

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
March 10, 2020
10:28 a.m.

HEARING - HYDRANT RENTAL

To consider the Hydrant Rental for Plainview Fire Protection District and Plainview Water District for the year 2020. (M.D. 2/18/20 #17).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS P. HAND
COUNCILMAN STEVE L. LABRIOLA
COUNCILWOMAN LAURA L. MAIER
COUNCILWOMAN VICKI WALSH

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

HOLLY DALOIA OSTEEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: It is time for
2 our clerk to please poll the Board.

3 MR. LaMARCA: Supervisor Saladino?

4 SUPERVISOR SALADINO: Present.

5 MR. LaMARCA: Councilwoman Johnson?

6 COUNCILWOMAN JOHNSON: Present.

7 MR. LaMARCA: Councilman Imbroto?

8 COUNCILMAN IMBROTO: Present.

9 MR. LaMARCA: Councilman Hand?

10 COUNCILMAN HAND: Here.

11 MR. LaMARCA: Councilman Labriola?

12 COUNCILMAN LABRIOLA: Here.

13 MR. LaMARCA: Councilwoman Maier?

14 COUNCILWOMAN MAIER: Here.

15 MR. LaMARCA: And Councilwoman Walsh?

16 COUNCILWOMAN WALSH: Here.

17 SUPERVISOR SALADINO: So, we have a
18 full schedule today, but we also have a busy
19 evening and I do -- before we get into our regular
20 Action Calendar -- our hearings, rather, I would
21 like to speak to one issue that we have coming up
22 tonight.

23 We have a very special Board Hearing
24 which will take place at 7:00 p.m. at Hicksville
25 High School, and this is for the hearing for the

1 Seritage property, and also for the public comment
2 on the environmental impact statement.

3 So, we will be meeting, all in the
4 public are welcome. If anyone is unable to make
5 it, does not want to make it to attend the public
6 function or has other concerns, they can take part
7 online, they can send their questions in. We will
8 be monitoring the questions and choosing some of
9 those online to ask so that they can be heard
10 publicly. They will be part of the record. We
11 will leave the record open for quite some time.

12 How many days are we leaving the record
13 open for this evening? It's over 30, I know that.

14 DEPUTY COMMISSIONER McCAFFREY: Until
15 May 1st.

16 SUPERVISOR SALADINO: Until May 1st.
17 So, people can write, they can e-mail, they phone
18 us in that time so the comments become part of the
19 record on this, if they have any reason why they
20 are unable to attend or choose not to attend this
21 evening.

22 So, having said that, would you please
23 continue to poll the Board?

24 MR. LaMARCA: Call the first hearing.

25 SUPERVISOR SALADINO: Oh, we got

1 everybody?

2 MR. LaMARCA: Yes.

3 SUPERVISOR SALADINO: Great.

4 Thank you.

5 Would you please call the first
6 hearing?

7 MR. LaMARCA: The first hearing is to
8 consider the hydrant rental for Plainview Fire
9 Protection District and Plainview Water District
10 for the year 2020.

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

13 SUPERVISOR SALADINO: Good morning.

14 MS. FAUGHNAN: Elizabeth Faughnan,
15 Deputy Town Attorney, Office of the Town Attorney.

16 So, I come to you every year with a
17 similar hearing and that is just to remind you all
18 that in the Hamlet of Plainview there is no Fire
19 District. There are no elected fire commissioners.
20 There's no Fire District that sets a separate
21 taxing line.

22 In areas that do have a Fire District,
23 the Fire District actually rents the hydrants from
24 the local Water District because, as we all know,
25 Water Districts don't need fire hydrants to provide

1 water service to homes. Fire hydrants are there to
2 serve the public and to be available in case there
3 is a fire to access to put out the fire.

4 So, having said all of that, under the
5 New York State Town Law where there is no separate
6 Fire District, the Town Board Members sit as
7 commissioners, per se, of that Fire Protection
8 District.

9 So that very long introduction explains
10 why I'm bringing this hydrant rental hearing to
11 you.

12 In the Hamlet of Plainview, you are,
13 for lack of a better term, the Fire Commissioners
14 that are charged under the State Law with renting
15 the hydrants so that the Plainview Fire Department
16 can access them if there is a fire.

17 There are 1,145 hydrants in Plainview
18 that we would be renting. The proposed contract
19 amount is \$114,500 for the year. So, we are in
20 discussions with the Plainview Water District to
21 see -- we would obviously like that to be lower for
22 our residents and we are working with them on that.

23 But the maximum amount I'm asking you
24 to approve today is an amount not to exceed
25 \$114,500 for the rental of those 1,145 hydrants for

1 the Calendar Year 2020.

2 SUPERVISOR SALADINO: Are there any
3 questions?

4 (No verbal response.)

5 SUPERVISOR SALADINO: Okay.

6 Just to reiterate what you said and
7 what we've said at hearings of this type over and
8 over, we're hearing this issue today before our
9 Town Board --

10 MS. FAUGHNAN: Yes --

11 SUPERVISOR SALADINO: -- because New
12 York State, many, many decades ago -- I believe the
13 1930s --

14 MS. FAUGHNAN: Correct.

15 SUPERVISOR SALADINO: -- set in law
16 certain procedures including who presides, who
17 represents the public when it comes to expenditures
18 in fire departments without Districts and without
19 Commissioners.

20 MS. FAUGHNAN: Correct, Supervisor.

21 SUPERVISOR SALADINO: So, we are that
22 -- based on the mandate of State law --

23 MS. FAUGHNAN: Yes.

24 SUPERVISOR SALADINO: -- and,
25 therefore, they cannot have this fire protection

1 resources without us voting on this expenditure.

2 MS. FAUGHNAN: Absolutely correct,
3 Supervisor.

4 SUPERVISOR SALADINO: Okay.

5 No other questions?

6 (No verbal response.)

7 SUPERVISOR SALADINO: Thank you.

8 MS. FAUGHNAN: Thank you, Supervisor.

9 SUPERVISOR SALADINO: Is there anyone
10 who would like to be heard, any member of the
11 public who would like to be heard at this hearing
12 at this time?

13 (No verbal response.)

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

17 May I have a motion, please?

18 COUNCILWOMAN JOHNSON: Supervisor, I'll
19 make a motion to close the public hearing and
20 decision be reserved.

21 COUNCILMAN IMBROTO: Second.

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

24 ALL: "Aye."

25 SUPERVISOR SALADINO: "Nay"?

1 (No verbal response.)

2 SUPERVISOR SALADINO: No, for no.

3 The "Ayes" have it.

4 We thank you very much.

5 MS. FAUGHNAN: Thank you, Supervisor.

6 SUPERVISOR SALADINO: Is there any

7 correspondence on that?

8 MR. LaMARCA: Yes.

9 We affidavits of posting and
10 publication.

11 There is no other correspondence.

12 SUPERVISOR SALADINO: No other

13 correspondence.

14 Okay. Thank you.

15 (TIME NOTED: 10:34 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
March 10, 2020
10:35 a.m.

HEARING - FIRE PROTECTION AGREEMENTS

To consider the 2020 Fire Protection Agreements.
(M.D. 2/18/20 #18)

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
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COUNCILWOMAN VICKI WALSH

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

HOLLY DALOIA OSTEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would you please
2 call the next public hearing?

3 MR. LaMARCA: This hearing is to
4 consider the 2020 Fire Protection Agreements.

5 SUPERVISOR SALADINO: Counselor?

6 MS. FAUGHNAN: Good morning,
7 Supervisor, Members of the Town Board.

8 Elizabeth Faughnan, Deputy Town
9 Attorney, Office of the Town Attorney.

10 Again, every year I come to you for
11 Fire Protection contracts. These are contracts the
12 Town of Oyster Bay has in the various areas
13 throughout the Town that do not have their own Fire
14 District. Instead, fire protection is provided by
15 a private not-for-profit company.

16 For instance, in Oyster Bay Hamlet is
17 provided by Atlantic Steamer and by Oyster Bay
18 Company No. 1, which are not the subject of today's
19 hearing because last year you approved a two-year
20 agreement, so they are not among the contracts that
21 I'm going to present today.

22 I should also point out that the Hamlet
23 of East Norwich is protected by the East Norwich
24 Volunteer Fire Company. You are also not
25 considering that contract today, because we are --

1 because that fire company protects the Town of
2 Oyster Bay residents, as well as residents of
3 several Villages, and we are working with the
4 Villages and with the fire company itself to
5 determine what percentage the Town of Oyster Bay
6 residents should pay of that annual budget.

7 So, I'm not presenting that contract to
8 you today. That will come at a later date when
9 those percentages are set.

10 SUPERVISOR SALADINO: Counselor, just
11 to bring clarity --

12 MS. FAUGHNAN: Sure.

13 SUPERVISOR SALADINO: -- would you
14 please read the list of fire communities --

15 MS. FAUGHNAN: Yes.

16 SUPERVISOR SALADINO: -- where this
17 issue is providing protection that we're
18 specifically dealing with on this hearing?

19 MS. FAUGHNAN: These communities are --
20 and they're called Fire Protection Districts -- so
21 there are residents in a -- they are residents of
22 the Town of Oyster Bay in the Bayville Fire
23 Protection District, in the Glenwood/Glen Head Fire
24 Protection District. There are residents of the
25 Town of Oyster Bay that are not in the Incorporated

1 Village of Farmingdale. We refer to it as the
2 Northeast Farmingdale Fire Protection District.
3 Residents of Plainview. Residents of Greenvale.
4 And then there are also two other contracts for
5 certain property in Bayville and also the Wantagh
6 Fire District covers Tobay Beach. So, there is
7 also annually a contract with the Wantagh Fire
8 District to provide fire and emergency services at
9 Tobay Beach.

10 Now, the amounts are different for each
11 company, obviously, because each one has different
12 budgets and different needs, but more importantly,
13 as I mentioned briefly with East Norwich, the Town
14 has different percentage proportionate shares of
15 the budget.

16 For instance, the Greenvale Fire
17 Protection District is less than one percent of the
18 entire area protected by the two Roslyn fire
19 companies, Rescue Hook and Ladder which is commonly
20 referred to as Roslyn Rescue and Roslyn Highlands
21 Hook and Ladder. So, they protect an area that is
22 less than one percent of it is in the Town of
23 Oyster Bay in Greenvale. So, that's why the
24 numbers may seem disproportionate between the
25 companies.

1 The Plainview fire company is 100
2 percent within the Unincorporated Town of Oyster
3 Bay, so we pay that entire -- we pay that entire
4 budget. The Incorporated Village of Farmingdale
5 Fire Department, 90 percent of what they protect is
6 in the Incorporated Village of Farmingdale, less
7 than 10 percent is the Town of Oyster Bay's
8 responsibility.

9 46 percent of the Glenwood Hook and
10 Ladder's protection area is Town of Oyster Bay
11 residents. So, that's why the numbers may seem
12 varied.

13 And just for purposes of the record, I
14 know you all have the amounts in front of you, I'm
15 just going to read them out loud so they are in the
16 record.

17 And we are proposing a contract with
18 the Bayville Fire Company for \$33,462.

19 With Glenwood Hook and Ladder Engine
20 and Hose for \$773,720.

21 With the Incorporated Village of
22 Farmingdale, because the Farmingdale Fire
23 Department is actually a Village. It's actually a
24 branch of the Village. So, the contract is with
25 the Incorporated Village of Farmingdale for the

1 Northeast Farmingdale protection area for
2 \$111,449.62.

3 The Plainview Volunteer Fire
4 Department, \$5,088,467.

5 Roslyn Highland's Hook and Ladder
6 Engine and Hose, \$16,033.

7 Rescue Hook and Ladder Company No. 1,
8 what we call Roslyn Rescue, \$16,405.

9 Then an additional contract with the
10 Bayville Fire Company for certain territory in
11 Bayville for \$7,415.

12 And lastly, the Wantagh Fire District
13 for \$7,180.

14 Now, I will also point out that as a
15 municipality and sitting as Commissioners of the
16 Fire Protection Districts, it is also an oppor- --
17 it is also mandated under State Law that if the
18 fire companies have Length of Service Award
19 Programs commonly referred to as LOSAP then the
20 municipality serve as the sponsors of those
21 programs.

22 So, in addition to the contract
23 amounts, they would also be the Town's
24 responsibility the contribution for the Plainview
25 LOSAP program for 2020 would be an amount not to

1 exceed \$175,000 and the amount for the Glenwood
2 Hook and Ladder Engine and Hose, the Town's
3 contribution would be an amount not to exceed
4 \$225,000.

5 Those numbers may be less. It depends
6 on what the 2019 credits are or the service points
7 that the firemen have earned that would then
8 dictate what the contribution would be and, again,
9 this is a State program under State Law, and in
10 order to institute it, there were referenda in each
11 one of these fire protection areas. So, the voters
12 of the areas all voted to create and to have a
13 LOSAP, a Length of Service Award Program, for their
14 firemen and firewomen.

15 SUPERVISOR SALADINO: Are there any
16 questions?

17 (No verbal response.)

18 SUPERVISOR SALADINO: Would anyone like
19 -- thank you, Counselor.

20 MS. FAUGHNAN: Thank you, Supervisor.

21 SUPERVISOR SALADINO: Would anyone like
22 to be heard on this hearing?

23 (No verbal response.)

24 SUPERVISOR SALADINO: Please let the
25 record reflect that no one has indicated they would

1 like to be heard?

2 Are there any other mailings and
3 postings?

4 MR. LaMARCA: We have affidavits of
5 posting and publication.

6 There is no other correspondence.

7 SUPERVISOR SALADINO: May I have a
8 motion, please?

9 COUNCILWOMAN JOHNSON: Supervisor, I
10 make a motion that this public hearing be closed
11 and decision be reserved.

12 COUNCILMAN IMBROTO: Second.

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

15 ALL: "Aye."

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

18 (No verbal response.)

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

21 MS. FAUGHNAN: Thank you, Supervisor.

22 SUPERVISOR SALADINO: Thank you,
23 Counselor.

24 (TIME NOTED: 10:41 A.M.)

25

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
March 10, 2020
10:42 a.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
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COUNCILWOMAN VICKI WALSH

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

HOLLY DALOIA OSTEEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would the Town
2 Clerk now present the regular Action Calendar?

3 MR. LaMARCA: Supervisor, before we do
4 that, we need to call up Deputy Town Attorney Frank
5 Scalera for a prior hearing.

6 MR. SCALERA: Yes.
7 Chief Deputy Town Attorney Frank
8 Scalera.

9 Real quick just for housekeeping, on
10 February 11th we had a hearing from the Harbour
11 Green Shore Club for a modification of their
12 declaration -- of their restricted covenants.

13 Councilwoman Johnson made a motion to
14 keep the record open 30 days which ends tomorrow,
15 March 11th. The attorney for the applicant is here
16 today, Dan Baker. He'll get up in a moment to
17 discuss what is going on, the status of it because
18 this Board asked him to go back and speak to some
19 of the residents and members and bring them
20 together.

21 So, for purposes of this application,
22 I'm asking -- and it's on the consent as well by
23 Mr. Baker -- that the hearing be adjourned further
24 until September 30th for further comments and
25 further discussions by Mr. Baker and Harbour Green

1 Shore Club.

2 All right. So make a motion for that
3 -- first let's hear from Dan Baker and then that
4 will be the motion suggested.

5 Thank you.

6 SUPERVISOR SALADINO: Good morning,
7 Counselor.

8 Would you kindly state your presence?

9 MR. BAKER: Thank you.

10 COUNCILMAN IMBROTO: Safety first.

11 MR. BAKER: Yes, of course.

12 Good morning.

13 Daniel Baker, Certilman Balin,
14 90 Merrick Avenue, East Meadow, New York 11554, on
15 behalf of the applicant, Harbour Green Shore Club.

16 Thank you, Mr. Scalera, for leading me
17 into that.

18 So, since our hearing on February 11th,
19 my clients have had several conversations with
20 neighbors that were either present at the hearing
21 or wrote in or made contact with the Town, and it
22 would seem that they've had some positive
23 discussion and understanding from both sides as to
24 everybody's concerns.

25 And the way they left it off was to try

1 to figure out what would be amenable to everybody
2 and probably the best way to do that is to move
3 through the Summer season.

4 I think my clients recognize that there
5 are certain concerns for people that live on the
6 other side of the canal and close to the club and
7 other areas, so they want to be mindful of that and
8 try to set up a program that would work for
9 everybody.

10 And that's the idea of keeping the
11 record open until September 30th so that we get
12 through the season and everyone can have some
13 dialogue from now until then and then we can report
14 back to the Board and, hopefully, we will have, you
15 know, a situation that is acceptable to everybody.

16 SUPERVISOR SALADINO: So, you, the
17 applicant, is coming here to ask for an extension
18 to what date?

19 MR. BAKER: September 30th.

20 SUPERVISOR SALADINO: Even if that
21 means a tailoring of those live music events at the
22 beach club?

23 MR. BAKER: And it does and, obviously,
24 right now the existing covenants and restrictions
25 are in place and the club will adhere to them and

1 do the best that they can to be respectful to
2 everybody around.

3 SUPERVISOR SALADINO: Thank you.

4 Okay. I'll take a motion on this.

5 COUNCILWOMAN JOHNSON: Supervisor, I'll
6 make a motion that the public hearing for Harbour
7 Green -- I don't have the Resolution number handy
8 -- be further adjourned until September 30, 2020
9 for further comment.

10 SUPERVISOR SALADINO: It's Harbour
11 Green Beach Club.

12 COUNCILWOMAN JOHNSON: Harbour Green
13 Beach Club.

14 COUNCILMAN IMBROTO: Second.

15 MR. SCALERA: Not a Resolution.

16 COUNCILWOMAN JOHNSON: I'm sorry.

17 MR. SCALERA: It's a hearing from
18 February 11, 2020.

19 COUNCILWOMAN JOHNSON: A hearing on
20 February 11, 2020 be adjourned further until
21 September 30, 2020.

22 COUNCILMAN IMBROTO: Second.

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

25 ALL: "Aye."

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

3 (No verbal response.)

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

6 MR. BAKER: Thank you very much.

7 SUPERVISOR SALADINO: Have a wonderful
8 day, Dan.

9 Would the Town Clerk now call the
10 regular Action Calendar and any changes we have?

11 MR. LaMARCA: We have a few Resolutions
12 to add to the calendar.

13 May I have a motion to suspend the
14 rules and add Resolution Nos. 198-2020 to 200-2020?

15 On the motion?

16 COUNCILWOMAN JOHNSON: So moved.

17 COUNCILMAN IMBROTO: Second.

18 MR. LaMARCA: A motion was made by
19 Councilwoman Johnson; seconded by Councilman
20 Imbroto.

21 On the vote:

22 Supervisor Saladino?

23 SUPERVISOR SALADINO: "Aye."

24 MR. LaMARCA: Councilwoman Johnson?

25 COUNCILWOMAN JOHNSON: "Aye."

1 MR. LaMARCA: Councilman Imbroto?
2 COUNCILMAN IMBROTO: "Aye."
3 MR. LaMARCA: Councilman Hand?
4 COUNCILMAN HAND: "Aye."
5 MR. LaMARCA: Councilman Labriola?
6 COUNCILMAN LABRIOLA: "Aye."
7 MR. LaMARCA: Councilwoman Maier?
8 COUNCILWOMAN MAIER: "Aye."
9 MR. LaMARCA: Councilwoman Walsh?
10 COUNCILWOMAN WALSH: "Aye."
11 MR. LaMARCA: Motion to suspend the
12 rules and add Resolution Nos. 198-2020 to 200-2020
13 passes with seven "Ayes."
14 Moving onto the regular Action
15 Calendar, may I have a motion to adopt Resolution
16 Nos. P-6-2020 through 200-2020?
17 **PERSONNEL RESOLUTION NO. P-6-20;**
18 Resolution pertaining to personnel of various
19 departments within the Town of Oyster Bay.
20 **TRANSFER OF FUNDS RESOLUTION NO.**
21 **TF-5-20;** Resolution pertaining to Transfer of Funds
22 within various departments' accounts for the Year
23 2020.
24 **RESOLUTION NO. 176-2020:** Resolution
25 authorizing a one-year extension of a summer camp

1 program to provide youth science enrichment and
2 similar camp programs from July 1, 2020 through
3 June 30, 2021, at the same terms and conditions of
4 the current agreement (M.D. 2/18/20 #4).

5 **RESOLUTION NO. 177-2020:** Resolution
6 authorizing the implementation of the 2020 Summer
7 Beach, Ramp and Joseph J. Saladino Memorial Marina
8 at Tobay Operation and Fee Schedule. (M.D.
9 2/18/20 #6).

10 **RESOLUTION NO. 178-2020:** Resolution
11 authorizing the property cleanup assessment of
12 21 Oakley Avenue, Massapequa, New York, performed
13 on September 13, 2019, be referred to the County of
14 Nassau for placement on the Nassau County Tax
15 Assessment Rolls. (M.D. 2/18/20 #8).

16 **RESOLUTION NO. 179-2020:** Resolution
17 authorizing the property cleanup assessment of
18 21 Maple Street, Massapequa, New York, performed on
19 August 12, 2019, be referred to the County of
20 Nassau for placement on the Nassau County Tax
21 Assessment Rolls. (M.D. 2/18/20 #9).

22 **RESOLUTION NO. 180-2020:** Resolution
23 authorizing the property cleanup assessment of
24 18 Melissa Lane, Old Bethpage, New York, performed
25 on November 7, 2019, be referred to the County of

1 Nassau for placement on the Nassau County Tax
2 Assessment Rolls. (M.D. 2/18/20 #10).

3 **RESOLUTION NO. 181-2020:** Resolution
4 authorizing the property cleanup assessment of
5 116 Thorne Drive, Bethpage, New York, performed on
6 October 3, 2019, be referred to the County of
7 Nassau for placement on the Nassau County Tax
8 Assessment Rolls. (M.D. 2/18/20 #11).

9 **RESOLUTION NO. 182-2020:** Resolution
10 authorizing the property cleanup assessment of
11 116 Thorne Drive, Bethpage, New York, which was
12 demolished on November 2, 2019, be referred to the
13 County of Nassau for placement on the Nassau County
14 Tax Assessment Rolls. (M.D. 2/18/20 #12).

15 **RESOLUTION NO. 183-2020:** Resolution
16 pertaining to Increase in Engineering Fees Relative
17 to the Design Phase and Construction Phase under
18 Contract No. DP17-167, Expansion of Ellsworth W.
19 Allen Town Park. Account No. PKS H 7197 20000 000
20 1302 001. (M.D. 2/18/20 #13).

21 **RESOLUTION NO. 184-2020:** Resolution
22 pertaining to Contract No. PWC07-18, On-Call
23 Engineering Services Relative to Civil Engineering
24 in connection with survey, field inspection and
25 grading issues for the Town of Oyster Bay

1 Requirements Contract for Road Restoration. Account
2 No. HWY H 5197 20000 000 1903 008. (M.D. 2/18/20
3 #14).

4 **RESOLUTION NO. 185-2020:** Resolution
5 granting request from Long Island Uncorked for a
6 waiver of Town Ordinance 168-22 for their food and
7 wine event to be held on September 20, 2020 at
8 Stehli Beach, Charles E. Ransom Beach and Centre
9 Island Beach. (M.D. 2/25/20 #8).

10 **RESOLUTION NO. 186-2020:** Resolution
11 granting request from the New York Naval Militia to
12 dock their vessel with trailer and tow vehicle at
13 John J. Burns Park ramp for the 2020 boating season
14 beginning April 13, 2020 through November 8, 2020.
15 (M.D. 2/25/20 #10).

16 **RESOLUTION NO. 187-2020:** Resolution
17 authorizing the issuance of a refund to D. Frederick.
18 due to having a credit with Ice Hockey Program.
19 Account No. PKS A 0001 02001 510 0000.
20 (M.D. 2/25/20 #11).

21 **RESOLUTION NO. 188-2020:** Resolution
22 granting request from Saint Boniface Martyr Church
23 to use Tappen Beach to hold their annual Feast by
24 the Shore from May 14, 2020 through May 17, 2020,
25 for a waiver of Town Ordinances 168-5B and 168-22,

1 and to use of various Town equipment. (M.D. 2/25/20
2 #12).

3 **RESOLUTION NO. 189-2020:** Resolution
4 rescinding a Special Use Permit and Restrictive
5 Covenants for 350 Stewart Avenue, Bethpage,
6 New York. (M.D. 2/25/20 #17).

7 **RESOLUTION NO. 190-2020:** Resolution
8 authorizing the property cleanup assessment of
9 20 14th Street, Locust Valley, New York, performed
10 on December 12, 2019, be referred to the County of
11 Nassau for placement on the Nassau County Tax
12 Assessment Rolls. (M.D. 2/25/20 #25).

13 **RESOLUTION NO. 191-2020:** Resolution
14 granting request from the Bethpage-Central Park
15 Kiwanis Club, for Town assistance in conducting
16 their Annual Spring Street Fair on May 17, 2020
17 and to use various Town equipment for the event.
18 (M.D. 2/25/20 #26).

19 **RESOLUTION NO. 192-2020:** Resolution
20 granting request from the Bethpage-Central Park
21 Kiwanis Club, for Town assistance in conducting
22 their Annual Fall Street Fair on October 4, 2020
23 and to use various Town equipment for the event
24 (M.D. 2/25/20 #27).

25 **RESOLUTION NO. 193-2020:** Resolution

1 authorizing reimbursement of funds paid by Julia
2 Schneider for Certified Professional in Erosion and
3 Sediment Control Certification and American
4 Institute of Certified Planners Certification Fees.
5 Account No. DER A 8090 44500 000 0000. (M.D.
6 2/25/20 #29).

7 **RESOLUTION NO. 194-2020:** Resolution
8 authorizing acceptance of a donation from the
9 family of Thomas F. Sullivan to benefit the 2020
10 Dune Stabilization Program. Account No. TWN A
11 0001 02705 000 0000. (M.D. 2/25/20 #30).

12 **RESOLUTION NO. 195-2020:** Resolution
13 authorizing an Outdoor Fitness and Wellness event,
14 to be held on June 13, 2020 at Theodore Roosevelt
15 Memorial Park in Oyster Bay, for the waiver of the
16 daily beach fee as well as Chapter 173 and 168-22
17 of the Town Code for the event and for the
18 Supervisor or his designee to execute a contract
19 for event production services from March 10, 2020
20 through March 9, 2021. (M.D. 2/25/20 #9 & 3/3/20
21 #20).

22 **RESOLUTION NO. 196-2020:** Resolution
23 pertaining to the decision on the Hydrant Rental
24 for Plainview Fire Protection District and
25 Plainview Water District for the year 2020.

1 Hearing held: March 10, 2020. (M.D. 2/18/20 #17).

2 **RESOLUTION NO. 197-2020:** Resolution
3 pertaining to the decision for the 2020 Fire
4 Protection Agreements. Hearing held: March 10,
5 2020. (M.D. 2/18/20 #18).

6 **RESOLUTION NO. 198-2020:** Resolution
7 directing the Town Clerk to advertise a Notice of
8 Hearing on the application of Shadowlawn, LLC, for
9 a Change of Zone, Special Use Permit and Site Plan
10 Approval on premises located at 8595 Jericho
11 Turnpike, Woodbury, New York. Hearing Date:
12 March 31, 2020. (M.D. 3/3/20 #19).

13 **RESOLUTION NO. 199-2020:** Resolution
14 procuring insurance for the East Norwich Volunteer
15 Fire Co. #1, pursuant to the New York State
16 Volunteer Firefighters' Benefit Law Policy for
17 the period March 1, 2020 to December 31, 2020 and
18 to amend Resolutions Nos. 50-2020 and 137-2020 to
19 approve procurement of this insurance for the
20 period January 1, 2020 - February 29, 2020 only.
21 Account No. TWN SF12 3410 47790 000 0000. (M.D.
22 3/3/20 #21).

23 **RESOLUTION NO. 200-2020:** Resolution
24 appointing Michael Goldberg to fill a vacancy on
25 the Town of Oyster Bay Ethics Board, with the term

1 ending December 31, 2020. (M.D. 3/3/20 #22).

2 On the motion?

3 COUNCILWOMAN JOHNSON: So moved.

4 COUNCILMAN IMBROTO: Second.

5 MR. LaMARCA: Motion made by
6 Councilwoman Johnson; seconded by Councilman
7 Imbroto.

8 I don't think we have any speakers.

9 SUPERVISOR SALADINO: Would anyone like
10 to be heard on any of the items on today's regular
11 Action Calendar?

12 (No verbal response.)

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

16 Are there any questions or comments
17 from any of the Board members?

18 (No verbal response.)

19 SUPERVISOR SALADINO: No?

20 May I have a motion --

21 COUNCILMAN HAND: I just have one
22 comment.

23 In review --

24 SUPERVISOR SALADINO: Yes.

25 COUNCILMAN HAND: -- of one of the

1 items, I was going to make a recommendation that we
2 go with, on Resolution 185, a suggestion going
3 forward for alcohol compliance officer. I was
4 speaking to Commissioner Pinto -- have you --

5 COMMISSIONER PINTO: That's being done.

6 COUNCILMAN HAND: That's being done.

7 Thank you very much.

8 SUPERVISOR SALADINO: Okay.

9 May we have a vote, please? Is there
10 filings, correspondence and postings?

11 MR. LaMARCA: There's no
12 correspondence.

13 SUPERVISOR SALADINO: No correspondence
14 on any item.

15 MR. LaMARCA: On the vote:

16 SUPERVISOR SALADINO: "Aye."

17 MR. LaMARCA: Councilwoman Johnson?

18 COUNCILWOMAN JOHNSON: "Aye."

19 MR. LaMARCA: Councilman Imbroto?

20 COUNCILMAN IMBROTO: "Aye" on all,
21 abstain on 183.

22 MR. LaMARCA: Councilman Hand?

23 COUNCILMAN HAND: "Aye."

24 MR. LaMARCA: Councilman Labriola?

25 COUNCILMAN LABRIOLA: "Aye" on all.

1 MR. LaMARCA: Councilwoman Maier?

2 COUNCILWOMAN MAIER: "Aye" on all.

3 MR. LaMARCA: Councilwoman Walsh?

4 COUNCILWOMAN WALSH: "Aye" on all.

5 MR. LaMARCA: Motion to adopt

6 Resolution Nos. P-6-20 through 182-2020 passes with

7 seven "Ayes."

8 Resolution 183-2020 passes with six

9 "Ayes" and one "abstention."

10 Resolution 184-2020 through 200-2020

11 passes with seven "Ayes."

12 Supervisor, the calendar is complete.

13 SUPERVISOR SALADINO: Thank you.

14 Before we end the meeting, we are going
15 to break for Executive Session and then come back
16 to end the meeting.

17 May I have a motion, please?

18 COUNCILWOMAN JOHNSON: Supervisor, I
19 make a motion that we go into Executive Session for
20 purposes of discussing current and ongoing
21 litigation.

22 COUNCILMAN IMBROTO: Second.

23 SUPERVISOR SALADINO: If any decisions
24 are made, we will report those to the public when
25 we come out in a short while.

1 Thank you for your patience.

2 (Whereupon, the Executive Session began
3 at 10:49 a.m. and ended at 12:11 p.m. and the
4 proceedings resumed as follows:)

5 SUPERVISOR SALADINO: May I have a
6 motion?

7 COUNCILWOMAN JOHNSON: Supervisor, I'll
8 make a motion that the Executive Session be closed.

9 COUNCILMAN IMBROTO: Second.

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

12 ALL: "Aye."

13 SUPERVISOR SALADINO: Those opposed,
14 "Nay."

15 (No verbal response.)

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

18 Ladies and gentlemen, I now wish to
19 explain what was covered in our Executive Session.

20 We have taken this opportunity to meet
21 with counsel to consider the legal consequences of
22 issues such as the Governors State of Emergency
23 Declaration and other issues, legal issues as they
24 relate to tonight's Seritage application hearing,
25 two hearings, actually.

1 After consulting with the Hicksville
2 School District, consulting with community
3 stakeholders, listening to the recommendations of
4 health care professionals regarding large group
5 gatherings, the Town of Oyster Bay will now take a
6 vote to postpone the Town Board meeting scheduled
7 this evening for Hicksville High School. That is
8 both for the Special Use Permit hearing and DEIS
9 hearing.

10 The Town will provide an opportunity at
11 a later date to better allow senior citizens and
12 our most vulnerable populations, as well as all of
13 our residents, more time to learn, to participate
14 and to comment on future development plans for the
15 former Sears site in Hicksville.

16 Again, the meeting for this evening
17 that was scheduled for 7:00 p.m. at Hicksville High
18 School, we are now going to take a vote to cancel
19 that and postpone it for another date.

20 We and the Hicksville School Board
21 apologize for any inconvenience; however, this
22 decision was made to maximize the opportunity for
23 community participation in the process so that the
24 largest number of residents could be heard.

25 This is very, very important to us.

1 And out of an abundance of caution for the health,
2 safety and welfare of our residents, students at
3 the school, our most vulnerable populations.

4 So, I ask for a motion that both the
5 Special Use Permit and the DEIS hearings that were
6 scheduled for Hicksville High School for this
7 evening regarding the Seritage application be
8 postponed for a future date.

9 May I have a second?

10 MR. LaMARCA: Second.

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

13 ALL: "Aye."

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

16 (No verbal response.)

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

19 Thank you.

20 At this time, we have already voted on
21 our regular Board calendar agenda, we ask for a
22 motion to close this hearing.

23 COUNCILWOMAN JOHNSON: Supervisor, I'll
24 make a motion this hearing be closed.

25 COUNCILMAN IMBROTO: Second.

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

ALL: "Aye."

SUPERVISOR SALADINO: Those opposed,
"Nay."

(No verbal response.)

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

Thank you very much.

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

(TIME NOTED: 12:14 P.M.)