	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
1	
2	TOWN BOARD
3	Town of Oyster Bay
4	REGULAR MEETING
5	
6	December 10, 2024
7	10:27 a.m.
8	* * *
9	SPECIAL PRESENTATION
10	* * *
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12	JOSEPH SALADINO
13	SUPERVISOR
14	
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16	
17	RICHARD LAMARCA
18	TOWN CLERK
19	
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21	
22	TAKEN BY: KAREN LORENZO, STENOGRAPHER
23	
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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
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2	APPEARANCES
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4	PRESENT:
5	SUPERVISOR JOSEPH S. SALADINO
6	COUNCILWOMAN MICHELE M. JOHNSON
7	COUNCILMAN LOUIS B. IMBROTO
8	COUNCILMAN THOMAS P. HAND
9	COUNCILMAN STEVE L. LABRIOLA
10	COUNCILWOMAN LAURA L. MAIER
11	COUNCILWOMAN VICKI WALSH
12	
13	ALSO PRESENT:
14	RICHARD LAMARCA TOWN CLERK
15	JEFFREY P. PRAVATO RECEIVER OF TAXES
16	FRANK SCALERA, ESQ. TOWN ATTORNEY
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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
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2	PRAYER:
3	PASTOR REBECCA SHERIDAN
4	FAITH LUTHERAN CHURCH AND SCHOOL
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6	PLEDGE :
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8	United States Air Force veteran
9	Kevin Hertell
10	
11	United States Marine Sergeant
12	Steven Malusa, Jr.
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14	* * * * * * * * *
15	OYSTER BAY HIGH SCHOOL
16	GIRLS VARSITY "BAYMEN"
17	VOLLEY BALL TEAM
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3	COUNCILWOMAN JOHNSON: Good morning,
4	everyone. Good morning and welcome to
5	this meeting of the Oyster Bay Town
6	Board.
7	For those joining us this morning,
8	you have the opportunity to be heard on
9	matters brought before the Town Board as
10	well as during the public comment period
11	at the end of this meeting.
12	As always, this meeting is being
13	live streamed on social media and the
14	Town's website, www.Oysterbaytown.com.
15	These proceedings are recorded and
16	transcribed.
17	Your voice is always very important
18	to us. Statements, comments and input
19	from the public relative to our meetings
20	are always welcomed and respected as part
21	of our record. To submit comments online
22	e-mail publiccomment@OysterBay-NY.gov, or
23	you can mail us at the Office of Town
24	Attorney, 54 Audrey Avenue, Oyster Bay,
25	New York 11771.

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
1	
2	Leading us in prayer today is our
3	good friend, Pastor Rebecca Sheridan of
4	Faith Lutheran Church and School in
5	Syosset. Welcome back to town Hall,
6	Pastor. The floor is yours.
7	RABBI SHERADIN: Let us pray.
8	Loving God, you gather us together
9	across all human divisions to work for
10	the good of our community, the Town of
11	Oyster Bay. Strengthen us now by your
12	presence. May our thoughts and actions be
13	rooted and grounded in your love for us.
14	May what we do today build up our town.
15	Direct us to consult together peacefully
16	in this holiday season. Guide us to be
17	lights for our weary world. Bless
18	especially our town supervisor, our
19	councilmen and women and all public
20	servants of our town.
21	In your holy name we pray. Amen.
22	(Whereupon, all, "Amen".)
23	COUNCILWOMAN JOHNSON: Please remain
24	standing, leading us in the Pledge of
25	Allegiance this morning are two very
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2	distinguished veterans and veterans
3	advocates. United States Air Force
4	veteran Kevin Hertell, a Senior Airman
5	who served this Nation from 1999 to 2003,
6	and United States Marine Sergeant Stephen
7	Malusa, Jr. who's also one of our Town
8	public safety officers who honorably
9	served four years. Kevin is the founder
10	of the non-for-profit Suicide Awareness
11	and Remembrance Flag. And I thank both of
12	these amazing veterans for taking a
13	leadership role in this important push on
14	this important issue that all too often
15	affects those who serve this nation.
16	Their efforts help struggling veterans
17	and directs them to available support.
18	President George Washington once said,
19	"the willingness with which our young
20	people are likely to serve in any war, no
21	matter how justified, shall be directly
22	proportional to how they perceive the
23	veterans of earlier wars were treated and
24	appreciated by their nation."
25	Kevin and Steven, your efforts let

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
1	
2	our veterans know they're appreciated,
3	supported and not forgotten. Thank you
4	for being here today and leading us in
5	our Pledge. The honor is distinctly ours
6	and the floor is yours.
7	(Whereupon, the Pledge of
8	Allegiance is said.)
9	COUNCILWOMAN JOHNSON: Please join
10	us in a moment of silence, in honor of
11	our men and women in the United States
12	Armed Forces serving here in the homeland
13	and abroad, our men and women in law
14	enforcement, and all of our first
15	responders.
16	(Whereupon, a brief moment
17	of silence.)
18	COUNCILWOMAN JOHNSON: Thank you.
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2	COUNCILWOMAN JOHNSON: Just real
3	quick. Some of you might be wondering why
4	I'm sitting here and the Supervisor
5	sitting next to me. Today would be my
6	last day here at the town board, and the
7	Supervisor was so generous and kind. So
8	thank you, Supervisor.
9	SUPERVISOR SALADINO: Supervisor pro
10	tem.
11	COUNCILWOMAN JOHNSON: It's with deep
12	sadness that we learned last week of the
13	tragic passings that have greatly
14	impacted all of us in our town. And I'd
15	like to ask Jeff Pravato to speak about
16	Omer Neutra and give us some updates.
17	RECEIVER OF TAXES: Thank you,
18	Michele.
19	As you know, Omer Neutra, resident
20	of Plainview and soldier in the IDF, on
21	October 7th, we found out that he was
22	tragically murdered by Hamas terrorists
23	defending the state of Israel as a tank
24	commander; he was promoted now to
25	captain. And that's the way it will
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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
1	TODAT TOWN DOIND OFFICIAL FREDERITION T2.10.2021
2	always be known, as Captain Omer Neutra.
3	We found out about this news on
4	Sunday Monday morning. The family
5	knew about it late Sunday night. And we
6	had a beautiful memorial service on
7	Tuesday, and the family sat Shiva in a
8	Jewish Center until Thursday.
9	His life will always be cherished in
10	this town. A great supervisor and our
11	great board have done everything to make
12	sure that he was never forgotten here in
13	the town. We've had rallies, partnered up
14	with Jewish organizations to remember
15	him, all the hostages, the people of
16	Israel.
17	On Sunday the Mid Island YJCC,
18	honored his life, and every Sunday, and
19	they'll continue doing until all the
20	hostages and all the bodies of the dead
21	hostages are brought home to their
22	families. Beautiful ceremony over there,
23	remembering Omer and a lot of the other
24	hostages. The family is so appreciative
25	of everything that this Town has done and
	TOD KEY CONDER DEDODETING INC. (516) $414-3516$

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this County has done.

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Our outstanding County Executive Bruce Blakeman said this is a first responder and this is how we're treating this: As a first responder. And let me tell you, he pulled out all the stops and made it happen for this family from police being there, police escorts, white glove service at the memorial service. Everything. This Town, County, State really came out in support of this family. We went to the Shiva call on Thursday, I believe it was, buses of kids coming from all the yeshivas showing their respect to the family.

The family thanks everybody that came out. Thanks this Town, this Town Board, Supervisor, County and our State for everything they've done for the family. They're sitting Shiva in Israel for the last couple of days, and then moving on to Denmark with the rest of the family.

We have hopes that the body will be

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
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2	released as made part of a possible deal.
3	The family will not, and this Board, will
4	not rest until Omer comes home with his
5	burial here or in Israel. The family
6	sends there heartfelt thank you to
7	everybody who came out in remembering
8	Omer and his family. Thank you again.
9	Thank you, Michele. Thank you,
10	Supervisor.
11	COUNCILWOMAN JOHNSON: Thank you,
12	Jeff. Our prayers continue to be with all
13	of those who are still missing and all of
14	those who were senselessly murdered, and
15	hope that this comes to an end soon.
16	Thank you.
17	As I said, we learned of two tragic
18	passings that have greatly impacted our
19	town this week. Not only did we lose
20	Plainview resident and IDF soldier,
21	Captain Omer Neutra, we lost Massapequa
22	High School student and athlete Connor
23	Kasin and words not adequately express
24	the depth of our sorrow.
25	Omer was a beloved son of the Town
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2	of Oyster Bay, who courageously
3	volunteered to defend Israeli democracy
4	as a member of the IDF, and he was
5	posthumously promoted, as Jeff has
6	already said, to the rank of captain.
7	Confirmation of his death after more than
8	a year of uncertainty was heartbreaking
9	news, and was a profound reminder of the
10	immense sacrifices made by individuals
11	who stand in service to protect and
12	defend democracy around the world.
13	We also, sadly mourn the loss of
14	12th grade student Connor Kasin of
15	Massapequa High School. Connor
16	experienced a sudden medical emergency
17	during a varsity high school game just
18	over a week ago at the Bethpage Ice Rink,
19	and was transported to the hospital by
20	ambulance, where he tragically passed
21	away.
22	Connor is survived by his loving and
23	proud parents, Mary and Craig Kasin, and
24	his brothers Kristian and Cole; his
25	grandparents, Bruce and Mary Ann; his

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
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2	beloved great grandmother Honey; a large,
3	loving extended family of 12 aunts, 13
4	uncles, 25 first cousins and classmates,
5	teammates and coaches, all who loved him
6	dearly. The pain of loss is unfathomable
7	and we offer our deepest condolences and
8	prayers to Connor's families and friends.
9	In memory of both Connor and Omar.
10	The Supervisor had ordered all American
11	flags at Town facilities at Half-staff.
12	It is a time of unbearable grief and a
13	tragic loss for our entire town, and all
14	of us stand here in support of their
15	families and in loving memory of those
16	two beloved residents. Please join me now
17	in a moment of silence for Connor and
18	Omer.
19	(Whereupon, a brief moment
20	of silence observed.)
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2	COUNCILWOMAN JOHNSON: Thank you.
3	We're also so very proud to support the
4	members of the Oyster Bay High School
5	my alma mater Oyster Bay High School
6	Girls Varsity Baymen Volleyball Team,
7	winners of the coveted Class B Long
8	Island Championship. And they're here
9	with us today. Welcome (applause).
10	They are joined by school
11	administrators, coaches and of course,
12	supportive parents who all came together
13	to help this amazing team on their
14	journey as champions. On hand, our
15	Superintendent Dr. Francesco Ianni;
16	Principal Melissa Hagerman; Director of
17	Physical Education Shannon McEntee; Head
18	Coach Jennifer Iles; Assistant Head Coach
19	Dorianna Cardon; Assistant Coach Eileen
20	Pape; and Assistant Superintendent
21	Raynor. This amazing team advanced all
22	the way to the New York State Class B
23	Girls Volleyball Championship Tournament.
24	And what an amazing accomplishment. You
25	should be very proud of yourselves

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
1	
2	(applause). The team went seven and nine
3	in their Conference III league scheduled
4	games and completed the regular season
5	with an overall record of nine and nine.
6	As a result of this record, the
7	Oyster Bay Girls Volleyball Team was the
8	number one seed and the Nassau County
9	Class B playoff bracket. They won both
10	their semifinal and county final matchups
11	against Cold Spring Harbor and Wheatley,
12	respectively, leading them to their Class
13	B County Championship title.
14	To mark this achievement, we ask
15	that you all come forward to accept the
16	team citation that I'm going to ask our
17	supervisor to help. This should be
18	displayed in the lobby of your school.
19	We also prepared a citation for each
20	member. So please come forward with your
21	citations and we'll take a group photo.
22	(Whereupon, citations
23	presented, photos taken.)
24	COACH ILES: Thank you so much. This
25	is greatly appreciated. Being recognized

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.20)24
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2	by the Town is a great honor. These	Э
3	girls have worked tremendously hard	and I
4	am so proud of all they have accomp	lished
5	and I can't wait to see where we are	e for
6	next year. Thank you very much.	
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2	COUNCILWOMAN JOHNSON: Okay. Thank
3	you, everybody. I would also like to
4	thank our Parks Department and Special
5	Events Division under the direction of
6	our Parks Commissioner, Joe Pinto, who I
7	had the pleasure of serving with on this
8	board a long time ago. Taught me so very
9	much. Thank you. We'd like to thank you
10	for running another successful
11	Toys-For-Tots-Cruise-Thru at Burns Park
12	in Massapequa. It was a great job by
13	everyone. Truly, your department always
14	does amazing things.
15	As a reminder, the Toys-For-Tots
16	Program is still ongoing for a few more
17	days, with collection boxes located at
18	Town Hall South, Town Hall North, and the
19	Town's skating Center in Bethpage.
20	I'd also like to thank our
21	Department of Community and Youth
22	Services, led by our Commissioner,
23	Maureen Fitzgerald and her incredible
24	team for hosting our Annual Holiday
25	Experience at Marjorie Post Park this
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past weekend. Our residents al	osolutely
loved the Town's holiday villa	age.

We also want to thank our partners, United States Marine Corps and Optimum, and extend special thanks to our extremely generous residents and to our supportive Town of Oyster Bay employees.

Also, one last reminder I invite residents to donate at our next blood drive on Monday, December 23rd from 1 p.m. to 7 p.m. at the Hicksville Athletic Center, located at 167 South Broadway in Hicksville. I would also like to thank Councilman Lou Imbroto for his efforts in coordinating this drive. His blood is critically low and needed for the local hospitals to meet the demand and to continue saving lives.

To find out more or to make an appointment, visit our website at Oysterbaytown.com or call (516)624-6380. Consider giving the ultimate holiday gift of life and donate blood on December 23rd.

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	TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024
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2	Once again, enjoy the holidays, stay
3	safe and have a happy and healthy 2025.
4	Supervisor, would you like to add
5	anything?
6	SUPERVISOR SALADINO: I couldn't do
7	anything better than the Speaker Pro Tem,
8	Michele Johnson, except to say thank you
9	to the staff for an amazing job. I know
10	we all feel that way.
11	COUNCILWOMAN JOHNSON: Thank you. I
12	appreciate it.
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14	(Whereupon, above matter
15	concludes, 10:52 a.m.)
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CERTIFICATE 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 10th day of December, 2024. Karen Lorenzo _TOP KEY COURT REPORTING, INC. (516) 414-3516 _____20 _

TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024			
1	absolutely ^[1] -	1:12:20	aunts _[1] - 1:13:3
1 _[1] - 1:18:11	1:18:2	Amen _[1] - 1:5:21	available [1] -
10 ^[1] - 1:1:6	accept ^[1] -	Amen" [1] - 1:5:22	1:6:17
10:27 ^[1] - 1:1:7	1:15:15	American [1] -	Avenue [1] -
10:52 ^[1] - 1:19:15	accomplished [1] -	1:13:10	1:4:24
10th ^[1] - 1:20:13	1:16:4	AND ^[1] - 1:3:4	Awareness [1] -
11771 ^[1] - 1:4:25	accomplishment	Ann [1] - 1:12:25	1:6:10
12 ^[1] - 1:13:3	[1] - 1:14:24	Annual 🖽 -	B
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167 ^[1] - 1:18:13	actions [1] - 1:5:12	1:14:9, 1:15:2	Bay ₁₉ - 1:1:3,
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5	1:17:8	1:14:18,	1:9:22
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7	Allegiance [2] -	1:11:22	Bethpage [2] -
· · · · · · · · · · · · · · · · · · ·	1:5:25, 1:7:8	Athletic [1] -	1:12:18,
7 _[1] - 1:18:12	alma _[1] - 1:14:5	1:18:12	1:17:19
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abroad [1] - 1:7:13	1:17:14, 1:19:9	Audrey ^[1] - 1:4:24	blood [3] -
auiuau [1] - 1.1.13	ambulance _[1] -		1:18:10,
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TOBAY TOWN BOARD SPECIAL PRESENTATION 12.10.2024			
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bracket [1] - 1:15:9	cherished [1] -	1:4:10	1:18:16
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12.10.2024 TOBAY TOWN BOARD HRG 1 1 TOWN BOARD 2 3 TOWN OF OYSTER BAY REGULAR MEETING 4 5 December 10, 2024 10:43 a.m. 6 7 *** 8 Hearing 1 9 10 HEARING - FINANCE 11 To consider the application from the 12 Locust Valley Water District for the 13 Issuance of serial bonds for improvements to 14 said district. (M.D. 11/5/24 25) 15 16 JOSEPH SALADINO 17 SUPERVISOR 18 * * 19 RICHARD LaMARCA 20 TOWN CLERK 21 22 23 TAKEN BY: KAREN LORENZO, STENOGRAPHER 24 25 TOP KEY COURT REPORTING, INC. (516) 414-3516

	12.10.2024 TOBAY TOWN BOARD HRG 1
1	
2	APPEARANCES
3	
4	PRESENT:
5	SUPERVISOR JOSEPH S. SALADINO
6	COUNCILWOMAN MICHELE M. JOHNSON
7	COUNCILMAN LOUIS B. IMBROTO
8	COUNCILMAN THOMAS P. HAND
9	COUNCILMAN STEVE L. LABRIOLA
10	COUNCILWOMAN LAURA L. MAIER
11	COUNCILWOMAN VICKI WALSH
12	
13	ALSO PRESENT:
14	RICHARD LAMARCA TOWN CLERK
15	JEFFREY P. PRAVATO RECEIVER OF TAXES
16	FRANK SCALERA, ESQ., TOWN ATTORNEY
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25	
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—12.10.2024 TOBAY TOWN BOARD HRG 1 — 1 2 3 COUNCILWOMAN JOHNSON: Clerk Rich LaMarca, could you please poll the Board? 4 5 TOWN CLERK: Absolutely, 6 Councilwoman. And I'm going to start with 7 our senior council person. Someone who's 8 been a dear friend and someone who I have 9 had the distinct pleasure and honor of 10 serving the residents of the town of 11 oyster Bay with for the past five years. 12 Councilwoman Michele Johnson? 13 COUNCILWOMAN JOHNSON: Present. 14 TOWN CLERK: Supervisor Saladino? 15 SUPERVISOR SALADINO: Present. TOWN CLERK: Councilman Imbroto is 16 17 absent. Councilman Hand? 18 19 COUNCILMAN HAND: Present. 20 TOWN CLERK: Councilman Labriola. 21 COUNCILMAN LABRIOLA: Here. 22 TOWN CLERK: Councilwoman Maier? 23 COUNCILWOMAN MAIER: Present. 24 TOWN CLERK: Councilwoman Walsh? 25 COUNCILWOMAN WALSH: Present. TOP KEY COURT REPORTING, INC. (516) 414-3516 _____3 =

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	TOWN CLERK: Councilwoman Johnson,
3	we have a quorum.
4	COUNCILWOMAN JOHNSON: Thank you.
5	Would you please call the first
6	hearing?
7	TOWN CLERK: Absolutely.
8	Today's hearing is to consider the
9	application from the Locust Valley Water
10	District, the issuance of serial bonds
11	for improvements to said district.
12	MR. INGHAM: Good morning,
13	Supervisor Saladino, honored members of
14	the Town Board. My name is Mike Ingham,
15	Carman Callahan & Ingham, 266 Main
16	Street, Farmingdale, New York. I'm here
17	representing the Locust Valley Water
18	District to assist them in the
19	presentation of their capital improvement
20	bond.
21	We are here today supporting the
22	petition with our Councilperson Patricia
23	Peterson and Commissioner Charles
24	Savinetti. Also, here today is
25	Superintendent Dominic Scaperotta and
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	12.10.2024 TOBAY TOWN BOARD HRG 1
1	
2	business manager Jennifer van Gelder.
3	Last but not least, is the district's
4	engineer, H2M, represented today by
5	Jessica DeMarco.
6	For the record, I have a very brief
7	general background regarding the
8	District. The Locust Valley Water
9	District was incorporated over 100 years
10	ago in 1922. It was reconstituted as a
11	commission district by a board of
12	constituents in 1934.
13	The District provides water and fire
14	protection to approximately 2500
15	commercial, residential, and municipal
16	customers, which includes a residential
17	population well in excess of 7500 people.
18	The District also supplies the
19	Locust County School system, the
20	Portledge School District, Mill Neck
21	School for the Deaf, and Friends Academy,
22	all with a combined population of over
23	10,000 students and faculty.
24	In addition to the District's
25	established consumer base, it is called
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	12.10.2024 TOBAY TOWN BOARD HRG 1
1	
2	upon to supply water to its neighboring
3	communities of Bayville, Glen Cove, and
4	Oyster Bay during emergency and high
5	demand periods.
6	The need to monitor and address
7	water quality issues is one of the
8	District's principal responsibilities.
9	The presence of nitrates, perchlorate and
10	VOCs are closely monitored and managed by
11	the District. Accordingly, water quality
12	samples are routinely taken from each of
13	the District supply lines.
14	Of new concern to the District is
15	the emerging contaminants of PFAS and
16	PFOA. These drinking water contaminants
17	are manmade chemicals. On August 26th,
18	2020, the New York State Department of
19	Health established specific maximum
20	contaminant levels (MCLs) of PFOS and
21	PFOA at ten parts per trillion.
22	Unfortunately, they just keep moving the
23	goalposts.
24	This spring, on April 10th, 2024,
25	the EPA issued its own MCL for PFOS and

	12.10.2024 TOBAY TOWN BOARD HRG 1
1	
2	PFOA. The EPA MCLs are more than twice
3	as strict as the Department of Health.
4	Both of these emerging contaminants have
5	an MCL set by the EPA at four parts per
6	trillion. These are very, very low
7	numbers.
8	These contaminants can be treated by
9	routine GACTS treatment systems which are
10	granular activated carbon treatment
11	system. The advent of these new EPA and
12	the Department of Health MCLs now require
13	the District to install a GACTS at Well
14	No. 9. A full engineering study for the
15	treatment at Well No. 9 was performed by
16	the District's retained engineer, H2M, in
17	June 2024 and is submitted with the bond
18	petition.
19	In terms of the bond itself, the
20	Board of Commissioners authorized H2M to
21	prepare an Engineering Report and cost
22	opinion for capital improvements proposed
23	in this bond petition. The specific
24	details for each project are included in
25	the July 2024 H2M Report also submitted
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	12.10.2024 TOBAY TOWN BOARD HRG 1
1	
2	as part of the petition.
3	The H2M Bond Report delineates five
4	(5) specific projects. The estimated cost
5	for these five improvement projects,
6	inclusive of the "soft costs" of
7	engineering and contingencies is
8	estimated by H2M to total \$13,800,000.
9	However, the Town Board should be
10	advised that New York State recently
11	revised its protocol for grant funding
12	for treatment of emerging contaminants.
13	Under this new grant protocol, the
14	District has applied for a NYWIIA grant
15	for treatment to Well No. 9. With the new
16	grant protocol in place, the District
17	reasonably believes that it would be
18	awarded a grant for Well No. 9.
19	Now something a little new, the Town
20	Board should also be advised that
21	District has joined with its sister water
22	districts to participate in a Class
23	Action Settlement with the four principal
24	manufacturers of PFOS/PFOA namely 3M
25	Company, DuPont, Tyco and BASF

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ŗ	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	Corporation. Simply stated, in the long
3	run, recoveries from the Class Action
4	Settlements, and grant awards for Well
5	No. 9, are expected to reduce the
6	District's ultimate bonding amount. These
7	class action settlements should begin to
8	be paid this coming year in 2025.
9	There are five recommended capital
10	improvement projects under this bond:
11	First: Due to the impact of the
12	new MCLs for PFOA on Well No. 9, a GAC
13	treatment system must be installed at
14	this time. As previously discussed, GACs
15	effectively removes PFOA from raw well
16	water. The new treatment system will be
17	enclosed in a new building to ensure that
18	the well can be operated year-round. The
19	overall cost opinion for a new PFAS
20	treatment system at Well No. 9 is
21	estimated by H2M at \$7,000,000.
22	Second: The District proposes to
23	rehabilitate the water storage tank at
24	Well 8. The tank was last rehabilitated
25	over 20 years ago in 2003. At that time,

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1	12.10.2024 TOBAY TOWN BOARD HRG 1
1	
2	the exterior coating was power washed and
3	coated with Noxyde. This coating
4	encapsulated the previous coating which
5	contained metals and lead. The exterior
6	coating is now at the end of its useful
7	life and needs to be replaced. The tank
8	exterior will need to be contained and
9	sandblasted to remove the Noxyde coating
10	as well as all previous coatings. Once
11	all the existing coatings are removed,
12	the tank will be coated with a new epoxy
13	coating. The overall cost opinion for
14	this project is estimated by H2M at
15	\$3,470,000.
16	THIRD: The District proposes to
17	replace its water main at Upper Francis
18	Pond.
19	This water main section has been
20	closed since a leak was discovered
21	several years ago. This project will
22	entail a replacement of a new water main
23	which will be directionally drilled along
24	the road adjacent to the pond. The
25	overall cost opinion for this project is
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	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	estimated at \$640,000.
3	FOURTH: The District intends to
4	replace the existing natural gas
5	generators at Plant Nos. 6 and 7. Past
6	incidents of lost power have hampered the
7	District's daily operations at these
8	locations. Recent security upgrades also
9	render backup power a high priority at
10	these plants. The overall cost opinion
11	for this project is estimated by H2M at
12	\$1,190,000.
13	FINALLY: The District's ongoing
14	Water Distribution System Improvements
15	Program is essential to the continued
16	production of the required by law for the
17	District's residents. A hydraulic model
18	of the distribution system will be
19	prepared. The model will be calibrated
20	to assess overall system capabilities and
21	determine which mains are a top priority
22	considering age, reliability and
23	effectiveness.
24	Once the model is complete, the
25	District intends to undertake
	TOP KEY COURT REPORTING, INC. (516) 414-351611

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3replacement of those water mains with a4history of the most breaks; second, to5target those water mains located at6crossing intersections; and third, to7target those located at critical areas of8high demand within the District.9This continued improvement will10ensure a stable distribution system and11high-quality water for the District's12consumers. The overall cost opinion for13the water distribution system14improvements is projected by H2M to be	
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12 consumers. The overall cost opinion for 13 the water distribution system 14 improvements is projected by H2M to be	
13the water distribution system14improvements is projected by H2M to be	
14 improvements is projected by H2M to be	
15 \$1,500,000.	
16 The Board has duly considered the	
17 need for the five (5) proposed projects	
18 and the cost and financing thereof.	
19 After a reviewing a Short Form EAF,	
20 the Board also determined that all five	
21 (5) projects constituted Unlisted Actions	
22 with no adverse environmental impacts.	
23 In conclusion, for all the above	
24 reasons, the District respectfully	
25 requests that the Town issue bonds in a	

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	principal amount not to exceed
3	\$13,800,000 and to finance said
4	appropriation, pursuant to applicable
5	provisions of the Local Finance Law.
6	Groundhog day. Are there questions
7	from the Board?
8	COUNCILWOMAN JOHNSON: Thank you.
9	Any questions from the Board?
10	COUNCILMAN LABRIOLA: Yes. Hello,
11	Mike. How are you?
12	I'm not going to ask you what I've
13	asked you in past and prior hearings that
14	have to do with a similar nature. What I
15	do want to talk to you about is really
16	just I want to ask your expert opinion
17	regarding the new administration that's
18	coming in and new EPA administrator. Have
19	you ever seen in your tenure where an EPA
20	administrator coming in and reversing
21	prior rulings like this one, for
22	instance, which has now raised, the bar,
23	the MCL are now, as you said, two times
24	as strict or zero at this point for the
25	PFOS/PFOA?

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	MR. INGHAM: That's a two part
3	question, first. I've only been doing
4	this since 1986, so I don't see that
5	administration coming up I don't
6	believe that they're going to change the
7	MCL for PFOS/PFOA. They're at four parts
8	per trillion. They can't set them any
9	lower.
10	I do believe that bipartisan action
11	under under Biden administration produced
12	a substantial amount of money to be given
13	by grants from New York State and
14	throughout the country, and those grants
15	groups are participating now, and those
16	grants will not be taken away. This was
17	bipartisan and they are in the bank and
18	in the process now. We have been
19	receiving some of these grants already.
20	So that's going to be the big thrust of
21	helping us pay for these bonds. Bonds
22	could go up to 60% of the cost of the
23	construction, which is huge and will help
24	us a long way to lower the cost of the
25	indebtedness we take out now.

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	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	COUNCILMAN LABRIOLA: Yeah. And
3	Counselor, we're all in favor of safe
4	drinking water, and none of us would ever
5	stand in the way of the Water District's
6	request to improve the quality of the
7	drinking water. It's just that sometimes,
8	as we see over the last couple of years,
9	the last few years, I should say, this
10	extraordinary push by the regulatory
11	agencies to raise the bar, as you say,
12	and continually remove these contaminants
13	that are in our water supply.
14	So the reason I brought up that was
15	because I wanted to know if it were
16	possible that there would be a reversal
17	when this particular EPA administration
18	has gone so far as, at great cost to all
19	of our local water districts, even though
20	there are grant monies attached.
21	But the other thing that comes to
22	mind is the recent Chevron decision,
23	which I'm not an expert in the impact of
24	a Supreme Court ruling, but I know that
25	that has severely has caused a great deal

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	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	of conversations about the rulemaking
3	authority.
4	MR. INGHAM: Absolutely.
5	COUNCILMAN LABRIOLA: As opposed to
6	the US Congress making these laws.
7	MR. INGHAM: Huge change.
8	COUNCILMAN LABRIOLA: Yeah.
9	I don't know. Does that Chevron
10	decision impact on the future
11	administrator of EPA?
12	MR. INGHAM: To tell you the truth,
13	on PFOS and PFOA, if somehow the EPA
14	changed the MCL 4 to 6 and in New York
15	State, we're still at ten, it makes no
16	difference because the State can control
17	as well. New York State was one of the
18	first to get out in front of the PFOS.
19	They set it at ten parts per trillion.
20	The cost to get the equipment to
21	treat the PFOS at any level is the GACTS.
22	It's the capital investment in granular
23	activated climate systems. We've now gone
24	from 20,000 pounds to 40,000 pounds in
25	tandem.

	12.10.2024 TOBAY TOWN BOARD HRG 1
1	12.10.2024 IOBAI IOWN BOARD ING I
2	What's going to happen is that when
3	you set at four parts per trillion,
4	you're going to have breakthrough
5	somewhere and you've got to replace the
6	carbon. And I don't see how we're going
7	to get around that in the long run. So
8	we've got contaminants in the water. The
9	State's watching over us not watching
10	over us, but making sure that we serve
11	good water. All the water districts are
12	in full compliance. If they're not in
13	compliance, they shut them down. So we
14	really have been proactive to get these
15	treatments in place.
16	I don't know of any of my local
17	water districts here on the island in New
18	York State, like Nassau County and
19	Suffolk County who had any trouble really
20	getting the stuff in place and moving
21	forward. So I don't think the Chevron
22	doctrine is going to help us in any way.
23	Because I don't think it's going to
24	change the MCLs. I don't think they're
25	going to change them. The 1,4 dioxane is
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12.10.2024 TOBAY TOWN BOARD HRG 1 a little bit different. The PFOA/PFOS is nationwide. The 1,4 dioxane is really only centered here in Nassau County because of the aquifer and because of the concentrations of that 1,4 dioxane chemical used by Grumman and other manufacturing support groups around Grumman. The manufacture of 1,4 dioxane has now been terminated. You can't distribute it anymore from 1996 on the Montreal Protocol, but it's in the water. But I don't believe the EPA is going to get involved with 1,4 dioxane. They've studied it. It's not a nationwide issue. It's really only here in New York, a bit in Jersey, a bit in California. So I don't think the federal government is going to get involved at all. And we're just going to have to live with what the State has done with us, which is ten parts per billion. And we're basically putting that equipment together today to do that. Hopefully, as I mentioned before,

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TOP KEY COURT REPORTING, INC. (516) 414-3516 _____18 =

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	Suffolk County Water Authority has gone
3	out in front of us already and instituted
4	lawsuit against Dow six years ago.
5	Thereafter, 23 water districts and water
6	authorities in and also in Suffolk
7	County, also sued Dow for damages from
8	1,4 dioxane. The Suffolk County case is
9	really almost on the calendar. The
10	motion for summary judgment instituted by
11	Dow will be heard on January 7th in front
12	of Judge Gershon in federal court. That
13	decision should come down denying motion
14	for summary judgment sometime in the
15	spring. It'll be in the trial calendar,
16	probably in the fall.
17	That's not the only litigation going
18	on. As I mentioned, the water districts
19	have done so as well. The Dow Group and
20	water districts have selected nine model
21	districts to go through additional
22	discovery. Those are done. Once it's all
23	said and done, they'll probably pick two
24	of them to go to trial. So pretty much
25	all by the fall of this year or winter
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=12.10.2024 TOBAY TOWN BOARD HRG 1

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next year those cases will come to a head. Hopefully, we get settlements from that. And that'll be another big hit to help us reduce the cost of this bond indebtedness, because, as you know, we do bonds and the bonds can be paid down once a year. So that's our that's our goal is to pay the bands down with the grants and with the recovery from PFOS/PFOA and 1,4 dioxane and hopefully not have as much of an impact on our taxpayers. COUNCILMAN LABRIOLA: Mr. Ingham, thank you so much for that thorough explanation. The water districts are also very fortunate to have your expertise. I think that most of us, and especially the listening audience at home, understand the importance of safe drinking water and at what great expense it does come to us. With simply turning on the tap, we are always assured that the our drinking water has been monitored and reviewed by the experts. So I thank you for that. I know that sometimes

TOP KEY COURT REPORTING, INC. (516) 414-3516 _____20 =

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	discussions like that can make your eyes
3	glaze over. It is so complicated. I
4	certainly wish you luck. I hope that
5	these decisions, these court decisions
6	are favorable and that the water
7	districts will be reimbursed, and the
8	taxpayers will be reimbursed for the cost
9	of this corporate negligence through the
10	past years. Things that maybe they didn't
11	know about, we know about today.
12	Thank you.
13	MR. INGHAM: Cautiously optimistic.
14	Thank you, Councilman.
15	COUNCILWOMAN JOHNSON: Does anyone
16	else have any other questions?
17	Go ahead, Supervisor.
18	SUPERVISOR SALADINO: Thank you,
19	Supervisor Pro tem.
20	Counselor, just two very brief
21	questions. And I'm only looking for the
22	briefest of answers so that we may assure
23	our residents. Our two questions are:
24	First, the Water District has a very
25	competent board of highly experienced
	TOP KEY COURT REPORTING, INC. (516) 414-351621

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	professionals. We're very proud of them.
3	So the public can understand why then is
4	there a need to come to the Oyster Bay
5	Town Board for this bonding or borrowing
6	for these projects?
7	And secondly, if passed by the Board
8	and you do this bonding for these
9	projects, how will it affect the Town of
10	Oyster Bay residents outside of the
11	District? Will they pay any additional
12	monies?
13	MR. INGHAM: Well, as I mentioned,
14	the board was reconstituted, like all
15	boards in Nassau County, in 1934. In
16	1932, the state abolished all commission
17	boards in the State of New York.
18	In 1934, all of my water districts
19	here in Nassau County voted to stay as
20	commission and water districts. As part
21	of that omnibus loss statute, the State
22	Legislature felt an appropriate that come
23	to the Town Board to borrow so that we
24	can rely on the Town's full faith and
25	credit. And we do.

	12.10.2024 TOBAY TOWN BOARD HRG 1
1	12.10.2024 IODAT TOWN DOARD TAKE I
2	To the second part of your question
3	is, only the taxpayers that are in Locust
4	Valley will be required to pay this bond.
5	Consumers in Massapequa or in Jericho
6	will not be required to pay Locust Valley
7	bonds, only the residents in Locust
8	Valley. And that's true with every one of
9	the districts that come for a bond. Only
10	the consumers inside that district are
11	responsible for payment of the bond.
12	SUPERVISOR SALADINO: So we, and the
13	residents here and watching these
14	proceedings, can be assured of that this
15	is a New York state mandate, some ways an
16	unfunded mandate we'll be talking
17	about a lot of that in 2025 but this
18	is a New York state mandate that mandates
19	that the water districts come to the Town
20	for bonding. One of the advantages is
21	there's a big savings because our bond
22	rating has been going up and up and up,
23	and, therefore, the cost of borrowing
24	money goes down and down and down.
25	And secondly, there will be zero
	TO VEV COUPT DEDODTING INC. (516) $414-2516$

TOP KEY COURT REPORTING, INC. (516) 414-3516 _____23 ____

	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	charge to any resident whatsoever,
3	commercial or residential outside of the
4	Water District.
5	MR. INGHAM: Bingo.
6	SUPERVISOR SALADINO: Thank you,
7	sir.
8	MR. INGHAM: You got it.
9	COUNCILWOMAN JOHNSON: Any other
10	questions?
11	(Whereupon, no verbal
12	response.)
13	COUNCILWOMAN JOHNSON: As a resident
14	of Locust Valley, I appreciate everything
15	you and your board does. You're very
16	responsive. You're always watching out
17	for us, and I appreciate everything you
18	and your board members that are here and
19	not here do. Thank you.
20	MR. INGHAM: We appreciate the Town
21	Board's participation in assisting us
22	with these bonds, believe me.
23	Thank you very, very much, guys.
24	COUNCILWOMAN JOHNSON: Do we have
25	any correspondence?
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	12.10.2024 TOBAY TOWN BOARD HRG 1
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2	TOWN CLERK: Councilwoman, we have
3	affidavits of posting and proof of
4	publication. There is no other
5	correspondence.
6	COUNCILWOMAN JOHNSON: May I have a
7	motion?
8	SUPERVISOR SALADINO: I move that we
9	close this hearing and decide on this
10	important resolution today.
11	COUNCILWOMAN JOHNSON: Second?
12	COUNCILMAN HAND: Second.
13	COUNCILWOMAN JOHNSON: Thank you.
14	All in favor, please signify by
15	saying, "Aye".
16	(Whereupon, all members of
17	the Town of Oyster Bay Town
18	Board present respond in favor
19	with, "Aye.)
20	
21	(Whereupon, above matter
22	concludes, 11:03 p.m.)
23	
24	
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	TOP KEY COURT REPORTING, INC. (516) 414-351625

12.10.2024 TOBAY TOWN BOARD HRG 1 — CERTIFICATE 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 10th day of December, 2024. Karen Lorenzo TOP KEY COURT REPORTING, INC. (516) 414-3516 _____26 _

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	TOWN BOARD
3	TOWN OF OYSTER BAY
4	REGULAR MEETING
5	
6	December 10, 2024
7	11:09p.m.
8	* * *
9	ACTION CALENDAR
10	* * *
11	
12	JOSEPH SALADINO
13	SUPERVISOR
14	
15	* *
16	
17	RICHARD LAMARCA
18	TOWN CLERK
19	
20	
21	
22	TAKEN BY: KAREN LORENZO, STENOGRAPHER
23	
24	
25	
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 2
1	
2	COUNCILWOMAN JOHNSON: Next, we have
3	our Action Calendar.
4	TOWN CLERK: May I have a motion to
5	suspend the Rules and add Resolution 957
6	through 984-2024.
7	On the motion?
8	COUNCILWOMAN HAND: So moved.
9	SUPERVISOR SALADINO: Second.
10	TOWN CLERK: Motion made by
11	Councilman Hand, seconded by Supervisor
12	Saladino.
13	On the vote, Councilwoman Johnson?
14	COUNCILWOMAN JOHNSON: Aye.
15	TOWN CLERK: Supervisor Saladino?
16	SUPERVISOR SALADINO: Aye.
17	TOWN CLERK: Councilman Hand?
18	COUNCILMAN HAND: Aye.
19	TOWN CLERK: Councilman Labriola?
20	COUNCILMAN LABRIOLA: Aye.
21	TOWN CLERK: Councilwoman Maier.
22	COUNCILWOMAN MAIER: Aye.
23	TOWN CLERK: Councilwoman Walsh?
24	COUNCILWOMAN WALSH: Aye.
25	TOWN CLERK: Councilman Imbroto has
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 3								
1									
2	stepped out.								
3	Motion to suspend the Rules and add								
4	Resolution 957 through 984-2024 passes								
5	with six ayes and zero nays.								
6	May I have a motion to adopt								
7	Resolution P-18-24 through 984-2024?								
8	On the motion.								
9	SUPERVISOR SALADINO: I make a								
10	motion to accept these resolutions and to								
11	vote on today's Action Calendar.								
12	COUNCILMAN HAND: Second.								
13	TOWN CLERK: Motion made by								
14	Supervisor Saladino, seconded by								
15	Councilman Hand.								
16	Councilwoman, I think we a couple of								
17	speakers on some resolutions.								
18	COUNCILWOMAN JOHNSON: I actually								
19	have three. First on Resolution 930,								
20	Melissa Rhodes and Tara Butler.								
21	MS. RHODES: Good morning, everyone.								
22	My name is Melissa Rhodes. I'm the								
23	executive director of Grenville Baker								
24	Boys and Girls Club in Locust Valley. I								
25	just would like to take this moment to								
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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 💳

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express our heartfelt gratitude to the Town of Oyster Bay, Supervisor Saladino and the Town Board for its generous support in allowing our teen program to use Town owned Marina slips for kelp cultivation. This initiative is not only an exciting opportunity for our young people to engage with marine science and environmental sustainability, but also a step toward enhancing the health of our local ecosystems. By partnering with the Town, we can provide firsthand learning experiences that inspire our future leaders while contributing to the preservation of our precious natural resources. We deeply appreciate your commitment to the future of our community and to the environmental education of our youth. Thank you for your support and for believing in the potential of this important project. Thank you. COUNCILWOMAN JOHNSON: Thank you and

thank you for everything that your

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024							
1								
2	organization does. I know you guys do							
3	great work over there and so happy to be							
4	part of that community.							
5	Thank you for coming.							
6	MS. RHODES: Thanks, Michele.							
7	COUNCILWOMAN JOHNSON: Next we have							
8	Matt Mang.							
9	Please state your name and address							
10	for the record.							
11	MR. MANG: Good morning, everyone.							
12	Matthew Mang, 6481 Northern Boulevard							
13	East, Norwich.							
14	I wanted to speak on the 7-Eleven							
15	application. I'm appreciative, as the							
16	community knows, of the reduced hours							
17	that have been apparently engineered. I							
18	further understand							
19	COUNCILWOMAN JOHNSON: For those							
20	listening, my understanding of the hours							
21	are going to be from 6:30 to 10:30.							
22	MR. MANG: So as the procedure moves							
23	on, I don't know if 7-Eleven Corporate							
24	has accepted that. So I would assume							
25	there's a possibility the corporation may							
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 6								
1									
2	say no to it, so it remains to be seen.								
3	I'm very appreciative of how Judy								
4	Simoncic has been supportive of reaching								
5	out to our civic, but I would ask that as								
6	this proceeds, if it does proceed, that								
7	we work collaboratively in making sure								
8	that we can engineer a solution for the								
9	traffic through the residential area								
10	that's in the southwest corner, because								
11	that's an ongoing issue. It's obviously								
12	existed for 40-50 years now, but the								
13	volume of traffic has just become such								
14	throughout Nassau County, that if we								
15	don't work collaboratively with the								
16	businesses and the municipalities, it								
17	will continue to be an issue. And there								
18	have been close calls.								
19	SUPERVISOR SALADINO: May I comment								
20	on that one request?								
21	MR. MANG: Yes.								
22	SUPERVISOR SALADINO: The Oyster Bay								
23	Town Board has heard the testimony of the								
24	residents at the hearing loud and clear.								
25	We have worked with all of you and we								
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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 💳

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2 greatly appreciate the input. All of the 3 residents have been fantastic and 4 professional in giving us their thoughts 5 and feelings on the proper way to do 6 this, and what the compromises might be. 7 On your behalf, we have worked with not only the applicant, but New York State 8 9 Department of Transportation to create a 10 change in traffic flow. They call it a pork chop, specifically, is the nickname 11 of the kind of turn, to ensure that we 12 13 create the utmost in safety. And if anyone would like to speak to the 14 15 applicant's attorney, Judy Simonicic is 16 here to get more specifics on just what 17 has been applied for. It is important to 18 note that we are still awaiting 19 permission from New York State Department 20 of Transportation, and we hope that they 21 will see it the way we and all of you see 22 it, to provide the highest levels of 23 safety and address all the concerns that 24 have been brought to our attention. 25 COUNCILWOMAN WALSH: And that's so

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024							
1								
2	that when they come out of the gas							
3	station, they need to make and right go							
4	westbound. They cannot go across. That's							
5	how the curb will be cut, like the pork							
6	chop.							
7	MR. MANG: Okay. In closing, I'm							
8	sure there will be skeptics that will							
9	say, all right, if 7-Eleven has this,							
10	what stops them from re-applying for a							
11	longer extended hours in the future? So							
12	I think I know what the answer might be,							
13	but I would like that to be addressed.							
14	COUNCILWOMAN JOHNSON: I believe the							
15	Constitution allows that to happen. We							
16	can address that at that time.							
17	SUPERVISOR SALADINO: There would be							
18	a hearing. There would be an opportunity							
19	for the public to come, to be heard. And							
20	this community has proven itself to be							
21	loud and clear as to what they see as the							
22	levels of safety. So, we're not allowed							
23	by law to suggest how we would vote.							
24	We'd have to hear that hearing and that							
25	application. But suffice to say, we have							

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024							
1								
2	heard from the public loud and clear, and							
3	we are in lockstep with the public.							
4	That's the most important message that							
5	people need to hear, that we are in							
6	lockstep with all of the concerns we have							
7	heard, and the way in which you have							
8	brought those concerns has been							
9	exceptionally professional, and you have							
10	all proven you have done your homework							
11	very thoroughly. And we appreciate that.							
12	This is whole exercise has been the							
13	template to the whole town on how to do							
14	it right.							
15	MR. MANG: Okay. Thank you.							
16	Our next speaker will be Daniella							
17	Crocciola. Could you please state your							
18	name and address for the record?							
19	MS. CROCCIOLA: I sure will.							
20	Daniella Crocciola, Walnut Avenue, East							
21	Norwich.							
22	COUNCILWOMAN JOHNSON: Thank you.							
23	MS. CROCCIOLA: So I'm so happy that							
24	you're saying that you're concerned and							
25	that you're doing your due diligence.							
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024							
1								
2	This developer made this store $3999ft^2$,							
3	one foot shy of having to do a SEQRA.							
4	In SEQRA law, Part 617, it states							
5	many times that the lead agency, which is							
6	you, has the right to ask for							
7	environmental, has the right to do what							
8	you should do to make sure that this lot							
9	is environmentally safe.							
10	In 1964, when this was deeded,							
11	everything that happened for the past 50							
12	something years did happen. There were							
13	tires changed; there was oil being							
14	changed; they were spray painting and							
15	painting cars and dumping it right along							
16	the fence line. Nothing was done for 50							
17	years.							
18	So you're telling us that or the							
19	developer is telling us that he's							
20	going to stop operation at 6:30? Who do							
21	we call? Or 7:30 or whatever time 10:30.							
22	Whatever time at night. Who do we call							
23	when they're operating at 1 or 2:00 in							
24	the morning? Still selling							
25	SUPERVISOR SALADINO: I apologize							
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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 11								
1								
2	for interrupting you in order to answer							
3	your question							
4	MS. CROCCIOLA: I's okay. You can							
5	interrupt me anytime.							
6	SUPERVISOR SALADINO: I'm very happy							
7	that we are happy that you're here.							
8	The applicant needs to know how serious							
9	the community and the Town is about							
10	following these rules							
11	COUNCILWOMAN WALSH: I have a							
12	question. Why would you assume they're							
13	going to do that when we're in a							
14	community that no one has been staying							
15	open past that. The whole area,							
16	including the restaurants in our area,							
17	Angelina's, they all shut down around							
18	between 10 and 11. Why would you							
19	MS. CROCCIOLA: Because you never							
20	made sure that it wasn't operating as							
21	what it should be deeded from 1964.							
22	SUPERVISOR SALADINO: To answer your							
23	question, you have							
24	MS. CROCCIOLA: So where's the							
25	oversight, Miss Walsh?							
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 —— 12							
1								
2	COUNCILWOMAN JOHNSON: I'm sorry.							
3	Could you please direct your questions							
4	SUPERVISOR SALADINO: The oversight							
5								
6	MS. CROCCIOLA: Well, she's							
7	addressing me.							
8	COUNCILWOMAN JOHNSON: There are							
9	Rules of Decorum. You must discuss with							
10	the Board as a whole and not direct to							
11	one person.							
12	MS. CROCCIOLA: Okay. Thank you,							
13	Mr. Saladino.							
14	SUPERVISOR SALADINO: You have every							
15	right to be concerned. We understand the							
16	feelings of the community.							
17	There's many levels to protecting							
18	you. The first level is the Town of							
19	Oyster Bay Department of Public Safety.							
20	And we are happy to give you all the 24							
21	hour hotline, which there's always a							
22	human being answering the phone. And we							
23	always have Town of Oyster Bay Public							
24	Safety on staff. And there have been many							
25	examples when the Town's Public Safety							
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	TOP AND COURT REPORTING, INC. (JID) 414-JJD							

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Department has been called, they have run
out very quickly, immediately to the
concerns of the residents and the
community and have answered the issue and
have forced a closure or whatever the
case may be in that specific.
Secondly, the Town of Oyster Bay has
in our Department of Planning and
Development, in essence, our Building
Department code enforcement folks who are
available 24 hours but generally work
between business hours but are available
beyond that. So it is our responsibility
if this is approved to enforce all of the
carriers, including but not limited to,
the hours of operation. And we take that
responsibility very seriously, and there
have been entities over the years who
have not complied, and some of them have
wound up with a chain on the door.
MS. CROCCIOLA: Okay, so just for
all the sake of full transparency, there
is a huge oil spill behind the

restaurant. There were 20 dumpsters that

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024							
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2	were covered when they did the cleanup.							
3	There were waste motor oils that were							
4	spilled. Waste motor oils have PCBs in							
5	them. We never got any reports of what							
6	happened, of what was in there or what							
7	wasn't. Was it a positive or a negative							
8	dec? We never knew that. And now we							
9	won't know that because it's being							
10	allowed to be put into the stage of 3999							
11	square feet, where it doesn't have to							
12	have the proper environmental.							
13	Has there been a noise analysis							
14	impact study?							
15	The traffic studies that were in the							
16	Report were during the pandemic. We							
17	addressed this in the last meeting. We							
18	haven't seen any new traffic studies.							
19	There are car accidents that are coming							
20	out of that median all the time. Just							
21	because you can't make a right turn							
22	doesn't mean you can't do it. People go a							
23	complete diagonal across the median.							
24	Who's going to police that? Who's going							
25	to patrol that? If you want to do it							
	THE VEV COUDE DEDODETING INC. (516) $(114-2516)$							

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024							
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2	right, make them not cut into the median							
3	a size of a football field. Make them cut							
4	that medium so it can't be put in and							
5	make it safe. We have people from							
6	Brookville and from Muttontown who have							
7	volunteered to landscape the median for							
8	free. So we don't need to worry about							
9	that. We have people that'll do that.							
10	So I want to know when are the							
11	environmental studies going to be done on							
12	this? Why were those 20 dumpsters there?							
13	SUPERVISOR SALADINO: When you're							
14	done I'm going to ask, with the							
15	permission of the supervisor pro tem, to							
16	ask our town attorney to come up. We want							
17	to listen to you in full if							
18	MS. CROCCIOLA: If you're not going							
19	to, okay? If you're not going to do the							
20	environmental studies, we want it in							
21	writing from the developer, from Deegan							
22	Forchelli, that this property is safe,							
23	the water safe. All of those 20 dumpsters							
24	didn't leach into the watershed that is							
25	there. There's an aquifer there. It's a							

watershed.

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In 1964, when this was developed, there was no knowledge of any of this environmental stuff. There was no watershed, there was no protection. There was no EPA, there was no DEC. Now there is; 50 years. This is your time to make it right, okay. To make it right and do the right thing. Regardless of 3999ft².

I want to talk about something else too. The North Shore Leader has been discussing a major scandal. Now I know it's only in writing. I know it's somebody that's writing it, but it's been published. And in this scandal, a \$50 million of a developer who came from Oyster Bay Cove that's in court --COUNCILWOMAN JOHNSON: Sorry. MS. CROCCIOLA: No, no, no. SUPERVISOR SALADINO: Just give her a chance, please. COUNCILWOMAN JOHNSON: That would be something to discuss in public comment. MS. CROCCIOLA: No, no, no. Because TOP KEY COURT REPORTING, INC. (516) 414-3516 ____

TOBAY	TOWN	BOARD	ACTION	CALENDAR	12.10.2024	17

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	it may involve people from the Town of
3	Oyster Bay. I have a right to say this.
4	You can't stop me.
5	COUNCILWOMAN JOHNSON: I'm not
6	stopping you. It doesn't sound to me
7	like this is a resolution.
8	(Whereupon, crosstalk.)
9	SUPERVISOR SALADINO: Let's just
10	keep this at a calm level, because we're
11	going to listen to you. You're going to
12	have a chance to speak and anyone else
13	who wants a chance to speak. This is not
14	confrontational.
15	MS. CROCCIOLA: I'm not being
16	confrontational. But I just want you to
17	understand what is going on in the
18	landscape. You know, it's great that you
19	guys do music at night, music under the
20	stars and we take pictures with the girls
21	baking cookies and all this other stuff.
22	But there's other stuff that's important
23	here. And this is one of the things. And
24	this scandal
25	SUPERVISOR SALADINO: If you knew
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	about our commitment to the environment
3	from the North Shore to the South Shore,
4	what we're doing to fight the DEC on the
5	cleanup of Bethpage Park, to clean up the
6	Grumman Navy plume we don't want to
7	give the impression we don't care about
8	the environment. It's one of the highest
9	priorities for all of us. So we are with
10	you 100%. Safety and environmental
11	protection, but we're here to listen to
12	you.
13	MS. CROCCIOLA: I feel like you guys
14	are being bamboozled. And it's my right
15	to tell you that. And it's your right to
16	say what you're saying. And I appreciate
17	everything that you're saying.
18	SUPERVISOR SALADINO: We are not on
19	the opposite side, it's not a
20	confrontational situation.
21	MS. CROCCIOLA: 100%, 100%. But
22	with this comes a it's been published.
23	It's on Facebook Energia, a group out
24	of Molloy College that was teaching kids
25	these pictures all over with

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	blackboards behind them on how to
3	develop, how to develop big, how to make
4	Long Island into Queens. And you've got
5	people that are on this Board that were
6	taking pictures that were part of Energia
7	and there are people associated with this
8	development that apparently go on the
9	Energia partnership on Facebook, and
10	you'll see all their pictures. Do it
11	before the attorney general gets here.
12	COUNCILWOMAN JOHNSON: Before you
13	leave, make sure you speak with our town
14	attorney.
15	MS. CROCCIOLA: I know the town
16	attorney.
17	SUPERVISOR SALADINO: And just
18	another thing to demonstrate our
19	commitment, because we get the sense from
20	the way you presented the information,
21	that you might not fully understand our
22	total commitment to safety. We focus on
23	that in every development and every
24	application, whether it's East Norwich,
25	whether it's a gas station, whether it's
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2	a coffee shop; everything, traffic
3	patterns, traffic flow very important to
4	us, and so is the environment in terms of
5	protection. And if you would like, we can
6	bring our town attorney up here or you
7	can speak to him personally, whichever
8	you prefer, but to give you the
9	assurances that that we don't act in a
10	willy nilly manner, that we focus on all
11	of the details and we also understand
12	what rights we have. Right? Which means
13	what rights the residents have and what
14	constitutional rights the applicant has.
15	And that's a careful balance to make
16	sure. Because then if we don't focus on
17	everyone's rights, these things can be
18	appealed in a lawsuit, and then we lose
19	our rights because then a judge decides.
20	So please understand that we focus
21	on what is the best options to protect
22	the public in these situations. We've
23	had many I remember a gas station in
24	my own neighborhood where that
25	application, I explained to the public,

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 - 21
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2	it's easy to deny something, and then you
3	leave it in a judge's hands and the
4	public no longer gets risks, losing
5	all the compromises that they gained
6	through the negotiation. Once it's in a
7	judge's hands, it's out of our hands
8	entirely by law, it's not what we want.
9	It's the reality of what we have to deal
10	with. And we create the balance in this
11	careful approach to make sure that the
12	public's rights and all they've worked on
13	and negotiated stay intact. So it's not
14	easy to make these decisions, but we make
15	them from an experience of knowing what
16	are the unintended consequences.
17	And now he's here. So we do have
18	with us our deputy commissioner, and I'm
19	sure the supervisor pro tem would like to
20	call him up to address the safety
21	concerns of the residents.
22	COUNCILMAN IMBROTO: Oh, he was just
23	coming to give me something. But you
24	could also address those things.
25	MS. CROCCIOLA: Just understand that
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 22
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2	I'm very direct. I'm not being
3	confrontational, just being direct. I'm
4	not a politician. I don't need to be. I'm
5	a taxpayer and I work and fight hard for
6	my property. So don't take it as me being
7	combative and and confrontational. I
8	understand. I know how I come off. I
9	know my bad and my good, understand.
10	SUPERVISOR SALADINO: We love the
11	fact that your concern for the community
12	because we are too and the residents are
13	too.
14	MS. CROCCIOLA: But there's just a
15	lot of weeds here. And there's a lot of
16	weeds that need to be picked out, and I
17	thank you. And I hope you understand
18	also just the level of ridiculousness
19	this all has been. There is a backup
20	person that wants to make a nice market.
21	There have been several people. Someone
22	stepped up and said they wanted to build
23	a Starbucks, but this lot was steered for
24	long term lease and they wanted what they
25	wanted. And that's great. But you know

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 23
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2	what? What's great one person, a property
3	owner, isn't great for the whole
4	neighborhood. Okay.
5	And anybody that's involved with
6	Energia and this whole little college
7	thing
8	COUNCILWOMAN WALSH: I have to say,
9	you're comparing our to another board.
10	MS. CROCCIOLA: It's not a board.
11	(Whereupon, crosstalk.)
12	COUNCILWOMAN JOHNSON: I am going to
13	ask that everyone
14	MS. CROCCIOLA: I'm not going to
15	engage with you. I'm done.
16	COUNCILWOMAN WALSH: I don't like to
17	be accused like that.
18	MS. CROCCIOLA: I'm not accusing
19	you. I'm not accusing you. There's
20	pictures of town people. Did I say Vicki
21	Walsh is a member of Energia? Did I say
22	that? No, listen to what I'm saying. I'm
23	saying there are some people
24	COUNCILWOMAN JOHNSON: That's
25	enough. Thank you. I appreciate your
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 24 —
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2	comment. We welcome you back at any time.
3	We just have to maintain civil discourse
4	with no shouting, no yelling and no
5	accusations. I appreciate everybody.
6	Thank you. Our next speaker is Leonard
7	Gero.
8	Your name and address, for the
9	record, please.
10	MR. GERO: Daniella did a great job
11	of explaining what the community thinks
12	about the project. Leonard Gero.
13	Commissioner, you're very concerned
14	with the environmental. Have you ever
15	seen this map (indicating)? This is a
16	map of the recharge basin of all the
17	water supplies, Long Island on the North
18	shore. We're drinking every day. This
19	project, which is a massive refueling
20	station, which is going to have a lot of
21	underground tanks and who knows what else
22	is doing. It is located in the middle of
23	that basin. This is Oyster Bay over here
24	(indicating). I'm happy to leave it
25	(handing).
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2	Would someone explained to me why
3	this board is considering a massive
4	refueling station this is not a
5	garage, it's a massive refueling station
6	which is going to have five times as
7	many tanks, as the previous. Language
8	basically is torn down, so it has no
9	credibility whatsoever. We got raw land.
10	Now you're going to take this raw land
11	and endanger this community, which is
12	contrary to, commissioner, what you said.
13	By not having it go through SEQRA we
14	have a process here for this type of
15	thing. This is in a very sensitive area.
16	I'll give you some more copies.
17	So why would this would this Board
18	even consider this situation until they
19	agreed to go through SEQRA? I mean, it's
20	ridiculous. Because they dropped the
21	foot off the original application. It's
22	outrageous. Can somebody maybe where's
23	Frank?
24	COUNCILWOMAN JOHNSON: You can speak
25	from the podium. We're going to ask our
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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 -----26 1 2 town attorney to come up after. 3 MR. GERO: Can someone explain to me what's going on? 4 5 COUNCILWOMAN JOHNSON: If you find 6 your seat, we will bring the Town 7 Attorney up. 8 MR. GERO: Your children drink the 9 water, your grandchildren drink the water 10 You want everybody to be diseased? I mean, why not go through SEQRA? What 11 12 could be more dangerous than this in the 13 middle of what is a refill basin? And 14 you're putting in tanks and who knows 15 who's coming, what's going, who knows 16 what kind of spills they have that they 17 refill. Let them go through SEQRA, and 18 then I'll close my case. But this is a 19 responsibility of this board. And if you 20 don't do it --21 SUPERVISOR SALADINO: May I ask you 22 a question? MR. GERO: This is possible criminal 23 24 liability. Because when someone gets sick 25 and they trace it to water supplier who

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 27
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2	signed off on this.
3	SUPERVISOR SALADINO: May I ask a
4	question?
5	COUNCILWOMAN JOHNSON: Of course.
6	SUPERVISOR SALADINO: Just a couple
7	of questions. One, are you aware that any
8	contaminants from this site have reached
9	the Magathi where our water drinking
10	water is drawn from, or is this just.
11	MR. GERO: I don't have knowledge of
12	that. All I'm saying to you, if you've
13	got a massive use of petroleum of every
14	kind. All I'm saying is let them go
15	through SEQRA because then we know it's
16	safe.
17	SUPERVISOR SALADINO: So one of the
18	aspects of replacing of tanks to double
19	walled tanks, which is now the standard,
20	the DEC and the EPA mandate
21	MR. GERO: When SEQRA says it's
22	safe, it's safe. You cannot say, you're
23	not an expert.
24	COUNCILWOMAN JOHNSON: The
25	Supervisor is trying to explain to you.
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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 ------28

2 SUPERVISOR SALADINO: I'm not. What 3 I'm trying to say is when a company comes in and replaces tanks, the old tanks, 4 5 they put in brand new double walled 6 tanks. When they do that, they have to 7 test the soil. Okay, there has to be a testing and a public review of that, of 8 9 those documents. So as far as giving you 10 the assurances and giving the residents 11 of the assurances, this isn't something 12 that can be done -- we can bring the 13 counsel up to confirm these things if you 14 would like. I know Michele Johnson would 15 be happy to do that -- but this isn't 16 something that gets done without testing 17 and assurances --18 MR. GERO: The reason we have SEQRA 19 is not only to do with somebody putting a 20 massive refuelling station into our 21 water, into the refill basin for the 22 area, but it's basically to protect 23 anybody. 24 SUPERVISOR SALADINO: SEQRA is a 25 large number of tests in a variety of TOP KEY COURT REPORTING, INC. (516) 414-3516 💻

TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 -----

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different fields. Since we're talking about the environmental component of a SEQUA review, we're going to ask that the counsel for the applicant come up and speak to the testing that has and will take place through this process. The environmental testing that will take place gives you that assurance. SEQRA is a wide number of different kinds of --

MR. GERO: Why you are you objecting to this, going through a process that we set up specifically for any piece of land. But now you're dealing with our water supply, I don't understand it doesn't make sense.

SUPERVISOR SALADINO: Once again, SEQRA has lots and lots of tests beyond environmental. So that's the environmental piece. The environmental piece assures the community that testing does take place by professionals, and that they report that information, which we share with the public. Any information we have is all open to the public to

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	review. We will ask Frank Scalera to come
3	up to confirm when you're done.
4	So these kinds of tests, I don't
5	want anybody to feel
6	MR. GERO: Okay. So they dropped one
7	foot off the requirement, from 4000 ft ² to
8	3999. You're going to allow them to avoid
9	SEQRA, but you're not counting the fact
10	that it also requires that you're not
11	looking for a variance, which they are.
12	SUPERVISOR SALADINO: If this
13	application is passed, we're not going to
14	allow the applicant or the construction
15	company to replace tanks without all the
16	testing that is mandated on the soil.
17	MR. GERO: We have a state authority
18	that does all that work. I don't know
19	what's going on here. I don't know the
20	credibility of your staff to do this.
21	SUPERVISOR SALADINO: It's not our
22	staff doing this. It's professionals. Why
23	don't we have the experts come up to
24	answer? Because I
25	MR. GERO: Why don't we have them go

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 31
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2	through SEQRA? Then we know it's a
3	completely safe situation. You're only
4	dealing with our water supply. I guess
5	it doesn't matter. So if your
6	grandchildren are going to be served
7	SUPERVISOR SALADINO: Sir.
8	MR. GERO: Just explain to me why
9	you were getting
10	SUPERVISOR SALADINO: This
11	administration has spent enormous,
12	enormous amounts of time, effort and
13	resources to protect our environment.
14	MR. GERO: How does it affect the
15	town? You worried about saving time for
16	the development, putting the community at
17	risk. That isn't what you said before.
18	You said before you're very concerned
19	with the environment. And this is
20	contrary to what you said. It's very
21	contrary.
22	SUPERVISOR SALADINO: You are
23	suggesting that. But that's just not the
24	case.
25	MR. GERO: Once we create something
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 32
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2	in the water supply
3	SUPERVISOR SALADINO: I asked you,
4	sir
5	MR. GERO: You're going to allow
6	them to go ahead without that SEQRA.
7	You're doing an injustice to the
8	community and contrary to what you're
9	saying.
10	SUPERVISOR SALADINO: That's far
11	from the case, sir. That's far from the
12	reality of what's going on here. We have
13	experts here. Would you mind if we
14	brought them up?
15	MR. GERO: No. I want the State to
16	be involved. I don't want anybody saying,
17	look, don't look the other way. And I
18	want the State to get involved.
19	SUPERVISOR SALADINO: What you're
20	suggesting is that the State-
21	MR. GERO: This is our water supply.
22	You're against saving the community from
23	future disease. That's not a good
24	position.
25	SUPERVISOR SALADINO: That's so far
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1 2 from the truth, sir. 3 MR. GERO: Well, you just said your concern with the community five times. 4 5 And now I'm saying to you, let the State 6 do their job. 7 SUPERVISOR SALADINO: Do you believe that the State sends in their own 8 9 testers, or they mandate that the company 10 hires a company to do that? Sir, this is 11 _ _ 12 MR. GERO: Look at the map. This is 13 a critical area. You're forcing something 14 to go in without being properly vetted. 15 I want the State to be involved in that. COUNCILMAN IMBROTO: Sir, it's not a 16 17 foregone conclusion that this is going to 18 be approved. 19 MR. GERO: I'm wasting my breath if 20 it's not going to be approved. I'm 21 talking about the safety of the people 22 that live here. I don't know, where do 23 you live? 24 SUPERVISOR SALADINO: And since we 25 are just as concerned as you, why don't TOP KEY COURT REPORTING, INC. (516) 414-3516 🚃

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we bring up the applicant's attorney to ask the questions of what testing will be done to give you some assurance?

MR. GERO: I'm sorry. If they don't go through SEQRA because they dropped one foot and they haven't counted the canopy, and they have counted the gas station and they haven't counted the fact that this went from a 30,000 square foot plot to an acre and a half massive refueling station. Something is wrong with this whole panel. I'll close my case. But if the SEQRA doesn't get involved with this, you people could all be in jeopardy.

SUPERVISOR SALADINO: It's not an organization, sir. It is a law that the State set up.

MR. GERO: But you're not out for the good of the people. Because SEQRA is a process that we don't pay for. The developer pays for. And it's assures the safety of the water supply which is sitting on top of our water supply there. SUPERVISOR SALADINO: Do you have

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	knowledge to believe that the Magathi
3	aquifer, where Long Island draws its
4	drinking water, has contamination at this
5	location that you describe? Do you have
6	factual information to say that
7	contaminants have reached the Magathi,
8	not the upper glacial?
9	MR. GERO: Where is that? We're
10	talking about one project that's a
11	massive refuelling station. The biggest
12	one abutting that.
13	SUPERVISOR SALADINO: I haven't been
14	told that the tanks are any larger than
15	any of the other sites. But let's bring
16	up the experts rather than turn this into
17	a he said, she said.
18	MR. GERO: The Board is going to go
19	along and do this thing without going
20	through SEQRA, which is what the whole
21	SEQRA is all about. In a normal area, but
22	over out water supply is outrageous.
23	SUPERVISOR SALADINO: Thank you.
24	COUNCILWOMAN JOHNSON: Ms. Simoncic,
25	could you please come up to address the
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Board? Thank you.

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Could you give me the name and the positions?

MS. SIMONCIC: Good morning, Supervisor, Town Board. Judy Simoncic with the firm of Forchelli, Deegan, Terrana, 333 Earl Ovington Boulevard in Uniondale. I'm representing the applicant on this particular application.

I can assure you, the Town Board and the members of the public and the civic association, that first and foremost, this property was cleaned up with the oversight of the New York State DEC, as well as the Nassau County Department of Health. So all the times that had been removed by the prior owner, which was Cumberland Farms, Cumberland hired an outside environmental consultant agency who was responsible for the cleanup. It was done entirely with the oversight of Nassau County Department of Health, as well as the New York State DEC. SUPERVISOR SALADINO: May I ask one

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 37
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2	question and just stop you for a moment?
3	Because we have to explain this to the
4	public. Does that mean that the testing
5	done on that First of all, did they
6	leave any tank behind? Or is every single
7	tank removed?
8	MS. SIMONCIC: Every tank is
9	removed. And during the process soil is
10	tested as well as groundwater is tested.
11	SUPERVISOR SALADINO: Was that soil
12	testing and groundwater testing done to a
13	standard that is equal to or more
14	stringent than the SEQRA process
15	mandates?
16	MS. SIMONCIC: It is more than what
17	the SEQRA process would have mandated.
18	SUPERVISOR SALADINO: Can you assure
19	remember, you're at the podium. You're
20	at the microphone. Can you assure the
21	public that through this process, the
22	amount of environmental testing at this
23	site is at least as stringent and
24	thorough as if they were going through
25	the full SEQRA process?
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	MS. SIMONCIC: I can assure you,
3	Supervisor and members of the Town Board;
4	that is correct. And in fact, with
5	respect to the proposed gas station, the
6	7-Eleven, as you indicated, the materials
7	and the new tanks, they are much more
8	better suited and double walled tanks,
9	they prevent potential spills. The
10	standards today for gas stations are much
11	more stringent than those that existed
12	when this gas station was built in 1964.
13	SUPERVISOR SALADINO: Do you have
14	documents that you could share with the
15	previous speaker and the members of the
16	public to document and certify that the
17	claims that you have made are all 100%
18	true?
19	MS. SIMONCIC: Yes, I do. We can
20	provide to the Board and the residents
21	closure letters that we received after
22	completion of the removal of these tanks,
23	and we can certainly provide them with
24	the specifications for what's going to be
25	installed. And when the gas station is
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built, the tanks will be built in accordance with oversight again of the DEC and New York State and Nassau County Department of Health.

Nothing is getting done here without oversight. And keep in mind, we're talking about national corporations. Cumberland Farms is a national corporation. They're not going to go in there and do something willy nilly. They did it precisely with precision and with the requisite oversight. And similarly, 7-Eleven will do the same. And the developer, who is my client and the applicant, is committed to doing everything in accordance with the applicable rules and regulations of the New York State DEC, Nassau County DPW, Nassau County Health Department, and in addition, New York State Department of Transportation, which we talked about earlier.

> I would also confirm on the record that we have agreed to install the pork

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	chop exit from the western entrance of
3	this property to ensure that people do
4	not cut across Northern Boulevard into
5	Muttontown Road. That will assure that
6	that will not occur. And we are in
7	agreement with making that modification
8	subject to DOT approval.
9	SUPERVISOR SALADINO: So to allay
10	the concerns of the previous speaker and
11	the other residents who are here, who we
12	represent and we side with, you can share
13	these documents to prove to them that the
14	level of testing is at least equal and as
15	intensive as a SEQRA review?
16	MS. SIMONCIC: The level of testing
17	is absolutely equal.
18	SUPERVISOR SALADINO: You have
19	documents to share with them to prove
20	that?
21	MS. SIMONCIC: Yes, we have
22	documents to share with them.
23	And I heard a comment regarding 20
24	trailers on the property with materials.
25	I do not believe that was true or the
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1	
2	case. We will get all the documentation.
3	When tanks are removed, there's a very
4	methodical chain of custody on them, and
5	they they track everything that occurs
6	and who is on site and who's overseeing
7	it. So we will get all the information
8	for that from the environmental company
9	that did it under the direction of
10	Cumberland Farms.
11	Okay. Any questions for me?
12	SUPERVISOR SALADINO: Thank you, Ms.
13	Simoncic.
14	COUNCILWOMAN JOHNSON: And who do we
15	have from the Department of Environmental
16	Resources here to speak to this. Julia,
17	could you please come up?
18	MS. SCHNEIDER: Hi. I am Julia
19	Schneider from the Department of
20	Environmental Resources. Do you have any
21	questions?
22	SUPERVISOR SALADINO: Yes.
23	We've heard the testimony of the
24	applicant's attorney. Do you confer
25	First of all, can you just describe to us
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1	
2	your certification and your background?
3	MS. SCHNEIDER: Sure. I'm a
4	certified professional in erosion
5	sediment control. I'm also a certified
6	planner by the American Institute of
7	Certified Planners, and I've been with
8	the Town for about seven years now,
9	working as environmental planner for
10	about 20 years.
11	SUPERVISOR SALADINO: You've been
12	working in this field for over 20 years?
13	MS. SCHNEIDER: About 20 years.
14	SUPERVISOR SALADINO: And when an
15	applicant requires a SEQRA declaration,
16	who in the Town of Oyster Bay oversees
17	that and handles that?
18	MS. SCHNEIDER: This department.
19	Comes from my office, but Deputy
20	Commissioner Colin Bell and Commissioner
21	Savinetti.
22	SUPERVISOR SALADINO: And do you
23	play a role in the oversight and the
24	day-to-day operations of that sequence of
25	testing and declaration?
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2	MS. SCHNEIDER: As the director of
3	Town Environmental Quality Review, that's
4	my primary role for the Town.
5	SUPERVISOR SALADINO: That is your
6	primary role, and you've done this many,
7	many times?
8	MS. SCHNEIDER: Many, many times.
9	SUPERVISOR SALADINO: Based on what
10	you heard. Do you agree with the
11	applicant's attorney and her description
12	of the testing, the level of testing and
13	intensity of testing?
14	MS. SCHNEIDER: 100%.
15	SUPERVISOR SALADINO: Including the
16	soils and the groundwater.
17	MS. SCHNEIDER: Including the soils
18	and groundwater. And also, we have a no
19	further action letter from DEC,
20	indicating that the remediation was
21	conducted in accordance with the laws on
22	site.
23	SUPERVISOR SALADINO: When the New
24	York State Department of Environmental
25	Conservation issues a letter like that,
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 - 44
1	
2	can the residents and all of those who
3	drink that water, be assured that the
4	State Department of Environmental
5	Conservation has signed off, that the
6	soil of the site is now safe?
7	MS. SCHNEIDER: Yes, correct.
8	SUPERVISOR SALADINO: And finally, I
9	want I want to hear this directly to the
10	residents: Do you feel that the level of
11	testing that has taken place is at least
12	as intense and complete as if there was a
13	SEQRA review of this site?
14	MS. SCHNEIDER: Yes.
15	SUPERVISOR SALADINO: Thank you very
16	much.
17	MS. SCHNEIDER: Anybody else?
18	COUNCILWOMAN JOHNSON: No. Thank
19	you.
20	Finally, I would like to call our
21	town attorney, Mr. Scalera, would you
22	kindly address the Board?
23	TOWN ATTORNEY: Frank Scalera, Town
24	Attorney.
25	We've spoken about a lot of
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 45
1	
2	different issues here. Any particular
3	one?
4	SUPERVISOR SALADINO: Quick
5	question. You've heard the applicant's
6	attorney speak. You've heard our
7	environmental expert who has been
8	speaking, who has been working in this
9	capacity for over 20 years. Our residents
10	deserve assurances. You've been an
11	attorney in the Town of Oyster Bay for
12	how many years?
13	TOWN ATTORNEY: Over 21 years.
14	SUPERVISOR SALADINO: And how many
15	years have you been a practicing
16	attorney?
17	TOWN ATTORNEY: Almost 30.
18	SUPERVISOR SALADINO: Almost 30
19	years. From your professional opinion,
20	can you assure the residents that the
21	claims made by the applicant's attorney
22	and the information provided by one of
23	our directors in the Town's Department of
24	Environmental Resources are all correct?
25	And can you assure them that these tests

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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 -----46

have taken place?

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TOWN ATTORNEY: This is what I'll tell you what I can assure. And again under the proviso that I neither support or oppose this project, the project that the application sits for the purview of your board. But we're talking about the environmental conservation law, which is a New York state law, and the SEQRA regulations, which emanate from that law. And it appears from what I've seen and what I've spoken to with Julia Schneider from our DER, Environmental Resources Department, that every aspect of the law and the regulations of the law have been followed, and that would include the necessary review and the necessary sign off on any potential hazards that might have been there back in the day when they built the first gas station. So with respect to assurances, it seems from the documentation and statements made from environmental

experts that what needed to be done

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2	legally, as your Town Attorney, has been
3	done. And we, we the Town, are subject
4	just like the applicant is subject to the
5	New York State Environmental conservation
6	laws and SEQRA.
7	So the applicant, it appears from
8	their submissions, have followed the
9	SEQRA process to the letter of the law
10	and DER, Department Environmental
11	Resources, our department in the Town of
12	Oyster Bay, likewise followed the legal
13	mandates and regulations of Environmental
14	Conservation law and the SEQRA
15	regulation. So based on that, as an
16	attorney, I can give the assurance that
17	all procedures and laws were followed
18	which address the very safety issues and
19	environmental impact issues, whether they
20	be a spill of oil, whether it be a
21	traffic matter, whether it be vegetation
22	-
23	SUPERVISOR SALADINO: So let's boil
24	this down, Frank. We have a lot of
25	residents here. Their opinions and their

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 48
1	
2	feelings are very important to this
3	board. Can you, as the town attorney and
4	the chief legal officer of this Town,
5	assure our residents on the environmental
6	component that all of the testing was
7	done, that would have been done with a
8	full SEQRA review, and that no shortcuts
9	were taken in terms of all of the
10	testing, and that all of the documents by
11	law that we have to have in place,
12	including DEC permission and the results
13	of the private testing was done before
14	today's hearing and that everything is in
15	place
16	TOWN ATTORNEY: Yes.
17	SUPERVISOR SALADINO: Not hearing
18	before he allowed this to come before the
19	Town Board meeting.
20	TOWN ATTORNEY: The answer is yes.
21	And my understanding is this: This is a
22	Type 2 action. If it had been
23	hypothetically a Type 1 and did a full
24	review, after my review of the law and
25	discussions with Julia Schneider, the
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1 2 type of actions that would have been done 3 would have been looking at the soil and looking at the groundwater when you take 4 5 out the old tanks. So that works with --6 SUPERVISOR SALADINO: To the same 7 level and intensity --TOWN ATTORNEY: Yeah. 8 9 SUPERVISOR SALADINO: That actually 10 took place. 11 TOWN ATTORNEY: Because --12 SUPERVISOR SALADINO: Is that yes or 13 no? 14 TOWN ATTORNEY: Yes. Because the 15 jurisdiction over that is the New York 16 State DEC and the Nassau County 17 Department of Health, whether you take a 18 tank out of your residential house, if 19 you had an old propane tank or oil tank 20 or you're doing it on a commercial 21 property, if you don't have the DEC and 22 the Nassau Department of Health sign off, 23 you can't move forward. So the answer is 24 yes, it has been done, and it would have 25 been the same if it had done a full

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	review, because the testing and the
3	protocol with the DEC and the County
4	Department of Health are the same,
5	similar. That's what they do. So in that
6	respect, yes. But that component, yes, it
7	would have been done the same way.
8	COUNCILWOMAN JOHNSON: Thank you.
9	Any other questions?
10	MR. GERO: Yes.
11	COUNCILWOMAN JOHNSON: Well,
12	normally we would say you've already
13	spoken. Everyone gets one bite at the
14	apple, but I'll let you come up right
15	now.
16	Please identify yourself again.
17	MR. GERO: Leonard Gero.
18	If that's the case, the citizens,
19	for your residents, you should have full
20	assurances that whatever Frank says he's
21	an attorney.
22	SUPERVISOR SALADINO: He's the Town
23	Attorney.
24	MR. GERO: But if you're really
25	worried about the future of the area and
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	the health of the people, what is the
3	reason that you personally are trying to
4	avoid SEQRA? Which is the state comes in
5	and they do legitimate testing. It's not
6	testing done by a developer. I'm in the
7	development business. Okay. I could hire
8	somebody to confirm. I went to the dig
9	over there, I could find plenty of
10	problems. So what you tell me, it doesn't
11	make sense. Okay. There's no reason that
12	SEQRA process doesn't get applied here.
13	We're on a water supply not in the barren
14	field somewhere.
15	SUPERVISOR SALADINO: Everything on
16	Long Island sits on the aquifer system.
17	MR. GERO: No, no, no.
18	SUPERVISOR SALADINO: Let me ask you
19	a question, sir. Have you seen or
20	heard
21	MR. GERO: Read the map. It says
22	critical refill area.
23	SUPERVISOR SALADINO: I do
24	understand that. I fully get that, sir.
25	Have you heard
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	MR. GERO: You're more interested in
3	expediting the developer and taking the
4	citizens and putting them in the back
5	seat.
6	SUPERVISOR SALADINO: No. Far from
7	that.
8	MR. GERO: What are the reasons that
9	you don't want them to go through SEQRA?
10	SUPERVISOR SALADINO: Because the
11	law let's bring the Town Attorney up
12	and answer your question, because your
13	opinions are very, very important and
14	formulate
15	MR. GERO: I'm professionally in the
16	business. I do development work
17	(Whereupon, crosstalk.)
18	COUNCILWOMAN JOHNSON: Please speak
19	into the microphone and one person at a
20	time so that our reporter can take
21	everything down.
22	MR. GERO: I'm suspicious because
23	you don't want them to go through SEQRA,
24	which is a normal process.
25	SUPERVISOR SALADINO: It's not that

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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 53
we don't want them
MR. GERO: This is a water refill
basin.
SUPERVISOR SALADINO: Frank, please
give your name for the record.
TOWN ATTORNEY: Frank Scalera, Town
Attorney.
When you're conducting the SEQRA
process, it is the applicant's
responsibility to hire the necessary
experts to do the testing and the DEC
checks the testing. The DEC doesn't have
people that go down there into the ground
and dig. They don't do that. They base
it on the landowner submissions here
SUPERVISOR SALADINO: And the
professionalism of the certified
companies and their agents.
TOWN ATTORNEY: Yes.
So again, I understand, Mr. Gero,
where you're coming from. But as town
attorney, you have to understand, as
chief legal officer, we have to follow
the laws and the rules set forth in this
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	particular matter is New York State DEC,
3	Nassau County Department of Health. They
4	have the jurisdiction. We have the
5	obligation to follow the law and the
6	applicant does.
7	In this particular case, you talk
8	about the building being a certain number
9	of feet away. Let's say it this way then
10	maybe this is easier. Let's say there was
11	no building. There was no 7-Eleven and
12	just a gas. It would still be a Type 2,
13	more of a Type 2. It'll be more of a
14	Type 2 because there'll be no building.
15	I don't want to contradict what
16	you're saying, but I
17	MR. GERO: I don't understand what
18	you're saying.
19	TOWN ATTORNEY: If there's no
20	building there because you made a comment
21	about
22	SUPERVISOR SALADINO: Just to back
23	up, what he's trying to say if I have it
24	correctly is the need for the SEQRA
25	process is based on the square footage of
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 55
1	
2	the building. If didn't serve coffee
3	(Whereupon, crosstalk.)
4	SUPERVISOR SALADINO: He's using an
5	example to illustrate a point. If they
6	didn't want to build a building and just
7	the gas pumps, there'd be no difference
8	environmentally in this discussion. The
9	building is for selling coffee and donuts
10	and potato chips, whatever they sell. The
11	State says
12	MR. GERO: I beg to differ with you,
13	sir. They're going for a variance for the
14	use. There is no gas station there
15	anymore. They're applying to you for a
16	variance.
17	COUNCILWOMAN JOHNSON: I have to
18	stop you. You go to the podium, speak
19	quietly and calmly so our reporter
20	MR. GERO: It's contrary to the
21	truth. They are applying for a variance.
22	They don't have the right to vote.
23	SUPERVISOR SALADINO: Sir, why don't
24	you take a seat.
25	COUNCILWOMAN JOHNSON: We really
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 56
1	
2	have to keep order and I've allowed you
3	to come back. You're speaking over me now
4	and I'm going to ask you to sit down.
5	Okay. Please, stop.
6	SUPERVISOR SALADINO: All I was
7	trying to say is if there was no building
8	and square footage involved, if they
9	decided no building in their application,
10	just the sale of gas. Environmentally,
11	there would be no difference because the
12	building doesn't generate contaminants.
13	MR. GERO: But does that have to do
14	with
15	SUPERVISOR SALADINO: It has
16	everything to do with SEQRA law. Just a
17	minute, if I may.
18	MR. GERO: Yes, sir.
19	SUPERVISOR SALADINO: And I really
20	appreciate your patience.
21	MR. GERO: I'd like to hear this.
22	This is a good one.
23	SUPERVISOR SALADINO: The SEQRA law
24	nobody's trying to get anything over.
25	MR. GERO: I know all the laws.
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More than you think.

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3	SUPERVISOR SALADINO: As you know
4	already, the SEQRA law set up from New
5	York state is focused on the square
6	footage of the building. Your concern
7	about SEQRA sends a message that you
8	don't believe that the environmental
9	testing is thorough enough. What we are
10	telling you by our Town Attorney and our
11	chief environmental expert, is that the
12	testing that has taken place is equal to
13	or above what would take place if the
14	building was larger and the full SEQRA
15	process
16	MR. GERO: And if I was Superman, I
17	could analyze
18	COUNCILWOMAN JOHNSON: Wait. Let
19	him finish, please.
20	SUPERVISOR SALADINO: So the
21	building issue has to do the State,
22	New York State and Albany sets up
23	regulations at what triggers the more
24	advanced SEQRA testing on on the noise,
25	on the traffic and the long list of
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items.

1

2 3 MR. GERO: So what's your point? SUPERVISOR SALADINO: The point is, 4 5 environmentally, there is no difference 6 whether SEQRA regulations were kicked in 7 or not in terms of the thoroughness of 8 the environmental testing. It has been 9 achieved at the level you're asking 10 for --11 MR. GERO: But those aren't the 12 facts, the facts of what we're dealing 13 with here. The application you're 14 considering. 15 SUPERVISOR SALADINO: But, sir --16 MR. GERO: They're falsified also 17 because who's going to measure that? 18 SUPERVISOR SALADINO: When you speak 19 about environmental hazards, the fact is 20 that the testing has taken place to the 21 full extent, as if there was a full SEQRA 22 review here --23 MR. GERO: By people hired --24 SUPERVISOR SALADINO: And that's 25 been confirmed here. TOP KEY COURT REPORTING, INC. (516) 414-3516 ____

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1	
2	MR. GERO: By the developer.
3	SUPERVISOR SALADINO: That's the
4	case under the SEQRA review as well.
5	MR. GERO: I'm sorry. You're
6	counsel here has the ability to take the
7	burden to the state to monitor this. Why
8	are you putting everybody in jeopardy
9	here? Because all of them are.
10	SUPERVISOR SALADINO: Because we are
11	trying to tell you the State has
12	monitored this, and we have the
13	documents, which we will happily share
14	with the public. Your narrative is not
15	the facts, sir, and we respect
16	MR. GERO: Tell me exactly what's
17	the facts.
18	SUPERVISOR SALADINO: What's not the
19	fact is the impression that the
20	environmental reviews are not as intense
21	as if the entire thorough, full SEQRA
22	review has taken place.
23	MR. GERO: Then I ask you a
24	question. Please give me an answer. What
25	is your reluctance to have them go
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 60 60
1	
2	through a state SEQRA
3	SUPERVISOR SALADINO: It's not a
4	reluctance.
5	MR. GERO: Well, it certainly is.
6	You spend a half an hour
7	COUNCILWOMAN JOHNSON: I think this
8	has been asked and answered. Supervisor
9	
10	MR. GERO: Let me say something.
11	It's not costing the Town a penny. Okay,
12	so what is the reluctance.
13	COUNCILWOMAN JOHNSON: No, no. This
14	has been asked and answered.
15	SUPERVISOR SALADINO: It's not a
16	reluctance. It's the fact that New York
17	State set up the rules by which the SEQRA
18	review takes place, and the applicant is
19	following the law. It's not that we don't
20	want the full environmental review.
21	TOWN ATTORNEY: Let me add this, and
22	you can speak with Julia Schneider, she's
23	an expert. I've worked with her for many
24	years. They'll take into and the
25	supervisor at the beginning of this
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1	
2	MR. GERO: I'm sure she's very
3	legitimate.
4	TOWN ATTORNEY: The Supervisor
5	talked about let me say
6	MR. GERO: We want double safety
7	here. This is a water supply. I don't
8	want to go by a private agency working
9	for the developer.
10	SUPERVISOR SALADINO: Will you have
11	the resident take a seat, please.
12	COUNCILWOMAN JOHNSON: I have asked
13	him to take a seat.
14	TOWN ATTORNEY: The SEQRA process
15	SUPERVISOR SALADINO: Mr. Gero,
16	would you mind taking your seat while the
17	attorney speaks?
18	COUNCILMAN IMBROTO: We certainly
19	understand your point at this point.
20	TOWN ATTORNEY: Just for more
21	clarification. So I think and it's not
22	uncommon that the SEQRA process,
23	Environmental conservation laws, and the
24	and the word environmental impact
25	sometimes gets confused. It gets
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 62
1	
2	confusing or confused with regular
3	everyday speech. In a SEQRA process
4	and correct me if I am wrong.
5	(Whereupon, addressing Julia
6	Schneider.)
7	TOWN ATTORNEY: We look at noise,
8	topography, vegetation, traffic. Okay,
9	let's say we look at that. Or in this
10	particular case, hypothetically, we look
11	at that and that's all fine. Let's say
12	that's all fine. That is different than
13	if there's something in the ground that
14	is a contaminant. Anybody who owns
15	property that has a contaminant in the
16	ground has a legal duty under all kinds
17	of environmental conservation laws, both
18	federal and state, to address it.
19	SUPERVISOR SALADINO: Address it
20	means to fully clean it up.
21	TOWN ATTORNEY: Well.
22	SUPERVISOR SALADINO: I want to be
23	very clear on these terms.
24	TOWN ATTORNEY: Yes. You have to
25	address it, which leads to a remediation
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 63
1	
2	plan. Those remediation plans would
3	always come from two different entities.
4	It's either the United States
5	Environmental Protection Agency or the
6	New York State DEC. In the particular
7	case with underground tanks, propane oil,
8	whether they be residential, commercial,
9	when you dig down into your property and
10	you own it and you hit something, whether
11	you put it there or you didn't put it
12	there, you find it, there is a protocol.
13	Correct?
14	(Whereupon, addressing Julia
15	Schneider.)
16	TOWN ATTORNEY: And that protocol is
17	you have to contact the New York State
18	DEC, and you have to contact the Nassau
19	County Department of Health.
20	SUPERVISOR SALADINO: By protocol,
21	do you mean legal mandates?
22	TOWN ATTORNEY: Legal mandated
23	protocols to address it. Because
24	sometimes you'll dig down and see a tank
25	hit a tank, go under it, nothing's
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ī	TOBAY TOWN BOARD ACTION CALENDAR 12.10.202464
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2	spilled. You pulled the tank out. You're
3	done.
4	SUPERVISOR SALADINO: With civil and
5	criminal penalties for an entity that
6	doesn't follow the rules?
7	TOWN ATTORNEY: Well, civil,
8	certainly; criminal, I don't do criminal
9	law, but I guess if you did it
10	intentionally, you knew you were digging
11	something down there that was hazardous.
12	But again, sometimes these tanks have
13	been here many years. It depends. Yes,
14	you could have criminal, but in this case
15	we're in a civil forum. Yes, there could
16	be civil penalties.
17	But bottom line is anybody that owns
18	property, whether it be a government, an
19	individual or corporation, you dig down,
20	you find something, you have to address
21	it, remediate it. Under the laws of New
22	York State and Nassau County Department
23	of Health, those are the two entities
24	dealing with this, and you got to do it.
25	You got to deal with it. It may cost you

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.202465
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2	money. And you have to hire experts
3	because Nassau County
4	SUPERVISOR SALADINO: And they have
5	to be certified by the State.
6	TOWN ATTORNEY: Of course. Licensed
7	by New York state, typically engineers,
8	civil engineers, environmental engineers.
9	SUPERVISOR SALADINO: And if they
10	cheat, they could risk losing their
11	license.
12	TOWN ATTORNEY: Well, they could
13	risk losing their license and perhaps
14	have more penalty than a civil penalty.
15	But the New York State DEC and the Nassau
16	County Department of Health do not have
17	folks that work that go into the ground
18	testing. You hire. Because it's the
19	expense of the landowner that has to show
20	the government entity, "my land's okay".
21	Now, based upon the documents that I
22	found in this file, there is a DEC
23	Department of Health of Nassau sign off
24	on the former tank. When this applicant,
25	if they're granted this application, if
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 66
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2	they have to do any digging into the
3	ground and they find something that they
4	didn't know of or was missed before, once
5	again, they have to. Not just by
6	assurances to you, Supervisor, because
7	it's the law. So they're making
8	assurances, which I appreciate. But under
9	the New York state law and Nassau County
10	law, they have to do it.
11	So getting back to my original
12	statement, let's say traffic and noise;
13	forget that. Whether it's good or bad
14	SUPERVISOR SALADINO: Put it aside.
15	TOWN ATTORNEY: Right. Put it aside.
16	I'm saying for the purpose of my analogy.
17	Hypothetically.
18	SUPERVISOR SALADINO: We're speaking
19	to the environmental component.
20	TOWN ATTORNEY: Put that aside.
21	That's also part of SEQRA noise,
22	traffic, vegetation, topography; that's
23	all SEQRA. And then there's what they
24	call environmental hazard. Environmental
25	impact: Traffic, noise, odor.
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.202467
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2	Environmental hazard is hazards that go
3	into the ground that could jeopardize
4	SUPERVISOR SALADINO: Chemicals or
5	contaminations.
6	TOWN ATTORNEY: Correct. And that is
7	always handled by the New York State DEC
8	and the Nassau County Department of
9	Health.
10	And then my experience as a lawyer,
11	and you can ask Julia Schneider, that's a
12	tough process. They don't just rubber
13	stamp things. They need clean soil or
14	water underneath.
15	SUPERVISOR SALADINO: Let me ask you
16	this question.
17	TOWN ATTORNEY: I hope that explains
18	more about and the different aspects of
19	SEQRA.
20	SUPERVISOR SALADINO: Our residents,
21	rightly so, are concerned.
22	TOWN ATTORNEY: Yes.
23	SUPERVISOR SALADINO: You turn on
24	the television and you see stories about
25	governments doing all kinds of crazy
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	things. Does the Town of Oyster Bay have
3	any motivation here to cut corners
4	environmentally in any way, shape, or
5	form?
6	TOWN ATTORNEY: Why would we? No.
7	We don't have any motivation.
8	SUPERVISOR SALADINO: The answer is
9	what?
10	TOWN ATTORNEY: No, we don't have
11	any motivation to cut
12	SUPERVISOR SALADINO: You have
13	watched this process. Have you witnessed
14	anywhere throughout the process with the
15	Town of Oyster Bay has cut corners?
16	TOWN ATTORNEY: No. And the Town of
17	Oyster Bay received through the Legal
18	Office, the Building Department, the
19	Environmental Resources, all the
20	documents that pursuant to law they have
21	to do.
22	SUPERVISOR SALADINO: The resident
23	was concerned because the square footage
24	of the building which I don't know how
25	a brand new building pollutes the ground
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 69 —
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2	or groundwater that the building
3	square footage somehow that the Town is
4	not doing its due diligence. Are we bound
5	by law to follow the New York state law
6	that basis the SEQRA upon the square
7	footage of the building?
8	TOWN ATTORNEY: Well, I can tell you
9	that yes, we are bound. And if we go to
10	every property owner and say to them, we
11	don't care what the New York State
12	Environmental Conservation Law says, you
13	have to do this, we're inviting lawsuits.
14	Because we're violating rights of
15	property owners.
16	SUPERVISOR SALADINO: So let's get
17	to the crux of this. If the Town of
18	Oyster Bay told the applicant, we don't
19	care what the law says, you got to do the
20	SEQRA review, and they sued, who would
21	win that lawsuit?
22	TOWN ATTORNEY: Based upon the black
23	letter law, they would win.
24	SUPERVISOR SALADINO: So can we
25	assure the residents that in this type of
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of completion, and that allows us many	
different points at which we can confirm	
that they've done everything the law	
mandates?	

TOWN ATTORNEY: I can give this assurance from the Town Attorney's Office, not just me personally, the Town Attorney and Commissioner Delligatti from the Building Department, that if there is some sort of hazard that's required to be looked at by the DEC and the Department of Health, we're not going to allow a building permit or a code to be given in if you grant the application, because we are, likewise, concerned if there's an issue of an environmental hazard, just like the neighbors are. We would wait. But again, I think the mix up here is -and I understand. And again, I said it earlier, I don't support or oppose this application. I understand the mix up because the reflexively you come to this board, as opposed to going up to Albany and saying, I don't like the

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 72
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2	environmental conservation laws, but
3	we're following the law just like the
4	applicant has to follow.
5	(Whereupon, Mr. Gero
6	interrupts.)
7	SUPERVISOR SALADINO: Mr. Gero, you
8	assured us that you have been a
9	developer. I'm assuming for years.
10	MR. GERO: Yes.
11	SUPERVISOR SALADINO: And you've as
12	a developer, you've dealt with the DEC
13	and the Nassau County Department of
14	Health.
15	MR. GERO: Not Long Island. New
16	Jersey.
17	SUPERVISOR SALADINO: Have they ever
18	allowed you to cut corners on any
19	applicant in any development you have
20	ever done?
21	MR. GERO: All I'm asking is, it's
22	on our water supply. Have our State do
23	its job and assure us that a private
24	people have been compromised. And then
25	the State will also be on record having
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1	
2	approved this, they'll monitor the site
3	will all be a lot safer.
4	SUPERVISOR SALADINO: We are. We
5	are, sir.
6	Sir, you keep changing the dialogue.
7	We've told you, we've assured the
8	State is on record we've assured you
9	that the applicant has done and continues
10	to do all of the
11	MR. GERO: He's a private developer.
12	COUNCILWOMAN JOHNSON: Mr. Gero, at
13	this time.
14	(Whereupon, crosstalk.)
15	COUNCILWOMAN JOHNSON: That's it. If
16	you'd like to continue this conversation,
17	go outside and speak to Mr. Scalera.
18	(Whereupon, Mr. Gero
19	continues to disrupt.)
20	COUNCILWOMAN JOHNSON: This is
21	completely improper and against the Rules
22	of Decorum. I'm going to ask that you
23	sit down. If you'd like to continue the
24	conversation with our town attorney,
25	kindly step outside to do so. Thank you.
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 74 74
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2	I'd like to call Commissioner
3	Delligatti. Perhaps you could shed some
4	light on this subject for us,
5	Commissioner.
6	COMMISSIONER DELLIGATTI: Yes. Good
7	morning, everyone. Congratulations,
8	Councilwoman.
9	COUNCILWOMAN JOHNSON: Thank you.
10	COMMISSIONER DELLIGATTI: Having
11	sat where you are sitting right now,
12	where you were sitting a few minutes ago.
13	You're following the same path I took,
14	and all I can tell you is, I hope it is
15	as satisfying for you as it was for me,
16	being here and where you're going and
17	where I went from here. And so I wish you
18	the best.
19	COMMISSIONER DELLIGATTI: Thank you.
20	I always appreciate all your guidance.
21	Hopefully you can guide us through this
22	little issue right now. Thank you.
23	COMMISSIONER DELLIGATTI: The only
24	comment I would have is you've been going
25	back and forth on whether it's a Type 1
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2	or a Type 2, and I think Julia certainly
3	can speak to that. But SEQRA is a New
4	York state law. This New York state law
5	gives you the parameters. It says 4000ft
6	or more is a Type 1; below 4000ft is a
7	Type 2.
8	SUPERVISOR SALADINO: Excuse me,
9	sir. I apologize for interrupting, but
10	for the clarity of the public, that
11	refers to the square footage
12	COMMISSIONER DELLIGATTI: Of the
13	building. Yes.
14	SUPERVISOR SALADINO: Does the
15	building pollute, do the toilets flush
16	right into the aquifer? Does the building
17	have anything to do, or is it the soil,
18	the tanks and the
19	COMMISSIONER DELLIGATTI: As you
20	said earlier, SEQRA has many different
21	parameters. One of the things is
22	obviously the larger the building, the
23	more possibility of environmental impacts
24	down the road. The State Legislature,
25	which you were part of, maybe not at the
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2	time, but obviously you served there,
3	when they passed SEQRA, they set the
4	limit at 4000 ft ² to be the difference
5	between a Type 1 and a Type 2. And this
6	one is very close. And I get it. And I'm
7	going to speak to the applicant because I
8	don't want them to build a building at
9	4005ft because somebody made a mistake.
10	So maybe they should cut it back down to
11	maybe 3950 and then we won't have that
12	issue. But that's for another day.
13	The gentleman who was just up here
14	is saying to you, well, why not just do a
15	Type 1? You can't. You know you legally
16	don't have that right. The argument to
17	change that is with the State
18	Legislature. The State Legislature could
19	make it 3000ft. They could make it
20	2000ft. They could also make it 8000ft,
21	if that's their wish. Right now the
22	statute says 4000 or more is a Type 1,
23	below 4000 is a Type 2.
24	SUPERVISOR SALADINO: Commissioner,
25	you were the former town supervisor, town

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 77
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2	councilman, a judge, a judge in the New
3	York State Supreme Court, I see you as
4	somebody very qualified to answer this
5	question. Those laws were created by a
6	vote of the New York State Assembly, the
7	New York State Senate, and the signature
8	on that document by the governor of the
9	state of New York.
10	COMMISSIONER DELLIGATTI: That is
11	correct.
12	SUPERVISOR SALADINO: Are we
13	empowered in any way by any law, federal,
14	state, local town ordinances to mandate
15	the Type 2 SEQRA review that the
16	residents is asking for?
17	COMMISSIONER DELLIGATTI: My answer
18	to that question would be no. And if you
19	were to attempt to do that, I'm sure Ms.
20	Simoncic would have you in Supreme Court
21	in 24 to 48 hours and you would be told
22	that you don't have that authority.
23	SUPERVISOR SALADINO: Meaning we
24	would immediately lose that lawsuit.
25	COMMISSIONER DELLIGATTI: Yes.
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Ī	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 78
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2	SUPERVISOR SALADINO: Thank you,
3	sir.
4	COMMISSIONER DELLIGATTI: Any other
5	questions?
6	COUNCILWOMAN JOHNSON: Thank you,
7	Commissioner.
8	(Whereupon, Mr. Gero
9	interrupts again.)
10	COUNCILWOMAN JOHNSON: We're not
11	going to have a back and forth. If you
12	read our Rules of Decorum, you're allowed
13	five minutes. You already reached that
14	point.
15	So at this point, I'm going to ask
16	if there's anyone else who has not spoken
17	on this issue, anyone else was not spoken
18	on this issue would like to comment on
19	this specific resolution.
20	We have someone that would like to
21	speak.
22	MS. FRESSLE: Paula Fressle, East
23	Norwich.
24	I'm not really familiar with SEQRA,
25	but I just want you to understand that
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 79
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2	the people of East Norwich think it just
3	seems a little shady that they would have
4	to go through the whole SEQRA and not
5	just environmental, everything, if it was
6	4000ft ² . They're doing it for a purpose.
7	They want to avoid doing the full SEQRA
8	for a purpose either.
9	SUPERVISOR SALADINO: We don't
10	know. We can ask the attorney.
11	MS. FRESSLE: Either for saving
12	money or timeline. Sorry, I get emotional
13	when I speak. So that's why it seems it
14	seems shady that they would drop it.
15	They're avoiding it for a reason. What's
16	the reason?
17	SUPERVISOR SALADINO: So are you
18	concerned that they are trying to hide
19	some nefarious environmental situation?
20	MS. FRESSLE: Not just
21	environmental. It's a whole range.
22	SUPERVISOR SALADINO: I understand
23	that, but Let's just take it one at a
24	time. Because the previous speaker did
25	make statements that I believe are not
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 80
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2	true in my opinion, are absolutely not
3	true and take away from the factual
4	informing of the public.
5	So do you believe, or anyone you've
6	spoken to, believe that the fact this is
7	not a Type 1 review, do you believe that
8	that is done in some way to hide some
9	nefarious environmental hazard?
10	MS. FRESSLE: No, I can't say that.
11	SUPERVISOR SALADINO: Do you think
12	most of the public believes that the
13	process has been thorough on the
14	environment? Do you feel confident that
15	the Town is creating a safe environment?
16	MS. FRESSLE: I do. I do think that
17	the DEC wouldn't have given them a
18	closure letter unless those things were
19	true. I do believe that. But I also
20	believe that it's a whole range of things
21	that they have to go through. And the
22	developer intentionally dropped the
23	square footage so they didn't have to go
24	through that process. Why?
25	SUPERVISOR SALADINO: If they went
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through the process, the full Type 1, let's say they were asking for 4001ft². And if the developer went through the process that the law calls for for that much square feet, and that the SEQRA review found no additional problems to where we are right now, would you be in favor of approving this application and letting them build this convenience store and gas station. MS. FRESSLE: If certain things that they've said in the past where they

they've said in the past where they actually had told mistruths -- we were told that another meeting that 7-Eleven would not/does not have anything less than 24 hours. That was right from the developer. It was a lie. It was a lie. They obviously do.

SUPERVISOR SALADINO: But we are where we are now.

MS. FRESSLE: So I'm saying, yes. If they went through the whole range of what the State set up for a 4000 square foot property, I would be in favor of it now

TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 -----

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that it's only till 10:30, now that 2 3 they've changed the pattern of the traffic, all of these things, they have 4 5 done some of the things that are 6 required. But we don't know what's going 7 to happen with the noise review. The traffic review that's done at a state 8 9 level. We don't know because they're 10 avoiding it. And it's not just 11 environmental. 12 SUPERVISOR SALADINO: Okay. We 13 understand that. Let me ask you this 14 question. We've explained to you that 15 there has been a gas station there, and 16 there has been a food establishment 17 there, and that sets precedence. So my 18 question to you is, do you understand the 19 component of this? If we deny it and they 20 go to court, it's called an Article 78, 21 which means they appeal our decision, 22 that all of the compromises could be lost 23 and it sits entirely in a judge's hands, 24 which means the community doesn't get a 25 say and the Town of Oyster Bay no longer

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	gets to say, do you understand that
3	aspect to this?
4	MS. FRESSLE: You're saying, if
5	you
6	SUPERVISOR SALADINO: Denied the
7	application
8	MS. FRESSLE: No, no.
9	But do you as a board have the power
10	I thought someone said this before
11	to say that they have to go through the
12	whole SEQRA.
13	SUPERVISOR SALADINO: You just
14	heard.
15	MS. FRESSLE: I heard. But I don't
16	know what's true and what's not.
17	SUPERVISOR SALADINO: So Mr.
18	Delligatti is the Commissioner of the
19	Building Department. He is an attorney.
20	He was last a Supreme Court justice. He
21	was a district court judge. He was a town
22	councilman and the town supervisor. In my
23	opinion I hope I don't offend
24	anyone I believe he's the most
25	qualified person in this entire town to
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	answer that question. He made it very
3	clear that the Town of Oyster Bay does
4	not have the right to demand that level
5	one SEQRA review.
6	He also made it clear that we can
7	rest assured that the level of
8	environmental testing is equal to or
9	above what the applicant would have to do
10	if it was the higher level SEQRA
11	requirements. That was confirmed by our
12	environmental expert on staff with many
13	years of experience and licenses; and
14	that was also confirmed by the Town
15	Attorney, the head attorney in the Town
16	of Oyster Bay.
17	MS. FRESSLE: I understand the
18	environmental part. I'm satisfied if
19	they've done the testing, if
20	SUPERVISOR SALADINO: Do you
21	believe that the residents who have
22	spoken are we want to make sure we're
23	listening do you believe that the
24	residents who are here and the residents
25	you have spoken with, understand the

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environmental protection steps that have taken place?

MS. FRESSLE: This is one question I I think we don't understand. It was a much smaller gas station. And with a FOIL request or otherwise, can we get the results of that testing? Because you're talking about a smaller station. We'd like to see. Oh, maybe the State says, oh, it can be, you know, 100% of this, but they were only at 99.999% with a much smaller gas station.

SUPERVISOR SALADINO: So the answer to your question is the name Richard LaMarca. Richard LaMarca is the town clerk. His office is right here in the first floor, easy access. And that's the place to apply to get to see the documents. All of the documents that are in the file and are subject to this FOIL, Freedom of Information Law. And we will happily -- because we don't take sides here. We do, we side with the residents in terms of our representation of them

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2	and in terms of our following the law. So
3	the answer is, yes. All of the documents
4	that have been submitted, which are
5	mandated by the DEC and the and the
6	Nassau County Health Department are on
7	file and by contacting the office of
8	Richard LaMarca, you can see all of the
9	documents that we have.
10	This is important to us, and I'm
11	glad you asked that question, because I
12	want to make it thoroughly clear the Town
13	has nothing to hide.
14	MS. FRESSLE: No, no, no.
15	It's not you know, it's not that we
16	haven't seen corruption in a town level.
17	We all have seen it. We have all seen it.
18	We're all very and I'm not saying any
19	of you, but we need to protect ourselves.
20	No one's protecting us. That's our job.
21	COUNCILWOMAN JOHNSON: We beg to
22	differ.
23	SUPERVISOR SALADINO: We're
24	protecting you. The State DEC is
25	protecting you.
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2	MS. FRESSLE: We'd like to believe
3	that the Town is protecting us. Even in
4	Oyster Bay, the Building Departments, all
5	the scandal, whatever, it happens, we
6	have to stand up for ourselves. And
7	that's what we're doing. And with all due
8	respect, I'm not an attorney. I'm a
9	paralegal for 35 years. I've seen what
10	developers do. I've seen how they wiggle
11	the law a little bit for their own
12	benefit, not for the benefit of the
13	citizens. They're avoiding it for a
14	reason, not because, oh, wait. This
15	building only needs to be 3000
16	SUPERVISOR SALADINO: Have you had a
17	conversation with the developer or the
18	property owners or the attorney for them?
19	MS. FRESSLE: No. I've come to all
20	the meetings. And they have actually
21	told mistruths. So that's why we need to
22	stand up for ourselves.
23	SUPERVISOR SALADINO: Let's look at
24	a different example that I think proves
25	the point. After the hurricane, people
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2	built their houses higher. The state law
3	said, oh, you're going to go to third
4	story. Now you've got to install a very
5	expensive, fire suppression sprinkler
6	system. Commercial grade in a home
7	\$20,000 - \$30,000. That gives an
8	assurance, but it doesn't necessarily
9	mean it's something that is right to ask
10	a resident to do. We're going to follow
11	the law. If there's any way to bend or
12	lean, we lean toward the residents.
13	MS. FRESSLE: I hope so.
14	SUPERVISOR SALADINO: But you've
15	heard the assurances from our Town
16	Attorney, from Commissioner and former
17	Supreme Court Justice Delligatti, our
18	environmental expert. We're taking all
19	this time and I thank you very much,
20	Supervisor Pro Tem, on your last meeting
21	day because we care deeply about the
22	residents and we will follow the law.
23	We're not thrilled if someone steps up
24	and makes assertions of some of the
25	assertions that were made earlier. Really

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1	
2	not fair. But we get it. People are
3	concerned.
4	The important thing that really we
5	want to know is if we get the compromises
6	that were asked at the hearing
7	remember, this is not the hearing -
8	MS. FRESSLE: Right. Right.
9	SUPERVISOR SALADINO: But it's being
10	conducted more thoroughly because we care
11	about our residents.
12	MS. FRESSLE: But we also felt like
13	our voices really weren't heard.
14	SUPERVISOR SALADINO: How's that
15	possible?
16	MS. FRESSLE: Because this came on
17	the agenda when? Friday?
18	SUPERVISOR SALADINO: I think this
19	has been working toward this point for
20	months.
21	MS. FRESSLE: But when did it get on
22	the agenda for today's meeting?
23	SUPERVISOR SALADINO: I'd have to
24	ask and get the exact date.
25	MS. FRESSLE: Those are the kind of
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1	
2	things that give your citizens why we
3	get nervous or we feel
4	COUNCILMAN IMBROTO: I assure you
5	there are people on this board that are
6	advocating for you, and you, and all of
7	you.
8	MS. FRESSLE: But when things happen
9	in a way like that, where it's like, oh,
10	everybody's got to hustle now because
11	it's going to be on Monday.
12	COUNCILWOMAN JOHNSON: When the
13	hearing was closed, the public rolls were
14	kept open for comment throughout that
15	entire period to a certain time. So you
16	knew that you had the time to comment, to
17	call us. It's not to say that we just
18	closed the book. We've been here the
19	whole time, so I don't want you to think
20	that we just threw it on without having
21	that wait period.
22	SUPERVISOR SALADINO: And that file
23	is here and permanently open for your
24	review.
25	MS. FRESSLE: I know, but when did
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1	
2	it come to be that it was going to be
3	today?
4	SUPERVISOR SALADINO: I have to ask.
5	It's a process that takes place with many
6	different levels to ensure
7	MS. FRESSLE: But that's what makes
8	people distrust government.
9	SUPERVISOR SALADINO: Why would that
10	change from the hearing?
11	MS. FRESSLE: Because then nobody
12	would be able to be here. There wasn't
13	any time for us to get
14	SUPERVISOR SALADINO: But that
15	happens during the hearing.
16	COUNCILWOMAN JOHNSON: Right.
17	SUPERVISOR SALADINO: The hearing is
18	done.
19	MS. FRESSLE: Right. The hearing is
20	done.
21	COUNCILWOMAN JOHNSON: That is the
22	comment time. We are allowing all these
23	comments right now, everyone's far in
24	excess of their five minute allotment at
25	this time.
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1	
2	MS. FRESSLE: Right. But I'm just
3	saying that's why people
4	COUNCILWOMAN JOHNSON: We hear you.
5	Ms. FRESSLE: Okay.
6	COUNCILWOMAN JOHNSON: But the
7	hearing is over.
8	SUPERVISOR SALADINO: Do you realize
9	that the asks made at the hearing, the
10	vast majority of them, the applicant met?
11	MS. FRESSLE: No.
12	SUPERVISOR SALADINO: The hours of
13	operation, the environmental
14	MS. FRESSLE: I'm happy with the
15	hours of operation. I would like to see a
16	diagram of the cut through with the
17	traffic, because unless I see it in black
18	and white, I can't really understand that
19	they're not going to be able
20	SUPERVISOR SALADINO: Frank, do you
21	have a drawing? Can you show the
22	resident?
23	MS. FRESSLE: If they're not going
24	to be able to come through the median, to
25	come into our small area where there's
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1	
2	already traffic and school buses and
3	children waiting on bus stops with cut
4	through traffic, that would make me feel
5	a lot better. But we need to see it.
6	SUPERVISOR SALADINO: So Frank
7	Scalera is the town attorney. He's
8	getting the plan right now that we had
9	out, I think it was on the screens and
10	available throughout the hearing and
11	after the hearing.
12	MS. FRESSLE: That would make me
13	feel a lot better.
14	SUPERVISOR SALADINO: We want to
15	show that to you and we are going to show
16	you right now.
17	MS. FRESSLE: Right. And it's a
18	business area. We can't tell someone that
19	buys property that's set up for
20	businesses that they can't have a
21	business there. You buy a house two
22	blocks off a main thoroughfare and it's
23	and it's zoned for business, there are
24	going to be businesses there, I get it. I
25	didn't agree with the 24 hour. I don't
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2	like the cut through traffic. I don't
3	like that there's going to be 16 tanks.
4	That is something that we discussed at a
5	meeting that wasn't asked, to reduce the
6	amount of tanks.
7	SUPERVISOR SALADINO: That was asked
8	of the company. Just so you know, it was
9	asked of the public and then the public's
10	asks were again reiterated and
11	MS. FRESSLE: And they said no, I
12	guess.
13	SUPERVISOR SALADINO: And they said,
14	no at this juncture.
15	MS. FRESSLE: Right. But I think
16	that was one of our asks as a community.
17	SUPERVISOR SALADINO: But again, we
18	explained if we deny it based on that,
19	they sue, they go to court
20	MS. FRESSLE: No, I get it.
21	SUPERVISOR SALADINO: There's been a
22	gas station there, and there's been a
23	food place there setting a precedent. It
24	goes into a judge's hands. Do you want to
25	put all of your eggs in one basket, give
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2	that to a judge? Or would you rather have
3	a situation where your elected
4	representatives have negotiated. They've
5	heard you, they've heard the public at
6	the hearing, and the compromises were
7	created, which is the smarter way, a path
8	to take.
9	MS. FRESSLE: I don't know if a
10	judge would take into consideration more
11	-the one other thing was the traffic
12	study that was done during Covid.
13	SUPERVISOR SALADINO: I think the
14	judge is going take into consideration
15	the law and the constitutional
16	MS. FRESSLE: Right. I don't know,
17	the law on this kind of stuff. But if you
18	use a traffic study during Covid as a
19	traffic study for this, that doesn't seem
20	reasonable. Is it lawful? I don't know.
21	I'm not
22	SUPERVISOR SALADINO: So in a
23	lawsuit, people can bring all kinds of
24	information and data and we can have
25	any of this confirmed with our town
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2	attorney people can bring all kinds of
3	things, and we don't know what would give
4	heavy weight in the judge's decision. We
5	do know the law would give heavy weight
6	and the judge's decision. We do know the
7	constitutional rights would play a role,
8	and we do know the precedent of what was
9	there before play a role. Those things, I
10	believe an attorney would confirm would
11	weigh heavily in a judge's mind.
12	MS. FRESSLE: Right. Okay. I mean,
13	I think the concessions that they have
14	made but I'd like to see the cut
15	through.
16	SUPERVISOR SALADINO: Frank is
17	getting that plan right there.
18	MS. FRESSLE: Thank you. Thank you
19	for your time.
20	SUPERVISOR SALADINO: If there is
21	anyone else that would like to see it,
22	please know that we will happily show it
23	to everyone.
24	COUNCILWOMAN JOHNSON: Is there any
25	other speakers on this resolution?
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1 2 Yes. Please state your name and address. 3 address. 4 MS. BIRCH: Ann Birch 6252 Northern Boulevard, East Norwich. 6 I apologize in advance. I didn't come prepared with all the paperwork I did for the original hearing. And I've heard everything that was said here, but I thought there was a provision in the town code that did allow for this board to override the decision that had been made that determined that it was a Type 2. And there was something that was written that a that said that, the Honorable Andrew Delligatti deferred to the Town Board to decide whether or not	
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15 written that a that said that, the 16 Honorable Andrew Delligatti deferred to	
16 Honorable Andrew Delligatti deferred to	
17 the Merry Deard to deal de whether or not	
the fown board to decide whether of not	
18 it would be transferred over.	
19 SUPERVISOR SALADINO: We're going to	
20 get that confirmed.	
21 MS. BIRCH: I may be completely	
22 confused.	
23 SUPERVISOR SALADINO: After you're	
24 done, we'll bring the experts back up,	
25 with your permission, to make sure that	
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there is no part of this that's subject
to conjecture. We want to make sure that
everybody is comfortable with the law and
the facts, because, quite frankly, that's
what we have to decide on is the law. And
in every way possible, ensure that we've
taken every step to forge forward and get
the compromises that the residents want.
MS. BIRCH: And I appreciate that.
I'm not suggesting that you do anything
that is not within your jurisdiction to
elicit a lawsuit. That's certainly not
what I'm going to suggest.
Changing the direction just
slightly, the environmentals that they
are saying that they did when they pulled
the tanks out. My husband and I lived
directly across the street from there,
and my husband did submit to the Board an
email with photographs of the tanks being
pulled out as they were happening. And
there's a gigantic hole in one of the
tanks, which would suggest that it was
leaking for a significant amount of time

2	given the size of the hole. But the day
3	after they pulled those tanks out, it was
4	pouring out. The date was actually August
5	7th that it rained. They pulled them out
6	on the sixth. They took the tanks out.
7	They left everything as it was because
8	the day ended and they spent the whole
9	day removing the tanks. They left the
10	tanks and all the equipment there. They
11	left the holes open without filling them
12	yet. And I don't know anything about the
13	process of this, but the next day it was
14	pouring all day and the holes were open
15	and they were allowed to fill with water.
16	That just doesn't seem proper.
17	SUPERVISOR SALADINO: We have a
18	phenomenal environmental expert who you
19	heard from earlier. I'd be happy, with
20	the permission of Michele Johnson, to
21	bring her back and give her professional
22	opinion on that point. What I believe
23	you're asking, could there be a situation
24	where it would rain and wash away all the
25	contaminants so the testing would find a

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2	safe, clean soil and no contaminants
3	because they've been washed away? We
4	understand your question. She's right
5	here now. If you have anything else to
6	say or ask, please do.
7	MS. BIRCH: Well, I just want to
8	make it clear that I am not in any way
9	suggesting that this board before me and
10	before all of us is doing anything other
11	than what is in our best interest. Please
12	know that I have full faith in all of
13	you.
14	What I am suggesting is that the
15	people that the developer has hired is
16	doing what's in his best interest, and
17	you have no choice. And other people here
18	in this building have no choice than to
19	rely on their reputations.
20	SUPERVISOR SALADINO: It's more than
21	that because certified licensed
22	environmental companies come in and do
23	the testing risk, losing their license
24	and a way to make a living if they
25	falsify information. That documentation
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	10BAY IOWN BOARD ACTION CALENDAR 12,10,2024 — 101 —
1	
2	now has to, mandated, it must be received
3	before we leave and lets an application
4	get to this point. That can be confirmed
5	by our environmental expert. We're happy
6	to bring, with your permission, our town
7	attorney back up to give you the
8	assurance that there are many steps the
9	New York State DEC has done the same
10	process on this application as they would
11	for the full SEQRA review, and that's
12	been confirmed.
13	MS. BIRCH: Yes, I heard that.
14	SUPERVISOR SALADINO: So
15	environmentally, there's no shortcuts
16	being taken. So you have the assurance
17	and protection of the State DEC, the
18	Nassau County Health Department, the
19	certified environmental groups who are
20	hired, and they're always hired by the
21	applicant, not the DEC that was suggested
22	earlier. That's not accurate. And then
23	when that's all done, all those documents
24	come to the Town of Oyster Bay and our
25	Department of Environmental Resources and

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the experts review those documents to
make sure they're legit, legitimate, make
sure that they state exactly what assures
the protections. And then when they're
done, the Town Attorney's Office goes
through that review of the documents.
So to allay your concerns and you
have every right to be concerned, just as
we are with every application but all
these different steps, all these
different filters and all these different
levels of government have reviewed this.
Otherwise, it doesn't get to this point.
And review them no differently, as if a
full SEQRA declaration that is reviewed
in terms of the environmental components.
MS. BIRCH: Yes, Supervisor, I heard
that said multiple times and point taken.

that said multiple times and point taken. Thank you. Point taken and I will not --

SUPERVISOR SALADINO: We don't fool around when it comes to the resident's health.

MS. BIRCH: Continue down that line. Lastly, I would like to point out

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2	something that from the beginning of our
3	knowledge of this application being,
4	submitted to Town hall, many of us have
5	been FOILing (sic) documents left and
6	right. The majority of the things that we
7	were provided were simply renderings of
8	what had been submitted to the Town.
9	Meaning just pictures and not actual
10	documents.
11	When I personally FOILing (sic) like
12	a madwoman and I FOILed the environmental
13	studies prior to August and that went
14	completely unanswered from every
15	department that I attempted to get the
16	information from.
17	COUNCILWOMAN JOHNSON: With these
18	FOILs, did you follow up?
19	MS. BIRCH: Yes. Yes I did.
20	COUNCILWOMAN JOHNSON: Did you reach
21	out to Mr. Scalera?
22	MS. BIRCH: No. That I did not do.
23	COUNCILWOMAN JOHNSON: Ms. Simoncic,
24	do you have any of these documents that
25	you can provide?
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2	MS. SIMONCIC: I can provide her
3	with copies of the plans. Whatever you
4	are looking for, I can provide more
5	specific
6	SUPERVISOR SALADINO: I think
7	they're specifically asking for the
8	documents of the environmental testing
9	that has already taken place on this
10	site, and that certified licensed private
11	companies have submitted to give
12	assurances of the environmental status of
13	the soils, the areas surrounding tanks.
14	By the way, from my experience, it's not
15	unusual that steel tanks come out of the
16	ground decades later and have permeation
17	in them. That's unfortunately, all too
18	commonplace on Long Island and throughout
19	the state.
20	MS. BIRCH: Even more reason to do
21	the proper testing.
22	SUPERVISOR SALADINO: But that's
23	been done.
24	MS. SIMONCIC: It's been done.
25	SUPERVISOR SALADINO: We've said
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1 2 many times. 3 MS. BIRCH: Fine. I would like to see it. That's my only point. 4 SUPERVISOR SALADINO: Yes. 5 And 6 that's why we brought up the attorney. 7 COUNCILWOMAN JOHNSON: Ms. Simoncic, 8 can you meet afterwards and figure out a 9 way to get that to her? 10 SUPERVISOR SALADINO: And please 11 share them with all of the other 12 residents that are here. It's only fair 13 that they see all the documents to have 14 the assurances that the testing has taken 15 place by private, licensed engineering 16 and environmental companies. They need to 17 see those documents, and we are asking to 18 make sure that any resident who would 19 like to see them gets an opportunity to 20 put their hands on the document and read 21 them. 22 MS. SIMONCIC: I'm happy to provide 23 that to them. 24 COUNCILWOMAN JOHNSON: Thank you. 25 MS. Schneider? TOP KEY COURT REPORTING, INC. (516) 414-3516

1 2 and beyond? 3 MS. SCHNEIDER: We did go above and beyond. I just don't want to be 4 5 obnoxious. We've tried to be as communicative 6 7 as possible with the residents to answer these questions and anything else we can 8 9 do we'd be happy to. 10 The testing has been performed and 11 according to the letter of the law, and 12 also under the jurisdiction of the 13 appropriate agency. We do not have the 14 authority to review those documents, the 15 remediation documents. 16 SUPERVISOR SALADINO: One other 17 question that came up that a resident was 18 under the impression that if this is a 19 Type 1 SEQRA review as mandated by law, 20 that we could break that law and move on 21 and demand a Type 2 SEQRA; is that true? 22 Does the Town of Oyster Bay have the 23 power to mandate that an application 24 review goes beyond what the New York 25 state law calls for?

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2	MS. SCHNEIDER: We do not. I
3	completely agree with Commissioner
4	Delligatti on his interpretation of that.
5	We simply just do not have that authority
6	to. The letter of the law is perfectly
7	clear. We followed it as we follow it for
8	all applications and we're bound by the
9	limits of the law.
10	SUPERVISOR SALADINO: Thank you for
11	being so thorough. Please understand our
12	residents concerns safety and health
13	comes first and if it takes all day to
14	repeat questions and answers 100 times,
15	we are going to do what assures our
16	residents and what provides the facts in
17	this application and every application
18	before the Board. So please understand
19	why we're being so thorough, and we thank
20	the supervisor pro tem for your
21	courtesies and making sure people could
22	come back up multiple times, which is
23	what we almost never do in this
24	application. But we want to make sure
25	people leave here with the full assurance
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2	and that their concerns are related.
3	COUNCILWOMAN JOHNSON: Thank you,
4	Ms. Schneider.
5	MS. SCHNEIDER: Thank you very much.
6	COUNCILWOMAN JOHNSON: Are there any
7	other persons who have not previously
8	spoken on this resolution?
9	(Whereupon, Mr. Gero
10	responds.)
11	COUNCILWOMAN JOHNSON: No, Mr. Gero.
12	Is there any other persons that have
13	not previously spoken on this resolution
14	that would like to speak on this
15	resolution?
16	(Whereupon, no response.)
17	COUNCILWOMAN JOHNSON: And I
18	apologize. You've already had two shots
19	and cannot call you back up.
20	So let the record reflect that no
21	other person would like to speak as it
22	relates to this resolution.
23	With regard to any of the
24	resolutions for today's calendar, do we
25	have anyone that would like to speak on
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2	any other?
3	(Whereupon, no verbal
4	response.)
5	COUNCILMAN IMBROTO: Councilwoman,
6	I'd like to make a motion into executive
7	session for the purpose of discussing
8	proposed and pending litigation.
9	COUNCILWOMAN JOHNSON: Second.
10	COUNCILMAN HAND: I'll second that
11	motion.
12	COUNCILWOMAN JOHNSON: All in favor,
13	please signify by saying, "Aye".
14	(Whereupon, all members of
15	the Town Board present respond
16	in favor with, "Aye".)
17	COUNCILWOMAN JOHNSON: Those
18	opposed?
19	(Whereupon, no response.)
20	COUNCILWOMAN JOHNSON: The "Ayes"
21	have it.
22	(Whereupon, Executive
23	Session, 12:49-1:13 p.m.)
24	COUNCILWOMAN JOHNSON: May I have a
25	motion, please?
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2	COUNCILWOMAN JOHNSON: Supervisor, I
3	make a motion to close the Executive
4	Session, no action was taken.
5	COUNCILMAN HAND: Second.
6	COUNCILWOMAN JOHNSON: All in favor,
7	please signify by saying, "Aye".
8	(Whereupon, all members of
9	the Town Board present respond
10	in favor with, "Aye".)
11	COUNCILWOMAN JOHNSON: Those
12	opposed, "Nay".
13	(Whereupon, no verbal
14	response.)
15	COUNCILWOMAN JOHNSON: The Ayes have
16	it. Thank you.
17	Before move to vote, is there anyone
18	else that wants to be heard on our
19	calendar?
20	(Whereupon, no verbal
21	response.)
22	COUNCILWOMAN JOHNSON: Are there any
23	other speakers?
24	(Whereupon, no verbal
25	response.)
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 112
1	
2	COUNCILWOMAN JOHNSON: No one has
3	signified that they'd like to be heard.
4	Can I have a motion to table
5	resolution 941?
6	COUNCILMAN IMBROTO: So moved.
7	COUNCILMAN HAND: Second.
8	COUNCILWOMAN JOHNSON: All in favor,
9	please signify by saying, "Aye".
10	(Whereupon, all members of
11	the Town Board present respond
12	in favor with, "Aye".)
13	COUNCILWOMAN JOHNSON: Those
14	opposed, "Nay".
15	(Whereupon, no verbal
16	response.)
17	COUNCILWOMAN JOHNSON: The Ayes have
18	it.
19	Can I have a motion for the regular
20	collection calendar.
21	TOWN CLERK: We already did the
22	motion, but we'll do it again. Let's do
23	it again.
24	May I have a motion to adopt
25	Resolution P-18-2024 through 984-2024,
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 ——113
1	
2	noting that Resolution 941-2024 has been
3	tabled.
4	On the motion?
5	COUNCILMAN IMBROTO: So moved.
6	COUNCILMAN HAND: Second.
7	TOWN CLERK: Motion made by
8	Councilman Imbroto, seconded by
9	Councilman Hand.
10	On the vote, please. Councilwoman
11	Johnson?
12	COUNCILWOMAN JOHNSON: Aye.
13	TOWN CLERK: Supervisor Saladino?
14	SUPERVISOR SALADINO: Aye.
15	TOWN CLERK: Councilman Imbroto?
16	COUNCILMAN IMBROTO: I vote aye on
17	all, but I vote no on 956 and 984.
18	TOWN CLERK: Councilman Hand?
19	COUNCILMAN HAND: Aye.
20	TOWN CLERK: Councilman Labriola.
21	COUNCILMAN LABRIOLA: Aye.
22	TOWN CLERK: Councilwoman Maier.
23	COUNCILWOMAN MAIER: Aye.
24	TOWN CLERK: Councilwoman Walsh.
25	COUNCILWOMAN WALSH: Aye.
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 114
1	
2	TOWN CLERK: I motion to adopt
3	Resolution P-18-2024 through 940-2024.
4	Passes with seven ayes.
5	Resolution 941-2024 has been tabled.
6	Resolution 942 through 955b passes
7	with seven ayes.
8	Resolutions 956-2024 passes with six
9	ayes and one nay.
10	Resolution 957 through 983 passes
11	with seven ayes.
12	Resolution 984 passes with six ayes
13	and one nay.
14	The calendar is complete.
15	SUPERVISOR SALADINO: Thank you,
16	Ladies and gentlemen.
17	I'd like to take a moment to speak
18	on the work, the efforts and the career
19	with the Town of Oyster Bay of
20	Councilwoman Michelle Johnson.
21	As we all know, this is Councilwoman
22	Johnson's last town board meeting. And
23	soon she will embark on her new role as a
24	district court judge, a position she was
25	duly elected to on this past election
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day, where she received, from what I understand, unanimous support of the electorate.

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Councilman Johnson has served on the oyster Bay Town Board since 2013, and it's a proven record of cutting wasteful spending, enhancing government, and protecting our suburban quality of life. And the State came after the towns across our region to take away our zoning powers, Councilwoman Michele Johnson stood up for our residents, for our communities, and for the public good.

From expanding open space, improving our parks around the town, fighting against the high density housing, the Cross Sound Tunnel, which would have had enormous environmental effects, and of course, what she has done over and over to protect the well being on the North Shore, the quality of our harbor and Oyster Bay, the body of water, what she's done to expand our shellfish hatchery and our aquatic programs in this town. What

1 2 she has done to represent the needs of 3 our residents, has been nothing short of 4 extraordinary. 5 The protection she has brought can 6 be summed up in the three P's professionalism, patience and poise. 7 She's done it during the easiest of town 8 9 board meetings, and she has done it 10 during the most challenging town board 11 meetings, public appearances, and when 12 she deals one on one with each and every resident of this great town. 13 14 Over the course of her tenure, 15 Councilwoman Johnson continues to make an 16 enormous difference and sets forth the 17 template for all elected officials to 18 follow. We will miss her on this town 19 board, will miss her expertise, her skill 20 sets, her our understanding of the law 21 and her guidance, sometimes are 22 challenging moments. 23 Most of all, we will miss her 24 friendship on a day-to-day basis, but we 25 are assured that we will always have

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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	Michelle's friendship. She is loyal, she
3	has committed, and she has done an
4	incredible job for the residents of our
5	town.
6	With that, her skills are now going
7	to the courts. Lucky them. The people
8	will see amazing justice, temperance and
9	a professionalism she's known for. Our
10	loss is their gain. The public continues
11	to benefit by the work of our incredible
12	friends, councilmen and soon to be judge
13	Michele Johnson.
14	We as a town board congratulate you.
15	We serve at your pleasure and will
16	continue to be your steadfast friends in
17	any way you may need us, but most of all,
18	we express our deep love and appreciation
19	for all you've done for us and for this
20	town.
21	Let's all give a round of applause
22	for Michele Johnson.
23	(Whereupon,
24	applause/standing ovation.)
25	SUPERVISOR SALADINO: Folks, we
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	handed her the gavel thinking it was
3	purely ceremonial, she actually used it
4	today (laughter). But also we would like,
5	as a very small token, to present you
6	with this American flag pin from all of
7	us, because we know you are an amazing
8	patriot, and so true in your upholding
9	the United States Constitution, the state
10	Constitution, the rules and regulations
11	and laws of the Town of Oyster Bay, but
12	it's to say you are an amazing human
13	being, and we appreciate you and
14	appreciate the opportunity to have served
15	with you tremendously.
16	COUNCILWOMAN JOHNSON: Thank you.
17	Trying not to cry.
18	COUNCILMAN IMBROTO: And I want to
19	thank you for letting me sit next to my
20	favorite captain and my big sister on the
21	town board for the first time in our
22	tenure together. And I will miss you so
23	much, Michele.
24	MR. PINTO: Thank you, Supervisor,
25	for allowing me to be here for seeing
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	Councilwoman Johnson. As many of you
3	know, I was here in June of '13 when the
4	councilwoman was wanted for the first
5	time. I was also there, which I was sworn
6	in in '18 and '22.
7	She's going to be missed, that's for
8	sure. I was watching Michele grow, and I
9	sat next to her here. I was where you
10	are, Steve. Michele was where Vicki is.
11	All these years into a well respected,
12	well-liked town official and
13	representative of the people of the Town
14	of Oyster Bay. And she had so much
15	insight.
16	I don't know if anybody even knows
17	this, but our first pickleball courts
18	behind BK Sweeney's is as a result of
19	Michele's insight as to what was going to
20	be the future of the town. And now, as
21	the supervisor knows, we have over 20 of
22	them within the town. We're building
23	more, we're finding spots. Just like you
24	asked.
25	But I believe Michele also was a
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 120 —
1	
2	part of history in that town as far as
3	the women on this board go. I think with
4	Rebecca and Michele, they were the first
5	councilwomen to provide a motion and a
6	second on a resolution at a town board
7	meeting. And I believe Michele is the
8	first town board female to be the
9	majority leader, our senior member of the
10	town board.
11	So with all your great
12	accomplishments, you know, when I left, I
13	said to everybody that when I came to the
14	town, I knew where I needed to be was in
15	the Parks. I think we all knew that
16	someday you belong on the bench. So good
17	luck to you. We love you. Lots of luck.
18	COUNCILWOMAN JOHNSON: Thank you,
19	sir.
20	COUNCILWOMAN MAIER: That was very
21	beautiful, Commissioner Pinto, former
22	councilman.
23	It's been five years since the first
24	day that I sat back here, and I remember
25	I was very nervous being on the other
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 121
1	
2	side, being a business owner. Not in
3	government. Really not knowing what I'm
4	stepping into. You provided so much
5	guidance to me, and I can probably speak
6	for everyone else too. I want to thank
7	you for that. You'll definitely be
8	missed.
9	But as Commissioner said, you
10	definitely belong on that bench. You're
11	going to do an incredible job.
12	Definitely have some big shoes to fill.
13	I don't think we'll ever be able to fill
14	them.
15	Thank you for everything that you've
16	done for not only me helping me in the
17	last five years, but everything you've
18	done for the Town and for our residents.
19	Thank you.
20	COUNCILWOMAN JOHNSON: Thank you.
21	COUNCILMAN HAND: I guess we're
22	going to go around the horn. So I just
23	want to thank Michele first coming here
24	to the Town. It was an interesting
25	endeavor for me never being in this type
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	of capacity, and she was a mentor to me.
3	So I appreciate all you've done.
4	But going beyond mentorship, she
5	became a friend and I'll always cherish
6	that. Thank you, Michele.
7	COUNCILWOMAN JOHNSON: Thank you.
8	COUNCILMAN LABRIOLA: My turn.
9	Michele, I wish you the best of
10	luck, although I know you don't need it.
11	I think a lot of judges aren't as
12	fortunate as you that have had the
13	experience of working with our residents
14	for as many years as you have, and then
15	to be elevated to the position of a
16	justice, or any judge for that matter,
17	and then to hear their cases, whether it
18	be civil, criminal, family court. I'm
19	sure that you'll be traveling through the
20	judicial system.
21	We're going to be watching you
22	because, you know, we had the opportunity
23	to work with you. And I know as just as
24	former Judge Delligatti, we sat with him
25	and for many, many years and then saw how
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 =====123 ==
1	
2	he handled himself in the court system.
3	And we were always so proud to have that
4	relationship, and I think that we will
5	all continue to have great pride in
6	seeing the relationship that you will
7	have with all of us and the constituents
8	and the people that you'll be hearing and
9	judging on those matters. And I know that
10	you'll always be judging fairly, and that
11	you will be dispensing justice the way
12	it's supposed to be.
13	So with that, I congratulate you and
14	wish you the best of luck.
15	COUNCILWOMAN JOHNSON: Thank you so
16	much.
17	COUNCILWOMAN WALSH: Michele, I
18	mean, Laura, you said it all and all of
19	you. But you guided us from the
20	beginning, especially me. I know I was
21	very anxious and I wanted to do so much
22	so quickly. You told me to slow down, and
23	you said there was a lot, a few things I
24	needed to learn, and thank you for that.
25	But also thank you for being a mom
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 - 124
1	
2	on the North, looking out and being on
3	the town board, because a lot of the
4	things that my children get to enjoy in
5	the high school years, on the waterfront
6	and in the town and the pickleball
7	courts, really, we appreciate you
8	fighting the fighting, getting it done
9	with the Town, the Town Board and the
10	Supervisor. So thank you.
11	COUNCILWOMAN JOHNSON: Thank you.
12	TOWN CLERK: Michele, I said it
13	early, but it's certainly worth
14	repeating. It's truly been a pleasure and
15	an honor to serve the residents of the
16	Town of Oyster Bay for the last five
17	years, together with you. And I really,
18	really appreciate your friendship. I
19	remember when we started to become as it
20	was in 2013 when you first ran for town
21	board. Your wisdom and your knowledge,
22	your guidance, has been incredible, and I
23	appreciate it very much, and I wish you
24	all the best going forward.
25	Congratulations.

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
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2	RECEIVER OF TAXES: Michele, you're
3	very welcoming. The last five years when
4	we came on. I've known you since you've
5	been a councilwoman on the board, being
6	mayor and trustee in the Village who
7	always came through our events and
8	everything.
9	I'm just going to miss you saying
10	Jeff, get out of the boardroom, we're in
11	executive session. I will just have to
12	have Lou say it now.
13	You'll be truly missed with your
14	knowledge and experience. And everything
15	you've brought to this board is going to
16	be missed. And we will be looking for you
17	on the bench for you moving up on the
18	next step. Congratulations.
19	COUNCILWOMAN JOHNSON: Thank you.
20	Thank you, everybody. I'm never one
21	really to speak from the cuff, so I did
22	prepare some remarks.
23	You can tell I'm just so thankful
24	and proud of being here and it's been an
25	amazing experience. And it is with a deep
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 === 126 ===
1	
2	sense of gratitude and pride that I speak
3	with all of you today.
4	Over the past 11 years, I've been
5	blessed to work with some incredible
6	people. From the challenges we faced, the
7	victories we have celebrated, to the
8	progress we've made, this experience has
9	been one that will always cherish and
10	hold dear.
11	As we all now know for sure, I've
12	been elected to serve as a District Court
13	judge and as such, effective close of
14	business, December 31st I will be
15	resigning from my post as councilwoman.
16	It's been an incredible privilege and a
17	rewarding experience personally and
18	professionally to serve as councilwoman.
19	First and foremost, I am truly
20	grateful for the opportunity to have
21	worked with all of you. I want to express
22	my deepest gratitude to my colleagues,
23	dedicated staff, and the many individuals
24	who have supported me during my time as
25	councilwoman. I'd also like to thank the
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	residents for placing their trust in me
3	and allowing me to serve them.
4	To the Supervisor, you have made a
5	tremendous difference not only in this
6	town, but in my life. Our families have
7	known each other for a very long time,
8	and I'm so pleased that we were able to
9	continue this relationship. You're a
10	trusted friend and advisor, and I thank
11	you for the opportunity to act as
12	supervisor for the day. And while I may
13	be sitting in your seat, I will never be
14	able to fill your shoes for sure.
15	To my colleagues on the town board,
16	our Deputy Supervisor Greg Carmen, Town
17	Attorney Frank Scalera, Brian Nevin,
18	thank you all for your friendship. It's
19	been a pleasure to work with all of you.
20	I have tremendous respect for all of you.
21	We work as one team and we work together
22	to deliver for our residents. And so very
23	proud of all of our accomplishments
24	together. And I know you will keep
25	working and fighting hard for our

residents.

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3 To my assistant, Karen. I couldn't have asked for a better person and friend 4 5 to help me along the way. Thank you for 6 all you've done week in and week out. Not 7 only for me, but for the residents as well. There are really just too many 8 9 people to list individually, and I see so 10 many of them here right now and I don't 11 want to single out any one department or 12 person for fear of leaving anyone out, 13 but you know who you are. I'm thankful to 14 have had the opportunity to not only work 15 with you, but to learn from you. 16 Truly, I'm grateful to the entire 17 workforce. You make the Town a shining 18 example of what good government should 19 be, and your hard work is reflected in 20 every corner of the town. 21 I also want to thank my husband, 22 Randy, and my kids. Their support and 23 encouragement and their patience have 24 been wonderful over the years with so 25 many weekends and nights out. And we're

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not out having a party, we're out doing the town business, but they've been very patient with me, so I thank them.

As I transition into my new role as judge, I carry with me the lessons learned and the experiences gained during my time in this office. I'm excited to continue serving in this new capacity.

While, this is the end of one chapter is only the beginning of another, and I'm committed to doing everything in my power to continue advancing the values and goals that we all share. I'm looking forward to the future and continuing our work in a new and meaningful way.

So thank you, everybody. I hope everyone has a Merry Christmas, Happy Hanukkah, a Happy New Year, and keep doing what you're doing.

Thank you.

(Whereupon, applause.) SUPERVISOR SALADINO: Councilwoman Michele Johnson we heard so many accolades, all from the heart and all

	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 — 130 —
1	
2	true. The one thing I did hear over and
3	over is referring to Councilwoman Johnson
4	as going to be on the bench. And
5	generally on the bench is a sports
6	metaphor, meaning you're waiting to get
7	in the game. Well, Councilwoman Michele
8	Johnson, please be assured that you have
9	been and will continue to very much not
10	only be in the game, but be a star player
11	on the team.
12	With that, would you kindly make a
13	motion to close out your very last board
14	meeting as a Town of Oyster Bay
15	Councilwoman.
16	COUNCILWOMAN JOHNSON: Supervisor, I
17	will make a motion to close this meeting.
18	COUNCILMAN IMBROTO: I will second
19	the motion.
20	SUPERVISOR SALADINO: All in favor,
21	please signify by saying, "Aye".
22	(Whereupon, all members of
23	the Town Board present respond
24	in favor with, "Aye".)
25	SUPERVISOR SALADINO: Those opposed,
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	TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024
1	
2	"Nay".
3	(Whereupon, no verbal
4	response.)
5	SUPERVISOR SALADINO: And with
6	heartfelt gratitude, we close out your
7	board meeting and say thank you from the
8	bottom of our hearts (applause).
9	
10	(Whereupon, above matter
11	concludes, 1:32 p.m.)
12	
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	TOP KEY COURT REPORTING, INC. (516) 414-3516

TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024 =====132 == CERTIFICATE 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 10th day of December, 2024. Karen Lorenzo TOP KEY COURT REPORTING, INC. (516) 414-3516

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TOBAY TOWN BOARD ACTION CALENDAR 12.10.2024				
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