYOR

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APPEARANCES :

MICHAEL N. HAWXHURST, DEPUTY MAYOR

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ROBERT BOCCIO, TRUSTEE

ANN MARIE REARDON, TRUSTEE

HILARY H. BECKER, TRUSTEE

JOHN GIORDANO, VILLAGE ADMINISTRATOR

THOMAS ATKINSON, VILLAGE PROSECUTOR

1 (Whereupon, Village Attorney Thomas
2 Atkinson led the Assembly in the Pledge of
3 Allegiance.)

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4 MAYOR BEACH: Good Evening, everyone
5 and welcome to the April 13th Meeting.

6 Tom will make a statement before we open
7 the Meeting.

8 VILLAGE ATTORNEY ATKINSON: As everyone
9 watching on T.V. knows, we are conducting our
10 Meeting for the month of April, 2020, as everyone
11 already knows, this is a time of - - very unusual
12 time with the COVID 19 virus affecting all of us.

13 I get the privilege of researching and
14 dealing with the New York Conference of Mayors on
15 how to conduct these Meetings and the
16 functionality of Public Hearings according to the
17 New York State Law and how they may or may not be
18 contradicted by the Executive Orders given by
19 Governor Cuomo.

20 I think what happens as many people will
21 realize, this is a very fluid situation over the
22 course of the last month or so and some days the
23 Executive Orders that come out from Governor Cuomo
24 can contradict some of the State Statues,
25 specifically with regard to this Meeting, um,

1 Village Hall Board Meetings, throughout the entire
2 State are governed by the Open Meeting's Law.

3 The Executive Orders issued by the Governor
4 contradict the Open Meeting's Law and I am here to ^{Page | 4}
5 just have sort of explain some of the
6 reconciliation we are doing and the accommodation
7 the Village is doing and the many Villages across
8 the State are doing with guidance from Albany in
9 conducting not only the budget meeting, any kind
10 of Open Hearings, etc.

11 Let me give a little background, I spoke to
12 the Mayor and the Board, I won't be long.

13 As background, on March 13th of 2020, as
14 many people know, Governor Cuomo issued Executive
15 Order 202.1 and apart of that was an effort to
16 address the conflict between the requirements of
17 the Open Meeting Law and the Governor's Emergency
18 Order limiting public.

19 Specifically, that Executive Order
20 suspended Article 7 of the Public Officers' Law,
21 also known as the Open Meetings Law to the
22 extent, in addition to permitting any public
23 body to meet and take such action authorized by
24 law without allowing the public to be present at
25 the meeting.

1 It went onto say the order also authorize
2 public bodies to meeting repeatedly by
3 conference call or similar services.

4 If a public body restricts in-person access^{Page | 5}
5 to its meeting or conducts a meeting repeatedly
6 by conference call or similar service, the
7 public body must provide the public the ability
8 to review the meeting or listen to the meeting
9 live and must record and later transcribe such
10 meetings.

11 So, that was the dictate that was set forth
12 in March.

13 What, um, is very fortunate and I think it
14 is a testament to our Village as a whole is that
15 we have been videotaping our meetings and
16 showing our meetings live, literally, for
17 decades.

18 I believe that started under the Scarpato
19 Administration.

20 So, we really don't have any issues with
21 regards to the March Executive Order because
22 they are already live, okay.

23 What we have as accommodations, because we
24 are limited in the number of people we can have
25 in the Rotunda, we set up and operation where

1 People can call in and make any public comment to
2 any of the Public Hearings.

3 That phone number is area code 516, the
4 normal Lynbrook exchange of 599-2828. Page | 6

5 So, if you do want to make a public comment
6 at the appropriate time, just call that number,
7 516-599-2828 and you will be, you know, spoken
8 to and if you do have any questions, I believe
9 John Giordano is taking these questions and he
10 will be fielding those questions.

11 As an update to this, this was all sent,
12 however, on Thursday night at 10:00 p.m.

13 The Governor issued an additional Executive
14 Order which, um, that number was 202.15 and it
15 stated in relevant part that all public meetings
16 for April and My are going to be adjourned to
17 June 1st.

18 So, we will take that under advisement for
19 forthcoming meetings.

20 However, there is a large carve out and
21 exception to that rule and, again, it ties back
22 into the ability (A) to see the meeting live,
23 which we already do and, then, adding call-in
24 and comments.

25 In addition, the Village has for people

1 that may have cut the cord and not have cable, we
2 are also streaming this live via You-tube which
3 is the first for the Village, which is a nice
4 thing, as well. Page | 7

5 Just to cover as many people as possible -
6 - as many people as possible, um, understand
7 that through the New York Conference of Mayors
8 and other authorities in Albany, this is a fluid
9 situation, recognize I said before, um, it can
10 be, I am sure you guys might make fun of me at a
11 later date, it is fascinating to see this at
12 work.

13 There are a lot of statutes, here, dealing
14 with emergency situations, literally, have to do
15 with snow removal, snow emergencies and you're
16 ratcheting that up to such a more consequential
17 issue as an internal pandemic.

18 So, from a legal point of view, NYCOM has
19 been excellent, the Counsel for NYCOM there is,
20 at least, one or two hours a week of seminars
21 that he is presenting that, updates periodically
22 on the situation.

23 By way of example, I was able to join a
24 web-ex on Thursday for an hour.

25 I have another one this Wednesday and

1 another one on Friday, so, um, it is probably
2 best, I might be the only one in the Village
3 that thinks it is fascinating to be watching
4 these and participating with them, but that is ^{Page | 8}
5 some of the stuff that is ongoing.

6 We are completely on board with the
7 Executive Order and the Open Meetings Law.

8 MAYOR BEACH: Thank you, Counsel. And, we
9 will start with our Meeting, then,
10 unfortunately, we are starting with some sad
11 news, Oscar Garin, brother of former President
12 of the Chamber of Commerce Denise Rogers passed
13 away recently, so, and, um, Cathy Ski, resident
14 of Lynbrook for fifty-three (53) years,
15 President of the Lynbrook Seniors Club, 2013
16 Woman of the Year, volunteered for many Village
17 organizations and events, Mayor's Golf Outing,
18 Patriot weekend, Our Lady of Peace Food Pantry
19 and Our Lady of Peace Social Ministry.

20 Cathy was quite the lady and she will
21 surely be missed.

22 I ask you to keep her in your prayers along
23 with Oscar along with the Denise Rogers' Family.

24 Thank you.

25 Next on the agenda is the Minutes

1 of March 16th and March 30th.

2 Has everyone had the opportunity to read
3 the Minutes?

4 TRUSTEE REARDON: Yes, Mayor.

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5 (Whereupon, "Yes," was heard by all.
6 After, the following ensued.)

7 MAYOR BEACH: A Motion to approve?

8 TRUSTEE REARDON: So moved.

9 TRUSTEE BOCCIO: Second.

10 MAYOR BEACH: All in favor?

11 (Whereupon, a vote of aye was heard by all.
12 After, the following ensued.)

13 MAYOR BEACH: Next we have Arbor Fay, we
14 have Phil Healy, here. This is his big thing,
15 but, April 25 - - 24th will be Arbor Day and Phil
16 will take care of all the necessary information
17 going up to Albany to let them know we are on
18 board with Arbor Day.

19 I thank Phil for all his hard work getting
20 us there with Arbor Day.

21 Also, we have Autism Awareness Month.

22 The month of April is Autism Awareness
23 Month.

24 Steve Rangel, I will hand this off to him.

25 He is very instrumental in working with those

1 Kids and he does a great job at it.

2 And, then, we have one more proclamation.

3 This is about something that happened in 1972, I

4 don't know if you recall, Larry Lombardo asked Page | 10

5 us to proclaim, um, April 14th, as "Philip

6 Cardillo Day," NYPD Officer Phil Cardillo Day,

7 April 14th and we are, um, living up to our

8 promise to Larry Lombardo and the NYPD.

9 On April 14, 1972, Officer Philip Cardillo

10 died by wounds that he received when he was shot

11 after responding to a fake report of "Officer

12 needs assistance" at a local mosque.

13 When Officer Cardillo arrived at the

14 location, he and other Officers entered to

15 investigate.

16 They found the call was false and was

17 called in by Members of the mosque.

18 The Officers, then, were attacked by, at

19 least, fifteen (15) people inside the mosque.

20 When additional Officers arrived,

21 immediately, Officer Cardillo was shot at point

22 blank range and several Officers were also

23 seriously hurt.

24 Um, and that is why we are proclaiming

25 April 14th as Philip - - Officer Philip

1 Cardillo Day.

2 We should always remember the sacrifices of
3 our First Responders and just remember they talk
4 ab out this thin blue line, that is the only Page | 11
5 thing that keeps us safe.

6 So, keep Officer Cardillo in your prayers,
7 also, thank you.

8 Okay, and there was also, I got an add-on.

9 There was a couple of phone calls made to
10 Village Hall the past couple days about First
11 Responders because they changed the train
12 schedule that is making it harder for the Nurses
13 and First Responders to get into the City.

14 So, they were asking us if they could
15 utilize a parking lot in our Village. So, I
16 would like to offer them the option of being
17 able to park, since we have a lot of open
18 parking at this time, they would be able to park
19 their cars in our Village, um, checking in with
20 our Police Chief, Chief Brain Paladino to get a
21 permit that they could place in their windshield
22 and I ask to do this for intervals that start
23 with possibly two weeks.

24 If someone else has a suggestion, I am more
25 than willing to listen, but, I think we will

1 start with two weeks and if it works out, great.

2 If a miracle happens, it will be cancelled
3 and we will move on.

4 So, I need a Motion to accept that.

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5 DEPUTY MAYOR HAWXHURST: Give them a free
6 permit for the two weeks. I make the Motion.

7 TRUSTEE REARDON: Second.

8 MAYOR BEACH: All in favor?

9 (Whereupon, a vote of aye was heard by all.
10 After, the following ensued.)

11 MAYOR BEACH: Thank you. And, we have a
12 disposition of planters, we have the old whiskey
13 barrel planters, um, Phil was asking us if he
14 could sell them off because we have new
15 planters.

16 I don't have a problem with that as long as
17 they take the "VOL" off them unless someone
18 wants it, that is their initials, but, I would
19 ask for a Motion to sell them.

20 TRUSTEE BOCCIO: So moved.

21 TRUSTEE REARDON: Second.

22 MAYOR BEACH: All in favor?

23 (Whereupon, a vote of aye was heard by all.
24 After, the following ensued.)

25 MAYOR BEACH: Thank you.

1 And, now, we are onto organization night,
2 normally, we have the Rotunda, um, filled with
3 people but because of the virus, um, am I moving
4 ahead of myself. Page | 13

5 TRUSTEE REARDON: No.

6 MAYOR BEACH: Yes, okay, I would like to -
7 - I am good, I have a lot of papers, here. I am
8 doing all right, here, organization night, I
9 would like to appoint my Deputy Mayor to
10 continue as Deputy Mayor. It is an honor to
11 work with you, Michael.

12 I need a Motion for the approval of all
13 organization resolutions as per attached.

14 TRUSTEE REARDON: So moved.

15 TRUSTEE BOCCIO: Second.

16 MAYOR BEACH: I ask for a Motion to approve
17 the appointments of various department heads for
18 their respective terms as per attached.

19 TRUSTEE REARDON: So moved.

20 MAYOR BEACH: I ask for a Motion to
21 authorize the Mayor to sign a one-year contract
22 with all independent contractors.

23 DEPUTY MAYOR HAWXHURST: So moved.

24 MAYOR BEACH: I ask for a Motion to approve
25 various appointments to the Board of Zoning,

1 Architectural Review, Plumbing Examiners,
2 Recreation, Library and Electrical Examiners.

3 TRUSTEE REARDON: So moved.

4 MAYOR BEACH: And, I designate Members of ^{Page | 14}
5 the various Committees and Mayor's Citizens
6 Advisory Committee as per the attached.

7 And, I designate all Trustee quadrants
8 assigned and liaison-ship per attached and I ask
9 for a Motion to allow one vote to ratify all the
10 appointments to serve as individuals resolutions
11 are true and the same.

12 DEPUTY MAYOR HAWXHURST: So moved.

13 TRUSTEE REARDON: Second.

14 MAYOR BEACH: All in favor?

15 (Whereupon, a vote of aye was heard.

16 After, the following ensued.)

17 MAYOR BEACH: Now, we have a transfer of
18 funds; this is transfer of funds for the new
19 fire truck.

20 We are advancing such funds from the
21 General Fund to the Capital Fund and it will be
22 reimbursed to the General Fund when said bond is
23 received. A Motion?

24 DEPUTY MAYOR HAWXHURST: So moved.

25 TRUSTEE REARDON: Second.

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MAYOR BEACH: All in favor?

(Whereupon, a vote of aye was heard by all.
After, the following ensued.)

MAYOR BEACH: And, now, we are into Local ^{Page | 15}
Law 1, Chapter 22, this is the tax override.

I will open it to the public at 7:16 p.m.

This is a Notice that we - - so we can
supervise the two percent cap.

Counsel, I will turn it over to you.

COUNSEL ATKINSON: Sure, Mayor.

So, Mayor, this was adopted in all years
that are applicable where there is a possibility
that the tax increase would exceed two percent.

Um, we had posted this for a Public Hearing
at the appropriate times, I believe it was - -
the last time it was adopted was three years
ago.

And, I ask that the Mayor and Board approve
the adoption of Section 222-32 tax cap limit
override where the dates are adjusted for 2020.

MAYOR BEACH: So, I need a Motion.

DEPUTY MAYOR HAWXHURST: So moved.

TRUSTEE REARDON: Second.

MAYOR BEACH: All in favor?

(Whereupon, a vote of aye was heard except

1 for Trustee Becker who voted no. After, the
2 following ensued.)

3 MAYOR BEACH: Comments from the Public?

4 Nothing? Okay, I close the Public Hearing at Page | 16

5 7:17 p.m.

6 Next on the agenda is the tentative budget.

7 Okay, opening the Public Hearing at 7:18
8 p.m.

9 This is for the tentative budget for the
10 2020/2021 budget.

11 I would like to thank my Deputy Mayor, John
12 and the rest of the Board for working hard with
13 me on this budget process which began back in
14 January and the past few months, particularly to
15 account for the turn in both local and U.S.
16 economics.

17 It has really been a tough challenge for us
18 but fantastic news is that the budget would have
19 only increased one sixth of one percent over the
20 last year, that is one sixth of one percent over
21 the last year and our budget would stay
22 underneath the tax cap, which is a lot of hard
23 work that we were making headway to.

24 That is fantastic news for us, that is
25 really great news but the total taxable value

1 in the Village is unchallenged and speaks to the
2 need for growth in our tax base.

3 Twelve percent of the lost revenue we have
4 gone through, now, because of COVID 19, um, Page | 17
5 issue is the parking permits, fines, parking
6 fines, parking fees, um, other issues because
7 people have been advised to work at home and not
8 use our area.

9 Net result is that the tax rate increase to
10 the General Fund is 1.8 percent and three
11 percent had to be added due to the COVID 19
12 factors.

13 The proposed budget maintains staffing in
14 the Police Department and maintains all
15 activities in the public Parks and library, once
16 the COVID 19 restrictions are lifted.

17 So, I need a Motion to approve the
18 tentative budget as changes presented.

19 DEPUTY MAYOR HAWXHURST: So moved.

20 TRUSTEE REARDON: Second.

21 TRUSTEE BECKER: If I could ask a question,
22 Mr. Mayor on the budget, um, the total tax
23 increase is three percent plus the 1.8 percent?

24 MAYOR BEACH: Correct, 4.8.

25 TRUST REARDON: I second.

1 MAYOR BEACH: I need a Motion to close the
2 Public Hearing and approve the tentative budget.

3 DEPUTY MAYOR HAWXHURST: So moved.

4 TRUSTEE REARDON: Second.

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5 MAYOR BEACH: All in favor?

6 (Whereupon, a vote of aye was heard by all
7 except Trustee Becker vote no. After, the
8 following ensued.)

9 MAYOR BEACH: Thank you for your hard work.
10 Any comments, John?

11 VILLAGE ADMINISTRATOR GIORDANO: No.

12 MAYOR BEACH: I will close the Public
13 Hearing at 7:20 p.m. Thank you.

14 And, now, we have a special use permit, 33
15 Atlantic Avenue.

16 We have somebody, here, to speak about it.

17 Do we have a microphone for him, down,
18 here?

19 He has to be able to speak and we got to be
20 able to hear.

21 TRUSTEE REARDON: Do you want to take this
22 and move it down?

23 MAYOR BEACH: Will that microphone pick him
24 up?

25 AUDIO TECHNICIAN: It should pick him up

1 because it is picking you guys up, all, as well.

2 MAYOR BEACH: Okay, open the Public Hearing
3 at 7:22, I will ask you to introduce yourselves.

4 CORY POCCIA: My name is Cory Poccia and I ^{Page | 19}
5 am here from Arcadia One, LLC. and next to me is
6 Phil Lenz (phonetic spelling).

7 So, um, and excuse me if I don't know the
8 formalities of all of this.

9 MAYOR BEACH: It is all right. Take your
10 time.

11 CORY POCCIA: Great, great, thank you. So,
12 our concept is to bring Arcadia, which is retro
13 arcade and live music venue, here to Lynbrook
14 Village at 33 Atlantic Avenue.

15 Um, I mean the special use permit is
16 basically for us to kind of explain that we want
17 to have, um, more than two arcade games in our
18 establishment which goes with the retro arcade
19 theme.

20 We want to bring back the '80's and '90's
21 arcade kind of concept, um, to Long Island, um,
22 and Lynbrook is one of our, you know, right,
23 now, our number one choice what we are here for
24 and see if we can obtain that permit.

25 Um, with that being said, um, you know, we

1 Originally spoke to the Board, I guess, not
2 officially, saying that we were going to target,
3 um, our best plan, target forty, fifty and
4 sixty-year olds and I think we said we would
5 supply lunch, as well.

6 So, that is kind of our proposal to have
7 two arcade games to bring back the retro arcade
8 theme to Arcadia and just go forward from there,
9 also live music.

10 We want to have live music as part of our
11 business plan.

12 Um, with that being all said, we do have
13 some concerns that we also like to bring up to
14 the Board, um, because when we spoke to the
15 Board originally, this was three to four weeks
16 ago and today we are definitely in a different
17 state, so, um, I would like the Board to, you
18 know, make their decision rendered on our
19 presentation and our concerns, as well.'

20 And, some of our concerns is, again, I
21 don't expect the Board to be able to answer any
22 of these questions.

23 First, let me say that I am grateful for
24 the Board.

25 The Board is great. Brian has been great.

1 Mr. Mayor, you have been great and everyone
2 on the Board of Trustees has been great in terms
3 of being very, very hospitable to us in Lynbrook
4 Village, here, um and the concerns that I am Page | 21
5 also going to bring up given the situation of
6 COVID 19 is, basically, for one, I can say that,
7 again, our business plan is to, um, attract
8 forty, fifty and sixty year olds to our
9 establishment.

10 I can't guarantee that right, now, I don't
11 know what social distancing is going to bring
12 when all of this is over and if it is over in
13 the future.

14 We just don't know. We have no answers and
15 I don't expect the Board to have any answers to
16 any of my concerns, as well, but, I did want to
17 bring it up and put it on record the concerns we
18 are having.

19 Um, will our arcade games have to be six
20 feet apart?

21 I don't have the answer to that and I don't
22 expect the Board to have the answer to that, as
23 well.

24 Not having to do with the arcade, Governor
25 Cuomo was talking about restaurants that is

1 very possible that we have to practice social
2 distancing and have our tables six feet apart,
3 which makes our capacity maybe half or more less
4 than we originally anticipated. Page | 22

5 Um, and those are, basically, our concerns
6 and terms unless - - do you have anything else
7 that you want to add? (Talking to partner Phil
8 Lenz.)

9 I am actually a Professor at Adelphi
10 University.

11 I teach entrepreneurship.

12 MAYOR BEACH: What do you teach?

13 CORY POCCIA: Entrepreneurship.

14 You know, I got an email from the Provost,
15 today, saying that we are going to continue
16 classes in September in person.

17 However, the maximum capacity if it was
18 twenty-five, now, it is only going to be twelve
19 and they have to be seated six feet apart and
20 that is what we are going with right, now.

21 But, again, nobody has the answer to what
22 is going on.

23 So, I am asking this Board, like, again, I
24 mean I don't think you can address our concerns,
25 you know right, here, right, now.

1 If you can, great.

2 I mean we can talk about it.

3 I don't know if that is proper procedure at
4 a Hearing like this.

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5 MAYOR BEACH: I don't have a crystal ball
6 for that fact.

7 CORY POCCIA: Right.

8 MAYOR BEACH: I am here to discuss your
9 plans as it stands right, now - -

10 CORY POCCIA: Okay.

11 MAYOR BEACH: - - What we can talk about
12 here and that is what we are going to render a
13 decision on, that is the plans you presented to
14 us.

15 CORY POCCIA: Absolutely.

16 MAYOR BEACH: We are all living through the
17 ordeal and we all have to practice social
18 distancing and I understand moving things six
19 feet apart, but, right, now, let's address this
20 problem.

21 CORY POCCIA: Sure.

22 MAYOR BEACH: This issue is not a problem.
23 I do have some questions.

24 CORY POCCIA: Great.

25 MAYOR BEACH: About this layout, right,

1 here, so after you are done - -

2 CORY POCCIA: I believe we are finished.

3 Right?

4 MAYOR BEACH: So, we are talking about

Page | 24

5 Angelina's, the old Angelina's, the old

6 Woolworths.

7 CORY POCCIA: Correct.

8 MAYOR BEACH: And, I see that you have

9 seating arrangements similar to what they had

10 but you have two seats where they had booths,

11 you have two seats sitting next to each other.

12 CORY POCCIA: A bench.

13 MAYOR BEACH: Bench seating and, um, also

14 presented was live music?

15 CORY POCCIA: That is correct.

16 There is a stage. I want to say on the

17 side where the railroad is, like, yeah.

18 MAYOR BEACH: South side of the building?

19 CORY POCCIA: That is correct.

20 TRUSTEE REARDON: Where the party room was?

21 CORY POCCIA: Where the party room was,

22 that is correct.

23 MAYOR BEACH: Where will that stage be

24 located, um, in the front of the building,

25 towards Atlantic Avenue or towards the back of

1 the building?

2 CORY POCCIA: It would be facing where
3 everybody is seated. It will be facing that
4 way.

Page | 25

5 MAYOR BEACH: Along the window?

6 CORY POCCIA: Yes, yes, along the window.

7 MAYOR BEACH: What time of evening are we
8 talking about, something like this and how often
9 will live bands be there?

10 CORY POCCIA: Our lease specifically states
11 that, um, during - - actually, I could pull it
12 out.

13 Hold on one second, our plan is to do it
14 after 8:00 o'clock on Fridays and Saturdays but
15 we do have certain provisions in our lease when
16 we can and cannot do it.

17 MAYOR BEACH: Okay, I see that you are
18 using the existing bathroom there and seating in
19 the back all the way with the bench seats all
20 the way in the back.

21 PHIL LENZ: Correct.

22 MAYOR BEACH: So, they walk in the front
23 where the main entrance is, why don't you do
24 that, you walk in the front, where do we go from
25 there?

1 CORY POCCIA: When you walk in the front,
2 basically, you are surrounded by retro arcade
3 games.

4 The seating would be separate, ahead in Page | 26
5 that section.

6 The bar would be a little bit to the left
7 and the stage would be all the way to the left
8 where the private party room was.

9 TRUSTEE REARDON: And, the bar seating is
10 where the pizza oven station is?

11 CORY POCCIA: Correct.

12 MAYOR BEACH: Pizza oven counter?

13 CORY POCCIA: Yes, that is where the bar
14 will be.

15 MAYOR BEACH: So, the pizza oven area
16 because the bar - -

17 TRUSTEE REARDON: Yes.

18 CORY POCCIA: Yes.

19 MAYOR BEACH: Will that work both sides of
20 the room?

21 CORY POCCIA: It will work both sides of
22 the room.

23 MAYOR BEACH: And, the other room will be
24 just games and, then, food?

25 CORY POCCIA: When you walk in, the games

1 will be, um, I believe it is behind the bar area
2 where some of the seating is and also when you
3 walk in that area and then there is a separate
4 area for, um, for seating and no games will be ^{Page | 27}
5 in that area.

6 MAYOR BEACH: The kitchen is staying where
7 it is?

8 CORY POCCIA: Correct.

9 MAYOR BEACH: So, you will maintain the
10 front of the building with the glass?

11 CORY POCCIA: Yes.

12 MAYOR BEACH: Trustee Reardon, any other
13 questions?

14 TRUSTEE REARDON: Um, no, actually, you
15 actually asked the questions that I had and I
16 was able to see them but just out of curiosity,
17 what is bubble hockey?

18 CORY POCCIA: Bubble hockey?

19 TRUSTEE REARDON: I need to know.

20 CORY POCCIA: It is when you control it in
21 front of you, bubble dome of hockey, controlling
22 the other team - -

23 TRUSTEE REARDON: Fuzbol.

24 MAYOR BEACH: Did you just say fuzbol, it
25 is not fuzbol.

1 TRUSTEE REARDON: With the idea with the
2 dome over it. I got it, now.

3 MAYOR BEACH: Okay.

4 TRUSTEE REARDON: I was curious and also Page | 28
5 you are considering lunch?

6 CORY POCCIA: I can't answer that question
7 at this time.

8 MAYOR BEACH: What age bracket would you
9 fit into that?

10 TRUSTEE REARDON: I fit in the lowest age
11 bracket he is targeting.

12 DEPUTY MAYOR HAWXHURST: And, it looks like
13 the bar area with the seating which would be
14 seating area and the stage?

15 CORY POCCIA: Yes.

16 DEPUTY MAYOR HAWXHURST: And, then, I guess
17 for the live music or D.J. that you would have
18 that would only be Friday and Saturday nights?

19 CORY POCCIA: Correct.

20 DEPUTY MAYOR HAWXHURST: And, you said it
21 wouldn't start until after 8:00, um, what time
22 will it be to?

23 CORY POCCIA: Close between 2:00 and 3:00
24 a.m., nowhere past 3:00 a.m.

25 DEPUTY MAYOR HAWXHURST: All right, okay

1 and, then, um, you know, definitely it looks like
2 something that you know I know you are shooting
3 for ages, you know, forty, fifty, sixty, are you
4 going to have bouncers there to proof people as
5 they come in or is it the responsibility of the
6 bartenders?

7 How is that going to work?

8 CORY POCCIA: There is a State Law that we
9 have to have certain amount of bouncers per the
10 amount of people that we have in the
11 establishment.

12 MAYOR BEACH: For security.

13 DEPUTY MAYOR HAWXHURST: You know is there
14 going to be a wristband type of system or is
15 that still undecided?

16 CORY POCCIA: Twenty-three and over there
17 is no wristband.

18 Twenty-three and over they are proofed at
19 the door.

20 If we do dinner, it will be family
21 oriented. Once 9:00 o'clock - - we said 9:00
22 o'clock, you know, it has to be twenty-three and
23 over.

24 DEPUTY MAYOR HAWXHURST: Okay, thank you.

25 MAYOR BEACH: Trustee Boccio?

1 TRUSTEE BOCCIO: The security and the ages
2 were the two things that I had, but, we are
3 here, tonight to decide the proposal that is
4 before us, so, my concern is probably with your ^{Page | 30}
5 concern how does the future look to change what
6 you submitted here today and based upon what you
7 propose would be, how the place will operate
8 pursuant to how we go down the road with COVID.

9 CORY POCCIA: To answer a question that is
10 really a question we can't guarantee and what we
11 have submitted, we will hold to those
12 guarantees.

13 We can't guarantee the seating is going to
14 be the way it is.

15 We can't guarantee the way the video games
16 are going to be and if for some reason we have
17 to social distance, that doesn't fit with our
18 business plan and honestly it just - - it would
19 be catastrophic to our business and you know I
20 really, strongly would ask the Board to
21 consider, you know, that when you are making
22 your decision, um, because - - just because we
23 have no answer right, now, four weeks ago we had
24 answers and we were on a path to success and,
25 right, now, we don't have those answers.

1 TRUSTEE BOCCIO: Besides from seating and
2 video, I mean, really, it is going to be not so
3 much, how, with the layout whether or not you
4 can even exist if there is social distancing? Page | 31

5 CORY POCCIA: What Governor Cuomo is
6 talking about, it would be catastrophic to our
7 business plan and to our concept, it would be
8 completely lost.

9 TRUSTEE BOCCIA: And, it is something that
10 we hope doesn't come to fruition.

11 Is that something you are lolling to, then,
12 withdraw your application?

13 CORY POCCIA: Based on the provisions of
14 our lease, um, we would be in violation of our
15 performance, if we withdraw our application, so,
16 um, again, we are just asking the Board to, um,
17 render a decision on based on what we have
18 today.

19 TRUSTEE BOCCIA: Okay.

20 CORY POCCIA: And, also, just to answer
21 your question, again, it would be impractical
22 and pretty much impossible for us to run our
23 business with social distancing and not knowing
24 if we could get a construction permit, if that
25 is not even lifted within the next few months,

1 it just prevents us from moving forward.

2 TRUSTEE BOCCIO: Do you have an alternative
3 proposal in mind if this is to go forward, the
4 proposal you are not going forward with this Page | 32
5 idea, here?

6 CORY POCCIA: We love to go with the idea,
7 here.

8 I don't know if you want to comment on it?

9 We would love to. It is just there are so
10 many uncertainties.

11 I don't expect the Board to answer my
12 questions as much as I don't know if I can
13 answer all of your questions.

14 The one thing is what we submitted; we
15 cannot guarantee.

16 That is what I am saying, so, I don't know
17 what the law is or by-laws, you know, um, if we
18 were to get - - if you thought it was in the
19 best interest to deny us today and a year from,
20 now or six months from, now, can we reapply for
21 this permit, um, is there some sort of variance
22 in your laws where we can reapply for this?

23 Can we reapply for this permit?

24 Is there some sort of variance in your laws
25 where we can reapply for this permit if you were

1 to deny us, today?

2 TRUSTEE BOCCIO: I don't know if there is
3 going to be a decision, today.

4 We hope to see anything that would - - we ^{Page | 33}
5 are anxious, wanting business.

6 We always are business friendly. We want
7 to see you succeed.

8 The question is what kind of form would
9 that look like?

10 CORY POCCIA: Yeah, I don't know what the
11 answer would be.

12 MAYOR BEACH: Trustee Becker?

13 TRUSTEE BECKER: Thank you, Mayor. I got a
14 few questions for the benefit of myself and the
15 residents.

16 Could you just quickly explain the us, how
17 it would work?

18 What kind of games, from soup to nuts,
19 here, your model?

20 CORY POCCIA: Sure, it is, basically,
21 arcade games that were popular in the '80's and
22 '90's, I want to say Pac-man, the pinball
23 machines, nothing that is relevant today, just
24 what was relevant in the '80's and '90's.

25 It is pretty simple. What else?

1 NFL bliss, NBA Champ, those types of
2 things.

3 TRUSTEE BECKER: So, are you going to be
4 appealing to 23 and older?

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5 Are you expecting this to be a family
6 place?

7 Are we going to see families with children
8 in there?

9 Pretty much you are looking for 23 and
10 older crowd?

11 CORY POCCIA: I think that is the kind of
12 beauty of our concept.

13 TRUSTEE BECKER: That Pac-man goes back to
14 my day.

15 Pac-man, I don't know if the 23 and older
16 know what the Pac-man is.

17 I am curious what type of clientele you
18 would be appealing to.

19 CORY POCCIA: I will let Phil speak about
20 the families and the dinners, but I can say we
21 just don't know if we have to cue this to a
22 younger crowd, now, because - - are the forty,
23 fifty and sixty year olds going to be going out
24 with the COVID 19?

25 TRUSTEE BECKER: Let's go back to the

1 Original proposal as the Mayor said, let's stick
2 to what is being presented before us, what is
3 your original game plan?

4 PHIL LENZ: The beauty of our concept is Page | 35
5 that it appeals to everybody.

6 The idea of the arcade is something that,
7 for myself, for Cory, um being in our late
8 thirties and early forties is something that was
9 very nostalgic to us.

10 We noticed with a lot of trends today with
11 younger kids, with adults our age and older, you
12 know with children 7 through 13 are, now, um,
13 finding trends that were very similar to ours.

14 CORY POCCIA: They like to listen to my
15 music.

16 PHIL LENZ: Yeah, so, everything kind of
17 comes back around, so, for us, this was the
18 perfect opportunity to explore that with not
19 only the family oriented, um, demographics, but,
20 those people that do have some sense of
21 nostalgia to that type of music, to those kinds
22 of foods, to those, you know, that style
23 decorum, so, for us it was kind of a full
24 package.

25 We are coming to Lynbrook. We found a

1 space and opportunity and a place that, um, we
2 were very excited but we love the area.

3 We love everything that it offers for us.

4 Our original concept did not include lunch ^{Page | 36}
5 and was very select, um, with the dinners.

6 In seeing Lynbrook and you know the school
7 area and how busy Atlantic Avenue is, it was
8 something we weren't coming into this.

9 I do know that, you know, when we did meet
10 with you guys about a month or so ago, briefly,
11 that question posed to us and originally the
12 answer was no and after you guys posed it to us,
13 it was something that we were opened to.

14 It was something that we started to get
15 excited ab out and it was something, you know,
16 we hoped in due time, um, we would be able to
17 work into our plans.

18 TRUSTEE BECKER: The dinner menu, you said
19 lunch was not really so part of your original
20 game plan, could you give us a quick explanation
21 of what that was going to look like?

22 CORY POCCIA: The menu, itself?

23 TRUSTEE BECKER: Yes, burgers, wraps or was
24 it going to be - -

25 PHIL LENZ: Yeah, um, it was, um, it is

1 more of our take on the popular foods from the
2 time, so, the burgers that became popular,
3 salads that came out, things, fun little
4 appetizers, pizza bagels became a big thing in ^{Page | 37}
5 the '90's, without giving away everything, just
6 similar things to that, family-style dinners,
7 um, that kind of appeal to that time period.

8 TRUSTEE BECKER: Same thing with the
9 cocktails, those drinks that appealed back then?

10 PHIL LENZ: Correct.

11 TRUSTEE BECKER: Mixed drinks? Do you have
12 other existing facilities or is this your first
13 shot?

14 CORY POCCIA: First shot.

15 TRUSTEE BECKER: First shot; do you know if
16 anyone else has tried to concept elsewhere?

17 CORY POCCIA: There is an arcade in New
18 York City, they have about nine locations but
19 that is cued to the younger generation, believe
20 it or not.

21 TRUSTEE BECKER: Speaking from my own, I
22 don't know who has kids, here, that play X-box
23 and PS4, but I can't get my kids off those
24 games.

25 You are clearly not going to be able to

1 drag them out of the house, although, I think they
2 would like the socialization.

3 Are you familiar with the place on Merrick
4 Road, it is called Fire and Dice, I believe
5 there is a gambling place on Merrick Road.

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6 It is called Fire and Dice.

7 I don't know anything about it.

8 TRUSTEE REARDON: It is boardgames.

9 TRUSTEE BECKER: Boardgames, they play.

10 TRUSTEE REARDON: Old school, picking up
11 and playing boardgames and stuff like that, old
12 school, playing boardgames.

13 TRUSTEE BECKER: They are also doing
14 tournaments.

15 I don't know, X-box tournaments or PS4
16 tournaments, I have no idea but I believe they
17 do have tournaments and you know, um, when it
18 was open, it looked like they did pretty well
19 for itself.

20 But, I don't think they had any food.

21 Completely different concept than what you
22 folks are presenting, here.

23 It is more an appeal towards the younger
24 people who are playing these video games that
25 have these huge tournaments in the Stadium

1 and the last person standing wins a million bucks.

2 So, I wish that would be one of my kids,
3 um, so, in terms of benefit to the downtown
4 area, benefit to the community, what do you
5 foresee your operation - - let's assume, again,
6 go over, as presented, here, what do you foresee
7 the benefit to the downtown area and to the
8 community as a whole?

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9 CORY POCCIA: More foot traffic to the
10 community, um, something a little different, I
11 mean it was really to increase the foot traffic
12 in the community and we wanted to give back.

13 We spoke to Domenic at the Wine Bar; it
14 would be more or less - - not that we would be
15 in competition with anybody.

16 It would just bring more foot traffic to
17 the area.

18 TRUSTEE BECKER: You will have little
19 parking area back there, I know it has been, you
20 know, policed, as well, policed by the property
21 owners, it is in high demand, the Martial arts
22 facility and, then, you will have your facility.

23 There will be a lot of competition for
24 parking. Have you thought of parking at all?

25 CORY POCCIA: We were relying on the

1 Municipal Parking for this.

2 TRUSTEE BECKER: Okay, so, you are really
3 not relying on the parking behind?

4 CORY POCCIA: No.

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5 TRUSTEE BECKER: I think you do know that
6 you get parking spaces back there.

7 CORY POCCIA: Three parking spaces.

8 TRUSTEE BECKER: Three, so, you, then, you
9 would be relying on the municipal parking, you
10 are looking at the shoppers lot and beyond.

11 CORY POCCIA: Correct.

12 TRUSTEE BECKER: And, of course, off-street
13 parking, um, I see on the plan, "accounting
14 room," can you explain the accounting room to
15 us, what does the "accounting room" mean?

16 PHIL LENZ: It is a very, very, small
17 office.

18 CORY POCCIA: We have to count money and
19 bring it to the bank.

20 There was nothing offered to us from the
21 landlord in terms of counting or office or
22 anything like that, we would need a safe, some
23 place to keep money.

24 TRUSTEE BECKER: I didn't know if you had
25 those little tickets that you get at the

1 other arcades.

2 CORY POCCIA: No, no, no, no.

3 TRUSTEE BECKER: Tickets and you get a
4 stuff something or other.

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5 CORY POCCIA: No, it was just like an
6 office.

7 TRUSTEE BECKER: In terms of the economics,
8 you know, I recognize what you guys are talking
9 about, it is not just, obviously, you guys but
10 it is everybody that is out there right, now.

11 This is turning everyone's world upside
12 down.

13 Um, you know, we - - whatever the State
14 says, whatever the Federal Government says, they
15 are going to be the law.

16 As far as the economics go, we have nothing
17 to do with it, that is going to be between you
18 and your landlord, that is really nothing that
19 we can do, obviously, you know, it looks like, I
20 don't want to sound crude, here, but it looks
21 like you are utilizing the facility to its
22 maximum capacity wit your games and everybody.

23 It looks like it is really, um, going to
24 be, you know, highly utilized.

25 Um, so, if it were to come off down that we

1 would be okay with, I can't speak for the rest of
2 the Board Members, you know, when it comes to
3 usage, you know, the lower the density,
4 obviously, the better from the Village's
5 prospective because parking issues, obviously,
6 the most fire and life safety issues are,
7 obviously, big issues.

8 Thank you.

9 MAYOR BEACH: I would suggest that we delay
10 a decision on this.

11 TRUSTEE BOCCIO: I make a Motion to reserve
12 decision.

13 TRUSTEE REARDON: Second.

14 MAYOR BEACH: All in favor?

15 (Whereupon, a vote of aye was heard by all.
16 After, the following ensued.)

17 MAYOR BEACH: We will be in touch with you.

18 CORY POCCIA: Thank you, Mr. Mayor, Board
19 of Trustees.

20 TRUSTEE REARDON: Thank you.

21 MAYOR BEACH: Thank you for answering the
22 questions. We will talk.

23 CORY POCCIA: Thank you.

24 MAYOR BEACH: John, the next on the agenda
25 is to set a date for the May Meeting.

1 I want to change the date to May 18th,
2 correct?

3 VILLAGE ADMINISTRATOR GIORDANO: Yes.

4 MAYOR BEACH: I need a Motion.

5 TRUSTEE BOCCIO: So moved.

6 DEPUTY MAYOR HAWXHURST: Second.

7 MAYOR BEACH: All in favor?

8 (Whereupon, a vote of aye was heard.

9 After, the following ensued.)

10 MAYOR BEACH: The bills.

11 TRUSTEE BOCCIO: Yes, Mr. Mayor, I move
12 that the bills listed on the abstract and
13 audited vouchers be paid as soon as they have
14 been duly audited by the Majority.

15 MAYOR BEACH: Second?

16 DEPUTY MAYOR HAWXHURST: Second.

17 MAYOR BEACH: All in favor?

18 (Whereupon, a vote of aye was heard.

19 After, the following ensued.)

20 MAYOR BEACH: And, we will move to
21 Executive Session. In the face of the
22 adversity, our Village is adjusting and working
23 things out.

24 You can see things are moving nicely in our
25 Village.

1 This Board has seen so much resiliency.
2 Volunteers helping others has helped me
3 personally stay hopeful and optimistic and we
4 are collaborating. Page | 44

5 Residents are doing a good job and they are
6 being positive and they are doing positive
7 things.

8 Lynbrook CARES, Community Chest and OLP
9 Outreach, to name a few are reaching out to our
10 residents that really need help and they are
11 doing a great job.

12 I can't thank all the volunteers enough.

13 Everyone is working together and that is
14 the reason why this is such a great Village for
15 us to live in and I can't thank the residents
16 enough for the opportunity to be their Mayor.

17 That is why we all should remain hopeful
18 and optimistic and please remember the
19 sacrifices of our First Responders and,
20 especially their families.

21 And, also, the Doctors and Nurses, the
22 hospital workers, we can never forget and we
23 will never forget the dedication of these people
24 and also the essential workers that go and show
25 up to work everyday to keep this Country

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moving forward.

I thank you.

And, of course, the Village, staff, here,
the Village, John and Staff, Brian, Rec.,
Library, everybody for their hard work, I truly
appreciate it and another reason why this
Village is so great.

So, I ask you all to be well, stay safe and
please follow the guidelines of the CDC, with
that I make a Motion to close and move into
Executive Session.

TRUSTEE REARDON: So moved.

TRUSTEE BOCCIO: Second.

MAYOR BEACH: All in favor?

(Whereupon, a vote of aye was heard. The
Meeting of April 13, 2020 Village Board of
Trustees was concluded. Time noted: 8:20 p.m.)

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CERTIFICATE BY COURT REPORTER

I, do hereby certify that the foregoing
testimony in the matter of the Village of Lynbrook ^{Page | 46}
Board of Trustees Board Meeting held on April 13,
2020, consisting of pages 1 through 46 inclusive
is an accurate transcription of my cryptic notes.

IN WITNESS WHEREOF, I SET MY HAND THIS DAY.



CFM

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