

TOWN BOARD  
TOWN OF OYSTER BAY  
SPECIAL PRESENTATION  
MARCH 26, 2019  
7:22 P.M.

**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  
COUNCILWOMAN MICHELE M. JOHNSON  
COUNCILMAN LOUIS B. IMBROTO  
COUNCILMAN THOMAS HAND  
COUNCILMAN STEVEN L. LABRIOLA

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 evening,  
2 ladies and gentlemen.

3 Welcome to the Town Board meeting of  
4 Tuesday -- welcome, ladies and gentlemen, to the  
5 Town Board meeting of Tuesday, March 26, 2019.

6 If you'd all please rise. To lead us  
7 in prayer this evening, please welcome Rabbi  
8 Krivisky of MIYAD synagogue in Jericho.

9 Rabbi, the podium is yours.

10 (Whereupon, a prayer was recited by  
11 Rabbi Krivisky.)

12 SUPERVISOR SALADINO: Thank you, Rabbi.

13 Those are very inspirational words and  
14 words for all of us to live by.

15 I ask you to please remain standing as  
16 we welcome the Bethpage High School Varsity Golden  
17 Girls and Company Kickline.

18 To lead us in the Pledge -- yes, let's  
19 give them a hand.

20 (Applause.)

21 SUPERVISOR SALADINO: Thank you.  
22 Wonderful young ladies.

23 To lead us in the Pledge of Allegiance  
24 will be Team Captain Grace Carney and Team Captain  
25 Giavanna Novelli.

1 Ladies, if you would please lead us in  
2 the pledge.

3 (Whereupon, the Pledge of Allegiance  
4 was recited by Grace Carney and Giavanna Vovelli.)

5 SUPERVISOR SALADINO: Thank you very  
6 much to both of you.

7 And now I ask, ladies and gentlemen, to  
8 join the Town Board in a moment of silence for our  
9 men and woman in this United States Armed Forces  
10 serving here and abroad.

11 Also, in recognition of the men and  
12 woman in law enforcement and all of our first  
13 responders who put themselves at risk for our  
14 safety each and every day.

15 (Whereupon, a moment of silence was  
16 observed.)

17 SUPERVISOR SALADINO: Thank you.

18 Please be seated.

19 We were led in the Pledge of Allegiance  
20 by two of an entire team of amazing women, and  
21 we're proud to recognize the tremendous success of  
22 the Bethpage High School Golden Girls and Company  
23 Varsity Kickline.

24 The team was declared a winner -- one  
25 of the winners of the National Championship in

1 Small Varsity Kick at the National Dance Alliance  
2 Championship in Orlando, Florida. They placed  
3 Second in Pom and were recognized for innovative  
4 choreography, technical excellence, and  
5 sportsmanship.

6 Locally, they were the Regional  
7 Champion in Small Varsity Kick and were named  
8 Champion of Champions at the Nassau Scholastic  
9 Competition. Their success is the result of hard  
10 work and dedication, and now the hard work of each  
11 and every one of these extraordinary young ladies.

12 It's also the hard work and the  
13 inspired leadership of their coaches, of the school  
14 district, their parents, and our community at  
15 large. The team is coached by Jeanna Martino,  
16 Ashley Iovenio and Ashley Belmonte, and they've  
17 earned the National Championship competing against  
18 some of the finest high school teams across the  
19 entire nation.

20 So tonight, we're proud. You've  
21 brought a lot of pride to your home community in  
22 Bethpage, to Bethpage High School, and to all of  
23 the people who live in Bethpage, as well as all the  
24 people that live across the Town of Oyster Bay.

25 COUNCILMAN IMBROTO: Supervisor, for

1 the second year in a row.

2 SUPERVISOR SALADINO: Even more  
3 impressive.

4 (Applause.)

5 SUPERVISOR SALADINO: Varsity Golden  
6 Girls and Company Kickline, would you all please  
7 stand?

8 (Applause.)

9 SUPERVISOR SALADINO: We would like to  
10 say thank you.

11 And we have Certificates of Merit.  
12 We'd like you to come up front with our Town Board.  
13 If you don't mind, like to take a photo and get  
14 these to you. All right. So if you'd meet us  
15 right up front here.

16 (Whereupon, a Town Citation was  
17 presented to the Varsity Golden Girls and Company  
18 Kickline and a photo session ensued.)

19 (Applause.)

20 SUPERVISOR SALADINO: What do you say  
21 we give them another round of applause?

22 (Applause.)

23 SUPERVISOR SALADINO: We have some  
24 incredible young people here this evening.

25 And also here, we proudly recognize two

1 local high school students for their exceptional  
2 accomplishments and academic excellence.

3           Congratulations to high school senior  
4 Thomas Lam and Jericho High School senior Madhav  
5 Subramanian. I'll try that again, I'm sorry.  
6 Madhav Subramanian, for being named the 2019  
7 Regeneron Science and Talent Research finalists.

8           Many of you -- let's give them a hand.

9           (Applause.)

10           SUPERVISOR SALADINO: Many know the  
11 Regeneron Science Talent Search. Some remember it  
12 as it was previously called the Westinghouse  
13 Science Talent Search.

14           Would the two of you please come  
15 forward to be recognized, Madhav and Thomas?

16           (Applause.)

17           SUPERVISOR SALADINO: There were nearly  
18 2000 entries nationwide. These young men were two  
19 of 40 students to be named a finalist nationally.  
20 They recently traveled to Washington, D.C. to  
21 display their research projects and also network  
22 with notable scientists and members of Congress.

23           This is the nation's oldest and most  
24 prestigious precollege science competition, which  
25 means, guys, you're very, very special.

1                   Thomas developed an algorithm that  
2                   generates the moves necessary to solve complex  
3                   puzzles.

4                   (Applause.)

5                   SUPERVISOR SALADINO: Thomas is joined  
6                   by his parents, Kit and William Lam, Deputy  
7                   Superintendent of the Syosset School District,  
8                   Adele Bovard and Syosset High School Research  
9                   Facilitator Veronica Ade, who is a Regeneron  
10                  Science Talent Search Teacher of Merit.

11                  Let's give them all a hand.

12                  (Applause.)

13                  SUPERVISOR SALADINO: Thank you.

14                  We know our youth are in very good  
15                  hands with such wonderful leaders, and the two you  
16                  among the proof of that.

17                  So Madhav's project started a  
18                  formation. This is very interesting. You're  
19                  project studied the formation of new blood vessels  
20                  and how regulating this self-repair mechanism in  
21                  our bodies might stifle the spread and growth of  
22                  cancer tumors. Very impressive as well.

23                  (Applause.)

24                  SUPERVISOR SALADINO: Madhav was  
25                  assisted in his project by his teacher, Dr. Serena

1 McCalla, who is here with us tonight. Let's give  
2 her a hand as well.

3 (Applause.)

4 SUPERVISOR SALADINO: I speak on behalf  
5 of our entire Town Board, all of the elected  
6 officials, and the 300,000 residents of this great  
7 Town when I say your work is incredibly important  
8 and we appreciate the fact that we have these great  
9 exceptional students. We thank you very much. We  
10 have citations for the both of you.

11 Councilwoman Johnson, would you help us  
12 with the honors, and would everyone join us for a  
13 photo down in front?

14 (Whereupon, a Town Citation was  
15 presented and a photo session ensued.)

16 (Applause.)

17 COUNCILMAN MACAGNONE: Congratulations,  
18 guys. Good luck in college, guys.

19 SUPERVISOR SALADINO: And please, I ask  
20 you for one more big Town of Oyster Bay round of  
21 applause for all the wonderful people that we're  
22 honoring today.

23 (Applause.)

24 (TIME NOTED: 7:36 P.M.)

25



TOWN BOARD  
TOWN OF OYSTER BAY  
ACTION CALENDAR  
MARCH 26, 2019  
7:37 P.M.

**HEARING P-3-19**

To consider the application of 794 South Broadway Management, LLC and Chief Dog, Inc., for a Special Use Permit and Site Plan Approval for premises located at 794 South Broadway, Hicksville, New York. (M.D. 2/26/19 #14).

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Reporter/Notary Public

1 SUPERVISOR SALADINO: And now we'll  
2 begin on our work of the evening. I apologize for  
3 the late start.

4 Our Town Clerk Altadonna,  
5 Mr. Altadonna, would you please poll the Board?

6 MR. ALTADONNA: Surely.

7 Supervisor Saladino?

8 SUPERVISOR SALADINO: Present.

9 MR. ALTADONNA: Councilman Muscarella?

10 COUNCILMAN MUSCARELLA: Here.

11 MR. ALTADONNA: Councilman Macagnone?

12 COUNCILMAN MACAGNONE: Here.

13 MR. ALTADONNA: Councilwoman Johnson?

14 COUNCILWOMAN JOHNSON: Here.

15 MR. ALTADONNA: Councilman Imbroto?

16 COUNCILMAN IMBROTO: Present, Jim.

17 MR. ALTADONNA: Good to see you.

18 Councilman Hand?

19 COUNCILMAN HAND: Here.

20 MR. ALTADONNA: Councilman Labriola?

21 COUNCILMAN LABRIOLA: Here.

22 SUPERVISOR SALADINO: Would you like to  
23 call the first hearing?

24 MR. ALTADONNA: Hearing P-3-19, to  
25 consider the application of 794 South Broadway

1 Management, LLC and Chief Dog, Inc., for a Special  
2 Use Permit and Site Plan Approval for premises  
3 located at 794 South Bay, Hicksville, New York.

4 MR. ABBATE: Good evening, Supervisor  
5 Saladino, Members of the Town Board.

6 For the applicant, Tom Abbate,  
7 A-B-B-A-T-E. I'm an attorney with offices at  
8 88 Sunnyside Boulevard in Plainview, and I've never  
9 done anything with algorithms or blood vessels.

10 Thank you for making me feel completely  
11 inadequate, but those gentlemen -- I've been doing  
12 this for over thirty years, I feel like I haven't  
13 achieved anything. But I have a client who is  
14 achieving something, and I'm very proud of her.

15 So tonight's application, while it's  
16 brought in the name Chief Dog, is really my client,  
17 Maria Guillen, who's sitting to your left in the  
18 front row. And this is our request to establish a  
19 doggie daycare center. The subject location is on  
20 the west side of South Broadway in Hicksville, just  
21 south of where that intersects with Bloomingdale  
22 Road.

23 So if you're familiar with it, you know  
24 that it becomes triangulated at that area, and  
25 we're smack dab in the middle. Because of that,

1 this location is ideally suited for a use such as  
2 this because we're buffered -- we're abutted, I  
3 should say, by industrial uses on all sides, and  
4 then we have the two roadways, so they act as  
5 de facto buffers to any resident who would even be  
6 potentially affected neighbors.

7 Irrespective of that, this use has no  
8 outdoor component whatsoever. Everything is going  
9 to be conducted indoors. Moreover, doggie daycare  
10 is permitted as-of-right. We're in the LI zone,  
11 the Light Industry zone, and this is a use that's  
12 committed as-of-right.

13 Why am I here? Because part of our  
14 operation includes boarding, keeping animals  
15 overnight, and that is a special permit and that is  
16 the unique and exclusive province of you as the  
17 Town Board.

18 To provide you a little more detail,  
19 the building we're going into measures about 2,500  
20 square feet. Our demise space, our rented space is  
21 about 6,800 square feet of that. Maria is a  
22 franchisee of an organization known as Hounds Town,  
23 Hounds Town USA. Hounds Town was started back in  
24 2001 by the fellow -- a fellow by the name of Mike  
25 Gould. Mike Gould, from 1997 to 2002 was the

1 commanding officer of the Nassau County Police  
2 Department. Prior to that, he was in the NYPD's  
3 K-9 squad.

4 And what I'd like to do, just to give  
5 you some more information, we have a presentation  
6 packet, I'm not going to read it, I don't expect  
7 you to go through it, but it provides all of the  
8 information concerning Hounds Town's operations. I  
9 offer that up as one exhibit for edification  
10 purposes.

11 So while it's in three states now, it's  
12 got a strong Long Island connection. Mike being a  
13 Long Island resident and Nassau County, obviously,  
14 commanding officer, and we have facilities in  
15 Farmingdale, Commack, Garden City, Port Jeff, and  
16 more. This is not Maria's first time doing this.

17 She, along with her two partners,  
18 currently run the Hounds Town that exists in  
19 Farmingdale, and that's in the Town of Babylon, so  
20 she is an experienced proprietor of doggie daycare.

21 The manner by which Hounds Town  
22 operates, and maybe its credo, is interaction of  
23 the animals. They believe that the socialization  
24 skills of the animals is very important.

25 For that reason, every member of the

1 staff is specifically trained by Hounds Town. They  
2 must attain training. They even have emergency  
3 medical training as part of their requirements to  
4 have a job and maintain a job with Hounds Town.

5 It is doggie daycare. You bring your  
6 dog and they socialize. Curiously, there are no  
7 sessions. You could bring your dog for however  
8 long, however short you want, provided you meet  
9 vaccination requirements and you pass a test. And  
10 that's a temperament test. They make sure that  
11 your dog can socialize.

12 In terms of generation, how active is  
13 this, well, we take about 45 dogs maximum a day,  
14 but I'm talking more in terms of traffic. We're --  
15 we are calculated under our code, including the  
16 other uses in our building, to require 40 stalls.

17 We have 81, so we have more than ample  
18 parking on site, and most of our customers are of  
19 the pick-up and drop-off variety. I don't know if  
20 any of you were fans of Car Talk, right, the  
21 Russian limo driver, pick up and drop off, that's  
22 what we have here.

23 Our hours of operation are Monday  
24 through Friday 6:00 a.m. to 8:00 p.m. and Saturday,  
25 8:00 p.m. to 5:00 p.m. We don't have any doggie

1 daycare, nor do we have grooming on Sunday, but we  
2 are open. We have about a three, four-hour window  
3 where you can either pick up or drop off your dog  
4 from boarding.

5 Now, clearly, the use is in great  
6 demand. We wouldn't want to be establishing  
7 ourselves in the Town of Oyster Bay. It's obvious  
8 we all have busy lives, and finding someone to  
9 watch over your pet, even during the day sometimes  
10 can be difficult, so we're fulfilling a need, but  
11 Maria at Hounds Town fulfil a greater need.

12 I was able to have a conversation with  
13 some of our friends in these T-shirts, I didn't get  
14 a T-shirt, but I want a T-shirt. Because what  
15 Hounds Town does, and they've done it in the past,  
16 they're doing it presently in other towns in Long  
17 Island, is that they partner with the municipal  
18 animal shelters.

19 So they have partnered with the animal  
20 shelters in the Town of North Hempstead, Town of  
21 Hempstead, Islip, Brookhaven and Smithtown, and we  
22 want to add the Town of Oyster Bay to that roster.

23 What does it mean? It means when our  
24 shelter is at capacity, dogs can be brought to,  
25 either on a daily or overnight basis, to Hounds

1 Town.

2 And it's not just to handle overflow,  
3 but because we have that socialization component,  
4 rather, because we have the obedience component,  
5 and because we have trained staff, we are able to  
6 acclimate these dogs. We are able to take these  
7 dogs from somewhat feral animals to domesticated  
8 animals.

9 What's the result? They become more  
10 suitable for adoption, so that's the greater good  
11 that Hounds Town provides here and which we want to  
12 present now. We don't just do it with a municipal  
13 animal shelter, we do it with rescue organizations  
14 as well, and they are listed in the presentation  
15 packet.

16 I will offer up a series of letters,  
17 I'm not going to read them, you don't have to read  
18 them now, but they're virtual testimonials, and  
19 they come from the animal shelters of the Town of  
20 Smithtown, Town of Hempstead, and the Town of  
21 Brookhaven, and they not only talk about the  
22 overflow, but about assimilating animals just as I  
23 described. So four letters as one exhibit.

24 Now, Mr. Supervisor and Members of the  
25 Town Board, I have a tremendous amount of



1 information I could give you, but I think, really,  
2 I've imparted that which you need to know and  
3 within the presentation packet and within the  
4 letters is the rest.

5 So unless you have any questions of me  
6 or Mrs. Guillen, I end my presentation.

7 COUNCILMAN IMBROTO: I just have one  
8 question.

9 What precautions, and I think you  
10 already, sort of, answered this, but what  
11 precautions are taken to make sure that the animals  
12 are safe, to ensure the safety of the animals?

13 MR. ABBATE: Okay. So the -- we've got  
14 a trained staff, as I told you, and we have  
15 separate areas. We have socialization areas; we  
16 have feeding areas; we have sleeping areas.  
17 There's a place where dogs can rest and whatnot.

18 Moreover, I said everything is pick up  
19 and drop off, but if you want to hang out and look  
20 at your dog, the manner by which we've designed the  
21 interior space is that there are viewing corridors.

22 So you can walk down and see your dog  
23 at all the different stations that are within  
24 Hounds Town. The reason it's called town is  
25 because they designed it with a fire station, a

1 barber shop, a library. They make it look rather  
2 cute, and there are lots of toys and whatnot for  
3 the dogs to play.

4 The dogs are also fed. If you have any  
5 special dietary restrictions you want to give us,  
6 certain food for your dog, we'll do that as well.

7 Moreover, on top of the trained staff,  
8 we have video surveillance throughout the entire  
9 building. So the site is always monitored. As  
10 Ms. Guillen explained to me, it's very, very rare  
11 that you're going to see a dog suddenly have a  
12 medical issue.

13 They will exhibit certain behavior,  
14 behavior that perhaps, I'm not trained to  
15 recognize, but that Maria and the Hounds Town crew  
16 are trained to recognize by virtue of their  
17 specific training.

18 COUNCILMAN IMBROTO: And the staff are  
19 present 24 hours when they're boarding?

20 MR. ABBATE: No. No. They're --  
21 they're there during the hours. It's the industry  
22 standard, even with the bigger, bigger chains, that  
23 there is not someone overnight, but again, there's  
24 video monitoring, and the dogs, at that time, are  
25 in enclosures.

1           Those enclosures, by the way, are PVC.  
2           There's no steel, no iron bars, no chicken wire, or  
3           anything of that nature, and we monitor that via  
4           that surveillance.

5           SUPERVISOR SALADINO: Can you tell us  
6           who is monitoring that during the 24 hours,  
7           especially during those off hours? How often is it  
8           watched? What kind of technology do they use?

9           MR. ABBATE: Well, it's camera  
10          technology that's fed directly into the home,  
11          either on the laptop or on the Smart phone device  
12          or your tablet, and there's a schedule that they  
13          set up amongst the employees. Generally amongst  
14          the proprietors, to monitor it for certain periods  
15          of time.

16          SUPERVISOR SALADINO: What about the  
17          owners, are they allowed to watch their dogs or  
18          check in on their animals?

19          MR. ABBATE: No. No, we don't do that.

20          It's funny, I inquired about that at  
21          PetSmart and they don't do that either. So  
22          basically we're following the industry standard  
23          along those lines.

24          COUNCILMAN IMBROTO: When the animals  
25          are in a common area, there's always trained staff

1 present?

2 MR. ABBATE: Oh, yes, and during peak  
3 period.

4 COUNCILMAN MUSCARELLA: What's the  
5 ratio between staff and the animals that are there?

6 MR. ABBATE: Well, at a peak period, if  
7 we have 42 dogs, we've got 12 employees as opposed  
8 to those nice young men, I can't do math. What's  
9 that ratio? I know I'm not going to get a  
10 Certificate of Merit. I've given up on that dream.

11 COUNCILWOMAN JOHNSON: We've heard a  
12 lot of the positives.

13 Are there, in any of the other Hounds  
14 Towns that you have, any outstanding violations  
15 that we should be aware of, code violation with any  
16 of the other towns?

17 MR. ABBATE: No, none whatsoever.

18 In fact, I asked Mrs. Guillen that  
19 question. As I said, she's been operating the  
20 Farmingdale location for several years now, not  
21 only without any violations, but without incident.  
22 So, they are doing a thriving business and that's  
23 the reason they want to come to the Town of Oyster  
24 Bay. There is a demonstrably need, but I think we  
25 all take that -- yes.

1 COUNCILMAN MACAGNONE: 42 dogs, that's  
2 a lot of waste.

3 What is the procedure for the waste?

4 MR. ABBATE: Okay. None of the waste  
5 goes, you know, directly outside. It is all  
6 bagged. It's all put in bags and it is all put in  
7 a refuse enclosure. We don't put anything right  
8 into the, you know, ground or to the sewers or  
9 anything like that. It's all bagged, every bit of  
10 it. And we can control that because this is solely  
11 an indoor operation without any outdoor component.

12 COUNCILMAN LABRIOLA: Mr. Abbate?

13 MR. ABBATE: Yes.

14 COUNCILMAN LABRIOLA: I was looking at  
15 your site plan and I saw that you have some kind of  
16 a sound protection barrier in there?

17 MR. ABBATE: We do.

18 So, you know, under the Fire Code, I  
19 believe you have to have three-quarters-inch  
20 sheetrock. We have double three-quarters in  
21 sheetrock.

22 COUNCILMAN MACAGNONE: It's  
23 five-eighths.

24 MR. ABBATE: Five-eighths.

25 COUNCILMAN MACAGNONE: It's

1 five-eighths. Commissioner, correct me if I'm  
2 wrong, it should be double five-eighths.

3 COMMISSIONER MACCARONE: I'm not quite  
4 sure of that.

5 COUNCILMAN MACAGNONE: Okay. But  
6 standard would be double five-eighths on a demising  
7 wall.

8 MR. ABBATE: For fire?

9 COUNCILMAN MACAGNONE: Yes.

10 MR. ABBATE: Okay. I think that's what  
11 we have, then. I was told double.

12 SUPERVISOR SALADINO: You're listed --

13 COMMISSIONER MACCARONE: I have a --

14 MR. ABBATE: She has -- from the  
15 architect.

16 SUPERVISOR SALADINO: You're listed in  
17 your --

18 (Multiple crosstalk.)

19 MR. ABBATE: And, by the way, this  
20 application is also for site plan approval, so  
21 we -- everything we have submitted, including  
22 architectural, show all those details up to the  
23 New York State Building Code and Local Code as  
24 well.

25 SUPERVISOR SALADINO: You're listed in

1 your presentation as stating that this 24-hour  
2 surveillance includes fire suppression system?

3 MR. ABBATE: Oh, yes.

4 SUPERVISOR SALADINO: Police and fire  
5 department alarms?

6 MR. ABBATE: Fire, smoke alarm, burglar  
7 alarm, yeah, we're fully wired.

8 SUPERVISOR SALADINO: Do you have a  
9 system with a backup that will be dependable at all  
10 times? These are dogs, animals lives on the line  
11 here.

12 MR. ABBATE: Generator backup. Right,  
13 so it's not solely responsible in having an  
14 electric feed to the site. We have generator  
15 backup on site.

16 SUPERVISOR SALADINO: You do.

17 MR. ABBATE: For all of our alarms and  
18 for our video equipment.

19 SUPERVISOR SALADINO: In terms of the  
20 safety to the animals, do you screen prospective  
21 employees against things like the New York State  
22 Animal Abuser Registry and other methods of  
23 screening?

24 MR. ABBATE: Absolutely.

25 The training doesn't come from Maria.

1 The training comes from Hounds Town USA, so any  
2 prospective employee must go through that training  
3 regimen from Hounds Town, and they do the checks as  
4 well.

5 SUPERVISOR SALADINO: They do. So --

6 MR. ABBATE: We do. And then you have  
7 to -- as I said, do the medical test, the test with  
8 the animals itself -- themselves, rather, so we're  
9 very, very particular about it. If we weren't, we  
10 wouldn't be a success. You know, if we  
11 willy-nilly, you know, took anybody off the street,  
12 me, to take care your dog, they wouldn't be well  
13 cared for. So that's why Hounds Town has been a  
14 success, why Mike Gould, former officer, was able  
15 to establish these, and is doing so in a very  
16 successful manner and he's lucky to have women like  
17 Maria being his franchisee.

18 Any other questions?

19 COUNCILMAN HAND: Yeah, real quick.

20 Do they have a veterinarian on call.

21 MR. ABBATE: Why don't you come up,  
22 Maria?

23 This is Maria Guillen, Franchisee of  
24 Farmingdale and the proposed franchisee in  
25 Hicksville.



1 MS. GUILLEN: We build a relationship.

2 The one in Farmingdale, we have a  
3 24-hour vet that we work with all the time, so  
4 they're like five minutes away. I just have to  
5 find one closer to the Hicksville location that's  
6 24 hours.

7 COUNCILWOMAN JOHNSON: I think there's  
8 one right on Brush Hollow Road.

9 MS. GUILLEN: Okay.

10 COUNCILMAN MACAGNONE: Yes, there is.

11 MR. ABBATE: Is that a plug?

12 COUNCILWOMAN JOHNSON: No, I --

13 COUNCILMAN MACAGNONE: No, I have also.

14 MS. GUILLEN: Yeah, so I want to get  
15 one closer to this facility where we have one in  
16 Farmingdale that's a couple of minutes away.

17 COUNCILMAN LABRIOLA: Can you just  
18 speak more a little -- a little more about the  
19 partnership you're talking about with our animal  
20 shelter?

21 MS. GUILLEN: Sure.

22 We do it at Farmingdale a lot with  
23 rescues. They'll call us saying they pulled some  
24 dogs -- well, they pull dogs from mills, dog mills,  
25 and they have nowhere to put them, and they'll call

1 up, can we bring in a girl or boy or whatever and,  
2 you know, board them there for a while until they  
3 get a foster available?

4 So we work with them, we give them a  
5 reduced rate, and we take them in. We just had the  
6 dog that was abused in the McDonald's parking lot.  
7 I don't know if everybody seen that a couple of  
8 months ago. The -- I guess she was court  
9 advocate -- or an advocate for the dog through the  
10 court, and wound up contacting us and we had her  
11 for three months.

12 We had to keep it quiet because the  
13 owner still owned, technically, the dog, and then  
14 he was just -- he just surrendered her. So now  
15 that she moved on to a trainer upstate, so we  
16 just -- I had to let her go after three months, but  
17 yeah, she was with us for three months. We gave  
18 her a very reduced rate. So we'll do that with the  
19 shelters as well.

20 COUNCILMAN LABRIOLA: Well, thank you.

21 Is this facility going to be very  
22 similar to the Farmingdale facility?

23 MS. GUILLEN: They're all run the same  
24 way. Everything under the Hounds Town umbrella,  
25 they come in and they look and make sure that we

1 have -- everything is pretty much the same. The  
2 layout may be a little different, but it's all run  
3 the same way.

4 COUNCILMAN LABRIOLA: Well, I'm  
5 familiar with the Farmingdale facility because I  
6 have a grand pup there named Bocci Labriola. He's  
7 a Yorkie.

8 MS. GUILLEN: We saw the name and said,  
9 I wonder if Bocci.

10 COUNCILMAN LABRIOLA: Yeah, he's a very  
11 special dog.

12 MS. GUILLEN: Yes, we know Bocci.

13 COUNCILMAN LABRIOLA: He's high strung,  
14 but he loves the socialization. I will tell you,  
15 that aspect of it is really terrific, it really is.  
16 I have no complaints. It's my daughter's anyway.

17 MR. ABBATE: I just like the dog's name  
18 is Bocci.

19 MS. GUILLEN: We have a couple Bocci's  
20 actually.

21 COUNCILMAN LABRIOLA: Thank you.

22 MR. ABBATE: All right.

23 Any other questions of me or  
24 Mrs. Guillen?

25 COUNCILWOMAN JOHNSON: Are these some

1 of your employees behind you?

2 MS. GUILLEN: Yeah, that's my two  
3 managers, my one partner, Candace, my granddaughter  
4 helps out as well, and my husband.

5 COUNCILWOMAN JOHNSON: Thank you.

6 MR. ABBATE: That concludes our  
7 presentation.

8 Thank you very much.

9 MS. GUILLEN: Thank you.

10 SUPERVISOR SALADINO: Thank you.

11 (Applause.)

12 SUPERVISOR SALADINO: I have no slips  
13 that I see reflecting this, but would anyone in  
14 audience like to be heard on this application?

15 Please, would you kindly start off by  
16 stating your name and address for the record?

17 MR. NEWHOUSE: Sure.

18 Ned Newhouse, 362 Barrow Court,  
19 Woodbury, New York.

20 You asked a great question and I don't  
21 think it was answered. Since there's no one going  
22 to be there during the nighttime, you asked about  
23 fire suppression, so that wasn't answered. They  
24 said they had fire and smoke alarms, but that could  
25 be awfully ugly if there's no sprinkler system or

1 any system --

2 SUPERVISOR SALADINO: I understand.  
3 That's exactly why I asked the question.

4 MR. NEWHOUSE: It wasn't answered, if  
5 you don't mind me saying so.

6 SUPERVISOR SALADINO: So I will ask the  
7 Commissioner to, as we go through this process,  
8 depending on the outcome, to keep that note in the  
9 file to ensure that if, in fact, they are granted,  
10 that that's something that must be mandated and  
11 that we will check on it, as you do for all of  
12 these applications.

13 Is there anyone else who would like to  
14 be heard on this hearing?

15 COUNCILMAN MACAGNONE: I have one  
16 question.

17 Do you have any dog trainers or  
18 classes?

19 MS. GUILLEN: Currently, any training  
20 is done by Mike Gould himself at the Ronkonkoma  
21 facility, but he plans on setting up a training  
22 session with new -- well, not new employees, older  
23 employees, say, have been with us for a while and  
24 he would like to train them the way he trains the  
25 dogs.

1 COUNCILMAN MACAGNONE: Thank you.

2 MS. GUILLEN: You're welcome.

3 SUPERVISOR SALADINO: Anyone else who  
4 would like to be heard on this?

5 (No verbal response given.)

6 SUPERVISOR SALADINO: Please let the  
7 record reflect that no one has indicated they would  
8 like to be heard.

9 Do we have our correspondence on this,  
10 please?

11 MR. ALTADONNA: Chief Dog, Inc., the  
12 attorney for the applicant has filed his Affidavit  
13 of Service and Disclosure.

14 The communications are as follows: We  
15 have memos from the Department of Planning and  
16 Development. As per present review procedure, the  
17 required off-street parking for this application  
18 requires a total of 61 parking spaces. The site  
19 plan submitted depicts a total of 62 parking  
20 spaces.

21 The Nassau County Land and Tax Map  
22 indicates the property is Section 46, Block 629,  
23 Lot 67.

24 According to the Town of Oyster Bay  
25 Zoning Maps, the property is located within the LI,

1 Light Industrial zone. There are no open code  
2 compliance cases on the subject premise; however,  
3 there is a Town Board Resolution and a variance  
4 decision on file.

5 There is no further correspondence.

6 SUPERVISOR SALADINO: Thank you.

7 May I please have a motion?

8 COUNCILMAN MUSCARELLA: Supervisor,  
9 I'll make a motion that this public hearing be  
10 closed and the decision be reserved.

11 COUNCILMAN MACAGNONE: Second.

12 SUPERVISOR SALADINO: All in favor,  
13 please signify by saying "Aye."

14 ALL: "Aye."

15 SUPERVISOR SALADINO: Those opposed,  
16 "Nay."

17 (No verbal response given.)

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

20 (TIME NOTED: 7:56 P.M.)

21

22

23

24

25

TOWN BOARD  
TOWN OF OYSTER BAY  
ACTION CALENDAR  
MARCH 26, 2019  
7:57 P.M.

**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  
COUNCILWOMAN MICHELE M. JOHNSON  
COUNCILMAN LOUIS B. IMBROTO  
COUNCILMAN THOMAS HAND  
COUNCILMAN STEVEN L. LABRIOLA

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: Okay. The Clerk  
2 will now call the regular Action Calendar.

3 MR. ALTADONNA: May I have a motion to  
4 suspend the rules and add Resolution No. 216? And  
5 this is just to add it to the regular Action  
6 Calendar.

7 **RESOLUTION NO. 216-2019;** Resolution  
8 authorizing retention of Special Counsel to the  
9 Town Attorney in connection with *Town of Oyster Bay*  
10 *v. Laser Properties West, LLC* relative to property  
11 known as Old Bethpage Solid Waste Disposal Complex.  
12 (M.D. 3/19/19 #21).

13 On the motion?

14 COUNCILMAN MUSCARELLA: So moved.

15 COUNCILMAN MACAGNONE: Second.

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

19 On the vote:

20 Supervisor Saladino?

21 SUPERVISOR SALADINO: "Aye."

22 MR. ALTADONNA: Councilman Muscarella?

23 COUNCILMAN MUSCARELLA: "Aye."

24 MR. ALTADONNA: Councilman Macagnone?

25 COUNCILMAN MACAGNONE: "Aye."

1 MR. ALTADONNA: Councilwoman Johnson?

2 COUNCILWOMAN JOHNSON: "Aye."

3 MR. ALTADONNA: Councilman Imbroto?

4 COUNCILMAN IMBROTO: "Aye."

5 MR. ALTADONNA: Councilman Hand?

6 COUNCILMAN HAND: "Aye."

7 MR. ALTADONNA: Councilman Labriola?

8 COUNCILMAN LABRIOLA: "Aye."

9 MR. ALTADONNA: Motion to suspend the  
10 rules and add Resolution No. 216 passes with seven  
11 "Ayes."

12 May I have motion to resuspend the  
13 rules and add the following resolution, Walk-On  
14 Resolution No. 217, which is a resolution:

15 "WHEREAS, there exist certain firms  
16 that facilitate the Town's ability to conduct more  
17 detailed disclosure due diligence, including the  
18 standardization of gathered information regarding  
19 bidders, vendors, contractors, etc., along with  
20 contracts and agreements submitted by them; and

21 "WHEREAS, these firms utilize  
22 proprietary methods and procedures to perform their  
23 services, and therefore, seek to protect the same  
24 by entering into typical and customary  
25 nondisclosure agreements with prospective clients

1 before making any presentation of such services;  
2 and

3 "WHEREAS, Brian Noone, Inspector  
4 General, by memorandum Dated March 26, 2019, has  
5 requested the authority to enter into such  
6 nondisclosure agreements after review and approval  
7 by the Town Attorney, in order to meet and  
8 negotiate with potential firms; and

9 "WHEREAS, there will be no cost to the  
10 Town in furtherance of this endeavor,

11 "NOW, THEREFORE BE IT RESOLVED, that  
12 the recommendations as herein above set forth is  
13 accepted and approved and the Town Board must grant  
14 the Inspector General the authority to enter into  
15 nondisclosure agreements after review and approval  
16 of the Office of the Town Attorney in order to meet  
17 and negotiate with potential firms."

18 On the motion?

19 COUNCILMAN MUSCARELLA: So moved.

20 COUNCILMAN MACAGNONE: Second.

21 MR. ALTADONNA: Motion made by  
22 Councilman Muscarella, seconded by Councilman  
23 Macagnone.

24 On the vote:

25 Supervisor Saladino?

1 SUPERVISOR SALADINO: "Aye."

2 MR. ALTADONNA: Councilman Muscarella?

3 COUNCILMAN MUSCARELLA: "Aye."

4 MR. ALTADONNA: Councilman Macagnone?

5 COUNCILMAN MACAGNONE: No.

6 MR. ALTADONNA: Councilwoman Johnson?

7 COUNCILWOMAN JOHNSON: "Aye."

8 MR. ALTADONNA: Councilman Imbroto?

9 COUNCILMAN IMBROTO: "Aye."

10 MR. ALTADONNA: Councilman Hand?

11 COUNCILMAN HAND: "Aye."

12 MR. ALTADONNA: Councilman Labriola?

13 COUNCILMAN LABRIOLA: "Aye."

14 MR. ALTADONNA: Motion to resuspend the  
15 rules and add Resolution No. 217 passes with six  
16 "Ayes" and one "Nay."

17 Now, we'll go to the regular Action  
18 Calendar.

19 SUPERVISOR SALADINO: Before we proceed  
20 with that vote, I'm going to ask one of our Town  
21 Attorneys to step forward for the purposes of a  
22 public explanation of the vote we just took and  
23 what that Reso represents.

24 COUNCILMAN MACAGNONE: Maybe we should  
25 have had them before we took that vote.

1 COUNCILMAN MUSCARELLA: It's just to  
2 bring it on --

3 SUPERVISOR SALADINO: That was just to  
4 bring on to discuss it.

5 COUNCILMAN MUSCARELLA: We haven't  
6 voted on it.

7 SUPERVISOR SALADINO: Could you step  
8 forward, please?

9 Thank you.

10 MR. SCALERA: Good evening, Supervisor,  
11 Town Board.

12 Speaking with the Inspector General,  
13 Brian Noone, he was -- we were brainstorming and,  
14 obviously, trying to always, always improve  
15 disclosure requirements for companies, vendors,  
16 bidders, anybody who makes proposals to the Town,  
17 in our daily operations.

18 He had mentioned to me, this is  
19 Mr. Noone, the Inspector General, that there are  
20 several firms out there that he'd like to speak to  
21 that have certain services that can really dig deep  
22 and review our own disclosure --

23 SUPERVISOR SALADINO: Assist his  
24 operations --

25 MR. SCALERA: Correct, our own

1 disclosure.

2 SUPERVISOR SALADINO: -- and the  
3 methodology that you set out to perform here?

4 MR. SCALERA: Right.

5 Our own disclosure questionnaires, and  
6 it would be an extra layer of disclosure and due  
7 diligence on everyone that does business with Town  
8 that -- with -- their companies, their principles,  
9 and even their -- the contracts they submit.

10 These firms, unfortunately, have  
11 confidential and proprietary information in the  
12 methods in which they use, so you're kind of stuck  
13 in a Catch 22. You can't speak to them unless  
14 there's a nondisclosure, so this is basically only  
15 a first step to allow the Inspector General to  
16 enter into your typical nondisclosure,  
17 confidentiality agreement; meaning, that anything  
18 that he, the Inspector General, learns from the  
19 company, he cannot disseminate.

20 That why the Resolution said there's  
21 no -- there's no cost to the Town because no  
22 contract is being entered into. It's just a way to  
23 negotiate and to meet these types of firms and  
24 we'll see if they can, indeed, offer that extra  
25 layer to us.

1 SUPERVISOR SALADINO: Thank you.

2 MR. SCALERA: That's basically it.

3 SUPERVISOR SALADINO: Thank you.

4 Please proceed.

5 MR. ALTADONNA: May I have a motion to

6 adopt Resolutions No. P-13-19 [sic] through

7 Resolution No. 217?

8 **PERSONNEL RESOLUTION NO. P-6-19;**

9 Resolution pertaining to personnel of various  
10 departments within the Town of Oyster Bay.

11 **TRANSFER OF FUNDS RESOLUTION NO.**

12 **TF-6-19;** Resolution pertaining to Transfer of Funds  
13 within various departments accounts for the Year  
14 2019.

15 **RESOLUTION NO. 194-2019;** Resolution  
16 authorizing the 2019 Dune Stabilization Program at  
17 Tobay Beach in cooperation with the Parks  
18 Department on March 30, 2019 and to purchase food  
19 and supplies for said program. Account No. DER A  
20 8090 47680 000 0000. (M.D. 3/5/19 #12).

21 **RESOLUTION NO. 195-2019;** Resolution  
22 authorizing employment of the services of various  
23 performers and caterers for GAP Program  
24 participants and for the Supervisor or his designee  
25 to execute agreements, which will be paid for by

1 *Friends of the Community Services Dept., Inc.* (M.D.  
2 3/12/19 #5).

3 **RESOLUTION NO. 196-2019;** Resolution  
4 authorizing employment of the services of various  
5 performers to provide entertainment for GAP Program  
6 participants and for the Supervisor or his designee  
7 to execute agreements. Account No. CYS A 7020 47660  
8 000 0000. (M.D. 3/12/19 #6).

9 **RESOLUTION NO. 197-2019;** Resolution  
10 authorizing Rejection of Bid Proposal SE002-19,  
11 Recycling Services for the Town of Oyster Bay.  
12 (M.D. 3/12/19 #13).

13 **RESOLUTION NO. 198-2019;** Resolution  
14 designating those persons required to file annual  
15 statements of financial disclosure for the year  
16 ended December 31, 2018. (M.D. 3/12/19 #16).

17 **RESOLUTION NO. 199-2019;** Resolution  
18 pertaining to Contract No. PWC27-18, On-Call  
19 Technical Assistance relative to Groundwater  
20 Monitoring for the Old Bethpage Landfill. Account  
21 No. DER SR05 8160 44800 000 0000. (M.D. 3/12/19  
22 #19).

23 **RESOLUTION NO. 200-2019;** Resolution  
24 pertaining to Contract No. PWC29-18, On-Call  
25 Technical Assistance relative to Oversight of



1 Old Bethpage Landfill Monitoring Programs. Account  
2 No. DER SR05 8160 44800 000 0000. (M.D. 3/12/19  
3 #20).

4 **RESOLUTION NO. 201-2019;** Resolution  
5 pertaining to Contract No. PWC28-18, On-Call  
6 Engineering Services relative to Air Monitoring for  
7 the Old Bethpage Landfill. Account No. DER SR05  
8 8160 44800 000 0000. (M.D. 3/12/19 #21).

9 **RESOLUTION NO. 202-2019;** Resolution  
10 pertaining to Contract No. PWC17-18, On-Call  
11 Engineering Services relative to Laboratory  
12 Analysis of air and groundwater samples from the  
13 Old Bethpage Landfill. Account No. DER SR05 8160  
14 44800 000 0000. (M.D. 3/12/19 #22).

15 **RESOLUTION NO. 203-2019;** Resolution  
16 authorizing bid and construction phases of  
17 Requirements Contract No. PRE19-194, Department of  
18 Parks Electrical Services throughout the Town of  
19 Oyster Bay. (M.D. 3/12/19 #24).

20 **RESOLUTION NO. 204-2019;** Resolution  
21 pertaining to Contract No. PWC31-18, On-Call  
22 Engineering Services relative to Operation and  
23 Development of the Old Bethpage Solid Waste  
24 Complex. Account No. DER SR05 8160 44800 000 0000.  
25 (M.D. 3/12/19 #26).

1                   **RESOLUTION NO. 205-2019;** Resolution  
2                   authorizing the Supervisor or his designee to  
3                   execute an *Access Agreement* with the U.S.  
4                   Department of Navy for *Installation of Vertical*  
5                   *Profile Borings and Groundwater Monitoring Wells* in  
6                   Bethpage, New York. (M.D. 3/12/19 #27).

7                   **RESOLUTION NO. 206-2019;** Resolution  
8                   granting request from the Incorporated Village of  
9                   Massapequa Park for the use of one roll-off  
10                  container from June 28, 2019 through July 1, 2019  
11                  for their *Breakfast in the Park* event. (M.D.  
12                  3/12/19 #28).

13                  **RESOLUTION NO. 207-2019;** Resolution  
14                  authorizing renewal of membership in the New York  
15                  State Association for the Solid Waste Management  
16                  Membership 2019. Account No. DER SR05 8160 47900  
17                  000 0000. (M.D. 3/12/19 #29).

18                  **RESOLUTION NO. 208-2019;** Resolution  
19                  pertaining to Contract No. PWC08-18, On-Call  
20                  Engineering Services relative to Mechanical  
21                  Engineering for floating dock systems at the Oyster  
22                  Bay Western Waterfront fishing pier. Account No.  
23                  PKS H 7197 20000 000 1102 001. (M.D. 3/5/19 #10).

24                  **RESOLUTION NO. 209-2019;** Resolution  
25                  authorizing an Inter-Municipal Agreement with the

1 Jericho School District under which the Town will  
2 supply sand and salt to said District from  
3 November 15, 2018 through April 30, 2019. (M.D.  
4 3/12/19 #31).

5 **RESOLUTION NO. 210-2019;** Resolution  
6 authorizing the implementation of the 2019 Summer  
7 Beach Ramp and Joseph J. Saladino Memorial Marina  
8 at Tobay Operation and Fee Schedule. (M.D. 3/12/19  
9 #32).

10 **RESOLUTION NO. 211-2019;** Resolution  
11 authorizing a one-year extension of an agreement to  
12 provide youth science enrichment and similar camp  
13 programs from July 1, 2019 through June 30, 2020  
14 Zoda, LLC d/b/a Mad Science of Long Island. (M.D.  
15 3/12/19 #33).

16 **RESOLUTION NO. 212-2019;** Resolution  
17 authorizing a one-year extension of an agreement to  
18 provide youth science enrichment and similar camp  
19 programs from July 1, 2019 through June 30, 2020  
20 RL Entertainment, LLC d/b/a Bricks 4 Kidz. (M.D.  
21 3/12/19 #34).

22 **RESOLUTION NO. 213-2019;** Resolution  
23 granting request from AR Helping Hands Foundation  
24 for Town assistance in conducting their annual  
25 Valsakhi Indian Festival on May 19, 2019, to use

1 Municipal Parking Field H-11 for the event. (M.D.  
2 3/12/19 #35).

3 **RESOLUTION NO. 214-2019;** Resolution  
4 authorizing award of Contract No. DP18-182,  
5 replacement of two synthetic fields at John J.  
6 Burns Park and Cpl. Kevin T. Kolm Memorial Park.  
7 Account No. PKS H 7197 20000 000 1902 001. (M.D.  
8 3/12/19 #25 & 3/19/19 #19).

9 **RESOLUTION NO. 215-2019;** Resolution  
10 granting request from the Incorporated Village of  
11 Massapequa Park, for the use of one roll-off  
12 container from July 2, 2019 to July 8, 2019, for  
13 their fireworks event. (M.D. 3/5/19 #9).

14 **RESOLUTION NO. 216-2019;** Resolution  
15 authorizing retention of Special Counsel to the  
16 Town Attorney in connection with *Town of Oyster Bay*  
17 *v. Laser Properties West, LLC* relative to property  
18 known as Old Bethpage Solid Waste Disposal Complex.  
19 (M.D. 3/19/19 #21).

20 **RESOLUTION NO. 217-2019:**

21 WHEREAS, there exist certain firms that  
22 facilitate the Town's ability to conduct more  
23 detailed disclosure due diligence, including the  
24 standardization of gathered information regarding  
25 bidders, vendors, contractors, etc., along with

1 contracts and agreements submitted by them; and

2 WHEREAS, these firms utilize  
3 proprietary methods and procedures to perform their  
4 services, and therefore, seek to protect the same  
5 by entering into typical and customary  
6 nondisclosure agreements with prospective clients  
7 before making any presentation of such services;  
8 and

9 WHEREAS, Brian Noone, Inspector  
10 General, by memorandum dated March 26th 2019, has  
11 requested the authority to enter into such  
12 non-disclosure agreements after review and approval  
13 by the Town Attorney, in order to meet and  
14 negotiate with potential firms; and

15 WHEREAS, there will be no cost to the  
16 Town in furtherance of this endeavor,

17 NOW, THEREFORE BE IT RESOLVED, that the  
18 recommendations as herein above set forth is  
19 accepted and approved and the Town Board must grant  
20 the Inspector General the authority to enter into  
21 non-disclosure agreements after review and approval  
22 of the Office of the Town Attorney in order to meet  
23 and negotiate with potential firms.

24 On the vote?

25 COUNCILMAN MUSCARELLA: So moved.

1 COUNCILMAN MACAGNONE: Second.

2 MR. ALTADONNA: Motion made by  
3 Councilman Muscarella, seconded by Councilman  
4 Macagnone.

5 I believe you have speakers.

6 SUPERVISOR SALADINO: Our first speaker  
7 on the Resolutions will be Ned Newhouse.

8 MR. NEWHOUSE: Good evening again.

9 Ned Newhouse, 362 Barrow Court,  
10 Woodbury, New York.

11 I'm speaking about all the Resolutions  
12 on the calendar at this time, correct?

13 COUNCILMAN MUSCARELLA: Yes, you are.

14 MR. NEWHOUSE: Thank you.

15 I guess I'll go in order.

16 In today's mail, I received an 11 x 17  
17 four-color flyer for the camp. While camp is a  
18 great idea and I think it's wonderful for our  
19 community to have it, I looked at the numbers and  
20 this mailer, I estimate, costs in excess of  
21 \$40,000.

22 COUNCILMAN IMBROTO: Which resolution  
23 is this on?

24 MR. NEWHOUSE: This is 210. It's about  
25 the camp. Spending -- to allow -- to renew the

1 contract with the existing vendor.

2 I'm concerned that, unless I'm wrong, I  
3 hope I'm not -- I hope I am, actually.

4 COUNCILMAN MACAGNONE: 210 is about a  
5 beach ramp.

6 MR. NEWHOUSE: But it says at the  
7 bottom, that it's also about the camp.

8 Do I -- am I misquoting the number.

9 COUNCILMAN IMBROTO: No. I think you're  
10 reading the word "ramp."

11 COUNCILMAN MACAGNONE: Yeah, it's ramp.

12 MR. NEWHOUSE: There isn't one to renew  
13 the camp?

14 SUPERVISOR SALADINO: Ramp with an R,  
15 not camp with a C.

16 MR. NEWHOUSE: I get that.

17 COUNCILMAN MUSCARELLA: I think it's  
18 211.

19 MR. NEWHOUSE: 211, pardon me. I was  
20 off by one. 211, excuse me.

21 So it's going to, again, what I saw in  
22 the backup information was that the Town got  
23 \$6,693, and we're spending in excess of \$45,000 to  
24 promote it.

25 The average amount of campers you get

1 per week is 15. Is this the best use of our money?  
2 That says right here, there's the numbers, total  
3 registrations. I think there might be other ways  
4 to promote this camp.

5 Regarding 197, recycling; we've asked  
6 for bids on -- you asked, you folks asked for bids  
7 on November 19, 2018, and this is for recycling.

8 And we've -- at this time, according to  
9 John Tassone, the Deputy Commissioner of Public  
10 Works, we've rejected all bids, which means that I  
11 guess we're going to continue to send all our  
12 recycling to the Town of Hempstead and not yield  
13 any money from that and have the expense of sending  
14 it to them.

15 What is our recycling plan?

16 SUPERVISOR SALADINO: Why don't you  
17 finish with your questions and take a seat? Just  
18 as everybody else does, and we'll go through --

19 MR. NEWHOUSE: Okay. I have more --

20 SUPERVISOR SALADINO: -- and give you  
21 and give all of the public information and updates  
22 on our recycling and what we're doing and what this  
23 is all about.

24 MR. NEWHOUSE: Aren't we continuing --  
25 aren't we sending all our recycling to the Town of



1 Hempstead?

2 SUPERVISOR SALADINO: Again, I'll wait  
3 until you finish with all of your questions, you  
4 have a number of them as you go down the list, and  
5 then I'll ask you to please take your seat and  
6 we'll address this information to inform the  
7 public.

8 MR. NEWHOUSE: Excellent. Very well.

9 SUPERVISOR SALADINO: Thanks.

10 MR. NEWHOUSE: Okay. I wanted to --  
11 forgive me. Okay.

12 Dune stabilization, No. 194, I  
13 understand you'd like to spend \$5,000 on fruit,  
14 supplies, and groceries, items for the people. I  
15 think this is a fabulous program. Whatever we can  
16 do to stabilize our beaches and reduce erosion is a  
17 no-brainer, I get that, but yet you ask to spend  
18 \$5,000 for that, but we spend another \$20,000 on a  
19 postcard for everyone, 90,000 people need to get  
20 this.

21 Aren't there better ways to spend our  
22 money while we have -- whatever the number is,  
23 \$650 million of debt. This infuriates me as a  
24 taxpayer and I think we could do better.

25 How about a quarterly mailer instead?

1 I've gotten four mailers in the last month. That's  
2 over 200 grand. We can do better than that and I  
3 hope you'll really take that to heart.

4 (Applause.)

5 MR. NEWHOUSE: Thank you.

6 SUPERVISOR SALADINO: Ladies and  
7 gentlemen, this issue has come up from time to  
8 time, and it's important for everyone to realize  
9 the importance of communication in this Town.

10 The prior administration was criticized  
11 for not communicating enough with the residents  
12 about government finances and all the programs that  
13 we have to offer.

14 From the day I started, it was  
15 important, and we all know it was important to  
16 increase transparency, better communication, and  
17 that's -- and we offer hundreds of programs.

18 And that's why we have improved the  
19 ways we communicate online -- thank you -- online,  
20 on the Town's website.

21 As a matter of fact, we have -- good  
22 government groups have assessed our work and have  
23 given us awards in the last two years for increase  
24 in transparency inclusiveness.

25 I also recognize that not everyone goes

1 online. I travel to many events, meet with many  
2 residents on a daily basis. When I'm meeting with  
3 seniors, I ask the question, how many people have  
4 visited the Town's website, how many people go  
5 online. It's less than 20 percent, on average, and  
6 they tell us thank you for that information, or  
7 they have questions.

8 In this Town, we respect everyone's  
9 rights, everyone's opinions, and everyone's  
10 interaction. And one of the ways to do that is to  
11 communicate in many ways. We're evolving our  
12 digital communications, and quite frankly, our  
13 website is the best it has ever been.

14 Our programs are very thorough from  
15 grieving your tax assessment to volunteering at  
16 your local fire department to helping The Safe  
17 Center for the victims of domestic violence.  
18 Signing up for senior housing opportunities, senior  
19 repairs on their homes, as well as recreational and  
20 athletic and youth programs, programs for the  
21 developmentally disabled, and we communicate it  
22 all.

23 And we use every opportunity, including  
24 reaching out to the media and sending e-mails and  
25 making sure we're doing everything to communicate

1 all of our programs.

2 We offer many free events, from the car  
3 show to the waterfront festival, movies in the  
4 park, our free Summer concert series, and the  
5 residents appreciate it and they've let us know  
6 that. So we continue to use every means just like  
7 every other municipality on Long Island and  
8 throughout the state. And I think we're doing a  
9 better job than the vast majority of them in terms  
10 of our online presence.

11 We're working to protect our  
12 environment and the shoreline, which is something  
13 that's very important to this administration and to  
14 this Town Board. And our programs like Dune Day,  
15 the harbor cleanups, the homeowner waste disposal  
16 program, all of the many programs that we have are  
17 very important to our residents and we're going to  
18 continue to work hard in every way possible from  
19 word of mouth to mail to digital to attracting  
20 people to our website.

21 Not all of our residents have e-mail  
22 and the senior citizen population, just like  
23 everyone, deserves equality and respect, so we're  
24 going to continue to work to do the best job  
25 possible to keep our residents informed of what the

1 goings on are and listen to them, and that's really  
2 made a tremendous difference in turning this Town  
3 around.

4 In terms of recycling, I'm going to ask  
5 our Commissioner of DPW to please step forward so  
6 we can talk about the many aspects of our recycling  
7 program that the Town's presented.

8 COUNCILMAN MACAGNONE: Supervisor, you  
9 mentioned the solid waste day. I know it's  
10 May 18th. It happens to coincide with the PGA  
11 Championship at Bethpage.

12 Are we changing that day, and if so,  
13 are you going to send out a mailer?

14 SUPERVISOR SALADINO: I'm conferring  
15 with the office to figure out the best approach,  
16 and we are working with Public Safety, as well as  
17 the police department and the PGA people as well as  
18 the folks at Bethpage State Park.

19 COUNCILMAN IMBROTO: Supervisor, before  
20 I move on to recycling, I think it's important to  
21 point out that these programs that you're  
22 describing, a lot of them are free of charge or  
23 meant to be affordable so that people have  
24 something -- people who can't afford an expensive  
25 Summer camp or something like that can have a free

1 or affordable entertainment option.

2 It's not something that we do to make  
3 money. And to say that we're not making enough  
4 money off our Summer camp, I think is a little  
5 misguided.

6 COUNCILMAN MACAGNONE: Honestly, I was  
7 one of the kids that went to the Summer camps  
8 because we didn't have enough money and it was a  
9 great time.

10 SUPERVISOR SALADINO: You grew up to be  
11 an upstanding citizen who's serving on our Town  
12 Board.

13 COUNCILMAN IMBROTO: Some would say.

14 COUNCILWOMAN JOHNSON: Who's really  
15 good at mini golf. I would just like to hear from  
16 the Commissioner, is that 15 number of enrollment,  
17 was that pertaining to the specialized camps?

18 COUNCILMAN IMBROTO: This is not the  
19 camp. This is for a vendor that provides a program  
20 at the camp.

21 COUNCILMAN MACAGNONE: Right. It's not  
22 the camp.

23 SUPERVISOR SALADINO: Event that we  
24 approved and then provides a program and pays a  
25 licensing fee, and it comes from a process where

1 everybody gets an equal opportunity to present to  
2 the Town, including those who want to recycle, and  
3 I know I'm one of them.

4 So recycling is going through an  
5 evolution, not only here on Long Island, but  
6 throughout our state, our nation, and even  
7 internationally. And I know that you have been  
8 tasked by myself and our administration and our  
9 Town Board members to seek out new ways to be the  
10 most efficient and to have the highest percentage  
11 of recycling that we possibly can while looking at  
12 the growth opportunities in this field.

13 So can you speak to this Resolution for  
14 our Board and for the public?

15 COMMISSIONER LENZ: Yes.

16 When single stream ended, we -- well,  
17 before it ended, we met with the contractor. He  
18 told us he wanted to end it. We said, you can't,  
19 you have a contract with us. He maintained the  
20 contract with us for one full year. What I'm  
21 saying is this was a couple of months before the  
22 end of that one-year contract.

23 We had the -- the Town of Oyster Bay  
24 had made over a half a million dollars on single  
25 stream.

1 Yes, I would have --

2 COUNCILMAN MACAGNONE: It was a good  
3 deal.

4 COMMISSIONER LENZ: Yes, I would have  
5 loved to have kept it.

6 Unfortunately, with China and  
7 everything else that you hear about recycling, it  
8 was not -- we were not capable of keeping it.

9 What we did is we --

10 SUPERVISOR SALADINO: Just to stop you  
11 for a moment.

12 COMMISSIONER LENZ: Sure.

13 SUPERVISOR SALADINO: By China, you  
14 mean China, the government and the businesses in  
15 China stopping the purchase and the acceptance of  
16 recycling materials from other countries?

17 COMMISSIONER LENZ: Thank you for --  
18 yes, Supervisor.

19 What we did is we then put out a bid  
20 for multiple tasks to take up what we were losing  
21 in single stream; meaning, paper or bottles and  
22 cans, things like that.

23 MR. ALTADONNA: What about cardboard?

24 COMMISSIONER LENZ: We then, also at  
25 the same time, we're negotiating with other



1 municipalities and talking to other municipalities  
2 throughout Long Island to see if it would be  
3 beneficial for the Town of Oyster Bay to work  
4 together.

5 In this particular case, we talked to  
6 District 6 in Town of Hempstead. They were willing  
7 to work with us as a shared service, and that's  
8 where our -- excuse me -- our material is going  
9 right now. One of the things that we were picking  
10 up through single stream before --

11 MR. ALTADONNA: Excuse me, Mr. Lenz,  
12 did you talk to any other municipalities?

13 COMMISSIONER LENZ: Yes, we did.

14 We talked to Smithtown. We talked to  
15 Huntington. We talked to Brookhaven.

16 MR. ALTADONNA: Thank you.

17 COMMISSIONER LENZ: Babylon, I  
18 apologize, Babylon.

19 Yes, and it worked out. It was in the  
20 Town's best interest to go with District 6.

21 MR. ALTADONNA: Okay.

22 COMMISSIONER LENZ: Having done that  
23 and having this working successfully, because one  
24 of the reasons why I held on to the other contracts  
25 is, I could always come to the Town Board and say

1 that I think it's in the Town's best interest not  
2 to go with the IMA, as an example, and go with the  
3 big contract.

4 Everything is working out successfully.  
5 I am then now saying that we should release the  
6 contractors' bonds who submitted for the bidding  
7 purposes so that I can allow them to then bid on  
8 other contracts. So that's the reason why I'm  
9 asking to reject bids.

10 Does that make sense?

11 SUPERVISOR SALADINO: Is there any  
12 questions?

13 Yes.

14 COUNCILMAN MACAGNONE: I just want to  
15 say, I sat with the Commissioner a few times. I  
16 know this is a tough situation, and all the towns  
17 are in and I know you're doing the best you can and  
18 I appreciate it.

19 COMMISSIONER LENZ: Thank you very  
20 much.

21 SUPERVISOR SALADINO: Just to add to  
22 that.

23 MR. ALTADONNA: I have a few questions.

24 SUPERVISOR SALADINO: And just to add  
25 to that, you and I have had many discussions with

1 me personally and with the administration.

2 I just want to make it clear and for  
3 you to confirm that we have focused on moving  
4 forward to look for all the approaches, whether it  
5 be a regional approach, all the programs that would  
6 increase the number of recyclables we can take, how  
7 we can produce markets for glass, and one of the  
8 hurdles in terms of recycling glass in a changing  
9 environment where the majority of entities don't  
10 want to take glass anymore.

11 COMMISSIONER LENZ: Right.

12 SUPERVISOR SALADINO: Majority of the  
13 country -- the companies that deal with this and we  
14 continue to have a team of people who are focused  
15 on bringing us the alternatives that work,  
16 especially in the long term.

17 COMMISSIONER LENZ: Yes. Absolutely,  
18 Supervisor.

19 Yes, your administration and you have  
20 met with us on several occasions to go over all of  
21 this, and as I say, this is the best for the Town  
22 of Oyster Bay.

23 SUPERVISOR SALADINO: We sent a team of  
24 our employees to look at it and research the  
25 program in Jamaica, Queens.

1 COMMISSIONER LENZ: Yes, we did.

2 SUPERVISOR SALADINO: That grinds glass  
3 down into a sand product. We're looking at all of  
4 the ways to collect glass, and are examining a  
5 pilot program to deal with the glass specifically.

6 COMMISSIONER LENZ: Yes, we are.

7 SUPERVISOR SALADINO: And we've  
8 increased the drop off places for cardboard as well  
9 and improved upon our communications, including  
10 through mailers --

11 COMMISSIONER LENZ: Right.

12 SUPERVISOR SALADINO: -- to teach the  
13 public what are those products that we're seeking  
14 because we have the market for them and how they  
15 can prepare them for pickup.

16 COMMISSIONER LENZ: Exactly, yes.

17 MR. ALTADONNA: Commissioner,  
18 cardboard, what is that a ton because I know that's  
19 still recyclable?

20 COMMISSIONER LENZ: Right now,  
21 cardboard goes with the product that we give to  
22 District 6.

23 MR. ALTADONNA: Okay.

24 COMMISSIONER LENZ: So right now,  
25 everything is together, except glass.

1 MR. ALTADONNA: Okay.

2 Have you identified how much tonnage  
3 we're giving in cardboard to District 6?

4 COMMISSIONER LENZ: I can't answer that  
5 question right this minute, but --

6 MR. ALTADONNA: I understand.

7 COMMISSIONER LENZ: -- I definitely --  
8 we -- yes, we take tonnages on a daily basis of  
9 each truck that comes in, each Sanitation truck  
10 that comes in, we take tonnages on every single  
11 truck that leaves the facility, meaning that goes  
12 to District 6, so I can get you that information.

13 COUNCILMAN MACAGNONE: I will tell you  
14 that I did ask the Commissioner to supply me with  
15 the amount of tonnage we did over the last  
16 two years and was going to give me a monthly update  
17 on it, so I've been watching it also.

18 MR. ALTADONNA: No. What I'm looking  
19 for is are we offsetting the cost from District 6  
20 or is that part of the bid, and if District 6  
21 doesn't care about the cardboard because they're  
22 charging us anyhow, maybe we can segment that out  
23 to offset our costs for District 6?

24 COMMISSIONER LENZ: It is, right now,  
25 part of the cost, but we -- that's something we

1 would look into.

2 MR. ALTADONNA: If you could segment  
3 the cardboard out and bring that revenue back into  
4 the Town, that would be wonderful.

5 Thank you.

6 SUPERVISOR SALADINO: Are there any  
7 questions from the Town Board members as to this  
8 issue?

9 (No verbal response given.)

10 SUPERVISOR SALADINO: Well, thank you,  
11 and we're going to continue to work to make our --  
12 us the leaders in recycling in the Town in a  
13 complex market.

14 Our next speaker --

15 COUNCILWOMAN JOHNSON: I just want to  
16 hear a clarification about the camp and the benefit  
17 to the residents and --

18 SUPERVISOR SALADINO: Commissioner  
19 Pinto, would you please step forward?

20 COMMISSIONER PINTO: Joe Pinto,  
21 Commissioner of Parks, Town of Oyster Bay.

22 I was out of the room, but I believe  
23 there were some questions about the Bricks For  
24 Kids.

25 COUNCILWOMAN JOHNSON: I believe one of

1 the speakers said something along the lines of only  
2 15 kids were attending and I wanted you to clarify  
3 our numbers.

4 COMMISSIONER PINTO: I'll explain that.

5 COUNCILWOMAN JOHNSON: And how we're  
6 doing with camp.

7 COMMISSIONER PINTO: Okay.

8 Bricks for Kids and the science, they  
9 actually come to the Town. We entered a contract  
10 with them before, you know, I was the Commissioner  
11 and we actually -- they were giving us 10 percent  
12 of their numbers. It's a small number.

13 It's not a Town of Oyster Bay camp,  
14 per se. When we got involved a couple years ago,  
15 we asked them for additional percentage of their  
16 revenue, so I think we're up to, like, 15 percent  
17 of what they take in.

18 As for the Town of Oyster Bay Parks &  
19 Recreation camps, we're thriving.

20 I mean, last year, we increased our  
21 revenue, like, 10 to 12 percent. The numbers went  
22 up. We have camps for our children, I believe, in  
23 six different parks right now, so we're thriving  
24 with our camps, but what you saw on the calendar  
25 tonight are not Town of Oyster Bay sponsored camps.

1 They are contracts that are taken out with the Town  
2 of Oyster Bay to use our facilities to run their  
3 own camps.

4 I don't know how many numbers there  
5 are. There could be 10 or 15 kids, but that is  
6 on -- that's for those organizations that have the  
7 contract with the Town.

8 SUPERVISOR SALADINO: Commissioner, on  
9 all of our recreation projects that go through your  
10 department, do we use a variety of means to promote  
11 them, to alert the public if they'd like to take  
12 advantage of these programs?

13 COMMISSIONER PINTO: We're consistent  
14 with what went on before I became the Commissioner.  
15 We're consistent with the way we advertise. We've  
16 always advertised our camps and I think we're doing  
17 the same thing now. So, yes, the answer is yes to  
18 that.

19 SUPERVISOR SALADINO: And always on the  
20 website, electronically, Facebook, through mailing,  
21 social media?

22 COMMISSIONER PINTO: We do that. I  
23 think that has increased on the social media side  
24 because that avenue has really expanded the last  
25 couple of years, but we advertise greatly.



1 COUNCILMAN MACAGNONE: Are we going to  
2 through the school districts?

3 COMMISSIONER PINTO: We send some  
4 flyers to the school districts. You know, we  
5 advertise there. And also, we do that with looking  
6 for some Summer help to help, you know, some camp  
7 counselors for our Summer help.

8 SUPERVISOR SALADINO: Including in the  
9 electronic backpack that children have now that the  
10 school district provides for parents?

11 COMMISSIONER PINTO: That's a little  
12 bit above me. I'm not too computer literate, so I  
13 don't know anything about computer backpacks.

14 SUPERVISOR SALADINO: That's utilized  
15 through their website and their communication.

16 COMMISSIONER PINTO: I'm sure that  
17 happens.

18 SUPERVISOR SALADINO: Great.

19 COUNCILWOMAN JOHNSON: Thank you.

20 SUPERVISOR SALADINO: Thank you so  
21 much.

22 COUNCILMAN MACAGNONE: Thanks,  
23 Commissioner.

24 COMMISSIONER PINTO: Thank you.

25 MR. ALTADONNA: Supervisor, I've just

1       been told we're untabling, so I need to do some  
2       housekeeping before we go forward.

3                   SUPERVISOR SALADINO: Please go right  
4       ahead. Proceed.

5                   MR. ALTADONNA: For the record, it's  
6       P-6-19, now, through 217.

7                   In addition, Resolution 153. So may I  
8       have a motion to re-resuspend the rules to untable  
9       Resolution No. 153?

10                  COUNCILMAN MUSCARELLA: So moved.

11                  COUNCILMAN MACAGNONE: Second.

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

15                  On the vote:

16                  Supervisor Saladino?

17                  SUPERVISOR SALADINO: To untable,  
18       "Aye."

19                  MR. ALTADONNA: This is to untable.  
20       Yes.

21                  Councilman Muscarella?

22                  COUNCILMAN MUSCARELLA: "Aye."

23                  MR. ALTADONNA: Councilman Macagnone?

24                  COUNCILMAN MACAGNONE: "Aye."

25                  MR. ALTADONNA: Councilwoman Johnson?

1 COUNCILWOMAN JOHNSON: "Aye."

2 MR. ALTADONNA: Councilman Imbroto?

3 COUNCILMAN IMBROTO: "Aye."

4 MR. ALTADONNA: Councilman Hand?

5 COUNCILMAN HAND: "Aye."

6 MR. ALTADONNA: Councilman Labriola?

7 COUNCILMAN LABRIOLA: "Aye."

8 MR. ALTADONNA: Okay.

9 Motion to untable Resolution No. 153  
10 passes with seven "Ayes," which will now be added  
11 to the regular Action Calendar.

12 153, we don't have a short synopsis of  
13 this, so I'm going to read the whole thing. I was  
14 wondering if there was a synopsis. Okay.

15 "WHEREAS, Resolution No. 480-96,  
16 adopted on July 9, 1996, the Town Board granted  
17 site plan approval in connection with a change of  
18 zone of an H, Industrial District, Light Industrial  
19 to G, Business District, General Business, for  
20 premise located at Bethpage, Town of Oyster Bay,  
21 New York 11714. Said premise being described as  
22 Section 46, Block and Lot 78, Section 46, Block G,  
23 Lots 47, 51, 52, 54, 55, 71, and part of lots 29  
24 and 49 on the Land and Tax Map of Nassau County;  
25 and

1                   "WHEREAS, as required by Resolution No.  
2           480-96, a declaration of restrictive covenants was  
3           executed and recorded affecting the premise, which  
4           declaration provides that no building permit or  
5           Certificate of Occupancy for exteriors work shall  
6           be issued unless and until a site plan has been  
7           approved by Town of Oyster Bay Resolution; and

8                   "WHEREAS, subsequent to the adoption of  
9           Resolution No. 480-96, the premise of subdivided  
10          and new tax lot numbers were designated, and one of  
11          the lots created is described as Section 46, Block  
12          G, Lot 76 (the subject premise); and

13                   "WHEREAS, Howard D. Avrutine, Esquire,  
14          of Avrutine & Associates, PLLC, attorney for  
15          1055 Stewart Avenue Realty, LLC fee owner of the  
16          subject premise by letter dated February 6, 2019  
17          has submitted amended plans to construct additional  
18          parking spaces on the northeast corner of the  
19          subject premise with all aspects of approval plan  
20          to remain unchanged; and

21                   "WHEREAS, Elizabeth L. MacCarone,  
22          Commissioner, Department of Public Planning and  
23          Development, by Memorandum dated February 6, 2019  
24          has advised that the Department of Planning and  
25          Development has reviewed the following eight

1 amended plans prepared by Jaclyn E. Peranteau, PE,  
2 Prime Engineering, Holtsville, New York, sheet  
3 number title prepared revised. It's C-1, C-2. C-1  
4 is overall site plan. C-2 is partial removal of  
5 plan. C-3 is partial sight alignment plan. C-4,  
6 partial grading and drainage plan. C-5, partial  
7 landscape plan. C-6, partial lighting plan. C-7,  
8 partial soil erosion and sediment control plan.  
9 C-8, construction detail;

10 "WHEREAS, Commissioner Maccarone  
11 further reports that the plans submitted, as  
12 revised, comply with standards set forth on Town  
13 Code of the Town of Oyster Bay, Section 246-6, Site  
14 Plan Review, and recommend Board approval of the  
15 site plan enumerated herein;" and -- there's  
16 more --

17 "WHEREAS, inter-department memo dated  
18 January 31, 2019, Neil O. Bergin, Commissioner,  
19 Department of Environmental Resources, submitted an  
20 environmental report with respect to subject  
21 premise action pursuant to Article 8 of the  
22 New York State Environmental Conservation Law,  
23 State Environmental Quality Review Act, that's  
24 SEQR, and it's implementing regulations of 6 NYC  
25 RR, Part 617, and the Town Environmental Quality

1 Review, TEQR, T-E-Q-R, Law of Chapter 10 of the  
2 Oyster Bay Code, which reports, classifies, and  
3 subjects proposed action as Type II under SEQR and  
4 indicates that such actions will not have a  
5 significant impact on the environment and is  
6 precluded from environmental review under  
7 Environmental Conservation Law Article 6 and SEQR  
8 regulations;

9 "NOW, THEREFORE BE IT RESOLVED, that  
10 the request of 1055 Stewart Avenue Realty, LLC, fee  
11 owner, and that the amended site plan for premise  
12 located at 1055 Stewart Avenue, Bethpage, Town of  
13 Oyster Bay, County of Nassau, New York, and  
14 designated as Section 46, Block G, Lot 76 on the  
15 Land and Tax Map of Nassau County be approved; and

16 "BE IT FURTHER RESOLVED, that in  
17 accordance with the memorandum of Elizabeth L.  
18 Maccarone, Commissioner, Department of Planning and  
19 Development, February 6, 2019, the eight plans  
20 described herein hereby approved."

21 COUNCILMAN MACAGNONE: Can you repeat  
22 that?

23 (Laughter ensues.)

24 MR. ALTADONNA: Any questions?

25 You want to give the audience -- you

1 know, if anybody would like to speak about it?

2 SUPERVISOR SALADINO: Well, we have two  
3 more speakers currently, and I'm going to ask  
4 Mr. Arthur Adelman to step forward.

5 MR. ADELMAN: Good evening.

6 Arthur Adelman, 110 Dubois Avenue,  
7 Sea Cliff, New York.

8 I think if you look behind me, you can  
9 see the advantages of having evening meetings.  
10 It's quite evident. Everybody can see how the  
11 government in Oyster Bay operates now, at least a  
12 bigger portion of the community.

13 I came here to speak about three  
14 Resolutions. I'm dumbfounded by the -- this former  
15 tabled Resolution 153. Was that what this  
16 Resolution 153 was? It was tabled back when, in  
17 February or March? I have no idea what it's all  
18 about, so I can't comment on it.

19 SUPERVISOR SALADINO: This is the one  
20 regarding the Inspector General?

21 MR. ADELMAN: No, 153. The one that --

22 COUNCILMAN IMBROTO: The site plan  
23 amendment.

24 MR. ADELMAN: Is that a Resolution or a  
25 Hearing?

1 COUNCILMAN MUSCARELLA: It's a  
2 Resolution.

3 COUNCILMAN IMBROTO: It's not a  
4 hearing.

5 MR. ADELMAN: It's not a Hearing. It's  
6 a Resolution to approve something that none of us  
7 have any idea what it's about because we haven't  
8 seen any backup on it. Okay.

9 The Walk-On Resolution 218, I'm curious  
10 to know, procedurally, how one gets a Walk-On  
11 Resolution to be walked on because I've requested  
12 in the past and I've been unsuccessfully, but I  
13 guess I'm not the Inspector General, so I find what  
14 he's asking for seems to be in order, so we won't  
15 go there.

16 I do have a question about recycling.  
17 I did read a big article in last week's New York  
18 Times, I'm sure you saw it as well, about the  
19 chaotic nature of what's going on nationwide and  
20 worldwide, about how influx it really is.

21 I question what the Town is doing is --  
22 while we don't have a recycling plan formally  
23 working right now, I think education in recycling  
24 is, at this point, very important, and I think the  
25 Town should be talking -- the counsel people should



1 be talking between themselves in ways to initiate a  
2 reduction in plastic products.

3 This is becoming a nationwide topic.  
4 The State of Hawaii and New Jersey are working on  
5 ways to get rid of plastic straws and Styrofoam. I  
6 know the Village of Sea Cliff, where I reside, has  
7 passed Local Laws regarding Styrofoam.

8 SUPERVISOR SALADINO: We discussed that  
9 just last week as we went through a tremendously  
10 transparent new process to vet our concessionaires.

11 MR. ADELMAN: Right.

12 SUPERVISOR SALADINO: And the Town  
13 Board asked questions, specifically of items like  
14 straws and what kinds of products they'll be using  
15 and how Eco friendly they are, so these are things  
16 that are on our mind.

17 We appreciate you bringing them up, and  
18 we can continue to ask those questions and research  
19 the reduction of our waste stream.

20 MR. ADELMAN: Right, but I still don't  
21 understand how come the Commissioner put out bids,  
22 and I couldn't hear him very well, I guess.

23 SUPERVISOR SALADINO: Okay. So after  
24 you're done asking your question --

25 MR. ADELMAN: Right.

1 SUPERVISOR SALADINO: -- you'll take a  
2 seat, we'll address that.

3 MR. ADELMAN: I'm still curious why --

4 SUPERVISOR SALADINO: Absolutely.

5 MR. ADELMAN: -- we don't have -- are  
6 we dumping -- are we picking up in the incorporated  
7 areas in the town -- the Town is picking up the  
8 garbage and carting it off somewhere? It's not  
9 going to a third-party like you used to have,  
10 Winter Brothers is not involved at all?

11 SUPERVISOR SALADINO: It is, but as I  
12 said, when you're done, we will bring up our  
13 experts.

14 MR. ADELMAN: Okay.

15 Next regarding No. 216 Tobay versus  
16 Laser Properties. I take it because of the  
17 attorneys we're utilizing, which are the same as  
18 the ones involved with Oyster Bay versus Empire  
19 Land Rental that this is a tenant -- a  
20 landlord/tenant matter. I want to know when -- I'm  
21 curious to know when this suit was initiated and  
22 I'm curious to know if there is a formal lease  
23 between the Town and this Laser Properties West.

24 And my last question involves No. 214,  
25 the building of the ball fields. This bid went out

1 and we're accepting a bid. Last -- two meetings  
2 ago, the last regular meeting, we had to give  
3 our -- whoever was the guy who put in the field, I  
4 forget which -- that LiRo or the other one, an  
5 extra \$8,000 to upgrade the fencing.

6 I'm curious if the fencing on the  
7 field's going in now are Gauge 6 or Gauge 9, and  
8 are we going to get hit with an additional charge  
9 at the end of this project as well.

10 Thank you.

11 SUPERVISOR SALADINO: Thank you, sir.

12 I'm going to ask -- to begin with,  
13 Mr. Matt Rozea, please joint us up front.

14 MR. ROZEA: Which topic?

15 SUPERVISOR SALADINO: This is on the  
16 issue of the request for the Resolution  
17 concerning -- the request from the Inspector  
18 General.

19 MR. ROZEA: That's right.

20 MR. ADELMAN: I was good with that.

21 SUPERVISOR SALADINO: You're okay with  
22 that? All right. So you do understand what that  
23 is for?

24 MR. ADELMAN: My question was: How do  
25 you get, procedurally speaking, get a Walk-On

1 Resolution in front of the Board?

2 SUPERVISOR SALADINO: Okay.

3 So the answer is, there are many  
4 different ways that we deal with the day-to-day  
5 business of the Town, and that's one of the ways.  
6 It's all done according to law and to ensure that  
7 we pass muster with our Town Attorney's Office.

8 The next question is in regard to the  
9 Parks Department.

10 Commissioner, would you come up here?  
11 He had a Parks question, I believe.

12 COMMISSIONER PINTO: The hearing,  
13 right?

14 MR. ADELMAN: No.

15 COMMISSIONER PINTO: The project  
16 itself, right?

17 MR. ADELMAN: The last job we just  
18 finished, the ball fields, there was an additional  
19 charge --

20 SUPERVISOR SALADINO: The ball field,  
21 so that's DPW.

22 Thank you.

23 COMMISSIONER LENZ: Hello.

24 How are you doing?

25 SUPERVISOR SALADINO: Hi, Commissioner.

1                   Just please restate your presence.

2                   COMMISSIONER LENZ: Sure.

3                   My name is Richard Lenz, Commissioner,  
4 Department of Public Works Highway. I'm a  
5 professional engineer.

6                   SUPERVISOR SALADINO: So the question  
7 came up about what we're doing to ensure that we,  
8 first of all, get the lowest price on when we put  
9 the projects out to bid and then in terms of  
10 overseeing.

11                  COUNCILMAN MACAGNONE: Actually, we're  
12 looking for the lowest responsible bidder, not the  
13 lowest price.

14                  SUPERVISOR SALADINO: Thank you.

15                  That's, in fact, the case, the lowest  
16 responsible bidder, which saves some money to the  
17 Town in the long run, certainly.

18                  And then that process of oversight to  
19 ensure that the contracts, Town Attorney, Inspector  
20 General, and what your department does to ensure  
21 that the work is done and delivered in a timely  
22 fashion and in an efficient fashion.

23                  COMMISSIONER LENZ: What winds up  
24 happening is, as I said -- excuse me -- we put it  
25 out to bid, we get the lowest responsive bidder,

1 and when -- in this particular case, it was a Parks  
2 project, so what we would do, we would meet with  
3 Parks, we would make sure that we're meeting all  
4 their expectations, and put it on the plans of  
5 specifications.

6 What was mentioned before about  
7 fencing, it was one of these things, if you put it  
8 in the specifications, the different gauge, the  
9 first time, it would have been the same cost  
10 because it would have increased the cost. So just  
11 because it's a change order does not mean that  
12 you're then increasing -- go ahead.

13 COUNCILMAN MACAGNONE: I tend to  
14 disagree with that because consulting gets paid  
15 extra to bring it up, to approve it, to watch it,  
16 and everything else.

17 COMMISSIONER LENZ: I understand, but  
18 in this particular case --

19 COUNCILMAN MACAGNONE: You and I have  
20 had long discussions on this.

21 COMMISSIONER LENZ: Yes.

22 But in this particular case that was  
23 brought up, we are going from a Gauge 9 to a Gauge  
24 6, meaning that it's thicker and heavier. It  
25 was -- once the gauge -- once the contractor had

1 brought it to Parks' attention, they felt that it  
2 wasn't going to be strong enough for the children  
3 that are going to be there, that it was a little  
4 more flexible than what they were looking for.

5 In hindsight, maybe it was something  
6 that I should have brought to their attention a  
7 little bit more, but as I said, we meet on a  
8 regular basis to go over every project.

9 In this particular case, when you're  
10 asking about the gauge, it's not going to be --  
11 yes, it was 7,000, but it would have been included  
12 in the contract, it wouldn't have changed the cost  
13 of that contract that much.

14 COUNCILMAN MACAGNONE: That much.

15 COMMISSIONER LENZ: Okay.

16 Is there anything else?

17 SUPERVISOR SALADINO: Thank you.

18 MR. ADELMAN: What gauge are we using  
19 on this new project?

20 COMMISSIONER LENZ: This is the field  
21 replacement. It's not putting fence.

22 MR. ADELMAN: Okay. No fence.

23 SUPERVISOR SALADINO: Thank you,  
24 Commissioner.

25 COUNCILMAN MACAGNONE: Excuse me,

1 Commissioner.

2 COMMISSIONER LENZ: Yes?

3 COUNCILMAN MACAGNONE: Just for the  
4 public knowledge, the fields approximately  
5 twelve years old --

6 COMMISSIONER LENZ: Thank you.

7 COUNCILMAN MACAGNONE: -- and it's time  
8 for them to be replaced.

9 COMMISSIONER LENZ: That was -- yes,  
10 that was a better way to put it. It should have  
11 been explained that way, yes.

12 SUPERVISOR SALADINO: And it's not only  
13 replacement to have a new field, but there is an  
14 expense of liability caution that --

15 COMMISSIONER LENZ: I was just going to  
16 say, what we do -- what we do, I believe, it's a  
17 twice a year, Parks Department checks every field  
18 for safety. There is an actual firm that comes in  
19 and does a safety test that's scientific safety  
20 test, and in this particular case, those two fields  
21 have failed the safety test.

22 So what we're saying is, in the future,  
23 it's not a good idea -- well, not failed right now,  
24 but what I'm saying is it has a useful life.

25 What we need to do is now make those



1 changes before the Summer when we're going have  
2 more kids playing on it again.

3 SUPERVISOR SALADINO: Thank you,  
4 Commissioner.

5 COMMISSIONER LENZ: Thank you.

6 SUPERVISOR SALADINO: Our next speaker  
7 will be Kevin McKenna.

8 MR. ADELMAN: We have one more question  
9 about 216, Tobay.

10 COUNCILMAN MACAGNONE: The legal fees  
11 for Laser Industries.

12 SUPERVISOR SALADINO: Counselor, would  
13 you step forward, please?

14 MR. SCALERA: Frank Scalera, Chief  
15 Deputy Town Attorney. The question is about the --  
16 what's the exact question you wanted an answer to?

17 MR. ADELMAN: Curious about is this  
18 also a landlord/tenant matter.

19 SUPERVISOR SALADINO: Related to  
20 lawsuits that the Town is currently involved in.

21 MR. ADELMAN: (Inaudible) and is there  
22 a lease?

23 MR. SCALERA: There is a lease. The  
24 Resolution brings in the outside counsel, the same  
25 counsel that is working with the adjacent tenant.

1                   Yes, and it is a landlord/tenant matter  
2                   and it has not been officially commenced in  
3                   landlord/tenant court, but the conditions proceed  
4                   it necessary to bring it to landlord/tenant courts  
5                   have been done.

6                   COUNCILMAN MACAGNONE: And we're happy  
7                   with this firm from previous proceedings?

8                   MR. SCALERA: Speaking with the Town  
9                   Attorney, Joe Nocella and myself and our staff  
10                  here, yes, we're pleased at how they're moving  
11                  forward.

12                  COUNCILMAN IMBROTO: And speaking from  
13                  personal experience, they're a very good firm.

14                  COUNCILMAN MACAGNONE: Okay.  
15                  Thank you.

16                  MR. SCALERA: Okay. All done.

17                  SUPERVISOR SALADINO: Thank you.

18                  Kevin McKenna. Kevin, you're up.

19                  MR. McKENNA: Kevin McKenna, Edna  
20                  Drive, No. 3, Syosset, New York 11791.

21                  Would it be a fair statement for me to  
22                  assume that the Inspector General has reviewed all  
23                  the contracts that are on Resolutions right now?

24                  SUPERVISOR SALADINO: Mr. McKenna,  
25                  would you kindly --

1 MR. McKENNA: On Resolution --

2 SUPERVISOR SALADINO: -- ask your  
3 questions and take a seat and then like for  
4 everyone else --

5 MR. McKENNA: I just wanted to put that  
6 out there.

7 On Resolution No. 214, I'd like to  
8 know -- I'd like to know how many bidders did  
9 respond to the synthetic fields on that bid, and  
10 I'd like to know if the Inspector General, in fact,  
11 reviewed that bid.

12 Is the Inspector General here tonight?

13 SUPERVISOR SALADINO: Sir, again, just  
14 like everyone else, if you'd kindly ask all of the  
15 questions you'd like to ask this evening and take  
16 your seat.

17 MR. McKENNA: On Resolution No. 209,  
18 Resolution 209, I'm wondering why we're authorizing  
19 an inter-municipal agreement with the School  
20 District today that starts back in November of  
21 2018.

22 I'd like to know from the Inspector  
23 General if that's legal, or from the Town Attorney,  
24 why is it the Town Board, right now, is voting on a  
25 Resolution where -- what are we in -- the end of

1 March for an agreement that starts in November?

2 On the mailers, actually, Supervisor,  
3 you actually sparked a thought when you were  
4 talking about how elderly or certain folks don't  
5 use the Internet or e-mail, and that's absolutely  
6 true. I would think that's it a -- I would think  
7 that it's a very small percentage of the 293,000  
8 residents in the Town of Oyster Bay that fit that  
9 category.

10 Your e-mail list, which I happen to  
11 have a copy of now, thanks to the Town being open  
12 and transparent, I have your complete e-mail  
13 Supervisor's list right now.

14 If I could provide you -- if could  
15 provide you with names of all the elderly people in  
16 the Town of Oyster Bay, wouldn't it make sense for  
17 us to just send the colored mailers to just those  
18 people and probably save 75 percent of whatever the  
19 costs are that you're spending right now because  
20 you're sending this colored mailer?

21 I agree that certain people need a  
22 mailer. Why not just send the mailer to those --  
23 to that audience? It's very easy to identify that  
24 audience. If you could respond to those questions,  
25 I'd really appreciate it.

1 SUPERVISOR SALADINO: Excuse me, first  
2 question, I'd like to ask our representative at the  
3 Town Attorney's Office.

4 MR. SCALERA: Frank Scalera, Chief  
5 Deputy Town Attorney.

6 I think the first question was about  
7 the synthetic fields that were being replaced over  
8 at --

9 MR. ALTADONNA: How many bidders?

10 SUPERVISOR SALADINO: That question  
11 we'll bring up with the Parks Commissioner and --

12 MR. SCALERA: How many bidders, that  
13 was the question.

14 SUPERVISOR SALADINO: How many bidders?  
15 Are you aware of how many bidders responded to our  
16 RFP?

17 MR. SCALERA: The Resolution on its  
18 face says that it was one sole bid received and it  
19 was opened on March 13, 2019. It's in the first  
20 paragraph.

21 SUPERVISOR SALADINO: Can you talk to  
22 us about the way we got information out to  
23 corporations that do this service?

24 MR. SCALERA: How it's typically done?

25 SUPERVISOR SALADINO: How it was done

1 for this one specifically.

2 MR. SCALERA: General Services can  
3 probably talk better on that, but I do know that  
4 there is -- there's a running list as well -- to  
5 send out to people in the -- to firms and entities  
6 that are in the industry of making --

7 COUNCILMAN MACAGNONE: And it's also  
8 advertised on line.

9 MR. SCALERA: It's also advertised in  
10 the newspaper. It's also advertised on our  
11 website. So we, kind of, cover all bases.

12 COUNCILMAN MACAGNONE: Also on Dodge  
13 Report.

14 MR. SCALERA: On Dodge Report, that, I  
15 don't know, but I guess General Service.

16 SUPERVISOR SALADINO: So we use both  
17 our website and e-mailing to try to do it  
18 electronically, but we aren't able to get out to  
19 everyone on just that alone.

20 MR. SCALERA: Or the publication  
21 legally and practically covers anybody else who we  
22 don't know.

23 SUPERVISOR SALADINO: What I'm asking  
24 you specifically is that we send out to people via  
25 digital messaging, e-mailing and so forth, and we

1 also put it on our website, just like everyone gets  
2 an opportunity to bid.

3 MR. SCALERA: Correct.

4 SUPERVISOR SALADINO: But those methods  
5 aren't enough, we continue to use mail, we use  
6 publications, we use a variety of different ways  
7 and I'm assuming it's because over the years,  
8 municipalities have learned to get a message out,  
9 it requires a digital presence, it requires a mail  
10 presence, it requires publications, and every way  
11 possible to get the word out. And I'm going to ask  
12 to get that confirmed from General Services and  
13 from DPW.

14 Would you agree with that statement?

15 MR. SCALERA: Yes, I do.

16 SUPERVISOR SALADINO: All right.

17 Thank you.

18 Commissioner, would you please step up?

19 COMMISSIONER LENZ: Rich Lenz,

20 Commissioner of Department of Public Works.

21 SUPERVISOR SALADINO: Questions have  
22 arisen about the bidding process on the two fields  
23 that are on our Resolution this evening.

24 COMMISSIONER LENZ: Yes.

25 SUPERVISOR SALADINO: Can you tell us

1 about that process, that specific process and what  
2 was done to reach out to the industry and what the  
3 responses were?

4 COMMISSIONER LENZ: Supervisor, as you  
5 stated, that's the way we normally do. We go to  
6 Newsday. We go to Dodge Report. We put it on the  
7 Town website. It's always on the Town website. We  
8 also give a list -- every project that we go out,  
9 we give a list of contracting firms that we have  
10 either dealt with in the past or that we know that  
11 would be interested in taking out bids.

12 SUPERVISOR SALADINO: And we send out  
13 to everyone on that list?

14 COMMISSIONER LENZ: Yes, we do.

15 COUNCILMAN MACAGNONE: Commissioner,  
16 just to educate the public --

17 COMMISSIONER LENZ: Yes?

18 COUNCILMAN MACAGNONE: -- Dodge Report  
19 is an industry standard that all prospective bids  
20 go out on -- I know municipal ones do, so that  
21 everybody gets a view of it. If you look at stuff,  
22 say, field replacements, anybody that's looking to  
23 do it, would just query that on the Dodge Report  
24 and our bid would come up.

25 COMMISSIONER LENZ: Yes.



1           Now, in this particular case, several  
2           contractors took out the plans and specification  
3           and reviewed it.

4           In this particular case, only one bid.  
5           What we had put in the plans and specifications is  
6           that we have specific dates that these fields would  
7           be closed, the existing fields, and that they would  
8           have to do their construction period, which is a  
9           tight timeframe, so that we could reopen so that we  
10          would not be affecting any of the players in their  
11          particular sports.

12          So that's why it was a little bit  
13          tighter and that's why we're recommending that we  
14          go with this contractor. We had looked at our  
15          engineers estimates and this was right in the  
16          ballpark of what our engineers estimates were.

17          MR. ALTADONNA: Commissioner, how big  
18          was your geographical area that you went out to?

19          SUPERVISOR SALADINO: Jim -- Jim, I  
20          really appreciate it, but we're trying to conduct  
21          our questionings and answer the questions of the  
22          residents.

23          MR. ALTADONNA: That's what I'm asking.

24          SUPERVISOR SALADINO: I understand  
25          that, but if you'd kindly wait until the end of the

1 meeting when it's appropriate.

2 MR. ALTADONNA: No. This a Resolution.  
3 This is not the end of the meeting.

4 SUPERVISOR SALADINO: I understand  
5 that.

6 MR. ALTADONNA: Okay. So I'm entitled  
7 to ask a question as an elected official.

8 SUPERVISOR SALADINO: I get that, but  
9 we're trying to conduct a meeting on part of the  
10 Town Board and we just ask for your cooperation in  
11 doing that, and if you'd wait until the end of the  
12 meeting for your comments like everyone else, we're  
13 certainly more than willing to listen and to answer  
14 any questions.

15 MR. ALTADONNA: Supervisor, I disagree.  
16 I'm asking a question, which is  
17 relevant to the questions that were asked by the  
18 residents.

19 SUPERVISOR SALADINO: I appreciate  
20 that.

21 MR. ALTADONNA: So wait until the end  
22 of the meeting after the Resolutions have already  
23 passed and to talk into public comment, I think is  
24 disingenuous to the resident that asked the  
25 question.

1 SUPERVISOR SALADINO: Thank you.

2 MR. ALTADONNA: You're welcome.

3 SUPERVISOR SALADINO: Are there any  
4 other Board members who have a question of the  
5 Commissioner?

6 COUNCILMAN MACAGNONE: No.

7 COUNCILMAN LABRIOLA: I just want --

8 MR. MCKENNA: Can you state who the  
9 winning bidder is?

10 SUPERVISOR SALADINO: Excuse me.  
11 Excuse me, we're working with this. You had your  
12 opportunity to ask a question.

13 COUNCILMAN MUSCARELLA: It's in this  
14 Resolution.

15 MR. MCKENNA: Yeah, I'd like to know  
16 who the winning bidder is.

17 SUPERVISOR SALADINO: I understand  
18 that, but we are going to keep order in this  
19 meeting, and I appreciate that very much.

20 MR. MCKENNA: You don't want to tell  
21 the public the winning bidder?

22 COUNCILMAN MACAGNONE: Commissioner?

23 COMMISSIONER LENZ: Yes, sir.

24 COUNCILMAN MACAGNONE: I can answer the  
25 Clerk's question for you.

1 The Dodge Report goes out nationwide.

2 COMMISSIONER LENZ: Right.

3 MR. ALTADONNA: Thank you.

4 COUNCILMAN MACAGNONE: For anybody  
5 that's interested, they have to pay prevailing rate  
6 or whatever other rules they have in New York State  
7 and the Town of Oyster Bay, but somebody from Idaho  
8 could win the bid and do it if they're the lowest  
9 responsible bidder.

10 COMMISSIONER LENZ: Exactly, and then  
11 also, as we said, that it's on our own website,  
12 it's in -- it's always published in Newsday because  
13 it has to be published in a local paper.  
14 Unfortunately or fortunately, that's the local  
15 paper, so it has to be there.

16 And then, as I say, in the past, we've  
17 worked with certain contractors. We have then  
18 asked General Services to send notifications to  
19 those contractors that either have submitted in the  
20 past or something, so that we make sure that we're  
21 going out to the widest pool of workers that we  
22 can.

23 SUPERVISOR SALADINO: People who have  
24 all the -- all the companies that have the  
25 qualifications to do the job.

1 COMMISSIONER LENZ: We try to, yes.

2 SUPERVISOR SALADINO: And meet the  
3 Town's criteria and State law?

4 COMMISSIONER LENZ: Yes, we do.

5 SUPERVISOR SALADINO: Is this the only  
6 time when we've put an RFP out and had only one  
7 acceptable bidder?

8 COMMISSIONER LENZ: No.

9 Just -- I apologize for correcting, but  
10 it's not -- an RFP is usually used for consultants.  
11 A bid is used for contractors.

12 SUPERVISOR SALADINO: I'm sorry, put it  
13 out for a bid, I apologize.

14 COMMISSIONER LENZ: I didn't mean -- I  
15 know you do know that.

16 SUPERVISOR SALADINO: This isn't the  
17 only time we've put a bid out and have only had  
18 one --

19 COMMISSIONER LENZ: No. It happens  
20 quite often, unfortunately.

21 SUPERVISOR SALADINO: It happens quite  
22 often.

23 COMMISSIONER LENZ: In some cases,  
24 we -- I have closed it down and rebid, but in this  
25 particular case, that's why I want to make sure

1 everybody understands, Councilman, it's very  
2 important that we had certain deadline dates that  
3 the contractor must meet, so if we don't award,  
4 then I'm going to miss those dates and I'm going --

5 COUNCILMAN MACAGNONE: It couldn't be a  
6 fly by night contractor because they couldn't,  
7 realistically, meet the dates.

8 COMMISSIONER LENZ: Exactly.

9 SUPERVISOR SALADINO: Thank you,  
10 Commissioner.

11 COMMISSIONER LENZ: Thank you.

12 SUPERVISOR SALADINO: I see we have a  
13 representative from the Department of General  
14 Services.

15 Would you come forward, please?

16 Would you give us your name and title,  
17 please?

18 MR. RAYMOND: Good evening, Supervisor,  
19 Town Board.

20 Ralph Raymond, Deputy Commissioner of  
21 General Services.

22 SUPERVISOR SALADINO: To bring more  
23 clarity to this issue, we know that we put out  
24 responses for bidders and your department handles  
25 that?

1 MR. RAYMOND: Yes. Yes, it does.

2 Typically, what we do is we contact  
3 bidders to pick up and -- the bidders that are in  
4 that trade, we typically -- what we do is we  
5 contact them via e-mail or by phone and we  
6 periodically canvass the list to make sure that all  
7 the bidders have picked up. If they don't, then we  
8 call them to tell him that we have a bid.

9 We also advertise in Newsday and we  
10 also advertise on the website.

11 SUPERVISOR SALADINO: Do we try to  
12 reach -- do we reach out to --

13 MR. RAYMOND: Absolutely.

14 SUPERVISOR SALADINO: -- responsible  
15 bidders in large geographical area, of Tri-State  
16 area, perhaps?

17 MR. RAYMOND: We reach out all over the  
18 place. Whoever is a bidder in that particular  
19 industry, we would -- we would contact them via  
20 phone, e-mail, to let them know that there is a bid  
21 that they can pick up and they can bid.

22 And as I said, what we also do is we  
23 actually keep a list of those bidders on a database  
24 and a paper list and we go through it as the time  
25 goes on, and when the bid comes to a closure, if we

1 see that there's not enough people that picked up,  
2 we recontact them again to remind them that there's  
3 a bid out to come and pick up. And all of those  
4 methods were taken.

5 SUPERVISOR SALADINO: And by putting  
6 this information on the website, we're, in essence,  
7 putting that out to people across the nation?

8 MR. RAYMOND: Absolutely.

9 SUPERVISOR SALADINO: Companies across  
10 the nation?

11 MR. RAYMOND: Yes.

12 SUPERVISOR SALADINO: Is it unusual,  
13 have we had instances when there was only one  
14 responsible bidder on a job?

15 MR. RAYMOND: Sure. Sure. Absolutely.  
16 Yep. Absolutely.

17 It depends on the time of the year. It  
18 depends on the actual project. Some bidders are  
19 busier than others and -- you know, we've had this  
20 in the past.

21 SUPERVISOR SALADINO: Is there anyone  
22 on the Town Board who has a question?

23 COUNCILMAN LABRIOLA: Most of my  
24 questions were addressed, but I was going to  
25 suggest to you in the future, because I think what



1 it comes down to is that when there's only one  
2 bidder in a sealed bid, I think the public needs to  
3 be reassured that we have done everything that is  
4 possible to include as many vendors as possible.

5 And when it comes back to us that  
6 there's only one, I think there are a lot of  
7 questions that have to be answered. I think it's  
8 important to be very transparent in your report to  
9 the Board why you believe that has happened.

10 In this instance, I heard the  
11 Commissioner of Public Works say it was this very  
12 tight timeframe that they had to operate in.

13 When you give a timeframe like that, is  
14 that -- is it customary to maybe find the  
15 contractor, is it fines that they fear, is that the  
16 reason maybe why we've discouraged people from  
17 returning these bids?

18 MR. RAYMOND: No. We go to the extra  
19 steps.

20 If we're at a short -- if we have a  
21 short time period, the extra steps is we actually  
22 contact actual responsible bidders and let them  
23 know that there is a bid out there to be picked up.

24 COUNCILMAN MACAGNONE: No, no. I think  
25 you're missing his point.

1 He's talking about work completions, is  
2 there a fine if the work isn't completed in the  
3 date specified?

4 COUNCILMAN LABRIOLA: Is there onerous  
5 fines on the vendors? Is that what -- is that why  
6 they are discouraged?

7 COUNCILMAN IMBROTO: Is there something  
8 discouraging people from bidding?

9 MR. RAYMOND: Not to my knowledge, no.  
10 I understand what you're saying.

11 COUNCILMAN MACAGNONE: Honestly, there  
12 should be.

13 SUPERVISOR SALADINO: Well, let's bring  
14 the Commissioner up before do that, before we jump  
15 ahead.

16 MR. RAYMOND: I think he's asking  
17 specifics.

18 SUPERVISOR SALADINO: Thank you, Deputy  
19 Commissioner.

20 MR. RAYMOND: Thank you.

21 SUPERVISOR SALADINO: Commissioner  
22 Lenz, thanks for returning up to the podium.

23 COMMISSIONER LENZ: Yeah, one of the  
24 things I should have mentioned while I was up here,  
25 just keep in mind, some of the jobs that we do are

1 very specific jobs; meaning, that if it's like  
2 electrical instrumentation or something like that,  
3 there's only a few contractors that can bid.

4 In this particular case --

5 SUPERVISOR SALADINO: Can you tell us  
6 why?

7 COMMISSIONER LENZ: Well, in this  
8 particular case, this is a carpet field. It's a --  
9 it's a field that only certain vendors make, so  
10 when a vendor makes a field, not the contractor,  
11 when the vendor makes a field, he then only  
12 certifies certain contractors to install his field.

13 That's why it's limited to the amount  
14 of contractors, in this particular case, that can  
15 do this work. I don't know -- does that answer?

16 COUNCILMAN IMBROTO: It's a specialized  
17 job.

18 COMMISSIONER LENZ: It's a specialized  
19 job, right.

20 COUNCILMAN LABRIOLA: I think that's  
21 important that the Board hears that. That can  
22 satisfy the question, especially if the public has  
23 them of us.

24 At some point, we can turn to a  
25 report --

1 COMMISSIONER LENZ: Right.

2 COUNCILMAN LABRIOLA: -- from the  
3 Commissioner that says --

4 COMMISSIONER LENZ: Sure.

5 COUNCILMAN LABRIOLA: -- these are the  
6 reasons we believe that nobody or very few people  
7 picked up the bids, and then only one bidder  
8 returned it.

9 I mean, because we need to transparent  
10 about that.

11 COMMISSIONER LENZ: Absolutely.

12 COUNCILMAN MACAGNONE: Commissioner, on  
13 the Councilman's earlier question about performance  
14 incentive and penalties, do we have that?

15 COMMISSIONER LENZ: We do not.

16 COUNCILMAN MACAGNONE: We really should  
17 think about doing that.

18 COMMISSIONER LENZ: We would consider  
19 it.

20 COUNCILMAN MACAGNONE: If, you know,  
21 get the job done on time, on schedule and on  
22 budget, and if not, they get penalized.

23 COMMISSIONER LENZ: As I say, we were  
24 taking into account -- and just so you know,  
25 this -- just so you know, this field can be built

1 in the timeframe that was given with no problems,  
2 it's just that there's specific dates. I mean, if  
3 you really want the dates, I can give them to you.

4 COUNCILMAN IMBROTO: You're more  
5 concerned about the timeframe of the bidding and  
6 awarding the contract than the actual work. The  
7 work is not going to be a lengthy process.

8 COMMISSIONER LENZ: No. No.

9 Burns Park is -- you cannot start  
10 construction before April 27th and you have to be  
11 done by May 27th. We know for a fact that that is  
12 a doable contract, but it's a specific contract.

13 The reason being is like I described  
14 earlier, is to allow the children to be able to  
15 play on it up until April -- up until the end of  
16 April. Then in Combs, it's July 4th, and it runs  
17 30 consecutive days.

18 COUNCILMAN MACAGNONE: The fact that  
19 it's already an existing field, a lot of the base  
20 work doesn't haven't to be done.

21 COMMISSIONER LENZ: Right. Exactly.

22 COUNCILMAN IMBROTO: Which is why it  
23 needs to be a specialized project?

24 COMMISSIONER LENZ: Yes. Yes.

25 But what I'm saying, I just want to

1 make sure that we -- I did not specify one specific  
2 product. I left it open to several different types  
3 of products, different fields, but there's only one  
4 contractor that was willing to supply his field.

5 The other gentleman, like was said  
6 earlier, the other contractors might have been very  
7 busy. They might be doing other school districts  
8 or whatever, and they chose not to bid.

9 But I want to make sure everybody  
10 understands, there was four bidders that took out  
11 the plans and specifications. Usually, what we do  
12 is I do not contact them until after we discuss it  
13 with you and you make the decision if we're going  
14 to go with it or not, then I call them and find out  
15 what the problems were. We can do things a little  
16 different, but that -- I'm saying that's the norm.

17 SUPERVISOR SALADINO: Are there --

18 COUNCILMAN LABRIOLA: Is there --  
19 sorry, Supervisor.

20 SUPERVISOR SALADINO: I just wanted --  
21 because you know the industry very well, are there  
22 quite a few schools and municipalities on Long  
23 Island, maybe the Tri-State are that are putting in  
24 fields simultaneously?

25 COMMISSIONER LENZ: The one that's in

1 Farmingdale, the Farmingdale High School, they're  
2 doing -- just as a small example, they're redoing  
3 the whole field.

4 Go ahead.

5 COUNCILMAN MACAGNONE: Unfortunately,  
6 ten to fifteen years ago, turf fields were the  
7 rage, and now they have to all be replaced.

8 COMMISSIONER LENZ: Yes.

9 COUNCILMAN MACAGNONE: Couple of years  
10 from now, we might have more people bidding because  
11 there will be less work out there.

12 COMMISSIONER LENZ: Right.

13 But when a vendor -- as I said before,  
14 when a vendor makes this turf field, turf field is  
15 slang for the stuff. What I'm saying is there is a  
16 turf field, turf field or like -- so there's only  
17 certain contractors that can install this type of  
18 material.

19 It couldn't -- it's not any contractor.  
20 You cannot go to any contractor. It has to be a  
21 specific contractor.

22 That would be like IT, for instance.  
23 There's only certain vendors that will be able to  
24 install Microsoft equipment.

25 I'm just using that as an simple

1 example -- that's not really a proper one -- but  
2 just as an example, there's only certain vendors  
3 that can install certain things, and that's what  
4 happened in this particular case.

5 COUNCILMAN MUSCARELLA: We understand.

6 COUNCILMAN LABRIOLA: Commissioner  
7 Lenz?

8 COMMISSIONER LENZ: Yes.

9 COUNCILMAN LABRIOLA: The vendor who  
10 ultimately was awarded the contract had -- has no  
11 idea that there are no other bidders, correct?

12 COMMISSIONER LENZ: They do not.

13 COUNCILMAN LABRIOLA: They think that  
14 four other bidders picked up when they're --

15 COMMISSIONER LENZ: Yes, they know  
16 that.

17 COUNCILMAN LABRIOLA: When they're  
18 doing their numbers?

19 COMMISSIONER LENZ: Absolutely.

20 COUNCILMAN LABRIOLA: And the question  
21 I have to you is, I heard you say that you think it  
22 was within the range of our consultant?

23 COMMISSIONER LENZ: Yes, it is.

24 COUNCILMAN LABRIOLA: And is it below  
25 or above the range?



1 COMMISSIONER LENZ: Below.

2 COUNCILMAN LABRIOLA: It's below?

3 COMMISSIONER LENZ: Yes.

4 COUNCILMAN LABRIOLA: What our  
5 consultant estimated the job cost?

6 COMMISSIONER LENZ: Yes.

7 Every contract that I put out to bid,  
8 I, being DPW, Town of Oyster Bay, we do an en- --  
9 what we call an engineer's estimate of what we  
10 think the job is going to come in at, and if it  
11 comes out that it's much more than what we  
12 estimated, then I have to relook things over to see  
13 if there's an error in what we did or is the  
14 contractor wrong.

15 In that particular case, I would bring  
16 the contractors in and say, what seems to be the  
17 problem? And we would go back out to bid. I would  
18 not award, usually, in that particular case.

19 COUNCILMAN LABRIOLA: Thank you.

20 I am satisfied.

21 COUNCILMAN MACAGNONE: I do know you're  
22 very hands on with the bidding process.

23 COMMISSIONER LENZ: Thank you.

24 Anything else?

25 (No verbal response.)

1 COMMISSIONER LENZ: Thank you.

2 SUPERVISOR SALADINO: Okay.

3 Our next speaker is Lisa Reinhardt.

4 MR. McKENNA: Supervisor, you did not  
5 answer two of my questions.

6 SUPERVISOR SALADINO: Sir, we have  
7 been --

8 MR. McKENNA: You didn't answer --

9 SUPERVISOR SALADINO: Sir, I'm going to  
10 ask you to please --

11 MR. McKENNA: You didn't answer my  
12 question about the flyers.

13 SUPERVISOR SALADINO: Sir. Sir,  
14 please.

15 COUNCILMAN IMBROTO: Mr. McKenna,  
16 please stop disrupting the meeting.

17 SUPERVISOR SALADINO: We're not go  
18 through a meeting like the past meetings.

19 MR. McKENNA: I just want it on the  
20 record that you didn't answer my question.

21 SUPERVISOR SALADINO: Thank you.

22 Please kindly take your seat and remain  
23 seated so we can listen to the next speaker.

24 Ms. Lisa Reinhardt?

25 MR. ALTADONNA: Ms. Reinhardt, this is

1 just for resolutions, so 217 you put down.

2 MS. REINHARDT: Right.

3 MR. ALTADONNA: Okay.

4 MS. REINHARDT: Right. 217.

5 I just -- I guess I know you had one of  
6 the lawyer fellows come up and explain, but I guess  
7 I'm just still unclear on 217.

8 Is Inspector General Noone, he's asking  
9 for additional -- additional companies to speak to  
10 discuss vendor contract authorization.

11 Is that what that's about?

12 SUPERVISOR SALADINO: Yes.

13 MS. REINHARDT: Okay.

14 So does he have a staff or is it just  
15 him and he's asking for this extra help to go  
16 through numerous contracts or how does that --

17 SUPERVISOR SALADINO: It's actually for  
18 looking at different products and services to  
19 assist as he's setting up all the aspects of the  
20 role of the Inspector General. This is our first  
21 Inspector General, the first on Long Island.

22 MS. REINHARDT: Okay.

23 SUPERVISOR SALADINO: And as he's  
24 setting up his duties and his roles, he's asking to  
25 speak with companies that have products that they

1 have the right to protect, so he's asked for that  
2 and if that -- does that answer your question?

3 MS. REINHARDT: Yeah, I just wanted  
4 to --

5 SUPERVISOR SALADINO: It doesn't cost  
6 anything. He's not purchasing anything. It opens  
7 up his ability to have discussions with these  
8 services and these vendors.

9 MS. REINHARDT: And does he have a  
10 staff assisting him with this process or is he by  
11 himself currently?

12 SUPERVISOR SALADINO: One person is  
13 assisting him.

14 MS. REINHARDT: Okay. Okay. Great,  
15 thank you.

16 SUPERVISOR SALADINO: We have no other  
17 slips for speakers on the resolutions, so I will  
18 ask our Clerk to -- if there's any correspondence?

19 MR. ALTADONNA: There's no  
20 correspondence during the regular Action Calendar,  
21 Supervisor, so let's go to the vote.

22 SUPERVISOR SALADINO: Thank you.

23 MR. ALTADONNA: To rehash, the motion  
24 was made by Councilman Muscarella. It was seconded  
25 by Councilman Macagnone.

1                   We are going to vote on P-6-19 through  
2                   Resolution No. 217.

3                   In addition, we added Resolution No.  
4                   153, okay.

5                   On the vote:

6                   Supervisor Saladino?

7                   SUPERVISOR SALADINO: "Aye."

8                   MR. ALTADONNA: Okay.

9                   Councilman Muscarella?

10                  COUNCILMAN MUSCARELLA: "Aye" on all.

11                  MR. ALTADONNA: Councilman Macagnone,  
12                  go slow.

13                  COUNCILMAN MACAGNONE: "No" on P-6-19.  
14                  "No" on 217.

15                  "Aye" on the rest.

16                  MR. ALTADONNA: Councilwoman Johnson?

17                  COUNCILWOMAN JOHNSON: "Aye" on all.

18                  MR. ALTADONNA: Councilman Imbroto?

19                  COUNCILMAN IMBROTO: "No" on 153.

20                  "Aye" on all the others.

21                  MR. ALTADONNA: "No" on 153?

22                  COUNCILMAN IMBROTO: Yeah.

23                  "Aye" on all the others.

24                  MR. ALTADONNA: Okay. Thank you.

25                  Councilman Hand?

1 COUNCILMAN HAND: "Aye" on all.

2 MR. ALTADONNA: Councilman Labriola?

3 COUNCILMAN LABRIOLA: "Aye."

4 MR. ALTADONNA: Okay.

5 Resolution P-6-19 passes with six

6 "Ayes" and one "Nay."

7 Resolution TF-6-19 through Resolution

8 216 passes with seven "Ayes."

9 Resolution 217 passes with six "Ayes"

10 and one "Nay."

11 Resolution 153, six "Ayes" and one

12 "Nay."

13 The calendar is complete.

14 SUPERVISOR SALADINO: Thank you.

15 May I have a motion?

16 COUNCILMAN MUSCARELLA: Supervisor, I

17 make a motion close the meeting.

18 COUNCILMAN MACAGNONE: Second.

19 SUPERVISOR SALADINO: All in favor,

20 signify by saying "Aye."

21 ALL: "Aye."

22 SUPERVISOR SALADINO: Those opposed,

23 "Nay."

24 (No verbal response given.)

25 SUPERVISOR SALADINO: The "Ayes" have

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it.

Thank you.

(TIME NOTED: 9:05 P.M.)