

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
January 10, 2017
10:15 a.m.

JOSEPH MUSCARELLA
ACTING SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

HEARING - Hydrant Rental

To consider the 2017 Hydrant Rental - Oyster Bay
Water District. (M.D. 11/29/16 #75).

P R E S E N T:

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

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

JAMES ALTADONNA JR., TOWN CLERK
THOMAS SABELLICO, SPECIAL COUNSEL,
OFFICE OF THE TOWN ATTORNEY
DONNA B. SWANSON, DEPUTY TOWN ATTORNEY
MATTHEW M. ROZEA, ASSISTANT TOWN ATTORNEY
DENNIS SHEEHAN, ASSISTANT TOWN ATTORNEY
ANTHONY CURCIO, ASSISTANT TOWN ATTORNEY
LINDA M. HERMAN, OFFICE OF THE TOWN CLERK
RAYMOND T. SPAGNUOLO, DEPUTY TOWN CLERK
RALPH J. RAYMOND, DEPUTY TOWN CLERK
(Appearances continued on following page.)

I certify this is a true
and accurate transcript.



YVONNE ANGELES
Official Reporter/Notary

ORIGINAL TRANSCRIPT

ALSO PRESENT:

STEVEN MARX, EXECUTIVE ASSISTANT,
OFFICE OF THE SUPERVISOR
ANDREW S. ROTHSTEIN, DIRECTOR OF OPERATIONS,
OFFICE OF THE SUPERVISOR
RONALD SCAGLIA, ASSISTANT TO THE SUPERVISOR,
OFFICE OF THE SUPERVISOR
CAROL STRAFFORD, DIRECTOR OF LEGISLATIVE AFFAIRS
MARTA KANE, DIRECTOR OF COMMUNITY RELATIONS,
PUBLIC INFORMATION
KURT LUDWIG, RESEARCH ASSISTANT,
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DEPARTMENT OF ECONOMIC DEVELOPMENT
FRANK A. NOCERINO, COMMISSIONER,
DEPARTMENT OF PARKS
JUSTIN McCAFFREY, COMMISSIONER,
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BARRY BREE, DEPUTY COMMISSIONER,
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JOHN CANNING, COMMISSIONER,
DEPARTMENT OF HUMAN RESOURCES
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DEPARTMENT OF HUMAN RESOURCES
RICHARD LAMARCA, DIRECTOR,
DEPARTMENT OF HUMAN RESOURCES

ALSO PRESENT:

COLIN BELL, ASSISTANT DIRECTOR,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
ROBERT DARIENZO, DIRECTOR OF FINANCE
CHRISTINE M. WISS, DEPUTY COMPTROLLER
FRANK GATTO, ASSISTANT TO THE COMMISSIONER OF
GENERAL SERVICES
MAURA FAHEY, DEPUTY RECEIVER OF TAXES
LAURA VIANELLO, DEPUTY RECEIVER OF TAXES

1 ACTING SUPERVISOR MUSCARELLA: I want
2 to welcome everyone here this morning.

3 I would like to start with the Pledge
4 of Allegiance. Please rise.

5 Before we do the Pledge, we would like
6 a moment of license for the tragedy that happened
7 in Fort Lauderdale and just please, in your
8 prayers, remember the families.

9 Moment of silence, first.

10 (Moment of silence.)

11 ACTING SUPERVISOR MUSCARELLA: Michele?

12 (Pledge of Allegiance recited by
13 Councilwoman Michele M. Johnson.)

14 ACTING SUPERVISOR MUSCARELLA: Exciting
15 times -- exciting times in the Town of Oyster Bay.
16 It has been a little difficult on me, my family
17 and, obviously, the Board. I'm going to be myself.
18 I'm going to tell you all the things openly.

19 I'm going to start with Public Speaking
20 101, speak free no matter how long it takes you.
21 I'm going to have an opening statement.

22 First, we had a meeting on Friday. I
23 feel compelled and moved to apologize, apologize to
24 Assemblyman Joseph Saladino for being here with his
25 family. I apologize to his family, his friends,

1 the community, the people who were here. Also, to
2 the Honorable Angelo Dellagatti, past Supervisor
3 and Councilman of the Town of Oyster Bay.

4 Actually, when he left, I did speak to
5 him. He said, "You know, Joe, I've been in
6 politics a long time, over forty years." He says,
7 "It's always something new." That was the first
8 time that has ever happened.

9 And, so I want to thank -- I mean, I
10 thank the Commissioners for showing up that day and
11 I'm sorry that they had to (inaudible) and the
12 residents and all the people who took time out to
13 have a selection of a Supervisor. Obviously, some
14 of the Board members did not show up.

15 Yesterday, I didn't know where we were
16 going or what path we were going to take. In the
17 morning, I woke up and actually opened up a book.
18 It was poetic. I read this phrase and it was
19 poetic. I thought of a man who would be talking to
20 me, my late father-in-law, Martin Gallagher. He
21 was a steamfitter, 638.

22 What happened was, when I first became
23 a Councilman, he had passed away. Very difficult.
24 But he had great sayings. He actually captured the
25 moment. And when I read this poetic little

1 statement, I could see him speaking to me.

2 Actually, what happened was he had
3 these phrases like "no ticking, no shirting" which
4 meant if you didn't go to work, you didn't get
5 paid.

6 He had a saying, like, the neighbors --
7 "Love is blind, but the neighbors ain't."

8 But there's one phrase I'm going to
9 leave with you, so they -- the other side can
10 listen. It's very simple. I read it and I know
11 what I'm doing right now because what he said or
12 what that phrase was, he said -- he leaned over and
13 said, "Well, really, how many times are you going
14 to go out there and get hit by the same truck?"

15 So what happened on Friday was sad. I
16 had no knowledge of it. No call. Nothing came my
17 way. It was unbelievable, believe it or not. Two
18 of us sat here hoping that somebody would show up.
19 At least call. Nothing. And it was disheartening
20 to me and everybody in the room who was here. It
21 was really very, very shocking that you would have
22 an assemblyman, a judge ready to go. Maybe it was
23 a lack of communication, maybe -- whatever it was,
24 but I have to take the responsibility.

25 From this point on, we move forward.

1 We will do the best we can.

2 Now, the Board here is very engaged.
3 What happened or the events that happened last year
4 coming up to this year doesn't define who I am. It
5 doesn't define the Board members. It doesn't
6 define the Commissioners or the Deputy
7 Commissioners or anyone in this room, the residents
8 from the Town of Oyster Bay.

9 We have to move forward together. Each
10 and every one of the Board members are very
11 talented. We have three attorneys, Michele
12 Johnson, Chris Coschignano and Rebecca Alesia.

13 We have a union representative from
14 Carpenter 7, Tony Macagnone; a CPA accountant, Joe
15 Pinto. I'm a businessman, management, marketing,
16 financial services, insurance. But right now, I'm
17 going to run this township like a corporation who's
18 trained by the best corporation worldwide. We are
19 going to take action now solely as a corporation.

20 What we are going to do for this is to
21 understand the supply and demand curve which is
22 pretty simple, right? The residents demand our
23 services, our products. We are going to deliver
24 it. We are going to do what it takes and I'm going
25 to direct some people today to deliver the services

1 that we are accustomed to. We are the best place
2 to live in the World, the nation, Money Magazine,
3 Best in Long Island. Let's face it, we are the
4 pearl of the nation. Who are we kidding?

5 So now, together we are going to move
6 forward. We are going to address the issues.

7 It's funny. I go to Stew Leonard's and
8 my granddaughter -- I love her dearly. She is
9 seven months old, and that's what life is about,
10 faith, family and friends and, I have an abundance
11 of all three.

12 But I go to Stew Leonard's and there's
13 a sign, a simple sign that says, "Rule Number One,
14 customer is always right. Rule Number Two, if the
15 customer is wrong, go back to Rule Number One."

16 We are paid, the Board members and the
17 Town employees, by our residents.

18 Now, in the last Board meeting or
19 attempted Board meeting on Friday, my luck, there's
20 a snowstorm. What happened? I was actively with
21 John Bishop -- is John Bishop here, by the way?

22 Phenomenal job. Phenomenal job. All
23 the Commissioners stand up.

24 Any Commissioners here? Stand up. It
25 takes a team effort to get the job done. I want to

1 give them a hand of applause.

2 (Applause.)

3 ACTING SUPERVISOR MUSCARELLA: Thank
4 you.

5 I would like to address them
6 personally. And I said, so how did you do it? It
7 was like there was no snow left by Sunday morning
8 and there was like eight to ten inches. And I
9 would say to them one thing, because our best
10 commodity is our employees. Our employees puts
11 endless time and effort, they are true
12 professionals.

13 We just had a contract vote, I guess,
14 about last week and they gave up something. They
15 gave up something to know that they are secure to
16 work in the Town of Oyster Bay for the next five
17 years. They made a great sacrifice. In the last
18 year, we were down about 10, 15 percent of the
19 workforce. Pretty impressive.

20 On the calendar today, we are trying to
21 continue the early retirement incentive. So we
22 have more people to retire. We are going to do
23 more with less. We are going to do what it takes
24 to get us to from where we should be -- and believe
25 it or not, we've come a long way in the last two,

1 three months. Each Board member is a liaison to a
2 specific department. Right? And now, you know,
3 when we have these Resolutions, we're going to do
4 open government. Everything is going to be put
5 right in front of the Town of Oyster Bay residents,
6 along with anyone in the room.

7 I'm going to ask the Board when we
8 go -- we're going to vote on the Resolutions, you
9 can't change the procedures. But, you know, when
10 there are Resolutions that come in front of us and
11 if they're in your department, I would like the
12 Council members to sign off on that, to try and
13 look at the Resolution, sign off and make sure
14 before it gets onto the docket or onto us voting,
15 it should be approved by each and every individual
16 Councilman.

17 So, we have the budget settled. We
18 voted on that last year. We have a union contract
19 set up (inaudible). We streamlined government
20 basically and we shut down most of our spending.
21 Now, we are at the point where -- the last part is
22 we're having a new administration come in. We are
23 going back now to what I've started with and I
24 apologize to everybody. Maybe I was too quick.
25 But I've got to be honest with you, I'm the Senior

1 Councilman and then we found out that there was no
2 Deputy Supervisor, so the Board voted me in. I was
3 honored. I didn't ask for any compensation. I
4 gave a month of my life, from my family and all the
5 other things. Then, all of a sudden, the
6 Supervisor is no longer there. Now, I'm an Acting
7 Supervisor.

8 Mind you, I have another job that pays
9 the bills. So now I have another job, Senior
10 Councilman, Deputy Supervisor and Acting
11 Supervisor. I'm not giving any excuses why you
12 didn't show up on Friday. I'm doing four jobs and
13 I'm not running for Supervisor. I'm not doing
14 anything, but to try to restore what we have in the
15 Town of Oyster Bay. I'm giving my heart and soul
16 to the residents and I'm being spun around for the
17 last four days by multiple forces, multiple people
18 who all have an interest.

19 The people have the pearl, not me, not
20 the Board, not the Commissioners; the people.

21 So, I ask that this Board now continue
22 in the manner of doing the people's business and
23 let's just get together and move forward.

24 With that, I would like to call the
25 first hearing.

1 MR. ALTADONNA: Can I have a roll call
2 first?

3 ACTING SUPERVISOR MUSCARELLA: Sure.

4 MR. ALTADONNA: Acting Supervisor
5 Muscarella?

6 ACTING SUPERVISOR MUSCARELLA: Here.

7 MR. ALTADONNA: Councilman Macagnone?

8 COUNCILMAN MACAGNONE: Here.

9 MR. ALTADONNA: Councilman Coschignano?

10 COUNCILMAN COSCHIGNANO: Here.

11 MR. ALTADONNA: Councilman Pinto?

12 COUNCILMAN PINTO: Here.

13 MR. ALTADONNA: Councilwoman Alesia?

14 COUNCILWOMAN ALESIA: Here.

15 Good morning, Jim.

16 MR. ALTADONNA: Good morning.

17 Councilwoman Johnson?

18 COUNCILWOMAN JOHNSON: Here.

19 MR. ALTADONNA: First hearing is the
20 hydrant rental; to consider the 2017 Hydrant Rental
21 Oyster Bay Water District.

22 You have a speaker, Acting Supervisor,
23 Robert McEvoy on this first hearing.

24 MR. McEVOY: Good morning and
25 Happy New Year.

1 COUNCILWOMAN ALESIA: Happy New Year.

2 ACTING SUPERVISOR MUSCARELLA: Good to
3 see you.

4 MR. McEVOY: I'm here as the Chairman
5 of the Water District. I'm on the other side of
6 the table now. The hydrant rental is charged to
7 the fire protection district which the Town pays on
8 behalf of the just Fire Protection District, and in
9 this case, the Oyster Bay Water District.

10 We haven't raised our rates for hydrant
11 rentals in over ten years. It's pretty much a
12 requirement of government.

13 If you have any questions, I'll be
14 happy to answer them.

15 ACTING SUPERVISOR MUSCARELLA: Any
16 questions from the Board?

17 ALL: (No verbal response.)

18 ACTING SUPERVISOR MUSCARELLA: Do we
19 have correspondence?

20 MR. ALTADONNA: We have affidavits of
21 postings and publications.

22 There are no other correspondence.

23 ACTING SUPERVISOR MUSCARELLA: Can I
24 have a motion?

25 COUNCILMAN MACAGNONE: I'll make a

1 motion that the hearing be closed and the decision
2 be voted on later on in the calendar.

3 COUNCILMAN COSCHIGNANO: Seconded.

4 ACTING SUPERVISOR MUSCARELLA: All in
5 favor?

6 ALL: "Aye."

7 ACTING SUPERVISOR MUSCARELLA: Opposed?

8 (No response.)

9 ACTING SUPERVISOR MUSCARELLA: "Ayes"
10 have it.

11 (Time noted: 10:28 a.m.)

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TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
January 10, 2017
10:29 a.m.

JOSEPH MUSCARELLA
ACTING SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

HEARING - Hydrant Rental

To consider the 2017 Hydrant Rental New York American Water Company, Inc., Glenwood-Glen Head Fire Protection District. (M.D. 11/29/16 #76).

P R E S E N T:

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

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 - ANTHONY CURCIO, ASSISTANT TOWN ATTORNEY
 - LINDA M. HERMAN, OFFICE OF THE TOWN CLERK
 - RAYMOND T. SPAGNUOLO, DEPUTY TOWN CLERK
- (Appearances continued on following page.)

I certify this is a true and accurate transcript.



YVONNE ANGELES
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ALSO PRESENT:

RALPH J. RAYMOND, DEPUTY TOWN CLERK
STEVEN MARX, EXECUTIVE ASSISTANT,
OFFICE OF THE SUPERVISOR
ANDREW S. ROTHSTEIN, DIRECTOR OF OPERATIONS,
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DEPARTMENT OF HUMAN RESOURCES

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ROBERT DARIENZO, DIRECTOR OF FINANCE
CHRISTINE M. WISS, DEPUTY COMPTROLLER
FRANK GATTO, ASSISTANT TO THE COMMISSIONER OF
GENERAL SERVICES
MAURA FAHEY, DEPUTY RECEIVER OF TAXES
LAURA VIANELLO, DEPUTY RECEIVER OF TAXES

1 ACTING SUPERVISOR MUSCARELLA: Can you
2 call the next hearing?

3 MR. ALTADONNA: Hydrant Rental; it's to
4 consider -- it says here 2016, but I'm sure it's
5 2017. Hydrant Rental for New York Water Company,
6 Inc., Glenwood-Glen Head Fire Protection District.

7 MS. SWANSON: It's '16 because they
8 weren't able to get us the information that they
9 needed on time.

10 MR. CURCIO: Good morning, Members of
11 the Board, Anthony Curcio, Office of the Town
12 Attorney.

13 The circumstances for this hearing are
14 similar to the previous hearing we just had, except
15 we're including Glenwood-Glen Head Fire Protection
16 District in terms of rental hydrant from New York
17 American Water Company, Inc.

18 Any questions?

19 ACTING SUPERVISOR MUSCARELLA: Any
20 questions?

21 ALL: (No verbal response.)

22 ACTING SUPERVISOR MUSCARELLA: Any
23 correspondence?

24 MR. ALTADONNA: We have affidavits of
25 postings and publications.

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There are no other correspondence.

ACTING SUPERVISOR MUSCARELLA: I'll
take a motion.

COUNCILMAN MACAGNONE: I'll make a
motion that this hearing be closed and the decision
be voted on later in the calendar.

COUNCILMAN COSHIGNANO: Seconded.

ACTING SUPERVISOR MUSCARELLA: All in
favor?

ALL: "Aye."

ACTING SUPERVISOR MUSCARELLA: Any
"Nays?"

(No response.)

ACTING SUPERVISOR MUSCARELLA: "Ayes"
have it.

(Time noted: 10:30 a.m.)

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
January 10, 2017
10:31 a.m.

JOSEPH MUSCARELLA
ACTING SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

HEARING - Local Law

To consider a local law entitled "A Local Law to Amend Local Law 1-2015 as Amended by Local Law 2-2016 authorizing a Local Retirement Incentive Program for the Eligible Employees of the Town of Oyster Bay." (M.D. 12/6/16 #32).

P R E S E N T:

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

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(Appearances continued on following page.)

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LAURA VIANELLO, DEPUTY RECEIVER OF TAXES

1 MR. ALTADONNA: Hearing No. 3 - Local
2 Law; to consider a local law entitled "A Local Law
3 to Amend Local Law 1-2015 as Amended by Local Law
4 2-2016 authorizing a Local Retirement Incentive
5 Program for the Eligible Employees of the Town of
6 Oyster Bay."

7 MR. ROZEA: Good morning,
8 Mr. Muscarella, Members of Board.

9 Matthew Rozea, Office of the Town
10 Attorney.

11 What we have in front of us today,
12 pursuant to duly authorized and published public
13 notice, hearing to consider a local law which would
14 extend the retirement incentive program that the
15 Town has put in place over the last several years.
16 This program has been in place since 2015. It was
17 then extended and put back in place in 2016 and now
18 here in 2017, we have yet a third extension as the
19 Acting Supervisor indicated which is part of the
20 Town's effort to streamline the services while
21 reducing the cost of those services.

22 The contours of this program are really
23 two-pronged. There were retirees who were eligible
24 to take the retirement incentive in 2016 who
25 declined to do so. This program opens up the

1 requirement incentive once more to those previously
2 eligible retirees for the period beginning
3 January 1, 2017 through close of business on
4 March 31, 2017.

5 In order to take the program for the
6 previously eligible retirees, they need to file and
7 retire by March 31st with the retirement effective
8 no later than April 1, 2017.

9 The benefit that would be given to
10 those retirees under the first prong of the program
11 would be an incentive of \$500 per year of service.
12 Lifetime medical benefits has been provided in the
13 past in the previous retirement incentive programs
14 along with the 2 percent pro rata portion of their
15 salary.

16 As the Board is aware, under the
17 current contract as it was voted on, employees will
18 be giving back 2 percent of their salary. This
19 would make the employee whole for that portion of
20 their salary that would otherwise be given back.

21 Now, with respect to new eligible
22 employees -- retirees, meaning those people or
23 those employees, rather, who become eligible to
24 retire between January 1st of 2017 and July 30th of
25 2017, again retirement effective not later than

1 July 31, 2017, the same terms as the prior
2 retirement incentive program would be in effect;
3 meaning, namely, \$1,000 credit for each year
4 of service, lifetime benefits and, again, that 2
5 percent pro rata portion of their salary.

6 With that, if the Board has questions,
7 I would be happy to entertain them.

8 COUNCILMAN COSHIGNANO: I just have one
9 question.

10 I asked previously what would be the
11 harm in keeping it open for everyone until
12 July 31st and I discussed with one or two Board
13 members individually the possibility of changing
14 that March 31st timeframe to July 31st for other
15 people who might want to take advantage of it. I
16 don't see how that would really harm the Town and I
17 would like to get the opinion of other Board
18 members.

19 MR. ROZEA: Right. It certainly would
20 be within the prerogative of the Board acting in
21 the capacity as the legislative body for the Town
22 to modify the terms of this local law, as it
23 should.

24 But with that said, the idea behind the
25 March 31st deadline is that those employees had the

1 opportunity to take the retirement incentive at a
2 time, quite frankly, when it was needed with
3 respect to the Town's budget and the financial
4 positions.

5 Again, if you were previously eligible,
6 the idea here is make your decision and please make
7 it soon.

8 COUNCILMAN COSHIGNANO: I understand
9 what you're saying. I personally can see the need
10 for having it go later. I think the Town is still
11 in a position where it could help the Town and I
12 would like to make a motion to amend it to
13 July 31st and if no one cares to second it --

14 COUNCILMAN MACAGNONE: I'll second it.

15 MR. ROSEA: Okay.

16 Procedurally, I guess the hearing is
17 open. I'm not sure --

18 ACTING SUPERVISOR MUSCARELLA: Jim
19 Altadonna, you'll call for the vote?

20 MR. ALTADONNA: Sure.

21 COUNCILWOMAN ALESIA: This is a motion
22 to amend?

23 COUNCILMAN COSHIGNANO: To July 31st.

24 MR. ALTADONNA: Acting Supervisor
25 Muscarella?

1 ACTING SUPERVISOR MUSCARELLA: "Aye."

2 MR. ALTADONNA: Councilman Macagnone?

3 COUNCILMAN MACAGNONE: "Aye."

4 MR. ALTADONNA: Councilman Coschignano?

5 COUNCILMAN COSCHIGNANO: "Aye."

6 MR. ALTADONNA: Councilman Pinto?

7 COUNCILMAN PINTO: "Aye."

8 MR. ALTADONNA: Councilwoman Alesia?

9 COUNCILWOMAN ALESIA: "Aye."

10 MR. ALTADONNA: Councilwoman Johnson?

11 COUNCILWOMAN JOHNSON: "Aye."

12 MR. ROZEA: We will make the changes to
13 the local law based upon the results of that
14 motion.

15 COUNCILMAN COSCHIGNANO: Thank you.

16 MR. RUSSO: Any other questions from
17 the Board?

18 ACTING SUPERVISOR MUSCARELLA: Everybody
19 is good?

20 (No response.)

21 ACTING SUPERVISOR MUSCARELLA: I'll
22 take a motion to close the hearing.

23 COUNCILMAN MACAGNONE: I'll make a
24 motion that this hearing be closed and the decision
25 be voted on later on.

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COUNCILMAN COSHIGNANO: Seconded.

ACTING SUPERVISOR MUSCARELLA: All in favor?

ALL: "Aye."

MR. ALTADONNA: Just to correct the record, we have affidavits of postings and publications.

There are no other correspondence.

ACTING SUPERVISOR MUSCARELLA: Any "Nays"?

(No response.)

(Time noted: 10:35 a.m.)

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
January 10, 2017
10:36 a.m.

JOSEPH MUSCARELLA
ACTING SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

HEARING - Local Law

To consider a local law entitled "A Local Law to Amend Local Law 1-2016, Creating a Building Permit Amnesty Program for Residential Homeowners within the Town of Oyster Bay." (M.D. 12/6/16 #31).

P R E S E N T:

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

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

JAMES ALTADONNA JR., TOWN CLERK
THOMAS SABELLICO, SPECIAL COUNSEL,
OFFICE OF THE TOWN ATTORNEY
DONNA B. SWANSON, DEPUTY TOWN ATTORNEY
MATTHEW M. ROZEA, ASSISTANT TOWN ATTORNEY
DENNIS SHEEHAN, ASSISTANT TOWN ATTORNEY
ANTHONY CURCIO, ASSISTANT TOWN ATTORNEY
LINDA M. HERMAN, OFFICE OF THE TOWN CLERK
(Appearances continued on following page.)

I certify this is a true
and accurate transcript.



YVONNE ANGELES
Official Reporter/Notary

ORIGINAL TRANSCRIPT

ALSO PRESENT:

RAYMOND T. SPAGNUOLO, DEPUTY TOWN CLERK
RALPH J. RAYMOND, DEPUTY TOWN CLERK
STEVEN MARX, EXECUTIVE ASSISTANT,
OFFICE OF THE SUPERVISOR
ANDREW S. ROTHSTEIN, DIRECTOR OF OPERATIONS,
OFFICE OF THE SUPERVISOR
RONALD SCAGLIA, ASSISTANT TO THE SUPERVISOR,
OFFICE OF THE SUPERVISOR
CAROL STRAFFORD, DIRECTOR OF LEGISLATIVE AFFAIRS
MARTA KANE, DIRECTOR OF COMMUNITY RELATIONS,
PUBLIC INFORMATION
KURT LUDWIG, RESEARCH ASSISTANT,
PUBLIC INFORMATION
JAMES McCAFFREY, DEPUTY COMMISSIONER,
DEPARTMENT OF ECONOMIC DEVELOPMENT
FRANK A. NOCERINO, COMMISSIONER,
DEPARTMENT OF PARKS
JUSTIN McCAFFREY, COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
BARRY BREE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
LEONARD B. SYMONS, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC SAFETY
JOHN BISHOP, ACTING COMMISSIONER,
DEPARTMENT OF HIGHWAYS
RICHARD T. BETZ, COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
LESLIE MACCARONE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
MATT RUSSO, ENGINEERING,
DEPARTMENT OF PUBLIC WORKS
FRANK SAMMARTANO, DEPUTY COMMISSIONER,
INTERGOVERNMENTAL AFFAIRS
DANIEL PEARL, DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
MAUREEN A. FITZGERALD, COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
PATRICIA A. BECKERLE, DEPUTY COMMISSIONER,
DEPARTMENT OF COMMUNITY AND YOUTH SERVICES
TIM ZIKE, ACTING COMMISSIONER,
DEPARTMENT OF PLANNING AND DEVELOPMENT
SEAN JORDAN, DEPARTMENT OF PLANNING AND DEVELOPMENT
JOHN CANNING, COMMISSIONER,
DEPARTMENT OF HUMAN RESOURCES
VICKI SPINELLI, DEPUTY COMMISSIONER,
DEPARTMENT OF HUMAN RESOURCES

ALSO PRESENT:

RICHARD LAMARCA, DIRECTOR,
DEPARTMENT OF HUMAN RESOURCES
COLIN BELL, ASSISTANT DIRECTOR,
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS
ROBERT DARIENZO, DIRECTOR OF FINANCE
CHRISTINE M. WISS, DEPUTY COMPTROLLER
FRANK GATTO, ASSISTANT TO THE COMMISSIONER OF
GENERAL SERVICES
MAURA FAHEY, DEPUTY RECEIVER OF TAXES
LAURA VIANELLO, DEPUTY RECEIVER OF TAXES

1 MR. ALTADONNA: Final hearing is to
2 consider a local law entitled "A Local Law to Amend
3 Local Law 1-2016 Creating a Building Permit Amnesty
4 Program for Residential Homeowners within the Town
5 of Oyster Bay."

6 MR. SHEEHAN: Good morning, Members of
7 the Town Board.

8 My name is Dennis Sheehan, Assistant
9 Town Attorney from the Office of the Town Attorney.

10 Before you present the six-month
11 renewal of Local Law 1-2016 entitled "A Local Law
12 Creating a building Permit Amnesty Program for
13 Residential Homeowners within the Town of Oyster
14 Bay," this building permit amnesty program is
15 designed to allow any residential homeowner who has
16 failed to secure the required permit concerning
17 their previous home improvement, the ability to
18 obtain a building permit without have to incur any
19 penalty fees.

20 The program was spearheaded by
21 Councilman Coschignano and has been met with great
22 success. There has been over a 10 percent increase
23 in permit applications filed within the Department
24 of Planning and Development since the inception of
25 this program. That translates into safer

1 structures within the Town because we know they are
2 being built to code. This program is also an
3 incentive to come into compliance and is a great
4 convenience for the residents.

5 I have nothing further.

6 If there are any questions?

7 COUNCILMAN COSHIGNANO: I just want to
8 thank you for your time and I also want to point
9 out that applications to maintain the structures
10 that were built without permits are up 58 percent.
11 So with a combination of permits in general being
12 up 10 percent, applications to maintain those
13 structures and make sure they're safe are up
14 58 percent over the prior six-and-a-half-month
15 period from 2015.

16 It's been a success and I want to thank
17 Acting Commissioner Tim Zike for the great job he
18 is doing and his department.

19 ACTING SUPERVISOR MUSCARELLA: Do we
20 have any correspondence?

21 MR. ALTADONNA: We have affidavits of
22 postings and publications.

23 There are no other correspondence.

24 ACTING SUPERVISOR MUSCARELLA: Thank
25 you, Jim.

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I'll take a motion.

COUNCILMAN MACAGNONE: I'd like to make a motion that this hearing be closed and a decision be voted on later on in the meeting.

COUNCILMAN COSHIGNANO: Seconded.

ACTING SUPERVISOR MUSCARELLA: All in favor?

ALL: "Aye."

ACTING SUPERVISOR MUSCARELLA: Any "Nays"?

(No response.)

MR. ALTADONNA: Thank you.

We will go to the regular Action Calendar.

(Time noted: 10:40 a.m.)

TOWN OF OYSTER BAY
TOWN BOARD
ACTION CALENDAR
January 10, 2017
10:41 a.m.

JOSEPH MUSCARELLA
ACTING SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

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OFFICE OF THE SUPERVISOR
(Appearances continued on following page.)

I certify this is a true
and accurate transcript.



YVONNE ANGELES
Official Reporter/Notary

ORIGINAL TRANSCRIPT

ALSO PRESENT:

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LAURA VIANELLO, DEPUTY RECEIVER OF TAXES

1 MR. ALTADONNA: Are we ready?

2 ACTING SUPERVISOR MUSCARELLA: Why
3 don't you call the whole calendar?

4 MR. ALTADONNA: Sure.

5 May I have a motion to adopt Resolution
6 Nos. 1-2017 through 30-2017?

7 Resolution No. 1-2017; Resolution
8 directing the Town Clerk to publish a notice
9 relative to the cancellation of a public hearing on
10 a proposed local law on premium parking program.
11 (M.D. 12/22/16 #19).

12 Resolution No. 2-2017; Resolution
13 authorizing the issuance of a refund of an Instant
14 Plumbing Permit fee to Botto Brothers Plumbing &
15 Heating, Inc. Account No. PAD B 0001 02555 000
16 0000. (M.D. 12/6/16 #15).

17 Resolution No. 3-2017; Resolution
18 amending Resolution No. 625-2015 in connection with
19 stenographic services for Town Board meetings and
20 hearings for the year 2016. Account No. OTC A 1410
21 44120 000 0000. (M.D. 12/6/16 #18).

22 Resolution No. 4-2017; Resolution
23 authorizing the Supervisor to enter into a contract
24 for Professional Services for the overseeing of all
25 the Town's AED devices. Account No. DPS A 3010

1 44900 000 0000. (M.D. 12/6/16 #24).

2 Resolution No. 5-2017; Resolution
3 authorizing a contract with the Nassau County
4 Department of Human Services for Youth Program
5 Services to receive grant funding. Account No. CYS
6 A 7020 47620 000 0000. (M.D. 12/13/16 #4).

7 Resolution No. 6-2017; Resolution
8 authorizing the employment of the services of
9 various performers on various dates to provide
10 entertainment for GAP Program participants.
11 Account No. CYS A 7020 47660 000 0000. (M.D.
12 12/13/16 #5).

13 Resolution No. 7-2017; Resolution
14 authorizing the employment of entertainment for the
15 GAP Program for an event scheduled for January 24,
16 2017 at Syosset-Woodbury Community Center and
17 March 3, 2017 at Marjorie R. Post Community Park.
18 (M.D. 12/13/16 #6).

19 Resolution No. 8-2017; Resolution
20 authorizing a Senior Trip to take place during
21 February 2017 and authorizing the Commissioner of
22 Community & Youth Services to make adjustments,
23 deletions or changes as needed. (M.D. 12/13/16
24 #7).

25 Resolution No. 9-2017; Resolution

1 authorizing the renewal of a contract with
2 Broadcast Music, Incorporated to cover all music
3 performed through the Town's various programs and
4 to comply with music copyright laws from
5 December 1, 2016 through November 30, 2017.
6 Account No. CYS A 7020 47660 000 0000. (M.D.
7 12/20/16 #4).

8 Resolution No. 10-2017; Resolution
9 authorizing the services of the Saint Francis
10 Hospital Community Outreach Van from January 17,
11 2017 through December 31, 2017 at various Town
12 Parks and Community Centers. (M.D. 12/20/16 #5).

13 Resolution No. 11-2017; Resolution
14 authorizing the Department of Community and Youth
15 Services to host an Art Gallery and Reception to
16 welcome the 2017 Rotational Artists and to present
17 awards to winning artists at Syosset-Woodbury
18 Community Center on January 11, 2017. (M.D.
19 12/20/16 #6).

20 Resolution No. 12-2017; Resolution
21 authorizing the acceptance of a donation of a
22 display case to be utilized by the Women's Club of
23 Farmingdale at Ellsworth W. Allen Town Park. (M.D.
24 12/20/16 #8).

25 Resolution No. 13-2017; Resolution

1 authorizing the issuance of a refund of a building
2 permit fee to Direct Energy Solar. Account No. PAD
3 B 0001 02555 000 0000. (M.D. 12/20/16 #14).

4 Resolution No. 14-2017; Resolution
5 authorizing payment for the renewal of Workers
6 Compensation Insurance for the youth enrolled in
7 the Division of Employment and Training's Youth
8 Employment and Training program. Account No. IGA
9 CD 6293 43000 000 CW16. (M.D. 12/20/16 #15).

10 Resolution No. 15-2017; Resolution
11 authorizing an agreement for Professional
12 Registered Nursing Services from January 11, 2017
13 through December 31, 2017; Account No. CYS A 7020
14 44800 000 0000. (M.D. 12/22/16 #4).

15 Resolution No. 16-2017; Resolution
16 authorizing payment of court mandated court
17 reporting fees; Account No. OTA A 1420 44110 604
18 000 0000. (M.D. 12/22/16 #11).

19 Resolution No. 17-2017; Resolution
20 authorizing the issuance of a refund of a Building
21 Permit fee to J. Dias. Account No. PAD B 0001
22 02555 000 0000. (M.D. 12/6/16 #14).

23 Resolution No. 18-2017; Resolution
24 authorizing an extension of retention of physicians
25 for independent medical examinations in connection

1 with personal injury actions from January 1, 2017
2 through December 31, 2017. (M.D. 12/22/16 #20).

3 Resolution No. 19-2017; Resolution
4 authorizing an extension of the agreement with the
5 Town of Oyster Bay's Financial Advisors. (M.D.
6 12/22/16 #10 and M.D. 12/29/16 #5).

7 Resolution No. 20-2017; Resolution
8 pertaining to decrease, final acceptance and final
9 payment for Contract No. DP16-141, John J. Burns
10 Park Soccer Field Turf Replacement. (M.D. 12/22/16
11 #12 and M.D. 12/29/16 #14).

12 Resolution No. 21-2017; Resolution
13 pertaining to On-Call Engineering Services relative
14 to Architecture; Contract No. PWC22-16 - JFK High
15 School Comfort Stations, Plainview. Account No.
16 PKS H1997 20000 000 1302 001. (M.D. 12/22/16 #13
17 and M.D. 12/29/16 #13).

18 Resolution No. 22-2017; Resolution
19 authorizing the use of sub-consultants for Contract
20 No. DPW15-124, Installation of Permanent Generators
21 at Critical Facilities in Massapequa and Massapequa
22 Park. (M.D. 12/22/16 #14 and M.D. 12/29/16 #15).

23 Resolution No. 23-2017; Resolution
24 authorizing the design, bid and construction phase
25 for Contract No. DP16-147, Reconstruction and

1 Repair of Tennis Courts at various Town Parks and
2 for use of sub-consultants for surveying and soil
3 borings. Account No. PKS H1997 20000 000 1302 001.
4 (M.D. 12/22/16 #15 and M.D. 12/29/16 #11).

5 Resolution No. 24-2017; Resolution
6 pertaining to On-Call Engineering Services relative
7 to Environmental Engineering; Contract No.
8 PWC23-16. Account No. TWN TA 0000 000 85466 0000.
9 (M.D. 12/22/16 #16 and M.D. 12/29/16 #16).

10 Resolution No. 25-2017; Resolution
11 authorizing the use of sub-consultants for civil
12 engineering, for surveying and environmental
13 services for Contract No. PWC07-16 On-Call
14 Engineering Services - Dredging of Canal Mouths in
15 South Oyster Bay, Massapequa. (M.D. 12/22/16 #17
16 and M.D. 12/29/16 #12).

17 Resolution No. 26 2017; Resolution
18 pertaining to the decision for the 2017 Hydrant
19 Rental - Oyster Bay Water District. Hearing held:
20 January 10, 2017. (M.D. 11/29/16 #75).

21 Resolution No. 27-2017; Resolution
22 pertaining to the decision for the 2016 Hydrant
23 Rental New York American Water Company, Inc.,
24 Glenwood-Glen Head Fire Protection District.
25 Hearing held: January 10, 2017. (M.D. 11/29/16

1 #76).

2 Resolution No. 28-2017; Resolution
3 pertaining to the decision on the application of
4 C & B Realty #3 LLC, fee owner, for a Special Use
5 Permit to permit the construction of a restaurant
6 with a seating capacity in excess of 76 seats
7 within the shopping center located in a
8 Neighborhood Business (NB) Zone at the southeast
9 corner of Woodbury Road and South Oyster Bay Road,
10 Plainview, New York. Hearing held: June 7, 2016.
11 (M.D. 4/12/16 #13).

12 Resolution No. 29-2017; Resolution
13 pertaining to the decision for a local law entitled
14 "A Local Law to Amend Local Law 1-2015 as
15 previously Amended by Local Law 2-2016 authorizing
16 a Local Retirement Incentive Program for the
17 Eligible Employees of the Town of Oyster Bay."
18 Hearing held: January 10, 2017. (M.D. 12/6/16
19 #32).

20 Resolution No. 30-2017; Resolution
21 pertaining to the decision for a local law entitled
22 "A Local Law to Amend Local Law 1-2016, Creating a
23 Building Permit Amnesty Program for Residential
24 Homeowners within the Town of Oyster Bay." Hearing
25 held: January 10, 2017. (M.D. 12/6/16 #31).

1 On the motion?

2 COUNCILMAN MACAGNONE: I'd like to make
3 that motion.

4 COUNCILMAN COSHIGNANO: Seconded.

5 MR. ALTADONNA: Motion made by
6 Councilman Macagnone, seconded by Councilman
7 Coschignano.

8 You have speakers on 1, 3, 16, 19, 20,
9 21, 22, 23, 24 and 25.

10 You have walk-ons and you have
11 re-suspends.

12 COUNCILMAN COSCHIGNANO: Are there
13 Personnel Transfer of Funds or Transfer of Capital
14 Funds?

15 MR. ALTADONNA: There are none that I
16 have here.

17 ACTING SUPERVISOR MUSCARELLA: I have
18 two forms. Let's start with Robert Ripp.

19 MR. RIPP: Good morning, Interim
20 Supervisor.

21 My name is Robert Ripp. I'm from
22 Massapequa.

23 I use that title specifically because
24 you are not the Acting Supervisor. Under the laws
25 of the State of New York, Mr. Muscarella, you are

1 the Interim Supervisor. You held the title of
2 Deputy Supervisor until your predecessor resigned.

3 At that point, you've become the
4 Interim Supervisor. Laws of the State of New York
5 dictate that you should have been sworn in as the
6 Interim Supervisor.

7 I've also established that the Town has
8 no continuity of government plan or succession plan
9 as called upon your Town codes.

10 Unfortunately, we had a moment of
11 silence this morning for the Americans that were
12 killed down in Fort Lauderdale. God forbid if
13 terrorists attacked us today right now, there would
14 be nobody named to replace any of you. All of you,
15 by your own code, are supposed to have a succession
16 list of three individuals to replace you in case of
17 an emergency.

18 I believe that -- and I know for a fact
19 through my discussions with Town Attorney Matt
20 Rozea -- that you did not have that list in place.
21 I don't understand how you came up with three
22 names, and furthermore, I believe because you did
23 not have that code in effect, you are now subject
24 to New York Public Officers Law Section 43, Article
25 3, Section 43, filling other vacancies.

1 "If a vacancy shall occur otherwise
2 than by an expiration of term with no provision of
3 law for filing the same, if the office be elected,
4 the governor shall appoint a person to execute the
5 duties thereof until the vacancy be filled by an
6 election. But if the term (inaudible) shall expire
7 in the calendar year which the appointment shall be
8 made or if the office be appointed, the appointee
9 shall hold for the residual of the term."

10 It's my opinion that you were never
11 sworn in as the Interim Supervisor. I don't
12 believe you have the authority to do anything here
13 today. I am not speaking on any Resolutions
14 because I don't believe you have the authority to
15 hold the chair in this meeting and I'm now calling
16 upon the governor to step forward because you
17 demonstrated you don't have a succession plan and
18 appoint an Interim Supervisor as dictated by the
19 laws of the State of New York.

20 Thank you for your time.

21 ACTING SUPERVISOR MUSCARELLA: Thank
22 you.

23 Counsel, would you like to respond or
24 do you want to get it in writing?

25 MR. SABELLICO: Section 43 is

1 inapplicable because there is a provision of the
2 Town law, Section 62, for the appointment of
3 successor.

4 ACTING SUPERVISOR MUSCARELLA: Next
5 person up, Bob Freier.

6 MR. FREIER: Good morning.

7 This is for all the Resolutions?

8 ACTING SUPERVISOR MUSCARELLA: Yes, we
9 called them all.

10 MR. FREIER: Are you planning on
11 swearing in a new Supervisor today?

12 ACTING SUPERVISOR MUSCARELLA: No.

13 MR. FREIER: Okay. So I didn't put in
14 to speak on the local hearing on the retirement
15 incentive, but is this -- is this something
16 because -- as a way to make up for the revenue that
17 you -- that the Board and everyone who works
18 assumed they were going to make from the premium
19 parking plan that they proposed?

20 ACTING SUPERVISOR MUSCARELLA: What
21 Resolution are you referring to?

22 MR. FREIER: I was talking about the
23 hearing. I had written on the form that I wanted
24 to speak during the hearing, but I wasn't called
25 up.

1 ACTING SUPERVISOR MUSCARELLA: I

2 don't --

3 COUNCILMAN MACAGNONE: This was in the
4 works before it was even proposed.

5 MR. FREIER: Resolution No. 3, this is
6 an extension of the stenographic services contract
7 for 2017.

8 Why are you approving something now
9 when I see that that contract expired back in
10 November of last year?

11 ACTING SUPERVISOR MUSCARELLA: Matt
12 Rozea, would you like to speak on that?

13 This is No. 3, Mr. Freier?

14 MR. FREIER: No. 3.

15 MS. SWANSON: Matt, for --

16 MR. ROZEA: Yeah, I have it.

17 According to the text of Resolution No.
18 3, the services ended -- began for the period
19 beginning January 1st and ending December 31, 2016.

20 MR. FREIER: So if we read -- well, on
21 what was posted online, this is not as much as what
22 was posted online. It talks -- it details the
23 contract. It said it expired with a right to
24 extend, but it expired in November of last year.

25 MR. ROZEA: I don't have the backup

1 material in front of me. I'll be happy to work
2 with you later.

3 MR. FREIER: It's on the website right
4 now.

5 MR. ROZEA: This is for the new
6 calendar year, though.

7 MR. FREIER: Resolution No. 19, this is
8 an extension of your financial advisors, a firm out
9 of Syracuse, New York. I guess you used them last
10 year and the year before as your financial
11 advisors.

12 What kind of advice are they giving
13 you?

14 ACTING SUPERVISOR MUSCARELLA: Right
15 now, we are working on improving our bond rating.

16 Rob, would you like to address what we
17 are doing?

18 MR. DARIENZO: The Resolution
19 (inaudible), we put out an RFP for that two years
20 ago for a two-year program with the option to
21 choose your extension. This is the first of the
22 extensions. They provided advisory services for us
23 for as long as two decades. So they know the Town
24 inside and out. They help us issue our debt. They
25 let us know when there are refund opportunities and

1 basically they give us advice in all financial
2 matters.

3 MR. FREIER: So, again, you're rehiring
4 a financial advisor that you used for years that I
5 guess was advising you at the time you became junk
6 bond status and all the spending and the deficit
7 spending, the debt that's been built up every year
8 and you're just going with them again. That's why
9 I said what kind of advice -- do you really think
10 they're giving you good advice? Yet we continue --

11 MR. DARIENZO: Our current bond rating
12 has no reflection on our financial services
13 provided.

14 MR. FREIER: Thank you.

15 Um -- Resolution No. 21 -- um -- I
16 guess, perhaps, Councilwoman Alesia can answer
17 this, but this is for the finishing off of the work
18 that was done by the Town -- um -- at the JFK High
19 School. Um -- and this is the comfort station that
20 they're adding. Um -- you know, overall, I
21 believe -- you know, close to half a million
22 dollars was spent on that project, mostly with
23 Landtech and do you -- as a matter of fact, I think
24 we actually exchanged e-mails about that several
25 months ago -- um -- and you had written me back

1 saying that you were -- that that project was on
2 hold because the school may partner with the Town.
3 Um -- you know, I will add, the question is, do you
4 really think this Town, in this current financial
5 condition, should be -- um -- putting in facilities
6 at school districts in general?

7 COUNCILWOMAN ALESIA: At the moment,
8 and I think the Parks Commissioner is here, so he
9 might be able to help me, exactly what I wrote to
10 in your e-mail is still the case. We are
11 discussing with the schools possibly partnering
12 with them. I personally do think that's the wave
13 of the future. It would be public -- private
14 partnership, intermunicipal cooperation to get more
15 things done by combining our resources.

16 Having said that, I believe, and
17 Commissioner Nocerino, you can correct me if I'm
18 wrong, that we had bids that we felt were high on
19 this project and we asked them to rebid and I think
20 that's what we're looking at.

21 Commissioner, is that accurate?

22 MR. NOCERINO: The DPD (inaudible).

23 MS. MACCARONE: This Resolution is just
24 to pay Nassau/Suffolk for their work done earlier
25 this year. They were authorized for some money in

1 2015 and that contract expired and the work that --
2 this was a rollover of a little over \$6,000 to pay
3 claims.

4 In terms of going forward with the
5 project, the bids did come in high and we are
6 looking at, perhaps in the future, based upon
7 discussions with the school district, putting it
8 out for bid again, but, at this point, we're
9 awaiting direction.

10 COUNCILMAN PINTO: Personally, I don't
11 believe we need to spend anymore money on any
12 properties that don't (inaudible) with the Town of
13 Oyster Bay.

14 I had a meeting with the Parks
15 Department on this particular issue a week and a
16 half ago, and I advised them not to do anymore work
17 on this project. I don't think the Town should be
18 entertaining anymore projects than we are with the
19 school districts.

20 The school districts have demonstrated
21 the ability to get their own bonds at a probably
22 cheaper rate right now and I don't think we should
23 be involved anymore.

24 MS. MACCARONE: Just so you know, no
25 work has been done since the beginning of the year.

1 This payment is for work done through March and no
2 work has been done since then.

3 MR. FREIER: March of last year?

4 MS. MACCARONE: March of '16.

5 MR. FREIER: Okay.

6 Just for what it's worth, I mean, as a
7 former School Board member, you know, our district
8 had an intermunicipal agreement with the Town of
9 North Hempstead solely for the purposes of the
10 district being able to use the buying power of the
11 Town.

12 So we got better rates, for example, on
13 things like recycling, and, you know, buying paper
14 and all sorts of different things, but -- but
15 certainly not getting funded for any project by the
16 local municipal government. I think, you know, for
17 that reason, an intermunicipal agreement is useful
18 for a school district just so they can get better
19 prices. But I think that's really --

20 COUNCILMAN PINTO: I think the Town has
21 spent enough money on school properties and
22 projects.

23 MR. FREIER: Thank you.

24 Um -- Resolution No. 22 -- um -- this
25 looks like a Resolution -- um -- and again, for

1 Cashin, the -- you know, the company that
2 continually gets business here, but it looks like
3 Cashin is subbing the work out to someone else and
4 you're voting on them subbing it out.

5 Wouldn't you get a better price if you
6 went directly to the sub? Why are you hiring
7 someone to sub out for the work work?

8 ACTING SUPERVISOR MUSCARELLA: Leslie?

9 MS. MACCARONE: I'll take the first
10 part and then Matt will take the second part.

11 First of all, this is Cashin &
12 Associates. It is not the CSF, Cashin, Spinelli &
13 Ferretti.

14 MR. FREIER: It's all the same.

15 ACTING SUPERVISOR MUSCARELLA: No, it's
16 not.

17 MS. MACCARONE: It's not the same.
18 It's a completely different firm. It's absolutely
19 not the same firm. They have no connection at all
20 with CSF.

21 COUNCILMAN PINTO: Excuse me, Leslie,
22 it's a different firm and different ownership?

23 MS. MACCARONE: Absolutely.

24 ACTING SUPERVISOR MUSCARELLA: Different
25 financial control.

1 Bob, do you understand that? Do you
2 know the difference?

3 MR. FREIER: Yes. Okay.

4 MS. MACCARONE: Matt will discuss in
5 terms of the subconsultants and how this project --

6 COUNCILMAN PINTO: Also, this is
7 also -- we are not funding this -- this is NY
8 Rising, right?

9 MS. MACCARONE: It's NY Rising.

10 COUNCILMAN PINTO: It's not the Town.

11 MR. RUSSO: Because the project is
12 funded by NY Rising, we have certain contractual
13 requirements which include participation by women
14 and minority-owned businesses (inaudible).
15 Cashin & Associates themselves are not listed as
16 one of those firms. So they need to hire other
17 firms to perform certain services on the project to
18 meet those contractual requirements.

19 MR. FREIER: Thank you.

20 Going to Item No. 23, roughly about
21 \$70,000 to reconstruct and repair tennis courts.

22 And, again, the use of subconsultants,
23 same sort of question and also considering -- you
24 know, look, I play tennis. I love tennis. It's
25 one of my favorite sports, but, you know, I think

1 the Town -- you know, doesn't the Town need to kind
2 of take a step back and look at every single
3 project and where they're spending their money
4 because, you know, basically, you have none.

5 COUNCILMAN PINTO: I think we are.

6 ACTING SUPERVISOR MUSCARELLA: We are.
7 We are doing the right thing, but you have to
8 provide the services. People expect the quality
9 and the excellence.

10 COUNCILMAN MACAGNONE: And a safe
11 place.

12 ACTING SUPERVISOR MUSCARELLA: Exactly.
13 We're not going to stop people from
14 playing tennis. We have to fix what we have to
15 move forward.

16 MR. FREIER: Okay, but then why
17 subconsultants -- why subconsultants of
18 consultants?

19 ACTING SUPERVISOR MUSCARELLA: You seem
20 to know what's going on.

21 Do you want to address it?

22 MR. RUSSO: For this case, the firm is
23 requesting use of subconsultants. One is in the
24 form soil borings which is a specialized service.
25 There are no engineering firms that has that

1 capability. It's always subbed out.

2 The second subconsultant is for survey
3 services which, again, not every firm has in-house
4 sufficient capabilities.

5 MR. FREIER: Thank you.

6 25, again, subconsultants and, again, I
7 see the same -- here, we do see the same old names
8 Lero and Sydney Baum & Company come up. Again,
9 subconsultants for civil engineering.

10 It seems to me with all these
11 subconsultants -- um -- we should be paying less
12 money. And why not, you know, if we're hiring
13 someone to do the job, if they don't have the
14 expertise and they need to sub it out, they're
15 obviously making money on the deal. Um -- so --
16 and, obviously, the subconsultants are getting
17 paid.

18 MS. MACCARONE: I'm not sure --

19 COUNCILMAN PINTO: It's not Lero and --

20 MS. MACCARONE: Lero and Sydney Baum is
21 not part of this. (Inaudible) is asking for --

22 MR. FREIER: It's part of the backup
23 that was put online for that Resolution.

24 MS. MACCARONE: That's the original
25 On-Call Resolution that lists all the consultants

1 who are able to perform that discipline, but it's
2 for (inaudible) to bring on two consultants, land
3 use ecological services and Gayron (inaudible) for
4 the survey.

5 MR. FREIER: Thank you.

6 Then, No. 34. I saw that you're
7 extending Lessings to the end of March.

8 Has a new RFP been issued because I
9 would think now is about the time that you do that,
10 so you don't do it at a --

11 ACTING SUPERVISOR MUSCARELLA: It's
12 been worked on. We will turn it over to Rebecca
13 Alesia.

14 MR. ALTADONNA: We haven't called 34
15 yet.

16 COUNCILWOMAN ALESIA: I was there.

17 ACTING SUPERVISOR MUSCARELLA: Rebecca
18 was there. They had a meeting.

19 MR. FREIER: You said I could speak on
20 any of the Resolutions.

21 ACTING SUPERVISOR MUSCARELLA: It's
22 okay.

23 Rebecca, answer his question.

24 COUNCILWOMAN ALESIA: What was the
25 question?

1 MR. FREIER: I see on No. 34, it's
2 extending Lessings through the end of March. It
3 was supposed to be the end of December and they're
4 extending now to the end of March.

5 But, when do you plan on issuing an
6 RFP? Um --

7 COUNCILWOMAN ALESIA: In very short
8 order.

9 Actually, I think we have counsel here,
10 Jonathan Sinnreich is here who can speak to that
11 since you're --

12 MR. SINNREICH: The draft RFP contract
13 was prepared. We had a meeting last Friday to get
14 input from the Commissioner and Councilwoman. I'm
15 expecting it to be ready to go out to advertising,
16 issue that RFP by the end of next week.

17 MR. FREIER: Thank you very much.

18 MR. SABELLICO: In answer to Mr. Ripp's
19 question, I cited Town Law 62 -- it's Town Law
20 Section 64.5, filling of vacancies by the remaining
21 Town Board members.

22 Just for the record, 64.5.

23 COUNCILWOMAN ALESIA: I'd like to make
24 a motion that you table Resolution No. 19 until
25 next quarter calendar.

1 COUNCILMAN PINTO: Which one?

2 COUNCILWOMAN ALESIA: No. 19.

3 COUNCILMAN PINTO: I'm just curious of
4 the reason why are we going to table Resolution
5 No. 19?

6 COUNCILWOMAN ALESIA: Sure, absolutely.
7 The reason I would like to table it is
8 I think that Mr. Freier made a point that raised my
9 interest in it and I would like to do a little bit
10 of inquiry. I have met with Bristol Advisors. I
11 have spoken with them. I have been very impressed
12 with them, but I think he raised a valid point.
13 That's the reason we have public comment on
14 resolutions. I would just like an opportunity to
15 look into it a little bit more for myself.

16 MR. DARIENZO: If I may, we are set to
17 renew and issue roughly \$130 million in debt on
18 February 2nd of this year (inaudible) regarding our
19 bond rating (inaudible) next Tuesday, January 17th.
20 It's relatively important that we have a financial
21 advisor service contract in place for this process.

22 COUNCILMAN PINTO: Can we amend the
23 Resolution for a month?

24 COUNCILWOMAN ALESIA: I don't want to
25 make it into a hack job, but Bob, can you just

1 answer for me, what exactly do they -- are they
2 giving us financial counseling in terms of -- can
3 you explain what our relationship is with them
4 exactly for the public?

5 MR. DARIENZO.

6 Yes, mostly, they're involved with
7 helping facilitate out debt insurance and advise as
8 to the opportunities that are out there in the
9 market. They don't decide what path we want to
10 take. We -- they work for us. We come to them
11 with issues of our debt and they help facilitate
12 that. They are not providing advice in the respect
13 you are thinking of.

14 COUNCILWOMAN ALESIA: It just happens
15 to be the name of their company, is Financial
16 Advisors (inaudible). That's the title of their
17 company. It's not descriptive of the actual job
18 they do for us.

19 MR. FREIER: Rebecca, it does say in
20 the backup, financial advisors to the Town, so...

21 COUNCILMAN COSHIGNANO: We have a
22 meeting in two weeks.

23 Is it a problem to table it for two
24 weeks?

25 ACTING SUPERVISOR MUSCARELLA: We

1 will --

2 COUNCILMAN COSHIGNANO: I'm asking the
3 question, is there a problem tabling it for two
4 weeks?

5 MR. DARIENZO: I believe so. I don't
6 know -- again, we are working with them currently
7 to issue this debt. I speak to them on a daily
8 basis. The Resolution --

9 COUNCILMAN COSHIGNANO: Will two weeks
10 be a problem?

11 MR. DARIENZO: The Resolution will read
12 as January 1st currently.

13 If it will be passed on January 24th,
14 it's still saying January 1st. I'm not sure --

15 COUNCILMAN COSHIGNANO: Today is not
16 January 1st anyway, right?

17 MR. DARIENZO: Correct.

18 COUNCILMAN COSHIGNANO: What is the
19 difference between today and two weeks from now?

20 MR. DARIENZO: I would ask Legal that.
21 I don't have the answer to that.

22 COUNCILMAN COSCHIGNANO: Legal?

23 MR. SABELLICO: If on January 24th you
24 ratify, it would be acceptable.

25 COUNCILMAN COSHIGNANO: I second the

1 motion to table.

2 MR. DARIENZO: If you decide on
3 January 24th not to pass the Resolution, they will
4 have been doing work for us from January 1st
5 through that date without having a contract.

6 COUNCILMAN COSHIGNANO: Apparently,
7 they have been doing work for us now since
8 January 1st without a contract.

9 What's the difference?

10 COUNCILWOMAN ALESIA: Yes.

11 ACTING SUPERVISOR MUSCARELLA: You're
12 going to amend the motion?

13 COUNCILWOMAN ALESIA: Yes, I'll amend
14 my motion for -- we're going to amend it to retain
15 it for first quarter of this year.

16 Is that what --

17 COUNCILMAN MACAGNONE: Yes, then the
18 Board can re-evaluate.

19 COUNCILWOMAN ALESIA: We would like to
20 amend the Resolution to read that we are providing
21 financial advisory services from January 1st
22 through March 31st, that's the first quarter, so
23 that we can look into it.

24 ACTING SUPERVISOR MUSCARELLA: The key
25 point right now is our bond rating.

1 Do I have a second on that motion?

2 COUNCILMAN MACAGNONE: I'll second.

3 ACTING SUPERVISOR MUSCARELLA: Let's
4 call for a vote.

5 MR. ALTADONNA: Acting Supervisor
6 Muscarella?

7 ACTING SUPERVISOR MUSCARELLA: "Aye."

8 MR. ALTADONNA: Councilman Macagnone?

9 COUNCILMAN MACAGNONE: "Aye."

10 MR. ALTADONNA: Councilman Coschignano?

11 COUNCILMAN COSCHIGNANO: Abstain.

12 MR. ALTADONNA: Councilman Pinto?

13 COUNCILMAN PINTO: "Aye."

14 MR. ALTADONNA: Councilwoman Alesia?

15 COUNCILWOMAN ALESIA: "Aye."

16 MR. ALTADONNA: Councilwoman Johnson?

17 COUNCILWOMAN JOHNSON: "Aye."

18 MR. ALTADONNA: Motion passes with five
19 "Ayes" and one abstention.

20 Would you like me to call for a vote --
21 I'm going to call for a vote on 1-2017 through
22 30-2017 noting that there was a change to
23 Resolution 19.

24 Acting Supervisor Muscarella?

25 ACTING SUPERVISOR MUSCARELLA: "Aye."

1 MR. ALTADONNA: Councilman Macagnone?

2 COUNCILMAN MACAGNONE: "Aye" on all of
3 them.

4 I abstain on 29.

5 MR. ALTADONNA: Councilman Coschignano?

6 COUNCILMAN COSCHIGNANO: "Aye."

7 MR. ALTADONNA: Councilman Pinto?

8 COUNCILMAN PINTO: "Aye" on all.

9 "Nay" on 21.

10 MR. ALTADONNA: Councilwoman Alesia?

11 COUNCILWOMAN ALESIA: "Aye."

12 MR. ALTADONNA: Councilwoman Johnson?

13 COUNCILWOMAN JOHNSON: This is through
14 30?

15 MR. ALTADONNA: This is through 30.

16 COUNCILWOMAN JOHNSON: "Aye" on all.

17 "No" on 21.

18 MR. ALTADONNA: Motion to adopt

19 Resolution 1 through 20 passes with six "Ayes."

20 Resolution 21 passes with four "Ayes"
21 and two "Nos."

22 22 through 28 passes with six "Ayes."

23 29 passes with five "Ayes" and one

24 abstention and 30 passes with six "Ayes."

25 This calendar is complete.

1 Now, we have some suspends and
2 walk-ons.

3 MR. McKENNA: Did you already go past
4 comments on the Resolutions?

5 MR. ALTADONNA: We have additional.

6 ACTING SUPERVISOR MUSCARELLA: We have
7 some more.

8 MR. McKENNA: I didn't sign up.

9 ACTING SUPERVISOR MUSCARELLA: Sign up.

10 MR. McKENNA: Good morning, everyone.
11 Regarding Resolution 729 --

12 UNKNOWN SPEAKER: Sir, what is your
13 name?

14 MR. McKENNA: I'm sorry.

15 Kevin McKenna, Syosset, New York.

16 Resolution 729, whereas the Resolution
17 authorizing the appointment of the following
18 hearing officers with respect to the Town of Oyster
19 Bay employee relation matters from February to
20 December 31, 2005.

21 Basically --

22 COUNCILMAN MACAGNONE: Kevin, 29 is on
23 the retirement resolution.

24 ACTING SUPERVISOR MUSCARELLA: What do
25 you have in front of you?

1 MR. McKENNA: It's No. 19.

2 COUNCILMAN MACAGNONE: Thank you.

3 MR. McKENNA: To pay them \$350 per diem
4 not to exceed \$10,000. The names on here, the five
5 individuals --

6 COUNCILMAN PINTO: 19 was the financial
7 advisors.

8 MR. McKENNA: Financial advisors, No.
9 19, right.

10 COUNCILMAN PINTO: There's no fees for
11 that right now.

12 MR. SABELLICO: I think Mr. McKenna is
13 referring to Resolution No. 33.

14 COUNCILMAN PINTO: Are we going to call
15 that?

16 MR. ALTADONNA: We're going to call
17 that next.

18 ACTING SUPERVISOR MUSCARELLA: Move it
19 forward.

20 COUNCILMAN MACAGNONE: Mr. McKenna, we
21 haven't called that yet. That's suspend --

22 MR. McKENNA: Oh.

23 How about --

24 ACTING SUPERVISOR MUSCARELLA: Don't go
25 anywhere. Just stay there. We are going to call

1 it.

2 MR. ALTADONNA: May I have a motion to
3 suspend the rules and add Walk-on Resolution Nos.
4 31-2017 through 35-2017?

5 Resolution No. 31-2017; Resolution
6 authorizing a second extension of Stenographic
7 Services for Employee Relations Matters from
8 January 1, 2017 through December 31, 2017. Account
9 No. OTA A 1420 44800 000 0000. (M.D. 12/29/16
10 #17).

11 Resolution No. 32-2017; Resolution
12 authorizing a second extension of Stenographic
13 Services to the Office of the Town Attorney from
14 January 1, 2017 through December 31, 2017. Account
15 No. OTA A 1420 44110 000 0000. (M.D. 12/29/16
16 #18).

17 Resolution No. 33-2017; Resolution
18 authorizing a second extension of Hearing Officers
19 Employee Relations Matters from January 1, 2017
20 through December 31, 2017. Account No. OTA A 1420
21 44800 000 0000. (M.D. 12/29/16 #19).

22 Resolution No. 34-2017; Resolution
23 authorizing an extension of a Concession License
24 Agreement for services at the Woodlands, Woodbury,
25 NY, from January 1, 2017 through March 31, 2017 and

1 to authorize the Supervisor or his designee to
2 execute necessary documents. (M.D. 12/29/16 #20).

3 Resolution No. 35-2017; Resolution
4 authorizing the retention of attorneys to represent
5 the Town in negligence matters for cases initiated
6 from January 1, 2017 through December 31, 2017
7 under Account Nos. TWN AMS 1910 43010 602 0000 000
8 and TWN AMS 1910 43020 602 0000 000. (M.D.
9 12/29/16 #21).

10 You have two speakers on --

11 COUNCILMAN MACAGNONE: So moved.

12 COUNCILMAN COSHIGNANO: Seconded.

13 MS. SWANSON: You have to vote.

14 MR. ALTADONNA: Motion made --

15 COUNCILMAN COSCHIGNANO: You have
16 speakers second.

17 MS. SWANSON: It's not on the calendar
18 yet.

19 MR. ALTADONNA: Motion made by
20 Councilman Macagnone, seconded by -- who was it
21 seconded by -- Councilman Coschignano.

22 On the vote, Acting Supervisor
23 Muscarella?

24 ACTING SUPERVISOR MUSCARELLA: "Aye."

25 MR. ALTADONNA: Councilman Macagnone?

1 COUNCILMAN MACAGNONE: "Aye."

2 MR. ALTADONNA: Councilman Coschignano?

3 COUNCILMAN COSCHIGNANO: "Aye."

4 MR. ALTADONNA: Councilman Pinto?

5 COUNCILMAN PINTO: "Aye."

6 MR. ALTADONNA: Councilwoman Alesia?

7 COUNCILWOMAN ALESIA: "Aye."

8 MR. ALTADONNA: Councilwoman Johnson?

9 COUNCILWOMAN JOHNSON: "Aye."

10 MR. ALTADONNA: Motion to suspend the
11 rules and add Resolution 31-2017 through 35-2017
12 passes with six "Ayes."

13 Now, I'm going to read it and you
14 can -- may I have a motion to adopt Resolution No.
15 31-2017 through 35-2017?

16 Resolution No. 31-2017; Resolution
17 authorizing a second extension of Stenographic
18 Services for Employee Relations Matters from
19 January 1, 2017 through December 31, 2017. Account
20 No. OTA A 1420 44800 000 0000. (M.D. 12/29/16
21 #17).

22 Resolution No. 32-2017; Resolution
23 authorizing a second extension of Stenographic
24 Services to the Office of the Town Attorney from
25 January 1, 2017 through December 31, 2017. Account

1 No. OTA A 1420 44110 000 0000. (M.D. 12/29/16
2 #18).

3 Resolution No. 33-2017; Resolution
4 authorizing a second extension of Hearing Officers
5 Employee Relations Matters from January 1, 2017
6 through December 31, 2017. Account No. OTA A 1420
7 44800 000 0000. (M.D. 12/29/16 #19).

8 Resolution No. 34-2017; Resolution
9 authorizing an extension of a Concession License
10 Agreement for services at the Woodlands, Woodbury,
11 NY, from January 1, 2017 through March 31, 2017 and
12 to authorize the Supervisor or his designee to
13 execute necessary documents. (M.D. 12/29/16 #20).

14 Resolution No. 35-2017; Resolution
15 authorizing the retention of attorneys to represent
16 the Town in negligence matters for cases initiated
17 from January 1, 2017 through December 31, 2017
18 under Account Nos. TWN AMS 1910 43010 602 0000 000
19 and TWN AMS 1910 43020 602 0000 000. (M.D.
20 12/29/16 #21).

21 On the motion?

22 COUNCILMAN MACAGNONE: So moved.

23 COUNCILMAN COSHIGNANO: Seconded.

24 MR. McKENNA: Basically, this

25 Resolution talks about paying -- compensating these

1 five individuals, two of them which is John Nagey
2 and John -- James Preston, Paying them, and yet
3 they are on the Ethics Board.

4 Isn't this a violation of the Ethics
5 Policy to be compensating people for work when they
6 are on the Ethics Board?

7 Now, I realize that -- I realize the
8 Ethics Board is in -- the Ethics Policy legally has
9 changed. It's been explained to me that the new
10 Ethics Policy has been changed, but you have not
11 yet and I appreciate -- you haven't named a new
12 Ethics Board yet.

13 COUNCILMAN MACAGNONE: Chris
14 Coschignano brought up a very good point.

15 COUNCILMAN COSHIGNANO: I think you
16 make a very good point. I think we should table it
17 until we have a new Ethics Board.

18 COUNCILMAN MACAGNONE: You'll make that
19 motion, Counselor?

20 COUNCILMAN COSCHIGNANO: I will make
21 that motion.

22 COUNCILMAN MACAGNONE: I'll second it.

23 COUNCILMAN COSHIGNANO: Nothing against
24 the people. I think it's a very good point and I
25 think it should be done.

1 MR. SABELLICO: Just as a point of
2 reference, Mr. Preston had resigned from the Board
3 of Ethics. Just for your information.

4 COUNCILMAN MACAGNONE: Thank you.

5 COUNCILMAN COSCHIGNANO: Thank you.

6 COUNCILMAN PINTO: When do you
7 anticipate the new Ethics Board will be in place?

8 ACTING SUPERVISOR MUSCARELLA: Now, we
9 are --

10 COUNCILWOMAN ALESIA: We've sent out --
11 I'm sorry, Tom, do you mind quarterbacking?

12 MR. SABELLICO: We received a number of
13 names from Board members at the Town Attorney's
14 office and we wrote to those people to confirm
15 their interest and their party affiliation since
16 that the new law requires that no more than two
17 people with any one registration be on the Board.

18 We received back approximately 6
19 responses from the 13 that were sent out last week.
20 We can (inaudible) the official names.

21 We have spoken to Mr. Leventhal,
22 outside counsel. He has prepared a plain English
23 guide for the Board's review. You will have it
24 this week. He's also prepared a presentation for
25 all of our Commissioners, Deputy Commissioners and

1 Department Heads to get a live tutorial on the law
2 which we will film a video and make it available to
3 all employees and as part of the orientation
4 process for new employees.

5 COUNCILMAN PINTO: Does that mean
6 that -- are we expecting to have a new Ethics Board
7 in place by the next Town Board meeting?

8 MR. SABELLICO: I would gather to say,
9 conservatively, the meeting after that.

10 COUNCILMAN PINTO: The first meeting in
11 February?

12 MR. SABELLICO: You want to interview
13 the people.

14 ACTING SUPERVISOR MUSCARELLA: Next on
15 the vote.

16 COUNCILMAN COSCHIGNANO: We need a vote
17 on it also to table.

18 ACTING SUPERVISOR MUSCARELLA: Will you
19 make a motion?

20 COUNCILMAN COSCHIGNANO: Yes.

21 COUNCILMAN MACAGNONE: Seconded.

22 MR. ALTADONNA: On the vote, Acting
23 Supervisor Muscarella?

24 ACTING SUPERVISOR MUSCARELLA: "Aye."

25 MR. ALTADONNA: Councilman Macagnone?

1 COUNCILMAN MACAGNONE: "Aye."
2 MR. ALTADONNA: Councilman Coschignano?
3 COUNCILMAN COSCHIGNANO: "Aye."
4 MR. ALTADONNA: Councilman Pinto?
5 COUNCILMAN PINTO: "Aye."
6 MR. ALTADONNA: Councilwoman Alesia?
7 COUNCILWOMAN ALESIA: "Aye."
8 MR. ALTADONNA: Councilwoman Johnson?
9 COUNCILWOMAN JOHNSON: "Aye."
10 MR. ALTADONNA: Motion to table
11 Resolution No. 33 passes with six "Ayes."
12 MR. McKENNA: The other one is No. 3.
13 ACTING SUPERVISOR MUSCARELLA: We voted
14 on that already.
15 MR. McKENNA: Can I make a statement
16 with regard to this?
17 ACTING SUPERVISOR MUSCARELLA: Sure.
18 MR. McKENNA: In regards to this, the
19 Town is paying this transcript company -- is that
20 what it's called, transcript company -- and at the
21 last meeting -- yet the transcripts that we are
22 paying for are still not published on the Town's
23 website. Now, if we are paying a company to do a
24 job, then they should be able to come forth with
25 the product. I don't know whether that it's they

1 didn't come forth with the product or whether we
2 didn't publish it on the website, but I just want
3 to bring that to your attention.

4 ACTING SUPERVISOR MUSCARELLA: Okay, we
5 will work on that.

6 MR. MCKENNA: Thanks. Sorry for the
7 confusion.

8 COUNCILMAN MACAGNONE: No problem.
9 Thank you.

10 ACTING SUPERVISOR MUSCARELLA: You want
11 to come back up?

12 MR. FREIER: Who from the financial
13 advisors firm does the Town deal with?

14 ACTING SUPERVISOR MUSCARELLA: Bob
15 Darienzo?

16 Please state your question again, Bob.

17 MR. FREIER: From the financial
18 advisory firm in Syracuse, who does -- which
19 specific principal at that firm does the Town work
20 with?

21 ACTING SUPERVISOR MUSCARELLA: We have
22 so many --

23 MR. DARIENZO: We work with many
24 people.

25 MR. FREIER: Is there a main point of

1 contact between the Town and that company?

2 MR. DARIENZO: I deal with several
3 people on a day-to-day basis.

4 I don't know what you mean --

5 MR. FREIER: Does someone -- is someone
6 responsible for the Town of Oyster Bay account? Is
7 there one person that's in charge?

8 MR. DARIENZO: To answer your question,
9 I go to the President.

10 MR. FREIER: Thank you.

11 MR. ALTADONNA: You also have a speaker
12 on 35.

13 ACTING SUPERVISOR MUSCARELLA: Anybody
14 who would like to speak in front of the Board right
15 now on any of the Resolutions, come forward.

16 Thank you.

17 MS. GOODWIN: (Inaudible.)

18 ACTING SUPERVISOR MUSCARELLA: We are
19 not in public comment yet.

20 MS. GOODWIN: I'm sorry.

21 MR. ALTADONNA: Motion was made --

22 MS. GOODWIN: Another question about
23 the financial advisor.

24 ACTING SUPERVISOR MUSCARELLA: Sure.

25 MS. GOODWIN: Why are we dealing with a

1 firm up in Syracuse when there are so many good
2 firms right here in New York State?

3 ACTING SUPERVISOR MUSCARELLA: Syracuse
4 is in New York. We feel comfortable. It's been
5 done previously.

6 MR. DARIENZO: We issued the RFP two
7 years ago, there were a total of three responses.
8 That's their main office, but they also have a
9 satellite office in Bethpage.

10 MS. GOODWIN: Who is in charge of that?

11 MR. DARIENZO: Who is in charge --

12 MS. GOODWIN: The Bethpage office.

13 MR. DARIENZO: I deal with MaryJo
14 Bella.

15 MS. GOODWIN: That's who I thought.

16 Why aren't we dealing with someone like
17 Merrill Lynch or some big firm that would give us
18 good advice?

19 MR. ALTADONNA: On the vote, Acting
20 Supervisor Muscarella?

21 ACTING SUPERVISOR MUSCARELLA: "Aye."

22 MR. ALTADONNA: Councilman Macagnone?

23 COUNCILMAN MACAGNONE: "Aye."

24 MR. ALTADONNA: Councilman Coschignano?

25 COUNCILMAN COSCHIGNANO: "Aye."

1 MR. ALTADONNA: Councilman Pinto?

2 COUNCILMAN PINTO: "Aye."

3 MR. ALTADONNA: Councilwoman Alesia?

4 COUNCILWOMAN ALESIA: Abstain as to 35.

5 "Aye" on all the others.

6 MR. ALTADONNA: Councilwoman Johnson?

7 COUNCILWOMAN JOHNSON: Abstain on 34.

8 "Aye" on the others.

9 MR. ALTADONNA: Motion to adopt
10 Resolutions 31 through 35; noting that 33 has been
11 tabled.

12 31 through 32 passes with six "Ayes."

13 34 passes with five "Ayes" and one
14 abstention.

15 35 passes with five "Ayes" and one
16 abstention.

17 May I have a motion to re-suspend the
18 rules and add the following Walk-on Resolution No.
19 36-2017 which is a Resolution pertaining to
20 collective bargaining agreement between the Town of
21 Oyster Bay and Civil Service Employees Association
22 for the period from January 1, 2017 through
23 December 31, 2021?

24 COUNCILMAN MACAGNONE: So moved.

25 COUNCILMAN COSCHIGNANO: Seconded.

1 MR. ALTADONNA: Motion made by
2 Councilman Macagnone, seconded by Councilman
3 Coschignano.

4 On the vote, Acting Supervisor
5 Muscarella?

6 MR. SABELLICO: Since this Resolution
7 was not published and it's a Walk-on, the
8 Resolution has to be read into the record.

9 MR. ALTADONNA: Read the whole
10 Resolution?

11 "Whereas the Town of Oyster Bay adhered
12 to for enter into Collective Bargaining Agreement
13 for the Civil Service Employee Association Local
14 1000 AFSCME AFLCIO Town of Oyster Bay Unit Nassau
15 County Local 881, hearing referred to as CSEA for a
16 period from January 2010 through December 31, 2016
17 which has expired and whereas the Town has
18 heretofore entered into negotiations with the
19 representative members of the CSEA for the new
20 Collective Bargaining Agreement pursuant to Chapter
21 392 of the laws of 1967 of the State of New York as
22 amended between designated two Public Employees
23 Fair Employment Act; and whereas, as the result of
24 said negotiations of CSEA and the Town entered into
25 a memorandum of agreement dated December 29, 2016,

1 which memorandum of agreement was executed by
2 Jarvis T. Brown, President of the CSEA and
3 Joseph D. Muscarella, Deputy Supervisor of the Town
4 of Oyster Bay subject to ratification by the
5 members of the CSEA and the Town Board, a copy of
6 which memorandum of agreement is attached hereto
7 and fully incorporated herein by reference and
8 which provides the new Collective Bargaining
9 Agreement between CSEA and the Town for a period of
10 January 1, 2017 through December 31, 2021; and,
11 whereas, a memorandum of agreement was ratified by
12 the members of the CSEA on January 4, 2017; and,
13 whereas, the Town Board is willing to accept the
14 terms and conditions of said memorandum of
15 agreement since same are in the best interest of
16 the Town of Oyster Bay, it's residents and
17 employees.

18 "Now, therefore, be it resolved that
19 the Town Board hereby approves the Memorandum of
20 Agreement dated December 29, 2016 and be it further
21 resolved" -- I need some water.

22 COUNCILWOMAN ALESIA: Here, Jim, mine
23 isn't open.

24 MR. ALTADONNA: "And be it --"

25 COUNCILWOMAN ALESIA: Take your time.

1 COUNCILMAN COSHIGNANO: There's another
2 one when you're done.

3 MR. ALTADONNA: "And be it further
4 resolved that except for public officials, all
5 full-time employees, the Town of Oyster Bay not
6 covered by the new Collective Bargaining Agreement
7 between the Town of Oyster Bay and the CSEA shall
8 receive the benefit provided by the Collective
9 Bargaining Agreement and be it further resolved
10 that as the memorandum agreement provides for the
11 wages of the union employees to be reduced by
12 2 percent for the period commencing with the first
13 pay period of 2017 through the last pay period of
14 2018. The wages of exempt employees shall also be
15 reduced by 2 percent during the same period and be
16 it further resolved that the wages specified in the
17 new Collective Bargaining Agreement are minimum
18 rates and are not to be considered as restricting
19 the Town from hiring or placing employees with
20 certain technical or professional skills at a
21 higher compensation level when the need to do so
22 arises as so long as the minimum schedules are
23 maintained. No increase in wages to an individual
24 shall necessitate or change in the wage of other
25 individuals and be it further" -- oh, God -- "be it

1 further resolved that the Comptroller -- be it
2 further resolved that the Comptroller of the Town
3 of Oyster Bay is hereby authorized to implement the
4 appropriate salary changes and such other
5 applicable terms and conditions as provided for the
6 subject Memorandum of Agreement." Complete.

7 ACTING SUPERVISOR MUSCARELLA: Thank
8 you.

9 COUNCILWOMAN ALESIA: Good job.

10 ACTING SUPERVISOR MUSCARELLA: I don't
11 know if the President of the Union is here, Tim
12 Brown?

13 (No verbal response.)

14 MR. ALTADONNA: On the vote, Acting
15 Supervisor Muscarella?

16 ACTING SUPERVISOR MUSCARELLA: "Aye."

17 MR. ALTADONNA: Councilman Macagnone?

18 COUNCILMAN MACAGNONE: "Aye."

19 MR. ALTADONNA: Councilman Coschignano?

20 COUNCILMAN COSCHIGNANO: "Aye."

21 MR. ALTADONNA: Councilman Pinto?

22 COUNCILMAN PINTO: "Aye."

23 MR. ALTADONNA: Councilwoman Alesia?

24 COUNCILWOMAN ALESIA: "Aye."

25 MR. ALTADONNA: Councilwoman Johnson?

1 COUNCILWOMAN JOHNSON: "Aye."

2 MR. ALTADONNA: Motion to adopt Walk-on
3 Resolution No. 36-2017 passes with six "Ayes."

4 Calendar is complete.

5 ACTING SUPERVISOR MUSCARELLA: Let me
6 just make a comment.

7 I want to thank Tony Macagnone. He was
8 a very good negotiator in the union contract. It
9 was well run. He was a true professional. He
10 helped with Tim Brown. It was a tough negotiation.

11 To all the employees, better days will
12 be here. I promise you that. It's a fair contract
13 moving forward, so it will be better. Good days in
14 the Town of Oyster Bay.

15 With that, I'll take a motion to close
16 the meeting.

17 COUNCILMAN MACAGNONE: I'll make a
18 motion to adjourn.

19 COUNCILMAN COSHIGNANO: Seconded.

20 ACTING SUPERVISOR MUSCARELLA: All in
21 favor?

22 ALL: "Aye."

23 ACTING SUPERVISOR MUSCARELLA: Any
24 "Nays?"

25 (No response.)

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ACTING SUPERVISOR MUSCARELLA: We will
take a five-minute recess and will proceed with our
public comment period.

(Time noted: 11:22 a.m.)