

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
May 24, 2022
10:23 a.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILMAN STEVE L. LABRIOLA

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good morning,
2 ladies and gentlemen, and welcome to the Town of
3 Oyster Bay Town Board meeting for Tuesday, May 24,
4 2022.

5 For those joining us this morning, you
6 have an opportunity to be heard on matters brought
7 before the Town Board, as well as during the public
8 comment period at the end of the Board meeting.

9 As always, this meeting is being
10 live-streamed on social media and the Town's
11 website, which is oysterbaytown.com. These
12 proceedings are recorded and later transcribed.

13 Your voice, as always, is important to
14 us. Statements and comments and input from the
15 public, relative to our meetings, are always
16 welcomed and respected. You'll get our respect,
17 but we also ask you all to show respect to
18 everybody who is here at this meeting.

19 To submit comments online, we take
20 comments via e-mail, please e-mail
21 publiccomment@oysterbay-ny.gov or mail them to the
22 Office of the Town Attorney, 54 Audrey Avenue,
23 Oyster Bay, New York 11771.

24 Leading us in prayer this morning is
25 our good friend, Pastor Ray, of the True Life

1 Christian Worship Center in Oyster Bay.

2 Pastor, the floor is yours.

3 PASTOR RAY: Can we bow our heads,
4 please?

5 1 Timothy 2:1-2 says, I urge you, first
6 of all, to pray for all people. Ask God to help
7 them, intercede on their behalf, and give thanks
8 for them. Pray this way for kings and all who are
9 in authority so that we can live peaceful and quiet
10 lives marked by godliness and dignity.

11 So, Lord, on this coming anniversary of
12 Memorial Day, we pray for those who gave their
13 lives, the ultimate sacrifice, fighting for freedom
14 for our Nation and for comfort of their families
15 who miss them dearly.

16 Lord, our Nation needs your guidance
17 and direction at this hour. We thank you for our
18 Town Council and our Town Supervisor. We humbly
19 ask that your spirit intercede with these important
20 leaders giving them wisdom to make decisions that
21 will honor you.

22 And with peace in our hearts for our
23 fellow man, Amen.

24 ALL: Amen.

25 SUPERVISOR SALADINO: Thank you,

1 Pastor.

2 Thank you for your ongoing friendship,
3 for your spiritual and humanitarian service to the
4 community, but thanks for just being a great guy.

5 PASTOR RAY: Thank you.

6 SUPERVISOR SALADINO: It's always
7 wonderful to see you, and I hope you'll come back
8 soon.

9 PASTOR RAY: Well, thank you.

10 SUPERVISOR SALADINO: God bless.

11 To lead us in the Pledge of Allegiance,
12 please welcome two amazing, proud Americans. Two
13 loyal Veterans, two great people from AMVETS North
14 Shore Veterans Memorial Post 21 in Oyster Bay.

15 Commander Richard DeJesu, served in the
16 United States Navy from 1958 to 1961.

17 United States Army Veteran Bob Hathaway
18 served from 1958 to 1960.

19 To put that number there as if there
20 was an end to their service is just not the case.
21 The two of you continue to serve our Veterans, our
22 Town, our community, but most importantly, our
23 Nation. We are so proud of you.

24 COMMANDER DeJESU: Thank you.

25 VETERAN HATHAWAY: Thank you.

1 SUPERVISOR SALADINO: Please, proceed.

2 (Whereupon, the Pledge of Allegiance
3 was recited by the assemblage present.)

4 SUPERVISOR SALADINO: Thank you,
5 gentlemen.

6 We greatly appreciate you this morning
7 and always in all that you do, and you always will
8 have our support.

9 COMMANDER DeJESU: Thank you.

10 SUPERVISOR SALADINO: God bless you,
11 and God bless every Veteran in this great Country.

12 COMMANDER DeJESU: Thank you, sir.

13 (Whereupon, a round of applause
14 ensued.)

15 SUPERVISOR SALADINO: I now ask you for
16 a moment of silence to reflect upon the victims of
17 the recent massacre in Buffalo.

18 There is no room for hate in our world,
19 in our Town, in our Nation, and we stand united in
20 condemning this cowardly act of terrorism.

21 Today, we remember the innocent lives
22 lost, we pray for an end to the hate, and the
23 violence, and the discrimination in this Nation.

24 We ask that God watch over the men and
25 women in the United States Armed Forces serving

1 abroad and here in the Homeland. We ask that God
2 look over and protect those in law enforcement --
3 like the wonderful people who protect us here from
4 the Nassau County Police Department, from our Town
5 of Oyster Bay Public Safety, but we ask,
6 especially, for God's blessings for all of those
7 who are suffering whether it's because they lost
8 loved ones here, in Buffalo, in this State, or for
9 the losses in the Ukraine, and, unfortunately, the
10 list goes on and on.

11 May God bless them all.

12 (Whereupon, a moment of silence was
13 observed by the assemblage present.)

14 SUPERVISOR SALADINO: Thank you.

15 Please be seated.

16 Before starting our official Town
17 business, we're proud to join with someone who is
18 incredibly accomplished and, quite frankly, someone
19 whose smile is deceiving because you wouldn't want
20 to mess with him.

21 Aljamain Sterling is a very special
22 guest, and we're very proud and privileged to have
23 you here at our Town Board meeting.

24 Aljamain is a Mixed Martial Artist who
25 competes in the Bantamweight Division of the

1 Ultimate Fighting Championship, where he's the
2 current UFC Bantamweight Champion. He's also a
3 former Cage Fury Fighting Champion in the
4 bantamweight, and, as I said, is the champion of
5 that division.

6 The UFC is extremely popular, and those
7 who compete in this grueling discipline are
8 generally considered to be among the finest
9 athletes in the world.

10 I, personally, and probably, Jeff, the
11 same, we've been watching the Stanley Cup finals --
12 playoffs -- we're not in the finals yet, and pro
13 hockey players consider themselves to be pretty
14 tough, but, my friend, I'm not sure there's anybody
15 who wants to walk into a cage with you -- or a ring
16 for that matter -- but most of all, you've brought
17 pride, and you've sent a very strong message about
18 how to be the best of the best and what it takes,
19 and while we are here to honor you, we also thank
20 you for sending a strong message.

21 I don't care if someone's involved in
22 Girl Scouts, whether it's field hockey, basketball,
23 it doesn't matter. To reach your level, there's an
24 enormous amount of commitment, and you set that
25 example on what has to be done to be the best.

1 You have to go up against some very
2 dangerous and tough competition, but I also think
3 that you've overcome the toughest competitor, and
4 that's yourself because part of winning is that
5 drive that comes from inside in addition to what
6 has to take place in the ring or in the cage.

7 Aljamain is ranked Number 10 in the UFC
8 Men's Pound-for-Pound ranking, which is truly
9 amazing. He's earned the nickname the "Funk
10 Master" from his unorthodox wrestling style.

11 Aljamain continues to amaze us with
12 these many incredible, athletic accomplishments,
13 and we are so proud of you, and we're proud to say
14 that when it comes to being the best of the best in
15 the State, in the Nation, in the world, we have one
16 of the very, very best living right here, and we're
17 so proud to call you a resident.

18 So if you'll kindly come forward to the
19 rail, I'm going to ask Lou Imbroto to lead all of
20 our elected officials as we honor you in a very
21 special way. Just don't step on his foot.

22 (Whereupon, there was laughter among
23 the assemblage present.)

24 (Whereupon, a Town Citation was
25 presented to Aljamain Sterling, followed by a photo

1 opportunity and a round of applause.)

2 SUPERVISOR SALADINO: Folks, again,
3 let's hear it for the "Funk Master," Aljamain
4 Sterling.

5 (Whereupon, a round of applause
6 ensued.)

7 SUPERVISOR SALADINO: So we have our
8 Regular Action Calendar. We have some hearings
9 today.

10 Jeff Pravato, our Receiver, will make
11 an announcement after our Board Meeting, and then
12 if you'd like to be heard on an issue not related
13 to today's Calendar, you can -- either way you have
14 to fill out a form, please, up front, and you'll be
15 called to speak either if it's on a Resolution,
16 please note that, or if it's not, you can come and
17 speak to us after the Board meeting, publicly, in
18 the post-session.

19 All right.

20 (TIME NOTED: 10:36 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
May 24, 2022
10:37 a.m.

HEARING - P-6-22

To consider the application of Jeffrey Pombar and George Pombar, fee owners, for a Special Use Permit and Revocation of Resolution No. 195-84 at premises Located at 157 Glen Head Road, Glen Head, New York. (M.D. 4/26/22 #19).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILWOMAN MICHELE M. JOHNSON
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A B S E N T:

COUNCILMAN STEVE L. LABRIOLA

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: With that, Rich
2 LaMarca, our Town Clerk, will you please poll the
3 Board.

4 MR. LaMARCA: Supervisor Saladino?

5 SUPERVISOR SALADINO: Present.

6 MR. LaMARCA: Councilwoman Johnson?

7 COUNCILWOMAN JOHNSON: Present.

8 MR. LaMARCA: Councilman Imbroto?

9 COUNCILMAN IMBROTO: Here.

10 MR. LaMARCA: Councilman Hand?

11 COUNCILMAN HAND: Present.

12 MR. LaMARCA: Councilman Labriola is
13 absent.

14 Councilwoman Maier?

15 COUNCILWOMAN MAIER: Present.

16 MR. LaMARCA: Councilwoman Walsh.

17 COUNCILWOMAN WALSH: Present.

18 MR. LaMARCA: We have a quorum.

19 SUPERVISOR SALADINO: Would you kindly
20 call the first hearing?

21 MR. LaMARCA: Today's first hearing is
22 to consider the application of Jeffrey Pombar and
23 George Pombar, fee owners, for a Special Use Permit
24 and Revocation of Resolution No. 195-84 at premises
25 located at 157 Glen Head Road, Glen Head, New York.

1 SUPERVISOR SALADINO: Good morning,
2 counselor.

3 MR. AVRUTINE: Good morning.

4 Appearing for the applicants, Howard
5 Avrutine, 2116 Merrick Avenue in Merrick.

6 This is the application of Jeffrey
7 Pombar and George Pombar for a Special Use Permit
8 to allow the use of an existing two-family dwelling
9 and use of an existing storage shed for an
10 accessory Internet spice sales business as well as
11 to rescind restrictions contained in Town Board
12 Resolution No. 195-84.

13 Just at the outset, I would like to put
14 on the record that the applicant, Jeffrey Pombar,
15 is employed by the Town of Oyster Bay in its Parks
16 Department. His official title is Equipment
17 Operator I; and George Pombar is on the Board of
18 Directors of the Water Authority of the North
19 Shore.

20 The premises under application is
21 located on the southerly side of Glen Head Road,
22 50.36 feet east of Cherry Street in Glen Head. It
23 has a street address of 157 Glen Head Road. It is
24 also known as Section 20, Block 16, Lot 58 on the
25 Nassau County Land and Tax Map.

1 The premises has dimensions of 50.36
2 feet in width and a depth varying from 159.73 feet
3 on its westerly boundary to 165.72 feet on its
4 easterly boundary. It has a total lot area of
5 8,250-square-feet.

6 The premises is developed with an
7 existing one- and two-story dwelling, three-car
8 detached garage and framed storage shed. All is
9 depicted on the Site Plans and plans filed with the
10 Board, which are before you.

11 The premises is zoned "GB" General
12 Business District with the exception of an
13 approximately 12 foot by 50 foot rectangular
14 portion of the premises on its southerly side,
15 totaling approximately 600-square-feet, which is
16 zoned R1-7 District.

17 By this application, the applicant
18 seeks approval of a Special Use Permit to maintain
19 the use of the existing home as a two-family
20 dwelling and to authorize use of the accessory
21 structure -- excuse me, the accessory storage shed
22 for storage in connection with Jeffrey Pombar's
23 Internet spice sales business.

24 In addition, the applicants seek to
25 rescind Town Board Resolution No. 195-84, which

1 restricts the use of the home to single-family
2 dwelling use only. That restriction was imposed in
3 conjunction with an application to the Town Board
4 by a prior owner in 1984 to allow three wood-frame
5 additions to the dwelling to remain.

6 At that time, new construction on
7 premises zoned, which was zoned "G" at the time and
8 now "GB" General Business, was required to be
9 masonry regardless of the use.

10 Subsequently, the Town Code was amended
11 in order to remove the requirement that all
12 construction in the Business Zone be masonry;
13 hence, the one-family limitation is no longer
14 necessary under the current version of the Code, so
15 the applicant is seeking the Town Board to rescind
16 that restriction in order that it can be used as a
17 two-family dwelling as it has been for many, many
18 years.

19 When the applicants acquired the
20 premises in 2002, it was already set up as a
21 two-family dwelling with a two-bedroom unit
22 downstairs, which is presently occupied by Jeffrey
23 Pombar and his daughter, and a two-bedroom unit
24 upstairs, which is presently tenanted by a student
25 that attends one of the local colleges.

1 In the event the application is
2 approved, certain variances will also be required
3 from the Zoning Board of Appeals.

4 Firstly, a Special Use Permit will be
5 required to authorize that portion of the premises
6 zoned R1-7 District for business use; secondly, the
7 applicant will require relief from the requirement
8 for a loading space as required by the Code; and,
9 lastly, a parking variance will be required, which
10 will, essentially, allow the three-car garage to be
11 counted as providing three of the required
12 off-street parking spaces, but those issues are for
13 the ZBA. We are here for the Special Use Permit
14 for the uses and for the request to modify the
15 prior Restrictive Covenant.

16 As I indicated, the premises has been
17 used as a two-family dwelling for well over twenty
18 years, and regarding the Internet spice business
19 that is operated by Jeffrey Pombar, there are no
20 employees.

21 Mr. Pombar does this in his spare time,
22 approximately 18 hours a week, late afternoons and
23 weekends. He also sells spices at local flea
24 markets and at fairs.

25 Mr. Pombar picks up the product in bulk

1 approximately once a month. The bulk product is
2 then repackaged and delivered to customers by
3 either U.S. Mail or United Parcel Service.

4 Mr. Pombar brings all packages to the Post Office
5 or to UPS for delivery. No trucks come to the
6 premises for delivery or pickup.

7 The storage shed is used for storage of
8 bulk product until prepared for shipping.

9 That, essentially, sums up the
10 application.

11 Present this morning are the
12 applicants, Jeffrey Pombar and George Pombar, as
13 well as James Carballal, the project architect, in
14 case any of the Board members have questions
15 regarding the plans that have been submitted, and,
16 of course, I can try and field any questions as
17 well.

18 SUPERVISOR SALADINO: Are there any
19 questions of the Board members?

20 (Whereupon, there was no response from
21 the Board.)

22 SUPERVISOR SALADINO: So what this
23 sounds like, and I've been briefed by our Town
24 Attorney who describes this as issues relating to
25 the changing State Codes and the fact that the

1 majority of the property is in the Business
2 District and a small portion in a Residential
3 District.

4 MR. AVRUTINE: That is correct,
5 Supervisor.

6 It's an anomaly because in a split
7 zoning district situation, you have to get various
8 relief that you wouldn't otherwise normally have to
9 get, but here we have to.

10 In addition, the Code -- the Zoning
11 Code of the Town does not allow Residential Use in
12 a Business Zone. The home, however, is legally
13 non-conforming in the sense that it was built in
14 probably in the 1920s before the property was zoned
15 Business, so anything, really, with this property
16 would require relief from a Board of the Town
17 because of the fact that it is currently not
18 permitted, albeit, he has been there for many, many
19 years.

20 SUPERVISOR SALADINO: Counselor, just
21 to shed some more light on this for people who may
22 be watching and this hearing. Most people realize
23 that it is a less intensive use to have a residence
24 in a Business Zone; whereas, a more intensive use,
25 generally, to have a business in a Residential

1 Zone.

2 In this case, the residential building,
3 is that entirely in the Business Zone as it relates
4 to this piece of property?

5 MR. AVRUTINE: It is, Mr. Supervisor.

6 The home is in the "GB" District
7 portion of the property.

8 As I indicated, on the far southerly
9 side, there is a very small sliver that is R1-7. A
10 portion of the storage shed is in the R1-7
11 District.

12 SUPERVISOR SALADINO: Is it correct to
13 describe the majority of the storage shed in the
14 Business Zone?

15 MR. AVRUTINE: Yes. I would say so.

16 SUPERVISOR SALADINO: And would anyone
17 under their business plan be coming to this storage
18 shed and utilizing it as a showroom, will customers
19 be parking in the neighborhood and purchasing
20 directly from this storage shed?

21 MR. AVRUTINE: Absolutely not.

22 Mr. Pombar -- Jeffrey Pombar, as I
23 indicated, runs this business on his own, and no
24 one comes to the property in connection with the
25 business other than him.

1 SUPERVISOR SALADINO: Residents
2 wouldn't have a problem with customers parking in
3 front of their homes and in front of other
4 businesses?

5 MR. AVRUTINE: Correct. Because
6 customers do not come to the site.

7 This is a business where there are
8 deliveries made by Mr. Pombar. He brings -- most
9 deliveries are by, as I indicated, UPS and USPS, so
10 he brings them to the Post Office or to UPS in his
11 own private vehicle, and he picks up inventory in
12 his own private vehicle and brings it back to the
13 property, so no one really comes to the property in
14 connection with this business other than him.

15 And, as I indicated also, he goes to
16 various flea markets and fairs with product to sell
17 there, and he stores it out in the shed on the
18 property.

19 SUPERVISOR SALADINO: So it's not just
20 a name your using, "storage shed," it's, actually,
21 only used for storage and not as a retail business?

22 MR. AVRUTINE: Correct. Correct.

23 SUPERVISOR SALADINO: Okay.

24 MR. AVRUTINE: Absolutely.

25 SUPERVISOR SALADINO: Are there any

1 other questions?

2 COUNCILMAN HAND: Mr. Avrutine, one
3 quick question.

4 MR. AVRUTINE: Sure.

5 COUNCILMAN HAND: You referenced his
6 personal vehicle.

7 So there's no use of a commercial
8 vehicle on this property?

9 MR. AVRUTINE: No, there is not.

10 COUNCILMAN HAND: Okay.

11 Thank you.

12 SUPERVISOR SALADINO: Finally, one last
13 question just, again, for clarity for residents and
14 those who may be watching.

15 A large reason, one of, and, perhaps,
16 the largest reason you're coming here is not
17 because of the Town of Oyster Bay, although, that
18 plays some role going back to 1984, but it's this
19 changing of the New York State Building Codes and
20 the fact that the Building Codes now allow this --
21 a wood-frame house to be used as a two-family when
22 in the past they did not.

23 That's one of the reasons why you have
24 to come before us?

25 MR. AVRUTINE: Correct, Mr. Supervisor.

1 Back in 1984, because the Code required
2 construction to be masonry as opposed to wood
3 frame, an application was required to come to this
4 Board and seek a waiver of that requirement, and
5 representatives of the Town's Department of
6 Planning and Development wrote a memo at that time
7 recommending certain conditions in the event that
8 the application for a waiver was to be approved,
9 one of which was that it be limited to a
10 single-family dwelling, which, apparently, at that
11 time, it was being used as, but, subsequently, that
12 changed to a two-family.

13 SUPERVISOR SALADINO: And this is not
14 an anomaly just to the Town of Oyster Bay. The
15 changing of the State Code from masonry only to
16 wood structures, this would affect people who have
17 similar properties everywhere in this State. This
18 is nothing special to the Town of Oyster Bay, but
19 these types of hearings would have to go on
20 throughout the State because of this situation that
21 this change in the State Code created.

22 MR. AVRUTINE: Correct, Mr. Supervisor.

23 I think what had transpired was for
24 whatever reason -- clearly, if you were going to
25 have a business use and -- say, for argument's sake

1 a place of public assembly -- the State Code would
2 have certain construction requirements, one of
3 which was masonry, and for obvious reasons, you
4 want -- if you have a place of public assembly, you
5 have different items, but we all know that
6 residential homes are primarily constructed out of
7 wood-frame construction, so I think the State came
8 to the conclusion that if a home, regardless of
9 what Zoning District the home is in, it ought to be
10 able to be built the way homes are typically built
11 in Residential Zones in which it is permitted to be
12 built in Residential Zones, there would be no real
13 difference. So, I believe, that was the impetus
14 behind the Code change, which no longer required
15 residences to use masonry construction even if they
16 are in a Business Zone.

17 SUPERVISOR SALADINO: Thank you,
18 counselor.

19 Are there any other questions from the
20 Board?

21 (Whereupon, there was no response from
22 the Board.)

23 SUPERVISOR SALADINO: I don't have any
24 slips showing that someone would like to be heard
25 on this hearing.

1 Is there anyone here who would like to
2 be heard on this specific hearing?

3 (Whereupon, there was no response from
4 the assemblage present.)

5 SUPERVISOR SALADINO: Please let the
6 record indicate that no one has come forth to be
7 heard.

8 Are there any correspondence on this
9 issue?

10 MR. LaMARCA: Yes.

11 The attorney for the applicant has
12 filed his Affidavit of Service and Disclosure.

13 Communications are as follows:

14 We have memos from the Department of
15 Planning and Development including a review of the
16 required off-street parking.

17 The Nassau County Land and Tax Map
18 indicates the property is Section 21, Block 16,
19 Lot 58.

20 According to the Town of Oyster Bay
21 Zoning Map, the property is located within an R1-7
22 Residential Zone and "GB" General Business Zone.

23 There are no variances.

24 One open Code Enforcement Bureau case,
25 and one Town Board Resolution on file.

1 There is no further correspondence.

2 SUPERVISOR SALADINO: Thank you.

3 Is there anything else, counselor?

4 MR. AVRUTINE: No, sir.

5 SUPERVISOR SALADINO: May I have a
6 motion?

7 COUNCILWOMAN JOHNSON: Supervisor, I'll
8 make a motion that this hearing be closed, but the
9 record be kept open for public comment for 30 days.

10 COUNCILMAN IMBROTO: Second.

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

13 ALL: "Aye."

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

16 (Whereupon, there were no "Nay"
17 responses from the Board.)

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

20 MR. AVRUTINE: Thank you very much.

21 SUPERVISOR SALADINO: Thank you very
22 much.

23 You've done a fine job as always.

24 (TIME NOTED: 10:50 A.M.)

25

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
May 24, 2022
10:51 a.m.

HEARING - Communications Tower

To consider the placement of a cellular communications monopole tower on Town property located in Woodbury, New York. (M.D. 4/26/22 #37).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILMAN STEVE L. LABRIOLA

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: Today's second hearing is
4 to consider the placement of a cellular
5 communications monopole tower on Town property
6 located in Woodbury, New York.

7 MS. UNDERWOOD: Good morning,
8 Supervisor and Members of the Town Board.

9 My name is Karen Underwood, Deputy Town
10 Attorney with the Town Attorney's Office.

11 This is an informational hearing to
12 consider the Town's leasing of a portion of its
13 property located in Woodbury for the construction
14 and maintenance of a monopole tower.

15 This tower would provide increased
16 cellular service to the surrounding area including
17 wireless and data services to the general public.

18 Beacon Wireless, LLC was selected in
19 accordance with a Request For Proposals issued by
20 the Town and after a committee review of all timely
21 responses.

22 Here with us today from Beacon is Brad
23 Hemingway, President of Beacon; Randall Weichbrodt,
24 Esq., and Brandon Streb, architect for the project.

25 At this time, I would like to introduce

1 Rand Weichbrodt to begin Beacon's informational
2 presentation.

3 MR. WEICHBRODT: Thank you.

4 Good morning, Mr. Supervisor, Members
5 of the Board.

6 How are you today?

7 SUPERVISOR SALADINO: Good to see you.

8 MR. WEICHBRODT: Good to see you as
9 well.

10 She introduced the site exactly how I
11 would have.

12 This particular property is on the
13 southwest corner of Jericho Turnpike and Crossways
14 Boulevard. It's 3.2-acres in size. It's zoned LI
15 R1-A Zoning, and this is, actually, the alternate
16 to a site that was initially chosen by Nassau
17 County.

18 Beacon Wireless specializes in working
19 with municipalities, quasi-municipalities. We
20 represent Nassau County, several towns, villages,
21 fire departments, and police departments across
22 Long Island, and that's what we do, and we do that
23 for really two purposes.

24 One is, we want to minimize the impact
25 that these wireless facilities have, and we feel

1 that the towns and the villages are the best
2 partner in doing so, and the revenue that's
3 generated too ought to belong with the towns and
4 the villages and not some private property owner,
5 and that's, kind of, our motto.

6 We initially proposed this site at the
7 Second Precinct. We received Nassau County
8 Legislative approval back in 2014. A building
9 permit was issued shortly thereafter, but the then
10 Police Commissioner didn't really want to
11 relinquish any of the rights to the existing pole.

12 Our project was to replace the pole,
13 put the police department equipment on there, and
14 then lease the available space to the wireless
15 providers, and it's not something that he was
16 interested in doing at that time. We reached out
17 to the Town of Oyster Bay, and this is where we are
18 today.

19 This particular pole is designed in a
20 way where we would dedicate the top of the tower to
21 the Town of Oyster Bay so they could utilize it for
22 their Public Safety equipment, Fire Protection
23 Services, whatever you'd like.

24 The development of this pole and the
25 installation of this pole is at no cost whatsoever

1 to the Town of Oyster Bay. It's through a revenue
2 share approach, which is the same model that we do
3 throughout all the villages and towns in Nassau
4 County.

5 We've identified -- for this particular
6 site -- 120 in height to minimize the visual
7 impact. We looked at 100 feet, we looked at 120,
8 and we looked at 140, and we did that in the dead
9 of Winter so the foliage wasn't existing, and we
10 could, kind of, see the impact on the area that it
11 may have.

12 The reason why these towers are so tall
13 is each wireless provider needs 10 feet of vertical
14 space for their antenna equipment, and we need to
15 get above the tree line, and in that area, the tree
16 line is roughly 50 or 60, so in order to maximize
17 the revenue and accommodate whatever the Town of
18 Oyster Bay wants to put on the pole, we have to go
19 up to about 120.

20 We have provided photo simulations to
21 the Board in the past, and they are readily
22 available if anyone would like to look at those,
23 but 120 is really going to be the proper height for
24 this particular site.

25 It is an underutilized site. It's in a

1 great area. It's exactly where the carriers need
2 to be. Right now, we've secured interest from two
3 wireless providers. We're hoping to get all four
4 and maximize the revenue of this particular site.

5 We could design this tower to extend,
6 should the need be or the Board would want to, but,
7 right now, that's what we're proposing is 120.

8 It's a flush mount antenna mount so the
9 antennas will hug the actual tower. I know that
10 there's other options available, such as the
11 stealth tower where the antennas are inside. The
12 problem with that is you're not able to secure
13 antennas at any particular height that the Town of
14 Oyster Bay or the police department or fire
15 department might want to because you'd have to
16 remove the skin to put the antennas inside, and
17 it's not really mounted in a way that would
18 accommodate such exterior antennas.

19 If you have any questions, I have the
20 architect here from William F. Collins. He's able
21 to answer some questions as well, or any financial
22 questions.

23 SUPERVISOR SALADINO: Do any of the
24 Board members have any questions?

25 COUNCILWOMAN WALSH: I do. I have one

1 question.

2 SUPERVISOR SALADINO: Please.

3 COUNCILWOMAN WALSH: I didn't have time
4 to drive over there. I'm very familiar with that
5 area.

6 How far is this from the Primrose Day
7 School?

8 Is it you go into the entrance of --
9 it's Orlin -- is this, kind of, where that -- this
10 is going to be?

11 MR. WEICHBRODT: It's right across
12 Crossways, the street from the Nassau County Police
13 Department, the Second Precinct, and on the corner
14 of Jericho. I don't think it's within a half a
15 mile or so.

16 COUNCILWOMAN WALSH: Okay.

17 MR. WEICHBRODT: So, I guess, what
18 you're eluding to maybe FCC concerns?

19 COUNCILWOMAN WALSH: Well, there's a
20 new school that we, actually, just opened about
21 seven months ago, and I thought it was right in the
22 -- I have to really look at this closer --

23 MR WEICHBRODT: Sure.

24 COUNCILWOMAN WALSH: -- because it's a
25 little hard for me to tell, but I thought it was

1 right in the area that this looks like it's going.

2 MR. WEICHBRODT: I don't know --

3 COUNCILWOMAN WALSH: I'll drive past.

4 MR. WEICHBRODT: Sure.

5 We've, actually, developed several
6 sites with schools and colleges -- Nassau County
7 Community College is the last one that we've done.

8 If you like, I can reach out to you
9 this week, and we can go over the maps and see how
10 the proximity is, and I can give you some
11 information on it.

12 COUNCILWOMAN WALSH: Yeah, I just --
13 because I wonder if they know about it. Sometimes
14 when it's close to a school, there are concerns
15 even though we hear --

16 MR. WEICHBRODT: Sure.

17 COUNCILWOMAN WALSH: -- that there's no
18 concerns, but sometimes if they're close -- I
19 wonder if they know about it.

20 MR. WEICHBRODT: And if it is close, we
21 can reach out to them and sit down with them and --

22 COUNCILWOMAN WALSH: Okay, great.

23 MR. WEICHBRODT: Sure. That's what we
24 do because we represent towns and villages, and
25 we're always reaching out to the civic groups and

1 local community groups.

2 COUNCILWOMAN WALSH: Thank you.

3 COUNCILWOMAN MAIER: I have a quick
4 question.

5 MR. WEICHBRODT: Sure.

6 COUNCILWOMAN MAIER: How close in
7 proximity is the nearest residence?

8 I know we talked about the school, but
9 are there any laws that, you know, require you to
10 be a certain amount of distance from homes?

11 MR. WEICHBRODT: No. In fact, it's
12 interesting you say that.

13 So, historically, we would try to site
14 these in DPW yards, rail yards where they're not
15 near homes, but, now, everyone is dropping their
16 landline, and over 90 percent of E9-1-1 calls
17 emanate from cellular use, so there's a greater
18 demand now to put these in residential areas, which
19 is what we're trying to do but respect the impact
20 and stay as far away as, maybe, you know, hamlet
21 centers as we can, but that is where the wireless
22 providers need to be. It's where the demand is, is
23 in residential areas.

24 As far as how close this is, what is
25 the community that's right down the street?

1 MR. HEMINGWAY: It's Fox something.

2 COUNCILWOMAN WALSH: Fox Hollow.

3 COUNCILWOMAN MAIER: Fox Hollow.

4 MR. HEMINGWAY: Fox Hollow.

5 MR. WEICHBRODT: Fox Hollow.

6 MR. HEMINGWAY: It's on the north side
7 of Jericho Turnpike.

8 MR. WEICHBRODT: I think that's maybe a
9 mile away, maybe less than a mile.

10 COUNCILWOMAN MAIER: It's across
11 Jericho Turnpike.

12 MR. WEICHBRODT: So that would be that.
13 Yes.

14 COUNCILWOMAN MAIER: Okay.

15 MR. WEICHBRODT: Now, this is the third
16 hearing on that particular site.

17 We had two with Nassau County in 2014
18 and 2015, and there was no comment, and notice went
19 out, I think, to within a 500-foot radius or so --

20 MR. HEMINGWAY: More than that.

21 MR. WEICHBRODT: Maybe more than that.

22 COUNCILWOMAN MAIER: Was that also done
23 in this case?

24 MR. WEICHBRODT: I don't know. I don't
25 know what the Town Attorney's Office --

1 MR. HEMINGWAY: Yes. That was done a
2 number of years ago.

3 MR. WEICHBRODT: Oh, for the RFP and
4 for the issuance of the RFP.

5 COUNCILWOMAN MAIER: For this
6 particular one?

7 MR. WEICHBRODT: Yes, ma'am.

8 MR. HEMINGWAY: Yes.

9 COUNCILWOMAN MAIER: Okay.

10 COUNCILWOMAN WALSH: Is this Crossways
11 Park Drive West, would this be?

12 MR. WEICHBRODT: It's on the southwest
13 corner of Jericho Turnpike and Crossways.

14 COUNCILWOMAN WALSH: Okay.

15 MR. HEMINGWAY: I believe it would be
16 -- west is towards 135, and east is a little bit
17 more in, I think --

18 COUNCILWOMAN WALSH: Right. So west is
19 by CardWorks and everything.

20 MR. HEMINGWAY: I think it's between
21 them.

22 COUNCILWOMAN WALSH: Okay.

23 Just so you have it for when we talk
24 about -- so Primrose is 90 Crossways Park Drive
25 West, and I thought this was in that area, so just

1 if you could look into that.

2 MR. HEMINGWAY: We'll look at the
3 aerial.

4 COUNCILWOMAN WALSH: Thank you.

5 SUPERVISOR SALADINO: Are there any
6 other questions from the Board?

7 (Whereupon, there was no response from
8 the Board.)

9 SUPERVISOR SALADINO: Just one very
10 general question.

11 If we were to approve this, would you
12 be using the state-of-the-art construction
13 materials, construction methods --

14 MR. WEICHBRODT: Yes.

15 SUPERVISOR SALADINO: -- to ensure the
16 ultimate highest level of safety in terms of the
17 structure, in terms of every way in which it's
18 constructed and erected at that location?

19 MR. WEICHBRODT: Without a doubt. We
20 do.

21 And we consider working with the Town
22 of Oyster Bay as a partner, and in so doing, we
23 want to represent you to the highest level that we
24 possibly can.

25 We've provided references from all of

1 the towns and villages and fire departments that
2 we've worked with. Hopefully, you'll reach out to
3 them and see that we do a top-notch job.

4 And we continue, throughout the life of
5 the term of the lease, to maintain the site,
6 landscape the site. We do a real good job. We do.
7 And that's why we've been around for over twenty
8 years now.

9 COUNCILMAN HAND: Quick question in
10 regards to maintenance. You brought up
11 maintenance.

12 In the event the monopole has to be
13 brought down for some significant painting,
14 maintenance, whatever the case may be, you're going
15 to bear the cost --

16 MR. WEICHBRODT: Yes.

17 COUNCILMAN HAND: -- for a temporary
18 monopole --

19 MR. WEICHBRODT: Yes.

20 COUNCILMAN HAND: -- including that of
21 the services for the fire and the Town of Oyster
22 Bay?

23 MR. WEICHBRODT: That is correct. Yes.

24 COUNCILMAN HAND: Thank you.

25 SUPERVISOR SALADINO: Well, if there

1 are no other questions from the Board members, I
2 believe we have one resident, Steve Myers
3 (phonetic), who has put in a slip, I believe it's
4 on this application.

5 MR. MYERS: No, sir.

6 Public speaking.

7 SUPERVISOR SALADINO: Okay. Wonderful.

8 MR. MYERS: T-Mobile.

9 SUPERVISOR SALADINO: We will call you
10 after the Board meeting to come speak to us,
11 please.

12 Is there anyone who would like to be
13 heard on this particular hearing?

14 (Whereupon, a member of the assemblage
15 present raised their hand to be recognized.)

16 SUPERVISOR SALADINO: Please, step
17 forward.

18 How are you this morning?

19 MS. SCHULTZ: Good morning. Very well.

20 SUPERVISOR SALADINO: Good to see you.

21 MS. SCHULTZ: Thank you.

22 Laura Schultz with Residents for a More
23 Beautiful Syosset, 22 Barbara Drive, Syosset.

24 I just have a question with the
25 installation of this pole.

1 Last December, I was at White Oaks
2 Nursing Home on Jericho Turnpike in Woodbury. My
3 mother was there for a sustained period of time. I
4 was unable to use my cell phone there, which was
5 quite disconcerting, when I was in the White Oaks
6 Nursing Home parking lot.

7 So the question would be, would this
8 provide more coverage for the entire Woodbury area?

9 Thank you.

10 SUPERVISOR SALADINO: We'll get the
11 answer right now.

12 Is there anything else you'd like to
13 know before we have the applicant come up?

14 MS. SCHULTZ: No.

15 SUPERVISOR SALADINO: Okay.

16 MR. WEICHBRODT: Yes, that is correct.

17 So this site is an in-fill site. It's
18 to fill in existing gap coverages, so, yes, it
19 would cover that.

20 MS. SCHULTZ: Okay.

21 Thank you.

22 MR. HEMINGWAY: Carrier specific.

23 SUPERVISOR SALADINO: Is there anyone
24 else who would like to be heard on this hearing?

25 (Whereupon, there was no response from

1 the assemblage present.)

2 SUPERVISOR SALADINO: Please let the
3 record indicate that no one has come forward.

4 Please describe to us any
5 correspondence.

6 MR. LaMARCA: Supervisor, we have
7 Affidavits of Posting and Publication.

8 There is no other correspondence.

9 SUPERVISOR SALADINO: Okay.

10 May I have a motion, please?

11 COUNCILWOMAN JOHNSON: Supervisor, I'll
12 make a motion that this hearing be closed.

13 COUNCILMAN IMBROTO: Second.

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

16 ALL: "Aye."

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

19 (Whereupon, there were no "Nay"
20 responses from the Board.)

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

23 Thank you.

24 MR. WEICHBRODT: Thank you.

25 SUPERVISOR SALADINO: Thank you very

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much.

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

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			<p>vertical [1] - 5:13 VICKI [1] - 1:14 villages [6] - 3:20, 4:1, 4:4, 5:3, 8:24, 13:1 visual [1] - 5:6</p> <p>WALSH [17] - 1:14, 6:25, 7:3, 7:16, 7:19, 7:24, 8:3, 8:12, 8:17, 8:22, 9:2, 10:2, 11:10, 11:14, 11:18, 11:22, 12:4 wants [1] - 5:18 week [1] - 8:9 Weichbrodt [2] - 2:23, 3:1 WEICHBRODT [28] - 3:3, 3:8, 7:11, 7:17, 7:23, 8:2, 8:4, 8:16, 8:20, 8:23, 9:5, 9:11, 10:5, 10:8, 10:12, 10:15, 10:21, 10:24, 11:3, 11:7, 11:12, 12:14, 12:19, 13:16, 13:19, 13:23, 15:16, 16:24</p>

<p>West [2] - 11:11, 11:25 west [2] - 11:16, 11:18 whatsoever [1] - 4:25 White [2] - 15:1, 15:5 William [1] - 6:20 Winter [1] - 5:9 wireless [6] - 2:17, 3:25, 4:14, 5:13, 6:3, 9:21 Wireless [2] - 2:18, 3:18 wonder [2] - 8:13, 8:19 Wonderful [1] - 14:7 Woodbury [5] - 1:7, 2:6, 2:13, 15:2, 15:8</p>
<p>Y</p>
<p>yards [2] - 9:14 years [2] - 11:2, 13:8 York [2] - 1:7, 2:6</p>
<p>Z</p>
<p>zoned [1] - 3:14 Zoning [1] - 3:15</p>

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
May 24, 2022
11:04 a.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILMAN STEVE L. LABRIOLA

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: At this time,
2 would you please call our Regular Action Calendar?

3 MR. LaMARCA: May I have a motion to
4 table Resolution No. 371-2022?

5 **RESOLUTION NO. 371-2022;** Resolution
6 pertaining to the decision on the application of
7 PSI Atlantic Massapequa NY, LLC, Contract Vendee,
8 Kasper Properties NY LLC, fee owner, for a Special
9 Use Permit at premises located at 5660 Old Sunrise
10 Highway, Massapequa, New York. Hearing held:
11 April 12, 2022. (M.D. 4/12/22 #4).

12 On the motion:

13 COUNCILWOMAN JOHNSON: So moved.

14 COUNCILMAN IMBROTO: Second.

15 MR. LaMARCA: Motion made by
16 Councilwoman Johnson and seconded by Councilman
17 Imbroto.

18 On the vote:

19 Supervisor Saladino?

20 SUPERVISOR SALADINO: "Aye."

21 MR. LaMARCA: Councilwoman Johnson?

22 COUNCILWOMAN JOHNSON: "Aye."

23 MR. LaMARCA: Councilman Imbroto?

24 COUNCILMAN IMBROTO: "Aye."

25 MR. LaMARCA: Councilman Hand?

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COUNCILMAN HAND: "Aye."

MR. LaMARCA: Councilwoman Maier?

COUNCILWOMAN MAIER: "Aye."

MR. LaMARCA: Councilwoman Walsh?

COUNCILWOMAN WALSH: "Aye."

MR. LaMARCA: Motion to table

Resolution No. 371-2022 passes with six "Ayes."

(TIME NOTED: 11:04 A.M.)

MR. LaMARCA: May I have a motion to remove from the table Resolution No. P-8-22, which was tabled on May 10, 2022.

PERSONNEL RESOLUTION NO. P-8-22;

Resolution pertaining to personnel of various departments within the Town of Oyster Bay.

On the motion:

COUNCILWOMAN JOHNSON: So moved.

COUNCILMAN IMBROTO: Second.

MR. LaMARCA: Motion made by Councilwoman Johnson and seconded by Councilman Imbroto.

On the vote:

Supervisor Saladino?

SUPERVISOR SALADINO: "Aye."

MR. LaMARCA: Councilwoman Johnson?

COUNCILWOMAN JOHNSON: "Aye."

1 MR. LaMARCA: Councilman Imbroto?

2 COUNCILMAN IMBROTO: "Aye."

3 MR. LaMARCA: Councilman Hand?

4 COUNCILMAN HAND: "Aye."

5 MR. LaMARCA: Councilwoman Maier?

6 COUNCILWOMAN MAIER: "Aye."

7 MR. LaMARCA: Councilwoman Walsh?

8 COUNCILWOMAN WALSH: "Aye."

9 MR. LaMARCA: Motion to remove
10 Resolution P-8-22 from the table passes with six
11 "Ayes."

12 (TIME NOTED: 11:04 A.M.)

13 MR. LaMARCA: Can I have a motion to
14 Suspend the Rules and add Resolution Nos. 390-
15 through 398-2022?

16 **RESOLUTION NO. 390-2022;** Resolution
17 granting request from the Oyster Bay-East Norwich
18 Chamber of Commerce for Town assistance in hosting
19 Oyster Bay Day on Audrey Avenue, Oyster Bay on
20 June 11, 2022, to utilize Municipal Parking Field
21 O-8 and for use of various Town equipment for the
22 event. (M.D. 5/17/22 #14).

23 **RESOLUTION NO. 391-2022;** Resolution
24 directing the Town Clerk to advertise a Notice of
25 Hearing on the application of Engel Burman at

1 Woodbury, LLC, Contract Vendee, and John GERAL, fee
2 owner, for a Special Use Permit and Site Plan
3 Approval at premises located at 92 Piquets Lane,
4 Woodbury, New York. Hearing date: June 14, 2022.
5 (M.D. 5/17/22 #15).

6 **RESOLUTION NO. 392-2022;** Resolution
7 directing the Town Clerk to advertise a Notice of
8 Hearing on the application of Jericho Turnpike LLC,
9 fee owner, and ARAS3 S Corp., lessee, for a Special
10 Use Permit and Revocation of Declaration of
11 Restrictive Covenants at premises located at
12 150 Jericho Turnpike, Syosset, New York. Hearing
13 date: June 14, 2022. (M.D. 5/17/22 #16).

14 **RESOLUTION NO. 393-2022;** Resolution
15 directing the Town Clerk to advertise a Notice of
16 Hearing to consider the 2022 Oyster Bay Fire
17 Department, Inc. and Atlantic Steamer Fire Company
18 No. 1 Fire Protection Agreements. Hearing date:
19 June 14, 2022. (M.D. 5/17/22 #17).

20 **RESOLUTION NO. 394-2022;** Resolution
21 directing the Town Clerk to advertise a Notice of
22 Hearing pertaining to Hydrant Rental for Glenwood-
23 Glen Head Fire Protection District and Liberty
24 Utilities (New York Water) Corp. for the year 2022.
25 Hearing Date: June 14, 2022. (M.D. 5/17/22 #18).

1 **RESOLUTION NO. 395-2022;** Resolution
2 authorizing settlement of litigation with
3 120 Westend, LLC and to authorize the Town Attorney
4 to execute any and all documents to effectuate the
5 settlement. (M.D. 5/17/22 #20).

6 **RESOLUTION NO. 396-2022;** Resolution
7 granting request from Sanctuary Home & Patio in
8 Oyster Bay to donate a bench and plaque to be
9 placed in front of Town Hall 54, Audrey Avenue,
10 Oyster Bay, in memory of Georgia Sussi. (M.D.
11 5/17/22 #19).

12 **RESOLUTION NO. 397-2022;** Resolution
13 ratifying the initiation of litigation by the Town
14 against the New York State Department of
15 Environmental Conservation and Frank M. Flower &
16 Son, Inc. (M.D. 5/17/22 #21).

17 **RESOLUTION NO. 398-2022;** Resolution
18 ratifying the Memorandum of Agreement between the
19 Town and the Civil Service Employees Association,
20 Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster
21 Bay Unit, Nassau County Local 881, dated May 18,
22 2022, to amend Article II - Recognition, of the
23 Collective Bargaining Agreement. (M.D. 5/17/22
24 #22).

25 On the motion:

1 COUNCILWOMAN JOHNSON: So moved.

2 COUNCILMAN IMBROTO: Second.

3 MR. LaMARCA: Motion made by
4 Councilwoman Johnson and seconded by Councilman
5 Imbroto.

6 On the vote:

7 Supervisor Saladino?

8 SUPERVISOR SALADINO: "Aye."

9 MR. LaMARCA: Councilwoman Johnson?

10 COUNCILWOMAN JOHNSON: "Aye."

11 MR. LaMARCA: Councilman Imbroto?

12 COUNCILMAN IMBROTO: "Aye."

13 MR. LaMARCA: Councilman Hand?

14 COUNCILMAN HAND: "Aye."

15 MR. LaMARCA: Councilwoman Maier?

16 COUNCILWOMAN MAIER: "Aye."

17 MR. LaMARCA: Councilwoman Walsh?

18 COUNCILWOMAN WALSH: "Aye."

19 MR. LaMARCA: Motion to Suspend the
20 Rules and add Resolution Nos. 390 through 398-2022
21 passes with six "Ayes."

22 (TIME NOTED: 11:05 A.M.)

23 MR. LaMARCA: May I have a motion to
24 Resuspend the Rules and add the following Walked-On
25 Resolution No. 399-2022, which is a Resolution

1 ratifying the Memorandum of Agreement in
2 authorizing the Supervisor, or his designee, to
3 execute a new Collective Bargaining Agreement
4 between the Town of Oyster Bay and the Town of
5 Oyster Bay Lifeguard Association.

6 On the motion:

7 COUNCILWOMAN JOHNSON: So moved.

8 COUNCILMAN IMBROTO: Second.

9 MR. LaMARCA: Motion made by
10 Councilwoman Johnson and seconded by Councilman
11 Imbroto.

12 On the vote:

13 Supervisor Saladino?

14 SUPERVISOR SALADINO: "Aye."

15 MR. LaMARCA: Councilwoman Johnson?

16 COUNCILWOMAN JOHNSON: "Aye."

17 MR. LaMARCA: Councilman Imbroto?

18 COUNCILMAN IMBROTO: "Aye."

19 MR. LaMARCA: Councilman Hand?

20 COUNCILMAN HAND: "Aye."

21 MR. LaMARCA: Councilwoman Maier?

22 COUNCILWOMAN MAIER: "Aye."

23 MR. LaMARCA: Councilwoman Walsh?

24 COUNCILWOMAN WALSH: "Aye."

25 MR. LaMARCA: Motion to Resuspend the

1 Rules of Procedure and added Walked-On Resolution
2 No. 399-2022 passes with six "Ayes."

3 (TIME NOTED: 11:06 A.M.)

4 MR. LaMARCA: May I have a motion to
5 adopt Resolution Nos. P-9-22 through 399-2022; and
6 Resolution No. TF-8-22, which has been removed from
7 the table; noting that Resolution No. 371-2022 has
8 been tabled.

9 **PERSONNEL RESOLUTION NO. P-9-22 and**
10 **PA-5-22;** Resolution pertaining to personnel of
11 various departments within the Town of Oyster Bay.

12 **RESOLUTION NO. 359-2022;** Resolution
13 authorizing the Senior Citizen Division's Summer
14 Program to purchasing provisions for "National Hot
15 Dog Day" on July 20, 2022 and "National S'mores
16 Day" on August 10, 2022 to be held at the North
17 Massapequa Community Center. Account No. CYS A
18 7020 41800 000 0000. (M.D. 5/3/22 #4).

19 **RESOLUTION NO. 360-2022;** Resolution
20 authorizing the acceptance of a donation of a
21 memorial plaque and bench from Linda Logdberg to be
22 placed in Harry Tappen Beach, in memory of Lennart
23 Logdberg. (M.D. 5/3/22 #6).

24 **RESOLUTION NO. 361-2022;** Resolution
25 authorizing award of Bid Proposal SE002A-22, Glass

1 Recycling for the Town of Oyster Bay. Bids

2 Received: March 23, 2022. (M.D. 5/3/22 #7).

3 **RESOLUTION NO. 362-2022;** Resolution
4 authorizing as required by the Town Surplus Policy,
5 Resolution No. 415-2018, for the department to
6 advertise surplus equipment for competitive bid
7 sale or public auction. (M.D. 5/3/22 #8).

8 **RESOLUTION NO. 363-2022;** Resolution in
9 connection with the Dock Application of Anthony
10 Corallo, 171 Biltmore Boulevard, Massapequa,
11 New York. (M.D. 5/3/22 #13).

12 **RESOLUTION NO. 364-2022;** Resolution in
13 connection with the Dock Application of Lawrence
14 Garafola, 296 East Shore Drive, Massapequa,
15 New York. (M.D. 5/3/22 #14).

16 **RESOLUTION NO. 365-2022;** Resolution in
17 connection with the Dock Application of Michael
18 Signorelli, 150 Forest Avenue, Massapequa,
19 New York. (M.D. 5/3/22 #15).

20 **RESOLUTION NO. 366-2022;** Resolution
21 authorizing expenditures for residential document
22 scanning and condo files for the Department of
23 Planning and Development from May 25, 2022 through
24 the project's completion. Account No. PAD H 8997
25 26000 000 1508 002. (M.D. 5/3/22 #16).

1 **RESOLUTION NO. 367-2022;** Resolution
2 amending Resolution No. 665-2021, to include a fee
3 for services rendered in connection with the
4 December 31, 2021 GASB 75 Disclosure of Retiree
5 Welfare Plans. Account No. CMP A 1315 44800 000
6 0000. (M.D. 5/3/22 #17).

7 **RESOLUTION NO. 368-2022;** Resolution
8 authorizing the property cleanup assessment of
9 35 Buckram Road, Locust Valley, performed on
10 March 1, 2022, be referred to the County of Nassau
11 for placement on the Nassau County Tax Assessment
12 rolls. (M.D. 5/3/22 #18).

13 **RESOLUTION NO. 369-2022;** Resolution
14 authorizing the property cleanup assessment of
15 62 Stone Boulevard, Massapequa, performed on
16 March 2, 2022, be referred to the County of Nassau
17 for placement on the Nassau County Tax Assessment
18 rolls. (M.D. 5/3/22 #19).

19 **RESOLUTION NO. 370-2022;** Resolution
20 authorizing award of construction Contract No.
21 DP22-228, Town of Oyster Bay Honorable Joseph Colby
22 Golf Course, Woodbury, New York. Account No. PKS H
23 7197 20000 000 2202 001, and Account No. PKS H 7197
24 20000 000 2102 001. (M.D. 5/3/22 #21).

25 **RESOLUTION NO. 372-2022;** Resolution

1 authorizing the co-sponsorship of a Distinguished
2 Artist's Concert Series with various libraries
3 through the Town of Oyster Bay on the listed dates
4 and for the Supervisor, or his designee and/or the
5 Commissioner of the Department to execute said
6 agreements. Account No. CYS A 7020 47660 000 0000.
7 (M.D. 5/10/22 #5).

8 **RESOLUTION NO. 373-2022;** Resolution
9 authorizing the issuance of a refund for the 2022
10 Town of Oyster Bay Summer Recreation Program at
11 Ellsworth Allen Town Park to Nicole Koslow.
12 Account No. PKS A 0001 02001 510 0000. (M.D.
13 5/10/22 #6).

14 **RESOLUTION NO. 374-2022;** Resolution
15 authorizing the issuance of a refund for the 2022
16 Town of Oyster Bay Summer Recreation Program at
17 Ellsworth Allen Town Park to Deborah Brown.
18 Account No. PKS A 0001 02001 510 0000. (M.D.
19 5/10/22 #7).

20 **RESOLUTION NO. 375-2022;** Resolution
21 authorizing the issuance of a refund for the 2022
22 Town of Oyster Bay Summer Recreation Program at
23 Ellsworth Allen Town Park to Kara Mueller. Account
24 No. PKS A 0001 02001 510 0000. (M.D. 5/10/22 #8).

25 **RESOLUTION NO. 376-2022;** Resolution

1 amending Resolution No. 221-2022, Health and Safety
2 Programs for OSHA/PESH Compliance Contract to
3 correct the contract period to January 1, 2022
4 through December 31, 2024, with two additional
5 one-year extensions and for an increase in funding
6 for training of Town of Oyster Bay staff for the
7 first year. Account No. TWNA 1989 47900 000 000.
8 (M.D. 5/10/22 #9).

9 **RESOLUTION NO. 377-2022;** Resolution
10 directing the Town Clerk to publish a notice in
11 connection with a request for proposals for the
12 delivery of youth employment and training services
13 for in-school youth aged 14-21 under the Workforce
14 Innovation and Opportunity Act for the period
15 October 1, 2022 through September 30, 2025.
16 Account No. IGA CD 6293 48340 000 CW21. (M.D.
17 5/10/22 #14).

18 **RESOLUTION NO. 378-2022;** Resolution
19 authorizing membership in the listed Chambers of
20 Commerce and Business Associations for a period of
21 one year. Account No. TWN A 1989 47900 000 000.
22 (M.D. 5/10/22 #15).

23 **RESOLUTION NO. 379-2022;** Resolution
24 authorizing payment of costs incurred in connection
25 with the 2022 BAN/Bond Sale Expenses. (M.D. 5/10/22

1 #16).

2 **RESOLUTION NO. 380-2022;** Resolution
3 authorizing the property cleanup assessment of
4 112 Willard Avenue, Farmingdale, performed on
5 September 23, 2021, be referred to the County of
6 Nassau for placement on the Nassau County Tax
7 Assessment rolls. (M.D. 5/10/22 #19).

8 **RESOLUTION NO. 381-2022;** Resolution
9 pertaining to Contract No. PWC 12-22, On-Call
10 Engineering Services Relative to Environmental
11 Sciences in connection with assisting the Town with
12 SWMP Annual Report, GP-0-22-002 NOI, Stormwater
13 Management documents, MS4 Map, SWPPP Annual Report,
14 update SWPPP documents, Municipal Facility
15 Stormwater Self Assessments, Compliance Site
16 Inspections and Miscellaneous Services. Account
17 No. HWY H 5197 20000 000 2103 008. (M.D. 5/10/22
18 #20).

19 **RESOLUTION NO. 382-2022;** Resolution
20 pertaining to Contract No. PWC 09-22, On-Call
21 Engineering Services Relative to Site Development
22 in connection with the design, bid opening, bid
23 review, contractor supervision of the Theodore
24 Roosevelt Memorial Park Turf replacement. Account
25 No. PKS H 7197 20000 2002 001. (M.D. 5/10/22 #21).

1 **RESOLUTION NO. 383-2022;** Resolution
2 pertaining to Contract PWC19-22, On-Call
3 Engineering Services relative to Structural
4 Engineering in connection with engineering services
5 regarding the improvements made to the bulkhead at
6 the Joseph J. Saladino Memorial Marina at TOBAY,
7 and for the use of sub-consultants for the project.
8 Account No. PKS H 7197 20000 000 1902 001. (M.D.
9 5/10/22 #22).

10 **RESOLUTION NO. 384-2022;** Resolution
11 authorizing the Supervisor, or his designee, to
12 execute the necessary documents in connection with
13 an award of grant through the New York Urban
14 Forestry Council to purchase and plant five Ginko
15 Biloba trees at the Town of Oyster Bay Western
16 Waterfront. (M.D. 5/10/22 #24).

17 **RESOLUTION NO. 385-2022;** Resolution
18 authorizing renewal of membership with the New York
19 Association of Training and Employment
20 Professionals for the period July 1, 2022 through
21 June 30, 2023. Account No. IGA CD 6293 47900 000
22 CW21. (M.D. 5/10/22 #26).

23 **RESOLUTION NO. 386-2022;** Resolution
24 pertaining to Contract PWC19-22, On-Call Technical
25 Assistance Relative to Structural Engineering in

1 connection with the construction of an overhead
2 canopy over the existing ice-skating rink at
3 Marjorie Post Community Park, Massapequa, and for
4 the use of a sub-consultant for the project.

5 Account No. PKS H 7197 20000 000 2002 001. (M.D.
6 5/10/22 #27).

7 **RESOLUTION NO. 387-2022;** Resolution
8 directing the Town Clerk to advertise a Notice of
9 Hearing to consider the application of the Oyster
10 Bay Water District for Bond Financing. Hearing
11 date: June 14, 2022. (M.D. 5/10/22 #28).

12 **RESOLUTION NO. 388-2022;** Resolution
13 pertaining to the application of the Jericho Water
14 District for the elimination of the Oyster Bay Cove
15 Extension district within the Town of Oyster Bay.
16 (M.D. 5/10/22 #29).

17 **RESOLUTION NO. 389-2022;** Resolution
18 authorizing a program for Sunscreen Dispensers,
19 Sunscreen, Skin Cancer Awareness, Outreach Program
20 and Associated Maintenance Services at Various
21 Parks and Facilities, at no cost to the Town, and
22 to authorize the Supervisor, or his designee, to
23 execute an agreement for the period May 27, 2022
24 through September 30, 2025, with one three-year
25 extension option. (M.D. 5/10/22 #25 & 5/17/22 #13).

1 **RESOLUTION NO. 390-2022;** Resolution
2 granting request from the Oyster Bay-East Norwich
3 Chamber of Commerce for Town assistance in hosting
4 Oyster Bay Day on Audrey Avenue, Oyster Bay on
5 June 11, 2022, to utilize Municipal Parking Field
6 O-8 and for use of various Town equipment for the
7 event. (M.D. 5/17/22 #14).

8 **RESOLUTION NO. 391-2022;** Resolution
9 directing the Town Clerk to advertise a Notice of
10 Hearing on the application of Engel Burman at
11 Woodbury, LLC, Contract Vendee, and John Geral, fee
12 owner, for a Special Use Permit and Site Plan
13 Approval at premises located at 92 Piquets Lane,
14 Woodbury, New York. Hearing date: June 14, 2022.
15 (M.D. 5/17/22 #15).

16 **RESOLUTION NO. 392-2022;** Resolution
17 directing the Town Clerk to advertise a Notice of
18 Hearing on the application of Jericho Turnpike LLC,
19 fee owner, and ARAS3 S Corp., lessee, for a Special
20 Use Permit and Revocation of Declaration of
21 Restrictive Covenants at premises located at
22 150 Jericho Turnpike, Syosset, New York. Hearing
23 date: June 14, 2022. (M.D. 5/17/22 #16).

24 **RESOLUTION NO. 393-2022;** Resolution
25 directing the Town Clerk to advertise a Notice of

1 Hearing to consider the 2022 Oyster Bay Fire
2 Department, Inc. And Atlantic Steamer Fire Company
3 No. 1 Fire Protection Agreements. Hearing date:
4 June 14, 2022. (M.D. 5/17/22 #17).

5 **RESOLUTION NO. 394-2022;** Resolution
6 directing the Town Clerk to advertise a Notice of
7 Hearing pertaining to Hydrant Rental for Glenwood-
8 Glen Head Fire Protection District and Liberty
9 Utilities (New York Water) Corp. for the year 2022.
10 Hearing Date: June 14, 2022. (M.D. 5/17/22 #18).

11 **RESOLUTION NO. 395-2022;** Resolution
12 authorizing settlement of litigation with
13 120 Westend LLC and to authorize the Town Attorney
14 to execute any and all documents to effectuate the
15 settlement. (M.D. 5/17/22 #20).

16 **RESOLUTION NO. 396-2022;** Resolution
17 granting request from Sanctuary Home & Patio in
18 Oyster Bay to donate a bench and plaque to be
19 placed in front of Town Hall 54, Audrey Avenue,
20 Oyster Bay, in memory of Georgia Sussi. (M.D.
21 5/17/22 #19).

22 **RESOLUTION NO. 397-2022;** Resolution
23 ratifying the initiation of litigation by the Town
24 against the New York State Department of
25 Environmental Conservation and Frank M. Flower &

1 Son, Inc. (M.D. 5/17/22 #21).

2 **RESOLUTION NO. 398-2022;** Resolution
3 ratifying the Memorandum of Agreement between the
4 Town and the Civil Service Employees Association,
5 Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster
6 Bay Unit, Nassau County Local 881, dated May 18,
7 2022, to amend Article II - Recognition, of the
8 Collective Bargaining Agreement. (M.D. 5/17/22
9 #22).

10 **RESOLUTION NO. 399-2022;** Resolution
11 ratifying the Memorandum of Agreement in
12 authorizing the Supervisor, or his designee, to
13 execute a new Collective Bargaining Agreement
14 between the Town of Oyster Bay and the Town of
15 Oyster Bay Lifeguard Association.

16 On the motion:

17 COUNCILWOMAN JOHNSON: So moved.

18 COUNCILMAN IMBROTO: Second.

19 MR. LaMARCA: Motion made by
20 Councilwoman Johnson and seconded by Councilman
21 Imbroto.

22 I think we may have some speakers.

23 SUPERVISOR SALADINO: Yes.

24 Our first speaker on our Action
25 Calendar will be Dorothy Simons.

1 MS. SIMONS: How are you?

2 SUPERVISOR SALADINO: Hi. I hope I got
3 your last name right.

4 MS. SIMONS: You did.

5 SUPERVISOR SALADINO: Good morning,
6 Dottie.

7 MS. SIMONS: For those who don't know
8 me, I'm Dottie Simons. I'm an invested business
9 owner in this Town, have worked most of my
10 professional career here, beginning in Milton
11 Zipper's office from the Oyster Bay High School
12 business partnership, to working at the Sweet Shop,
13 to the Homestead Restaurant where I came to know
14 Georgia Sussi, who formerly worked for the Town of
15 Oyster Bay for over 25 years.

16 Georgia is most well known for her
17 support to this community. As a young kid, I came
18 from a very broken home. I met her at the age of
19 17, and Georgia loved me from that day on. What
20 she did for this community and all the people in it
21 was to bring a sense of family to those who didn't
22 have one, and she did it with all her might.

23 She was probably your most prized Town
24 of Oyster Bay employee. Georgia worked here for 25
25 years, walked to work every single day, never

1 parked a car where it didn't belong, went home for
2 lunch, came back, sat on the bench that was a
3 little further down the street every day after her
4 lunch on the days that the weather was permitting.

5 Georgia opened her home, her life, her
6 family. She shared it with everyone, and what I'm
7 proposing today is in honor of Georgia's memory,
8 because this community, from the day she passed on
9 March 29th, has been heartbroken.

10 And I'm talking about the old school
11 Oyster Bay. I came to this community in 1972, by
12 the grace of God. When they were putting the
13 bridge through, my father bought a home here in
14 Oyster Bay Cove for \$75,000 because it was supposed
15 to be under the bridge, and that's how I grew here,
16 I grew in, and I love this community. I don't
17 happen to live in it, believe it or not, I live in
18 Glen Head, still within the Town of Oyster Bay, but
19 I believe you have to honor your community members
20 just as you honor your politicians in this Town for
21 people who made a difference.

22 Everybody who got -- my age -- who got
23 married, who had to walk into that office, and
24 Georgia Sussi was there to greet them with a smile
25 and to really celebrate their marriages, their

1 babies. She became an integral part of this
2 community.

3 When I was at her wake, we used to have
4 a resident in this community named "Bad Anthony."
5 "Bad Anthony" was at her wake. "Bad Anthony" was
6 here because Georgia took the time as a mother to
7 never judge him, to always open her door to him.
8 He came to pay respect. Those are the community
9 members that make a difference in your life, and I
10 hope that you'll consider this donation of a bench
11 in Georgia's honor because it will bring great joy
12 to your residents.

13 Thank you very much.

14 SUPERVISOR SALADINO: Thank you very
15 much.

16 COUNCILWOMAN JOHNSON: Thank you,
17 Dottie.

18 If I may for one second, Supervisor?

19 SUPERVISOR SALADINO: Certainly.

20 COUNCILWOMAN JOHNSON: I think it's a
21 fitting tribute to a wonderful person -- forgive me
22 for crying -- she really was a second mother to me.
23 And I know that my uncle and my cousins and my mom
24 are so happy. Thank you. She represented all that
25 was right and good in this world.

1 SUPERVISOR SALADINO: Of course.

2 Certainly fitting of this tribute and
3 many others.

4 God bless her.

5 Thank you for joining us today, and
6 thank you for your heartfelt presentation.

7 MS. SIMONS: Thank you.

8 SUPERVISOR SALADINO: Obviously, our
9 hearts and condolences go out to all the family
10 members, all the loved ones, and, quite frankly,
11 the whole community.

12 COUNCILWOMAN JOHNSON: Absolutely.

13 SUPERVISOR SALADINO: Thank you.

14 Would anyone -- yes, we have for our
15 next speaker, John Bartolotti.

16 John, come on up.

17 MR. BARTOLOTTI: How are you, sir?

18 SUPERVISOR SALADINO: How are you.

19 MR. BARTOLOTTI: I'm brand-new at this.

20 SUPERVISOR SALADINO: Take your time.

21 You're among friends.

22 MR. BARTOLOTTI: I got two concerns --

23 SUPERVISOR SALADINO: John, could you
24 start off -- our process is to give your name and
25 your full address for the record.

1 MR. BARTOLOTTI: John Bartolotti,
2 5 Todd Drive, Glen Head, New York.

3 I got two concerns. One is Public
4 Safety, which is down by Highland Avenue and Grove
5 Street in Glenwood Landing.

6 Now, I'm not familiar with where I
7 should go with this, so that's why I'm here today.

8 There's a terrible blind spot that's
9 created by some bushes that were planted on Grove
10 Street, and what rekindled this is, I see now that
11 there's a sign been put up to make the people there
12 on Highland not park right on the corner. Okay?
13 There's two brand-new houses there, and when you
14 pull up to the corner, there's a blind spot. You
15 cannot see around the corner until the nose of the
16 vehicle is, actually, out into Grove Street.

17 So I'm looking for direction on to
18 where would I go to get somebody to take a look at
19 it.

20 They put a sign up, and I was really
21 surprised that I didn't see the bushes come out
22 next because, you know, somebody's got their eye on
23 this corner now.

24 SUPERVISOR SALADINO: So, John, we
25 could have saved you the trip. We appreciate

1 you're being here, you did a wonderful job, but we
2 have a couple of asks.

3 You can meet right here today with one
4 of our representatives that we have.

5 Karen Underwood would be one of the
6 people (indicating), or you can call my office at
7 516-624-6350 and ask for Liz, or you can call the
8 Town Board office at 624-6300 and ask for any of
9 the Council members.

10 MR. BARTOLOTTI: I'd rather speak to
11 someone today.

12 SUPERVISOR SALADINO: That's fine.

13 Karen Underwood (indicating) is one of
14 our finest attorneys in the Town Attorney's Office,
15 that's filled with very qualified people. She does
16 a great job, and my suggestion would be to meet
17 with her immediately, and we'll get right on this
18 and figure out how to resolve it.

19 MR. BARTOLOTTI: That sounds great,
20 sir.

21 COUNCILWOMAN WALSH: Also, you know
22 what, maybe, Colin Bell, can you also meet with
23 them?

24 Since he's been meeting in Greenvale,
25 in that area, with some residents on concerns at

1 the moment? Last month he's been meeting with
2 them, maybe you can be a part of that?

3 MR. BELL: Certainly.

4 COUNCILWOMAN WALSH: Thank you.

5 MR. BARTOLOTTI: Okay. Good.

6 My next order, I guess, of business is,
7 you know, I've been dealing with a construction
8 project across from my home, and there's been many
9 rubs during this project, and I keep hearing that
10 it's been permitted. It's been permitted.

11 There has to be terms and conditions
12 when you guys issue a permit. It doesn't blanket
13 the contractor to just run amuck during it, right,
14 so I need somebody to speak to on that because now
15 it turns out to be -- there's a legal battle going
16 on, and where I feel I'm due -- and the guy -- or
17 the contractor may have been in breach of his
18 permit, and I need some direction there also.

19 SUPERVISOR SALADINO: So, again, Karen
20 Underwood will --

21 MR. BARTOLOTTI: Same person?

22 SUPERVISORS SALADINO: Same person.

23 MR. BARTOLOTTI: Excellent.

24 SUPERVISOR SALADINO: One stop
25 shopping.

1 We'll address all your concerns.

2 Thank you for joining us.

3 MR. BERTOLOTTI: Thank you very much,
4 sir.

5 SUPERVISOR SALADINO: But do remember
6 those numbers because there may be other issues or
7 you may choose to reach out to us.

8 Karen will give you her number --

9 MR. BERTOLOTTI: Okay.

10 SUPERVISOR SALADINO: -- you can call
11 her directly, save you the trip, and we'll get
12 right on it, too.

13 MR. BERTOLOTTI: Thank you very much,
14 sir.

15 SUPERVISOR SALADINO: Our pleasure.

16 Thanks for coming in.

17 God bless.

18 Is there anyone else who would like to
19 be heard on any of the Resolutions as they relate
20 to today's Calendar?

21 (Whereupon, there was no response from
22 the assemblage present.)

23 SUPERVISOR SALADINO: No one has raised
24 their hand.

25 Okay. We're about ready to take a

1 vote.

2 Can you tell us about correspondence?

3 MR. LaMARCA: There is no other
4 correspondence.

5 SUPERVISOR SALADINO: Okay.

6 Before we take our vote, there are two
7 announcements I'd like to make as it relates to
8 some of the things that we're accomplishing today,
9 and, quite frankly, things that this entire Town
10 Board is extremely proud of.

11 One of the facts is our Hampton Inn
12 homeless shelter settlement. You might have heard
13 about this issue going on for some time in Jericho,
14 and, certainly, if you're from Jericho, I'm almost
15 positive you've heard quite a bit about it, and
16 today we are proving that we work for the residents
17 and our commitment is to our residents.

18 Because we're celebrating an end to the
19 plans for a homeless shelter in Jericho. As many
20 of you are aware, nearly a year ago, Town residents
21 and the Oyster Bay Town Board have been
22 aggressively fighting illegal plans to convert the
23 Hampton Inn building in Jericho into a homeless
24 housing facility.

25 Upon learning of this proposal, which

1 was not told to us directly from government, we had
2 to find out from the School Board once they learned
3 of it, it came as a surprise to the residents, it
4 came as a surprise to the Town.

5 This administration sent objections to
6 the prior County administration notifying them of
7 the Town's Zoning Law -- that's the prior County
8 Executive I'm referring to, not the current one --
9 the County's proposal violated Local Zoning Laws.
10 The plan also violated the Town's permits, which
11 allowed for the original operation of a hotel,
12 which limited the stays -- the duration of stays --
13 which is also part of State Code.

14 To protect our residents and protect
15 the quality of life of this community, we did what
16 was the proper thing to do. We immediately issued
17 a Notice of Violation and a Stop Work Order for
18 violations of our Town Code regarding a Change of
19 Occupancy and the State Building Code for a Change
20 of Use, but we did not stop there.

21 We sought Supreme Court intervention to
22 put a stop to this misguided project. We were
23 successful when New York State Supreme Court
24 granted and reinforced a temporary Restraining
25 Order against this project.

1 The property owner attempted to
2 convince the Appeals Court to reverse the decision,
3 and they were unsuccessful. Despite losing in
4 court, the prior County Executive and her partners
5 in this project still wouldn't back down even
6 though an enormous amount of the residents made it
7 very clear that the project was not right for their
8 community.

9 They filed a new lawsuit against the
10 Town, this organization. Facing real legal
11 obstacles, the new County Executive, and fierce
12 community opposition, the homeless shelter operator
13 and the property owner have now officially backed
14 down.

15 Today, we approve a settlement in our
16 vote of our many Resolutions today. One of them is
17 for this settlement, the agreement in which the
18 owner abandons all plans to house homeless at this
19 site. If and when the building reopens, it will be
20 used solely as a hotel for travelers for the sole
21 purpose that it is allowed to be used for.

22 This settlement is an enormous victory
23 for the Town of Oyster Bay's constitutional
24 jurisdiction over Local Zoning Laws, which have
25 been in place for decades to protect our suburban

1 quality of life.

2 Bottom line is, if you don't follow the
3 Zoning Laws and you're allowed to continue, it
4 could take away -- it sets a precedent and take
5 away our ability to zone things properly. I've
6 used the expression, the exaggeration, we'd never
7 allow a gunpowder factory right next to a nursery
8 school for the obvious reasons, so Zoning Laws are
9 extremely important.

10 It's also extremely important for our
11 residents to rest assured that we will never allow
12 anyone to bypass the Town's permitting, inspection
13 review, hearing process because it is so important
14 for our Local Codes Enforcement, for our building
15 officials, and, of course, for our residents to be
16 heard, and this was being proposed without any
17 hearing.

18 So, I, for one -- and I'm sure my
19 colleagues are all on board because they were very
20 helpful during this entire process, and I thank
21 you, and our residents thank you -- but I'm proud
22 that today we're shutting the door on this chapter
23 and sending a very strong message.

24 Another item that we're voting on
25 shortly is the appointment of a brand-new

1 Commissioner of our brand-new Department of
2 Sanitation.

3 We take our environment and the
4 protecting of our environment and our Town services
5 very, very seriously, and Sanitation, which has
6 been a division of the Department of Public Works,
7 now it will be a stand-alone department. We closed
8 down a department and added a department, so
9 there's no net increase in government, but we're
10 voting to put in place a Commissioner of this new
11 Department of Sanitation, someone with an enormous
12 amount of experience, someone who kept the
13 department going strong throughout the entire
14 pandemic where we never missed one day of garbage
15 pickup, and we never missed one day of recycling
16 pickup.

17 During a pandemic, you can understand
18 how that's especially important to make sure that
19 garbage did not pile up, garbage that could have
20 contained the COVID-19 disease. Let's talk for a
21 minute about who soon-to-be Commissioner Dan Pearl
22 really is.

23 At the age of 16, Daniel Pearl began
24 working as a seasonal employee in the Parks
25 Department. After graduating college, he joined

1 the workforce full time in an entry-level job as an
2 Animal Control officer. He proved he was very
3 dedicated to his job.

4 Daniel was recognized for his work
5 ethic and promoted to the Department of Community
6 and Youth Services where he worked very hard
7 working his way up every step of the way on his way
8 to the top.

9 Dan went on to become Deputy
10 Commissioner of that department, supervising over
11 100 employees as they delivered important services
12 to children, the disabled, senior citizens,
13 Veterans, and to the general public.

14 While it's one small portion of that
15 department, anyone who has attended our concerts
16 know that we do things the right way, and other
17 towns follow the example of the Town of Oyster Bay.

18 When the Town needed new management
19 within the Department of Environmental Resources,
20 Mr. Pearl was asked to change careers to assist
21 with overhauling the department. He spent seven
22 years serving as Deputy Commissioner overseeing
23 environmental protection initiatives such as harbor
24 and waterway management, green recycling
25 initiatives, the proper disposal of both municipal

1 solid waste and hazardous waste products as well as
2 eWaste, and so many other intricate and highly
3 technical aspects of the job.

4 He also, always, has had humane care
5 for pets at the Animal Shelter, and like the rest
6 of us, truly loves animals and proves it every day.

7 As Town operations consolidated and our
8 new administration took office, Dan Pearl was
9 tasked by me with managing over 300 employees of
10 the Town's entire Sanitation operations including
11 the solid waste complex. He's done a yeoman's
12 effort, really incredible job there.

13 This is a significant operation as it
14 serves the third largest -- actually, we're the
15 fourth by a small amount -- fourth largest township
16 in America, and Sanitation collection is the
17 reality of one of the most important services that
18 we do.

19 With 26 years of full-time experience
20 in the Town of Oyster Bay, including experiencing
21 managing all of the Town's Sanitation operations,
22 while, by the way, embracing all of his
23 responsibilities as a volunteer firefighter with
24 the Massapequa Fire Department, which takes quite a
25 bit of skill, Dan Pearl has proven himself to be

1 the most qualified person to serve as Commissioner
2 of the newly created Sanitation Department in the
3 Town of Oyster Bay.

4 No matter where you live in this Town,
5 you depend on that Sanitation process, and you
6 depend on the Sanitation and Recyclables being
7 picked up properly.

8 Whether you live in Old Bethpage, which
9 is the site of our former landfill and now our
10 transfer station, you can rest assured that we'll
11 be doing everything to protect your environment,
12 your air, we protect water quality.

13 No matter where you live in this Town,
14 and, I, for one, I know my colleagues join me in
15 being so proud of Dan Pearl, and we look forward to
16 voting "Aye" for his appointment as the
17 Commissioner of the new Sanitation Department of
18 the Town of Oyster Bay.

19 Thank you.

20 And with that, we call for a vote.

21 MR. LaMARCA: Supervisor Saladino?

22 SUPERVISOR SALADINO: "Aye."

23 MR. LaMARCA: Councilwoman Johnson?

24 COUNCILWOMAN JOHNSON: I vote "Aye."

25 And I'm especially in agreement on

1 Commissioner Pearl. He's going to be the best new
2 Commissioner.

3 MR. LaMARCA: Councilman Imbroto?

4 COUNCILMAN IMBROTO: I vote "Aye."

5 I want to second that.

6 Danny, you're the best, and we can't
7 wait to have you as Commissioner.

8 MR. LaMARCA: Councilman Hand?

9 COUNCILMAN HAND: "Aye" on all.

10 MR. LaMARCA: Councilwoman Maier?

11 COUNCILWOMAN MAIER: "Aye" on all.

12 MR. LaMARCA: Councilwoman Walsh?

13 COUNCILWOMAN WALSH: "Aye" on all.

14 MR. LaMARCA: Motion to adopt
15 Resolution Nos. P-9-22 through 370-2022 passes with
16 six "Ayes."

17 Resolution No. 371-2022 has been
18 tabled.

19 Resolution Nos. 372 through 399-2022
20 passes with six "Ayes."

21 And Resolution No. P-8-22 passes with
22 six "Ayes."

23 The Calendar is complete.

24 (TIME NOTED: 11:25 A.M.)

25 SUPERVISOR SALADINO: Thank you very

1 much.

2 With that, may I have a motion?

3 COUNCILWOMAN JOHNSON: Supervisor, I'll
4 make a motion that this meeting be closed.

5 COUNCILMAN IMBROTO: Second that
6 motion.

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

9 ALL: "Aye."

10 SUPERVISOR SALADINO: Those opposed,
11 "Nay."

12 (Whereupon, there were no "Nay"
13 responses from the Board.)

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

16 Thank you.

17 Congratulations to Commissioner Dan
18 Pearl and there will be more positions filled with
19 very talented people to ensure that this
20 department, this new department, is running the
21 best it has ever been and, as I said earlier,
22 because we have folded another department into DWP,
23 there is no net gain of government. It remains
24 equal.

25 Thank you very much and thank you to

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all my colleagues.

(TIME NOTED: 11:25 A.M.)

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