

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
OCTOBER 18, 2016
10:32 a.m.

JOHN VENDITTO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

HEARING - Local Law

To consider a local law entitled "A Local Law to Amend Chapter 209 - Taxation, to add Article X - Override of Real Property Tax Levy to the Code of the Town of Oyster Bay, New York to Override the Tax Levy Limit Established in General Municipal Law Section 3-C." Hearing continued from September 27, 2016. (M.D. 9/27/16 #4).

P R E S E N T:

SUPERVISOR JOHN VENDITTO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN CHRIS COSCHIGNANO
COUNCILMAN JOSEPH G. PINTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON

A L S O P R E S E N T:

JAMES ALTADONNA JR., TOWN CLERK
JAMES J. STEFANICH, RECEIVER OF TAXES
LEONARD GENOVA, TOWN ATTORNEY

(Appearances continued on following page.)

I certify this is a true
and accurate transcript.



YVONNE ANGELES
Official Reporter/Notary

ORIGINAL TRANSCRIPT

ALSO PRESENT:

FRANK SCALERA, CHIEF DEPUTY TOWN ATTORNEY
DONNA B. SWANSON, DEPUTY TOWN ATTORNEY
MATTHEW M. ROZEA, ASSISTANT TOWN ATTORNEY
CHRISTINE M. WISS, DEPUTY COMPTROLLER
LINDA M. HERMAN, OFFICE OF THE TOWN CLERK
RALPH J. RAYMOND, DEPUTY TOWN CLERK
RAYMOND T. SPAGNUOLO, DEPUTY TOWN CLERK
LAURA VIANELLO, DEPUTY RECEIVER OF TAXES
ANDREW S. ROTHSTEIN, DIRECTOR OF OPERATIONS,
OFFICE OF THE SUPERVISOR
CAROL STRAFFORD, DIRECTOR OF LEGISLATIVE AFFAIRS
MARTA KANE, DIRECTOR OF COMMUNITY RELATIONS,
PUBLIC INFORMATION
BRIAN DEVINE, RESEARCH ASSISTANT,
PUBLIC INFORMATION
ROBERT DARIENZO, DIRECTOR OF FINANCE
FRANK A. NOCERINO, COMMISSIONER,
DEPARTMENT OF PARKS
RICHARD T. BETZ, COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
LESLIE MACCARONE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
MATT RUSSO, ENGINEERING,
DEPARTMENT OF PUBLIC WORKS
FRANK SAMMARTANO, DEPUTY COMMISSIONER,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
NEIL O. BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
DANIEL PEARL, DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
JUSTIN McCAFFREY, COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
BARRY BREE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
JAMES McCAFFREY, DEPUTY COMMISSIONER,
DEPARTMENT OF ECONOMIC DEVELOPMENT
RALPH HEALEY, SPECIAL COUNSEL,
DEPARTMENT OF ECONOMIC DEVELOPMENT
TIM ZIKE, DEPUTY COMMISSIONER,
DEPARTMENT OF PLANNING AND DEVELOPMENT
VICKI SPINELLI, DEPUTY COMMISSIONER,
DEPARTMENT OF HUMAN RESOURCES
RICHARD LAMARCA, DIRECTOR,
DEPARTMENT OF HUMAN RESOURCES
MAUREEN A. FITZGERALD, COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES

ALSO PRESENT:

PATRICIA A. BECKERLE, DEPUTY COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
JOHN BISHOP, ADMINISTRATION,
DEPARTMENT OF HIGHWAYS
COLIN BELL, ASSISTANT DIRECTOR,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
FRANK GATTO, ASSISTANT TO THE COMMISSIONER,
DEPARTMENT OF GENERAL SERVICES

1 SUPERVISOR VENDITTO: Ladies and
2 gentlemen, if everyone will find seats, we will
3 begin and we will begin by asking our Town Clerk,
4 Mr. Altadonna, to kindly poll the Board.

5 MR. ALTADONNA: Supervisor Venditto?

6 SUPERVISOR VENDITTO: I am here.

7 MR. ALTADONNA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: Here.

9 MR. ALTADONNA: Councilman Macagnone?

10 COUNCILMAN MACAGNONE: Here.

11 MR. ALTADONNA: Councilman Coschignano?

12 COUNCILMAN COSCHIGNANO: Here.

13 MR. ALTADONNA: Councilman Pinto?

14 COUNCILMAN PINTO: Here.

15 MR. ALTADONNA: Councilwoman Alesia?

16 COUNCILWOMAN ALESIA: Here.

17 MR. ALTADONNA: Councilwoman Johnson?

18 COUNCILWOMAN JOHNSON: Here.

19 SUPERVISOR VENDITTO: Ladies and
20 gentlemen, if everyone would please rise and join
21 in the Pledge of Allegiance to our flag led by our
22 receiver Jim Stefanich.

23 (Pledge of Allegiance recited.)

24 SUPERVISOR VENDITTO: All right.

25 Mr. Altadonna, if you would call

1 Hearing No. 1.

2 MR. ALTADONNA: To consider a Local Law
3 entitled "A Local Law to Amend Chapter 209 -
4 Taxation, to add Article X - Override of Real
5 Property Tax Levy to the Code of the Town of Oyster
6 Bay, New York to Override the Tax Levy Limit
7 Established in General Municipal Law Section 3-C."
8 Hearing continued from September 27, 2016.

9 SUPERVISOR VENDITTO: All right.

10 There has been an issue raging across
11 the length and breadth of this Town, and rightfully
12 so, I think, as to whether or not this hearing is
13 properly before the Town Board this morning.

14 You can probably make arguments both
15 before and against that and because of the
16 curiousness of the matter, what is commonly
17 referred as to piercing the tax gap, I think we
18 need to be certain the matter is properly before
19 us. This might be the last chance to redo all of
20 this.

21 I turn to the Town Attorney's office
22 and ask them to give us their input on how to get
23 this back on the rails again.

24 So, Mr. Scalera, if you would --

25 MR. SCALERA: Good morning, Supervisor,

1 members of the Town Board.

2 SUPERVISOR VENDITTO: Tell us what the
3 heck we should do.

4 MR. SCALERA: This is what I suggest --
5 what our office suggests, at the last Town Board
6 hearing on September 27th, this Town Board, towards
7 the end of the -- well, during the hearing, the
8 opening of the hearing, took an action, a proper
9 action to adjourn the hearing to this date.

10 They also took an additional action
11 that was not necessary, but for additional
12 transparency, they also took an action to
13 readvertise it, which they, did and they did
14 published it, which was not necessary, but was done
15 nonetheless.

16 Immediately thereafter, some questions
17 were raised about the document labeled 547-2016.
18 Although, the Town Board, like I just mentioned,
19 properly adjourned the hearing and readvertised it,
20 in light of the questions raised and for lack of a
21 better term, some confusion, I suggest or our
22 office suggests that you open the hearing that was
23 properly adjourned to today, reopen it, then close
24 it and consider the introduction of a Walk-On
25 Resolution to advertise the hearing for a new date

1 on November 15, 2016.

2 It would be the simplest way and it
3 will allow us to get beyond any questions or
4 matters or concerns raised about the document
5 labeled 547-2016.

6 SUPERVISOR VENDITTO: In effect, it's a
7 do-over.

8 MR. SCALERA: Yes, it would be a
9 do-over.

10 SUPERVISOR VENDITTO: Now, I have to
11 put this to you, is there any question by beginning
12 that process today that will culminate on
13 November 15th with the actual hearing? Will we
14 have any problems on November 15th?

15 Are we comfortable that by starting the
16 process again today? We will be within all the
17 time constraints and it will be validly be before
18 us on November 15th.

19 MR. SCALERA: Yes, it will be properly
20 noticed and advertised saying October 18th to
21 November 15th. So there's plenty of notice for
22 that hearing and, of course, it is within the
23 purview of the Town Board to set that hearing and
24 open that hearing and consider all the matters and
25 concerns regarding the override of the tax levy at

1 that hearing.

2 Although, I want to emphasize for all
3 that are listening, the action you did take on
4 September 27th regarding this was proper. This is
5 just an extra layer of belts and suspenders
6 regarding the hearing.

7 SUPERVISOR VENDITTO: I'm not
8 personally going to pass judgment, for lack of a
9 better word, myself. The only thing I want to know
10 is that when it comes back to us on the 15th, we
11 won't have any problems.

12 You're assuring the Board that?

13 MR. SCALERA: Yes, it will be a
14 hearing -- just making it clear in layman's terms,
15 it will be do-over hearing on the matter.

16 SUPERVISOR VENDITTO: Basically, we are
17 starting fresh today with setting the pierce tax
18 gap hearing on for November 15th.

19 MR. SCALERA: And understand, these
20 additional notices, these published notifications
21 by the Board and by Town Clerk is the additional
22 transparency and the additional notice requirements
23 that can assure you and the Board that, indeed, the
24 matter is being given notice to the public for
25 their participation, if any.

1 SUPERVISOR VENDITTO: Are there any
2 questions for Frank? Is it clear to everybody what
3 we're doing?

4 (No verbal response.)

5 SUPERVISOR VENDITTO: Okay.

6 Then we need to --

7 MR. ALTADONNA: What we are going to
8 do, Supervisor, is we are going to suspend and
9 re-suspend the rules and add Walk-on Resolution No.
10 607 which will address this issue.

11 SUPERVISOR VENDITTO: Do we need to
12 dispose of Hearing No. 1 first?

13 MR. ALTADONNA: Yes, it will be a
14 regular Resolution and the Board will act on it.

15 SUPERVISOR VENDITTO: For the moment,
16 all that is before us is Hearing No. 1 and we now
17 going to move to close Hearing No. 1?

18 MR. SCALERA: Correct, you will open
19 Hearing No. 1 which was, again, properly
20 advertised.

21 SUPERVISOR VENDITTO: Hearing No. 1 is
22 now before us.

23 Then, we will take a motion to close
24 Hearing No. 1 and then later on in the calendar, a
25 Walk-On Resolution will set up the process within

1 now and November 15th.

2 MR. SCALERA: Whether you want to do it
3 now or later on in the calendar.

4 SUPERVISOR VENDITTO: I think we can do
5 it later in the calendar, unless anybody wants to
6 do it sooner.

7 Why don't we begin by a motion to close
8 Hearing No. 1 without taking any further action?

9 COUNCILMAN MUSCARELLA: Supervisor,
10 I'll make a motion to close this public hearing.

11 COUNCILMAN MACAGNONE: Seconded.

12 SUPERVISOR VENDITTO: I believe it was
13 called and it was opened; am I correct?

14 COUNCILMAN MUSCARELLA: Supervisor,
15 I'll make a motion to close the public hearing.

16 COUNCILMAN MACAGNONE: Seconded.

17 SUPERVISOR VENDITTO: All in favor?

18 ALL: "Aye."

19 SUPERVISOR VENDITTO: Opposed?

20 (No response.)

21 SUPERVISOR VENDITTO: So moved.

22 I'll make it clear that no further
23 action with respect to Hearing No. 1 will be taken,
24 and in effect, somebody has to say it, we are
25 swapping out Hearing No. 1 and we are starting the

1 process for the hearing on the tax gap for a
2 hearing on November 15th, the process beginning
3 with a Walk-On Resolution which is going to be
4 called subsequently on this calendar.

5 MR. SCALERA: That Walk-On Hearing will
6 be published.

7 SUPERVISOR VENDITTO: Thank you very
8 much.

9 (Time noted: 10:41 a.m.)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
OCTOBER 18, 2016
10:42 a.m.

JOHN VENDITTO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

HEARING - Finance

To consider the Preliminary Budget of the Town of Oyster Bay for the Year 2017. (M.D. 9/13/16 #35).

P R E S E N T:

SUPERVISOR JOHN VENDITTO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN CHRIS COSCHIGNANO
COUNCILMAN JOSEPH G. PINTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON

A L S O P R E S E N T:

JAMES ALTADONNA JR., TOWN CLERK
JAMES J. STEFANICH, RECEIVER OF TAXES
LEONARD GENOVA, TOWN ATTORNEY
FRANK SCALERA, CHIEF DEPUTY TOWN ATTORNEY
DONNA B. SWANSON, DEPUTY TOWN ATTORNEY
MATTHEW M. ROZEA, ASSISTANT TOWN ATTORNEY
CHRISTINE M. WISS, DEPUTY COMPTROLLER
LINDA M. HERMAN, OFFICE OF THE TOWN CLERK

(Appearances continued on following page.)

I certify this is a true and accurate transcript.



YVONNE ANGELES
Official Reporter/Notary

ORIGINAL TRANSCRIPT

ALSO PRESENT:

RALPH J. RAYMOND, DEPUTY TOWN CLERK
RAYMOND T. SPAGNUOLO, DEPUTY TOWN CLERK
LAURA VIANELLO, DEPUTY RECEIVER OF TAXES
ANDREW S. ROTHSTEIN, DIRECTOR OF OPERATIONS,
OFFICE OF THE SUPERVISOR
CAROL STRAFFORD, DIRECTOR OF LEGISLATIVE AFFAIRS
MARTA KANE, DIRECTOR OF COMMUNITY RELATIONS,
PUBLIC INFORMATION
BRIAN DEVINE, RESEARCH ASSISTANT,
PUBLIC INFORMATION
ROBERT DARIENZO, DIRECTOR OF FINANCE
FRANK A. NOCERINO, COMMISSIONER,
DEPARTMENT OF PARKS
RICHARD T. BETZ, COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
LESLIE MACCARONE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
MATT RUSSO, ENGINEERING,
DEPARTMENT OF PUBLIC WORKS
FRANK SAMMARTANO, DEPUTY COMMISSIONER,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
NEIL O. BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
DANIEL PEARL, DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
JUSTIN McCaffrey, COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
BARRY BREE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
JAMES McCaffrey, DEPUTY COMMISSIONER,
DEPARTMENT OF ECONOMIC DEVELOPMENT
RALPH HEALEY, SPECIAL COUNSEL,
DEPARTMENT OF ECONOMIC DEVELOPMENT
TIM ZIKE, DEPUTY COMMISSIONER,
DEPARTMENT OF PLANNING AND DEVELOPMENT
VICKI SPINELLI, DEPUTY COMMISSIONER,
DEPARTMENT OF HUMAN RESOURCES
RICHARD LAMARCA, DIRECTOR,
DEPARTMENT OF HUMAN RESOURCES
MAUREEN A. FITZGERALD, COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
PATRICIA A. BECKERLE, DEPUTY COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
JOHN BISHOP, ADMINISTRATION,
DEPARTMENT OF HIGHWAYS

ALSO PRESENT:

COLIN BELL, ASSISTANT DIRECTOR,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
FRANK GATTO, ASSISTANT TO THE COMMISSIONER,
DEPARTMENT OF GENERAL SERVICES

1 SUPERVISOR VENDITTO: Mr. Altadonna, if
2 you would call Hearing No. 2.

3 MR. ALTADONNA: Finance - To consider
4 the Preliminary Budget of the Town of Oyster Bay
5 for the Year 2017.

6 SUPERVISOR VENDITTO: Okay,
7 Mr. Darienzo.

8 MR. DARIENZO: Good morning,
9 Supervisor, Town Board Members.

10 The 2017 Preliminary Budget details,
11 \$284.1 million of revenues and \$284.1 million in
12 expenses. That amount is down 5.5 million from
13 2016 of an adopted budget total of 289.6 million.

14 Some notable expense cuts in the 2017
15 budget include a 10 percent reduction in full-time
16 salaries Town wide by department. This savings is
17 projected to be in the form of layoffs.

18 Just so it's clear to the Board and
19 everyone listening, it does not mean that everyone
20 will have a salary reduced by 10 percent. It means
21 that the majority of employees will keep their job,
22 but necessary savings will be achieved by laying
23 off the number of employees needed to reach the
24 salary figures as shown in the budget.

25 Additionally, we project \$1 million

1 reduction in part-time and seasonal salaries and a
2 \$1 million reduction Town wide in professional
3 services which is allotted to outside consultants.

4 On the revenue side, there's are new
5 revenues in place for 2017. We have budgeting
6 \$1.5 million in revenues for the rental of our park
7 fields to for-profit organization.

8 We are looking to implement new
9 programs for our preferred parking at our train
10 station parking lots. We expect that to net
11 \$750,000 in 2017 and we are budgeting \$3,000 in the
12 form of a 2 percent administrative fee to be paid
13 by the buyer, Golden Age Senior Housing resale.

14 Lastly, we project \$4.8 million in
15 recurring revenue from a tax increase that stays
16 within the tax gap. There are no one-shot revenues
17 in this budget. There is no appropriation of
18 surplus.

19 I'm very confident in saying that if we
20 stay within the expense numbers as shown in the
21 document, the 2017 budget as a standalone item,
22 will, at worst, break even and generate a small
23 amount of surplus by the end of 2017.

24 At this point, I will take any
25 questions that the Board may have.

1 SUPERVISOR VENDITTO: No.

2 But why don't you take up seat next
3 to --

4 COUNCILMAN MACAGNONE: I have a
5 question.

6 SUPERVISOR VENDITTO: I'm sorry.

7 COUNCILMAN MACAGNONE: Mr. Darienzo,
8 the revenue, as I stated many times before, we have
9 a quite a few fields, parks. We have a water park,
10 a skate rink that screams to get corporate
11 advertisers to bring more revenue in.

12 Have we looked into that?

13 MR. DARIENZO: Have I personally looked
14 into that?

15 COUNCILMAN MACAGNONE: Has anyone
16 looked into that, to bring more revenue in?

17 MR. ROTHSTEIN: We have started looking
18 into that and looking into the procedures of how we
19 can do that properly, looking at all of the venues,
20 the fields, any of the properties that we have
21 where we could possibly have sponsorship program.

22 COUNCILMAN MACAGNONE: I talked to a
23 lot of the leagues and they don't care if it says
24 Dick's Sporting Goods on the field. They want a
25 quality field to play on. Kids are not going to

1 care if it's the Coppertone Water Park in Tobay
2 Beach or Coca-Cola Skate Rink at Bethpage. We
3 really have some assets. Let's use it to raise
4 some revenue.

5 MR. ROTHSTEIN: We are looking into
6 that, looking at the best way to handle that. As
7 we are looking at it more in advertising as
8 compared to pricing and product advertising and we
9 have been doing a lot of work with that and
10 continue to do it.

11 I agree we do have assets that can
12 possibly bring sponsors in.

13 COUNCILMAN MACAGNONE: Thank you.

14 MR. DARIENZO: I will go further to say
15 that a committee was formed. I met with every
16 single department to look at ways to raise any
17 revenues we could.

18 Recommendations were made. Some of
19 ideas were good. Some ideas were bad. Some of
20 them were actually vetted out and the ones I
21 mentioned were the three biggest ones that are --
22 it does not mean we stop looking for ways to
23 increase revenue.

24 As I stated, we are looking at what you
25 are proposing and I think that a lot of other

1 people are still working right now to find ways to
2 make us money next year.

3 COUNCILMAN PINTO: Rob, I have a
4 question for you.

5 SUPERVISOR VENDITTO: Before you do
6 Joe, let me just round that out. Early on, over
7 the last decade or more, the proliferation of
8 playing surfaces in the Town -- early on, there was
9 a lot of mention about this, advertising and things
10 of that nature.

11 At that time, I don't know that there
12 was much concern about raising revenue. Perhaps
13 there should have been, but there wasn't. There
14 was also, do we have to clutter up the fields with
15 the signs. It wasn't overwhelming. I think it
16 could have been done. But I think the Councilman's
17 point is well taken and I will look over at Andy
18 Rothstein. I think the idea that the Councilman is
19 putting forward is an idea whose time has come and
20 we should pursue it.

21 I'm sorry, Joe.

22 COUNCILMAN PINTO: No problem.

23 You mentioned the 10 percent reduction.

24 How much, in total, is that going to
25 reduce our expenses?

1 MR. DARIENZO: It reduces full-time
2 salaries by just over \$17 million for the 2017
3 budget.

4 COUNCILMAN PINTO: How much did we
5 decrease our payroll with the incentives and the
6 people retiring?

7 MR. DARIENZO: Roughly, between \$9, \$10
8 million.

9 SUPERVISOR VENDITTO: What was the
10 figure?

11 MR. DARIENZO: We had 88 retirees avail
12 themselves with the incentive that expired.

13 SUPERVISOR VENDITTO: No, no, 103 --

14 MR. DARIENZO: At that same time, there
15 was 15 resignations that occurred year to date as
16 of June 30th.

17 With those 103 people, we save between
18 \$9 and \$10 million.

19 COUNCILMAN PINTO: The reason why I'm
20 asking, I'm a little confused about that because in
21 this Oppenheimer report on Page 14, it said 75
22 retirees will bring you \$9.3 million.

23 MR. DARIENZO: That would be in
24 salaries and benefits.

25 COUNCILMAN PINTO: So wouldn't 100

1 employees bring in \$12 million?

2 MR. DARIENZO: Let's keep in mind that
3 these numbers were estimated when -- when we
4 produced the plan that was part of the official
5 statement that you're referring to, that was done,
6 I think, back in April.

7 So, obviously, we don't -- now, we know
8 the exact numbers of who retired. If a higher
9 price employee retired, we could have saved more
10 money. We don't know who is going to retire until
11 they actually do.

12 COUNCILMAN PINTO: We're looking at \$9
13 or \$10 million --

14 MR. DARIENZO: In salaries, yes.

15 COUNCILMAN PINTO: And then with the
16 enhancements -- the way I see it, we have -- in the
17 way I see it, there's a reduction or addition of
18 \$27 million from 2016 to 2017 coming to Town's way.

19 So why are the expenses only reduced by
20 5.4 million?

21 MR. DARIENZO: Looking at Page 1 of the
22 budget shows a summary that shows a deficit of
23 \$11 million compared to 2016.

24 COUNCILMAN PINTO: But you still have a
25 \$15 million difference.

1 Why didn't the entire --

2 MR. DARIENZO: In 2016, we budgeted for
3 the use of surplus that didn't materialize in the
4 \$11 million and change.

5 COUNCILMAN PINTO: So the '16 budget,
6 we passed a budget -- basically, we are overstating
7 revenues from the --

8 MR. DARIENZO: I think when the 2016
9 budget was adopted, we were confident that certain
10 things would happen during the course of 2016 that
11 would make the 2016 budget hold. 2016 has not
12 completed itself yet and we are -- I'm still
13 hopeful at this time that things that need to
14 happen will happen by the end of the calendar year.

15 COUNCILMAN PINTO: But still, even if
16 that happened, we are not reducing expenses by as
17 much as we are gaining from all the reductions and
18 expenses?

19 MR. DARIENZO: That's true.

20 SUPERVISOR VENDITTO: Sorry. Say that
21 again.

22 COUNCILMAN PINTO: We are not reducing
23 our budget by all the extras and the additions or
24 the cuts we made from 2016 to 2017. We are not
25 doing that. I do believe this is a balanced

1 budget, but it's not -- we are not utilizing all of
2 our -- you know, the bonuses we received for all
3 the work we've done this past year which would make
4 a larger surplus.

5 MR. DARIENZO: Councilman, if I may,
6 all of the work that was done to increase revenues
7 and decrease expenses allows this budget to be
8 balanced.

9 COUNCILMAN PINTO: I agree.

10 MR. DARIENZO: It allows it to be
11 balanced. Period. It does not allow it to
12 generate a larger number of surplus than what's
13 shown.

14 COUNCILMAN PINTO: It's because, in the
15 past, it seems like we were not able to maintain
16 whatever the budget was in the past, last year,
17 you're saying certain things have to happen now in
18 order for that balance?

19 MR. DARIENZO: You get no arguments on
20 the 2016 budget. I'm here to discuss the 2017
21 preliminary budget.

22 SUPERVISOR VENDITTO: Any other
23 questions from Rob?

24 COUNCILMAN MACAGNONE: Rob, have we
25 looked into getting out of certain businesses we

1 are in, such as golf courses, prioritizing the
2 operation there with real professionals that know
3 what they're doing, getting the job done?

4 MR. DARIENZO: I've heard that idea be
5 approached in the past. I've never gone to
6 anything formal.

7 COUNCILMAN PINTO: The only other thing
8 I have is with regard to who we give money to
9 annually for them to run their operations and if we
10 looked at all of that because when we're asking
11 (inaudible) to make concessions again to help us
12 out, I think we need to look at who the Town gives
13 money to or whatever we're doing and it's the
14 proper time for us to cut back on that a little
15 bit. I know I spoke to a couple of people about
16 that and I'm hoping that we -- it's still -- some
17 of those items I'm hoping to go back to the people
18 and explain the situation we are in and be able to
19 somehow stop that from happening.

20 MR. DARIENZO: There are certain
21 contracts that are in this budget because they're
22 in effect right now that Councilman Pinto was
23 saying we can renegotiate potentially or eliminate
24 potentially.

25 SUPERVISOR VENDITTO: Give me an

1 example.

2 MR. DARIENZO: One or two examples
3 exists in the general services budget. We pay
4 Raynham Hall and Earle Wightman House.

5 SUPERVISOR VENDITTO: Okay.

6 MR. DARIENZO: That's just part of it.
7 There's also work that we for -- we loan them our
8 equipment, we loan them our time. There's no
9 comprehensive lists because those things don't
10 happen on a calendar basis. They happen when
11 needed.

12 So, we are now going to look to make
13 sure we are reimbursed for our time and effort.

14 SUPERVISOR VENDITTO: Those things
15 tended to arise spontaneously. We plow snow for
16 other municipalities. We provide equipment for
17 other municipalities. We have done many, many
18 things in the past.

19 I think the Councilman, we may not be
20 able to afford them anymore.

21 MR. DARIENZO: At this juncture, it's
22 hard to quantify that.

23 SUPERVISOR VENDITTO: I understand.
24 It's a habit that we may not be able to live with
25 anymore.

1 Rob, if you would take up -- I'm sure
2 there's going to be a lot of questions.

3 Why don't you take the hot seat over
4 here?

5 Hearing No. 2, I have three forms.
6 Let's start with Robert Ripp.

7 MR. RIPP: I'm Robert Ripp from
8 Massapequa.

9 I have a brief statement to make with
10 regard to the budget. The financial situation we
11 are discussing today should come to no surprise to
12 any of you.

13 In 2011, the Town carried a debt of
14 \$580 million. We've previously -- you all
15 previously acknowledged reading the 2011 Town of
16 Oyster Bay Financial Conditions and selected a
17 Financial Operation Report prepared by the Office
18 of the New York State Comptroller.

19 In that report, you chastised for the
20 inappropriate method in which you used requirement
21 contracts to circumvent the correct change order
22 process and bidding of projects. You Board members
23 allowed the change in the rules which gave the
24 Department of Commissions the authority to approve
25 extending contracts and authorizing payments to

1 vendors without requiring your approval beforehand.

2 Councilwoman Alesia is quoted in
3 saying, "We rely on our Commissioners, Deputy
4 Commissioners and Councilwomen to make these
5 decisions."

6 In relation to Commissioners having the
7 authority to approve extensions of these
8 requirement contracts, the Councilwoman has said
9 it, the extension are very administrative in
10 function.

11 In five years, you managed to almost
12 double the Town debt. You've done so by abusing
13 requirement contracts and neglecting to keep
14 yourselves informed regarding spending. You've
15 done so by hiring repetitious consultants through
16 no-bid service agreements which you extended for
17 years. You've done so by purchasing multiple
18 properties, many of considerable much more than
19 their values for no apparent residual reason.
20 You've done so by providing lucrative lease and
21 vendor contracts.

22 You recently received a 461 said
23 increase in the rent at Woodlands. You have Bill's
24 Towing, Laser and (inaudible) agreement at the Old
25 Bethpage landfill, Ippolito's turn with storage

1 area lease agreements. You built synthetic turf
2 stadium style fields through requirement contracts
3 until you ran out of Town parks to build them in
4 and then you started building them at the school
5 districts.

6 Mr. Venditto, you habitually scorned
7 school district taxing that you build at school
8 districts at the expense of every Town taxpayer.
9 You recently were ready to build a stadium field at
10 Massapequa at Burns School and even proposed to
11 build an indoor pool at the Farmingdale School
12 District, all of which would have paid for by the
13 residents' expense.

14 We are supposed to believe you're doing
15 this at the best interest of the residents?

16 When it comes time to talk about taxes,
17 Mr. Venditto, you told the same story three --
18 excuse me, you tell the same three stories again
19 and again.

20 How little your Town tax increase, how
21 little our Town taxes is supposed to seem when
22 compared to other taxes and not of the Town taxes
23 and how Oyster Bay is ranked as one of the best
24 Towns in the country.

25 I'm here because I agree that Oyster

1 Bay is a great place to live and, in my opinion,
2 that's because of the hardworking employees of the
3 Town who labor to do the job every day.

4 Do you realize how many people you
5 intend to hurt when threaten layoffs? Before one
6 layoff of one real worker, in my opinion, you
7 should revert every redundant appointed
8 Commissioner back to the Civil Service pay,
9 terminate all the Special Service agreements such
10 as Linda Mondella's historical consultant position
11 and Louis Bonnanzio personal sports consultant to
12 the Supervisor position.

13 Stop abusing the requirements contract
14 process, stop unnecessary spending and if you must
15 reduce the work force, start with the (inaudible)
16 the Town.

17 Town Board, you created this financial
18 burden, you're responsible to correct it. Start by
19 policing yourselves and not by raising taxes and
20 eliminating our work force.

21 Thank you very much.

22 SUPERVISOR VENDITTO: Rob, before you
23 go away, the only thing I want to correct in your
24 statement, I don't really agree with too much of
25 it.

1 One thing I think I really need to
2 address, I don't think I've ever demonstrated any
3 scorn for the school districts.

4 What I have always said, and they're
5 absolutely facts and can't be denied, in the same
6 period of time that my Town taxes -- I'm not going
7 to go through it with you -- but in the same
8 25-year period of time, my Town taxes went up about
9 \$800; my school taxes went up \$4,800. I'm always
10 very, very careful and I don't criticize school
11 budgets. They're voted on by the public and the
12 public tends to pass them by a pretty significant
13 margin. That's the people's call.

14 The only thing I point out is the fact
15 that it does cost a significant amount of money to
16 run the school districts.

17 I always point out, however, that the
18 school districts recently, when Money magazine
19 ranked us among the finest places to live -- two
20 weeks ago, when Money magazine ranked us among the
21 finest places to live anywhere in our great nation,
22 one of the things they sited is the school
23 districts.

24 So I don't like the thought that you
25 characterize anything I've ever said about the

1 school districts as scornful. I have nothing but
2 admiration for the work that they do, and the value
3 they add to the quality of life in this Town is
4 evidenced by the Money magazine report.

5 MR. RIPP: I apologize for
6 misinterpreting your feelings. I'm just explaining
7 the way I felt after hearing you. I'm not a mind
8 reader.

9 Thank you for clarifying.

10 SUPERVISOR VENDITTO: Thank you, Rob.

11 Hearing No. 2, Dean Hart?

12 MR. HART: Council, I first have a
13 comment of this change of venue or change of
14 subject from the tax cap issue.

15 A month ago it was brought up that we
16 were not going to raise the tax cap and promised by
17 the Council, but yet, I attended the last meeting,
18 took off.

19 I'm a tax paying citizen like everybody
20 else out there. We then were told to come today
21 for that tax cap issue. What happens is it's blown
22 off again. Maybe it's a coincidence, but it seems
23 like you're doing it postelection. That's okay.

24 SUPERVISOR VENDITTO: Dean, I'm not in
25 the mood to argue with anybody this morning.

1 There's no Town election this year. We have no
2 interest in any elections other than those in the
3 Town. So there is no Town election this year.

4 I think, if you were really paying
5 attention to what is happening, I think you would
6 see that the Board is really very conflicted. I
7 think all seven members of the Board are very
8 conflicted as to whether or not we should pierce
9 the tax cap, and even if we do, whether or not
10 thereafter that we should even increase taxes.

11 When I say conflicted -- I mean, about
12 as conflicted as I have ever seen this Board in the
13 40 years that I've been involved.

14 So rather than leave your own
15 narratives, which apparently you are very good at
16 from what I read, I think maybe you should just ask
17 us why did you do it. I'm telling why we did it.

18 The Board is very conflicted, and quite
19 honestly, there were a group of residents who
20 brought this matter to our attention and I think
21 the gentleman who just spoke before you is one of
22 the people who brought it to our attention that
23 perhaps the matter was not properly before this
24 Board this morning as I indicated in my initial
25 comment.

1 Because it is such a great matter, such
2 a serious matter, rather than proceed today and
3 find out that we didn't do it properly, we would
4 rather not take that chance. So that's what you
5 are seeing rather than the ghosts and goblins.

6 MR. HART: Well, the three days that
7 we've had to take off from work now to maybe
8 discuss it postelection and there are elections
9 going on, be they the Council or not, they are
10 going on and to take a third day off and then maybe
11 you will postpone it again.

12 How many days do taxpaying citizens
13 have to lose their income to be here in the middle
14 of the workday to hear and protest it if it's not
15 appropriate?

16 SUPERVISOR VENDITTO: The answer to
17 your question is we need to do it as many times as
18 it takes to get it right.

19 All right. Go ahead.

20 MR. HART: Let's talk about the budget.

21 Judge Wexler, as I did, asked in these
22 transcripts and the preceding meeting on the 27th
23 of September, how many contracts were given to
24 Lizza Contracting while Mr. Ippolito was the
25 Commissioner and not only working for the Town

1 Oyster Bay and Lizza Contracting and was advocating
2 for Lizza Contracting because they liked them so
3 much, they were giving them \$2 million; yet, he was
4 promoting their contracts to the Town.

5 I asked for documents, how many
6 contracts and how much was paid to Lizza Contracting.

7 You had me repeat it at the last Board
8 meeting and I was wondering, now, I've sent
9 certified letters, return receipt, faxes, e-mails,
10 phone calls, any way I can get that information,
11 but I don't have it still. Why a -- you said you
12 would give it to me.

13 SUPERVISOR VENDITTO: I don't have the
14 information.

15 MR. DARIENZO: I don't have it handy
16 now.

17 MR. HART: Well, it probably --

18 SUPERVISOR VENDITTO: You already
19 mischaracterized so many things. You've taken
20 liberty with a Federal Judge's statement. You
21 talked about contracts being promoted by
22 Mr. Ippolito. There's no evidence of that.

23 Here you go again weaving narratives
24 and conjuring up all sorts of devils. Mr. Ippolito
25 is charged with income tax evasion. He pleaded

1 guilty to one count of income tax evasion and he
2 was sentenced accordingly.

3 You come to the podium and you start
4 smearing Mr. Ippolito -- with that aside, his case
5 is over -- you started smearing the Town of Oyster
6 Bay. Contracts were promoted.

7 What are you talking about? What
8 contracts are you --

9 MR. HART: Contracts that you approve.

10 SUPERVISOR VENDITTO: I'm not going to
11 let you do that.

12 You made a statement that contracts
13 were -- you made a statement that contracts were
14 being promoted.

15 What are you talking about?

16 MR. HART: Why did this man get family
17 trust money from Lizza Contracting as gifts while
18 he was a Commissioner? What --

19 SUPERVISOR VENDITTO: What does that
20 have to do with the 2017 budget?

21 MR. HART: I'll go there then.

22 Our Town has been downgraded since
23 Mr. Ippolito. The Town has been downgraded through
24 (inaudible) of breaches of fiduciary duties by this
25 Council, from AAA status in five years to junk

1 bond. You didn't even furnish the financial
2 statements in 2014.

3 SUPERVISOR VENDITTO: I have to stop
4 you.

5 You are saying that Mr. Ippolito's plea
6 to a tax evasion charge has something to do with
7 the downgrading of bond --

8 MR. HART: I think the gifting does.

9 SUPERVISOR VENDITTO: Your time is up.

10 MR. HART: You spoke. I didn't speak.
11 Don't I get to speak?

12 SUPERVISOR VENDITTO: You said more
13 than enough. Round out your statement.

14 Go ahead.

15 MR. HART: The millions of dollars that
16 were loaned to restaurateur Mr. Singh, do you think
17 that's any part of the reason the Town's credit
18 rating was downgraded to junk? You signed off on
19 that. There are documents showing 20, \$30 million
20 that vanished from our Town.

21 SUPERVISOR VENDITTO: Dean, let me ask
22 you a question. I don't know why I'm doing this.

23 What money has the Town of Oyster Bay
24 loaned to Mr. Singh? Are you serious?

25 MR. HART: \$20, \$30 million -- we

1 guaranteed it and now the guy has no money and he
2 is in jail. You guaranteed \$20, \$30 million to
3 this guy.

4 SUPERVISOR VENDITTO: You haven't said
5 one accurate thing yet. We made no such guarantee
6 and we made no such loan. That has been said on
7 the record countless times.

8 I have to tell you something, I've read
9 about your exploits, too. You're not the most
10 credible person to be standing at that podium
11 making up the kind of stories that you're making
12 up.

13 Apparently, you made stories up like
14 that in other locales and before the judiciary.
15 I'm not going to put it up --

16 MR. HART: I don't believe so.

17 SUPERVISOR VENDITTO: You
18 mischaracterized. We have not loaned Mr. Singh any
19 money.

20 MR. HART: You guaranteed the loan.

21 SUPERVISOR VENDITTO: Listen to me
22 again. This is the third time. We have not
23 guaranteed the repayments of any loan to Mr. Singh,
24 and that's the end of the discussion. We have --

25 MR. HART: I thought this was a

1 legislative meeting.

2 What does the judiciary have to do with
3 that or are you an expert on that?

4 SUPERVISOR VENDITTO: I didn't say I
5 was an expert on it. I said I read about your
6 exploits before the judiciary and the respect that
7 you or lack thereof of judicial system and you have
8 gall to come in here and start criticizing and
9 mischaracterizing a federal judge's statement.

10 But anyway --

11 MR. HART: I have the statement here.

12 Do you want me to read it word for
13 word --

14 SUPERVISOR VENDITTO: You read it
15 already.

16 Dean, thank you very much.

17 MR. HART: Can I say this one other
18 thing?

19 SUPERVISOR VENDITTO: Make it quick.

20 MR. HART: How much in the budget is
21 allocated for the 35 different federal
22 investigations going on in legal fees to support
23 the Oyster Bay from keeping them out of jail and
24 what is going on with these federal investigation
25 as far as the budget goes? How much is it costing

1 the Town citizens?

2 SUPERVISOR VENDITTO: Let me ask you a
3 question; where did you get the number 35
4 investigations?

5 MR. HART: Just looking around.

6 SUPERVISOR VENDITTO: Kind of made it
7 up?

8 MR. HART: Yes.

9 Can you deny 35 agencies investigating
10 Oyster Bay right now? Do you deny or not?

11 SUPERVISOR VENDITTO: Yes, I do.

12 MR. HART: You do deny it?

13 SUPERVISOR VENDITTO: Have a nice day.

14 I have no other forms -- I'm sorry, Bob
15 Freier.

16 Bob, I never thought I'd be so happy to
17 see you.

18 MR. FREIER: Hi. I'm Bob Freier from
19 Woodbury.

20 First, I have a question -- I'm sorry,
21 I forgot your name.

22 SUPERVISOR VENDITTO: Rob.

23 MR. FREIER: You mentioned to
24 Councilman Pinto's question that there were certain
25 assumptions in this year's budget that never

1 materialized.

2 What were specifically those
3 assumptions?

4 MR. DARIENZO: I didn't say they never
5 materialized. They have not materialized yet.

6 MR. FREIER: Haven't materialized yet?

7 MR. DARIENZO: That's correct.

8 There are certain revenues that we put
9 in the budget in the form of surplus. That surplus
10 did not exist until now. So we planned on making
11 up for that hole by selling certain parcels of land
12 and saving money in the second half of 2016 for the
13 salaries of those who retired in the first half of
14 2016.

15 MR. FREIER: Which parcels are that?

16 SUPERVISOR VENDITTO: Hold on.

17 MR. DARIENZO: I'm not personally
18 involved in any negotiations on said parcels.

19 I would defer to our Town Attorney's
20 Office or our Town Board for that.

21 MR. FREIER: He was asking you
22 questions and you said certain things, but were not
23 specific about it. I would think you know the
24 specifics of what you're talking about.

25 SUPERVISOR VENDITTO: Bob, I don't mean

1 to be difficult. I will not charge this against
2 your time. I got distracted.

3 Can you start with your question again?

4 MR. FREIER: Councilman Pinto was
5 asking Rob questions regarding this year's current
6 budget and Rob answered that there were certain
7 assumptions in this year's budget that haven't
8 materialized.

9 I want -- but was not specific and
10 didn't give any exact specifics about what those
11 things were. I just asked him that and he said I
12 would refer to the Town Attorney's Office.

13 MR. DARIENZO: No, I told you that it
14 had to do with sales of certain parcels of land,
15 and then you asked which parcels of land and then I
16 referred you to the Town Attorney's Office.

17 MR. FREIER: You didn't really answer
18 his question in terms of what didn't materialize.
19 Maybe --

20 MR. DARIENZO: Councilman Pinto knows
21 the parcels of land in question.

22 MR. FREIER: Why is that not public?
23 We can't know that?

24 SUPERVISOR VENDITTO: No, not at all.
25 I'm sorry.

1 I think what Rob is saying reasoning is
2 that the reason he didn't specify -- again, I
3 apologize for my voice -- to Councilman Pinto
4 because he is aware that Councilman Pinto is
5 already aware of the answer, but you can tell
6 Mr. Freier.

7 MR. DARIENZO: I don't know the exact
8 parcel of land.

9 COUNCILMAN PINTO: We are looking at
10 all available land that the Town owns right now,
11 what the possibility is of selling to generate some
12 revenue.

13 The other thing that I -- what would
14 materialize this year and Rob didn't mention, the
15 Nassau County situation, more of that money
16 returned to us this year and it didn't happen, the
17 \$26 million.

18 MR. DARIENZO: No, the agreement we
19 signed that specifies \$13 million.

20 COUNCILMAN PINTO: Going in, was that --

21 MR. DARIENZO: That was not included in
22 the budget.

23 COUNCILMAN PINTO: We have land at our
24 landfill, there are other properties all over the
25 Town that we looked upon as a possibility, land

1 that could be resold to help.

2 MR. FREIER: So you're asking the
3 question that you knew the answer to?

4 COUNCILMAN PINTO: I wasn't quite sure
5 if that was part of it, but --

6 MR. DARIENZO: That's not fair to say.

7 MR. FREIER: I was just reading,
8 actually, that five of the last ten years you felt
9 that the Town fell short in their general fund
10 budget expectations, not including 13 because you
11 had a \$30 million land sale, but you've averaged
12 about \$3.7 million lower than your budget forecast
13 from 2006 to 2015.

14 Since we also know that practically
15 every budget including last year, none of them have
16 really maintained what they were supposed to be,
17 how can we have faith that the budget that you've
18 done now is going to hold true? That's part of the
19 question.

20 Secondly, you're quoted in there about
21 that the Board never got the detail for each Board
22 meeting when you voted to spend money on how --
23 where you are year-to-date to budget.

24 My question to the whole Board here is,
25 isn't that your fiduciary responsibility? Every

1 single meeting before you vote on something to
2 spend money to know how it affects and where you
3 stand year-to-date on the budget? You are voting
4 to spend our taxpayer money, but it seems like,
5 until now, when -- because of the delayed -- which
6 finally got released -- 2014 financials got
7 released -- everyone acts like it was such a
8 surprise.

9 It shouldn't have been a surprise and I
10 know it was not a surprise to people who work here,
11 but because it finally became public, acts like
12 it's a surprise. Then, this supposed task force
13 was being formed, which we later found out was
14 never formed; instead, it was morphed into a bunch
15 of suggestions from people. It seems like this
16 entire Board -- if you weren't getting the actual
17 budget numbers, it's your responsibility to get
18 them.

19 I don't understand why that that never
20 happened in the past and that's part of the reason
21 why we are where we are because I think this Town
22 tried too be much -- tried to offer too many things
23 that we just could not afford to do.

24 One of the things that I asked
25 regarding this budget also is, I noticed roughly

1 about \$100 million -- I asked the question at the
2 last meeting about which I told I would be gotten
3 back to before this meeting -- I asked about the
4 deposits that were made to the Woodlands.

5 I understand that that's quite a
6 significant number that -- which everyone didn't
7 seem to know the answer to. But I understand that
8 the Town, if they are unable to collect it from the
9 investor group, which my guess is that will
10 probably drag on a long time, the Town is going to
11 make good on those deposits to the brides or
12 whoever booked affairs to the Woodlands.

13 Is that in the budget?

14 SUPERVISOR VENDITTO: I wouldn't think
15 so.

16 MR. DARIENZO: There's certainly no
17 allowance for what you're describing in the budget.

18 SUPERVISOR VENDITTO: It's too
19 speculative. We don't really know where it's going
20 yet. It's a long way to go.

21 MR. FREIER: There's probably a wedding
22 this weekend.

23 So, is the Town paying the Lessings
24 Group to cater there, the deposits for those
25 weddings?

1 SUPERVISOR VENDITTO: I don't think we
2 resolved any of these issues yet, either Lessings
3 or there will be the ultimate, permanent catering
4 there.

5 MR. FREIER: From what I understand in
6 the bid is perhaps that the Town actually said that
7 they will reimburse the caterer for those expenses.

8 SUPERVISOR VENDITTO: I don't recollect
9 what the bid said about it.

10 MR. FREIER: Mr. Genova said --

11 SUPERVISOR VENDITTO: Hold on. Let me
12 do that, Bob. I appreciate your help, but I can
13 handle it.

14 MR. FREIER: Thanks.

15 SUPERVISOR VENDITTO: Don't be a
16 wiseguy.

17 Frank, can you ask Len to step out?
18 Did you hear the dialogue?

19 MR. GENOVA: No, I'm sorry.

20 SUPERVISOR VENDITTO: Bob, raise your
21 question again.

22 MR. FREIER: My question is, I
23 understand there are significant amounts of
24 deposits.

25 When you book an affair at the

1 Woodlands, for example, you book a wedding, most
2 people end up giving somewhere between an 8 and
3 \$10,000 deposit on booking and you pay the rest
4 usually the week of the affair. There's quite a
5 significant number of affairs that have been booked
6 and deposits that have been made. I asked you at
7 the last meeting and I was told you'd get back to
8 me before this meeting, but no one ever got back to
9 me.

10 What is the Town going to do about --
11 for example, I'm assuming there's probably a
12 wedding this weekend. Who is -- what is going --
13 how is the caterer being reimbursed?

14 SUPERVISOR VENDITTO: This topic is
15 whether or not this topic was covered with
16 Lessings. I don't know.

17 MR. GENOVA: It was. I think the only
18 reason we haven't got back to Bob yet is, I think
19 any amount would be considered significant if the
20 Town would have to pay for it, which in this case,
21 that's what the RFP called for.

22 Having said that, the number has
23 changed. It's been reduced pretty significantly
24 because a lot of the information that we got, a lot
25 events were canceled, especially during the last

1 few months based on media attention, problems with
2 the facility.

3 We certainly will get to you. It was
4 not for any reason other than we want to give an
5 accurate number. Based on the new information,
6 that number has gone down because a lot of events
7 that people chose to have, they just walked away
8 from it.

9 SUPERVISOR VENDITTO: Bob, I think at
10 this point -- because we are way over time on the
11 matter --

12 MR. FREIER: If they were canceled, did
13 those people get refunded?

14 MR. GENOVA: No, they chose to walk
15 away. They canceled the events on their own.

16 MR. FREIER: The events that are
17 booked, the Town will reimburse the caterer for
18 those charges?

19 MR. GENOVA: The likelihood is that it
20 will probably come off their total amount that's
21 due.

22 COUNCILWOMAN ALESIA: That's just for
23 the three-month that we have left, right?

24 MR. GENOVA: Yes.

25 COUNCILWOMAN ALESIA: Everything is

1 subject to be renegotiated.

2 MR. GENOVA: Yes.

3 SUPERVISOR VENDITTO: Bob, there is one
4 thing before we part company that I will agree with
5 you and I take -- I've said it again and I'll say
6 it again, I take complete responsibility for it.
7 I'm only speaking for myself now. The other Board
8 members will speak for themselves if and when
9 they're called upon.

10 Over the many years, I have made no
11 secret of the fact that -- I'm trying to
12 characterize it in the right way -- I tried very
13 hard, very hard to give a -- to build a Rolls
14 Royce, if you will, for my residents and I state in
15 retrospect, charged Chevrolet prices. Nothing
16 wrong with Chevrolet. I think it's a great car. I
17 think you know the point that I'm making.

18 I do acknowledge that at times I did
19 try to be, perhaps, too many things to too many
20 people, thinking at the time that it was the right
21 thing to do. But, retrospect, I do think that is a
22 contributing factor to the problems we now have and
23 I take full responsibility for it. If I could go
24 back and change it, I would, but I can't. I do
25 have to own up to it. I want to agree with you on

1 that point. I do think that is something that has
2 got us -- was a contributing factor in why we have
3 some of the problems that we have today.

4 Again, I would stress that none of the
5 problems that we have are unfixable. All the
6 problems that we have are soluble. None of them
7 are insoluble. It's going to take a lot of hard
8 work and maybe some of the things that we did in
9 the past -- you've heard the reference made by
10 Councilman Pinto this morning, maybe we can't
11 afford to do A, B and C anymore and maybe we are
12 going to have to re-discipline ourselves, if you
13 will.

14 Always keep in mind that throughout it
15 all -- I have heard analogies, the Oyster Bay is --
16 let's get serious, the Town of Oyster Bay, you've
17 seen it, reflected in the Money magazine, countless
18 other surveys, time and time again and you've seen
19 that we are among the most desirable places to live
20 in the United States. And that has cost us money
21 to get to that level.

22 This administration, not me, but people
23 sitting up here with me and many of my
24 administrators are directly responsible for that.
25 Even some of the retirees had a hand in it. They

1 took this Town out of the dark ages into the new
2 millennium and it cost a lot of money to do so.

3 I own up to the fact that perhaps,
4 perhaps, we spent more than we should have at any
5 given point in time.

6 As far as is the Town is concerned and
7 the position we are in and the quality of life in
8 this Town, I wouldn't trade it for anything in the
9 world, but now we need to fix --

10 MR. FREIER: Even if it meant spending
11 money we never had to begin with?

12 SUPERVISOR VENDITTO: No, I think you
13 are extrapolating my comments, but I think at the
14 time, you if let me talk and stop being
15 disrespectful, at the time, I made judgment call --
16 you can smirk all you want.

17 MR. FREIER: I'm just smiling because
18 I'm being a nice guy.

19 SUPERVISOR VENDITTO: You are being
20 disrespectful.

21 MR. FREIER: No.

22 SUPERVISOR VENDITTO: Yes, you are.

23 The point I'm making is, at the time
24 judgments were made and if I could go back and I
25 had a crystal ball, like a new ball of

1 ramifications of the decisions I was making, I'd
2 probably do some things differently. But I can't
3 go back in time.

4 All I can do is look forward to fixing
5 these problems, and at the end of the day, when the
6 problems are fixed -- what were we, Number 34 on
7 that list of Money magazine? Hopefully, we will
8 get in the Top 10.

9 On that note, thank you for being here
10 this morning, Bob.

11 I have no other forms from persons who
12 care to address the Board relative to the budget,
13 but that would preclude you.

14 Everybody calm down. Hold on.

15 Mayor, if you would come forward and we
16 will go over to the gentleman on my left and then
17 Larry.

18 MAYOR PAUL RUPP: Good morning,
19 Supervisor and Council.

20 SUPERVISOR VENDITTO: Good morning.

21 MAYOR PAUL RUPP: I did not fill out a
22 form, so I appreciate you hearing me.

23 I know this is not exactly the right
24 time or place to speak of this because you
25 adjourned the tax cap piercing hearing, but I would

1 like to speak to it because I may not be there at
2 that time.

3 In 2010, when I first became the Mayor
4 of Bayville, we had this new tax cap law. One of
5 the things they put in the tax cap law was that you
6 can pierce it by an action that the Board would
7 take and I sought to do that at the time because I
8 was annoyed that someone can come along and tell us
9 that we have to stick to 2 percent. They have no
10 idea what we're doing. They weren't elected by our
11 people and they can't come along and tell us how to
12 run our business. So I wanted to do it just
13 because it's a tool that is available to us.

14 My whole message was lost on my
15 residents, on my fellow Board members, nobody
16 wanted to do, people spoke out against it, so that
17 was last time I ever mentioned it. It's a tool.
18 That's all it is. You don't have to use it. I
19 would pass it every single year just to have,
20 because it's in the law.

21 Further, we had a conference with NYCOM
22 and there were two women there, one from NYCOM and
23 one from Albany. They were explaining the tax cap.
24 When they were done, I don't even think they
25 understood it.

1 I mean, seriously, do you know that you
2 can be penalized years later if your budget went
3 over?

4 SUPERVISOR VENDITTO: I have heard
5 horror stories.

6 MAYOR DOUG WATSON: I've never heard of
7 a horror story actually occurring, but I've heard
8 that it's possible based on the law.

9 So, I just wanted to mention that. I
10 think it's not the worst thing that you can do.

11 SUPERVISOR VENDITTO: Spoken like a
12 true CEO.

13 MAYOR DOUG WATSON: Thank you.

14 SUPERVISOR VENDITTO: Thank you.

15 Gentleman on this side and Larry will
16 be next.

17 MR. McKENNA: Good morning, everyone.
18 Kevin McKenna, Syosset.

19 Just listening to the dialogue
20 regarding the budget, it appears to me that a lot
21 of the decision-making is made by, not just this
22 gentleman, but I'm sure a lot of people, I don't
23 know, different departments.

24 What mechanism is there or is there any
25 that the Board and Supervisor raised particular

1 areas that money could be saved? For instance --
2 not for instance. It seems to me the way the
3 questions are asked by Mr. Pinto is -- you're
4 asking what they have done to -- what areas we can
5 generate revenue. It doesn't seem that you really
6 have any direct involvement in the budget process.

7 Am I wrong?

8 COUNCILMAN PINTO: I think this year,
9 you would be wrong because I think everybody on
10 this Town Board has worked very hard with the
11 Departments and Commissioners. We are all part of
12 our Department's budgetary meeting with
13 Mr. Darienzo and Ms. Wiss.

14 This year, I think you might be wrong.
15 We have taken an active role this year in getting
16 to know our Departments and what the expenses are
17 and looking what the revenues are. You heard
18 Councilman Macagnone mention the idea of naming
19 rights on certain facilities. I see Commissioner
20 Bergin of Environmental gave some ideas that we
21 have to put into this budget that will generate
22 some revenue. So that's on going. There's a lot
23 more involvement from the Town Board with this
24 budget.

25 SUPERVISOR VENDITTO: Kevin, I would

1 really amplify the Councilman's answer. I agree
2 with him 110 percent. I think it's pretty much
3 true that every year the Town Board is, in effect,
4 the Chief Financial body for the Town of Oyster
5 Bay. Money cannot be spent without the Town Board.

6 When we sit here doing these thousands
7 of Resolutions a year, they mean something. We are
8 charged with reading them and understanding what
9 the expenditure is for.

10 Now, if you are asking me about the
11 graphics, does Councilman or -- do any of the Board
12 members -- let me use myself, do I have particular
13 expertise on how to design a roadway or how to
14 construct a roadway? No, I don't.

15 So I rely very, very heavily on my
16 Engineers on the Department of Public Works.

17 Do I know how to plow snow? No, I
18 don't. I tried it once and almost injured myself
19 rather seriously.

20 So I rely on the men and women in the
21 Highway Department and really all the Departments,
22 Sanitation Department and everyone who kicks in
23 during a blizzard.

24 So the answer is, we don't have the
25 expertise. Some of us have law degrees, but we're

1 not practicing lawyers, so we rely on the Town
2 Attorney's Office or outside counsel to guide us
3 and you know what happens when you act as your own
4 lawyer.

5 So the answer to your question is while
6 we may not have the expertise as to how much should
7 it cost to build a certain road or how much should
8 it cost to plow the snow or pick up the garbage or
9 sweep away the flood waters or pick up the
10 recyclables or build a park or build a beach or
11 whatever the case may be, no, we don't have that
12 expertise.

13 But we do have brains and we have
14 living experience here and we have an obligation,
15 each on of us has an obligation to our residents to
16 use our very best efforts to understand every
17 single measure that we have voted on from the very
18 first time we took this seat.

19 Now, that does not mean -- obviously,
20 we are in charge of personnel, so we make the best
21 effort we can to put in place the best women and
22 men we can knowing that we are going to be relying
23 on them. We want a Director of Finance we count
24 on. We want Department heads and Deputies and
25 Supervisory Personnel in the work force. We want

1 people that we can rely on. The Town Board can't
2 run the Town by itself. It takes another thousand
3 people in addition to us to get the job done. You
4 can't expect it to be any other way.

5 But when we sit here, the sky is the
6 limit in terms of the direction that we want to
7 create for the Town. It's the Town Board that sets
8 the direction. I know that when it snows, the men
9 and women get out there in the dark of night. They
10 have to get out there and do it.

11 But we are the ones that direct that it
12 happens. We are the ones who say it's okay to
13 spend \$1 million to repair that mile of roadway or,
14 yes, \$4 million to build that park. We are the
15 ones who have to do the best we can to familiarize
16 ourselves with it.

17 On a large part, we rely very heavily
18 on the experts below us. We don't have that
19 expertise.

20 In terms of if you have any ideas --
21 over the years, I've never seen any Board member
22 stifle. They come forward all the time. Hey,
23 Supervisor, I have an idea or hey, Department, or
24 Commission of Public Works, I have an idea. That
25 goes on all the time.

1 So I don't want to create the
2 impression that the Town Board is somehow detached
3 from the workings of government. We are the
4 government and everything that happens here,
5 whether we like it or not, we are answerable for it
6 and it's not an answer to say gee, I didn't read it
7 or I don't know. You better read it. You better
8 know and you better be involved.

9 Now, it's not a fair question to say,
10 Supervisor, why did you spend \$2 million for that
11 roadway? You should have known.

12 Well, I didn't know better. I relied
13 on someone to tell me that. But it's not an excuse
14 to say, oh, I didn't know that you spent \$2 million
15 on a road. You know so well, you did it, you
16 signed off on it. Whether or not that was the
17 right price, we do rely on our experts to tell us
18 that.

19 MR. McKENNA: Well, I'm happy to hear
20 that there's conflict and the most conflict that
21 the Board has ever had. And I don't mean that to
22 be funny, but I'm glad to hear that because --

23 SUPERVISOR VENDITTO: Conflicted over
24 the tax increase.

25 MR. McKENNA: Just to finish, correct

1 me if I'm wrong, but the way a question was asked
2 before with the 35 FBI investigations, do you
3 anticipate for this budget; for instance, do you
4 anticipate what -- I know you cut professional
5 services, but for the purpose of the budget, don't
6 you anticipate what -- say, for example, legal fees
7 will be in light of whatever is going on for the --
8 I get the feeling that you don't anticipate that in
9 the budget because like Bob Freier just talked
10 about deposits with the Woodlands, wouldn't you
11 anticipate -- I mean, I worked for \$60 billion
12 company one time and we anticipated these kinds of
13 things and I get the feeling that you don't
14 anticipate major areas of whatever.

15 SUPERVISOR VENDITTO: Well, you're
16 feeling is wrong and I'll tell you why your feeling
17 is wrong. We certainly anticipate, in the normal
18 course of events, that we're going to incur legal
19 fees, but we can't anticipate that a
20 concessionnaire or a vendor with the Town is going
21 to go off and commit certain acts that may or may
22 not turn out to be criminal in nature. We can't
23 anticipate that.

24 You may be familiar with the fact that
25 if an employee within the scope of his employments

1 commits a negligent act, that negligence is imputed
2 back to the employer. But if an employee goes out
3 and commits a criminal act, that criminal conduct
4 is not imputable back to the employer.

5 There's a reason for that because no
6 one can anticipate that someone may go out and
7 commit a criminal act which could create problems
8 for the Town that we have to answer for and we have
9 to demonstrate that no, we didn't allow someone to
10 borrow \$20 million; no, we didn't guarantee the
11 payment of 20 or \$30 million.

12 That, you can't anticipate. I don't
13 know how you can ever anticipate that someone would
14 do something so heinous.

15 Again, we are speaking hypothetically.
16 So the answer to your question is, we can
17 anticipate, but we don't have a crystal ball.

18 I want to get back to one thing I said
19 to you, Kevin, because it's important to everybody.
20 When I was speaking earlier, what I said was, I
21 said, but I'm going to repeat it, it's a valid -- I
22 will use myself as an example. It's a valid
23 question to an elected official to say, Supervisor,
24 did you know that you voted to spend \$2 million on
25 Smith Street, and if I voted on it, the answer

1 should be yes, I remember voting on it and I read
2 the resolution.

3 Now, if someone says to me, Supervisor,
4 were you aware that you overpaid or underpaid, as
5 the case may be, you overpaid \$500,000 to the
6 construction of Smith Street. That would not be a
7 fair question. Because my answer to that would be
8 no, I presumed \$2 million was the right price
9 because my experts told me that. If I knew it was
10 \$500 over, I wouldn't have voted on it. So there's
11 maybe a fine line, but there's a difference between
12 approving a project and yet at the same time,
13 having the ability, the expertise -- it's the
14 expertise that you rely on from the people that you
15 designate to do these jobs.

16 Some Council people have
17 some expertise. Councilman Macagnone, for example,
18 has some expertise that allows him -- I am a
19 lawyer, so I recognize some things. Councilman
20 Pinto is an accountant, so he might -- but overall,
21 it's fair to say, did you know you spent \$1 million
22 on Smith Street? Yes, I know did. I voted on it.

23 Did you understand that perhaps it was
24 \$200,000 more than you should have? No, I didn't
25 know that because I relied on the expertise of the

1 people. But there's no pride of authorship here.
2 There's no limitations on ideas that elected
3 officials can have. So I don't want you walking
4 away thinking that there's some kind of detachment.

5 The Town Board and Department Heads
6 work in --

7 COUNCILMAN PINTO: I just want to make
8 a point to Kevin's question because I did receive a
9 question regarding (inaudible) also about legal
10 fees and this was a discussion that we had at the
11 budget meeting. Councilwoman Alesia was there.

12 We consciously increased that line item
13 because of the last couple of years and the amount
14 that was spent. We consciously did that to make
15 that line item more correct this year. So that did
16 happen with regard to the legal fees.

17 Like I said, I think that was the good
18 in this budget this year where the Town Board
19 members and the Department heads got involved and
20 recognized, we might be need a light on this line
21 item with what's going on here in the past couple
22 of years. We might have to -- we don't want to run
23 over on that line item so it doesn't happen this
24 year.

25 MR. McKENNA: Thank you very much.

1 SUPERVISOR VENDITTO: Kevin, I will
2 just add to -- as Councilman Pinto was talking
3 reminded me -- the Town of Oyster Bay sets out to
4 set up a system of preferences so that our senior
5 citizens, the people who build this beautiful town
6 for us have a priority to stay here with golden-age
7 housing.

8 Certainly, our intentions are well
9 intended. There's no question about that. But the
10 Federal Government disagrees and we now found
11 ourselves involved in a massive lawsuit which
12 now -- I think racial discrimination. I don't know
13 how you can ever reasonably anticipate that. Here
14 you go out to set aside preferences so your seniors
15 can stay here or our young people can afford to
16 live here and the Federal government says, wait a
17 minute, we think that you violated Federal Law and
18 they're looking to slam dunk us. We have to defend
19 ourselves. I don't know how you can foresee
20 something like that.

21 Anyway, thank you.

22 Larry, you're up.

23 MR. SKLAR: Good morning, Supervisor.

24 I'm very disappointed. I looked
25 through that budget and I read through that whole

1 budget and for 17 years you've been promising me a
2 line item, \$1 a year for coming here and it's still
3 not in there.

4 I have another question. I'd like to
5 mention the bond rating. People, I keep hearing,
6 talking about this bond rating. I remember going
7 back about nine years ago when we ran into
8 recession and we stopped for quite awhile
9 collecting money from mortgage taxes and from sales
10 taxes.

11 In fact, the sales taxes, the County
12 could not close their budget because it went so
13 low. We had a lot of infrastructures projects, a
14 lot of parks, a lot of work the Town was doing.
15 You didn't stop any of it. You went and did it and
16 we paid for it and we said we will get the money
17 later. That's why I feel our bond rating fell
18 down. You went and spent the money, but you spent
19 it in good faith.

20 I have to tell you, I hear them talking
21 about this contractor and contractors, let them
22 look at Jackson Avenue. First time we did a
23 contract, that was done ahead of time, they never
24 interrupted -- resurfacing Jackson Avenue.

25 SUPERVISOR VENDITTO: You are talking

1 about Lizza Contracting?

2 MR. SKLAR: Yeah, they resurfaced that
3 project. They didn't interrupt anybody's business
4 there for one hour. Today it's finished. It looks
5 beautiful. It's probably the safest road to be on.
6 You don't see the cars crashing on every other
7 intersection because the way we did it with the
8 extra lane. I think that's where our bond rating
9 fell down and I think that these people should go
10 around the Town and look at some of these parks and
11 some of the projects that this Board has done over
12 the years.

13 I have to tell you, when I went to the
14 Brian Moore Memorial Service, I never saw a park
15 like that. I didn't even know it was there. So I
16 think we have the greatest parks and a lot of the
17 greatest infrastructure except when it snows, you
18 never go to my street.

19 One other thing, this will be the 24th
20 year -- I'm not going to stay -- it will be my 24th
21 Thanksgiving dinner at BK Sweeneys. It's a lot of
22 years, 24 years, and we're still doing it.

23 SUPERVISOR VENDITTO: Keep up the good
24 work.

25 MR. SKLAR: 29 days until my next

1 birthday.

2 SUPERVISOR VENDITTO: You know, all
3 during the period of time when this Town moved --
4 what I said before, from the dark ages into the new
5 millennium, a lot of people benefitted. We have
6 the highest rated employment contract in the State
7 of New York for Town employees. Outside vendors,
8 consultants, contractors fed their families, Town
9 employees fed their families. The Town grew by
10 leaps and bounds in terms of our infrastructure.
11 Not just parks, which I know people make fun of.
12 It's not so funny when your property values are
13 going through the ceiling.

14 The condition that your Town is in and
15 that includes the schools, the hospitals and
16 everything else. A lot of people -- I will say it
17 one more time and I think we're going to end it on
18 this note -- by the way, a lot more -- you spoke
19 already Bob -- a lot more went into, in my opinion,
20 a lot more went into the problems with the bond
21 rating than just the Town's immediate financial
22 status. When you have a catastrophe that visits
23 your Town as the catastrophe that visited our Town
24 in the person of what went on at the concessions in
25 this Town, it's devastating. You have no idea how

1 deep it goes. It goes a lot deeper than whether or
2 not someone guaranteed \$2 million or \$20 million or
3 \$30 million, which we didn't, but the issues goes
4 much deeper than that.

5 When you're being reviewed by
6 government agencies and bond rating issues, that
7 has a great impact on the view of the Town of
8 Oyster Bay. It's not something we asked for. It's
9 not something we invited. I don't think it's
10 anything that any Town employee is responsible for.

11 But nevertheless, we have to own up and
12 face it and deal with it. That's just the way it
13 is.

14 Keep in mind, over the many, many years
15 how well this Town grew and how so many people
16 including our work force, the outside vendors -- by
17 the way, you know, this one group, one segment
18 looking upon the other as if somehow they are the
19 enemy, the work force, the consultants, the
20 contractors, the elected officials, we all work
21 together. We are not enemies. We shouldn't be
22 begrudging each other. We all did our job.

23 Each one of us are part of the reason
24 why the Town of Oyster Bay is the special place
25 that it is. Everybody played a role in making it

1 happen. And the only way out of it is the way in.
2 We work together to make it happen and we work
3 together to get out of the mess.

4 And this business about resentment,
5 well, that person gets -- that's the road to
6 you-know-where, folks. That's the road to
7 you-know-where. That's exactly what people who
8 oppose this Town wants to happen. It's everybody's
9 choice. But the way out is the way in.

10 MR. RIPP: Who opposes the Town?

11 SUPERVISOR VENDITTO: Please don't
12 interrupt me when I'm speaking. Don't be
13 disrespectful. I don't mind anything you say. I
14 can withstand anything you say, names, sticks and
15 stones, but don't be disrespectful. That, I don't
16 like.

17 The way out is the way in. You went in
18 together and we can get out of it together and
19 everybody should stick together and do the right
20 thing by the Town of Oyster Bay.

21 Mr. Muscarella, I'll take a motion.

22 COUNCILMAN MUSCARELLA: Supervisor,
23 I'll make a motion to adjourn this public hearing
24 to 7:00 p.m. tonight.

25 COUNCILMAN MACAGNONE: Seconded.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

SUPERVISOR VENDITTO: All in favor?

ALL: "Aye."

SUPERVISOR VENDITTO: Opposed?

(No response.)

SUPERVISOR VENDITTO: So moved.

(Time noted 11:48 a.m.)

TOWN OF OYSTER BAY
TOWN BOARD
ACTION CALENDAR
OCTOBER 18, 2016
12:13 p.m.

JOHN VENDITTO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOHN VENDITTO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN CHRIS COSCHIGNANO
COUNCILMAN JOSEPH G. PINTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON

A L S O P R E S E N T:

JAMES ALTADONNA JR., TOWN CLERK
JAMES J. STEFANICH, RECEIVER OF TAXES
LEONARD GENOVA, TOWN ATTORNEY
FRANK SCALERA, CHIEF DEPUTY TOWN ATTORNEY
DONNA B. SWANSON, DEPUTY TOWN ATTORNEY
MATTHEW M. ROZEA, ASSISTANT TOWN ATTORNEY
CHRISTINE M. WISS, DEPUTY COMPTROLLER
LINDA M. HERMAN, OFFICE OF THE TOWN CLERK
RALPH J. RAYMOND, DEPUTY TOWN CLERK
RAYMOND T. SPAGNUOLO, DEPUTY TOWN CLERK
LAURA VIANELLO, DEPUTY RECEIVER OF TAXES
ANDREW S. ROTHSTEIN, DIRECTOR OF OPERATIONS,
OFFICE OF THE SUPERVISOR
CAROL STRAFFORD, DIRECTOR OF LEGISLATIVE AFFAIRS

(Appearances continued on following page.)

I certify this is a true
and accurate transcript.



YVONNE ANGELES
Official Reporter/Notary

ORIGINAL TRANSCRIPT

ALSO PRESENT:

MARTA KANE, DIRECTOR OF COMMUNITY RELATIONS,
PUBLIC INFORMATION
BRIAN DEVINE, RESEARCH ASSISTANT,
PUBLIC INFORMATION
ROBERT DARIENZO, DIRECTOR OF FINANCE
FRANK A. NOCERINO, COMMISSIONER,
DEPARTMENT OF PARKS
RICHARD T. BETZ, COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
LESLIE MACCARONE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
MATT RUSSO, ENGINEERING,
DEPARTMENT OF PUBLIC WORKS
FRANK SAMMARTANO, DEPUTY COMMISSIONER,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
NEIL O. BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
DANIEL PEARL, DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
JUSTIN McCaffrey, COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
BARRY BREE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
JAMES McCaffrey, DEPUTY COMMISSIONER,
DEPARTMENT OF ECONOMIC DEVELOPMENT
RALPH HEALEY, SPECIAL COUNSEL,
DEPARTMENT OF ECONOMIC DEVELOPMENT
TIM ZIKE, DEPUTY COMMISSIONER,
DEPARTMENT OF PLANNING AND DEVELOPMENT
VICKI SPINELLI, DEPUTY COMMISSIONER,
DEPARTMENT OF HUMAN RESOURCES
RICHARD LaMARCA, DIRECTOR,
DEPARTMENT OF HUMAN RESOURCES
MAUREEN A. FITZGERALD, COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
PATRICIA A. BECKERLE, DEPUTY COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
JOHN BISHOP, ADMINISTRATION,
DEPARTMENT OF HIGHWAYS
COLIN BELL, ASSISTANT DIRECTOR,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
FRANK GATTO, ASSISTANT TO THE COMMISSIONER,
DEPARTMENT OF GENERAL SERVICES

1 SUPERVISOR VENDITTO: Ladies and
2 gentlemen, if everyone would find seats, we will
3 continue and we will continue with the call of the
4 Regular Action Calendar.

5 MR. ALTADONNA: Thank you.

6 May I have a motion to adopt Resolution
7 No. TF 17-16?

8 Transfer of Funds Resolution No.
9 TF 17-16; Resolution relating to Transfer of Funds
10 within various departments accounts for the Year
11 2016.

12 On the motion?

13 COUNCILMAN MUSCARELLA: Moved.

14 COUNCILMAN MACAGNONE: Seconded.

15 MR. ALTADONNA: You have a speaker on
16 this as well.

17 SUPERVISOR VENDITTO: Bob Freier.

18 Is there a simple way to do this?

19 MR. ALTADONNA: I can do the whole
20 calendar, but this is just --

21 SUPERVISOR VENDITTO: Let's get the
22 whole calendar before the Board.

23 MR. ALTADONNA: May I have a motion to
24 adopt Resolution Nos. 548-2016 through 605-2016?

25 Resolution No. 548-2016; Resolution

1 authorizing the employment of the services of an
2 adjudicator for the Independent Art Society Exhibit
3 for the Town of Oyster bay Awards on October 6,
4 2016, at the Plainview-Old Bethpage Library.
5 Account No. CYS A 7020 47660 000 0000. (M.D.
6 9/20/16 #4).

7 Resolution No. 549-2016; Resolution
8 authorizing the property cleanup of 104 Fairwater
9 Avenue, Massapequa, NY, be referred to the County
10 of Nassau for placement on the Nassau County Tax
11 Assessment Rolls. (M.D. 9/20/16 #12).

12 Resolution No. 550-2016; Resolution
13 authorizing the property cleanup of 477 Clocks
14 Boulevard, Massapequa, NY, be referred to the
15 County of Nassau for placement on the Nassau County
16 Tax Assessment Rolls. (M.D. 9/20/16 #13).

17 Resolution No. 551-2016; Resolution
18 authorizing the property cleanup of 121 Arlyn Drive
19 West, Massapequa, NY, be referred to the County of
20 Nassau for placement on the Nassau County Tax
21 Assessment Rolls. (M.D. 9/20/16 #14).

22 Resolution No. 552-2016; Resolution
23 authorizing the property cleanup of 58 Park Lane,
24 Massapequa, NY, be referred to the County of Nassau
25 for placement on the Nassau County Tax Assessment

1 Rolls. (M.D. 9/20/16 #15).

2 Resolution No. 553-2016; Resolution
3 authorizing the property cleanup of 28 High Street,
4 Farmingdale, NY, be referred to the County of
5 Nassau for placement on the Nassau County Tax
6 Assessment Rolls. (M.D. 9/20/16 #16).

7 Resolution No. 554-2016; Resolution
8 authorizing the property cleanup of 2 Robin Court,
9 Farmingdale, NY, be referred to the County of
10 Nassau for placement on the Nassau County Tax
11 Assessment Rolls. (M.D. 9/20/16 #17).

12 Resolution No. 555-2016; Resolution
13 granting request from the Locust Valley Chamber of
14 Commerce for Town assistance in conducting their
15 11th Annual Harvest Festival on October 27, 2016
16 and to use Municipal Parking Lot LV-1 and LV-2 as
17 well as the use of Town equipment for the event.
18 (M.D. 9/20/16 #22).

19 Resolution No. 556-2016; Resolution
20 granting request from Mary Reddy to amend and
21 replace a donated memorial plaque on an existing
22 tree located in Marjorie R. Post Community Park.
23 (M.D. 9/27/16 #5).

24 Resolution No. 557-2016; Resolution
25 authorizing the Department of Community and Youth

1 Services to present the Family Fall & Halloween
2 Festival at Marjorie R. Post Community Park in
3 Massapequa on October 22, 2016. Account No. CYS A
4 7020 47660 000 0000. (M.D. 9/27/16 #6).

5 Resolution No. 558-2016; Resolution
6 authorizing the property cleanup of 216 North Oak
7 Street, Massapequa, NY, be referred to County of
8 Nassau for placement on the Nassau County Tax
9 Assessment Rolls. (M.D. 9/27/16 #19).

10 Resolution No. 559-2016; Resolution
11 authorizing the property cleanup of 74 Myers Avenue
12 Hicksville, NY, be referred to County of Nassau for
13 placement on the Nassau County Tax Assessment
14 Rolls. (M.D. 9/27/16 #20).

15 Resolution No. 560-2016; Resolution
16 authorizing the property demolition and cleanup of
17 6 Edgewood Avenue, Glen Head, NY, be referred to
18 County of Nassau for placement on the Nassau County
19 Tax Assessment Rolls. (M.D. 9/27/16 #22).

20 Resolution No. 561-2016; Resolution
21 authorizing the property re-board up of 108 William
22 Street, Hicksville, NY, be referred to County of
23 Nassau for placement on the Nassau County Tax
24 Assessment Rolls. (M.D. 9/27/16 #23).

25 Resolution No. 562-2016; Resolution

1 granting request from the First Presbyterian
2 Church, Oyster Bay to use one roll-off container
3 for their Fall Clean-up on November 15-22, 2016.
4 (M.D. 9/27/16 #21).

5 Resolution No. 563-2016; Resolution
6 authorizing notification to the Town Comptroller,
7 Nassau County Legislature and Nassau County
8 Department of Assessment relative to the Delinquent
9 Water Rentals for placement on the 2017 Tax Rolls
10 for collection. (M.D. 9/27/16 #17).

11 Resolution No. 564-2016; Resolution
12 authorizing the employment of the services of an
13 adjudicator for the Town of Oyster Bay 2017
14 Rotational Art Exhibit Preview to be held
15 November 6, 2016 at the Syosset-Woodbury Community
16 Center. Account No. CYS A 7020 47660 000 0000.
17 (M.D. 10/4/16 #4).

18 Resolution No. 565-2016; Resolution
19 granting request from the Metro New York Region of
20 the Porsche Club of America to use the parking lot
21 at Tobay Beach for their autocross program on
22 October 23, November 6 and 13, 2016. (M.D. 10/4/16
23 #5).

24 Resolution No. 566-2016; Resolution
25 granting request from Anthony Bamonte to donate a

1 plaque and bench, to be placed at Ransom Beach in
2 memory of Jerry Camera. (M.D. 10/4/16 #6).

3 Resolution No. 567-2016; Resolution
4 authorizing the issuance of a refund of a Resident
5 Seasonal Beach Permit at Phillip B. Healey Beach at
6 Florence Avenue to E. Pramberger. Account No. PKS
7 A 0001 02025 525 0000. (M.D. 10/4/16 #7).

8 Resolution No. 568-2016; Resolution
9 authorizing the Supervisor and his designee to
10 enter into an Inter Municipal Agreement with Nassau
11 County for the Community Revitalization Program:
12 Legislator Mackenzie, Syosset Fire Department
13 Equipment. Account No. TWN A 0000 00631 000 0000.
14 (M.D. 10/4/16 #13).

15 Resolution No. 569-2016; Resolution
16 authorizing the Supervisor to sign a Youth Program
17 Contract under the Workforce Innovation and
18 Opportunity Act (WIOA). M.D.10/4/16
19 #14).

20 Resolution No. 570-2016; Resolution
21 authorizing the Office of the Receiver of Taxes to
22 replace Digital Check scanners which are obsolete.
23 Account No. ROT-H-1997-26000-000-1509-001. (M.D.
24 10/4/16 #22).

25 Resolution No. 571-2016; Resolution

1 authorizing the issuance of a refund of a Resident
2 Daily Parking Fee at Tobay Beach to D. Milito.
3 Account No. PKS A 0001 02025 525 0000. (M.D.
4 10/4/16 #8).

5 Resolution No. 572-2016; Resolution
6 pertaining to the recommendation of the Department
7 of Environmental Resources concerning the SEQRA
8 determination on the application of C & B Realty
9 #3, LLC, Fee Owner, for Special Use Permit for a
10 Restaurant with a capacity of more than 76 seats in
11 a Neighborhood Business Zone, Woodbury Road,
12 Plainview, New York. (M.D. 10/4/16 #46).

13 Resolution No. 573-2016; Resolution
14 pertaining to the recommendation of the Department
15 of Environmental Resources concerning the SEQRA
16 determination on the application of K & K Ventures,
17 Inc., d/b/a C & B Archery, tenant, for Special Use
18 Permit to operate an archery center with accessory
19 retail store in a Light Industrial Zone, 11
20 Commercial Street, Hicksville, New York. (M.D.
21 10/4/16 #47).

22 Resolution No. 574-2016; Resolution
23 authorizing the issuance of a refund of a Summer
24 Recreation Registration fee for one child at
25 Plainview-Old Bethpage Community Park to J. Kobets.

1 Account No. PKS A 0001 02001 510 0000. (M.D.
2 10/4/16 #9).

3 Resolution No. 575-2016; Resolution
4 authorizing the issuance of a refund of a Summer
5 Recreation Registration fee for one child at
6 Ellsworth W. Allen Park to C. Pantelias. Account
7 No. PKS A 0001 02001 510 0000. (M.D. 10/4/16 #10).

8 Resolution No. 576-2016; Resolution
9 authorizing the Supervisor to sign an agreement to
10 extend and modify contract for Data Management
11 Computer Support Services for a second year
12 effective January 1, 2017. (M.D. 10/4/16 #15).

13 Resolution No. 577-2016; Resolution
14 authorizing the Supervisor and his designee
15 Commissioner Frank Nocerino, to execute a Tree
16 Maintenance Plan relative to the Cornell
17 Cooperative Extension of Nassau County, Asian
18 Long-Horned Beetle Reforestation Project. (M.D.
19 10/4/16 #17).

20 Resolution No. 578-2016; Resolution
21 granting request from Long Island Sled Hockey,
22 Inc., to waive fees at the Town of Oyster Bay Ice
23 Skating Center at Bethpage for their sessions from
24 October 18, 2016 through May 13, 2017. (M.D.
25 10/4/16 #48).

1 Resolution No. 579-2016; Resolution
2 authorizing On-Call Engineering Services relative
3 to Traffic Engineering in connection with Contract
4 No. PWC15-16. (M.D. 10/4/16 #44).

5 Resolution No. 580-2016; Resolution
6 authorizing the acceptance of three donations to
7 the Town's Animal Shelter. Account No. DER A 3510
8 41600 000 0000. (M.D. 10/4/16 #45).

9 Resolution No. 581-2016; Resolution
10 authorizing the acceptance of a donation from the
11 Order of Sons of Italy Columbus Lodge, to defray
12 the costs of services provided by the Town for the
13 Lodges Annual Feast and Festival, held on September
14 25, 2016. Account No. TWN A 001 02705 000 0000.
15 (M.D. 10/4/16 #49).

16 Resolution No. 582-2016; Resolution
17 authorizing the issuance of a refund of a Summer
18 Recreation Registration fee for a second child at
19 Ellsworth W. Allen Park to K. Seely. Account No.
20 PKS A 0001 02001 510 0000. (M.D. 10/4/16 #11).

21 Resolution No. 583-2016; Resolution
22 authorizing the Town of Oyster Bay Youth Ice Hockey
23 Program: Fall/Winter Youth Ice Hockey Program from
24 November 2016 thru March 2017; Spring Youth Ice
25 Hockey Clinic from April thru June 2017; Summer

1 Youth Ice Hockey League from July thru August 2017.
2 Account No. TWN-TA-000-00085-444-0000. (M.D
3 10/4/16 #12).

4 Resolution No. 584-2016; Resolution
5 authorizing the property re-board up assessment of
6 20 Robert Avenue Massapequa, NY, be referred to the
7 County of Nassau for placement on the Nassau County
8 Tax Assessment Rolls (M.D. 10/4/16 #28).

9 Resolution No. 585-2016; Resolution
10 authorizing the property board up assessment of
11 889 Main Street, Farmingdale, NY, be referred to
12 the County of Nassau for placement on the Nassau
13 County Tax Assessment Rolls. (M.D. 10/4/16 #29).

14 Resolution No. 586-2016; Resolution
15 authorizing the issuance of a refund for
16 Miscellaneous Highway Clean- up costs for property
17 located at 60 West Shore Drive, Massapequa, NY, to
18 M. Bialek. (M.D. 10/4/16 #30).

19 Resolution No. 587-2016; Resolution
20 authorizing the property board up assessment of 2
21 Robin Court, Farmingdale, NY, be referred to the
22 County of Nassau for placement on the Nassau County
23 Tax Assessment Rolls. (M.D. 10/4/16 #31).

24 Resolution No. 588-2016; Resolution
25 authorizing the property cleanup assessment of

1 68 West Shore Drive, Massapequa, NY, be referred to
2 the County of Nassau for placement on the Nassau
3 County Tax Assessment Rolls. (M.D. 10/4/16 #32).

4 Resolution No. 589-2016; Resolution
5 authorizing the property cleanup assessment of
6 68 Schoolhouse Road, Old Bethpage, NY, be referred
7 to the County of Nassau for placement on the Nassau
8 County Tax Assessment Rolls. (M.D. 10/4/16 #33).

9 Resolution No. 590-2016; Resolution
10 authorizing the property board up assessment of
11 6 Radnor Court, Hicksville, NY, be referred to the
12 County of Nassau for placement on the Nassau County
13 Tax Assessment Rolls. (M.D. 10/4/16 #34).

14 Resolution No. 591-2016; Resolution
15 authorizing the property cleanup assessment of
16 5220 Merrick Road, Massapequa, NY, be referred to
17 the County of Nassau for placement on the Nassau
18 County Tax Assessment Rolls. (M.D. 10/4/16 #35).

19 Resolution No. 592-2016; Resolution
20 authorizing the property board up of assessment of
21 80 Sycamore Street, Massapequa, NY, be referred to
22 the County of Nassau for placement on the Nassau
23 County Tax Assessment Rolls. (M.D. 10/4/16 #36).

24 Resolution No. 593-2016; Resolution
25 authorizing the property re-board up of the side

1 door assessment of 20 Robert Avenue, Massapequa,
2 NY, be referred to the County of Nassau for
3 placement on the Nassau County Tax Assessment
4 Rolls. (M.D. 10/4/16 #37).

5 Resolution No. 594-2016; Resolution
6 authorizing the property cleanup assessment of
7 3 Forest Avenue, Massapequa, NY, be referred to the
8 County of Nassau for placement on the Nassau County
9 Tax Assessment Rolls. (M.D. 10/4/16 #38).

10 Resolution No. 595-2016; Resolution
11 authorizing the property board up assessment of
12 131 Dean Street, Hicksville, NY, be referred to the
13 County of Nassau for placement on the Nassau County
14 Tax Assessment Rolls. (M.D. 10/4/16 #39).

15 Resolution No. 596-2016; Resolution
16 authorizing the property cleanup assessment of
17 70 Park Lane, Massapequa, NY, be referred to the
18 County of Nassau for placement on the Nassau County
19 Tax Assessment Rolls. (M.D. 10/4/16 #40).

20 Resolution No. 597-2016; Resolution
21 pertaining to litigation in the Matter of the
22 Claims of the Equal Employment Opportunity
23 Commission v. Glenwood Hook & Ladder, Engine and
24 Hose Company, Inc. (A/k/a Glenwood Landing Fire
25 Department) et al. (M.D. 10/4/16 #41 & 10/11/16

1 #10).

2 Resolution No. 598-2016; Resolution
3 pertaining to On-Call Engineering Services relative
4 to Structural Engineering in connection with
5 Contract Nos. PWC19-14 and PWC 19-16, Maintenance
6 and Improvements to the Hicksville Parking Garage.
7 (M.D. 10/4/16 #42 & 10/11/16 #7).

8 Resolution No. 599-2016; Resolution
9 authorizing the bid and construction phases for
10 Contract No. H16-146, Concrete Replacement
11 throughout the Town of Oyster Bay. (M.D. 10/4/16
12 #43 & 10/11/16 #8).

13 Resolution No. 600-2016; Resolution
14 approving the 2017 Meeting Schedule for the Zoning
15 Board of Appeals. (M.D. 9/20/16 #10).

16 Resolution No. 601-2016; Resolution
17 authorizing the acceptance of the design and
18 request to enter the bid and construction phases
19 for maintenance, repairs & improvements to the
20 Hicksville Parking Garage, Contract No. H16-144.
21 (M.D. 10/4/16 #50).

22 Resolution No. 602-2016; Resolution
23 pertaining to National Flood Insurance Program
24 renewal of coverage of 38 Town Buildings for a one
25 year period. Account No. TWN AMS 1910 43010 603

1 0000 000. (M.D. 10/4/16 #51).

2 Resolution No. 603-2016; Resolution
3 directing the Town Clerk to advertise a notice of
4 hearing to consider Amendments to the Code of the
5 Town of Oyster Bay, Chapter 233- pertaining to
6 parking, stopping, crossing, loading zones, thru
7 traffic, trucking operations and other traffic
8 regulations throughout the Town of Oyster Bay.
9 Hearing date: November 15, 2016. (M.D. 10/4/16
10 #23).

11 Resolution No. 604-2016; Resolution
12 pertaining to the decision on the application of
13 Steven Baker, fee owner, and 388 Realty Ltd.,
14 tenant, for a Change of Zone from a Residential
15 R1-7 to R-O Residence Office District Zone for
16 premises located at 388 South Oyster Bay Road,
17 Hicksville, NY. Hearing held: June 7, 2016. (M.D.
18 6/7/16 #6).

19 Resolution No. 605-2016; Resolution
20 pertaining to the decision on the application of
21 Joan III, LLC and Joe III, LLC, fee owners, and BSL
22 NY Development LLC, contract vendee, for a special
23 use permit to permit the development of a two-story
24 assisted living facility and site plan approval in
25 a Neighborhood Business Zone on premises located at

1 900 Woodbury Road, Woodbury, NY Hearing held:
2 March 22, 2016. (M.D. 3/22/16 #4).

3 On the motion?

4 COUNCILMAN MUSCARELLA: So moved.

5 COUNCILMAN MACAGNONE: Seconded.

6 SUPERVISOR VENDITTO: The only thing we
7 don't have on are the suspend items?

8 MR. ALTADONNA: Correct.

9 SUPERVISOR VENDITTO: Bob, you're up.
10 You're starting with TF 17.

11 MR. FREIER: I noticed that a part of
12 that is \$20,000 in overtime that's being -- that's
13 probably already been spent, but my question
14 regarding to that is, why are we approving overtime
15 considering that we are over budget?

16 SUPERVISOR VENDITTO: What is the
17 Department involved? I don't have the --

18 Commissioner, do you have a --
19 transferring of \$19,500 from part-time salaries to
20 overtime salaries?

21 MS. FITZGERALD: This was to
22 accommodate different activities throughout the
23 year. We have a Halloween festival coming up. We
24 just had 9/11, Music Under the Stars, Tillis Center
25 concert is coming. The overtime is the employees

1 are asked to take comp. time first, but per our
2 union contract, we can't dictate what they can take
3 or not take. So we offered them and they all
4 agreed to either take 50/50 or mostly comp. time.
5 This was just enough that we get us to the end of
6 the year and it will probably not all be used, and
7 at that point, it will go back into the general
8 funding.

9 SUPERVISOR VENDITTO: Thank you,
10 Commissioner.

11 MR. FREIER: Resolution 563, that talks
12 about, I guess, collections that we have not gotten
13 for delinquent water rentals. It adds up to about
14 \$1 million.

15 Can you explain that to me? I didn't
16 really understand it when I read it.

17 COUNCILMAN PINTO: What happens is the
18 Water Districts put out their bills every year and
19 when their residents don't pay their bills directly
20 to the Water District, they send them over to us so
21 to include in our tax bills, so we collect them on
22 their behalf.

23 A lot of times people do this because
24 they get a tax cut this way. When the Water
25 District don't get their monies directly from their

1 customers, they send them over to us and we put it
2 into our taxes.

3 MR. FREIER: This isn't any money that
4 we have --

5 COUNCILMAN PINTO: No, it goes right
6 back to the Water District.

7 MR. FREIER: Does that go back right to
8 those individual properties or does that go back to
9 all taxpayers?

10 COUNCILMAN PINTO: No, it goes to the
11 Water District that is charging them their rates to
12 use their water. So let's say you didn't pay your
13 water bill and they asked the Town to please
14 collect it on their behalf. When we send out the
15 tax bills, once we collect it on their behalf, it
16 goes to the Water District.

17 MR. FREIER: It comes on my personal
18 tax bill?

19 COUNCILMAN PINTO: Yes.

20 MR. FREIER: Resolution 569-2016;
21 Resolution authorizing the Supervisor to sign a
22 Youth Program contract under the Work Force and
23 Intervention Act. It appears that's a program to
24 help young people going into the work force and
25 such. I noticed there's a \$100,000 charge

1 associated with that.

2 Is that one of those things that you
3 mentioned earlier, the Cadillac's person's
4 Chevrolet --

5 SUPERVISOR VENDITTO: I think this is
6 grant award.

7 MR. BELL: It's not Town funds
8 contributed to another entity. It's federal funds
9 that we received through the Work Force
10 Intervention Opportunity Act that we received
11 through the Town's Department of Employment and
12 Training, and in turn, offering a contract to an
13 entity can run an out-of-school youth program to
14 prepare them for the work force.

15 MR. FREIER: Thank you.

16 Resolution 576-2016, this is another
17 \$40,000 extension for data management services.
18 The company is called DM Cordes.

19 What do they do?

20 MR. BELL: Supervisor, that's us as
21 well.

22 Again, that's another funded service
23 through the Work Force Intervention Opportunity
24 Act. He is a professional with experience in the
25 State accounting system which is called (inaudible)

1 Management Information Program, as well as the
2 New York State performance for tracking case
3 logging system. It's a one-stop operating system.

4 He performed accounting functions for
5 us and assists staff in logging performance
6 standards as mandated by the program.

7 Again, it's a grant-funded function.

8 MR. FREIER: Thank you.

9 579, I notice another Nelson & Pope
10 contract.

11 Councilman Macagnone, several months
12 back you had mentioned that the Town is going to be
13 addressing these requirement contracts.

14 I was wondering, has anything been done
15 with regard to that because it seems like I'm
16 always seeing the same companies over and over
17 again, Nelson & Pope, LandTek, Bowne & Company? It
18 seems like it's always under these requirement
19 contracts.

20 SUPERVISOR VENDITTO: I don't know that
21 -- I think this is an on-call contract, if I'm not
22 mistaken.

23 MR. FREIER: It is.

24 COUNCILMAN MACAGNONE: This is an
25 on-call.

1 SUPERVISOR VENDITTO: My recollection
2 is -- Deputy, I believe this has to do with the
3 study for premium parking.

4 MS. MACCARONE: Yes, it's preferred
5 park. The Division of Engineering is working with
6 the Highway Department, Comptroller's Office, Town
7 Attorney's Office to indicate certain parking lots
8 throughout the Town to handle the preferred
9 parking. We've done all the studies in-house.

10 However, we are asking the Board to
11 bring on Nelson & Pope to take a look at some of
12 the proposed parking lots to check for vehicular
13 circulation. It's a \$5,000 bond. It has nothing
14 to do with the requirement contracts.

15 MR. FREIER: Were other firms looked at
16 as opposed to just going automatically with
17 Nelson & Pope?

18 SUPERVISOR VENDITTO: No, I think these
19 on-call contracts at some point will --

20 MS. MACCARONE: -- RFP last year for a
21 two-year contract and this is under their
22 discipline of traffic.

23 SUPERVISOR VENDITTO: Thank you,
24 Deputy.

25 COUNCILMAN MACAGNONE: Bob, to answer

1 your question, yes, these contracts become due, we
2 are going to put them out for full RFP for the best
3 price.

4 MR. FREIER: 581, that was the donation
5 of \$2,000 from the Sons of Italy to help defray the
6 cost of the annual festival that was held in
7 September.

8 My question is regarding, how much did
9 that festival actually cost the Town of Oyster Bay?

10 SUPERVISOR VENDITTO: I don't know. I
11 don't know how to calculate that.

12 Commissioner Nocerino, are you here?

13 The question is, how much does it cost
14 the Town of Oyster Bay to -- for its role in the
15 Columbus Day Street Fair over in North Massapequa,
16 my home town?

17 MR. NOCERINO: The Parks Department,
18 it's made of multiple departments, but the Parks
19 Department (inaudible) tables and chairs, that's
20 comp. time. They come and take the time. It's a
21 short a period of time.

22 The only thing is the two show mobiles,
23 which they have from 6:00 in morning until 6:00,
24 7:00 at night, it's very minimal as far as
25 money-wise, but there are other departments

1 involved.

2 Highway is involved and Sanitation, but
3 it's all comp. time.

4 SUPERVISOR VENDITTO: Who else can help
5 us from any of the other departments, anybody?

6 Deputy Bishop, how are you?

7 MR. BISHOP: From the Highway
8 Department, everything we provide is straight time.

9 So, they'll drop off barricades and
10 cones on the Friday before and the pick them up on
11 the Monday after.

12 COUNCILMAN MACAGNONE: Deputy, we do
13 the same thing for fire departments, for block
14 parties and everything else, correct?

15 MR. BISHOP: It's traditional for all
16 of those similar types of events. If there's
17 something that is a big event, like the Oyster
18 Festival, that would require (inaudible) because of
19 the magnitude of people.

20 Other than that, it's always on a
21 Friday dropoff, pick up Monday.

22 MR. FREIER: Number 597, this is a
23 resolution pertaining to litigation in the Matter
24 of the Claims of the Equal Employment Opportunity
25 Commission versus Glenwood Hook & Ladder, engine

1 and Hose Company, \$138,000. I'm just curious what
2 that was --

3 SUPERVISOR VENDITTO: Frank?

4 MR. SCALERA: I will get Karen
5 Underwood who worked directly on that.

6 MR. FREIER: I will go on to the next
7 one. 598, 599 and 601, again, that kind goes back
8 to my previous comment.

9 Again, I see large amounts of money
10 going to Bowne & Company, Nelson & Pope.

11 Are these all under requirement
12 contracts?

13 SUPERVISOR VENDITTO: I think, again,
14 they are on-call.

15 Leslie, can you run through them?

16 MS. MACCARONE: I will start with 599.
17 That's for Nelson & Pope to enter into the bid and
18 construction phases.

19 As we know, they eliminated the
20 sidewalk program and we have a multitude of
21 properties that are in Highway that we need to get
22 done. They were submitted prior to the Board
23 stopping the program. Nelson & Pope, prior, worked
24 on that hearing to provide us with all the
25 addresses. This is now to create the book to go

1 out to bid. It will be a one-year contract and
2 this is a permission to bid to do that. Nelson &
3 Pope is our consultant in this next phase.

4 In terms of 598 and 599 -- sorry, 601,
5 598 and 601. 598, the Division of Engineering in
6 August of this year was requested by the Highway
7 Department to help them in putting together a
8 proposal to do some repairs at the Hicksville
9 Garage.

10 Prior to this, back at the end of last
11 year, previous Commissioner of Highways, he had
12 been having conversation with Bowne. They were the
13 original designer professionals for the garage to
14 come up with a maintenance program and to go
15 forward for the next several years.

16 There's old money that's being
17 requested of -- that Highways has requested to use
18 our on-call. There's also the new portion of the
19 money. It's for them to put together a bid to
20 handle some repairs at the garage. That's the
21 second part of the their proposal. And 601 is
22 permission to bid to go out with this repair
23 contract.

24 SUPERVISOR VENDITTO: I have a
25 question.

1 Is anything inordinate happening at the
2 parking garage that we should be concerned about?

3 MS. MACCARONE: That would be something
4 for Highways or for Bowne to answer.

5 In terms of Engineering, we got
6 involved in August to prepare the bid documents and
7 to put forth the consultant agreement.

8 In terms of the specifics as to what
9 repairs need to be done --

10 COUNCILMAN MACAGNONE: Supervisor, if
11 you don't mind, I have been involved with this bid.
12 It's, basically, we need to do some major repair
13 now, so we don't have to pay more later for it. We
14 are going to have to step our maintenance also.

15 COUNCILWOMAN JOHNSON: Is the repair
16 leading to construction with the contract?

17 COUNCILMAN MACAGNONE: I don't believe
18 so. I believe it's due to a lot of maintenance.

19 Once again, we used the sand and salt
20 on the roof of the garage where we might have to
21 close the garage -- and not salt it. So items like
22 that -- it's just time we take care of what we own
23 and repair it. Frank would that be a could
24 estimate.

25 MR. ANTETOMASO: It's a concrete

1 structure. It will develop cracks from time to
2 time. If you don't repair them, the water and sand
3 and salt get into the concrete, it freezes. It's
4 like a road and pops.

5 The concrete once that happens, if you
6 don't fix it right away, you will run into the
7 structure --

8 COUNCILMAN MACAGNONE: If it gets to
9 the rebar or the other problems --

10 SUPERVISOR VENDITTO: I'm good with
11 anything that -- I'm good with expenditure for
12 maintenance to keep the garage up to stuff. I
13 understand we're going -- I spent a great deal of
14 time over in St. Francis Hospital and it gets a
15 little spooky. It leaks like a sieve to be honest
16 with you which could be fine. I'm not an engineer,
17 but it's alarming when you see it. I don't feel
18 that way when I'm in our parking garage, but I
19 don't ever want to feel that way down the road, no
20 pun intended.

21 So monies expended to keep up with
22 maintenance, I have no problems with that so long
23 we -- the Board has insurances that there's no
24 danger over there of any kind of catastrophic
25 problem or anything of that sort. The message I'm

1 getting is that's not the case.

2 MR. ANTETOMASO: It is not the case.
3 You're absolutely right.

4 Keep this in mind, that's a \$40 million
5 building. Everything you have in a building
6 (inaudible). It must be properly maintained.

7 SUPERVISOR VENDITTO: I get that. I
8 understand there is wear and tear.

9 My recollection is it's \$60 million; is
10 it not?

11 MR. ANTETOMASO: 40.

12 SUPERVISOR VENDITTO: Can I get the
13 \$20 million back? So long it's normal wear and
14 tear, I don't have any problem with it just as long
15 as there's nothing inordinate happening.

16 Bob, I think we've run out of time.

17 MR. FREIER: Just a question.

18 Mr. Antetomaso, he was a Commissioner
19 here, right?

20 SUPERVISOR VENDITTO: Sure.

21 MR. FREIER: Now, he is partner at
22 Bowne?

23 SUPERVISOR VENDITTO: Correct.

24 I believe your status is a partner,
25 Frank?

1 MR. ANTETOMASO: Yes, as of 1989.

2 MR. FREIER: And Nelson & Pope employs
3 Rose Walker?

4 COUNCILMAN MACAGNONE: I don't believe
5 she works at Bowne.

6 MR. FREIER: Thank you.

7 SUPERVISOR VENDITTO: Before you go
8 away --

9 MS. UNDERWOOD: There was a question
10 about Glenwood?

11 MR. FREIER: This was 597, Resolution
12 pertaining to litigation in the Matter of Claims of
13 the Equal Opportunity Commission versus Glenwood
14 Hook & Ladder.

15 SUPERVISOR VENDITTO: What was your
16 question?

17 MR. FREIER: To please explain that. I
18 was not clear what it was about.

19 MS. UNDERWOOD: It's the length of
20 service award for the firefighters. The State
21 allowed the local monies to opt in. We did that
22 years ago. There have been several causes of
23 action among all the fire companies. This is not
24 the first fire company. Oyster Bay, we settled
25 about five or six years ago.

1 So, it's an age discrimination cause of
2 action where the firefighters earn their points to
3 contribute to the program, but were not able to
4 because they reached their retirement age.

5 So as part of the settlement, there
6 will be a referendum to just the fire protection
7 district, that would be just for Glenwood receiving
8 that service.

9 MR. FREIER: Our share, then, is
10 \$138,000?

11 MS. UNDERWOOD: The Town of Oyster Bay
12 is a fire protection district for Glenwood. There
13 are municipal entities in that district. So the
14 Town's portion, the unincorporated portion of that
15 fire district would be approximately 138. The Town
16 was already paying 105, but to settle the age
17 discrimination, it's not a settlement amount. It's
18 just that the plan will be increased because they
19 will have to pay for the awards program for those
20 members that now -- do you understand? So if they
21 meet their points, they receive the benefit. This
22 is only if they meet their points.

23 MR. FREIER: Thank you.

24 SUPERVISOR VENDITTO: Thank you.

25 Paul Molinari?

1 MR. MOLINARI: Good afternoon.

2 SUPERVISOR VENDITTO: Good afternoon.

3 MR. MOLINARI: I wanted to address the
4 issue at the Hicksville Parking Garage. One of my
5 questions has been answered, but I still would like
6 to know what repairs are being done to garage and
7 what's the estimated construction cost to make
8 those repairs?

9 SUPERVISOR VENDITTO: You're talking
10 about the scope of the work and the cost of the
11 work?

12 MR. MOLINARI: Yes, for the
13 construction. It's on 601. I'm not questioning
14 the engineering on it. I'm asking for what is the
15 actual repairs that's going to be made to the
16 facility and what's the estimated cost to make
17 those repairs?

18 COUNCILMAN MACAGNONE: I believe the
19 fans have to be repaired, the mechanism for the
20 fans and there's between the ground -- the basement
21 and the first floor, they have a crack that's
22 coming and we have to chip it out to redo it.

23 MR. MOLINARI: Do we have an estimated
24 cost on that?

25 COUNCILMAN MACAGNONE: I don't. I'm

1 waiting for the bids to come in.

2 MR. MOLINARI: You don't have an
3 engineer's estimate on it?

4 COUNCILMAN MACAGNONE: I personally,
5 don't.

6 MR. MOLINARI: How are you going to say
7 if the bids are reasonable?

8 MR. ANTETOMASO: We have a rough
9 estimate, it's close to \$1 million.

10 MR. MOLINARI: Just saying, you have to
11 have an estimate.

12 MR. ANTETOMASO: Yes. Obviously, you
13 are going to be authorizing the bid phase. We have
14 to sit down. We have to have a meeting on Thursday
15 to go over with the Board and hone in on the bid
16 and the prices. We believe it would be in that
17 neighborhood.

18 COUNCILMAN MACAGNONE: Paul, we would
19 like to get it done on the weekend if possible.
20 The weather is going to dictate a lot because
21 basically, it's an outdoor garage and as you know,
22 most repairs got to be done over 40 degrees. So a
23 lot is going to be dependent on that.

24 MR. MOLINARI: Thank you.

25 SUPERVISOR VENDITTO: Thank you.

1 Robert Ripp?

2 MR. RIPP: I'm Robert Ripp from
3 Massapequa. I'll start with 581.

4 SUPERVISOR VENDITTO: Whatever you
5 like.

6 MR. RIPP: I'm not -- I want to bring
7 some things to your attention and I don't mean to
8 be argumentative or insulting or anything like
9 that.

10 With regard to this resolution to
11 accept this donation -- I'm going to say it. This
12 festival, in the street, it's been called
13 Venditto's fest. This is the festival that the
14 Town Clerk accused me making disparaging statements
15 against Italians.

16 The day that the resolution was passed
17 that authorized this festival, you also authorized
18 six or seven festivals that same day. All the
19 resolutions were passed authorizing of use of
20 certain materials.

21 I'm not going to get into -- I already
22 turned in an ethics complaint on Commissioner
23 Nocerino and I believe that he improperly used Town
24 property, golf carts and stuff like that. I sent
25 complaints to all of you. I'm not getting into

1 that. It's not relevant.

2 What I want to say to you is that you
3 might possibly want to suggest maybe having the
4 Columbus Lodge donate this donation to you, maybe a
5 charitable contribution just to eliminate any
6 possible perception of (inaudible).

7 Quite frankly, when I read through the
8 backup material on the original resolutions
9 authorizing and I know that the Columbus Lodge
10 asked (inaudible) they asked for a few more things
11 than the other people, you know, I don't know if
12 they -- they were only approved for certain things.
13 I don't know if they got more than they would have,
14 but I guess -- please think about that. It might
15 just alleviate some headaches down the road.

16 SUPERVISOR VENDITTO: Okay. I'm not
17 totally understanding, but --

18 MR. RIPP: What I'm saying is it might
19 in the Town's best interest to maybe have this
20 donation made to some other charitable organization
21 to avoid any inference of a possible (inaudible)
22 for receiving additional Town property that was not
23 authorized by a resolution.

24 SUPERVISOR VENDITTO: We will take it
25 under advisement.

1 MR. RIPP: 601, how old is the parking
2 garage?

3 SUPERVISOR VENDITTO: June 3rd of 2008.

4 MR. ANTETOMASO: Five years.

5 SUPERVISOR VENDITTO: June 3rd of 2008
6 was the day of infamy.

7 When did we complete construction?

8 MR. ANTETOMASO: March 2011.

9 MR. RIPP: Let me rephrase.
10 How long has the parking garage been in
11 use?

12 MR. ANTETOMASO: Five years.

13 MR. RIPP: I haven't been to the
14 parking garage, so I can't testify as to what is
15 going on there. But it would be relevant third
16 party -- I heard there are a few problems in the
17 parking garage, structural problems and also
18 problems with carbon monoxide, warning systems,
19 stuff like that.

20 I would like urge you take a closer
21 look and -- I don't know should a \$40 or
22 \$60 million structure be requiring maintenance
23 within five years? Maybe there is some structural
24 damage that is from the original contract. I don't
25 know. I haven't seen it. That's it for those

1 resolutions.

2 SUPERVISOR VENDITTO: Thank you, Rob.

3 Back to you, Mr. Altadonna, for a vote.

4 MR. ALTADONNA: I'm going to separate
5 the transfer of funds.

6 Motion was made by Councilman
7 Muscarella, seconded by Councilman Macagnone.

8 This is on TF 17-16.

9 On the vote, Supervisor Venditto?

10 SUPERVISOR VENDITTO: I vote "Aye."

11 MR. ALTADONNA: Councilman Muscarella?

12 COUNCILMAN MUSCARELLA: "Aye."

13 MR. ALTADONNA: Councilman Macagnone?

14 COUNCILMAN MACAGNONE: "Aye."

15 MR. ALTADONNA: Councilman Coschignano?

16 COUNCILMAN COSCHIGNANO: "Aye."

17 MR. ALTADONNA: Councilman Pinto?

18 COUNCILMAN PINTO: "Aye."

19 MR. ALTADONNA: Councilwoman Alesia?

20 COUNCILWOMAN ALESIA: "Aye."

21 MR. ALTADONNA: Councilwoman Johnson?

22 COUNCILWOMAN JOHNSON: "Aye."

23 MR. ALTADONNA: Motion to adopt

24 TF 17-16 passes with seven "Ayes."

25 Motion on 548 through 605, motion made

1 by Councilman Muscarella, seconded by Councilman
2 Macagnone.

3 On the vote, Supervisor Venditto?

4 SUPERVISOR VENDITTO: I vote "Aye."

5 MR. ALTADONNA: Councilman Muscarella?

6 COUNCILMAN MUSCARELLA: "Aye."

7 MR. ALTADONNA: Councilman Macagnone?

8 COUNCILMAN MACAGNONE: "Aye."

9 MR. ALTADONNA: Councilman Coschignano?

10 COUNCILMAN COSCHIGNANO: "Aye."

11 MR. ALTADONNA: Councilman Pinto?

12 COUNCILMAN PINTO: "Aye."

13 MR. ALTADONNA: Councilwoman Alesia?

14 COUNCILWOMAN ALESIA: "Aye."

15 MR. ALTADONNA: Councilwoman Johnson?

16 COUNCILWOMAN JOHNSON: "Aye."

17 MR. ALTADONNA: Motion to adopt.

18 COUNCILMAN COSCHIGNANO: I'm sorry. I
19 have to abstain on 568.

20 "Aye" on everything except 568.

21 MR. ALTADONNA: Motion to adopt

22 Resolution Nos. 548-2016 through 567-2016 passes
23 with seven "Ayes."

24 Motion to adopt Resolution No. 568-2016
25 passes with six "Ayes" and one abstention.

1 Motion to adopt Resolutions Nos.
2 569-2016 through 605-2016 with seven "Ayes."

3 May I have a motion to suspend the
4 rules and add Resolution No. 606-2016?

5 On the motion?

6 COUNCILMAN MUSCARELLA: So moved.

7 COUNCILMAN MACAGNONE: Seconded.

8 MR. ALTADONNA: On the vote, Supervisor
9 Venditto?

10 SUPERVISOR VENDITTO: I vote "Aye."

11 MR. ALTADONNA: Councilman Muscarella?

12 COUNCILMAN MUSCARELLA: "Aye."

13 MR. ALTADONNA: Councilman Macagnone?

14 COUNCILMAN MACAGNONE: "Aye."

15 MR. ALTADONNA: Councilman Coschignano?

16 COUNCILMAN COSCHIGNANO: "Aye."

17 MR. ALTADONNA: Councilman Pinto?

18 COUNCILMAN PINTO: "Aye."

19 MR. ALTADONNA: Councilwoman Alesia?

20 COUNCILWOMAN ALESIA: "Aye."

21 MR. ALTADONNA: Councilwoman Johnson?

22 COUNCILWOMAN JOHNSON: "Aye."

23 MR. ALTADONNA: Motion to suspend the
24 rules and add Resolution No. 606-2016 passes with
25 seven "Ayes."

1 May I have a motion to adopt
2 Resolution No. 606-2016?

3 On the motion?

4 COUNCILMAN MUSCARELLA: So moved.

5 COUNCILMAN MACAGNONE: Seconded.

6 SUPERVISOR VENDITTO: This is the
7 Resolution which had been previously tabled
8 pertaining to a request from Arcadis of New York on
9 behalf of Northrop Grumman?

10 MR. ALTADONNA: This is 606.

11 SUPERVISOR VENDITTO: Resolution 606,
12 what did with 433?

13 MR. ALTADONNA: That's last.

14 SUPERVISOR VENDITTO: Resolution
15 pertaining to special counsel services to the Town
16 Attorney relative to employee representation.

17 MR. RIPP: Are you calling speakers?

18 MR. ALTADONNA: Yes.

19 MR. RIPP: I want you to expand further
20 and maybe tell us who the employee is, what the
21 litigation is about, why is it considered
22 commercial litigation and why we need an outside
23 attorney to do this.

24 SUPERVISOR VENDITTO: I'm going to need
25 a lawyer to answer the question.

1 Frank, do you want to handle this?

2 MR. SCALERA: Based upon procedural
3 posture of the case and litigation strategy, at
4 this point in time, because it's a pending
5 litigation, I can't, in good conscious, discuss it
6 much further.

7 In the near future, we will be
8 releasing information about the case. At this
9 juncture of the case that it's pending, I think
10 it's best for litigation strategy not to discuss
11 too much details of it.

12 What we needed to do at this point is
13 just procure counsel since it's an issue in the
14 State of Connecticut.

15 Like I said, I'm not trying to be
16 secretive, but, of course, in the near future when
17 it's appropriate, I will discuss it with you -- of
18 course, discuss it with the Board and with you.

19 But at this point in time, it's in the
20 early stages. It's a procedural issue at this
21 time, nothing substitutive and the strategy --
22 litigation strategy. I have to be straightforward
23 on that one. But the firm was procured by RFP
24 properly and the like.

25 MR. RIPP: I understand your response.

1 I just want to point out that Judge
2 Styman, in Newsday, and the Town of Oyster Bay, he
3 specifically pointed out that pending litigation is
4 not a valid reason to withhold information from
5 anyone.

6 In fact, the judge made a indication
7 that, you know, what kind of legal strategy is that
8 you don't want the other party to find what you're
9 doing.

10 I appreciate your position. You don't
11 want to the comment on it, but I feel that you
12 should be commenting on it.

13 SUPERVISOR VENDITTO: Thank you.

14 Any other speakers on 606?

15 (No verbal response.)

16 MR. ALTADONNA: Motion made by
17 Councilman Muscarella, seconded by Councilman
18 Macagnone.

19 On the vote, Supervisor Venditto?

20 SUPERVISOR VENDITTO: I vote "Aye."

21 MR. ALTADONNA: Councilman Muscarella?

22 COUNCILMAN MUSCARELLA: "Aye."

23 MR. ALTADONNA: Councilman Macagnone?

24 COUNCILMAN MACAGNONE: "Aye."

25 MR. ALTADONNA: Councilman Coschignano?

1 COUNCILMAN COSCHIGNANO: "Aye."

2 MR. ALTADONNA: Councilman Pinto?

3 COUNCILMAN PINTO: "Aye."

4 MR. ALTADONNA: Councilwoman Alesia?

5 COUNCILWOMAN ALESIA: "Aye."

6 MR. ALTADONNA: Councilwoman Johnson?

7 COUNCILWOMAN JOHNSON: "Aye."

8 MR. ALTADONNA: Motion to adopt
9 Resolution No. 606-2016 passes with seven "Ayes."

10 SUPERVISOR VENDITTO: Before we go any
11 further, are we now going to address 433?

12 MR. ALTADONNA: Yes, we are.

13 That will be the last thing, re-suspend
14 to add for the authorization of advertising.

15 COUNCILMAN MACAGNONE: This is tonight?

16 MR. ALTADONNA: No.

17 SUPERVISOR VENDITTO: This is the tax
18 cap which will now be November 15th.

19 MR. ALTADONNA: May I have a motion to
20 re-suspend the rules and add the following Walk-On
21 Resolution No. 607-2016?

22 Resolution directing the Town Clerk to
23 advertise a Notice of Hearing to consider a Local
24 Law entitled, "A Local Law to Amend Chapter 209 -
25 Taxation, to add Article X - Override of Real

1 Property Tax Levy to the Code of the Town of Oyster
2 Bay, New York to override the Tax Levy Limit
3 established in General Municipal Law Section 3-C."
4 Hearing date November 15, 2016.

5 On the motion?

6 COUNCILMAN MUSCARELLA: So moved.

7 COUNCILMAN MACAGNONE: Seconded.

8 MR. ALTADONNA: Motion made by
9 Councilman Muscarella, seconded by Councilman
10 Macagnone.

11 On the vote, Supervisor Venditto?

12 SUPERVISOR VENDITTO: I vote "Aye."

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: "Aye."

15 MR. ALTADONNA: Councilman Macagnone?

16 COUNCILMAN MACAGNONE: "Aye."

17 MR. ALTADONNA: Councilman Coschignano?

18 COUNCILMAN COSCHIGNANO: "Aye."

19 MR. ALTADONNA: Councilman Pinto?

20 COUNCILMAN PINTO: "Aye."

21 MR. ALTADONNA: Councilwoman Alesia?

22 COUNCILWOMAN ALESIA: "Aye."

23 MR. ALTADONNA: Councilwoman Johnson?

24 COUNCILWOMAN JOHNSON: "Aye."

25 MR. ALTADONNA: Motion to re-suspend

1 the rules and proceed the added Walk-On Resolution
2 No. 607-2016 passes with seven "Ayes."

3 May I have a motion to adopt Walk-On
4 Resolution No. 607-2016?

5 COUNCILMAN MUSCARELLA: So moved.

6 COUNCILMAN MACAGNONE: Seconded.

7 MR. ALTADONNA: Do you want to see if
8 there's any speakers?

9 SUPERVISOR VENDITTO: Any speakers?

10 MR. RIPP: I just want to say thank you
11 very much.

12 I appreciate you exercising good
13 government and handling this the way you have.

14 SUPERVISOR VENDITTO: Thank you for
15 participating in the process.

16 MR. RIPP: Thank you.

17 MR. ALTADONNA: Motion made by
18 Councilman Muscarella, seconded by Councilman
19 Macagnone.

20 On the vote, Supervisor Venditto?

21 SUPERVISOR VENDITTO: I vote "Aye."

22 MR. ALTADONNA: Councilman Muscarella?

23 COUNCILMAN MUSCARELLA: "Aye."

24 MR. ALTADONNA: Councilman Macagnone?

25 COUNCILMAN MACAGNONE: "Aye."

1 MR. ALTADONNA: Councilman Coschignano?

2 COUNCILMAN COSCHIGNANO: "Aye."

3 MR. ALTADONNA: Councilman Pinto?

4 COUNCILMAN PINTO: "Aye."

5 MR. ALTADONNA: Councilwoman Alesia?

6 COUNCILWOMAN ALESIA: "Aye."

7 MR. ALTADONNA: Councilwoman Johnson?

8 COUNCILWOMAN JOHNSON: "Aye."

9 MR. ALTADONNA: Motion to adopt Walk-On
10 Resolution No. 607-2016 passes with seven "Ayes."

11 Now, we are on to 433.

12 SUPERVISOR VENDITTO: We're going to
13 call the Resolution. We will listen to any
14 speakers who care to address this, but now we will
15 also continue the Resolution until this evening.

16 MR. ALTADONNA: Correct.

17 May I have a motion to remove
18 Resolution No. 433-2016 from the table, which was
19 tabled on August 9, 2016?

20 On the motion?

21 COUNCILMAN MUSCARELLA: So moved.

22 COUNCILMAN MACAGNONE: Seconded.

23 MR. ALTADONNA: Motion made by
24 Councilman Muscarella, seconded by Councilman
25 Macagnone.

1 On the vote, Supervisor Venditto?

2 SUPERVISOR VENDITTO: I vote "Aye."

3 MR. ALTADONNA: Councilman Muscarella?

4 COUNCILMAN MUSCARELLA: "Aye."

5 MR. ALTADONNA: Councilman Macagnone?

6 COUNCILMAN MACAGNONE: "Aye."

7 MR. ALTADONNA: Councilman Coschignano?

8 COUNCILMAN COSCHIGNANO: "Aye."

9 MR. ALTADONNA: Councilman Pinto?

10 COUNCILMAN PINTO: "Aye."

11 MR. ALTADONNA: Councilwoman Alesia?

12 COUNCILWOMAN ALESIA: "Aye."

13 MR. ALTADONNA: Councilwoman Johnson?

14 COUNCILWOMAN JOHNSON: "Aye."

15 MR. ALTADONNA: Motion to remove

16 Resolution No. 433-2016 from the table passes with
17 seven "Ayes."

18 May I have a motion to adopt Resolution
19 No. --

20 SUPERVISOR VENDITTO: Are there any
21 speakers here on the Bethpage -- anyone else?

22 MR. ALTADONNA: Right now, we removed
23 it. We haven't adopted it. We should adopt it and
24 we can hear and you can table it until tonight.

25 SUPERVISOR VENDITTO: I think we want

1 to adjourn it.

2 MR. ALTADONNA: You want to --

3 SUPERVISOR VENDITTO: I want to the
4 give an opportunity to Mr. Molinari.

5 MR. MOLINARI: I was curious
6 concerning --

7 MR. ALTADONNA: Why don't we bring it
8 in and then you can table it until tonight?

9 SUPERVISOR VENDITTO: Can I have the
10 Resolution, please? The problem is the Resolution
11 calls for a decision and we are not prepared to
12 make that decision. So we can't vote for the
13 Resolution.

14 All we can do is present the Resolution
15 to the Board to allow Mr. Molinari make his
16 comments and then we will continue the hearing.

17 MR. ALTADONNA: If I bring the
18 Resolution and we have a first and a second, we
19 leave it open.

20 SUPERVISOR VENDITTO: Right. You can't
21 adopt it. So let's get the Resolution before the
22 Board. I don't think we have that yet.

23 MS. SWANSON: We added it.

24 SUPERVISOR VENDITTO: Mr. Molinari,
25 your comments are welcome.

1 MR. MOLINARI: I just had a simple
2 question.

3 I was here when the presentations were
4 made and there were a lot of concerns by private
5 residents.

6 I was wondering how those concerns have
7 been addressed.

8 SUPERVISOR VENDITTO: We can probably
9 use an update anyway.

10 John Ellsworth, who has been working on
11 this, perhaps can update us in the process.

12 MR. ELLSWORTH: Northrop Grumman
13 sponsored a community meeting last Thursday, open
14 to anybody who wanted to show up. They sent
15 mailings to the neighborhood. I guess they had
16 about a dozen, 20 residents that showed up to the
17 meeting and they had a list of the questions that
18 came up. They gave a presentation and went through
19 the questions that were -- that they were already
20 aware of, they answered all those questions and
21 then they opened it up for further questions.

22 By the end, it seemed like they
23 addressed all the questions. It doesn't mean that
24 more questions won't come up tonight, but I think
25 the point where they are at now, they've gone and

1 done their homework. They have done what they need
2 to do to address the questions that have come up
3 and they have a proposal for that -- well, that
4 does the best it can do to mitigate the impact to
5 the residents.

6 SUPERVISOR VENDITTO: Obviously, we
7 don't have an amicable resolution.

8 MR. ELLSWORTH: Some of the residents,
9 a couple of them are going to have the drill rig
10 right in front of their house. They would prefer
11 not to, but they asked questions like, can we get a
12 wood wall between the drill rig and our house and
13 Grumman said, sure, we can do that.

14 Can you -- at the last meeting, I
15 think, it was asked, can you start at 8:00 and they
16 said sure.

17 Basically, everything that's been
18 asked, almost, other than don't drill here, they
19 said they are willing to do.

20 SUPERVISOR VENDITTO: All right. It's
21 a tough call.

22 MR. ELLSWORTH: We will see how it goes
23 tonight.

24 SUPERVISOR VENDITTO: On one hand, you
25 want to protect the public's health, safety and

1 welfare.

2 My concern here is that, obviously,
3 there will be litigation that will ensue.

4 MR. ELLSWORTH: If the Town Board --

5 SUPERVISOR VENDITTO: If we say no.

6 MR. ELLSWORTH: There would be
7 something. I don't know what the DEC has in their
8 toolbox.

9 SUPERVISOR VENDITTO: All right, Paul.

10 MR. MOLINARI: I just want to alert the
11 Board that 230 Duffy Avenue is now on the DEC
12 Superfund site and they're proposing a remediation
13 there. That's less than a quarter of a mile from
14 my house. I jut want the Board aware of that.

15 SUPERVISOR VENDITTO: Thank you.

16 Can we continue until tonight?

17 MS. SWANSON: Yes.

18 SUPERVISOR VENDITTO: Mr. Muscarella,
19 will move to continue any further action with
20 respect to 433 until this evening.

21 COUNCILMAN MUSCARELLA: Supervisor,
22 I'll make a motion to continue this hearing until
23 tonight. That's Resolution No. 433-2016.

24 COUNCILMAN MACAGNONE: Seconded.

25 SUPERVISOR VENDITTO: All in favor?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ALL: "Aye."

SUPERVISOR VENDITTO: Opposed?

(No response.)

SUPERVISOR VENDITTO: So moved.

That completes the call of the Regular
Action Calendar.

COUNCILMAN MUSCARELLA: Supervisor,
I'll adjourn the meeting until 7:00 p.m. tonight.

COUNCILMAN MACAGNONE: Seconded.

SUPERVISOR VENDITTO: All in favor?

ALL: "Aye."

SUPERVISOR VENDITTO: Opposed?

(No response.)

SUPERVISOR VENDITTO: So moved.

(Time noted: 1:00 p.m.)