

TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

January 23, 2024

10:17 a.m.

SPECIAL PRESENTATION

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

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

PRAYER:

Rabbi Jason Fruithandler of Woodbury Jewish
Center

PLEDGE:

United States Air Force Lieutenant Izzy
Weisfelner

SPECIAL PRESENTATION:

Executive Director Moji Pourmoradi, of the
Holocaust Memorial and Tolerance Center of
Nassau County,

Executive board member Jolanta Zamecka.

Rabbi Joel Levenson of Midway Jewish Center in
Syosset

Cantor David Katz of Temple of Or Elohim

Rabbi Jaimee Shalhevet of North Shore
Synagogue in Syosset

Rabbi Shmueli of Plainview Synagogue,

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2 SUPERVISOR SALADINO: Good morning,
3 ladies and gentlemen. I'm your town
4 supervisor, Joseph Saladino, and the
5 Board and I welcome you to this meeting
6 of our town board for Tuesday, January
7 23, 2024.

8 For those joining us for the first
9 time this morning, we want to let you
10 know you will have an opportunity to be
11 heard on matters brought before the Town
12 Board as well as during the public
13 comment at the end of the meeting. If
14 you'd like to be heard on one of our
15 hearings or on one of our public
16 calendar, the hearing of the resolutions
17 we're doing today, please fill out one of
18 these forms (indicating). And if you'd
19 like to be heard on an issue that does
20 not have to do with either a hearing or
21 public calendar, then if you would stay
22 to the end, we will listen to you during
23 the public comment portion.

24 As always, the meeting is being live
25 streamed on social media and on the

1
2 Town's website, Oysterbaytown.com. These
3 proceedings are recorded and later
4 transcribed.

5 We want you to know your voice is
6 very important to us. Statements,
7 comments and input from the public
8 relative to our meetings is always
9 welcomed and respected as part of the
10 record. And I just that we all respect
11 one another so everyone's comments can be
12 heard.

13 You don't have to be here to submit
14 comments. You can e-mail
15 publiccomment@OysterBay-ny.gov or you can
16 mail us at the Office of the Town
17 Attorney, 54 Audrey Avenue, Oyster Bay,
18 New York 11771.

19 To lead us in prayer, I am very
20 proud and privileged to welcome a good
21 friend who is an incredible leader in the
22 community and that is, Rabbi Jason
23 Fruithandler of Woodbury Jewish Center.

24 Would everyone please rise.

25 (Whereupon, all rise.)

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2 RABBI FRUITHANDLER: Elohim, creator
3 of all that is, this week we mark
4 International Holocaust Remembrance Day.
5 And as I pray to you, God, I ask, what
6 should I remember?

7 Should I remember those 6 million
8 Jewish souls who were lost? The 1.5
9 million children who lost their lives in
10 the Holocaust?

11 Should I remember the millions of
12 political prisoners, those who were
13 deemed mentally or physically challenged;
14 the gypsies, those who the Nazis decided
15 did not live up to their standards.

16 Should I remember the stories I have
17 heard from survivors? The story of the
18 Nazi guard who took particular pleasure
19 in stabbing pregnant women in the
20 abdomen.

21 Should I remember the story of the
22 young girl who was being herded off to a
23 train to a camp, who thought her neighbor
24 came out to say goodbye, but the other
25 young girl took the doll out of her hand

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2 and said, "you won't need this where you
3 are going"?

4 Should I remember the years in which
5 Jews were told to wear a yellow star and
6 walk in the ditches and the dirt in which
7 Germans were prosecuted for shopping,
8 attending, or being a part of any Jewish
9 institution?

10 Should I remember Hitler's rise to
11 power and the popular ticket, and the way
12 in which he told everyone, "your problems
13 are not your own, your problems are
14 because of the Jew"?

15 Should I remember that those people,
16 when they are down, when they feel lost,
17 it is easy to blame the other?

18 It is comforting to say your
19 problems are not your own. They must
20 belong to that other group; "Those
21 people", "them".

22 Please, God, this Holocaust
23 Remembrance Day, help me to remember the
24 terrible tragedies and stand strong
25 against them occurring again. Help me to

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2 remember the regular people who lost
3 their way. Help me to remember that when
4 we face a difficult and challenging
5 world, it is comforting and easy to blame
6 the other. But it also leads to some of
7 the darkest and most tragic moments in
8 human history.

9 Please God, give me the strength to
10 remember and the wisdom to use that
11 memory to make sure tomorrow is always
12 better than today. And let us say, Amen.

13 (Whereupon, all, "Amen".)

14 SUPERVISOR SALADINO: Thank you,
15 Rabbi Fruithandler. You continue to be an
16 inspiration. Your spiritual support to
17 your congregation to all of us in the
18 Town of Oyster Bay is exceptional and we
19 embrace you for all that you do. And we
20 thank you very, very much.

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2 SUPERVISOR SALADINO: Leading us in
3 the Pledge of Allegiance this morning is
4 retired United States Air Force
5 Lieutenant Izzy Weisfelner, who served
6 from 1968 to 1971.

7 Lieutenant, the honor is truly ours,
8 and the podium is yours.

9 MR. WEISSFELLER: Thank you. By the
10 way, I'm also a son of a survivors, and I
11 was born in a camp.

12 SUPERVISOR SALADINO: Thank you.

13 (Whereupon, the Pledge of
14 Allegiance is said.)

15 SUPERVISOR SALADINO: Thank you so
16 much. We greatly appreciate that you are
17 very, very important to us, and we'll
18 continue to honor you and the memory of
19 those who have lost.

20 Let us take a moment of silence,
21 recognizing our men and women in the
22 United States armed forces, serving here
23 in the homeland and across the world. Let
24 us remember all of those we have lost
25 during the Holocaust and since, those we

1
2 have lost during the attacks in Israel,
3 and most recently, we have lost a number
4 of United States service members,
5 including two United States Navy Seals.
6 We continue to lose Americans, Israelis
7 and all who are the victims of war and
8 what we see going on in the United States
9 and Israel and across the world,
10 including at the hands of Russia in the
11 Ukraine. God bless them all.

12 (Whereupon, a moment of
13 silence is observed by all.)

14 SUPERVISOR SALADINO: Thank you very
15 much. Please be seated.

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2 SUPERVISOR SALADINO: Folks, we are
3 recognizing International Holocaust
4 Remembrance Day, it's coming this
5 Saturday, January 27th. This date marks
6 the liberation of Auschwitz, one of the
7 most infamous and deadliest concentration
8 camps ever, and during the Holocaust, of
9 course, all of them were horrific.
10 Terrible. And we must never forget the
11 crimes committed against the Jewish
12 people and others. The level of hate that
13 we see again rear its ugly head.

14 In support of this meaningful
15 awareness initiative, especially with
16 events unfolding in the state of Israel,
17 anti-Semitism is on the rise globally and
18 nationally, the Town has invited leaders
19 from our Jewish community to join with us
20 this morning. Among those are Executive
21 Director Moji Pourmoradi, of the
22 Holocaust Memorial and Tolerance Center
23 of Nassau County, along with executive
24 board member Jolanta Zamecka. We have
25 Rabbi Joel Levenson of Midway Jewish

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2 Center in Syosset, a personal friend.
3 Also, Cantor David Katz, another personal
4 friend of Temple of Or Elohim and
5 Jericho, a very, very talented cantor as
6 well as performer, performs in our
7 holiday show and elsewhere. You also met
8 Rabbi Jason Fruithandler of the Woodbury
9 Jewish Center. So happy to have you with
10 us as well. Rabbi Jaimee Shalhavet of
11 North Shore Synagogue in Syosset, and
12 Rabbi Shmueli of Plainview Synagogue.

13 Executive director of Pourmoradi,
14 won't you please come up and join us to
15 say thank you.

16 MS. POURMORADI: Good morning.

17 Dear friends, Elie Wiesel once said
18 about his fellow survivors, "I look at
19 their children and I moved to tears. I
20 think of the killers and I moved to
21 anger. I think of the victims and I moved
22 to despair. But I think of our children
23 and I moved to hope".

24 So much of what Mr. Wiesel says
25 resonates deep within me from the time I

1
2 was a young girl. But this quote, this
3 quote I found so appropriate for today.
4 Why? Because through it we move from
5 anguish to hope. That is what Holocaust
6 Remembrance Day commemorates. The day
7 Auschwitz was liberated. The day the
8 lights turned back on again for humanity.
9 And that is the essence of what we bring
10 to HMTTC. That through the darkness, one
11 must always find the hope. And if you
12 don't find it, you must become it.

13 That's what happens when we bring
14 teenagers into our museum. They see the
15 darkness of humanity. They see how
16 propaganda became the way that people
17 lost their humanity. And at the end, they
18 see the hope. They see the people that
19 stood up against it. They see the people
20 that fought against it. That's what we
21 give to our teenagers. We give them the
22 understanding that it is up to them to be
23 the upstander, that it is up to them to
24 see it and call it out. Anytime humanity
25 is lost, it is up to them to bring it to

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2 our attention and bring us back to who we
3 are supposed to be.

4 Our children are our upstanders. Our
5 children are our hope. Today is a day
6 that commemorates. It's a sad day, but if
7 we look at its essence, it is the day
8 that we light up again. And that is what
9 I want us all to remember.

10 Thank you.

11 SUPERVISOR SALADINO: Thank you,
12 Executive Director, for those impactful
13 words. A very important message that we
14 will continue to embrace.

15 RECEIVER OF TAXES: Supervisor, may
16 for one second.

17 Years ago, when I was mayor, we had
18 a young man spray painting swastikas on
19 the picnic tables in one of our parks. We
20 caught him. They said, what do you want
21 me to do with them? You want him to do
22 community service, pick up garbage? I
23 go, it's not going to do anything. I sent
24 them to the Holocaust Museum. He came out
25 crying. He met a survivor. His lawyer

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2 said he ran back home and apologized. He
3 had no idea of the significance of what
4 he did. And I hope I was able to teach a
5 lesson to somebody of the hate.

6 Thank you for everything you do.
7 Seriously.

8 (Whereupon, applause.)

9 SUPERVISOR SALADINO: Collectively,
10 we're unified around the significance of
11 Holocaust education, denouncing
12 anti-Semitism, honoring the victims of
13 Nazism, and the prevention of future
14 devastation from genocides.

15 In short, in the Town of Oyster Bay,
16 we fight back against hate and embrace
17 love, understanding, education, and the
18 fact that we're one family in this town
19 and we will continue to protect everyone.
20 And this commitment comes from each of us
21 here on the town board. We will continue
22 to work together to protect everyone and
23 ensure that our Hebrew brothers and
24 sisters in this town will always be safe.
25 That is a critical message that we

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2 continue to make sure people understand.

3 In fact, we have condemned all forms
4 of hate and intolerance in this town.
5 We've done it from the bully pulpit;
6 we've done it with our resolutions to
7 ensure that if you won't do business with
8 Israel, you can't do business with the
9 Town of Oyster Bay. We provided for the
10 the definition of hate. We've condemned
11 what has taken place on the attacks on
12 October 7th in Israel.

13 And someone who understands greatly
14 what we've been doing, because we are
15 certainly in lockstep, is Rabbi Joel
16 Levenson, someone who we look up to. We
17 appreciate. He is a very dear friend, and
18 we ask him to join us at the podium to
19 share his thoughts.

20 Thank you, Rabbi.

21 RABBI LEVENSON: Thank you,
22 Supervisor.

23 I'm going to echo your words in
24 quoting Elie Wiesel, who said that, "the
25 opposite of love is not hate, it is

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2 indifference". And we have felt -- I want
3 to echo what you just shared with us,
4 Supervisor. We have felt your support for
5 our community and standing up to all
6 forms of hate, and not being indifferent
7 to what might be going on, whether it's
8 locally, here or around the world. And
9 it's a reminder to all of us not to be
10 indifferent.

11 Just in our gathering here today,
12 shows not indifferent to the shadows of
13 the Holocaust. It's why we gather and
14 tell these stories, as my colleague Rabbi
15 Fruithandler alluded to just a minute
16 ago. Why we bring our students to the
17 Holocaust Center and Glen Cove. Because
18 we are not and cannot remain indifferent.

19 This town is not indifferent to the
20 rise of anti-Semitism as we've seen
21 around the state, around the country. And
22 we thank you for standing shoulder to
23 shoulder with us.

24 This town is not indifferent to the
25 attacks in Israel on October the 7th, and

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2 we thank you for standing shoulder to
3 shoulder with us and creating
4 opportunities for us to gather and draw
5 strength from one another.

6 And this town is not indifferent to
7 the fact that of the 136 hostages held by
8 HAMAS terrorists in Gaza. Of those 136,
9 six are American citizens, and of the six
10 American citizens, one is a resident of
11 the Town of Oyster Bay. One is a resident
12 of the Town of Oyster Bay from Plainview,
13 and his name is Omer Neutra, and he
14 turned 22 years old in captivity.

15 And I know that this town is not
16 indifferent in joining all of us who
17 share the values of the United States, of
18 Israel, and our allies around the world,
19 and hoping and praying for Omer's safe
20 return to his family in Plainview, so he
21 can return to their loving arms and to
22 the arms of his friends and family, who
23 await eagerly for his safe return.

24 Until that day comes, we hope and
25 pray that a great peace will embrace the

1
2 whole world. A nation will not lift up
3 sword against nation, and neither shall
4 learn war anymore. Amen.

5 We thank you for standing with us.

6 SUPERVISOR SALADINO: Thank you,
7 Rabbi Levinson. Your friendship, your
8 good counsel, your leadership shows and
9 is greatly appreciated. We feel very
10 strongly to stand with each and every one
11 of you in every way possible.

12 You know, the Holocaust was founded
13 on the ideology of hatred and
14 indifference. People not caring, people
15 turning a blind eye to what was going on.
16 And of course, anti-Semitism. During this
17 time, Nazi Germany and its allies mass
18 murdered 6 million Jewish victims and
19 millions of others. Nearly two out of
20 every three European Jews were killed
21 from Nazi Germany's use of deadly living
22 conditions, mass shootings tortured, they
23 were gassed. This was done at these
24 killing centers, also known as
25 concentration camps.

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2 There were people like Alfred
3 Weinberg of Farmingdale, who's with us
4 this morning. Alfred is a Holocaust
5 survivor who escaped Germany in 1939. He
6 and his family lived in the Dominican
7 Republic from 1939 to 1953, and
8 eventually moved to New York on July 1st,
9 1953. Exactly five years later, he was
10 granted U.S. citizenship and voted in
11 every election since then. He worked as
12 an electronics engineer.

13 He and his late wife Audrey, who
14 were married in 1969, raised their two
15 sons in Farmingdale and were very active
16 in our community in so many ways. Today,
17 the family includes four grandchildren,
18 two boys and two girls. He is with us
19 today, joined by his son Stuart and his
20 wife Dawn, and we will warmly welcome you
21 all here to Town Hall.

22 The Weinberg Family enthusiastically
23 participated in numerous town programs.
24 In many ways, the Weinberg's represents
25 what so many others were not able to do,

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2 to live; who did not escape the
3 Holocaust. They're living for them with
4 tremendous hearts.

5 We're proud to dedicate this meeting
6 to Alfred and all of the survivors that
7 we lost in the Holocaust, and those we
8 continue to lose. Now, I ask Alfred to
9 please join us to say a few words.

10 (Whereupon, applause.)

11 MR. WEINBERG: Good morning, Mr.
12 Saladino, Mr. Superintendent.

13 I want to thank you very much for
14 having me and for having me come up here.

15 Who am I? No one here knows me. I'm
16 just a guy who was lucky enough, and his
17 family, to escape the Holocaust in 1939.

18 On November 9th, 1938,
19 Kristallnacht, we were picked up from our
20 houses at 5 o'clock in the morning and
21 marched off to a big cavern bigger than
22 this. And my father, who happened to be
23 not in the house but on his way to get
24 rid of a gun that he had in the store,
25 he was picked up on the way. And had he

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2 been picked up with a gun, he wouldn't
3 have survived.

4 Anyway, he was in a concentration
5 camp for many weeks. At that time, in
6 1938/39, he was given a choice to leave
7 the country as soon as possible, and he
8 was able to leave in 1939, March '39. We
9 were told we have a choice between two
10 countries, Bolivia and Dominican
11 Republic. And we said, "Dominican
12 Republic, where's that"?

13 So we wound up going to the
14 Dominican country. We found it to be a
15 beautiful, beautiful country. And the
16 people were very, very friendly to us,
17 strangers. And we were settled in a town
18 called Sosua. That's a place in the
19 north of the country where about 800
20 refugees from the Holocaust were able to
21 settle.

22 There's a lot to talk about, Sosua.
23 Anybody interested in Sousa, Google, and
24 YouTube. It tells you all about it.

25 I was very lucky. In 1953, we, my

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2 parents and I, came to United States, and
3 my dream was always being in New York and
4 it came true. My brother was here
5 already, and he was in the Army. He was
6 in American Army. He came here earlier.

7 Anyway, my parents lived here for
8 three years, and then they went back.
9 They couldn't get used to the life here.

10 But I can only say that I'm very
11 lucky. I have a wonderful family. I have
12 four grandchildren. My son is here, but
13 he doesn't live in the neighborhood. Like
14 every other child that belongs to you,
15 most of you, they moved away. They move
16 very far away. Mine moved as far as
17 Suffolk County (laughter).

18 Thank you very much for having us.

19 I would just like to add one more
20 thing. You spoke about the Holocaust, it
21 should never happen again. It is
22 happening. It happened in Africa. It
23 happened in Cambodia and in seven other
24 places where we don't even know. We have
25 to stop this. But we can't do it all

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2 alone. We gotta have help from other
3 people, other countries.

4 So thank you very much for having me
5 up here.

6 SUPERVISOR SALADINO: Alfred. We
7 appreciate.

8 (Whereupon, standing
9 ovation.)

10 MR. WEINBERG: Alfred, you proved to
11 us the meaning of strength, you proved to
12 us the meaning of determination. We
13 greatly appreciate everything you have
14 done and continue to do. We commit to you
15 that we will never forget those who made
16 it out, and never forget those who did
17 not.

18 For the remainder of this month will
19 be illuminating Town Hall in yellow for
20 International Holocaust Remembrance Day.
21 Just a few days ago, our tax receiver,
22 Jeff Pravato and I partnered with three
23 local couples who joined together to
24 collect sports equipment, clothing, candy
25 and toys for children in Israel who

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2 continue to be affected by the terror
3 attack of attacks of October 7th. Joining
4 us here today is Leehee Baruch, a
5 Plainview resident who dedicated to act
6 and embarked upon this project in a show
7 of support, kindness of love. Lee, would
8 you please stand and be recognized for
9 your compassion.

10 (Whereupon, applause.)

11 SUPERVISOR SALADINO: We commend you
12 and the others you're working with and
13 all for their efforts, which included
14 these collecting, packing and shipping
15 and deliver these items to the children
16 of Israel.

17 It is so important, as we talked
18 about on that snowy day, it is so
19 important to continue to share the love,
20 show the support, and to teach; to teach
21 America, to stop the nonsense, to focus
22 on the facts, focus on coming together.
23 No matter what walk of life we come from,
24 no matter what differences we have, we
25 must continue to work together to settle

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2 our differences. We can show respect to
3 the fact that people have different
4 views. But you can't make up history. You
5 can't change it. You can't sweep these
6 things under the rug.

7 We must, as a people, show the
8 country that the Town of Oyster Bay gets
9 it. We understand the difference between
10 right and wrong. And these people of our
11 town board, our employees, our residents,
12 are good people who don't put up with the
13 kind of nonsense we're seeing from some
14 of the best institutions of higher
15 learning, with the best reputations; and
16 yet, they allow this free speech that's
17 actually hate speech. We must learn how
18 to separate that out, and we must learn
19 how to show a much better path to love,
20 understanding, and to stop the hate, the
21 kind of hate that could lead to another
22 genocide.

23 So God bless you all and we
24 appreciate you tremendously. We have a
25 Town of Oyster Bay Proclamations

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2 proclaiming January 27, 2024 to be
3 Holocaust Remembrance Day. We're going to
4 ask our leaders to come up and and of
5 course, Alfred, and I'm going to ask
6 Councilwoman Michele Johnson and
7 Councilman Tom hand, to lead us in
8 presenting these citations.

9 (Whereupon, Proclamation
10 presented, photos taken.)

11 SUPERVISOR SALADINO: Another big
12 hand.

13 (Whereupon, applause.)

14 SUPERVISOR SALADINO: Thank you very
15 much, everyone, for your cooperation on
16 what is one of the most important
17 programs that we have done here in this
18 town.

19 As we get into the winter months,
20 will be doing Chinese New Year, Black
21 History Month. We will continue to honor
22 every culture and everyone's celebrations
23 in this town, because that's what we do.
24 And through education and through a
25 strong desire to bring people together,

we will achieve a result that will be a
template for America. So God bless you
and we appreciate that.

(Whereupon, above matter
concludes, 10:50 a.m.)

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 23rd day of January, 2024.

Karen Lorenzo
KAREN LORENZO

'	7	alone ^[1] - 25:2	19:22
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TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

January 23, 2024

10:51 a.m.

Hearing 1

Condemnation

To consider eminent domain over property at
Herzog Place, Hicksville; Vacant lot, 14
Herzog Place, Hicksville; 1012 Herzog Place,
Hicksville; 30 Herzog Place, Hicksville; and 3
Jerusalem Avenue, Hicksville
(MD 11/28/23, #37)

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

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

ALSO APPEARED:

Harvey Besunder

Egan & Golden

John Ellsworth

Nelson, Pope, Voorhis

Phillip Sanchez, Esq.

Law Offices of Phillip Sanchez

Public Comment:

Joel Berse

1
2 SUPERVISOR SALADINO: Will our Town
3 Clerk Rich LaMarca, please poll the
4 Board?

5 TOWN CLERK: Supervisor Saladino?

6 SUPERVISOR SALADINO: Present.

7 TOWN CLERK: Councilwoman Johnson?

8 COUNCILWOMAN JOHNSON: Present.

9 TOWN CLERK: Councilman Imbroto?

10 SUPERVISOR SALADINO: He stepped
11 out.

12 TOWN CLERK: Councilman Imbroto is
13 here.

14 Councilman Hand?

15 COUNCILMAN HAND: Present.

16 TOWN CLERK: Councilman Labriola is
17 absent.

18 Councilwoman Maier?

19 COUNCILWOMAN MAIER: Present.

20 TOWN CLERK: Councilwoman Walsh?

21 COUNCILWOMAN WALSH: Present.

22 TOWN CLERK: We have a quorum,
23 Supervisor.

24 SUPERVISOR SALADINO: Would you
25 please call the first hearing -- Ladies

1
2 and gentlemen, before we start, we have a
3 number of hearings. We appreciate that
4 not all of you are here for the hearings,
5 but if you'd kindly bear with us. If you
6 would like to be heard and to respond to
7 one of these hearings, please fill out a
8 slip so we know you want to be heard. We
9 don't want to miss you. And if you would
10 like to be heard on an issue that doesn't
11 have to do with the hearing, or does not
12 have to do with our Resolution Calendar,
13 then please also fill out a slip and
14 we'll listen to you at the end of the
15 board meeting at public comment. So you
16 have three opportunities: One is at one
17 of the hearings that's important to you;
18 one is our Resolution Calendar; and,
19 finally, public comments. So we've gotten
20 through that.

21 Would you please call the first
22 hearing?

23 TOWN CLERK: Today's first hearing
24 is to consider eminent domain over
25 property at Herzog Place, Hicksville;

1
2 Vacant lot, 14 Herzog Place, Hicksville;
3 1012 Herzog Place, Hicksville; 30 Herzog
4 Place, Hicksville; and 3 Jerusalem
5 Avenue, Hicksville.

6 TOWN ATTORNEY: Good morning,
7 supervisor, members of the Town board.
8 Frank Scalera, Office of the Town
9 Attorney. For the purposes of this
10 hearing, the Town will be utilizing two
11 outside experts. The first one is
12 esteemed counsel Harvey Besunder, who
13 will be presenting on the legal side the
14 basis of the use of eminent domain for
15 this property in Hicksville. And of
16 course, Harvey Besunder will introduce
17 John Ellsworth, who is to my right, from
18 Nelson and Pope, who will be the expert
19 in environmental land use and such.

20 So with that, I call up Harvey
21 Besunder. Thank you.

22 MR. BESUNDER: Thank you, Mr.
23 Saladino, members of the board, I have to
24 say, before I start my presentation, that
25 is very gratifying to see the support and

1
2 concern that this town and this board has
3 for recognizing the Holocaust and trying
4 to combat hatred. And with that, as I was
5 sitting here, I was thinking how thankful
6 we are to have a democratic society. And
7 this, what we're doing today, is an
8 example of what we do in in democracy. So
9 thank you very much.

10 SUPERVISOR SALADINO: There's no
11 concern of losing democracy or losing
12 representative government in the Town of
13 Oyster Bay. We hear and see that in the
14 media from time to time, probably to some
15 degree politically based. But there is no
16 concern of that here. Everyone's voice is
17 important, and we respect and embrace
18 all.

19 MR. BESUNDER: And you've all made
20 that very clear today. And I personally
21 thank you.

22 SUPERVISOR SALADINO: You're very
23 welcome.

24 MR. BESUNDER: Good morning. My name
25 is Harvey Besunder. I'm with the firm of

1
2 Egan and Golden, and we are Counsel to
3 the Town of Oyster Bay with regard to
4 today's hearing.

5 The hearing is being held pursuant
6 to Section 203 of the New York State
7 Eminent Domain Procedure Law in order to
8 outline the purpose, proposed location,
9 or alternate locations of a public
10 project taking place near the Hicksville
11 station of the Long Island Railroad, and
12 to consider other pertinent information
13 such as maps and descriptions of the
14 property which the Town is considering
15 acquiring.

16 Any person in attendance shall be
17 given a reasonable opportunity to present
18 oral or written statements, and to submit
19 other documents concerning the proposed
20 public project.

21 A record of the hearing shall be
22 kept, including written statements
23 submitted. Copies of the record will be
24 available to the public for examination
25 without cost during normal business hours

1
2 at the principal office of the Town of
3 Oyster Bay, located at 54 Audrey Avenue,
4 Oyster Bay, New York, and at the office
5 of the Nassau County Clerk, located at
6 240 Old Country Road, Garden City, New
7 York 11501. Copies shall be made
8 available on the Town's website.

9 OysterBaytown.com; let me repeat that,
10 OysterBaytown.com, as the supervisor had
11 indicated previously, and produced upon
12 written request and payment of the cost,
13 thereof.

14 The purpose of the hearing is to
15 present and gather information related to
16 the potential acquisition of property
17 located in the vicinity of the Hicksville
18 station of the Long Island Railroad
19 through town statutory authority and
20 right and power of eminent domain.

21 The issues to be discussed include:

22 1. The public use, benefit or
23 purpose to be served by the proposed
24 project.

25 2. The approximate location for the

1
2 proposed project as a reason for the
3 selection of that location.

4 3. The general effect of the
5 proposed project on the environment,
6 residents of the locality.

7 4. Such other factors as a town
8 considers relevant.

9 The Board will hear from various
10 speakers regarding the public purpose,
11 the location, and the environmental
12 impact in connection with the proposed
13 acquisition of the property.

14 Documents will be offered for the
15 record which address those issues.
16 Speakers will include any members of the
17 public who wish to speak regarding
18 relevant issues today.

19 The hearing will be kept open for a
20 period of 30 days until February 22,
21 2024, for the board to accept written
22 comments from anyone who wishes to submit
23 them. All written comments should be
24 mailed to the Town's office at 54 Audrey
25 Avenue, Oyster Bay, New York, 11771 or

1
2 e-mailed to the Town as indicated before
3 or to Kromito@oysterbay-ny.gov. Let me
4 repeat that: Kromito@oysterbay-ny.gov.

5 After that 30 day period has
6 elapsed, the Board will review the
7 minutes of the hearing, the documents
8 presented, and will consider all oral
9 presentations and written comments
10 submitted. Thereafter, based on the
11 record, the board will vote on whether to
12 take any action to acquire any of the
13 property that is the subject of this
14 meeting, consider the adoption of its
15 determination and findings and publishing
16 in accordance with the requirements of
17 Section 204 of the Eminent Domain
18 Procedure Law.

19 The Town's legal notice requirements
20 relative to this public hearing have been
21 met by publishing the public notice in
22 five successive issues of the daily
23 newspaper *Newsday*, commencing on January
24 8th and ending on January 12, 2024, and
25 by mailing the public notice to each

1
2 affected property owner by certified
3 mail.

4 I would like to submit the
5 resolution authorizing the Board to
6 proceed as Exhibit 1.

7 (Whereupon, all Exhibits
8 handed to Town Clerk.)

9 TOWN CLERK: Thank you.

10 MR. BESUNDER: The public notices
11 Exhibit 2; the cover letters forwarded
12 including the notice of public hearing
13 sent to the owners of the property as
14 Exhibit 3; an affidavit of mailing
15 together with the returned receipts as
16 Exhibit 4; the affidavit of publication
17 from *Newsday* indicating the publication
18 of five successive issues of *Newsday* as
19 Exhibit 5; tax map of the related area as
20 we discussed as Exhibit 6.

21 In addition to the publication and
22 mailings, to Town posted the public
23 notice at the Town Hall bulletin board at
24 the first floor, 54 Audrey Avenue, oyster
25 Bay in New York, and the notice has been

1
2 remained posted through today.

3 The following parcels will be
4 considered at this public hearing:

5 Section 11, Block 240, Lots 10, 11
6 and 213 and 218, as set forth in the Land
7 and Tax map of Nassau County. Properties
8 known as 10-12, Herzog Place; 14-16
9 Herzog Place; 30 Herzog Place; and 3
10 Jerusalem Avenue, Hicksville, New York.

11 All the documents submitted to the
12 board at today's hearing will be
13 available at the Town of Oyster Bay's
14 office located at 54 Audrey Avenue,
15 oyster Bay, New York 11771, and at the
16 office of Nassau County Clerk, located at
17 240 Old Country Road, Garden City, New
18 York, 11501, subsequent to the hearing.

19 A transcribed record of tonight's
20 hearing will be available at the Town's
21 office and at its website at the Nassau
22 County Clerk as well. Anyone who would
23 like to speak at this hearing should
24 indicate so by presenting a written
25 request, as indicated by the supervisor.

1
2 When we arrive at the point in the
3 hearing for public comments, I will
4 recognize persons wishing to make a
5 comment or statement, or the supervisor
6 will. Please state your name, address and
7 interest in this proceeding. You will
8 have three minutes to comment on the
9 issues before the board. Please be
10 mindful that your opportunity to comment
11 should be limited to the issues
12 presented. If there are questions, you
13 may state them and they will be addressed
14 at the appropriate time in the
15 proceeding. However, direct questions to
16 any board member will similarly be
17 addressed at the appropriate time during
18 the hearing.

19 In addition, those questions may be
20 presented in your written submissions. No
21 person will be given more than one
22 opportunity to speak at the hearing.
23 Please hold all questions until the
24 conclusion of the Town presentation.

25 As this hearing is being transcribed

1
2 by a stenographer, when you are called to
3 speak, state and spell your full name to
4 ensure the accuracy of today's record.

5 Whether you wish to speak or not,
6 the Town is providing you with an
7 opportunity to submit written comments
8 during the public hearing and within 30
9 days, thereafter. To do so, please mail
10 it to the office at 54 Audrey Avenue,
11 Oyster Bay, New York, 11771 or to the
12 e-mail addresses previously indicated.

13 First speaker for today for the Town
14 will be John Ellsworth. Mr. Ellsworth,
15 please introduce yourself, spell your
16 name and begin your comments.

17 Thank you very much.

18 SUPERVISOR SALADINO: Thank you.

19 MR. ELLSWORTH: Good morning, Mr.
20 Supervisor, members of the board. John
21 Ellsworth, Nelson, Pope and Voorhis, 70
22 Maxess Road in Melville;
23 E-L-L-S-W-O-R-T-H.

24 I'd like to submit my resume into
25 the record.

(Whereupon, Mr. Ellsworth
hands resume to Town Clerk.)

MR. ELLSWORTH: Nelson, Pope and
Voorhis was asked by the Town to analyze
the public use, purpose and benefit that
would be served by the proposed land
acquisition.

As shown in our report, the proposed
acquisition would serve public purpose
and benefits by primarily allowing
convenient parking to serve the important
transit asset at Hicksville station, and
secondarily, eliminating existing
development that is not consistent with
the prior land use plans and the
provisions of the Town Code governing the
Hicksville Downtown district. I would
like at this point to submit our report
into the record. The Board was previously
provided with the report and was
submitted electronically to the Town.

(Whereupon, NPV Report
handed to Town Clerk.)

1
2 (Whereupon, Board is
3 displayed and multiple slides
4 are presented and referred to
5 throughout following
6 presentation.)

7 MR. ELLSWORTH: Nelson, Pope and
8 Voorhis' analysis of the proposed action
9 included, but was not limited to, review
10 of aerial photographs and maps and other
11 relevant information sources; inspection
12 of the site and the surrounding area;
13 review of Town Department of Planning and
14 Development's property file for the site.

15 I'm going to discuss the existing
16 conditions at the site. This is a summary
17 of the information that is in the report
18 that was submitted (indicating). As shown
19 in the location map, the site adjoins the
20 Long Island Railroad trestle to the
21 north, and it's a short distance, only
22 about 700ft from the entrance to the
23 station, which is on the opposite side of
24 the Jerusalem Avenue.
25

1
2 SUPERVISOR SALADINO: Would you
3 kindly turn that the way that the
4 audience can also see it, please?

5 (Whereupon, complies with
6 request.)

7 MR. ELLSWORTH: All of these figures
8 are in the submitted report.

9 This is an aerial photograph of the
10 site (referring). Here's the trestle to
11 the north, and the station is just across
12 to the marketing department (referring).
13 The site is slightly larger than one
14 third of an acre. As indicated, it's
15 roughly triangular in shape. The site
16 currently is completely paved, buildings,
17 and pavement.

18 Currently, there are three mixed use
19 buildings on the site. They're mostly one
20 story. There's a two story section. It
21 comprises about 8000ft² of commercial
22 space on the ground floor, and there are
23 four second story residential apartments.

24 The existing uses on the site
25 include an automotive repair shop, which

1
2 currently is not a permitted use in the
3 HD2 district in which the site is
4 located.

5 Current conditions include
6 unattractive buildings and outdoor
7 storage of vehicles and materials. As
8 noted a little while ago, these
9 conditions are not consistent with the
10 prior land use plans, particularly the
11 Downtown Revitalization Initiative, or
12 DRI, which this board is well familiar
13 with, the Strategic Investment Plan, or
14 with the HD zoning which resulted from
15 the DRI plan (referring).

16 This figure that's up on the easel
17 now is a map showing the parking lots
18 around Hicksville station (referring).
19 I'm just going to point out a few of
20 them. There are two parking lots that are
21 immediately adjacent to the station: H2
22 and H18, this is the station right here
23 (indicating); H19 is directly across from
24 the station. That's the parcel that the
25 Town acquired a couple of years ago that

1
2 had been used for parking, and the Town
3 acquired it to ensure its continued use
4 for parking. H16 to the west of H2 and
5 H18 and H17 across West Berkeley Street
6 to the north of H16 (indicating); nearby
7 lots to the east, H5 and H6; and then
8 some of the most distant lots east of
9 Broadway are more than a quarter mile
10 from the station.

11 During the site inspections, I did
12 spot checks of the parking utilization in
13 the area around the train station on the
14 two inspection dates in the late morning,
15 similar to what was done a couple of
16 years ago for the acquisition of the
17 other lot.

18 In general, the parking lots within
19 about 1000ft train station were observed
20 to be essentially fully occupied. This
21 includes the two lots immediately
22 adjacent to the station, the one across
23 the street, and the two on the opposite
24 side of Newbridge Road.

25 The private parking lot between

1
2 Nelson Avenue and Newbridge Road, south
3 of Duffy Avenue, that charges a daily
4 rate of \$10, that was full.

5 Lots slightly further away were
6 mostly full, except for the extreme far
7 ends of the parking lot. There were some
8 empty spaces and the most distant lots to
9 the east of the station typically, we're
10 sparsely utilized on the observation
11 dates, comparing these recent
12 observations with the observations from
13 2021, in connection with the acquisition
14 of lot H19, there has been a noticeable
15 increase in utilization of the parking
16 lots over the past couple of years.

17 All right. I'm going to discuss now
18 the analysis that was conducted based on
19 the information that I just summarized.

20 The subject property that's proposed
21 for acquisition is strategically located
22 in proximity to Hicksville train station
23 at a distance, again, of only about
24 700ft. At a typical three mile per hour
25 pedestrian pace, this distance can be

1
2 covered in less than three minutes, so
3 it's very conveniently located.

4 As noted previously, the spot
5 checked observations made during the
6 December 2023 site visits indicate that
7 the surface parking lot is within 5000
8 foot radius of the train station were
9 mostly be fully occupied on a typical
10 weekday morning. Therefore, if acquired
11 by the Town and used for public parking,
12 it can be expected that the subject
13 property will also become a prime parking
14 location for the station, typically
15 seeing essentially full occupancy during
16 peak usage periods.

17 It's also important to note that the
18 Strategic Investment Plan identified the
19 subject property for public acquisition
20 in connection with the proposed expansion
21 of Kennedy Park to the north of the train
22 station. If this park expansion proceeds,
23 it will result in a loss of parking in
24 H6, and the acquisition of the subject
25 property can serve to offset this parking

1
2 loss at an equally convenient location.
3 Here's H6 and here's the park just north
4 of it. And this is a subject property
5 just south on the other side of the train
6 tracks (indicating).

7 Beyond the immediate considerations
8 of the subject property's advantageous
9 location and the current high level of
10 usage of existing parking lots at similar
11 distances from the train station, along
12 with the recommendation of the DRI for
13 its acquisition, several other important
14 factors come into play. The State MTA
15 invested \$132 million in the
16 modernization of the Hicksville station.
17 Immediately after the completion of that
18 project in 2018, the station saw record
19 ridership levels. The Long Island
20 Railroad has completed two large system
21 expansions that were directed at
22 increasing passenger traffic at
23 Hicksville station. The third track added
24 a parallel third track adjacent to the
25 ten mile stretch of the Long Island

1
2 Railroad mainline between Floral Park
3 station and Hicksville station, and the
4 second project was the east side access.
5 That provides a second Long Island
6 Railroad terminal in Manhattan.
7 Previously, the only LIRR station was
8 Penn Station.

9 The Environmental Impact Statement
10 for the third track project included an
11 MTA proposal for two new parking garages
12 to replace Town surface lots H17 and H16,
13 to the west of the station, with a net
14 increase of 909 parking spaces. The
15 Environmental Impact Statement expressly
16 stated that these garages were intended
17 to accommodate increased demand for
18 parking that would result from the two
19 major projects; the third track project
20 in the East Side Access Project. And the
21 EIS (Environmental Impact Statement),
22 also indicated uncertainty about whether
23 those additional 909 parking spaces would
24 be sufficient. Acknowledging that the
25 situation would have to be monitored to

1
2 determine whether future further measures
3 would be needed in the future.

4 Unfortunately, however, as the board is
5 well aware, the MTA subsequently decided
6 not to pursue expanded parking in
7 Hicksville; therefore, depriving the
8 station of 900 plus parking spaces that
9 were planned as part of the major
10 projects.

11 With regard to the Covid 19
12 pandemic, certainly, the level of usage
13 of the Long Island Railroad saw a decline
14 due to the effects of the pandemic. This
15 impact was most severe during the initial
16 lockdown in April of 2020, when ridership
17 dropped precipitously to only about 3% of
18 the record high level in 2019. However,
19 thereafter, the ridership has steadily
20 increased.

21 The MTA projected a rebound in
22 ridership to approximately 80% of
23 pre-pandemic levels by next year 2025,
24 which is consistent with forecasts of
25 other outside sources. Ultimately, with

1
2 increased ridership expected from the
3 third track and east side access
4 projects, and once recovery from economic
5 slowdown due to the pandemic has achieved
6 a steady state of a new normal, patronage
7 of the LIRR and associated demand for
8 parking at Hicksville station will adjust
9 upward accordingly. This increased demand
10 will have to be accomplished without the
11 additional 900 plus spaces that were
12 planned in two new parking garages.

13 Just as a historic note, immediately
14 prior to the onset of the pandemic,
15 demand for parking around Hicksville
16 station greatly exceeded the available
17 supply. Therefore, if the trend of
18 increasing commuter use continues, and
19 with the anticipated benefits for Long
20 Island Railroad riders associated with
21 the third track and East side access
22 projects, there's a potential for a
23 return to pre-pandemic situation, whereby
24 demand for commuter parking exceeds the
25 available supply of designated parking

spaces.

So in conclusion:

1. The proposed land acquisition will implement a recommendation of the DRI Strategic Investment Plan, which establishes the community's vision for the future of downtown Hicksville.

2. The proposed action will provide additional conveniently located public parking, which is a critical ancillary use supporting viability of the important transit resource at Hicksville train station.

3. The subject property is located only about 700ft from the train station and is expected to be well utilized to serve peak parking demand enhancing level of convenience for rail riders.

4. As the region continues to recover from the pandemic, it is expected that there will be an accompanying increase in the demand for parking around Hicksville train station, particularly at convenient locations in proximity to the

1
2 station, such as the subject property.

3 5. Compounding factors that are also
4 expected to magnify demand for parking
5 around the Hicksville train station
6 include the effect of the completed third
7 track and east side access projects, and
8 the MTA's decision to drop its proposal
9 to provide 900 plus additional parking
10 spaces near the station.

11 Under these circumstances, the
12 proposed acquisition will serve the
13 public purpose and benefit of offsetting
14 potential future shortfalls of convenient
15 public parking.

16 Secondly, it's noted that the
17 proposed action, as was mentioned
18 previously, will remove the existing
19 development on the subject property that
20 includes an automotive repair shop, which
21 is no longer permitted under the zoning
22 code, as well as certain conditions such
23 as low quality building construction and
24 outdoor storage of vehicles and material
25 that are not desirable and which detract

1
2 from the aesthetics and character of the
3 area. Replacement of this development
4 with a parking lot, including modern
5 landscaping and other site improvements
6 consistent with the Hicksville Downtown
7 design guidelines, will provide a visual
8 upgrade to the site, conforming to the
9 intent of the HD2 subdistrict in which
10 the site is located.

11 And lastly, if the recommendation of
12 the DRI Strategic Investment Plan for
13 expansion of Kennedy Park into a parking
14 lot H6 is implemented, the proposed
15 action will help to offset the resulting
16 loss of public parking spaces.

17 So that's a summary of the public
18 purpose and need report. I'm just going
19 to go briefly through the State
20 Environmental Quality Review Act analysis
21 that was conducted for the proposed
22 acquisition.

23 Nelson, Pope and Voorhis also
24 prepared Part 1 of the full environmental
25 assessment reform pursuant to the

1
2 requirements of SEQRA (State
3 Environmental Quality Review Act). This
4 13 page form provides information
5 regarding the subject property and the
6 proposed action to assist the Town in
7 determining whether there is a potential
8 for significant environmental impacts.
9 Based on the information contained in the
10 EAF (Environmental Assessment Form) and
11 our report on the public purpose and
12 need, Nelson, Pope and Voorhis has also
13 completed an analysis examining the full
14 range of environmental parameters under
15 SEQRA, as summarized in a separate
16 memorandum we prepared, which is part of
17 what was submitted into the record.

18 In accordance with the requirements
19 of the SEQRA regulations, the analysis
20 considered not only the land acquisition
21 itself, which will have no environmental
22 impacts, positive or negative, but also
23 the intended future use as a public
24 parking lot to replace the existing
25 development on site.

1
2 As detailed in the submitted SEQRA
3 report, the intended use would be less
4 intense than the existing uses, which
5 again include about 8000ft² of commercial
6 space and four residential apartments,
7 thereby avoiding significant impacts.

8 (Whereupon, Councilman

9 Imbroto returns to dais.)

10 MR. BESUNDER: And for several of
11 the analysis parameters, a benefit will
12 result from the proposed action, and this
13 includes consistency with community
14 plans, directly implements and
15 acquisition recommendation, as well as
16 the visual and aesthetic quality, water
17 use and sewage generation, and of course,
18 the availability of public parking.

19 On the basis of the analysis in the
20 SEQRA report, Nelson, Pope and Voorhis
21 recommends that a negative declaration be
22 adopted, concluding that the proposed
23 action will not result in any significant
24 environmental impacts. This
25 recommendation has been forwarded to the

1
2 Town Board by the Department of
3 Environmental Resources in its capacity
4 under Chapter 110 of the Town Code to
5 assist other town departments and
6 agencies in fulfilling their obligations
7 under SEQRA.

8 And that concludes my presentation
9 then. Certainly, if you have any
10 questions, I'd be happy to answer them.

11 (Whereupon, off record
12 discussion.)

13 MR. ELLSWORTH: I'm not sure if the
14 package I submitted included the memo
15 from the Department of Environmental
16 Resources, so I'll submit that; it's
17 dated January 4th, 2024.

18 COUNCILWOMAN MAIER: Yes. We have
19 it.

20 SUPERVISOR SALADINO: And just for
21 clarity, you did present your resume so
22 this will be a permanent part of the
23 record.

24 MR. ELLSWORTH: Correct.

25 SUPERVISOR SALADINO: Thank you

1
2 very, very much.

3 Counselor?

4 MR. BESUNDER: Supervisor, I yield
5 to you to see if there are any speakers.

6 SUPERVISOR SALADINO: Before we get
7 to that, I have a question for you to
8 bring clarity.

9 There seems to be some misconception
10 that we've seen on the internet that some
11 people may feel as though the Town is
12 attempting to aggressively take this
13 property away from the owners. For
14 purposes of clarification, it is correct
15 that this property was for sale before
16 this process began, and that the town was
17 making a good faith effort to negotiate
18 to buy the property.

19 MR. BESUNDER: That is my
20 understanding, and the record seems to
21 indicate that. Yes.

22 SUPERVISOR SALADINO: Thank you.

23 Are there any questions?

24 (Whereupon, no verbal
25 response.)

1
2 SUPERVISOR SALADINO: Okay. So at
3 this time, we will call up residents and
4 those here who would like to be heard.
5 It appears, I have just one slip. So if
6 you'd like to be heard on this, please
7 fill out the slip that you're intending
8 to speak.

9 Joel Burse, would you come forward,
10 please?

11 Good morning, Joel. How are you
12 today?

13 MR. BERSE: Menzamenz. Had better
14 days and hope to have more, better days.

15 First of all, I like to preface my
16 remarks because I came up here today also
17 planning to thank you for two weeks ago
18 when I was honored. But it pales in
19 comparison to your ceremony this morning,
20 and I was actually grateful that I was
21 able to be here to witness it. And I
22 think that being on the other end of it
23 and seeing this one, mine was nothing.
24 This was fantastic. This was a really
25 solemn, important thing. And it makes a

1
2 statement to the whole world.

3 SUPERVISOR SALADINO: Joel, we feel
4 the same way. And we only hope that the
5 media in covering today's town board
6 hearing will make recognize what we did
7 so that the public can get the message.
8 It's very important that the media join
9 with us to mention this ceremony this
10 morning as we educate people, as we set
11 the tone, as we utilize leadership to
12 show that we must come together to fight
13 hate.

14 MR. BERSE: Joel Berse, B-E-R-S-E.
15 Joel. Immediate past president of
16 Northwest Civic Association; Immediate
17 past president, Hicksville Community
18 Council; Former member, Hicksville
19 Chamber of Commerce; and member of the
20 Downtown Revitalization Committee for
21 Hicksville, among many other things. You
22 could see I've been a 40 year stockholder
23 in the Hicksville community.

24 Now, John Ellsworth's report that he
25 just gave was excellent, and it covered a

1
2 lot of bases. It said a lot of the things
3 that I don't need to repeat, but I will
4 say that the downtown revitalization
5 plans that have been worked on for over a
6 decade plus have been formulated, that
7 the north side of the train station, as
8 it was mentioned, Kennedy Park, would
9 take away parking for the plans and
10 developing process that's going on. So
11 taking over on the south side of the
12 trestle, short of a distance away, will
13 make a recovery for the parking, and it
14 will really help once the other is taken
15 away. So hopefully they balance each
16 other and happen at the same or a similar
17 timeframe.

18 Now, the traffic in that area may be
19 a little redirected, but I can say from
20 being there almost on a daily basis, just
21 as a resident conducting my normal life,
22 the parking lots have consistently been
23 full, even with people doing weekend
24 activities on the west side of Newbridge
25 Road and north of the trestle. Now, I

1
2 haven't gone on the other side of
3 Jerusalem Avenue that often, but during
4 the week it is also full over there.

5 So this is ultimately a good idea
6 for the community, especially having the
7 MTA reneged on those parking garages. So
8 I fully support and I know a lot of my
9 neighbors and friends do in just general
10 discussions. There's always opposition to
11 everything with change, but I'm learning
12 myself, having been deemed now the "old
13 school", that newer people and younger
14 people are coming into the fold and
15 taking leadership roles and doing things
16 and progress has to move forward, and
17 this has to change, and it's going to
18 solve the problem.

19 I do have one sidebar thing because
20 I don't want to belabor it later when you
21 have walk-on Resolution 84 about William
22 Street being sold, you have to change a
23 stipulation in there and be specific that
24 it's the east side of Newbridge Road,
25 because William Street is split in two

1
2 places. It comes out of Broadway Commons
3 and goes on to Newbridge Road on the west
4 side. But on the east side, it's a
5 northern spur off of West John Street
6 into that property in question. So it
7 should be stipulated more specifically.

8 That's all I've got to say. Thank
9 you very much.

10 SUPERVISOR SALADINO: Thank you,
11 Joel. Thank you for your participation
12 in the DRI process. I know I've been here
13 seven years -- seven years next week is
14 the anniversary actually -- and we've
15 been working with you and so many good
16 people in Hicksville, and it's great to
17 see that we've begun to break ground, and
18 construction has begun in the plans.

19 And as you said, the reality is, as
20 we create these public spaces, it will
21 take up some parking that was discussed
22 in the meetings with the public from the
23 very beginning, and everyone was in favor
24 of that. And we know that there's a need
25 for additional parking.

1
2 So, thank you.

3 MR. BERSE: Thank you.

4 SUPERVISOR SALADINO: We will next
5 hear from Mr. Philip Sanchez.

6 MR. SANCHEZ: Thank you, Supervisor,
7 members of the board.

8 My name is Philip Sanchez, from the
9 Law Offices of Philip Sanchez PLLC, 420
10 Lexington Avenue, Suite 300, New York,
11 New York, 10170.

12 I represent Herzog Place LLC, the
13 owner of the properties that is going to
14 be impacted by this eminent domain
15 project. And I simply asked that the
16 Town Board, Supervisor and Special
17 Counsel have all communications and
18 contact through me regarding this process
19 and regarding this project and anything
20 about the property. Please contact me and
21 please have all those communications go
22 through me.

23 Thank you very much for allowing me
24 to speak and welcome any questions. And I
25 will talk to the special counsel after

1
2 this meeting. Thank you very much.

3 SUPERVISOR SALADINO: Thank you very
4 much.

5 I don't have any other slips. Would
6 anyone else like to be heard on this
7 hearing?

8 (Whereupon, no verbal
9 response.)

10 SUPERVISOR SALADINO: Please let the
11 record reflect that no one else has
12 indicated that they would like to be
13 heard on this particular hearing.

14 So with that, are there any
15 correspondence and postings?

16 TOWN CLERK: Supervisor we have
17 affidavits of posting and publication.
18 There is no other correspondence.

19 SUPERVISOR SALADINO: We will be
20 leaving the rolls open for a considerably
21 long amount of time, because we want the
22 public to have every opportunity to be
23 heard on this. We realize that there may
24 be people who would like to send in a
25 letter and e-mail, and we made it very

1
2 clear in the beginning of the meeting how
3 to send that in. And we will assist
4 anyone who would like to call my office,
5 any of our offices to get information on
6 how to get their opinions and their
7 feelings across to us.

8 With that, may I have a motion,
9 please?

10 COUNCILWOMAN JOHNSON: Supervisor, I
11 make a motion of the public portion of
12 this hearing be closed, the record be
13 kept open for 30 days.

14 COUNCILMAN IMBROTO: I will second
15 that.

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

18 (Whereupon, all members of
19 the Town of Oyster Bay Town
20 Board present respond in favor
21 with, "Aye.")

22 SUPERVISOR SALADINO: Those opposed,
23 "Nay".

24 (Whereupon, no verbal
25 response.)

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

TOWN CLERK: Mr. Clerk, may the
record reflect that Councilman Imbroto is
present.

(Whereupon, above matter
concludes, 11:36 a.m.)

INDEX

Exhibit	Name
1	Resolution authorizing the Board to proceed
2	Public notices
3	Cover letters forwarded including the notice of public hearing sent to the owners of the property
4	Affidavit of mailing together with the returned receipts
5	Affidavit of publication from Newsday indicating the publication of five successive issues of <i>Newsday</i>
6	Tax map of the related area as we discussed

Also submitted:

Mr. Ellsworth Resume

(Whereupon, NPV Report handed to Town Clerk.)

(Submitted, but not marked by reporter.)

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 23rd day of January, 2024.

Karen Lorenzo
KAREN LORENZO

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TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

January 23, 2024

11:36 a.m.

Hearing 2

Local Law

To consider a Local Law to Amend Chapter
Chapter 246, zoning of the code of the Town of
Ways to Bay. Section 240 6-4 and section 240
6-5. General regulations. And to amend the
Building Zoning Map for the Town of Oyster
Bay. Hearing Date January 23rd, 2024.

(MD 1/2/24 #15)

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

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

ALSO APPEARED:

John Ellsworth

Nelson, Pope, Voorhis

1
2 SUPERVISOR SALADINO: Would you
3 kindly call the hearing?

4 TOWN CLERK: Today's second hearing
5 is to consider a local law to amend
6 Chapter 246, zoning of the code of the
7 Town of Oyster Bay; Section 246-4 and
8 Section 246-5, General regulations; and
9 to amend the Building Zoning Map for the
10 Town of Oyster Bay, hearing Date January
11 23, 2024.

12 TOWN ATTORNEY: Thank you, Town
13 Clerk.

14 Frank Sclera with Town Attorney's
15 Office.

16 As the clerk has just indicated,
17 this hearing is for a local law to amend
18 zoning map in Chapter 246 and to amend
19 the building zoning map. So in other
20 words, there is a few pieces of property
21 that are subject of this local law for
22 proposed change of zone, to simplify it.

23 On January 9th, 2024, our last board
24 meeting, by Resolution 49-24, this board
25 passed the resolution allowing for the

1
2 public notice of this hearing for today,
3 January 23, 2024. Now, we are here today
4 at this hearing. The public notice was
5 published according to the usual
6 procedural requirements of law in the
7 newspaper, on the bulletin board.

8 In addition, the proposed local law
9 addresses four different properties for
10 different golf courses. A 2x3 foot sign,
11 two of them, were posted at each property
12 by the Town of Oyster Bay Highway
13 Department through my office.

14 In addition, pursuant to the
15 procedural legal requirements for notice,
16 the Town Attorney's Office sent out 1800
17 pieces of mail representing the property
18 owners who are of a 300 foot radius of
19 each of the properties mentioned in this
20 local law. As well, any municipal
21 corporation was also notified in a 500
22 foot radius of each property.

23 So the 1800 pieces of mail were sent
24 out to both residents and any municipal
25 corporations, such as any villages, fire

1
2 district, sewer districts, water
3 district, any municipal corporation that
4 was within the 500 foot radius.

5 That being said, before I present
6 the expert on behalf of the town, it
7 happens to be again, John Ellsworth from
8 Nelson, Pope, who has conducted a study
9 at least over a year ago, and he'll
10 explain in his testimony at this hearing,
11 regarding, most of, if not all of the
12 golf courses that are situated wholly or
13 partly within the Town of Oyster Bay, I
14 believe there were at least seven or
15 maybe 8 or 9. John Ellsworth will tell
16 you. This particular local law focuses
17 on four of those 8 or 9.

18 I just want to add, because this is
19 one hearing, just for convenience sake, I
20 believe that after the testimony of John
21 Ellsworth on behalf of the Town, if there
22 are speaker forms, I asked supervisor
23 that we take a speakers in order of each
24 golf course rather than taking them
25 sporadically. Instead of taking them

1
2 maybe in the order which they submitted
3 that paper, I think it's better to keep a
4 cleaner record that we mention at the end
5 of Mr. Ellsworth's testimony, mention the
6 first golf course, which happens to be in
7 the local law, North Shore Country Club,
8 and ask everybody who wants to speak on
9 that to go first and then the second one
10 in that order, if that's okay.

11 SUPERVISOR SALADINO: Okay. Not
12 everyone has identified which course
13 they'd like to speak on, but we'll do our
14 best to accomplish that.

15 TOWN ATTORNEY: Thank you,
16 Supervisor, for that assistance. With
17 that, I call up John Ellsworth from
18 Nelson and Pope, the Town's expert and
19 ask him once again to submit his resume,
20 if not submitted.

21 SUPERVISOR SALADINO: Thank you.

22 MR. ELLSWORTH: Good morning, Mr.
23 Supervisor, members of the board. John
24 Ellsworth Nelson, Pope and Voorhis, 70
25 Maxess Road, Melville.

1
2 This one's going to take a little
3 bit longer than the last one.

4 I'm going to provide a synopsis of a
5 planning analysis that was conducted by
6 Nelson, Pope and Voorhis (NPV) with
7 regard to the private golf courses in the
8 unincorporated area of the Town of Oyster
9 Bay. Our analysis culminated in
10 recommendations that consist of specific
11 proposed amendments to the Town's zoning
12 code, which are the subject of today's
13 hearing.

14 The full planning analysis report
15 prepared by NVP, originally dated April
16 2022, was revised to February 2023 based
17 on some comments that were received and
18 the report is on the screen there.

19 (Whereupon, Monitor is
20 displayed and multiple slides
21 are presented and referred to
22 throughout following
23 presentation.)

24 MR. ELLSWORTH: The report should be
25 made part of the public hearing. And

1
2 again, the report was submitted
3 previously electronically to the board to
4 supplement the discussion that occurs
5 today.

6 By way of background, at the outset,
7 the Town recognized that there has been a
8 trend in the redevelopment of golf
9 courses both locally and across the US
10 and abroad. This trend is driven by
11 various factors, including financial
12 challenges faced by private country
13 clubs, declining membership, and
14 particularly the escalating value of real
15 estate, especially in high cost areas
16 like Long Island generally, and more
17 specifically, in the Town of Oyster Bay.

18 This trend is highlighted by several
19 pending application for golf course
20 developments in and around the town of
21 Oyster Bay, including the Woodmere Club
22 that's in the Town of Hempstead; Tam
23 O'Shanter, Village of Brookville,
24 Brookville in the Town of Oyster Bay; and
25 Engineers Country Club, mostly in the

1
2 Village of Rosalyn Harbor, with a small
3 area in the unincorporated portion of the
4 Town of Oyster Bay.

5 The first two of these development
6 applications for the Woodmere Club and
7 Tam O'Shanter, would completely replace
8 the existing golf courses with single
9 family subdivisions pursuant to the
10 current zoning.

11 The Engineers Country Club
12 application proposes to develop a portion
13 of the golf course with a clustered
14 multifamily housing development, while
15 retaining the 18 hole golf course and
16 reconfiguring it on the remainder of the
17 site.

18 The initial concern about the
19 potential for redevelopment of private
20 golf courses in the Town of Oyster Bay
21 generally recognized that these
22 properties possess certain resource
23 values that are important to the
24 surrounding communities, that the loss of
25 these resources would adversely affect

1
2 the communities, and, therefore, that
3 these resources should be protected
4 and/or preserved. However, before
5 deciding on any course of action for the
6 golf courses, the Town also recognized
7 that it was necessary to conduct a study
8 to characterize and analyze these
9 resources and assess the potential
10 impacts that could result from
11 development under the existing zoning to
12 establish an objective basis for decision
13 making. This was accomplished through the
14 study that was completed by Nelson, Pope
15 and Voorhis.

16 It should be pointed out that the
17 private golf course planning study,
18 completed by Nelson, Pope and Voorhis was
19 undertaken for the Department of Planning
20 and Development, and it benefited from
21 input from that department as well as the
22 Department of Environmental Resources.

23 So this gives an outline of the
24 discussion that I'll present today
25 (referring). To recap, the private golf

1
2 course planning study for the Town of
3 Oyster Bay included four primary
4 components:

5 - an inventory of existing
6 conditions at and surrounding the golf
7 courses, as well as a review of existing
8 plans and regulations governing the
9 potential future development of these
10 properties.

11 - Second, an estimation of the
12 potential buildout of the golf courses
13 under the existing zoning, and an
14 analysis of the potential impacts of such
15 development on the resources that were
16 identified in the inventory.

17 - Third, a description of
18 implementation strategies that are
19 generally recognized as providing means
20 of protecting important environmental
21 resources from development impacts and
22 minimizing such impacts.

23 - And fourth, specific
24 recommendations based on the first three
25 components, that I just summarized, of

1
2 the study, and an analysis of the degree
3 to which these recommendations would
4 advance the goal of protecting and
5 preserving the important resources on the
6 golf course properties within the town of
7 oyster Bay.

8 The next portion of the presentation
9 provides an overview of the components of
10 the study and its recommendations. I
11 will finish the presentation by
12 discussing next steps.

13 Again, this is a summary of what's
14 in the report. So the report's been made
15 part of the record for this. So the full
16 detail is under consideration by the
17 Board.

18 The unincorporated area of the Town
19 contains all or parts of seven private
20 golf courses. One of these golf courses,
21 Peninsula Golf Club in Massapequa, was
22 not included in the study because the
23 Town has been separately pursuing the
24 acquisition of this property that leaves
25 six private golf courses that were

1
2 included in this study, three of which
3 are entirely in the unincorporated area
4 of the Town of Oyster Bay, and the other
5 three which span into adjacent
6 municipalities.

7 The three private golf course is
8 located entirely within the
9 unincorporated area of the town are Glen
10 Head Country Club, within in the hamlet
11 of Glen head; Meadowbrook Club, in the
12 hamlet of Jericho; and Pine Hollow
13 Country Club, in the hamlet of East
14 Norwich.

15 The three private golf course is
16 located partially in the unincorporated
17 area of the town, and extending into
18 neighboring municipalities are North
19 Shore Country Club in the hamlet of
20 Glenwood Landing and the Village of
21 Seacliff; Nassau Country Club in the
22 hamlet of Locust Valley in the City of
23 Green Cove; and Engineers Country Club in
24 the hamlet of Glen head and the Village
25 of Roslyn Harbor.

1
2 As shown in this figure, the study
3 also examined the three public golf
4 courses in the town, which include the
5 Town's own golf course in Woodbury, the
6 Nassau County Golf Course at Cantiague
7 Park, and the golf courses at Bethpage
8 State Park.

9 These public parklands are not
10 susceptible to the same level of
11 development and pressure as pertains to
12 private golf courses, so the three public
13 golf courses were not subjected to the
14 same rigorous inventory and analysis that
15 applied to the private golf courses, but
16 they were included in the study for
17 completeness.

18 I'm going to go through the
19 inventory that was conducted for the
20 study.

21 Study looked at a broad range of
22 parameters, a total of 12. Most of this
23 information was depicted in a series of
24 maps for each property.

25 In this first slide, we go through

1
2 the first three:

3 - a general description of the
4 property, including its location, the
5 municipalities and acreage.

6 - Second, existing land use within
7 one half mile.

8 - This slide shows the land use map
9 surrounding Pine Hollow Country Club, the
10 existing zoning within a half mile and
11 wetlands in non designated surface
12 waters. And again, all of these maps for
13 every single property are included in the
14 report.

15 Going through the next set of four
16 parameters.

17 - Flood zones from FEMA.

18 - Steep slopes that is greater than
19 25% gradient, which is the definition in
20 the Town code. And this shows a Pine
21 Hollow Country Club. The red areas are
22 areas that exceed 25% slope.

23 - soils.

24 - and extend of wood woodlands.

25 The soils are based on the Nassau

1
2 County Soil Survey, and woodlands were
3 measured on recent aerial photography.

4 And then the last set of parameters
5 that were included in the inventory:

6 - groundwater, particularly
7 identifying properties located within the
8 Special Groundwater Protection Area, or
9 EPA, that's shown on this slide. This is
10 the official map.

11 - cultural resources. It's from the
12 State's database, including
13 archaeological and historic resources.

14 - Other resources identified in the
15 New York State DEC Resources Mapper and
16 consultation with the Dec's Natural
17 Heritage Program, and that includes
18 threatening endangered species.

19 - finally, visual aesthetic
20 resources. And that was based on site
21 inspections, recorded by windshield
22 survey as well as aerial photography. The
23 windshield survey was from the
24 surrounding roadways. We didn't go on the
25 golf courses to do the study. It was

1
2 based on the community's experience of
3 the golf courses.

4 The second part of the inventory was
5 the relevant plans. The chief plan that's
6 applicable in the Town of Oyster Bay is
7 the zoning code, Chapter 246. It serves
8 as the primary component of the Town's
9 comprehensive plan, establishing most of
10 the standards that govern land
11 development in the town. The main way the
12 zoning code regulates development is
13 through the zoning map, so what zoning
14 district the properties are in, and the
15 associated regulation pertaining to each
16 district.

17 This slide shows the zoning
18 districts that apply to all the golf
19 courses (referring). They currently lie
20 within a wide range of zoning districts.
21 Includes:

22 - R1-7, which has a minimum
23 requirement of 7000 square foot lots,
24 which applies to the portion of Engineers
25 Country Club in the town of Oyster Bay;

1
2 - R1-10, which has a 10,000 square
3 foot lot minimum, which applies to a
4 small portion of Bethpage State Park;

5 - R1-20, 20,000 square foot lots,
6 minimum, North Shore Country Club.

7 - R1-A, minimum one acre lots,
8 Nassau Country Club and most of Bethpage
9 State Park;

10 - R1-2A, a minimum two acre lots,
11 Glen Head Country Club;

12 - R1-5A, a minimum of five acre
13 lots. Applies to both the Meadowbrook
14 Club and Pine Hollow Country Club;

15 Recreation District was applied to
16 the town golf course. Cantiague Park
17 Golf course is actually in the Light
18 Industrial District.

19 In addition to these base zoning
20 districts, the Town established a Aquifer
21 Protection Overlay District for the
22 portion of the town in the special
23 Groundwater Protection Area. And that
24 applies to Glen Head Country Club, Nassau
25 Country Club, Meadowbrook Club, and Pine

1
2 Hollow Country Club.

3 The zoning code also contains
4 certain other provisions which regulate
5 land development, including conservation
6 subdivision and site design standards.
7 It's noted that the Town has undertaken a
8 number of prior land use planning studies
9 to examine specific areas of the town,
10 including the following studies
11 pertaining to the areas in which the
12 study parcels are located:

13 - There was a study conducted for
14 Glenwood Landing Redevelopment and
15 Revitalization Plan and among other
16 things, this study led to a zoning change
17 for the portion of North Shore Country
18 Club in the unincorporated area of the
19 town, from 10,000 square foot lots to
20 20,000 square foot lot.

21 - The Town also conducted a study of
22 the Special Groundwater Protection Area
23 in the unincorporated area of the town.
24 This study resulted in zoning changes for
25 larger minimum lot sizes for all four of

1
2 the private golf courses in the Town of
3 Oyster Bay, Glen Head Country Club,
4 Nassau Country Club, Meadowbrook Club,
5 and Pine Hollow Country Club were all
6 zoned to higher, larger land zoning
7 districts.

8 Other municipal plans pertaining to
9 the golf courses in the study area,
10 adjacent municipalities in which some of
11 these golf courses are located have
12 undertaken their own studies.

13 The Village of Seacliff did a build
14 out analysis, which looked at the portion
15 of North Shore Country Club in the
16 village.

17 Village of Roslyn Harbor did a
18 planning analysis which included the
19 portion of Engineers Country Club in the
20 village.

21 The Town conducted a harbor
22 management plan for Hempstead Harbor,
23 which includes North Shore Country Club
24 and Engineers Country Club, which is
25 situated in the watershed of Hempstead

1
2 Harbor.

3 The next part of the study -- that's
4 the inventory that's collecting the
5 information, and now this is the part
6 that talks about studying the
7 information, what it means, and leading
8 ultimately to a recommendation for what
9 the Town might consider doing.

10 The analysis conducted for the study
11 consisted of two primary components:

12 - a preliminary estimate of single
13 family build out analysis under existing
14 zoning. And for this analysis, it was
15 done for all of the golf courses. We
16 didn't do it on a site specific basis, so
17 we assume that 30% of the total parcel
18 area would be reserved for infrastructure
19 such as, drainage basins, utility strips,
20 roadways, things like that. Actual
21 development for any given parcel, can
22 only be determined with the preparation
23 of a detailed yield map which
24 demonstrates compliant with the
25 dimensional standards specified in the

1
2 zoning code and all of the applicable
3 requirements.

4 - Second part of the analysis, we
5 did the buildout analysis to see what
6 could be developed on the golf course
7 properties based on the existing zoning.
8 Second part is an impact analysis on the
9 various environmental parameters based on
10 the buildout for each golf course
11 property under the current zoning.

12 So this is the analysis parameters
13 that we use in the impact analysis.

14 - water use
15 - sewage generation -- we did
16 preliminary estimates of based on the
17 buildout.

18 - solid waste generation.
19 - vehicular trip generation.
20 - number of school age children.

21 So those were quantitative
22 calculations for those parameters.

23 We also looked at these parameters,
24 what we're on the individual properties:

25 - wetlands

- flood zones
- steep slopes, greater than 25%,
which is the definition in the Town Code
- Soils, particularly identifying
locations that have soils with severe
limitations, such as steep slopes or poor
infiltration characteristics and some
soils have the soil doesn't drain, so
they're not really good for on site
sanitary waste and stormwater recharge
- woodlands
- groundwater, particularly whether
the golf course is in the Special
Groundwater Protection Area.
- open space, aesthetics, visual
resources, and community character that's
all lumped together as one parameter.
- cultural resources. Again, that's
historical resources and archaeological
resources
- finally, threatened endangered
species based on information from the
state.

Then we looked at the implementation

1
2 strategies that can be taken and have
3 been taken in similar situations to
4 protect and preserve environmental
5 resources from development related
6 impacts. This includes methods such as
7 local legislation, land acquisition,
8 development restrictions, things like
9 that.

10 We took all that information and
11 came up with a series of recommendations.
12 Again, the study consisted of four
13 components to determine whether action is
14 warranted to enhance the protection of
15 the private golf courses in the
16 unincorporated area of the town:

17 - site specific inventory.
18 - analysis of a no action scenario
19 of existing zoning remains in place
20 - review of the available
21 strategies.

22 And now we're up to the
23 recommendations of things that appear to
24 make the most sense for the Town of
25 Oyster Bay, based on the information

1
2 compiled in the first three steps in the
3 process. And then we're going to compare
4 it to impact reduction that would be
5 achieved under the recommendation.

6 These recommendations are reflected
7 in the proposed local law that's before
8 the Board today. There were two general
9 recommendations that would apply to all
10 the properties, depending on what
11 resources are present on the property and
12 potentially to non golf course properties
13 in addition to, when we get to it later,
14 the site specific recommendations for
15 some of the golf courses.

16 The general recommendations:

17 - Yield reductions for sensitive
18 environmental features. There are a
19 number of municipalities on Long Island
20 that have established provisions which
21 require that sensitive environmental
22 features be deducted from the developable
23 parcel area for the purposes of
24 calculating the permissible number of
25 lots. All of the municipal codes included

1
2 in the analysis require this deduction be
3 applied to wetland areas. So you would
4 take the area of the wetlands on the site
5 and that would come out of the parcel
6 area. That included East Hampton,
7 Southold, Riverhead, and Shelter Island.
8 We didn't do a comprehensive analysis. We
9 just wanted to see if there were things
10 that made sense based on reviewing what
11 was available. The Town of East Hampton
12 also deducts areas defined as steep
13 slopes from that base parcel area that is
14 used to calculate the development yield.

15 The environmentally sensitive
16 features included in the proposed
17 legislation, steep slopes and wetlands,
18 again, are terms that are already defined
19 in the zoning code. Again, 25% is the
20 gradient threshold for a steep slope.
21 And that actually is steeper. Some other
22 municipalities use a less steep slope as
23 their threshold -- using the the Federal
24 Manual for Identifying and Delineating
25 Jurisdictional Wetlands as the basis of

1
2 defining what a wetland is. And that,
3 again, is how it's defined in the Town
4 Code.

5 It should also be noted that the
6 zoning code definitions of the terms
7 establish minimum area thresholds so that
8 small patches of steep slopes and
9 wetlands, you don't have to go
10 identifying every puddle on the site or
11 every little area of steep slope.

12 - the second general recommendation
13 was modifying the provisions governing
14 conservation subdivisions, which are also
15 known as cluster subdivisions.

16 Under the current zoning code, a
17 conservation subdivision is required for
18 any residential parcel over 20 acres in
19 the Aquifer Protection Overlay District.
20 Again, that's coterminous with the
21 Special Groundwater Protection Area. I am
22 paraphrasing from the code, and that it
23 should be considered for any parcel over
24 five acres throughout the town.

25 So in order to advance the

1
2 environmental benefits associated with
3 clustering -- clustering is you take the
4 allowable development yield and squeeze
5 it onto a portion of the site preserve,
6 the more important environmental features
7 -- the recommendation is that mandatory
8 requirement for conservation subdivision
9 be extended to include all parcels over
10 20 acres anywhere in the town. So now
11 it's only in the Aquifer Protection
12 Overlay District. The recommendation and
13 the draft legislation would say any
14 parcel in the town, residential parcel,
15 over 20 acres would have to cluster and
16 that it be required for parcels in the
17 APO between five and 20 acres. Right now,
18 anything over five acres, up to 20 acres
19 in the APO, it should be considered. The
20 recommendation is it should be required,
21 unless the applicant can demonstrate that
22 a standard subdivision is more
23 environmentally friendly.

24 The site specific recommendations
25 include the following. So I'll discuss

1
2 each of the nine golf course properties
3 in the basis of the recommended action,
4 or for the recommendation not to take an
5 action.

6 The planning study includes:

7 Summary tables providing a
8 comparison of the potential impacts of
9 future development under the existing
10 zoning code versus the proposed zoning
11 code amendments. So again, when comparing
12 what can be developed now and what can be
13 developed under the proposed legislation,
14 including recommendations for specific
15 properties, but also the yield reductions
16 for wetlands and steep slopes that was
17 discussed previously.

18 All right. So I'm going to go
19 through each slide and they are going to
20 have three of the parcels.

21 For **North Shore Country Club**, the
22 proposal is to rezone the portion of this
23 property within the unincorporated area
24 of the town, and that's 83 acres, from
25 the existing R1-20 district to R12A. So

1
2 from 20,000 square foot lots to two acre
3 lots. This would correspond to the R1-2A
4 zoning that is already in place for the
5 Glen Head Country Club. Although Glen
6 Head Country Club -- and we're just doing
7 a comparison now. We're talking about
8 North Shore Country Club, but we're
9 comparing it to Glen Head Country Club --
10 Although Glen Head Country Club is
11 located in the SGPA, North Shore Country
12 Club is in close proximity to Hempstead
13 Harbor, and overall, the inventory and
14 analysis conducted for the study
15 indicates that these two sites have
16 similar high resource value, thereby,
17 justifying that consideration be given to
18 matching up the zoning district for the
19 two parcels.

20 Within the Town portion of the North
21 Shore Country Club property, the result
22 of the proposed zoning code amendments
23 would be -- again, that's the recommended
24 rezoning or proposed now with the
25 proposed legislation. And then the yield

1
2 reductions for steep slopes and wetlands
3 -- would have an estimated reduction in
4 development yield from 127 lots to 25
5 lots, accounting for both of those two
6 recommendations.

7 That was for the Town portion of
8 North Shore Country Club. If the Village
9 of Seacliff were to follow suit by
10 amending its code, by rezoning their
11 portion, which also is half acre zoning,
12 to two acre minimum zoning for the 74
13 acres in that municipality, the overall
14 yield for the entire property would be
15 reduced from 240 lots to 43 lots. And
16 it's my understanding that the Village of
17 Seacliff is in a process of preparing the
18 comprehensive plan, and they're going to
19 be looking at North Shore Country Club.
20 So they'll be looking at this specific
21 issue.

22 With the addition of mandatory
23 clustering, currently under the existing
24 code -- this is only advisory for North
25 Shore Country Club because it's not in

1
2 the Aquifer Protection Overlay
3 District -- there would be a significant
4 reduction in potential environmental
5 impacts under the proposed zoning code
6 amendments as compared to development
7 scenario under the existing code.

8 The second property, **Engineer**
9 **Country Club**. The proposal for that --
10 and again, this is the site specific
11 zoning proposal -- rezone a portion of
12 this property within the unincorporated
13 area of the town, which is only about 4.3
14 acres from R1, 7000 square square foot
15 minimum, lots to R1-2A, two acre minimum
16 lots. This would correspond to the two
17 acre zoning that is in place for the bulk
18 of the overall property in the Village of
19 Roslyn Harbor. Having such a large
20 disparity under the existing conditions
21 and zoning, just because the property is
22 in two municipalities, does not make
23 sense from a planning perspective. The
24 4.3 acre area within the Town portion of
25 the site does not contain wetlands, and a

1
2 small area of steep slopes appears to
3 occur as isolated features such as the
4 sand traps and things like that, so it
5 wouldn't likely meet the threshold for
6 minimum area.

7 Therefore, the result of the
8 proposed action for this parcel would be
9 an estimated reduction in development
10 yield related to the proposed zoning from
11 19 lots to two residential lots. And
12 again, the 19 lots was based on our
13 calculation generally applied to all of
14 the golf course properties. I know that
15 there's an application in with the
16 Village, and they actually did a yield
17 map that may have a different number.

18 So with regard to that application,
19 it is in the process in the Village of
20 Roslyn Harbor. The Board of Trustees in
21 that village is the lead agency under the
22 State Environmental Quality Review Act.
23 They are proposing a cluster development
24 on a portion of the golf course. And
25 there would be a covenant that would

1
2 apply to the rest of the golf course,
3 keeping it as golf course or open space
4 in perpetuity. And the 4.3 acre area in
5 the Town is not part of what the area
6 that's being proposed for development. So
7 under the covenant that would be
8 retained.

9 **Glen Head Country Club.** This
10 property is entirely located in the
11 unincorporated area of the town. As
12 mentioned previously, in comparison to
13 North Shore Country Club, it's zoned
14 R1-2A. Based on our analysis, that
15 appears to be appropriate. Again,
16 looking at its own resources and
17 comparing it to the five other private
18 golf courses in the study. Therefore,
19 it's recommended that the zoning for that
20 property be retained. However, that
21 property has a relatively large extent of
22 wetlands and steep slopes. So based on
23 the deductions for sensitive
24 environmental features, the development
25 yield would be reduced from -- again,

1
2 this is just a preliminary calculation --
3 61 lots under the existing zoning code to
4 56 lots under the proposed code
5 amendments.

6 Moving on to the next three. **Nassau**
7 **Country Club.** This property is split
8 between the unincorporated area of the
9 Town, 56 acres; and the City of Glen
10 Cove, 93 acres. The existing zoning is
11 for minimum one acre residential lots in
12 both municipalities. Although the
13 property is located in the Special
14 Groundwater Protection Area, it does not
15 contain significant areas of steep
16 slopes, wetlands, or other highly
17 sensitive natural resources as compared
18 to the other private golf courses in the
19 town. On this basis, it appears that the
20 existing R1-1A zoning is appropriate for
21 the site. Since substantial areas of
22 steep slopes and wetlands are not present
23 on Nassau Country Club, development yield
24 would not be significantly affected by
25 the proposed zoning code.

1
2 The next one is **Pine Hollow Country**
3 **Club**. This property is located entirely
4 in an unincorporated area of the town and
5 is already in the largest residential
6 zoning district, the R1-5A, which is a
7 five acre minimum lot size. Since it's
8 already at the largest lot size, the
9 zoning is recommended to remain
10 unchanged. However, the relatively large
11 extent of wetlands and steep slopes on
12 this site would result in a decrease in
13 the estimated development yield from 19
14 lots under the existing zoning to 17 lots
15 under the proposed code amendments.

16 Next one is **Meadowbrook Club**. Like
17 Pine Hollow, Meadowbrook Club is located
18 entirely in the unincorporated area of
19 the town and is already in the largest
20 residential zoning district for five acre
21 lots. Similar to Pine Hollow, there's no
22 change recommended for the zoning of the
23 property. However, wetlands and steep
24 slopes also are present on this site, but
25 not to the extent, as is the case of Pine

1
2 Hollow, and the result would be a
3 reduction in the development from 37 lots
4 under the existing zoning code to 36
5 lots. So a one lot reduction in yield
6 under the proposed zoning code amendment.

7 So that covers the six private golf
8 courses that were included in the study.
9 We did look also at the public courses.

10 The **Town of Oyster Bay Golf Course**.
11 This property is already governed by the
12 most restrictive provisions of any golf
13 course in the town, and includes
14 protection from future development,
15 because it's designated parkland, and the
16 highly constrained requirements of the
17 recreational zoning district that it's
18 in. Therefore, no further action is
19 proposed with regards to the Town golf
20 course.

21 **Cantiague County Park**, this county
22 owned property is in the light industrial
23 zoning district. It appears that's a
24 holdover from the original zoning along
25 the West John Street industrial corridor

1
2 from the time before it was developed as
3 parkland. Clearly, industrial zoning is
4 not appropriate for parkland. And
5 although the potential for future
6 development with other uses under the
7 existing zoning is remote because it's
8 parkland, it's appropriate for the golf
9 course and other park areas to be
10 incorporated into the Town's recreational
11 zoning district.

12 However, there is a portion of the
13 overall County property at this location
14 that is actively operating as a highway
15 yard, and the recommendation is for this
16 portion of the site to be retained in the
17 Light Industrial Zoning district to
18 correspond to that existing use.

19 Finally, **Bethpage State Park**. This
20 park includes five golf courses and other
21 public recreational facilities. The
22 portion of the property in the
23 unincorporated area of the town --
24 there's a portion that extends across the
25 county line into Suffolk -- is mostly in

1
2 the Town's one acre zoning district. But
3 there are a couple of small parcels in
4 R1-10 district for 10,000 square foot for
5 some reason.

6 Similar to Cantiague Park, the
7 existing single family residential zoning
8 of Bethpage State Park is not appropriate
9 for public parkland. Again, although the
10 potential for development because it's
11 parkland is remote, you want to have the
12 zoning match the use, so that is also
13 recommended for rezoning to the
14 Recreation District.

15 I'd like to re-emphasize that this
16 presentation was intended to serve as a
17 synopsis, to provide an overview of the
18 content of Nelson, Pope and Voorhis
19 report updated in February 2023 for the
20 purposes of this hearing, and the record
21 supporting the proposed legislation
22 should encompass the full content of the
23 report, which provides a detailed
24 inventory analysis, mapping, estimated
25 yield calculations, and other information

1
2 forming the basis of the recommendations
3 which culminated in the proposed local
4 law being considered here today by the
5 Board.

6 So moving on to next steps. There
7 are two of them.

8 Prior to acting upon the proposal of
9 the law, that's the subject of today's
10 hearing, the legislation must be referred
11 for review and recommendation by the
12 Nassau County Planning Commission,
13 pursuant to Section 239- M of the General
14 Municipal Law.

15 Finally, Nelson, Pope and Voorhis
16 has assisted the Department of
17 Environmental Resources in reviewing the
18 proposed action pursuant to the New York
19 State Environmental Quality Review Act
20 (SEQRA), and that also the Town's
21 Environmental Quality Review law, Chapter
22 110 of the code. This review included
23 the completion of a full environmental
24 assessment form, Parts 1-3, which I
25 believe was included in the information

1
2 package provided to the Board.

3 As indicated in the EAF
4 (Environmental Assessment Form), it is
5 concluded that enactment of the proposed
6 legislation would not result in
7 potentially significant adverse
8 environmental impacts and, in fact, would
9 reduce the magnitude of impacts and
10 potential impacts as compared to a
11 scenario of future development under the
12 existing zoning.

13 Again, the reason for that is you're
14 reducing the number of lots that can be
15 developed and the extent of development
16 on these properties.

17 Therefore, it's recommended that the
18 Board adopt a negative declaration
19 pursuant to SEQRA, if the Board decides
20 to proceed with the proposed legislation.

21 That concludes my presentation. I
22 certainly would entertain any questions
23 from the Board.

24 SUPERVISOR SALADINO: Are there any
25 questions at this time?

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: Thank you.

We have some folks who would like to
be heard. I'm going to begin by asking
Allan Hyman to please come up for his
comments.

I'm trying to group these together.
We have a total of seven people would
like to be heard on this hearing. Please
fill out a form in the meanwhile if you'd
like to be heard.

Please, Counselor, proceed.

MR. HYMAN: Good afternoon, Mr.
Supervisor. My name is Allan Hyman. I'm a
member of the firm of Certilman, Balin,
Adler & Hyman. Members of the Town
board, Mr. LaMarca and Mr. Pravato.

After listening to Mr. Ellsworth's
presentation, I was thinking that I
should have gone to engineering school
before I went to law school. It would
have been helpful. I have great respect
for Mr. Ellsworth, and I've listened to

1
2 him on numerous occasions. Mostly I'm
3 thinking to myself, that would have been
4 a very good career choice.

5 In any event, I wanted to
6 acknowledge the Board for the
7 presentation earlier today regarding the
8 Holocaust. That was terrific and I'm
9 very happy I was here to hear. So thank
10 you, members of the board and Supervisor,
11 and let's get into why I'm here.

12 I represent the North Shore Country
13 Club, and as the Board knows and
14 Supervisor knows, this presentation will
15 have a dramatic effect and impact on the
16 Country Club property. What's happened
17 with country clubs like North Shore
18 because of declining membership and other
19 economic factors going back about 10 or
20 11 years, some of the country clubs that
21 were private country clubs, member owned
22 country clubs, ended up getting sold.
23 North Shore was one of them.

24 About 12 years ago, the Club, which
25 had a long history as one of the older

1
2 country clubs on Long Island, was a
3 member owned club. Now it is not. The
4 members couldn't afford to maintain the
5 club because of declining membership. And
6 so the club was sold. It was sold to Don
7 Zucker Entity. Today it's being run not
8 as a member owned club, but as a
9 semi-private club. You have to pay dues
10 in order to play golf there.

11 So at some point, at some point it
12 is likely that this club will be sold,
13 and when it is sold the difference
14 between a half acre zoning and a two acre
15 zone is going to have an impact on the
16 value of this property. So that is
17 something that I think Board should be
18 aware of and sensitive to.

19 So the changes that are being
20 suggested is going to impact well over
21 250 acres of property in the Town of
22 Oyster Bay. The mention of SEQRA, it is
23 clear that the Town has been offered in
24 lieu of a full blown draft environmental
25 impact statement, an EAF, Environmental

1
2 Assessment Form, which would suggest that
3 the Town should adopt a negative
4 declaration.

5 Well, I wanted to suggest to the
6 Town that the procedure and substance of
7 SEQRA and its implementing regulations
8 must be followed prior to the adoption of
9 these proposed zoning change, which is
10 consistent with what Mr. Ellsworth said.
11 There should be an identification of all
12 areas of environmental concern with
13 respect to the proposed zoning changes,
14 and the Town has to take a hard look at
15 the areas of concern at all potential
16 environmental impact impacts.

17 There has to be an analysis under
18 SEQRA where the conclusions in written
19 form represent a reasonable elaboration
20 of the Board's analysis and conclusions.
21 The Board has to identify and evaluate
22 reasonable alternatives to its proposed
23 zoning changes. They have to consider
24 implementing appropriate mitigation
25 measures with respect to the proposed

1
2 zoning changes, and, otherwise, fully
3 comply with the SEQRA obligations.

4 So what the what is the bottom line?
5 The bottom line here, in nutshell, is
6 that the Town has to do more than pass a
7 negative declaration based on an EAF. It
8 is not sufficient. This is a major action
9 under SEQRA, and although Mr. Ellsworth
10 says, well, you know, this is probably
11 beneficial to the Town because what we're
12 going to see on a density level is higher
13 acreage requirements. Such requirements
14 in the case of the North Shore Country
15 Club, we would go from half acre zoning
16 to two zoning, which would have an impact
17 there, and it would have an impact on
18 Engineers and it would have an impact on
19 other country clubs as well.

20 So I believe based on what Mr.
21 Ellsworth has said, this is not a Type-II
22 Action where the Town can simply agree
23 that there are no significant
24 environmental impact statements that
25 require a full blown environmental

1
2 analysis through an environmental impact
3 statement. And my request on behalf of
4 the North Shore Country Club, is that
5 prior to enacting this amendment to the
6 zoning ordinance in the Town of Oyster
7 Bay, that the Town requires a full
8 environmental impact statement starting
9 with a draft environmental impact
10 statement which would comply with SEQRA.

11 That is my presentation. And thank
12 you for your time.

13 SUPERVISOR SALADINO: Thank you very
14 much for your time today.

15 Our next speaker will be Anthony
16 Guardino.

17 MR. GUARDINO: Good afternoon, Mr.
18 Supervisor, members of the board.

19 (Whereupon, Mr. Guardino
20 hands Exhibits to Town Clerk.)

21 MR. GUARDINO: My name is Anthony
22 Guardino, a member of the firm of Farrell
23 Fritz in Happaugue, New York. I represent
24 RXR Realty, which owns Engineers Country
25 Club.

1
2 Engineers is primarily located in
3 the village of Roslyn Harbor, as was
4 stated earlier by Mr. Ellsworth. But it
5 does have a very small portion of the
6 golf course located in Glenwood Landing,
7 which is the unincorporated portion of
8 the town. And I have some exhibits that I
9 handed up. You can see the the small
10 portion that I'm talking about, just
11 different documents there.

12 So I'm here today on behalf of RXR
13 to speak in opposition to the proposed
14 local law, which is seeking to amend the
15 Town's zoning regulations and the zoning
16 map, at least as it relates to Engineers
17 Country Club. I'm not here to oppose the
18 law generally, just as it relates to that
19 roughly four acre parcel of the overall
20 golf course, which is actually 140 acres,
21 which is not located in the town. And
22 this is a golf course layout plan in
23 there.

24 In particular, what I'm looking to
25 do is to explain how I believe the

1
2 proposed rezoning, which is presumably
3 based on the study that was talked about,
4 the private golf course study, and
5 designed to preserve and to protect the
6 open space associated with golf courses.
7 In this case, the case of Engineers it
8 will actually have the opposite effect.
9 Because it will make the golf club and
10 the golf course more likely to be lost
11 forever to future development.

12 Moreover, because the area to be
13 rezoned by the Town represents only 3% of
14 the total golf course, the local law
15 cannot actually protect and preserve
16 Engineers Golf Club, it can only protect
17 and preserve the four acre piece because
18 the rest of the golf course is in the
19 village, so the Village will ultimately
20 determine the fate of Engineers Golf
21 Club, not the Town.

22 RXR purchased the Golf Club in 2017.
23 It was a struggling club. RXR spent
24 millions of dollars for much needed
25 improvements and maintenance. However, as

1
2 you know, RXR is a real estate company.
3 They're not in the golf course business.
4 So they didn't buy this to operate a golf
5 course. What they bought it for was with
6 the goal of redeveloping a very small
7 portion of the golf course not located in
8 the town, southern part of the golf
9 course, which is located entirely in the
10 Village of Roslyn Harbor. They wanted to
11 develop about 18.5 acres with a
12 residential cluster development, which of
13 course is consistent with the local law
14 that's being proposed.

15 And they also, as part of that, had
16 offered to the Village to execute a
17 covenant that would preserve the rest of
18 the golf course, including the four acres
19 in Oyster Bay, as open space in
20 perpetuity. In fact, it has an
21 application pending before the village
22 board today and that application is in
23 the midst of the SEQRA review process.

24 Pursuant to that application, the
25 preserved open space would include all

1
2 four acres or so that are in the Town of
3 Oyster Bay. No portion of the golf course
4 in Oyster Bay would actually be
5 developed; it's only golf course. As you
6 can see from the map that I gave you,
7 it's the green of the 16th hole and the
8 tee box of the second hole. And then
9 there are some irrigation pumps that are
10 on that property. So that property would
11 be forever preserved as golf course if
12 the Roslyn Harbor application is allowed
13 to proceed and is ultimately approved.

14 The economic viability of the
15 cluster of development is due in large
16 part because of the four acres, though.
17 It's kind of a unique situation. Because
18 of the existing zoning of the four acres
19 at R1-7, there's a significant amount of
20 yield that comes from that piece that was
21 going to be transferred into Roslyn
22 Harbor. If this law is passed and the
23 zone is changed to two acre zoning, it
24 significantly erodes the yield that would
25 allow that project to go forward and puts

1
2 it in jeopardy and, therefore, puts the
3 entire golf course in jeopardy. So it
4 could actually have the opposite effect,
5 and could basically precipitate possibly
6 the sale of the golf course to a
7 developer who may then develop. It would
8 be subject, of course, to the new law
9 that you're proposing. Actually the golf
10 course could be lost if this law was
11 adopted because it has a significant
12 impact on yield of the golf course
13 development that will not be Town, but
14 actually will be in the Village.

15 At this time, I'm respectfully
16 requesting that the Town Board amend the
17 proposed local law to exclude the
18 proposed rezoning of the four plus acres
19 of the Engineers Golf Course, because
20 including it may actually precipitate the
21 sale of the golf course, and further,
22 because allowing RXR's village
23 application, applying the yield will
24 result in no residential development on
25 land in the town, which is actually the

1
2 best outcome, ironically, for the Town.
3 Zero development in the town.

4 At the very least, I would ask that
5 maybe the board could defer the inclusion
6 of the Engineers parcel in this local law
7 to allow the Village of Roslyn Harbor to
8 complete its process and see where that
9 goes. And then, of course, the Town Board
10 could do whatever it wants at a further
11 date. Thank you very much, I appreciate
12 it.

13 SUPERVISOR SALADINO: Thank you for
14 your time.

15 Our next speaker will be Thomas Brei
16 (phonetic).

17 MR. BREI: My name is Thomas Brei. I
18 live at 35 Simons Avenue (phonetic,
19 inaudible), Bethpage, New York 11714.

20 This is basically directly across
21 the street from the state park. I grew
22 up there playing as a little kid, and I'd
23 like to see the woods in the state park
24 remain in the woods in the state park.
25 Most of my neighbors feel the same way.

1
2 That being said, I had gone online
3 and looked up the information. And when I
4 look in Section 7, I see that, my
5 neighbors, me, the entire State Park is
6 in Section 47. It says, see adjoining
7 map, but it only lists block and lot
8 numbers. Do we actually have a map that I
9 could see where Block A, Lot 21A; Block
10 A, Lot 21C, it goes on.

11 SUPERVISOR SALADINO: Frank, would
12 you please raise your hand?

13 (Whereupon, Town Attorney
14 complies.)

15 SUPERVISOR SALADINO: That's Frank
16 Scalera, our town attorney. After you're
17 done speaking or after this town board
18 meeting, whichever is most convenient for
19 you, he's happy to show you a map of
20 whatever you'd like to see.

21 MR. BREI: All right.

22 Next question I actually have is,
23 you want to rezone for recreation. Now,
24 does the Town have any future plans once
25 that is zoned for recreation, to put any

1
2 type of recreational facility or
3 something like Cantiague Park, an ice
4 skating rink; as such, Bethpage Community
5 Park? Once that zoned recreation, I
6 guess you could kind of build whatever
7 recreational facility you wanted to
8 there, but I mean, I know that's approved
9 by the State.

10 COUNCILMAN IMBROTO: We don't own
11 the property, we wouldn't be able to do
12 something like that.

13 MR. BREI: Correct. But possibly in
14 the future, I don't know.

15 SUPERVISOR SALADINO: So to answer
16 your question specifically, it is not our
17 property and we have no plans to do that.

18 MR. BREI: Correct. It is state
19 owned land. And there should be no
20 problems with anything getting built over
21 there anytime soon.

22 SUPERVISOR SALADINO: Yes.

23 COUNCILMAN IMBROTO: And just
24 further, the Town wouldn't be subject to
25 zoning if it were our property anyway.

1
2 SUPERVISOR SALADINO: You mean the
3 State.

4 COUNCILMAN IMBROTO: The State or
5 the Town or any --

6 MR. BREI: I just want to make sure
7 that it stays the woods as it's always
8 been.

9 SUPERVISOR SALADINO: We understand
10 the point that you're making.

11 COUNCILMAN IMBROTO: That's what we
12 want too.

13 MR. BREI: Excellent. That's what I
14 want to hear. Thank you.

15 SUPERVISOR SALADINO: Thank you very
16 much, Mr. Brei.

17 Our next speaker will be Allison
18 Schroeder.

19 MS. SCHROEDER: Good afternoon.

20 Thank you very, very much for
21 addressing this issue. I live next to
22 the North Shore Country Club, and I live
23 in Glen head. The development in Glen
24 head and the surrounding areas has been
25 incredible. Single homes are being

1
2 demolished, two houses are being put up,
3 traffic is out of control. We have septic
4 systems, so I can't imagine that we're
5 going to put a ton more houses in an area
6 where we have septic systems. Our quality
7 of life is already impacted, and it would
8 be impacted more if the smaller lot sizes
9 were retained, given that they're saying
10 that the development of the golf course
11 and sale is inevitable at some point.

12 It's about more than money. It's
13 about quality of life. I live, as I said,
14 right next to the golf course. Great
15 horned owls live on the golf course, and
16 I've been there 23 years. Every year they
17 have babies. We have red tailed hawks
18 again, babies. We have screech owls. We
19 need the green space. We need the
20 environment to be preserved. And that's
21 it.

22 I just like to request that the
23 PowerPoint be distributed on the Town
24 website, so everybody could take a look
25 at it.

1
2 SUPERVISOR SALADINO: Okay. We'll
3 talk to Public Information and see what
4 we can do.

5 MS. SCHROEDER: Thank you very much
6 for your attention. It's appreciated.

7 SUPERVISOR SALADINO: Thank you for
8 making the time to come in. It's very
9 much appreciated.

10 Our next speaker is Sarah Cardillo.

11 (Whereupon, no verbal
12 response.)

13 SUPERVISOR SALADINO: Sarah
14 Cardillo, Carnation Drive. I'm not sure
15 what community. Can someone take a look
16 and see if she's there?

17 And we'll just call the next person,
18 and we'll continue to keep this
19 opportunity available to her.

20 Our next speaker is Lisa Cashman.

21 MS. CASHMAN: Thank you so much for
22 having me here. My name is Lisa Cashman,
23 and I'm here representing the Coalition
24 to Save Hempstead Harbor. I actually
25 have a copy of the letter that we

1
2 submitted during the comment period a
3 year ago on this topic, a hard copy that
4 articulates some of the points that I
5 hope to make today.

6 I don't have a lot to say, other
7 than we are here to support the changes
8 in zoning that have been proposed. This
9 initiative will help maintain open space,
10 protect groundwater and surface water
11 resources, as well as provide habitat
12 connectivity for wildlife.

13 There are more details about this
14 position, but also to be considered is,
15 the more development that we create, the
16 more we're pumping from our aquifer. The
17 aquifer depends on these open spaces for
18 recharge and we already have a saltwater
19 intrusion issue going on. So, when I hear
20 when I hear conversations about the
21 density being a consideration and
22 clustered housing, all of these are water
23 resources. And frequently when we talk
24 about development, we talk about whether
25 we have the physical capacity to connect

1
2 to the lines, but not if there's going to
3 be enough drinking water, which is a real
4 true, up and coming concern of
5 development moving to the future.

6 So thank you for allowing me the
7 opportunity to speak here today. Thanks
8 for considering this important issue. And
9 I'll be speaking later during public
10 comment as well.

11 COUNCILMAN IMBROTO: Thank you, Ms.
12 Cashman.

13 SUPERVISOR SALADINO: Ms. Cashman, I
14 do want to point out that the subjects
15 that you have referenced today: Quantity
16 of clean, potable drinking water, the
17 ability of open space to recharge our
18 aquifer system through percolation,
19 saltwater intrusion; these and many other
20 natural resource and clean water
21 initiative issues are discussed by the
22 officials of this board, at board
23 meetings and out in the community at
24 meetings. This is something that has been
25 on our minds and in our hearts for years

1
2 and years. And much of my work in the
3 State Assembly and now with the Town,
4 with the assistance of our wonderful,
5 proactive elected officials, have been
6 just that. So please let your membership
7 know that the protection of groundwater
8 as it relates to anything and everything
9 in policy in this town is one of our four
10 cornerstones of our highest priorities.

11 MS. CASHMAN: It's heartening. Thank
12 you.

13 The Coalition has been around for
14 almost 40 years. So this is something
15 that's near and dear to us, especially
16 our proximity to Hempstead Harbor. But
17 thank you for your passion that you just
18 expressed for environmental issues.

19 SUPERVISOR SALADINO: That's the
20 perfect way to describe it. We all have a
21 passion on environmental initiatives and
22 issues, and we continue to show that in
23 our policies and our work in this town,
24 we understand the fine tuned specifics
25 you bring to light, including saltwater

1
2 intrusion. We understand that there are
3 very few places on Long Island where the
4 DEC allows pumping from the pristine
5 Lloyd Aquifer and in communities -- Long
6 beach is a perfect example. You've
7 discussed the saltwater intrusion issue,
8 that water was always meant for future
9 generations, and to know there's already
10 a need to utilize that water and
11 therefore diminish the quantity of it, is
12 concerning to us.

13 MS. CASHMAN: We share your concern.
14 Thank you.

15 SUPERVISOR SALADINO: Thank you so
16 much for joining us.

17 Our next speaker is Arthur Adelman.

18 TOWN ATTORNEY: Excuse me, Arthur.

19 Just for the record, Ms. Cashman
20 said made reference to a letter that she
21 submitted last year. We'd like to submit
22 it to the record, correct.

23 MS. CASHMAN: Yes. Thank you
24 (handing).

25 SUPERVISOR SALADINO: Please do.

1
2 TOWN ATTORNEY: This is a letter
3 dated January 13th, 2023 from the
4 Coalition to Save Hempstead Harbor.

5 SUPERVISOR SALADINO: Thank you so
6 much.

7 MR. ADLEMAN: Regarding this
8 hearing, I have four points I'd like to
9 review.

10 In reference to Counsel Scalera,
11 bringing up Peninsula Country Club. I
12 don't understand why it was not included.
13 I understand we're in the process of
14 trying to negotiate the purchase. My
15 feeling is if we up zoned, it could only
16 benefit the Town by possibly reducing the
17 appraised value of that property, if it
18 was two acre instead of whatever it is
19 today.

20 Next Nassau Country club. I have no
21 idea why they should not be included in
22 the two acre zoning. God forbid they
23 decide to sell a portion of their
24 property and then do this land banking
25 like they're doing over at Engineers and

1
2 saying we can build 140 homes, so we want
3 to put up a high rise here on the Glen
4 Cove side. If it was two acres zoning,
5 they might only be able to bank 70
6 residents for a smaller piece of
7 property. I have no idea, but I just
8 don't understand why they should get a
9 pass. If you're going to do it, do it to
10 everybody.

11 The North Shore Club. My feeling is
12 the owners should look at the recent
13 history of the Town, which demonstrates
14 the Town's desire to maintain open space.
15 The owners of North Shore should feel
16 comfortable that no matter when it should
17 happen, if they want to sell their
18 property, that the Town will give them a
19 fair price for that property like we're
20 doing with Peninsula. We offered them
21 market price. I think we would do the
22 same thing with North Shore, if he
23 decided to sell it, be it one acre zoning
24 or it's two acre zoning.

25 Lastly, I want I'm just curious if

1
2 the zoning code includes the demand for
3 nitrogen reducing septic systems in any
4 new developments. That's a concern of
5 mine and many others regarding the flow
6 of water for aquifers.

7 Thank you. I'm glad we had a turnout
8 today, even though it was a morning
9 meeting. Tough for a lot of people to
10 come. I'll see you later.

11 SUPERVISOR SALADINO: Thank you,
12 Arthur.

13 I would like to point out that we
14 continue to encourage our residents to
15 communicate with us via e-mail, letters,
16 phone calls, many ways. And that this, as
17 is the case with so many of our hearings,
18 who will keep the record open for that
19 communication. So whether someone is
20 physically here or unable to make it, we
21 will continue, as has always been our
22 policy, to give the residents and to give
23 anyone who would like to be heard ample
24 opportunity to get their opinions across.

25 Has Sarah Cardillo reentered the

room? Sarah?

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: Please let the
record reflect that she's not responding,
so I assume she's not here.

That's all the slips that I have as
it relates to this hearing. Is there
anyone else who would like to be heard on
this particular hearing?

(Whereupon, no verbal
response.)

(Whereupon, off record
discussion.)

SUPERVISOR SALADINO: I'm informed
that there are other people here who
wanted to hear the information presented
at this hearing. They may or may not want
to speak. I do not know that, but we do
want to give them that opportunity. So
why don't we take a five minute break and
give our stenographer a break, and anyone
else who needs one, and we'll reconvene
in approximately five minutes and we'll

1
2 get a message over, please, to those
3 other residents to find out whether or
4 not they'd like to be heard. So we'll
5 currently take a break and be right back
6 for more on this hearing.

7 Thank you.

8 (Whereupon, brief recess,
9 12:40-12:47 p.m.)

10 SUPERVISOR SALADINO: Thank you,
11 everyone, for your patience. I have been
12 informed that Mr. Cardillo is no longer
13 here, so I'm going to assume that he does
14 not want to speak publicly. Frank, anyone
15 else?

16 TOWN ATTORNEY: My due diligence, it
17 appears there's no one left that wants to
18 speak.

19 SUPERVISOR SALADINO: It appears no
20 one else is interested in speaking. The
21 group that was here earlier has left the
22 premises.

23 So I'll say it again. Is there
24 anyone else who would like to be heard on
25 this hearing?

(Whereupon, no verbal
response.)

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

With that, are there any postings
and mailings?

TOWN CLERK: We have affidavits of
posting and publication. There is
correspondence on file which has been
distributed to the Town Board.

SUPERVISOR SALADINO: May I have a
motion, please?

COUNCILWOMAN JOHNSON: Supervisor, I
make the motion that the public portion
of this hearing be closed and the record
be kept open for 60 days.

COUNCILMAN IMBROTO: Second.

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

(Whereupon, all present
members of the Town of Oyster
Bay Town Board respond in favor
with, "Aye.")

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

4 (Whereupon, no verbal
5 response.)

6 SUPERVISOR SALADINO: The "Ayes"
7 have it. Thank you.

8 Just for clarity, we're allowing
9 this to stay open for considerably longer
10 period of time because we want to make
11 sure we give every opportunity for the
12 public or anyone who would like to be
13 heard, to be heard on this. And as we've
14 described in the past, we can be
15 contacted through e-mail, through regular
16 mail, through a phone call. You can call
17 my office at (516) 624-6350. If you need
18 more details on how to contact us. And
19 the proper place for those communications
20 is our Town of Oyster Bay Town Attorney's
21 Office.

22 (Whereupon, above matter
23 concludes, 12:50 p.m.)
24
25

INDEX

EXHIBITS

Various documents

Mr. Guardino, Farrell Fritz

For Engineers Club

Letter dated January 13th, 2023 from the

Coalition to Save Hempstead Harbor

Ms. Cashman

(Documents handed, not
marked by reporter)

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 23rd day of January, 2024.

Karen Lorenzo
KAREN LORENZO

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TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

January 23, 2024

12:50 p.m.

Hearing 3

Local Law

To consider the 2024 Capital Program

Park Districts

(MD 12/26/23 #14)

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

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

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

4 TOWN CLERK: Today's hearing is to
5 consider the 2024 Capital Program - Park
6 Districts.

7 MR. DARIENZO: Good morning,
8 Supervisor and town board members. I am
9 Rob Darienzo, I am the Town's Director of
10 Finance.

11 I'm here to talk about a portion of
12 the 2024 Capital Program. The vast
13 majority of the 2024 Capital Program --
14 I'll take a step back -- Local finance
15 law requires that the Capital Program be
16 separated by certain chapters and uses.
17 The vast majority of those uses require a
18 simple vote by the Board. With that
19 being said, on January 9th, two weeks
20 ago, the Town Board did vote to approve
21 the vast majority of our 2024 Capital
22 Program.

23 Local finance law requires public
24 hearings for debt authorizations that
25 relate to Special Districts. That's why

1
2 we have these two hearings today, one for
3 Special District Parks and the following
4 is for Special Districts Solid Waste
5 Improvements.

6 SUPERVISOR SALADINO: So if I may
7 just for a take a moment to recap so
8 folks who may be watching will
9 understand.

10 Our spending in the Town of Oyster
11 Bay is broken up into two separate
12 distinct areas. One is the Operations
13 Budget, and that's what we need to run
14 the day-to-day operations of supplies and
15 the cost of energy and the salaries and,
16 and all the different aspects of running
17 the Day to Day operation. That we
18 propose, we hold the hearing, and we pass
19 in October prior to the upcoming year,
20 which starts January 1st, correct?

21 MR. DARIENZO: That's correct.

22 SUPERVISOR SALADINO: So that was
23 all done in 2023 for our 2024 Operating
24 Budget, the day-to-day functions of town
25 government where we again froze our

1
2 taxing. We have not raised taxes in six
3 years. Seven years ago we we first
4 lowered taxes 1.3 million and then have
5 froze them every single year since.

6 Today, we're looking at the capital
7 side, which means the large aspects of
8 government, buying of big garbage trucks
9 and highway trucks, the major projects,
10 the major expenditures to invest in the
11 capital or the resources of the Town, its
12 buildings, its property that are needed
13 for the other function, that operating
14 function.

15 When we started our conversations
16 back in 2017; the Town had how much
17 capital debt? Roughly, approximately.

18 MR. DARIENZO: \$762 million.

19 SUPERVISOR SALADINO: Approximately
20 \$762 million of debt that the Town had
21 previously borrowed and had to be paid
22 off.

23 MR. DARIENZO: Correct.

24 SUPERVISOR SALADINO: We came up
25 with a plan in that first year to not

1
2 borrow any money to give the Town some
3 resuscitation and get the finances back
4 on track.

5 MR. DARIENZO: Shock the system,
6 yes.

7 SUPERVISOR SALADINO: Shock the
8 system, as you describe.

9 Since then, we have borrowed each
10 year to pave roads, for the upkeep of our
11 fleet of trucks and so forth, capital
12 improvements to the Town, the parks, the
13 fields, the beach and so on and so forth.
14 We have reduced the Town's net total that
15 is owed, the total capital amount that is
16 owed, by a net of how much?

17 MR. DARIENZO: Don't hold me to the
18 exact number, it's roughly \$185 million.

19 SUPERVISOR SALADINO: In excess of
20 \$185 million. So each year we borrow, but
21 we pay off more than we borrow. That's
22 been our philosophy, and that's what
23 we've carried out, correct?

24 MR. DARIENZO: Those were your
25 orders and we followed them out.

1
2 Obviously, some years are better than
3 others, but every year the debt has gone
4 down.

5 SUPERVISOR SALADINO: So "better" is
6 a term that's unique because "better"
7 could mean a lot of things. Every time we
8 borrow, it's better because we're
9 improving the resources and the
10 facilities that the taxpayers own,
11 correct?

12 MR. DARIENZO: Correct.

13 SUPERVISOR SALADINO: But we are
14 doing it in such a careful process that
15 we continue to lower. What better means,
16 some years we lower that total capital
17 debt by more; we still lower it every
18 year, but some years it's larger and
19 smaller, depending upon the needs.

20 Today, once again, we're looking at
21 what we would like to borrow for 2024,
22 what it will cost. Can you assure us that
23 we're still keeping debt on a track?
24 We're not increasing the total net amount
25 of debt, correct?

1
2 MR. DARIENZO: If nothing out of the
3 ordinary happens in 2024, the intention
4 is to lower debt again in 2024. If we
5 have some sort of emergency that's
6 unforeseen, that might change the
7 situation. But right now, the 2024
8 Capital Program assures us of cutting
9 debt once again.

10 SUPERVISOR SALADINO: And once
11 again, the 2024 Operating Budget
12 guarantees no new taxes from the Town of
13 Oyster Bay for the portion of the
14 property taxes that we control, correct?

15 MR. DARIENZO: Correct. We have
16 collected \$233 million in taxes each year
17 since you've been here, except for the
18 first year, there was \$234 million.

19 SUPERVISOR SALADINO: We cut it?

20 MR. DARIENZO: Yes.

21 SUPERVISOR SALADINO: So with that,
22 we give an overview understanding so
23 people watching can get a sense of what
24 we're doing. And this is the normal
25 process of deciding in a public forum so

1
2 we can make sure the public not only
3 understands, but has an opportunity to
4 ask questions if they indeed choose to,
5 so they see what we're doing.

6 Today, just give us a brief overview
7 of what we're proposing to borrow in
8 order to purchase or to enhance.

9 MR. DARIENZO: So this hearing is
10 specific to the Special District Park
11 Improvements. So you're talking about
12 things like improvements to our
13 bathrooms, improvements to fencing,
14 playgrounds, courts, like pickleball
15 courts, basketball courts. So it's
16 basically a general pot of money that
17 they use to service all of our Special
18 District Parks and the associated
19 parklets in those towns. We have General
20 Fund Parks and we have Special District
21 Parks. I don't get too far into the
22 weeds, but certain money needs to get
23 spent -- if you do an improvement to a
24 certain park, it needs to get spent out
25 of the right pot. And so this money is

1
2 for the Special District Parks.

3 SUPERVISOR SALADINO: Special
4 Districts, only certain residents pay for
5 that. That's not something that every
6 taxpayer in the town pays for, whereas
7 other kinds of expenditures, when we buy
8 garbage trucks, when we do these major
9 fields, that's a tax to everyone in the
10 town.

11 MR. DARIENZO: Correct.

12 SUPERVISOR SALADINO: Thank you for
13 working with me, so we can really boil
14 this down and people can understand.

15 Let's talk about what we're
16 proposing to borrow money to purchase and
17 to enhance.

18 MR. DARIENZO: So it's clear,
19 nothing is being borrowed today based on
20 your vote on this resolution. This simply
21 authorizes a borrowing at some point in
22 the future.

23 With that being said, for the
24 Special District Parks, we're proposing a
25 borrowing up to \$1.75 million, again for

1
2 bathrooms, playgrounds, pickleball
3 courts, resurfacing basketball courts,
4 electrical work, fence replacement. These
5 are the general things that need to keep
6 our parks up to date each year.

7 SUPERVISOR SALADINO: Okay. Thank
8 you.

9 MR. DARIENZO: My pleasure.

10 SUPERVISOR SALADINO: Do any of the
11 town board members have any questions as
12 it relates to this hearing?

13 (Whereupon, no verbal
14 response.)

15 SUPERVISOR SALADINO: Thank you, Mr.
16 Darienzo.

17 Now we will ask the public if they
18 have any questions as it relates to this
19 particular hearing.

20 (Whereupon, no verbal
21 response.)

22 SUPERVISOR SALADINO: Please let the
23 record reflect that no one has asked to
24 be heard, and I have no slips asking for
25 anyone to speak at this hearing, which we

1
2 always take, is a very good sign. That
3 means people are happy at the way with
4 carefully spending their money, and at
5 the same time upkeeping their facilities
6 and building more pickleball courts.

7 Just for another point of
8 information on this. We take a vote to
9 begin. Let's say if we vote for this,
10 that means we'll be voting to begin the
11 process of borrowing the money. But then
12 when we spend that money on major
13 projects, it comes back to the Town Board
14 again to publicly spend that money.

15 MR. DARIENZO: Correct. If the Town
16 Board votes to adopt this measure, I go
17 back up to my office, I go into my
18 computer, I create new accounts for these
19 purposes. The Parks Department can then
20 encumber that money after the Town Board
21 approves the the projects on a case by
22 case basis moving forward.

23 We probably won't borrow money
24 against -- we definitely won't borrow
25 money against this authorization until

1
2 August of this year.

3 SUPERVISOR SALADINO: And that we
4 are true to our commitment to
5 transparency, because we'll come back
6 again at a public hearing to listen to
7 the public before the money is spent.

8 MR. DARIENZO: That's correct.

9 SUPERVISOR SALADINO: Thank you very
10 much.

11 Again, no questions from the Board?

12 (Whereupon, no verbal
13 response.)

14 SUPERVISOR SALADINO: Thank you for
15 your thoroughness. And with that, we have
16 no one in the public that would like to
17 be heard. So let us move toward a motion.

18 TOWN CLERK: Let me first say that
19 we have affidavits of posting and
20 publication. There is no further
21 correspondence on this hearing.

22 SUPERVISOR SALADINO: Thank you.

23 May I have a motion?

24 COUNCILWOMAN JOHNSON: Supervisor, I
25 make the motion that this hearing be

closed and decision be voted on today.

COUNCILMAN IMBROTO: Second.

SUPERVISOR SALADINO: All in favor
of closing this hearing and voting on
this today, please signify by saying,
"Aye".

(Whereupon, all members of
the Town of Oyster Bay Town
Board respond in favor with,
"Aye.")

SUPERVISOR SALADINO: Those opposed,
"Nay".

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: The "Ayes"
have it. Thank you, Mr. Darienzo.

(Whereupon, above matter
concludes, 1:01 p.m.)

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 23rd day of January, 2024.

Karen Lorenzo
KAREN LORENZO

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TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

January 23, 2024

1:01 p.m.

Hearing 4

Local Law

To consider for Special District Solid Waste

Improvements in the 2024 Capital Program

(MD 12/26/23 #15)

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

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

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

4 TOWN CLERK: Today's final hearing
5 is to consider for Special Solid Waste
6 Improvements in the 2024 Capital Program
7 our districts.

8 MR. DARIENZO: Good morning,
9 Supervisor and town board members. I am
10 Rob Darienzo, I am the Town's Director of
11 Finance.

12 All the things I said about the last
13 year we apply here as well, except we're
14 talking about Solid Waste Improvements
15 now as opposed to Special District Park
16 Improvements.

17 The Solid Waste Division, which is a
18 division of the Sanitation Department,
19 has stated that in 2024 they'd like to
20 replace their security booth at the
21 entrance of their solid waste facility.
22 And they're asking for money to improve
23 the leachate treatment plan. I don't want
24 to lie to you, I don't know what leachate
25 treatment plant means, but luckily the

1
2 guys in Solid Waste do.

3 SUPERVISOR SALADINO: In short, it
4 means that we contain anything on that
5 site and not allow anything to leach off
6 the site. And we act in a very careful
7 and scientific way to protect our
8 residents and protect the environment
9 from anything leaching from any vehicle
10 or any, material that may be on that
11 site.

12 MR. DARIENZO: Absolutely. The
13 maximum amount that can be bonded over
14 this resolution would be \$620,000.

15 SUPERVISOR SALADINO: And is that
16 what we're asking for at this time?

17 MR. DARIENZO: We're asking for the
18 Town Board to approve a resolution that
19 would authorize the borrowing of up to
20 \$620,000 for this purpose in 2024.

21 SUPERVISOR SALADINO: If approved,
22 when might that borrowing take place?

23 MR. DARIENZO: That borrowing will
24 take place in August of 2024. The
25 intention right now is to borrow the

entirety of the 2024 Capital Program in
one fell swoop in August.

SUPERVISOR SALADINO: Okay. Do you
have anything else to present to us as it
relates to this hearing?

MR. DARIENZO: I do not.

SUPERVISOR SALADINO: Does anyone on
the board, any town board members, have
any questions?

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: At this time,
we'll find out if the public would like
to be heard. Is there anyone here who
would like to be heard on this hearing?

(Whereupon, no verbal
response.)

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

With that, can you please, Mr.
Clerk, report any postings or
correspondence?

TOWN CLERK: We have affidavits of

posting and publication. There is no further correspondence.

SUPERVISOR SALADINO: With that, may I please have a motion?

COUNCILWOMAN JOHNSON: Supervisor, I make the motion that this hearing be closed and decision be voted on today.

COUNCILMAN IMBROTO: Second.

SUPERVISOR SALADINO: May I have a vote. All in favor of this motion, please signify by saying, "Aye".

(Whereupon, all members of the Town of Oyster Bay Town Board present respond in favor with, "Aye.")

SUPERVISOR SALADINO: Those opposed, "Nay".

(Whereupon, no verbal response.)

SUPERVISOR SALADINO: The "Ayes" have it.

Mr. Darienzo, thank you for all of your professionalism, hard work, and efforts to protect the taxpayers and the

1
2 process. We are very proud to have such
3 a transparent process where we
4 painstakingly take every opportunity to
5 inform the public of what we're doing,
6 how we're doing it, how expenditures take
7 place. And as I said earlier and you
8 confirmed, not only do we do this in a
9 transparent manner for the purposes of
10 the borrowing, once we have encumbered
11 that money into the account, we come back
12 to the Town Board with a public hearing
13 to listen to the public as we spend that
14 money. Very true to our commitment that
15 we have been making now for seven years.
16 I am proud to work with you.

17 MR. DARIENZO: Same here. Thank
18 you, all, for your time today.

19
20 (Whereupon, above matter
21 concludes, 1:04 p.m.)
22
23
24
25

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 23rd day of January, 2024.

Karen Lorenzo
KAREN LORENZO

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TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

January 23, 2024

1:04 p.m.

ACTION CALENDAR

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

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

1
2 SUPERVISOR SALADINO: Let's move on
3 to regular Action Calendar?

4 TOWN CLERK: May I have a motion to
5 suspend the Rules and add Resolution
6 84-86-2024?

7 On the motion?

8 COUNCILWOMAN JOHNSON: So moved.

9 COUNCILMAN IMBROTO: Second.

10 TOWN CLERK: Motion made by
11 Councilwoman Johnson and seconded by
12 Councilman Imbroto.

13 On the vote, Supervisor Saladino?

14 SUPERVISOR SALADINO: Aye.

15 TOWN CLERK: Councilwoman Johnson?

16 COUNCILWOMAN JOHNSON: Aye.

17 TOWN CLERK: Councilman Imbroto?

18 COUNCILMAN IMBROTO: Aye.

19 TOWN CLERK: Councilman Hand?

20 COUNCILMAN HAND: Aye.

21 TOWN CLERK: Councilwoman Maier?

22 COUNCILWOMAN MAIER: Aye.

23 TOWN CLERK: Councilwoman Walsh?

24 COUNCILWOMAN WALSH: Aye.

25 TOWN CLERK: Motion to suspend the

1
2 Rules and add Resolution 84 through
3 86-2024 passes with six ayes.

4 May I have a motion to adopt
5 Resolution P-3-2024 through 86-2024.

6 On the motion?

7 COUNCILWOMAN JOHNSON: So moved.

8 COUNCILMAN IMBROTO: Second.

9 SUPERVISOR SALADINO: It appears to
10 me that we have just one speaker. And if
11 anyone else would like to be heard, now's
12 the time to let us know. I believe the
13 only speaker on the Resolution Calendar
14 is Arthur Adleman.

15 TOWN ATTORNEY: Excuse me, Arthur.
16 Please give me a moment, I apologize.

17 Town Clerk, now that we have all the
18 resolutions on the Calendar, on
19 Resolution 84-2024, there was a comment
20 made earlier about the description of the
21 William Street property, which is subject
22 to sale. I ask for a motion allowing for
23 the slight amendment of Resolution 84 to
24 add in the eastern border as part of the
25 property description. That's a motion I

1
2 need, Councilwoman Johnson.

3 SUPERVISOR SALADINO: For the
4 purposes of clarification.

5 TOWN ATTORNEY: Clarification of
6 that particular street. A motion
7 permitting my office to amend Resolution
8 84 to properly reflect the property
9 description, including that eastern
10 portion, which we heard about earlier
11 this week. A simple motion allowing me to
12 correct.

13 COUNCILWOMAN JOHNSON: Supervisor, I
14 would like to make a motion to amend
15 number 84 to properly reflect the
16 property description.

17 TOWN ATTORNEY: Correct.

18 COUNCILMAN IMBROTO: Second.

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

21 (Whereupon, all members of
22 the Town of Oyster Bay Town
23 Board present respond in favor
24 with, "Aye.")

25 SUPERVISOR SALADINO: Those opposed,

1
2 "Nay".

3 (Whereupon, no verbal
4 response.)

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

7 Thank you, Mr. Scalera.

8 MR. ADELMAN: Arthur Adelman, 110
9 Dubois Avenue, Seacliff, New York.

10 I'm just here to comment on
11 Resolution 72. We constantly talk about
12 how we would love to run the Town like a
13 business. I find this Resolution 72, our
14 vendor, I don't think it's proper for a
15 vendor to go raise his prices over two
16 years over 25%, with just a simple note.
17 I know this is not a big item. It's a
18 it's an item that goes from a maximum of
19 \$4,000 in 2022 to a maximum of \$5,000 in
20 2024. It's just the way it's being done.

21 Our employees are fortunate enough
22 to have a preferred group plan, flexible
23 spending plan. Your employees, about 82
24 employees, could be a part of a flexible
25 spending plan which is taken care of by a

1
2 TPA. My objection is the price in 2022,
3 when he got this contract, was \$3.50 per
4 member per month. He raised it to \$4 in
5 2023, and now he's raising it to \$4.50. I
6 don't know why someone who is in charge
7 of this contract, I guess it's John
8 Canning (phonetic), why there's no
9 protests of saying, hey, you raised this
10 last year. Leave it alone this year.

11 SUPERVISOR SALADINO: You're
12 assuming that, Arthur. When you're done
13 speaking, I'm going to call, I believe
14 Mr. Darienzo will have insight on this.

15 MR. ADELMAN: All I'm saying is it's
16 been an increase over two years of 28.5%.
17 I think it's exorbitant. And we should go
18 back to the vendor and say, hmm, let's be
19 reasonable.

20 SUPERVISOR SALADINO: So just for
21 clarity, you're talking about
22 percentages. It's also important to
23 mention the amount --

24 MR. ADELMAN: Going to the numbers,
25 it went from \$3.50, or \$42 per member per

1
2 year to \$48 per member per year.

3 SUPERVISOR SALADINO: Let's get you
4 an answer.

5 MR. ADELMAN: I don't think it's a
6 way to do business, that's all.
7 Otherwise, the Calendar was already clean
8 this month. Thank you.

9 SUPERVISOR SALADINO: I'm glad
10 you're happy with the Calendar.

11 MR. ADELMAN: No. I need
12 controversy.

13 COUNCILWOMAN MAIER: He admitted it.
14 He finally admitted it.

15 SUPERVISOR SALADINO: Let the record
16 reflect Mr. Adelman says he needs
17 controversy (laughter).

18 Frank Scalera, would you come up to
19 address Mr. Adelman's question?

20 Thank you.

21 TOWN ATTORNEY: Is this on 72-2024,
22 sir?

23 SUPERVISOR SALADINO: Yes, sir.

24 TOWN ATTORNEY: The flexible
25 spending plan. The Commissioner has

1
2 stated in the resolution, proposed in the
3 back of. We're now to get, he went out to
4 get quotes for the flexible spending
5 plans and it says here, he recommended
6 that The Preferred Group. They came in
7 at \$4.50. This is a benefit given to
8 employees for the ability to set aside
9 monies in a calendar year to utilize for
10 medical.

11 SUPERVISOR SALADINO: This is a
12 State plan that people and governments
13 across the state can take advantage of,
14 correct.

15 TOWN ATTORNEY: Correct.

16 SUPERVISOR SALADINO: And what
17 you're saying to us is that when the
18 vendor asked for an increase, our
19 department went out and found out what
20 other companies could charge.

21 TOWN ATTORNEY: Correct.

22 SUPERVISOR SALADINO: And you're
23 telling us that the numbers they came up
24 with are more expensive than what our
25 current vendor is asking, even in the

1
2 increased amount?

3 TOWN ATTORNEY: Correct. There was a
4 slight increase. However, what happens
5 is, as you know, it's a finite cost
6 because by the end of December 31st,
7 anybody in the Town employ puts in a
8 request for it. And according to this
9 memo, 82 employees asked for this. So
10 it's 82 employees multiplied by \$4.50.

11 SUPERVISOR SALADINO: Do the
12 employees pay this cost, or does the
13 Town?

14 TOWN ATTORNEY: The Town pays it as
15 part of the benefit program. But it's
16 fixed at 82 employees; 82 times 48.
17 Whatever that number is. It's fixed and
18 it will not increase. It cannot. It's
19 closed.

20 SUPERVISOR SALADINO: I asked the
21 question and I was informed that it's
22 less than \$5,000 for the overall cost for
23 all the employees involved.

24 TOWN ATTORNEY: It is less than
25 \$5,000. Yes, it is.

1
2 SUPERVISOR SALADINO: Okay.

3 And we have gone out on the street,
4 if you will, to check what other vendors
5 would charge. And we found out that that
6 is more than the current vendor is
7 charging.

8 TOWN ATTORNEY: It'll probably be
9 less than less than \$4,000. If you
10 multiply quickly 82 people \$50 a year is
11 4100. So it's less than that. It's not
12 going to be \$5,000, but it's fixed. The
13 group is closing. You have to put in by
14 December 31st. It ended up being 82
15 people. Sometimes it's more sometimes;
16 it's less.

17 SUPERVISOR SALADINO: Thank you.

18 Well, Mr. Adelman, I hope you're
19 satisfied now that you've received the no
20 specific answer.

21 MR. ADELMAN: No. I just think the
22 vendor sent in an increase letter, and he
23 got it.

24 SUPERVISOR SALADINO: But you just
25 heard that there's -- you know, there's

1
2 inflation.

3 MR. ADELMAN: I will talk to Mr.
4 Canning.

5 SUPERVISOR SALADINO: Okay.

6 Well, thank you very much. I do want
7 to state that we believe in our employees
8 and they have been a very critical part
9 of turning the Town around. The hard work
10 and the dedication of our employees has
11 been phenomenal. And we are very proud of
12 our union and non-union employees for the
13 way they have stepped up and made the
14 services among the best of any Town in
15 America and we appreciate them. The
16 benefits they receive are all negotiated
17 and part of our contract. And we are very
18 proud of our of the work that they
19 perform.

20 TOWN ATTORNEY: I'm sorry,
21 Supervisor. I thought of something on the
22 way back to my chair.

23 The amount of money that is set
24 aside, I understand, is pre-tax. So there
25 may be a tax saving and then a matching

1
2 tax saving to the Town. So there's a good
3 chance that the Town does get some
4 financial benefit when you have to match
5 FICA and things of that nature. I'll get
6 more details for Adelman. But I believe
7 that was one of the things.

8 SUPERVISOR SALADINO: Thank you.

9 That's the only request I have to
10 speak on our Action Calendar. Would
11 anyone else like to be heard on our
12 regular Resolution Calendar?

13 (Whereupon, no verbal
14 response.)

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

18 With that, Mr. LaMarca.

19 TOWN CLERK: On the vote, Supervisor
20 Saladino?

21 SUPERVISOR SALADINO: Aye.

22 TOWN CLERK: Councilwoman Johnson?

23 COUNCILWOMAN JOHNSON: Aye.

24 TOWN CLERK: Councilman Imbroto?

25 COUNCILMAN IMBROTO: Aye.

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TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Motion to adopt
P-3-2024 through 83B-2024, passes with
six ayes.

Resolution 84-2024 as ammended,
passes with six ayes.

Resolution 85 and 86-2024 passes
with six ayes.

Calendar is complete.

TOWN ATTORNEY: Supervisor, I
understand we may be calling an Executive
Session; however, before we close the
meeting, can we take two people out of
turn for public comment. So we don't
have to hold them there.

SUPERVISOR SALADINO: Yes.

(Whereupon, public comment,
1:16-1:35 p.m.)

SUPERVISOR SALADINO: May I have a

motion?

COUNCILWOMAN JOHNSON: Supervisor, I make a motion that this board go into Executive Session for the purposes of discussion proposed litigation.

COUNCILMAN IMBROTO: Second.

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

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

(Whereupon, Executive Session, 1:35-2:55 p.m.)

SUPERVISOR SALADINO: May I have a motion?

COUNCILWOMAN JOHNSON: Supervisor, I make a motion that the Executive Session be closed. No action was taken.

COUNCILMAN IMBROTO: Second the motion.

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

(Whereupon, all members of the Town Board present respond

in favor with, "Aye.")

SUPERVISOR SALADINO: Those opposed,
"Nay".

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: The ayes have
it.

SUPERVISOR SALADINO: May I have a
motion to close this Town Board meeting?

COUNCILWOMAN JOHNSON: Supervisor, I
make a motion that the meeting be closed.

COUNCILMAN IMBROTO: Second.

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

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

SUPERVISOR SALADINO: Those opposed,
"Nay".

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: The ayes have
it.

(Whereupon, above matter
concludes, 2:55 p.m.)

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 23rd day of January, 2024.

Karen Lorenzo
KAREN LORENZO

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