

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
July 30, 2019
10:41 a.m.

HEARING - TRAFFIC

To consider Amendments to the Code of the Town of Oyster Bay, New York, amending Chapter 233 of the said Code pertaining to parking, stopping, crossing, loading zones, thru traffic, trucking operations and other traffic regulations. (M.D. 6/18/19 #21).

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:

HOLLY DALOIA OSTEEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would you kindly
2 poll the Board?

3 MR. ALTADONNA: Supervisor?

4 SUPERVISOR SALADINO: Present.

5 MR. ALTADONNA: Councilman Muscarella?

6 COUNCILMAN MUSCARELLA: Here.

7 MR. ALTADONNA: Councilman Macagnone?

8 COUNCILMAN MACAGNONE: Good morning,
9 Jim.

10 How are ya?

11 I'm present.

12 MR. ALTADONNA: Councilwoman Johnson?

13 COUNCILWOMAN JOHNSON: Here, and I will
14 say that on every level in every office, supplies
15 go missing and things needs to be audited properly,
16 and no one is accusing anyone of doing anything.
17 It's just is what it is.

18 MR. ALTADONNA: Thank you. Thank you.

19 Maybe it could have been said better.

20 Councilman Imbroto?

21 COUNCILMAN IMBROTO: I'm here, Jim.

22 Good morning.

23 MR. ALTADONNA: Councilman Hand?

24 COUNCILMAN HAND: Here.

25 MR. ALTADONNA: Councilman Labriola?

1 COUNCILMAN LABRIOLA: Here.

2 MR. ALTADONNA: Would you like me to
3 call the first hearing?

4 SUPERVISOR SALADINO: Please.

5 MR. ALTADONNA: The first hearing is
6 Traffic to consider Amendments to the Code of the
7 Town of Oyster Bay, New York amending Chapter 233
8 of the said code pertaining to parking, stopping,
9 crossing, loading zones, thru traffic, trucking
10 operations and other traffic regulations.

11 SUPERVISOR SALADINO: Thank you.

12 MS. FAUGHNAN: Good morning,
13 Supervisor, Members of the Town Board.

14 Elizabeth Faughnan Deputy, Town
15 Attorney, Town Attorney's office.

16 I have come to you before with proposed
17 changes to the traffic code, but may I remind you
18 that these changes come from various sources. Some
19 come from members of our local law enforcement that
20 see a condition in the Town of Oyster Bay that they
21 believe should be addressed by the Town; some come
22 from members of our own department that witness a
23 traffic condition and recommend that the Highway
24 Department do a traffic survey to assess the
25 situation and ask the Town Board to act

1 accordingly; and many of these proposals come from
2 members of the Town that live here and work here
3 day-to-day and experience various conditions and
4 refer the matters to the Highway Department who
5 then does a traffic survey and the result is the
6 proposed changes to the traffic code in front of
7 you.

8 I am going to --

9 COUNCILMAN MACAGNONE: Have you seen
10 that survey from the Highway Department?

11 MS. FAUGHNAN: A new survey? They
12 didn't update the survey with respect to Bethpage.

13 COUNCILMAN MACAGNONE: I see it in the
14 back. I'm sorry. All right.

15 MS. FAUGHNAN: Yes, it just is Highway
16 -- what happened was -- just so the Board is aware,
17 all of the proposals were made and the Hearing
18 scheduled and the Highway Department took a second
19 look at Bethpage with respect to Hickey Boulevard,
20 Apollo Circle and they actually issued a new memo
21 -- a revised memo recommending increased
22 restrictions, which I will go over with you. They
23 are at the end of the Resolution, the draft
24 Resolution, which I have with me which I am now
25 going to now give copies to the Clerk for the

1 record and ask him to hand up copies to Members of
2 the Board.

3 COUNCILMAN MACAGNONE: Thank you,
4 Counselor.

5 (Ms. Faughnan hands paperwork to
6 Mr. Altadonna.)

7 MS. FAUGHNAN: Now, what was -- for the
8 residents in the room and for the residents who are
9 watching on the live stream, the changes that the
10 Highway Department recommended as recently as
11 Friday that are at the end of this proposed
12 Resolution, and, I'll go over specifically what
13 those changes were, and I'm going to ask the Board
14 that when they close the hearing, they leave the
15 record open for a week for those residents who
16 might want to comment on the change as it was
17 posted on the web as opposed to what I am proposing
18 and presenting to you today so that they have the
19 opportunity to comment.

20 I'm just briefly going to go over it --
21 as you know -- there are many sections to the Town
22 code with respect to traffic.

23 At the very beginning of the draft
24 Resolution, you'll see that we are adding to
25 Section 17-25 to add stop signs.

1 We're adding stop signs in Bethpage,
2 Glenwood Landing, Hicksville, Locust Valley,
3 Massapequa, Massapequa Park, Plainview and in
4 Seaford. We are also requesting that a stop sign
5 be deleted in Massapequa.

6 With respect to Section 17-28, we are
7 requesting that a yield intersection be deleted in
8 Locust Valley. And I'm going to point out to the
9 Board that while we may be deleting a yield --
10 actually at the top of the Resolution, we have
11 requested that yield now be a stop sign, so just
12 because a traffic sign or a traffic restriction is
13 being deleted does not mean that the Town is not
14 still controlling the intersection and does not
15 have a traffic control in place.

16 We are also requesting additions to
17 Section 17-35, and, Supervisor, I know this is
18 something that you had championed, the Highway
19 Department has recommended a one-way street here in
20 the Oyster Bay Hamlet on Larrabee Avenue as part of
21 the Safe Routes to Schools Initiative. So that is
22 also a part of today's presentation. That also I
23 know the other item you had championed will be
24 later today in Resolution 456, hopefully, to
25 approve the reduced speed limit on Lexington

1 Avenue. All is part of that Safe Routes to Schools
2 Initiative.

3 We are also requesting additions to
4 Section 17-44, banning left or right turns as
5 appropriate in Bethpage and Locust Valley.

6 We're requesting additions to Section
7 17-152, no stopping zones in Bethpage, Farmingdale,
8 Hicksville, Locust Valley, Massapequa, Massapequa
9 Park, Syosset and Woodbury.

10 We're requesting that no stopping
11 zones, Section 17-152, be deleted in Bethpage and
12 Massapequa.

13 We are requesting no parking zones
14 being added under Section 17-165 in Bethpage and in
15 Plainview.

16 We are requesting no parking zones be
17 deleted, Section 17-165, with respect to Bethpage
18 and Plainview.

19 We're requesting additions to Section
20 17-166, no parking during certain days or hours in
21 Glen Head, Hicksville, Locust Valley, Massapequa
22 and Syosset.

23 We are requesting deletions from
24 Section 17-166, which is no parking on certain days
25 or hours in Hicksville, Massapequa and Syosset.

1 We're requesting deletions from Section
2 17-167, limited parking zone in Massapequa on North
3 Broadway.

4 Recommending additions to Section
5 17-168, limited parking during certain hours or
6 days in Bethpage, Locust Valley, Massapequa and
7 Syosset.

8 Also recommended and proposed are
9 deletions from Section 17-168 which, again, is the
10 limited parking on certain days and times in
11 Massapequa and Syosset.

12 Now, these last two are what the
13 Highway Department reviewed and under further study
14 did a memorandum as recently as Friday, so these
15 are the items next that were not posted on the
16 Internet that I'm asking you to consider today and
17 for this reason, I would ask that the record remain
18 open for a week.

19 In the recommendations for additions to
20 Section 17-183, no parking zones, initially the
21 Highway Department had felt in Bethpage on Hickey
22 Boulevard there should be no parking any time on
23 the west side starting on the north curb line of
24 Central Avenue, going north until a point 250 feet
25 north of the entrance to Grumman Park.

1 Since this was -- since this first
2 survey was done, Traffic took another look at it
3 and recommended that, in fact, that no parking zone
4 be extended to the termination of Hickey Boulevard.
5 So that is different from what was initially
6 recommended but, again, traffic taking another look
7 on it as late as Friday recommending that it is in
8 the best interest of the residents to extend that
9 no parking zone.

10 The other changes in addition to
11 Section 17-184, no parking or standing during
12 certain days or hours, we're adding a restriction
13 in Massapequa and then the Highway Department had
14 originally felt that we should delete from the no
15 parking or standing during certain days or hours.
16 We should delete a provision in Bethpage with
17 respect to Hickey Boulevard, which was no parking
18 on Saturdays, Sundays or holidays. Again, the
19 Highway Department looked at that, did another
20 traffic survey and determined that that, in fact,
21 that provision should not be deleted from the code.

22 So, whereas it may have been in the
23 initial draft, today we are asking that we not
24 delete that. That, in fact -- so we're removing
25 that recommendation and that request. So it's not

1 in your final draft because the Highway Department
2 felt that that restriction should remain in place.

3 And those are all the proposed changes.

4 SUPERVISOR SALADINO: Does the Board
5 have any comments, questions?

6 COUNCILMAN MACAGNONE: No.

7 Thank you for looking at the survey and
8 rechecking. I appreciate it.

9 MS. FAUGHNAN: It's John Bishop and the
10 Commissioner Lenz, Deputy Commissioner Bishop --

11 COUNCILMAN MACAGNONE: Seriously, in
12 the past, they never really did a study and that
13 was a bone of contention with me. I'm glad they're
14 doing it now.

15 MS. FAUGHNAN: I will thank them on
16 your behalf.

17 SUPERVISOR SALADINO: Was there anyone
18 who would like to be heard on this public hearing?
19 Yes.

20 Why don't you come up and state your
21 presence and give us your name and address, Lisa,
22 and then ask your question, please.

23 MS. RINEHART: Hi. Lisa Rinehart, 65
24 Elm Street, Hicksville.

25 Good morning, all. I just had a quick

1 question.

2 Is it possible -- we been having so
3 much trouble in Hicksville with those 18-wheelers
4 and with the increased presence at Grumman,
5 et cetera, is it possible to get the list of
6 requests for Hicksville just so I can see?

7 SUPERVISOR SALADINO: Sure.

8 MS. RINEHART: Because I do want to
9 really quickly congratulate whoever was able to put
10 up the "no commercial parking" signs on 10th
11 Street. The 18-wheeler hasn't been seen there in
12 about a week and a half, so that was huge.

13 Now, we've got to chase them off Lewey
14 and a couple of other streets but if I could get
15 some kind of list for Hicksville, that would be
16 helpful.

17 SUPERVISOR SALADINO: And it is huge
18 and we do appreciate that. Thank you.

19 MS. RINEHART: Yes.

20 The POP officer for the 8th Precinct,
21 Officer Biladello, said he believes we kind of have
22 them on the run because of increased awareness, so
23 all to the good.

24 Thank you, everyone, for that.

25 SUPERVISOR SALADINO: Thank you, Lisa.

1 Once again, we are fixing it.

2 No other questions from the public? No
3 other questions from our Board?

4 Thank you very much.

5 I do want to compliment our fine Town
6 employees, whether they be with our Traffic
7 surveys, Highway, all of our employees who work
8 very hard and they are more recently highly
9 motivated to do a great job and to really work
10 hard. It's important -- I'll point out a story
11 that just happened about our workforce and the kind
12 of honesty and integrity that we have among our
13 workforce members.

14 One of our Sanitation employees was
15 picking up garbage cans. They're working very
16 hard. They are now standing them up in a straight
17 row. They're not throwing them around. They're
18 doing a phenomenal job. He noticed money in an --
19 I believe it was in a wallet. Turned it into the
20 owners and they are thrilled. They had mistakenly
21 throne out this money. I believe it was in a
22 wallet. The Sanitation employee picked up on it.
23 Recognized that this was valuable, got it back to
24 the homeowner and what a wonderful story to speak
25 of the integrity and the commitment and the

1 dedication of our workforce. They are out there
2 very early in the morning. In the case of the
3 Sanitation employees, whether it's sweltering heat,
4 very, very cold days and this runs across the
5 board. So, we are so proud to have the workforce
6 that is very dedicated, honest, filled with
7 integrity and we move the Town of Oyster Bay
8 forward. I mean, that's what we're doing, turning
9 the Town around and moving it to a great place, and
10 we appreciate the assistance and the dedication of
11 our workforce and all the department heads who
12 continue to lead.

13 Thank you very much all. Thank you.

14 (Clapping.)

15 SUPERVISOR SALADINO: Do we have any
16 correspondence on this?

17 MR. ALTADONNA: We have affidavits of
18 postings and publications.

19 There is no other correspondence.

20 SUPERVISOR SALADINO: May I have a
21 motion, please?

22 COUNCILMAN MUSCARELLA: Supervisor, I
23 move that we close this public hearing.

24 The record stays open for seven days
25 and the decision be reserved.

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COUNCILMAN MACAGNONE: Second.

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

ALL: "Aye."

SUPERVISOR SALADINO: Those opposed,
"Nay."

(No response.)

SUPERVISOR SALADINO: The "Ayes" have
it.

(TIME NOTED: 10:54 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
July 30, 2019
10:55 a.m.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
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COUNCILMAN STEVEN L. LABRIOLA

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

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taken by:

HOLLY DALOIA OSTEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: We will now move
2 to our regular Action Calendar.

3 MR. ALTADONNA: We have some
4 housekeeping to do.

5 May I have a motion to table
6 Resolutions No. 437 and I was just informed 454?

7 On the motion?

8 COUNCILMAN MUSCARELLA: So moved.

9 COUNCILMAN MACAGNONE: Second.

10 MR. ALTADONNA: Motion made by
11 Councilman Muscarella, second by Councilman
12 Macagnone.

13 Are you okay, Councilwoman Johnson?

14 COUNCILWOMAN JOHNSON: 437?

15 MR. ALTADONNA: I was told 437 and 454.

16 COUNCILWOMAN JOHNSON: Thank you.

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

19 On the vote:

20 Supervisor?

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 table
10 Resolutions No. 437 and 454 passes with seven
11 "Ayes."

12 SUPERVISOR SALADINO: We have some
13 speakers.

14 MR. ALTADONNA: No, no. We have a lot
15 more to go.

16 SUPERVISOR SALADINO: Okay. Please
17 continue.

18 MR. ALTADONNA: May I have a motion to
19 remove from the table and add Resolution No. 257 to
20 the regular Action Calendar which was tabled on
21 April 16, 2019?

22 **RESOLUTION NO. 257-2019 tabled on**
23 **April 16, 2019;** Resolution pertaining to Contract
24 No. PWC07-18, On-Call Engineering Services relative
25 to Civil Engineering in connection with the

1 development of a commuter parking field in Locust
2 Valley at Elm Street and 4th Street. Account No.
3 HWY H 5197 20000 000 1903 008. (M.D. 4/2/19 #26).

4 On the motion?

5 COUNCILMAN MUSCARELLA: So moved.

6 COUNCILMAN MACAGNONE: Second.

7 MR. ALTADONNA: Motion made by
8 Councilman Muscarella, second by Councilman
9 Macagnone.

10 On the vote:

11 Supervisor?

12 SUPERVISOR SALADINO: "Aye."

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: "Aye."

15 MR. ALTADONNA: Councilman Macagnone?

16 COUNCILMAN MACAGNONE: No.

17 MR. ALTADONNA: Councilwoman Johnson?

18 COUNCILWOMAN JOHNSON: "Aye."

19 I think it will be a great addition to
20 Locust Valley.

21 MR. ALTADONNA: I'm sorry, so that's an
22 "Aye."

23 COUNCILWOMAN JOHNSON: Yes.

24 MR. ALTADONNA: Councilman Imbroto?

25 COUNCILMAN IMBROTO: "Aye."

1 MR. ALTADONNA: Councilman Hand?

2 COUNCILMAN HAND: "Aye."

3 MR. ALTADONNA: Councilman Labriola?

4 COUNCILMAN LABRIOLA: "Aye."

5 MR. ALTADONNA: Motion to add
6 Resolution No. 257 to the regular Action Calendar
7 passes with six "Ayes" and one "Nay."

8 Now, we have a walk-on.

9 May I have a motion to suspend the
10 rules and add the following Walk-On Resolution No.
11 466, which is a Resolution authorizing the
12 Supervisor or his Designee to execute the Site
13 Access Agreement Grumman Road/Hickey Boulevard
14 predesigned investigation as previously negotiated
15 by the Town of Oyster Bay and North Grumman Systems
16 Corporation?

17 This is just to add it to the regular.
18 Okay.

19 On the motion?

20 COUNCILMAN MUSCARELLA: So moved.

21 COUNCILMAN MACAGNONE: Second.

22 MR. ALTADONNA: Motion made by
23 Councilman Muscarella, second by Councilman
24 Macagnone.

25 On the vote:

1 Supervisor?
2 SUPERVISOR SALADINO: "Aye."
3 MR. ALTADONNA: Councilman Muscarella?
4 COUNCILMAN MUSCARELLA: "Aye."
5 MR. ALTADONNA: Councilman Macagnone?
6 COUNCILMAN MACAGNONE: "Aye."
7 MR. ALTADONNA: Councilwoman Johnson?
8 COUNCILWOMAN JOHNSON: "Aye."
9 MR. ALTADONNA: Councilman Imbroto?
10 COUNCILMAN IMBROTO: "Aye."
11 MR. ALTADONNA: Councilman Hand?
12 COUNCILMAN HAND: "Aye."
13 MR. ALTADONNA: Councilman Labriola?
14 COUNCILMAN LABRIOLA: "Aye."
15 MR. ALTADONNA: Motion to add
16 Resolution 466 to the regular Action Calendar
17 passes with seven "Ayes."
18 One more.
19 May I have a motion to adopt Resolution
20 No. P14-19 through Resolution No. 466, noting that
21 437 and 454 were tabled, okay, and 466 was added?
22 **PERSONNEL RESOLUTION NO. P-14-19;**
23 Resolution pertaining to various personnel of
24 various departments within the Town of Oyster Bay.
25 **TRANSFER OF FUNDS RESOLUTION NO.**

1 **TF-13-19**; Resolution pertaining to Transfer of
2 Funds within various departments accounts for the
3 Year 2019.

4 **RESOLUTION NO. 433-2019**; Resolution
5 authorizing payment of Nassau Municipal Swim
6 Conference, Inc. seasonal membership dues for 2018.
7 Account Nos. PKS SP07 7180 47900 000 0000 and PKS
8 SP11 7180 47900 000 0000. (M.D.7/2/19 #4).

9 **RESOLUTION NO. 434-2019**; Resolution
10 authorizing payment of Nassau Municipal Swim
11 Conference, Inc. seasonal membership dues for 2019.
12 Account Nos. PKS SP07 7180 47900 000 0000 and PKS
13 SP11 7180 47900 000 0000. (M.D.7/2/19 #5).

14 **RESOLUTION NO. 435-2019**; Resolution
15 pertaining to Modification of Restrictive Covenants
16 at premises located at 485 Underhill Boulevard,
17 Syosset, New York. (M.D. 7/2/19 #12).

18 **RESOLUTION NO. 436-2019**; Resolution
19 modifying Consultant Agreement for Restoration and
20 Improvements to Alhambra Park, Massapequa, Contract
21 No. DP17-151, as part of the N.Y. Rising Community
22 Reconstruction Program at no additional cost. (M.D.
23 7/2/19 #15).

24 **RESOLUTION NO. 438-2019**; Resolution
25 pertaining to the filing of Town of Oyster Bay

1 External Audit Report Comprehensive Annual
2 Financial Report for the period ended December 31,
3 2018 and ratifying the actions of the Town Clerk in
4 publishing notice of said report. (M.D. 7/9/19 #6).

5 **RESOLUTION NO. 439-2019;** Resolution
6 authorizing payment for the services of a Process
7 Server in connection with a civil action. Account
8 No. OTA A 1420 44110 000 0000. (M.D. 7/9/19 #8).

9 **RESOLUTION NO. 440-2019;** Resolution
10 authorizing an extension of the agreement between
11 the Town of Oyster Bay and the Oyster Bay Railroad
12 Museum on the terms contained in the existing
13 agreement, as amended in 2017, through December 31,
14 2030. (M.D. 7/9/19 #9).

15 **RESOLUTION NO. 441-2019;** Resolution
16 authorizing an agreement with New York State Office
17 of Parks, Recreation and Historic Preservation, for
18 use of a jet ski for marine patrol/enforcement with
19 no cost to the Town, other than fuel and normal
20 maintenance costs and to authorize the Supervisor
21 or his designee to execute said agreement. (M.D.
22 7/9/19 #11).

23 **RESOLUTION NO. 442-2019;** Resolution
24 authorizing an agreement for professional services
25 in connection with AED Oversight, for the

1 Supervisor or his designee to execute said
2 agreement and to ratify this service from
3 January 1, 2019 through December 31, 2019. (M.D.
4 7/9/19 #12).

5 **RESOLUTION NO. 443-2019;** Resolution
6 designating three areas in the Town of Oyster Bay
7 waters as Conservation Management Areas. (M.D.
8 7/9/19 #13).

9 **RESOLUTION NO. 444-2019;** Resolution
10 authorizing issuance of a refund of a building
11 permit fee to Construction Management & Builders.
12 Account No. PAD B 0001 02555 000 0000. (M.D. 7/9/19
13 #14).

14 **RESOLUTION NO. 445-2019;** Resolution
15 pertaining to Change Order No. 1 and final
16 acceptance and final payment for Contract No.
17 DPW18-177, South Oyster Bay Canal Mouth Dredging,
18 Massapequa. (M.D. 7/9/19 #15).

19 **RESOLUTION NO. 446-2019;** Resolution
20 granting request from B. Ruoff to donate a memorial
21 plaque to be placed in Parklet P9 in Plainview in
22 memory of Tom Dunleavy. (M.D. 7/16/19 #4).

23 **RESOLUTION NO. 447-2019;** Resolution
24 authorizing issuance of a refund for the Summer
25 Recreation Program at Plainview Old-Bethpage

1 Community Park to L. Mieles. Account No. PKS A 0001
2 02001 510 0000. (M.D. 7/16/19 #5).

3 **RESOLUTION NO. 448-2019;** Resolution
4 authorizing issuance of a refund for the Summer
5 Recreation Program at Plainview Old-Bethpage
6 community Park to P. Wu. Account No. PKS A 0001
7 02001 510 0000. (M.D. 7/16/19 #6).

8 **RESOLUTION NO. 449-2019;** Resolution
9 amending Resolution No. 281-2018 to include
10 additional fees for the Honorable Joseph Colby Town
11 of Oyster Bay Golf Course. (M.D. 7/16/19 #7).

12 **RESOLUTION NO. 450-2019;** Resolution
13 authorizing issuance of a refund of a variance
14 application fee to Two By Four New York
15 Corporation. Account No. PAD B 0001 02110 000 0000.
16 (M.D. 7/16/19 #8).

17 **RESOLUTION NO. 451-2019;** Resolution
18 authorizing the Town's Environmental Impairment
19 Liability Insurance be obtained for the period
20 July 31, 2019 through July 31, 2020; Account No.
21 TWN AMS 1910 43010 602 0000 000. (M.D. 7/16/19 #21
22 & 7/23/19 #14).

23 **RESOLUTION NO. 452-2019;** Resolution
24 granting request from the Plainview-Old Bethpage
25 Chamber of Commerce, for Town assistance in

1 conducting their 8th Annual Fall Festival on
2 October 6, 2019, closure and use of Carol Place in
3 Plainview and to use various Town equipment for the
4 event. (M.D. 7/16/19 #16).

5 **RESOLUTION NO. 453-2019;** Resolution
6 granting request from St. Edward the Confessor
7 Church for Town assistance in hosting their annual
8 Festival from August 9 through August 11, 2019, to
9 use the northeast portion of Municipal Parking
10 Field S-1 and have temporary "No Parking" signs
11 posted in said area of lot, to use Municipal
12 Parking Field S-2 from August 9 through August 10,
13 2019 and post temporary "No Parking" signs in said
14 lot, to use various Town equipment, and have Town
15 Ordinance Chapters 82-3, 168-20, 168-22 and 168-24
16 waived for the event. (M.D. 7/16/19 #17).

17 **RESOLUTION NO. 455-2019;** Resolution
18 authorizing changes to Locust Valley Parking Fields
19 LV-2, LV-3 and LV-4, based on resident and business
20 district concerns. (M.D. 7/16/19 #19).

21 **RESOLUTION NO. 456-2019;** Resolution
22 pertaining to the decision for a Local Law
23 entitled, "A Local Law to Amend Chapter 203 Speed
24 Limits, Section 203-9, Thirty-Five Miles Per Hour,
25 at Specific Locations of the Code of the Town of

1 Oyster Bay New York". Hearing held: July 9, 2019.
2 (M.D. 7/9/19 #4).

3 **RESOLUTION NO. 457-2019;** Resolution
4 granting request from IDP USA for Town assistance
5 in conducting their India Day Parade to be held
6 August 4, 2019 in Hicksville, to use Parking Field
7 H-11 and Town equipment for the event. (M.D.
8 7/16/19 #15 & 7/23/19 #12).

9 **RESOLUTION NO. 458-2019;** Resolution
10 providing consent to a draft Nassau County Tax
11 Exemption Agreement in connection with Woodbridge
12 at Farmingdale II, L.P. (M.D. 7/16/19 #25).

13 **RESOLUTION NO. 459-2019;** Resolution
14 authorizing the property cleanup assessment of
15 181 High Farms Road, Glen Head, New York, performed
16 on October 17, 2019 and July 2, 2019, be referred
17 to the County of Nassau for placement on the Nassau
18 County Tax Assessment Rolls. (M.D. 7/16/19 #26).

19 **RESOLUTION NO. 460-2019;** Resolution
20 authorizing the property cleanup assessment of
21 961 North Broadway, Massapequa, New York, performed
22 on May 30, 2019, be referred to the County of
23 Nassau for placement on the Nassau County Tax
24 Assessment Rolls. (M.D. 7/16/19 #27).

25 **RESOLUTION NO. 461-2019;** Resolution

1 authorizing the property cleanup assessment of
2 6 Primrose Avenue, Hicksville, New York, performed
3 on May 22, 2019, be referred to the County of
4 Nassau for placement on the Nassau County Tax
5 Assessment Rolls. (M.D. 7/16/19 #28).

6 **RESOLUTION NO. 462-2019;** Resolution
7 authorizing the property cleanup assessment of
8 581 Hicksville Road, Massapequa, New York,
9 performed on May 24, 2019, be referred to the
10 County of Nassau for placement on the Nassau County
11 Tax Assessment Rolls. (M.D. 7/16/19 #29).

12 **RESOLUTION NO. 463-2019;** Resolution
13 directing the Town Clerk to publish a Notice of
14 Hearing on a proposed local law entitled: "A Local
15 Law Amending Chapter 103 - Dogs and Other Animals,
16 of the Town Code of the Town of Oyster Bay."
17 Hearing date: August 20, 2019. (M.D. 7/16/19 #30).

18 **RESOLUTION NO. 464-2019;** Resolution
19 directing the Town Clerk to publish a Notice of
20 Hearing for a public hearing to consider the
21 application of 799 Old Country Road, LLC and Dallas
22 79, Inc. d/b/a The Main Event, for modification of
23 conditions imposed by Resolution No. 244-1998 and
24 Modification of Declaration of Restrictive
25 Covenants for premises located at 799 Old Country

1 Road, Plainview, New York. Hearing Date: August 20,
2 2019. (M.D. 7/16/19 #31).

3 **RESOLUTION NO. 465-2019;** Resolution
4 authorizing an Inter-Municipal License Agreement
5 with the Syosset Central School District for the
6 Use of the Right-of-Way, on the West Side of South
7 Woods Road, Syosset, for the period August 1, 2019
8 through December 31, 2019 with two (2) five-year
9 extensions, and for the Supervisor or his Designee
10 to execute said Agreement. (M.D. 7/16/19 #22 &
11 7/23/19 #13).

12 On the motion?

13 COUNCILMAN MUSCARELLA: So moved.

14 COUNCILMAN MACAGNONE: Second.

15 MR. ALTADONNA: Motion made by
16 Councilman Muscarella, second by Councilman
17 Macagnone.

18 I believe you have speakers.

19 SUPERVISOR SALADINO: Yes. We have
20 some speakers.

21 Arthur Adelman will be the first.

22 MR. NOCELLA: He excused himself. He
23 said he would be back momentarily. Oh, there he
24 is.

25 MR. ADELMAN: Thank you for your

1 indulgence.

2 SUPERVISOR SALADINO: Of course.

3 MR. ADELMAN: Good morning, Board,
4 Supervisor.

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

7 I just have one quick question with
8 regard to Resolution 438, pertaining to the
9 external audit. I'm not sure if this -- the audit
10 is done and we're now just putting it into the
11 record or --

12 SUPERVISOR SALADINO: Yes. It is done.

13 MR. ADELMAN: But my question is
14 regarding this because it can become part of the
15 record, is to make sure that the Town has listed in
16 our financials and the auditors picked it up with
17 regard to the money from the 150 Miller Place that
18 is now, I understand, under litigation, whether
19 we're going to return the money or not, whether
20 we're going to do any borrowing to pay it back if
21 we have to pay it back.

22 The reason I'm so concerned is because
23 under the previous administration when there were
24 some loans made to a Town vendor --

25 SUPERVISOR SALADINO: An outside

1 vendor, not in the Town.

2 MR. ADELMAN: We all remember the
3 litigation with the Phoenix company and all that, I
4 just want to make sure we're not open to anything
5 like that and all footnotes have been made
6 regarding that money and that's my concern as a
7 citizen.

8 SUPERVISOR SALADINO: I appreciate it.

9 MR. ADELMAN: It's completely open and
10 everybody's aware.

11 Thank you.

12 SUPERVISOR SALADINO: Thank you,
13 Arthur.

14 I'm very appreciative that you bring
15 that up because we are taking painstaking steps to
16 ensure that transparency and the proper legal
17 procedures. I'm going to ask the Town attorney to
18 come up so we can explain the situation and allay
19 your fears.

20 MR. NOCELLA: Yes, Supervisor, the
21 issue that --

22 SUPERVISOR SALADINO: Start with your
23 presence, please.

24 MR. NOCELLA: Oh, forgive me.

25 Joseph Nocella, Town Attorney.

1 Good morning, everyone.

2 Mr. Adelman raises, as you know, a good
3 question, but 150 Miller Place and the
4 circumstances arising out of a contract for its
5 sale have been disclosed consistently over the
6 years in the CAFR.

7 Most recently there has been a
8 litigation that was initiated. I believe that, in
9 part, the litigation was to preserve the rights of
10 the purchasing party, but that litigation and its
11 possible outcomes have been fully disclosed. So in
12 every respect, the Town has taken all the proper
13 actions to make sure that the circumstances, for
14 lack of a better term, surrounding 150 Miller
15 Place, what happened in the past and what is
16 currently happening and what has recently developed
17 have all been fully disclosed.

18 SUPERVISOR SALADINO: So can you assure
19 the Board and ensure the public that this entire
20 procedure is being done legally, ethically and
21 appropriately?

22 MR. NOCELLA: Yes, in every respect.

23 SUPERVISOR SALADINO: Have all of these
24 documents been peer reviewed?

25 MR. NOCELLA: Definitely, yes.

1 SUPERVISOR SALADINO: You are also
2 happy with the way this has been reported and the
3 outcome in the CAFR?

4 MR. NOCELLA: Thoroughly satisfied,
5 yes.

6 SUPERVISOR SALADINO: Thank you very
7 much.

8 Next speaker is Rob Brusca.

9 COUNCILWOMAN JOHNSON: Rob Brusca.

10 SUPERVISOR SALADINO: Brusca. I'm
11 sorry, Rob.

12 MR. BRUSCA: Good morning, everyone.
13 Nice to see you all.

14 With regards to Resolution 440
15 extending the agreement with the Oyster Bay
16 Railroad Museum for an additional 10-year period --

17 SUPERVISOR SALADINO: Rob, if I may
18 interrupt you for a second.

19 Would you just please state your name
20 and address?

21 MR. BRUSCA: Yes, I'm sorry.

22 Rob Brusca, 105 Devonshire Drive, East
23 Norwich, New York 11732.

24 SUPERVISOR SALADINO: Sorry to
25 interrupt. Proceed.

1 MR. BRUSCA: That's all right.

2 Thank you.

3 I'm on the Board for the Oyster Bay
4 Railroad Museum.

5 I just want to thank you for extending
6 that agreement relative to the historic train
7 station just north of here. We are in the midst of
8 a restoration to that station and a ten-year
9 extension will go a very, very long way in securing
10 additional grant moneys and substantial donations
11 from additional donors from that jurisdiction
12 extended for the ten-year period.

13 I'd particularly like to thank the
14 Supervisor and Councilwoman Johnson, Greg Carman,
15 Tom Sabellico and Dennis Sheehan, who have been
16 tremendously patient with a lot nudging a number of
17 times. Thank you very much.

18 While I have you, I apologize, but over
19 the last year or so, there has been a lot as
20 routinely occurs with the Town representatives and
21 commissioners and this Board, you've been
22 tremendously supportive of the Oyster Bay/East
23 Norwich Community. I don't represent the
24 community, but I know a lot of people around here.

25 I just want to thank particularly the

1 Board and Supervisor once again, Commissioners
2 Pinto, MacCarone, Lenz, Town Representatives John
3 Bishop, Tim Zike, Peter Brown, Jim McCaffrey, Paul
4 Erlich and Colin Bell and Rich Lamarca have been
5 doing a tremendous job over the last six to eight
6 to twelve months in seeking grant opportunities for
7 the Oyster Bay/East Norwich community.

8 So, we always have our hand out like
9 everyone does and Rich and Collin have just been
10 fantastic, so thank you all very much.

11 Good to see you all. Have a good
12 summer.

13 SUPERVISOR SALADINO: Thank you, Rob.

14 COUNCILWOMAN JOHNSON: The Railroad
15 Museum is coming along beautifully. I know it's
16 been a while since I've been there, but you guys
17 are doing a tremendous job.

18 MR. BRUSCA: Thank you.

19 It's all volunteer work. It's
20 incredible. I don't do the volunteering. I'm just
21 a nudger.

22 COUNCILWOMAN JOHNSON: That's
23 volunteering.

24 MR. BRUSCA: Thanks again very much.

25 COUNCILMAN MACAGNONE: Rob, you have

1 plenty of strengths.

2 MR. BRUSCA: A lot of useless details.

3 SUPERVISOR SALADINO: We have Dan
4 DeVita and Heather Johnson who put in for public
5 comment, but this might be the more appropriate
6 time as I believe you're here to speak on one of
7 the items on the Resolution.

8 Would you like to come up, first Dan,
9 Mayor Dan DeVita, the Honorable?

10 MAYOR DEVITA: Thank you,
11 Mr. Supervisor, Esteemed Members of the Board.

12 My name is Daniel DeVita, 1492 Laurel
13 Hollow Road.

14 I'm here as Mayor of the Village of
15 Laurel Hollow and Vice Chair of the Oyster Bay/Cold
16 Spring Harbor Protection Committee.

17 First and foremost, we are here in
18 support of the Oyster Bay area management
19 Resolution which the Board will be taking up,
20 but I first want to thank this Board and you,
21 Supervisor, for the amazing support that the Town
22 has given us in what I term our Oyster Gardening
23 Project.

24 This started as a thought three years
25 ago in the Oyster Bay/Cold Spring Harbor Protection

1 Committee. And in conjunction with our Village, we
2 were very anxious to start this program which
3 involved having our own residents and other groups
4 maintain cages filled with oysters from their
5 seedling stage until their mature stage.

6 The idea being, as you may know, these
7 little creatures of nature have these miraculous
8 water cleaning and water filtering properties. And
9 the idea is for our community members, and we're a
10 small community, 600 families, to get involved and
11 the extent of their involvement is incredible and
12 their enthusiasm is remarkable for this program.

13 And it's now spread to this year the
14 Village of Bayville, the Village of Oyster Bay Cove
15 is starting their own program, and I have to say
16 this couldn't have gotten going without obviously
17 the Town support. We've had many meetings
18 beginning with Commissioner Bergen, continuing with
19 George --

20 SUPERVISOR SALADINO: Baptista.

21 MAYOR DEVITA: Baptista, thank you.

22 Going back three years when this was a
23 first thought, Supervisor came to our first meeting
24 and spoke in support. Many people outside the Town
25 and maybe even those in the Town don't realize this

1 is a Town that stretches from the sound to the
2 ocean. We have such wonderful water and water
3 qualities that -- issues that go along with it and
4 the Town has been great in helping us to address
5 this.

6 We believe that the passage of this Bay
7 Area Management, three different sections which is
8 supported by various and many groups will be a
9 further continuation of utilizing these little
10 creatures to help filter our sound and continue to
11 improve the water quality in the sound.

12 So, again, I thank for your support and
13 we look forward to our continued cooperation with
14 the Town in particular on these projects and
15 others.

16 Thank you, Supervisor.

17 SUPERVISOR SALADINO: Thank you Mayor
18 for coming in and we appreciate your leadership,
19 your guidance, and all you've done with your
20 committee and the phenomenal job you do as Mayor.
21 You really are the bar that all of us should be
22 striving for and you're a fabulous partner on
23 environmental issues that are so important to me as
24 are to you and to the progress of government in the
25 right direction. You're a pleasure to work with.

1 MAYOR DEVITA: Thank you.

2 Thank you, all.

3 SUPERVISOR SALADINO: Heather Johnson.

4 MS. JOHNSON: Good morning.

5 Heather Johnson, 3 Doe Court,

6 Smithtown, New York.

7 Don't hold Smithtown against me. I'm
8 here on behalf of Friends of the Bay. I'm also
9 chair of the Oyster Bay/Cold Spring Harbor
10 Protection Committee.

11 Our mission is to preserve and protect
12 the Oyster Bay and Cold Spring Harbor Estuary and
13 the surround watershed, so we are very grateful for
14 the Town of Oyster Bay for consideration of this
15 very important step forward in protecting our
16 waterways with the establishment of these three bay
17 management areas and you know as a friend of the
18 Bay, we really look forward to continued work
19 together to paint the town green.

20 So thank you very much.

21 SUPERVISOR SALADINO: Thank you for
22 coming in, Heather, and thank you again for your
23 leadership and all of your hard work as I thanked
24 you yesterday publically.

25 We really appreciate it. To work with

1 people who have as much passion as I do for
2 protecting our estuary and sound, our many bays on
3 the North Shore and bay on the South Shore and our
4 ocean is phenomenal. That passion is shared by my
5 colleagues on the Town Board. We really live in a
6 gem here. It is so important to protect what we
7 have to make it the best we can now and to protect
8 these important marine resources for future
9 generations and working with you is getting that
10 done.

11 MS. JOHNSON: Thank you.

12 You couldn't word it any better. I
13 really appreciate that. Thank you.

14 COUNCILWOMAN JOHNSON: Thank you,
15 Heather.

16 SUPERVISOR SALADINO: I have no other
17 slips for our Resolutions, so I believe we shall
18 now ask for any letters, any correspondence.

19 MR. ALTADONNA: No correspondence.

20 We'll call for the vote.

21 SUPERVISOR SALADINO: Okay.

22 We will now call for the vote.

23 MR. ALTADONNA: Supervisor?

24 SUPERVISOR SALADINO: "Aye."

25 MR. ALTADONNA: Councilman Muscarella?

1 COUNCILMAN MUSCARELLA: "Aye" on all.

2 MR. ALTADONNA: Councilman Macagnone,
3 go slow.

4 COUNCILMAN MACAGNONE: No on P14-19.

5 MR. ALTADONNA: Hold on. Hold on.

6 No on P-14-19, go ahead.

7 COUNCILMAN MACAGNONE: Salaries are out
8 of whack with what's happening on Long Island.

9 "No" on 257.

10 "No" on 458.

11 And "Aye" on the rest.

12 MR. ALTADONNA: You said 458?

13 COUNCILMAN MACAGNONE: Yes, sir.

14 MR. ALTADONNA: Councilwoman Johnson?

15 COUNCILWOMAN JOHNSON: I vote "Aye" on
16 all.

17 MR. ALTADONNA: Councilman Imbroto?

18 COUNCILMAN IMBROTO: I vote "Aye" on
19 all.

20 MR. ALTADONNA: Councilman Hand?

21 COUNCILMAN HAND: "Aye" on all.

22 MR. ALTADONNA: Councilman Labriola?

23 COUNCILMAN LABRIOLA: Yes on all.

24 MR. ALTADONNA: Here we go.

25 P14-15 passes with six "Ayes" and one

1 "Nay."
2 TF13-19 through 436 passes with seven
3 "Ayes."
4 437 was tabled.
5 438 through 453 passes was seven
6 "Ayes."
7 454 was tabled.
8 455 through 456 passes with seven
9 "Ayes."
10 457 and 458 passes with six "Ayes" and
11 one "Nay."
12 459 through 466 passes with seven
13 "Ayes."
14 Calendar is complete.
15 SUPERVISOR SALADINO: Thank you.
16 So, may I have a motion, please?
17 COUNCILMAN MUSCARELLA: Supervisor, I
18 will make a motion that this Town Board go into
19 Executive Session for the purpose of discussions on
20 personal matters.
21 COUNCILMAN MACAGNONE: Second.
22 SUPERVISOR SALADINO: All in favor,
23 please signify by saying "Aye."
24 ALL: "Aye."
25 SUPERVISOR SALADINO: Those opposed,

1 "Nay."

2 (No response.)

3 SUPERVISOR SALADINO: The "Ayes" have
4 it.

5 We're going into Executive Session as
6 per law and we will be coming out soon and
7 reporting if any action has taken place and then we
8 will get to public comments and we'll do that as
9 quickly as possible.

10 Thank you.

11 (Whereupon, the Executive Session began
12 at 11:12 a.m. and ended at 11:32 a.m. and the
13 proceedings resumed as follows:)

14 SUPERVISOR SALADINO: Councilman
15 Muscarella, will you please give us a report on the
16 Executive Session?

17 COUNCILMAN MUSCARELLA: The Executive
18 Session discussions on collective --

19 SUPERVISOR SALADINO: Just a moment.
20 Please let everyone have a chance to
21 have a seat.

22 COUNCILMAN MUSCARELLA: The Executive
23 Session were discussions on collective personnel
24 matters.

25 No action has been taken by the Board.

1 COUNCILMAN MACAGNONE: Second.

2 COUNCILMAN MUSCARELLA: The motion is
3 that I'm closing the Executive Session.

4 COUNCILMAN MACAGNONE: Second.

5 SUPERVISOR SALADINO: All in favor,
6 please signify by saying "Aye."

7 ALL: "Aye."

8 SUPERVISOR SALADINO: Those opposed,
9 "Nay."

10 (No response.)

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

13 Thank you.

14 Okay. We have some people who would
15 like to speak on public comment.

16 COUNCILMAN MACAGNONE: We have to close
17 the meeting.

18 SUPERVISOR SALADINO: Of course.

19 May I have a motion?

20 COUNCILMAN MUSCARELLA: I make motion
21 to close the meeting.

22 COUNCILMAN MACAGNONE: Second.

23 SUPERVISOR SALADINO: All in favor,
24 please signify by saying "Aye."

25 ALL: "Aye."

1 SUPERVISOR SALADINO: Those opposed,
2 "Nay."

3 (No response.)

4 SUPERVISOR SALADINO: The "Ayes" have
5 it.

6 (TIME NOTED: 11:34 A.M.)

7 (Whereupon, a discussion was held off
8 the record.)

9 (TIME NOTED: 11:39 A.M.)

10 MR. ALTADONNA: Supervisor, we have to
11 do a little housekeeping here.

12 SUPERVISOR SALADINO: Certainly.

13 MR. ALTADONNA: We need to reopen the
14 meeting.

15 SUPERVISOR SALADINO: Okay.

16 May I have a motion, please?

17 COUNCILMAN MUSCARELLA: I make a motion
18 to reopen the meeting.

19 COUNCILMAN MACAGNONE: Second.

20 SUPERVISOR SALADINO: Can you just tell
21 us what the purpose of this is?

22 MR. ALTADONNA: I heard -- the purpose
23 is I heard 457 from Mr. Macagnone; it was 257 that
24 he wrote a "no" on.

25 SUPERVISOR SALADINO: To make a

1 correction on the announcement on the vote?

2 SUPERVISOR SALADINO: Just a moment,
3 please.

4 MR. ALTADONNA: That's what I was just
5 told by Town attorney.

6 COUNCILMAN MACAGNONE: I voted "no" on
7 257 and "no" on 458.

8 MR. ALTADONNA: Right.

9 You voted "no" on 458 and 257. I heard
10 457, so I have to correct it.

11 COUNCILMAN MACAGNONE: I know what I
12 voted on.

13 MR. ALTADONNA: That's why we're going
14 to change it

15 So, to correct the record, 457 passes
16 with seven "Ayes" --

17 SUPERVISOR SALADINO: Just a moment.

18 We are going to reopen the meeting.

19 COUNCILMAN MUSCARELLA: The meeting is
20 open, but the stenographer just wants --

21 COUNCILMAN LABRIOLA: The stenographer
22 could reread that section for us.

23 COUNCILMAN MUSCARELLA: I'll make a
24 motion to reopen the meeting.

25 COUNCILMAN MACAGNON: Second.

1 SUPERVISOR SALADINO: All in favor,
2 please signify by saying "Aye."

3 ALL: "Aye."

4 SUPERVISOR SALADINO: Those opposed
5 "Nay."

6 (No response.)

7 SUPERVISOR SALADINO: The "Ayes" have
8 it.

9 MR. ALTADONNA: Okay.

10 For the record, 457 now passed with
11 seven "Ayes."

12 257 passed with six "Ayes" and one
13 "Nay."

14 Okay. Now motion to close the regular
15 meeting.

16 COUNCILMAN MUSCARELLA: I'll make a
17 motion to close the meeting.

18 COUNCILMAN MACAGNONE: Once again, I'll
19 second the motion to close the meeting.

20 SUPERVISOR SALADINO: All in favor,
21 please signify by saying "Aye."

22 ALL: "Aye."

23 SUPERVISOR SALADINO: Those opposed
24 "Nay."

25 (No response.)

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SUPERVISOR SALADINO: The "Ayes" have
it.

Okay. Thank you so much.

(TIME NOTED: 11:40 A.M.)