

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
March 1, 2022
10:12 a.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good morning,
2 ladies and gentlemen.

3 Thank you for joining us here at the
4 Town of Oyster Bay's Town Board meeting for
5 Tuesday, March 1, 2022.

6 For those of you joining this morning,
7 you'll have the opportunity to be heard on matters
8 brought before the Town Board, as well as during
9 the public comment period at the end of the
10 meeting, and to do that, we ask you to fill out a
11 form that is placed on this front table by our Town
12 Clerk.

13 As always, this meeting is being
14 live-streamed on social media as well as on the
15 Town's website, oysterbaytown.com. These
16 proceedings are recorded and later transcribed.
17 Your voices are, obviously, very important to us
18 and that all statements, comments, and input from
19 the public, relative to our meetings, is always
20 welcomed and is a respected part of the record.

21 To submit comments online, please
22 e-mail publiccomment@oysterbay-ny.gov; or mail us
23 at the Office of the Town Attorney, which is
24 54 Audrey Avenue, Oyster Bay, New York 11771.

25 Leading us in prayer today is

1 Reverend Deborah Valentine.

2 Pastor Deborah is a credentialed
3 minister with the Assembly of God and serves as the
4 New York District Women's Representative for Long
5 Island.

6 Pastor Deborah is a lifelong resident
7 of Long Island and the founder of Women of Worth,
8 which offers a biblical perspective of becoming
9 women of worship, women of wisdom, and women of
10 wealth in spite of the circumstances.

11 She actively supports the community
12 through various outreach programs, food pantries,
13 and visitations at hospitals and nursing homes to
14 name but a few.

15 Pastor, the floor is yours. Please
16 join us.

17 If everyone would please rise.

18 PASTOR VALENTINE: Good morning.

19 Thank you. Let us pray.

20 Awesome and Eternal Father, we honor
21 you, Giver of Life, for another day. We do not
22 take for granted the freedoms we have to openly
23 gather, which is not the case for many around the
24 world even today.

25 We pray for your supernatural peace

1 would prevail in our hearts, in our homes, and in
2 war-torn countries.

3 We beseech your divine intervention on
4 behalf of the people of the Ukraine, that you would
5 deliver them from this evil. We pray.

6 We are most grateful for the leaders
7 with whom you have blessed us, particularly
8 Supervisor Saladino, the Council, the
9 administration, as well as all those who serve the
10 great Town of Oyster Bay and the surrounding
11 communities.

12 As we take this opportunity to
13 celebrate Women's History Month and recognize those
14 who have made significant contributions, we are
15 reminded that chronicled within the holy pages of
16 your book, are the remarkable accounts of ordinary
17 women whom you empowered to achieve extraordinary
18 exploits.

19 We marvel at the faith of the
20 prophetess named Deborah, who was the only female
21 judge in the days of old and led her people into a
22 victorious battle because she believed her God was
23 with her.

24 We are emboldened by the fortitude of
25 an orphan girl named Esther, who did not rest on

1 her laurels when she was crowned queen in a foreign
2 land, but, rather, she put her own life in harm's
3 way to speak up for those who could not speak up
4 for themselves, and by your amazing grace, she
5 saved her people from genocide.

6 We are inspired by the life of a simple
7 teenaged girl named Mary, who had a celestial
8 encounter with an angelic messenger who announced
9 that Mary had found favor with God.

10 In spite of the doubters, the haters,
11 the arduous journey ahead, the comforts of home she
12 left behind, and the fact that no one had ever done
13 it that way before, Mary, in weakness and strength,
14 relied on the promise that the one she held in her
15 arms would, once again, hold the whole world in his
16 hands, the very one to whom we pray today.

17 Oh, Lord, God, may it be that from this
18 very room, this very community, women like Deborah,
19 Esther and Mary would rise.

20 May we hold in high esteem those who
21 demonstrate character and courage in the face of
22 calamity and chaos, those who revere life and
23 liberty and love their neighbor as themselves.

24 May you bless all women who exhibit
25 faith and fortitude, and may your hand of favor

1 rest upon all those who proclaim your will on earth
2 as it is in heaven, and all of God's people do say
3 amen and amen.

4 ALL: Amen.

5 PASTOR VALENTINE: Thank you.

6 SUPERVISOR SALADINO: Thank you,
7 Pastor.

8 We greatly appreciate it, your being
9 here, and we greatly appreciate all of the
10 wonderful women in our lives, professionally and
11 otherwise.

12 Thank you so much for all you do.

13 PASTOR VALENTINE: Thank you.

14 SUPERVISOR SALADINO: To lead us in the
15 Pledge of Allegiance this morning are two
16 exceptional women from the Blue Star Mothers
17 New York 14.

18 We've been blessed to work with them at
19 special programs, one fairly recently in Massapequa
20 recognizing the needs of our troops and all of
21 those who protect our Nation.

22 So if Andrea Nordquist and Linda Greene
23 of the Blue Star Mothers and New York 14 would
24 please join us up front and lead us in the Pledge.

25 (Whereupon, the Pledge of Allegiance

1 was recited by Andrea Nordquist and Linda Greene of
2 Blue Star Mothers New York 14.)

3 SUPERVISOR SALADINO: Thank you.

4 Thank you both for being here, and
5 thank you for your ongoing efforts to help all of
6 our troops, especially those suffering from so many
7 different types of ills and disease. We appreciate
8 it very, very much.

9 I'd like to ask everyone to take a
10 moment to silently think of our men and women in
11 the United States Armed Services serving here in
12 the Homeland and abroad, the men and women in law
13 enforcement, all of our first responders, all of
14 our health care heroes, and, especially, all of
15 those in the Ukraine for all that they are going
16 through.

17 (Whereupon, a moment of silence was
18 observed by the assemblage present.)

19 SUPERVISOR SALADINO: I speak for the
20 entire Town Board and this great Town when I say
21 that our hearts and prayers go out to the people of
22 the Ukraine and to all of their relatives and loved
23 ones here in America.

24 It's very troubling times. Our world
25 is on the brink of a very difficult situation, and

1 we all stand in solidarity of the Ukrainian people
2 and their desire to live free with piece of mind,
3 and, obviously, peace in their country.

4 So, I ask you to continue to pray for
5 the people of Ukraine.

6 May God bless them all.

7 (Whereupon, a moment of silence was
8 observed by the assemblage present.)

9 SUPERVISOR SALADINO: Thank you.

10 Please be seated.

11 Ladies and gentlemen, March is Women's
12 History Month in our Nation, and before we start
13 our program, my colleagues on the Town Board and I
14 are proud to recognize an incredible woman who's
15 here with us this morning.

16 She's very accomplished, truly dynamic
17 and a leader in the community. You already had a
18 chance to see her as she lead us in the Pledge of
19 Allegiance, and it's Andrea Nordquist of the Blue
20 Star Mothers New York 14.

21 She's the driving force behind an
22 amazing organization, which provides support for
23 mothers and families who have sons or daughters in
24 active service in the United States military
25 forces.

1 Andrea recently partnered with our
2 Town, also with the AMVETS Post 88 in Massapequa
3 and the Veterans Suicide Awareness and Remembrance
4 Flag Corps to unveil a very powerful "22 A Day"
5 memorial sign remembering American Veterans who we
6 have lost to suicide.

7 This memorial sign recognizes an
8 estimated 22 Veterans a day who lose their lives to
9 suicide, and this takes an enormous toll upon
10 family members, loved ones, and, quite frankly, our
11 entire community and our entire Town.

12 Thanks to incredible leaders like
13 Andrea, this sign is visible to all and reflects
14 the lives and struggles that Veterans have each and
15 every day. Some in small ways, and, of course,
16 some in horrible ways -- who have taken their lives
17 or are on the brink of that. It's also a reminder
18 that much still needs to be done to protect them.

19 We have to address this critically
20 important issue on all occasions, and it also
21 honors the legacy of these Veterans who stood up in
22 defense of American freedom.

23 This Town Board is very proud to
24 recognize you, Andrea Nordquist, for a
25 distinguished legacy of advocating for our Nation's

1 active military, for our Veterans, and the loved
2 ones who support them from the home front.

3 I'm going to ask our Councilwoman Vicki
4 Walsh to assist in presenting this Town Citation to
5 you, along with all of the elected officials, and
6 if you would kindly join us in the front.

7 Andrea Nordquist.

8 (Whereupon, a round of applause ensued,
9 a Town Citation was presented to Andrea Nordquist
10 followed by a photo opportunity and another round
11 of applause.)

12 SUPERVISOR SALADINO: As you heard,
13 it's a time of year to honor women -- of course,
14 every day of the year is a very appropriate time to
15 honor women -- but we have our Women of Distinction
16 program coming up, and I'd like to ask Councilwoman
17 Laura Maier to say a few words about our program.

18 Councilwoman?

19 COUNCILWOMAN MAIER: Thank you,
20 Supervisor.

21 As it is the start of Women's History
22 Month, we are pleased to announce that nominations
23 are now being accepted for our Annual Women of
24 Distinction program.

25 We invite residents to nominate

1 extraordinary women who have made a difference in
2 their communities.

3 Nominees should live or work in the
4 Town of Oyster Bay, and we recognize individuals
5 for their contributions to the arts, education,
6 environment, athletics, community or civic service,
7 volunteerism or business.

8 We will recognize honorees at a special
9 awards ceremony later this Spring.

10 So if anyone knows of a special woman
11 who helps make their neighborhood a better place,
12 feel free to nominate her at oysterbaytown.com/women.

13 Back to you, Supervisor.

14 SUPERVISOR SALADINO: Thank you,
15 Councilwoman.

16 We appreciate all of your efforts, and
17 we appreciate this very important program that's
18 been going on for quite some time in the Town.

19 One other quick announcement. Our
20 hospitals are in great need of blood donations, and
21 Oyster Bay Councilwoman Laura Maier along with
22 Councilman Steve Labriola -- they are hosting our
23 Town of Oyster Bay Blood Collection Drive. It
24 takes place on Thursday, March 10th from 1:00 p.m.
25 to 7:00 p.m. at the Hicksville Athletic Center, and

1 we're asking residents to please donate blood.

2 To do so, please make an appointment
3 with the New York Blood Center, and that can be
4 reached at nybc.org/donate, so you can sign up for
5 an appointment.

6 Councilman, that's -- anything else on
7 the blood drive?

8 COUNCILMAN LABRIOLA: No. No. You've
9 covered it, Supervisor. It's just that you just
10 want to emphasize the urgency and how necessary it
11 is for our residents to sign up and give blood on
12 that day, and we'll continue to do that with all
13 our flyers throughout the Town.

14 SUPERVISOR SALADINO: We appreciate
15 it -- everyone's donations.

16 And, with that, on to the day's
17 business.

18 (Time noted: 10:33 A.M.)
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1	announcement ^[1] - 11:19 Annual ^[1] - 10:23 applause ^[2] - 10:8, 10:11 appointment ^[2] - 12:2, 12:5 appreciate ^[6] - 6:8, 6:9, 7:7, 11:16, 11:17, 12:14 appropriate ^[1] - 10:14 arduous ^[1] - 5:11 Armed ^[1] - 7:11 arms ^[1] - 5:15 arts ^[1] - 11:5 assemblage ^[2] - 7:18, 8:8 Assembly ^[1] - 3:3 assist ^[1] - 10:4 Athletic ^[1] - 11:25 athletics ^[1] - 11:6 Attorney ^[1] - 2:23 Audrey ^[1] - 2:24 Avenue ^[1] - 2:24 awards ^[1] - 11:9 Awareness ^[1] - 9:3 awesome ^[1] - 3:20	celestial ^[1] - 5:7 Center ^[2] - 11:25, 12:3 ceremony ^[1] - 11:9 chance ^[1] - 8:18 chaos ^[1] - 5:22 character ^[1] - 5:21 chronicled ^[1] - 4:15 CINQUEMANI ^[1] - 1:24 circumstances ^[1] - 3:10 Citation ^[2] - 10:4, 10:9 civic ^[1] - 11:6 CLERK ^[2] - 1:5, 1:14 Clerk ^[1] - 2:12 colleagues ^[1] - 8:13 Collection ^[1] - 11:23 comforts ^[1] - 5:11 coming ^[1] - 10:16 comment ^[1] - 2:9 comments ^[2] - 2:18, 2:21 communities ^[2] - 4:11, 11:2 community ^[5] - 3:11, 5:18, 8:17, 9:11, 11:6 continue ^[2] - 8:4, 12:12 contributions ^[2] - 4:14, 11:5 Corps ^[1] - 9:4 Council ^[1] - 4:8 COUNCILMAN ^[4] - 1:8, 1:9, 1:9, 12:8 Councilman ^[2] - 11:22, 12:6 Councilwoman ^[5] - 10:3, 10:16, 10:18, 11:15, 11:21 COUNCILWOMAN ^[4] - 1:10, 1:10, 1:12, 10:19 countries ^[1] - 4:2 country ^[1] - 8:3 courage ^[1] - 5:21 course ^[2] - 9:15, 10:13 covered ^[1] - 12:9 credentialed ^[1] - 3:2 critically ^[1] - 9:19 crowned ^[1] - 5:1	disease ^[1] - 7:7 Distinction ^[2] - 10:15, 10:24 distinguished ^[1] - 9:25 District ^[1] - 3:4 divine ^[1] - 4:3 donate ^[1] - 12:1 donations ^[2] - 11:20, 12:15 done ^[2] - 5:12, 9:18 doubters ^[1] - 5:10 Drive ^[1] - 11:23 drive ^[1] - 12:7 driving ^[1] - 8:21 during ^[1] - 2:8 dynamic ^[1] - 8:16
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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
March 1, 2022
10:34 A.M.

HEARING - Finance

To consider the application of the Jericho Water District for Bond Financing. (M.D. 1/25/22 #20).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Town Clerk
2 LaMarca, please poll the Board.

3 MR. LaMARCA: Supervisor Saladino?

4 SUPERVISOR SALADINO: Present.

5 MR. LaMARCA: Councilwoman Johnson is
6 absent.

7 Councilman Imbroto?

8 COUNCILMAN IMBROTO: Here.

9 MR. LaMARCA: Councilman Hand?

10 COUNCILMAN HAND: Present.

11 MR. LaMARCA: Councilman Labriola?

12 COUNCILMAN LABRIOLA: Here.

13 MR. LaMARCA: Councilwoman Maier?

14 COUNCILWOMAN MAIER: Present.

15 MR. LaMARCA: Councilwoman Walsh?

16 COUNCILWOMAN WALSH: Present.

17 SUPERVISOR SALADINO: Would you please
18 call the first hearing?

19 MR. LaMARCA: Supervisor, we've made a
20 change to the order of the hearings today, so the
21 first hearing will be to consider the application
22 of the Jericho Water District for Bond Financing.

23 SUPERVISOR SALADINO: Counselor, please
24 state your presence.

25 Good morning.

1 MR. INGHAM: Thank you.

2 Good morning. Good morning.

3 Honorable Members of the Town Board,
4 Supervisor Saladino, my name is Mike Ingham. I'm
5 the attorney for Jericho Water District. I'm with
6 the office of Carman Callahan & Ingham, at 266 Main
7 Street, Farmingdale, New York. I've been honored
8 to hold the position of General Counsel of the
9 Jericho Water District since 1986. It's been quite
10 a ride.

11 With us here today on a bond petition,
12 to support the petition, is Commissioner Abbate and
13 Commissioner Asmus. Also to support the petition
14 is Superintendent Pete Logan, for practical
15 questions; our business manager, Kathleen Cannon,
16 for financial questions; and our engineer, Bill
17 Merklin, from D&B, for technical questions.

18 The petition is relatively short.
19 There are three items in the bond petition: Two
20 involve 1,4 dioxane, and one involves the
21 replacement of an aging tank that's 90 years old.

22 But briefly before I do that, I'd like
23 to take a little aside on a personal note of
24 wonderful news for my family.

25 Ten days ago, on February 17th, my

1 daughter Caitlin (phonetic) presented my wife,
2 Joanne, and I with our first grandchild.

3 (Whereupon, a round of applause
4 ensued.)

5 SUPERVISOR SALADINO: Congratulations.

6 MR. INGHAM: Our little Nina Marie
7 Banks, pretty little girl, takes after my wife and
8 our daughter, thank God, weighed in at seven and a
9 half pounds, 17 1/2 inches. She's doing well, her
10 mother is doing well, so just a little bit of
11 bright news in the crazy world we're living in --
12 to give us something to look forward to as we go
13 forward in life, so --

14 COUNCILWOMAN MAIER: Congratulations.

15 COUNCILWOMAN WALSH: Congratulations.

16 MR. INGHAM: -- and as a caveat, that
17 has nothing to do with whether the bond petition
18 passes or not.

19 (Whereupon, there was laughter among
20 the assemblage present.)

21 MR. INGHAM: So turning to the petition
22 itself, I'll give a brief description of the
23 District and then of the three projects.

24 The Jericho Water District was founded
25 in 1923. It is, by far, the largest

1 Commissioner-elected Special District in the State
2 of New York. The District provides water to
3 approximately 20,000 services and 60,000 people.

4 The District serves the following
5 communities: The Incorporated Villages of
6 Brookville, Laurel Hollow and Muttontown; portions
7 of the Incorporated Village of Matinecock, Old
8 Brookville, and Upper Brookville; unincorporated
9 areas of Syosset, Jericho, East Norwich, and
10 Woodbury; and also portions of Glen Head and
11 Greenville. It encompasses 37 square miles.

12 The District distribution system
13 consists of over 360 miles of water main. We have
14 3,366 water fire hydrants, and we're authorized to
15 pump on a maximum day 50 million gallons per day,
16 so it really is the biggest district, and we face
17 the biggest struggles with treating 1,4 dioxane,
18 which we discussed before and which is coming down
19 and really hitting all of us now in full force, and
20 that's the principal -- the principal cause for
21 this bond petition.

22 Our Well 20 and 21 is the first project
23 in the bond petition. Well 20 has exhibited levels
24 of 1,4 dioxane exceeding the maximum contaminant
25 level. Well 21 is exhibiting concentrations of 1,4

1 dioxane approaching 80 percent of the MCL.

2 To ensure compliance with the
3 regulations, AOP treatment is currently being
4 designed to remove 1,4 dioxane at the entire well
5 site.

6 In addition to the 1,4 dioxane
7 detections, Well 20 has exhibited increasing levels
8 of PFOA approaching 50 percent of the MCL.

9 Due to the elevated levels of this
10 contaminant, the District, adhering to the
11 recommendation of the Nassau County Department of
12 Health, is commencing with the design and
13 installation of treatment systems.

14 The engineers estimate the total cost
15 of the AOP facility, with the additional GAC units
16 and building -- including construction costs, water
17 quality analysis, engineering fee contingencies and
18 bonding costs -- is \$20,192,000.

19 We will apply to that number funding
20 from our 2019 bond issue of \$670,000; which leaves
21 a total request for Project 1 of \$19,522,000.

22 Likewise, Project 2 is Well 22, and
23 this also needs an AOP facility. Well 22 is
24 exhibiting 1,4 dioxane levels, which also exceeded
25 the MCL, which is the maximum contaminant level.

1 The maximum contaminant level for 1,4 dioxane is
2 one part per billion. The maximum contaminant
3 level for PFOA and p-phos is 10 parts per trillion.

4 Ten years ago we didn't have machines
5 that could detect those types of levels, so it's
6 really a brand-new world, and it's generated the
7 MCLs from the Health Department and from the
8 Drinking Water Quality Council, which went into
9 effect on August 26, 2020.

10 And we're in the process of putting AOP
11 treatment systems in at all the districts on the
12 Island who have had this issue, and that's really
13 the driving force for these bond issues in the past
14 couple of years.

15 Well 22 has also exhibited increasing
16 levels of PFOA, and we also are adhering to the
17 Nassau County Department of Health recommendations
18 are requiring treatment to treat these elevated
19 levels of PFOA.

20 The GAC system, or the Granule
21 Activated Carbon systems, will be installed with
22 the AOP facility to treat both of these
23 contaminants.

24 The engineers' estimate for this AOP
25 facility and GAC facility is \$11,427,000; likewise,

1 we will be reducing that bond request from monies
2 left over from the 2019 bond issue of \$991,000; so
3 the total request for the 2022 bond issue for
4 Project 2 is \$10,436,000.

5 Lastly, for Project 3, is the
6 replacement of our Syosset tank. The Convent Road
7 facility is our headquarters. It's comprised of
8 14 acres. We have a maintenance yard, two
9 operating wells, our headquarters building, and we
10 have a major elevated water storage tank, which is
11 now 90 years old.

12 We did a study -- D&B did the study --
13 and we determined that a full replacement now is
14 financially prudent because the tank is at the end
15 of its useful life.

16 The engineers' estimated cost for the
17 project -- including demolition costs, replacement
18 costs, and contingencies -- is \$9,191,150.

19 As is required for any bond petition,
20 the Syosset -- we addressed the SEQRA issues. The
21 Syosset tank replacement project was deemed by the
22 District to constitute a Type II Action, which is a
23 replacement in kind and, therefore, no further
24 environmental review is required.

25 The 1,4 dioxane and GAC treatment

1 systems at both Wells 21 and 22 are unlisted
2 actions for which the District has prepared a short
3 form EAF. After reviewing these unlisted actions,
4 the District has made a determination that none
5 pose a significant environmental impact.

6 For all the above reasons, the District
7 respectfully requests that at this juncture the
8 Town issue bonds in the principal amount, not to
9 exceed, \$39,149,150; and to finance the
10 appropriations pursuant to the applicable
11 provisions of the local finance law.

12 If Greg was testing me, I think that
13 was about seven minutes, but I think I'm okay.

14 Any questions?

15 I've been here before for quite a few,
16 we've gone through a good number of questions.
17 What I can indicate is that we hope -- the entire
18 industry hopes -- to obtain substantial grant
19 financing through the Infrastructure Act.

20 We're currently conducting an RFP to
21 select an accountant consultant who will assist us
22 in preparing what they call a Federal Procurement
23 Policy so that we can be in compliance with the
24 Federal grants that are going to come down.

25 So we anticipate grants, which will be

1 used to offset these bands. We've certainly been
2 in touch with the Town. The bands can stay
3 outstanding for several years, so we trust that the
4 grants can be used to offset some of these bands.

5 And we briefly discussed in the past
6 the litigation against Dow for 1,4 dioxane. It's
7 progressing substantially. Suffolk County Water
8 Authority filed their Complaint in 2017. Twenty
9 water districts, water authorities, and villages
10 filed their Complaints in 2018. All the document
11 production is completed. The EBTs and depositions
12 for Suffolk County should take place this Spring,
13 and the depositions for all the water districts
14 should take place this Summer.

15 We're hoping in the next year or two --
16 that's two years because we're in Federal Court --
17 to be able to get substantial settlements from Dow,
18 which we also could use to offset these bands.

19 If there are any questions, I'm here to
20 accept them, and so is my staff.

21 Supervisor?

22 SUPERVISOR SALADINO: Any questions
23 from the Board?

24 (Whereupon, there was no response from
25 the Board.)

1 MR. INGHAM: Mr. Hand?

2 COUNCILMAN HAND: Congratulations,
3 Mike.

4 MR. INGHAM: Thanks, buddy. I
5 appreciate it.

6 SUPERVISOR SALADINO: Congratulations
7 to you.

8 MR. INGHAM: Thank you.

9 SUPERVISOR SALADINO: Just one quick
10 and I ask you to just answer it as briefly as
11 possible, but I ask this of every water district
12 that comes before us.

13 This is not a bond that would be paid
14 for by the taxpayers of the Town of Oyster Bay at
15 large.

16 MR. INGHAM: That's correct.

17 SUPERVISOR SALADINO: There's a
18 specific reason that you have to come before us
19 even though you have a Board of Commissioners, and
20 that's set in New York State Law that mandates
21 that.

22 MR. INGHAM: It is indeed. It was the
23 Kirkland Act of 1934. Wiped out all Special
24 Districts, unless the people in those Districts
25 voted to keep them independent.

1 So Massapequa, Jericho -- all the
2 Districts you have in front of this Town of Oyster
3 Bay -- survive by vote of their constituents.

4 In the same Kirkland Act, the Town was
5 appointed to be the agency through which we could
6 finance our bonds. Your full faith and credit gets
7 us a lower credit rating, but only the consumers
8 and homeowners in the District itself are
9 responsible for the individual bonds for the
10 different districts.

11 So those who live outside the water
12 district -- it really isn't too many people except
13 for some of the areas on the North Shore who still
14 have wells, really -- those people in the districts
15 are responsible for the payment of the bonds.

16 SUPERVISOR SALADINO: But in this case,
17 it is only the users of Jericho Water who will pay
18 these bonds back and not the Town of Oyster Bay at
19 large. It's New York State Law that mandates you
20 come before us for permission to borrow.

21 MR. INGHAM: That's precisely right.
22 You got it 100 percent correct.

23 SUPERVISOR SALADINO: Thank you,
24 counselor. We appreciate it.

25 MR. INGHAM: No problem.

1 SUPERVISOR SALADINO: Congratulations
2 to you and your family.

3 COUNCILWOMAN MAIER: Congratulations.

4 COUNCILMAN LABRIOLA: Supervisor --

5 COUNCILWOMAN WALSH: Congratulations.

6 I actually --

7 COUNCILMAN LABRIOLA: I'm sorry.

8 COUNCILWOMAN WALSH: That's okay.

9 SUPERVISOR SALADINO: Go ahead.

10 Do you have a question?

11 COUNCILWOMAN WALSH: I just wanted to
12 thank Commissioner Asmus and your entire Board just
13 for welcoming me the day I came.

14 I wanted to learn a little bit about
15 all of this, and you gave me a wonderful tour.

16 I was shocked about how many
17 communities you cover. I had no idea. Including
18 my own in Oyster Bay -- East Norwich, but I wanted
19 to thank you for always being there to answer any
20 questions and to, kind of, teach me about all of
21 this.

22 MR. INGHAM: We're there every day.

23 COUNCILWOMAN WALSH: Thank you.

24 MR. INGHAM: For you and all of our
25 constituents.

1 It is a -- I've been doing this,
2 really, for, like I said, for about thirty-five
3 years, but it's probably the only form of
4 government where a constituent can walk through the
5 door and talk directly to the Commissioners. This
6 just doesn't exist anywhere else.

7 SUPERVISOR SALADINO: Except in the
8 Town of Oyster Bay.

9 (Whereupon, there was laughter among
10 the assemblage present.)

11 MR. INGHAM: That's true, but they
12 don't need an appointment. They can come right in
13 at any meeting.

14 COUNCILWOMAN WALSH: It is truly like
15 that. It's like a small town. You walk in and
16 everybody is there. Right there at the desk.

17 SUPERVISOR SALADINO: We are so blessed
18 to have the leadership team in this Water District.
19 You're all exceptional professionals. We
20 appreciate you all very much.

21 MR. INGHAM: Thank you very much.

22 COUNCILMAN LABRIOLA: Counselor --

23 MR. INGHAM: Councilman, yes, sir?

24 COUNCILMAN LABRIOLA: I just have a
25 question, comment.

1 You're recognized as an expert on Long
2 Island, especially, on the legal proceedings that
3 the water districts have been going through.

4 MR. INGHAM: Yes, sir.

5 COUNCILMAN LABRIOLA: This lawsuit with
6 Dow Chemical is progressing, and I'm sure that all
7 the residents are hopeful that they are going to be
8 able to recoup the expenses that are involved here
9 because some of the numbers are frightening, to say
10 the least, even though I see that in your chart the
11 Jericho Water District residents are going to pay
12 about \$5.95 per month, but when you take the
13 cumulative total of all these things that are
14 happening to our water districts on Long Island, I
15 mean, would you be able to put that figure
16 somewhere around a billion dollars, or is it close
17 to that because I've heard you multiple times
18 representing many districts and they're all
19 spending --

20 MR. INGHAM: It'll fluctuates. It'll
21 fluctuate, but each AOP treatment system is about
22 \$10 million.

23 COUNCILMAN LABRIOLA: And the AOP
24 treatment, is this peroxide stripping --

25 MR. INGHAM: It's ultraviolet light

1 with peroxide. So you cook it, you cleanse it, you
2 put it through the GACs, which is the carbon
3 treatment systems, and you get good water.

4 Bethpage has been successfully doing
5 this for about five years now; Plainview's been
6 doing it for about three years. They have three
7 operating plants in operation.

8 Part of the real cost is going to be
9 the maintenance cost for additional power, the
10 maintenance of these AOC treatment systems, and
11 electricity. So there's going to be maintenance
12 costs.

13 COUNCILMAN LABRIOLA: So in terms of --
14 I know you're -- as a lawyer -- but in terms of the
15 science, you have to reassure our residents that
16 they don't have to drink these bottles (indicating)
17 like this anymore once this process is complete,
18 right?

19 MR. INGHAM: Be assured --

20 COUNCILMAN LABRIOLA: That's an
21 important aspect of paying all this money, and we
22 want to be able to drink the drinking water right
23 out of the tap.

24 MR. INGHAM: -- we have had countless
25 pilot studies, and the New York State Department of

1 Health and the Nassau County Department of Health
2 has been assiduous in making sure what we do works,
3 and it does. So we're lucky it does.

4 This AOP system itself is not a new
5 technology. It's been used for probably twenty or
6 thirty years in the sewer industry, which I'm aware
7 of because I represent two sewer districts, but the
8 sewer treatment systems are to neutralize the
9 waste, which is clean and goes into the Bay. Here
10 we're trying to eliminate 1,4 dioxane to one part
11 per billion, and it's just that type of complete
12 eradication of 1,4 dioxane, which is more
13 expensive, so the 1,4 dioxane system has to be more
14 sophisticated.

15 I can't say one billion is an
16 outrageous number. I think that's got to include
17 Suffolk County Water as well. They have 600 wells,
18 but really the wells that are impacted are on the
19 western end of the Districts in Babylon, in Islip,
20 in Brentwood -- those areas there. So there are a
21 lot of wells impacted.

22 The good news and the bad news is
23 because of the aquifer situation we have here, and
24 maybe a little bit in New Jersey, we are the
25 epicenter of 1,4 dioxane, and it does not exist

1 anywhere else in the country. That's the bad news.

2 The good news is it might motivate Dow
3 to settle, and it will open up a Pandora's Box
4 around the country, so we got a shot at it.

5 We have a good shot at it because what
6 we're doing is we're pursuing a products liability
7 case, which is identical to the products liability
8 case that we prosecuted in New York City on the MTB
9 gasoline additives where Exxon got a judgment
10 against them for \$125 million based upon their
11 market share. Here the market share for Dow for
12 1,4 dioxane is 90 percent. So we're kind of lucky
13 to follow the exact same litigation, strategy and
14 blueprint set forth in the MTB litigations through
15 the Second Circuit back in the mid-2000s, so we've
16 got a real shot at it.

17 SUPERVISOR SALADINO: Thank you,
18 counselor.

19 MR. INGHAM: You're welcome.

20 COUNCILMAN LABRIOLA: Thank you very
21 much for that.

22 Very comprehensive.

23 SUPERVISOR SALADINO: Thank you.

24 And with that, may I have a motion?

25 COUNCILMAN IMBROTO: Supervisor, I move

1 to close the hearing and to vote upon this
2 Resolution today.

3 SUPERVISOR SALADINO: May I have a
4 second?

5 COUNCILMAN HAND: Second.

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

8 ALL: "Aye."

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

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

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

15 Thank you.

16 MR. INGHAM: Thanks, guys.

17 SUPERVISOR SALADINO: Thank you very
18 much.

19 (TIME NOTED: 10:52 A.M.)
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TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
March 1, 2022
10:53 a.m.

HEARING - P-2-22

To consider the application of Manetto Hills Associates 116, LLC, fee owner, for a Special Use Permit at premises located at 50 Manetto Hill Road, Plainview, New York. (M.D. 1/25/22 #21).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: Supervisor, we have
4 Affidavits of Posting and Publication on the prior
5 hearing.

6 There is no other correspondence.

7 SUPERVISOR SALADINO: Thank you.

8 MR. LaMARCA: The next hearing is to
9 consider the application of Manetto Hills
10 Associates 116, LLC, fee owner, for a Special Use
11 Permit at premises located at 50 Manetto Hill Road,
12 Plainview, New York.

13 SUPERVISOR SALADINO: Good morning,
14 counselor.

15 MR. WEBER: Good morning.

16 While we get set up, we just have one
17 board to show, and my presentation will be brief,
18 so I'll just begin because --

19 SUPERVISOR SALADINO: Please.

20 MR. WEBER: -- the gentleman who came
21 before me said he would be five minutes, but I
22 don't know --

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

25 MR. WEBER: Bram Weber, 290 Broadhollow

1 Road, Melville, New York, for the applicant.

2 We are seeking a Special Permit today
3 for a Planet Fitness at Manetto Hill Plaza, which
4 is owned by Kimco Realty.

5 I have a brief presentation. We're
6 going to show you a color site plan. I'm going to
7 be followed, briefly, by Barry Nelson, who is a
8 real estate expert, who has testified before this
9 Board before as an expert; as well as Andrew
10 Villari, who is a traffic and parking engineer with
11 Stonefield Engineering, who has also been
12 recognized by this Board as an expert before.
13 They're the ones who are going to provide some
14 brief testimony in support of the application.

15 We also have with us, Mike Biancaniello
16 from Bohler Engineering, who is an engineer who can
17 speak to any site-related issues; we have Durese
18 Enniss, who is here from Kimco Realty, she's the
19 Assistant Development Director; as well as Eric
20 Apicella from Planet Fitness (pointing) -- that
21 gentleman who looks like he's in exceptionally good
22 shape, he's the Regional Manager for Planet
23 Fitness.

24 This space at Manetto Hill Plaza is the
25 former Fairway grocery store, which closed in July

1 of 2020, left a 55,000 square foot hole in the
2 shopping center.

3 To Kimco's credit, they moved quickly
4 to fill that space with a new grocery store, which
5 is currently under construction, which everyone is
6 happy to see and is excited for, at 33,000 square
7 feet, leaving roughly about 19 or 20,000 square
8 feet vacant.

9 They came to Planet Fitness, which has
10 12 locations -- 22 locations, excuse me, on Long
11 Island including one in Massapequa, which opened
12 this past year, which by all accounts is doing
13 quite well. It's also been welcomed to the
14 Massapequa community.

15 To fill the vacant space, there is no
16 expansion of the building. As part of this new
17 grocery and proposed Planet Fitness -- a kind of
18 revitalization of the center -- the facade will be
19 repainted, there will be parking lot work done, new
20 striping, there will be a lot of electrical vehicle
21 charging stations installed at the property.

22 I'm sure many of you know the shopping
23 center has been around for many decades. Fairway,
24 itself, was there for twenty years, as I said, and
25 left a big hole in the shopping center.

1 So this use is a permitted use with a
2 Special Use Permit, but as I said, with the no
3 expansion of the building, all activities for the
4 gym being internal to the building, this Planet
5 Fitness is generally a community gym. Their
6 memberships are \$10 a month. It's really a good
7 use even if you have workout equipment in your own
8 house. For \$10 a month, if you actually want to
9 get out of your house and see people, maybe get out
10 of the house and avoid your husband, wife, or
11 children, you have \$10 a month, it's a straight
12 workout. There's free weights, cardio equipment,
13 no large classes, really just straightforward.
14 Average use is about forty-five minutes and, again,
15 proven to be quite successful.

16 Corporate owned by the company itself,
17 22 locations on Long Island, and no anticipated
18 impacts here, but to speak briefly to any real
19 estate related issues, I'd ask if Barry Nelson
20 could give you a few minutes.

21 SUPERVISOR SALADINO: Good morning.

22 MR. NELSON: Good morning, Supervisor
23 Saladino, Members of the Board.

24 It's Barry Nelson, 220 Pettit Avenue,
25 Bellmore, New York 11710.

1 The subject property is part of a -- is
2 going to be inclusive in part of a shopping center
3 that was originally constructed in 1969. The site
4 contains over 85,000 square feet of retail space,
5 small boutique-type shops. Formerly, it was
6 originally -- that area was originally a Waldbaum's
7 supermarket.

8 Over the years, there's been changes in
9 that development. The whole site is within a "GB"
10 General Business District. It contains over 6.8
11 acres. It does front onto Manetto Hill Road. The
12 adjacent developments will include a small service
13 station, Mobil, just to the north; east, the
14 residential community surrounding the subject
15 property off of Manetto Hill Road is well
16 maintained single-family residential homes in the
17 R1-7 District for the most part.

18 The shopping center is well maintained.
19 The Planet Fitness proposed would be on the
20 westerly side on the southerly side of the former
21 supermarket, Fairway, and will contain
22 approximately 19,000+ square feet. The fitness use
23 has been introduced in many locations in the town,
24 in the adjacent towns, and I've worked on many of
25 those locations.

1 Smaller sites would be -- smaller
2 fitness centers like the Orange Theory, you do have
3 Blink Fitness, LA Fitness, there are other Planet
4 Fitness -- one in Massapequa, one on the borderline
5 on Broadway, which would be, I believe, in the Town
6 of Hempstead right at the Town of Oyster Bay line
7 at 1040 South Broadway. I've worked on the
8 Mid-Island Y JCC, Equinox, and these locations are
9 similar to the subject property in the Oyster Bay
10 location, Town of Hempstead, Town of North
11 Hempstead.

12 Most of the fitness centers are a
13 Special Exception before the Town Board or Board of
14 Appeals in most townships in Nassau County.

15 It's my opinion, based on my
16 experience, and I'm almost doing this here now for
17 40 years, a fitness use is a good use. It's well
18 recepted by the residential community. It's a
19 harmonious, compatible use to the commercial
20 development where its peak times are compatible to
21 the other uses in the center or the strip centers
22 that they're located, and, in my opinion, it's not
23 going to be adverse to the commercial or
24 residential community.

25 That said, I reviewed the Town of

1 Oyster Bay Code for a Special Use exception. Their
2 review, and that would be under Section 246-9 --
3 and I went through the criteria that would include
4 the standards under 9.4 -- 246-9.4 -- I reviewed
5 each and every one of those items including the
6 last three, which would probably be the most
7 important. Not that the other sections are not,
8 but that would include the Special Use shall not be
9 overburdened or otherwise interfere with the
10 orderly enjoyment of neighboring use of parks,
11 recreational facilities, public facilities. That's
12 9.4.13.

13 The next one is very important,
14 9.4.14 -- the safety, health, welfare, comfort,
15 convenience and order of the Town will not be
16 adversely affected by the proposed Special Use
17 Permit at its location, and it continues to go
18 through in the standards.

19 There's also the performance standards
20 under 246-10 and 10.3. I reviewed each one of
21 them. Importantly, the subject property is already
22 improved. It's at a location on a main arterial
23 road. Manetto Hill Road runs north and south
24 generally up through the Long Island Expressway
25 down to Old Country Road. It has commercial uses,

1 residential.

2 The fitness proposed in this center
3 would be in an existing building. It's only access
4 would be front towards Manetto Hill Road. It's no
5 changing in the footprint or the setbacks on the
6 existing building on the site. There would be less
7 use of the rear yard setback where it's adjacent to
8 the residential along Jeremy Avenue. I looked at
9 the homes that are on Jeremy Avenue, on Country
10 Drive, Country -- I mean, Mitchell Avenue, and, in
11 my opinion, this is a more harmonious use to a
12 residential development, and it's not going to
13 affect property values or their quality of life.

14 Just to note, this is a concrete block,
15 solid building. No noise will be emanating from
16 the rear of the property. It's got its setbacks.
17 There is a small berm with a substantial fencing
18 and screening in the rear.

19 I'd be more than happy to answer any
20 questions that the Board has; otherwise, I'll
21 remain while the rest of the people testify.

22 SUPERVISOR SALADINO: Thank you.

23 MR. NELSON: Thank you, Supervisor.

24 MR. VILLARI: Good morning,
25 Mr. Supervisor, Members of the Town Board.

1 My name is Andrew Villari. I'm a
2 traffic engineer with Stonefield Engineering &
3 Design. Office address is at 35 Broadway in
4 Hicksville.

5 My office conducted a review of the
6 application with the specific focus on traffic and
7 parking. You've heard a little about the
8 application so far, but the site is located in the
9 Manetto Hill Shopping Center, which is
10 appropriately named since it's on Manetto Hill
11 Road. This is a Nassau County roadway. It runs
12 north/south. There are the Northern State Highway
13 and the Long Island Expressway to the north and
14 also Old Country Road to the south.

15 This is an existing shopping center and
16 just to speak about access, there are numerous
17 access points that are existing. All of those
18 would be maintained. First and foremost, there's a
19 traffic signal that's located at the center of the
20 property. It's a traffic signal that's operated by
21 Nassau County. It provides great site access for a
22 shopping center of this size.

23 What's proposed is a re-tenanting.
24 There's no expansion of the shopping center. We're
25 just looking to swap out a tenant for some space

1 that was previously vacated.

2 As Mr. Weber mentioned, the former
3 Fairway use was downsized with the new grocer that
4 went in there, and what's leftover is about a
5 19,000 square foot space that needs to be tenanted
6 by someone, and what's before the Board is a
7 Special Use Permit to permit a Planet Fitness use.

8 Now, the Special Permit criteria.
9 Mr. Nelson referenced a few, I'll reference another
10 couple here. A lot of them are relative to traffic
11 and parking.

12 Obviously, the idea here is that we do
13 not want to invite something that increases
14 vehicular or pedestrian safety hazards or
15 decreasing a level of service at any such street
16 intersections. Also, wanting to make sure that
17 access is designed such that local roadways through
18 residential neighborhoods are not impacted by a
19 diversion of traffic, and then, also, adequate
20 parking be provided on-site.

21 What's important to keep in mind here
22 is that a gym use in comparison to other uses that
23 could go in that 19,000 square foot hole is,
24 actually, a lower traffic generator than other
25 retail uses, right?

1 This space was previously a grocery
2 store. If the grocery store was to expand into
3 that space, that would have a greater impact on
4 traffic than what the gym use would. So we see
5 this as a positive here.

6 In fact, the Planet Fitness use of
7 19,000 square feet accounts for about 50 percent of
8 the traffic that would be generated by retail uses
9 in that same space, and also 25 percent of if that
10 space was occupied by a shopping center, so,
11 inherently, there is no adverse impact on traffic
12 because we're tenanting the space with a lower
13 impacting use.

14 Relating to parking, there are 447
15 total parking spaces on the property. Those would
16 be maintained post-construction. We've done an
17 analysis that indicates -- that analyzes a full
18 tenancy of the shopping center. Every retail space
19 is occupied, the grocery store is occupied, the
20 Planet Fitness would be there.

21 What we find is that in the worst case,
22 the parking lot would be about 60 percent full,
23 which leaves about 200 parking stalls empty. So we
24 find that there is adequate parking, albeit, we
25 will be going to the Zoning Board to address a

1 parking variance that is being requested.

2 So, just in conclusion, this is a low
3 traffic generating use for other tenants that could
4 occupy that 19,000 square foot space. There is
5 adequate parking.

6 I'd be happy to answer any questions
7 that the Town Board may have.

8 COUNCILMAN IMBROTO: Sure.

9 When you say there's adequate parking,
10 how much parking do you think you need for this
11 Planet Fitness?

12 MR. VILLARI: For Planet Fitness,
13 somewhere between 70 and 90 spaces.

14 COUNCILMAN IMBROTO: But you know you
15 require 255 spaces, right?

16 MR. VILLARI: Yes.

17 So the 255 spaces is based on the
18 Town's requirement of one parking space per every
19 75 square feet. That is a very high parking
20 requirement. That means that there's going to be
21 255 parked cars in the lot for Planet Fitness at
22 any one time.

23 What we've done is, we recently
24 conducted a study at another Planet Fitness. It's
25 actually in Melville, just across town lines, and

1 it's basically the exact same size. It's a 21,000
2 square foot Planet Fitness, and what we saw there
3 was that there was, at most, 76 parked cars in the
4 lot there so, you know, that --

5 COUNCILMAN IMBROTO: How many?

6 MR. VILLARI: 76. 76. So that
7 really --

8 COUNCILMAN IMBROTO: How many spots do
9 they have in Melville?

10 MR. VILLARI: Let me see. I have that
11 for you.

12 COUNCILMAN IMBROTO: I was a member of
13 Planet Fitness in Melville, and I remember people
14 parking outside the stalls because there were never
15 enough spots. Now, I go to the Bethpage Planet
16 Fitness, and there's never enough spots. And when
17 I go to Patrizia's, I can't find a parking spot
18 because of Planet Fitness.

19 MR. VILLARI: Let me see. I might have
20 it somewhere. I don't seem to have that at my
21 fingertips, but, yeah, we were there last Thursday
22 and this past Saturday, and that's when we saw the
23 76 cars in the lot.

24 COUNCILMAN IMBROTO: Okay. Yeah, if
25 you could just get me the number of how many spots

1 there are at the Melville location.

2 What's the size of the Bethpage
3 location?

4 MR. VILLARI: That, I do not know off
5 the top of my head.

6 COUNCILMAN IMBROTO: Okay. I'd like to
7 know the square footage of the Bethpage location.

8 MR. APICELLA: It's around, like,
9 20,000 square feet.

10 MR. VILLARI: It's around 20,000.

11 COUNCILMAN IMBROTO: So same size as
12 the one proposed here?

13 MR. VILLARI: Yup.

14 COUNCILMAN IMBROTO: Do you know how
15 many spaces there are at the Bethpage location?

16 MR. APICELLA: That, I'm not sure.

17 I know that Patrizia's built, during
18 COVID, an outside tent so that took away a lot of
19 the parking there, so it did make that parking lot
20 a little bit more cramped, but that's because they
21 took up a lot of space from having that outside
22 tent.

23 SUPERVISOR SALADINO: Wasn't there a
24 problem with parking there before they did that?

25 COUNCILMAN IMBROTO: Yeah, I remember

1 parking being a little bit hairy before that.

2 SUPERVISOR SALADINO: I'm not sure if
3 you're suggesting that there was no issue with
4 parking there prior to the outside dining.

5 MR. APICELLA: I just know that that
6 took away a lot of spots, but I'm from the out East
7 part, so the Hicksville location is one of our
8 biggest locations, so that one has higher volume
9 than some of our other clubs, but there was never
10 -- whenever I visited, there was never really a
11 parking issue. It was more of the layout of the
12 parking lot there. It was more of you had to go
13 one way, you can't go this way (demonstrating).
14 That parking lot seemed a lot --

15 COUNCILMAN IMBROTO: It's not in the
16 Town of Oyster Bay, so that may be why.

17 MR. APICELLA: Yeah, so that one is a
18 lot more cramped it seems like, so, but anytime
19 I've been there, there's never been an issue with
20 finding a spot. It's more that parking lot was a
21 little bit more compact and small.

22 COUNCILMAN IMBROTO: Okay.

23 So, at full occupancy, the required
24 parking in this shopping center is what?

25 Do you have that number?

1 MR. VILLARI: I'm sorry?

2 Ask the question one more time?

3 COUNCILMAN IMBROTO: At full occupancy,
4 the required parking in that shopping center is
5 what?

6 MR. VILLARI: The required parking?

7 That would be -- you're asking -- I
8 have that right here. The parking requirement --

9 COUNCILMAN IMBROTO: Well, in other
10 words, what variance are you seeking?

11 MR. VILLARI: So 646 stalls are
12 required, and the existing supply of 447 is what's
13 proposed.

14 COUNCILMAN IMBROTO: So what percentage
15 of a variance is that?

16 So it's almost 200 spaces short, right?

17 MR. VILLARI: That is correct, yes.

18 And the 200 comes from the Town's
19 requirement saying that there's 255 parked cars
20 needed for a Planet Fitness of this size, but the
21 study that we had done in Melville shows that
22 that's not really applicable and --

23 COUNCILMAN IMBROTO: The variance would
24 be, basically, for the entire amount of parking
25 required by Planet Fitness, right?

1 MR. VILLARI: Right.

2 Which should make sense since we're not
3 expanding the building. We're just changing the
4 use.

5 There's a parking requirement for if
6 that space was retail or a grocery store, and now
7 we're just swapping in something else that has a
8 higher parking requirement, but the point of the
9 study that we did was to prove that that's just on
10 paper, and, in reality, that Melville site didn't
11 really need that much parking.

12 And I did pull up how much parking the
13 Melville site has. It was 138 spaces.

14 COUNCILMAN IMBROTO: And you said at
15 any given time, there was only 76 of them full?

16 MR. VILLARI: That's correct.

17 COUNCILMAN IMBROTO: That has not been
18 my experience.

19 COUNCILWOMAN WALSH: What time was the
20 traffic study done?

21 Was it different times?

22 MR. VILLARI: I'm sorry. The parking
23 study at Melville was done on -- this was the 24th,
24 last Thursday, between 3:00 and 9:00 in the
25 afternoon.

1 COUNCILWOMAN MAIER: So what are the
2 peak hours for a gym?

3 It's my experience it's usually early
4 morning and later in the evening, correct?

5 Do you know what the peak hours for
6 this type of gym is?

7 MR. VILLARI: We have a representative
8 from Planet Fitness here that may be better suited
9 to answer that.

10 MR. WEBER: You know, yeah, I can also
11 -- because I think it goes to Councilman Imbroto's
12 question as well. So we also did -- we also took
13 the average check-ins, so when you talk about
14 parking at a certain location, we're talking about
15 cars for that gym, but, again, there are other
16 people in the shopping center at the same time, so
17 what we did for Massapequa --

18 COUNCILMAN IMBROTO: Well, especially
19 when the supermarket opens.

20 MR. WEBER: Correct.

21 So what we did for Massapequa was we
22 went ahead and found out what their average number
23 of check-ins are, so it's the people who are
24 actually using the gym at any one time, so the most
25 out of the entire week, Monday through Friday, was

1 a Saturday peak of 62. So it is consistent with
2 the action counts that were at Melville, so that
3 was the weekend peak of 62. The weekday peak was
4 60, which was the evening, 4:00 to 8:00 p.m.

5 COUNCILMAN IMBROTO: And 60 within what
6 time period -- 60 in an hour, in ten minutes?

7 MR. WEBER: From 4:00 to 8:00 p.m. that
8 was the number of --

9 COUNCILMAN IMBROTO: In four hours,
10 there were only 62 people checked in?

11 MR. WEBER: Checked in to the
12 Massapequa location, correct.

13 COUNCILMAN IMBROTO: Okay.
14 How many members does each location
15 have?

16 MR. WEBER: So each location they try
17 to get anywhere from around, and I can tell you
18 right now that Massapequa has -- I have that
19 number, excuse me -- Massapequa right now has about
20 3,500 members.

21 COUNCILWOMAN MAIER: 3,500 members.

22 Do you know how many actually use it
23 because, obviously, they join in January and then
24 it kind of drops off --

25 (Whereupon, there was laughter among

1 the assemblage present.)

2 COUNCILWOMAN MAIER: -- but do you have,
3 I mean, you may not have the answers, but do you
4 know the percentage of people that -- returning
5 customers that come to the gym, I guess, the
6 February timeframe because 3,500 is a lot, but not
7 everyone uses the gym.

8 MR. APICELLA: We have, like, regular
9 members, but it's really, like, 25 percent of them
10 come regularly.

11 COUNCILWOMAN MAIER: Okay.

12 MR. APICELLA: And, like you said,
13 January 1st is definitely our busiest time, but
14 4:00 to 8:00 is our peak time during the afternoon.

15 In the morning, you get a little bit of
16 a rush. It's from, like, 7:00 to, like, 9:00.
17 It's a little bit busier, but there's usually
18 around, maybe, 25 percent that are just, like, our
19 regulars and then about 75 percent that come here
20 or there.

21 MR. WEBER: And also I just want to say
22 that also, and, I believe, Mr. Villari said, that
23 had the shopping -- had the supermarket been the
24 full 55,000 square feet what it was for Fairway,
25 the supermarket would actually generate more

1 traffic and parking usage. At 55,000 square feet,
2 which is what Waldbaum's was and Fairway versus
3 bifurcating the space 33,000 square feet of
4 supermarket and then 19,000 square feet of less
5 impactful Planet Fitness gym use.

6 COUNCILMAN IMBROTO: What is the
7 supermarket that is going to be going into that
8 space, do you know?

9 MR. WEBER: Yes. That's been publicly
10 reported as an Amazon Fresh.

11 COUNCILMAN IMBROTO: Do we know what
12 the usage of that is?

13 Isn't this going to be the first one on
14 Long Island?

15 MR. WEBER: There are currently three
16 that are under construction on Long Island. One in
17 Oceanside, one out East, and one in Oyster Bay, so
18 that remains to be seen, but, again --

19 COUNCILMAN IMBROTO: Do you know
20 anything about the concept of Amazon Fresh?

21 MR. WEBER: Sure. I can speak to that.
22 Absolutely.

23 One of the things -- and I was involved
24 in that approval as well -- the Fairway market was
25 a much more -- and having been an avid Fairway

1 customer I know this, it was more food use
2 intensive -- notice it had a much larger cafe. You
3 could sit, you could have full meals there, there
4 were significantly more seats, there was a coffee
5 bar, a sushi station, so you could do --

6 COUNCILMAN IMBROTO: I don't know how
7 many people were having full meals at Fairway --

8 COUNCILWOMAN WALSH: Like a Whole
9 Foods. Like a Whole Foods concept.

10 MR. WEBER: That was what the Fairway
11 was. Amazon Fresh is more just grocery focused, so
12 that cafe usage, which, again, lends itself to
13 higher usage --

14 COUNCILMAN IMBROTO: I shopped at
15 Fairway every weekend. I don't think the cafe
16 usage was as intensive as you're suggesting.

17 MR. WEBER: It certainly had the
18 capabilities for it, but the Amazon itself is more
19 grocery focused.

20 This is that new technology where
21 you're going to be able to walk in, register with
22 your phone, put food in a cart, and leave, and not
23 have to go through checkout counters, wait in
24 checkout lines. That's the concept that's, again,
25 that's been publicly reported, and this is really

1 for --

2 COUNCILMAN IMBROTO: This has -- this
3 has the potential to draw even more customers
4 because it's so convenient and so innovative being
5 the only one on Long Island of its kind, correct?

6 MR. WEBER: It's not the only one on
7 Long Island of its kind. It's the first of three.

8 Again, I think that we've seen, you
9 know, you've got the new -- well, not new anymore,
10 but certainly the ShopRite, right, that's not far
11 from this location that moved into a much bigger,
12 more modern location, so there are other grocery
13 options available.

14 COUNCILMAN IMBROTO: But it's hard to
15 anticipate what the impact of Amazon Fresh is going
16 to be given that we haven't seen anything of that
17 nature.

18 MR. WEBER: Absolutely. But, I guess,
19 what you can only do is base it on the data of a
20 supermarket because that's what it is. A
21 supermarket with, again, fewer cafe seats, but,
22 that's -- and, again, just the Amazon Fresh concept
23 because you asked the question, it's basically,
24 it's like Whole Foods would be if you're looking
25 for something really specialty or the type of items

1 that Whole Foods sells, but this is your -- more
2 your straightforward grocery store.

3 COUNCILMAN IMBROTO: Okay.

4 When you shopped at Fairway, what was
5 your experience of the parking for that use?

6 MR. WEBER: That's an excellent
7 question, and I'm happy you asked that because, you
8 know, it would be the time that I would go, right?
9 If it was off hours, right, then it would be --
10 parking would be close, but I was always able to
11 park straight and walk straight into the store. I
12 just sometimes had to park closer to Manetto Hill
13 Road, but that was always my experience time in and
14 time out. If I was there during off hours, late
15 night, coming from the office, I was able to park
16 closer. If not, I just had to park further out to
17 Manetto Hill Road and walk straight in.

18 COUNCILMAN IMBROTO: Is there going to
19 be designated parking for Planet Fitness?

20 MR. WEBER: No. There's no designated
21 parking for Planet Fitness.

22 COUNCILMAN IMBROTO: So, potentially,
23 they're going to be parking right in front of the
24 shopping center where elderly people who might want
25 to go to the supermarket would be parking?

1 MR. WEBER: What's interesting about
2 Manetto Hill Plaza is, as you know, right, it's got
3 this wide parking in front of the center that, I
4 guess, goes north to south, so, and it has the
5 walkway, so you can park on the north side or the
6 south side and certainly walk around. It's quite
7 convenient.

8 COUNCILMAN IMBROTO: Okay.

9 Where's the entrance to Planet Fitness
10 going to be?

11 MR. WEBER: So the entrance to
12 Planet --

13 (Whereupon, Mr. Weber approached the
14 site rendering displayed for the Board to view.)

15 MR. WEBER: -- so this location is the
16 grocery store (indicating), and this location is
17 the Planet Fitness (indicating). At one time, this
18 was entirely Fairway (indicating), so now it's just
19 adjacent to each other.

20 And, again, here's Manetto Hill Road
21 (indicating), the traffic light (indicating), and,
22 as I said, the parking, right, so, generally, I
23 would park here for Fairway (indicating), and when
24 Fairway was busy, I would park here (indicating).

25 COUNCILMAN IMBROTO: Okay.

1 And have there been any discussions
2 about having designated parking for Planet Fitness
3 versus for the supermarket use?

4 MR. WEBER: No. There is parking for
5 the supermarket use for quick pickup.

6 COUNCILMAN IMBROTO: Bram, in my
7 experience there's a section of parking spots all
8 the way on the, I guess, the southern end of the
9 parking lot that is infrequently used because it's
10 not convenient to the supermarket. I believe it's
11 cordoned off with some barriers. It's -- not that
12 it's infrequently used, but it's not as frequently
13 used as the rest of the parking lot.

14 Do you know which area of the parking
15 lot I'm talking about?

16 MR. WEBER: You mean here, probably
17 (indicating)?

18 COUNCILMAN IMBROTO: Yeah.

19 MR. WEBER: Yeah.

20 COUNCILMAN IMBROTO: Could there be any
21 consideration given to those spots being designated
22 for Planet Fitness as they are less likely to be
23 used for the supermarket and those are calculated
24 in the total parking calculations even though
25 they're rarely used because they are so far away

1 from everything?

2 MR. WEBER: Yeah, look, I think --
3 look, the only thing I would say is if you put it
4 here (indicating) -- if you do actually request and
5 restrict parking here (indicating), right, if I'm
6 these tenants here (indicating), I'm not happy to
7 have restrictive parking for Planet Fitness
8 adjacent to these tenants.

9 There's a dentist's office here
10 (indicating), there's a tutoring facility here
11 (indicating), there's a bakery here (indicating),
12 there's a restaurant here (indicating), so I
13 wouldn't necessarily be happy to find out that this
14 was restricted for Planet Fitness. So that's --

15 COUNCILMAN IMBROTO: Or some other area
16 that people aren't parking at for the supermarket.

17 MR. WEBER: Say again. I'm sorry.

18 COUNCILMAN IMBROTO: Or some other area
19 in the parking lot that no one is using for the
20 supermarket.

21 Really, the big use there was always
22 the supermarket. That's what generated the most
23 traffic and the most people parking there. I'm
24 concerned that if you put a gym there on top of the
25 supermarket, there's not going to be any place to

1 park. Because we know that the gym generates a lot
2 of traffic, and the supermarket generates a lot of
3 traffic.

4 MR. WEBER: Correct.

5 Look, I understand. I think we can
6 certainly go back and ask the question. I don't
7 believe in retail centers -- you see it in office
8 buildings, but you don't really see in retail
9 centers designated parking.

10 Again, I think because --

11 COUNCILMAN IMBROTO: Just a question.
12 That's was it.

13 MR. WEBER: No. It's certainly
14 something we can go back and ask. I just -- you
15 don't really see it because of, as I said, you're
16 prejudicing one tenant over another necessarily
17 when it comes to certain areas --

18 COUNCILMAN IMBROTO: Sure.

19 MR. WEBER: -- I do think there is
20 parking here that is available, as you correctly
21 said, throughout the center, and I think that that
22 type of parking in far off locations (indicating)
23 is generally reserved for employees. The tenants
24 have their employees park there, so that the most
25 convenient parking is available for the customers

1 of the tenants.

2 COUNCILMAN IMBROTO: How many parking
3 spots are there at the Hicksville or Bethpage
4 location?

5 MR. WEBER: I don't have that
6 information.

7 COUNCILMAN IMBROTO: All right.
8 Can you get that information to us,
9 please?

10 MR. WEBER: Sure.

11 COUNCILMAN IMBROTO: And how many
12 members do you anticipate having at this location?

13 MR. WEBER: So, again, roughly, I
14 think, if they had the 3,500 to 4,500 members, that
15 would be considered a solid location. As I said,
16 Massapequa has 3,500 members.

17 SUPERVISOR SALADINO: Counselor, just
18 to point this out for information pertinent to this
19 discussion, the representative of the company told
20 us that approximately 25 percent are regular users,
21 so my calculation -- that works out to 875 members.

22 COUNCILMAN IMBROTO: Or 1,000 if you're
23 anticipating 4,000 members.

24 SUPERVISOR SALADINO: And that's,
25 that's -- so if everyone generally takes their own

1 car, that's 875 cars that could be utilizing the
2 parking lot.

3 COUNCILMAN IMBROTO: Do you have a cap
4 on members?

5 MR. VILLARI: It could be 800, 1,000,
6 but they're not all there at one time.

7 SUPERVISOR SALADINO: We realize that.
8 That's why I used the 25 percent number that the
9 representative of the corporation brought us.

10 COUNCILMAN IMBROTO: They're not there
11 for five minutes either. I mean, they said the
12 average use is forty-five minutes. Some people go
13 for two hours.

14 MR. VILLARI: Right.

15 COUNCILMAN IMBROTO: So it's not like
16 they're running in and out.

17 MR. WEBER: Yeah, it's about
18 forty-five minutes. The average stay is about
19 forty-five minutes, and, again, it's all based on,
20 you know, data that they have.

21 In addition, a regular member -- the
22 definition of a regular member is someone who uses
23 the gym two to three times a week, so it's not a
24 seven day a week user, so that's why the numbers
25 are -- it's difficult really to overall estimate,

1 which is why we did exact parking counts in
2 Melville, and we took the exact data from
3 Massapequa, so we knew exactly how many people
4 checked into the gym during their peak times.

5 COUNCILMAN IMBROTO: Okay.

6 Planet Fitness is going to offer Pizza
7 Fridays and Bagel Mondays?

8 MR. APICELLA: No. We don't do that
9 anymore because of COVID.

10 COUNCILMAN IMBROTO: Oh, you don't do
11 that anymore?

12 MR. APICELLA: Yeah, we stopped that
13 because of COVID, so we don't do that anymore.

14 COUNCILMAN IMBROTO: That's why I
15 cancelled my membership.

16 (Whereupon, there was laughter among
17 the assemblage present.)

18 COUNCILMAN IMBROTO: Okay.

19 Are you going to have massage chairs,
20 tanning salon?

21 MR. WEBER: Yup. Yup. That's for the
22 what they call their Black Card members. That's a
23 more expensive membership per month. That's the
24 \$30 membership per month.

25 COUNCILMAN IMBROTO: Okay.

1 And is that going to be similar to the
2 other locations like the Hicksville/Bethpage as far
3 as the number of tanning beds, the number of
4 massage chairs?

5 MR. WEBER: Correct. I think I saw two
6 of each on either floor plan. Yeah, I mean, I see
7 one tanning and two massage chairs.

8 COUNCILMAN IMBROTO: And is this
9 location going to be open 24-hours a day?

10 MR. WEBER: 24-hours a day, but not the
11 full week. Starting Monday mornings through -- and
12 then they close at 10:00 on Fridays, and then the
13 weekends are not 24-hours.

14 COUNCILMAN IMBROTO: Okay.

15 But during the week, Monday to
16 Thursday, it's 24-hour?

17 MR. WEBER: Correct.

18 SUPERVISOR SALADINO: So, for instance,
19 on a Friday, what time -- did you say what time
20 they close on Friday?

21 MR. WEBER: 10:00. 10:00.

22 SUPERVISOR SALADINO: At 10:00 p.m.

23 MR. WEBER: Yup.

24 SUPERVISOR SALADINO: So there would be
25 an overlap with the Friday rush, if you will, of

1 restaurants in that vicinity?

2 MR. WEBER: Yeah. Right now there's
3 currently a sushi restaurant and Umberto's Pizza.
4 Those are the two that are in the shopping center.

5 COUNCILMAN IMBROTO: Would you consider
6 bringing back Pizza Fridays?

7 (Whereupon, there was laughter among
8 the assemblage present.)

9 MR. APICELLA: Looking into it.

10 COUNCILMAN IMBROTO: That was a joke
11 for the record.

12 COUNCILWOMAN MAIER: I have a couple
13 questions regarding the -- are you good, Lou?

14 COUNCILMAN IMBROTO: Yeah, I'm good.
15 Go for it.

16 COUNCILWOMAN MAIER: The traffic study.
17 So you said you did the traffic study at what
18 times?

19 MR. VILLARI: We looked at parking at
20 the Melville location between -- I have it
21 somewhere -- it was on a weekday. It was between
22 3:00 and -- oh, it's right here in front of me --

23 COUNCILWOMAN MAIER: 3:00 and 7:00,
24 right?

25 MR. VILLARI: 3:00 and 9:00.

1 COUNCILWOMAN MAIER: 3:00 and 9:00?

2 MR. VILLARI: Yup. And then we went
3 back on Saturday, and I thought I had it somewhere,
4 but it was a similar range. We looked at, like,
5 four to six hours during what was the busiest time.
6 I have no idea where that went.

7 COUNCILWOMAN MAIER: Yeah, I guess I
8 was under the assumption that your peak hours would
9 be earlier in the morning and then later in the
10 evening, but it seems like it's more midday,
11 correct?

12 MR. VILLARI: It's not to say that
13 people aren't using the gyms in the morning --

14 COUNCILWOMAN MAIER: Right, right,
15 right, but I just figured your heavier traffic
16 would be early in the morning, but it seems like
17 it's more between 3:00 and 9:00.

18 MR. WEBER: So looking at Massapequa
19 directly --

20 COUNCILWOMAN MAIER: Mm-hmm.

21 MR. WEBER: -- so that early morning --
22 the 9:00 a.m. is the busiest, and, but, that during
23 that peak hour -- you're talking about an average
24 of 55 people in the gym for those hours. Then
25 there's the evening peak of 60, that's 4:00 to

1 8:00 p.m., so we're really talking about 5:00 to
2 10:00 a.m., 4:00 to 8:00. The next closest is the
3 10 -- the midday, which in Massapequa is averaging
4 47 per hour.

5 COUNCILWOMAN MAIER: And this is
6 weekday not weekends.

7 MR. WEBER: That's weekday.

8 COUNCILWOMAN MAIER: Okay.

9 MR. WEBER: And if you want weekend, I
10 can give you weekend.

11 COUNCILWOMAN MAIER: Yeah.

12 MR. WEBER: Sure. So weekend the peak
13 is 10:00 to 3:00, and that was 62 people per hour.

14 COUNCILWOMAN MAIER: Okay.

15 And what is the occupancy for that
16 location going to be?

17 MR. WEBER: So occupancy -- I don't
18 know the answer to that, but it's roughly the same
19 -- it's almost exactly the same size.

20 COUNCILWOMAN MAIER: As Massapequa.

21 MR. WEBER: Correct. Massapequa is
22 19,870; this is slightly smaller at 19,159 square
23 feet.

24 COUNCILWOMAN MAIER: And do you know
25 how many pieces of equipment there are in there?

1 MR. WEBER: There's a lot of equipment.

2 MR. APICELLA: There's, like, over 100.
3 Strength equipment, cardio, like, all combined
4 there's over 100 pieces.

5 COUNCILWOMAN MAIER: Okay.

6 Thank you.

7 COUNCILWOMAN WALSH: Does, I'm sorry,
8 does Sterling -- Laura, you done?

9 COUNCILWOMAN MAIER: Yes, I'm finished.

10 COUNCILWOMAN WALSH: Does Sterling Bank
11 have its own parking -- marked parking -- and where
12 do the spots -- is it what's on the plans here
13 (indicating)?

14 Is that all Sterling on the bottom
15 right?

16 MR. WEBER: So this was Sterling Bank
17 (indicating), it's Webster Bank now. New signage
18 and everything I just saw, but, yes, they are
19 integrated into the entire parking lot, but they
20 have parking that fronts their bank and on the side
21 of the bank, but they're integrated into the whole
22 parking lot (indicating).

23 COUNCILWOMAN WALSH: So in the middle,
24 they don't have any marked spaces just allocated
25 for them?

1 MR. WEBER: No.

2 COUNCILWOMAN WALSH: Okay.

3 And is the direction -- is it going to
4 be like in Hicksville where it's one-way all the
5 way around or is it two-way or you can go either
6 way to get through the lot?

7 MR. WEBER: So there's the main, yeah,
8 there's the main entrance here (indicating), which
9 is two-way, and there's two-way all the way
10 around --

11 COUNCILWOMAN WALSH: The outside.

12 MR. WEBER: -- the shopping center.

13 Correct.

14 COUNCILWOMAN WALSH: Okay.

15 Thank you.

16 COUNCILMAN LABRIOLA: Mr. Villari, in
17 your trip generation analysis that you did, you're
18 using that strictly upon your own observations from
19 other Planet Fitness, or are you using the Manual
20 on Uniform Traffic Control Devices?

21 Is that something you recognize, and is
22 your study consist with that MUTCD says?

23 MR. VILLARI: Yup. Yup. Two concepts
24 here. There's traffic and then there's parking.
25 Related a little bit different.

1 So for the traffic differences, I said
2 that this would be 25 percent of what the grocery
3 store would be, this is 15 percent of what a retail
4 center would be. That's based on the manual.
5 That's the industry standard -- Institute of
6 Transportation Engineering Trip Generation Manual.

7 Now, the parking study that we did in
8 Melville, that indicated that 20 some odd square
9 feet Planet Fitness needed 76 parking spaces. The
10 ITE also publishes a parking manual that would
11 indicate how much parking a building of that size
12 would need, and that's actually about 90 spaces.

13 So when Councilman Imbroto initially
14 asked the question, that's why I gave the range of
15 somewhere between 70 and 90, so it's still -- what
16 that tells me is that the Town's code of 255 spaces
17 -- that's what stands out here. That's the odd
18 number out.

19 COUNCILMAN LABRIOLA: So it's your
20 belief that our parking requirement for fitness
21 center is extremely conservative.

22 MR. VILLARI: By about three and a half
23 times, yes.

24 COUNCILMAN LABRIOLA: I'd like to know
25 if our Town -- if our Planning Department agrees

1 with you on that because there's a big decision
2 that has to be made with our Zoning Board of
3 Appeals as Councilman --

4 COUNCILMAN IMBROTO: We're talking
5 about a 30 percent shortfall.

6 COUNCILMAN LABRIOLA: -- as Councilman
7 Imbroto pointed out, you're about almost 200 spaces
8 short. We don't want to create a problem for the
9 community in our decision-making process, but I was
10 curious if -- I see that our Deputy Commissioner of
11 Planning and Development is in the back, and I'm
12 curious if Mr. Zike would agree with you on your
13 analysis of our parking requirements.

14 I mean, these are the parking
15 requirements that we have throughout the Town of
16 Oyster Bay so it's not that it's -- we're not
17 trying to impose a severe penalty upon Planet
18 Fitness in this application, but we have to go by
19 what we require of other businesses.

20 I guess, Supervisor, if you want to do
21 it afterwards or now?

22 COUNCILMAN IMBROTO: Maybe after
23 they're done with the presentation.

24 SUPERVISOR SALADINO: Let's do it after
25 the presentation.

1 COUNCILMAN LABRIOLA: Mr. Zike, if you
2 would just remain, please.

3 SUPERVISOR SALADINO: Because they're
4 also going to get back to us on information as it
5 relates to the statistics and parking for this
6 site.

7 MR. WEBER: I just want to say one
8 other thing just in response to that as well.

9 Your Department of Environmental
10 Resources did review the parking study and
11 everything that was submitted, and they qualified
12 this as a Type II Action with no negative impacts
13 on the environment, which, obviously, would include
14 parking as well, so I wanted to give you that level
15 of comfort.

16 COUNCILMAN LABRIOLA: Thank you.

17 Thank you.

18 MR. WEBER: Sure.

19 Are there any other questions?

20 COUNCILMAN IMBROTO: Do you have
21 anybody else that's going to present?

22 MR. WEBER: No.

23 SUPERVISOR SALADINO: And there are no
24 other questions of the Board.

25 Thank you, counselor.

1 MR. WEBER: Thank you.

2 SUPERVISOR SALADINO: Do you feel it's
3 necessary for Mr. Zike?

4 COUNCILMAN IMBROTO: Yeah.

5 Can we get Deputy Commissioner Zike?

6 SUPERVISOR SALADINO: Deputy
7 Commissioner Zike, would you come up and state your
8 appearance, please?

9 MR. ZIKE: Good morning, Supervisor,
10 Members of the Town Board.

11 Timothy Zike, Deputy Commissioner,
12 Department of Planning and Development.

13 Councilman Labriola, just to answer
14 your question, it is a conservative number that the
15 Department does use.

16 A lot of times, you know, the
17 applicants will make a presentation, and they deal
18 with the here and now. And the here and now may be
19 that maybe it is 75, 80 users per peak hours that
20 they have, but it doesn't mean ten, twenty years
21 from now as the businesses grow, you need the
22 additional ability to accommodate parking for
23 off-street, not just for the use there, but for the
24 other uses that are in the building as well.

25 As Councilman Imbroto pointed out, with

1 an Amazon Fresh, there might be a big surge in
2 people utilizing that location since it is a
3 novelty, only one of three locations on the Island.
4 So it is used in that manner to protect the Town
5 for off-street parking.

6 Again, you may have 70 users, but
7 inside, you heard them say they have over 100
8 pieces of equipment, it doesn't mean that at any
9 given point, again, it's an average, that you don't
10 have 125 users, so, again, we have the flexibility
11 to allow the additional off-street parking. That's
12 why the number is set at what it is.

13 COUNCILMAN LABRIOLA: Mr. Zike, prior
14 to this application, was the shopping center in
15 compliance with our parking requirements?

16 MR. ZIKE: To my knowledge, yes.

17 You know, the shopping center was,
18 historically, was built for retail use. They did
19 have other uses that did come along, so when you do
20 change the use, such as a restaurant or a fitness
21 center, the parking calculation does change.

22 So, for example, as a retail/office
23 use, you would have one space per 200 square feet
24 of gross floor area; whereas a restaurant would be
25 one space per three-person occupancy. A gym in

1 this situation is one person per 75 square feet of
2 gross floor area.

3 COUNCILMAN IMBROTO: What is that based
4 on?

5 Where does the come from?

6 Where does that formula come from?

7 MR. ZIKE: Oh, I'm sorry. The formula
8 itself is delineated in Chapter 246 of our Code in
9 the Town of Oyster Bay.

10 COUNCILMAN IMBROTO: But how did we
11 come up with that?

12 COUNCILMAN LABRIOLA: There's science
13 behind it.

14 MR. ZIKE: It's based on previous uses,
15 there was input from planning consultants over the
16 years throughout the Town's history. It's been
17 developed over the course since the 1940s, 1950s.

18 COUNCILMAN IMBROTO: Is that similar to
19 the requirements in other towns?

20 MR. ZIKE: It's very similar. I mean,
21 we're talking about a few square feet here and
22 there.

23 COUNCILMAN IMBROTO: So when we talk
24 about it being a conservative number and we see in
25 other locations where they're using that same

1 calculation, but it does create a parking issue,
2 they're using the same conservative number that
3 we're using, correct?

4 MR. ZIKE: Absolutely. In most cases,
5 yes.

6 COUNCILMAN IMBROTO: And using our
7 conservative parking calculations, occasionally we
8 do find situations where parking becomes a problem
9 even though a shopping center may be in compliance
10 with these conservative estimates, correct?

11 MR. ZIKE: Absolutely.

12 And in my opinion, I think it's better
13 to be more conservative because as you see the
14 trend where retail is going down, you're going to
15 tend to have more uses that are restaurant,
16 family-oriented, you want that flexibility to have
17 additional parking to accommodate future use
18 because, again, it's great for the here and now,
19 but part of our planning services and what we do as
20 a department, we don't think just about the here
21 and now. We think about ten, twenty years from now
22 and what the effects will be. It's not just all
23 about today, 2022.

24 COUNCILMAN LABRIOLA: Mr. Zike, has
25 your department worked with their traffic people to

1 determine whether or not it's possible to
2 re-engineer the parking lot to get more parking
3 spaces -- whether they use compact spaces or what
4 have you in order to alleviate this huge deficit in
5 my mind?

6 MR. ZIKE: I don't want to speak for
7 the applicant, but I do believe there are some
8 compact spaces on the site as well as what we'll
9 dub employee spaces, which, basically, takes about
10 six inches off the parking requirement for
11 employees only. I do believe that. I don't want
12 to speak for them, but I believe that was on the
13 site plan, but, I think right now that shopping
14 center is at its maximum capacity for off-street
15 parking. Not just for the parking, but safe
16 traffic circulation as well.

17 COUNCILMAN LABRIOLA: That's what I was
18 curious about.

19 Thank you, Mr. Zike.

20 MR. ZIKE: No problem.

21 Any other questions?

22 SUPERVISOR SALADINO: Thank you very
23 much.

24 MR. ZIKE: Thank you, Supervisor.

25 SUPERVISOR SALADINO: Counselor, do you

1 have anything to wrap this up with?

2 MR. WEBER: Yeah, I just want to say
3 one final thing here just to be clear.

4 This Planet Fitness would make up about
5 23 percent of the shopping center. There's
6 currently another 6,000 square feet that's vacant.
7 When you go to the shopping center, you can really
8 feel that what was once a vibrant shopping center
9 in the middle of this community is quite quiet.

10 With Planet Fitness --

11 COUNCILMAN IMBROTO: That's because the
12 anchor tenant is gone and hasn't been replaced
13 yet --

14 MR. WEBER: Understood. Understood.

15 COUNCILMAN IMBROTO: -- and is in the
16 process of being replaced.

17 MR. WEBER: Correct. If -- even with
18 the supermarket coming in to that location, without
19 Planet Fitness, that 19,000 square feet remaining
20 vacant plus the 6,000 square feet that's vacant is
21 a 30 percent vacancy in the shopping center, so
22 that should also be clear on the record as well.

23 COUNCILMAN IMBROTO: All right.

24 Mr. Weber, do you have any images of
25 the signage that's going to be at the location?

1 Is it going to be in accordance with
2 the rest of the shopping center, or is it going to
3 stick out?

4 MR. WEBER: No. So it's a good
5 question.

6 The shopping center right now is this
7 kind of tan color. It's a little bit tired. The
8 grocery store and Planet Fitness are being painted
9 -- they've actually been already painted a very
10 nice gray color and then the remainder of the
11 shopping center is going to be repainted, not
12 exactly the same color, but in a color that
13 matches, so it's an overall refresh of the shopping
14 center in connection with the grocery store and the
15 proposed Planet Fitness.

16 COUNCILMAN IMBROTO: Is Planet Fitness
17 going to have the bright purple and yellow signage,
18 or is it going to be the conservative signage that
19 matches the rest of the shopping center?

20 MR. WEBER: They're not going to have
21 their round logo. It's going to be a horizontal
22 sign that -- it is going to be color specific for
23 them, but it's going to be appropriately sized and
24 in line -- similar with the other signage that's at
25 the property.

1 COUNCILMAN IMBROTO: Okay.

2 And is the front of the building going
3 to be all glass windows?

4 MR. WEBER: Yes.

5 COUNCILMAN IMBROTO: Are those going to
6 be tinted in any way?

7 The gym's open 24-hours a day. At
8 night, it's going to be bright fluorescent lights
9 with glass windows.

10 Is there going to be anything to block
11 the light?

12 MR. WEBER: Yes. Absolutely. For
13 security purposes as well, you know, shading on the
14 windows for that purpose.

15 COUNCILMAN IMBROTO: Okay.

16 Thank you.

17 SUPERVISOR SALADINO: Do you have
18 anything else for us today on this application?

19 MR. WEBER: That's it.

20 SUPERVISOR SALADINO: I'd just like to
21 make a very brief point that we're all for economic
22 development in this Town. It's very important to
23 us. It's especially important now coming out of
24 the pandemic.

25 We have used the term "smart growth"

1 and part of smart growth is to ensure that there's
2 a proper number of parking spots, that people
3 aren't parking in front of neighbors' homes and so
4 on and so forth, but in terms of economic and the
5 growth in this Town, it's one of our highest
6 priorities, and your company does have a good
7 reputation as a business.

8 MR. WEBER: Thank you.

9 COUNCILMAN IMBROTO: When you say
10 shading, what do you mean by shading?

11 Like pull-down shades?

12 MR. WEBER: No, no, no. The glazing
13 that you had suggested.

14 COUNCILMAN IMBROTO: Okay. Okay.

15 MR. WEBER: Correct. I just didn't use
16 your terminology.

17 COUNCILMAN IMBROTO: All right.

18 Thank you.

19 SUPERVISOR SALADINO: If there's
20 nothing else from the Board, is there any
21 correspondence?

22 MR. LaMARCA: The attorney for the
23 applicant has filed the Affidavit of Service and
24 Disclosure.

25 The communications are as follows:

1 We have memos from the Department of
2 Planning and Development including a review of the
3 required off-street parking.

4 The Nassau County Land and Tax Map
5 indicates the property as Section 12, Block 381,
6 Lot 64.

7 According to the Town of Oyster Bay
8 Zoning Maps, the property is located within a "GB"
9 General Business Zone.

10 There is one open Code Enforcement
11 Bureau case.

12 There are variances and Town Board
13 Resolutions on file.

14 We have Affidavits of Posting and
15 Publication.

16 There is no further correspondence.

17 SUPERVISOR SALADINO: Okay.

18 Thank you.

19 May I have a motion?

20 COUNCILMAN IMBROTO: Motion to close
21 this hearing and keep the record open for 30 days.

22 SUPERVISOR SALADINO: May I have a
23 second?

24 COUNCILMAN HAND: Second.

25 SUPERVISOR SALADINO: All in favor,

1 please signify by saying, "Aye."

2 ALL: "Aye."

3 SUPERVISOR SALADINO: Those opposed,
4 "Nay."

5 (Whereupon, there were no "Nay"
6 responses from the Board.)

7 SUPERVISOR SALADINO: The "Ayes" have
8 it.

9 Would you please call -- thank you,
10 counselor.

11 MR. WEBER: Thank you.

12 (TIME NOTED: 11:40 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
March 1, 2022
11:41 a.m.

HEARING - Hydrant Rental

To consider Hydrant Rental for Oyster Bay Fire Protection District and Oyster Bay Water District for the year 2022. (M.D. 1/25/22 #33).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: The third hearing today
4 is to consider Hydrant Rental for Oyster Bay Fire
5 Protection District and Oyster Bay Water District
6 for the year 2022.

7 SUPERVISOR SALADINO: Ms. Nordquist,
8 Ms. Greene, thank you so much being with us.

9 Thank you for your efforts on behalf of
10 the families of our Service members, and may God
11 bless you both.

12 MS. NORDQUIST: Thank you very much.
13 Thank you.

14 MS. FAUGHNAN: Good morning,
15 Supervisor, Members of the Town Board.

16 Elizabeth Faughnan, Deputy Town
17 Attorney, Office of the Town Attorney.

18 I hope to be brief, but I will take as
19 long as you and the members of the audience need,
20 however long that is.

21 So I come before you today regarding
22 Hydrant Rentals -- an agreement between the Town of
23 Oyster Bay and the Oyster Bay Water District.

24 Just in a brief summary, we are here
25 because there is no fire district in the Hamlet of

1 Oyster Bay, so the New York State Town Law says
2 that the Town Board sits akin to a fire
3 commissioner to provide for -- to contract for fire
4 protection. You also then get the lovely job of
5 contracting for hydrant rentals for the Hamlet as
6 well.

7 As you may know, a water district does
8 not need a fire hydrant. It needs mains, it needs
9 services, but it doesn't need a fire hydrant.
10 Those are there so that fire companies can access
11 them to fight fires, and the State Comptroller has
12 said that the fire district, in this case, the fire
13 protection area, should bear the cost of the
14 maintenance of those hydrants.

15 Today, I come to you for an agreement
16 with the Oyster Bay Water District for the rental
17 of 225 hydrants. The fee amount has remained the
18 same. It would be a total amount of \$20,250 for
19 calendar year 2022.

20 I'm going to hand up to the Town Clerk
21 a copy of the Resolution authorizing the
22 publication of the public notice for today's
23 hearing (handing).

24 And, again, the cost of this hydrant
25 rental will be borne by the residents -- the Town

1 of Oyster Bay residents in the Oyster Bay Fire
2 Protection area, so it is not a cost that is borne
3 by all Town residents. It is borne by those
4 residents that benefit from the rental of the fire
5 hydrants.

6 Does anybody have any questions?

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

9 MS. FAUGHNAN: Thank you very much.

10 I would ask that you would then
11 consider the decision on this Resolution today as
12 Resolution No. 157-2022.

13 SUPERVISOR SALADINO: Okay.

14 MS. FAUGHNAN: Thank you, Supervisor.

15 SUPERVISOR SALADINO: Thank you very
16 much.

17 Just checking to see if there's anyone
18 who wants to be heard on this application.

19 (Whereupon, there was no response from
20 the assemblage present.)

21 SUPERVISOR SALADINO: Please let the
22 record reflect there are none.

23 Is there any correspondence on this?

24 MR. LaMARCA: We have Affidavits of
25 Posting and Publication.

1 There is no other correspondence.

2 SUPERVISOR SALADINO: Okay.

3 May I have motion?

4 COUNCILMAN IMBROTO: Motion to close
5 the hearing to be voted on today.

6 COUNCILMAN HAND: Second.

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

9 ALL: "Aye."

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

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

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

16 Thank you.

17 (TIME NOTED: 11:43 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
March 1, 2022
11:44 a.m.

HEARING - Hydrant Rental

To consider Hydrant Rental for Plainview Fire Protection District and Plainview Water District for the year 2022. (M.D. 1/25/22 #34).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: The last hearing for
4 today is to consider Hydrant Rentals for Plainview
5 Fire Protection District and Plainview Water
6 District for the year 2022.

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

9 Elizabeth Faughnan, Deputy Town
10 Attorney, Town of Oyster Bay.

11 For purposes of the record, again, I
12 come before you today because Plainview is another
13 area in the Town of Oyster Bay where there is no
14 fire district. It's an incorporated fire company
15 that provides fire protection, and the Town Board
16 sits as commissioners, for lack of a better term,
17 in that area, and State Law requires that not only
18 the Town Board contract for fire protection, but
19 that the Town Board also contract for hydrant
20 rental, so that is why I am before you today.

21 I ask and recommend that you would
22 approve an agreement with the Plainview Water
23 District for the rental of 1,147 hydrants in the
24 unincorporated area we call Plainview.

25 The amount of the rental is the same as

1 last year. It is a contract for a total amount of
2 114,700 hydrants. I will point out that with the
3 construction of Country Pointe, we have had
4 additional hydrants to serve our residents.

5 So, again, I would ask the Town Board,
6 today, consider and approve this request for an
7 agreement with the Plainview Water District for
8 calendar year 2022 for the rental of 1,147
9 hydrants, and that would be Resolution
10 No. 158-2022.

11 And, again, to be clear on this record
12 for this hearing, this is a cost that will be borne
13 only by the residents of the Plainview Fire
14 Protection area who benefit from those hydrants, so
15 it's not a cost Townwide out of the General Fund.

16 SUPERVISOR SALADINO: And as is the
17 case with all of these specialty district
18 resolutions or applications that come before us, it
19 is due to New York State Law --

20 MS. FAUGHNAN: Absolutely, Supervisor.

21 SUPERVISOR SALADINO: -- that we
22 oversee this and not something we're doing on our
23 own but something that's done across the entire
24 State of New York.

25 MS. FAUGHNAN: Absolutely correct,

1 Supervisor.

2 And I'm just going to hand up a copy of
3 the Resolution that approved the publication of
4 today's hearing (handing).

5 (Whereupon, Deputy Attorney Faughnan
6 handed documentation to Town Clerk LaMarca.)

7 SUPERVISOR SALADINO: Thank you.

8 MS. FAUGHNAN: Thank you, Supervisor.

9 SUPERVISOR SALADINO: Are there any
10 other questions?

11 (Whereupon, there was no response from
12 the Board.)

13 SUPERVISOR SALADINO: All right.

14 Is there any correspondence?

15 MR. LaMARCA: We have Affidavits of
16 Posting and Publication.

17 There is no other correspondence.

18 SUPERVISOR SALADINO: May I have a
19 motion, please?

20 COUNCILMAN IMBROTO: Motion to close
21 this hearing to be voted on today.

22 COUNCILMAN HAND: Second.

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

25 ALL: "Aye."

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

3 (Whereupon, there were no "Nay"
4 responses from the Board.)

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

7 Thank you.

8 MS. FAUGHNAN: Thank you.

9 (TIME NOTED: 11:46 A.M.)

10 SUPERVISOR SALADINO: Do you need a
11 break?

12 THE COURT REPORTER: No, sir.

13 SUPERVISOR SALADINO: Okay.

14 Thank you, Counselor.

15 MS. FAUGHNAN: Thank you, Supervisor.

16 SUPERVISOR SALADINO: So now we'll
17 proceed to our regular Action Calendar.

18 (Whereupon, Town Attorney Scalera
19 indicated to Supervisor Saladino.)

20 SUPERVISOR SALADINO: Do we need?

21 MR. SCALERA: Yeah.

22 SUPERVISOR SALADINO: Oh, we do. Okay.

23 So what we're going to do, folks, we're
24 going to have a brief consultation with our
25 counsel. I apologize for keeping you waiting, but

1 we'll do it quickly, and then we'll come out --

2 MR. SCALERA: Just have a motion to go
3 into Executive Session to make it formal.

4 SUPERVISOR SALADINO: Sure. And then
5 we'll come out, and we'll go right back to our
6 Regular Action Calendar for the day.

7 COUNCILMAN IMBROTO: Motion to enter in
8 Executive Session for the purpose of discussing
9 proposed or pending litigation.

10 COUNCILMAN HAND: Second.

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

13 ALL: "Aye."

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

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

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

20 (TIME NOTED: 11:47 A.M.)

21 SUPERVISOR SALADINO: We'll make it
22 quick, folks.

23 We thank you for your patience.

24 (Whereupon, the Executive Session began
25 at 11:47 a.m. and the proceedings resuming at

1 12:06 p.m. as follows:)

2 SUPERVISOR SALADINO: May I have a
3 report?

4 Frank?

5 COUNCILMAN IMBROTO: Motion to close
6 the Executive Session.

7 No action taken.

8 MR. SCALERA: Correct. You need a
9 second on it.

10 COUNCILMAN HAND: Second.

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

13 ALL: "Aye."

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

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

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

20 (TIME NOTE: 12:07 P.M.)

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1	7:17 borne ^[1] - 3:12 break ^[1] - 5:11 brief ^[1] - 5:24	F	4:6, 4:15 last ^[2] - 2:3, 3:1 LAURA ^[1] - 1:13 Law ^[2] - 2:17, 3:19 litigation ^[1] - 6:9 LOUIS ^[1] - 1:12
1 ^[1] - 1:2 1,147 ^[2] - 2:23, 3:8 1/25/22 ^[1] - 1:7 114,700 ^[1] - 3:2 11:44 ^[1] - 1:3 11:46 ^[1] - 5:9 11:47 ^[2] - 6:20, 6:25 12:06 ^[1] - 7:1 12:07 ^[1] - 7:20 158-2022 ^[1] - 3:10	C	FAUGHNAN ^[6] - 2:7, 3:20, 3:25, 4:8, 5:8, 5:15 Faughnan ^[2] - 2:9, 4:5 favor ^[3] - 4:23, 6:11, 7:11 Fire ^[3] - 1:6, 2:5, 3:13 fire ^[4] - 2:14, 2:15, 2:18 folks ^[2] - 5:23, 6:22 follows ^[1] - 7:1 formal ^[1] - 6:3 Frank ^[1] - 7:4 Fund ^[1] - 3:15	M
2	calendar ^[1] - 3:8 Calendar ^[2] - 5:17, 6:6 case ^[1] - 3:17 CINQUEMANI ^[1] - 1:24 clear ^[1] - 3:11 Clerk ^[1] - 4:6 CLERK ^[2] - 1:9, 1:18 close ^[2] - 4:20, 7:5 commissioners ^[1] - 2:16 company ^[1] - 2:14 consider ^[3] - 1:6, 2:4, 3:6 construction ^[1] - 3:3 consultation ^[1] - 5:24 contract ^[3] - 2:18, 2:19, 3:1 copy ^[1] - 4:2 correct ^[2] - 3:25, 7:8 correspondence ^[2] - 4:14, 4:17 cost ^[2] - 3:12, 3:15 COUNCILMAN ^[9] - 1:12, 1:12, 1:13, 4:20, 4:22, 6:7, 6:10, 7:5, 7:10 COUNCILWOMAN ^[3] - 1:13, 1:14, 1:16 counsel ^[1] - 5:25 Counselor ^[1] - 5:14 Country ^[1] - 3:3 COURT ^[1] - 5:12	G	M.D ^[1] - 1:7 MAIER ^[1] - 1:13 March ^[1] - 1:2 MEETING ^[1] - 1:2 meeting ^[1] - 1:23 Members ^[1] - 2:8 MICHELE ^[1] - 1:16 Minutes ^[1] - 1:23 morning ^[1] - 2:7 motion ^[4] - 4:19, 4:20, 6:2, 6:7 Motion ^[1] - 7:5 MR ^[5] - 2:3, 4:15, 5:21, 6:2, 7:8 MS ^[6] - 2:7, 3:20, 3:25, 4:8, 5:8, 5:15
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3		H	N
34) ^[1] - 1:7		HAND ^[4] - 1:12, 4:22, 6:10, 7:10 hand ^[1] - 4:2 handed ^[1] - 4:6 handing) ^[1] - 4:4 HEARING ^[1] - 1:5 hearing ^[5] - 2:2, 2:3, 3:12, 4:4, 4:21 hydrant ^[1] - 2:19 Hydrant ^[3] - 1:5, 1:6, 2:4 hydrants ^[5] - 2:23, 3:2, 3:4, 3:9, 3:14	Nay ^[6] - 5:2, 5:3, 6:15, 6:16, 7:15, 7:16 need ^[3] - 5:10, 5:20, 7:8 New ^[2] - 3:19, 3:24 next ^[1] - 2:2 NOTE ^[1] - 7:20 NOTED ^[2] - 5:9, 6:20
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		LABRIOLA ^[1] - 1:13 lack ^[1] - 2:16 LaMarca ^[5] - 1:8, 1:18, 2:3,	

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	waiting ^[1] - 5:25 WALSH ^[1] - 1:14 Water ^[4] - 1:6, 2:5, 2:22, 3:7	

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
March 1, 2022
12:08 p.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: At this time,
2 Town Clerk, would you please call the Regular
3 Action Calendar?

4 MR. LaMARCA: May I have a motion to
5 table Resolution No. 152-2022?

6 **RESOLUTION NO. 152-2022;** Resolution
7 authorizing a license agreement with the Oyster Bay
8 Historical Society (Earle-Wightman House) for the
9 period January 1, 2022 through December 31, 2031.
10 Account No. DGS A 1620 47860 000 0000. (M.D.
11 2/15/22 #41 & 2/22/22 #26).

12 COUNCILMAN IMBROTO: So moved.

13 MR. LaMARCA: Motion made by Councilman
14 Imbroto.

15 COUNCILMAN HAND: Second.

16 MR. LaMARCA: Seconded by Councilman
17 Hand.

18 On the vote:

19 Supervisor Saladino?

20 SUPERVISOR SALADINO: "Aye."

21 MR. LaMARCA: Councilman Imbroto?

22 COUNCILMAN IMBROTO: "Aye."

23 MR. LaMARCA: Councilman Hand?

24 COUNCILMAN HAND: "Aye."

25 MR. LaMARCA: Councilman Labriola?

1 COUNCILMAN LABRIOLA: "Aye."

2 MR. LaMARCA: Councilwoman Maier?

3 COUNCILWOMAN MAIER: "Aye."

4 MR. LaMARCA: Councilwoman Walsh?

5 COUNCILWOMAN WALSH: "Aye."

6 MR. LaMARCA: Motion to table

7 Resolution No. 152-2022 passes with six "Ayes" and
8 zero "Nays."

9 (TIME NOTED: 12:07 P.M.)

10 MR. LaMARCA: May I have a motion to
11 suspended the Rules and add Resolution Nos.
12 159-2022 through 161-2022?

13 **RESOLUTION NO. 159-2022;** Resolution
14 authorizing award of Construction Contract No.
15 DP21-222, relocation of Centre Island Fireman's
16 Arch, Bayville. Account No. PKS H 7197 20000 000
17 2202 001. (M.D. 2/22/22 #32).

18 **RESOLUTION NO. 160-2022;** Resolution
19 authorizing the 2022-2023 Hull & Machinery
20 Insurance Policy for the period March 1, 2022
21 through March 1, 2023. Account No. TWN AMS 1910
22 43020 601 0000 000. (M.D. 2/22/22 #37).

23 **RESOLUTION NO. 161-2022;** Resolution
24 authorizing the 2022-2023 Equipment Floater/Rolling
25 Stock Insurance Policy for the period March 1, 2022

1 through March 1, 2023. Account No. TWN AMS 1910
2 43020 601 0000 000. (M.D. 2/22/22 #38).

3 On the motion:

4 COUNCILMAN IMBROTO: So moved.

5 COUNCILMAN HAND: Second.

6 MR. LaMARCA: Motion made by Councilman
7 Imbroto and seconded by Councilman Hand.

8 On the vote:

9 Supervisor Saladino?

10 SUPERVISOR SALADINO: "Aye."

11 MR. LaMARCA: Councilman Imbroto?

12 COUNCILMAN IMBROTO: "Aye."

13 MR. LaMARCA: Councilman Hand?

14 COUNCILMAN HAND: "Aye."

15 MR. LaMARCA: Councilman Labriola?

16 COUNCILMAN LABRIOLA: "Aye."

17 MR. LaMARCA: Councilwoman Maier?

18 COUNCILWOMAN MAIER: "Aye."

19 MR. LaMARCA: Councilwoman Walsh?

20 COUNCILWOMAN WALSH: "Aye."

21 MR. LaMARCA: Motion to suspend the
22 Rules and add Resolution No. 159 through 161-2022
23 passes with six "Ayes."

24 (TIME NOTED: 12:08 P.M.)

25 MR. LaMARCA: May I have a motion to

1 adopt Resolution No. P-4-22 through 161-2022 noting
2 that Resolution No. 152-2022 has been tabled.

3 **PERSONNEL RESOLUTION NO. P-4-22;**

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

6 **TRANSFER OF FUNDS RESOLUTION NO.**

7 **TF-3-22;** Resolution pertaining to transfer of funds
8 within various departments' accounts for the Year
9 2022.

10 **RESOLUTION NO. 106-2022;** Resolution

11 authorizing the Town of Oyster Bay Long Island
12 Blues Ice Hockey Tournament at the Town of Oyster
13 Bay Skating Center at Bethpage Community Park on
14 March 5, 2022. Account No. PKS A 7110 47670 000
15 0000. (M.D. 2/1/22 #4).

16 **RESOLUTION NO. 107-2022;** Resolution

17 implementing the listed fees for memorial plaques
18 and benches. Account No. PKS A 0001 02705 000
19 0000. (M.D. 2/1/22 #5).

20 **RESOLUTION NO. 108-2022;** Resolution

21 authorizing renewal of memberships in the New York
22 State Association for Solid Waste Management for
23 2022. Account No. DER SR05 8160 47900 000 000.
24 (M.D. 2/1/22 #10).

25 **RESOLUTION NO. 109-2022;** Resolution

1 authorizing acceptance of a donation of a memorial
2 plaque and bench from Zac Grant to be placed at
3 Theodore Roosevelt Marina Park and Beach in memory
4 of Linda Podell. (M.D. 2/1/22 #13).

5 **RESOLUTION NO. 110-2022;** Resolution
6 authorizing the Town of Oyster Bay Waterfront
7 Festival and Marine Expo to be held at TOBAY Marina
8 on September 10, 2022 and to waive the provisions
9 of Chapter 173-10 and 173-18, Peddlers for the
10 event. Account Nos. PKS A 7110 47670 000 0000 and
11 TWN A 0001 02770 590 0000. (M.D. 2/8/22 #14).

12 **RESOLUTION NO. 111-2022;** Resolution
13 authorizing acceptance of a donation of a memorial
14 plaque and bench from Felice Egidio to be placed in
15 Theodore Roosevelt Memorial Park and Beach in
16 memory of Robert Longo. (M.D. 2/8/22 #15).

17 **RESOLUTION NO. 112-2022;** Resolution
18 authorizing refund of premium contributions
19 inadvertently collected from the paychecks of the
20 listed employees regarding the Flexible Spending
21 Plan 125. Account No. TWN TA 0000 00020 400 0000.
22 (M.D. 2/8/22 #22).

23 **RESOLUTION NO. 113-2022;** Recommending
24 the property cleanup assessment of 29 Ninth Street,
25 Hicksville, performed on July 15, 2021, be referred

1 to the County of Nassau for placement on the Nassau
2 County Tax Assessment Rolls. (M.D. 2/8/22 #23).

3 **RESOLUTION NO. 114-2022;** Resolution
4 authorizing the property cleanup assessment of
5 18 Melissa Lane, Old Bethpage, performed on
6 August 11, 2021, be referred to the County of
7 Nassau for placement on the Nassau County Tax
8 Assessment Rolls. (M.D. 2/8/22 #24).

9 **RESOLUTION NO. 115-2022;** Resolution
10 authorizing the property cleanup assessment of
11 201 North First Street, Bethpage, performed on
12 July 19, 2021, be referred to the County of Nassau
13 for placement on the Nassau County Tax Assessment
14 Rolls. (M.D. 2/8/22 #25).

15 **RESOLUTION NO. 116-2022;** Resolution
16 pertaining to Contract PWC22-22, On-Call
17 Engineering Services relative to architecture in
18 connection with Town Hall North brick re-pointing
19 And window replacement. Account No. DGS H 1997
20 20000 000 2210 001. (M.D. 2/8/22 #28).

21 **RESOLUTION NO. 117-2022;** Resolution
22 pertaining to Contract PWC23-22, On-Call
23 Engineering Services relative to environmental
24 engineering in connection with Masonry Repointing
25 And Window Replacement at Town Hall North, Oyster

1 Bay. Account No. DGS H 1997 20000 000 2210 001.
2 (M.D. 2/8/22 #29).

3 **RESOLUTION NO. 118-2022;** Resolution
4 pertaining to Contract PWC09-22, On-Call
5 Engineering Services relative to site development
6 in connection with design, bid and construction
7 management services regarding turf installation at
8 Francis M. Gaynor Park. Account No. PKS H 7197
9 20000 000 2002 001. (M.D. 2/8/22 #30).

10 **RESOLUTION NO. 119-2022;** Resolution
11 pertaining to Contract No. PWC23-22, On-Call
12 Engineering Services relative to environmental
13 engineering in connection with sampling and
14 permitting services regarding the proposed dredging
15 of the North Canal and for the use of
16 sub-consultants for the project. Account No. PKS H
17 7197 20000 000 2102 001. (M.D. 2/8/22 #31).

18 **RESOLUTION NO. 120-2022;** Resolution
19 pertaining to Contract No. PWC23-22, On-Call
20 Engineering Services relative to environmental
21 engineering in connection with completion of an
22 existing site plan and engineering report regarding
23 the flooding of the Tobay Beach Tunnel. Account
24 No. PKS H 7197 20000 000 2102 001. (M.D. 2/8/22
25 #32).

1 **RESOLUTION NO. 121-2022;** Resolution
2 authorizing acceptance & final payment of Contract
3 No. DP21-211, installation of a Bipolar Ionization
4 System at 54 Audrey Avenue, Oyster Bay. (M.D.
5 2/8/22 #33).

6 **RESOLUTION NO. 122-2022;** Resolution
7 authorizing rejection of bid and request to rebid
8 Contract No. DP21-223, Construction of TOBAY Center
9 Pavilion Canopy Replacement. (M.D. 2/8/22 #34).

10 **RESOLUTION NO. 123-2022;** Resolution
11 pertaining to the Dock Application of Frank Marino,
12 294 East Shore Drive, Massapequa, New York. (M.D.
13 2/8/22 #36).

14 **RESOLUTION NO. 124-2022;** Resolution
15 pertaining to the Dock Application of Anthony
16 Desousa, 53 Sunset Blvd., Massapequa, New York.
17 (M.D. 2/8/22 #37).

18 **RESOLUTION NO. 125-2022;** Resolution
19 pertaining to the Dock Application of Koledin
20 Residence, 10 Jomarr Court, Massapequa, New York.
21 (M.D. 2/8/22 #38).

22 **RESOLUTION NO. 126-2022;** Resolution
23 authorizing the annual 2022 Spring Festival to be
24 held April 23, 2022, at Syosset-Woodbury Community
25 Park. Account No. CYS A 7020 41800 000 0000. (M.D.

1 2/15/22 #5).

2 **RESOLUTION NO. 127-2022;** Resolution
3 authorizing the 2022 Town of Oyster Bay and Greater
4 Long Island Running Club Sponsored Races on the
5 listed dates. Account No. PKS A 7110 44900 000
6 0000. (M.D. 2/15/22 #6).

7 **RESOLUTION NO. 128-2022;** Resolution
8 authorizing an extension of the Nassau County DSS
9 Revenue Agreement for the period January 1, 2022
10 through September 30, 2022, and for the Supervisor,
11 or his designee, to sign the Revenue Agreement.
12 Account No. CD 6293 47850 000 CW 22. (M.D. 2/15/22
13 #12).

14 **RESOLUTION NO. 129-2022;** Resolution
15 authorizing renewal of memberships in the New York
16 State Association of Tax Receivers and Collectors
17 for the year 2022. Account No. ROT A 1330 47900
18 000 0000. (M.D. 2/15/22 #14).

19 **RESOLUTION NO. 130-2022;** Resolution
20 authorizing the property cleanup assessment of
21 2 Todd Court, Glen Head, performed on September 28,
22 2021, be referred to the County of Nassau for
23 placement on the Nassau County Tax Assessment
24 Rolls. (M.D. 2/15/22 #19).

25 **RESOLUTION NO. 131-2022;** Resolution

1 authorizing the property cleanup assessment of
2 4 Elizabeth Drive, Bethpage, performed on
3 October 21, 2021, be referred to the County of
4 Nassau for placement on the Nassau County Tax
5 Assessment Rolls. (M.D. 2/15/22 #20).

6 **RESOLUTION NO. 132-2022;** Resolution
7 authorizing the property cleanup assessment of
8 11 Rave Street, Hicksville, performed on
9 October 21, 2021, be referred to the County of
10 Nassau for placement on the Nassau County Tax
11 Assessment Rolls. (M.D. 2/15/22 #21).

12 **RESOLUTION NO. 133-2022;** Resolution
13 authorizing the property cleanup assessment of
14 107 Lawrence Street, Farmingdale, performed on
15 August 25, 2021, be referred to the County of
16 Nassau for placement on the Nassau County Tax
17 Assessment Rolls. (M.D. 2/15/22 #22).

18 **RESOLUTION NO. 134-2022;** Resolution
19 authorizing the property cleanup assessment of
20 145 Greenwood Drive, Massapequa, performed on
21 August 24, 2021, be referred to the County of
22 Nassau for placement on the Nassau County Tax
23 Assessment Rolls. (M.D. 2/15/22 #23).

24 **RESOLUTION NO. 135-2022;** Resolution
25 authorizing extension of time for Contract No.

1 H18-171-P3, Massapequa Flood Diversion and Control
2 Project #3 Outfall 31 (Brockmeyer Drive), Outfall
3 114 (Clearwater Avenue) and Outfall 128 (Iroquois
4 Place). (M.D. 2/15/22 #29).

5 **RESOLUTION NO. 136-2022;** Resolution
6 authorizing an extension of time for Contract No.
7 H18-171-P4, Massapequa Flood Diversion and Control
8 Project #4 Outfall 38 (Division Avenue). (M.D.
9 2/15/22 #30).

10 **RESOLUTION NO. 137-2022;** Resolution
11 pertaining to Contract No. PWC07-22, On-Call
12 Engineering Services relative to civil engineering
13 for Elm Street Drainage Study Phase, Locust Valley
14 Account No. HWY H 5197 20000 000 2003 008. (M.D.
15 2/15/22 #31).

16 **RESOLUTION NO. 138-2022;** Resolution
17 pertaining to Contract PWC08-22, On-Call
18 Engineering Services relative to mechanical
19 engineering in connection with the elevators at the
20 Hicksville Parking Facility, and for use of
21 sub-consultants for the project. Account No. HWY H
22 5997 20000 000 1804 016. (M.D. 2/15/22 #32).

23 **RESOLUTION NO. 139-2022;** Resolution
24 authorizing final acceptance and Quantity Increase/
25 Decrease for Contract No. H19-198PH1, Construction

1 of Highway & Drainage Improvements to the Southwood
2 Circle Area Phase 1. (M.D. 2/15/22 #33).

3 **RESOLUTION NO. 140-2022;** Resolution
4 authorizing Quantity Decrease No. 1, Extension of
5 Time and acceptance and final payment for Contract
6 DP21-213, Replacement of Synthetic Turf at John A.
7 Walker Memorial Park. (M.D. 2/15/22 #34).

8 **RESOLUTION NO. 141-2022;** Resolution
9 authorizing use of sub-consultants for Contract No.
10 DP21-215, Design, Bid and Construction Phase
11 Engineering Services for the Harry Tappen Sanitary
12 System Improvements Project. (M.D. 2/15/22 #35).

13 **RESOLUTION NO. 142-2022;** Resolution
14 authorizing acceptance of the design and request to
15 enter bid phase for Contract No. DP22-227, overhead
16 canopy at the Ice-Skating Rink, Marjorie Post Park,
17 Massapequa. (M.D. 2/15/22 #36).

18 **RESOLUTION NO. 143-2022;** Resolution
19 authorizing the 2022 Dune Stabilization Program to
20 be held on March 26, 2022 at TOBAY Beach in
21 conjunction with the Parks Department. (M.D.
22 2/15/22 #38).

23 **RESOLUTION NO. 144-2022;** Resolution
24 authorizing payment for the Oyster Bay/Cold Spring
25 Harbor Protection Committee Annual Membership dues

1 for the period June 1, 2021 through May 31, 2022.

2 Account No. DER A 8090 44900 000 0000. (M.D.

3 2/15/22 #39).

4 **RESOLUTION NO. 145-2022;** Resolution

5 authorizing acceptance of the design and entrance

6 into Bid and Construction Phases under Contract No.

7 DP21-218, Replacement of Synthetic Turf Fields at

8 Field of Dreams Park, Massapequa. (M.D.

9 2/15/22 #40).

10 **RESOLUTION NO. 146-2022;** Resolution

11 authorizing the Supervisor or his designee to

12 execute a Memorandum of Understanding with Long

13 Island Rail Road Company granting the Town access

14 to LIRR property in connection with the Hicksville

15 Downtown Revitalization Initiative. (M.D. 2/15/22

16 #13 & 2/22/22 #33).

17 **RESOLUTION NO. 147-2022;** Resolution

18 authorizing two six-month extensions in connection

19 with Resolution No. 269-2019, petition of Kimco

20 Jericho MI, LLC, 585 North Broadway, Jericho,

21 For a Special Use Permit and Approved Site Plan.

22 (M.D. 2/15/22 #15 & 2/22/22 #12).

23 **RESOLUTION NO. 148-2022;** Resolution

24 pertaining to Contract PWC07-22, On-Call

25 Engineering service relative to civil engineering

1 in connection with design, bid and construction
2 inspection services for the turf installations of
3 three baseball infields at Borella Field and to use
4 a sub-consultant for the project. Account No. PKS
5 H 7197 20000 000 2002 001. (M.D. 2/15/22 #24 &
6 2/22/22 #28).

7 **RESOLUTION NO. 149-2022;** Resolution
8 establishing a tipping fee for recycling material
9 (yard waste) delivered to the Old Bethpage Solid
10 Waste Disposal Complex. (M.D. 2/15/22 #26 & 2/22/22
11 #34).

12 **RESOLUTION NO. 150-2022;** Resolution
13 pertaining to Contract PWC23-22, On-Call
14 Engineering service relative to environmental
15 engineering in connection with the investigation,
16 sampling and repairing of Well No. 4 at TOBAY
17 Beach, and to use a subconsultant for the project.
18 Account No. PKS H 7197 20000 000 2202 001.
19 (M.D. 2/15/22 #27 & 2/22/22 #29).

20 **RESOLUTION NO. 151-2022;** Resolution
21 pertaining to Contract PWC23-22, On-Call
22 Engineering service relative to environmental
23 engineering in connection with the pH and
24 chlorination system at TOBAY Beach. Account No.
25 PKS H 7197 20000 000 2202. 001. (M.D. 2/15/22 #28

1 & 2/22/22 #30).

2 **RESOLUTION NO. 153-2022;** Resolution
3 authorizing an Inter-Municipal Agreement with the
4 Incorporated Village of Upper Brookville for use of
5 the Town's fueling stations for the period March 1,
6 2022 through July 31, 2029, and for the Supervisor,
7 or his designee, to execute said Agreement. (M.D.
8 2/15/22 #42).

9 **RESOLUTION NO. 154-2022;** Resolution
10 authorizing an Inter-Municipal Agreement with the
11 Oyster Bay-East Norwich Central School District for
12 use of the Town's fueling stations for the period
13 March 1, 2022 through July 31, 2029, and for the
14 Supervisor, or his designee, to execute said
15 Agreement. (M.D. 2/15/22 #43).

16 **RESOLUTION NO. 155-2022;** Resolution
17 authorizing an Inter-Municipal Agreement with the
18 Incorporated Village of Upper Brookville for Catch
19 Basin Cleaning Services for the period March 1,
20 2022 through December 31, 2023, and for the
21 Supervisor, or his designee, to execute said
22 Agreement. (M.D. 2/15/22 #44).

23 **RESOLUTION NO. 156A-2022;** Resolution/
24 Order pertaining to the decision on the application
25 of the Jericho Water District for Bond Financing.

Hearing held: March 1, 2022. (M.D. 1/25/22 #20).

RESOLUTION NO. 156B-2022; Resolution authorizing the issuance of bonds to pay the cost of improvements to the Jericho Water District.

Hearing held: March 1, 2022. (M.D. 1/25/22 #20).

RESOLUTION NO. 157-2022; Resolution pertaining to the decision for Hydrant Rental for Oyster Bay Fire Protection District and Oyster Bay Water District for the year 2022. Hearing held: March 1, 2022. (M.D. 1/25/22 #33).

RESOLUTION NO. 158-2022; Resolution pertaining to the decision for Hydrant Rental for Plainview Fire Protection District and Plainview Water District for the year 2022. Hearing held: March 1, 2022. (M.D. 1/25/22 #34).

RESOLUTION NO. 159-2022; Resolution authorizing award of Construction Contract No. DP21-222, relocation of Centre Island Fireman's Arch, Bayville. Account No. PKS H 7197 20000 000 2202 001. (M.D. 2/22/22 #32).

RESOLUTION NO. 160-2022; Resolution authorizing the 2022-2023 Hull & Machinery Insurance Policy for the period March 1, 2022 through March 1, 2023. Account No. TWN AMS 1910 43020 601 0000 000. (M.D. 2/22/22 #37).

1 **RESOLUTION NO. 161-2022;** Resolution
2 authorizing the 2022-2023 Equipment Floater/Rolling
3 Stock Insurance Policy for the period March 1, 2022
4 through March 1, 2023. Account No. TWN AMS 1910
5 43020 601 0000 000. (M.D. 2/22/22 #38).

6 COUNCILMAN IMBROTO: So moved.

7 MR. LaMARCA: Motion made by Councilman
8 Imbroto.

9 COUNCILMAN HAND: Second.

10 MR. LaMARCA: Seconded by Councilman
11 Hand.

12 I believe we have some slips.

13 SUPERVISOR SALADINO: We do have some
14 speakers on our Regular Action Calendar.

15 The first speaker will be Arthur
16 Adelman. He has one, two, three, four different
17 Resolutions he'll be speaking on, and I thank you,
18 Mr. Adelman, for following all the Rules of
19 Decorum.

20 MR. ADELMAN: Please.

21 You got my name right.

22 Arthur Adelman, 110 Dubois Avenue, Sea
23 Cliff.

24 Good morning, Board.

25 As the Supervisor has noted, I have

1 four Resolutions to chat about. I just had the
2 opportunity to speak to the head of the North Shore
3 Soccer League, I think that's what they're formally
4 called, and that would be in regards to Resolution
5 118, and he confirmed that the Town has reached out
6 to the community regarding the desire of synthetic
7 versus natural turf for those fields.

8 My only objection to this whole thing
9 was I wrote the commissioners involved with this
10 project, and I requested to know -- between 118,
11 145, and 140 -- I was curious to know what brand or
12 what kind of synthetic turf is being utilized.

13 I think the public would know because I
14 did post something on Facebook regarding this, and
15 the community reaction was, yes, what kind of turf
16 is being used because there are certain
17 combinations of rubbers or synthetics that are --
18 that should be avoided.

19 My response from the Town was that if
20 you want to know this information, send in a FOIL.
21 I found that an absurd response. I just wanted to
22 know what kind of turf, so I don't know what kind
23 of turf, and I'd like to know if you could find out
24 and let us know publicly today what kind of turf is
25 used at Field of Dreams and the John Walker Park.

1 SUPERVISOR SALADINO: So, Arthur, if I
2 may -- sorry to interrupt you, but if I may cut to
3 the chase to answer your question, we have not gone
4 out to bid on this yet, and while there may be some
5 specs -- I'm looking for someone from
6 Engineering --

7 COUNCILMAN IMBROTO: We'll get you the
8 information, Arthur.

9 SUPERVISOR SALADINO: We can get you
10 that information, but we have not gone out to bid,
11 so we wouldn't have it that specific yet until
12 we've received all of the bid information.
13 Although there will be specs going out on this.

14 MR. ADELMAN: Yet we're getting ready
15 to finish payment on John Walker Park, which we
16 just spent, I think, 100 or \$1,000,000 and --
17 \$50,000 on turf.

18 SUPERVISOR SALADINO: So you're looking
19 for the brand name of the turf or the ratio --

20 MR. ADELMAN: Yes, I just want --

21 COUNCILMAN IMBROTO: We did not spend
22 \$100,000,000 on turf at John Walker.

23 MR. ADELMAN: No. It was 50,000. It
24 was four and a half dollars a square-foot, I think.

25 COUNCILMAN IMBROTO: Just making sure.

1 SUPERVISOR SALADINO: Is that what he
2 said?

3 Okay, so --

4 MR. ADELMAN: Well, the contract was
5 \$1,000,000, excuse me, the contract to redo those
6 fields was \$1,000,000 and change.

7 COUNCILMAN IMBROTO: Which is less than
8 \$100,000,000.

9 MR. ADELMAN: I never said 100,000,000.
10 Okay. Moving on.

11 SUPERVISOR SALADINO: But it was, first
12 of all, the lowest bidder as per the law --

13 MR. ADELMAN: I'm sure. I'm not
14 questioning this.

15 SUPERVISOR SALADINO: -- and it was in
16 line because when we do this -- and we're not
17 arguing with you. We know you come here with good
18 intentions on almost every occasion, so it is in
19 line with what every municipality costs -- pays for
20 this kind of a job. It wasn't like it was larger,
21 more, and it's in line with what this Town has paid
22 for similar types of construction even before the
23 COVID inflation hit.

24 COUNCILMAN IMBROTO: And, Arthur, we'll
25 get you the brand name on the turf for those

1 projects.

2 SUPERVISOR SALADINO: We can get that
3 from Engineering.

4 MR. ADELMAN: But if I write the
5 commissioners requesting to know what it is, then I
6 can get an answer and not a --

7 COUNCILMAN IMBROTO: You can always
8 reach out to our offices to get any information
9 that you need, Arthur.

10 SUPERVISOR SALADINO: And we can set up
11 a phone call with the Engineering Department --

12 COUNCILMAN IMBROTO: We can set up an
13 in-person meeting if you want.

14 MR. ADELMAN: I just -- all I asked the
15 commissioner was what kind of turf, and I would say
16 reply, send a FOIL if you want to know.

17 COMMISSIONER LABRIOLA: Mr. Adelman, I
18 don't know if this will help you, sometimes when we
19 put out something to bid, we put out
20 specifications, not brand name. If we put out
21 brand name, then we usually will place language to
22 the effect as similar or like, so you don't know
23 until you actually -- whoever the contractor wins
24 the bid, if the specifications meet ours, that
25 person -- the qualified bidder then, of course, has

1 to put that type of turf down --

2 COUNCILMAN IMBROTO: Each bidder may
3 have a different --

4 COUNCILMAN LABRIOLA: -- they may have
5 a different brand. That's the point.

6 MR. ADELMAN: John Walker Park.

7 COUNCILMAN LABRIOLA: Now, that one
8 they should be able to give you the answer for,
9 Mr. Adelman.

10 SUPERVISOR SALADINO: Why don't we do
11 this --

12 MR. ADELMAN: Maybe you find out now
13 and we can --

14 SUPERVISOR SALADINO: -- you have my
15 commitment that we will set up a phone call --
16 we'll set up a phone call with you and Engineering
17 so you can ask questions because you may have other
18 questions as you're getting information to expand
19 upon, okay?

20 MR. ADELMAN: Yes.

21 COUNCILMAN IMBROTO: You can even visit
22 Walker Park, and you can feel the turf. You can
23 walk around --

24 MR. ADELMAN: I just want to get back
25 to the resident that posted about a specific

1 chemical makeup of a synthetic turf that she would
2 like not to see installed in Glen Head.

3 COUNCILMAN IMBROTO: Do you have a
4 position on this?

5 SUPERVISOR SALADINO: Of the turf or
6 the rubber that is used with this?

7 MR. ADELMAN: The type of synthetic.
8 Synthetics are a combination of different polymers,
9 so I don't know what the exact makeup is. It's in
10 her e-mail to me --

11 COUNCILMAN IMBROTO: Are you
12 representing that resident, or do you have a
13 position on --

14 MR. ADELMAN: I'm not representing.
15 I'm just here asking for myself. She brought it up
16 to me.

17 My kids are done. The people who run
18 the leagues now were the ones my son played with
19 when they played on the middle school fields. Now
20 they're using the John Walker fields to play
21 soccer, and North Shore Little League always played
22 over there and, you know, I'm just curious. I
23 wanted to know if there was outreach to use
24 synthetic. The president of the North Shore Soccer
25 League is here. He's going to speak. He was --

1 they reached out to him regarding synthetic versus
2 natural.

3 Because I know in Sea Cliff we're
4 redoing the ball fields, and we're doing it with
5 grass and clay as opposed to synthetic turf, and
6 the two ball fields, I heard, will run about
7 \$100,000 to repair and \$75,000 of that expense is
8 grant money.

9 COUNCILMAN IMBROTO: And that doesn't
10 include maintenance, Arthur.

11 When you have grass, you have to
12 maintain grass.

13 MR. ADELMAN: Excuse me. I'm well
14 aware that when you -- but it also doesn't include
15 having to replace it.

16 What's the life expectancy of synthetic
17 turf?

18 COUNCILMAN IMBROTO: We'll get you all
19 that information.

20 SUPERVISOR SALADINO: But you also have
21 to do maintenance, irrigation systems --

22 MR. ADELMAN: That's what's going on in
23 Glen Head --

24 SUPERVISOR SALADINO: -- there's -- we
25 have learned that it's far more complicated than --

1 MR. ADELMAN: -- the drainage is the
2 big part, I understand.

3 COUNCILMAN IMBROTO: There's many
4 issues involved besides the upfront costs of
5 putting seed, grass seed down. There's more
6 involved than that.

7 SUPERVISOR SALADINO: But we always
8 appreciate you're bringing this to the table.

9 MR. ADELMAN: I'm just a naturalist. I
10 would prefer to see grass and clay as opposed to
11 synthetic turf, but I'm in, I guess, the minority.

12 Getting to my last Resolution I wanted
13 to talk about and that's number 147.

14 Six months ago, I was here in front of
15 the Board protesting the extension of a Special Use
16 Permit for the developer who wants to put the motel
17 up next to The Milleridge Inn.

18 COUNCILMAN IMBROTO: Hotel.

19 MR. ADELMAN: Motel, hotel, whatever
20 you want to call it --

21 COUNCILMAN IMBROTO: There's a big
22 difference.

23 MR. ADELMAN: -- residency.

24 SUPERVISOR SALADINO: Let's hear him
25 out.

1 Go ahead, Arthur.

2 MR. ADELMAN: Back six months ago, they
3 asked for an extension of a Special Use Permit that
4 had expired. I said that my comments then were the
5 permit expired, they should reapply, but in the
6 wisdom of the Board, you accepted the letter from
7 their attorneys that they were remiss in not
8 applying for an extension prior to the expiration
9 of said permit. Now, they come to you again
10 requesting an extension of a Special Use Permit
11 that, theoretically, has expired. It doesn't exist
12 any more.

13 So how can we extend it if it expired
14 on a specific date?

15 I object to this.

16 SUPERVISOR SALADINO: So it's a very
17 easy question to answer for you if you would like
18 an answer.

19 MR. ADELMAN: Let me just finish.

20 My comment is that it seems as if this
21 developer is banking his Special Use Permit. He
22 got it back in 2019. Now, it's 2022.

23 Is he going to do the development that
24 he got approved for?

25 The surrounding area has changed

1 greatly including the new motel/hotel or whatever
2 you would like to call -- short-term livable
3 quarters -- down the road on Jericho Turnpike,
4 which was approved three months ago, and, I think,
5 construction has already started, so traffic flow,
6 need, necessity, has all changed, and it's possible
7 that this developer might be rethinking what's to
8 go there.

9 I feel that the Special Use Permit
10 expired, and our Town Law states that once it
11 expires, after a year, it expires. Period. It's
12 after a year. It has expired.

13 Why are we issuing a permit --
14 theoretically issuing a permit -- without a hearing
15 on that specific property?

16 COUNCILMAN IMBROTO: We did have a
17 hearing.

18 SUPERVISOR SALADINO: Yeah, we did have
19 the hearing. They have not changed the application
20 because they would require a hearing, and we would
21 ensure that the residents could be heard --

22 COUNCILMAN IMBROTO: You can't bank a
23 Special Use Permit.

24 SUPERVISOR SALADINO: -- if they
25 changed the application.

1 MR. ADELMAN: But his permit expired.
2 It's expired.

3 Why are we --

4 SUPERVISOR SALADINO: So the answer to
5 your question hasn't changed, Arthur.

6 The bottom line is due to many factors,
7 including COVID, in the slow down of all related to
8 construction, it plays a role into their situation.
9 They've asked for more time. This does not change
10 an impact on the community, and they haven't
11 changed the application.

12 MR. ADELMAN: My only --

13 COUNCILMAN IMBROTO: And if they did
14 change it, they would have to come with a different
15 application and get a new hearing, a new Special
16 Use Permit.

17 MR. ADELMAN: My feeling is it shows
18 complete disrespect for the residents and the Town
19 Board for this developer to come after the fact
20 requesting an extension.

21 We gave him the courtesy last time,
22 okay, to extend it from November 2021 to May 2022
23 -- no, no, from May 2021 to November 2021, which is
24 the one that's expired.

25 His permit expired in November, and I

1 find it very disrespectful for them not to have
2 come to this Board in October requesting an
3 extension of his permit.

4 COUNCILMAN IMBROTO: Would you have
5 supported it if they came in October?

6 MR. ADELMAN: You allowed it -- if my
7 registration on my car lapses and I'm parked on the
8 street, I get a ticket.

9 SUPERVISOR SALADINO: Different
10 situation. If you applied for a building permit to
11 build a home and then you ran into factors --

12 MR. ADELMAN: Exactly. I would know
13 ahead of time --

14 SUPERVISOR SALADINO: -- you couldn't
15 get materials --

16 MR. ADELMAN: -- and request an
17 extension.

18 SUPERVISOR SALADINO: -- if you asked
19 for an extension --

20 MR. ADELMAN: Yes. Yes.

21 SUPERVISOR SALADINO: -- we would give
22 that to you.

23 MR. ADELMAN: Before --

24 COUNCILMAN IMBROTO: Arthur, that's not
25 the case. You can ask for an extension after

1 something expires, and it's not like they started
2 building with an expired permit. They haven't done
3 anything yet.

4 MR. ADELMAN: But the letter to --

5 COUNCILMAN IMBROTO: It's going to be
6 in effect once they start building.

7 MR. ADELMAN: My only contention is --

8 COUNCILMAN IMBROTO: Not like when the
9 car expires.

10 MR. ADELMAN: -- the permit expires in
11 November. The letter from their attorney was dated
12 January. It's two months. All right?

13 Did they just realize oh, my God, it's
14 expired?

15 COUNCILMAN IMBROTO: And if your
16 registration expired in November and you applied in
17 January, you can get your car registered.

18 SUPERVISOR SALADINO: Excuse me,
19 Arthur. Excuse me, Arthur.

20 Would you feel more comfortable if you
21 heard the opinion of our Town Attorney as to this?

22 We're acting legally, we're acting in a
23 way that's appropriate and that is consistent with
24 all other applications if it was your home or
25 anyone's business.

1 Would you feel more comfortable if you
2 heard an opinion from the attorney?

3 MR. ADELMAN: No. I just -- Frank will
4 say what we do is --

5 COUNCILMAN IMBROTO: Arthur, to use
6 your car example. If your registration expired and
7 you didn't use the car, you wouldn't get a ticket.
8 And then if you registered your car two months
9 later after it expired because you wanted to use
10 the car again, you can get you car registered.
11 They wouldn't say, oh, it expired two months ago,
12 you can't register the car.

13 SUPERVISOR SALADINO: Right, and you
14 can never register your car again.

15 MR. ADELMAN: You're re-registering
16 your car. You're not renewing the registration at
17 that point. You would have to go and re-register
18 your car.

19 How can you renew something that
20 expired?

21 That's it. It's a matter of
22 interpretation of terminology --

23 SUPERVISOR SALADINO: That's a very
24 good point --

25 COUNCILMAN IMBROTO: You can renew a

1 Special Use Permit.

2 SUPERVISOR SALADINO: -- so that's a
3 very good point. It's an interpretation and in
4 order for us to interpret it, we confer with
5 counsel -- with our legal counsel, our attorneys,
6 and they and the Building Department give us
7 guidance.

8 MR. ADELMAN: My only feeling is --

9 SUPERVISOR SALADINO: And they tell us
10 that this is within the bounds of the law.

11 MR. ADELMAN: -- that this developer,
12 their attorney should be aware that this Board is
13 going out of their way to do the friendly thing, a
14 nice thing --

15 COUNCILMAN IMBROTO: That is not true.

16 MR. ADELMAN: -- okay, if they want
17 another extension down the road, the application
18 should come in, in a timely manner, not just say --

19 SUPERVISOR SALADINO: So to be fair to
20 you --

21 COUNCILMAN IMBROTO: So you're --

22 SUPERVISOR SALADINO: -- hold on just a
23 second, please.

24 So to be fair to you, we'll bring your
25 issue up with our legal counsel and ask for their

1 opinion. This way we're being respectful of your
2 feelings, but we're also going to apply this to the
3 law, okay?

4 So we will bring this up with our legal
5 counsel, ask for their opinion, and then we're
6 going to follow their opinion.

7 MR. ADELMAN: All right. Very good.

8 Thank you, all, for listening.

9 SUPERVISOR SALADINO: Thank you,
10 Arthur.

11 Mr. Frank Innelli.

12 Come on up, Frank.

13 How are you today?

14 MR. INNELLI: I'm well.

15 Thank you.

16 SUPERVISOR SALADINO: Would you please
17 begin by giving us your full name and address for
18 the record?

19 MR. INNELLI: Yes.

20 Frank Innelli, 19 Knoll Lane, Glen
21 Head, New York 11545.

22 Supervisor and Council Members, thank
23 you very much for hearing me this morning.

24 I am the current President of the North
25 Shore Soccer Club, and I stand before you in

1 support of the turf field under Resolution No. 118
2 for the Francis M. Gaynor Park.

3 My children are grown and beyond soccer
4 at this point. They are in college, but we have
5 been advocating for this for the past decade to
6 fifteen years, so I'm grateful to see for the
7 safety of the children that we're finally getting
8 to the point of a turf.

9 To respect Mr. Adelman, I can
10 completely understand wanting a safe turf field.

11 Just for the record, the Town was
12 gracious enough to skin that field approximately
13 eight to ten years ago. It lasted not one year. I
14 believe that the property the park sits on is an
15 old brick factory, so under the ground, probably a
16 good 18 inches to two feet below, is a lot of ash,
17 and it is very difficult to get grass to take on
18 that field, which leads to ruts, and we've had
19 complaints from town club after town club that they
20 don't want to play on that field. We don't have
21 much space, and we appreciate finally getting to
22 the point where we can have a turf field for the
23 kids to enjoy, play safely, and that's all I have.

24 SUPERVISOR SALADINO: Thank you very
25 much for being here, and thank you for presenting

1 that information. It's helpful.

2 MR. INNELLI: Thank you for your time.

3 SUPERVISOR SALADINO: And our final
4 speaker this morning is Linda S. Agnew, Esq.

5 How are you today?

6 MS. AGNEW: I'm good, Supervisor.

7 How are you?

8 SUPERVISOR SALADINO: Would you kindly
9 start off by giving us your presence?

10 MS. AGNEW: My name is Linda Agnew.
11 I'm with the law firm of Harras, Bloom & Archer,
12 LLP, and we are the attorneys for George and
13 Christina Golden.

14 Mrs. Golden is with us today.
15 Mr. Golden is a schoolteacher and was unable to get
16 the day off.

17 Thank you, Supervisor, Members of the
18 Board for allowing me the opportunity to address
19 you with respect to the Goldens' concern regarding
20 the modification to the application for a dock
21 permit on the Marino property.

22 Just by way of background, the Marino
23 property is waterfront. My client's property is
24 immediately adjacent to the Marino property, it's
25 also waterfront, and it's to the north of the

1 Marino property.

2 The Marino property is already improved
3 with a jetty and a pier at its southerly border.

4 Back on October 6, 2020, upon
5 application of the Marinos, this Board granted an
6 application for the Marinos to replace a groin that
7 they represented to this Board was located on the
8 Marino property.

9 In reviewing what was provided to me by
10 the Town on a FOIL request, there was no survey
11 that accompanied them, which demonstrated that that
12 groin in issue was actually located on the Marino
13 property.

14 We were compelled to commence a hybrid
15 proceeding against the Town as well as the Marinos.
16 We went in by Order to Show Cause. A Temporary
17 Restraining Order was issued by Judge Voutsinas,
18 that was turned into a preliminary injunction, and
19 it enjoins the Marinos from doing any construction
20 on the Golden property.

21 The action is still pending. Pursuant
22 to agreement of the parties, we've agreed to hold
23 the Article 78 component of it in abeyance while
24 the Marinos and the Goldens attempt to resolve the
25 boundary line issue, which is essentially what this

1 case is about, and that's the concern that we have
2 with respect to this proposed modification.

3 Like the previous application, there's
4 no survey provided to the Board to determine that
5 the location of this new groin, it's a 65-foot
6 jetty, is actually located on the Marino property.
7 Had they had given this Board a survey with their
8 original application, this Board would have been
9 informed that that groin was not on the property.

10 So we're asking that this Resolution be
11 held in abeyance pending a resolution of the common
12 boundary line. Judge Voutsinas in the Nassau
13 County Supreme Court had recommended that the
14 parties get together with their surveyors on the
15 site to do an inspection and see if the
16 discrepancies in the survey cannot be resolved.

17 It's in the letter that I sent
18 yesterday to the Town, but counsel for the Marinos
19 first indicated that that was never what was going
20 to happen. They wrote to Judge Voutsinas. She's
21 like, no, I really want the people to go on-site
22 and meet at the properties and see if it can be
23 resolved, and then I received a letter that they
24 don't want to go forward with the meeting unless
25 there's Discovery issues that are resolved.

1 I did get an e-mail from the Marinos'
2 counsel on Sunday taking the position that they now
3 wanted to go forward with that meeting, so we hope
4 to schedule that in short order because I'm afraid
5 that like the last application, this replacement
6 groin is going to be located on my client's
7 property, and the Marinos have not demonstrated
8 otherwise.

9 Does the Board have any questions?

10 SUPERVISOR SALADINO: Just one.

11 Does the Judge's injunction enjoin the
12 Town?

13 MS. AGNEW: The Judge's injunction does
14 not enjoin the Town.

15 SUPERVISOR SALADINO: Okay.

16 Thank you.

17 Well, thank you for coming here today.
18 We greatly appreciate it.

19 MS. AGNEW: Thank you.

20 And I did send a letter to the Town in
21 care of Mr. LaMarca yesterday.

22 Can I hand up a copy of that just so
23 that it can be made a part of the record?

24 SUPERVISOR SALADINO: Yes, please.

25 (Whereupon, Ms. Agnew handed

1 documentation to Town Clerk LaMarca.)

2 MS. AGNEW: Thank you very much.

3 SUPERVISOR SALADINO: Thank you.

4 Are there any other speakers on this
5 matter?

6 (Whereupon, there was no response from
7 the assemblage present.)

8 SUPERVISOR SALADINO: Please let the
9 record reflect that no one has identified
10 themselves as wishing to speak on this matter.

11 Are there any other speakers on any
12 matter presented before us today on this Action
13 Calendar?

14 (Whereupon, there was no response from
15 the assemblage present.)

16 Please let the record reflect --

17 MR. LaMARCA: Supervisor, right here.

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

20 SUPERVISOR SALADINO: Oh, I'm sorry.

21 AUDIENCE MEMBER: Frank and Susan
22 Marino.

23 SUPERVISOR SALADINO: Would you like to
24 be heard on this matter?

25 AUDIENCE MEMBER: We didn't submit

1 anything, only if it's required.

2 SUPERVISOR SALADINO: It's not
3 required, but it's up to you.

4 AUDIENCE MEMBER: Then, we're okay
5 then.

6 SUPERVISOR SALADINO: Okay.

7 AUDIENCE MEMBER: Well, should I just
8 speak from here?

9 COUNCILWOMAN MAIER: Come on up.

10 SUPERVISOR SALADINO: Certainly. You
11 can come up and speak if you like.

12 MS. MARINO: Hello, Supervisor, Council
13 Members.

14 Susan Marino, 294 East Shore Drive,
15 Massapequa, New York 11758.

16 I'd just like to say that there are
17 some things misrepresented in that letter.

18 Our only goal is to build this new
19 groin, and this will be -- this is unrelated to the
20 litigation that she has spoken with. That this
21 groin will be totally on our property, completely
22 south of the property line. It has nothing to do
23 with structures on the Golden property, and there
24 are no reasons to object to this because of that.

25 As far as where it's located, it will

1 be south of the property line both on the property
2 lines called out on the Marino survey and also the
3 survey that has been called out by the Goldens. So
4 everything will be south of the property lines and
5 is not related --

6 COUNCILMAN IMBROTO: So there is no
7 dispute as to whether this location is on your
8 property?

9 MS. MARINO: No.

10 COUNCILMAN IMBROTO: Okay.

11 MS. MARINO: That's all.

12 Thank you.

13 SUPERVISOR SALADINO: Thank you very
14 much.

15 I have no other slips from anyone else
16 who would like to be heard today, so with that, I
17 call for the vote.

18 MR. LaMARCA: Supervisor Saladino?

19 SUPERVISOR SALADINO: "Aye."

20 MR. LaMARCA: Councilman Imbroto?

21 COUNCILMAN IMBROTO: I am "Nay" on 116
22 and 117, and "Aye" on everything else.

23 MR. LaMARCA: 116 and 117?

24 COUNCILMAN IMBROTO: Yeah.

25 MR. LaMARCA: Councilman Hand?

1 COUNCILMAN HAND: "Aye."

2 MR. LaMARCA: Councilman Labriola?

3 COUNCILMAN LABRIOLA: "Aye" on all.

4 MR. LaMARCA: Councilwoman Maier?

5 COUNCILWOMAN MAIER: "Aye."

6 MR. LaMARCA: Councilwoman Walsh?

7 COUNCILWOMAN WALSH: "Aye."

8 MR. LaMARCA: Resolutions P-4-22

9 through 115-2022 passes with six "Ayes."

10 Resolutions 116 and 117-2022 passes

11 with five "Ayes" and two "Nays."

12 Resolutions 118 through 151-2022 passes

13 with six "Ayes."

14 Resolution 152-2022 has been tabled.

15 Resolutions 153 through 161-2022 passes

16 with six "Ayes."

17 The Calendar is complete.

18 (TIME NOTED: 12:33 P.M.)

19 SUPERVISOR SALADINO: Thank you.

20 May I have a motion?

21 COUNCILMAN IMBROTO: Motion to close

22 the meeting.

23 COUNCILMAN HAND: Second.

24 SUPERVISOR SALADINO: All in favor,

25 please signify by saying, "Aye."

1 ALL: "Aye."

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

4 (Whereupon, there were no "Nay"
5 responses from the Board.)

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

8 (TIME NOTED: 12:33 P.M.)

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