

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
JULY 11, 2017
10:26 A.M.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to amend Local Law 1-2016, as previously amended by Local Law 2-2017, Creating a Building Permit Amnesty Program for Residential Homeowners within the Town of Oyster Bay." (M.D. 6/13/17 #16).

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN LOUIS B. IMBROTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN THOMAS HAND

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

JAMES ALTADONNA JR., TOWN CLERK
JAMES STEFANICH, RECEIVER OF TAXES

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good morning,
2 ladies and gentlemen, and welcome to the Oyster Bay
3 Town Board meeting of July 11, 2017.

4 The morning's prayer will be led by
5 Rabbi Rafi Rank of the Midway Jewish Center in
6 Syosset.

7 Midway is a warm and welcoming Jewish
8 home for all Jewish families serving those families
9 situated in Syosset, Plainview, Woodbury, Bethpage,
10 Jericho, Muttontown and beyond. Midway Jewish
11 Center is the place to study and pray. They are a
12 congregational community that reveres tradition
13 while incorporating progressive ideas and practices
14 to maintain the time honored values and rituals of
15 Jewish people.

16 Rabbi, please lead us in prayer.

17 Would you all please rise?

18 (Whereupon, a prayer was recited by
19 Rabbi Rank.)

20 SUPERVISOR SALADINO: Thank you, Rabbi
21 Rank.

22 Your words are exceptionally inspiring
23 and are a fine example for all of us.

24 RABBI RANK: Thank you.

25 SUPERVISOR SALADINO: Thank you.

1 (Applause.)

2 SUPERVISOR SALADINO: So true. So
3 true.

4 The Pledge of Allegiance will now be
5 led by Mr. Alex Gallego, the President of the
6 Oyster Bay Chamber of Commerce.

7 Alex, please step up to the podium.

8 MR. GALLEGO: Thank you, Supervisor.

9 If we could turn to the flag.

10 (Whereupon, the Pledge of Allegiance
11 was recited and led by Mr. Gallego.)

12 SUPERVISOR SALADINO: Thank you, Alex.

13 It's important to point out -- please
14 have a seat, all.

15 MR. GALLEGO: Supervisor, if you would
16 allow me just two words. I know, maybe it's not
17 what usually happens.

18 SUPERVISOR SALADINO: Go ahead. Go
19 ahead.

20 MR. GALLEGO: I'm honored today to be
21 here with all of you and, thank you, Supervisor
22 Saladino.

23 From my vantage point where I sit at
24 the Chamber of Commerce, I have the opportunity to
25 engage every day with local businessmen to take the

1 ultimate risk; to build a business for their
2 families, for themselves, to build something that
3 will live on after them and that they can really
4 witness the community moving forward.

5 Sometimes in all that conversation that
6 I have, what I hear is, when is this going to get
7 done, when are they going to move that.

8 It's easy for us to judge all that and
9 say it got done so things are moving, but there's
10 something else that can also be looked at. It's
11 what I witnessed in Supervisor Saladino is that he
12 has taken the time to visit all of these business
13 folks at our networking meetings. He has taken the
14 time at the car show not to wave, but to stop the
15 car, get out of the car, shake everyone's hands,
16 and ask how's it going, what can I do for you.

17 Those are the important things for me,
18 for the Chamber of Commerce, for our local business
19 people that we have someone who truly believes that
20 his actions and the actions of this fine Board can
21 make a difference.

22 So I just wanted to publicly thank you,
23 Supervisor, for the way that you have conducted
24 yourself, your professionalism and your leadership.

25 SUPERVISOR SALADINO: Thank you very

1 much. Much appreciated. Thank you.

2 (Applause.)

3 SUPERVISOR SALADINO: And a tremendous
4 thanks has to go to all of the members of the
5 Oyster Bay Town Board who are true professionals,
6 each and every one of them with a tremendous
7 passion to help this Town.

8 Before we get started, Alex, before you
9 leave, if you'd just come up for a moment. We have
10 a Town Citation and I'm going ask Michelle Johnson,
11 please, if you would, to present this to you.
12 We'll all come down there with you for a moment and
13 just point out that your presence this morning is
14 an ideal opportunity to talk about Oyster Bay
15 Chamber, the Cruise Night, which takes place right
16 here in the Hamlet of Oyster Bay every Tuesday
17 night.

18 During the Summer, the streets of
19 Oyster Bay are filled with classic cars and
20 spectators during Long Island's most popular car
21 show, Oyster Bay Cruise Night. This family
22 friendly event has been named one of Newsday's top
23 25 things to do on Long Island. It is a real
24 special day and quite frankly, it's very important
25 to the merchants and the small business owners that

1 are Oyster Bay, proof of the fact that we continue
2 to work with you to empower and to assist all of
3 the business owners to keep our economy forever
4 building.

5 So thank you, thank you to the members
6 of the Chamber of Commerce. As each new store
7 comes in, these proprietors are clearly people we
8 want to work with, want to assist to help our
9 Town's economy.

10 So I'll ask all of our Town Board
11 members to please join Alex in front for this
12 photo.

13 MR. GALLEGO: Thank you, Supervisor.

14 (Whereupon, the Town Citation was
15 presented to Mr. Gallego by Councilwoman Johnson.)

16 SUPERVISOR SALADINO: I -- slightly out
17 of turn, I'd like to ask for a moment of silence.

18 Unfortunately, bad news again. Two
19 members of law enforcement have been killed in the
20 line of duty; one in New York's -- a member of the
21 New York City Police Department and another member
22 of the New York State Police Department.

23 This continuously reminds us these
24 terrible, terrible tragedies of how law enforcement
25 put their lives on the line for our safety and I'd

1 like to ask for a moment of silence.

2 (Whereupon, a moment of silence was
3 observed.)

4 SUPERVISOR SALADINO: God bless their
5 families. May they rest in peace.

6 Ladies and gentleman, last week we
7 received greater insight to serious problems that
8 plagued our Town under the previous administration
9 and Supervisor John Venditto. The criminal
10 complaints filed against the former Supervisor, the
11 former Planning Commissioner, and employee and
12 vendors came as no surprise. It is simply more
13 evidence of the corruption that plagued our Town
14 before I got here. As I've previously stated, I
15 have zero tolerance for impropriety.

16 Accordingly, the Town Board and I have
17 taken many actions to clean house and help us turn
18 the corner.

19 First, we have banned Carlo Lizza &
20 Sons from bidding on and performing work for the
21 Town.

22 Additionally, the Town will terminate a
23 lease that the company currently holds for use of
24 Town property.

25 In regard to Sidney Bowne, the Town has

1 received legal notice that the company has
2 separated itself from Frank Antetomaso.

3 We welcome this news and we are in
4 contact with the District Attorney's Office to
5 determine whether or not any wrongdoing will be
6 directed at that company and we will take the
7 proper course of action.

8 Secondly, I have directed that an
9 appraisal be conducted on the 50 Engel Street
10 property in Hicksville so that the Town of Oyster
11 Bay can sell this property and recoup tax dollars.
12 The property should no longer sit vacant when it
13 can serve as home for economic growth, and thus,
14 serve the residents of our Town.

15 Next, the one employee charged in the
16 District Attorney's complaint has been sent a
17 termination letter and the homeowner who received
18 special treatment will be billed for the work.

19 The Town Board and I have turned the
20 page and started a new, fresh, clean chapter in our
21 Town. We will not allow our residents and hard
22 working men and women of Oyster Bay Town Government
23 to be embarrassed any longer. We have taken
24 significant action to safeguard your wallet and
25 restore the public's trust.

1 To increase accountability and
2 transparency, we have hired a former federal
3 prosecutor as our Town Attorney and have increased
4 disclosure requirements for contractors, vendors,
5 and high level employees to prevent conflicts of
6 interest and misdeeds, and it's important to point
7 out that all of the elected officials have filled
8 out these financial disclosure forms.

9 We formed a new independent Board of
10 Ethics with real meaningful oversight. To recoup
11 your tax dollars from those who deceived the Town
12 through crooked concession agreements, we also sued
13 a prominent law firm along with the prior
14 concessionaire and a former Deputy Town Attorney.

15 We all learned from the past
16 administration that greater oversight is needed
17 when it comes to vendors and contracts. The Town
18 Board and I will take action to create an Inspector
19 General position to oversee all procurement
20 processes.

21 When we are done with all of our
22 reforms, Oyster Bay will be the most accountable,
23 transparent, and open government in the United
24 States. I expect nothing less and neither should
25 you.

1 Thank you.

2 Will the Town Clerk please poll the
3 Board?

4 MR. ALTADONNA: Supervisor Saladino?

5 SUPERVISOR SALADINO: Present.

6 MR. ALTADONNA: Councilman Muscarella?

7 MR. MUSCARELLA: Here.

8 MR. ALTADONNA: Councilman Macagnone?

9 COUNCILMAN MACAGNONE: Here.

10 MR. ALTADONNA: Councilwoman Alesia?

11 COUNCILWOMAN ALESIA: Here.

12 Good morning, Jim.

13 MR. ALTADONNA: Good morning.

14 Councilwoman Johnson?

15 COUNCILWOMAN JOHNSON: Here.

16 MR. ALTADONNA: Councilman Imbroto?

17 COUNCILMAN IMBROTO: Present.

18 MR. ALTADONNA: Councilman Hand?

19 COUNCILMAN HAND: Here.

20 MR. ALTADONNA: Would you like me to
21 call the first public hearing?

22 SUPERVISOR SALADINO: Yes.

23 Before we do that, I need to make
24 another announcement.

25 The Town of Oyster Bay is in the

1 running for the Long Island Regional Economic
2 Development Council Grant. We are in pursuit of a
3 \$10 million grant, a very serious grant for the
4 fine work that the Town is involved in. This
5 investment grant is for the Hicksville downtown
6 revitalization.

7 They have called us and asked for -- to
8 interview me in relation to this grant application
9 for today, so I will be able to stay as long as
10 possible and then have to leave our Board Meeting
11 after our hearings and votes in order to make it to
12 this grant interview.

13 Will you please call the first hearing?

14 MR. ALTADONNA: Sure.

15 Hearing - Local Law. To consider a
16 Local Law entitled, "Local Law to amend Local Law
17 1-2016, as previously amended by Local Law 2-2017,
18 creating a Building Permit Amnesty Program for
19 residential homeowners within the Town of Oyster
20 Bay."

21 MR. ROZEA: Good morning, Supervisor,
22 Members of the Town Board.

23 Matthew Rozea, Deputy Town Attorney.

24 Supervisor, the purpose of this
25 proposed Local Law is simply to extend what has

1 been commonly known as the Amnesty Program in the
2 Building Department so that individuals who have
3 existing structures on their property without the
4 benefit of the building permit can apply for the
5 permit, seek to legalize the premises without the
6 necessity of the payment of a maintenance or
7 maintain fee.

8 The Local Law would extend the program
9 through the end of the year, until December 31,
10 2017. All of the building permit fees or
11 application fees would remain in place with the
12 exception of the maintain fee. It is my
13 understanding the program has been wildly
14 successful. It has brought many properties into
15 compliance or at least has caused many property
16 owners to come to the Building Department to seek
17 assistance in legalizing the premises. Given the
18 success of that program, we're proposing to now
19 extend it through the end of the year.

20 SUPERVISOR SALADINO: Can you speak to
21 the benefits of this program and the needs in the
22 different communities?

23 MR. ROZEA: Well, certainly, the
24 benefit of the program is that all of the
25 properties that come under review under the Amnesty

1 Program will be inspected, will ensure code
2 compliance with the New York State Building Fire
3 Safety Codes, which only endorses the benefit, not
4 only of the property owner, but of neighbors who
5 have to live next to -- next to the properties will
6 know that the properties are safe, that they're
7 code compliant, and meet all applicable rules,
8 regulations, and codes.

9 SUPERVISOR SALADINO: I understand
10 there's also a financial benefit to extending this?

11 MR. ROZEA: Undoubtedly, because with
12 each application that's made, there's a building
13 fee -- fee that comes along with it, and so, yes,
14 there would be a financial benefit. The only fee
15 that's being waived is the maintain fee. All other
16 fees remain in place.

17 SUPERVISOR SALADINO: And because of
18 many factors including the fact that some of the
19 shoreline communities in the Town of Oyster Bay
20 were among the very hardest hit in the nation due
21 to Hurricane Sandy, I'm understanding that there
22 are still many residents who are still dealing with
23 the aftermath of this storm.

24 MR. ROZEA: That's undoubtedly a true
25 statement, but this program is directed Town wide

1 so it will benefit all the Town residents.

2 SUPERVISOR SALADINO: Town residents
3 across the Town?

4 MR. ROZEA: That's correct.

5 SUPERVISOR SALADINO: Does anyone have
6 any other questions? Do we have any speakers on
7 this? Mr. Freier -- Mr. McKenna, rather, please
8 step forward.

9 MR. McKENNA: I was just dropping this,
10 but I did want to speak on this.

11 SUPERVISOR SALADINO: Please, go ahead.
12 I'm still looking to see who else wanted to speak
13 on this.

14 MR. McKENNA: Good morning, Town Board.
15 Kevin McKenna, Syosset, New York.

16 The only comment that I want to make,
17 or question, is in regards to this amnesty, do
18 homeowners or business owners that need to come
19 into compliance, if they are coming into compliance
20 because somebody complained about them and only
21 because the public brought it to the Town's
22 attention, do they still get --

23 COUNCILMAN MACAGNONE: Amnesty?

24 MR. McKENNA: Do they get -- do they
25 still get the fees waived if they didn't come forth

1 on their own?

2 SUPERVISOR SALADINO: It is my
3 understanding that this program is administered
4 equally for all residents of the Town.

5 Let's just get that clarification on
6 that.

7 Is this program administered equally
8 for all residents of the Town of Oyster Bay?

9 MR. ROZEA: That certainly is my
10 understanding; although, I'd like to just correct
11 one statement.

12 The program is directed at residential
13 properties, not commercial properties.

14 MR. MUSCARELLA: But also, Counselor,
15 the fees, they pay the fees; they're not penalized,
16 correct?

17 MR. ROZEA: That's correct. They're
18 paying the building permit application fee. The
19 only fee being waived is the maintain fee.

20 SUPERVISOR SALADINO: Thank you.

21 MR. McKENNA: I would just like to ask
22 the Board to consider to put a caveat in there that
23 if a resident did not come forward on their own
24 and, you know, somebody had to complain about them
25 and get them to come here, I don't think that their

1 fee should be waived.

2 SUPERVISOR SALADINO: Thank you for
3 your testimony.

4 Is there any other speakers on this
5 issue?

6 Mr. Freier?

7 MR. FREIER: Robert Freier, 33 Chestnut
8 Lane.

9 Good morning, everyone -- in Woodbury.

10 You know, this has been asked numerous
11 meetings, Mr. Supervisor, and you have not answered
12 the question, but this is a chance to just, kind
13 of, come clean.

14 Are you applying for this Amnesty
15 Program?

16 SUPERVISOR SALADINO: I do not derive
17 any benefit from this program.

18 MR. FREIER: So your home is in
19 complete compliance?

20 SUPERVISOR SALADINO: I do not derive
21 any benefit from this extension.

22 I have done all of my compliance
23 previously and, therefore --

24 MR. FREIER: Before you became Town
25 Supervisor?

1 SUPERVISOR SALADINO: I have done all
2 of my compliance previously, and therefore, I don't
3 benefit by this.

4 MR. FREIER: Have you done it before
5 you became Town Supervisor?

6 SUPERVISOR SALADINO: I'll tell you
7 what, ask me your questions and --

8 MR. FREIER: My question is, have --
9 did -- were you in compliance before you became the
10 appointed Supervisor of the Town of Oyster Bay?

11 SUPERVISOR SALADINO: Do you have any
12 other questions?

13 MR. FREIER: That is my question.

14 SUPERVISOR SALADINO: Okay. If you'll
15 just take a seat, we'll address that.

16 MR. FREIER: Thank you.

17 SUPERVISOR SALADINO: As many people
18 know, I reside in Massapequa in the section of
19 Massapequa that was among the very hardest hit in
20 all of Long Island, and I was wiped out during
21 Hurricane Sandy.

22 And like many others, I took action to
23 protect the structural integrity of my home. I'm
24 in compliance with all the proper paperwork being
25 filed and just like everyone else, I will continue

1 to follow the Building Department's direction in
2 rebuilding my home.

3 Are there any other speakers on this
4 hearing?

5 MS. KRICKMAN: I would just like to
6 know why (inaudible) --

7 SUPERVISOR SALADINO: Would you step up
8 and let's address that, Ms. Krickman's question
9 about why we can't include -- why we're not
10 including, what was the choice made and why.

11 MR. ROZEA: The original program,
12 dating back to 2016, was simply directed at
13 assisting residential property owners at bringing
14 their properties into compliance. I suppose it's
15 possible that we could amend to include commercial
16 properties, but that's really a decision that we
17 would need some input from the Building Department
18 from before we would make that decision.

19 SUPERVISOR SALADINO: But it's
20 something we could choose to do going forward to
21 amend this, obviously?

22 MR. ROZEA: I don't see any reason why
23 we could not amend it to include commercial
24 properties.

25 SUPERVISOR SALADINO: Commissioner,

1 would you please come up so that we can further
2 explore Ms. Krickman's request.

3 Thank you.

4 COMMISSIONER MACCARONE: Good morning.

5 As Mr. Rozea had indicated, this does
6 not apply to commercial properties. Last year when
7 the Board decided to put this forward, it was for
8 the residents of the Town of Oyster Bay. We have
9 many corporations that are, you know, throughout
10 the country, that own properties here in Oyster
11 Bay.

12 For us to roll this out, I personally
13 recommend against doing that to commercial
14 properties.

15 SUPERVISOR SALADINO: Why?

16 COMMISSIONER MACCARONE: Financially,
17 number one, we would not be maintaining the
18 additional fees that have been put into our budget
19 for this year.

20 If you want to think about doing it
21 for, you know, in the future, but our budget has
22 been set to collect X amount of revenue this year.
23 So to change it midstream, you know, it would -- we
24 would have to recoup additional fees in other
25 situations.

1 SUPERVISOR SALADINO: Thank you,
2 Commissioner.

3 Are there any other speakers on this
4 hearing?

5 (No verbal response given.)

6 Is there any correspondence?

7 MR. ALTADONNA: We have affidavits of
8 postings and publication.

9 There is no other correspondence.

10 COUNCILMAN MUSCARELLA: Supervisor,
11 I'll make a motion that this public hearing be
12 closed and the decision be voted on today.

13 COUNCILMAN MACAGNONE: Second.

14 SUPERVISOR SALADINO: All in favor,
15 signify by saying "Aye."

16 ALL: "Aye."

17 SUPERVISOR SALADINO: All opposed,
18 "Nay."

19 (No verbal response given.)

20 SUPERVISOR SALADINO: The "Ayes" have
21 it.

22 Would you please call for the vote?

23 MR. ALTADONNA: Supervisor Saladino?

24 SUPERVISOR SALADINO: "Aye."

25 MR. ALTADONNA: Councilman Muscarella?

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COUNCILMAN MUSCARELLA: "Aye."
MR. ALTADONNA: Councilman Macagnone?
COUNCILMAN MACAGNONE: "Aye."
MR. ALTADONNA: Councilwoman Alesia?
COUNCILWOMAN ALESIA: "Aye."
MR. ALTADONNA: Councilwoman Johnson?
COUNCILWOMAN JOHNSON: "Aye."
MR. ALTADONNA: Councilman Imbroto?
COUNCILMAN IMBROTO: "Aye."
MR. ALTADONNA: Councilman Hand?
COUNCILMAN HAND: "Aye."
MR. ALTADONNA: Motion carries with
seven "Ayes."
SUPERVISOR SALADINO: Thank you, Town
Clerk.
(TIME NOTED: 10:51 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
JULY 11, 2017
10:52 A.M.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
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COUNCILMAN THOMAS HAND

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

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KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would please call
2 the calendar?

3 MR. ALTADONNA: What I'm going to do is
4 call the regular Action Calendar, the suspends
5 calendar and the resuspends calendar. That's the
6 walk-on and then you can take comments for that.

7 May I have a motion to adopt
8 Resolutions No. P-17-17 through 406-2017?

9 I'm also going to ask for a motion to
10 suspend the rules and add the following Resolutions
11 407-2017 through 413-2017 as well as a Walk-On
12 Resolution, which I will read into the minutes,
13 which would be to resuspend the rules and add the
14 following Walk-On Resolution which is Resolution
15 No. 414-2017, states, "Resolution pertaining to the
16 decision on the application of Beechwood CBW, LLC,
17 fee owner, for a modification of declaration of
18 restrictive covenants for property located at
19 Old Country Road, Plainview, New York."

20 So what I'd like to have is a motion on
21 the regular calendar for the record, a motion for
22 the suspends, and a motion for the Walk-On, so I'm
23 going to call it all and then you can have it.

24 May I have a motion for P-17-17 through
25 406-17?

1 Personnel Resolution No. P-17-17;
2 Resolution pertaining to personnel of various
3 departments within the Town of Oyster Bay.

4 Transfer of Funds Resolution No.
5 TF-10-17; Resolution pertaining to Transfer of
6 Funds within various departments accounts for the
7 Year 2017.

8 Resolution No. 374-2017; Resolution
9 authorizing the property cleanup assessment of 4336
10 Hicksville Road, Bethpage, NY, be referred to the
11 County of Nassau for placement on the Nassau County
12 Tax Assessment Rolls. (M.D. 6/13/17 #13).

13 Resolution No. 375-2017; Resolution
14 authorizing the property cleanup assessment of 310
15 North Baldwin Drive, Massapequa, NY, be referred to
16 the County of Nassau for placement on the Nassau
17 County Tax Assessment Rolls. (M.D. 6/13/17 #14).

18 Resolution No. 376-2017; Resolution
19 authorizing the property cleanup assessment of
20 214 Blueberry Lane, Hicksville, NY, be referred to
21 the County of Nassau for placement on the Nassau
22 County Tax Assessment Rolls. (M.D. 6/13/17 #15).

23 Resolution No. 377-2017; Resolution
24 pertaining to authorization for outside counsel for
25 Romano, et al. V. Town of Oyster Bay, et al.

1 Account No. OTA A 1420 44110 000 0000. (M.D.
2 6/13/17 #17).

3 Resolution No. 378-2017; Resolution
4 pertaining to settlement of negligence claim of
5 T. Connor v. Town of Oyster Bay. (M.D. 6/13/17
6 #18).

7 Resolution No. 379-2017; Resolution
8 amending Resolution No. 716-2016 relative to
9 stenographic services for Town Board meetings.
10 Account No. OTC A 1410 44120 000 0000. (M.D.
11 6/13/17 #19).

12 Resolution No. 380-2017; Resolution
13 pertaining to Contract No. PWC20-16, On-Call
14 Engineering Services relative to Tank Management.
15 Account No. DPW A 1640 46340 000 0000. (M.D.
16 6/13/17 #20).

17 Resolution No. 381-2017; Resolution
18 pertaining to Contract No. PWC20-16, On-Call
19 Engineering Services relative to Tank Management
20 and to utilize sub-consultants for electrical
21 inspections and pressure testing services. Account
22 No. PKS A 7110 44900 000 0000. (M.D. 6/13/17 #21).

23 Resolution No. 382-2017; Resolution
24 pertaining to Contract No. PWC22-16, On-Call
25 Engineering Services relative to Architecture.

1 Account No. PKS H 7197 20000 000 1502 001. (M.D.
2 6/13/17 #22).

3 Resolution No. 383-2017; Resolution
4 granting request from Church of St. Rose in
5 Massapequa, for Town assistance in conducting their
6 family festival from July 13 through July 22, 2017
7 and to use Town equipment for the event. (M.D.
8 6/13/17 #23).

9 Resolution No. 384-2017; Resolution
10 granting request from Our Lady of Mercy Church in
11 Hicksville, for Town assistance in conducting their
12 10th Annual Summer Fair from July 26 through July
13 30, 2017 and to use Town equipment for the event.
14 (M.D. 6/13/17 #24).

15 Resolution No. 385-2017; Resolution
16 granting request from Oyster Bay Main Street
17 Association for Town assistance in conducting the
18 7th season of Dancing in the Street events on
19 Audrey Avenue in Oyster Bay on July 7, 14, 21 and
20 28, 2017 and to use Town equipment for the event.
21 (M.D. 6/13/17 #25).

22 Resolution No. 386-2017; Resolution
23 pertaining to the decision on the application of
24 Joe Oliveira, to erect, maintain, improve and/or
25 repair a dock, float, bulkhead or other mooring at

1 87 Fairwater Avenue, Massapequa, NY. (M.D. 6/20/17
2 #10).

3 Resolution No. 387-2017; Resolution
4 pertaining to special counsel for condemnation
5 matters: In the Matter of the Application of the
6 Town of Oyster Bay to acquire title to certain and
7 real property located at the Liberty Industrial
8 Finishing Site, 55 Motor Avenue, Farmingdale, NY.
9 Account No. OTA A 1420 44110 000 0000. (M.D.
10 6/20/17 #11).

11 Resolution No. 388-2017; Resolution
12 directing the Town Clerk to publish a notice of
13 hearing in connection with the 2017 Hydrant Rental
14 Agreement with New York American Water Company,
15 Inc. Glenwood-Glen Head Fire Protection District.
16 Hearing date: August 15, 2017. (M.D. 6/20/17
17 #12).

18 Resolution No. 389-2017; Resolution
19 authorizing the issuance of a refund of a picnic
20 permit fee at Syosset-Woodbury Community Park to S.
21 Hussain. Account No. PKS A 0001 02025 523 0000.
22 (M.D. 6/27/17 #4).

23 Resolution No. 390-2017; Resolution
24 authorizing the issuance of a refund of a picnic
25 permit fee at Syosset-Woodbury Community Park to C.

1 Leventhal. Account No. PKS A 0001 02025 523
2 0000. (M.D. 6/27/17 #5).

3 Resolution No. 391-2017; Resolution
4 authorizing the issuance of a refund of a boat slip
5 fee at Harry Tappen Marina to M. Decosimo. Account
6 No. PKS A 0001 02025 526 0000. (M.D. 6/27/17 #6).

7 Resolution No. 392-2017; Resolution
8 authorizing the issuance of a partial refund of a
9 boat slip fee at Theodore Roosevelt Marina to
10 W. Schafer. Account No. PKS A 0001 02025 526 0000.
11 (M.D. 6/27/17 #7).

12 Resolution No. 393-2017; Resolution
13 authorizing the issuance of a refund of a resident
14 season beach permit fee to F. McTiernan. Account
15 No. PKS A 0001 02025 523 0000. (M.D. 6/27/17 #8).

16 Resolution No. 394-2017; Resolution
17 authorizing the Supervisor and his designee to
18 execute all forms necessary for grant funding to
19 provide occupational skills training to priority
20 populations, through the Workforce Innovation and
21 Opportunity Act. (M.D. 6/27/17 #9).

22 Resolution No. 395-2017; Resolution
23 directing the Town Clerk to advertise a Notice of
24 hearing to consider the proposed plan for tax
25 exempt financing by the Oyster Bay Fire Department,

1 a/k/a Oyster Bay Fire Company Number 1, for the
2 purchase of a Ferrara Tower Ladder Apparatus.

3 Hearing Date: July 25, 2017. (M.D. 6/27/17 #10).

4 Resolution No. 396-2017; Resolution
5 authorizing the waiver of adoption fees for dogs
6 and cats from August 14-19, 2017 in recognition of
7 International Homeless Animals' Day. (M.D.
8 6/27/17 #15).

9 Resolution No. 397-2017; Resolution
10 authorizing acceptance of a monetary donation to
11 the Town's Animal Shelter. Account No. DER A 3510
12 41600 000 0000. (M.D. 6/27/17 #16).

13 Resolution No. 398-2017; Resolution
14 granting request from the Locust Valley Chamber of
15 Commerce for Town assistance in conducting their
16 18th Annual Summer Locust Valley Sidewalk Sale on
17 August 5, 2017 and to use various Town equipment
18 for the event. (M.D. 6/27/17 #11).

19 Resolution No. 399-2017; Resolution
20 amending Resolution No. 296-2017 to reflect a new
21 date for the Hicksville Chamber of Commerce's 15th
22 Annual Summer Street Fair now scheduled for
23 July 16, 2017. (M.D. 6/27/17 #12).

24 Resolution No. 400-2017; Resolution
25 authorizing the issuance of a refund of building

1 permit extension of time fees to R. Young. Account
2 No. PAD B 0001 02555 000 0000. (M.D. 6/27/17 #17).

3 Resolution No. 401-2017; Resolution
4 pertaining to emergency construction services at
5 the Hicksville Parking Facility. Account No. HWY H
6 5997 20000 000 0811 016. (M.D. 6/27/17 #13 &
7 7/3/17 13#).

8 Resolution No. 402-2017; Resolution
9 pertaining to on-call engineering service request
10 relative to civil engineering for repairs at the
11 Hicksville Parking Facility and for the use of
12 sub-consultants in connection with Contract No.
13 PWC07-16. Account No. HWY H 5997 20000 000 0811
14 016. (M.D. 6/27/17 #14 & 7/3/17 #14).

15 Resolution No. 403-2017; Resolution
16 authorizing the extension of Contract No. SE002-16,
17 Recycling of Commingled Glass, Ferrous and
18 Non-Ferrous Metal and Rigid Plastic Containers for
19 the period June 1, 2017 through May 31, 2018.
20 (M.D. 6/27/17 #18).

21 Resolution No. 404-2017; Resolution
22 pertaining to the decision on a Local Law entitled,
23 "A Local Law to amend Local Law 1-2016, as
24 previously amended by Local Law 2-2017, Creating a
25 Building Permit Amnesty Program for Residential

1 Homeowners within the Town of Oyster Bay.”

2 Resolution No. 405-2017; Resolution
3 authorizing an increase in outside counsel services
4 in connection with various matters. Account No. OTA
5 A 1420 44110 000 0000. (M.D. 6/27/17 #19).

6 Resolution No. 406-2017; Resolution
7 authorizing retention of services for special
8 counsel to the Town Attorney. (M.D. 6/27/17 #20).

9 COUNCILMAN MUSCARELLA: So moved.

10 COUNCILMAN MACAGNONE: Second.

11 MR. ALTADONNA: Motion made by
12 Councilman Muscarella, seconded by Councilman
13 Macagnone.

14 For the suspends, may I have a motion
15 to suspend the rules and add Resolutions No.
16 407-2017 through 413-2017?

17 Resolution No. 407-2017; Resolution
18 authorizing the Town Clerk to publish a Notice of
19 Hearing in connection with the application of
20 Cedar-Carmans, LLC, fee owner, for a Special Use
21 Permit and Termination of Restrictive Covenants at
22 900-944 Carmans Road, Massapequa, New York. Hearing
23 Date: July 25, 2017 (M.D. 7/3/17 #15).

24 Resolution No. 408-2017; Resolution
25 authorizing the Town Clerk to publish a Notice of

1 Hearing in connection with a proposed Local Law
2 entitled: "A Local Law to Amend Local Law 1-2015 as
3 Previously Amended by Local Law 1-2017 Authorizing
4 A Local Retirement Incentive Program for the
5 Eligible Employees of the Town of Oyster Bay."

6 Hearing Date: July 25, 2017 (M.D. 7/3/17 #16).

7 Resolution No. 409-2017; Resolution
8 authorizing the Town Clerk to publish a Notice of
9 Hearing in connection with a proposed Local Law
10 entitled: "A Local Law to Add Chapter 231 Unmanned
11 Aircraft to the Code of the Town of Oyster Bay,
12 New York." Hearing Date: July 25, 2017 (M.D. 7/3/17
13 #17).

14 Resolution No. 410-2017; Resolution
15 authorizing the Town Clerk to publish a public
16 notice in connection with the Comprehensive Annual
17 Financial Report for the year ended December 31,
18 2016. (M.D. 7/3/17 #18).

19 Resolution No. 411-2017; Resolution
20 authorizing the Town Clerk to publish a public
21 notice in connection with the Transportation Single
22 Audit Report for the year ended December 31, 2016.
23 (M.D. 7/3/17 #19).

24 Resolution No. 412-2017; Resolution
25 authorizing the Town Clerk to publish a public

1 notice in connection with the Federal Single Audit
2 Report for the year ended December 31, 2016. (M.D.
3 7/3/17 #20).

4 Resolution No. 413-2017; Resolution
5 authorizing the Town Clerk to publish a public
6 notice in connection with the Town Clerk Agency
7 Fund Report for the year ended December 31, 2016.
8 (M.D. 7/3/17 #21).

9 On the motion?

10 COUNCILMAN MUSCARELLA: So moved.

11 COUNCILMAN MACAGNONE: Second.

12 MR. ALTADONNA: Okay. I'm going to
13 call for a vote. This is just for the suspends.

14 On the vote.

15 Supervisor Saladino?

16 SUPERVISOR SALADINO: "Aye."

17 MR. ALTADONNA: Councilman Muscarella?

18 COUNCILMAN MUSCARELLA: "Aye."

19 MR. ALTADONNA: Councilman Macagnone?

20 COUNCILMAN MACAGNONE: "Aye."

21 MR. ALTADONNA: Councilwoman Alesia?

22 COUNCILWOMAN ALESIA: "Aye."

23 MR. ALTADONNA: Councilwoman Johnson?

24 COUNCILWOMAN JOHNSON: "Aye."

25 MR. ALTADONNA: Councilman Imbroto?

1 COUNCILMAN IMBROTO: "Aye."

2 MR. ALTADONNA: Councilman Hand?

3 COUNCILMAN HAND: "Aye."

4 MR. ALTADONNA: Motion to suspend the
5 rules and add Resolution 407-2017 through 413-2017
6 passes with seven "Ayes."

7 May I have a motion to resuspend the
8 rules and add the following Walk-On Resolution No.
9 414-2017?

10 Resolution No. 414-2017; Resolution
11 pertaining to the decision on the application of
12 Beechwood CBW, LLC, fee owner, for a modification
13 of declaration of restrictive covenants for
14 property located at Old Country Road, Plainview,
15 New York.

16 On the motion?

17 COUNCILMAN MUSCARELLA: So moved.

18 COUNCILMAN MACAGNONE: Second.

19 MR. ALTADONNA: On the vote.

20 Supervisor Saladino?

21 SUPERVISOR SALADINO: "Aye."

22 MR. ALTADONNA: Councilman Muscarella?

23 MR. MUSCARELLA: "Aye."

24 MR. ALTADONNA: Councilman Macagnone?

25 COUNCILMAN MACAGNONE: "Aye."

1 MR. ALTADONNA: Councilwoman Alesia?

2 COUNCILWOMAN ALESIA: This is to
3 suspend and add --

4 MR. ALTADONNA: This is to resuspend
5 and just add for -- it is not on the vote.

6 COUNCILWOMAN ALESIA: "Aye."

7 MR. ALTADONNA: Okay.

8 Councilwoman Johnson?

9 COUNCILWOMAN JOHNSON: "Aye."

10 MR. ALTADONNA: Councilman Imbroto?

11 COUNCILMAN IMBROTO: "Aye."

12 MR. ALTADONNA: Councilman Hand?

13 COUNCILMAN HAND: "Aye."

14 MR. ALTADONNA: Okay.

15 Motion to resuspend the rules and add
16 414-2017 passes with seven "Ayes."

17 Now, all of these are open to
18 discussion and you have comments on pretty much all
19 of them.

20 SUPERVISOR SALADINO: Okay.

21 Our first is Personnel Resolution
22 P-17-17, and our first speaker will be Councilman
23 Anthony Macagnone.

24 COUNCILMAN MACAGNONE: Anthony
25 Macagnone, 27 Whitman Avenue, Syosset.

1 I rise to speak before you this morning
2 about the Personnel Resolution. There's a slot
3 that they're looking to fill for \$163,000. There's
4 no resume on this individual. I understand he does
5 not live in the Town of Oyster Bay. This in the
6 year we asked our employees to give back their hard
7 earned wages where we are charging community groups
8 for a show mobile. All right. It's just
9 ridiculous. It would be cheaper to hire a firm, to
10 contract out to a firm, to pay one individual
11 \$163,000.

12 You know, Ronald Reagan said it, "We're
13 spending money like drunken sailors." Except the
14 next day, the drunken sailor has some remorse, but
15 at least he spent his own money.

16 I urge you all to vote no on this
17 Resolution.

18 Thank you.

19 SUPERVISOR SALADINO: In response to
20 that, I want to thank you for giving us that
21 testimony. It's important to point out that this
22 person will be taking the role of multiple
23 employees in an advisory capacity in my office and
24 the fact that clearly we have to continue to do a
25 better job each and every day with transparency in

1 the Town of Oyster Bay.

2 An important aspect of providing the
3 highest level of transparency is how we're
4 communicating that to the public. Adding more to
5 the Internet. Adding more in our presentation to
6 the public and we have someone who is highly
7 experienced who I worked with for some thirteen
8 years in the New York State Assembly and someone
9 whose talents are second to none.

10 I am -- I feel confident that bringing
11 this person on board will greatly increase our
12 transparency and properly guide us to fully
13 communicate with the public. That's the intention
14 of bringing such a highly experienced and such
15 qualified person on board for us. Obviously, now
16 that we're well into July, it won't cost that much
17 for this year and then come the first of the year,
18 we can reevaluate the situation.

19 COUNCILWOMAN ALESIA: Supervisor, can I
20 ask a question?

21 SUPERVISOR SALADINO: Certainly.

22 COUNCILWOMAN ALESIA: Is this
23 individual going to be filling a slot that already
24 exists?

25 SUPERVISOR SALADINO: Let's bring

1 Vickie up to give the full information.

2 COUNCILMAN MACAGNONE: Supervisor, why
3 didn't we get a resume in the packet? If this
4 individual's so clearly qualified, why was there no
5 resume?

6 SUPERVISOR SALADINO: That's a very
7 good question. I know the Deputy Supervisor made
8 calls to all the Board members to answer their
9 questions and to brief them fully on this, but
10 obviously, a resume should have part of that.

11 Vickie, can you speak to us about the
12 slot and how this is taking place?

13 MS. SPINELLI: Absolutely, sir.

14 SUPERVISOR SALADINO: How it's being
15 proposed.

16 MS. SPINELLI: Good morning, all.

17 Before I speak to that specific slot, I
18 have just a couple of corrections I need to make to
19 the add and delete because what you all are reading
20 has a couple of errors.

21 Number one, on Item No. 222, you need
22 to add -- you need to correct. It only stops at
23 Grade 16. It's 16-01 with a salary of 53,186.

24 COUNCILWOMAN ALESIA: Can you say that
25 one more time?

1 MS. SPINELLI: It's Grade 16, step 01,
2 salary 53,186.

3 On Item 223, same information, 16-01,
4 53,186.

5 On the same line, 223, under delete,
6 please add Recreation Aide, grade and step 09-05,
7 49,778. Okay.

8 As far as the slot, it is a new slot.
9 Most of the slots that we had coming into the new
10 year were deleted by the Comptroller's Office to
11 balance the budget.

12 Because of the moves that we're making
13 with Sort and Sanitation, there are vacant slots in
14 the Recycling Sort Department that are vacant and
15 will not be used, so I've deleted those slots to
16 cover any pay grade -- pay salaries on anything
17 here. So if you take the adds and the deletes,
18 they should come close to zero.

19 The resume I -- I don't typically give
20 the resumes out. It is an exempt title so that's
21 not something that needs Board approval, but if you
22 would like a resume, I'm sure I have one up in my
23 office.

24 SUPERVISOR SALADINO: I would like the
25 Board Members to receive a resume.

1 Can we get resumes for them?

2 MS. SPINELLI: Sure. Absolutely. I'll
3 go to my office and get them.

4 SUPERVISOR SALADINO: I would
5 appreciate that.

6 Are there any other questions before
7 we -- yes?

8 UNKNOWN SPEAKER: What is the job
9 title, please?

10 SUPERVISOR SALADINO: Could you give
11 the job title, please?

12 MS. SPINELLI: Public Information
13 Officer.

14 SUPERVISOR SALADINO: Okay.
15 Could you --

16 COUNCILMAN MACAGNONE: But it's listed
17 under the Town Board slot.

18 MS. SPINELLI: Yes, Public Information
19 is a Town Board title.

20 COUNCILMAN MACAGNONE: Okay. And we
21 currently don't have any Public Information people?

22 MS. SPINELLI: No.

23 Only Public Information Officer is we
24 have a part-timer.

25 COUNCILMAN MACAGNONE: Do we have

1 people that work in Public Information?

2 MS. SPINELLI: Yes.

3 COUNCILMAN MACAGNONE: And none of them
4 can move up to be Director?

5 MS. SPINELLI: What we have, one is
6 Director of Community Relations, I believe, is the
7 title, but we don't have another Public Information
8 Officer, no.

9 COUNCILWOMAN ALESIA: Where I'm
10 confused -- and I'm sorry to put you on the spot
11 but I think I was given some misinformation. I
12 believed that we were filling a vacant slot that
13 was left for Director of Public Information
14 Officer, is that -- that's not the case?

15 MS. SPINELLI: No, I'm creating a
16 brand-new slot.

17 COUNCILMAN IMBROTO: Did somebody have
18 this tittle in the past?

19 MS. SPINELLI: Yes. We've had that
20 title in the past. He retired a few years ago.

21 That's actually who we have right now,
22 part time, Jim Moriarty.

23 COUNCILWOMAN JOHNSON: Will that
24 part-timer be leaving?

25 MS. SPINELLI: I'm not sure what the

1 status of him is at this point.

2 SUPERVISOR SALADINO: My conversations
3 is that part-timer will be leaving in the near
4 future. Exactly when, we haven't spoken to when.

5 MS. SPINELLI: I think it's just a
6 transition at this point.

7 COUNCILMAN MACAGNONE: We have
8 nobody -- we can't give incentive to our workers to
9 move up in the ranks? We have nobody that can move
10 up to take this spot? No one in this entire Town,
11 no Town resident of our 300,000 residents are
12 qualified to take this spot?

13 MS. SPINELLI: That's not my decision,
14 sir.

15 MR. MUSCARELLA: No one's as qualified
16 or has the expertise or the experience or the
17 wisdom and everything else to fulfill the job.

18 COUNCILMAN MACAGNONE: Or we can get an
19 outside firm, that would be a lot cheaper. I know
20 I deal with one in my other life that would be half
21 the cost of this.

22 SUPERVISOR SALADINO: This is --

23 COUNCILMAN MACAGNONE: That's without
24 benefits.

25 SUPERVISOR SALADINO: This is

1 something --

2 COUNCILMAN MACAGNONE: This is without
3 benefits.

4 MR. MUSCARELLA: Person is --

5 COUNCILMAN MACAGNONE: Pay the benefits
6 on top, you're talking a \$200,000 position.

7 SUPERVISOR SALADINO: This is something
8 that --

9 MR. MUSCARELLA: The person is very
10 qualified.

11 SUPERVISOR SALADINO: -- I'd like to
12 address.

13 COUNCILMAN MACAGNONE: For \$200,000,
14 Counselor, I do not think so.

15 COUNCILMAN MUSCARELLA: Do you know who
16 it is?

17 MS. SPINELLI: It is --

18 MR. MUSCARELLA: Very qualified
19 individual.

20 SUPERVISOR SALADINO: And this is not
21 just --

22 MS. SPINELLI: It is my understanding
23 that he will not be taking the benefits, that he
24 get benefits elsewhere.

25 SUPERVISOR SALADINO: Okay.

1 I would also like to point out that the
2 responsibilities -- the responsibilities of this
3 candidate for this spot is not only to do with
4 Public Information, dealing with the media,
5 increasing our transparency, increasing our
6 information both online, with the media as well as
7 with the public and greatly improving the job we're
8 doing, but I can assure you, that he will also be
9 assisting in the Supervisor's Office, in my office,
10 as a high level advisor, so really taking the role
11 of two positions in this because we're not going to
12 hire someone to provide the help on the day-to-day
13 assistance with planning, with public policy,
14 assistance to residents, and all of the other
15 policy decisions that have to be made on a daily
16 basis.

17 COUNCILMAN MACAGNONE: Same as the old.

18 SUPERVISOR SALADINO: Well, that's
19 exactly the point. We're not utilizing someone who
20 is -- was here during the previous administration.

21 COUNCILMAN MACAGNONE: No, but you're
22 paying a high power Republican operative to take a
23 spot who does not live in the Town of Oyster Bay
24 and we have not explored every option of even
25 contracting out for this.

1 SUPERVISOR SALADINO: I don't think if
2 we contracted out -- because we did consider this
3 and these are very valid questions. We did
4 consider what would happen if you had an outside
5 consultant and that would be they would only
6 provide those services on a limited basis as it
7 relates to communications and not provide the
8 day-to-day assistance in policy and decision-making
9 to ensure that we are working ethically,
10 transparently and making and bringing the Town into
11 the future that we all envision, a future that our
12 residents want, a future where we're making a
13 difference and greatly changing the culture of this
14 Town.

15 MR. FREIER: You know, you're still
16 discussing this. You haven't called people who
17 want to speak on this.

18 SUPERVISOR SALADINO: Yes, I realize
19 that. If you'd just be patient, sir, we'll be
20 happy to bring you up.

21 Okay. Does anyone have any other
22 questions for Vickie?

23 Thank you, Vickie.

24 COUNCILMAN IMBROTO: Vickie, just to
25 clarify, there's not going to be any additional

1 cost --

2 MS. SPINELLI: No.

3 COUNCILMAN IMBROTO: -- to the Town --

4 MS. SPINELLI: Because I --

5 COUNCILMAN IMBROTO: Because everything
6 is balancing out?

7 MS. SPINELLI: I removed slots --
8 because I removed slots from the Sort Recycling
9 titles that will not be used because of the
10 consolidation. There are vacant slots in
11 Sanitation that are available, that if we need --
12 if we do need them, these are slots that we will
13 not be using.

14 SUPERVISOR SALADINO: So just to repeat
15 this, we are reducing through creating more
16 efficiencies and consolidations, we're reducing
17 costs to the Town, and in that realm, there's no
18 additional cost in terms of our budget because of
19 the efficiencies and the savings we have found
20 elsewhere in the budget.

21 COUNCILMAN MACAGNONE: Why not just
22 save the money?

23 (Applause.)

24 SUPERVISOR SALADINO: Well, we've
25 actually been doing that.

1 COUNCILMAN MACAGNONE: Why don't we
2 continue to do it then?

3 SUPERVISOR SALADINO: We have been --
4 we are continuing to do that and we -- I feel that
5 by bringing somebody on with this level of talent,
6 he will continue to help us to save more money, to
7 find more ways. This is someone who is highly
8 experienced who has not just worked in -- Vickie,
9 while you're doing this, would you mind getting
10 that resume so we can hand that out to the Board
11 Members, please?

12 COUNCILWOMAN JOHNSON: Supervisor, I
13 think just -- if Councilman Macagnone and the rest
14 of the Board has not been provided with time to
15 examine the resume, perhaps we should table this
16 until the next meeting so that the Councilman
17 can --

18 SUPERVISOR SALADINO: Well, you know,
19 as we have so many programs and so much change that
20 we're trying to bring about in such a small amount
21 of time, there is so much going on with increasing
22 our transparency, putting in place an Inspector
23 General, changing the way we provide -- the way the
24 Building Department interacts with the public,
25 instituting so many more aspects of the Ethics

1 Board, informing our public and our employees.
2 We're creating so many changes so quickly that I
3 just don't feel there is a lot of time to get these
4 things done.

5 COUNCILMAN MACAGNONE: I'd like to
6 second Councilwoman Johnson's motion to table this
7 for two weeks.

8 SUPERVISOR SALADINO: We still have --
9 we are still on this motion, we still have some
10 speakers, and if no one else has any further
11 questions at this time, we'll ask Mr. Freier, who
12 has some -- juggling with a camera and paper and a
13 lot of things at once.

14 Good morning, Mr. Freier.

15 How are you?

16 MR. FREIER: Good morning.

17 I'm fine, thank you.

18 How are you?

19 Robert Freier, 33 Chestnut Lane in
20 Woodbury.

21 Thank you, Councilman Macagnone, for
22 speaking. I couldn't agree with you more. I --
23 basically, what I just heard, the person -- the
24 head of Human Resources say is that we took away
25 jobs from hard working workers in the Town. We

1 eliminated jobs in the Town to hire a -- someone
2 politically connected to you and -- let me speak
3 please and then you can speak -- so I am urging
4 every single person on the Board to vote no for
5 this position. We all know who this person is, at
6 least the rumors of it, and I am urging every
7 single person on this Board to vote no. It doesn't
8 need to be put off. Vote no and save the money.

9 And Supervisor Saladino said, we'll
10 deal with this in January -- you know, the year's
11 almost over, we'll deal with it in January. You
12 don't even know if you're going to be here in
13 January, so how can you -- how could you even say
14 that? So I urge every single member of this Board
15 to vote no on this.

16 Thank you.

17 SUPERVISOR SALADINO: Thank you for
18 your testimony.

19 The information you just heard is not
20 accurate, and quite frankly, is -- deflects from
21 the truth of the situation. We have made many
22 consolidations and we're continuing to find savings
23 with Sanitation, with Sort, in the ways that the
24 public wants us to reduce costs.

25 Now, we have a person who is willing to

1 take on multiple roles in one position. We have
2 defined this in a way that they'll be taking on
3 policy, taking on high level administrative
4 assistance in a team that's -- is bare bones, and
5 this kind of help will make a big difference in
6 administering the Town, in bringing about the
7 changes the public has demanded and that, quite
8 frankly, we have promised, as well as greatly
9 increasing transparency.

10 And an important factor in all of that
11 is someone with -- who is so highly experienced at
12 all levels of government who I have worked with for
13 many, many years and is a consummate very talented
14 professional, and as far as the last speaker, I
15 know I stand for honesty and integrity and
16 transparency. The last speaker is a candidate for
17 public office who has an obligation to understand
18 the facts and accept the truth rather than
19 perpetuate information that's just not true.

20 Yes, Ms. Krickman, would you like to
21 speak?

22 Ms. Krickman, go ahead.

23 MS. KRICKMAN: Yes --

24 SUPERVISOR SALADINO: Could you just
25 give us your --

1 MS. KRICKMAN: The only thing I have to
2 say about this, I don't know who this person is, I
3 don't care who this person is, but I do agree with
4 Mr. Macagnone.

5 If I don't have the money, I don't
6 spend it. I know you're consolidating. I -- it
7 would be nice if we had some extra money put aside.
8 167 or 63,000 -- I don't remember the exact number
9 -- is a lot of money to pay one person to do
10 multiple jobs, which I'm not sure of what we're
11 talking about here, and we're paying very high
12 taxes and I think that we should try to save some
13 money.

14 I am sure that somebody, along the
15 lines in our group here, could do some of these
16 tasks for -- with their jobs and not have to be
17 compensated with more money. So my feelings are
18 that we should not go forward and hire anyone.
19 We're trying to reduce. They're bare bones because
20 we can't afford it so hiring somebody at a high
21 salary like that is really improper.

22 SUPERVISOR SALADINO: Thank you,
23 Ms. Krickman, for your testimony.

24 To address the comments that were just
25 made, I want to point out that we are continuing to

1 reorganize the Town of Oyster Bay to bring about
2 much higher efficiencies. While I understand the
3 sticker shock involved in the number and I assume
4 everyone is speaking, who has spoke, is in relation
5 to the sticker shock for the information without
6 understanding all of the many roles that this
7 person will be taking on.

8 We're talking about a consummate
9 professional who has tremendous experience in
10 cutting the budget to assist us in that process,
11 who has tremendous experience in the administration
12 of Town government to help us make this Town even
13 better, and to communicate the information on a
14 day-to-day basis to bring about the highest level
15 of transparency that, quite frankly, I promised
16 from Day One here.

17 So we need to do the best job possible.
18 We need fresh blood here who will communicate these
19 ideas and these programs, who will help us
20 formulate these programs, and bring about
21 tremendous savings. If someone makes that much
22 money and then goes out and helps us to save over a
23 million dollars, they're certainly worth that and
24 the reason the number is what it is, is because
25 that's what they're currently being paid and in

1 order to get them away from their current position
2 and attract them to the Town of Oyster Bay, we have
3 to offer them the same amount.

4 UNKNOWN SPEAKER: So he gets paid
5 higher than the Supervisor, the CEO of the Town?

6 SUPERVISOR SALADINO: That happens in
7 every municipality in America, there are many
8 people, and I've cut my salary when I first came on
9 and I'll continue to take less.

10 Are there any other speakers who would
11 like to speak on this?

12 Yes, please. You've been waiting so
13 patiently. Please step forward, yes.

14 MS. EATON: My name is Margaret Eaton.
15 I'm from Hicksville.

16 I just would -- it seems to me that you
17 have not received the Board -- the Board has not
18 received the resumes and I don't know how you can
19 really vote on this without seeing the resume
20 because I'm sitting here also saying, I don't know
21 exactly what the job function is.

22 So in order to really vote on it, I
23 think everyone, you, need to know what the job
24 function is. So I don't think it should be voted
25 on personally today. I think it needs to be tabled

1 for at least two weeks.

2 I agree with Councilwoman and
3 Councilman.

4 SUPERVISOR SALADINO: Thank you. Thank
5 you.

6 The job functions include the policies,
7 assistance in policy making in my office on a
8 day-to-day basis, assisting us in the
9 consolidations and the cost savings across the
10 Town, assisting us in working with the media on a
11 daily basis, assisting us in the formulation of our
12 approach to providing that transparency.

13 Remember, in a world where it's not
14 just the written word, it's the Internet, it's the
15 messaging online, it's the messaging with Facebook,
16 Twitter, all the many social media aspects. It's
17 how we create the programs of transparency in the
18 best way possible so the public knows what we're
19 doing, how we're doing it and why.

20 In addition, this person will be taking
21 on the roles of multiple positions including as a
22 top advisor in my office working on the day-to-day
23 operations of running the Town of Oyster Bay,
24 America's third largest township. I know this
25 individual from working with him for years and

1 years in Albany in the State Capitol. Someone with
2 tremendous experience, someone who has instituted
3 programs like the tax cap, for instance, which
4 began with my conference that I was a member of in
5 the State Assembly. That's where the tax cap began
6 and this person helped us to formulate that tax
7 cap, helped us to go out and listen to the public
8 across the State of New York and put together such
9 a strong program that those elected officials from
10 the other conferences in the Assembly and Senate as
11 well as the Governor embraced the tax cap and
12 passed it into law.

13 So we're dealing with someone with
14 tremendously superior talents with a wide breadth
15 of experience in multiple layers of government,
16 local government, state government, and this is
17 someone that if we don't act on this, we'll lose
18 them to another municipality because, quite
19 frankly, anybody would grab up someone of this
20 talent level as quickly as they can.

21 Yes?

22 MS. KRICKMAN: Is it Rob Walker?

23 SUPERVISOR SALADINO: No, it's not Rob
24 Walker.

25 The man's name is Brian Nevin and he

1 has worked in so many levels of government and is a
2 superior administrator, one of the best I've ever
3 worked with, and because he's -- we have this
4 opportunity now, we would lose him otherwise.

5 I understand, as I said, that sticker
6 shock involved, good people in the -- because now
7 we are competing with the private sector as well
8 and the private sector pays amazing numbers, as you
9 know, and anybody involved in the private sector or
10 knows people who are involved in the private
11 sector. The amount of savings we are going to
12 receive by hiring this individual will be
13 astronomical and many, many times their salary.

14 MR. FREIER: Mr. Saladino, I just want
15 to address the Board again if that's okay.

16 SUPERVISOR SALADINO: Is there anyone
17 who hasn't spoken yet on this?

18 (No response.)

19 SUPERVISOR SALADINO: Mr. McKenna?

20 MR. MCKENNA: Kevin McKenna, again.
21 Syosset, New York.

22 Mr. Supervisor, every time I have a
23 feeling that things are starting to change for the
24 better and I want to believe that you're trying to
25 do what you say you're trying to do, I get hit with

1 a curve ball and this is just -- this is just
2 unbelievable.

3 SUPERVISOR SALADINO: No, it's not.

4 MR. McKENNA: Let me just make my --
5 my -- let me make my statement, okay?

6 SUPERVISOR SALADINO: It's not even
7 close to that. Sure. Of course.

8 MR. McKENNA: You have a woman come up
9 here, Vicki Spinelli, who the Board is asking, at
10 this point, for a resume, who hasn't provided it
11 you, who's in charge of Human Resources. Who
12 actually is not in charge of Human Resources, it's
13 John Canning, is that who's really in charge of
14 Human Resources, who we never ever get to see.

15 I would like to understand, and I'm
16 sure everybody else would like to understand, who
17 is giving direction to Vickie Spinelli to create --
18 or who is giving direction to Vickie Spinelli as to
19 where this individual is going, slotted, as
20 Councilwoman Alesia asked, you know, good
21 questions. Who is the person who's giving Vickie
22 Spinelli direction, because as we just read in
23 the -- and you went on the steps of the Supreme
24 Court and you talked about how adamant you are
25 against corruption, and I want to believe that, I

1 really want to believe that and half of me
2 sometimes believes it.

3 If I said it to certain people, they'd
4 tell me I was out of my mind, but I really want to
5 believe that, and then I come home and I read the
6 indictment that was public, it's public
7 information, and in the indictment of Sal Cecere,
8 okay, who I'm glad that you've terminated, okay, in
9 the indictment, it states that Vickie Spinelli was
10 given direction by Mr. Venditto's right hand man,
11 who doesn't even work for the Town of Oyster Bay,
12 okay, in the hiring and firing of people, okay, to
13 protect Fred Ippolito.

14 The bottom line is that Vickie Spinelli
15 is lucky that she wasn't arrested. Okay. Let me
16 finish --

17 SUPERVISOR SALADINO: I don't know how
18 you --

19 MR. MCKENNA: She's on the wire taps.
20 She's on the -- let me finish.

21 SUPERVISOR SALADINO: Mr. McKenna, if
22 you're going to --

23 MR. MCKENNA: The rules are that I get
24 to speak.

25 SUPERVISOR SALADINO: But, Mr. McKenna,

1 I've made this very clear. You don't have the
2 right to go after Town employees.

3 MR. McKENNA: I'm not going after her.
4 She's on the wire taps.

5 SUPERVISOR SALADINO: Mr. McKenna --

6 MR. McKENNA: -- taking direction.

7 SUPERVISOR SALADINO: Mr. McKenna,
8 You're slandering an individual.

9 MR. McKENNA: It's on the indictment.

10 SUPERVISOR SALADINO: -- who is not
11 under investigation, who has not been arrested.

12 MR. McKENNA: She was not under
13 investigation. I'm not saying that, but she's on
14 the wire taps --

15 SUPERVISOR SALADINO: Mr. McKenna --

16 MR. McKENNA: -- taking direction from
17 a nonemployee of the Town of Oyster Bay.

18 SUPERVISOR SALADINO: Mr. McKenna,
19 first of all, this kind of slander is not
20 appreciated and second of all --

21 MR. McKENNA: It's not slander.

22 SUPERVISOR SALADINO: Sir, your time is
23 up.

24 MR. McKENNA: Have you read the
25 indictment? Have you read the indictment?

1 SUPERVISOR SALADINO: Mr. McKenna --

2 MR. McKENNA: She took direction

3 Mr. Porcelli --

4 COUNCILWOMAN JOHNSON: Mr. McKenna,

5 have a seat. You're time is up.

6 MR. McKENNA: -- who's Venditto's right

7 hand man.

8 COUNCILWOMAN JOHNSON: -- employees.

9 SUPERVISOR SALADINO: Mr. McKenna, I
10 hope in the future, you'll follow --

11 MR. McKENNA: She performed something
12 that's unethical. She took direction from a
13 nonemployee of the Town of Oyster Bay in hiring and
14 firing people.

15 COUNCILMAN MUSCARELLA: Mr. McKenna,
16 you can't bring false information --

17 SUPERVISOR SALADINO: Mr. McKenna --

18 MR. McKENNA: And you're looking to her
19 for guidance --

20 SUPERVISOR SALADINO: Mr. McKenna --

21 MR. McKENNA: On how these slots are
22 being done or what have you. It's mind boggling.

23 SUPERVISOR SALADINO: Mr. McKenna --

24 MR. McKENNA: She's lucky she's working
25 here today.

1 SUPERVISOR SALADINO: You're
2 grandstanding is --

3 MR. McKENNA: I'm not grandstanding.

4 SUPERVISOR SALADINO: It's not the
5 right place for your grand standing. It's very
6 obvious, but, sir --

7 MR. McKENNA: It's in the indictment.

8 SUPERVISOR SALADINO: Thank you for
9 your testimony. Your time is up.

10 MR. McKENNA: Okay.

11 SUPERVISOR SALADINO: Thank you for
12 your testimony.

13 MR. McKENNA: I just want to say --

14 SUPERVISOR SALADINO: Sir, when I mean
15 your time is up, it means the time that you've been
16 speaking is up.

17 MR. McKENNA: There are people in the
18 public -- there are people in the public that would
19 do this job that you're paying somebody \$166,000
20 for, for free.

21 SUPERVISOR SALADINO: Okay.

22 MR. McKENNA: Okay. Why don't you give
23 the public an opportunity to step up and really
24 make change in Oyster Bay and help you? Okay.

25 SUPERVISOR SALADINO: And that's

1 exactly what we're doing.

2 MR. McKENNA: You hired Greg Carman.
3 You created a position for Greg Carman. Okay.

4 How many right hand men do you need?
5 It's mind boggling.

6 SUPERVISOR SALADINO: Mr. McKenna,
7 thank you for your testimony.

8 I'll just remind everyone in the
9 audience that the -- this is not the place for
10 grandstanding. This is not the place for politics,
11 and this is not the place for forwarding incorrect
12 information, and I will make a statement that
13 probably addresses what was just said.

14 If you look at the history in the Town
15 of Oyster Bay, the Supervisor's Office has been
16 staffed with high level professionals going back
17 decades and generations.

18 Mr. Yevoli, Supervisor Yevoli, had an
19 excellent Deputy Supervisor and had a whole staff
20 of highly trained, highly experienced, and highly
21 paid professionals, the best at that time to assist
22 him in running the Town.

23 The same goes for Supervisor
24 Delligatti, Supervisor Burke, on and on through the
25 decades of the Town of Oyster Bay.

1 We are going to ensure that we have the
2 best professionals to help us consolidate, save the
3 taxpayers money, and bring about the highest level
4 of transparency in a world that is complicated with
5 the kind of subterfuge that you just heard on the
6 Internet and throughout. If people spent less time
7 typing subterfuge of the Internet, it would be
8 easier to get the truth and the facts across to the
9 public. So, I thank you.

10 Everybody has had a chance to speak.

11 MR. FREIER: I'd like to readdress the
12 Board.

13 SUPERVISOR SALADINO: You've had a
14 chance to speak.

15 MR. McKENNA: The rules say you can
16 readdress the Board.

17 SUPERVISOR SALADINO: And you've had
18 a -- and you will be coming up for other, I see
19 other items.

20 MR. McKENNA: The rules say that
21 somebody can readdress.

22 SUPERVISOR SALADINO: Ladies and
23 gentlemen --

24 MR. FREIER: I'd like to readdress the
25 Board on this.

1 SUPERVISOR SALADINO: Ladies and
2 gentlemen. Ladies and gentlemen, I'm going to call
3 for order.

4 We are going to conduct ourselves as
5 the professionals that we all are, and candidates
6 especially should act with decorum, but that the's
7 case across the board with everyone.

8 Yes, Vickie, do you have a closing
9 statement you'd like to make?

10 MS. SPINELLI: Supervisor, Town Board,
11 if you decide you want to go into Executive Session
12 to discuss any of this information, I will be happy
13 to address you all.

14 I will not address this and be bullied
15 and be maligned while I stand here doing my job
16 from people who have no idea, anything that they
17 are talking about. I will not deal with this
18 harassment anymore. We've been getting it too
19 much, all of us, for doing our jobs and I won't do
20 that again.

21 If you have any personnel questions, I
22 will be happy to address you all in Executive
23 Session, but I will not do it here.

24 (Applause.)

25 SUPERVISOR SALADINO: I think that's an

1 excellent idea. I think that's an excellent idea,
2 so I'll call for an executive session where all the
3 Town Board members can be briefed and I ask
4 everyone to please be patient. We will be brief on
5 this, but we'll be right back out after all
6 questions are answered.

7 Yes, our Town Attorney, Joseph Nocella.

8 MR. NOCELLA: Supervisor, Members of
9 the Town Board, I just want to clarify something.

10 I, myself, when I drafted indictments,
11 had to refer to persons who were not defendants and
12 who for one reason or another had to be mentioned.
13 I never used their names. I don't know why the
14 District Attorney had to use somebody's name in
15 this instance. It was done, but that doesn't mean
16 they did anything criminally wrong.

17 As a matter of fact, it was abundantly
18 clear from having read the indictment that there
19 were no charges brought against our Human Resources
20 Officer and I just had to make that point.

21 Thank you, sir.

22 SUPERVISOR SALADINO: Yeah, I
23 understand what you're saying and we will not
24 entertain harassment of our work force and we will
25 not entertain political grandstanding. We have one

1 more speaker and then we're going to break for
2 Executive Session.

3 MR. EDELMAN: My name is Arthur
4 Edelman, Sea Cliff, New York.

5 SUPERVISOR SALADINO: Hi.

6 MR. EDELMAN: I just have one question
7 for the Board.

8 I was sitting here and I thought
9 Councilwoman Johnson put forth a motion and was
10 seconded.

11 COUNCILWOMAN JOHNSON: I think I said I
12 suggest that.

13 MR. EDELMAN: I just don't understand
14 why a motion to table this --

15 SUPERVISOR SALADINO: Because we are
16 currently working on a hearing on this.

17 We are going break into Executive
18 Session and protect the rights of employees,
19 perspective employees, and the public for that
20 matter, because we extend to them the same rights.
21 So we're going to break for Executive Session and
22 we'll be back out very shortly.

23 Thank you.

24 COUNCILMAN MUSCARELLA: Supervisor, I
25 make a motion that this Town Board go into

1 Executive Session to discuss personnel.

2 COUNCILMAN MACAGNONE: I think there's
3 no need to. I think we should be doing it in
4 public in front of the public.

5 COUNCILMAN MUSCARELLA: Do I have a
6 second?

7 (Applause.)

8 COUNCILWOMAN JOHNSON: I second it.

9 MR. MUSCARELLA: Thank you.

10 SUPERVISOR SALADINO: All in favor,
11 signify by saying "Aye."

12 (Chorus of "Ayes.")

13 COUNCILMAN MACAGNONE: No.

14 SUPERVISOR SALADINO: All against,
15 signify by saying, "No."

16 COUNCILMAN MACAGNONE: No.

17 SUPERVISOR SALADINO: The "Ayes" have
18 it.

19 MR. FREIER: Was this job ever posted?

20 SUPERVISOR SALADINO: Thank you.

21 (Whereupon, the Executive Session began
22 at 11:27 a.m. and ended at 11:53 a.m. and the
23 proceedings resumed as follows:)

24 COUNCILMAN MUSCARELLA: Supervisor, I
25 make a motion to close the Executive Session.

1 No action has been taken.

2 COUNCILMAN MACAGNONE: Second.

3 SUPERVISOR SALADINO: All in favor of
4 closing the Executive Session please signify by
5 voting "Aye."

6 ALL: "Aye."

7 SUPERVISOR SALADINO: All opposed,
8 Nay.

9 (No verbal response given.)

10 SUPERVISOR SALADINO: The "Ayes" have
11 it.

12 (Whereupon, a discussion was held off
13 the record.)

14 SUPERVISOR SALADINO: May I have a vote
15 on Resolution No. P-17-17?

16 I have -- we have briefed all the Town
17 Board members. Everyone has received a resume.
18 All of their questions have been answered and it is
19 my judgment that we are ready to vote on P-17-17
20 alone.

21 MR. ALTADONNA: Okay.

22 Supervisor, the motion was made by
23 Councilman Muscarella.

24 Now, I will call it as a separate, so
25 I'm going to ask for a motion and I need a second.

1 COUNCILMAN MUSCARELLA: Sure.

2 MR. ALTADONNA: May I have a motion to
3 adopt Resolution P-17-17 only?

4 COUNCILMAN MUSCARELLA: So moved.

5 COUNCILMAN MACAGNONE: Second.

6 MR. ALTADONNA: Motion made by
7 Councilman Muscarella, seconded by Councilman
8 Macagnone.

9 On the vote.

10 Supervisor Saladino?

11 SUPERVISOR SALADINO: "Aye."

12 MR. ALTADONNA: Councilman Muscarella?

13 COUNCILMAN MUSCARELLA: "Aye."

14 MR. ALTADONNA: Councilman Macagnone?

15 COUNCILMAN MACAGNONE: No.

16 MR. ALTADONNA: Councilwoman Alesia?

17 COUNCILWOMAN ALESIA: "Aye."

18 MR. ALTADONNA: Councilwoman Johnson?

19 COUNCILWOMAN JOHNSON: "Aye."

20 MR. ALTADONNA: Councilman Imbroto?

21 COUNCILMAN IMBROTO: "Aye."

22 MR. ALTADONNA: Councilman Hand?

23 COUNCILMAN HAND: "Aye."

24 MR. ALTADONNA: Motion to adopt
25 Resolution P-17-17 passes with six "Ayes" and one

1 "Nay."

2 SUPERVISOR SALADINO: Will the Clerk
3 continue the calendar?

4 MR. ALTADONNA: We already called the
5 calendar. You're into the session.

6 SUPERVISOR SALADINO: Okay. We have
7 speakers on these Resolutions starting with Paul
8 Molinari.

9 Mr. Molinari, will you join us, please?
10 How are you today, sir?

11 MR. MOLINARI: Fine, Mr. Supervisor.

12 Good morning, Mr. Supervisor and Board
13 Members.

14 I'm addressing the Board on Resolutions
15 405 and 406, which are for attorney fees. I have a
16 real difficult time as -- I can understand
17 engineering fees, but I have a real difficult time
18 understanding attorney fees, especially when you
19 look at 405, were now giving Emanuel Quinn another
20 half a million dollars.

21 You know, 406, we're now -- I don't
22 understand why we're hiring somebody for Special
23 Counsel for the Secures Exchange Commission. I
24 don't understand. I can get my arms around that,
25 but we also -- at a price of \$825 an hour. If you

1 look -- if you do a quick math, 40 -- for that's
2 like -- just rounding it off to \$1,000, that's
3 \$40,000 a week, \$2 million a year this person is
4 charging.

5 As an engineer, I'm remember going --
6 being billed at, and I was paid a very good salary,
7 basically almost the same as one of our Senior Vice
8 Presidents. I was billed out at \$150 to \$175.

9 SUPERVISOR SALADINO: What year was
10 that? What year was that?

11 MR. MOLINARI: What year was that? Up
12 until about two years ago when I retired. 2015, I
13 retired from consulting field, so I really have a
14 tough time thinking \$825 an hour for outside
15 expertise.

16 The engineering field provides a lot of
17 outside expertise. We never billed out at such a
18 large figure. So that's -- that's my comment on
19 those two Resolutions.

20 Thank you.

21 SUPERVISOR SALADINO: All right.

22 I'm going to ask Joe Nocella to step
23 forward. This is a rather complicated situation
24 that existed before I got here.

25 We have a fiduciary responsibility,

1 Mr. Molinari, to the taxpayers and to ensure that
2 the ills of the past are corrected with the best
3 help we can receive. And with all of these cases,
4 the private sector costs are skyrocketing and
5 easier to get good help or you save money and
6 that's an unfortunate reality I face every day.

7 Good help, where you save money. In
8 the case of a surgeon, we never question the cost.
9 We say, are they the best, and we reach out to get
10 the best surgeon for our loved ones.

11 Well, I have the same responsibility to
12 the taxpayers of this Town, to save them money and
13 to make sure that we act appropriately to protect
14 the Town.

15 Can you just give us a very brief
16 synopsis, not to drag this on, but to make sure
17 that Mr. Molinari better understands why we are, in
18 fact, attempting to reach out to the services of
19 this firm?

20 MR. NOCELLA: Yes. I'll be glad to do
21 that, Supervisor.

22 First, let me just note that the
23 standard rate for Wall Street firms, international
24 firms of this caliber right now is about \$1,200 per
25 hour for partner level services.

1 SUPERVISOR SALADINO: As a regular guy,
2 it's hard to believe that when you hear these
3 numbers, we're actually getting a break on fees and
4 how unbelievably expensive it is for these top Wall
5 Street firms, but you're telling me that's the
6 reality?

7 MR. NOCELLA: That's precisely correct.
8 Many of the people who pay these firms -- we're not
9 talking about individuals or small businesses who
10 usually retain firms of this caliber, we're talking
11 about Fortune 500 corporations, large municipal
12 corporations such as ourselves, international
13 banks, they are able to afford those rates.

14 It's unusual that a municipal
15 corporation, even one as large as the Town of
16 Oyster Bay, faces a situation where they require
17 this level of expertise but regrettably, as you
18 noted because of problems from the past, we are
19 faced with that situation.

20 In this particular instance, the
21 Resolution Number that the gentleman was referring
22 to with respect to hiring Morvillo Abramowitz at
23 \$832 an hour, we are receiving perhaps the single
24 most senior dean or titan of the SEC defense bar at
25 a heavily discounted rate. His actual rate itself

1 was discounted by 10 percent as I municipal
2 courtesy rate to us after I had extensive
3 discussions with him, spending several hours on the
4 telephone explaining the circumstances.

5 SUPERVISOR SALADINO: We didn't pay for
6 those -- we weren't billed for those hours,
7 correct?

8 MR. NOCELLA: No.

9 As a matter of fact, I looked at them
10 and there were multiple hours spent just on firms
11 which I identified to the Town Board members that
12 we looked at and the total amount of hours I spent
13 was in excess of 18 hours interviewing people that
14 might have been available to us, any one of which
15 might have been capable of handling this
16 representation.

17 As it turns out, Morvillo Abramowitz
18 has Mr. Iason there, who is most highly regarded by
19 everybody in the field. He is an older gentleman
20 who was at one time in his youth, a Watergate
21 Prosecutor, then an Assistant United States
22 Attorney, then worked for the SEC in Enforcement.
23 And after leaving the SEC and the Department of
24 Justice, he worked in the private sector.

25 He has extensive knowledge of the inner

1 workings of the SEC and the Department of Justice
2 and has done a superb job for many clients.

3 Again, we're talking about clients that
4 would not be hired -- hiring these firms if they
5 are a small business on Long Island, even a large
6 construction firm on Long Island or small bank on
7 Long Island might not be able to afford these type
8 of rates, but they're not faced -- they don't have
9 the obligation to issue municipal bonds like the
10 Town of Oyster Bay does and they're not faced with
11 the problems that we have now inherited and we are
12 now required to face.

13 In that regard, I would note, as
14 information which I provided to the Board, over
15 those 18 hours because the matter has arose very
16 abruptly, I had spoken to specifically four
17 different law firms. Only one of them at any rate
18 that would come down below \$1,000 per hour. That
19 was Crowell and Moring, highly respected firm, a
20 boutique that works largely with SEC matters in
21 Washington D.C. but also represents clients in
22 New York, Boston, throughout the Eastern seaboard.

23 The others were Winston and Strawn,
24 Ropes and Gray, and their hours were all just
25 safely to say, well above north of a \$1,000 an

1 hour. They had very reputable lawyers, some of
2 whom had been with the SEC, some of whom simply
3 spent their careers defending entities against the
4 SEC, never having been insiders.

5 SUPERVISOR SALADINO: Mr. Nocella, are
6 we dealing with problems current or are we dealing
7 with problems that were created in the past by the
8 past administration?

9 MR. NOCELLA: All of these problems
10 arose from the past.

11 SUPERVISOR SALADINO: Past
12 administration.

13 Are we in the right? Has there been
14 decisions, perhaps in Federal Court, that prove
15 that we're in the right and we are heading in the
16 right direction?

17 MR. NOCELLA: Most definitely.

18 Most recently, we had a phenomenally
19 successful decision by Judge Feuerstein in the
20 United States District Court in the Eastern
21 District of New York where she dismissed one of the
22 lawsuits against the Town of Oyster Bay where we
23 were being sued by a lender to a concessionaire,
24 Harendra Singh, who is under indictment. And the
25 lender claims that there were loan guarantees in

1 place and sued the Town of Oyster Bay based upon
2 those loan guarantees purporting that we, in Oyster
3 Bay, guaranteed the money that Mr. Singh borrowed
4 from this lender.

5 Judge Feuerstein found that the Board
6 never approved those loan guarantees and never had
7 to reach the ultimate decision which was -- and I
8 believe I've stated before -- if the Board had
9 collectively lost its judgment and decided to
10 approve of loan guarantees in contravention of the
11 State Constitution, they'd still have been
12 unenforceable.

13 SUPERVISOR SALADINO: So in plain
14 language, in essence, in the Judge's 43-page
15 decision, they stated that -- she stated that the
16 Town and referenced that the Town was the victim
17 and that Board Members, some of them sitting here,
18 had no knowledge of these loan guarantees?

19 MR. NOCELLA: That is correct.

20 SUPERVISOR SALADINO: And never took a
21 vote on these loan guarantees?

22 MR. NOCELLA: That is correct.

23 SUPERVISOR SALADINO: And, in fact,
24 these loan guarantees were a fraud against the Town
25 of Oyster Bay, its residents and taxpayers?

1 MR. NOCELLA: We have alleged in our
2 Complaint that they are -- that they were phony and
3 a sham.

4 Judge Feurstein never reached that
5 decision. She didn't have to. She just simply
6 noted the Board never approved them. That was good
7 enough for her. Case dismissed with prejudice.

8 SUPERVISOR SALADINO: And now we're
9 left to clean up this problem?

10 MR. NOCELLA: That is correct.

11 SUPERVISOR SALADINO: And we're hire --
12 under the understanding that we've gone out to hire
13 the quality assistance that we need to get this
14 resolved in the Town's favor, get this behind us as
15 one of the means by which we are rebuilding the
16 public's trust?

17 MR. NOCELLA: That's correct, yes.

18 SUPERVISOR SALADINO: Thank you.

19 COUNCILMAN MACAGNONE: Mr. Nocella?

20 MR. NOCELLA: Yes, sir.

21 COUNCILMAN MACAGNONE: I notice we
22 didn't do an RFP on this.

23 We are spending a great deal of money.

24 Perhaps we should have done that?

25 MR. NOCELLA: I don't know if it was

1 physically possible. I should say logistically
2 possible, not physically possible to do that,
3 Councilman.

4 Let me explain why. Quinn Emanuel,
5 that achieved this great success for us in front of
6 Judge Feuerstein, has been fighting, I would say,
7 at least a three-front war, if not a four-front
8 war, which is right there is a Resolution on to pay
9 them what would appear and rightfully what appears
10 to be a large sum of money, but I can explain why
11 their bill is as large as it is.

12 Apart from their success in front of
13 Judge Feuerstein, they are appealing the failures
14 of two other judges; one of the judges up in
15 Westchester who handled one of the other lawsuits
16 by one of the other lenders and one of the judges
17 here in Nassau County, the refusal to dismiss, as
18 Judge Feuerstein did, the claims against us that
19 would have abrogated \$20 million.

20 Now, the judges in those cases, I want
21 to give them their due. What they concluded was
22 not that contrary to what Judge Feuerstein had
23 concluded in her opinion, that the loan guarantees
24 were valid.

25 They simply looked at the record and

1 the record is huge, and when they looked at this
2 enormous record, they said, well, it looks like
3 there may be some facts and issues that make it
4 impossible to resolve on a mere motion.

5 I believe Judge Feuerstein was right
6 and that, as the Supervisor noted, is why after
7 months of consideration, she produced a 43-page
8 decision that went through every single allegation
9 in the Complaint, looked at all the documents that
10 our lawyers submitted to The Court and concluded
11 there are no loan guarantees because the loan
12 guarantees would have had to have been approved by
13 you and they were not.

14 The appeals that are taking place right
15 now, I think, will ultimately result in a reversal
16 of the Westchester judge's decision and the Nassau
17 judge's decision.

18 And by the way, those decisions were
19 not adverse to us saying, oh, there are loan
20 guarantees and you're on the hook. They simply --
21 the judges simply concluded in the State Court
22 proceedings that they couldn't dismiss it based
23 upon the record before us -- based upon the record
24 before them.

25 I believe when the Appellate Court gets

1 those records and Quinn Emanuel advances the
2 arguments, then they will be able to -- I believe
3 they're going to reverse the lower court's
4 decisions, the panel of judges, based upon the
5 logic and the excellent work that Judge Feuerstein
6 did in the U.S. District Court for the Eastern
7 District of New York.

8 But that's background to the question
9 that you're asking me. The SEC began to request
10 documents and information. That document -- those
11 documents and information requests were handled by
12 Quinn Emanuel because they were fighting these
13 three-front war and it was logical for them to
14 funnel the information, funnel the documents to the
15 SEC. The SEC was taking the information. We had
16 hoped that they would evaluate it fairly. They had
17 been doing so over an extended period of time, well
18 over a year, but they have now come to the
19 conclusion of their investigation at a preliminary
20 stage.

21 Having come to the conclusion, we are
22 now in a stage where we are in a position to sit
23 down with the SEC and present our case. Now, this
24 is an administrative agency, we don't go forward
25 and make a motion to dismiss the investigation like

1 we did in front of Judge Feuerstein or the other
2 two judges who denied the motions to dismiss and --
3 which are now up on appeal, but what actually
4 happened is the SEC's call pretty much came out of
5 the blue.

6 It came -- to put it in very pedestrian
7 terms, hello, it's the SEC, by the way, we're done,
8 we don't need anymore documents and information, we
9 have all the information we need and the
10 information would be adequate for us to bring
11 charges, but we need you to come in now and tell us
12 why we're wrong or why we shouldn't bring charges
13 or why you believe, you, the Town of Oyster Bay,
14 have valid explanations for what happened.

15 Incidentally, one of the things that we
16 sent them, without them asking, was Judge
17 Feuerstein's decision.

18 Another thing we sent them, without
19 them asking, if the lawsuit which this Board
20 authorized me to commence back in May and which we
21 filed in June -- on June 26th.

22 SUPERVISOR SALADINO: A lawsuit to do
23 what?

24 MR. NOCELLA: The lawsuit is to recover
25 the very monies that we have now expended.

1 SUPERVISOR SALADINO: And that is very
2 important for the public to know that.

3 As we hear about these expenditures, we
4 are currently in litigation against those parties.
5 I can't go too far, so you explain it.

6 MR. NOCELLA: Yes.

7 SUPERVISOR SALADINO: I'm not allowed
8 to speak about the details of this case.

9 MR. NOCELLA: It's pending litigation
10 that we've initiated. Without getting into details
11 about the parties, we are seeking to recover all of
12 the monies that we've spent representing ourselves
13 and having outside counsel represent us before the
14 SEC and that's going to include the Morvillo's law
15 firm expenses, as well as the Quinn Emanuel bills
16 in defending us against lawsuits which never should
17 have been brought against us.

18 So that's the basis of our lawsuit. We
19 are seeking to recover all of that money, not to
20 mention to deliver a knockout blow against any
21 claims that there ever were loan guarantees in
22 place.

23 SUPERVISOR SALADINO: Any other
24 questions?

25 MR. NOCELLA: If I may --

1 SUPERVISOR SALADINO: Sorry.

2 MR. NOCELLA: If you were a judge,
3 Councilman Macagnone, and you said there was
4 nothing further, I'd run out the door before you
5 changed your mind, but I do want to give you a full
6 and complete answer because I think it is a fair
7 question.

8 It came out of the blue. We didn't
9 expect the SEC to say, we're done, we don't need
10 any more document request, and please don't send us
11 on your own.

12 COUNCILMAN MACAGNONE: So basically a
13 red flag went up?

14 MR. NOCELLA: Yes. And this is now our
15 opportunity. We hoped never to have to be called
16 in. We hoped that perhaps when they reviewed all
17 of the documents and information, they would have
18 said, you know what, we've looked at this and there
19 are no issues here. And the issues are really ones
20 of disclosure. Like who knew what about loan
21 guarantees and when did Oyster Bay make these
22 disclosures? That's what the SEC is concerned
23 about.

24 When it came to Quinn Emanuel's
25 telephone call, when they had this telephone call

1 with the Regional Director of the SEC and the
2 Regional Director got on the phone and said, we're
3 pretty much done and we don't have a final decision
4 here, but we have a lot of questions and this is
5 your opportunity. You want to come in and talk to
6 us, you have until July 17th.

7 And the instructions that I gave to
8 Quinn Emanuel was, you tell them we want to come
9 in, we want the opportunity to present our case,
10 and we want to bring in additional people to make
11 the case.

12 And under those circumstances, several
13 factors had to be considered.

14 Number one, just putting together an
15 RFP would have taken days and in putting together
16 the RFP, I would be deeply concerned that by
17 sending it out in written format to large numbers
18 of law firms who specialize in SEC defense, we
19 might have been putting out privileged materials
20 that we needed to preserve and hold back until we
21 got to the SEC, that's number one. That would have
22 been a problem with the RFP itself.

23 Number two, we then would have had to
24 have solicited the responses and the proposals.
25 I'm sure because these firms would have been happy

1 to take the case, that these were firms that we did
2 speak to, would have responded. Then I would have
3 sat down individually with my staff, and then
4 separately, I would have had them each evaluate the
5 proposal separately and ask them to come up with an
6 evaluation and a ranking from the legal perspective
7 as to who was going to give us the very best
8 representation at the most cost effective rate.

9 All of that would have taken a great
10 deal of time and we were stuck with so little time.
11 I mean, a call that comes at the end of June that
12 requires an answer, you want to come in and talk
13 and then that we have counsel in place by
14 June 17th, there simply wasn't time.

15 COUNCILMAN MACAGNONE: July 17th.

16 MR. NOCELLA: July 17th, sorry.

17 SUPERVISOR SALADINO: And before you
18 sit -- are there any other questions from anyone?

19 Okay. Before you sit down, I just want
20 to reiterate the facts, very briefly, so -- because
21 there was a lot of legal ease discussed and we want
22 to boil it down for perhaps, people watching at
23 home or for the general public, that our lawsuit is
24 to, among other things, reclaim monies like the
25 monies that would be spent on this case, correct?

1 MR. NOCELLA: That's correct.

2 SUPERVISOR SALADINO: That no -- that
3 all of these issues are related to things that --
4 the issues of the past administration, not
5 currently?

6 MR. NOCELLA: That is correct.

7 SUPERVISOR SALADINO: That no Board
8 Member here had any knowledge of this going on?

9 MR. NOCELLA: That's absolutely
10 correct.

11 SUPERVISOR SALADINO: And the judge --

12 MR. NOCELLA: May I add further?

13 I will state only that it is alleged in
14 the Complaint, and I will go no further, that the
15 loan guarantees that are the subject of much of
16 these investigations and lawsuits against us were
17 actively concealed from the Board; not just that
18 you didn't approve them.

19 SUPERVISOR SALADINO: Obviously, no
20 vote was taken by any Board Member?

21 MR. NOCELLA: Well, you couldn't vote
22 on something that was concealed from you.

23 SUPERVISOR SALADINO: Thank you for
24 reiterating the facts for the public.

25 MR. NOCELLA: Thank you.

1 COUNCILMAN MACAGNONE: Thank you,
2 Mr. Nocella.

3 MR. NOCELLA: Thank you.

4 SUPERVISOR SALADINO: Our next speaker
5 is Arthur Edelman of Sea Cliff.

6 Mr. Edelman?

7 MR. EDELMAN: How do you do?

8 SUPERVISOR SALADINO: Could you repeat
9 your address again for the record, your name and
10 address?

11 MR. EDELMAN: 110 Dubois Avenue, Sea
12 Cliff 11579.

13 I don't know if this is the proper time
14 to address this issue but I was reading in the
15 draft resolutions that the Board was considering
16 publicizing a contract between New York American
17 Water and Glenwood, Glen Head Fire District for the
18 rental of fire hydrants and the amount that was
19 supposed to be publicized was at a cost of \$168,000
20 for 224 fire hydrants.

21 The only comparative number I could
22 find in any other Town Resolutions was one last
23 year between the Oyster Bay Water District and the
24 fire companies there for 225 hydrants at a cost of
25 \$20,000.

1 On a per hydrant comparison, the Oyster
2 Bay Water District contract is \$90 per hydrant
3 while New York American Water wants to charge a
4 Glenwood, Glen Head Fire District \$750 a hydrant.

5 I don't know if it's in your realm
6 of -- to do something about this, but I know the
7 people in Glen Head, Sea Cliff Water District are
8 already under a tremendous pressure as other water
9 districts are who are clients of New York American
10 Water, and it's just seems outrageous.

11 SUPERVISOR SALADINO: Just so you know,
12 I personally am a client -- a consumer of New York
13 American Water where I -- but let's bring Donna up
14 to get your -- to get you the information you're
15 seeking, okay?

16 Donna is one our Deputy Town Attorneys.

17 MS. SWANSON: Good morning, Supervisor,
18 Councilmen.

19 This Reso is for the calling of --

20 SUPERVISOR SALADINO: Could you please
21 step up to the microphone and lower it down so you
22 can be heard by everyone in the room?

23 COUNCILMAN MACAGNONE: Step up and
24 lower it down.

25 MS. SWANSON: Can I have a stool, Tony?

1 Basically, this is calling for a public
2 hearing, a notice of that, and in the history of
3 the Town of Oyster Bay, Aqua New York, has always
4 been extremely high.

5 At one point, I believe they were the
6 highest water company in the country. The value
7 has not gone up. It is the same as it was last
8 year. We do this once a year. The Glen Head Fire
9 Protection District collects -- we collect the
10 money for the Glenwood Fire Protection District to
11 pay these fees because without fire hydrants, we
12 cannot protect our homes.

13 SUPERVISOR SALADINO: Can you tell us
14 how those rates are negotiated?

15 MS. SWANSON: At this point in time, I
16 believe they are not negotiated. They are just
17 like your water bill and my water bill.

18 SUPERVISOR SALADINO: Who negotiates
19 with New York American Water?

20 MR. EDELMAN: The Fire District.

21 MS. SWANSON: The fire --

22 SUPERVISOR SALADINO: I wanted to make
23 that point to the public.

24 MS. SWANSON: Oh, I'm sorry. Yes, the
25 fire --

1 SUPERVISOR SALADINO: Please describe
2 that to the public.

3 MS. SWANSON: Yes, the Fire Protection
4 District does all the negotiations with the water
5 companies and we, as their Commissioners, then have
6 a public hearing to deal with those negotiations.

7 COUNCILMAN IMBROTO: No, no.

8 I was going to ask you a question --

9 MS. SWANSON: I saw that.

10 COUNCILMAN IMBROTO: Deputy Town
11 Attorney Swanson, the hearing is not today, right?

12 MS. SWANSON: No, this just --

13 COUNCILMAN IMBROTO: Could Mr. Edelman
14 submit testimony to become part of the record when
15 we do hold the hearing?

16 MS. SWANSON: Yes, at the hearing, you
17 will then be able to submit.

18 MR. EDELMAN: Okay. But what -- I'm
19 trying to be -- you know, have a little input for
20 not only me, I mean, the Supervisor is looking --
21 we are all looking, as he said, safeguard our
22 wallets.

23 This is a not a Glenwood, Glen Head
24 Fire District problem only. Wherever New York
25 American Water has their concessions, okay, Sea

1 Cliff, Massapequa, Merrick, they are all over Long
2 Island today and they get their rates and their
3 surcharges granted by the PSC.

4 They plead poverty and I can tell you,
5 as a stockholder of New York American Water, they
6 are a very profitable company and I just want to
7 know why the people -- we are all involved in this,
8 the Fire District Commissioners. All right. I've
9 put out letters to different Fire Districts who
10 work with municipal water companies like Oyster Bay
11 Water District and the Manhasset/Lakeville, to try
12 and get some feedback so we can -- all of our
13 politicians and civic leaders can then go to
14 New York American, and say, how do you have the
15 audacity to charge \$750 a fire hydrant when Oyster
16 Bay Water District, which is the only one I can
17 compare right now, is charging \$90?

18 COUNCILMAN IMBROTO: Would those
19 individuals be here for the hearing so that we
20 could ask that question?

21 MR. EDELMAN: I have no idea. I just
22 saw this last night.

23 COUNCILMAN IMBROTO: Do you know,
24 Ms. Swanson?

25 MS. SWANSON: We can -- we can correct

1 that.

2 I have to point out that New York
3 Water, when it started as Brooklyn Water, has been
4 an ongoing problem for the past, at least, 23 years
5 that I have been with the Town.

6 I do know that Councilman and
7 Supervisor Delligatti formed a committee some
8 20 years or so to just deal with the problem of
9 Brooklyn Water, which was the name of the company
10 at that time.

11 I do not know off the top of my head
12 what the committee decided or what was the result
13 of that committee but at this point, I see that
14 your problem is more with New York Water at this
15 point and I would be, with the Supervisor's
16 permission, I would more than happy to do whatever
17 research has been done with regard to New York
18 Water.

19 SUPERVISOR SALADINO: Let's compile the
20 data.

21 Mr. Edelman, you make a great point.
22 It is very expensive and I know this Board sides
23 with you and the residents in recognizing the
24 differences in these rates.

25 Having said that, and not to side with

1 them, meaning New York American Water, one of the
2 big differences that you actually just pointed out
3 is that Oyster Bay Water is a public entity whereas
4 New York Water uses some of its profits to pay its
5 shareholders.

6 MR. EDELMAN: Yes, and they pay us
7 good. It is just very frustrating.

8 SUPERVISOR SALADINO: Of course.

9 COUNCILMAN IMBROTO: And we've heard
10 this frustration from all over the North Shore.

11 SUPERVISOR SALADINO: Yes, of course.

12 MR. EDELMAN: Do all the Fire Districts
13 have to come to the Town?

14 MS. SWANSON: No. Just the protection
15 districts. There are --

16 MR. EDELMAN: See, what's confusing is
17 that Glenwood is a Fire District, but it's --

18 MS. SWANSON: No, it's -- no, it's a
19 Fire Protection District.

20 I would be more than happy to give you
21 a list of our Fire Districts and our Fire
22 Protection Districts.

23 The Fire Districts are of their own
24 entities. They have Commissioners.

25 With Fire Protection Districts, the

1 Town Board has the hat of the Commissioners of the
2 Fire Protection Districts so, basically, the first
3 thing that has to be separated and understood is
4 the difference between the Fire Districts and the
5 Fire Protection Districts.

6 MR. EDELMAN: So then -- therefore,
7 because this is a Fire Protection District?

8 MS. SWANSON: Yes.

9 MR. EDELMAN: The Supervisors could be
10 involved in the negotiation of the rates with
11 New York American Water?

12 MS. SWANSON: The fire -- the fire
13 companies with the fire company's attorneys,
14 negotiate those fees. I have a whole file on it
15 upstairs.

16 I don't want to speak incorrectly or
17 off the cuff as to exactly what happened with
18 Glenwood, but this is something that we have -- we
19 don't pay the Fire Protection Districts as well as
20 the Fire Districts pay.

21 MR. EDELMAN: Well, I've already put a
22 call into Mayor Lieberman of Sea Cliff, where I
23 reside, to find out if Sea Cliff is a Fire
24 District, correct?

25 MS. SWANSON: I can give you that whole

1 list.

2 MR. EDELMAN: I just wanted to bring --
3 thank you.

4 COUNCILMAN IMBROTO: Ms. Swanson, just
5 to be clear, today, they're just voting on
6 publication of the notice?

7 MS. SWANSON: Correct.

8 COUNCILMAN IMBROTO: The hearing is
9 August 15th and maybe we could have some of these
10 people in the room to ask them on August 15th?

11 MS. SWANSON: Absolutely, Councilman
12 Imbroto.

13 MR. EDELMAN: Let me just say -- okay.
14 And I'll speak to you --

15 SUPERVISOR SALADINO: We understand
16 your message loud and clear.

17 MR. EDELMAN: All right. Thank you.

18 SUPERVISOR SALADINO: Thank you.

19 Our next speaker is Kevin McKenna.

20 MR. McKENNA: Kevin McKenna, Syosset,
21 New York again.

22 I think there was a Walk-On Resolution
23 414.

24 Did you say 414? Is that the
25 Beechwood, LLC?

1 COUNCILWOMAN ALESIA: Yes.

2 MR. McKENNA: Is that the -- at Old
3 Country Run, Plainview, is that the -- is that the
4 site with all the residences with the supermarket?

5 COUNCILWOMAN ALESIA: Yes.

6 MR. McKENNA: Which, I don't know if it
7 was the last meeting or the meeting before.

8 COUNCILMAN IMBROTO: Country Pointe.

9 MR. McKENNA: There was a hearing a few
10 meetings ago, a couple meetings ago, about that and
11 I just want to say that to have that Walk-On today
12 without advertising it ahead of time, in light of
13 the fact that you had residences here that wanted
14 to move in, a big discussion about the traffic, I'm
15 just surprised that it wasn't advertised ahead of
16 time.

17 SUPERVISOR SALADINO: Those residents,
18 the vast majority of them, were in favor of this
19 application.

20 MR. McKENNA: There were some in favor
21 and there was some -- there was a big discussion
22 about the traffic.

23 SUPERVISOR SALADINO: Yes.

24 MR. McKENNA: And I think that that
25 traffic situation was something that was still up

1 in the air and certainly, I think those people
2 would deserve, all the residents deserve, what the
3 outcome was of that discussion and to not have, you
4 know, alerted everybody to the fact that it's being
5 discussed again, I think -- I'm surprised in light
6 of what you're trying to do.

7 SUPERVISOR SALADINO: We are certainly
8 not trying to avoid the transparency of this. This
9 is something that has been before us and has been
10 in discussion with the public, over the phone,
11 public hearing, on the Internet. It is not
12 something that's just being heard of for the very
13 first time.

14 MR. McKENNA: I mean, something like
15 this that's an ongoing discussion, I don't
16 understand why it wasn't put -- why it wasn't put
17 on the -- you've known about it, why wasn't it put
18 on? You might have had some of those people here.

19 The other, you know, the Resolutions, I
20 guess, I just want to comment on is the Hicksville
21 garage Resolutions.

22 When I'm reading the -- I'm reading the
23 backup and somewhere in the backup, it says that
24 there's a statement made that until we determine
25 the outcome of what we're going to do with the

1 garage.

2 I guess my point is, is that you're
3 looking -- you're looking to authorize more monies
4 to continue to patch the situation, or fix the
5 situation that's out there.

6 You know, can anybody address, at this
7 point, what the long term plan is of the garage?

8 I mean, how much money do we continue
9 to spend to -- in reading the backup, you know, to
10 save time, it looks to me like -- it looks to me
11 like you're asking Hirani, in one of these
12 resolutions in the backup, to still evaluate the
13 garage when -- when you asked Hirani to evaluate
14 the garage in the emergency Resolution two, three
15 months ago, whenever it was. A lot of this -- a
16 lot of the items that they're putting in this new
17 request for a lot of money are a lot of the same
18 tasks that you asked them to do.

19 SUPERVISOR SALADINO: Okay. Rather
20 than speculate without --

21 MR. McKENNA: I'm not speculating. I'm
22 telling you what I read.

23 SUPERVISOR SALADINO: Your statement is
24 speculation but when you --

25 MR. McKENNA: It's not speculation,

1 it's what I read.

2 SUPERVISOR SALADINO: When you're done
3 making your statement, we'll bring the Commissioner
4 up and make public what we're doing.

5 MR. McKENNA: And then lastly --
6 lastly, I think Hirani certainly had the expertise
7 to help you to determine the situation out there
8 and now that it's moved forward, it appears from
9 these new Resolutions that you're continuing to use
10 Hirani to -- there's more companies that now
11 they're involving subcontractors, and it seems to
12 me that it's at the point where the Town of Oyster
13 Bay should be in a position to go directly to these
14 companies that Hirani is going to use to cut Hirani
15 out which is obviously making money for a contract.

16 SUPERVISOR SALADINO: Again, this is
17 speculation, but when you're done with your
18 statement, we will bring the Commissioner up to
19 make public what we are going with all the defined
20 information.

21 MR. McKENNA: I'd like to know, just to
22 be clear, I'd like to know why we are not going to
23 the companies that have the expertise to fix the
24 garage and why we -- why we need to continue and
25 involve Hirani? They've done their job. It is

1 time to go to the companies who can fix the garage.

2 And also, I'd love to know what the
3 plan is on that garage. Is there going to come a
4 time where after spending all this money, someone
5 is going to say, you know what, we're going to
6 knock it down and build another one. You know, is
7 that --

8 SUPERVISOR SALADINO: That's incorrect
9 speculation, but thank you very much and --

10 MR. McKENNA: Mr. Supervisor, I don't
11 like when you put words in my mouth. Okay. All I
12 said was -- what I just said is a very, very good
13 possibility.

14 SUPERVISOR SALADINO: No, it's not.

15 MR. McKENNA: You still, from your
16 documentation.

17 SUPERVISOR SALADINO: Okay.

18 Mr. McKenna, I'd like to get your
19 questions answered.

20 MR. McKENNA: Mr. Supervisor, have you
21 read the backup?

22 SUPERVISOR SALADINO: Mr. McKenna --

23 MR. McKENNA: Have you read the backup?

24 SUPERVISOR SALADINO: I am fully --

25 MR. McKENNA: In the backup, it says,

1 the Town still does not know what is going to be
2 the final -- the term, it says it right in here, so
3 don't say that I'm speculating. I've read it.
4 Okay. My guess is you haven't.

5 SUPERVISOR SALADINO: We are not --
6 well, that's incorrect, and we're not knocking it
7 down.

8 But, thank you, Mr. McKenna, for your
9 testimony.

10 MR. McKENNA: It says in here. You
11 don't know what's going to happen. Don't put words
12 in my mouth.

13 SUPERVISOR SALADINO: Commissioner --
14 thank you, Mr. McKenna.

15 Commissioner, would you come forward so
16 we can dispel some of these rumors and get to the
17 facts regarding the garage, which has been ongoing
18 for years, well before I got here. We're dealing
19 with this garage appropriately.

20 MR. McKENNA: -- (inaudible) people on
21 the Board to hear what went on.

22 SUPERVISOR SALADINO: Thank you,
23 Mr. McKenna.

24 Commissioner?

25 COMMISSIONER LENZ: Yes, how are you

1 doing.

2 SUPERVISOR SALADINO: Let's get some of
3 these questions answered, dispel the speculation
4 and get the facts out on what's going with the
5 garage so the public.

6 MR. McKENNA: It is not speculation.

7 SUPERVISOR SALADINO: Mr. McKenna,
8 someone else is speaking now.

9 MR. McKENNA: No, you can interrupt
10 people in your news conference --

11 SUPERVISOR SALADINO: Mr. McKenna --

12 MR. McKENNA: So I'll interrupt you.

13 SUPERVISOR SALADINO: Well, then you
14 won't be able to continue to conduct yourself in
15 this room.

16 MR. McKENNA: Don't make false
17 statements.

18 SUPERVISOR SALADINO: Commissioner, I
19 apologize that the previous speaker was rude, but
20 let's get to the facts.

21 COMMISSIONER LENZ: Okay.

22 The first Resolution, the first docket
23 that was put up with the Resolution, and that was
24 for 52,000 for Hirani.

25 COUNCILMAN MACAGNONE: Resolution 401.

1 That was the first one.

2 COMMISSIONER LENZ: No, no, no. I
3 apologize.

4 Which was done a couple of months ago.

5 COUNCILMAN MACAGNONE: In March, okay.
6 Sorry.

7 COMMISSIONER LENZ: That was for 52,000
8 and that Resolution was asking to do a study to
9 make sure it was structurally sound, to make sure
10 that the garage was not going to fall down as was
11 speculated and things like that. That is not
12 happening. That is why we spent that money to
13 study it.

14 We had another consultant, a
15 sub-consultant worked with them as a team because
16 you got structural contractor -- you know,
17 structural -- excuse me -- consultant, and then you
18 had also a concrete expert.

19 That's why you had two different -- you
20 had FTC and Hirani working on that. They have now
21 proven, with all calculations and everything, that
22 everything is safe.

23 Now, with this Resolution is saying,
24 okay, now we want to go into the actual design and
25 design the repairs, so it's not just an easy fix.

1 We had to do a lot of more research, so that's what
2 this is asking for.

3 You have -- we're also having a peer
4 review. A peer review means that you're asking
5 another consultant, separate from these guys, to
6 review your documentation and make sure that they
7 are in agreement with what you're doing and that's
8 what was hired through -- that's what we're going
9 to hire through this -- this Resolution.

10 Also, what we've studied is different
11 ways of repairing it. We have now narrowed it down
12 to -- we want to go with carbon fiber reinforced
13 polymer and that's to strengthen those cracked
14 areas.

15 It's been a proven technology but,
16 again, the Town wanted to make sure that it wasn't
17 just one contractor that could do this type of
18 work. So, again, we had to do some research. We
19 found that there was three out there that we are
20 satisfied with because we've interviewed them,
21 we've talked to them. It's BASF, Sica, and then
22 also Structural Preservation Systems has their
23 products, so it's three different contractors that
24 we can -- we now can go out to bid for.

25 But in order to go to bid, you have to

1 have design documents so that's what this is asking
2 for is to go out for bid documents to prepare --

3 SUPERVISOR SALADINO: To design the
4 repairs to the garage --

5 COMMISSIONER LENZ: Yes.

6 SUPERVISOR SALADINO: -- once and for
7 all?

8 COMMISSIONER LENZ: Yes.

9 COUNCILMAN MACAGNONE: Now,
10 Commissioner.

11 COMMISSIONER LENZ: Yes, sir.

12 COUNCILMAN MACAGNONE: If I'm not
13 mistaken, when they had the problem on the
14 Interstate down by Philadelphia, they used this.
15 The work, they did it in less than two weeks --

16 COMMISSIONER LENZ: Yes.

17 COUNCILMAN MACAGNONE: -- and it's
18 still working fine?

19 COMMISSIONER LENZ: Yes. Thank you
20 very much for saying that. Yes, that -- it is.
21 This product is really an unbelievable product and
22 as I say, we've looked around to other facilities
23 that have also used it and, again, like you had
24 said, Councilman, that's what I was going to use an
25 example, but that's where -- one that has held up

1 perfectly and we -- we're confident that we could
2 go into the future with this, this type of a
3 product.

4 But there's multiple layers of problems
5 at the facility, unfortunately. What I'm saying
6 is, there's also drainage, so I still have to
7 look -- we still have to look at the drainage. Now
8 that's part of this Resolution is to design and
9 repair some of the drainage.

10 Also, there's construction services
11 that you need for the oversight when the contractor
12 comes in. That's what this Resolution is.

13 Now, I just want you to know that there
14 is another Resolution as the Councilman Macagnone
15 had stated, I have another one here.

16 What had happened is I came before the
17 Board back in March, as the Councilman said, and
18 asked for Structural Preservation Systems to be
19 approved for installing the -- the columns and
20 shoring.

21 At that time, we had gotten cost
22 estimates of stuff, but I didn't have the actual
23 numbers until today and that's what I'm here for,
24 to ask if we can get approval for the actual
25 numbers.

1 Now, what I'm getting at is we had a
2 written proposal for 66 -- \$675,000 by Structural
3 Preservation Systems and then also \$90,000 for
4 Arsenal Scaffolding.

5 We wound up having a change order of
6 15,000. Reason for that is was because there was
7 additional work that we asked for. Once the
8 scaffolding was up, we asked for additional work to
9 come in closer on some of the driveway areas just
10 we just make it more safe. That was one of our
11 things. Then there is also a rental. The rental
12 fee for the scaffolding and that's \$6,630 per
13 month.

14 COUNCILMAN MACAGNONE: You mentioned
15 Arsenal.

16 Did they have New York State approved
17 apprentice program?

18 COMMISSIONER LENZ: Arsenal did not
19 also, so that's one of the other reasons why we did
20 not go with them. One, because there were higher
21 costs. Secondly, because they didn't have the
22 proper program and we -- we have always asked the
23 contractors in all our documentation to have the
24 approved program, apprenticeship program. So
25 that's why you have two separate Resolutions. See,

1 I know it's a little confusing.

2 SUPERVISOR SALADINO: Sorry to
3 interrupt you, but to make it clear to the public,
4 not only have we asked them to, it's the Town's law
5 that they do?

6 COMMISSIONER LENZ: Yes. Yes, it is.

7 And as I say, it is an all --

8 SUPERVISOR SALADINO: To be respectful
9 of Long Island's work force?

10 COMMISSIONER LENZ: Yes.

11 SUPERVISOR SALADINO: To comply with
12 the many programs, and while he's a modest man, I
13 want to thank Councilman Macagnone for the work
14 he's done on this Board to design and institute
15 many of those programs with the help of other Board
16 Members, so that we are always very respectful of
17 prevailing wage and the many issues, to work with
18 the highest quality work force rather than bring in
19 people that you just don't know what you're going
20 to end up with and this has been a recurring theme
21 today that when you want quality work, you have to
22 pay the right price to ensure the Town gets quality
23 work, whether it's the law firm, whether it's
24 administrator, whether it's someone in a position
25 of helping us to ensure that this garage is fixed

1 once and for all.

2 COMMISSIONER LENZ: So it is taking a
3 little bit of time, but I think we want to make
4 sure that we're doing everything right. We've done
5 a lot of research and studying and everything, so I
6 want to make sure that the residents understand
7 that we have gone over and above to make sure that
8 once we finish this, that everything will be safe.

9 Now, the other thing too, you don't
10 have a resolution yet, but again, I think I should
11 just bring it before you because I don't have the
12 estimate yet.

13 Lizardos, we have hired Lizardos to do
14 the elevator inspection, to do electrical, CO2 and
15 also there's a dryer -- dryer system that we're
16 using to make sure -- for the HVAC. That will be
17 forthcoming.

18 What I'm saying is they did a study and
19 they -- and they're telling us what the problems
20 are, so I already have the study. Now, we have to
21 go into design. I don't -- that might be, you
22 know, a little bit more money that I have to come
23 back before the Board in a little while for, but I
24 already have the documentation for that.

25 SUPERVISOR SALADINO: And we are very

1 confident that we're on top of this and that we
2 will get this garage fixed once and for all?

3 COMMISSIONER LENZ: Yes.

4 SUPERVISOR SALADINO: And it will be
5 fixed properly in every aspect?

6 COMMISSIONER LENZ: That's right.

7 SUPERVISOR SALADINO: Does anyone have
8 any other questions?

9 Okay. Thank you, Commissioner.

10 COMMISSIONER LENZ: Thank you.

11 COUNCILMAN MACAGNONE: Commissioner,
12 thank you for your expertise in the matter. I know
13 you've worked real hard on this.

14 COMMISSIONER LENZ: Thank you, sir.

15 I really appreciate it.

16 SUPERVISOR SALADINO: Okay. It looks
17 like we have one more speaker on the Resolutions
18 and that's Bob Freier.

19 MR. FREIER: Good afternoon.

20 Robert Freier, 33 Chestnut Lane,
21 Woodbury, New York.

22 Since you've already voted on the
23 personnel Resolutions, am I right?

24 SUPERVISOR SALADINO: Uh-huh.

25 MR. FREIER: So can you name the names

1 besides Mr. Nevin on who was a part of that?

2 SUPERVISOR SALADINO: Where is Vickie?

3 MR. FREIER: And at what salaries?

4 SUPERVISOR SALADINO: Is she in here --
5 is she in here?

6 Mr. Nevin was the main one that we
7 spoke of and -- somebody see if Vickie is around.

8 Why don't you continue?

9 MR. FREIER: Sure.

10 Resolution 377, that's for some more
11 outside counsel regarding some kind of a lawsuit.

12 Could you explain what that lawsuit is
13 about?

14 SUPERVISOR SALADINO: Is Mr. Nocella
15 here? Okay. Please step forward.

16 MR. FREIER: Okay. Should I go through
17 my questions first and then he can --

18 SUPERVISOR SALADINO: Sure.

19 MR. FREIER: Okay. That way I don't
20 run out of time.

21 SUPERVISOR SALADINO: Sure.

22 MR. FREIER: Also just wanted to add
23 with regard to 401 and 402, Hirani, I know they
24 were, kind of, initially hired on an emergency
25 basis with what happened.

1 Now, they are continuing to get work
2 and they're also hiring, it looks like,
3 subcontractors to work for them.

4 Has that work been bid out or are they
5 just going to directly for them? Other question,
6 403, with regard to recycling basically co-mingled
7 glass, things like that, just curious, is recycling
8 or what used to call Sort, is that -- does the Town
9 generate revenue from that or is that a cost sent
10 to the Town?

11 SUPERVISOR SALADINO: On some of the
12 items. And there are fluctuating prices involved.
13 And we're saving money in the consolidations of the
14 work force as it relates to the collection of those
15 materials, considerable money.

16 MR. FREIER: Great.

17 So does the -- so for example, what is
18 the typical revenue that the Town generates from
19 recycling?

20 SUPERVISOR SALADINO: Okay. We will
21 bring the Commissioner up.

22 MR. FREIER: Then also question, 405,
23 the 504K for Quinn Emanuel and 11,800 for expenses
24 for them, is that for work that they've already
25 done or is that authorizing ongoing work for them,

1 and Mr. Nocella, I had a question on 406 regarding
2 the SEC.

3 I guess that's technically not
4 litigation yet, but potential litigation; is that
5 correct?

6 SUPERVISOR SALADINO: We will get all
7 those questions answered as soon as you're done.

8 MR. FREIER: Okay. And then also, I
9 see that you're adding a retirement incentive.

10 Is there a certain goal that we're
11 trying to reduce for?

12 SUPERVISOR SALADINO: Yes, we're saving
13 money and increasing efficiencies. These are
14 things that I was speaking to.

15 MR. FREIER: Could you be specific
16 though?

17 Not, you know, those are just words but
18 if you could be specific on what kind of money
19 you're trying to save.

20 SUPERVISOR SALADINO: Well, part of
21 that answer would come when we see how many people
22 apply for the program.

23 MR. FREIER: Okay.

24 SUPERVISOR SALADINO: But we are,
25 again, part of this is to speak to the work force,

1 to work with them to identify people who adhere to
2 the regulations of the program because, obviously,
3 the more people we have retiring, the more that the
4 Town would save.

5 MR. FREIER: Right. Okay.

6 Just to also go back to add to my
7 questions with Quinn Emanuel and the attorneys that
8 were hired for the SEC, is that money in the
9 budget, this year's budget?

10 And also, if I could just add,
11 regarding the budget, where do we stand year to
12 date based, you know, on the budget that was
13 adopted at the end of last year, where do we stand
14 as of now regarding this year's budget?

15 Thank you.

16 SUPERVISOR SALADINO: Thank you.

17 Okay. Let's bring our Town Attorney up
18 to get some of these questions answered.

19 Let's start, if you would, with the
20 question in regard to the Resolution on paying the
21 law firm.

22 MR. NOCELLA: Milber Makris or --
23 Mr. Scalera will answer that.

24 SUPERVISOR SALADINO: Give us both if
25 you'd like.

1 MR. FREIER: There's also the first
2 lawsuit that I asked.

3 SUPERVISOR SALADINO: Yes.

4 This way we -- got Mr. Freier to sit
5 down, Mr. McKenna gave him his camera back and we
6 can go ahead and get the information out to the
7 public.

8 MR. SCALERA: If this has to do with
9 Milber Makris; is that right, Mr. Freier?

10 MR. FREIER: This is regard to -- first
11 question was regard to Resolution 377.

12 MR. SCALERA: Okay. I got it. That's
13 what I have.

14 With regard to Resolution 377, this is
15 the law firm that was retained pursuant to an RFP,
16 Request For Proposals, that we went out because the
17 lawsuit involves -- it's a class action. Well,
18 they're trying to make it a class action. It's
19 called Romano versus Northrop Grumman, Town of
20 Oyster Bay and other parties. This has to do with
21 the Grumman Navy plume. These residents or
22 individuals surrounding the park have brought a
23 lawsuit against the Navy and the Northrop Grumman
24 and Town of Oyster Bay regarding, you know, their
25 allegation that they sustained some injury which

1 resulted --

2 SUPERVISOR SALADINO: Obviously, the
3 responsible parties are Grumman and the Navy.

4 MR. SCALERA: Yeah, one thing I should
5 point out, that in the lawsuit which both, you
6 know, my superior, Mr. Nocella and I read and Matt
7 Rozea also read, they don't make any allegations in
8 the lawsuit that the Town of Oyster Bay deposited
9 or dumped any hazardous waste into the ground.
10 That's important to note.

11 However, the Town of Oyster Bay is in
12 the lawsuit because the Bethpage Park was donated
13 to the Town back in 1963, so under the law, without
14 boiling you, if you're a landowner, you get pulled
15 in. They name you as a party, but it definitely
16 emanates from the Grumman Navy plume.

17 SUPERVISOR SALADINO: The old story of
18 the lawsuit begins and they go after -- they name
19 as many parties as they possibly can and then as
20 time goes by, it reverts back to the responsible
21 parties who are Grumman and the Unites States Navy
22 and not the Town of Oyster Bay.

23 MR. SCALERA: Correct.

24 In particular, when I said to you that
25 they didn't make any allegations that the Town of

1 Oyster Bay, its employees, its work force dumped
2 anything in that park.

3 SUPERVISOR SALADINO: That's very
4 important to make sure that that's --

5 MR. SCALERA: Well, I want to make that
6 clear because --

7 SUPERVISOR SALADINO: Clear to the
8 public.

9 MR. SCALERA: Right.

10 Now, very simple, this is a Resolution
11 to increase the fees for the law firm that was
12 selected because this is an environmental hazard
13 type of lawsuit. It deals with environmental
14 issues, specialty issues. We retained a special
15 counsel, outside counsel for that and that was my
16 Milber Makris law firm and this Resolution simply
17 adds additional funding to continue representing
18 the Town of Oyster Bay. That's it.

19 SUPERVISOR SALADINO: Thank you.

20 MR. FREIER: Thank you.

21 There were some other questions on
22 personnel, too.

23 SUPERVISOR SALADINO: Yes.

24 Do we have -- has Vickie come back come
25 back? Come on up, Vickie, please.

1 MS. SPINELLI: Good afternoon.

2 I wasn't here for the question, so if
3 you wouldn't mind just telling me what I need to
4 speak about.

5 SUPERVISOR SALADINO: Oh, I'm sorry.

6 In terms of personnel, we know that
7 Mr. Nevins was hired and if you could just give us
8 the names of the other people who are affected by
9 today's personnel.

10 MS. SPINELLI: Okay.

11 I am adding -- I am actually changing a
12 slot in the Town -- in the Town Comptroller Office
13 for a Town Comptroller. I have a tentative name on
14 here, but it has not been -- been put through yet.

15 SUPERVISOR SALADINO: It's the slot.

16 MS. SPINELLI: His appointment, if it
17 happens, will be on the next Board meeting. He is
18 still being vetted.

19 The second is a transfer of one
20 employee, Ralph Raymond, from the Town -- Deputy
21 Town Clerk to the -- as a Deputy Commissioner of
22 General Services.

23 We have two employees, Lauren McManaman
24 and --

25 MR. FREIER: Salaries.

1 MS. SPINELLI: Salaries. Raymond,
2 94,730.

3 SUPERVISOR SALADINO: He's going from
4 Deputy Commissioner to Deputy com -- Deputy Town
5 Clerk to Deputy --

6 MS. SPINELLI: From Deputy Town
7 Clerk --

8 SUPERVISOR SALADINO: So it's a lateral
9 move?

10 MS. SPINELLI: It's a lateral move. I
11 don't have -- this is a new slot because we left
12 that other slot in the Town Clerk's Office, so I
13 don't have his salary off the top of my head.

14 Lauren McManaman is going from
15 Recreation Aide in Community Services to a
16 Community and Youth Services Group Worker I. Her
17 grade -- her current is a 09-04 at 48,408. She is
18 being made a group worker I at 16-01 and the salary
19 is 51,186. That is an increase of \$4,700.

20 Kristin Pizzaruzo (phonetic), also in
21 Community Services, same change from Recreation Aid
22 to Group Worker I. Her current salary -- grade and
23 salary is 09-05 at 49,778 and she is going to a
24 16-01 at 53,186 as well, and that's a \$3,400
25 change.

1 We are creating a new slot in the
2 Building Department for a Building Inspector
3 Trainee, starting salary of 44,051. That's on the
4 graded salary plan. It is a 1390 because of the
5 new -- new employees stay at the first salary for
6 the first two years, so there's a separate
7 designation for that.

8 And we have James Panzaroli (phonetic)
9 who is currently the Assistant Groundskeeper --
10 Greenskeeper at the golf course. He is going to be
11 the Greenskeeper at no additional salary.

12 COUNCILMAN MACAGNONE: And that spot
13 has been open for a number of years now?

14 MS. SPINELLI: That spot was opened --
15 yeah, I don't recall when the last person, but it
16 was a few years, yes.

17 And then, just deleting of the four
18 slots in Sort.

19 SUPERVISOR SALADINO: Thank you.

20 MS. SPINELLI: Thank you.

21 SUPERVISOR SALADINO: I think it's
22 important to point out, again, with Mr. Nevin that,
23 as we spoke of earlier, that he is taking on much
24 more than just communication responsibilities;
25 although, I see an article by Mr. Olsen has already

1 hit, doesn't mention that at all.

2 Perhaps, Mr. Olsen, you'd consider
3 pointing out that the portion of this is to make
4 sure that we have the appropriate people to ensure
5 that the information and the facts get out to the
6 media, and therefore, get out to the public in an
7 appropriate way so they see the full scope of why
8 someone is being brought on, not just a portion of
9 that scope and, obviously, Mr. Nevin has that
10 experience.

11 In addition to that, he'll be providing
12 information, he'll be providing support directly to
13 my office far above that and that we have so many
14 fewer assistants in the Town Board -- in the Town
15 Supervisor's Office as compared to all of the other
16 townships on Long Island.

17 All right. Thank you.

18 Is there anyone else who is here to ask
19 questions?

20 MR. FREIER: Supervisor, you didn't
21 answer the lawyer question.

22 SUPERVISOR SALADINO: Which one was
23 that, Mr. Freier? You asked a lot of questions at
24 once.

25 MR. FREIER: Hirani question that I

1 had. Also the Quinn Emanuel question that I had.

2 SUPERVISOR SALADINO: Okay.

3 In terms of Hirani, Mr. Nocella?

4 MR. NOCELLA: I'm not the Hirani
5 expert. I can answer the Quinn Emanuel and the
6 SEC.

7 SUPERVISOR SALADINO: Yes, of course.

8 MR. NOCELLA: Quinn Emanuel --

9 SUPERVISOR SALADINO: It is important
10 to point out, though, that the lawsuit we have will
11 be covering many of the costs associated with
12 Hirani when we recover those costs that have been
13 associated with the garage.

14 MR. NOCELLA: That -- yes, that's a
15 separate lawsuit than the one I mentioned
16 previously, but in the lawsuit against other
17 defendants for what has happened in the garage, we
18 will be seeking costs as well, including the costs
19 that we've expended for Hirani, that's correct.

20 With respect to Quinn Emanuel's bill,
21 they bill us after they've done the work. The
22 current bill encompasses work that they've done to
23 date on the three litigations as well as responding
24 to documents and information requests from various
25 regulatory authorities; most notably, the SEC.

1 That's reviewing and providing the documents.

2 For instance, since March, I believe
3 they've gone through over 30,000 pages of documents
4 which were requested by the SEC and turned those
5 over separate and apart from their litigation and
6 their bill would bring our account with them
7 current.

8 With respect to the SEC matter where we
9 are bringing on Morvillo, that is not what I would
10 call a traditional litigation. That is our
11 opportunity to appear before the administrative
12 body, present the case without getting into too
13 much of what the substance of the case would be.

14 Our position would be, okay, you have
15 your documents and you've got your questions, we
16 want to show you that there were no loan
17 guarantees. As the world would truly acknowledge
18 them, these were a sham. They were a fiction.

19 Second, even if they were a loan
20 guarantees, the Board didn't know about it. You're
21 concerned SEC about us issuing bonds and making
22 sure we reveal everything about our financial
23 position to those who might be interested in
24 purchasing our bonds.

25 Well, in this case, we were unaware of

1 anything that we had to reveal and even when we
2 discovered it and made it known, we still don't
3 believe that we would have been on the hook for
4 these matters.

5 SUPERVISOR SALADINO: And this claim
6 you're making was substantiated in part by
7 Judge Feuerstein's decision?

8 MR. NOCELLA: Judge Feuerstein.

9 SUPERVISOR SALADINO: 43-page decision
10 on this?

11 MR. NOCELLA: That's right. And so
12 what Morvillo Abramowitz would be doing would be
13 meeting with the SEC investigators to make the
14 case. If they can come to a resolution with the
15 SEC at that juncture, that would be great and that
16 would end the matter. I wouldn't regard that as
17 really a litigation; I would regard it as
18 representation before an administrative body.

19 If they can't agree with the
20 administrators, we then have a second opportunity
21 to go before the Commission itself, the Securities
22 Exchange Commission Commissioners. And even though
23 we may not have been able to convince the lower
24 level staff members or investigators that we had
25 done -- complied with all our obligations to reveal

1 our financial position and to do so accurately, we
2 then have another opportunity to do it to the
3 Commission itself.

4 I don't regard that really as actual
5 litigation, though it has litigation aspects to it.

6 I'm trying to give Mr. Freier as full
7 and complete an answer as I can to the question
8 about whether that's litigation.

9 Separately, I believe that to date, we
10 may have used -- and this is July, about 25 to 35
11 percent of our outside counsel budget.

12 Note, please, that most of the funds
13 expended in defense of these loan guarantees and
14 whatnot are things we are seeking to recover. Just
15 as you noted, we are going to be seeking to recover
16 the Hirani expenses in the garage litigation.

17 So in the lawsuit that we just recently
18 filed, we hope to recover even the expenses we've
19 paid to Quinn Emanuel for the defense of -- against
20 these phony loan guarantees. That outcome remains
21 to be seen.

22 I believe Mr. Darienzo could give you
23 more precise figures if they're needed, but I am in
24 constant with him about the amount of money we have
25 in our outside counsel budget.

1 And again, year to date, I'm rather
2 proud to say that we've only expended about 25 to
3 35 percent over the six-month period of the amount
4 that was put in the budget for outside counsel.

5 I'd like to commend my staff, if you
6 don't mind, for having worked so diligently to
7 reduce outside counsel expenses.

8 SUPERVISOR SALADINO: Thank you.

9 Thank you so much.

10 Is Vickie still here? There was a
11 question about early retirement.

12 MR. FREIER: What about fees for Hirani
13 with the subs?

14 SUPERVISOR SALADINO: Sure.

15 Commissioner, would you please join us?

16 MR. FREIER: Thank you.

17 SUPERVISOR SALADINO: There's a
18 question about the Hirani company and subs that
19 they've hired and the need for these services.

20 MR. FREIER: Whether they were bid
21 or can they be bid out after the initial
22 emergency.

23 SUPERVISOR SALADINO: Let's start off
24 by talking about what services they're providing
25 for us and we can work from there.

1 COMMISSIONER LENZ: Okay.

2 On Hirani, the original bid -- the
3 original proposal was for the -- I think, I don't
4 know, I thought we discussed this. That's why I'm
5 a little confused, but I'll go over it again.

6 The 52,100 was for the original
7 investigation to make sure the structure was safe.
8 Now that we found that the structure is safe, the
9 additional fee is now to then make sure that the
10 design is proper and that's what they're working on
11 now.

12 SUPERVISOR SALADINO: Again, we need
13 the design in order to go forward for what purpose?

14 COMMISSIONER LENZ: We have to bid this
15 now.

16 As I said, we've proven that there is
17 three different contractors out there. There might
18 be -- I wanted to make sure there's a minimum of
19 three. There might be some more out there that
20 once we put it out to bid, that we know that we can
21 get other bidders on this contract.

22 SUPERVISOR SALADINO: Are we ensuring
23 that this also is advertised on the Internet?

24 COMMISSIONER LENZ: Yes, it will be.

25 SUPERVISOR SALADINO: Good.

1 So all this will be on the Internet to
2 give -- and our website -- to make sure we have
3 full transparency and we're giving every company
4 that would like to bid on this an opportunity to do
5 so unless they've been one of the companies that we
6 are no longer doing business with?

7 COMMISSIONER LENZ: Right.

8 One of the things -- I guess I should
9 back up and say, it kind of would be crazy to --
10 you already had a structural engineer go through
11 all the study, all the documentation, do all the
12 investigation, and now you are going to put it out
13 as a bid or a proposal to another contractor --
14 another engineering consultant firm to come in, to
15 re-review all the stuff that the one consultant did
16 to then now go out to design? I think that's what
17 the question is and that just doesn't make any
18 sense at all.

19 SUPERVISOR SALADINO: Well, in all
20 fairness, we have people come up who really don't
21 have any expertise in this and that's why I bring
22 you up, to teach the public about the realities of
23 running government.

24 COMMISSIONER LENZ: Good.

25 SUPERVISOR SALADINO: All right.

1 Thank you very much.

2 COMMISSIONER LENZ: Thank you.

3 MR. McKENNA: That wasn't the question.

4 COMMISSIONER LENZ: What's the
5 question?

6 MR. McKENNA: The question was, very
7 simply, the current Resolutions have subcontractors
8 to Hirani and they decided to involve because --

9 SUPERVISOR SALADINO: So, basically,
10 what's being asked is, are we going out allowing to
11 bid on all of these contractors and what is the
12 normal process with subs as it relates to the
13 bidding process?

14 COMMISSIONER LENZ: On this particular
15 contract, you're talking about going out for
16 \$10,000 for additional exploration.

17 For that minimal consultant estimate,
18 is it worth going out to another firm to put out
19 for a bid, because that's what they are asking.
20 Peer review is \$12,000. We selected an engineering
21 firm.

22 SUPERVISOR SALADINO: So the cost in
23 that case, the peer review alone --

24 COMMISSIONER LENZ: Is \$12,000.

25 SUPERVISOR SALADINO: -- would be more

1 expensive than the actual cost of the services?

2 COMMISSIONER LENZ: And the peer review
3 is to now look over all the documentation that the
4 consultant already did for \$12,000 so yes, I could
5 have gone out to bid for that but...

6 SUPERVISOR SALADINO: It would have
7 been at a cost that exceeds the actual cost of the
8 services to the Town?

9 COMMISSIONER LENZ: Right.

10 SUPERVISOR SALADINO: Nothing efficient
11 about that.

12 But thank you for enlightening the
13 public to the many complexities of running Town
14 Government in an efficient and proper way.

15 COMMISSIONER LENZ: Thank you.

16 SUPERVISOR SALADINO: Thanks.

17 MR. McKENNA: You still didn't go over
18 the \$206,000.

19 SUPERVISOR SALADINO: Are there any
20 other speakers on the Resolution?

21 Yes, please come forward. Not on
22 any -- yeah, on any of the Resolutions we're about
23 to vote on. Please step forward.

24 MS. GOODWIN: It's not about a
25 Resolution.

1 SUPERVISOR SALADINO: Would you like to
2 wait then for the public comment portion or are you
3 asking a question about one of -- ma'am, if you're
4 asking a question about any of the Resolutions on
5 today, we're happy to address it.

6 You can still be heard if it's
7 important to you. I want to make sure that we're
8 giving you every opportunity; otherwise, we'll be
9 listening to the public comment very soon.

10 Okay. Sure. We understand that.

11 MS. GOODWIN: Constance Goodwin,
12 5 Morgan Lane, Locust Valley, New York.

13 The question I have is, what are we
14 doing about the contract for Flowers? I understood
15 that was supposed to be under consideration for
16 quite some time and I do understand that his lease
17 is almost up and he's paying very, very little for
18 the occupation of that property and I'd like to
19 know what Board is doing about it and when it's
20 going to be resolved.

21 SUPERVISOR SALADINO: Okay.

22 MS. GOODWIN: That's my question.

23 SUPERVISOR SALADINO: Yes, we have
24 someone in the Town Attorney's Office who has
25 currently been working on this. Please step

1 forward. One of our deputies has -- no, no, I'm
2 sorry.

3 I'm asking one of our deputies to step
4 forward who has been working on this case, so that
5 we can give you that information. And, of course,
6 we took you out of turn because you have personal
7 matters to attend to.

8 MR. EHRLICH: Good afternoon.

9 Paul Ehrlich from the Town Attorney's
10 Office.

11 Regarding Flower right now, the --
12 there are -- we have it under scrutiny right now as
13 well as the various activities from that angle as
14 well as environmental angles and that's what we're
15 pursuing at the moment.

16 SUPERVISOR SALADINO: Specifically, we
17 met with The Baymen's Association and different
18 residents of the Town who provided us -- who asked
19 the question, does Flowers have the documentation.

20 Can you give us a status on our quest
21 to ensure that they -- if whether or not, they're
22 operating with the proper documentation.

23 COUNCILWOMAN JOHNSON: Specifically, in
24 compliance with federal regulations as specified
25 through different agencies.

1 SUPERVISOR SALADINO: Thank you,
2 Councilwoman.

3 MR. EHRLICH: The New York State D.C.
4 has taken the position that they had initially
5 taken the position that they were the ones
6 regulating them and that they were -- and they were
7 and are in full compliance with any of the State
8 regulations.

9 We then went to the federal regulators
10 which are spearheaded by the Army Corps of
11 Engineers. They have recently asserted
12 jurisdiction based upon a finding of some
13 endangered species, the potential of endangered
14 species in the waters.

15 The Army Corps of Engineer, asserting
16 their jurisdiction, is now requiring them to obtain
17 a pre-construction -- to submit a pre-construction
18 notification.

19 The Army Corps has accepted papers from
20 them as of the middle of last month. The Army
21 Corps has taken the position that with the
22 acceptance of those papers, that they are not
23 looking to issue any cease and desist orders
24 against them. Essentially, making the
25 representation then that they are not finding any

1 violations in terms of Flowers' operations at the
2 moment.

3 But, and I must emphasize this, it's
4 something that is currently under investigation by
5 them in terms of the permit process. Their
6 operations, the effect of their operations, the
7 compliance with federal regulations on their -- of
8 their operations, but based upon their
9 investigation so far, they are not taking the
10 position of any violations occurring and they're
11 allowing the operations to go on.

12 SUPERVISOR SALADINO: Have they
13 provided documentation to that effect?

14 MR. EHRLICH: They've provided an
15 operation -- they've provided documentation
16 acknowledging the receipt of the papers from
17 Flowers, but just have noted that their
18 investigation is going on and on the advice of
19 their counsel, they are being a little bit -- they
20 are holding -- they are not providing any
21 information other than to say that they have papers
22 and that they are reviewing and if there are
23 additional constraints or additional conditions
24 they're going to put on, they haven't done anything
25 at this point.

1 They are allowing operations to go on
2 now as the -- as Flowers is in compliance --
3 Flowers is in compliance with what they've asked
4 for.

5 SUPERVISOR SALADINO: Well, if we have
6 not yet done it, please make sure that the Baymen
7 and the other concerned residents get all the
8 documentations involved in this. You know,
9 Councilwoman Johnson and other members of the Board
10 have asked that we ensure that if they are going to
11 operate in our waters, that they must have every
12 T crossed, every I dotted and have every single
13 piece of documentation and permits that they need,
14 and if they don't, that we're taking action.

15 MR. EHRLICH: And with that in mind,
16 you and I have had this conversation before to
17 express these concerns. Certainly, this is
18 something that is paramount and of importance to
19 us.

20 SUPERVISOR SALADINO: As has
21 Councilwoman Johnson for quite some time.

22 MR. EHRLICH: Absolutely. She and I
23 have spoken on this on a number of occasions as
24 well.

25 And with that in mind, we've kept a

1 constant dialogue with the Army Corps of Engineers
2 regarding what they're doing and their
3 investigation that they are making. We would
4 anticipate some sort of decision from them fairly
5 shortly.

6 They -- in short time, Stephen Reiber,
7 who's the head of the -- the regulatory head of the
8 agency which has its offices in -- at the Javits --
9 not the Javits Center, but the office building in
10 Lower Manhattan -- has -- understands the
11 importance that we've put on it and they certainly
12 understand by the number of calls and e-mails --
13 well, calls that I've made to them, a few e-mails,
14 telling them how important this is to us and how we
15 are monitoring it and we're hoping for a quick
16 resolution from them in terms of at least a
17 declaration of where they stand, but at this point,
18 they find no violations.

19 COUNCILWOMAN JOHNSON: And you have
20 been in constant communication with, let's say,
21 Bill Painter and other members, the North Baymen's
22 Association with regards to this?

23 MR. EHRLICH: I speak with Mr. Painter
24 on almost a daily basis.

25 COUNCILWOMAN JOHNSON: Thank you.

1 COUNCILMAN IMBROTO: And have you
2 recited all the documentation that --

3 MR. EHRLICH: I'm sorry?

4 SUPERVISOR SALADINO: We must provide
5 the documentation that we receive. We must share
6 with them. We must hold their concerns in our
7 highest regard. I share the sentiments of all of
8 our Board. Councilwoman Johnson has been on top
9 this issue for years now and we must send the
10 message that if they're operating illegally, if
11 they are operating without the proper permission to
12 be doing so, that we're going to do everything
13 within our power to stop that kind of operation.

14 MR. EHRLICH: And we've certainly made
15 that clear to the regulatory agency, to the Army
16 Corps that that's it and, hopefully, we've able to
17 make that clear to the constituency that you speak
18 of.

19 SUPERVISOR SALADINO: This Board is
20 focused on protecting the environment, whether it
21 is the marine environment, the freshwater
22 environment and the open land and the open space of
23 this Town.

24 I, myself, worked on the Environmental
25 Conservation Committee for almost 13 years in

1 Albany, passed a law, signed by the Governor,
2 passed in both houses after I gave it to Senator
3 Kemp Hannon which has lead the charge in this state
4 to clean up and fully remediate Grumman Navy plume.
5 We got that done and we passed that law to protect
6 this environment and we're not going to stop there.

7 Councilman Johnson and others have sat
8 in these meetings with us and we're going to
9 continue to fight for the public and fight for the
10 environment and we're making this exceptionally
11 clear of our position and to continue to fight for
12 our residents, fight for their livelihood, and
13 fight to protect our environment.

14 MR. EHRLICH: And I think this is
15 something that I think we've made -- or I've made
16 abundantly clear to the Army Corps of Engineers and
17 hopefully to the -- to some of the Baymen's, some
18 of the other people that were -- who share that
19 concern -- that I think we try to make clear and
20 certainly something that I will continue to make
21 clear to the Army Corps, the State, the DEC was
22 certainly aware of your interest in this from your
23 prior dealings with them.

24 In my conversation with them, they --
25 that was something that we had discussed and they

1 were certainly aware of and I have certainly made
2 the Army Corps aware of that if they were not
3 already as well as certainly our continuing
4 intense concerns on this.

5 SUPERVISOR SALADINO: Thank you very
6 much.

7 MR. EHRLICH: It's certainly a resource
8 that we need to protect and to -- because once it
9 goes away, it may not -- it won't come back.

10 SUPERVISOR SALADINO: Thank you very
11 much.

12 MR. EHRLICH: Thank you.

13 SUPERVISOR SALADINO: Yes.

14 Do you have a statement on the --

15 MS. GOODWIN: I appreciate all that.

16 SUPERVISOR SALADINO: Okay.

17 MS. GOODWIN: The question was --
18 unless I'm mistaken but I understood that Flowers'
19 lease is going to be up shortly.

20 SUPERVISOR SALADINO: What is the date
21 that the lease is up?

22 MR. EHRLICH: I don't have that
23 information with me here.

24 MS. GOODWIN: I understood it was
25 within the next year perhaps.

1 MR. ROZEA: Ms. Goodwin, that's not
2 accurate.

3 SUPERVISOR SALADINO: Would you please
4 step up to the microphone and state your name for
5 the record?

6 MR. ROZEA: Matthew Rozea, Deputy Town
7 Attorney.

8 Ms. Goodwin, the lease was signed in
9 1994, it's a 20-year term, so it's due to expire in
10 or about 2024.

11 MS. GOODWIN: It was signed in when?

12 MR. ROZEA: 1994, pursuant to a
13 stipulation of settlement of some litigation.

14 MS. GOODWIN: -- 2014.

15 MR. ROZEA: No, it's a 20 -- I'm sorry.
16 Maybe it is a 30-year lease, but it's 2024. That's
17 the termination.

18 MS. GOODWIN: Okay. That was my
19 understanding.

20 MR. ROZEA: No, no. It's certainly not
21 in the next year.

22 SUPERVISOR SALADINO: Excuse me,
23 Ms. Goodwin.

24 Why don't we get you that documentation
25 that shows you when that's up? Obviously, when

1 that lease is up, it gives the Town, and,
2 therefore, the residents, a lot more leverage in
3 this situation.

4 MS. GOODWIN: That's why I asked
5 because I was under the impression --

6 SUPERVISOR SALADINO: Let's get you --
7 Mr. Rozea --

8 MR. ROZEA: I have it in my office.
9 I'll go get it right now.

10 SUPERVISOR SALADINO: We'll provide you
11 with that.

12 MS. GOODWIN: Thank you.

13 SUPERVISOR SALADINO: You're very
14 welcome. And if you don't have the time to stay,
15 you mentioned a personal matter, we'll have it sent
16 to you.

17 All right. If there are no other
18 comments to be made.

19 Yes, is there any letters, any
20 correspondence, anything else on these Resolutions?

21 MR. ALTADONNA: That's only in public
22 hearings.

23 This is an Action Calendar.

24 SUPERVISOR SALADINO: Obviously. Just
25 wanted to make sure.

1 MR. ALTADONNA: Okay.

2 Motion was made by Councilman
3 Muscarella, seconded by Councilman Macagnone.

4 On the vote, we've already voted on
5 P-17-17.

6 We are going to continue the vote for
7 TF-10-17 through Resolution 414.

8 On the vote.

9 Supervisor Saladino?

10 SUPERVISOR SALADINO: "Aye."

11 MR. ALTADONNA: Councilman Muscarella?

12 COUNCILMAN MUSCARELLA: "Aye."

13 MR. ALTADONNA: Councilman Macagnone?

14 Go slow.

15 COUNCILMAN MACAGNONE: "Aye."

16 MR. ALTADONNA: Okay.

17 Councilwoman Alesia?

18 COUNCILWOMAN ALESIA: I abstain on 377.

19 MR. ALTADONNA: Hold on. 377, okay.

20 COUNCILWOMAN ALESIA: I just want to
21 make a comment on 414 which is the Beechwood
22 Resolution.

23 I just want to state for the record
24 that I've given a lot of thought to this particular
25 Resolution. That I know the Supervisor referred

1 earlier to there being a lot of discussion not only
2 in the boardroom, but also on Social Media and that
3 I had put out there on several local Facebook pages
4 in response to resident concerns, my e-mail address
5 at the Town as well as my phone number here and
6 invited anyone that had concerns to reach out.

7 I want to let everyone in the room know
8 that we've only -- at least my office, I can't
9 speak for anyone else, have only received five
10 e-mails regarding this issue. And that I've spoken
11 to those people on an individual basis. I do
12 believe that having the deliveries come into
13 Beechwood later in the evening will prevent the
14 traffic that people are concerned about.

15 It just seems to me that it is better
16 for trucks to be going after rush hour and that is
17 in compliance and conformance -- conformity with
18 the other regulations and restrictions throughout
19 the Town.

20 If we were not to allow Mr. Greenfield
21 the ability to get the deliveries at these times,
22 we would be treating him differently than every
23 other supermarket that we have within the Town and
24 that doesn't seem right, so I just want it to be
25 stated that I have thought about this a lot and I'm

1 prepared to vote "Aye," but it wasn't done without
2 deliberation and forethought.

3 So "Aye."

4 MR. ALTADONNA: You're just abstaining
5 on 377.

6 Everything else is an "Aye"?

7 COUNCILWOMAN ALESIA: Yes.

8 MR. ALTADONNA: Okay.

9 Councilwoman Johnson?

10 COUNCILWOMAN JOHNSON: I vote "Aye."

11 MR. ALTADONNA: Councilman Imbroto?

12 COUNCILMAN IMBROTO: I vote "Aye" and I
13 just want to echo the sentiments expressed by
14 Councilwoman Alesia.

15 The major concern regarding the
16 Beechwood Resolution was traffic, and I believe
17 that this Resolution will alleviate the traffic in
18 that area to the benefit of the residents, so I
19 vote "Aye."

20 MR. ALTADONNA: Councilman Hand?

21 COUNCILMAN HAND: "Aye."

22 MR. ALTADONNA: Okay.

23 Motion to adopt Resolutions TF-10-17
24 through 376 passes with seven "Ayes."

25 377 passes with six "Ayes" and one

1 abstention.

2 378 through 414 passes with seven

3 "Ayes."

4 The calendar is complete.

5 SUPERVISOR SALADINO: Thank you.

6 We have some speakers.

7 MR. MUSCARELLA: Supervisor, I make a
8 motion to close the meeting.

9 COUNCILMAN MACAGNONE: I'll second.

10 SUPERVISOR SALADINO: All in favor of
11 the motion, signify by saying "Aye."

12 ALL: "Aye."

13 SUPERVISOR SALADINO: All opposed,
14 "Nay."

15 (No verbal response given.)

16 SUPERVISOR SALADINO: The "Ayes" have
17 it.

18 (TIME NOTED: 1:18 P.M.)

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