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TOWN BOARD
TOWN OF OYSTER BAY

SPECIAL PRESENTATION

September 9, 2025

10:15 a.m.

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS P. HAND
COUNCILMAN STEVE L. LABRIOLA
COUNCILWOMAN LAURA L. MAIER (ABSENT)
COUNCILWOMAN VICKI WALSH
COUNCILMAN ANDREW MONTELEONE

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

RICHARD LaMARCA TOWN CLERK
JEFFREY P. PRAVATO RECEIVER OF TAXES
FRANK SCALERA, ESQ., TOWN ATTORNEY

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PRAYER

Rabbi Joel Levinson

PLEDGE

Arturo Edwards

Rob Selby

PRESENTATION:

Paul Pachter, Long Island Cares

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SUPERVISOR SALADINO: Good morning, ladies and gentlemen, welcome to Oyster Bay Town Board for Tuesday, September 9th, 2025.

For those of you joining us this morning, you will have an opportunity to be heard on matters brought before the Town Board so long as they are limited to the issues we are voting on. If not, then you will be heard after the meeting is over during the public comment period of the meeting. Please fill out one of the slips by the Town Clerk's Office and hand that in if you would like to be heard on either portion, whether it's on our Town Resolution Calendar or public comment.

This meeting is being live streamed on social media as well as on the Town's website, OysterBaytown.com and these proceedings are professionally recorded and transcribed.

Your voice is very important to us. Statements, comments and input from the

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public relative to our meetings are always welcome and respected, and we always respect everyone who is speaking, so we greatly appreciate that. To submit comments online, please email us at publiccomment@oysterbay-ny.gov. That is publiccomment@oysterbay-ny.gov. Or you can email us at the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York, 11771.

We begin every meeting with prayer. We began this from on my first day as supervisor back in January of 2017, and we believe it's very, very important. Someone said, you can't have prayer. This is government. You can't mix government and religion. And I said, if prayer is good enough to begin session in the New York State Assembly and the New York State Senate, it's good enough for us here in the Town of Oyster Bay.

It's also a great opportunity because we are one family in the Town of Oyster Bay, to become acquainted with the

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different religious leaders and congregations within the Oyster Bay family, because we all act as one in this town.

Leading us in prayer today is a very good friend who was with us last night helping us pray at our 9/11 ceremony, which we held at TOBAY Beach. I'll speak about that in a minute. He is an amazing person and he being Rabbi Joel Levinson of Midway Jewish Center in Syosset.

Rabbi, great to see you, and we thank you for your service to the National Guard as well as to your congregation.

Would everyone please rise, if you can, please.

RABBI LEVINSON: This morning, I'd like to offer a prayer for our students who've just gone back to the classroom. We start a new school year, a prayer for our children and parents at the start of the school year.

We ask that the one who blessed our

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ancestors bless our children as they enter our gates of learning. Shield them from and with many blessings. Guard their bodies and souls from sudden fear and from harm. Grant them a spirit of creativity, visions of growth and maturity, peace with themselves and with others, and the ability to recognize the goodness and kindness that surround them each day.

Bless their teachers and mentors with gentle hearts, wisdom and patience. May they know when a soul is sad and help bring joy back again. May they guide our children with knowledge and understanding and inspire them with love.

Pour out, Holy One, your kindness upon parents. Grant them health, strength, and sustenance to provide for their families. Instill within us reverence and wisdom, knowledge and insight. Grant us joy and love as we see our children as the precious gifts of life that they are. Open our eyes to the

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ways we can grow with them and help us raise them to be whole and upright. A blessing to us, to our entire community, to this great Town of Oyster Bay in the state of New York. We say Amen.

(Whereupon, all, "Amen".)

SUPERVISOR SALADINO: Thank you very much, Rabbi Levinson. And again, thank you for your wisdom and motivation and the kindness of your blessings that you provided us during our ceremony last night. It was a gorgeous night. God really was smiling down with a gorgeous sunset, a full moon rise, wonderful weather. It was a perfect night down at TOBAY Beach at our 9/11 memorial and you just did a fantastic job. We are truly blessed to have you in this town and to call you Rabbi Levinson, our dear friend. Thank you so much.

RABBI LEVINSON: We appreciate it.

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SUPERVISOR SALADINO: While we're still standing, please know that leading us in the Pledge of Allegiance are distinguished members from the Vietnam Veterans of America, Chapter 82, in Nassau County. They are also very dear friends and tremendous heroes that we look up to. Including Army Specialist fourth Class Bob Selby of Oyster Bay, who served in Vietnam from 1968 to 1969 with the first Infantry Division. He serves as vice president of the Nassau County Vietnam Veterans of America, Chapter 82. I believe we're also supposed to be joined by Army Sergeant E-5 Richard Guevara, who served in Vietnam from '68 to '70. And an award winner here in this town, another man just like Bob Selby, we are very proud to call our good friend and that is United States Army Staff Sergeant Arturo Edwards of Farmingdale. He served in Vietnam from May of 1966 to November of 1967. Arturo Edwards is also a past recipient of the Town's most

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prestigious award, the Dr. Martin Luther King, Jr., Distinguished Service Award. These men are our heroes. They were then, but since then, coming back to America, they have spent their lives, decades of serving the community and serving veterans. They are heroes by any definition of the word. So, gentlemen, if you would kindly lead us in the pledge.

(Whereupon, the Pledge of Allegiance is said.)

SUPERVISOR SALADINO: Thank you, gentlemen, for your brave service and all you have done for our nation.

And now I ask you all to join us in a moment of silence, where we remember the men and women in the United States armed forces, in the homeland, across the world, and to our men and women in law enforcement, all of our first responders, those who were taken in Israel and a special member of the town family who has just passed away. And I want to ask you to remember in your thoughts and prayers,

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as we are deeply saddened by the passing of Carol Yevoli, the beloved wife of former Town Supervisor Louis Yevoli. She has always been important to our town family. Both Lou and Carol have continued to serve. I received many, many calls from them with suggestions, praise, whatever the case may be. They just care so deeply about this town as we do and have become dear friends to us. We pray for Carol to rest peacefully. We pray for the entire Yevoli Family, including Richard Yevoli and of course, former town supervisor Louis Yevoli. They are in their in our hearts, thoughts and prayers.

(Whereupon, a moment of silence is observed.)

SUPERVISOR SALADINO: Thank you.
Would everyone please be seated?
How about a big hand for our veterans?

(Whereupon, applause.)

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SUPERVISOR SALADINO: This time of year is when we do something that, quite frankly, we should do every day of the year, and that is remembering the victims of the September 11th attacks on America. Their families and the hero first responders who went into harm's way into danger to assist and look to find survivors and recover remains. Now, those people who jumped in, mostly volunteers as well as professionals, they continue to lose their battles with 9/11 related diseases and cancers.

Although 24 years have passed, we can keep the victims in our hearts and we will never forget the loved ones we lost that day and in the following years.

Seven years ago, under our administration, with the support of this Town Board, the Town constructed the Walls of Honor to the east of our 9/11 monument on the bay side or north side of TOBAY Beach. The reason for the walls of honor is to recognize all of those in

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connection to our town who gave their lives, and those who will inevitably succumb in their battles against 9/11 related cancers and illnesses.

Just as many of these rescue and recovery heroes raced to the towers the first minute the plane hit and then obviously up to the second plane, and in the days and weeks that followed, they stayed until the last brick was turned even though it was an incredible danger to their safety and their lives.

Their memorial stands with us and leads us to those who we lost on that tragic Tuesday morning of September 11th. Their sacrifices remind us of the ongoing human cost of the attacks, and we owe it to their memories to not allow their struggles to be in vain.

This year, last night, we added seven names to the walls of honor. Each name represents a life full of promise, dreams, aspirations extinguished too soon. They leave behind families, loved

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ones, wives, children, moms, dads, sisters, brothers, grandchildren. Very, very sad and a stark reminder of the price of peace.

Last night we hosted the Town's annual September 11th memorial ceremony at TOBAY Beach. There will be another ceremony on the North Shore coming up this week at Theodore Roosevelt Memorial Beach. And that is this Thursday at 6:00 p.m. if you would like to attend. The Oyster Bay band performs there. It's a it's a very touching ceremony. It's led by State Senator Jack Martins. The state senator first initiated the program. Jack Martins now runs it along with the Town of Oyster Bay.

In terms of last night's program, we really need to thank Commissioner Maureen Fitzgerald, Deputy Commissioner Patricia Beckerle and the entire team of the Department of Community and Youth Services for this very special remembrance ceremony. Families sent in

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photos of their loved ones, not only in uniform, but at their children's weddings, holding their grandchildren on fishing trips. There were a lot of fishing photos, actually, which I think is a theme here in our town. And it just brought about -- it humanized these people and brought them closer to us. It introduced them to people who never knew them, and it reminds us of the tremendous sacrifice to their families, to our town, and to our nation.

So we thank all of the first responders who were in attendance and all who participated. We were joined by fire departments in the Town of Oyster Bay, who are associated with the town of Oyster Bay, who lined up these enormous flag arches as you entered Tokyo Bay beach. It was very, very special; very, very moving.

So we personally want to thank the Syosset Fire Department, the North Massapequa Fire Department, the

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Massapequa Fire Department, whose commissioner is with us, Commissioner Justin McCaffrey. Thank you, Commissioner.

The Atlantic Steamer Fire Department from right out of here in Oyster Bay, the Plainview Fire Department and the Wantagh Fire Department helped us as emergency responders at TOBAY Beach.

On Friday, we held the street dedication -- this past Friday in Massapequa -- for Suffolk County Detective Steven Mullen, who is a long time resident of Massapequa. He and his wife raised their family there and he died in the line of duty from 9/11 related cancers. He also was a true American hero.

Ceremonies like the one for Detective Mullen are a reminder that the names on our monument are very, very special to us and in a phrase, this is very personal to so many of us. So many of us have lost dear friends and

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relatives on 9/11 and in the months and years that have followed.

So we remember them and we say, God bless their families and let us use our leadership to continue to remind people in America, and quite frankly, across the world, about the resolve of Americans.

Remember, whether it's our veterans, whether it's those on 9/11, whether it's the responders, the 9/11, and those who fight for us. Part of what they're fighting for is the ability to hold town board meetings like this very meeting. Part of what they have risked and sometimes given their lives for, is so you can come up to that microphone and say what you feel in your heart, whether most disagree or not. Those freedoms are something we must respect. We must cherish. We must handle responsibly. But a meeting like this only happens because those who gave the their sacrifices and sometimes the ultimate sacrifice. So we can meet in rooms like this throughout

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the country. God bless them and God bless their families.

RECEIVER OF TAXES: Supervisor, I think last night's ceremony was probably one of the best. It was crowded. The arches, everything. The video tribute and music that they picked to make that was like it was professionally done. It really hit the spot.

People say, it gets easier as it gets longer, it doesn't. And I said to people we've talked to, this incident doesn't get easier as it gets longer. It's still the same. It's still the same.

SUPERVISOR SALADINO: It's important we do this. The families come up to us with tremendous appreciation and they appreciate us. That means they're appreciating all of you. They're appreciating this town and what we stand for. There's a reason that *U.S. News* and *World Report* name communities, and the Town of Oyster Bay is the number one place to live in New York State, and

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among the very best places to live in America.

But it's not one piece to that. It's everything that we all do together. It's the way we get along. It's where we focus our priorities. It's about freedom of religion and embracing our brothers and sisters from every walk of life. It's about providing for a high quality of life here. It's about protecting people from everything, including biological hazards and environmental hazards.

Something we'll be talking about with all of you in just a short while of this meeting. It's about our quality of parks and beaches and and everything from the Town Attorney's Office to the Building Department. It's about what we do as a family here.

So if I'm going on and on, I apologize. But I'm so moved by what we did last night; so moved by what we're going to do Thursday night up in Oyster Bay. And we thank you for being the high

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quality and very classy people that you all are because that's a big, big piece. Perhaps the most important piece of why the quality of life in this town is among the best in America. It's because of you. The quality of our residents and the fact that you all embrace values. You understand learning values, teaching them to your children and embracing them every day with respect for all.

So we up here, the elected officials of this town, couldn't be luckier to represent the best people in America. And that's our residents in every community in the Town of Oyster Bay.

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SUPERVISOR SALADINO: We have many special people in this town, and one of them, we're about to honor. And we're fortunate to have a very special guest with us. His name is Paul Pachter is the CEO and president of Long Island Cares, the Harry Chapin Regional Food Bank, and we're lucky to have him here at Town Hall. He's joined by his wife, Evelyn Schneider, and colleagues, including Michael Hayes; raise your hand, Michael. Thanks for being here. Jessica Rosati. Hi, Jessica. Alyssa Johnson, welcome. And David Herald.

After 17 years of overseeing this amazing organization, Paul will be retiring. And we're very proud to honor him here in this morning because he really deserves it. You'll see Paul on commercials for Long Island Cares. You'll see him at the events. He rolls up his sleeves. He carries the boxes himself. He shares this wonderful organization with all of us. And he continues the work of

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Harry Chapin.

Now I'm old enough to remember Harry Chapin. I'm old enough to remember his best songs when they first came out. So many people, some are nodding and some are saying, who's Harry Chapin? Look it up online, folks.

Harry was a very special person who was a very successful rock star; pop music star. He lived on Long Island. He was a simple man in terms of the dressings of life. He drove a small Volkswagen. He was a simple man, but he was not simple when it came to his heart and what he wanted to achieve. He took on very lofty goals, complex goals, and he made a very big difference, especially in the mission to feed Long Islanders facing food insecurity and address its root causes.

Harry founded this organization in 1980. Harry, unfortunately, was taken from us way too early in life on a in a terrible accident on the Long Island

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Expressway. But that just speaks more about Paul because he didn't have the charismatic Harry Chapin. He had to bring everything to the table; his charisma, his work ethic, his ability to motivate us, his wife nodding. He must have been a lot of nights when Harry was out or early, early mornings when Paul was there, which speaks to Paul's work ethic. He's also a musician, by the way, something I find to be amazing and a big deal in my book.

But most of all, Paul's dedicated efforts at the helm, along with this incredible staff, mostly of volunteers, have allowed Long Island Cares to succeed, to build upon its important mission to grow and transform the role of a traditional food bank by developing many innovative and effective programs to support those needs.

So, Paul, one thing that occurs to me as I speak about your effectiveness is that Harry Chapin would be incredibly

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proud of you. Harry Chapin would say, Paul, you took my dream and mission and went even beyond what I saw was possible because of how talented and dedicated a human being you truly are.

The Town of Oyster Bay has been very proud to partner with you and the organization at many, many of our events over the years. We have been involved in drive-thru food donation programs during the pandemic and beyond. We collect food. As a matter of fact, I believe we had the largest one day food collection drive leading up to the holiday season, and we're proud of that. But it doesn't happen without you and your fine organization.

Today, Long Island Cares distributes more than 16 million pounds of food and supplies annually and operates seven food pantries on Long Island -- seven. So their reach is spread out all through the communities. Sometimes people don't realize, especially when they live in a

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zip code that's associated with wealth, that there are many families struggling within that zip code. Just because the outside of the house looks impressive, doesn't mean that people in the house are struggling to keep their lifestyle, or to keep the ability to put their children in school, provide them what they need, and put a healthy meal on the table day after day after day.

Since 2024, Long Island Cares has assisted more than 176,000 Long Islanders facing food insecurity and boasts of 5458 volunteers. I don't know of another organization that has that many volunteers, so I don't know what the magic sauce is, but boy, oh, boy, you got it to have 5458 volunteers.

We thank Paul tremendously for his exemplary legacy to work and know that we realize, all of us realize, you've made a tremendous difference in the lives of countless Long Islanders.

The good news for Long Island Cares

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is that Paul will continue to steer the ship until his successor is found and then transition into an advisory role with the title President Emeritus. That's a very impressive title.

It is our distinct honor to now present this Town of Oyster Bay citation to Paul Pachter with the Town's highest honor in recognition of all you have achieved all the fine work you have accomplished, the difference you have made, and the motivation you bring to all Long Islanders to follow your example of volunteering and helping the less fortunate, no matter where you may find them under any circumstances.

God bless you.

COUNCILWOMAN WALSH: Supervisor, may I?

SUPERVISOR SALADINO: Please do.

COUNCILWOMAN WALSH: So when I first started here, it was during Covid, unfortunately, and I reached out to you guys, Paul and Michael, and you were so

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kind to invite me out to headquarters and

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give me a tour. And just to speak about

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the volunteers, when I walked around, it

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was just so amazing. The amount of food

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and how organized it was, and it was such

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a good feeling to be in there. All the

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artwork and the musical memorabilia you

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have all over helps, but everyone in

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there was smiling and happy to be there.

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So to your point, the volunteers are

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not just volunteers and I feel like your

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family is in the one place. There was so

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much happiness to help people. So thank

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you for having me there that day. It was

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such a great starting point to this place

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and now the Town Board. So thanks for all

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that you do and you've done.

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SUPERVISOR SALADINO: So, Paul, if

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you'll kindly come up to the rail. The

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town board would like to present this.

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And I'm going to ask Councilman Andrew

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Monteleone, whose law firm has done a lot

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of volunteer work for others to help us

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being the lead person in this

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presentation.

(Whereupon, citation

presented, pictures taken.)

SUPERVISOR SALADINO: Would you like to say a few words and address the crowd.

MR. PACHTER: Thank you. This is truly something very special for me. I know Supervisor Saladino for a long time, when he was in the assembly and now supervisor.

We need to listen to his example that Oyster Bay is a family. That the other towns and families, that we as a society, and we as a community must come together to take care of those who are less fortunate. There are simply too many seniors, too many children, too many homeless people, and sadly, too many veterans who rely upon the services of Long Island Cares.

One 38-year-old-man founded this organization 46 years ago. Never lived to see what it had become. I know how deeply proud Harry would be of what we were able

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to accomplish. So on behalf of our board,
on behalf of our wonderful staff, our
executive team, and most importantly, on
behalf of Harry, thank you so much. I
cherish this.

SUPERVISOR SALADINO: We're so
blessed to have you. And I know we're not
going to see you leave because you will
be involved in many, many ways.

Folks, Paul Pachter.

(Whereupon, applause.)

SUPERVISOR SALADINO: Just a few
other announcements that we realize a
very, very important.

September is National Children's
Cancer Awareness Month, and the Town of
Oyster Bay is proud to announce
initiatives that seek a cure and support
those affected.

Every year, we partner with the
Christina Renna Foundation to raise
awareness about this important cause by
tying gold ribbons around the columns,
entering Town Hall and illuminating our

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building every day, as well as encouraging others to do the same at their homes and places of business.

Our own councilman, Tom Hand, is a board member with the Christina Renna Foundation and a Foundation that's quite amazing. We commend Tom Hand's work, and we are exceedingly proud to do our part to support these efforts to eradicate childhood cancer. Our officials are also wearing yellow ribbons this morning in support of the cause. The yellow ribbon means something else as well in terms of the hostages, but both are very worthy causes.

Councilman Tom Hand, would you like to say a few words to add to that?

COUNCILMAN HAND: Thank you, Supervisor.

Many different organizations do so much to bring awareness to pediatric cancers and we appreciate all they do. The gold Ribbon that we wear symbolizes children and how precious they really

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are. So thank you for all your support for pediatric cancer research.

Thank you.

SUPERVISOR SALADINO: Thank you.

Another reminder I invite residents to donate at our next blood drive. Our next blood drive in the town is Tuesday, September 16th from 1 p.m. to 7 p.m. at the Hicksville Athletic Center. The Hicksville Athletic Center is located at 167 South Broadway in Hicksville, and anyone who is interested can visit our website to schedule an appointment, OysterBaytown.com or call (516) 624-6380. That number again is (516) 624-6380.

I'd like to thank Councilman Andrew Monteleone for his efforts in coordinating this blood drive, because blood is critically low and needed for our local hospitals to meet the demands to continue saving lives.

Thank you, Councilman.

On another note, we had scheduled on Marine Expo Waterfront Festival last

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Sunday to take place at the Bay Beach Marina. Unfortunately, that was rained out and had to be postponed. So that will take place this coming Sunday. It is a free event that mixes education with summer fun and is a continuation of summer celebrations. So our Waterfront Festival and Marine Expo takes place at the TOBAY Beach Marina this Sunday from 12 noon to 4 p.m.. It's a very fun event with a Jimmy Buffett tribute band and touch tanks, snapper fishing, lots of different ways for young people to enjoy the marine environment and for us, a little older than young people, to continue to enjoy one of the best seasons of all: The summer season.

So that's what's going on. And you can learn about all of the different programs that we have by visiting our website. Our website is OysterBaytown.com. Or you can follow me, Supervisor Joseph Saladino on Facebook. And that's where you'll also learn about

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our last concert of the outdoor concert of the season. We have winter concerts throughout the winter and in our libraries, but a real special free concert is coming up on Saturday night, September 20th at Allen Park in Farmingdale, where we will host with the Department of Community and Youth Services, we will host Billy Joel's original band, and those band members have a group called The Lords of 52nd Street. Russell Javors on guitar and vocals; Liberty DeVitto, everybody remembers Liberty's drumming; and the saxophone music of Richie Cannata, who has been fighting some health issues, and we're thrilled that he's back. So this incredible Concert is Saturday night, September 20th. It begins a little earlier, 7 p.m., at the beautiful Award-Winning Allen Park on Motor Avenue in Farmingdale. I hope you'll join us there.

And now let's move forward with

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today's business. We are going to have our hearings. And then after our hearing, and listen to any resident who would like to speak. Again, if you want to speak on hearings or on the Resolution Calendar, please fill out one of these forms and hand it in to Rich LaMarca. Then, after we are done with our hearings, we move on to our Resolution Calendar. After that, we're going to break for an executive session where we'll confer with our attorneys. And then after that we will come back for any public comment, anyone who wants to be heard on public comment.

(Whereupon, above matter concludes, 10:53 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of September, 2025.

Karen Lorenzo
KAREN LORENZO

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TOWN BOARD
TOWN OF OYSTER BAY

September 9, 2025

10:15 a.m.

To consider a Local Law to extend the Town's
Battery Energy Storage System ("BESS")

Moratorium for an additional

Six (6) month period.

(M.D. 6/17/25 #25)

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS P. HAND
COUNCILMAN STEVE L. LABRIOLA
COUNCILWOMAN LAURA L. MAIER (ABSENT)
COUNCILWOMAN VICKI WALSH
COUNCILMAN ANDREW MONTELEONE

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

RICHARD LaMARCA TOWN CLERK
JEFFREY P. PRAVATO RECEIVER OF TAXES
FRANK SCALERA, ESQ., TOWN ATTORNEY

MICHAEL MONTESANO, SPECIAL COUNSEL

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PUBLIC COMMENT:

Chris Panzeca

Matt Papiro

Joan Matthews

Eileen Small

Karen Yanelli

John Blusonis

Vincent Suraci

Rob Mazzella

Tammi Palmeri

Linda Delguadio

John Fabio

Maryann Massari

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SUPERVISOR SALADINO: So with that clerk, Richard LaMarca, would you please poll the Board?

Town Clerk Rich LaMarca, would you please poll the Board?

TOWN CLERK: Supervisor Saladino?

SUPERVISOR SALADINO: Present.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: I am here.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Present.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Present.

TOWN CLERK: Councilwoman Maier is absent.

Councilwoman Walsh?

COUNCILWOMAN WALSH: Present.

TOWN CLERK: And Councilman Monteleone?

COUNCILMAN MONTELEONE: Present.

TOWN CLERK: We have a quorum, Supervisor.

SUPERVISOR SALADINO: Would you please call the first hearing?

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TOWN CLERK: Today's hearing is to consider a local law to extend the Town's Battery Energy Storage System, or BESS moratorium for an additional six month period.

SUPERVISOR SALADINO: Counselor, please come forward.

So we've had some moratoriums where we have been waiting for more evidence and listening to the public and having a conversation about where these places should and should not be sited. And today's hearing will, if passed, will continue our moratorium for another six months.

Counselor?

SPECIAL COUNSEL: Thank you. Good morning, Supervisor, members of the Board. My name is Michael Montesano appearing as Special Counsel to the Town Attorney for the Town of Oyster Bay. And before I begin, I'd like to hand out certified copies of the records of this proceeding and the prior proceeding to

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the Clerk (handing).

I'm here today for an extension of the Battery Energy Storage System, known as BESS Moratorium, that is currently scheduled to expire on October 31st, 2025. There were two proposals for BESS facilities in the Town of Oyster Bay. One on Shore Road, Glenwood Landing, a 275 megawatt unit; and a 1100 megawatt unit which has been withdrawn to date. I will note, though, to the Board that there was a possibility that the previous holder of that may have assigned its rights to another company. So while they've withdrawn their application, there is a potential down the line that another application could be put forward, and that's why this moratorium is more important. And then there was a application on one a parcel acre within the old Grumman property in Bethpage, a 44 megawatt unit.

And if I could just give a little background. The original BESS moratorium

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hearing was held February 27th, 2024, and the Town Board's decision on that hearing, Resolution 302-2024 was adopted April 9th, 2024, which enacted the initial moratorium, which was for the term April 15th, 2024 through October the 15th, 2024.

On October the 1st, 2024, the Town Board enacted Resolution 773-2024, which extended the original moratorium from October 15th, 2024, until such time as the moratorium could be extended.

The hearing for the first extension of the BESS Moratorium Minutes hearing held October 15th, 2024, and the Town Board's decision on that hearing, Resolution 854-2024, was adopted October 29th, 2024, which extended the moratorium to the period October 30th, 2024 to April the 30th, 2025.

A hearing for the second extension of the BESS moratorium and the Town Board's decision on that hearing, Resolution 296-2025. The hearing was held

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on April 8th, 2025 to extend the moratorium for the period May 1st, 2025, to its current end date of October 31st, 2025.

This brings us here today for a third extension of the Battery Energy Storage System (BESS), a moratorium that is currently scheduled to expire on October 31st, 2025. The moratorium would be the same as the existing moratorium, and for an additional six month period, hopefully, to April the 30th to 2026, if the Town Board does not decide to end it earlier.

We have taken a small step forward from where we were a year ago. Amendments to the New York State Fire Code related to BESS sites have been adopted, but we need to continue our review and wait to hear if Nassau County is going to adopt any additional regulations of its own.

Supervisor and members of the board, we have two memorandums from the Town's expert consulted on this matter, Bay

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Environmental Consulting LLC, by letters of Andrew Thyberg, both dated September the 5th, 2025, which indicated that amendments to the New York State Fire Code related to BESS sites have been adopted, but will not be formally published in the State Register until October the 1st, 2025, with an effective date of December 31st, 2025.

Mr. Thyberg states that there is an undefined transition period where either the old code or the new code may be used, while the new code contains several additional requirements that will reduce the fire risk associated with BESS facilities, but the risk still remain.

He recommends that the moratorium be extended an additional six months to provide more time for the Town to understand the implication of these new changes will have, and if they are sufficient to safeguard first responders, the community and the environment.

He concludes by stating,

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furthermore, as the County of Nassau has also voiced concerns and may adopt more stringent ordinances, it is prudent to allow additional time to conduct the necessary due diligence, including coordination with Nassau County and the local fire departments.

Unfortunately, Mr. Thyberg was not able to be with us here today, but will provide any additional information requested by the Town Board.

We have a memo from Julius Schneider, director of the Town's Environmental Quality Review Division, Department of Environmental Resources, dated September the 5th, 2025, in which he reported that the TEQRA, the Town's Environmental Quality Review, had reviewed the report submitted by Bay Environmental Consulting, LLC, and recommended and requested that the Town Board accept the memorandum and the letter from Bay Consulting, LLC as it pertains to the proposed BESS moratorium

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extension.

We all know of a fire at Moss Landing, a 300 megawatt lithium ion battery storage facility in Monterey, California, which forced the evacuation of 1500 residents, and after the fire, there were high concentrations of heavy metals reportedly found in the soil and the vicinity of the facility of the facility.

Responding to the blaze, Monterey County Supervisor Glenn Church stated, and I quote, "this technology is ahead of government's ability to regulate it and industry's ability to control it". This process we are now in, which is we are learning as we go. Just doesn't work. It jeopardizes communities. The purpose of this proposed law, the reason we propose to extend this moratorium is to protect our residents. We do not want to jeopardize anyone's life.

I should mention a few housekeeping details. The Town has received numerous

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pieces of correspondence in support of the proposed extension of the moratorium. Before opening up the floor to public comment, I should mention that the proposed moratorium required approval of the Nassau County Planning Commission, which was approved by the Planning Commission after a hearing held on Thursday, June 26th, in the County Legislative Chambers in Mineola.

We would request that in closing the hearing that the Board leave open the record for 21 days until September the 30th, 2025. Thank you.

SUPERVISOR SALADINO: Thank you, Counselor. We greatly appreciate that. If you would stand by. We have a number of residents who would like to be heard, and in case they have any questions, you may assist with us, please.

SPECIAL COUNSEL: Thank you.

SUPERVISOR SALADINO: Our first speaker will be John Fabio, who is the president of the Greenvale Civic

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Association. Come on up, please.

MR. FABIO: Good morning, Supervisor Saladino and members of the Town Board. As was indicated, I am long term president of the Greenvale Civic Association, some 30 years now. Resident of Greenvale for 52 years. And more recently, Vice President of the Glenwood Landing and now Greenvale Civic Council. I have a couple of notes which I'd like to share (handing).

I should indicate, even though our community of Greenvale lies to the south of the Glen Head area, we stand in solidarity with our neighbors to the north and will be working and have been working with them on this BESS facility.

So, as you know, the Civic council has worked diligently to protect the health, safety and welfare of the residents of the Glen Head community by opposing the siting of a BESS facility in this densely populated residential area. We appreciate the support of the Oyster

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Bay Town board in enacting the moratorium on approving any such facility. All evidence to date indicates the susceptibility of these facilities for catastrophic type fires, endangering the immediate community and well beyond. Extreme amounts of water are necessary just to prevent further thermal runaway of these battery storage facilities contaminating our groundwater. Not to mention releasing numerous pollutants into the air where our residents would be susceptible to these dangerous toxic chemicals.

We support extending this moratorium, but I would strongly encourage the Board to develop a zoning restriction that, once and for all, will prohibit any BESS facility from the developed in this township.

Now, keep in mind there is recently enacted the RAPID act, which is jeopardizing the Home Rule of many local municipalities, and this recently enacted

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mention may severely hamper this Town's ability to regulate and cite any of these types of energy facilities. So I think time is of the essence for this Board to seriously consider a prohibition, a zoning regulation that will keep these facilities out of the town of Oyster Bay.

SUPERVISOR SALADINO: I just want Judge Montesano to respond to that. That creates complications from a legal standpoint. So while I understand you and residents -- I see them nodding -- would love that -- some of the residents -- that creates some legal complications that might not act in your best interest in law.

MR. FABIO: I would just recall two situations, one many decades ago and one more recently, where the Town Board enacted some zoning regulations to address a problem, admittedly less serious than the problem we are confronted with today. Many decades ago in my community in Greenvale, we have

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some beautiful old houses that were on large properties and builders were coming in, tearing down these beautiful houses and putting two or three newer houses, changing the entire character of that community on Addison Lane, specifically. We came to the Town Board at that time. And long story short, Town Board saw the value of preserving the character of that community by enacting up zoning laws. So front yard, rear yard, side yard setbacks were increased to prevent builders from coming in and putting two or three houses on a single plot, many decades ago, where a zoning change addressed that problem.

More recently, the Town Board enacted a two acre zoning restriction on golf courses where there was a possibility of their economic survival by selling off property and developing housing. So this Board enacted a two acre zoning restriction to address that particular problem.

SUPERVISOR SALADINO: I fully

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understand what you're saying. We understand your feelings and the feelings of the residents. This situation has some legal complications to it that don't make it as cut and dry as these other situations you suggested. But we'll have our lead counsel come back up and address that more fully. So you and the residents can understand why that might work against what you're trying to achieve, because, well, that can be struck down for for a number of other reasons. And what would that motivate Albany to do? You know, we're not only dealing with the developers of this energy facility. We're also dealing with doctrine out of Albany, right by people who -- again, let's let the judge come up rather than me.

MR. FABIO: The urgency that I speak of is really because of this RAPID Act that was recently enacted.

SUPERVISOR SALADINO: We get it.

MR. FABIO: It's going to hamstring your ability.

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SUPERVISOR SALADINO: We fully understand it. But but again, we'll have the judge come up, our lead counsel on this, and discuss why we have chosen to take this legal strategy of these moratoriums at six months at a time. It's not because we're in disagreement with you or the community.

MR. FABIO: We very much appreciate the support of this town board in addressing this very critical matter, which impacts the health and safety of our residents here. So we do appreciate the effort of the Town.

SUPERVISOR SALADINO: Thank you for being here and we wish you well.

Judge Montesano, you heard the previous speaker, a man we know and trust and quite frankly, like very very much. For non attorneys, they have a wish list of what they'd like to see. As I described, that could put the their desire into a worse situation. Would you kindly expand on that in a way that the

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public can grasp why we're doing this in a six month moratorium?

SPECIAL COUNSEL: Well, because what happens is the courts themselves, there's been challenges in the past how long we could prohibit a development from going forward. So by using a six month moratorium, that's the rule of measure that the courts accept, because the applicants themselves are entitled to some form of a resolution in a certain time period. So they give us a six month period so we could do our research, our due diligence, meet with other agencies. And that's what we've been doing at this point in time. And and that's how we avoid any legal confrontations from the applicants. But there will come a time when we have to make a decision whether or not the board's going to approve their siting or not.

The gentleman I know addressed this concern because of the RAPID Act that the Town could be prohibited in the future

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from taking any zoning action at these locations. That, too, is subject to court review and approval. You just can't broadly zone out certain categories of applicants or places. The zoning is more fit to particular use areas.

SUPERVISOR SALADINO: Even though the town has zoned out high density housing as it relates to golf courses and so forth.

SPECIAL COUNSEL: That's correct. So if we're going to zone out the BESS installations, we have to wait for them to make an application to a certain area to see if they comply with that zoning or not. There's many different variables here because we just don't know yet what we're going to be working with when the smoke settles, so to speak.

So. While, I agree that something goes on in the future because of the RAPID Act looming, I think we have to take a little bit of a wait and see to see what areas we're going to wind up

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with, what our current zoning code covers in that area and what we could do to mitigate certain things from taking place.

SUPERVISOR SALADINO: So is it incorrect that for the public who does not want a facility like this in their backyard, if you will, for the reasons of safety, a permanent ban could be struck down in court and then there would be no way to stop that development from being developed right next door.

SPECIAL COUNSEL: That's correct.

SUPERVISOR SALADINO: Thank you very much, Your Honor.

Our next speaker will be Maryann Massari. Good morning. Would you kindly give us your full name and address for the record?

MS. MASSARI: Good morning. Yes. My name is Maryann Massari. I'm from Glen Head, 16 Cove Street, Glen head, and I'm an 18 year resident.

I represent working parents here. I

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want to say thank you to the Board. I've been here many times before and have felt very supported on this subject.

I'm here in opposition of these battery and cable projects. Not only to extend the moratorium, but put an end to it, which we just heard some of the reasons why that hasn't happened.

It's ironic that we're repeatedly asked to take off work, to be here to fight for this area that we pay so much to live in and we need to pay more to fund this project, if it happens. I'm tired of taking off work to fight a project that makes no sense. As far as I know, there's still a water table problem beneath our homes, so I don't know how they'll be placing multiple cables there. I don't believe the fire department has found a solution yet to putting these types of fires out either. I'm blessed to have the freedom to take off from work. I know many have their hands tied, especially to be able to come repeatedly,

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but I also know that many people continue to be very unaware of what's going on in their backyard.

Like I said, I appreciate the Town of Oyster Bay and what you guys do support us with, but I my trust is dwindling. We in Glen Head, at the Glen Head train station. We have a mentally ill homeless man who is using, I think, that area as a bathroom and the neighborhood smells like urine. And when we asked the police what we could do, we can't do anything unless he does something to us.

SUPERVISOR SALADINO: And you realize that that's related to New York state law, not Town or County ordinances.

MS. MASSARI: Yes, I do. Okay. Um, and when we see the markings on our roads, we hear the trucks in the middle of the night. And when approached, they're rude and they hand us a Propel brochure. Anyone watching the news can understand why trust should be dwindling

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in those we place our trust in to protect us and our children. I'm a tired working parent, paying a lot to live here, but spending more time educating neighbors about something that they should already know. Instead of getting my work done and getting paid. So it's time to either show evidence that these projects will not harm and put an end to them near our homes.

And I haven't heard -- it would be great to hear some of the research and do due diligence that is going on so we see, because all the research that is out there so far is against us.

Thank you.

SUPERVISOR SALADINO: Before you walk away, I do want to clarify one point from on behalf of all of us in the Town Board. You do not have to take off work. As I stated in the beginning of the meeting, people can send us an email at publiccomment@oysterbay-ny. We do see these. We read them. They have equal

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weight, same as someone coming here.

So your point is well taken. We appreciate the commitment to the community and your opinions for community safety. We get all that. We appreciate it, but no one has to take off work in order to make their feelings and opinions known. You can email us, you can call us, you can write us a letter, and it will have equal weight with anybody who comes in person at a town board hearing. And thanks for giving me an opportunity to let the public know that.

MS. MASSARI: Yes. And I think that's the important thing because, like I said, I'm blessed that I'm able to be able to do this. But it is extremely sad to see this many empty seats here. And I think that many empty seats times a billion is what is -- I don't think that your mailboxes are that full, is what I'm saying.

SUPERVISOR SALADINO: We go out, we make a huge commitment to the communities

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from one end of the town to the other, to every community. We are out there constantly. And a very important, if not the most important reason for us to be out in the community so many days and evenings of our lives is to listen, to listen to you, to listen to the residents. We all make that commitment to get out in our communities as volunteers, as activists, as representatives listening for whether it's an opening of a sports league -- we're there to listen to the public. So we do hear from them in many, many ways. And we understand.

People think a petition or a packed house is what gets our attention. One person can get our attention. So we work for you. We work for the residents of this town. And please know your opinions are very much respected. We want to make it easy for you to communicate with us. And again, anyone can send us information and email at publiccomment@oysterbay-ny.gov or mail us

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a letter to the Office of the Town
Attorney, 54 Audrey Avenue, Oyster Bay,
New York 11771.

Maryann, thank you for your time and
and your very professional presentation.

COUNCILMAN LABRIOLA: Supervisor, if
I could just add my comments to what
you've said. And I appreciate, by the
way, that you're helping us to educate
our fellow citizens and your neighbors
about the risks and the dangers that are
involved with this BESS.

And, you know, it's important also
to tell them that the way to really stop
this and to make the changes -- because,
by the way, as a councilman, I haven't
heard from one resident in this town
that's in favor of this kind of project.
That goes for all the environmentalists.
I drive an electric car myself. And we
are all in our own way environmentalists.
But too much of a good thing sometimes,
you know.

What's most important is that you

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also let your neighbors know how we really stop this. And that is by sending people to Albany who agree with our position. Now, that will be taking place in 2026 in the next election cycle. And I'm not trying to politicize this. I'm just telling you this is how it's done. There are enough people on Long Island that share this position. Because in terms of siting and what this RAPID Act has done to us, it has usurped our powers to locally represent you when it comes to zoning. Our most important function is local zoning, and this usurps our powers, the siting aspects of this. Most people agree there's probably only one place where these things can be sited, and that's Plum Island. You know, I mean, in my opinion, if you were going to put it somewhere, put it somewhere that's so far away from residential homes. But until we have the technology, until technology catches up to this kind of energy source, until the technology that can protect us

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2 is available, I don't see how they can be
3 marching forward full steam ahead. And
4 that's why it's so important to also
5 emphasize that in 2026, this is where you
6 make those changes. It's so important for
7 you to help us restore our local powers
8 as town representatives. Whereas,
9 instead of this being dictated to us by
10 Albany.

11 Thank you for being here.

12 SUPERVISOR SALADINO: Thank you.
13 Steve Labriola speaks from experience.
14 He served in the New York State Assembly.
15 I followed him serving in the New York
16 State Assembly. And Judge Michael
17 Montesano also served in the New York
18 State Assembly. So our opinion is that
19 we're very frustrated when Albany forces
20 doctrine a policy on you, all of us,
21 without listening to us because they feel
22 they know better. It's a very frustrating
23 situation. We saw that by hiding policy
24 in three consecutive years, state
25 budgets -- so they hide policy to take

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away our zoning rights, which are your rights -- and in three years hide it in the state budget rather than in a standalone bill that can be debated on the floor of the Assembly, the floor of the Senate that the media can report on as a standalone issue. And we worked very hard to represent you because you, the public, made it very clear you did not want high density, high rise housing; 50 units per acre, I believe, was the amount that they were pushing for in any neighborhood in different ways. They even hid it, suggesting that a religious organization leases a property to a private developer, it's religious based, and the private developer no longer has to follow zoning rules taking your rights away. We're outraged by that. And we will continue to fight for you on all of these issues.

RECEIVER OF TAXES: New York City controls most of the Assembly and the Senate. That's why they're pushing it

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through. They want to avoid that.

SUPERVISOR SALADINO: Thank you.

Thank you, Councilman, also.

Our next speaker will be Linda
Delguadio.

Thank you for joining us here today.
And would you please begin by giving us
your full name and address for the
record?

MS. DELGUADIO: My name is Linda
Delgaudio. I live with 80 Todd Drive
North in Glen Head. I just wanted to
thank you for having this hearing today.

I'm just stating my opposition to a
BESS facility in Glenwood Landing or
anywhere in Oyster Bay at this point. I
was going to ask for a ban, but now I
understand that we can't seem to do that.
So at least the continuation of the
moratorium on BESS facilities.

As we all know, fire departments are
not equipped to deal with these fires,
and they just let them burn. And the
attorney who spoke first here talked

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about the Moss Landing fire, which I think we're all aware of. That was Moss Landing BESS fire in Monterey, California, in February of this year is an example of what could happen here. The plant went up in flames and resulted in an eight square mile evacuation. The fire then reignited in April this year. The batteries released harmful chemicals like hydrogen fluoride into the air and water. That community is still dealing with the environmental impact. If this happened here, it could contaminate our air and our aquifers.

There was also an Otay Mesa BESS fire in the 2024 near San Diego, and it burned for 17 days.

In 2023, there were three best fires in New York State, in upstate, in upstate Warwick and Jefferson County and in East Hampton. Couldn't even evacuate if this happened here. This facility would be a half a mile to a mile from our schools, endangering our children.

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For our health and safety, I am just asking you to continue the moratorium, if not a ban. Please continue the moratorium for the sake of our communities.

Thank you.

SUPERVISOR SALADINO: Thank you very much.

Our next speaker will be Tammi Palmeri.

Would you please begin by giving us your full name, your address. But in your case, I think everyone will want to know the organization that you're representing today or associated with.

MS. PALMERI: My name is Tammy Palmieri. I come from the great town of Babylon. And I have great friends here in the Town of oyster Bay, and I've come to speak for them as well.

First, I want to acknowledge sincerely that you have been one of the most respectful and attentive Town Boards that I've had the privilege of speaking

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to about this issue. My friends in the
Town of Oyster Bay are well served.

The last time I was here, I
submitted documents substantiating the
risks of lithium BESS, as expressed by
researchers in the battery industry, as
well as insurance companies. This past
weekend, I spent a great deal of time
reading the much awaited updated draft
fire codes from NYSERDA, the New York
State BESS Guidebook, the New York State
BESS Model. The NFPA Codes and Standards,
Commissioning Plans, Decommissioning
Plans, but nowhere did I read anywhere
about community plans. For the history of
lithium as far as here and around the
world, no community should be left
unprepared in the event of a catastrophe.
If BESS developers understood the gravity
of liability and responsibility to a
community they just might think twice
about this reckless endangerment. An
emergency response plan for the community
must be prepared for a worst case

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scenario before any BESS project is given the green light. It should include:

At least detailed evacuation plans for residents, businesses, schools.

Utilize a wind modeling service to track the toxic plume and determine the path of contamination.

Notification plans to local health providers and hospitals to advise them of the proper toxicology lab work needed in relation to lithium ion fires.

Create a formal medical history for health and litigation purposes.

Third party environmental testing of air and soil before, during and after the fire for health and litigation purposes.

Toxic hazard testing and remediation plans for homes and schools for health and litigation practices. We're learning all of this through Moss Landing because of what they're being faced with, and they're scrambling for lawyers. And oh, if we only knew what the soil looked like before the fire. So we have to plan and

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learn, unfortunately, from their experiences.

Lastly, decontamination plans for firefighters, their gear and trucks. How long would those trucks be out of service? Or will firefighters be told the great big lie once again that the air was safe. History has made us skeptical.

What's the plan if the BESS developer files bankruptcy.

What's the plan if this community becomes a Superfund site.

Perhaps we should just plan to keep BESS out of our communities.

Once again, thank you for your time.

SUPERVISOR SALADINO: Thank you.

The next speaker will be Rob Mazzella.

MR. MAZZELLA: My name is Rob Mazzella from Glen Head. I'm here as volunteer representative for Glen Head/ Glenwood Landing Greenvale Civic Council, once again reiterating that our civic organization strongly support an

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extension of the Town's moratorium on
BESS facilities until long term studies
are conducted that show these facilities
are not jeopardizing the health and
safety of our neighbors, children,
volunteer firefighters and environment.

The recently announced fire code
updates from the Energy Safety Response
Group do absolutely nothing to protect
Long Island and its residents from the
inherent dangers associated with the
highly toxic and unstable nature of
lithium ion batteries. The fact remains
that these so-called safety codes don't
include any guidelines as to how to
contain the deadly toxins that emanate
from lithium battery fires, nor do they
instruct local emergency response
agencies on how to prevent lithium ion
battery toxins from leaching into our
aquifers, harbor, soil, homes, and even
our bodies during fire containment
efforts.

The codes also do not provide

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Guidance as to how to extinguish a lithium ion battery fire, because there is no way to do so.

"Let it burn" remains the recommended fire control strategy, which should not be acceptable to anyone in the town of oyster Bay or anywhere else. I believe we should all be taking the advice of people like Joe Rowley. Mr. Rowley is a former temporary executive who has built gas fire and renewable projects across the nation, and has said he's against lithium battery projects that are too close to homes. Why anyone would think that placing one of these facilities in residential areas and flood zones, near saltwater harbors or freshwater lakes, and in close proximity to schools, is beyond any semblance of logical and safe planning. All of us should be very concerned that the governor is trying to unilaterally, without any local input, make decisions that will threaten the health and safety

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of all Long Islanders. We should never allow Islanders and its residents to be used by anyone to advance an unsafe agenda. The only thing these so-called safety codes do is provide people with public relations soundbites to make it seem like something is being done to protect us.

The reality is that lithium ion batteries are, by their very nature, not green, not clean and not safe, and no spurious safety codes can change these facts. I just don't understand why the governor and her cronies are so locked in in the most dangerous form of battery storage. When other, greener, safer and less expensive batteries exist: Sodium ions, zinc ion, solid state batteries are all safer and viable alternatives.

So please extend the moratorium. Start working on a permanent ban I know you said that's difficult to do, but ironically, in the hometown of the head of NYSERDA, they have a ban.

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Fight against the RAPID Act erosion of Home Rules rights and continue to protect Long Islanders and its residents.

I'd like to end by once again reminding you about the 1992 quote from former Texas Governor Ann Richards. "You can put lipstick in hearings on the hog and call it Monique, but it's still a pig". Except in this case, we can call the pig Bessy. Thank you for your time.

SUPERVISOR SALADINO: Thank you. Our next speaker will be Vincent Suraci.

I hope I pronounced your name correctly. Would you please give us your full name and address for the record?

MR. SURACI: Vincent Suraci, Glenwood Landing resident.

Good morning, Council members. Supervisor, thank you for the opportunity for allowing me to speak today. I'm a concerned member of the community, and in doing so, I'd like to call out the abusive, full burden, deceitful process which Propel Energy has engaged in

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regarding the Propel Energy project in Glenwood landing and the lithium ion battery facility.

The original project that was first supported by Jupiter included the lithium battery facility in Glenwood Landing, as well as the dig.

That project, was dismissed and Propel took over the project, but they separated the lithium battery process and storage from the actual dig to take place as part of their project. And although not specifically in this version of the Propel project at Glenwood Landing, the proposal for lithium ion battery storage facility for this project will follow, most likely in the industrial area. As I mentioned, west of Tappen Beach and in one mile of two elementary schools, our middle school and North Shore High School.

The sporadic energy generated by wind turbines must be stored again in lithium storage facilities for future

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use. You cannot have the Propel Energy dig which is in proposal today, which is actually taking place, without the eventual lithium ion battery storage facility. This was acknowledged by the PSC during the July meeting of the Knights of Columbus in Glen Cove, but still, Propel Energy continues to move forward with the dig, sending surveyors and other energy related workers to mark gas lines, waterlines and electric lines in the street during the middle of the night while the community sleeps, and still denies this project will marry the North Shore community to a lithium ion battery storage facility. This is clearly deceitful practice in our community and we cannot trust this.

Furthermore, the Propel Energy project includes plans to place lithium battery storage facilities across Nassau County, specifically down the 106/107 roadway. Have these communities been engaged by Propel in a clear and

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consistent manner? The answer, I believe, is no. In fact, unless residents do their own research, they might not know where these lithium ion storage facilities are a major component of the Propel Project.

The lithium ion battery storage facilities are a danger to residents and communities. It is not a matter of **if** a disastrous incident will take place but **when** it will take place. There have been over 60 disasters worldwide that have taken place since 2020 at these storage facilities. Disasters which include toxic thermal runways that have burned for days, also include consistent hydrogen fluoride exposure and other poisonous consequences to community environment.

New fire codes in New York State do not address the root problem. Lithium ion battery chemistry is still unstable and toxic. Our local fire departments are not trained to handle such a disastrous event. And yet, New York state guidelines refer to 15 minutes to dispatch fire

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department and four hours to be on site while communities burned and are poisoned by the chemicals released by the fire.

We're not ready to safely engage in this new green energy technology. And our community should not be the guinea pigs that this site will be tested on.

Several communities across the New York state have already placed a hold or a full stop on windmill and lithium energy. Lithium ion energy projects.

The PSC in July of 2025, has already canceled the transmission project to bring offshore wind to New York City, as they could not in good conscience have New York taxpayers shoulder the cost and risk for projects that will not move forward.

Furthermore, the project analysis from the NYISOs own market monitoring unit, Potomac Economics, stated that this project was not cost effective and should not proceed.

Finally, the BOEM, Bureau of Ocean

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Energy Management, on July 30th of 2025 announced it is rescinding all designating wind energy areas as having preferential treatment for unreliable energy sources. Similar multiple large scale energy projects in New York state have been halted or canceled due to community pushback, environmental concerns, or regulatory scrutiny. These include the South Fork Wind Farm, which faced delays and opposition over environmental risk and shoreline impacts. The Heritage Wind Project in Orleans County, which was withdrawn after persistent resistance from local residents and town officials. The lighthouse Project in Niagara and Orleans counties ultimately cancelled due to widespread opposition from residents, municipalities and local officials. The Galilee Island Wind Farm, which was scrapped after failing to meet environmental review and local engagement standards.

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The massive Propel Project would soon to be added to the battery storage facilities throughout Nassau County, is a danger to TOBAY and Nassau County communities. Propel Energy's deceitful practices add to the level of mistrust residents have for this company, and for this project. It is abundantly clear lithium ion battery facilities face long term and irreversible damage to our health and community.

Thank you.

SUPERVISOR SALADINO: Thank you.

The next speaker is John Blusonis.

Would you kindly give us your full name and address for the record?

MR. BLUSONIS: Thank you. Thank you, Supervisor Saladino, for thank you for your wonderful stewardship of our lovely county (sic).

My name is John. I live at 14 Garvey Place, Glen Head, New York. I've lived there for 36 years.

This proposed, facility is literally

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within walking distance from my home. And I really thank all the people who came up before me and spoke fabulous information, folks. Thank you so much.

This is really upsetting. I had no idea this was going on. I get an email from my daughter, who is a teacher who lives in Seacliff with my grandson and my son in law. Within walking distance of my house, I'm a lucky granddad, my grandson is that close.

But this is insanity. I didn't even know this is going on. I think I'm an aware human being. And my daughter sends me that this meeting is taking place. So I reached out to my neighbors, and a couple of my neighbors were kind enough to come along. I'm really upset. This plan is crazy. We need to continue to postpone it until it dies.

And yes, some of the windmills have been cancelled, but not all of them. My son in law is a Local 3 electrician. They're pulling lines right now, coming

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in. These are the ones that are going to come across the island to go to these battery storage facilities. And I'm so glad Judge Montesano, you brought up the fact of what happened in California and other people. They ordered an eight mile evacuation? Put your heads around that. Eight miles from Glenwood Landing. How many counties does that take into effect? Not the elementary school in Seacliff, not the elementary school in Glen Head, but probably 30 or 40 schools in all those neighborhoods. And then we ask those children to be evacuated, excuse me, where are they go? We as parents have been evacuated. Where do we go? Eight miles. You're talking about the island is what may be ten miles, 15 miles wide at best. This almost goes into Connecticut. Halfway into the City, down almost to Garden City. This is a huge area where a plume of toxic, deadly gas will leave countless people sick forever. If they don't die, they can't put these fires

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out. Entire cargo ships have gone down with electric cars coming from Europe. And they're still burning. Still burning, and they're burning. Fabulous. Our fire departments are fantastic, but they're ill equipped to take care of this kind of thing. And why would we put yet more people at risk to go try to put them out with thousands of gallons of water for one car, let alone an entire battery plant? This is just insanity, folks.

And then what is it going to do to our homeowners insurance. We know what living in a flood zone does or close to hurricanes and things like that. My insurance went up by \$2,000 last year. What's going to happen if this thing gets built and others get built around? Because all the insurance companies are going to take that into an assigned risk for each and every one of us, and we're all going to wind up being put into a pool similar to living in a flood zone. How fabulous.

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So I asked, what's the plan for an evacuation? There is no plan. It's impossible to evacuate 100,000 people and children. And again, where do the kids go? Where's my grandson go? My daughter is teaching in Astoria, she can't help. Where do they go?

So I really lean upon this board and all the good people of the Town of Oyster Bay to speak out and speak out loudly until this moratorium gets put off to the year 2070,000 (sic) to make it impossible for this ridiculous thing to be built. There's no safe way of doing it. There's no safe way. And history has proved that.

So please, please help us to continue to stop this, not just for this round, but permanently. Thank you for hearing me. Thank you for your support.

Have a good day.

SUPERVISOR SALADINO: Next speaker is Karen Yanelli.

MS. YANELLI: Thank you for having us again. And this is my second time

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speaking in support of extended moratorium for to the year 2070,000 (sic).

My name is Karen Yanelli, 16 Grove Street in Glen Head. And I just moved there from Shore Road, a very short distance, but I'm still in the zone that the potential BESS facility will be built.

So when you put these systems next to schools, homes, playgrounds, you place families in very, very dangerous, risky situations. And I know that New York State is like well, the fire is never going to happen. Now we have all of these codes. So that's impossible. Never going to happen. So if you look at the data, these codes have been in place just as stringent in California and Texas and other places where there are a lot of large lithium facilities and there's still fires. Maybe it's decreased by 50%, but there's still fires. So what happens when these fires take place? You

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evacuate. And just like the last gentleman said, there is no plan for evacuation. Even if there was, it's impossible.

So the New York State Fire Code, Section 1206, which adapts the International fire Code, covers the installation of battery energy storage facilities. It covers the signage, it covers the site emergency plans, but it does not mandate neighborhood wide evacuation protocols.

IFC, which is the International Fire Code, 106.9, requires an emergency response plan, but only at the site itself, not the community, like we said by another speaker. It does not require mass notification systems. It does not define timelines or transportation routes for families. So how will thousands of us be safely warned at 2:00 in the morning that a battery fire just started?

Now let's talk about the firefighters so they will be alerted.

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NFPA 855, Sections 4.10 and 16.2 and the Fire Code of New York State 1206.11 require annual training for fire departments. That's one workshop a year and we know that they cannot be extinguished. These fires release hydrogen fluoride and other toxic gases, which is, in fact, documented in the NFPA 855. So annual training, what is that going to do?

And fire volunteer fire departments like those here in our town, Glenwood Landing, Glen Head, they lack the specialized equipment that's referenced in the NFPA 855 at Annex D. So it's not even applicable to our first responders as they stand currently. So this also leaves our first responders completely exposed.

The New York State Fire Safety Code is set for January 1st, 2026 requires a qualified technician to arrive to the scene of the fire in four hours. Why even bother? It doesn't even make any sense.

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The fire is burning for four hours already. You think we're just going to all sit around waiting for this person to show up and and tell us what? What we already know that we're breathing in toxic fumes. So That's not safety. That's just delaying and putting something in writing.

One example that I could give is Arizona's 2019 McMicken explosion. That facility at the time was completely compliant with all international fire safety coding and Arizona's fire safety coding directly related to energy storage facilities; yet, several firefighters were hospitalized when they were trying to contain this fire, and a container completely exploded. So that single event forced changes to NFPA 855, Section 9.2.3. But it proves something critical, codes evolve after tragedies, not before them. So do we want our neighborhood to be the next lesson learned?

And then finally, signage. Yes,

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FCNYS 1206.8 requires hazard signs around the BESS facilities and sitemaps on where these facilities, these actual lithium batteries are going to be stored. But what does that do? That doesn't protect children on a playground. It doesn't guarantee safe distances between a burning battery and a classroom. These signs will give parents time to grab their kids and flee, potentially for their life. So the current fire codes may reduce the risk of a fire. It will never eliminate fire. And when lives are at stake, when children, families, everyone here, our first responders, are in harm's way. Reduced risk is not good enough.

Placing the BESS here is not just a bad idea. It is a violation of the public trust and of the duty of our state government to protect the families who call this place home. Thank you.

SUPERVISOR SALADINO: Thank you.

The next speaker is Eileen Small.

MS. SMALL: Good morning, everyone.

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My name is Eileen Small and I reside in Glenwood Landing.

Thank you, Supervisor Saladino and town council members for your unwavering support for Nassau County residents who are against the proposed battery storage facility in Glenwood Landing by continuing to approve a moratorium. We've reviewed many times now the reasons why this should not be allowed to be built, including health, safety and environmental concerns by the experts who have done their hard research. And I think we all agreed that no matter what, this type of facility does not ever belong in such a populated residential community. At the very least, we ask for another moratorium. And although I understand the reasons why requesting a ban would put us in a difficult position, we need a permanent solution at some point. So this facility will not come to us here in the Town of Oyster Bay, and so that no other developers, including

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Jupiter and their proxies, are able to prey upon our community here at Oyster Bay.

As mentioned, we need to use our vote in order to prevent this facility from being built. And I hope it won't be too late at that point.

Supervisor, you spoke about the quality of life here in Oyster Bay. Let's not lose it. My question is, how many moratoriums can we continue to propose since the ban is something that we really don't want to go forward with at this moment in time.

SUPERVISOR SALADINO: I'll answer your question. I believe it's unlimited. Is there a limit to the number of moratoriums that we can pass?

SPECIAL COUNSEL: No, there's no limit. But eventually if the applicant files a lawsuit, they're going to criticize us because we exceed a certain amount.

SUPERVISOR SALADINO: So there's

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your answer. There is not a legal limit. And like so many things we discuss so many issues, there is another component to this; and that's the legal process. What court, who is the judge; so on and so forth. And what is the temperature and and the time.

MS. SMALL: So obviously, yes, as you mentioned, Councilman Labriola, that we need to put our voices into a vote, you know, and make sure that what happens in Albany is really to our advantage down here because as everybody mentioned, the RAPID Act and everything else is just going to plow right over us here in Nassau County.

Thank you for your time and your support.

SUPERVISOR SALADINO: Thank you. The last slip I have -- if anyone else would like to be heard, please come up and fill out a form. But the last one I have is from Joan Matthews.

MS. MATTHEWS: Good morning, ladies

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and gentlemen. My name is Joan Matthews.
I'm a lifelong resident of Roslyn
Harbor, Glenwood Landing and Glen Cove.

SUPERVISOR SALADINO: Would you like
to give us an address.

MS. MATTHEWS: Scudders Lane, Roslyn
Harbor.

SUPERVISOR SALADINO: Thank you.

MS. MATTHEWS: I just want to say
thank you for allowing us to speak again
today, for your support to this point for
the moratorium with BESS, the RAPID Act
and New York and Propel High Voltage
cables, especially as we're just
beginning to gain BESS whack a mole. We
also need help with other politicians
that are in Albany to support us as well
despite our phone calls and emails and
going to their events to express our
opinion.

It's amazing that the more you
researched information, the evidence is
right there against us, and it's
frightening to think that they want to

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install multiple BESS facilities on densely populated Long Island and also places like Staten Island. It's amazing that we get people to come out from Babylon to support us as well.

It's very discouraging that the public that lives in the area that does not want these facilities have to compete against paid lobbyists and union workers, but has to take time to fight these facilities and also have to dig into FOIL this information. Why isn't it just made publicly available if we just call to find out so we can focus our attention on them.

I know like many others here today, we spend time away from our fun and family to research and advocate against the BESS Propel cables and turbine fight to show these company's lobbyists while watching the recording that there is a presence. There are people involved rather than emails that they don't ever see.

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Imagine a beautiful day when we're outside at any of the Long Island festivals, sporting events, concerts or fairs like Oyster Fest, which draws people from all over Long Island and the boroughs. We forget that there's been a large or small scale BESS installed in the area, and it has a thermal runaway. This is not fear mongering, but just something to think about as it happened in Moss Landing, California in January.

Do we even begin to think about how to handle a situation to get the masses to safety; do people shelter in place? How can this be done with the amount of people to shelter, feed, and how long do we do this to evacuate? How do we even get people out if this was during Oyster Fest? Car, train, bus because a lot of people come via train.

Again, interesting thing, remind you why is Doreen Harris, the head of NYSERDA, pushing this to allow us to have 3 to 4 more times expensive price power,

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also the four hour cost minus the cost of running the gas for cooling, security, AI power and the software power source, and unknown toxic quarantine, health and safety risks and not good green agenda think we should have these in our backyards, but in her community put a quick ban to place so that they're not in their backyard. Coincidence or inside info risks?

I reviewed a video last night for an hour and a half. It was for 2023. The FDNY Fire Academy video forum regarding electric bikes lithium ion batteries. This is a small scale battery, but it's definitely relevant to BESS. This panel included the ATF forensic engineer, the US Fire Administration, Consumer Protection, Fire Services, Hazmat, and Laura Cavanaugh, who is current leader for the FDNY. Interesting points that I found were that they stated the following: Back in 2023, only 44% of the people in the area knew about lithium ion

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batteries. And then, is it any better now? But these are just bikes, e-bikes. They have been all over the news. Where's our information out on the news?

So the Fire Safety Research Institute states that the lithium ion batteries from e-bikes burn faster, hotter and quicker, from 1 to 3 minutes, and they're fully engulfed within four minutes. What about a large bus facility? They produce more toxic fumes and smoke than normal fires, meaning just lithium ion batteries. What will it BESS do and how are we going to put it out on Long Island?

FDNY has a history of 20% higher rates from cancer already from work exposure than the general public. What happens to the long term exposure from smoke, fumes and toxic gases? Now, there is no long term studies for these hazards because it's all new. Electric bikes blow our walls out our windows. And what happens to the enclosure for the BESS

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with its massively large power? Can the PPE that firefighter wear to protect against nickel, cobalt and lithium? They are not able to detect currently toxicology from the blood tests of the toxins. Will the workforce be able to handle these large BESS fires? Will the volunteer fire department ever be able to fight and contain these fire? We only have 40 active capable people. Are they going to be able to show up and what else is the support for that?

Lithium ion batteries bring their own pieces to the typical fire triangle fuel, air and heat. So they don't need traditional sources like cords, outlets, fuels, and starters. They have to find old battery cells that were not discharged to avoid re ignition. Is this even possible? Moss Landing found this out themselves because it did reignite.

What is the risk to people in the areas that don't have a protection and awareness and how to for people to get

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notification?

Then there are some questions regarding these new fire codes. It seems to be not really addressed and impacts small or large scale BESS, but more for e-bikes.

Fire code number 1207.8.1. Remote outdoor installation of bars must be located more than 100ft from buildings lines, public ways, store combustible hazardous material, pile stock and exposure hazards. Well, are the lithium ion batteries combustible, hazardous and going to be stacked high? Well, what about the ones that propagate fires, like everywhere else in the world? And Vistra and Moss Landing that burned for days.

Fire code 1207.083, if we're talking about BESS located outdoors in prior hazardous facing items as listed before, you need ten feet distance. However, they have one hour of freestanding fire barrier reduces to five feet out beyond the physical barrier to protect the

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exposure. But this did not help Moss Landing because it burned larger than that.

EV batteries blew up more than the area when they showed it on the video then they're saying is the safe area to be placed. Clearance to the buildings can be reduced to three feet where waterproof enclosure is constructed of non-combustible materials, is provided over the BESS, and can be demonstrated that the fire within the enclosure will not ignite combustible materials outside the closure. Again, this didn't happen in Moss Landing, moisture got.

Plum and debris from toxic gas in Moss Landing traveled further within their eight mile area has been noted due to wind. Consider what would happen on Long Island. We are an island that has winds from all directions that changes all the time. Moss landings projected winds where they were doing the BESS research were wrong, and they've

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confirmed that. Also the fact that the residents were not notified and they were outside, as well as livestock that you may be eating in your supermarkets as well as your produce.

How many undocumented field workers are not counted in the 1500? Also be aware that this involved more farmland nonresidential and residential areas.

There's also the fact that if you have to evacuate and shelter in place, just a rough estimate, if it took place in Glenwood Landing, the fire, it would involve more than 300,000 residents based upon the 2023 census. What would happen if they can't get their children, elderly parents as we are all spread out for work along Long Island.

I've been communicating with Moss Landing residents and thank gosh we are more aware prior to the event so we can try and stop this. And they are way behind, playing catch up and paying the price.

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I was also waiting for follow up from an independent toxin tester who tested for (inaudible) that was just in Moss landing and he has inside resources and a researcher in the area of Moss Landing who has pre and post data. Because people are still having symptoms there. The EPA can deny it as much as they want, but they don't know what the toxic long term effects are. And I'll forward the information as I get it. Thank you so much for your time and going over.

SUPERVISOR SALADINO: Thank you.

Next, Matt Papiro.

Matt, could you start off by giving us your own name and address for the record?

MR. PAPIRO: Matthew Papiro, 5 Roosevelt Avenue, Glen Head, New York.

I wasn't prepared to speak. I've been to all these meetings with the school boards, Nassau County, Kof C Hall. I'm not here to regurgitate all the info.

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You have it, right. You have all the information. Your hands are tied. The RAPID Act is a pretty name for eminent domain, right? You can change zoning. You can do everything, if New York State wants to bring it down. Our hands are tied. Correct?

So we have to look at this as a different option, right? We knock down the windmills for now. And then we're going to bring the cables. The cables are looking like they're happening. That is the main concern here. If you have the cables going across the Long Island. If we don't get the batteries now, we have a new regime coming in and now the batteries get connected.

Let's look at this as a different way here. Why don't we take up the real estate that they're looking to bring all the cables on Glenwood Road and Glen Head Road -- we own multiple properties on Glenwood Road and Glen Head Road. We have a water problem. I need to do hi septic

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systems. I need to do pump station diversions. We have a water table issue there. If we had sewers running up Glen Head Road, Glenwood Road, they cannot put these cables. As it is now, they're telling us the cables have to be 15ft apart, 15ft apart. They were supposed to go around this street and that street. Now they're changing it this way, changing it that way. If we block their course of putting these cables and you don't have cables, you don't have batteries, you need to connect it.

Again, I'll try to keep it short and sweet. I'm in a fire department for 30 years. We are not equipped. The fire marshal. They're on our side. You guys are on our side. Thank you. Thank you very much. However, your hands are tied. What we can do, and this is what we look to you to help us with, let's look at sewers and let's fast track the sewers. If we can get sewers -- and speaking of someone who owns property, who owns

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businesses there, who know other people who own properties and business, we are willing to chip in and help out with our connections. Let's get them in the ground. Get them in the ground. You can't get the cables here. No cables, no windmills, no batteries. Problem solved.

Thank you for your time.

SUPERVISOR SALADINO: Thank you to the last speaker. Thank you to all the speakers here today.

In terms of the last speaker's remarks, we will pass along this issue to Nassau County, which is in charge of the sewage system of this county. Town of Oyster Bay, sewage is not one of the services we provide. Nassau County does.

MR. PAPIRO: As you know, we're looking to do a development, right --

SUPERVISOR SALADINO: The bottom line is we understand exactly the point that you're trying to convey.

MR. PAPIRO: Correct.

SUPERVISOR SALADINO: And we will

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 speak with our attorneys and Nassau
County and ask them to --

 MR. PAPIRO: But through you guys,
we can then get a seat at the table to
speak with them. Okay. So you'll speak.
Christine can help out since she's been
the torch bearer here. And then we'll go
along with her. Is that a promise?

 SUPERVISOR SALADINO: You have our
commitment that we will speak to our
attorneys and speak to the County to see
what options make sense.

 MR. PAPIRO: And is that Michael is
one of your attorneys?

 SUPERVISOR SALADINO: Yes. Judge
Montesano is one of our attorneys on
this.

 MR. PAPIRO: Thank you. Terrific.
Thank you. Appreciate you so much.

 SUPERVISOR SALADINO: Thank you. I
have no other slips.

 (Whereupon, audience member
would like to speak.)

 SUPERVISOR SALADINO: Christine,

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would you like to speak again? Not today. I'm saying that to thank you for all the board member meetings that you have attended consistently. Please.

MS. PANZECA: Supervisor Saladino and the Town Board, we appreciate your continued representation to protect our health, safety and that of our families, homes water supply.

We ask that you extend this moratorium and create ways of keeping these projects from being in or near our residential communities.

Albany bureaucrats and their agencies are creating the energy problem and then mandating how we must live locally without our consent creating laws like the RAPID Act, taking away our rights and your rights to local zoning that actually, in fact, protect our communities. They disregard our health and safety, bending to the whims of developers, their paid lobbyists, and the associated misguided energy pipe dreams

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that are not financially viable,
reliable, green or clean.

The CLCPA needs to be repealed. It makes no difference to the global greenhouse gas emissions when New York State is 0.4% globally; 0.4. But what it does do is it prices residents out of state and gives us intermittent, unreliable energy sources and their toxic infrastructure that puts our health and safety at risk. Putting all your eggs in one unreliable basket and forcing everyone to electric as the only source of energy is a recipe for disaster for New York State and our communities.

As a result of these policies, our communities are targeted now for multiple gas projects, not only to Jupiter. There's another one slated for Glenwood Landing. We're getting the disproportionate convergence of three high voltage EMF emitting transmission lines on every major roadway surrounding our homes, businesses, schools,

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interrupting the small business community under the feet of our children, along with the massive new substation and cables in the harbor. All for what? Propel is satisfying the Long Island public policy transmission need to export wind off of Long Island, because the PPTN said that our current system curtails the export of wind energy. I ask you, why is this Long Island PPTN and not being cancelled? Especially when Roy Christensen just cancelled the New York PPTN, saying he couldn't in good conscience ask ratepayers to shoulder the cost and risk of power lines for offshore wind.

Then there's the Potomac report that says Propel should not be pursued. It's not cost effective and it's actually \$36 million per mile. We've seen Clean Path abandoned, Project Juneau and offshore wind projects canceled, and ocean leasing now stopped. It was alarming to see from the beaches of TOBAY this past few weeks,

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the turbines going in for Empire One.

If this town let's Propel in, there's no room for needed infrastructure in our roadways, for sewers which our business district needs and residents desire. Consider the impact of these cables and their components near our water supplies and wells, and the fact that their renewable substation will make us a perpetual target for battery energy storage, and our community will be destroyed.

Why do our communities and township have to be collateral damage? If all the cables are for renewables and they go to this new substation, then they and the new substation can be put elsewhere. Why us?

And who is looking out for the residential impact to our community? Why are we disproportionately impacted? We had about 100 to 500 residents, show up and voice opposition to Propel and BESS. And we have petitions with thousands of

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signatures against both projects. But is the state listening to what we want?

Propel is allowed to work in our communities in the middle of the night. When they're asked questions, they're invasive. They deny the work is being done for Propel until you ask for a manager, and then you get a card that says they're doing surveying and trying to figure out what they can do with the project. Talk about a broken process.

The Article 7 is moving forward, and they haven't even sorted out whether they can do what they're planning to do.

NYSERDA now has a bulk energy storage program implementation, with their first solicitation expiring last week, allowing New York Green Bank support for developers and now giving index storage credits structured to provide owners of these facilities greater revenue certainty. Why are we, as ratepayers and taxpayers, required to fund something that we don't need that

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puts us in danger?

I was with Senator Mattera, who openly discussed these BESS projects as experiments, and Lee Zeldin, at his press conference where he said everyone is learning to deal with the dangerous, toxic fallout of these facilities on the fly as incidents happen and we wind up having tombstone regulations.

We don't want to be lab rats or deal with toxic fallout. We don't want these ticking time bombs in our community. If Moss Landing had an eight square mile evacuation zone with people being sick 20 miles away and the Elkhorn sleuth being contaminated, I suggest these facilities are at least 8 to 20mi² away from homes, waterways and aquifers.

Common sense is lost when the dangers are ignored and BESS facilities are forced in our community. These new BESS in country, BESS safety standards are anything but. It's frightening to consider officials are perfectly

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comfortable installing these things,
giving developers upside potential at the
expense of our health and safety.

The codes do not address the root
cause of the problem. The battery
chemistries are not changed. They are
unstable, dangerous, and toxic. It's not
a matter of if. It's a matter of when.
And they do nothing to really protect us
from the toxic dangers. It's still let it
burn approach with evacuations if they
happen, shelters in place, hazardous
waste cleanups, medical situations for
residents, and toxic fallout for our
homes. So what do these new fire codes
provide residents in the end? I'll tell
you. The nightmare the Moss Landing
residents are still going through with
broken promises on safety, a bunch of
sorries from the developer, another set
of promises about it not happening again
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SUPERVISOR SALADINO: Excuse me. We
want to give everyone the same amount of

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time.

MS. PANZECA: Yeah. I'm almost done.

SUPERVISOR SALADINO: But your comments today and all the times you come here and your advocacy is tremendously appreciated.

MS. PANZECA: I'm almost done.

SUPERVISOR SALADINO: Okay.

MS. PANZECA: The codes let the fox watch the henhouse, developers hire peer reviews to look at their projects. To who is the reviewer beholden to? What are the repercussions for them when there's an issue or disaster?

What do a few hour rated fire barriers do when thermal runaways go on for days and weeks. They allow remote operations subject to cyber risk and communication problems. Fifteen minutes to dispatch, four hours on site leaves us in a disaster. They have the ability to use reused and refurbished materials. How is that a good idea when that's known for catalyst?

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The reliance on suppression systems, when they have audits with 25% failure rates and thermal management systems at the 18% failure rates.

Why aren't the developers required to do independent baseline air, soil and water tests prior to the operation of facilities?

Why are there not 20 mile air quality monitoring zones that they pay for and the town oversees until they are just commissioned?

Why are there not bonds at 500,000 for every resident that drinks from our aquifers and our health safety in homes for the requirement of them providing 8 million gallons of water on site for when a disaster happens.

We don't want to be Moss Landing or Palisades or Palatine, Ohio. We want local town, local, say, and we will team with you to protect our health and safety.

Thank you for listening and all you

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do to support the community in addressing
propel the RAPID Act and extending this
moratorium while putting long term
solutions in place, protecting these
projects from being in or near homes.

Thank you.

SUPERVISOR SALADINO: Thank you.

With that, I am aware as we finish up on
this hearing, we have correspondence in
support of extending the moratorium from
some of our elected officials, including
Nassau County Legislator Samantha Goetz,
who strongly has voiced hers his very
strong support of extending the
moratorium; Legislator DeRiggi,
Congressman Suozzi. Is there any other
correspondence?

TOWN CLERK: There is correspondence
on file that has been distributed to the
entire board. But at this point, you've
said it all.

SUPERVISOR SALADINO: Okay.

Thank you very much. With that, may
I have a motion?

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COUNCILMAN IMBROTO: I move that the hearing be closed, and for there be an immediate vote today on the proposal.

COUNCILMAN HAND: Second.

SUPERVISOR SALADINO: All in favor, please signify by --

SUPERVISOR SALADINO: Please approach.

(Whereupon, off the record discussion.)

SUPERVISOR SALADINO: We're just making sure in terms of the law, if that can be taken today, if that is legally possible, we would like to do that.

(Whereupon, off the record discussion.)

SUPERVISOR SALADINO: Okay. We're taking the motion to close the hearing while we get the town attorney to determine best practice on taking the vote.

So we have a motion. Please repeat the motion.

COUNCILMAN IMBROTO: The motion was

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to close the hearing for there to be vote today subject to approval by our Town Attorney.

COUNCILMAN HAND: Second.

SUPERVISOR SALADINO: All in favor?

(Whereupon, all members present respond in favor.)

SUPERVISOR SALADINO: Those opposed?

(Whereupon, no response.)

SUPERVISOR SALADINO: The motion wins unanimously.

We are getting a word on this.

(Whereupon, off the record discussion.)

SUPERVISOR SALADINO: Okay, folks, the Town Attorney is just checking on procedure. We are going to give our stenographer a break. We're going to take a five minute break and then come back with the Regular Action Calendar for today, where the decision on this hearing may be on that Regular Action Calendar. And after our five minute break, we will let you know that specifically.

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Thank you.

(Whereupon, recess
12:19-12:50 p.m.)

(Whereupon, no response.)

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

With that. Anyone else?

(Whereupon, no response.)

SUPERVISOR SALADINO: Well, then it's time to go vote. Please proceed to a vote.

TOWN CLERK: Supervisor Saladino?

SUPERVISOR SALADINO: It has been extremely clear to me over and over from the experts, from those in the firematics

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field, engineers, environmental experts that we have spoken with and many, many concerned residents, many of them who have done quite a bit of research, it is extremely clear to me -- and probably most important, with no disrespect to our residents who we love and support -- probably the strongest of all is just looking at the tail of the tape. And by that I mean the realities of what have taken place in other regions in the country: The dangerous fires, the plumes of contaminants that rise into the air, that go into neighborhoods, that go into the ground, that could go into our waterways. It becomes very clear to me that, in my opinion, the technology does not exist that can safely accomplish what those who are in support of these battery energy storage systems believe will be the fact. I don't see it. I haven't heard it. Nobody has shown me examples where a fire has quickly went out.

And last, I'll relate to the media.

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So many times I've turned on my television to see buildings burned down. People burn. People dying with fires that have started with similar types of battery storage, sometimes as small as a scooter. And with that, I feel very confident in voting for another six month moratorium. At this time, I vote aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: In light of what we've heard regarding the safety of this technology and the risks of the environment, I am proud to vote aye and I urge my colleagues to do the same.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: I vote aye as well.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Councilman Monteleone?

COUNCILMAN MONTELEONE: Aye.

TOWN CLERK: Motion to adopt

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resolution number 296-2025 passes with
six ayes.

Calendar is complete, Supervisor.

SUPERVISOR SALADINO: Thank you very
much.

With that, may I ask for a motion to
close the meeting?

COUNCILMAN IMBROTO: So moved.

COUNCILMAN HAND: Second.

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

(Whereupon, all members of
the Town Board respond with
"Aye".)

SUPERVISOR SALADINO: Those opposed,
nay?

(Whereupon, no response).

SUPERVISOR SALADINO: The ayes have
it.

(Whereupon, above matter
concludes, 11:01 a.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of September, 2025.

Karen Lorenzo
KAREN LORENZO

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TOWN BOARD
TOWN OF OYSTER BAY

REGULAR MEETING

September 9, 2025

12:50 p.m.

ACTION CALENDAR

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO

COUNCILMAN LOUIS B. IMBROTO

COUNCILMAN THOMAS P. HAND

COUNCILMAN STEVE L. LABRIOLA

COUNCILWOMAN LAURA L. MAIER (Absent)

COUNCILWOMAN VICKI WALSH

COUNCILMAN ANDREW MONTELEONE

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

RICHARD LaMARCA TOWN CLERK

JEFFREY P. PRAVATO RECEIVER OF TAXES

FRANK SCALERA, ESQ., TOWN ATTORNEY

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SUPERVISOR SALADINO: All right, folks, this is how we're going to proceed. We're going to begin our Action Calendar, take a vote on our Action Calendar. I don't have any slips of anyone who would like to be heard for our Action Calendar.

So we'll do that, and then we'll take our vote, and then we will break for executive session and then come back if a couple of people that might want to be heard in public comment.

So with that, may I have a motion? I'm sorry. We have not had executive session yet.

COUNCILMAN IMBROTO: Just so the residents know, we are going to be voting on the resolution today to extend the deadline.

SUPERVISOR SALADINO: Right. We'll do it as a walk on. And I think that is most appropriate. You've all been very patient.

So with that Mr. Town Clerk, will

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you now present the Resolution Calendar
for today?

TOWN CLERK: May I have a motion to
suspend the Rules and add Resolution 653
and 654-2025?

On the motion?

COUNCILWOMAN IMBROTO: So moved.

COUNCILWOMAN HAND: Second.

TOWN CLERK: Motion made by
Councilman Imbroto and seconded by
Councilman Hand.

On the vote, Supervisor Saladino?

SUPERVISOR SALADINO: Aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: Aye.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

SUPERVISOR SALADINO: Councilman
Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Walsh?

(Whereupon, Councilwoman
Walsh stepped off dais.)

TOWN CLERK: Councilman Monteleone.

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COUNCILMAN MONTELEONE: Aye.

TOWN CLERK: Motion to suspend the Rules and add Resolution 653 and 654-2025 passes with five ayes and zero nays.

May I have a motion to resuspend the Rules and add walk-on Resolution 655 and 656-2025. Resolution 655-2025 is a resolution directing the Town Clerk to advertise a notice of hearing on a proposed local law entitled A Local Law to amend the code of the Town of Oyster Bay, New York, Chapter 246, Zoning.

Resolution 656-2025 is a resolution pertaining to the decision on a local law entitled A Local Law to extend the Town's Battery Energy Storage System (BESS) moratorium for an additional six month period.

On the motion, please?

COUNCILMAN IMBROTO: So moved.

COUNCILMAN HAND: Second.

TOWN CLERK: Motion made by Councilman Imbroto and seconded by Councilman Hand.

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On the vote, Supervisor Saladino?

SUPERVISOR SALADINO: This vote is not to vote on the moratorium. This is a vote to allow it to be decided on in today's meeting; I vote Aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: I vote aye.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Councilman Monteleone?

COUNCILMAN MONTELEONE: Aye.

TOWN CLERK: Motion to resuspend the Rules and add walk-on Resolutions 655 and 656-2025 passes with six ayes and zero nays.

May I have a motion to remove from table Resolution 574-2025 which was tabled on August 12, 2025.

On the motion.

COUNCILMAN IMBROTO: So moved.

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COUNCILMAN HAND: Second.

TOWN CLERK: Motion made by
Councilman Imbroto and seconded by
Councilman Hand.

On the vote, Supervisor Saladino?

SUPERVISOR SALADINO: Aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: Aye.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Councilman Monteleone?

COUNCILMAN MONTELEONE: Aye.

TOWN CLERK: Motion to remove
Resolution 574-2025 from the table passes
with six ayes.

May have a motion to adopt
resolution number P15-2025 through
656-2025 and 574-2025 which has been
removed from the table.

On the motion?

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COUNCILMAN IMBROTO: So moved.

COUNCILMAN HAND: Second.

TOWN CLERK: Motion made by
Councilman Imbroto, seconded by
Councilman Hand.

I don't have any slip, Supervisor.

SUPERVISOR SALADINO: Nope. We have
no one who has indicated they'd like to
be heard on the Resolution Calendar for
today.

Please proceed with the vote.

TOWN CLERK: Supervisor Saladino?

SUPERVISOR SALADINO: I'm proud to be
voting aye for today's Resolution
Calendar, including an especially a
continuation of the moratorium of BESS
facilities. We are very appreciative of
all of the community input. All of the
information that has been presented to
us.

And I must say on further review,
the science and the testimony that we
have received over the last year or so
from the experts in Firematics, the

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2 experts in science, people who understand
3 the dangers, and the fact that the state
4 has not come up with the proper
5 instruction and direction in terms of how
6 to contain these fires, how to protect
7 the environment, how to protect
8 firefighters, and especially the
9 residents who, in this case, in our town,
10 because of the density, live close to the
11 locations where they have either been
12 proposed or could be proposed. For all
13 these reasons, and because our number one
14 function of this town is to protect our
15 residents, I proudly vote aye (applause).

16 TOWN CLERK: Councilman Imbroto?

17 COUNCILMAN IMBROTO: I echo the
18 Supervisor's remarks. The safety of our
19 residents, the quality of life in our
20 communities is our primary concern, and
21 we will not allow the State to dictate
22 our local zoning. We will stand up for
23 our residents. And as long as we are
24 here, sitting up here representing you,
25 we will continue to vote for these

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moratoria. I voted on all the resolutions today.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye on all.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye on all.

TOWN CLERK: And Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye on all.

TOWN CLERK: Councilman Monteleone?

COUNCILMAN MONTELEONE: Aye on all.

TOWN CLERK: Motion to adopt Resolution P15-2025 through 656-2025 passes with six ayes. Resolution 574-2025 passes with six ayes and zero nays as well.

Calendar is complete.

SUPERVISOR SALADINO: Thank you.

That concludes our town board meeting for today, September 9th, 2025.

May I have a motion to close the meeting.

COUNCILMAN IMBROTO: I move that this Town Board meeting be closed.

COUNCILMAN HAND: Second.

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

(Whereupon, all members respond in favor.)

SUPERVISOR SALADINO: Those opposed, "Nay".

(Whereupon, no verbal response.)

SUPERVISOR SALADINO: The ayes have it.

(Whereupon, above matter concludes, 1:00 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, KAREN LORENZO, a Notary Public for and within the State of New York, do hereby certify:

That the above is a correct transcription of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of September 2025.

Karen Lorenzo
KAREN LORENZO