

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
DECEMBER 11, 2018
10:16 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
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS HAND

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Ladies and
2 gentlemen, if I could have your attention, please.

3 Good morning and welcome to Oyster Bay
4 Town Hall for our Town Board meeting of Tuesday,
5 December 11, 2018.

6 To lead us in prayer this morning, we
7 welcome Dr. Mufti Mohammad Farhan, who serves on
8 the Plainview Old Bethpage Interfaith Clergy
9 Counsel.

10 Dr. Farhan, the podium is yours.

11 Would you all please rise?

12 (Whereupon, a prayer was recited by
13 Dr. Mufti Mohammad Farhan.)

14 SUPERVISOR SALADINO: Thank you,
15 Dr. Farhan.

16 To lead us in the Pledge of Allegiance,
17 we are quite honored today to have with us, United
18 States Marine Corps Sergeant John Carter from
19 Farmingdale.

20 Sergeant Carter.

21 (Whereupon, the Pledge of Allegiance
22 was recited by Sergeant John Carter.)

23 SUPERVISOR SALADINO: Thank you, ladies
24 and gentlemen.

25 Please have a seat.

1 And specifically on behalf of all of us
2 in Town government, thank you Sergeant, thank you
3 for your service to our great nation. Please stay
4 with us here in the front of the room as I would
5 like our audience to have the opportunity to hear
6 more about you and some the great work as you
7 continue to do for our veterans, for our children,
8 for our community.

9 John joined us here this morning with
10 his wife, Claudia. He served eight years in the
11 United States Marine Corps. John was part of
12 Operation Iraqi Freedom in 2003 and participated in
13 Operation Southern Watch and Operation Enduring
14 Freedom.

15 While serving our nation, John lost
16 many fellow soldiers in combat. He honors their
17 memory every day by continuing to advocate for
18 fellow veterans. Veteran suicide and PTSD are
19 among the issues he is most passionate about, and,
20 quite frankly, the issues that should be on all of
21 our minds. National Statistics indicate that 22
22 veterans take their lives each and every day.

23 John walked 22 miles on November 10th
24 from Smithtown to Calverton National Cemetery to
25 bring attention to this terrible statistic and to

1 raise awareness for all of us about the realities
2 of PTSD and veteran suicides. His walk raised
3 money for Heroes Among Us, a wonderful nonprofit
4 organization that intervenes by paying for therapy
5 and emergency relief for our veterans and their
6 families, as well as sends care packages.

7 The founders of Heroes Among Us is
8 Virginia Cervasio, who is also with us here today.
9 And, Virginia, if you wouldn't mind coming forward
10 and please joining with John at the front of the
11 room. Virginia.

12 MR. CARTER: She couldn't make it. She
13 got stuck in North Carolina with the Winter
14 weather.

15 SUPERVISOR SALADINO: And your name?

16 MR. CARTER: John. I'm John.

17 SUPERVISOR SALADINO: John. Thank you
18 so much for being with us. Thank you for all that
19 you do.

20 Virginia is a resident of Bayville and
21 she lost her son, Angelo, a United States veteran,
22 to suicide.

23 As you know, and it's important for all
24 of us to know, Virginia founded Heroes Among Us in
25 Angelo's honor and to help prevent other parents

1 and loved ones from having an experience of similar
2 anguish.

3 My colleagues and I are proud to
4 recognize the efforts of John Carter and Virginia
5 Cervasio and all of their service, their sacrifice,
6 and tireless efforts on behalf of our veterans.

7 We have citations to say thank you and
8 because the Town and its residents care very much,
9 we want to honor you. And I'm going to ask my
10 colleagues, including, Councilman Tony Macagnone
11 and Councilman Joe Muscarella, as well as all of us
12 to help by presenting these Town Citations for you
13 and Virginia, to say thank you in a very important
14 way for a difficult job that you and she do.

15 We appreciate you, we love the fact
16 that you continue to guide us through leadership,
17 and everyone in the room says thank you.

18 (Applause.)

19 SUPERVISOR SALADINO: John, if you'd
20 join us in front.

21 Councilman, if you would assist with
22 the presentations. Councilman, if you would
23 assist.

24 (Whereupon, a Town citation was
25 presented.)

1 SUPERVISOR SALADINO: John, again, on
2 behalf of all our residents and our Town family, we
3 thank you and Claudia for your commitment to our
4 soldiers, to our veterans and to all of America.

5 Let's again thank John.

6 (Applause.)

7 SUPERVISOR SALADINO: Thank you, again.
8 Now, our Town Board takes special
9 pleasure in recognizing an individual who displayed
10 great poise and skill in helping someone in crisis.

11 On November 2nd of this year while
12 attending a job fair hosted by the Town of Oyster
13 Bay, Bayville resident, Lisa Constantin, witnessed
14 another job seeker fall and then hit his head on
15 the floor.

16 The fall rendered the man unconscious.
17 Lisa, a member of the Locust Valley Fire Department
18 and an Emergency Medical Technician, immediately
19 rushed to the man's side, put her training into
20 action and administered aid to the victim. She
21 assessed his condition as he regained consciousness
22 and tended to a laceration in his forehead. She
23 also ascertained the victim had low blood pressure
24 and blood sugar.

25 Lisa then relayed this information to

1 responding members of the Bethpage Fire Department,
2 who subsequently took over the scene and
3 transported the victim via ambulance to Plainview
4 Hospital. Lisa's actions were exemplary and helped
5 mitigate a frightening and dangerous situation.

6 My Town Board colleagues and I are
7 proud to publicly acknowledge and commend Lisa for
8 demonstrating an ability to act quickly and
9 skillfully when citizens -- fellow citizens are in
10 need. These alert and essential actions were
11 exemplary and truly worth the Town's highest honor.

12 I'm going to ask Councilwoman to --
13 North Shore Councilwoman to please make this
14 presentation to Lisa Constantin.

15 Lisa, if you could please step up.

16 (Applause.)

17 SUPERVISOR SALADINO: Thank you.

18 Councilwoman Johnson will be making
19 this presentation.

20 (Whereupon, a Town citation was
21 presented.)

22 COUNCILWOMAN JOHNSON: That gentleman
23 was so lucky to have you there.

24 Thank you so much for your service to
25 our community in Locust Valley and for being

1 available anywhere in the Town.

2 Thank you.

3 (Applause.)

4 SUPERVISOR SALADINO: Thank you again,
5 Lisa, for your incredible service as a first
6 responder and always being there to help, support,
7 and, most of all, protect our community.

8 Ladies and gentlemen, Lisa Constantin.

9 (Applause.)

10 SUPERVISOR SALADINO: We are also proud
11 to welcome a very dear friend I've been fortunate
12 enough to know for quite some time, and, quite
13 frankly, many of us have known for some time.
14 Someone we look up to and someone we admire,
15 Retired Major Chuck Kilbride and members of the
16 United States Marine Corps. We thank you for being
17 here.

18 These honorable Marines operated Toys
19 For Tots, as they do each and every year,
20 delivering holiday gifts and joy to children who
21 need them the most in our communities and
22 throughout the greater New York area.

23 The Town of Oyster Bay is proud to
24 partner with Toys for Tots, and this year's efforts
25 have been coordinated by our good friend,

1 Councilman Tony Macagnone, good friends, and
2 Councilman Tom Hand.

3 It's not too late, ladies and
4 gentleman, to donate a new unwrapped toy for a girl
5 or boy, and those who wish to donate can visit our
6 collection boxes in our facilities throughout the
7 Town of Oyster Bay through Thursday.

8 Now, I'm proud to turn things over and
9 I hope I'm making the right decision by doing this,
10 to Major Chuck Kilbride, to say a few words about
11 the program and make this presentation, but I also
12 want to point out that we are joined by another
13 great friend who protects us each and every day,
14 and that is the Nassau County Police Department PBA
15 President James McDermott.

16 Ladies and gentlemen, let's hear it for
17 Jim McDermott and Major Chuck Kilbride.

18 (Applause.)

19 MAJOR KILBRIDE: Mr. Supervisor, it's a
20 pleasure to be here and I just want to say, you
21 know, Oyster Bay has done a wonderful job for us
22 over the years. Tony Macagnone leading the charge
23 there with the carpenters, Tom Hand, and I got to
24 mention Chris Coschignano.

25 Do I still have to mention his name

1 three times because he used to make me do that?

2 I want to say that you guys do a really
3 bang-up job up here and you service the community
4 well. And a new unwrapped toy is really a symbol
5 of hope. We make 267 events. We travel all over
6 the county, into Suffolk County, the five boroughs,
7 but coming here was really a pleasure. We worked
8 with Mary Diglio.

9 Come over here, quickly, quickly.
10 Stand right there.

11 Now, this is Mary's husband, Vincent,
12 right, and he is a wonderful, wonderful guy, but
13 Mary really helped us out a lot. I talked to Mary
14 three, four times a week. Mary was dying from
15 cancer and I sent Marines up here that had
16 experienced cancer on their deathbed. I sent them
17 up here because they made it through the chemo.
18 And I said, go up, call Mary up, give her some
19 hope, because that's what the Marine Corps is all
20 about.

21 You know, and you can see from John
22 Clark. I mean, this guy, he learned it, right?
23 Semper Fidelis, always faithful, you know, and
24 we're a team, and Mary was part of our team.

25 So we wouldn't be able to do it without

1 the firemen and the police and Commissioner Ryder,
2 Jim McDermott. Noel DiGerolamo in Suffolk County
3 and Patrick Lynch in New York City. And without
4 them, we would never be able to do it.

5 And Sergeant Diaz here -- stand up at
6 attention and smile. There you go. I love doing
7 that to him. He looks good. Give him a hand.

8 (Applause.)

9 MAJOR KILBRIDE: I might be able to get
10 a couple hours more work out of him today, but if
11 you could just read this citation. We have one
12 plaque to be dropped off here and posted in Town
13 Hall and one for Vinny to take home.

14 Get over there, Coach. Get on the
15 other side.

16 MR. McDERMOTT: In loving of Mary E.
17 Diglio, remembered and honored for her instrumental
18 role with Toys for Tots in the Town of Oyster Bay,
19 her ongoing success and displaying selfless
20 devotion while battling cancer is commendable.
21 Mary showed us the true meaning of Christmas and
22 that a value of putting smiles on children's faces
23 is priceless.

24 For her beloved husband, Vincent, and
25 joy of her life, Lucy, her Labrador Retriever, this

1 is from Toys for Tots and we honor you and thank
2 you so much.

3 (Applause.)

4 MAJOR KILBRIDE: Say a couple of words.
5 He even prepared a speech. He stayed up all night.
6 Go ahead.

7 MR. DIGLIO: I'm not the talker in the
8 family, as most of you probably know, Mary was,
9 that's to say the least, and I appreciate this.

10 It's definitely a beautiful plaque and
11 what you said about her is absolutely true. Her
12 passion was to help kids and she loved charities
13 and that was a big part of her life.

14 I thank you for the plaque.

15 MAJOR KILBRIDE: You're a big part of
16 my life because that's what it's all about. That's
17 all we have is each other.

18 Let's have a Merry Christmas.

19 (Applause.)

20 MAJOR KILBRIDE: One will be left here,
21 too, to be posted somewhere.

22 SUPERVISOR SALADINO: Thank you, sir.

23 We will proudly put that up.

24 Once again, another symbol of Mary's
25 love and all that she meant to each and every one

1 of us. We thank her husband, Vin, for being here
2 again today with us. We are always thrilled and
3 happy to see you, to embrace you, because you're
4 that continuation of Mary's love that we've all
5 gotten to know and appreciate very much.

6 Your parents have joined with us here
7 today. Mr. and Mrs. Diglio. Thank you for joining
8 with us.

9 (Applause.)

10 SUPERVISOR SALADINO: We appreciate all
11 of Mary's loved ones and family.

12 And another group of Mary's family is
13 with us today, and it's quite appropriate to
14 recognize her work family from the Office of the
15 Oyster Bay Town Board, the people she loved each
16 and every day.

17 If you'd all rise so we can recognize
18 you and thank you for your service each and every
19 day.

20 (Applause.)

21 SUPERVISOR SALADINO: Thank you as
22 well.

23 Mary is truly a beloved employee and
24 represents all that is fine, all the best of the
25 best of our employees, of our work force, and quite

1 frankly, what we're all about throughout the Town
2 of Oyster Bay.

3 She was also very, very close to
4 someone that -- some would consider her boss, but I
5 think it worked the other way around, and that's
6 Councilman Macagnone who worked so closely with
7 Mary and brought her here to the Town. And I
8 recognize Councilman Macagnone for a few words on
9 this subject.

10 COUNCILMAN MACAGNONE: I just want to
11 say, Mary took great pride in this. She loved
12 working with Major Kilbride. Why, I don't know.
13 She did love doing things for the kids, the Toys
14 for Tots.

15 Chuck, she thought very highly of you
16 and the great job you did. She's truly missed. I
17 miss her every day.

18 And I want thank Councilman Hand for
19 joining me on this. Councilman, your staff did the
20 work this year, I was at a loss, thank you very
21 much. It's a wonderful cause and if people don't
22 contribute to this, please do. It's just -- making
23 a little kid happy was all Mary was about.

24 And, Chuck, thank for very much for all
25 you did for her.

1 (Applause.)

2 SUPERVISOR SALADINO: Thank you,
3 Councilman Macagnone.

4 Thank you for bringing Mary into our
5 lives. We are all better people having known her
6 and having been here with her, working with her, to
7 see her love for everyone.

8 Obviously, Vinny and, her family, her
9 love for her work family, and, quite frankly, she
10 taught us what real motivation is in terms of
11 commitment to the job and all of our programs.

12 We thank you, General, for being with
13 us. We thank you, Mr. President Jim McDermott. We
14 thank you, sir, as well for your service to our
15 nation.

16 We have a special Town Citation, and I
17 think it is most appropriate that this is presented
18 by both Councilman Macagnone and Councilman Tom
19 Hand, who have been doing a yeoman's effort in
20 terms of continuing the Toys For Tots program here
21 in this Town.

22 God bless you all. Let's hear it for
23 them.

24 (Applause.)

25 (Whereupon, a Town citation was

1 presented.)

2 SUPERVISOR SALADINO: Ladies and
3 gentlemen, nothing says the holiday season more
4 than giving and bringing smiles to the lives of
5 children. Our Marines certainly continue to do
6 that. The Toys For Tots program is incredible.

7 We appreciate the support of Jim
8 McDermott and our police, and we really appreciate
9 all who contribute to this program. Thank you,
10 Councilman and Councilman for your leadership.

11 And, Vince, a special appreciation to
12 you because we will continue to work with you to
13 make sure everyone who sees that plaque and the
14 presentation we did by illuminating Town Hall in
15 pink, we will continue to work every day to keep
16 Mary's memory alive and strong in the hearts of
17 everyone in the Town of Oyster Bay.

18 MAJOR KILBRIDE: We're also going to
19 deliver all our toys this year to the hospitals in
20 Mary's name. So whenever we go and make the
21 donations, we'll talk about Mary so we don't forget
22 her.

23 (Applause.)

24 MR. McDERMOTT: I'll tell you one
25 thing -- how many different visits did we make?

1 MAJOR KILBRIDE: 267.

2 MR. McDERMOTT: 267.

3 Chuck and the Marines asked me to make
4 around 256 of them. He doesn't realize I have
5 another job. But to do things like this and is
6 this is great, I love being a co-chairman. What
7 Mary said, it's a great thing to see children
8 smiling so we'll keep this up and we'll work with
9 you as --

10 MAJOR KILBRIDE: What about Diaz? What
11 do you have to say?

12 SERGEANT DIAZ: For Mary.

13 (Applause.)

14 SUPERVISOR SALADINO: And before we
15 move forward with the business of the day, I have a
16 few very brief announcements to touch base on.

17 COUNCILMAN MACAGNONE: Thank you.

18 SUPERVISOR SALADINO: You're very
19 welcome, Councilman Macagnone.

20 Thank you for bringing Mary to us,
21 again. It's a big deal.

22 Okay. A few announcements that are
23 important to get to. The Town outdoor ice rinks
24 are now open at Marjorie Post and Syosset Woodbury
25 Community Park, a great way to take the family out

1 in the Winter season and have fun.

2 Tomorrow, the Town will partner with
3 drug free Long Island to host a free parent's
4 seminar on teen drug addiction and prevention at
5 Massapequa High School. On Saturday, the Town will
6 host a free *Holiday on Ice* performance at the ice
7 skating center in Bethpage.

8 Registration is now open for the Winter
9 fitness classes and recreation programs. For more
10 information, visit the Town of Oyster Bay's website
11 or call the Department of Parks at area code
12 (516)733-8418. That number, again, for people
13 watching at home is 733-8418.

14 COUNCILMAN MACAGNONE: Supervisor, that
15 *Holiday on Ice*, if you haven't gone and seen it,
16 take the time to go see it. These young people are
17 tremendous.

18 SUPERVISOR SALADINO: They really are.
19 It's an incredible program. It really is something
20 very, very special.

21 In other news, the Town's Workforce
22 Development Board recently secured a \$125,000 grant
23 to provide free job training for dislocated
24 workers. For more information on that, people can
25 call area code (516)797-4560.

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Receiver of Taxes, Jim Stefanich,
reminds residents to file property tax exemptions
before the January 2nd deadline.

And in closing, we're happy to announce
that repairs of the Hicksville garage are nearly
complete and we anticipate that the garage will
open in the first week of the New Year.

(TIME NOTED: 10:43 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
DECEMBER 11, 2018
10:44 A.M.

HEARING P7-18

To consider the application of 62 Charlotte Avenue Development, LLC and C & R Automotive, Inc. d/b/a AAAA-1 Auto and Towing for a Modification of a Special Use Permit for premises located at 62 Charlotte Avenue, Hicksville, New York. (M.D. 11/6/18 #30).

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

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

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Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Now, to get to the
2 business of the day, I ask the Town Clerk to please
3 poll the Board.

4 MR. ALTADONNA: Supervisor Saladino?

5 SUPERVISOR SALADINO: Present.

6 MR. ALTADONNA: Councilman Muscarella?

7 COUNCILMAN MUSCARELLA: Here.

8 MR. ALTADONNA: Councilman Macagnone?

9 COUNCILMAN MACAGNONE: Present,
10 Mr. Clerk.

11 MR. ALTADONNA: Councilwoman Alesia?

12 COUNCILWOMAN ALESIA: Here.

13 Good morning, Jim.

14 MR. ALTADONNA: Good morning.

15 Councilwoman Johnson?

16 COUNCILMAN MACAGNONE: She's here. She
17 stepped out for a moment.

18 MR. ALTADONNA: Councilman Imbroto?

19 COUNCILMAN IMBROTO: Present.

20 MR. ALTADONNA: Councilman Hand?

21 COUNCILMAN HAND: Here.

22 SUPERVISOR SALADINO: Thank you.

23 We have some hearings, but before we
24 get -- actually, we do have some hearings to begin
25 with, and our first hearing will be Hearing P-7-18,

1 and will you please call the details of that first
2 hearing?

3 MR. ALTADONNA: Yes.

4 It's to consider the application of
5 62 Charlotte Avenue Development, LLC, C & R
6 Automotive, Inc. d/b/a AAAA-1 Auto and Towing for a
7 Modification of a Special Use Permit for the
8 premises located at 62 Charlotte Avenue,
9 Hicksville, New York.

10 SUPERVISOR SALADINO: Good morning,
11 Counselor.

12 MR. AVRUTINE: Good morning,
13 Mr. Supervisor, Members of the Board.

14 Appearing for the applicant, Howard
15 Avrutine, 575 Underhill Boulevard, Syosset.

16 This is the application of 62 Charlotte
17 Avenue Development, LLC and C & R Automotive, Inc.
18 d/b/a AAAA-1 Auto and Towing, seeking a
19 modification on an existing special use permit with
20 respect to property located at 62 Charlotte Avenue
21 in Hicksville, authorizing use of the premises as
22 an unrestricted towing facility in addition to the
23 existing auto body and auto repair shop at the
24 premises.

25 62 Charlotte Avenue Development, LLC is

1 the owner of the premises. C & R Automotive, Inc.
2 is the tenant.

3 The subject premises is located on the
4 westerly side of Charlotte Avenue, approximately 68
5 feet north of Old Country Road in Hicksville. It's
6 right across the street from the Stop and Shop
7 shopping center. It has a street address of
8 62 Charlotte Avenue, and is also known as Section
9 11, Block 484, Lot 53 on the Nassau County Land and
10 Tax Map.

11 Premises has a lot area of 14,863.7
12 square feet or approximately .3 acres. The
13 premises is zoned GB, General Business District, on
14 Zoning Map of the Town of Oyster Bay. It is
15 improved with a one-story concrete block building
16 by Resolution No. 1113-91. The Town Board granted
17 a special use permit authorizing an auto body and
18 automotive and -- mechanical automotive repair shop
19 at the premises.

20 In accordance with that Resolution, a
21 Declaration of Restrictive Covenants dated
22 January 10, 1992 was recorded in the Nassau County
23 Clerk's Office.

24 By Resolution No. 410-92, the Town
25 Board also approved a site plan in connection with

1 its approval of the special use permit authorized
2 under the aforesaid Resolution No. 1113-91.

3 In addition, the Zoning Board of
4 Appeals of the Town of Oyster Bay, under Appeal No.
5 92-309A and B granted a variance for reduction in
6 the number of off-street parking stalls required,
7 and for a reduction of stall size and aisle width
8 for off-street parking, as well as a variance to
9 maintain an existing 6-foot high fence at the
10 premises.

11 On February 5, 2015, the Zoning Board
12 of Appeals of the Town of Oyster Bay amended that
13 variance to allow a total of 13 parking spaces
14 instead of 19 parking spaces as previously
15 approved.

16 In connection with that approval, the
17 Town of Oyster Bay Department of Planning and
18 Development approved a revised site plan in
19 connection with that approval and which -- and that
20 approval authorized the construction of a one-story
21 addition at the premises.

22 The premises has been utilized in a
23 legal fashion in accordance with the special use
24 permit approval and variance approval.

25 Petitioner, C & R Automotive,

1 Incorporated, operates an auto body and auto repair
2 facility from the subject premises presently.

3 By this application, the applicants
4 seek approval of unrestricted towing at the subject
5 premises in conjunction with the existing auto body
6 and auto repair facility. These uses, as well as
7 the towing, will be conducted in strict accordance
8 with the site plans and plans prepared by Anthony S.
9 DiProperizo Architects, dated November 10, 2014,
10 last revised July 8, 2015. Those plans depict
11 inside storage of tow trucks at the premises
12 overnight. No tow trucks will be stored outside
13 overnight.

14 In addition, the petitioners seek to
15 modify certain of the restrictions set forth in the
16 Declaration of Restrictive Covenants that I
17 mentioned previously.

18 Specifically, condition two in that
19 declaration dictates hours of operation limited
20 from 7:00 a.m. to 6:00 p.m. Monday through Friday
21 and 8:00 a.m. to 1:00 p.m. Saturday. The premises
22 would be closed on Sunday.

23 The petitioners seek to modify those
24 hours of operation to be 7:30 a.m. to 6:00 p.m.
25 six days a week and closed Sunday. But most

1 significantly for the unrestricted towing facility,
2 available for emergency calls, 24-hours a day,
3 seven days a week, which, of course, is the nature
4 of unrestricted towing as defined in the Town Code.

5 As I noted previously, the petitioners
6 seek modification of the special use permit in
7 accordance with the plans that have been submitted
8 in order to allow the unrestricted towing use in
9 conjunction with the auto body repair use and
10 automotive mechanical repair use that already
11 exists at the premises and has been authorized by
12 this Board.

13 The application has been extensively
14 reviewed by the Town Department of Planning and
15 Development, as well as the Town's Department of
16 Environmental Resources. All of their comments
17 have been addressed and both departments have
18 indicated that the requirements have been satisfied
19 to this point.

20 That is essentially the application
21 before the Board. I have Sean Mulryan, who is a
22 traffic engineer who can answer questions regarding
23 anticipated traffic impacts, but I'm sure every
24 member of the Board is familiar with the Charlotte
25 Avenue corridor of Hicksville.

1 It is a commercial area with many
2 automotive uses. The principal of the applicants,
3 Michael Schmeltzer, was also the principal of two
4 other businesses in the area, 112 Duffy, where he
5 has his auto repair facility and auto body shop,
6 along with unrestricted towing, as well as at
7 34 Charlotte Avenue, which is just a couple of
8 doors down from the subject location.

9 He is a well respected businessman in
10 the community. He gives back to the community, and
11 most importantly, in terms of an application such
12 as this one, he keeps his facilities immaculate and
13 he runs them in a very professional manner. And as
14 we all know, being in this type of business, we
15 know the automotive uses can be difficult to deal
16 with.

17 Sometimes when operators do not operate
18 in a way that is conducive to their neighbors and
19 in a way that seeks to be a good neighbor, there
20 can be issues, and that is why the Board looks very
21 closely at these types of operations.

22 But, fortunately, this operator is what
23 I'd like to call one of the good guys. He knows
24 his business, operates it well, he's good to the
25 community, gives back to the community, and wants

1 to be an asset, and is an asset. So, that is
2 something which he has history in the community
3 here and wants to continue to serve his customers
4 and the community well. He's already on the Town's
5 approved list for his other facilities in terms of
6 unrestricted towing and wishes to be able to
7 continue in that regard here.

8 So, that completes my comments. Of
9 course, I'll answer any questions the Board may
10 have and I have Mr. Mulryan here if the Board has
11 questions regarding traffic.

12 Essentially, I can tell you in the
13 short version, and you can ask him more detailed
14 questions if you wish, this proposed change to the
15 already existing use is not going to change any
16 levels of service of surrounding intersections.
17 It's not going to impact existing traffic
18 conditions in any way that will be noticeable, but
19 he can certainly say that if the Board wants to
20 hear it directly from him.

21 Thank you.

22 SUPERVISOR SALADINO: Thank you.

23 Any questions for the counselor?

24 (No verbal response given.)

25 SUPERVISOR SALADINO: Thank you.

1 Is there anyone else that would like to
2 make a presentation as part of your hearing?

3 MR. AVRUTINE: No, sir, unless the
4 Board has questions for me or Mr. Mulryan, our
5 traffic expert.

6 SUPERVISOR SALADINO: Being there are
7 no questions, I think it's time to open the floor
8 up to any residents that might have -- would like
9 to make a statement.

10 Yes, sir. Please step forward and
11 state your presence.

12 MR. McKENNA: Good morning,
13 Mr. Supervisor, Town Board.

14 Kevin McKenna, Edna Drive, Syosset,
15 New York.

16 The only question I have for the team
17 behind me is, you just mentioned the traffic study
18 that was done in regards to this, did the traffic
19 study include any future Seritage project, the
20 proposed hotel that's up the road at the Milleridge
21 Inn, and did it include any other projects that are
22 in the works in the Hicksville area?

23 MR. MULRYAN: Good morning.

24 Sean Mulryan, Mulryan Engineering,
25 offices at 1225 Franklin Avenue, Garden City,

1 New York.

2 The report that was prepared was a
3 response to issues and comments that were raised by
4 the Department of Environmental Resources, so that
5 report is specific to this subject site. As the
6 Board is aware, this is an existing property,
7 existing business use.

8 They're looking to expand that use to
9 unrestricted towing. The nature of the towing is
10 sporadic throughout the day, so we do not have any
11 morning rush to get into the office and evening
12 rush to leave the office. These are calls that are
13 made. This is an operation that will address
14 specifically Nassau County police emergency calls,
15 so it is sporadic throughout the day. There will
16 be no increase noticeable in morning peak or in the
17 evening peak.

18 Specifically, the question was asked,
19 was other planned projects as this is a very
20 localized project that is being proposed, no other
21 projects are included within this analysis and were
22 not requested by the Town Environmental Resources
23 as part of their comments to this application.

24 SUPERVISOR SALADINO: Can you tell us
25 approximately how many vehicles you see will be

1 stored on this site, towed vehicles at any one
2 time?

3 MS. MULRYAN: In conversations with the
4 applicant, what he believes is the that total trip
5 generation of this site based on the unrestricted
6 towing would be approximately about 20 trips,
7 including employees coming and going from the
8 business. We have 13 parking spaces outside and 4
9 inside, and I would anticipate no more than 5 or
10 6 -- less than 5 or 6 cars being stored on the site
11 based on the towing operations.

12 SUPERVISOR SALADINO: If they were to
13 have an unusually high number of vehicles that
14 needed to be stored there beyond that --

15 MS. MULRYAN: Capacity.

16 SUPERVISOR SALADINO: -- capacity,
17 where will they be stored?

18 MS. MULRYAN: At the other locations
19 operated by the applicant.

20 SUPERVISOR SALADINO: Thank you very
21 much.

22 MS. MULRYAN: No problem.

23 SUPERVISOR SALADINO: Does anyone have
24 any other questions?

25 MR. AVRUTINE: I would just also add to

1 that, if I may, Supervisor, that the
2 environmental -- the State Environmental Quality
3 Review, in an application like this, would not
4 require studies of other remotely located projects.
5 Also, review of the site plan will reveal that
6 there is a gate to the rear of the premises which
7 is closed off, so any vehicles being stored
8 outside, any damaged vehicles or towed vehicles
9 will be out of view from Charlotte Avenue and out
10 of view from neighbors, and all of the tow trucks
11 kept at this premises will be stored inside the
12 facility overnight.

13 SUPERVISOR SALADINO: So the owner and
14 proprietor is committing to storing all vehicles
15 overnight behind the locked gate or the closed
16 gate?

17 MR. AVRUTINE: Yes. Yes. And the tow
18 trucks within the building.

19 SUPERVISOR SALADINO: Okay. Thank you.
20 Any other questions from any of the
21 Board members?

22 (No verbal response given.)

23 SUPERVISOR SALADINO: No. Okay. Yes.
24 We'll move to the public next.

25 Yes, sir, please step forward.

1 Good morning, Paul.

2 How are you?

3 MR. MOLINARI: Good morning,
4 Mr. Supervisor, Town Board members.

5 Paul Molinari, 332 West Nicholai
6 Street, Hicksville.

7 I'm well aware of the facility. I just
8 want to first understand what we're talking about
9 is the change in the hours of operation that the
10 auto body shop and towing is being done, and then
11 also allowing, once the shop is closed, that if an
12 emergency comes in, an accident, and they get a
13 call to tow the vehicle, that can occur at any time
14 after the shop is closed, am I correct in that
15 premise?

16 MR. AVRUTINE: I'll respond.

17 SUPERVISOR SALADINO: Why don't you get
18 finished and they'll respond to your questions and
19 any comments that you'd like to make, Paul?

20 MR. MOLINARI: The only other -- you
21 know, this is within the Duffy Park Civic
22 Association area. The owner, I've seen his
23 properties on Duffy Avenue, I've seen his
24 properties on Charlotte Avenue, I just got to say,
25 he does an immaculate job. He improved those

1 properties. They're nicely kept. And, you know,
2 as a resident in the area, I've had to take my
3 vehicles to him because we had some damage done to
4 them.

5 SUPERVISOR SALADINO: You're a customer
6 as well?

7 MR. MOLINARI: As a customer, yes.

8 SUPERVISOR SALADINO: You've been happy
9 with the service?

10 MR. MOLINARI: He did excellent work
11 and timely service.

12 So, I have -- he's a good neighbor,
13 he's improved the facilities, and I would have no
14 objection to any changes. I just wanted to
15 understand what the changes were.

16 Thank you.

17 SUPERVISOR SALADINO: You're very
18 welcome, Paul.

19 MR. AVRUTINE: Just to clarify for the
20 gentleman and for the record, the changes we are
21 seeking concern the hours of operation.

22 We would like the new hours to be
23 7:30 a.m. to 6:00 p.m., six days, closed Sunday,
24 but, of course, available for the emergency calls
25 24 hours, seven days a week, which, as I indicated

1 previously, is necessitated if one is operating an
2 unrestricted towing facilities.

3 They need the ability on an emergency
4 basis to open up for that purpose. It's not as if
5 they're going to be open for business other than
6 for an emergency-type situation other than the
7 hours that I just stated.

8 Thank you.

9 SUPERVISOR SALADINO: Thank you,
10 Counselor.

11 Would anyone else like to be heard on
12 this hearing?

13 (No verbal response given.)

14 SUPERVISOR SALADINO: Please let the
15 record reflect that no one has indicated they'd
16 like to be heard.

17 No one else has indicated they'd like
18 to be heard, and may I have a motion?

19 COUNCILMAN MUSCARELLA: Any
20 correspondence?

21 MR. ALTADONNA: 62 Charlotte Avenue
22 Development, LLC, fee owner, and C & R Automotive,
23 Inc. d/b/a AAAA-1 Auto and Towing, the attorney for
24 the applicant has filed an Affidavit of Services
25 and Disclosures.

1 The communications are as follows: We
2 have memos from the Department of Planning and
3 Development as per present review procedures. The
4 required off-street parking is 18 parking spaces
5 which includes 10 spaces for service space, 3.5
6 services for office and 2 spaces for tow trucks.

7 The site plan submitted depicts a total
8 number of 15 parking spaces. The Nassau County
9 Land and Tax Map indicates the property is Section
10 11, Block 484, Lot 53. According to the Town of
11 Oyster Bay Zoning Maps, the property is located
12 within a GB, General Business, zone.

13 There's no open code compliance cases
14 in the file for the subject premise; however, there
15 are Town Board resolutions and variances on file.
16 There is no further correspondence.

17 COUNCILMAN MUSCARELLA: Thank you.

18 Supervisor, I make a motion that this
19 public hearing be closed and the decision be
20 reserved.

21 COUNCILMAN MACAGNONE: Second.

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

24 COUNCILMAN MUSCARELLA: "Aye."

25 COUNCILMAN MACAGNONE: "Aye."

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COUNCILWOMAN ALESIA: "Aye."

COUNCILWOMAN JOHNSON: "Aye."

COUNCILMAN IMBROTO: "Aye."

COUNCILMAN HAND: "Aye."

SUPERVISOR SALADINO: Those opposed,
"Nay."

(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have
it.

Thank you.

MR. AVRUTINE: Thank you very much.

SUPERVISOR SALADINO: You're very
welcome.

(TIME NOTED: 11:03 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
DECEMBER 11, 2018
11:04 A.M.

HEARING P-8-18

To consider the application of Kimco Jericho MI LLC, Kimco Birchwood Jericho, LLC, Kimco Birchwood Jericho Lot, LLC, Jericho Atrium 1761, LLC, and Kimco Birchwood Jericho Office, LLC for a Special Use Permit to allow for hotel use on premises located on the eastern side of Route 107, south of Jericho Turnpike, Jericho, New York. (M.D. 8/21/18 #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 REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS HAND

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: And now we'll ask
2 to call Hearing P-8-18.

3 MR. ALTADONNA: Hearing P-8-18 to
4 consider the application of Kimco Jericho MI, LLC,
5 Kimco Birchwood Jericho, LLC, Kimco Birchwood
6 Jericho Lot, LLC, Jericho Atrium 1761, LLC, and
7 Kimco Birchwood Jericho Office, LLC for a Special
8 Use Permit to allow for hotel use on premises
9 located on the eastern side of Route 107, south of
10 Jericho Turnpike, Jericho, New York.

11 SUPERVISOR SALADINO: Good morning,
12 Counselor.

13 Would you please state your presence?

14 MR. WEBER: William Weber, Weber Law
15 Group, 290 Broad Hollow Road, Melville, New York,
16 for the applicant.

17 Mr. Supervisor, members of the Town
18 Board, in consultation with your offices and
19 members of the community, we submitted a request in
20 writing on Friday to adjourn this hearing to a
21 night meeting.

22 Again, out of your office and the
23 offices of the other Town Board members, as well as
24 certain members of the community, they had
25 requested that we do this public hearing at a night

1 meeting, and we agreed, so we're here to request
2 that the meeting -- this public hearing be
3 adjourned to the January 8th Town Board meeting, if
4 that meeting can be rescheduled for a night
5 meeting.

6 SUPERVISOR SALADINO: Rather than
7 adjourn it, I'm going to ask for a motion to
8 continue this hearing on January 29th at a Town
9 Board meeting beginning at 7:00 p.m.

10 MR. WEBER: Sure.

11 SUPERVISOR SALADINO: To give the
12 public more time to prepare and I'll ask for that
13 motion to continue this meeting at this -- that
14 time.

15 MR. WEBER: Absolutely. Thank you.

16 COUNCILMAN MUSCARELLA: Supervisor,
17 I'll make a motion that this public hearing be
18 continued to Tuesday, January 29, 2019, at
19 7:00 a.m.

20 MR. WEBER: Thank you.

21 COUNCILMAN MACAGNONE: Second.

22 SUPERVISOR SALADINO: And I'll ask for
23 a vote.

24 MR. ALTADONNA: Supervisor Saladino?

25 SUPERVISOR SALADINO: "Aye."

1 MR. ALTADONNA: Councilman Muscarella?

2 COUNCILMAN MUSCARELLA: "Aye."

3 MR. ALTADONNA: Councilman Macagnone?

4 COUNCILMAN MACAGNONE: I'd like to
5 thank the applicant for attempting the wishes of
6 the residents.

7 I vote "Aye."

8 MR. ALTADONNA: Councilwoman Alesia?

9 COUNCILWOMAN ALESIA: I agree with
10 Councilman Macagnone.

11 I just want to add that although the
12 applicant was very gracious in immediately
13 acquiescing, when we voted on this schedule for
14 next year, I did say, you know, we don't have a
15 slew of night meetings, but the Supervisor has been
16 really good about supporting them when we need
17 them.

18 In this instance, within, I think,
19 about forty minutes of my sending a memo saying,
20 gee, we have some requests for a night meeting, can
21 we have it, He was right on Board. I appreciate
22 that.

23 And, Mr. Weber, I, as always,
24 appreciate your being willing to work with the
25 residents.

1 Thank you very much.

2 MR. WEBER: Thank you.

3 COUNCILWOMAN ALESIA: "Aye" for me.

4 MR. ALTADONNA: Councilwoman Johnson?

5 COUNCILWOMAN JOHNSON: I agree,
6 definitely should be a night meeting, but I am
7 going recuse myself.

8 MR. ALTADONNA: Councilman Imbroto?

9 COUNCILMAN IMBROTO: Before I vote, I
10 just want to be clear, continuing the hearing means
11 that they're going present today and they're going
12 to present their --

13 MR. WEBER: No.

14 COUNCILMAN MUSCARELLA: No.

15 COUNCILMAN IMBROTO: So then, are we
16 adjourning the hearing?

17 COUNCILWOMAN ALESIA: No. I think that
18 the record is going to be open as of today for
19 comments.

20 COUNCILMAN IMBROTO: What would they be
21 commenting on if there's been no presentation?

22 SUPERVISOR SALADINO: We feel that, and
23 on the advice of counsel, that it's best to leave
24 open.

25 MR. NOCELLA: It's open for the limited

1 purpose of adjourning it so that the record is
2 complete and everyone has public notice of the
3 adjournment itself.

4 COUNCILMAN IMBROTO: Okay.

5 I also ask that if there's anyone in
6 the public that wishes to comment, generally, upon
7 the matter, that they feel free to do so today, if
8 they have taken the time to come to the meeting for
9 that purpose, but I vote "Aye" to continue the
10 meeting as a night meeting.

11 COUNCILWOMAN ALESIA: Mr. Town
12 Attorney, can I just ask, do we then have to repost
13 notice of the hearing?

14 MR. NOCELLA: Councilman Muscarella, I
15 heard what you said, that's correct.

16 No, it's not necessary to repost.

17 MR. WEBER: Or mail. I'm sorry, pardon
18 me.

19 MR. NOCELLA: That's correct.

20 MR. WEBER: So no mailing or posting?

21 MR. NOCELLA: That won't be necessary.

22 It's open now, and part of the purpose
23 of opening it was to provide that notice so that
24 everyone knows it's now adjourned and continued.

25 SUPERVISOR SALADINO: But having said

1 that, I want to make it clear that we will continue
2 to utilize the media and other means to alert the
3 public that we will be hearing -- that we will
4 be holding this hearing and listening to the public
5 and listening to the applicant on January 29th.

6 It's an evening meeting at 7:00 p.m.
7 We will reach out to the media to ask that they
8 assist with that. We will use social media and
9 other means. This is not a one and done. We'll
10 continue to alert the public.

11 COUNCILMAN MACAGNONE: Supervisor, if I
12 may make the suggestion, maybe you could do a
13 mailing to the affected areas notifying them from
14 the Town, from your office.

15 SUPERVISOR SALADINO: We'll look into
16 all those options so we fully alert the public and
17 we can have the largest participation as is
18 warranted by the needs of the community.

19 MR. WEBER: And we'll be meeting with
20 the community as well. We have already
21 communicated that the meeting would be adjourned
22 and we're going to continue to talk to them so
23 we'll do the same thing.

24 Thank you.

25 MR. ALTADONNA: I have not forgotten

1 Councilman Hand.

2 So, Councilman Han?

3 COUNCILMAN HAND: I concur with
4 Councilman Imbroto, a number of residents have come
5 out today, and I think it's very important that
6 their voice be heard, and I concur with the p.m.
7 meeting.

8 I vote "Aye."

9 MR. ALTADONNA: The motion passes with
10 six "Ayes" and one "Recusal."

11 SUPERVISOR SALADINO: Thank you.

12 Now, I'm going to ask for a motion to
13 enter into Executive Session to continue to be
14 informed on information pertinent to our Town
15 Board.

16 MR. McKENNA: Did I just hear --

17 SUPERVISOR SALADINO: Would you like to
18 speak on this?

19 MR. McKENNA: Yes.

20 SUPERVISOR SALADINO: Okay.

21 Why don't you step forward and we'll do
22 that right now?

23 Okay. This will be your one
24 opportunity to speak.

25 COUNCILWOMAN ALESIA: Whether it's

1 today or for the next hearing.

2 SUPERVISOR SALADINO: We're keeping
3 this open so this is your one opportunity to speak.

4 COUNCILWOMAN ALESIA: It's the same
5 hearing. If you want to comment now, that's the
6 comment for the hearing.

7 MR. McKENNA: Thank you.

8 Have a nice day.

9 SUPERVISOR SALADINO: We figured that
10 was coming.

11 Okay. So this hearing will continue on
12 the 29th of January. The meeting starts at
13 7:00 p.m. Please feel free to speak to anyone you'd
14 like about attending the meeting because we welcome
15 the comments of everyone in the public and the
16 purpose of extending this is to allow for the
17 largest participation as you would like.

18 Is there anyone else who would like to
19 speak today before the full hearing is presented?

20 Just a moment. I just want to make
21 sure that everyone who is here from that
22 neighborhood gets an opportunity to respond first,
23 and then we'd happy to address your question,
24 Mr. Adelman.

25 MS. CHEN: My name is Sarah.

1 SUPERVISOR SALADINO: Hi, Sarah.

2 MS. CHEN: I'm a mother of two in East
3 Birchwood.

4 I'm really impressed about what's
5 happening here. This is all of our first time to
6 witness how the government works. And I talked to
7 my husband this morning and he said, you know, it's
8 different from China because here, people tell
9 government what to do.

10 And on behalf of the Jericho residents,
11 I just want to say thank you.

12 SUPERVISOR SALADINO: You're very
13 welcome, and thank you for your compliments.

14 (Applause.)

15 SUPERVISOR SALADINO: I think you'll
16 find across the Board, in America, we stay true to
17 our roots as a true democracy. And among
18 democracies, I don't think you'll find one more
19 sensitive to the needs and the comments of the
20 public.

21 And in short, we, in Town government,
22 our Town Board, we work for you and we will
23 continue to work for you.

24 Thank you for being here.

25 Is there anyone else who would like to

1 speak on this or would you like to wait 'til the
2 29th? It's entirely up to you.

3 Yes, sir.

4 Would you kindly start by stating your
5 presence.

6 MR. ADELMAN: Arthur Adelman, Sea
7 Cliff, New York.

8 My question, just for clarification.

9 The hearing is opened today?

10 SUPERVISOR SALADINO: Yes.

11 MR. ADELMAN: All right. We know that
12 it's going to be opened through to at least
13 January 29th?

14 SUPERVISOR SALADINO: Yes.

15 MR. ADELMAN: There's another morning
16 meeting between now and then, so at that morning
17 meeting, the other next on January 8th, I think,
18 around.

19 COUNCILMAN MACAGNONE: January 8th.

20 MR. ADELMAN: On or about January 8th,
21 anybody who wishes to speak will have the
22 opportunity at that meeting as well, correct?

23 SUPERVISOR SALADINO: Yes.

24 And people can give us information on
25 this.

1 COUNCILMAN MUSCARELLA: Let the Town
2 Attorney --

3 MR. NOCELLA: Supervisor, they can
4 certainly comment at public comment and at other
5 points, provide information, but the purpose of
6 adjourning it specifically to the 29th is so that
7 that will be when the actual hearing is. You can
8 still submit written documentation and you may
9 speak at public comment at the next January
10 meeting, but the hearing itself is actually
11 adjourned until then. It's not continued open
12 during the next hearing.

13 SUPERVISOR SALADINO: Sir, the rolls --
14 I think, if I understand the spirit of your
15 question, the rolls remain open. Anyone who would
16 like to call, anyone who would like to send a
17 letter, anyone who would like to send an e-mail, we
18 are open to all of those communications.

19 We're allowing more time for the public
20 to organize their thoughts, get more information,
21 they may want to do research, all of the above, and
22 they may want to get more organized to what they
23 wish to do on the 29th.

24 So this provides a means of working
25 with everyone, getting information out to the

1 media, and we certainly hope that the media will
2 embrace its responsibility to get that information
3 out in a factual manner, and we will continue to
4 let the public know. Councilman suggested a
5 mailing to the community, we will use social media
6 and all means to ensure that the public has every
7 opportunity to be informed of this and to be heard.

8 MR. ADELMAN: My only question, why not
9 allow the hearing to take place on January 8th and
10 then again on the evening meeting?

11 SUPERVISOR SALADINO: We have a night
12 meeting schedule. There will be lots of
13 opportunity. We're here listening to people today.
14 I think we're going round and round in circles.

15 COUNCILWOMAN ALESIA: I have a specific
16 reason, though, that I could answer, for me
17 personally, as a voting member, I want to hear the
18 presentation of the applicant and then hear live
19 comment and inquiry from the residents.

20 In other words, right now, I don't have
21 anything really other than paper in front of me. I
22 would like to hear Mr. Weber's presentation, I
23 would like to see what he has to say, what is the
24 application before we hear comments from the
25 residents. And if residents are saying they can't

1 make --

2 SUPERVISOR SALADINO: Sir, would you
3 kindly take your seat?

4 COUNCILWOMAN ALESIA: -- make a day --
5 a day meeting, then I don't want to have the
6 presentation during the day. I'd like to have it
7 at night.

8 MR. ADELMAN: In the same spirit, the
9 same -- how can we respond to a presentation
10 without having seen it? It's not -- that doesn't
11 seem fair.

12 SUPERVISOR SALADINO: Sir, there's
13 nothing unfair of what we're doing.

14 If anything, we're ensuring that the
15 public has more time. They have requested more
16 time. There's nothing controversial going on here.

17 COUNCILWOMAN JOHNSON: (Inaudible) It's
18 not going to end on the 29th. (Inaudible.)

19 MR. ADELMAN: The hearing can be
20 continued --

21 SUPERVISOR SALADINO: Yes. Yes. The
22 record will stay open.

23 (Cross talk.)

24 SUPERVISOR SALADINO: We won't be
25 making a decision at that time. It's all good.

1 MR. ADELMAN: Okay.

2 COUNCILWOMAN JOHNSON: Now it gives us
3 at least another month for people to be notified.

4 COUNCILWOMAN ALESIA: It's extra.

5 MR. ADELMAN: This might be a great
6 concept, but the more time you have, the more time
7 people have to respond, like we had with the
8 situation with the -- that's exactly what we had
9 with the --

10 COUNCILWOMAN JOHNSON: (Inaudible.)

11 SUPERVISOR SALADINO: Thank you,
12 Councilwoman.

13 And that's exactly what we're doing,
14 Arthur. We are giving people more time.

15 COUNCILWOMAN JOHNSON: Yes, yes.
16 With the aquarium.

17 MR. ADELMAN: -- the aquarium.

18 COUNCILWOMAN JOHNSON: Yes. Yes.

19 MR. ADELMAN: More information started
20 coming out.

21 SUPERVISOR SALADINO: More information,
22 more time, they can be more organized, but thank
23 you for your concerns.

24 All right.

25 Is there anyone else who would like to

1 be heard on this matter at this time?

2 Yes, sir.

3 MR. GRUNTHER: I just have a comment.

4 SUPERVISOR SALADINO: Yes, sir.

5 MR. GRUNTHER: I think it would only be
6 fair if the Town --

7 SUPERVISOR SALADINO: Would you like to
8 step forward and state your presence?

9 MR. GRUNTHER: Sure, but I don't want
10 this to count for this meeting today and not --

11 SUPERVISOR SALADINO: Well, that's --
12 come on up. Just give us your name.

13 MR. GRUNTHER: My name is Ira Grunther.
14 I'm a resident of Jericho.

15 I want to make it clear that I think
16 the Town should notice the community once again of
17 this meeting.

18 SUPERVISOR SALADINO: Absolutely.

19 MR. GRUNTHER: Since it is an evening
20 meeting, you probably have a lot of people that had
21 to work today that couldn't be here, so I think
22 it's imperative that you do put out a notice to the
23 Town, to the people, to the residents, and make it
24 a public notice.

25 SUPERVISOR SALADINO: That's what we're

1 planning.

2 MR. GRUNTHER: That's not what was
3 said, though.

4 SUPERVISOR SALADINO: Okay. Then let
5 me assure you that we will take every measure to
6 alert the public, to inform them of this. I'm
7 counting on journalism -- we have journalists
8 today, I'm counting on their coverage as well to
9 let the public know.

10 I'll state it again, that we will be
11 listening to the public throughout the process and
12 that the presentation will be made on January 29th
13 at 7:00 p.m., and I encourage the public to come to
14 Town Hall, right here, Town Hall North in Oyster
15 Bay, to listen to the hearing, listen to the
16 presentation and be heard.

17 And we will take additional steps
18 utilizing the media, utilizing social media, and
19 utilizing mail to alert the public to these facts.

20 MR. GRUNTHER: Because I know as
21 myself, I put more emphasis on receipt of
22 information from the Town when I receive it in the
23 mail than I do from the media.

24 SUPERVISOR SALADINO: You know, this is
25 a very good point, it almost begs to open a

1 discussion. There was a -- there were those who
2 wanted to make a controversy over mail, but here,
3 it's clear that mail is very helpful in informing
4 the public, and it does get your attention.

5 MR. GRUNTHER: Thank you.

6 SUPERVISOR SALADINO: Thank you very
7 much.

8 Appreciate it very much.

9 Anyone else?

10 Yes, please step forward.

11 Could you start off by giving us your
12 name and address, please?

13 MS. MICHELLE: Hi, everybody. My name
14 is Michelle. I'm a resident. Live in Jericho
15 also.

16 I just wanted to make sure, when you
17 send us the mail, could you please just make sure
18 not just to East Birchwood, because this issue will
19 affect other areas? I live on Princeton Park and
20 like Birchwood, they will be impacted by this issue
21 very badly also. So when you send us the
22 information to Jericho, make sure to the whole
23 area.

24 COUNCILMAN MACAGNONE: To the entire
25 ZIP code.

1 MS. MICHELLE: Yes, please. Okay.

2 Thank you very much.

3 I appreciate everybody.

4 SUPERVISOR SALADINO: You're very
5 welcome.

6 And you're confirming that the Town
7 making mailings to the public is appropriate, is
8 very helpful, and it's something you would
9 encourage?

10 MS. MICHELLE: Yes. Definitely.

11 SUPERVISOR SALADINO: Okay. Thank you.

12 Anyone else?

13 (No verbal response given.)

14 SUPERVISOR SALADINO: All right.

15 We have to go into a brief Executive
16 Session as are the rules of law and I'm going to
17 ask for a motion to begin that Executive Session.

18 COUNCILMAN MUSCARELLA: Supervisor, I
19 make a motion that this Town Board go into
20 Executive Session for the purpose of discussions
21 regarding proposed, pending and current litigation.

22 COUNCILMAN MACAGNONE: Second.

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

25 COUNCILMAN MUSCARELLA: "Aye."

1 COUNCILMAN MACAGNONE: "Aye."

2 COUNCILWOMAN ALESIA: "Aye."

3 COUNCILWOMAN JOHNSON: "Aye."

4 COUNCILMAN IMBROTO: "Aye."

5 COUNCILMAN HAND: "Aye."

6 SUPERVISOR SALADINO: Those opposed,

7 "Nay."

8 (No verbal response given.)

9 SUPERVISOR SALADINO: The "Ayes" have

10 it.

11 We'll be back out shortly.

12 Thank you.

13 (Whereupon, the Executive Session began

14 at 11:19 a.m. and ended at 12:10 p.m. and the

15 proceedings resumed as follows:)

16 SUPERVISOR SALADINO: Ladies and

17 gentlemen, I kindly ask that everyone please take

18 their seats.

19 May I have a motion to close Executive

20 Session?

21 COUNCILMAN MUSCARELLA: Supervisor, I

22 make a motion close the Executive Session.

23 No action has been taken.

24 COUNCILMAN MACAGNONE: Second.

25 SUPERVISOR SALADINO: Thank you,

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Councilman.

All in favor, signify by saying "Aye."

COUNCILMAN MUSCARELLA: "Aye."

COUNCILMAN MACAGNONE: "Aye."

COUNCILWOMAN ALESIA: "Aye."

COUNCILWOMAN JOHNSON: "Aye."

COUNCILMAN IMBROTO: "Aye."

COUNCILMAN HAND: "Aye."

SUPERVISOR SALADINO: Opposed, "Nay."

(No verbal response given.)

The "Ayes" have it.

(TIME NOTED: 12:11 P.M.)

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
DECEMBER 11, 2018
12:12 P.M.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: At this time, I'd
2 like to make a motion to suspend the rules and walk
3 on a Resolution to return a lag payroll to our Town
4 employees.

5 May I have a vote?

6 MR. ALTADONNA: You need a motion.

7 COUNCILMAN MUSCARELLA: So moved.

8 COUNCILMAN MACAGNONE: Second.

9 MR. ALTADONNA: Supervisor Saladino?

10 SUPERVISOR SALADINO: "Aye."

11 MR. ALTADONNA: Councilman Muscarella?

12 COUNCILMAN MUSCARELLA: "Aye."

13 MR. ALTADONNA: Councilman Macagnone?

14 COUNCILMAN MACAGNONE: "Aye."

15 MR. ALTADONNA: Councilwoman Alesia?

16 COUNCILWOMAN ALESIA: "Aye."

17 MR. ALTADONNA: Councilwoman Johnson?

18 COUNCILWOMAN JOHNSON: "Aye."

19 MR. ALTADONNA: Councilman Imbroto?

20 COUNCILMAN IMBROTO: "Aye."

21 MR. ALTADONNA: Councilman Hand?

22 COUNCILMAN HAND: "Aye."

23 MR. ALTADONNA: The motion to suspend
24 the rules and add the Walk-On for giving back our
25 employees their lag payroll passes with seven

1 "Ayes."

2 Now, we have a lot of suspends and
3 resuspends here.

4 SUPERVISOR SALADINO: Let's take the
5 vote on this first, please.

6 COUNCILMAN MUSCARELLA: Motion has to
7 be read into the record.

8 MR. ALTADONNA: "WHEREAS, Resolution
9 No. 1095-2012, adopted by the Town Board on
10 December 18, 2012.

11 "The Town Board approves a Memorandum
12 of Understanding dated December 12, 2012.
13 Memorandum between the Town and Civil Service
14 Employee Association Local 1000 AFSCME AFLCIO, Town
15 of Oyster Bay unit, Nassau County, Local 881, CSEA,
16 which memorandum modifies the collective bargaining
17 agreement between the Town and the CSEA for a
18 period of January 1, 2010 to December 31, 2015
19 collective bargaining agreement; and

20 "WHEREAS, Section 5 of the memorandum
21 amended Article 1, Section 5-2 of the Collective
22 Bargaining Agreement and authorized an
23 implementation of the lag payroll of two weeks' pay
24 for all Town employees during the calendar year
25 2013 with the implementation of a second lag

1 payroll, two weeks' pay for all Town employees
2 during the calendar year 2014, and provided that
3 all monies due to Town employees have been deferred
4 by implementation of lag payroll shall be paid to
5 employees upon their separation from employment;
6 and

7 "WHEREAS, both lag payroll were
8 implemented, which resulted in there being a four
9 week lag in payroll for all Town employees; and

10 "WHEREAS, Joseph S. Saldino,
11 Supervisor, has recommended that during the period
12 commencing January 1, 2019, and no later than
13 March 31, 2019, the Town shall reduce the lag
14 payroll in a two-week lag reimbursement Town
15 employees, for the first payroll lag, by paying to
16 each Town employee, the amount equal to two weeks
17 wages at their respective rate of salary in effect
18 at the time of payment.

19 "Now, therefore, be it resolved, that
20 the Town Board hereby accepts the recommendation
21 and hereinabove sets forth the authorization, the
22 Comptroller, to reduce the Town's lag payroll to
23 two-week lag by paying each Town employee affected
24 by the lag payroll, and amount equal two weeks'
25 wages at the employees reflective rate in effect at

1 time of payment. The said payment is to be made no
2 sooner than January 1, 2019 and no later than
3 March 31, 2019.

4 SUPERVISOR SALADINO: Call for the
5 vote.

6 MR. ALTADONNA: We had a motion to
7 suspend the rules and add the following Walk-On
8 Resolution.

9 Now, I don't have a number on this.
10 What is the number? Is it going to be
11 864?

12 MR. NOCELLA: Yes, 864.

13 MR. ALTADONNA: For the record, it's
14 Resolution No. 864.

15 The motion was made Councilman
16 Muscarella, seconded by Councilman Macagnone.

17 The motion to suspend the rules passed
18 with seven "Ayes."

19 Now, we're going to have a motion to
20 adopt it.

21 Do you want to see if anybody would
22 like to speak about it before?

23 SUPERVISOR SALADINO: We're ready to
24 take that vote.

25 MR. ALTADONNA: I understand, but

1 usually people would have the opportunity to be
2 heard.

3 SUPERVISOR SALADINO: May I have that
4 opinion from the Town Attorney?

5 MR. NOCELLA: Supervisor, it's within
6 your discretion. It's going be voted on separately
7 from the Action Calendar. You have the authority
8 to call for the vote now or open it up to anyone
9 who wishes to speak.

10 SUPERVISOR SALADINO: Okay. There will
11 be plenty of time afterwards if anyone has any
12 comment.

13 I direct the Town Clerk to call for the
14 vote.

15 MR. ALTADONNA: Supervisor Saladino?

16 SUPERVISOR SALADINO: "Aye."

17 MR. ALTADONNA: Councilman Muscarella?

18 COUNCILMAN MUSCARELLA: "Aye."

19 MR. ALTADONNA: Councilman Macagnone?

20 COUNCILMAN MACAGNONE: "Aye."

21 MR. ALTADONNA: Councilwoman Alesia?

22 COUNCILWOMAN ALESIA: "Aye."

23 MR. ALTADONNA: Councilwoman Johnson?

24 COUNCILWOMAN JOHNSON: "Aye."

25 MR. ALTADONNA: Councilman Imbroto?

1 COUNCILMAN IMBROTO: "Aye."

2 MR. ALTADONNA: Councilman Hand?

3 COUNCILMAN HAND: "Aye."

4 MR. ALTADONNA: Motion to adopt
5 Resolution 864 passes with seven "Ayes."

6 SUPERVISOR SALADINO: Are there any
7 other Walk-Ons?

8 MR. ALTADONNA: Well, we have Suspend
9 and Walk-Ons, so we're going to have to
10 re-resuspend the rules because we suspended the
11 rules once to add this Walk-On, now we have to
12 resuspend the rules to add the following, which are
13 Resolutions --

14 MR. NOCELLA: 862 and 863.

15 MR. ALTADONNA: Yeah, I'm trying to
16 find the paperwork. No, no, no.

17 Those are Walk-Ons, but we had suspends
18 and add to the calendar as well.

19 We had to suspend the rules and add
20 Resolutions 840 through 861.

21 On the motion?

22 COUNCILMAN MUSCARELLA: So moved.

23 COUNCILMAN MACAGNONE: Second.

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

1 Macagnone.

2 On the vote:

3 Supervisor Saladino?

4 SUPERVISOR SALADINO: "Aye."

5 MR. ALTADONNA: This is just to add
6 into the Action Calendar, 840 through 861, just so
7 you know.

8 We have an "Aye" from the Supervisor.
9 Councilman Muscarella?

10 COUNCILMAN MUSCARELLA: "Aye."

11 MR. ALTADONNA: Councilman Macagnone?

12 COUNCILMAN MACAGNONE: "Aye."

13 MR. ALTADONNA: Councilwoman Alesia?

14 COUNCILWOMAN ALESIA: "Aye."

15 MR. ALTADONNA: Councilwoman Johnson?

16 COUNCILWOMAN JOHNSON: "Aye."

17 MR. ALTADONNA: Councilman Imbroto?

18 COUNCILMAN IMBROTO: "Aye."

19 MR. ALTADONNA: Councilman Hand?

20 COUNCILMAN HAND: "Aye."

21 MR. ALTADONNA: Motion to resuspend the
22 rules and add Resolutions 840 through 861 passes
23 with seven "Ayes."

24 Now, I need a word with counsel.

25 Do we need to resuspend the rules and

1 add the following two additional Walk-Ons?

2 MR. NOCELLA: 862 and 863.

3 MR. ALTADONNA: Re-resuspend the rules?

4 MR. NOCELLA: Correct.

5 MR. ALTADONNA: May I have a motion to

6 re-resuspend the rules and add the following

7 Walk-On Resolutions No. 862, which I will read.

8 862 is a Resolution amending Resolution
9 No. 698-2018 to reflect that January 29, 2019, Town
10 Board meeting shall be held at 7:00 p.m.

11 Resolution --

12 SUPERVISOR SALADINO: Please continue.

13 MR. ALTADONNA: Resolution -- this
14 Walk-On Resolution, which authorizes the Supervisor
15 and/or his designee to enter into an inter-
16 municipal agreement with Sanitary District 1, Town
17 of Hempstead, for the collection of recyclable
18 materials from January 1, 2019 through December 31,
19 2020.

20 Has the Board seen this, this Walk-On?

21 COUNCILMAN MACAGNONE: No, I have not.

22 MR. ALTADONNA: Because it's quite
23 voluminous here.

24 This is -- no, this is 863, Councilman.

25 COUNCILMAN MACAGNONE: 863?

1 MR. ALTADONNA: 863, yes, sir.

2 COUNCILWOMAN ALESIA: Tony, it's
3 attached -- it says resuspend on the front and 862
4 and 863 and there's backup behind it.

5 MR. ALTADONNA: Please note for the
6 record that Resolution 864 has already been voted
7 on and passed.

8 Should I call for the motion or would
9 you like to review, Councilman, or would anybody
10 else like --

11 COUNCILMAN MUSCARELLA: Give him a
12 second to review it.

13 MR. ALTADONNA: Yes. Take your time.

14 COUNCILMAN MACAGNONE: I'm at a loss
15 here. I don't seem --

16 MR. ALTADONNA: I can give you what
17 have I have here if you'd like.

18 COUNCILMAN MACAGNONE: I have it. I
19 apologize.

20 COUNCILWOMAN ALESIA: I guess we want
21 to get it in front of us so we can get some
22 clarification, right?

23 COUNCILMAN MACAGNONE: Perhaps we can
24 get the Commissioner here to explain some of this
25 and answer some questions.

1 COUNCILMAN MUSCARELLA: We have to
2 bring it on the table.

3 COUNCILMAN MACAGNONE: Let's bring it
4 on the table and do that.

5 SUPERVISOR SALADINO: Yes.

6 We are voting to bring this onto the
7 table and then we're going to have the Commissioner
8 up and to speak about our new recycling option.

9 COUNCILMAN MACAGNONE: I appreciate
10 that.

11 SUPERVISOR SALADINO: Of course,
12 Councilman.

13 MR. ALTADONNA: I will start again.

14 May I have a motion to re-resuspend the
15 rules and add Resolutions No. 862 and 863?

16 And this is just to bring it to the
17 Action Calendar.

18 On the motion?

19 COUNCILMAN MUSCARELLA: So moved.

20 COUNCILMAN MACAGNONE: Second.

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

24 On the vote:

25 Supervisor Saladino?

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SUPERVISOR SALADINO: "Aye."
MR. ALTADONNA: Councilman Muscarella?
COUNCILMAN MUSCARELLA: "Aye."
MR. ALTADONNA: Councilman Macagnone?
COUNCILMAN MACAGNONE: "Aye."
MR. ALTADONNA: Councilwoman Alesia?
COUNCILWOMAN ALESIA: Just to bring it
on?
MR. ALTADONNA: Yes, just to bring it
on.
COUNCILWOMAN ALESIA: "Aye."
MR. ALTADONNA: Councilwoman Johnson?
COUNCILWOMAN JOHNSON: "Aye."
MR. ALTADONNA: Councilman Imbroto?
COUNCILMAN IMBROTO: "Aye."
MR. ALTADONNA: Councilman Hand?
COUNCILMAN HAND: "Aye."
MR. ALTADONNA: Motion to re-resuspend
the rules and add the following Walk-On Resolutions
Nos. 862 and 863 passes with seven "Ayes."
SUPERVISOR SALADINO: Okay.
This is an issue to do with our Town
recycling.
As with every municipality in the
United States, due to the import restrictions

1 placed on recyclables by the Chinese government,
2 the Town and every other municipality in the United
3 States, in New York State, on Long Island must find
4 new method of processing recycling.

5 In recent weeks, the Department of
6 Public Works, at my direction, solicited bids from
7 the private sector for future recycling operations
8 going forward. While surrounding municipalities on
9 transitioning from single stream to dual stream
10 recycling, and thereby, asking residents to hold on
11 to recyclables, in some cases, for up to two weeks
12 at a time, we sought an option with much less
13 impacts to our residents.

14 Accordingly, the Public Works officials
15 entered into an Inter-Municipal Agreement, or an
16 IMA. Negotiations with other municipalities, in
17 this case, Hempstead Sanitation District 1, to
18 continue single stream recycling in our Town. If
19 approved by the Town Board today, this IMA will
20 allow the Town to continue picking up recyclables
21 weekly and not change the schedule for our
22 residents.

23 Residents will be asked to separate
24 paper and cardboard from plastics and metals, as
25 they always have. Due to contamination caused by

1 glass and cardboard, like pizza boxes, residents
2 will be asked to dispose of these items with their
3 regular trash.

4 While the adoption of single stream
5 recycling a year ago resulted in the Town earning a
6 positive revenue stream for a year, the new
7 restrictions by the Chinese government have changed
8 the market, and these changes will financially
9 impact the Town as they impact every town and every
10 municipality that collects recyclables across
11 America and beyond our borders.

12 With that said, the Town will absorb
13 these costs with very little impact to our 2019
14 budget. And now for questions from the Board, I'm
15 going to ask Commissioner Lenz to please approach
16 the podium.

17 Good afternoon.

18 COMMISSIONER LENZ: Hi. How are you
19 doing?

20 SUPERVISOR SALADINO: Commissioner,
21 could you please state your presence for the
22 record?

23 COMMISSIONER LENZ: Richard Lenz,
24 Commissioner of Department of Public Works and
25 Highway.

1 SUPERVISOR SALADINO: So I've just
2 given a very brief overview and I know the Board
3 members will have more questions, but can you
4 briefly comment on our change and why it's needed?

5 COMMISSIONER LENZ: Yes.

6 As you stated earlier, we had looked
7 into multiple ways of getting rid of our -- I don't
8 mean getting rid of, I mean taking care of our --

9 SUPERVISOR SALADINO: Processing.

10 COMMISSIONER LENZ: Processing our
11 single stream or recyclables.

12 As everybody knows, December 31st,
13 that's the end of the original contract that we had
14 with Winter Brothers. We are now -- we were
15 looking for the other avenues to take care of our
16 recyclables. This is one opportunity that we had
17 come with that would give us the opportunity of not
18 having to go dual stream and every other week and
19 things like that, so we're going to go single
20 stream, but we have to take some of the stuff out
21 of the stream; meaning that we can still take
22 cardboard and newspaper and any other type of
23 paper, and then we can also take plastics, but we
24 cannot take glass in the future.

25 COUNCILMAN MACAGNONE: No glass

1 bottles?

2 COMMISSIONER LENZ: No glass bottles
3 will District 1 take.

4 COUNCILMAN MACAGNONE: They go out in
5 the regular trash.

6 COMMISSIONER LENZ: Yes. It will.

7 COUNCILMAN MACAGNONE: Okay.

8 SUPERVISOR SALADINO: By the way, I
9 just want to point out, for the time being, and
10 we'll also investigate different avenues for glass.

11 COMMISSIONER LENZ: Yes.

12 On the bottom of your plastic bottles,
13 it usually has a number. It's a symbol and it has
14 a number 1 to 2. We can only take 1 and 2s. I
15 know it's going into a little more detail, but I
16 just want everybody -- all the residents to know
17 and stuff.

18 You know, so what we're talking about
19 is the harder plastics, we're not going to be able
20 to take them. So, other than that, we'll take
21 everything else. Our recycling Sanitation men will
22 be able to take it out every normal day that you
23 have it. If you have it on a Monday or Tuesday or
24 Thursday or Friday, it will be the same process in
25 January and going forward.

1 What we'll do is we bring it to our
2 transfer station in Oyster Bay in Old Bethpage,
3 which we have been doing now, and then from there,
4 then the contractor will pick it up, bring it for
5 his processing to separate out the paper and the
6 bottles and cans.

7 COUNCILWOMAN ALESIA: That's one of my
8 main concerns, Commissioner.

9 So is there going to be an increase in
10 the number of trips going to and from our facility?

11 COMMISSIONER LENZ: No.

12 When I say that they're going to take
13 it, they're going to take it in tractor-trailers.

14 COUNCILWOMAN ALESIA: Right.

15 COMMISSIONER LENZ: And it's three
16 tractor-trailers a day, and that's what we do right
17 now. When we take our own, we'll take our own
18 recyclables and we deliver it to -- we don't
19 deliver it, that's a point I should make. When a
20 contractor comes to take his -- the recyclables,
21 right now, he's taking three truckloads a day, so
22 that will be the same process.

23 The only thing -- there's no
24 difference. What I'm saying is, all the Town of
25 Oyster Bay garbage trucks will be bringing in the

1 materials into our transfer station, and then only
2 three tractor-trailers leave every day.

3 COUNCILWOMAN ALESIA: Which is the same
4 as it is now?

5 COMMISSIONER LENZ: Same -- same
6 process that it is now.

7 COUNCILWOMAN ALESIA: And what are we
8 giving to Hempstead in exchange?

9 I mean, obviously, it's an agreement so
10 there must be some kind of a give and take. So
11 they're giving us one thing and we're giving them
12 something else. What is it -- what's exchanging
13 here? Are we paying them?

14 COMMISSIONER LENZ: Yes. Yes. It's a
15 payment of --

16 COUNCILMAN MACAGNONE: 69.75 per ton?

17 COMMISSIONER LENZ: 69.75. I don't
18 have the document in front of me.

19 COUNCILMAN MACAGNONE: That's -- my
20 question on that would be: Why do we have a set
21 number? If it's a volatile market that we've been
22 in, especially over the last two years what
23 happened, why have a set number? Why don't we have
24 a market standard number?

25 I know we need it to project our

1 budget, but we project -- you know, we thought we
2 were making money on the cardboard.

3 SUPERVISOR SALADINO: If I can just
4 make a point.

5 COUNCILMAN MACAGNONE: Go ahead,
6 please.

7 SUPERVISOR SALADINO: In the past, we
8 had a contract, a one-year contract, with an entity
9 that's coming to a conclusion on December 31st
10 where we had a set number contractually.

11 This represents a one-year contract
12 with a one-year renewal or a -- I'm sorry, a
13 two-year contract and we have an out with if we
14 want to break the contract, we have 60 days -- both
15 parties have 60 days.

16 COMMISSIONER LENZ: That's very
17 important. That was a big negotiating --

18 SUPERVISOR SALADINO: Aspect.

19 COMMISSIONER LENZ: -- aspect for us to
20 take care of, was the 60-day out.

21 SUPERVISOR SALADINO: We wanted a
22 situation that did not radically change the pattern
23 that our residents have been accustomed to. We
24 wanted to recycle as many items as the market would
25 take. We will be asking people not to recycle

1 stained cardboard, that's where the pizza boxes
2 come in, as that example, but the vast majority of
3 cardboard that the residents have been recycling
4 will continue to be recycled, as well as most of
5 the plastics and the metals.

6 And at this juncture, we don't have a
7 market for the glass, but as you can assure
8 everyone, I've asked you to continue -- you and
9 your staff to continue looking into uses for glass
10 with an eye for the future.

11 COUNCILMAN MACAGNONE: Why don't we
12 collect it and return bottles, pay down our budget?

13 SUPERVISOR SALADINO: It's not just
14 nickel deposits. There's an awful lot of glass
15 that we'd be stockpiling.

16 COMMISSIONER LENZ: Right. we'll
17 definitely look into it.

18 Any other questions?

19 COUNCILWOMAN ALESIA: Why a two-year
20 contract term this time?

21 COMMISSIONER LENZ: It's what Town
22 of -- excuse me, the Sanitation District 1 wanted.
23 It's not a lock-in, as the Supervisor said. It's a
24 60-day out, so we can be in for six months, find
25 that we have a better way of taking care of this

1 material, we can --

2 SUPERVISOR SALADINO: With 60 days
3 notice, we can break the contract at any time.

4 COUNCILWOMAN ALESIA: For any reason or
5 for cause only?

6 COMMISSIONER LENZ: It's for any
7 reason.

8 COUNCILMAN IMBROTO: It's not for cause
9 and there's no minimum period; we can decide
10 tomorrow that we don't want to do it.

11 COMMISSIONER LENZ: Yes?

12 COUNCILMAN IMBROTO: And then after 60
13 days, we can --

14 COMMISSIONER LENZ: Yes.

15 COUNCILWOMAN ALESIA: Where is this at?

16 COUNCILMAN IMBROTO: It's paragraph
17 three.

18 COMMISSIONER LENZ: Paragraph three,
19 the second paragraph in paragraph three.

20 COUNCILMAN MACAGNONE: If all of a
21 sudden, China starts taking stuff and we get a
22 better offer --

23 COMMISSIONER LENZ: Yes. Exactly.

24 SUPERVISOR SALADINO: Or any other
25 country for that matter.

1 COUNCILMAN IMBROTO: Or we negotiate a
2 better offer.

3 COMMISSIONER LENZ: And that's one of
4 the things that we spent a lot of time negotiating
5 on, was that paragraph and also the fact that we
6 wanted the opportunity to go in and to terminate
7 the contract if need be.

8 SUPERVISOR SALADINO: There are
9 municipalities who are radically changing their
10 process, going to dual stream, and that may need a
11 change again, but this is a -- negotiations that
12 have been proactive and we thank you for
13 continuing.

14 We meet our deadline so that we don't
15 discontinue the recycling program for any period of
16 time and we have a process by which to take the
17 most amount of recyclables available on the market.

18 COMMISSIONER LENZ: See, that was the
19 very important thing, was to make sure that we had
20 something in place before December 31st because
21 that's the last time that we have the single stream
22 contractor on Board.

23 As the Supervisor said, many of the
24 other towns are going to dual stream and they're
25 going to every other week collection. One week

1 they'll collect newspaper and -- with cardboard;
2 the next week, they'll pick up the plastics. We
3 felt that that was detrimental to the residents at
4 this time.

5 COUNCILMAN MACAGNONE: I have to agree
6 with that.

7 COUNCILWOMAN ALESIA: Just so I'm
8 clear, who's doing the pickup? The pickup doesn't
9 change? It's only who gets it from the station
10 that changes?

11 COMMISSIONER LENZ: That's a very good
12 point, yes. That's a very good point.

13 The same team that we have now picking
14 up either recyclables or Sanitation is going to be
15 the same Town of Oyster Bay members.

16 What we're going to do, then, is once
17 it dumps in the transfer station, then we will load
18 it onto tractor-trailer trucks from the contractor
19 that works for Sanitation District 1 and he will
20 take it away.

21 And one of the things that we mandate
22 is that it's done on a daily basis. So it's
23 usually about three loads of tractor-trailers that
24 will be going out of our transfer station.

25 And, as I say, that's what's happening

1 right now.

2 COUNCILMAN HAND: Commissioner, could
3 you differentiate between the cost of municipal
4 solid waste to use of the single stream?

5 COMMISSIONER LENZ: Single solid waste
6 is about 86.75.

7 SUPERVISOR SALADINO: \$86.75 per ton.

8 COUNCILMAN MACAGNONE: And how many on
9 tons do we get a week?

10 COMMISSIONER LENZ: Of MSW?

11 COUNCILMAN MACAGNONE: Of any.

12 COMMISSIONER LENZ: Oh, yeah, because
13 single stream is about \$17,000 per year and, of
14 MSW, it's -- yeah. I'm sorry. It's about 120,000.
15 I wanted to make sure I was saying the right
16 number. That's an engineering thing. You have to
17 be -- you know, I'm sorry. Yes, it's 120.

18 So, you can see there's a -- there's a
19 big difference in costs. Other municipalities have
20 seen the same thing. It's -- and as I say, this
21 was a negotiation that we need to do because we
22 only talked to -- Winters brought it to our
23 attention that they were going to -- you know,
24 fairly recently. We also went out to bids and
25 those bids weren't as acceptable as this at this

1 time to the residents.

2 COUNCILMAN MACAGNONE: I'm glad we're
3 working with another municipality also.

4 COMMISSIONER LENZ: That was definitely
5 one of our mandates to look into from the
6 Supervisor.

7 SUPERVISOR SALADINO: I appreciate the
8 fact that you worked quickly, you worked
9 diligently, you found the best option. We didn't
10 just take something because it was quick. We
11 actually examined that process. We went through
12 that bid process, but we decided to find an even
13 better process, and we're still making it under the
14 deadline and will be no change in service.

15 So, we're very, very thrilled that you
16 have -- you and your team -- have worked very
17 quickly, efficiently, found that great process that
18 doesn't change truck traffic through the community,
19 doesn't -- it changes very little, especially at
20 the curbside for our residents, and we have one of
21 the best financial deals that we could get under
22 the existing conditions.

23 So we're very appreciative of you
24 meeting those deadlines, you creating something
25 that suits the needs of our environment, our waste

1 stream dynamics, as well as our taxpayers.

2 COMMISSIONER LENZ: Thank you.

3 SUPERVISOR SALADINO: Any other
4 questions from our Town Board?

5 (No verbal response given.)

6 SUPERVISOR SALADINO: Okay.

7 Thank you very much.

8 COUNCILMAN MACAGNONE: Thank you,
9 Commissioner.

10 MR. ALTADONNA: Supervisor, I have a
11 question.

12 Do you want me to fill out a form or do
13 you want me to --

14 COUNCILMAN MUSCARELLA: Ask the
15 question.

16 SUPERVISOR SALADINO: Do you have a
17 question? Sure.

18 MR. ALTADONNA: Yes. Who's the third
19 party contractor that's picking up? For the Board
20 to vote, we need to know.

21 COMMISSIONER LENZ: The third-party
22 contractor is Omni of Westbury. That's where
23 they're going to do the processing.

24 MR. ALTADONNA: Thank you.

25 SUPERVISOR SALADINO: Thank you.

1 Okay. If there are no other questions,
2 let us proceed.

3 MR. ALTADONNA: We are going to call
4 for the vote.

5 COUNCILWOMAN ALESIA: We do have a
6 question.

7 MR. ADELMAN: I have a question for the
8 Commissioner.

9 SUPERVISOR SALADINO: Certainly.
10 Why don't you come forward? Have you
11 been recycling at your home?

12 MR. ADELMAN: Yes.

13 SUPERVISOR SALADINO: How's it going?

14 MR. ADELMAN: I happen to be the person
15 who invented the garbage pail that we used to put
16 up at the train stations that only took newspapers.

17 That was my idea when May Newburger was
18 Supervisor in North Hempstead and Senator Tully.
19 You remember those days when all the landfills were
20 closed and --

21 SUPERVISOR SALADINO: Sure.

22 MR. ADELMAN: -- we had a catastrophic
23 situation.

24 SUPERVISOR SALADINO: The garbage barge.

25 MR. ADELMAN: I was involved with

1 stopping the incinerator from being built in Port
2 Washington back in those days and this is a subject
3 very close to me.

4 It is my understanding, Commissioner,
5 that Hempstead is going through dual recycling now,
6 you know, without the glass.

7 Now, we're going still do single
8 stream, which means the plastics and the papers are
9 commingled.

10 Does that get separated, where?

11 COMMISSIONER LENZ: It will get
12 separated at Omni's facility in Westbury.

13 MR. ADELMAN: And currently, they're
14 not taking any glass either?

15 COMMISSIONER LENZ: They are not.

16 What happens with the -- what happens
17 with the glass, it's not so much the glass bottles,
18 what -- you know what I'm saying, as that glass
19 bottle, that might be recyclable. But what happens
20 is, no matter what you do with it and how careful
21 you are, it's going to break.

22 You put it in a garbage truck, it's
23 driving, it's a metal truck, metal framed truck and
24 everything, it's going to break and you're going to
25 have quite a few of them breaking. When they

1 break, they have these -- they turn into, like,
2 little beads and shards and everything.

3 If that shard gets into your other
4 materials, especially your newspaper and your
5 cardboard, that's --

6 SUPERVISOR SALADINO: It's an issue of
7 cross contamination?

8 COMMISSIONER LENZ: Yes, it is.

9 SUPERVISOR SALADINO: So you can
10 understand how thrilled we are now because you know
11 about this industry far more than the average
12 citizen, you can understand how thrilled we are at
13 how efficient a system the Commissioner has put in
14 place in such a short amount of time with so many
15 hurdles out there in terms of working out a system
16 very quickly.

17 MR. ADELMAN: Is the facility off of
18 Meadowbrook still functioning?

19 COMMISSIONER LENZ: Yes.

20 MR. ADELMAN: That's a barge for
21 energy?

22 COMMISSIONER LENZ: Yes. That's garage
23 like you are saying.

24 We have talked to them in the past and
25 their numbers aren't reasonable yet.

1 MR. ADELMAN: Not even for the
2 corrugated --

3 COMMISSIONER LENZ: No. No. No. If you
4 go cardboard, they're burning it. We're looking to
5 recycle cardboard.

6 MR. ADELMAN: I'm very pro that, but at
7 this point, garbage to energy is almost --

8 SUPERVISOR SALADINO: Okay. Thank you.
9 Was there another question?

10 Paul, I think I saw your hand up.

11 Please come forward.

12 MR. MOLINARI: Good afternoon.

13 Paul Molinari, 332 West Nicholai
14 Street, Hicksville, New York.

15 Before I start, let me just wish
16 everybody Happy Holidays and a happy safe New Year.

17 SUPERVISOR SALADINO: Thank you.

18 Same to you and yours.

19 MR. MOLINARI: I don't know where to
20 begin. This is such a major issue, and to only
21 find out about it today is kind of disturbing to me
22 because in this past, I have sent e-mails to all of
23 you with my suggestions on how we should -- you
24 know, options that could be looked at. I'm sure
25 the Commissioner has looked at them and they did it

1 in the RFP.

2 SUPERVISOR SALADINO: We actually went
3 out to a bid.

4 MR. MOLINARI: Yes. I understand that.
5 But I think the public, on this issue,
6 should have been notified before this meeting and
7 it shouldn't have been a Walk-On Resolution.

8 SUPERVISOR SALADINO: But, sir, we did
9 bring this issue forward here at Town Board
10 meetings with the end of the contract. There were
11 articles about this. Our staff has been open to
12 the public's suggestions. We're working with top
13 flight engineers. This isn't something we're just
14 reaching in the dark.

15 MR. MOLINARI: I understand perfectly.

16 SUPERVISOR SALADINO: It's well thought
17 out. Okay.

18 MR. MOLINARI: I'm focusing on the
19 aspect of the public being notified that you're
20 going to be voting on how to handle recycling this
21 coming January 1st.

22 I applaud the Commissioner and his
23 staff for moving so quickly and, you know, coming
24 up with this opinion.

25 What I'm trying to understanding -- if

1 I'm -- you said we're going to paying \$68 plus per
2 ton to get rid of the recycles?

3 Based on 17,000 tons a year, that's a
4 financial impact of \$1.2 million, roughly. Plus
5 then we're taking the glass out. What is the
6 financial impact on that going into the solid
7 waste? The glass weighs more than the metals and
8 plastics. I'm not saying that -- you know, it's
9 going to be a big financial impact.

10 SUPERVISOR SALADINO: My understanding
11 is this was less expensive than the other options.

12 Is that correct, Commissioner?

13 COMMISSIONER LENZ: Yes, it is.

14 SUPERVISOR SALADINO: We went out to a
15 publicly -- we alerted the public, we brought the
16 public in, everybody found out through all the
17 normal processes by law in an open bid process to
18 get the information to collect the bids. Opened
19 publicly.

20 Come on up, Commissioner, please.

21 MR. MOLINARI: No, I understand all
22 that.

23 I sent an e-mail with my different
24 options, which were similar to what other -- after
25 I -- I sent the e-mail that I wrote what the other

1 towns were looking at also, the dual stream,
2 separating out the glass, everything else not -- so
3 I understand that whole process.

4 My main issue is that --

5 SUPERVISOR SALADINO: Commissioner, did
6 you read any of the data that Paul sent over?

7 COMMISSIONER LENZ: Yes, we did, and
8 others.

9 SUPERVISOR SALADINO: Did you consider
10 it?

11 COMMISSIONER LENZ: We certainly have
12 considered everything at this time.

13 The big thing that we had to take into
14 account was, what are we doing to the residents?
15 We explained to the residents last year of going
16 single stream, had them all geared up for single
17 stream, and now, kind of, you pull a rug from out
18 from underneath them.

19 COUNCILMAN MACAGNONE: And they were
20 very happy with single stream. It was a great
21 idea.

22 COMMISSIONER LENZ: Right.

23 So to go dual stream now, which might
24 be a little bit less in cost, but the -- getting
25 all the moving parts ready, or else do you -- now

1 do you go every other week for, as I say, bottles
2 and cans and newspapers next week or do you go
3 every other week?

4 Every week, if you're going every week,
5 a truck's going to go down your block twice --
6 twice to pick up the same material that he's doing
7 it once. So now you have your work staff going out
8 twice as long. And I'm not --

9 SUPERVISOR SALADINO: What you're
10 saying, Commissioner, is that continuity to our
11 residents was an important concern in our decision
12 making?

13 COMMISSIONER LENZ: Absolutely, yes.

14 SUPERVISOR SALADINO: As well as the
15 costs. Okay.

16 Paul.

17 MR. MOLINARI: Let me just conclude.

18 SUPERVISOR SALADINO: Okay. Sure.

19 Thank you, Commissioner.

20 MR. MOLINARI: We're going to need a
21 significant public outreach because you're changing
22 the type of plastics that --

23 SUPERVISOR SALADINO: And we're going
24 to do that. We're fully intending that process.

25 MR. MOLINARI: The other issue, too, on

1 the cardboard, people still are putting out
2 cardboard with their garbage and the Town employees
3 have been instructed not to pick it up. I can walk
4 all over my neighborhood and see cardboard all over
5 my neighborhood, so that has to be addressed. You
6 really have to have a strong public outreach to
7 educate.

8 SUPERVISOR SALADINO: Paul, we are in
9 the process of designing that outreach in the
10 multiple ways, methods we have of getting the
11 message across, getting the media to work with us
12 in a way that is proactive and helpful, using
13 social media, using our Town's website, using
14 mailings. There are a wide variety of ways.

15 Would you like to work with us on the
16 outreach program design?

17 MR. MOLINARI: I always welcome it,
18 volunteer my time to the Town.

19 SUPERVISOR SALADINO: Thank you, Paul.
20 We're going to ask that you and Public
21 Information work with Paul to assist in our
22 outreach methods.

23 COMMISSIONER LENZ: Just so the Town
24 Board is aware, Public Information has been working
25 on this for a couple of days now, pulling together

1 the documentation that's needed and we're fine
2 tuning it and it should be ready to go out soon.

3 SUPERVISOR SALADINO: Well, before it's
4 ready to go out, I ask that we include the input,
5 Paul's input, so that we can make it the best it
6 can possibly be with your assistance.

7 MR. MOLINARI: Thank you.

8 SUPERVISOR SALADINO: You're very
9 welcome.

10 Anyone else who would like to be heard
11 on this?

12 Of course, Mr. McKenna. Come on up.

13 MR. MCKENNA: Kevin McKenna again,
14 Syosset, New York.

15 On the public outreach, you're e-mail
16 that is done through the e-mail blast that's
17 directly from you, which I get a lot of e-mails,
18 that seems to be a way that many, many people get
19 information.

20 The e-mail newsletter, it's -- I think
21 that's what it's called -- How come you don't use
22 that for important items like this? How come it
23 seems that that's only used for -- not that what
24 I'm going to say is not important, but it's like
25 for cat adoptions, you know, animal-type things.

1 Why don't you consider using that e-mail newsletter
2 for items that are really, really important like
3 this that reach a lot of people?

4 SUPERVISOR SALADINO: To answer your
5 question, we do and we will. Thank you so much.

6 Is there anyone else who would like to
7 be heard on this issue of recycling?

8 (No verbal response given.)

9 SUPERVISOR SALADINO: Thank you.

10 Do we have correspondence?

11 MR. ALTADONNA: No correspondence.

12 The third-party has been vetted with no
13 interaction with the Town, anyone in the Town?
14 That's my question.

15 SUPERVISOR SALADINO: You're asking a
16 question?

17 MR. ALTADONNA: I'm asking to make sure
18 before the Board votes, to make sure that the
19 owners of Omni --

20 COUNCILMAN MACAGNONE: Thank you,
21 Clerk. We appreciate that.

22 MR. ALTADONNA: -- that the owners of
23 Omni are vetted with the Town because that's the
24 third-party contractor.

25 SUPERVISOR SALADINO: Commissioner, can

1 you address that or is that our Town Attorney?

2 COMMISSIONER LENZ: That's really the
3 Town Attorney.

4 SUPERVISOR SALADINO: Okay. So we'll
5 ask Joe Nocella to come forward, please.

6 MR. ALTADONNA: Just making sure
7 there's no conflicts.

8 MR. NOCELLA: Supervisor, the third-
9 party in this case is Omni Recycling. They have
10 done business with the Town previously and they
11 have, of course, provided all sufficient
12 disclosures.

13 In this case, however, it's an IMA
14 specifically with the Sanitation District.

15 The fact that there is a third-party
16 involved which providing a service, it doesn't
17 mandate any specific disclosure, but in any case, I
18 think to address the question, it's somebody that
19 the Town has done business with before.

20 SUPERVISOR SALADINO: So we've done our
21 due diligence on this issue?

22 MR. NOCELLA: That's correct.

23 SUPERVISOR SALADINO: Thank you very
24 much.

25 MR. ALTADONNA: Call for the vote?

1 SUPERVISOR SALADINO: Absolutely.

2 COUNCILMAN MACAGNONE: This is the
3 vote -- what are we voting on?

4 MR. ALTADONNA: This is actually for
5 the vote to pass it because this was the
6 re-resuspends. We brought it to the calendar.

7 COUNCILMAN MACAGNONE: 862 and 863?

8 MR. ALTADONNA: 862 and 863.

9 COUNCILMAN MACAGNONE: Okay.
10 Thank you.

11 COUNCILWOMAN ALESIA: Didn't we bring a
12 bunch of other ones on also? Did we vote on those?

13 MR. ALTADONNA: Because we have so
14 many, I was going to do through 861 and do these
15 two separate. If you want me just to add it all.

16 COUNCILWOMAN ALESIA: Whatever makes it
17 easier for the Board.

18 MR. ALTADONNA: What would be the
19 preference of the Board? I could do it either way.

20 COUNCILWOMAN ALESIA: I just wanted to
21 know what I'm voting on.

22 SUPERVISOR SALADINO: Let's vote on
23 this one now.

24 COUNCILMAN MACAGNONE: We are just
25 voting on these two.

1 COUNCILWOMAN ALESIA: Thank you.

2 MR. ALTADONNA: May I have motion to
3 adopt Walk-On Resolutions 862 and 863?

4 On the motion?

5 COUNCILMAN MUSCARELLA: So moved.

6 COUNCILMAN MACAGNONE: Second.

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

10 On the vote:

11 Supervisor Saladino?

12 SUPERVISOR SALADINO: "Aye."

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: "Aye."

15 MR. ALTADONNA: Councilman Macagnone?

16 COUNCILMAN MACAGNONE: "Aye."

17 MR. ALTADONNA: Councilwoman Alesia?

18 COUNCILWOMAN ALESIA: I just want to
19 make the briefest of records on this.

20 As my colleagues know, I've been
21 abstaining on contract votes for probably over six
22 months, and generally I would abstain on this as
23 well because it's exactly the kind of situation
24 where we should have an Inspector General looking
25 into it; however, this is an exigent circumstance.

1 I don't think that there are too many more
2 important functions that we have as a township than
3 taking care of our residents' Sanitation and
4 recycling needs.

5 So, on this limited instance, I do
6 think that the vetting was done properly and I will
7 vote "Aye."

8 MR. ALTADONNA: Councilwoman Johnson?

9 COUNCILWOMAN JOHNSON: "Aye."

10 MR. ALTADONNA: Councilman Imbroto?

11 COUNCILMAN IMBROTO: I will also vote
12 "Aye."

13 MR. ALTADONNA: Councilman Hand?

14 COUNCILMAN HAND: "Aye."

15 MR. ALTADONNA: Motions to adopt
16 Resolutions 862 and 863 passes with seven "Ayes."

17 Now, we are going to go onto the
18 regular action calendar.

19 SUPERVISOR SALADINO: I believe we have
20 another Walk-On?

21 MR. ALTADONNA: NO, I think we're
22 complete. We did 864 already. You had voted on
23 that.

24 Unless there's -- let me not speak.
25 There may be another one that I'm not aware of.

1 Is there any more?

2 COUNCILMAN MACAGNONE: Always possible.

3 SUPERVISOR SALADINO: Okay. We'll
4 proceed to the regular Action Calendar.

5 MR. NOCELLA: I don't believe there is
6 anything else.

7 MR. ALTADONNA: Okay.

8 May I have a motion to adopt Resolution
9 No. P-17 through Resolution No. 861, noting that
10 862 and 863, 864 have already been voted on.

11 COUNCILMAN MACAGNONE: Excuse me,
12 Clerk. We'd like to Table 817 also, please.

13 MR. ALTADONNA: Okay. We are tabling
14 817. Okay. Hold on. I need another form.

15 COUNCILMAN MACAGNONE: Glad you got it
16 in your purse there?

17 MR. ALTADONNA: Come on.

18 That was 817, Councilman?

19 COUNCILMAN MACAGNONE: Yes.

20 Thank you.

21 MR. ALTADONNA: Thank you.

22 May I have a motion to table Resolution
23 No. 817?

24 COUNCILMAN MUSCARELLA: So moved.

25 COUNCILMAN MACAGNONE: Second.

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

4 On the vote:
5 Supervisor Saladino?

6 SUPERVISOR SALADINO: "Aye."

7 MR. ALTADONNA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: "Aye."

9 MR. ALTADONNA: Councilman Macagnone?

10 COUNCILMAN MACAGNONE: "Aye."

11 MR. ALTADONNA: Councilwoman Alesia?

12 COUNCILWOMAN ALESIA: "Aye."

13 MR. ALTADONNA: Councilwoman Johnson?

14 COUNCILWOMAN JOHNSON: "Aye."

15 MR. ALTADONNA: Councilman Imbroto?

16 COUNCILMAN IMBROTO: "Aye."

17 MR. ALTADONNA: Councilman Hand?

18 COUNCILMAN HAND: "Aye."

19 MR. ALTADONNA: Okay. Motion to table
20 Resolution No. 817 passes with seven "Ayes."

21 So let me start again here.

22 May I have a motion to adopt
23 Resolutions No. P-17-18 through 861, noting that
24 Resolution 817 has been tabled?

25 **PERSONNEL RESOLUTION NO. P17-18, PA**

1 **6-18, P-1-19, PA 1-19 & PA 2-191**; Resolution
2 pertaining to personnel of various departments
3 within the Town of Oyster Bay.

4 **TRANSFER OF FUNDS RESOLUTION NO.**

5 **TF-20-18**; Resolution pertaining to Transfer of
6 Funds within various departments accounts for the
7 Year 2018.

8 **RESOLUTION NO. 770-2018**; Resolution

9 authorizing the issuance of a refund of the fee for
10 six portable lights to the Afghan Hindu Association
11 Inc. Account No. PKS A 0001 02414 000 000. (M.D.
12 11/13/18 #4).

13 **RESOLUTION NO. 771-2018**; Resolution

14 authorizing retention of the professional services
15 of a yoga instructor for the Senior Citizen
16 Services Program. Account No. CYS A 7020 47660 000
17 0000. (M.D. 11/20/18 #4).

18 **RESOLUTION NO. 772-2018**; Resolution

19 authorizing the employment of various performers
20 for various dates and locations for the 2019
21 *Children's Magical Music and More* program, which is
22 co-sponsored by certain libraries, and for the
23 Supervisor or his designee to execute agreements
24 for said program. Account No. CYS A 7020 47660 000
25 0000. (M.D. 11/20/18 #5).

1 **RESOLUTION NO. 773-2018;** Resolution
2 authorizing the Town-wide Senior Trips for January
3 2019 and for the Department Commissioner to make
4 any necessary adjustments or refunds. (M.D.
5 11/20/18 #6).

6 **RESOLUTION NO. 774-2018;** Resolution
7 authorizing the Town-wide Senior Trips for February
8 and March 2019 and for the Department Commissioner
9 to make any necessary adjustments or refunds. (M.D.
10 11/20/18 #7).

11 **RESOLUTION NO. 775-2018;** Resolution
12 authorizing an agreement for professional lighting
13 equipment and services used during the Music Under
14 the Stars concerts and various special events for
15 the period January 1, 2019 through December 31,
16 2019, and for the Supervisor or his designee to
17 execute said agreement. Account No. CYS A 7020
18 47660 000 0000. (M.D. 11/20/18 #8).

19 **RESOLUTION NO. 776-2018;** Resolution
20 authorizing the issuance of a refund for a building
21 permit fee to D. Papa. Account No. PAD B 0001 02555
22 000 0000. (M.D. 11/20/18 #9).

23 **RESOLUTION NO. 777-2018;** Resolution
24 authorizing the issuance of a refund of a building
25 permit fee to O'Neill Outdoor Power Equipment.

1 Account No. PAD B 0001 02555 000 0000. (M.D.
2 11/20/18 #10).

3 **RESOLUTION NO. 778-2018;** Resolution
4 authorizing the issuance of a refund of a Zoning
5 Board of Appeals variance application fee to A & A
6 Verderame. Account No. PAD B 0001 02110 000 0000.
7 (M.D. 11/20/18 #11).

8 **RESOLUTION NO. 779-2018;** Resolution
9 authorizing the 2019 Meeting Schedule for the
10 Zoning Board of Appeals. (M.D. 11/20/18 #12).

11 **RESOLUTION NO. 780-2018;** Resolution
12 pertaining to outside counsel services to the Town
13 of Oyster Bay in connection with various matters.
14 Account No. OTA A 1420 44110 000 0000. (M.D.
15 11/20/18 #15).

16 **RESOLUTION NO. 781-2018;** Resolution
17 authorizing membership in the New York Association
18 of Training and Employment Professionals for the
19 Division of Employment and Training for the period
20 July 1, 2018 through June 30, 2019. Account No. IGA
21 CD 6293 47900 000 CW17. (M.D. 11/20/18 #16).

22 **RESOLUTION NO. 782-2018;** Resolution
23 authorizing the Supervisor or his designee to
24 execute the second one-year renewal and budget
25 amendment for the Temporary Assistance for Needy

1 Families and Safety Net Assistance programs for the
2 period January 1, 2019 through December 31, 2019.
3 (M.D. 11/20/18 #17).

4 **RESOLUTION NO. 783-2018;** Resolution
5 authorizing the continuation of the Town's
6 participation in the New York State Health
7 Insurance Program (NYSHIP a/k/a "Empire Plan"),
8 effective January 1, 2019 through December 31,
9 2019. Account No. TWN AMM 9060 80000 000 0000 000.
10 (M.D. 11/20/18 #13 & 12/4/18 #56).

11 **RESOLUTION NO. 784-2018;** Resolution
12 authorizing employment of the services of a
13 performer and caterer for various dates and
14 locations for participants of the Group Activities
15 Program, and for the Supervisor or his designee to
16 execute agreement for said services. Account No.
17 CYS A 7020 47660 000 0000. (M.D. 11/27/18 #4).

18 **RESOLUTION NO. 785-2018;** Resolution
19 authorizing employment of the services of
20 performers for various dates and locations to
21 provide entertainment for participants of the Group
22 Activities Program, which will be paid for by
23 Friends of Community Services Dept., Inc., and for
24 the Supervisor or his designee to execute agreement
25 for said services. (M.D. 11/27/18 #5).

1 **RESOLUTION NO. 786-2018;** Resolution
2 authorizing the Supervisor to enter into a
3 Community Development Public Service Contract
4 Agreement with Boys & Girls Club of Oyster Bay/East
5 Norwich, Inc., for the period January 1, 2019
6 through December 31, 2019. Account No. IGA CD 8676
7 48280 741 CD19. (M.D. 11/27/18 #10).

8 **RESOLUTION NO. 787-2018;** Resolution
9 authorizing the Supervisor to enter into a
10 Community Development Public Service Contract
11 Agreement with Centro Cultural Hispano de Oyster
12 Bay y Vecindades, Inc., to provide after school
13 enrichment programs for the period January 1, 2019
14 through December 31, 2019. Account No. IGA CD 8676
15 48280 751 CD19. (M.D. 11/27/18 #11).

16 **RESOLUTION NO. 788-2018;** Resolution
17 authorizing the Supervisor to enter into a
18 Community Development Public Service Contract
19 Agreement with Centro Cultural Hispano de Oyster
20 Bay y Vecindades, Inc., for a program focusing on
21 non-English speaking Hispanic adult population, for
22 the period January 1, 2019 through December 31,
23 2019. Account No. IGA A 8686 47630 000 0000. (M.D.
24 11/27/18 #12).

25 **RESOLUTION NO. 789-2018;** Resolution

1 authorizing the Supervisor to enter into a
2 Community Development Public Service Contract
3 Agreement Centro Cultural Hispano de Oyster Bay y
4 Vecindades, Inc., for a program focusing on gang
5 prevention, for the period January 1, 2019 through
6 December 31, 2019. Account No. IGA A 8686 47630 000
7 0000. (M.D. 11/27/18 #13).

8 **RESOLUTION NO. 790-2018;** Resolution
9 authorizing the Supervisor to enter into a
10 Community Development Public Service Contract
11 Agreement with Doubleday Babcock Senior Center,
12 Inc., d/b/a The Life Enrichment Center, for the
13 period January 1, 2019 through December 31, 2019.
14 Account No. IGA CD 8676 48280 740 CD19. (M.D.
15 11/27/18 #14).

16 **RESOLUTION NO. 791-2018;** Resolution
17 authorizing the Supervisor to enter into a
18 Community Development Public Service Contract
19 Agreement with Greater Long Island Running Club,
20 Inc., for the period January 1, 2019 through
21 December 31, 2019. Account No. IGA CD 8676 48280
22 750 CD19. (M.D. 11/27/18 #15).

23 **RESOLUTION NO. 792-2018;** Resolution
24 authorizing the Supervisor to enter into a
25 Community Development Public Service Contract

1 Agreement with the Grenville Baker Boys and Girls
2 Club, Inc., for the period January 1, 2019 through
3 December 31, 2019. Account No. IGA CD 8676 48280
4 743 CD19. (M.D. 11/27/18 #16).

5 **RESOLUTION NO. 793-2018;** Resolution
6 authorizing the Supervisor to enter into a
7 Community Development Public Service Contract
8 Agreement with Hicksville Teenage Council, Inc./
9 Hicksville Boys and Girls Club, Inc., for the
10 period January 1, 2019 through December 31, 2019.
11 Account No. IGA CD 8676 48280 744 CD19. (M.D.
12 11/27/18 #17).

13 **RESOLUTION NO. 794-2018;** Resolution
14 authorizing the Supervisor to enter into a
15 Community Development Public Service Contract
16 Agreement with Plainedge Senior Citizens, Inc., for
17 the period January 1, 2019 through December 31,
18 2019. Account No. IGA CD 8676 48280 748 CD19. (M.D.
19 11/27/18 #18).

20 **RESOLUTION NO. 795-2018;** Resolution
21 authorizing the Supervisor to enter into a
22 Community Development Public Service Contract
23 Agreement with YES Community Counseling Center,
24 Inc., relating to domestic violence and/or abuse,
25 for the period January 1, 2019 through December 31,

1 2019. Account No. IGA A 8686 47630 000 0000. (M.D.
2 11/27/18 #19).

3 **RESOLUTION NO. 796-2018;** Resolution
4 authorizing the Supervisor to enter into a
5 Community Development Public Service Contract
6 Agreement with Veterans of Foreign Wars of the
7 U.S., William M. Gouse, Jr., Post #3211, for the
8 period January 1, 2019 through December 31, 2019.
9 Account No. IGA CD 8676 48280 749 CD19. (M.D.
10 11/27/18 #20).

11 **RESOLUTION NO. 797-2018;** Resolution
12 authorizing the Supervisor to enter into a
13 Community Development Public Service Contract
14 Agreement with YES Community Counseling Center,
15 Inc., relating to peer pressures and substance
16 abuse, for the period January 1, 2019 through
17 December 31, 2019. Account No. IGA CD 8676 48280
18 745 CD19. (M.D. 11/27/18 #21).

19 **RESOLUTION NO. 798-2018;** Resolution
20 authorizing the Supervisor or his designee to
21 execute a Contract for Services with Nassau County
22 in connection with Nassau Community College under
23 the Carl Perkins Act. (M.D. 11/27/18 #22).

24 **RESOLUTION NO. 799-2018;** Resolution
25 authorizing retention of Labor Counsel services for

1 the Department of Human Resources for the period
2 January 1, 2019 through December 31, 2019, and for
3 the Supervisor, *or his designee*, to execute
4 agreements for said services. Account No. TWN AMW
5 9040 84040 000 0000 000. (M.D. 11/27/18 #23).

6 **RESOLUTION NO. 800-2018;** Resolution
7 authorizing a Comprehensive Employee Safety and
8 Health Program for the period January 1, 2019
9 through December 31, 2019 and for the Supervisor,
10 or his designee, to execute said agreement. Account
11 No. TWN AMW 9040 84040 000 0000 000. (M.D. 11/27/18
12 #24).

13 **RESOLUTION NO. 801-2018;** Resolution
14 authorizing a second one-year extension of Employee
15 Drug & Alcohol Testing Services, commencing
16 January 1, 2019 through December 31, 2019. Account
17 No. TWN AMS 1910 43020 603 0000 000. (M.D. 11/27/18
18 #25).

19 **RESOLUTION NO. 802-2018;** Resolution
20 authorizing membership renewal in the Society of
21 Human Resources Management for the period of
22 January 1, 2019 through December 31, 2019. Account
23 No. DHR A 1430 47900 000 0000. (M.D. 11/27/18 #26).

24 **RESOLUTION NO. 803-2018;** Resolution
25 pertaining to authorization for Workers'

1 Compensation Claims Investigative Services. Account
2 No. TWN AMW 9040 84040 000 0000 000. (M.D. 11/27/18
3 #32).

4 **RESOLUTION NO. 804-2018;** Resolution
5 pertaining to authorization for Labor Counsel
6 Services. Account No. TWN AMW 9040 84040 000 0000
7 000. (M.D. 11/27/18 #33).

8 **RESOLUTION NO. 805-2018;** Resolution
9 authorizing the first one-year extension of
10 Contract No. PWC 72-18, On-Call Technology
11 Consulting Services from January 1, 2019 through
12 December 31, 2019, and for the Supervisor or his
13 designee to execute said agreements. Account Nos.
14 CMP A 1680 44800 000 0000, CMP A 1680 46410 000
15 0000, CMP H 1997 26000 000 1508 001 and ROT H 1997
16 26000 000 1409 001. (M.D. 11/27/18 #35).

17 **RESOLUTION NO. 806-2018;** Resolution
18 authorizing the first one-year extension of On-Call
19 Technology Consulting Services to assist in data
20 migration from the Town's IBM AS400 mainframe to
21 Microsoft AX system for a period commencing
22 January 1, 2019 through December 31, 2019. Account
23 Nos. CMP A 1680 44800 000 0000, CMP H 1997 26000
24 000 1508 001. (M.D. 11/27/18 #36).

25 **RESOLUTION NO. 807-2018;** Resolution

1 appropriating funds for the 2019 Capital Program
2 Fifteen Year Equipment. (M.D. 11/27/18 #37).

3 **RESOLUTION NO. 808A-2018;** Resolution
4 appropriating funds for the 2019 Capital Program
5 Three and Five Year Equipment. (M.D. 11/27/18 #38).

6 **RESOLUTION NO. 808B-2018;** Resolution
7 appropriating funds for the 2019 Capital Program
8 Three and Five Year Equipment. (M.D. 11/27/18 #38).

9 **RESOLUTION NO. 809-2018;** Resolution
10 appropriating funds for the 2019 Capital Program
11 Highway. (M.D. 11/27/18 #39).

12 **RESOLUTION NO. 810-2018;** Resolution
13 appropriating funds for the 2019 Capital Program
14 Parks General. (M.D. 11/27/18 #40).

15 **RESOLUTION NO. 811-2018;** Resolution/
16 Order calling for a public hearing for Solid Waste
17 District Improvements in the 2019 Capital Program.
18 Hearing date: January 8, 2019. (M.D. 11/27/18 #41).

19 **RESOLUTION NO. 812-2018;** Resolution/
20 Order calling for a public hearing for Public
21 Parking District Improvements in the 2019 Capital
22 Program. Hearing date: January 8, 2019. (M.D.
23 11/27/18 #42).

24 **RESOLUTION NO. 813-2018;** Resolution/
25 Order calling for a public hearing for Public

1 Lighting District Improvements in the 2019 Capital
2 Program. Hearing date: January 8, 2019. (M.D.
3 11/27/18 #43).

4 **RESOLUTION NO. 814-2018;** Resolution/
5 Order calling for a public hearing for Park
6 District Improvements in the 2019 Capital Program.
7 Hearing date: January 8, 2019. (M.D. 11/27/18 #44).

8 **RESOLUTION NO. 815-2018;** Resolution
9 authorizing the property cleanup assessment of
10 193 Old Country Road, Hicksville, New York, be
11 referred to the County of Nassau for placement of
12 the Nassau County Tax Assessment Rolls. (M.D.
13 11/27/18 #45).

14 **RESOLUTION NO. 816-2018;** Resolution
15 authorizing reimbursement of appellate printing
16 costs for lawsuits brought against various Nassau
17 County sanitary sewer contractors. Account No. OTA
18 A 1420 44110 000 0000. (M.D. 11/27/18 #46).

19 **RESOLUTION NO. 818-2018;** Resolution
20 appointing a member to the Planning Advisory Board
21 for a 5-year term commencing January 1, 2019
22 through December 31, 2023. (M.D. 11/27/18 #51).

23 **RESOLUTION NO. 819-2018;** Resolution
24 authorizing expenditures for the Department of
25 Planning and Development's Planning Advisory Board

1 Meetings for the 2019 calendar year. Account No.
2 PAD B 8020 44800 000 0000. (M.D. 11/27/18 #54).

3 **RESOLUTION NO. 820-2018;** Resolution
4 authorizing the waiver of fees for cat adoptions at
5 the Town's Animal Shelter for the period
6 December 4, 2018 through December 31, 2018. (M.D.
7 11/27/18 #66).

8 **RESOLUTION NO. 821-2018;** Resolution
9 authorizing the Supervisor to enter into an
10 agreement for Workers' Compensation Third-Party
11 Administrator for the Town's Self-Insured Workers
12 Compensation Program for the period January 1, 2019
13 through December 31, 2019 and to authorize a
14 three-month extension from January 1, 2019 through
15 March 31, 2019 in order to transition from the
16 current provider to the new one. Account No. TWN
17 AMW 9040 84030 000 0000 000. (M.D. 11/27/18 #27 &
18 28 & 12/4/18 #34).

19 **RESOLUTION NO. 822-2018;** Resolution
20 authorizing an Inter-municipal agreement with the
21 Incorporated Village of Upper Brookville under
22 which the Town will provide sand and salt to said
23 village, effective November 15, 2018 through
24 April 30, 2019. (M.D. 11/27/18 #68).

25 **RESOLUTION NO. 823-2018;** Resolution

1 authorizing a one-year extension of an agreement
2 for the Employee Physical Examination Program for
3 the period January 1, 2019 through December 31,
4 2019; Account No. DHR A 1430 44130 000 0000. (M.D.
5 11/27/18 # 29 & 12/4/18 #52).

6 **RESOLUTION NO. 824-2018;** Resolution
7 authorizing an agreement for Flexible Spending Plan
8 Third-Party Administrator commencing January 1,
9 2019 through December 31, 2019. Account No. TWN AMM
10 9060 80040 000 0000 000. (M.D. 11/27/18 #30 &
11 12/4/18 #33).

12 **RESOLUTION NO. 825-2018;** Resolution
13 authorizing payments be made directly to designated
14 insurance companies to cover the cost of premiums
15 for employees participating in various Flexible
16 Spending Plan insurance programs for the 2019
17 calendar year. Account No. TWN TA 0000 00020 400
18 0000 000. (M.D. 11/27/18 #31 & 12/4/18 #53).

19 **RESOLUTION NO. 826-2018;** Resolution
20 pertaining to Quantity Increase/Decrease, Change
21 Order No. 1 in connection with Contract No.
22 H17-159R, Repairs to the Hicksville Parking
23 Facility. Account No. HWY H 5997 20000 000 1804
24 016. (M.D. 11/27/18 #48 & 12/4/18 #29).

25 **RESOLUTION NO. 827-2018;** Resolution

1 pertaining to Change Order No. 1, Quantity
2 Increase/Decrease, Extension of Time, Acceptance
3 and Final Payment for Contract No. DP17-166,
4 Synthetic Turf Field Replacement at Syosset/
5 Woodbury Park. (M.D. 11/27/18 #49 & 12/4/18 #13).

6 **RESOLUTION NO. 828-2018;** Resolution
7 authorizing award of contract for outside legal
8 services for Zoning Board of Appeals commencing
9 January 1, 2019 through December 31, 2019. Account
10 No. PAD B 8010 44800 000 0000. (M.D. 11/27/18 #55 &
11 12/4/18 #9).

12 **RESOLUTION NO. 829-2018;** Resolution
13 re-appointing a Zoning Board of Appeals member for
14 a five-year term commencing January 1, 2019 through
15 December 31, 2023. Account No. PAD B 8010 11000 000
16 0000. (M.D. 11/27/18 #56 & 12/4/18 #8).

17 **RESOLUTION NO. 830-2018;** Resolution
18 authorizing the Town to enter into an agreement for
19 credit card processing services from January 1,
20 2019 through December 31, 2021 and for the
21 Supervisor or his designee to execute said
22 agreement. (M.D. 11/27/18 #34 & 12/4/18 #40).

23 **RESOLUTION NO. 831-2018;** Resolution
24 directing the Town Clerk to advertise a hearing on
25 a proposed local law entitled: "A Local Law to

1 Amend Chapter 96 of the Code of the Town of Oyster
2 Bay, Entitled 'Dangerous Buildings and Abandoned
3 Buildings'." Hearing date: January 8, 2019. (M.D.
4 11/27/18 #67).

5 **RESOLUTION NO. 832-2018;** Resolution
6 pertaining to Outside Counsel to the Town of Oyster
7 Bay in connection with pending litigation regarding
8 telecommunications. Account No. OTA A 1420 44110
9 000 0000. (M.D. 11/27/18 #58).

10 **RESOLUTION NO. 833-2018;** Resolution
11 authorizing an Inter-municipal agreement with the
12 Incorporated Village of Bayville under which the
13 Town will provide sand and salt to said village,
14 effective November 15, 2018 through April 30,
15 2019. (M.D. 11/27/18 #59).

16 **RESOLUTION NO. 834-2018;** Resolution
17 authorizing an Inter-municipal agreement with the
18 Incorporated Village of Brookville under which the
19 Town will provide sand and salt to said village,
20 effective November 15, 2018 through April 30, 2019.
21 (M.D. 11/27/18 #60).

22 **RESOLUTION NO. 835-2018;** Resolution
23 authorizing an agreement with the Jericho Fire
24 District under which the Town will provide sand and
25 salt to said fire district, effective November 15,

1 2018 through April 30, 2019. (M.D. 11/27/18 #61).

2 **RESOLUTION NO. 836-2018;** Resolution
3 authorizing an agreement with the Plainview
4 Volunteer Fire Department under which the Town will
5 provide sand and salt to said fire department,
6 effective November 14, 2018 through April 30, 2019.
7 (M.D. 11/27/18 #62).

8 **RESOLUTION NO. 837-2018;** Resolution
9 authorizing an agreement with the Hicksville Fire
10 District under which the Town will provide sand and
11 salt to said fire district, effective November 15,
12 2018 through April 30, 2019. (M.D. 11/27/18 #63).

13 **RESOLUTION NO. 838-2018;** Resolution
14 authorizing an Inter-municipal agreement with the
15 Incorporated Village of Mill Neck under which the
16 Town will provide sand and salt to said village,
17 effective November 15, 2018 through April 30, 2019.
18 (M.D. 11/27/18 #64).

19 **RESOLUTION NO. 839-2018;** Resolution
20 authorizing retention of claim investigation firms
21 to assist the Office of the Town Attorney in
22 defense against certain actions for the period
23 January 1, 2019 through December 31, 2019. Account
24 Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS
25 1910 43020 602 0000 000 (M.D. 11/27/18 #65 &

1 12/4/18 #31).

2 **RESOLUTION NO. 840-2018;** Resolution
3 authorizing the retention of a litigation expert in
4 connection with engineering and the Town of Oyster
5 Bay parking garage in Hicksville, New York. Account
6 No. OTA A 1420 44110 000 0000. (LMV) (M.D. 12/4/18
7 #58).

8 **RESOLUTION NO. 841-2018;** Resolution
9 directing the Town Clerk to advertise a Notice of
10 Hearing to consider the application of Amerco Real
11 Estate Company for a Modification of a Special Use
12 Permit at 1000 Hicksville Road, Bethpage, NY.
13 Hearing date: January 8, 2019. (M.D. 12/4/18 #35).

14 **RESOLUTION NO. 842-2018;** Resolution
15 pertaining to authorization for Special Counsel in
16 connection with litigation S.P.R.C. Realty Corp.,
17 et al v Town of Oyster Bay et al, and Other Garbage
18 Tax Related Cases. Account No. OTA A 1420 44110 000
19 0000. (M.D. 12/4/18 #36).

20 **RESOLUTION NO. 843-2018;** Resolution
21 amending Resolution 406-2017 in connection with
22 special counsel for litigation involving the United
23 States Securities and Exchange Commission. Account
24 No. OTA A 1420 44110 000 0000. (M.D. 12/4/18 #37).

25 **RESOLUTION NO. 844-2018;** Resolution

1 amending Resolution 939-2013 in connection with
2 special counsel and appellate counsel for
3 condemnation matters: In the Matter of the
4 Application of the Town of Oyster Bay to acquire
5 title to certain real property located at the
6 Liberty Industrial Finishing Site, 55 Motor Avenue,
7 Farmingdale, NY (Condemnation I and Condemnation
8 II). Account No. OTA A 1420 44110 000 0000. (M.D.
9 12/4/18 #38).

10 **RESOLUTION NO. 845-2018;** Resolution
11 amending Resolution 254-2017 in connection with
12 legal services for litigation relative to the
13 design, construction, inspection and remedial work
14 of the Town of Oyster Bay Garage, Hicksville, NY.
15 Account No. OTA A 1420 44110 000 0000. (M.D.
16 12/4/18 #39).

17 **RESOLUTION NO. 846-2018;** Resolution
18 authorizing a one-year extension of a license
19 agreement for golf professional services and
20 driving range operations from January 1, 2019
21 through December 31, 2019 and requesting approval
22 of a change in business name. (M.D. 12/4/18 #41).

23 **RESOLUTION NO. 847-2018;** Resolution
24 authorizing Outside Counsel for 2019. Account No.
25 OTA A 1420 44110 000 0000. (M.D. 12/4/18 #32).

1 **RESOLUTION NO. 848-2018;** Resolution
2 authorizing various law firms to handle negligence
3 defense actions on behalf of the Town for the
4 period January 1, 2019 through December 31, 2019.
5 Account Nos. TWN AMS 1910 43010 602 0000 000 and
6 TWN AMS 1910 43020 602 0000 000. (M.D. 12/4/18
7 #21).

8 **RESOLUTION NO. 849-2018;** Resolution
9 directing the Town Clerk to advertise a notice of
10 hearing pertaining to a proposed local law
11 entitled: "A Local Law to Amend Chapter 4
12 'Administration of Government' Article VI of the
13 Code of the Town of Oyster Bay, Entitled 'Office of
14 the Comptroller,' and to Repeal Section 168-4
15 Entitled 'Refunds.'" Hearing date: January 8, 2019.
16 (M.D. 12/4/18 #42).

17 **RESOLUTION NO. 850-2018;** Resolution
18 authorizing an Inter-municipal Agreement with the
19 Oyster Bay-East Norwich Central School District
20 under which the Town will provide sand and salt to
21 said district from November 15, 2018 through
22 April 30, 2019. (M.D. 12/4/18 #43).

23 **RESOLUTION NO. 851-2018;** Resolution
24 amending Resolution No. 786-2013 for an increase in
25 authorization for outside counsel services

1 representing the Town's interest in litigation
2 relative to its housing programs. Account No. OTA
3 1420 44110 000 0000. (M.D. 12/4/18 #44).

4 **RESOLUTION NO. 852-2018;** Resolution
5 amending Resolution No. 595-2002 for an increase in
6 authorization for outside counsel services
7 representing the Town's interest in litigation
8 involving the Bethpage Community Park including the
9 action entitled *Town of Oyster Bay v. Northrop*
10 *Grumman Corp., et al.* Account No. OTA 1420 44110
11 000 0000. (M.D. 12/4/18 #45).

12 **RESOLUTION NO. 853-2018;** Resolution
13 amending Resolution No. 515-2017 for an increase in
14 authorization for outside counsel services in
15 connection with homeowner retention, housing
16 vacancy and blight prevention, with an emphasis on
17 "zombie" property prevention and enforcement.
18 Account No. OTA 1420 44110 000 0000. (M.D. 12/4/18
19 #46).

20 **RESOLUTION NO. 854-2018;** Resolution
21 amending Resolution No. 358-2017 for an increase in
22 authorization for outside counsel services to the
23 Town of Oyster Bay. Account No. OTA 1420 44110 000
24 0000. (M.D. 12/4/18 #47).

25 **RESOLUTION NO. 855-2018;** Resolution

1 amending Resolution No. 708-2016 for an increase in
2 authorization for outside counsel services in
3 connection with the action *Romano, et al. V. Town*
4 *of Oyster Bay, et al.* Account No. OTA 1420 44110
5 000 0000. (M.D. 12/4/18 #48).

6 **RESOLUTION NO. 856-2018;** Resolution
7 amending Resolution No. 49-2018 for an increase in
8 authorization for outside counsel in certain
9 negligence matters. Account Nos. TWN AMS 1910 43010
10 602 0000 000 and TWN AMS 1910 43020 602 0000 000.
11 (M.D. 12/4/18 #49).

12 **RESOLUTION NO. 857-2018;** Resolution
13 authorizing payment for special counsel services
14 rendered to represent Town employees in legal
15 proceedings involving work duties. Account No. OTA
16 A 1420 44110 000 0000. (M.D. 12/4/18 #50).

17 **RESOLUTION NO. 858-2018;** Resolution
18 amending Resolution No. 334-2018 for an increase in
19 authorization for outside counsel services relative
20 to the matter *Town of Oyster Bay v. Northrop*
21 *Grumman Corporation, et al.;* Account No. OTA A 1420
22 44110 000 0000. (M.D. 12/4/18 #51).

23 **RESOLUTION NO. 859-2018;** Resolution
24 authorizing a written lease agreement to lease a
25 portion of 150 Miller Place, Syosset, New York to

1 Nassau Financial Federal Credit Union commencing
2 September 1, 2018 through August 31, 2021. (M.D.
3 12/4/18 #54).

4 **RESOLUTION NO. 860-2018;** Resolution
5 authorizing the retention and payment of counsel
6 services for litigation in connection with the
7 Local Government Assistance Program; Account No.
8 OTA A 1420 44110 000 0000. (M.D. 12/4/18 #55).

9 **RESOLUTION NO. 861-2018;** Resolution
10 authorizing the retention of a litigation expert in
11 connection with engineering and the Town of Oyster
12 Bay parking garage in Hicksville, New York. Account
13 No. OTA A 1420 44110 000 0000. (FTC) (M.D. 12/4/18
14 #57).

15 MR. ALTADONNA: On the motion?

16 COUNCILMAN MUSCARELLA: So moved.

17 COUNCILMAN MACAGNONE: Second.

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

21 We have correspondence in from a
22 Mr. Robert Ripp that I'm going to give to the Court
23 Clerk and that's on Resolution 818 and 816.

24 We are not going to read them, we're
25 going to give them to the Court Clerk for her to

1 put into the record.

2 Here you go (handing to court
3 stenographer.)

4 And you have multiple speakers.

5 SUPERVISOR SALADINO: Yes, we do.

6 Okay. Our first speaker on these
7 resolutions will be Paul Molinari.

8 Come on up, Paul, again.

9 MR. MOLINARI: That was on 863 on the
10 recycling. I already spoke.

11 SUPERVISOR SALADINO: Okay. Thank you.

12 Kevin McKenna, you're up, sir.

13 MR. McKENNA: Kevin McKenna, Edna
14 Drive, Syosset again.

15 I have ten minutes on more three
16 Resolutions?

17 MR. ALTADONNA: You put down multiple
18 Resolutions.

19 MR. McKENNA: Because I have multiple,
20 I have ten minutes?

21 COUNCILMAN MUSCARELLA: Yes.

22 MR. McKENNA: After I -- after I
23 finish, I would appreciate you responding to the
24 points that I bring up. I would appreciate it if I
25 am just able to continue without interruptions so I

1 don't lose my train of thought, but I'd really
2 appreciate a response to some of the points that I
3 bring up, and so would the rest of the public.

4 On the salaries, the Resolution for the
5 personnel issues, I think that -- I didn't see in
6 the backup, the names of any of the individuals
7 that it appears are getting increases, and if you
8 could name those people after the meeting with
9 their titles, I would appreciate that.

10 On Resolution 780, which is the Quinn
11 Emanuel resolution, if you could have somebody
12 explain when we got that bill and what it's for.

13 On Resolution 816, I'm wondering if the
14 Town Board has, while this Town Board has been in
15 place, if any of these Board members have voted on
16 awarding any work to Carman Callahan and Ingham
17 because the original agreement that -- this goes
18 back to 2010, 2011, and it appears that you're
19 voting today to authorize \$11,610 to Carman
20 Callahan and I'd like to know what it's for and
21 when was that work done.

22 And have -- have you, being that ethics
23 is so important in Supervisor Saladino's
24 administration -- has -- has the fact that the Town
25 has an agreement with Carman Callahan going back to

1 2010 or '11, has it been brought to the Ethics
2 Board's attention that the current Deputy
3 Supervisor of the Town of Oyster Bay is, in fact, a
4 partner in Carman Callahan and Ingham and is that a
5 conflict of interest? Has this been brought to the
6 Ethic Board's attention?

7 I realize the Ethics Board is not
8 meeting until February, which is another shocker,
9 they haven't met, I don't think, since November,
10 and they're not meeting until February -- well,
11 that's another matter, but -- so yeah, if you could
12 expand on why we're giving work to a firm --

13 SUPERVISOR SALADINO: We're not giving
14 work. This is not giving work.

15 MR. McKENNA: Well, why we're paying a
16 firm in that -- but allow me to finish and then
17 I'll sit down and you guys can say whatever you
18 want. Obviously, you can say whatever you want to
19 say.

20 On 826, which is the parking garage,
21 I'd like to know who the project manager is from
22 the Town of Oyster Bay that should be on site every
23 day managing this project and keeping track of the
24 work that's taking place as well as items that come
25 up that might need to be added on. Who is the

1 project manager that's assigned to the Hicksville
2 garage? I'd like the name of that person put on
3 the record, because to have a \$1.5 million change
4 order pop up towards the end of this project that's
5 been going on for months, especially in light of
6 the different items that are in the change order.

7 For instance, you have almost a half a
8 million dollars that is due to fire -- fire
9 systems. The original bid -- the original bid
10 clearly specifies that the original bid needs to be
11 up to code with current fire standards from the
12 fire marshal. The fire marshal attends meetings in
13 the beginning of a project like this, so it was
14 made clear that the original bid has to have the
15 proper fire code systems to meet specs.

16 You have almost a half a million
17 dollars that's a part of this \$1.5 million change
18 order popping up towards the end of this project.

19 And then the other million dollars,
20 there's no detail -- there's no detail in the
21 backup as to the quantities and the costs that are
22 associated with all the miscellaneous items that
23 are in the other million dollars.

24 And normally -- normally, on a project
25 like this, the contractor, in this case, it's -- is

1 it Pullman? Normally, the contractor says to the
2 Town of Oyster Bay's project manager, hey, you
3 know, these items, we need to add to the original
4 bid, which the supervisor actually went public and
5 he told the public that the original bids of
6 \$15 million were too high and he had it rebid and
7 then the rebid came in at \$13 million.

8 And he said, publicly, that the bids
9 originally were too high. So now you take the
10 original bid and you add the \$1.5, we're back to
11 where we started, but the key to the whole thing
12 that I'm talking about is that the contractor did
13 not come to the Town and say, we need to add all
14 these different items.

15 The Town of Oyster Bay told the
16 contractor that we want you to add \$1.5 million to
17 this contract. That's a fact.

18 Why is the Town of Oyster Bay, when
19 they didn't want to pay more than \$13 million
20 originally, why are they telling the contractor
21 that we want you to add 1.5 million to the
22 contract?

23 I'd like you to read -- when I sit
24 down, I'd like you to read the memo from Rich Lenz
25 dated December 3rd that was written to Hirani and

1 Lizardos, the public deserves to know what that
2 memo says. The public deserves to know, the Town
3 Board deserves to know when the contractor was told
4 to add to the -- to create the \$1.5 million change
5 order.

6 And as I pointed out in an e-mail that
7 I sent to the whole Town Board, I think, yesterday,
8 when the Town was audited in 2013 by New York
9 State, the Town, at the time, prior to Supervisor
10 Saladino, was told to put, by New York State,
11 measures in place in order to prevent from
12 happening what exactly is happening right now.

13 This is well more than 10 percent of
14 the total contract. And I urge the Board right now
15 to adjourn the vote on awarding this money until
16 you find out who asked who to create this change
17 order.

18 And if you'd like to know the answer,
19 I'd be happy to meet with you all privately.

20 Thank you.

21 SUPERVISOR SALADINO: I'd ask the Town
22 Attorney to please approach the podium.

23 As is the case with the vast majority
24 of our Board meetings, Mr. McKenna has come up and
25 asked many, many questions, but just to try to keep

1 up with -- Resolution 780, we're doing a lot of --
2 this is our last meeting of calendar year 2018, and
3 therefore, we're catching up on all our bills,
4 paying our bills. There's a lot of bills for work
5 that has been done recently. Bills for work that
6 has been done some years ago.

7 So, on Resolution 780, can you tell us
8 about the purpose of -- what this work was for and
9 why we're paying it at this juncture?

10 MR. NOCELLA: Certainly.

11 Again, Joseph Nocella, Town Attorney.

12 Good afternoon, at this point, Members
13 of the Town Board and Supervisor.

14 780, Quinn Emanuel have been
15 representing us in concessionaire litigation where
16 Discovery has been partly ongoing with respect to
17 documents and also with respect to matters brought
18 by the SEC. Those have been rather extensive and
19 over the last six months or so, the bills have been
20 generated. They were generated timely and properly
21 submitted. The amounts are in the account and were
22 allotted for and budgeted for last year when the
23 Town adopted this year's Resolution and the bills
24 are timely to be paid.

25 SUPERVISOR SALADINO: Okay.

1 Next item that we're going to speak
2 about is Resolution 816. An attorney for the law
3 of Carman Ingham and Callahan, not Mr. Carman,
4 another attorney, did some work with the Town on a
5 contingency basis well before I got here or
6 Mr. Carman got here or you got here; is that
7 correct?

8 MR. NOCELLA: That is correct.

9 SUPERVISOR SALADINO: What year was
10 that?

11 MR. NOCELLA: That was in 2010, 2011,
12 sir.

13 SUPERVISOR SALADINO: Because they were
14 working on a contingency basis, is any of this
15 money for the law firm's fees? Are they being paid
16 any fee?

17 MR. NOCELLA: No. No. No. There's a --
18 that's a misunderstanding.

19 I don't -- I'm not suggesting that you
20 misunderstand it, sir, but I think there is a
21 general misunderstanding.

22 The firm is not being paid a nickel.
23 They were --

24 SUPERVISOR SALADINO: I mean, were they
25 ever paid for any of their work?

1 MR. NOCELLA: Not a dime.

2 The firm, and I have discussed this
3 directly with Mr. Ingham, I have never had any
4 discussions, as far as I can recollect, with the
5 Deputy Supervisor or even with yourself on the
6 subject.

7 SUPERVISOR SALADINO: That's correct.

8 MR. NOCELLA: The firm did work back in
9 2010/2011 over a period of years seeking to recover
10 monies. They would have been paid had they been
11 successful in their lawsuit; they were not. Then
12 they appealed the matter and the Town was obligated
13 to pay the expenses that the firm incurred to
14 pursue the appeal; specifically, the printing of
15 appellate briefs and the reproduction of the record
16 on appeal.

17 SUPERVISOR SALADINO: And is this
18 something that we would give to any firm as a
19 normal practice of law?

20 MR. NOCELLA: Absolutely.

21 As a matter of fact, to use an example
22 of somebody who is not on a contingency fee, we
23 recently had an appeal to the Second Circuit Court
24 of Appeals that Quinn Emanuel handled. The cost of
25 printing, and I mean actual printing, the record on

1 appeal goes up and it's actually reproduced and
2 bound by a printer, it's a relatively expensive
3 item for a law firm to put together. Those
4 expenses are paid for by the client, and in a
5 contingency fee case --

6 SUPERVISOR SALADINO: In all cases?

7 MR. NOCELLA: In all cases.

8 In a contingency fee case, even though
9 the firm hasn't received a dime in compensation for
10 any legal work that they did, the client bears the
11 cost of reimbursing them.

12 In fact, it's a courtesy to the client
13 that the law firm put out the money in the first
14 instance to the printer.

15 SUPERVISOR SALADINO: So I have
16 reassured the public that this firm has not
17 received a fee from the Town and will not receive a
18 fee from the Town?

19 MR. NOCELLA: The firm has not received
20 a nickel from the Town.

21 SUPERVISOR SALADINO: This is only for
22 reimbursement that the Town legally owes this firm
23 for printing costs in preparing the brief and for
24 the transcripts of the record?

25 MR. NOCELLA: That's correct.

1 SUPERVISOR SALADINO: Thank you very
2 much.

3 I would like to ask Mr. Matt Russo to
4 please step forward.

5 MR. RUSSO: Hello. Matt Russo, Town of
6 Oyster Bay Department of Public Works, Division of
7 Engineering.

8 SUPERVISOR SALADINO: Mr. Russo, you're
9 an engineer?

10 MR. RUSSO: Yes, I am, licensed
11 engineer.

12 SUPERVISOR SALADINO: How long have you
13 been an engineer?

14 MR. RUSSO: Twenty-one years.

15 SUPERVISOR SALADINO: How long have you
16 worked for the Town of Oyster Bay?

17 MR. RUSSO: Twenty years.

18 SUPERVISOR SALADINO: And where did you
19 attend school? Where did you graduate from?

20 MR. RUSSO: I have a Bachelor of Civil
21 engineering from Villanova University. I have a
22 Master's degree from Long Island Post in
23 Environmental Sustainability and I'm a licensed
24 New York State engineer.

25 SUPERVISOR SALADINO: How long have you

1 been working on the project to repair the
2 Hicksville garage?

3 MR. RUSSO: About two years now.

4 SUPERVISOR SALADINO: Can you tell us
5 who is on that job as a project manager overseeing
6 the repairs?

7 MR. RUSSO: I'm responsible for
8 overseeing the repair contract. We have multiple
9 people from our office working on the project. We
10 do have somebody who is on site daily to provide
11 inspection services. And to liaison with the
12 contractor are multiple inspectors that we have on
13 site and the -- my office and the Commissioner's
14 office, so we know what's going on, on a daily
15 basis.

16 SUPERVISOR SALADINO: So you're
17 confirming that you're working with our Department
18 and the Town, the contractor, and the company, one
19 or multiple of these entities on a daily basis?

20 MR. RUSSO: That's correct.

21 The contractor, Pullman SST, has
22 multiple foremen on site, construction managers.
23 We have representatives from our structural
24 engineering firm on site on a daily basis. We have
25 a representative from our mechanical, electrical

1 plumbing engineer on site on a daily basis. We
2 have a special inspectors on site on a daily basis;
3 in addition, to safety personnel who are to observe
4 every aspect of the construction, make sure
5 everything is being done in a safe manner on a
6 daily basis.

7 And, I myself, I am not there on a
8 daily basis, but I am there multiple times per
9 week. And also on a weekly basis, we hold
10 construction meetings where representatives from
11 every involved firm, including the Commissioner of
12 Public Works, I do attend. So we're constantly
13 being informed of the work being progressed.

14 SUPERVISOR SALADINO: And I've
15 instructed that we complete this work and get it
16 open to the public on schedule.

17 Will that be taking place?

18 MR. RUSSO: Yes. Well, we can get into
19 some new details of the change order, but they --
20 the key structural aspects of the project will be
21 completed within the original contract time.

22 SUPERVISOR SALADINO: And in a very
23 brief manner, without getting into a very long
24 description of technical information, can you
25 briefly give us a synopsis of why a change order is

1 needed?

2 MR. RUSSO: Okay. Sure.

3 So, we had brought in an engineer to do
4 analysis of the -- of the garage as it is now to
5 determine why we're having issues that we did.

6 SUPERVISOR SALADINO: All the way from
7 the beginning?

8 MR. RUSSO: All the way from the
9 beginning.

10 And that involved, basically, a review
11 and analysis of the contract documents that were
12 issued for the original construction. Whatever
13 record documents that we had available were also
14 reviewed, and we also did a limited forensic
15 analysis of the structure itself, which was some
16 minimally intrusive demolition work to verify
17 whatever field conditions we could while
18 maintaining the garage in working order.

19 Those documents were publicly bid
20 twice, and the main component of the repair was the
21 installation of carbon fiber reinforced polymer.
22 CFRP is the term that we'll find in the paperwork.
23 And we went to several firms that make this
24 product. It's not widely utilized, and we develop
25 design documents based upon the design criteria

1 that those manufacturers applied to us.

2 So the documents that were put out to
3 bid were put together with the best intent on the
4 information that we had available to us. When the
5 construction started, we were able to close the
6 garage and get into true demolition and begin to
7 verify actual field conditions.

8 And what we found in many cases is the
9 actual field conditions did not -- did not match
10 what had been either on the original contract
11 documents or the record drawings, and those
12 changes, however minor, would require modifications
13 to those construction documents. So from the --
14 from the beginning, throughout the job, we had to
15 make these adjustments whenever an issue was found
16 by the contractor or the inspection staff.

17 We did -- we did take a step back, find
18 out what needed to be changed, and we all agreed to
19 what changes would have to be made. And if you
20 couldn't negotiate a price up front, if it wasn't a
21 line item in the original bid, we would take time
22 and material tickets, basically, we record all the
23 personnel and all materials used in whatever work
24 was done and that it would be how we would -- how
25 we would reimburse the contractor.

1 COUNCILMAN MACAGNONE: So, Matt, we had
2 a clerk who works on the job, in other words,
3 counting heads?

4 MR. RUSSO: Yeah, we had a construction
5 manager.

6 COUNCILMAN MACAGNONE: Did the Town
7 have a clerk that works?

8 MR. RUSSO: The Town had -- we did have
9 an inspector on site. I wouldn't call him a clerk
10 that works, but we did have a full-time inspector
11 on site.

12 COUNCILMAN MACAGNONE: My question,
13 Matt, is how come -- I'm sure these are all the
14 legitimate claims -- but how come we're finding out
15 now when they're due? How come we didn't have
16 progress throughout and it was brought up
17 throughout this entire process?

18 MR. RUSSO: Well, one of the major
19 components of the change is the modifications and
20 the quantities of the CFRP. And while we did make
21 a significant change to some of the locations and
22 the quantities, it was a bid item, so it was a
23 prenegotiated price that we had for that.

24 The other items have been ongoing.
25 There was no work that was in and out in one day,

1 unfortunately.

2 COUNCILMAN MACAGNONE: Of course.

3 MR. RUSSO: It was work that began and
4 took several weeks to complete.

5 And, unfortunately, in that case, based
6 upon the field conditions we encountered up front,
7 still required a lot of design modifications along
8 the way. That's why it was next to impossible to
9 take a big picture look at any changes that needed
10 to be made and negotiate a price up front.

11 That's why we went with the time and
12 materials tickets for most of the items. We just
13 -- there's really no way to quantify until we were
14 finished with the work.

15 COUNCILMAN MACAGNONE: Okay.

16 Thank you.

17 SUPERVISOR SALADINO: Just so I can
18 rephrase for the layperson that doesn't -- perhaps
19 doesn't have -- is not an engineer or doesn't have
20 your construction background, it's similar to
21 working on your home where you open the walls, you
22 find you -- you enter into a contract with your
23 contractor, you open the walls, and then you find
24 items that may need to be fixed and there's
25 additional costs for those repairs.

1 When the walkthroughs were done to
2 determine the work that was needed, I'm assuming
3 they used X-ray technology and other site
4 inspections to determine this, but once they
5 actually were breaking up the concrete and looking
6 at what was actually in there, they discovered
7 changes that needed so that we could do it once,
8 right the first time, get this repair entirely
9 complete, and not have to return to this again?

10 MR. RUSSO: That's correct.

11 It would have been a lot easier to
12 start from scratch than try to retrofit an existing
13 structure. We did our due diligence to get as much
14 information as was available up front. We did do
15 ground penetrating radar. We did concrete coring.
16 We did selective demolition to try to identify
17 existing steel reinforcement throughout the
18 structure, but once we got underway, we did find a
19 lot of inconsistencies, unfortunately.

20 SUPERVISOR SALADINO: Thank you very
21 much for your information.

22 MR. RUSSO: Sure.

23 SUPERVISOR SALADINO: Appreciate it.

24 Our next speaker will be Arthur

25 Adelman.

1 MR. McKENNA: Mr. Supervisor --

2 SUPERVISOR SALADINO: I'm sorry, sir.
3 You had your time.

4 Arthur, if you would step up.

5 MR. McKENNA: Mr. Supervisor, you
6 didn't answer two questions. You didn't answer
7 about the salaries and you didn't answer about the
8 fire system. Fire system is not something you can
9 find out about --

10 SUPERVISOR SALADINO: We'll get you
11 that information.

12 Arthur, if you would come forward
13 please. You have some questions on some of these
14 items.

15 MR. McKENNA: I deserve an answer on
16 the salaries.

17 SUPERVISOR SALADINO: Go ahead.

18 MR. ADELMAN: Arthur Adelman, Sea
19 Cliff, New York.

20 Hello, everyone, again.

21 I really had a lot of questions on the
22 Resolutions, but because we're up to 95 Resolutions
23 now and one has been tabled, plus the two hearings,
24 I couldn't get to a lot of the backup data in our
25 Resolutions.

1 And I understand this is the year-
2 ending meeting and there is stuff that really has
3 to be approved, but there is also a lot of things
4 that have to be looked at. My first question has
5 already been answered regarding Resolution 816 so I
6 won't go there as has 780.

7 SUPERVISOR SALADINO: You're satisfied
8 with that answer?

9 MR. ADELMAN: It's a matter of law that
10 they get their -- I'd love to see what that bill
11 looks like, but --

12 SUPERVISOR SALADINO: There was no
13 bill.

14 MR. ADELMAN: There's got to be a Bill
15 of Particulars for \$11,000.

16 SUPERVISOR SALADINO: Oh, the list
17 of -- and we'll be happy to provide that. Touch
18 base with the Town Attorney. We will be happy to
19 provide that.

20 MR. ADELMAN: It's something I find
21 missing in a lot of our backup data is --

22 SUPERVISOR SALADINO: Very
23 straightforward.

24 MR. ADELMAN: -- detailed billings that
25 we should be able to look at to see what are

1 they -- how did they get to these numbers?

2 Be it on 817, which has been tabled,
3 and happy to see that it was, but what's crazy
4 about today's Resolutions is that out of the 94
5 Resolutions up for vote now, about 13 of them
6 pertain to Resolutions for increases and
7 authorizations for outside counsel services.

8 SUPERVISOR SALADINO: Mr. Adelman, we
9 have some very good news for you on this issue that
10 will satisfy the public as to what we're doing with
11 our legal fees, so if that's your last question --

12 MR. ADELMAN: No. My last question
13 pertains to No. 830, the process we used to
14 approving the RFP for Car Data Systems d/b/a Metro
15 BPS.

16 Again, there was no backup data to look
17 at the RFPs from any other vendors or the poll that
18 was taken by the, I guess it was the Comptroller
19 took care of this item on the bidding process. I
20 think the backup data should have been available.

21 COUNCILMAN MACAGNONE: I would like to
22 have seen, also, what the cost is per transaction
23 to the Town.

24 MR. ADELMAN: Well, yeah.

25 I mean, anybody who's in business today

1 is taking credit cards and the -- depending on the
2 type of card, the type of deal you have, when they
3 debit -- when they credit the money to your
4 account, all of that weighs into the fee you're
5 paying and the amount you pay per transaction.

6 COUNCILMAN MACAGNONE: Agreed.

7 MR. ADELMAN: We already gave away
8 the -- the company is a different company, I think,
9 that takes care of when -- if you pay your taxes
10 online and there is a fee charge for doing that.
11 The Town doesn't make money on that. That's a
12 separate deal.

13 But this is for, like when you get a --
14 go to the parks and you charge things, you swipe.
15 The smaller the number, the more expensive the
16 piece is. So I would really like -- I know it's a
17 little late in the year because the contract is for
18 January, to look at this, I just think it should
19 be -- the whole process should have been more
20 transparent.

21 My last question is: How does one get
22 appointed to the Zoning Board of Appeals?

23 SUPERVISOR SALADINO: Okay. We'll get
24 all those questions answered.

25 MR. ADELMAN: I'm curious on that one

1 because that seems like a nice job to have to
2 someone who is not working.

3 SUPERVISOR SALADINO: Are you
4 suggesting you'd like to be considered?

5 MR. ADELMAN: I submitted my resume for
6 the Ethics Board; I got rejected for that.

7 Now, I'm saying, if there's an opening
8 on the Zoning Board of Appeals, I would like to be
9 considered for that as well.

10 SUPERVISOR SALADINO: Thank you.

11 MR. ADELMAN: Thank you, and if I don't
12 see you all before Christmas and New Years, have a
13 happy and healthy holiday.

14 SUPERVISOR SALADINO: Thank you.

15 Same see to you.

16 I want to ask our Town Attorney to
17 please step to the podium.

18 As you know -- you know what, Joe? Why
19 you don't just take a seat here. I'm going to ask
20 the Comptroller up first if you don't mind, but
21 stay close because we have a couple of items for
22 you. Let's get to the issue of credit cards first.

23 MR. BALLAS: Good afternoon,
24 Supervisor, Members of the Town Board.

25 My name is Steve Ballas. I'm the

1 Comptroller for the Town of Oyster Bay.

2 SUPERVISOR SALADINO: So, the question
3 came up about credit card issues and utilization of
4 credit cards and the item we have before us.

5 Can you give us a brief synopsis?

6 MR. BALLAS: Absolutely.

7 We actually procured this vendor
8 through an RFP. We sent out RFP request to 18
9 firms. We got four requests -- four replies. The
10 good news, I'm going to cut right to the chase,
11 we're saving money over what we're paying right
12 now.

13 Overall, we only pay \$40,000 in credit
14 card fees for the entire year, so it's a small
15 dollar item. If people are familiar with the
16 credit card industry, everybody looks at what basis
17 points you pay over the interchange rate and how
18 much you pay per transaction.

19 When I talk about the interchange rate,
20 for those that aren't familiar with it, there's a
21 standard interchange rate that every single
22 processor pays based on the type of credit card it
23 is.

24 Some credit cards have a higher
25 interchange rate because they offer more benefits

1 to the cardholder; some have lower for the basic
2 credit cards. That's standard across the board.

3 What's not standard is how much you pay
4 above that interchange rate. Previously, on our
5 existing relationship with the vendor, we pay what
6 they call 12/10. 12/10 means we're paying 12 basis
7 points above the interchange rate for every
8 transaction and \$0.10 a transaction.

9 This RFP, we were able to get 8/10. So
10 now, we are four basis points lower on the
11 interchange rates. So we pay eight basis points
12 above the interchange rate and \$0.10 per
13 transaction.

14 Any other questions?

15 SUPERVISOR SALADINO: Yes.

16 It's been asked that we provide more
17 backup with this process, and I'm asking you to
18 provide more backup going forward.

19 MR. BALLAS: Absolutely.

20 SUPERVISOR SALADINO: All right.

21 And I'm also asking you to meet with
22 Mr. Adelman to see if he has additional questions
23 or would like a longer, more detailed briefing of
24 this process.

25 MR. BALLAS: Absolutely.

1 SUPERVISOR SALADINO: Thank you.

2 We'll ask the Town Attorney to step
3 forward, please.

4 MR. NOCELLA: Sure.

5 SUPERVISOR SALADINO: So, two items,
6 one was a question, Mr. Adelman sounded as though
7 he was interested in putting in a resume and being
8 considered for the ZBA.

9 Can you please tell him that process so
10 he may apply?

11 MR. NOCELLA: Of course.

12 Anybody who believes they're qualified
13 can submit their resume and at an appropriate time,
14 it's considered by the Town Board for appointment
15 to the ZBA.

16 SUPERVISOR SALADINO: And what kind of
17 background creates a resume that qualifies for such
18 a position?

19 MR. NOCELLA: A general understanding
20 of zoning, such as setbacks, requirements for safe
21 construction under the New York State Building
22 Code, under the Town of Oyster Bay Building Code to
23 therefore determine when you can actually vary from
24 the Code, from the requirements, a knowledge of
25 construction techniques.

1 There are various towns that would
2 go --

3 SUPERVISOR SALADINO: The ability to
4 read building plans and surveys?

5 MR. NOCELLA: Yes. That would be very
6 helpful.

7 SUPERVISOR SALADINO: Experience at
8 that?

9 MR. NOCELLA: Yes.

10 SUPERVISOR SALADINO: Okay.
11 Anything else?

12 MR. NOCELLA: A knowledge of, for
13 example, zoning, whether it pertains to
14 residential, commercial, light industrial use, when
15 there can be an alternative use, and what the basis
16 or the justification for a change, what a variance
17 is, an understanding of the legal concepts that
18 would allow for the variance to be applied.

19 SUPERVISOR SALADINO: In terms of legal
20 concepts, understanding the State law, the County
21 ordinances, the Town codes as they relate to an
22 application?

23 MR. NOCELLA: Yes.

24 Most specifically, the State Building
25 Code and the Town Building Code, but since you

1 mentioned the County, there's also the Planning
2 Commission and its concerns. They would all need
3 to be taken into account.

4 SUPERVISOR SALADINO: Traffic on the
5 road, neighbors' concerns, the rights of neighbors
6 and other landowners in the immediate vicinity?

7 MR. NOCELLA: Yes. Absolutely.

8 UNKNOWN SPEAKER: Can I add to that?
9 Can I add to that?

10 SUPERVISOR SALADINO: We have --
11 everybody would be able to have to come up to put a
12 slip and to come up to speak if you'd like.

13 So, we have some good news for, not
14 only Mr. Adelman, but the public at large in terms
15 of the law firms that do work with this Town in
16 terms of the creation of a list that the public can
17 see in our firms.

18 Can you give us a little bit more
19 information about our new process?

20 MR. NOCELLA: Yes, absolutely,
21 Supervisor.

22 What this resolution actually does is
23 identify those firms which are providing legal
24 services and which we anticipate will be providing
25 legal services in the coming future for which we

1 have made a good faith estimate as to what needs to
2 be budgeted in the coming year.

3 That then allows us to contact the
4 Comptroller, and as bills do arise, we are then
5 able to pay and process them in a timely basis.

6 In most cases, we have obtained and
7 negotiated a municipal rate, a discount. It's not
8 uncommon, even if we were not a municipality
9 getting a municipal rate, it's not uncommon for the
10 firms to frequently say, well, in exchange for me
11 giving you a discount, can I get my money within 60
12 days.

13 And we, of course, have a procedure
14 here where if I -- well, actually, let me put it
15 this way, by creating this procedure, we not only
16 identify to the public right now, who is providing
17 the primary legal services for our major
18 litigations and our nonlitigation matters, but then
19 we are also able to pay and process the bills at a
20 lesser cost to the taxpayer because we've now -- we
21 don't need subsequent resolutions every single time
22 a retained firm issues another bill; be it for
23 \$2,000 or \$20,000 or \$200,000.

24 SUPERVISOR SALADINO: And does this
25 system mirror the system Nassau County, the County

1 Executive and the County Attorney's Office is
2 currently using?

3 MR. NOCELLA: It's very similar to
4 systems that are used by other municipalities,
5 yes.

6 SUPERVISOR SALADINO: Including Nassau
7 County?

8 MR. NOCELLA: Yes.

9 As a matter of fact, from my
10 recollection as to the way the County pays its
11 bills, the County Attorney has a budget and the
12 County Attorney doesn't even make -- doesn't --
13 isn't required. I was going to say, make the
14 effort, but that's unfair to the County Attorney.

15 They aren't required to even apportion
16 any monies among firms, even for budgetary
17 purposes. They're simply given an outside counsel
18 budget, and if they exhaust it, then they go back
19 to the legislature and to the County Executive to
20 ask for more money. We've gone much further.

21 We've identified the firms, we've
22 looked at past practice, we've anticipated what's
23 coming up in terms of matters, litigation and
24 nonlitigation and tried to make that allotment;
25 again, all for efficiencies and cost savings.

1 SUPERVISOR SALADINO: And can you tell
2 us if all of the firms on this list have been fully
3 vetted with the Town in all our processes?

4 MR. NOCELLA: Every firm on the list
5 has been vetted, thoroughly vetted.

6 SUPERVISOR SALADINO: Okay. And just so
7 it doesn't come up in -- on some crazy website that
8 claims to be newsworthy and isn't news at all, is
9 the Carman Callahan and Ingham law firm on that
10 list?

11 MR. NOCELLA: No, they are not.

12 SUPERVISOR SALADINO: They are not.

13 MR. NOCELLA: They are not.

14 Also, I just noted for Mr. Adelman's
15 purposes, I'll get him those invoices, but if you
16 see the letter that Mr. Ingham wrote to me, and
17 bear in mind that this retention in 2010 predated
18 me as well as you, many members of the Board, this
19 bill went unpaid for the longest time and
20 Mr. Ingham explains in detail, this isn't a fee,
21 this is money we laid out on behalf of the Town of
22 Oyster Bay and we've been waiting to get
23 reimbursed.

24 But he does identify the printing
25 company, this is in his April 4, 2017, letter,

1 original invoices enclosed, numbered, and I believe
2 the printing company -- let me just double check
3 this, Echo Appellate Press, and \$12,000 for the
4 number of appellate briefs that had to be --
5 \$12,000.

6 SUPERVISOR SALADINO: What was the year
7 of that?

8 MR. NOCELLA: That was done again in --
9 the original retention was in 2010/2011. The
10 appeals were done in 2013, and I believe that one
11 of them was in 2014, but I may be mistaken.

12 SUPERVISOR SALADINO: And what year
13 did I join this Board and did Mr. Carman join this
14 Board?

15 MR. NOCELLA: 2017.

16 SUPERVISOR SALADINO: Mr. Carman joined
17 employment in the Town?

18 MR. NOCELLA: 2017.

19 SUPERVISOR SALADINO: Thank you very
20 much. Appreciate your help.

21 MR. ADELMAN: When did you get the
22 bill?

23 SUPERVISOR SALADINO: You can show him.

24 Our next speaker will be Jim Altadonna,
25 and I ask that you stay -- no. No, stay right in

1 your seat. It's more appropriate.

2 MR. ALTADONNA: A couple questions on
3 personnel.

4 I just need to know, what is the total
5 amount that is being voted on today, the total
6 dollar amount?

7 SUPERVISOR SALADINO: We can get that
8 for you. I don't know if that's tallied up in
9 total.

10 Your next question?

11 MR. ALTADONNA: My other question is:
12 Since you've been Supervisor, we're up to about
13 \$800,000 in raises. That's why I'm curious as to
14 the --

15 SUPERVISOR SALADINO: That's not
16 entirely accurate.

17 So some positions were created along
18 the way in terms of needs. We had a vote recently
19 on -- for more assistance in Public Works where we
20 need more -- another PE. There were other
21 positions created amongst that -- those items.

22 MR. ALTADONNA: You're taking my time
23 now, just so you know.

24 We also, today, have given back two
25 weeks of the lag payroll. Okay. Well, many people

1 in the Town have received raises. There's still a
2 large portion of our employees that have not
3 received raises, and I'd like to know how are we
4 going address that because they had the most to
5 lose.

6 SUPERVISOR SALADINO: I'm happy to give
7 you that information.

8 So the way in which we're going to
9 address this is because the majority of our
10 employees are represented by a union.

11 MR. ALTADONNA: I know that.

12 SUPERVISOR SALADINO: As part of
13 New York State Labor Law, Federal Labor Law, and
14 our union contract, when someone changes their
15 responsibilities, the union and law requires that
16 their salary meets their responsibilities;
17 otherwise, we get into a situation where the union
18 makes a complaint and there's a whole process that
19 has to be --

20 MR. ALTADONNA: Understood.

21 SUPERVISOR SALADINO: -- going through.

22 So we have been continuing, since I
23 arrived, to correct the issues of the past where
24 people were not working in their appropriate title
25 or their responsibilities have grown.

1 We've reduced taxes and we've reduced
2 our payroll through a number of means, including
3 two early retirement incentives.

4 Early retirement incentives is when an
5 employee who's been here for a longer period of
6 time and is paid a higher salary because they've
7 been here for so many years, retires and their
8 workload is replaced with someone at a lesser
9 salary.

10 MR. ALTADONNA: Can I say a few words
11 now because I want to get my time in? When we
12 speaks, please stop it.

13 The retirement incentive actually is a
14 double edge sword because with the retirement
15 incentive, you're still responsible for the
16 benefits, and that new person that you hire, you're
17 paying more benefits for that person.

18 SUPERVISOR SALADINO: So we're paying a
19 lesser salary and --

20 MR. ALTADONNA: I understand that.

21 SUPERVISOR SALADINO: -- we no longer
22 have to pay the retirement --

23 MR. ALTADONNA: See, now you don't let
24 me speak.

25 SUPERVISOR SALADINO: Okay.

1 This is not the -- the purpose of this
2 is not really for a debate.

3 COUNCILMAN MUSCARELLA: Just ask the
4 questions.

5 SUPERVISOR SALADINO: Ask the question.

6 COUNCILMAN MUSCARELLA: And then he'll
7 respond.

8 MR. ALTADONNA: I'm trying to ask the
9 questions.

10 So my other questions is: With giving
11 the two weeks back, that's still \$4 million that's
12 outstanding. Okay.

13 So I'd like to know when that is going
14 to go back to the employees. And also, I'd like to
15 know, and put it on record, that also with the 2
16 percent that was given back by the employees, that
17 was \$80,000 per month.

18 If we have \$8 million payroll every
19 month, 2 percent of that is \$40,000 times two, is
20 \$80,000. So this workforce has invested very
21 heavily in our government and what we should do for
22 them is we should give them something back sooner
23 than later.

24 This is not a raise. Giving them back
25 the two weeks is not a raise. It's giving them

1 back something they already had. I believe they
2 deserve more. That's all I wanted to say.

3 Thank you.

4 SUPERVISOR SALADINO: It's important to
5 point -- thank you.

6 It's important to point out that we
7 have cut the cost of government, we have reduced
8 taxes to our residents, we have cut the number --
9 reduced the number of positions in the Town, and we
10 have continued to work on efficiencies that save
11 the taxpayers money, cut back on our costs, and
12 reduce our overall expenditures on workforce
13 issues.

14 When someone retires, not only are we
15 ending that higher salary of someone who's been
16 here for a long time, but the Town of Oyster Bay
17 must make payments to the New York State Retirement
18 System.

19 For every employee that retires, we
20 save money on those retirement payments and -- a
21 newer employee, a younger employee, in many cases,
22 who is paid at a lesser salary assumes those
23 responsibilities.

24 So there are savings, there overall
25 savings, there is tax reduction, and I can tell the

1 public, can assure the public that we're continuing
2 to manage this Town and its expenses in a more
3 efficient way than our Town has seen in many, many
4 years.

5 MR. ALTADONNA: Supervisor, actually.

6 SUPERVISOR SALADINO: You just --

7 MR. ALTADONNA: No. I still have time.

8 SUPERVISOR SALADINO: You just asked
9 that and you said that you were done and I answered
10 your questions.

11 MR. ALTADONNA: But I do have more
12 time.

13 SUPERVISOR SALADINO: This isn't a
14 debate, Jim.

15 MR. ALTADONNA: I understand, but you
16 should not have the podium to say something that is
17 disingenuous.

18 SUPERVISOR SALADINO: It's not a back
19 and forth. You made -- I made a statement, as is
20 my job.

21 MR. ALTADONNA: There is actuarial
22 tables that once someone does retire, that person
23 is still in the system, okay, and that person is
24 calculated in the overall payment from a Town, from
25 a Village, from Any municipality into that pot. So

1 therefore, the misnomer is, every person that
2 leaves here, we are still responsible for.

3 SUPERVISOR SALADINO: Are you
4 suggesting that -- that you're putting everything
5 into one pie, including the amount of money that's
6 collected to New York State coffers?

7 MR. ALTADONNA: No.

8 I'm saying the money that is paid to
9 New York State is based on actuarial tables that
10 take the whole population of the retirement base,
11 so we pay more.

12 SUPERVISOR SALADINO: But the Town no
13 longer pays for those --

14 MR. ALTADONNA: The Town absolutely
15 does pay.

16 SUPERVISOR SALADINO: -- payments for
17 every employee who retires.

18 MR. ALTADONNA: The Town about does pay
19 because of the actuary tables that will increase.
20 The more people you have retired, the less people
21 you have working, it goes up exponentially more to
22 cover the retirement benefit.

23 That's all want to say.

24 SUPERVISOR SALADINO: Thank you.

25 Our next speaker will be Greg

1 Perricone.

2 Mr. Perricone?

3 MR. ALTADONNA: I believe he left.

4 SUPERVISOR SALADINO: Is there anyone
5 else who would like to be heard on the issues?

6 You've already spoke on the
7 resolutions.

8 Mr. McKenna, but we do appreciate your
9 willingness to continue to be involved at every
10 possible level in Town government, and we thank you
11 very, very much.

12 MR. McKENNA: I appreciate that very
13 much. I really do.

14 SUPERVISOR SALADINO: Okay.

15 I believe if there are no other
16 speakers, is there any correspondence.

17 MR. ALTADONNA: There are no
18 correspondence.

19 We will call for the vote.

20 SUPERVISOR SALADINO: Yes. I'm
21 instructing the Town Clerk to please call the vote.

22 MR. ALTADONNA: Thank you. Okay.

23 Supervisor Saladino?

24 SUPERVISOR SALADINO: "Aye" on all,
25 except I recuse myself on Resolution 816.

1 As I stated, this is nothing more than
2 a reimbursement that the Town is responsible for,
3 but the Deputy Supervisor has been my Deputy
4 Supervisor now since I arrived and I have known him
5 for decades, and I recuse myself on 816.

6 MR. ALTADONNA: I also want to note
7 that 817 is still tabled.

8 SUPERVISOR SALADINO: Thank you.

9 MR. ALTADONNA: You're welcome.
10 Councilman Muscarella?

11 COUNCILMAN MUSCARELLA: "Aye" on all.

12 MR. ALTADONNA: Thank you.
13 Councilman Macagnone?

14 COUNCILMAN MACAGNONE: Before I vote, I
15 just want to say, on 816, the Carman Callahan and
16 Ingham law firm, this institution in Nassau County,
17 Long Island, it's a great law firm. They shouldn't
18 be brought through the mud just because the Deputy
19 Attorney used to be associated with them -- I'm
20 sorry, the Deputy Supervisor.

21 But it's a great firm, does great work.
22 I've known they've done charitable work, they help
23 people out when they needed it. Growing up in
24 Farmingdale, you know that law firm, and it really
25 is a great firm.

1 I abstain on P-17.
2 MR. ALTADONNA: Okay.
3 COUNCILMAN MACAGNONE: No on 799.
4 And "Aye" on all the rest.
5 MR. ALTADONNA: You went easy on me,
6 Councilman.
7 Councilwoman Alesia?
8 COUNCILWOMAN ALESIA: I just need
9 one minute, Jim.
10 MR. ALTADONNA: Go ahead.
11 COUNCILWOMAN ALESIA: Abstaining on
12 805, 806, 826, 827, 828, 829, 830, 832, 847, 848,
13 851, 855.
14 "Aye" as to the rest.
15 MR. ALTADONNA: Councilwoman Johnson?
16 COUNCILWOMAN JOHNSON: I vote "Aye."
17 MR. ALTADONNA: Thank you.
18 Councilman Imbroto?
19 COUNCILMAN IMBROTO: I vote "Aye" on
20 all except I abstain on 828 and 832.
21 MR. ALTADONNA: 828 and 832.
22 Councilman Hand?
23 COUNCILMAN HAND: I vote "Aye" on all.
24 MR. ALTADONNA: Okay. I'm going to go
25 slow.

1 Resolutions No. P-17-18 through 798
2 passes with seven "Ayes."
3 799 passes with six "Ayes" and one
4 "No."
5 800 through 804 passes with seven
6 "Ayes."
7 805 and 806 passes with six "Ayes" and
8 one "Abstention" each.
9 807 through 815 passes with seven
10 "Ayes."
11 816 passes with six "Ayes" and one
12 "Recusal."
13 817 was tabled.
14 818 through 825 passes with seven
15 "Ayes."
16 826 passes with six "Ayes" and one
17 "Abstention."
18 827, six "Ayes," one "Abstention."
19 828, five "Ayes" and two "Abstentions."
20 829, six "Ayes" and one "Abstention."
21 830, six "Ayes" and one "Abstention."
22 831, seven "Ayes."
23 832, five "Ayes" and two "Abstentions."
24 833 through 846 passes with seven
25 "Ayes."

1 847, six "Ayes," one "Abstention."
2 848, six "Ayes," one "Abstention."
3 849 and 850, seven "Ayes."
4 851, six "Ayes," and one "Abstention."
5 852 through 854 is seven "Ayes."
6 855, six "Ayes," one "Abstention."
7 856 through 861 is seven "Ayes."
8 And we are complete.
9 SUPERVISOR SALADINO: Thank you.
10 Okay then, before we begin with our
11 public comment, I'm going to ask for a vote to
12 close the meeting.
13 COUNCILMAN MUSCARELLA: Supervisor,
14 I'll make a motion to close the meeting.
15 COUNCILMAN MACAGNONE: Second.
16 SUPERVISOR SALADINO: All in favor,
17 signify by saying "Aye."
18 COUNCILMAN MUSCARELLA: "Aye."
19 COUNCILMAN MACAGNONE: "Aye."
20 COUNCILWOMAN ALESIA: "Aye."
21 COUNCILWOMAN JOHNSON: "Aye."
22 COUNCILMAN IMBROTO: "Aye."
23 COUNCILMAN HAND: "Aye."
24 SUPERVISOR SALADINO: Those opposed,
25 "Nay."

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(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have
it.

(TIME NOTED: 1:44 P.M.)