

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
NOVEMBER 28, 2017
7:15 P.M.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN LOUIS B. IMBROTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN THOMAS HAND

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

JAMES ALTADONNA JR., TOWN CLERK
JAMES STEFANICH, RECEIVER OF TAXES

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Ladies and
2 gentlemen, welcome to the Town of Oyster Bay Town
3 Board meeting of Tuesday, November 28, 2017.

4 To begin this evening's Town Board
5 meeting and to lead us in the prayer, will be led
6 by Father Valentine Rebello of the St. Pius Roman
7 Catholic Church in Plainview.

8 The St. Pius Roman Catholic community
9 extends a warm welcome to all. They're known for
10 their strong congregation and for their tireless
11 commitment to the community.

12 Father Valentine, would you please lead
13 us in prayer?

14 (Whereupon, a prayer was recited by
15 Father Valentine Rebello.)

16 SUPERVISOR SALADINO: Thank you,
17 Father.

18 And to lead us in the Pledge of
19 Allegiance, Eagle Scout candidate, Peter Rowan.

20 Peter, would you please step forward?

21 (Whereupon, the Pledge of Allegiance
22 was recited and led by Peter Rowan.)

23 SUPERVISOR SALADINO: Please be seated.

24 Thank you, Peter.

25 And, Peter, I ask you to stay with us

1 because we will be -- you can have a seat in front,
2 but we'll be including you in a very special
3 presentation and we really appreciate you being
4 with us this evening.

5 Since our last Town Board meeting on
6 November 14th, much has occurred in our Town as we
7 continue to work diligently to cut costs in our
8 Town and move forward with the sweeping ethics
9 reforms that have been promised.

10 As pledged several months ago, the Town
11 of Oyster Bay will move forward with its
12 implementation of an Inspector General's Office.

13 While the funding was included in our
14 2018 adopted budget, we must now move forward with
15 a Local Law to officially create the position. The
16 Town Attorney's Office and the Department of Human
17 Resources continue to discuss and review the
18 requested technical charges to the proposed law so
19 that we develop the position in the right way, and
20 quite frankly, the best way to get the job done.

21 We expect an amended law will be
22 proposed in the very near future. I look forward
23 to becoming with -- along with my colleagues on the
24 Town Board -- to becoming the very first
25 municipality on Long Island to create the Office of

1 Inspector General.

2 This new Town Board and I are also
3 proud to continue to clean up government. We are
4 working diligently to clean up not only our
5 government here in Oyster Bay, but our local
6 communities and neighborhoods.

7 Earlier today, on this very day,
8 Councilman Imbroto, Councilman Tom Hand,
9 Councilwoman Johnson, and our Town Clerk, James
10 Altadonna Jr., joined me as we move forward with
11 the demolition of two zombie homes in Locust
12 Valley.

13 And I will tell you, it was quite a
14 thrill to get behind the controls of that heavy
15 equipment and knock those houses down. Certainly,
16 ended a blight in the neighborhood, in one
17 particular neighborhood, this time Locust Valley.

18 The Department of Planning and
19 Development had declared both houses an imminent
20 danger to the safety and welfare of our residents
21 in the surrounding neighborhood, and therefore,
22 gave us the right by code to do so.

23 While Locust Valley neighbors referred
24 to these actions as the Miracle on 13th Street,
25 this new level enforcement will no longer be a

1 surprise as we bring it to each and every community
2 in the Town of Oyster Bay.

3 (Applause.)

4 SUPERVISOR SALADINO: We are very
5 serious about that and that's why we created the
6 new Quality of Life Task Force as efforts have been
7 made and will continue to be made in other
8 communities, including the very historic and
9 beloved East Massapequa.

10 There are numbers of homes for a
11 variety of reasons, including the two hurricanes,
12 that mandate that we must clean up, and these sites
13 are next in our cross hairs to ensure that we make
14 the living experience and the quality of life much
15 better.

16 I know we have residents of this
17 beloved community here today again with us and we
18 are here to assure you that we're dropping the
19 throttles and moving forward on getting these sites
20 cleaned up and using -- a little more complicated
21 with these particular sites in terms of ownership
22 and our rights based on the code, but we are
23 putting all of our efforts and we have the support
24 of all of our Town Board members and our Town
25 Clerk, James Altadonna, who has also been working

1 diligently with us.

2 And I want to thank our Building
3 Department. I see we have our Commissioner, Leslie
4 Maccarone, here. I want to thank the Town
5 Attorney's Office and all of the resources of this
6 Town because we will clean up these sites and we
7 know it's what the residents want and we know it's
8 the right thing to do.

9 Our task force members have been
10 continuing to work diligently to address so many of
11 these sites and while I didn't name it by name, but
12 sites on Clark Boulevard, for instance, as a high
13 priority.

14 Through the use of a \$350,000 State
15 grant that we obtained earlier this year, the task
16 force is working toward strengthening the Town Code
17 to address and cure the problem of zombie houses
18 and to get a better hold on the lending
19 institutions who are responsible for maintenance
20 and repair of these vacant eyesores.

21 Recommendations from the task force
22 will be made to this Board and then we will be
23 adopting changes to the Town Code to strengthen our
24 ability to rectify this problem.

25 Today, the Board will continue two

1 workforce reduction measures. We will be
2 presenting an early retirement incentive and a
3 voluntary separation incentive. Both programs will
4 increase efficiency in the Town while returning
5 long-term savings to our taxpayers.

6 I'm very proud of this program, as well
7 as the many programs that we all are and will be
8 putting in place in an effort to improve the
9 overall quality of services, improve the quality of
10 life for our Town residents, and to lower costs to
11 our taxpayers. This continues to be among our very
12 highest priorities.

13 Before moving to today's calendar, we
14 have some presentations, and then after those
15 presentations, we do have to break for an Executive
16 Session where our counsel has to inform us on a
17 particular issue, so I apologize for the wait for
18 our hearings, but that's the most efficient way to
19 handle that matter.

20 I want to remind residents we're
21 continuing to reach out for the use of our \$10
22 million New York State Downtown Revitalization
23 Initiative Grant awarded to the Town for the
24 revitalization in Downtown Hicksville.

25 Again, this is extremely exciting and

1 this will bring beautiful new life to Downtown
2 Hicksville and be the model for the rest of the
3 State of New York.

4 In other news, I remind residents that
5 Councilwoman Alesia and Councilman Macagnone are
6 co-chairing our "Toys for Tots" holiday collection
7 drive. Residents can donate an unwrapped toy for a
8 girl or a boy, and please don't forget teenagers,
9 that's an area of high demand as well. They can
10 donate them at Town facilities, including Town Hall
11 North, Town Hall South, and at the Ice Skating
12 Center in Bethpage. And residents here or watching
13 our Livestream can get more information by calling
14 516-624-6619.

15 I want to, again, thank Councilman Tony
16 Macagnone and thank Councilwoman Rebecca Alesia who
17 understands the joy of a little one at holiday
18 time, and while he doesn't know it, the person who
19 runs the "Toys for Tots" asked me to make a
20 presentation. They had their kickoff just a couple
21 of weeks ago and I attended and they asked me to
22 make a presentation to Councilman Anthony
23 Macagnone.

24 Tony has been a great force with "Toys
25 for Tots," as well as an organization that is very

1 near and dear to his heart, and that is our
2 Carpenters Union on Long Island, and Councilman
3 Macagnone, I've been asked by Major Chuck Kilbride
4 and all of the people at the United States Marine
5 Corps Toys for Tots Program to make this
6 presentation to you.

7 It's presented to the Honorable
8 Anthony D. Macagnone, Honorary Vice Chairman, a
9 kind person who shares. And this is presented by
10 all the Chairs and Major of the United States
11 Marine Corps, Charles Kilbride, to say thank you to
12 you for all of your efforts for "Toys for Tots" on
13 the local Town level.

14 Again, thank you, Rebecca,
15 Councilwoman, and all of Town Board members, but a
16 special thanks goes out to the public, because it's
17 your donations, your generosity, that makes our
18 Town shine.

19 Councilman, I want to thank you for
20 your leadership.

21 COUNCILMAN MACAGNONE: Thank you,
22 Supervisor.

23 (Applause.)

24 SUPERVISOR SALADINO: On the subject of
25 giving, we have a very generous young man who has

1 also, much like Councilman Macagnone, has displayed
2 tremendous leadership. The level of leadership
3 that all of us of all ages should emulate.

4 This evening, the Oyster Bay Town Board
5 is proud to honor the community contributions and
6 exemplary actions of a local Eagle Scout candidate
7 named Peter Rowan of Troop 656.

8 Peter is the son of a Nassau County
9 Police Detective and he noticed that an memorial at
10 Anchor Park in Massapequa, which is a Town of
11 Oyster Bay park, honoring fallen Nassau County
12 Police Officer Gary Farley, was in need of
13 renovations. He decided to make this endeavor his
14 Eagle Scout project.

15 Officer Farley, who was extremely well
16 respected by his colleagues and by the community,
17 died in a tragic line of duty incident following an
18 altercation in Massapequa back in 1993. He left
19 behind his wife and two loving children.

20 So this important project came to
21 fruition on November 12th, with a heartfelt
22 unveiling ceremony that included many scouts,
23 police officers, members of the community, as well
24 as many leaders including Nassau County Police
25 Commissioner, Patrick Ryder, and the President of

1 the Nassau County PBA, James McDermott.

2 Police Officer Farley was a true
3 American hero and you knew that. You recognized
4 that and you showed leadership in your project from
5 your heart. It was a very big scale project, one
6 of the larger projects I've seen undertaken by an
7 Eagle Scout.

8 Officer Farley was loved and respected
9 by the residents of Massapequa and was a true
10 credit to the Nassau County Police Department.

11 Thanks to the efforts of Peter Rowan
12 and his other troop members, this newly restored
13 memorial in the community where Officer Farley
14 served for many years will forever stand as a
15 reminder to the residents of his sacrifice and his
16 extraordinary life.

17 Again, we commend the efforts of Boy
18 Scout, Peter Rowan, and we are joined here this
19 evening by Peter's mom, Barbara, and his dad,
20 Nassau County Police Detective Christopher Rowan.

21 May God bless the Rowan family, the
22 Farley family, and every member of law enforcement,
23 as well as our emergency responders. You put your
24 lives and safety on the line each and every day for
25 the rest of us and we owe you a tremendous debt of

1 gratitude, and we owe that to Peter, too, for your
2 leadership. You have truly had a positive impact
3 on many in our community.

4 Thank you very much.

5 (Applause.)

6 SUPERVISOR SALADINO: I would like to
7 ask all of the Town Board members to join with
8 Peter and I am going to ask a resident of the
9 Massapeguas, Councilman Hand, to make the
10 presentation to Peter.

11 Peter, did you know, many of us are
12 scouts, and our Receiver of Taxes, Mr. Jim
13 Stefanich, was a scout leader and one of his scouts
14 is standing right here, Lou Imbroto?

15 COUNCILMAN IMBROTO: Jim was my Scout
16 Master.

17 SUPERVISOR SALADINO: A few more badges
18 and he'll be up for his Eagle Scout.

19 (Whereupon, the Town Citation was
20 presented to Peter Rowan by Councilman Hand.)

21 COUNCILWOMAN JOHNSON: Supervisor,
22 before you continue, I just want to recognize that
23 we have members of Troop 176 from Bayville here
24 working on their citizenship in the Community Badge
25 as well as I see a bunch of seniors that I know,

1 seniors in high school that I think are working on
2 a requirement for some sort of history or social
3 studies class, so welcome, and thank you for
4 coming.

5 SUPERVISOR SALADINO: Thank you,
6 Councilwoman.

7 It's always a pleasure to have the
8 youth of our community here. They set such a great
9 example for the rest of us, quite frankly, and
10 Peter does set a wonderful example for all of our
11 youth. So thank you for all of you being here. We
12 appreciate your activity and we know that -- and
13 please know that you will always get the support of
14 this Town, this Town Board, and obviously, of our
15 Councilwoman.

16 Peter, you did a great job to honor
17 someone in law enforcement and emergency responder.

18 We are going to continue to recognize
19 emergency responders this evening in light of your
20 actions because we're going to announce and
21 introduce and swear in a very special team that
22 will help us throughout the Town.

23 This evening, we're joined by the
24 members of the newly formed Oyster Bay Town Wide
25 Fire Service Council.

1 Over the last several months, we've
2 made it a priority to improve communication and
3 meet with our local fire districts and departments
4 in an effort to ensure that we are all on the same
5 page, that we are sharing services, and as a result
6 of those meetings, we have decided to create -- to
7 form this diversified and experienced committee
8 known as the Oyster Bay Town Wide Fire Service
9 Council.

10 The Council's mission is to foster
11 cohesion between the Town of Oyster Bay and its
12 volunteer fire departments and personnel to
13 collectively communicate, to share resources, to
14 develop procedures, all in an effort to provide a
15 safe environment for our residents to assist with
16 fire services and to recognize that there are
17 savings and there is a quality of services by
18 joining forces, as well as to keep on the
19 forefront, the needs that fire service members have
20 in protecting our communities.

21 The Council will also communicate
22 closely with the Town's Department of Planning and
23 Development with respect to unsafe buildings and
24 also to the design of new structures that may
25 require a certain design or fire service equipment.

1 The three co-chairs of the Council, and
2 please stand as call out your name, are Ralph
3 Raymond of the North Massapequa Fire Department
4 Commissioner; Justin McCaffrey, Commissioner of the
5 Massapequa Fire Department; Frank Sammartano,
6 Commissioner of the Jericho Fire Department; North
7 Massapequa Fire Department Chief Fredrick Ferrara;
8 Commissioner of the Massapequa Fire Department,
9 Joseph Giordano; Bethpage Fire Department Chief
10 John Castles; Hicksville Commissioner Tony
11 Wigdzinski; Hicksville Commissioner Michael Azzue;
12 the former Chief of the Oyster Bay Fire Department,
13 Vinny Blamisio; current Chief of the Oyster Bay
14 Fire Department, Frank Mantegari; the Commissioner
15 of the Syosset Fire Department, Giovanni Graceffa;
16 the former Chief of the South Farmingdale Fire
17 Department, Paul Kinkle, Sr.; and former
18 Commissioner of the Plainview Fire Department,
19 Bruce Goldblatt.

20 Ladies and gentlemen, let's give them
21 an applause of thanks for all their service.

22 (Applause.)

23 SUPERVISOR SALADINO: We thank the
24 dedicated members of the Oyster Bay Town Wide Fire
25 Service Council for your service to the community

1 and to this committee and we look forward to
2 working closely with you.

3 If you'll stand forward and turn
4 around, we'll swear you in all together.

5 If you would, please raise your right
6 hand and repeat after me.

7 (Whereupon, the members of the Oyster
8 Bay Town Wide Fire Service Council were sworn in as
9 a committee at 7:32 p.m. as follows:)

10 I, state your name, do solemnly swear
11 to uphold the Constitution of the United States of
12 America. The Constitution of the State of New York
13 and the bylaws of the Town of Oyster Bay as well as
14 the bylaws and operating procedures as set forth by
15 the Town of Oyster Bay Town Board, and I further
16 swear to carry out the duties as members of the
17 Oyster Bay Town Wide Fire Services Council to the
18 best of my abilities so help me God.

19 Thank you, and congratulations.

20 (Applause.)

21 SUPERVISOR SALADINO: Obviously, my
22 congratulations are on behalf of the entire Town
23 Board, all of our officials, our Town Government,
24 and the family of residents of this Town. Our fire
25 services will improve, will create more

1 efficiencies, and listening to you and implementing
2 your good advice and experience will clearly
3 improve the safety of our residents.

4 Thank you. Let's give them another big
5 hand.

6 (Applause.)

7 SUPERVISOR SALADINO: Next, we are
8 going to open up our Town Board meeting officially.

9 Will the Town Clerk, James Altadonna,
10 please call the roll?

11 MR. ALTADONNA: Supervisor Saladino?

12 SUPERVISOR SALADINO: Present.

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: Here.

15 MR. ALTADONNA: Councilman Macagnone?

16 COUNCILMAN MACAGNONE: Here.

17 MR. ALTADONNA: Councilwoman Alesia?

18 COUNCILWOMAN ALESIA: Here.

19 Good evening, Jim.

20 MR. ALTADONNA: Good evening.

21 Councilwoman Johnson?

22 COUNCILWOMAN JOHNSON: Here.

23 MR. ALTADONNA: Councilman Imbroto?

24 COUNCILMAN IMBROTO: Present.

25 MR. ALTADONNA: Councilman Hand?

1 COUNCILMAN HAND: Here.

2 MR. ALTADONNA: You have a quorum.

3 SUPERVISOR SALADINO: Thank you.

4 We are going to ask for -- and I
5 apologize, I know you're all waiting for the
6 hearings and for other issues, but we do have to
7 break for Executive Session, so may I have a
8 motion.

9 COUNCILMAN MUSCARELLA: Supervisor, I
10 make a motion that this Town Board go into
11 Executive Session for the purpose of discussions
12 regarding proposed, pending and current litigation.

13 COUNCILMAN MACAGNONE: Second.

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

16 ALL: "Aye."

17 SUPERVISOR SALADINO: Opposed, "Nay."

18 (No verbal response given.)

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

21 We thank you for your patience. It's
22 going to take us at least twenty minutes, but we
23 appreciate your patience and we'll be back out as
24 quickly as we can.

25 (Whereupon, the Executive Session began

1 at 7:35 p.m. and ended at 8:23 p.m. and the
2 proceedings resumed as follows:)

3 SUPERVISOR SALADINO: May I have a
4 motion to end the Executive Session?

5 COUNCILMAN MUSCARELLA: Supervisor, I
6 move to end the Executive Session.

7 No action has been taken.

8 COUNCILMAN MACAGNONE: Second.

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

11 ALL: "Aye."

12 SUPERVISOR SALADINO: Against, "Nay."

13 (No verbal response given.)

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

16 (TIME NOTED: 8:24 P.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
NOVEMBER 28, 2017
8:25 P.M.

HEARING - LOCAL LAW

To consider a Local Law Retirement Incentive
Program for Eligible Employees of the Oyster Bay.
(M.D. 11/7/17 #27).

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN LOUIS B. IMBROTO
COUNCILWOMAN REBECCA M. ALESIA
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COUNCILMAN THOMAS HAND

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

JAMES ALTADONNA JR., TOWN CLERK
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Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Will the Town
2 Clerk please call the first hearing?

3 I thank everyone for their patience
4 while we adhered to the open meetings law and all
5 that had to be -- all the business of the day that
6 had to be conducted.

7 I thank you.

8 MR. ALTADONNA: A hearing, which is the
9 first Local Law, to consider a Local Law Retirement
10 Incentive Program for eligible employees of the
11 Town of Oyster Bay.

12 SUPERVISOR SALADINO: Please state your
13 presence.

14 MR. ROZEA: Yes, of course, good
15 morn -- good afternoon -- or good evening, rather,
16 Supervisor, Members of the Board. We've been here
17 all day.

18 The hearing today is to present a
19 proposed Local Law which would authorize a
20 Retirement Incentive Program for those employees
21 who are otherwise, or are, in fact, eligible to
22 retire under New York State Retirement System
23 Guidelines, which effectively means the employees
24 55 years or older.

25 We've run this program in the past.

1 This is in large part a continuation of the Town's
2 prior efforts to reduce its workforce by
3 encouraging retirement where appropriate with one
4 additional feature that I'll discuss in a moment.

5 The general contours, however, of the
6 local retirement incentive would be for anyone who
7 is becoming eligible -- first eligible to retire,
8 under New York State Guidelines, can take the
9 incentive and would be entitled to a payout of
10 \$1,000 per completed year of service; in addition
11 to which they would receive health benefits for
12 their life and their family members would receive
13 as well, health benefits during the retiree's
14 lifetime.

15 SUPERVISOR SALADINO: Only those
16 eligible under the State Health Benefits Program?

17 MR. ROZEA: If you are eligible to
18 retire and you take this retirement incentive, you
19 would receive your health benefits.

20 SUPERVISOR SALADINO: I meant in terms
21 of family members. It is not to everyone. It is
22 those who fall under the criteria.

23 MR. ROZEA: Well, the Local Law
24 provides that the family would receive the benefit
25 as well, regardless of whether you're falling into

1 the new -- the first qualified, or first eligible,
2 or were previously eligible to retire. The
3 difference being that if you were previously
4 eligible to retire, could have taken one of the
5 Town's incentives over the last few years, you'll
6 be receiving a retirement incentive payout of \$500
7 per year of completed service, plus the health
8 benefits.

9 That was how the program worked over
10 the last few years. We've now written into the
11 proposed ordinance, a waiver feature that would
12 allow any employee who is also going to become
13 first eligible to retire in calendar year 2018, to
14 take this incentive provided that they provide to
15 the Town, an irrevocable letter of separation from
16 the Town which states a date certain by which they
17 will actually come off the payroll which is, in
18 fact, one month after they become first eligible.

19 So let me give you an example. Let's
20 say -- let's say you have an employee who is not
21 going to be eligible within the close of this
22 calendar year, but will become first eligible to
23 retire, say, in August of 2018, the time
24 restrictions in this Local Law can be waived so
25 that that employee can provide the Town an

1 irrevocable letter of term -- of separation and
2 they would then be able to take the benefits of
3 this Local Law, which would mean \$1,000 per year
4 plus health benefits for the retiree's life.

5 And that is effectively the nature of
6 this retirement incentive. As I mentioned, it's
7 consistent with what the Town has done in the past
8 in its attempts to reduce the workforce with the
9 added layer of the waiver that would capture those
10 employees who become first eligible throughout
11 calendar year 2018.

12 I should note that there is -- there
13 are some timeframes and employees who are
14 interested in this should pay close attention
15 because you'll need to state your intentions close
16 to the end of this calendar year, I believe it is
17 by December 27th or so.

18 If the Board has any questions, I'll be
19 happy to answer them; otherwise, that will conclude
20 me presentation respect to the retirement
21 incentive.

22 SUPERVISOR SALADINO: Are there any
23 questions?

24 COUNCILWOMAN JOHNSON: No.

25 COUNCILMAN MACAGNONE: No.

1 SUPERVISOR SALADINO: One question.

2 MR. ROZEA: Sure. Go ahead.

3 SUPERVISOR SALADINO: Obviously, this
4 is similar or identical, can you speak to how this
5 legislation is similar or identical to what the
6 Town has proposed in the past, what other
7 municipalities proposed and what other
8 municipalities have passed?

9 MR. ROZEA: Yeah, and, Supervisor, it
10 is certainly consistent with what the Town has done
11 in the past several years; namely, that first
12 eligible employees are -- would be entitled to the
13 \$1,000 per year of completed service plus your
14 health benefits.

15 I do believe that other municipalities,
16 other local governments, including, perhaps, the
17 County of Nassau have employed a similar structure
18 in their efforts to reduce the workforce as well.

19 COUNCILMAN MACAGNONE: Matt, excuse me.

20 MR. ROZEA: Yes.

21 COUNCILMAN MACAGNONE: Only caveat we'd
22 put on is that we're not going to address this
23 again in another six months like we did last year.

24 MR. ROZEA: In fact, this year, about
25 six months ago, I was before the Board and we were

1 talking about an incentive, but we had realized
2 that there might be a better way to do this. I'm
3 not aware of any effort to talk about this again.
4 I mean, this is what's on the table right now.

5 COUNCILMAN MUSCARELLA: We're going to
6 end it, finally.

7 COUNCILMAN MACAGNONE: This is good for
8 the whole year of 2018, that's what I'm saying?

9 MR. ROZEA: Well, it covers the period,
10 anyone becoming first eligible -- let's see,
11 between August 1st of 2017 through the close of
12 this year, plus anyone who would become first
13 eligible in 2018.

14 COUNCILMAN MACAGNONE: Okay. Good.
15 Thank you.

16 MR. ROZEA: Of course.

17 SUPERVISOR SALADINO: No other
18 questions?

19 Thank you.

20 Are there any speakers on this?

21 Yes, Mr. McKenna, come forward, please.

22 MR. MCKENNA: Good evening.

23 Newly elected Town Board, I
24 congratulate you all.

25 SUPERVISOR SALADINO: Thank you.

1 MR. McKENNA: A thought just came, the
2 current budget.

3 Does the current budget take into
4 account an anticipated reduction based upon this
5 program?

6 SUPERVISOR SALADINO: We can bring up
7 our Budget Director, but for hearings, it is a
8 little different than the public comment.

9 For the hearings, it's a time period by
10 which the public addresses us and we listen to the
11 public's comments.

12 MR. McKENNA: All right.

13 So, that's fine, and the other comment
14 I want to make is, is that, I don't even know
15 whether this is possible, but let's just say that
16 you have somebody who works for the Town that is
17 currently being questioned by law enforcement,
18 whoever that might be, or they know that they're a
19 target of an investigation, is there any way to
20 put -- I'm not asking a question.

21 I would -- I would ask if there's a way
22 to make it so that if somebody is -- I realize
23 you're innocent until proven guilty, but if, say,
24 six months down the road, they become convicted of
25 some type of corruption that they did within the

1 Town, is there a way to prevent them from being
2 carried on health insurance for the remainder of
3 their -- however long they get the health
4 insurance?

5 That's just the point that I want to
6 make.

7 SUPERVISOR SALADINO: Okay.

8 MR. McKENNA: Something to think about.

9 SUPERVISOR SALADINO: We'll consult
10 with our attorneys on that.

11 MR. McKENNA: It could be a way to
12 deter someone from thinking about doing something
13 wrong. You know, that's why I bring it up.

14 SUPERVISOR SALADINO: Okay.

15 On that note, I've already supported
16 legislation in Albany to strip the pensions from
17 those elected officials found guilty of crimes
18 against municipality.

19 Are there any other speakers on this
20 hearing?

21 (No verbal response given.)

22 Being none, is there correspondence?

23 MR. ALTADONNA: We have affidavits of
24 posting and publications.

25 There is no other correspondence.

1 SUPERVISOR SALADINO: May I have a
2 motion?

3 COUNCILMAN MUSCARELLA: Supervisor, I
4 make a motion that this public hearing be closed
5 and the decision be voted on tonight.

6 COUNCILMAN MACAGNONE: Second.

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

9 ALL: "Aye."

10 SUPERVISOR SALADINO: Those opposed.

11 (No verbal response given.)

12 (TIME NOTED: 8:32 P.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
NOVEMBER 28, 2017
8:33 P.M.

HEARING - LOCAL LAW

To consider a proposed Local Law for a Voluntary Separation Incentive Program for Eligible Employees of the Town of Oyster Bay. (M.D. 10/31/17 #54 & 11/7/17 #26).

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN LOUIS B. IMBROTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN THOMAS HAND

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

JAMES ALTADONNA JR., TOWN CLERK
JAMES STEFANICH, RECEIVER OF TAXES

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 MR. ALTADONNA: You want me to call the
2 roll?

3 SUPERVISOR SALADINO: Certainly, that's
4 fine.

5 MR. ALTADONNA: Supervisor Saladino?

6 SUPERVISOR SALADINO: "Aye."

7 MR. ALTADONNA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: "Aye."

9 MR. ALTADONNA: Councilman Macagnone?

10 COUNCILMAN MACAGNONE: "Aye."

11 MR. ALTADONNA: Councilwoman Alesia?

12 SUPERVISOR SALADINO: She stepped out
13 for a moment.

14 Please continue.

15 MR. ALTADONNA: Councilwoman Johnson?

16 COUNCILWOMAN JOHNSON: "Aye."

17 MR. ALTADONNA: Councilman Imbroto?

18 COUNCILMAN IMBROTO: "Aye."

19 MR. ALTADONNA: Councilman Hand?

20 COUNCILMAN HAND: "Aye."

21 MR. ALTADONNA: Motion passes with six
22 "Ayes."

23 SUPERVISOR SALADINO: Okay.

24 Thank you.

25 Would you please call our next hearing?

1 MR. ALTADONNA: Hearing Local Law No.
2 2, to consider the proposed Local Law for voluntary
3 separation incentive program for eligible employees
4 of the Town of Oyster Bay.

5 MR. ROZEA: Good evening, Supervisor.

6 From the Office of the Town Attorney,
7 Deputy Town Attorney, Matthew Rozea.

8 Okay. This program that's in front of
9 the Board is new to the Town. This is a voluntary
10 separation program that would allow a full-time
11 employee who was employed by the Town prior to
12 January 1st of 2016, if they so choose to separate
13 from their service with the Town, the incentive
14 being a \$1,000 per year of completed service
15 separation payout.

16 Under this program, the employee would
17 not receive the benefits of health insurance for
18 the duration of their life and, of course, for the
19 family during the duration of the retiree's life,
20 as was the case in the first program that was just
21 presented.

22 But similar to -- similar to the first
23 program, anyone intending to take benefits of the
24 voluntary separation program would need to provide
25 an irrevocable letter of resignation from the Town,

1 and under that case, they would need to separate
2 from service with the Town close of business
3 January 31, 2018.

4 So it's more short term but, again,
5 similar to that -- the first program, there is a
6 deferral provision within the Local Law that an
7 employee can affirmatively state to the Town that
8 they intend to seek the benefits of the separation,
9 that they're going to submit a letter of
10 resignation, but that for governmental reasons,
11 namely, the continuity of service which would be at
12 the Supervisor's discretion as written in this Law,
13 it would be in the best interest of the Town that
14 that employee be permitted to continue in the
15 service and in the employ of the Town through a
16 date that would be specified in the letter of
17 resignation.

18 Let's give an example just so that it
19 clears up the picture for everyone. Let's say that
20 there is an employee with a particular skill set
21 and a particular task that they provide or that
22 they carry out for the Town. There may be a case
23 that it can't -- there may be a case in which we
24 cannot have a replacement employee, perhaps at a
25 lower pay rate, in place to carry out the same

1 function prior to January 31, 2018, so it would not
2 be in the Town's best interest to see that employee
3 separate from the Town because we could, in fact,
4 because can, in fact, see a reduction in service.

5 And so what the Local Law allows is for
6 the Supervisor to defer the participation in the
7 separation for the governmental reason that we
8 don't want to hinder government services so that a
9 replacement, if necessary, can be found or a
10 replacement from the existing ranks can be trained,
11 brought up to speed, and then rotated into the
12 service so that there is no lapse in service as
13 provided to the residents.

14 That's effectively the contours of this
15 program.

16 COUNCILMAN MACAGNONE: It's open ended
17 time period?

18 MR. ROZEA: No.

19 Again, an employee will have to state
20 their intentions by December 31st of this year.
21 They would need to separate from service by
22 January 31st of 2018 unless that deferral was
23 granted.

24 COUNCILMAN MACAGNONE: But how long
25 would the deferral be? It has to be time set on

1 that. It just can't be in perpetuity.

2 MR. ROZEA: That's correct. Up to
3 twelve months. I'm sorry. Yeah. Up to twelve
4 months.

5 COUNCILMAN MACAGNONE: Okay.

6 Thank you.

7 MR. ROZEA: So I guess you could have a
8 scenario where -- yeah, it would be effectively
9 through the close of business New Year's Eve 2018.

10 COUNCILMAN MACAGNONE: Thank you.

11 SUPERVISOR SALADINO: So for the
12 purposes of the public's understanding of what
13 we're attempting to do, in the first scenario, it's
14 employees who are eligible to retire.

15 MR. ROZEA: Correct.

16 SUPERVISOR SALADINO: They've reached
17 retirement age, they have the numbers of years in
18 required, but since there are others who are not
19 yet eligible and yet we want to give as many
20 incentives as possible to reduce the workforce, to
21 save taxpayer dollars, to bring better efficiencies
22 in the Town, we have this second program.

23 So in laymen's terms so the public
24 viewing at home or here in our Board room can fully
25 understand, there's a few scenarios, why don't you

1 give us some scenarios of an employee who might
2 want to take advantage of this second incentive.

3 MR. ROZEA: Let's say there's a middle
4 aged employee who's not 55 or near 55 who perhaps,
5 for his own personal -- his or her own personal
6 reasons, decides they're no longer interested in
7 working for the Town, maybe they found a different
8 opportunity, maybe their interests have changed,
9 they can take this opportunity so long as they were
10 employed prior to January 1, 2016 in a full-time
11 capacity and receive the separation incentive of
12 \$1,000 and part ways with the Town.

13 Again, the first program was directed
14 at those employees who are 55 or will be turning 55
15 in the -- in the near term. This program is
16 directed at those who are not of retirement age,
17 but who otherwise, for their own reasons, decide
18 that Town service is no longer of interest to them.

19 SUPERVISOR SALADINO: Someone might
20 want to take a job in the private sector.

21 MR. ROZEA: Of course.

22 SUPERVISOR SALADINO: Someone might
23 want to move on to another responsibility.

24 So once we have paid them that
25 incentive amount, they no longer cost the taxpayers

1 any money?

2 MR. ROZEA: Well, not only do they --
3 that's correct, yes, in short, but there's no
4 salary, there's no pension contribution, there's no
5 health care benefit contribution.

6 So, yes, effectively, it comes off the
7 balance sheet for the Town.

8 SUPERVISOR SALADINO: They're saving
9 all of those costs as you stated.

10 MR. ROZEA: Yes.

11 SUPERVISOR SALADINO: We're not paying
12 them a salary any longer. We're not paying their
13 pension costs. We're not paying anything toward
14 their health insurance.

15 MR. ROZEA: That's right.

16 Once the separation takes place,
17 meaning the incentive payout plus their accrued
18 time, which employees are entitled to as a part of
19 the Collective Bargaining Agreement, the
20 relationship is terminated. They're separated from
21 service and off payroll and off the rolls.

22 SUPERVISOR SALADINO: Thank you.

23 MR. ROZEA: Of course.

24 COUNCILMAN MACAGNONE: Yes, Matthew.

25 MR. ROZEA: Go ahead.

1 COUNCILMAN MACAGNONE: We're not going
2 to be bringing these -- we're not planning on
3 bringing these people back as consultants or
4 anything; are we?

5 MR. ROZEA: Certainly not to my
6 knowledge.

7 COUNCILMAN MACAGNONE: Okay.

8 MR. ROZEA: And the Supervisor is
9 shaking his head no, so...

10 COUNCILMAN MACAGNONE: I'd like that
11 put in there, please.

12 SUPERVISOR SALADINO: Yes. Yes.

13 For clarity, no, we are not.

14 COUNCILMAN MACAGNONE: All right.

15 Thank you.

16 MR. ROZEA: Okay.

17 SUPERVISOR SALADINO: I am going to ask
18 Mr. Darienzo to step forward, please for a quick
19 question as to the motivation of these programs.

20 Would you please state your presence?

21 MR. DARIENZO: Good evening.

22 Rob Darienzo, Director of Finance.

23 SUPERVISOR SALADINO: We've had
24 conversations about the motivation to do these
25 programs and our impetus in terms of cost savings.

1 Can you speak to us, in general terms,
2 we don't know the number of people who would take
3 advantage of this program, and in the second case,
4 just about anyone in the Town, any employee, full-
5 time employee in the Town could take advantage of
6 this, but just speak to us in terms of the
7 motivation and cost savings to our taxpayers?

8 MR. DARIENZO: Yeah, absolutely.

9 As Matt mentioned, anyone who turns 55
10 is technically eligible to retire under New York
11 State Law, but a better group to look at would be
12 those who are 55 years of age with 30 years of
13 service or 62 years of age with 20 years of
14 service.

15 In those two scenarios, you're talking
16 about employees who would not receive any penalty
17 under the retirement system. So those are those --
18 those who tend to leave and we earmarked 68
19 employees who would be eligible to retire with the
20 55 and 30 or 62 and 20 between now and the end of
21 next year.

22 Those 68 employees total salaries is
23 roughly \$6.8 million, or \$100,000 per person.

24 COUNCILMAN MACAGNONE: Plus health
25 benefits.

1 SUPERVISOR SALADINO: No, that's
2 including.

3 MR. DARIENZO: Their estimated payout,
4 incentive payout, plus their sick and vacation is
5 an amount of less than \$6 million.

6 So in 2018 alone, we would save roughly
7 \$900,000 if every one of the 60 employees left.

8 In 2019 and beyond, we'd save \$6.8
9 million plus the FICA, plus the retirement system,
10 and not plus the medical because the medical they
11 would still get.

12 So the immediate savings in 2018,
13 including the payouts, would be roughly a million
14 dollars and we'd save untold millions the years
15 after assuming we don't hire back the same number
16 of employees.

17 SUPERVISOR SALADINO: And in the second
18 scenario where we're not providing them health
19 benefits, of course, that savings is even greater
20 because we're saving money on the cost of the
21 health benefits.

22 MR. DARIENZO: That's correct.

23 I have no -- I wouldn't even hazard a
24 guess as to how many employees will take the
25 voluntary separation, but that's a home run,

1 everyone -- anyone that does is a home run in terms
2 of savings for the Town.

3 SUPERVISOR SALADINO: Thank you very
4 much.

5 MR. ROZEA: No problem.

6 SUPERVISOR SALADINO: Anyone have any
7 questions before Mr. Darienzo takes a seat?

8 Okay. Come on up.

9 MR. ADLEMAN: Arthur Adelman,
10 Sea Cliff, New York.

11 My one question is with the incentive
12 program. We've all heard about how certain
13 employees try to work overtime in their last
14 two years prior to retirement to up their base for
15 their pension.

16 Would this incentive -- if a guy is
17 getting 20 years at \$20,000, is that included in
18 his last year of employment, and therefore, bumping
19 up his pension and our obligation to keep on paying
20 forever?

21 SUPERVISOR SALADINO: For many of
22 the -- most of the employees in the Town aren't
23 getting that overtime. There are specific
24 employees under specific conditions that get
25 overtime as per the contract.

1 MR. ADLEMAN: I'm talking about if
2 someone's getting paid \$100,000 and they get a
3 \$20,000 bump as an incentive to retire --

4 SUPERVISOR SALADINO: The answer to
5 your question is they won't be getting that bump.

6 MR. ADLEMAN: As of -- to add it to
7 their pension base?

8 SUPERVISOR SALADINO: We would have to
9 follow all of the State laws. Most of those things
10 are mandated by State law so we have to follow the
11 State law.

12 MR. ADLEMAN: I agree, but my feeling
13 is the State probably dictates not in our favor,
14 but in the worker's favor.

15 SUPERVISOR SALADINO: I understand
16 that, so that's where -- I'm sorry, Councilman.

17 COUNCILMAN MUSCARELLA: Let Rob -- Rob,
18 do you want to address that?

19 MR. DARIENZO: I was trying to run
20 away. It didn't work.

21 To answer the gentleman's question, I
22 believe you're asking if the retirement incentive
23 payout would count towards their final average
24 salary, and it does not.

25 MR. ADLEMAN: Easy enough.

1 Thank you.

2 SUPERVISOR SALADINO: Thank you.

3 Anyone else that would like to be heard
4 on this hearing?

5 (No response.)

6 Being that there is none, is there
7 correspondence?

8 MR. ALTADONNA: We have affidavits of
9 postings and publications.

10 There is no other correspondence.

11 SUPERVISOR SALADINO: May I have a
12 motion?

13 COUNCILMAN MUSCARELLA: Supervisor,
14 I'll make a motion that this public hearing be
15 closed and the decision be voted on tonight.

16 COUNCILMAN MACAGNONE: Second.

17 MR. ALTADONNA: Supervisor Saladino?

18 SUPERVISOR SALADINO: "Aye."

19 MR. ALTADONNA: Councilman Muscarella?

20 COUNCILMAN MUSCARELLA: "Aye."

21 MR. ALTADONNA: Councilman Macagnone?

22 COUNCILMAN MACAGNONE: "Aye."

23 MR. ALTADONNA: Councilwoman Alesia?

24 COUNCILWOMAN ALESIA: "Aye."

25 MR. ALTADONNA: Councilwoman Johnson?

1 COUNCILWOMAN JOHNSON: "Aye."

2 MR. ALTADONNA: Councilman Imbroto?

3 COUNCILMAN IMBROTO: "Aye."

4 MR. ALTADONNA: Councilman Hand?

5 COUNCILMAN HAND: "Aye."

6 MR. ALTADONNA: Councilwoman Alesia,
7 you were absent for the first vote.

8 COUNCILWOMAN ALESIA: "Aye" as to
9 voting on it tonight, yes.

10 MR. ALTADONNA: Okay.

11 Let the record reflect.

12 Thank you.

13 (TIME NOTED: 8:45 P.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
NOVEMBER 28, 2017
8:46 P.M.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILMAN LOUIS B. IMBROTO
COUNCILWOMAN REBECCA M. ALESIA
COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN THOMAS HAND

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

JAMES ALTADONNA JR., TOWN CLERK
JAMES STEFANICH, RECEIVER OF TAXES

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 MR. ALTADONNA: Regular Action Calendar?

2 SUPERVISOR SALADINO: Yes.

3 Please, would you call the regular
4 Action Calendar?

5 MR. ALTADONNA: May I have a motion to
6 suspend the rules and add the following Walk-On
7 Resolution No. 798-2017, which is a Resolution
8 relating to -- hold on.

9 COUNCILMAN MACAGNONE: Do you need a
10 copy of it?

11 MR. ALTADONNA: I'm sorry?

12 No, no, no. I have that.

13 We have to add at the end, Resolutions
14 No. 801 and 802.

15 They are the decisions for the Local
16 Laws that we just did, so let me just add that
17 right now before we continue.

18 May I have a motion to suspend the
19 rules and add the following Walk-On Resolution
20 798-2017?

21 Now, this is just to add it, which is a
22 Resolution relating to the memorandum of agreement
23 and understanding between the Town and the CSEA in
24 connection with the amendment to clarify the
25 provisions regarding the employment week.

1 This is just to add it, not to vote on
2 it.

3 COUNCILMAN MACAGNONE: Can we have
4 something in writing on 801 and 802, please?

5 MR. ALTADONNA: 801 and 802 aren't --
6 okay.

7 COUNCILMAN MACAGNONE: There's nothing
8 in writing here saying we are voting on it.

9 I have no documentation.

10 MR. ALTADONNA: It's the -- you just
11 vote -- it's the retirement incentive.

12 COUNCILMAN MACAGNONE: We have no
13 documentation, James, saying that we're voting on
14 it.

15 MR. ALTADONNA: Okay.

16 COUNCILMAN MUSCARELLA: There is no
17 Resolution.

18 MR. ALTADONNA: I'll read it into the
19 record.

20 COUNCILMAN MACAGNONE: I would like
21 something in writing, please.

22 MR. ALTADONNA: Okay.

23 Town Attorney?

24 MR. ROZEA: We will make copies of the
25 proposed Resolution.

1 MR. ALTADONNA: Yeah, and then I'll
2 read it into the record.

3 MR. ROZEA: Just to be clear, the
4 motion was to vote on it this evening.

5 COUNCILMAN MACAGNONE: I understand,
6 Matthew.

7 MR. ROZEA: Okay.

8 COUNCILMAN MACAGNONE: I'd like to have
9 it in writing.

10 SUPERVISOR SALADINO: Let's provide him
11 that.

12 Thank you.

13 MR. ALTADONNA: Okay. I have a motion
14 on the table, which is what I just read for 798.

15 COUNCILMAN MUSCARELLA: You're going to
16 move all the Resolutions?

17 MR. ALTADONNA: Yes. And then at the
18 end, I'll read those.

19 COUNCILMAN MUSCARELLA: Move all the
20 Resolutions.

21 MR. ALTADONNA: That's what I'm trying
22 to do.

23 So I have a motion on the table to
24 suspend the rules and add the following Walk-On
25 798.

1 COUNCILMAN MUSCARELLA: So moved.

2 COUNCILMAN MACAGNONE: Second.

3 MR. ALTADONNA: Okay.

4 On the vote:

5 Supervisor Saladino?

6 SUPERVISOR SALADINO: "Aye."

7 MR. ALTADONNA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: "Aye."

9 MR. ALTADONNA: Councilman Macagnone?

10 COUNCILMAN MACAGNONE: "Aye."

11 MR. ALTADONNA: Councilwoman Alesia?

12 COUNCILWOMAN ALESIA: "Aye."

13 MR. ALTADONNA: Councilwoman Johnson?

14 COUNCILWOMAN JOHNSON: "Aye."

15 MR. ALTADONNA: Councilman Imbroto?

16 COUNCILMAN IMBROTO: "Aye."

17 MR. ALTADONNA: Councilman Hand?

18 COUNCILMAN HAND: "Aye."

19 MR. ALTADONNA: Motion to suspend the
20 rules passes with seven "Ayes."

21 Now, I have a motion to resuspend the
22 rules and add the following Walk-On Resolutions
23 798 -- I'm sorry, 799 and 800.

24 799 is a Resolution authorizing the
25 expansion of youth hockey programs by adding a

1 middle school hockey program and youth hockey
2 clinic program to the Fall, Winter, Spring, Summer
3 youth hockey schedule.

4 Resolution No. 800 is a Resolution
5 authorizing the first one-year renewal and
6 amendment to the temporary assistance for needy
7 families program from January 1, 2018 through
8 December 31, 2018.

9 I'd like a motion on that.

10 COUNCILMAN MUSCARELLA: So moved.

11 COUNCILMAN MACAGNONE: Second.

12 MR. ALTADONNA: Motion was made by
13 Councilman Muscarella, seconded by Councilman
14 Macagnone.

15 On the vote:

16 Supervisor Saladino.

17 SUPERVISOR SALADINO: "Aye."

18 MR. ALTADONNA: Councilman Muscarella?

19 COUNCILMAN MUSCARELLA: "Aye."

20 MR. ALTADONNA: Councilman Macagnone?

21 COUNCILMAN MACAGNONE: "Aye."

22 MR. ALTADONNA: Councilwoman Alesia?

23 COUNCILWOMAN ALESIA: "Aye."

24 MR. ALTADONNA: Councilwoman Johnson?

25 COUNCILWOMAN JOHNSON: "Aye."

1 MR. ALTADONNA: Councilman Imbroto?

2 COUNCILMAN IMBROTO: "Aye."

3 MR. ALTADONNA: Councilman Hand?

4 COUNCILMAN HAND: "Aye."

5 MR. ALTADONNA: Motion to resuspend the
6 rules and add Resolutions 799 and 800 passes with
7 seven "Ayes."

8 Now, we're going to go to the regular
9 Action Calendar, and I will read, as soon as I get
10 it, on 801 and 802.

11 COUNCILMAN MACAGNONE: Thank you. I
12 appreciate it. I want documentation.

13 MR. ALTADONNA: No, I understand.
14 I agree.

15 May I have a motion to adopt
16 Resolutions No. TF18-17 through 802?

17 Transfer of Funds Resolution No.
18 TF-18-17; Resolution pertaining to Transfer of
19 Funds within various departments accounts for the
20 Year 2017.

21 Resolution No. 766-2017; Resolution
22 authorizing agreements for the 2018 Children's
23 Magical Music and More and for the Supervisor or
24 his designee to execute said agreements. Account
25 No. CYS A 7020 47660 000 0000. (M.D. 11/7/17 #4).

1 Resolution No. 767-2017; Resolution
2 authorizing the Supervisor to sign a Computerized
3 Accounting and One Stop System Support Services
4 contract under the Workforce Innovation and
5 Opportunity Act for the period January 1, 2018
6 through December 31, 2018. Account No. IGA CD 6293
7 48080 000 CW17. (M.D. 11/7/17 #6).

8 Resolution No. 768-2017; Resolution
9 authorizing the Dog Warden Services Agreement for
10 the Incorporated Village of Bayville for the period
11 January 1, 2018 through December 31, 2019. (M.D.
12 11/7/17 #10).

13 Resolution No. 769-2017; Resolution
14 authorizing the Dog Warden Services Agreement for
15 the Incorporated Village of Brookville for the
16 period January 1, 2018 through December 31, 2019.
17 (M.D. 11/7/17 #11).

18 Resolution No. 770-2017; Resolution
19 authorizing the Dog Warden Services Agreement for
20 the Incorporated Village of Centre Island for the
21 period January 1, 2018 through December 31, 2019.
22 (M.D. 11/7/17 #12).

23 Resolution No. 771-2017; Resolution
24 authorizing the Dog Warden Services Agreement for
25 the Incorporated Village of Farmingdale for the

1 period January 1, 2018 through December 31, 2019.
2 (M.D. 11/7/17 #13).

3 Resolution No. 772-2017; Resolution
4 authorizing the Dog Warden Services Agreement for
5 the Incorporated Village of Lattingtown for the
6 period January 1, 2018 through December 31, 2019.
7 (M.D. 11/7/17 #14).

8 Resolution No. 773-2017; Resolution
9 authorizing the Dog Warden Services Agreement for
10 the Incorporated Village of Laurel Hollow for the
11 period January 1, 2018 through December 31, 2019.
12 (M.D. 11/7/17 #15).

13 Resolution No. 774-2017; Resolution
14 authorizing the Dog Warden Services Agreement for
15 the Incorporated Village of Massapequa Park for the
16 period January 1, 2018 through December 31, 2019.
17 (M.D. 11/7/17 #16).

18 Resolution No. 775-2017; Resolution
19 authorizing the Dog Warden Services Agreement for
20 the Incorporated Village of Mill Neck for the
21 period January 1, 2018 through December 31, 2019.
22 (M.D. 11/7/17 #17).

23 Resolution No. 776-2017; Resolution
24 authorizing the Dog Warden Services Agreement for
25 the Incorporated Village of Muttontown for the

1 period January 1, 2018 through December 31, 2019.
2 (M.D. 11/7/17 #18).

3 Resolution No. 777-2017; Resolution
4 authorizing the Dog Warden Services Agreement for
5 the Incorporated Village of Old Brookville for the
6 period January 1, 2018 through December 31, 2019.
7 (M.D. 11/7/17 #19).

8 Resolution No. 778-2017; Resolution
9 authorizing the Dog Warden Services Agreement for
10 the Incorporated Village of Oyster Bay Cove for the
11 period January 1, 2018 through December 31, 2019.
12 (M.D. 11/7/17 #20).

13 Resolution No. 779-2017; Resolution
14 authorizing the Dog Warden Services Agreement for
15 the Incorporated Village of Roslyn Harbor for the
16 period January 1, 2018 through December 31, 2019.
17 (M.D. 11/7/17 #21).

18 Resolution No. 780-2017; Resolution
19 authorizing the Dog Warden Services Agreement for
20 the Incorporated Village of Sea Cliff for the
21 period January 1, 2018 through December 31, 2019.
22 (M.D. 11/7/17 #22).

23 Resolution No. 781-2017; Resolution
24 authorizing the use of a sub-consultant for
25 Construction Management for Contract No. PWC18-16,

1 On-Call Engineering Services relative to Electrical
2 Engineering in connection with the installation of
3 a generator at Town Hall North. (M.D. 11/7/17 #24).

4 Resolution No. 782-2017; Resolution
5 pertaining to Contract No. PWC 18-14, On-Call
6 Engineering Services relative to Electrical
7 Engineering and for the use of a sub-consultant for
8 Construction Management in connection with the
9 installation of emergency electrical generator at
10 Town Hall North. Account No. DGS H 1997 20000 000
11 1208 001. (M.D. 11/7/17 #25).

12 Resolution No. 783-2017; Resolution
13 authorizing acceptance of a check from the Greater
14 Long Island Running Club (GLIRC) as reimbursement
15 for salaries of lifeguards assigned to work at the
16 GLIRC event at TOBAY Beach on September 17, 2017.
17 (M.D. 11/14/17 #4).

18 Resolution No. 784-2017; Resolution
19 authorizing a Memorandum of Agreement between the
20 Town of Oyster Bay and Nassau County for Roadway
21 Paving Services and for the Supervisor or his
22 designee to execute said agreement. (M.D. 11/14/17
23 #13).

24 Resolution No. 785-2017; Resolution
25 authorizing the Supervisor or his designee to

1 execute the Extension of and Modification to the
2 Supportive Services Agreement effective January 1,
3 2018 through December 31, 2018. Account Nos. IGA CD
4 6293 48080 000 CW17; IGA CD 6293 48080 000 CW18;
5 IGA CD 6293 47850 000 CW18 & CMP A 1315 48080 000
6 0000. (M.D. 11/14/17 #14).

7 Resolution No. 786-2017; Resolution
8 authorizing the issuance of a refund of a Zoning
9 Board of Appeals application fee to R.A. Kenefick
10 for a variance that is no longer needed. Account
11 No. PAD B 0001 02110 000 0000. (M.D. 11/14/17 #15).

12 Resolution No. 787-2017; Resolution
13 scheduling the dates for the 2018 Town Board
14 meetings. (M.D. 11/14/17 #16).

15 Resolution No. 788-2017; Resolution
16 pertaining to On-Call Engineering for Contract No.
17 PWC23-16, Environmental Engineering for design and
18 permitting for the installation of a new floating
19 dock system on the east side of the Oyster Bay
20 Western Waterfront fishing pier. Account No. PKS H
21 7197 20000 000 1502 001. (M.D. 11/14/17 #17 &
22 11/21/17 #16).

23 Resolution No. 789-2017; Resolution
24 pertaining to Site Access Agreement for Northrop
25 Grumman systems Corporation Test Well Installations

1 on North 5th Street in Bethpage and to authorize
2 the Supervisor or his designee to execute said
3 agreement. (M.D. 11/14/17 #21).

4 Resolution No. 790-2017; Resolution/
5 Order calling successive public hearings to
6 consider two petitions of the Hicksville Water
7 District, one for authorization to issue refunding
8 bonds; and the second for authorization to issue
9 bonds for the District's 2017 Capital Improvement
10 Program. Hearing date: December 12, 2017. (M.D.
11 11/14/17 #23).

12 Resolution No. 791-2017; Resolution
13 granting request from the Oyster Bay-East Norwich
14 Chamber of Commerce for Town assistance in
15 conducting their Annual Holiday Tree Lighting
16 Ceremony and "Pop-Up" Shops on December 9, 2017 and
17 to use various Town equipment for the event. (M.D.
18 11/14/17 #24).

19 Resolution No. 792-2017; Resolution
20 pertaining to settlement of negligence claim:
21 Pauciullo v. Town of Oyster Bay. Account No. TWN
22 AMS 1910 43020 602 0000 000. (M.D. 11/14/17 #26).

23 Resolution No. 793-2017; Resolution
24 pertaining to settlement of negligence claim of
25 Varthis v. Town of Oyster Bay. Account No. TWN AMS

1 1910 43020 602 0000 000. (M.D. 11/14/17 #27).

2 Resolution No. 794-2017; Resolution
3 pertaining to Contract No. PWC09-16, On-Call
4 Engineering relative to Site Development for design
5 of the replacement of a floating dock system on the
6 west side of the Oyster Bay Western Waterfront
7 fishing pier. Account No. PKS H 7197 20000 000 1502
8 001. (M.D. 11/14/17 #19 & 11/21/17 #17).

9 Resolution No. 795-2017; Resolution
10 pertaining to Contract No. PWC14-16 - On-Call
11 Engineering relative to Surveying for topographic
12 survey of the former Liberty site. Account No. PKS
13 H 7197 20000 000 1502 001. (M.D. 11/14/17 #20 &
14 11/21/17 #11).

15 Resolution No. 796-2017; Resolution
16 relating to the Oyster Bay Fire Advisory Board.
17 (M.D. 11/14/17 #25 & 11/21/17 #20).

18 Resolution No. 797-2017; Resolution
19 pertaining to a Local Law relating to Chapter 96 of
20 the Code of the Town of Oyster Bay. Hearing date:
21 December 12, 2017. (M.D. 11/14/17 #28 & 11/21/17
22 #19).

23 Resolution No. 798-2017; Resolution
24 relating to a Memorandum of Agreement and
25 Understanding between the Town and the CSEA in

1 connection with an amendment to clarify the
2 provision regarding the Employment Week. (M.D.
3 11/21/17 #18).

4 On the motion?

5 COUNCILMAN MUSCARELLA: So moved.

6 COUNCILMAN MACAGNONE: Second.

7 Through 800, excuse me.

8 MR. ALTADONNA: No. It's through 802,
9 but I'm going to read it into the -- we're going to
10 vote separately on 801 and 802. Okay.

11 All right. Let's just make it 800.
12 Okay.

13 May I have a motion to adopt
14 Resolutions TF18-17 through 800?

15 COUNCILMAN MUSCARELLA: So moved.

16 COUNCILMAN MACAGNONE: Second.

17 MR. ALTADONNA: Okay.

18 COUNCILMAN MACAGNONE: And thank you
19 for indulging me.

20 MR. ALTADONNA: You're welcome.

21 Motion made by Councilman Muscarella,
22 seconded by Councilman Macagnone.

23 Okay. Now, we have various speakers.
24 We're not going to vote on it until everybody
25 speaks.

1 SUPERVISOR SALADINO: There are
2 speakers, and it looks like we have three speakers.

3 Our first is Kevin McKenna.

4 MR. McKENNA: Kevin McKenna.

5 Again, Syosset, New York. I want to
6 start with 782.

7 SUPERVISOR SALADINO: Would you kindly
8 give us your address as well, Mr. McKenna?

9 MR. McKENNA: Edna Drive, Syosset,
10 New York.

11 782, first would like to ask the Board
12 if you've had enough time to understand this
13 Resolution because I really want to prevent -- and
14 I'm sure all the taxpayers and all you as well,
15 would want to prevent something from happening
16 again like the Singh loans.

17 I really, really urge you to seriously
18 consider, if need be, postponing the vote on this
19 Resolution.

20 If you -- for those who don't -- this
21 has actually been a project that's been going on
22 for a few years and the work, according to the
23 paperwork, this is for the installation of
24 generators at Town Hall North.

25 Can you stop the clock, please?

1 I have the article here from Newsday by
2 Joy Brown, who is very, very credible, and it talks
3 about how the Town Board in the Singh loan
4 situation was not given all the information and had
5 you been given all the information, we might not be
6 in the situation that we're in today.

7 COUNCILWOMAN ALESIA: Mr. McKenna?

8 MR. McKENNA: Yes.

9 COUNCILWOMAN ALESIA: I just want to if
10 you need to pause it, that's fine, I just want to
11 answer. Your question was, did we have enough time
12 as Board members to read and review it.

13 I had a specific question on this as
14 well and I did speak to the Deputy Supervisor on it
15 last night because I think I shared a similar
16 concern with you where I was saying, well, this
17 looks to me a little bit familiar. What he
18 explained to me is that this is on work that was
19 previously done. This is payment for work.

20 We are not renewing, we're not entering
21 into a new contract, we're not assigning new work
22 to these firms.

23 MR. McKENNA: I understand that.

24 COUNCILWOMAN ALESIA: Yes. Okay.

25 Continue.

1 MR. McKENNA: Thank you.

2 It is for work that was previously
3 done. Before I get to what I think is a legal
4 issue, the Resolution is to take \$77,000 that
5 should have been paid last year. It should have
6 been paid to Nassau Suffolk Realty last year.

7 Why it wasn't, I'm not even asking why
8 it wasn't. I'm sure there is a lot of bills that
9 weren't paid last year, but first off -- and I
10 wanted to just ask Councilman Macagnone, being
11 that -- I was talking to some people today and they
12 pointed out that, you know, you have a lot of
13 expertise in the construction field and, you know,
14 this is a -- this is an engineering and labor
15 open-ended contract.

16 And basically, that \$77,000 is
17 mainly -- is mainly for labor, supervision, so on
18 and so forth, right?

19 I'm sure that you would agree that
20 people working for days on end on a project like
21 this are required to sign time sheets.

22 COUNCILMAN MACAGNONE: Supposed to be
23 certified payroll submitted to the Town.

24 I see Commissioner Lenz in the
25 audience.

1 Are we receiving these?

2 COMMISSIONER LENZ: I'm sorry. I
3 didn't hear the question.

4 COUNCILMAN MACAGNONE: Are we receiving
5 certified payroll?

6 COMMISSIONER LENZ: Absolutely, yes.

7 COUNCILMAN MACAGNONE: And time sheets
8 to go along with these bills?

9 COMMISSIONER LENZ: Yes.

10 MR. McKENNA: I would urge the Board to
11 view those time sheets and see if those time sheets
12 reflect the work --

13 COUNCILMAN MACAGNONE: Understood.

14 MR. McKENNA: -- that was really needed
15 to go in to supervise this project.

16 I would urge the Board to do that.

17 COUNCILMAN MACAGNONE: Commissioner
18 Lenz -- excuse me.

19 Can you stop his timer?

20 MR. McKENNA: And being that this is --

21 COUNCILMAN MACAGNONE: Can I have
22 copies of those time sheets, please?

23 Can I stop in your office that view
24 them.

25 COMMISSIONER LENZ: Yes, absolutely.

1 COUNCILMAN MACAGNONE: All right.

2 Thank you.

3 MR. McKENNA: And being that this
4 project has been dragging on for so long, I don't
5 think that there's any rush to vote on this tonight
6 until you all see the time sheets and I think that
7 you'd be doing the Town the right thing by taking a
8 look at it.

9 The second issue is that being that
10 this should have been paid last year to Nassau
11 Suffolk Engineering, how can how you reassign -- I
12 understand that this money, you're not taking new
13 money, you're taking money that should have been
14 paid and you're moving it to another company; to a
15 company that is not the company that did the work
16 last year. That could be illegal. All right.

17 Because even though both companies are
18 owned by the same individual, there's still
19 corporations and Cashin Spinelli did not have those
20 time sheets that you're going to see, I don't
21 think, signed; Nassau Suffolk Realty did.

22 COUNCILMAN MACAGNONE: Nassau
23 Suffolk --

24 MR. McKENNA: Nassau Suffolk
25 Engineering.

1 COUNCILMAN MACAGNONE: Commissioner
2 Lenz, did we give permission for them to
3 subcontract out?

4 I know you weren't the Commissioner.

5 SUPERVISOR SALADINO: Why don't we
6 bring him up after?

7 COUNCILMAN MACAGNONE: Okay.

8 SUPERVISOR SALADINO: After
9 Mr. McKenna.

10 COUNCILMAN MACAGNONE: All right.
11 Yeah.

12 SUPERVISOR SALADINO: Mr. McKenna, why
13 don't you finish up with your time?

14 MR. McKENNA: I have ten minutes.
15 How much time do I have left?

16 MR. ALTADONNA: Four minutes and --

17 MR. McKENNA: Okay.

18 MR. ALTADONNA: Here, how about this.

19 MR. McKENNA: You know, I went to the
20 Town of Hempstead the other day and they have the
21 big clock there, it's nice. Very modern over
22 there.

23 MR. ALTADONNA: We don't have their
24 budget.

25 MR. McKENNA: Plus they have a lot

1 more -- a lot more pains in the butt like me there,
2 a lot more.

3 782 is done, but I just want to -- this
4 is a very confusing matter and, you know, it
5 shouldn't just be a -- just vote on it, you know,
6 assume that -- you know, you had these contracts --
7 what do they call, requirements contracts where you
8 approve, in this case, \$280,000-something. I hope
9 that the Town is not continuing to go that route
10 because if you pick a number in the beginning, it's
11 very easy for somebody to send you a letter and
12 say, oh, do me a favor, write me a check for
13 \$77,000 because that's the remainder of -- you
14 know, of what you approved about two years ago.

15 Isn't that, you know, coincidental?

16 You really have to prove that -- and
17 understand what this \$77,000 is made up of. It's a
18 lot of money to supervise a generator installation
19 and then to go pay a company that didn't even do
20 the work is something that's really questionable
21 and I just want to go on the record with this.

22 Real quick, on the -- on the Union
23 contract, since it seems that in the last
24 paragraph, you're concerned about legalities, about
25 the authorization of the signatures.

1 I would suggest that -- I know it's
2 probably not a final document mbut there's no typed
3 names below the signatures where if you ever needed
4 to know who signed this, doesn't -- it doesn't have
5 printed names below the signatures.

6 And on 767, which is the waiver of
7 procurement requirements for the -- I think, it's a
8 \$30,000-something software program. I know that
9 the Town Attorney approved -- I know the Town
10 Attorney said that -- that you have met the bidding
11 required -- the procurement policy, but for some
12 reason, Mr. Sammartano is only able to get one bid
13 and, apparently, there's a letter that you were not
14 provided, dated October 26, 2017, and I would urge
15 you to see what that letter says as to why he was
16 only able to get one bid before you vote on this.

17 Thank you very much.

18 SUPERVISOR SALADINO: Steven, would you
19 please come up here?

20 In regard to the previous speaker's
21 suggestion --

22 MR. DELLIGATTI: My name is Steven
23 Delligatti. I'm Department of Intergovernmental
24 Affairs.

25 SUPERVISOR SALADINO: Thank you.

1 MR. DELLIGATTI: In regards to draft
2 Resolution 767, we had written a letter to the Town
3 Attorney's Office asking for the waiver of the
4 procurement policy. We had posted this request for
5 proposals in Newsday.

6 We had also sent this electronically
7 out to over 35 different business members and
8 people in the community that work in this sort of
9 field, and we had -- also did direct mailings to
10 five companies we had worked with in the past, so
11 that we felt -- as well as posting on the Town
12 website and as well as posting in our Workforce
13 Development Board website -- so that when we wrote
14 the letter to the Town Attorney's Office, we had
15 explained that to them and, thus, the waiver was
16 granted.

17 SUPERVISOR SALADINO: Were all
18 procedures followed as per State law and as per
19 Town code?

20 MR. DELLIGATTI: Yes, they were.

21 SUPERVISOR SALADINO: Thank you very
22 much.

23 MR. DELLIGATTI: Thank you.

24 COUNCILMAN MACAGNONE: Excuse me,
25 Mr. Delligatti?

1 MR. DELLIGATTI: Yes.

2 COUNCILMAN MACAGNONE: This extension,
3 who's going to be approving the extensions if we so
4 choose?

5 MR. DELLIGATTI: The extensions would
6 be approved by the Town Board.

7 COUNCILMAN MACAGNONE: By the Town
8 Board?

9 MR. DELLIGATTI: Yes.

10 COUNCILMAN MACAGNONE: Okay.

11 Thank you.

12 SUPERVISOR SALADINO: Are there any
13 other questions?

14 COUNCILMAN MUSCARELLA: No.

15 SUPERVISOR SALADINO: Thank you.

16 Would Commissioner Lenz please step
17 forward?

18 You heard the items brought up by the
19 previous speaker.

20 Could you please tell the Board and the
21 public as to actual realities and the truth in this
22 situation?

23 COMMISSIONER LENZ: Sure.

24 This work was done, I believe, it was
25 almost two years ago.

1 The reason why I'm taking care this now
2 is this has been put up a couple of times and was
3 never voted on. I found that there was -- needed
4 to be corrected.

5 What's happening is --

6 SUPERVISOR SALADINO: Excuse me, what
7 needed to be corrected?

8 COMMISSIONER LENZ: They haven't been
9 paid for about a year and a half.

10 COUNCILMAN MACAGNONE: For the work
11 already performed?

12 COMMISSIONER LENZ: For work already
13 performed.

14 What had happened is there is two firms
15 like was stated, Nassau Suffolk and -- Spinelli --
16 Cashin, Spinelli & Ferretti. There -- they are
17 separate companies, even though they're owned by
18 the same people, but they are separate companies,
19 so I could not -- I could not write a check, let's
20 say, or the Town for CSF.

21 It had to be approved by the Town Board
22 and we're taking the money that was originally set
23 aside for Nassau Suffolk and paying Cashin,
24 Spinelli & Ferretti for their work under this
25 proposal here.

1 Now, what happens is when the
2 consultant submits a claim, that claim is reviewed,
3 and as a Councilman Macagnone had stated, it has a
4 certified payroll on it, it has the number of hours
5 that each person worked on it, and then it's
6 reviewed by several people in my office before it's
7 approved. And then once it was reviewed, then I
8 brought it to the Town Board's attention.

9 SUPERVISOR SALADINO: So both you and
10 other members of your staff separately reviewed all
11 the documentation?

12 COMMISSIONER LENZ: Yes.

13 SUPERVISOR SALADINO: Did you find it
14 to be all accurate? Did you find it to make sense?
15 Did you find it -- talk to us in terms of what
16 assurances you can give the Town Board and the
17 public that these -- that these payments are
18 rightful, are legal and appropriate.

19 COMMISSIONER LENZ: Yes.

20 The -- as I said, there's a clerk that
21 actually reviews all the claims for me, adds
22 everything up, and then it also goes to
23 Engineering. They also review it for -- make sure
24 to determine that the work was done to
25 satisfaction.

1 In this particular case, this -- this
2 work was actually done for General Services so it
3 also had to be approved by General Services. The
4 funding for this, and also the payment for this, so
5 I had to go before them also to ask for approval.

6 So that's why I'm saying, there's many
7 people that looked at this before it came to --
8 before I'm presenting it to the Town Board.

9 COUNCILMAN MACAGNONE: Did we okay --

10 COUNCILWOMAN ALESIA: Excuse me,
11 Commissioner. Sorry.

12 COUNCILMAN MACAGNONE: Sorry.

13 Please go ahead.

14 COUNCILWOMAN ALESIA: As I stated
15 before when I read this --

16 COMMISSIONER LENZ: Yes.

17 COUNCILWOMAN ALESIA: -- it raised
18 curiosity to me and I'm trying very hard to look
19 forward and not look backward at things.

20 COMMISSIONER LENZ: No problem.

21 COUNCILWOMAN ALESIA: But one of the
22 things that it just calls to my attention is that
23 it's -- it is two entities owned by the same
24 proprietor.

25 COMMISSIONER LENZ: Right.

1 COUNCILWOMAN ALESIA: And one is
2 awarding the other one subcontracting work,
3 subconsulting work.

4 COMMISSIONER LENZ: Right.

5 COUNCILWOMAN ALESIA: And I just I'm
6 hoping that in the future, and I know that this is
7 something that the Supervisor is invested in is
8 improving on these contracting procedures, I would
9 like to see, maybe not doing that, and not having a
10 vendor use his own subconsulting firm on the same
11 contract.

12 COMMISSIONER LENZ: One hundred
13 percent. That's normally the way it does work.

14 In this particular case, I did check
15 with their attorney for the two firms and it is
16 their -- the way they are reading -- the way the
17 corporations were set up, that they cannot pass
18 money from one corporation to the other. That's
19 why I needed to separate it out and make it a sub
20 to the other corporation.

21 COUNCILWOMAN ALESIA: I understand, but
22 if we don't use ones that are, you know --

23 COMMISSIONER LENZ: Understand.

24 COUNCILWOMAN ALESIA: Can we just avoid
25 the situation?

1 COMMISSIONER LENZ: I understand.

2 COUNCILWOMAN ALESIA: I know you
3 weren't --

4 COMMISSIONER LENZ: Right.

5 COUNCILWOMAN ALESIA: So.

6 COMMISSIONER LENZ: That's a very good
7 point and we don't normally -- have ever done that
8 before, you're right.

9 COUNCILMAN MACAGNONE: And you weren't
10 there to approve it because it was approved well
11 before your tenure but as Councilwoman Alesia said,
12 in the future, we are going to look to avoid this
13 kind of situation?

14 COMMISSIONER LENZ: Absolutely.
15 Definitely.

16 COUNCILWOMAN ALESIA: Thank you.

17 SUPERVISOR SALADINO: Just so to
18 review --

19 COMMISSIONER LENZ: Yes.

20 SUPERVISOR SALADINO: -- have all of
21 the processes met the law and the Town code?

22 COMMISSIONER LENZ: Yes. They have.

23 SUPERVISOR SALADINO: Has everything
24 been reviewed by separate eyes, separate personnel
25 from separate departments?

1 COMMISSIONER LENZ: Yes.

2 SUPERVISOR SALADINO: In a duplicative
3 manner?

4 COMMISSIONER LENZ: Absolutely.

5 SUPERVISOR SALADINO: And has all of
6 this information been found to be accurate?

7 COMMISSIONER LENZ: Yes.

8 And that's the reason why it took so
9 long to get it before the Town Board, because
10 again, this happened before I was the Commissioner.
11 I didn't quite understand what they were doing.

12 As I say, I needed to talk to their
13 attorney and find out why we were going with two
14 separate firms.

15 You know, why one couldn't pass the
16 funding on to the other, and that's why this is
17 presented this way.

18 And as I say, I also had to talk to
19 General Services because their work -- this work
20 was done for General Services through NY
21 Engineering Department and that's why I had to also
22 talk to Engineering so it's several multi layers of
23 people that had to review this before it came
24 before you people.

25 SUPERVISOR SALADINO: So as a licensed

1 profession engineer --

2 COMMISSIONER LENZ: Yes.

3 SUPERVISOR SALADINO: -- and as a
4 government administrator working in Engineering and
5 Public Works for decades --

6 COMMISSIONER LENZ: Yes.

7 SUPERVISOR SALADINO: -- have you found
8 this to be 100 percent ethical, proper and legal?

9 COMMISSIONER LENZ: Yes.

10 And then also, there was another
11 professional engineer that also reviewed it before
12 I got it, so I'm just saying, so there's two
13 professional engineers who have been in the
14 business for quite a few years that are also
15 concurring that this is factual and needs to be
16 paid.

17 SUPERVISOR SALADINO: Including this
18 full amount as owed?

19 COMMISSIONER LENZ: Yes. Absolutely.

20 COUNCILMAN MACAGNONE: Commissioner,
21 you have seen their certified payrolls?

22 COMMISSIONER LENZ: Yes, I have. Yes,
23 I have.

24 COUNCILWOMAN ALESIA: Thank you.

25 SUPERVISOR SALADINO: All of them, not

1 just some?

2 COMMISSIONER LENZ: No, no, no.

3 I've seen it all for -- I always see
4 them all, but in this particular case, this is
5 abnormal, and I did review it with extra care and
6 then sent it up to different peoples for viewing
7 and concurrence.

8 SUPERVISOR SALADINO: Any other
9 questions?

10 (No response.)

11 Thank you.

12 COMMISSIONER LENZ: Thank you. Thank
13 you.

14 COUNCILMAN MUSCARELLA: Due diligence.

15 COUNCILWOMAN ALESIA: We like the young
16 Frank side reference, by the way. Good job.

17 SUPERVISOR SALADINO: Our next speaker
18 will be Eva Pearson.

19 Good evening, Ms. Pearson.

20 MS. PEARSON: Good evening, Supervisor.

21 My name is Eva Pearson. I live at
22 426 Staple Street in Farmingdale.

23 I have two Resolution I wanted to ask
24 about and I'll start with -- I'll start in reverse
25 order with 795 which is about a topographic survey

1 for the former Liberty site.

2 Please correct me if I'm wrong but this
3 is the site adjacent to Allen Park, correct?

4 SUPERVISOR SALADINO: Yes.

5 MS. PEARSON: So I live quite close to
6 this so this is of interest to me and I had looked
7 back today over the history of, sort of, that site
8 and -- let's see, I noticed there was some legal
9 action going on, and forgive me because I'm not a
10 lawyer, so I look forward to having this clarified,
11 but I know back on October 10th, you all had
12 announced that there was going to be improvements
13 to the park at the Liberty site; is that correct?

14 SUPERVISOR SALADINO: Yes.

15 MS. PEARSON: Okay.

16 However, this site, according to the
17 Newsday article of October 10th, was still under
18 litigation, and then according to some documents I
19 found online today, was this actually litigated
20 upon on November 14th and was there a decision?
21 What was the outcome of that?

22 And the reason why I'm bringing this up
23 is because it seems as though the memo from the
24 engineering company happened on November 9th, your
25 announcement was October 10th, the inter-office

1 memo from Richard Lenz was November 13th. There
2 was another one November 21st stating that the
3 request was in for this \$8,500 and then it's on the
4 TOB agenda tonight.

5 So I guess I'm trying to figure out how
6 there could be \$8,500 and a request for a
7 topographical survey when this site is still under
8 litigation and perhaps it's not because this
9 happened on November 14th so that's the first one,
10 that's on 795.

11 It seems questionable to me that we
12 would be spending money on a site that maybe is
13 still under litigation. That's why I'm bringing it
14 up.

15 That being said, I have two young sons
16 I'd love if that park was together, that would be
17 fabulous.

18 Okay. The next one is 784.

19 This also -- if I'm understanding this
20 correctly -- this is for you to have a Memorandum
21 of Agreement between Town of Oyster Bay and Nassau
22 County.

23 Is this for the roadway restoration?

24 COUNCILMAN MACAGNONE: Yes.

25 MS. PEARSON: Okay.

1 COUNCILMAN MACAGNONE: Ms. Pearson, I
2 met with the Town -- the Deputy Supervisor this
3 afternoon because I had plenty of questions on
4 this.

5 MS. PEARSON: Oh, great.

6 COUNCILMAN MACAGNONE: And, hopefully,
7 we're going to work closely with Nassau County to
8 save our residents, which are County residents also
9 money, and repair some roads.

10 MS. PEARSON: Okay. Great.

11 Because that was my question, I mean,
12 obviously this was a program that you all had
13 announced on October 16th and there was a lot of
14 back and forth. I know Legislator Drucker sent you
15 all a letter August 30th saying there was no
16 inter-municipal agreement, back and forth from
17 Mr. Nocella to Drucker on September 7th.

18 SUPERVISOR SALADINO: We believe the
19 spirit of that letter was incorrect.

20 MS. PEARSON: Which letter? I'm sorry.

21 SUPERVISOR SALADINO: Mr. Drucker's
22 letter because we had already had negotiations
23 going on with the County Attorney's Office.

24 MS. PEARSON: Okay.

25 On then on September 26th, there was a

1 FOIL that indicated there was no inter-municipal
2 agreement. The County voted on their budget on
3 October 30th and as we -- I think if anybody saw
4 Newsday, now NIFA is challenging that budget as
5 well.

6 So you are now asking to go into a
7 inter-municipal agreement with the County, but does
8 the -- is the County even able to enter into an
9 agreement the Town of Oyster Bay if NIFA, which is
10 overseeing the County budget, is disagreeing with
11 their budget?

12 So that's sort of my question. I would
13 like some clarification on the rest -- was it
14 restoration roadway or roadway restoration, I'm
15 confusing the words, and how that's going to work
16 with the County.

17 Thank you.

18 SUPERVISOR SALADINO: You're welcome.

19 Let's bring up a representative from
20 the Town Attorney's Office who negotiated this.

21 Matt, would you step forward, please?
22 Please state your presence.

23 MR. ROZEA: Yes, of course.

24 Again, Matthew Rozea, Deputy Town
25 Attorney.

1 Just for clarity's purpose, I did not
2 negotiate the arrangement, but I'm generally
3 familiar with where we are and where we're hoping
4 to go.

5 SUPERVISOR SALADINO: So we have had
6 ongoing negotiations with the County on this issue.
7 We realize we have many roads that need repaving.
8 We know that there is a tremendous priority of this
9 administration and this Town Board to get these
10 roads paved. Let's speak about our negotiations
11 with the County so that we may answer the
12 resident's question.

13 MR. ROZEA: To dovetail off of what
14 Councilman Macagnone said, the entire intent of
15 this arrangement in this shared service agreement
16 is to result in a savings to the taxpayer.

17 There are ways that government can work
18 together, surprising as that might sound, that
19 actually result in efficiencies and a better
20 delivery of service to the taxpayer.

21 SUPERVISOR SALADINO: While that's
22 satire, I want to point out that in terms of the
23 shared services law that Governor Cuomo enacted
24 that we have been following, no municipality on
25 Long Island has saved more -- no Town or other

1 level municipality, outside the Counties,
2 obviously, the programs have to go through the
3 County, but the Town of Oyster Bay has the Number
4 One highest amount of savings through the
5 Governor's Shared Service Program.

6 So, it was our motivation to not only
7 take advantage of this program as intended by
8 Governor Cuomo, but then to go full throttle to
9 make sure that we were saving more than any other
10 Town or smaller municipality in all of Long Island.
11 We're very proud of that fact.

12 MS. PEARSON: I'm not questioning your
13 motivation, Supervisor.

14 I just curious if the County is
15 realistically able to enter into this agreement.

16 SUPERVISOR SALADINO: Well, while we
17 can't -- let's talk about the negotiations.

18 So we've reached out to the County
19 Attorney's Office.

20 MR. ROZEA: Sure. Right.

21 SUPERVISOR SALADINO: And we've had
22 ongoing negotiations.

23 MR. ROZEA: That's correct.

24 SUPERVISOR SALADINO: Tell us about
25 those, please.

1 MR. ROZEA: Again, the idea here is to
2 create a program by which we can use our mutual
3 resources to repave our roadways that are in need
4 of paving.

5 And the idea would be that we, in some
6 cases, will use their equipment because they have
7 equipment that may be able to do the task that's in
8 need of completion and, of course, the Town would
9 then compensate the County for whatever equipment
10 or labor is provided under this agreement.

11 I mean, that's the crux of it. I don't
12 know if it's much more to it.

13 SUPERVISOR SALADINO: So instead of --
14 for instance, in one scenario, instead of going out
15 and buying the tremendous equipment needed for road
16 paving, we could utilize the Counties and save a
17 tremendous amount money?

18 MR. ROZEA: No question about it.

19 SUPERVISOR SALADINO: In purchasing
20 asphalt materials and so forth -- and I see
21 Commissioner Lenz, we have him here so we could
22 always bring him up, too, to further the
23 discussion, but in terms of -- by consolidating the
24 purchase of that asphalt and paving materials, we
25 bring the unit cost down; don't we?

1 MR. ROZEA: I mean, that's how it
2 typically works in the world. You buy in bulk and
3 you get a better price for the product.

4 SUPERVISOR SALADINO: And are we, in
5 fact, doing this through the Governor's Shared
6 Services Program?

7 MR. ROZEA: It's entirely my
8 understanding that -- and not only with respect to
9 road paving, but with salt and sand for the Winter
10 season and any other variety of the Town services
11 that our residents expect that we'll deliver.

12 SUPERVISOR SALADINO: And has it
13 been -- and this probably may be a question for
14 another member of the staff, but clearly every
15 elected official in this Town knows, has it been
16 the indication of the public that they would like
17 their roads repaved?

18 MR. ROZEA: I think the room has
19 answered the question for me.

20 Yes, of course.

21 SUPERVISOR SALADINO: Clearly, this is
22 the motivation, this is the will of the people?

23 MR. ROZEA: Absolutely.

24 SUPERVISOR SALADINO: Clearly, the
25 will.

1 And for the purposes of the public, by
2 passing this resolution this evening, what does
3 that enable?

4 MR. ROZEA: That then would allow us to
5 enter into the arrangement so that we could
6 actually use the services of the County when and
7 where appropriate.

8 SUPERVISOR SALADINO: Whether the
9 County is able to or not, we have to, in fact, pass
10 our Resolution first?

11 MR. ROZEA: No question because this
12 requires two parties and I certainly hope for the
13 residents' sake, that the County can get it done.
14 We have, within our power tonight, to get it done.

15 SUPERVISOR SALADINO: So we're doing --
16 in fact, we're doing our part as elected officials
17 to begin this process, or, rather, more than begin,
18 because we've already been long negotiating to see
19 that we take care of our responsibility?

20 MR. ROZEA: Correct.

21 SUPERVISOR SALADINO: Thank you very
22 much.

23 MR. ROZEA: By the way, any other
24 questions?

25 COUNCILWOMAN JOHNSON: I'd maybe just

1 ask Matthew to answer the question about the
2 Liberty site.

3 SUPERVISOR SALADINO: Certainly.

4 MR. ROZEA: Oh, right. Right.

5 I know that there was recent appearance
6 in the Appellate Division, Second Department. I
7 think I heard November 14th.

8 COUNCILWOMAN JOHNSON: I think the
9 point might be that regardless of whether or not
10 the litigation is still going on, we still own the
11 property.

12 MR. ROZEA: We own the property and we
13 will own the property.

14 COUNCILWOMAN JOHNSON: With regard to
15 the price of the --

16 MR. ROZEA: The value.

17 COUNCILWOMAN JOHNSON: Yes.

18 MR. ROZEA: It is totally about the
19 value, not whether or not the Town has true title
20 to the property. That's a settled question.

21 COUNCILWOMAN JOHNSON: So it's within
22 our right to do studies, topographical studies and
23 this is what we need to move forward?

24 MR. ROZEA: It's our land. If we need
25 to determine how best to use it, we should be.

1 COUNCILMAN MACAGNONE: And we shouldn't
2 be wasting time worrying about a lawsuit, just will
3 be another year that another kid will grow because,
4 honestly, Ms. Pearson mentioned her young sons, I
5 remember I had two young daughters. We were hoping
6 to use that land.

7 SUPERVISOR SALADINO: So by waiting for
8 the outcome of this case, our residents would be
9 impacted because they and their children, including
10 the person who -- the residents who asked the
11 question, would be negatively impacted if we were
12 to wait on this?

13 MR. ROZEA: If the Town we to put a
14 halt on everything waiting for court proceedings to
15 resolve, it would virtually impossible to do
16 anything in terms of delivering services to the
17 residents.

18 But as the Councilwoman indicated, this
19 is about the value, not whether we own the property
20 and whether we can use it as the Town and its
21 residents see fit.

22 SUPERVISOR SALADINO: Thank you very
23 much.

24 Any other questions?

25 (No response.)

1 SUPERVISOR SALADINO:

2 All right. Our next speaker is --

3 COUNCILWOMAN JOHNSON: There's a
4 question in the back.

5 SUPERVISOR SALADINO: Yes. On that.
6 Please step forward.

7 Would you please give us your name and
8 address for the record?

9 MR. O'CONNOR: Good evening.
10 Dan O'Connor, 9 Sylvia Street,
11 Glen Head.

12 I've been up here various times over
13 the last three or four years on this road project
14 topic, and one thing I -- a couple of questions I
15 had asked, one is, how do the various unions feel
16 about this commingling between County and Town?

17 COUNCILMAN MACAGNONE: I can answer
18 that, Mr. O'Connor, real quick.

19 They are okay with it.

20 MR. O'CONNOR: They are?

21 COUNCILMAN MACAGNONE: Local 880, one
22 of ours, and Local 180 of the County all joined.

23 MR. O'CONNOR: Okay. Good.

24 Because rumors in Glen Head are that
25 the union opposed it, and that's why it's actually

1 been put off again. We had heard dates at the
2 general area that I've come up to speak about,
3 various, was going to get done. There was monies
4 that were found a year or two ago to do it and then
5 the latest was that October 1st was going to be --
6 begin the construction.

7 As one who tries to cut through red
8 tape and baloney, I'm just hoping that it really
9 speeds up, knowing that I've fallen on the street.
10 I've witnessed other people fall on the street and
11 get more injured than I did and I'd just like to
12 see it really start going. We do pay our taxes to
13 the Town of Oyster Bay and those streets have not
14 been repaved since 1983 and I'm not going to ask
15 where those monies have gone over those years, but
16 it really needs to get done now.

17 SUPERVISOR SALADINO: Please take
18 tonight's motion and our vote on it as proof
19 positive of this administration's commitment and
20 this Town Board's commitment to deal with one of
21 the biggest problems that we see and that's the
22 upkeep and maintenance of our roads.

23 COUNCILMAN MACAGNONE: Actually, a
24 survey was done by the Long Island Contractor's
25 Association maybe two years ago, that 63 percent of

1 our residents felt that was the biggest problem in
2 Oyster Bay were our roads.

3 MR. O'CONNOR: Sure. That wouldn't
4 surprise me.

5 And if the County does not move
6 forward, what is the Plan B?

7 SUPERVISOR SALADINO: We are still --
8 as we're doing right now, we're continuing to do
9 road work, as we speak, this time of year and,
10 obviously, as far into the season as possible. So
11 we have been doing paving. We will continue to do
12 paving work. We passed a budget knowing that we
13 will be going forward and continuing.

14 We had a presentation at a Board
15 meeting talking about a brand-new program that
16 we've put in place with Highway to address what the
17 priority of roads will be, so it's not somebody
18 calls, oh, do my road first.

19 MR. O'CONNOR: Oh, of course.

20 SUPERVISOR SALADINO: It's a very
21 scientific process and we have presented it, not
22 only here at a Board meeting for the public, but in
23 other locations so that people understand how the
24 roads get done, what the assessment process is, and
25 to ensure that it's fully transparent.

1 But all of this is in an effort to make
2 a very high priority of getting the roads paved and
3 we are currently paving our roads.

4 MR. O'CONNOR: Okay. Thank you.

5 There was one other question if someone
6 could look into it.

7 SUPERVISOR SALADINO: And the unions
8 are fine with it.

9 MR. O'CONNOR: That was my most
10 important thing because the word in the Town was
11 that the unions were not fine with it.

12 SUPERVISOR SALADINO: It's a great
13 teaching moment for everybody.

14 You described this as there was a rumor
15 going around.

16 MR. O'CONNOR: Sure.

17 SUPERVISOR SALADINO: So when we try to
18 get information out to the public and we do that
19 and, hopefully, the media is always there at our
20 events each and every time when we're trying to get
21 our information out. It is very, very helpful that
22 we get our information out. Mailing sometimes get
23 information out. That's one of many ways. Going
24 to the website, all of this is to try to get the
25 actual facts out and we --

1 MR. O'CONNOR: Hence, why I'm here
2 asking the question.

3 SUPERVISOR SALADINO: And please feel
4 free to contact my office or the office of the Town
5 Board members.

6 COUNCILMAN MACAGNONE: Mr. O'Connor is
7 not shy about contacting our offices, believe me.

8 MR. O'CONNOR: Thank you.
9 I appreciate it.

10 COUNCILMAN MACAGNONE: No problem, Dan.

11 SUPERVISOR SALADINO: Our next speaker
12 is Jonathan Clarke.

13 MR. CLARKE: Good evening, everyone.
14 Jonathan Clarke, 59 Marian Lane,
15 Jericho, New York.

16 And, basically, I'm glad that you're
17 taking action so quickly on the zombie home problem
18 that's been plaguing Breezy Point and the Town of
19 Oyster Bay in general, but a couple questions the
20 Breezy Point Civic Association was wondering is,
21 the \$350,000 grant that came from Schneiderman from
22 the lawsuits against Wall Street -- I mean, the
23 bankers -- what does that money --

24 SUPERVISOR SALADINO: Actually, it came
25 from a State grant.

1 MR. CLARKE: Right.

2 But it essentially -- that state grant
3 was a result of Schneiderman suing several banks
4 and foreclosure process.

5 Regardless of where the money comes
6 from --

7 SUPERVISOR SALADINO: Reality is it
8 came from the State budget.

9 MR. CLARKE: Okay.

10 So that money, what is it specifically
11 being used for in regard to the zombie home
12 projects and is outside counsel going to be hired
13 in order to pursue what's going to be adopted in a
14 resolution, hopefully?

15 Above and beyond that, do we have an
16 actual number of how many zombie homes are within
17 the Town of Oyster Bay? And those are basic
18 questions that we have right now.

19 SUPERVISOR SALADINO: Okay. Thank you.

20 Commissioner Maccarone, would you
21 please come forward?

22 While it doesn't relate directly to one
23 of these Resolutions, I'd like you to please inform
24 us, if you could, in terms of how we are spending
25 the grant, what our program is, and certainly feel

1 free to talk about today's program as well. I hope
2 everyone, if not tomorrow and future days, will be
3 able to open the daily newspaper and read about
4 what we're doing on zombie homes, including what we
5 did today in knocking down two of the many that we
6 have planned.

7 COMMISSIONER MACCARONE: Yes. That's
8 correct, Supervisor.

9 As you know, this grant was acquired by
10 the Department of Intergovernmental Affairs, Colin
11 Bell. He is not here tonight, but he has the
12 specific guidelines as to how we're spending the
13 money, but I do know enough about it to speak
14 tonight.

15 Of the \$350,000, there is a portion --
16 the first portion that was set aside was for the
17 Town Attorney's Office to hire an outside counsel
18 to look at our current zoning ordinance, or
19 building code, to make recommendations on how we
20 can strengthen it and to provide procedures to the
21 Department of Planning and Development as we go
22 forward with these homes.

23 So that process has been initiated.
24 There's a hearing on a Resolution tonight calling
25 for a hearing on December 12th and that will be the

1 subject of some zoning changes to our Code to
2 assist us in dealing with these zombie homes and
3 vacant properties.

4 Once that is in place, the component of
5 it is for Intergovernmental Affairs to go out for
6 an outside consultant to inventory zombie homes
7 throughout the Town of Oyster Bay.

8 We do have a list of those that we know
9 of that people submit complaints to.

10 COUNCILMAN MACAGNONE: I'm troubled.

11 Why are we looking for an outside
12 consultant when we have so many people on staff
13 that are capable of doing it.

14 COMMISSIONER MACCARONE: Well, it's an
15 interesting concept. We don't have that many code
16 enforcers.

17 COUNCILMAN MACAGNONE: Okay. But we do
18 have Sanitation that goes up and down every street
19 in the Town. We have Highway that's up and down
20 the streets in the Town that can look and report
21 back.

22 COMMISSIONER MACCARONE: Well, I
23 believe it is a part of the grant that when it was
24 applied for this consultant and the money was
25 allocated, of the 350, there's specific guidelines.

1 \$25,000 for this, \$50,000 for this, and
2 one of the line items is for the outside consultant
3 to be hired by the Town to inventory, work with
4 Planning and Development to inventory these homes.

5 SUPERVISOR SALADINO: I have a
6 suggestion.

7 Why don't we hold a meeting? We can do
8 it up in my office. Councilman Macagnone can come
9 to do that.

10 COUNCILMAN MACAGNONE: I would love to
11 do that.

12 SUPERVISOR SALADINO: We'll bring in
13 Colin Bell. Either you and a representative from
14 your office, and we'll go line by line because I
15 know the grant process and I know it can be very
16 complex, and let's show, not only the Councilman,
17 but anyone else who would like to be there, can't
18 all be there at the same time, but we can make
19 accommodations to inform or meet separately with
20 Board members so we can walk them through the
21 process and they can better understand how the
22 allegations -- how these monies have to be
23 allocated --

24 COMMISSIONER MACCARONE: Right.

25 SUPERVISOR SALADINO: -- in order for

1 us to satisfy the mandates of the grant process.

2 COMMISSIONER MACCARONE: That's fine.

3 SUPERVISOR SALADINO: All right.

4 COMMISSIONER MACCARONE: Okay.

5 SUPERVISOR SALADINO: Now, can we speak
6 to the motivation of the Town in terms of getting
7 these properties cleaned up?

8 Today, for instance, we took down two
9 homes because we -- under our current code, we had
10 the right to do that. In the homes in East
11 Massapequa that we are certainly very motivated to
12 clean up those properties, it's a little different
13 scenario that's taking a little longer.

14 COMMISSIONER MACCARONE: That's
15 correct.

16 SUPERVISOR SALADINO: Otherwise, those
17 homes, in my opinion, would have been very first on
18 the list.

19 COMMISSIONER MACCARONE: Right.

20 The ones in Locust Valley today, when
21 we had received the complaints, the complaints came
22 in for overgrowth vegetation on the properties.
23 For the property at 47, you could not even see the
24 house. That's how overgrown the trees and the
25 shrubs around the house were.

1 SUPERVISOR SALADINO: That's 47 13th
2 Avenue?

3 COMMISSIONER MACCARONE: 47 13th
4 Street.

5 SUPERVISOR SALADINO: 13th Street.

6 COMMISSIONER MACCARONE: 51 was
7 overgrown a lot in the front, not so much in the
8 back, but again, you couldn't see the structural
9 damage that was in the rear of the properties.

10 So, we did our normal procedure. We
11 tried notifying the property owners. After a
12 five-day notice when they did not respond, we then
13 sent the Order to the Highway Department to do the
14 cleanup of just the vegetation.

15 When that took place, the inspectors
16 came back, Highway notified our code enforcement
17 inspectors and said, you better send someone to see
18 these homes because the -- now that we've uncovered
19 all the vegetation, you can see the homes.

20 And the case of 47, the roof was
21 collapsing. I mean, there was windows all open,
22 water completely filled the basement of 47.

23 Similar structural deficiencies were
24 present in 51. Code -- building inspectors went
25 out, did their inspections, came back and provided

1 me with a -- written reports indicating the
2 structural damages and if -- for those of you who
3 do not know 13th Street, a lot of these homes were
4 built in the early 1900s, not pursuant to zoning
5 codes, so the homes are literally two feet, a foot
6 away from property lines.

7 So if one home goes down and collapses,
8 it's going to affect the neighboring properties.

9 COUNCILMAN MACAGNONE: Over a shadow --

10 COMMISSIONER MACCARONE: So under
11 Chapter 93-20, I was able to deem these immediately
12 to come down to be demolished. There's no hearing
13 response required. We needed to coordinate with
14 National Grid, PSE&G, the Water District to shut
15 off all the utilities. Once that was completed, we
16 were able to schedule the demolition through
17 Highway.

18 SUPERVISOR SALADINO: And we also --
19 didn't we also take a look at it environmentally?
20 We tested the water?

21 COMMISSIONER MACCARONE: Yes. Right.
22 We removed all the -- the oil tank. We also laid
23 down traps for the rodent control and so forth. So
24 that, we all did. We secured the property to
25 prevent people from going in.

1 So, that was a very specific type of
2 situation that could be done immediately because of
3 the structural integrity of these two homes and the
4 close proximity in the event they were to collapse
5 on their own, what type of other damage they can do
6 to adjoining properties.

7 In the case of other properties
8 throughout the Town of Oyster Bay --

9 SUPERVISOR SALADINO: Including those
10 in East Massapequa.

11 COMMISSIONER MACCARONE: -- in East
12 Massapequa, a home just boarded up is not
13 structurally unsound. It's a nuisance. It's an
14 eyesore.

15 So, in the case of 550 -- is it 5 --
16 510? There's so many different numbers -- 510, the
17 inspectors went out to see what they can see from
18 the outside. They looked to see if roofs were
19 sagging, so forth. From the outside of the
20 property, it does not deem it structurally unsound.

21 SUPERVISOR SALADINO: So under our law,
22 we don't have the right to take the house down
23 without the permission of the owner?

24 COMMISSIONER MACCARONE: Emergency,
25 right.

1 Well, there's a different procedure
2 that can happen, so we have asked the Town
3 Attorney's Office to go into court to get -- allow
4 our inspectors to gain entry into this house and
5 when we go into the house, depending on what we
6 find inside, because it's been vacant for so many
7 years, we may uncover things that would require us
8 to -- allow me to issue an order immediately.

9 But from viewing it from the outside, I
10 cannot sign that order. Now, if we go in and it
11 still is not structurally unsound, there's
12 provisions in our current code, which we are going
13 to strengthen in two weeks, that will require a
14 series of steps that have to take place and it's a
15 survey, not a physical survey of a surveyor, but
16 it's a report, again, from the Building inspectors.

17 They will go and look at all the
18 different items in the house, windows being open.
19 Again, not structurally unsound items, but things
20 that are a nuisance to the public and things of
21 that nature. That will be served to the property
22 owner. If the property owner does not respond
23 within a certain timeframe, then we can move
24 forward to demolish the building.

25 If the property does respond -- if the

1 property owner does respond within a certain
2 timeframe, there is two ways he can respond. He
3 can say, yes, I'm okay with it, you can do what you
4 want with it. He can say, I'm okay with it, I want
5 to -- please give me 72 hours to rectify the
6 situation, demolish it, whatever we deem needs to
7 be done, or he can say, you're not touching my
8 house. I want a hearing.

9 At that point, a hearing will take
10 place before the Town Board.

11 SUPERVISOR SALADINO: A public hearing
12 that the neighbors would attend?

13 COMMISSIONER MACCARONE: The property
14 owner will make his statements, property owners
15 will come -- neighboring property owners, Building
16 Department, Town Attorney's Office, and there will
17 be a hearing on that.

18 So, this is what we're working towards
19 for the hearing in two weeks. There will be new
20 language put in. We're talking about other
21 different definitions and so forth and, you know,
22 that's how we will proceed.

23 SUPERVISOR SALADINO: Please make sure
24 that our residents -- and I'm going to ask Public
25 Information to help out with that too, we want to

1 make sure when we hold that hearing, that all of
2 our residents who are interested, including the
3 residents who are here tonight, get the full
4 information on this so they can come here, they can
5 testify, they can share with us the information,
6 they can explain what they've been going through,
7 and they have been going through a very difficult
8 situation, not for months but for years, and we
9 want to make sure that their voices are heard,
10 especially in terms of getting this hearing done
11 properly and quickly to give us the strength and
12 the tools needed to legally remove these houses
13 because even though it's our responsibility to
14 follow the law, and we will continue to do that,
15 the residents continue to look out their window, to
16 drive by these eyesores, and even if they may not
17 have an immediate danger, as we saw today -- I was
18 there this morning. I'm not an engineer. I'm not
19 a carpenter. But you clearly don't want to walk
20 inside those houses. They look like the wind
21 could -- could bring these houses down. It was so,
22 so dangerous. It's very, very obvious.

23 But we want to ensure that the
24 residents have their say and that they're here so
25 let's please get their information, utilize point

1 people, including the Civic Association, so all of
2 the residents can be here who are interested in
3 being heard at that hearing.

4 COMMISSIONER MACCARONE: Okay.

5 SUPERVISOR SALADINO: All right.

6 Are there any other questions.

7 MR. CLARKE: I have a further question
8 to add to this.

9 SUPERVISOR SALADINO: Commissioner, I
10 would like to thank your Department and I would
11 like to thank Highway for all of their assistance,
12 not only today, but in the days and weeks leading
13 up to today.

14 It certainly proved to us, and it
15 should prove to the public, of our resolve to make
16 sure that we are putting every resource behind
17 curing the problem of these buildings.

18 They are eyesores, they are zombie
19 homes, and they are terrible, and one could only
20 hope that you open tomorrow's paper to read about
21 what we did and understand the importance of this.

22 One could only hope that the public is
23 included in this process by way of the media
24 reporting on today's very, very important news.

25 Yes, sir. Go ahead.

1 MR. CLARKE: Well now, what's very
2 interesting to me is that if we look at Law 1308,
3 which was passed in the Assembly when you were in
4 the Assembly, part of that law was to create a
5 zombie home registry.

6 Now, I don't know if the Commissioner
7 misspoke, but she said that there was a firm hired
8 to determine if houses were vacant or not, but this
9 already exists under New York State Law and that
10 banks have to actually register homes in New York
11 State database.

12 So I am perplexed as to why a \$350,000
13 grant was given and then a patronage or an award of
14 a contract was given to a firm to find out whether
15 houses were vacant when this is already been
16 established under New York State Law. This is
17 duplicative.

18 COUNCILWOMAN ALESIA: Mr. Clarke, I
19 think it's very difficult to discuss this
20 particular grant without Colin Bell being here, and
21 I'll tell you why I say that, because I'm a very
22 active participant in the Hicksville grant, which
23 is also given to us by the State, and they were
24 specific in that grant about allocating this is the
25 amount of money, you have to use a consultant, and

1 they, in fact, went so far as to assign us a
2 consultant that was -- the RFP was done by the
3 State and given to us.

4 So, I understand where you're coming
5 from and that it seems outrageous, but this is not
6 necessarily -- we don't know without IGA here,
7 without Colin Bell here, whether it was done by the
8 State and given to us.

9 So I understand where you're coming
10 from, and that it seems outrageous, but this is not
11 necessarily -- we don't know without IGA here,
12 without Colin Bell here, whether we picked the
13 consultant, whether the State picked the
14 consultant. It was required.

15 COMMISSIONER MACCARONE: Well, there is
16 no consultant just yet. The RFP hasn't even been
17 sent out by Colin Bell's office. We are not at
18 that point.

19 COUNCILWOMAN ALESIA: Right.

20 COMMISSIONER MACCARONE: The hearing
21 comes first with the zoning changes and then the
22 next step would be for IGA to send out the RFP.

23 COUNCILMAN MACAGNONE: But that's
24 putting words in the Councilwoman's mouth, but
25 that's what she's saying, we don't know --

1 COUNCILWOMAN ALESIA: Without IGA here.

2 COUNCILMAN MACAGNONE: -- without IGA
3 here.

4 COMMISSIONER MACCARONE: This gentleman
5 had indicated that the firm was hired already.

6 SUPERVISOR SALADINO: That's not before
7 us.

8 COUNCILMAN MACAGNONE: We realize that.

9 COMMISSIONER MACCARONE: Right, but --

10 COUNCILMAN MUSCARELLA: They said the
11 State has a registry.

12 SUPERVISOR SALADINO: Mr. Clarke, this
13 is not before us this evening so I brought you up
14 as a courtesy, but this conversation is more for
15 public comment.

16 In terms of the Town's resolve to bring
17 the assistance asked by the public, we are 100
18 percent, we are looking to utilize the resources we
19 have now. We are looking to utilize, and we are
20 utilizing State Law, and we are going to be
21 strengthening our Code, recognizing the needs of
22 our public, recognizing the needs of every
23 neighborhood for a variety of reasons.

24 In this case, it could be a variety of
25 reasons including the hurricanes that our Town

1 sustained. So we are here acting in their
2 interest, and I know that's -- and I'm assuming
3 that's why you're here this evening, advocating on
4 behalf of residents who we support 100 percent, and
5 today's actions of knocking down those two homes
6 makes very clear our resolve to support our
7 communities, to make them safer, to take away these
8 eyesores that reduce property values that degradate
9 everything that makes communities special in the
10 Town of Oyster Bay.

11 But we're not voting, this is the
12 portion of the meeting where we take comments in
13 terms of our votes on these Resolutions, and what
14 you're describing is not one of the items that
15 we're voting on this evening, and we're going to be
16 looking at all considerations, as the Councilman
17 aptly brought to our attention.

18 The fact that we have resources in the
19 field, including our Sanitation personnel and our
20 Planning and Development personnel because we will
21 be continuing to put every resource at our disposal
22 on this issue.

23 MR. CLARKE: I'm glad, and I just know
24 that we have a Town Attorney and I hope that that's
25 all the legal counsel that we need on this and that

1 we don't have to hire outside counsel.

2 SUPERVISOR SALADINO: Yes. We
3 understand that.

4 MR. CLARKE: Thank you.

5 SUPERVISOR SALADINO: Thank you.

6 Being no other speakers have indicated
7 they would like to speak, do we have
8 correspondence?

9 MR. ALTADONNA: No. But we can call
10 for the vote on the Resolutions.

11 SUPERVISOR SALADINO: So please, if you
12 would.

13 MR. ALTADONNA: A motion was made by
14 Councilman Muscarella, seconded by Councilman
15 Macagnone.

16 This is, for the record, TF18-17
17 through 800, for Councilman Macagnone.

18 COUNCILMAN MACAGNONE: Thank you,
19 James.

20 MR. ALTADONNA: Supervisor Saladino?

21 SUPERVISOR SALADINO: "Aye."

22 MR. ALTADONNA: Councilman Muscarella?

23 COUNCILMAN MUSCARELLA: "Aye."

24 MR. ALTADONNA: Councilman Macagnone?

25 COUNCILMAN MACAGNONE: Before I vote, I

1 just want to say, in the future, if we have a
2 Friday off before a Board meeting, please try to
3 get the stuff to us on Wednesday, the packets, it
4 makes life a lot easier, but I vote "Aye."

5 MR. ALTADONNA: Councilwoman Alesia?

6 COUNCILWOMAN ALESIA: "Aye."

7 MR. ALTADONNA: Councilwoman Johnson?

8 COUNCILWOMAN JOHNSON: "Aye."

9 MR. ALTADONNA: Councilman Imbroto?

10 COUNCILMAN IMBROTO: "Aye."

11 MR. ALTADONNA: Councilman Hand?

12 COUNCILMAN HAND: "Aye."

13 MR. ALTADONNA: Motion to adopt
14 Resolutions TF18-17 through 800 passes with seven
15 "Ayes."

16 COUNCILMAN MACAGNONE: Is there
17 anything else, James?

18 MR. ALTADONNA: Yes. I am go to do
19 that right now for you.

20 May I have a motion to adopt
21 Resolutions No. 801 and 802, and I am going to read
22 them all.

23 801:

24 "WHEREAS, the Town Board in the Town of
25 Oyster Bay has reviewed a proposed Local Law

1 entitled a Local Law authorizing a local retirement
2 incentive program for the eligible employees of the
3 Town of Oyster Bay; and

4 "WHEREAS, a duly advertised public
5 hearing on said legislation was held by the Town
6 Board of the Town of Oyster Bay on November 28,
7 2017, at which hearings, all parties interested in
8 the subject matter and desiring to be heard were
9 heard; and

10 "WHEREAS, the Town of Oyster Bay
11 Department of Environmental Resources, Town
12 Environmental Quality Review Division, by
13 Memorandum dated November 20, 2017, recommended
14 Town Board determination that the subject
15 legislation is deemed to fall under the New York
16 State Environmental Quality Review Act, 6 NYCRR,
17 Part 617, Section 617.5(c) type 2 action listed
18 Item No. 20, relative to retain a contingency
19 agency administration and management, not included
20 new programs or major reordering are priorities
21 that may affect the environment, and as such, does
22 not require completion of an environmental
23 assessment form, environmental impact statement, or
24 other environmental considerations.

25 "NOW, THEREFORE, BE IT RESOLVED, that

1 the Town Board of the Town of Oyster Bay declares
2 that the adoption of such Local Law is a type 2
3 action pursuant to New York State Environmental
4 Quality Review Act, 6 NYCRR, Part 617, Section
5 617.5(c) type 2 action listed No. 20, and be it
6 further

7 "RESOLVED, that said Local Law" -- and
8 I can have Councilman, our Deputy Town Attorney
9 come up because I do not have that number from the
10 State yet but it will be provided, if that's
11 acceptable to you or if you'd like the attorney to
12 read into the record what that procedure is?

13 COUNCILMAN MACAGNONE: Not necessary.

14 MR. ALTADONNA: Thank you, sir.

15 "-- entitled, A Local Law authorizing a
16 local retirement incentive program for the eligible
17 employees of the Town of Oyster Bay is hereby
18 adopted and shall take effect immediately upon
19 filing with the Secretary of State, and be it
20 further

21 "RESOLVED, the Town Attorney is hereby
22 authorized and directed to file this Local Law with
23 the Secretary of State."

24 That's 801.

25 802. I'm working very fast,

1 Councilwoman.

2 COUNCILWOMAN ALESIA: I have a child
3 care issue.

4 MR. ALTADONNA: A lot of pressure.

5 WHEREAS, the Town Board under the Town
6 of Oyster Bay has reviewed the proposal Local Law.
7 A Local Law authorizing a voluntary separation
8 incentive program for the eligibility employee" --
9 I'm sorry -- "for the eligible employees of the
10 Town of Oyster Bay; and.

11 "WHEREAS, a duly advertised public
12 hearing on said legislation was held by the Town
13 Board of the Town of Oyster Bay on November 28,
14 2017, at which hearings, all parties interested in
15 the subject matter and desiring to be heard were
16 heard; and

17 "WHEREAS, the Town of Oyster Bay
18 Department of Environmental Resources, Town
19 Environmental Quality Review Division, by
20 Memorandum dated November 20, 2017, recommended
21 Town Board determination that the subject
22 legislation is deemed to fall under the New York
23 State Environmental Quality Review Act, 6 NYCRR,
24 Part 617, Section 617.5(c) type 2 action listed
25 Item No. 20 relative to retain and continuing

1 agency administration and management, not including
2 new programs or major reordering of priorities that
3 may affect the environmental, and as such, does not
4 require completion of an environmental assessment
5 form, environmental impact statement, or other
6 environmental considerations.

7 "NOW, THEREFORE, BE IT RESOLVED, the
8 Town Board of the Town of Oyster Bay declares that
9 the adoption of such Local Law is a type 2 action
10 pursuant to New York State Environmental Quality
11 Review Act, 6 NYCRR, Part 617, Section 617.5(c)
12 type 2 action listed Item No. 20; and be it further

13 "RESOLVED, that the said Local Law-17,
14 entitled a Local Law authorizing a voluntary
15 separation incentive program for the eligible
16 employee of the Town of Oyster Bay is hereby
17 adopted and shall take effect immediately upon
18 filing with Secretary of State, and be it further

19 "RESOLVED, that the Town Attorney is
20 hereby authorized and directed to file this Local
21 Law with the Secretary of State."

22 Now, Councilman, you also wanted added
23 in that Law about no voluntary separated employee
24 will be brought back as a consultant.

25 That is not in this Local Law now. You

1 have the affirmation of the Supervisor, which will
2 have to be brought back.

3 COUNCILMAN MACAGNONE: His word's good
4 enough for me, James.

5 MR. ALTADONNA: Okay.

6 COUNCILMAN MACAGNONE: I don't know
7 about you, but his word is good enough for me.

8 MR. ALTADONNA: I'm just getting it all
9 on the record.

10 SUPERVISOR SALADINO: Thank you.

11 MR. ALTADONNA: Okay.

12 And for our court reporter, I will give
13 these to you, so, you know, I know I've been
14 speaking very fast, but it will have to be
15 re-looked at but it is in the record.

16 COUNCILMAN MACAGNONE: And it will go
17 through Environmental review again?

18 MR. ALTADONNA: I hope not.

19 COUNCILMAN MACAGNONE: Okay. Good.

20 MR. ALTADONNA: Okay. So they're read
21 into the record.

22 Now, may I have a motion?

23 COUNCILMAN MUSCARELLA: So moved.

24 COUNCILMAN MACAGNONE: Second.

25 MR. ALTADONNA: Motion made by

1 Councilman Muscarella, seconded by Councilman
2 Macagnone.

3 On the vote:

4 Supervisor Saladino?

5 SUPERVISOR SALADINO: "Aye."

6 MR. ALTADONNA: Councilman Muscarella?

7 COUNCILMAN MUSCARELLA: "Aye."

8 MR. ALTADONNA: Councilman Macagnone?

9 COUNCILMAN MACAGNONE: "Aye."

10 MR. ALTADONNA: Councilwoman Alesia?

11 COUNCILWOMAN ALESIA: "Aye."

12 MR. ALTADONNA: Councilwoman Johnson?

13 COUNCILWOMAN JOHNSON: "Aye."

14 MR. ALTADONNA: Councilman Imbroto?

15 COUNCILMAN IMBROTO: "Aye."

16 MR. ALTADONNA: Councilman Hand?

17 COUNCILMAN HAND: "Aye."

18 MR. ALTADONNA: Motion to adopt

19 Resolution 801 and 802 passes with seven "Ayes."

20 The calendar is complete.

21 COUNCILMAN MUSCARELLA: Supervisor, I
22 make a motion to close the meeting.

23 COUNCILMAN MACAGNONE: Second.

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

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ALL: "Aye."

SUPERVISOR SALADINO: All opposed,
"Nay."

(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have
it.

(TIME NOTED: 9:51 P.M.)