

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
April 10, 2018
10:00 a.m.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Ladies and
2 gentlemen, good morning and welcome to the Town
3 Board meeting, Town of Oyster Bay.

4 Town Board meeting of Tuesday,
5 April 10, 2018.

6 This morning's prayer will be led by
7 Reverend Dr. Marjorie Elaine Nunes of United
8 Methodist Church in Hicksville.

9 The Hicksville United Methodist Church
10 is an inviting community of Christians supporting
11 people on their journey to find and embrace God's
12 love.

13 Reverend Nunes is the Senior Pastor of
14 Hicksville Methodist Church where her enthusiasm
15 and affability have helped her connect closely with
16 her congregation and solidified the church status
17 as a spiritual focal point in Hicksville.

18 Reverend, would you please step forward
19 and would everyone rise for prayer?

20 (Whereupon, a prayer was recited by
21 Reverend Dr. Marjorie Nunes.)

22 SUPERVISOR SALADINO: Thank you,
23 Reverend Dr. Nunes.

24 Very inspiring words and a great
25 example to govern by and to live by, and all of my

1 colleagues on the Town Board and our community
2 thank you very much for that inspirational message
3 in your prayer.

4 God Bless you and your congregations.
5 Thank you for joining us.

6 REVEREND DR. NUNES: Thank you for all
7 the work you do.

8 SUPERVISOR SALADINO: Thank you very
9 much. That was very inspiring.

10 Next, our Pledge of Allegiance will be
11 led by Jennifer Cantone, the Director of
12 Development for Special Olympics New York.

13 If you would kindly face the flag.

14 Jennifer, are you with us? She is not.

15 Is there a veteran with us in the
16 audience? Do we have a veteran with us?

17 Would you please step forward, sir?

18 Thank you for your service to America.

19 Would you kindly lead us in the Pledge
20 of Allegiance?

21 (Whereupon, the Pledge of Allegiance
22 was recited by an audience veteran.)

23 SUPERVISOR SALADINO: Thank you.

24 We have a busy agenda today. I'd like
25 to thank everyone for joining us and coming out in

1 this very gray day to the sunshine of a new day
2 here in Oyster Bay.

3 And Jennifer Cantone will be joining
4 with us in a short while to talk to us about the
5 Special Olympics New York that the Town is very
6 proud to be part of.

7 Special Olympics, obviously, so
8 important to us and we're thrilled not only to have
9 fundraisers like the Freezin' for a Reason Polar
10 Bear Plunge that some of us jumped in the water
11 for, and some didn't. Some just watched from the
12 side.

13 COUNCILMAN IMBROTO: You're looking at
14 the some who did so...

15 SUPERVISOR SALADINO: That's right.
16 You did. I apologize.

17 See, you had a hand in it all along.
18 Some of just watched and cheered us on from the
19 beach. And that's right, Lou, congratulations, and
20 thank you for joining me as we jumped in the water,
21 but we'll hear a little bit more about that when
22 Jennifer Cantone arrives.

23 We'd just like to thank her and all of
24 those involved in Special Olympics. And I will
25 point out that Special Olympics, the Town of Oyster

1 Bay is pleased that we will once again be
2 partnering with Bethpage School District to host
3 the Special Olympics New York Spring Games North at
4 Bethpage High School on Saturday, May 19th. That
5 again, Saturday, May 19th.

6 Last year's event was a tremendous
7 success and very exhilarating for the athletes and
8 the spectators alike, and for the students that
9 played such an important role. The community came
10 out. I'd like to thank the School District under
11 the leadership the former superintendent and all
12 who -- from the Town of Oyster Bay who helped to
13 volunteer to make that happen. I saw Andy
14 Rothstein. He popped his head in just a moment
15 ago. He, too, thank you, Andy, and everyone
16 involved for that very inspirational event.

17 So as I said, Jennifer is on her way,
18 and in the meantime, last week, the Town of Oyster
19 Bay in conjunction with YES Community counseling
20 center conducted a successful seminar on overdose
21 prevention and Narcan training at the William
22 Bennett Community Center in Hicksville.

23 Very simply, this program saves lives.
24 We're all very proud that we have continued to
25 fight this fight and making the ongoing opioid

1 epidemic on Long Island a top priority to all of us
2 in the Town of Oyster Bay.

3 We, the Town Board members, along with
4 our Town Clerk, James Altadonna and James
5 Stefanich, our Receiver of Taxes, and our team here
6 in Oyster Bay got together with YES Community
7 Counseling to obtain this very important
8 information to -- on treatment options and learn
9 how -- and learning how to reverse the fatal
10 effects of an opioid overdose by administering the
11 life-saving anecdote known as Narcan.

12 Whether you or a loved one are
13 struggling with addiction or not, we urge you to
14 consider calling YES Community Counseling Center at
15 area code (516)799-3203. That's (516)799-3203.
16 For more information on how to attend a free
17 seminar with the Town of Oyster Bay. Very
18 important programs. We are thrilled to host those
19 programs.

20 It's unfortunate that there's such a
21 strong need, but we will continue to train the
22 public on how to administer Narcan and a very large
23 portion of our Town employees, including Public
24 Safety. I see our Commissioner with us today.

25 Our Public Safety team is trained in

1 looking for the issue if someone is suffering from
2 an opioid problem or an overdose, they have the
3 Narcan in their vehicles. They have it readily
4 available and they have the training, so we're very
5 proud to be on the cutting edge of lifesaving, and
6 I want to thank all my colleagues on the Town Board
7 for all of your help with this. And Tom and Tony
8 and Joe and Lou and all of our team and, of course,
9 James Altadonna Jr., thank you very much, all of
10 you for assisting to protect our residents.

11 Town Clerk Altadonna, would you please
12 poll the board?

13 MR. ALTADONNA: It's a little sparse
14 this morning here, Councilman.

15 Supervisor Saladino?

16 SUPERVISOR SALADINO: Present.

17 MR. ALTADONNA: Councilman Muscarella?

18 COUNCILMAN MUSCARELLA: Here.

19 MR. ALTADONNA: Councilman Macagnone?

20 COUNCILMAN MACAGNONE: Here, Mr. Clerk.

21 MR. ALTADONNA: Councilwoman Alesia?

22 SUPERVISOR SALADINO: She will be here
23 shortly.

24 MR. ALTADONNA: Councilwoman Johnson is
25 absent?

1 SUPERVISOR SALADINO: She's absent
2 today with a sick child at home.

3 MR. ALTADONNA: Councilman Imbroto I
4 saw.

5 SUPERVISOR SALADINO: Yes.

6 COUNCILMAN MUSCARELLA: He's present.

7 MR. ALTADONNA: Is he really? You got
8 to get him.

9 Councilman Hand?

10 COUNCILMAN HAND: Here.

11 MR. ALTADONNA: Thank you.

12 Say present.

13 COUNCILMAN IMBROTO: I'm present now.

14 MR. ALTADONNA: Thank you.

15 Okay. Go ahead.

16 SUPERVISOR SALADINO: Thank you.

17 Before we get started on our regular
18 Action Calendar and begin our Resolutions where
19 we'll be listening to the public on those
20 Resolutions and our hearing today, I'd like to let
21 you know what the plan is for today.

22 The Board members will be meeting in
23 Executive Session to confer with our legal counsel
24 and then when we come out, we will report to you if
25 any action has been taken as part of the legal

1 proper process of our Town Board meetings.

2 So we will be going into the ante room
3 for Executive Session. I'm not sure how long it's
4 going to take, fifteen minutes or so, depending on
5 questions and action, and then we'll be right out
6 from that to begin with our regular Action
7 Calendar.

8 I appreciate very much your patience
9 and we'll be out shortly.

10 COUNCILMAN MUSCARELLA: Wait a minute,
11 Supervisor.

12 SUPERVISOR SALADINO: Yes?

13 COUNCILMAN MUSCARELLA: Supervisor, let
14 me make a motion that this Town Board go into
15 Executive Session for the purposes of discussions
16 regarding proposed, pending and/or current
17 litigation.

18 COUNCILMAN MACAGNONE: Second.

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

21 ALL: "Aye."

22 SUPERVISOR SALADINO: Opposed, "Nay."

23 (No verbal response given.)

24 SUPERVISOR SALADINO: The "Ayes" have
25 it.

1 Thank you.

2 Yes, we have two hearings that we'll be
3 getting to immediately as soon as we come out of
4 Executive Session.

5 (Whereupon, the Executive Session
6 began at 10:12 a.m. and the proceedings resumed at
7 10:42 a.m. as follows:)

8 SUPERVISOR SALADINO: Ladies and
9 gentlemen, thank you for your patience with our
10 Executive Session.

11 Councilman Muscarella, would you please
12 report?

13 COUNCILMAN MUSCARELLA: Supervisor,
14 I'll make a motion to end the Executive Session.

15 No action has been taken.

16 SUPERVISOR SALADINO: May I have a
17 second?

18 COUNCILMAN MACAGNONE: Second.

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

21 ALL: "Aye."

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

24 (No verbal response given.)

25 SUPERVISOR SALADINO: The "Ayes" have

1 it.

2 Thank you.

3 We expect to -- our counsel is getting
4 us some more information and we expect to take
5 another break for Executive Session after we're
6 done with listening to the public and voting on all
7 of our Resolutions and before the public comment
8 portion begins.

9 I'd like to now take this opportunity
10 to recognize the important work of Special Olympics
11 New York and recognize their Director of
12 Development, Jennifer Cantone.

13 The Town of Oyster Bay is welcome to --
14 welcome Special Olympics New York here to Town Hall
15 this morning.

16 Over the years, the Town of Oyster Bay
17 has proudly supported Special Olympics New York and
18 the organization's events, including the annual
19 Freezin' for a Reason Polar Plunge held last month
20 at Tobay Beach. Thanks to the dedicated staff of
21 the Special Olympics and the support of our Town
22 employees. I mentioned Andy earlier, thank you for
23 all of your work and the teams from the Parks
24 Department and from all the different departments
25 and all of our employees who played such an

1 important role in promoting and making sure that
2 went well.

3 We didn't lose a single member
4 including the Board members and it's just a great
5 event that everyone benefits by, especially the
6 athletes of Special Olympics.

7 With all of this support and the
8 spirited participation and generosity of our local
9 residents, this event raised nearly \$75,000 and
10 100 percent of that going to Special Olympics.

11 While we all had fun at the polar
12 plunge -- I think I'm just starting to warm up
13 now -- it's important to remember that successful
14 events like this enable Special Olympics New York
15 to provide year-round sports training and athletic
16 competition in a variety of Olympic-style sports
17 for all children and adults with a variety of
18 levels of ability.

19 Through their participation in Special
20 Olympics New York, athletes gain confidence, build
21 a positive self-image, which carries into the
22 classroom, the home, the workplace and throughout
23 the community.

24 Today, Special Olympics New York serves
25 nearly 72,000 athletes, making Special Olympics

1 New York the largest program of its kind in the
2 United States and the sixth largest in the world.

3 Congratulations to you.

4 The Town of Oyster Bay is also pleased
5 to announce, as I did earlier, that we will be
6 partnering with Bethpage School District to host
7 the Special Olympics New York Spring Games North at
8 Bethpage High School, and that will be on Saturday,
9 May 19th.

10 Last year's even was a tremendous
11 event. I was so pleased and honored to be part of
12 it, and my colleagues on the Town Board and the
13 community who were also there, a part of it.

14 It was just inspirational to everyone.
15 Special Olympics competition provides this
16 opportunity to showcase the talents and the
17 achievements of the participants while also
18 breaking down stereotypes and the social barriers
19 of the past. We're very pleased to be part of
20 breaking down those barriers.

21 These athletes and their courage are
22 truly an inspiration to all, and not only an
23 inspiration to the athletes and their families and
24 loved ones, but picture the students from Bethpage
25 High School and the Bethpage School District who

1 took part in this, who were cheering on or leading
2 or guiding and assisting the athletes. It really
3 was something special to see everyone come together
4 and, quite frankly, we all have reasons why we
5 believe we're having a tough day, issues, health of
6 a family member, and then you go to something like
7 this and it reminds us how truly blessed each and
8 every one of us are.

9 It puts things into perspective, it
10 reminds us to work together for the common good,
11 and it reminds us the reason we're here on God's
12 earth and that is to support less fortunate people
13 with different levels of ability.

14 So we'd like to thank Jennifer Cantone.
15 Thank you, Jennifer, for your organization's
16 efforts in the community.

17 My colleagues and I on the Town Board,
18 along with our Town Clerk James Altadonna Jr. and
19 our Receiver of Taxes, James Stefanich, would like
20 to present you with a Town Citation, and thank you
21 for your efforts to greatly advance the general
22 welfare of the community.

23 And again, I end off by pointing out
24 that I jumped in the water with my trusty colleague
25 on the Town Board, Lou Imbroto, and while others

1 signaled that they may take some role, I notice
2 they didn't get wet and they didn't get out of a
3 heavy coat the entire time.

4 I was joking with Councilman Hand
5 there, but everyone in this Town is committed to
6 helping you.

7 Jennifer Cantone.

8 MS. CANTONE: Thank you, Supervisor.

9 And that was your second year in a row,
10 so thank you so much for coming down and jumping in
11 with our athletes.

12 Thank you, Supervisor Saladino, and the
13 Town of Oyster Bay. We are thrilled to be partners
14 with you on our Annual Town of Oyster Bay Polar
15 Plunge at Tobay Beach.

16 In the past five years, we have raised
17 more than \$285,000, \$285,227 to be exact, and --
18 for the athletes of Special Olympics New York --
19 and we've gotten some additional money in, so right
20 now, we had over 400 registered plungers this past
21 year, raising over \$76,000.

22 As you said, Special Olympics New York
23 provides year round sports training and athletic
24 competition in a variety of Olympics-style sports.
25 We have 22 Olympic-style sports that our athletes

1 can choose from for adults and children with
2 intellectual disabilities, and we have over 7,100
3 athletes here on Long Island that take part with
4 us.

5 Because of your continued support, our
6 athletes will have the equipment, uniforms,
7 transportation, gym space and whatever else they
8 need to train and compete. Our athletes and their
9 families are never charged, and it costs us \$400
10 per athlete per season to have them participate
11 with us, and your support makes all the difference.

12 And I also -- I know you mentioned our
13 Spring Games North happening on May 19th. We'll
14 have over 500 athletes participating, but there
15 could be 200 to 300 coaches. We have about 600
16 volunteers and plus all the spectators, it sure is
17 a -- will sure be a spectacle and a fantastic
18 event, and your partnership makes all the difference.

19 Our athletes will be participating in
20 track and field, tennis, swimming and power
21 lifting. Please make sure you stop in the gym to
22 see what these athletes can lift. And because of
23 support from the Town, we will have three athletes
24 going to USA Games in July out in Seattle,
25 Washington. We have a female power lifter going,

1 we have a swimmer and we have a bowler.

2 So we are truly thankful to you,
3 Supervisor Saladino, and everyone on the Town
4 Board, the Parks Department, Public Safety, for all
5 your support of Special Olympics New York and our
6 incredible athletes. We are truly honored to be
7 working with.

8 Thank you.

9 SUPERVISOR SALADINO: Thank you,
10 Jennifer, for all of your work, but I do want to
11 point out, it is not me, it's the team, it's the
12 family of the Town of Oyster Bay, all of our
13 electeds, all of our departments, so many people
14 who came together and embraced the love that is
15 such a strong part of Special Olympics.

16 So God bless you for doing this work
17 and all of us would like to join you and to present
18 this Town Citation to you and to Special Olympics.

19 So if all of my colleges and as well as
20 our Town Clerk and Receiver and Town Board members
21 join us down front.

22 (Whereupon, a Town Citation was
23 presented to Jennifer Cantone and to Special
24 Olympics by Councilman Lou Imbroto.)

25 (TIME NOTED: 10:51 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
April 10, 2018
10:52 a.m.

HEARING - FINANCE

To consider the issuance of bonds in the amount of \$6,800,000 for Public Parking District Improvements.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILWOMAN REBECCA M. ALESIA
COUNCILMAN LOUIS B. IMBROTO
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JAMES STEFANICH, RECEIVER OF TAXES

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Okay.

2 We have already polled the Board to get
3 things started and I'll ask our Town Clerk James
4 Altadonna Jr. to please call the first hearing.

5 MR. ALTADONNA: Hearing is Finance; to
6 consider the issue of bond in the amount of
7 \$6,800,000 for public parking district improvements.

8 SUPERVISOR SALADINO: Okay.

9 Mr. Darienzo, would you please join us
10 and state your presence?

11 MR. DARIENZO: Good morning, Supervisor
12 and Town Board members.

13 Rob Darienzo, Director of Finance.

14 This public hearing is in regards to a
15 Resolution to authorize up to \$6.8 million in bonds
16 for repairs and improvements to the public parking
17 district.

18 At our Town Board meeting two weeks
19 ago, the Town Board authorized three other bond
20 Resolutions: One for 10-year equipment, one for
21 highway improvements and one for parks
22 improvements.

23 On that same day, you passed a
24 Resolution authorizing this public hearing that
25 we're having today.

1 When you want to issue -- when you want
2 to authorize debt against a special district, it
3 requires a public hearing. So the three we had two
4 weeks ago were able to be passed that day. Today
5 you're doing a similar operation, but it requires a
6 public hearing.

7 SUPERVISOR SALADINO: Can you describe
8 to us what this money would be spent on, how much
9 is it, what rate we can imagine?

10 I know we're not at that point to --
11 we're triggering the process to find out what rate,
12 but just a very brief overview of what would take
13 place from here should we vote for this.

14 MR. DARIENZO: Absolutely.

15 Earlier this year, this Town Board
16 contemplated a change to the cost for the public
17 parking permits and residents who came up to this
18 dais spoke about the need for improvements to the
19 public parking lots all throughout the Town.

20 The money that you would be authorizing
21 today would go towards repairs at the Hicksville
22 parking garage and additionally towards repairs at
23 lots throughout the Town on an as-needed basis.

24 Again, the Town Board would be
25 authorizing the issuance at a future date. We're

1 not borrowing money today. You put this
2 authorization in place and then at a future date
3 when we do borrow money, we would borrow money for
4 various authorizations, including this one.

5 SUPERVISOR SALADINO: Do Board members
6 have any questions?

7 COUNCILMAN MACAGNONE: Mr. Darienzo,
8 what kind of -- I know you say improvements, where,
9 anything specific in mind?

10 MR. DARIENZO: Well, most specifically,
11 will be the Hicksville parking garage.

12 As you've heard at past Town Board
13 meetings, the garage is going to be closed for
14 three months.

15 COUNCILMAN MACAGNONE: Also, I think at
16 past Town Board meetings, it was mentioned that
17 we're going to have the perps pay for that and redo
18 it?

19 MR. DARIENZO: Well, I would defer to
20 the legal team on that.

21 I understand that --

22 COUNCILMAN MACAGNONE: Why quote it?

23 It was said at past Town Board meetings
24 that that's what we're going to do.

25 MR. DARIENZO: We are certainly going

1 to sue, for lack of a better word, to get
2 reimbursed, but the repairs have to be done now so
3 we will lay out the money and litigation will take
4 its course.

5 SUPERVISOR SALADINO: If I may just add
6 to that to answer the Councilman's question,
7 because it's a very good question, we are faced
8 with a situation where the lightest use of the
9 parking garage in Hicksville is during the Summer
10 months.

11 COUNCILMAN MACAGNONE: Oh, I know.
12 Supervisor, I'm part of the plan with
13 Commissioner Lenz on this and I'm well aware of it.

14 SUPERVISOR SALADINO: So the Councilman
15 knows about it, the Town Board understands and for
16 the purposes of the informing the public, the idea
17 is to get this started, get the garage fixed during
18 the lightest point in the year when usage is down
19 so that when September rolls around and the Summer
20 is over and vacations are stemmed and people are
21 back to using the garage full time, it will be all
22 done.

23 COUNCILMAN MACAGNONE: Now, Supervisor,
24 if you'd like a more accurate answer, we want to do
25 it in the Summertime because of the temperature.

1 If we do it when it's too cold or too much
2 fluctuation --

3 SUPERVISOR SALADINO: Very good point.

4 COUNCILMAN MACAGNONE: -- it will not
5 last.

6 SUPERVISOR SALADINO: Very good point,
7 Councilman. Very good point. And once again, we
8 appreciate all of your experience in construction
9 and the construction technologies to recognize that
10 and share it with the public.

11 Is Commissioner Lenz here?

12 UNKNOWN SPEAKER: No. Commissioner
13 Lenz is in a deposition today. He asked me to come
14 down.

15 SUPERVISOR SALADINO: Okay. Just a
16 moment. We'll see if we have other questions on
17 this.

18 So we're in the process of suing the --
19 those involved in the construction of the garage.
20 We recognize that that's a long process, and we
21 have also heard loud and clear from our residents,
22 that they want and need the parking and making this
23 repair quickly and properly, appropriately and
24 efficiently is what our intention is and that's why
25 we have asked to put this on the calendar.

1 Any other questions from any of the
2 Board members, any comments, anything you'd like to
3 add to this?

4 (No verbal response given.)

5 COUNCILMAN MACAGNONE: No.

6 SUPERVISOR SALADINO: Thank you,
7 Mr. Darienzo, we will see what the public has to
8 say. We may call you back up.

9 MR. DARIENZO: All right. No problem.

10 SUPERVISOR SALADINO: Thank you.

11 Is there any member of the public who
12 would like to weight in, would like to share
13 opinions or information, anything pertinent to this
14 hearing in terms of the financing of process to
15 repair the garage?

16 (No verbal response given.)

17 SUPERVISOR SALADINO: Let the record
18 reflect that no one has asked to speak on this, and
19 do we have anyone who has put in a slip on this? I
20 do not see any slip on that either. So that's the
21 plan.

22 Is there any correspondence?

23 MR. ALTADONNA: We affidavits of
24 postings and publications.

25 There are no other correspondence.

1 SUPERVISOR SALADINO: All right.

2 Thank you very much.

3 So if there is no one who'd like to
4 speak, I'd like to call for a vote.

5 COUNCILMAN MUSCARELLA: Supervisor, I
6 make a motion that this public hearing be closed
7 and the decision be voted on today.

8 COUNCILMAN MACAGNONE: Second.

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

11 ALL: "Aye."

12 SUPERVISOR SALADINO: Opposed, "Nay."

13 (No verbal response given.)

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

16 MR. ALTADONNA: Would you like me to
17 call for a roll vote?

18 SUPERVISOR SALADINO: Please.

19 MR. ALTADONNA: Supervisor Saladino?

20 SUPERVISOR SALADINO: "Aye."

21 MR. ALTADONNA: Councilman Muscarella?

22 COUNCILMAN MUSCARELLA: "Aye."

23 MR. ALTADONNA: Councilman Macagnone?

24 COUNCILMAN MACAGNONE: "Aye."

25 MR. ALTADONNA: Councilwoman Alesia?

1 COUNCILWOMAN ALESIA: "Aye."

2 MR. ALTADONNA: Councilwoman Johnson is
3 absent.

4 Councilman Imbroto?

5 COUNCILMAN IMBROTO: "Aye."

6 MR. ALTADONNA: Councilman Hand?

7 COUNCILMAN HAND: "Aye."

8 MR. ALTADONNA: Motion passes with six
9 "Ayes" and one absent.

10 SUPERVISOR SALADINO: Thank you.

11 I do want to point out, there have been
12 some reports in the media, and -- actually, some
13 very responsible people have stated that the garage
14 is falling down. Couldn't be further from the
15 truth.

16 There are cracks that will be repaired.
17 We have brought in engineers who put their license
18 on the line right from the beginning.

19 We immediately addressed this and had
20 supports in place, which stops movement as they
21 relate to the cracks and stops people from parking
22 under them.

23 The only thing we have seen in the way
24 of public complaints are people who are asking to
25 be reimbursed for compounding and waxing on their

1 cars, and that's been the extent of damage.

2 So I want to thank our department and
3 our teams for their quick response and the way
4 they've carried out this process and we're looking
5 forward to continuing to keep a very close eye on
6 it as this progresses and I'll be reaching out to
7 my colleagues, including Councilman Macagnone, who
8 has a very strong background in construction
9 technology so that we may do this right the first
10 time, and that's how we're going to get it done, so
11 I thank you.

12 (TIME NOTED: 10:59 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
April 10, 2018
11:00 a.m.

HEARING - FINANCE

To consider Tax Exempt Financing for East Norwich Fire Company No. 1, for the Purpose of purchasing a replacement tower ladder truck. (M.D. 3/20/18 #28).

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
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COUNCILMAN THOMAS HAND

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would the Town
2 Clerk please call the second hearing?

3 MR. ALTADONNA: To consider tax exempt
4 financing for the East Norwich Fire Company No. 1,
5 for the purpose of purchasing a replacement tower
6 ladder truck.

7 SUPERVISOR SALADINO: Good morning.

8 MS. FAUGHNAN: Good morning,
9 Supervisor.

10 Good morning, Town Board members.

11 Elizabeth Faughnan, Deputy Town
12 Attorney.

13 Good morning, everybody.

14 The purpose of this hearing is actually
15 to assist the East Norwich Volunteer Fire Company
16 No. 1 with the purchase of a new 85-foot mount
17 tower ladder apparatus.

18 As you know, the Town of Oyster Bay and
19 several other municipalities contract with the East
20 Norwich Fire Company to provide fire protection
21 services to the residents in their fire protection
22 area and they are doing the right thing and they
23 have -- over the years, with attrition, with
24 equipment becoming obsolete and being needed --
25 needing to be replaced, they are going forward with

1 the purchase of a new piece of apparatus and what
2 they are asking the Town Board to do -- first of
3 all, is at no cost to the Town of Oyster Bay
4 itself.

5 What you would be doing is you would
6 actually be assisting the residents of the Town of
7 Oyster Bay in this fire protection area. Your vote
8 today, with a "yay" on this Resolution, would
9 reduce the cost to the residents of the fire
10 protection area because there is a unique provision
11 of the IRS Code that says if they, in essence,
12 receive a home rule message confirming their tax
13 exempt status, the lender financing the portion of
14 their purchase does not pay income tax on the money
15 that they make on the lending, and as a result, the
16 interest rate is reduced to the fire company.

17 So what we are doing is a win/win for
18 the taxpayers and for the fire company.

19 Having said that, we have with us
20 today, Attorney James Cammarata, who is the
21 attorney for the fire company, as well as the
22 President of the fire company, Chris Velsor, who
23 has been the President for the past eight years.

24 So I'm going to ask Jim to come on up
25 and speak to the --

1 SUPERVISOR SALADINO: Just one quick
2 question, Counselor.

3 For the purposes of clarity, especially
4 for the public, as per law, the District cannot do
5 this on their own and must come before the Town
6 Board in order to get this permission, so this is
7 not financing that the Town of Oyster Bay taxpayers
8 would be responsible for.

9 Is that correct?

10 MS. FAUGHNAN: Correct.

11 This is financing that the fire company
12 itself is responsible for. It is a separate
13 501(c)(3), I believe, nonprofit entity. It is a
14 separate corporation. They will be taking out the
15 loan and financing the truck.

16 It is simply the Town of Oyster Bay
17 recognizes their tax exempt status, which allows
18 them to buy the truck at a lower cost to them, and,
19 therefore, to the residents of that fire protection
20 area.

21 SUPERVISOR SALADINO: So we are
22 affirming by a vote today that they're tax exempt?

23 MS. FAUGHNAN: Correct.

24 SUPERVISOR SALADINO: Enables them to
25 do a better job in terms of fire protection and

1 gives that -- passes that break along, that
2 reduction of the cost along to the taxpayers of the
3 fire company specifically, and it is a law that
4 they must come before us in order to get that
5 permission?

6 MS. FAUGHNAN: Absolutely correct,
7 Supervisor.

8 SUPERVISOR SALADINO: Thank you so
9 much. Wonderful job. We really appreciate it.

10 MR. CAMMARATA: You did my work for me.
11 Good morning, Mr. Supervisor, Town
12 Board members.

13 James Cammarata, 53 East Main Street,
14 Oyster Bay, New York for the East Norwich Fire
15 Company.

16 With me is Christopher Velsor, he is
17 the President of the fire company.

18 Elizabeth Faughnan did a wonderful job
19 explaining. Counsel did a great job explaining the
20 purpose of the financing.

21 Under the IRS Code, the IRS allows
22 banking institutions that lend to fire protection
23 organizations, volunteer organizations, to
24 participate in low-interest financing.

25 The way it essentially works is that

1 the bank who is lending the money does not have to
2 pay income tax on the profit generated from the
3 loan, and, therefore, certain institutions reduce
4 the cost of the loan to the fire corporation.

5 For us to -- for the fire corporation
6 to participate, it requires a Resolution to the
7 Town Board where the fire company's headquarters is
8 located, just essentially certifying that the fire
9 corporation's a not-for-profit fire corporation.

10 And, in fact, we are. The East Norwich
11 Fire Company is a not-for-profit special fire
12 corporation organized under New York State
13 not-for-profit corporation laws.

14 So we'd very much appreciate the
15 approval today and so we can get on with purchasing
16 a fire truck.

17 SUPERVISOR SALADINO: Thank you so much
18 for your presentation.

19 MR. CAMMARATA: Any questions?

20 SUPERVISOR SALADINO: That's our next
21 step.

22 Any questions? Anyone have any
23 questions?

24 MR. CAMMARATA: Thank you so much.

25 SUPERVISOR SALADINO: Thank you so

1 much.

2 I'd like to take this opportunity to
3 thank you and your members for your dedication, for
4 your -- everything you provide us in the way of
5 safety when the -- all of us are running from a
6 fire, you're running in, and you and your members
7 have an affinity and a dedication to excellence
8 that's second to none.

9 We're so proud of you and appreciative
10 so, God bless you and all of the members of your
11 fire company.

12 MR. CAMMARATA: Thank you,
13 Mr. Supervisor.

14 SUPERVISOR SALADINO: Is there any --
15 would anyone like to be heard on this hearing?

16 Yes. Please come forward.

17 Would you kindly state your name and
18 address for the record?

19 MS. EATON: Margaret Eaton, 239 Lee
20 Avenue, Hicksville.

21 I don't have a statement. I have a
22 question -- or it is a statement.

23 I just want to clarify, can I assume
24 that this provision is grant -- has been granted to
25 all of the fire departments within the Town of

1 Oyster Bay? Okay. That's all I want to know.

2 Thank you.

3 SUPERVISOR SALADINO: Wherever it
4 applies. Wherever it specifically applies.

5 MS. EATON: For the volunteer
6 firehouses?

7 SUPERVISOR SALADINO: Yes.

8 MS. EATON: Thank you.

9 MR. CAMMARATA: I'd be --

10 MS. FAUGHNAN: I was going to say, I
11 personally am not aware of any instance where the
12 Town has denied an application such as this one. I
13 know that the Town most recently did one in the
14 fall for Oyster Bay Fire Company No. 1, but I'm not
15 aware of any time that the Town said, no, we will
16 not give that message and allow the institution to
17 borrow at a lower rate.

18 SUPERVISOR SALADINO: Does that fully
19 answer your question?

20 MS. EATON: Yes. Yes.

21 SUPERVISOR SALADINO: Okay.

22 Thank you.

23 Would anyone else like to be heard on
24 this?

25 Please indicate to the record that no

1 one has raised their hand.

2 Town Clerk, is there any correspondence
3 on this?

4 MR. ALTADONNA: We have affidavits of
5 postings and publications.

6 There is no other correspondence.

7 SUPERVISOR SALADINO: All right.

8 May I have a motion, please?

9 COUNCILMAN MUSCARELLA: Supervisor, I
10 make a motion that this public hearing be closed
11 and the decision be voted on today.

12 COUNCILMAN MACAGNONE: Second.

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

15 ALL: "Aye."

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

18 (No verbal response given.)

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

21 Would you proceed, please, on the vote?

22 MR. ALTADONNA: On the vote:

23 Supervisor Saladino?

24 SUPERVISOR SALADINO: "Aye."

25 MR. ALTADONNA: Councilman Muscarella?

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COUNCILMAN MUSCARELLA: "Aye."

MR. ALTADONNA: Councilman Macagnone?

COUNCILMAN MACAGNONE: "Aye."

MR. ALTADONNA: Councilwoman Alesia?

COUNCILWOMAN ALESIA: "Aye."

MR. ALTADONNA: Councilwoman Johnson is
absent.

Councilman Imbroto?

COUNCILMAN IMBROTO: "Aye."

MR. ALTADONNA: Councilman Hand?

COUNCILMAN HAND: "Aye."

MR. ALTADONNA: The motion passes with
six "Ayes" and one absence.

SUPERVISOR SALADINO: Thank you so much
for coming here today, and thank you again, and
please share with your members, our tremendous
appreciation for their efforts, their dedication in
protecting our lives and our property.

MR. VELSOR: I will.

Thank you.

SUPERVISOR SALADINO: God bless you
all.

(TIME NOTED: 11:07 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
April 10, 2018
11:08 a.m.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

A B S E N T:

COUNCILWOMAN MICHELE M. JOHNSON

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

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

Minutes of the meeting
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KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Okay.

2 Time to proceed with the regular Action
3 Calendar, if you would, please.

4 MR. ALTADONNA: May I have motion to
5 suspend the rules and add Resolutions 252 and
6 253-2018?

7 Resolution No. 252-2018; Resolution to
8 amend Resolution No. 34-2018 in connection with the
9 2018 Fire Protection Contracts. (M.D. 4/3/18 #23).

10 Resolution No. 253-2018; Resolution
11 directing the Town Clerk to publish a notice of
12 hearing in connection with the 2017 and 2018 Fire
13 Protection Agreements with East Norwich Volunteer
14 Fire Company No. 1. Hearing Date: April 24, 2018.
15 (M.D. 4/3/18 #24).

16 On the motion?

17 COUNCILMAN MUSCARELLA: So moved.

18 COUNCILMAN MACAGNONE: Second.

19 MR. ALTADONNA: Motion made by
20 Councilman Muscarella, seconded by Councilman
21 Macagnone.

22 On the vote:

23 Supervisor Saladino?

24 SUPERVISOR SALADINO: "Aye."

25 MR. ALTADONNA: Councilman Muscarella?

1 COUNCILMAN MUSCARELLA: "Aye."

2 MR. ALTADONNA: Councilman Macagnone?

3 COUNCILMAN MACAGNONE: Only question.

4 Didn't we just vote on 253?

5 SUPERVISOR SALADINO: There is a reason
6 that the -- there -- it's on twice.

7 COUNCILMAN MACAGNONE: Okay.

8 SUPERVISOR SALADINO: We can get that
9 answered for you. Both are components of this.
10 I think one is -- well, let's get the
11 opinion.

12 Where is our counsel, our legal
13 counsel? We went over this the other day and
14 there's a reason why it's on twice.

15 COUNCILMAN MACAGNONE: Please.

16 Thank you.

17 SUPERVISOR SALADINO: Of course.

18 A procedural reason, obviously.

19 COUNCILMAN MACAGNONE: Okay. I'd like
20 to know.

21 SUPERVISOR SALADINO: Absolutely.
22 Absolutely. Just one moment. We're getting our
23 counsel.

24 MR. ALTADONNA: This is just to add it.

25 COUNCILMAN MACAGNONE: Oh, I know, but

1 I still want to know why we're doing it.

2 SUPERVISOR SALADINO: More than
3 reasonable.

4 COUNCILMAN MACAGNONE: If you don't
5 mind, James.

6 MR. ALTADONNA: I have no issue with
7 that, Councilman.

8 SUPERVISOR SALADINO: Would you please
9 approach?

10 Councilman Macagnone had a question --
11 would you kindly state your presence?

12 MR. SCALERA: Sure.

13 Frank M. Scalera, Chief Deputy Town
14 Attorney, Oyster Bay.

15 SUPERVISOR SALADINO: Councilman
16 Macagnone had a question as to why if we just voted
17 on the hearing for the tax exempt financing for
18 East Norwich Fire Company, why is it then again on
19 for Resolution 253, and I believe we had discussed
20 that this is procedural?

21 MR. SCALERA: Yeah, it's procedural.
22 You have the hearing --

23 MS. FAUGHNAN: It's Resolution 250 --

24 SUPERVISOR SALADINO: Oh, I apologize.

25 COUNCILMAN MACAGNONE: Okay.

1 MS. FAUGHNAN: 253 is a completely
2 separate matter.

3 MR. SCALERA: You had a hearing on it.
4 I understand Beth Faughnan was here.

5 Yeah, that was the hearing.

6 COUNCILMAN MACAGNONE: That's on 250.
7 I'm sorry.

8 Thank you.

9 MR. SCALERA: Right. The hearing was
10 closed. She made a presentation.

11 COUNCILMAN MACAGNONE: And we voted on
12 it.

13 MR. SCALERA: Well --

14 COUNCILMAN MACAGNONE: You were here.
15 I'm sorry.

16 MR. SCALERA: I heard it a little bit.

17 COUNCILMAN MACAGNONE: I'll fill you
18 in. It was voted on and passed six/nothing.

19 MR. SCALERA: Okay.

20 Procedurally, the proper procedural,
21 you know, requirement is having a resolution voted
22 on a hearing because sometimes you have hearings,
23 you close them, and next month after, you have a
24 resolution. So that's it, but the resolution would
25 be the proper form of accepting -- voting on the

1 actual --

2 SUPERVISOR SALADINO: So, in essence,
3 the first time we had the hearing and we voted on
4 it and now it's to accept the results of that
5 hearing to put into --

6 MR. SCALERA: Right.

7 COUNCILMAN MACAGNONE: First time was
8 practice, in other words.

9 MR. SCALERA: The Resolution is your
10 decision on what was proposed at the hearing and if
11 I'm correct --

12 COUNCILMAN MACAGNONE: But we voted six
13 nothing to accept it.

14 MR. SCALERA: Okay. If you want me to
15 say you shouldn't have voted after the end of the
16 hearing --

17 COUNCILMAN MACAGNONE: Thank you.

18 MR. SCALERA: You should -- you vote on
19 the Resolution, which is the determination you make
20 as a Board as to what you heard at the hearing. We
21 just did it the same day. A lot of times, we'll do
22 it a different day, but for this particular hearing
23 and Resolution, I understand is for the tax
24 exempt --

25 SUPERVISOR SALADINO: Yes.

1 MR. SCALERA: -- for a tax exempt
2 purchase for the fire department, which doesn't
3 cost the taxpayers.

4 SUPERVISOR SALADINO: It also allows
5 us --

6 COUNCILMAN MACAGNONE: The same would
7 be for 235, which we voted on already also.

8 MR. SCALERA: It would probably be the
9 same if there was a hearing earlier.

10 COUNCILMAN MACAGNONE: Yes. I'm sorry.

11 MR. SCALERA: I'm in the back room
12 doing other legal research for you folks, but yeah,
13 I kind of heard.

14 SUPERVISOR SALADINO: Yes. Thank you.

15 It also allows the fire department
16 members to get back to work as opposed to waiting
17 throughout the whole -- all of the resolutions and
18 all of the public comment so they can get back to
19 work knowing that we're in favor.

20 MR. SCALERA: Oh, sure. If you're
21 calling them right after, yes. Very well. So it
22 is a procedural.

23 COUNCILMAN MACAGNONE: Thank you,
24 Mr. Scalera.

25 SUPERVISOR SALADINO: Thank you so

1 much.

2 COUNCILMAN MACAGNONE: That explains a
3 lot.

4 SUPERVISOR SALADINO: Any other
5 questions? Okay.

6 MR. ALTADONNA: Okay. Let me just
7 finish.

8 SUPERVISOR SALADINO: Yes, of course.

9 COUNCILMAN MACAGNONE: Thank you.

10 MR. ALTADONNA: You're always welcome.

11 COUNCILMAN MACAGNONE: "Aye."

12 MR. ALTADONNA: No. No. We're still
13 doing the motion.

14 On the motion:

15 COUNCILMAN MUSCARELLA: So moved.

16 COUNCILMAN MACAGNONE: Second.

17 I thought we did that part already.

18 MR. ALTADONNA: On the vote:

19 Supervisor Saladino?

20 SUPERVISOR SALADINO: "Aye."

21 MR. ALTADONNA: Councilman Muscarella?

22 COUNCILMAN MUSCARELLA: "Aye."

23 MR. ALTADONNA: Councilman Macagnone?

24 COUNCILMAN MACAGNONE: "Aye."

25 MR. ALTADONNA: Councilwoman Alesia?

1 COUNCILWOMAN ALESIA: "Aye."

2 MR. ALTADONNA: Councilwoman Johnson is
3 absent.

4 Councilman Imbroto?

5 COUNCILMAN IMBROTO: "Aye."

6 MR. ALTADONNA: Councilman Hand?

7 COUNCILMAN HAND: "Aye."

8 MR. ALTADONNA: Motion to suspend the
9 rules and add Resolutions No. 252 and 253-2018
10 passes with six "Ayes" and one absence.

11 SUPERVISOR SALADINO: Thank you.

12 MR. ALTADONNA: May I have a motion to
13 adopt Resolution Nos. TF-6-18 through
14 Resolution No. 253-2018?

15 TRANSFER OF FUNDS RESOLUTION NO.
16 TF-6-18; Resolution pertaining to Transfer of Funds
17 within various departments accounts for the Year
18 2018.

19 Resolution No. 217-2018; Resolution
20 granting request from United States Coast Guard
21 Auxiliary, Joseph Orlich, Flotilla Operations
22 Officer, Oyster Bay Flotilla 22-05 to use one slip
23 at Theodore Roosevelt Marina for the 2018 boating
24 season with all fees waived. (M.D. 3/20/18 #4).

25 Resolution No. 218-2018; Resolution

1 granting requests from D. Minuto to donate a tree
2 and memorial plaque, as well as a plaque for an
3 existing bench to be placed at Plainview-Old
4 Bethpage Community Park in memory of several family
5 members. (M.D. 3/20/18 #5 & 6).

6 Resolution No. 219-2018; Resolution
7 authorizing renewal of the Department of Planning
8 and Development's membership in the Long Island
9 Association, Inc. From September 1, 2017 through
10 August 31, 2018 and to authorize the Comptroller to
11 make payment for said membership fee. Account No.
12 PAD B 3620 47900 000 0000. (M.D. 3/20/18 #12).

13 Resolution No. 220-2018; Resolution
14 authorizing the renewal of membership in the
15 Building Inspectors Association of Nassau County
16 for the 2018 calendar year from May 1, 2018 through
17 April 30, 2019; Account No. PAD B 3620 47900 000
18 0000. (M.D. 3/20/18 #13).

19 Resolution No. 221-2018; Resolution
20 authorizing the property cleanup of 30 Arch Lane,
21 Hicksville, New York, performed on September 18,
22 2017, be referred to the County of Nassau for
23 placement on the Nassau County Tax Assessment
24 Rolls. (M.D. 3/20/18 #15).

25 Resolution No. 222-2018; Resolution

1 authorizing the property cleanup of 47 Chestnut
2 Street, Hicksville, New York, performed June 16,
3 2017, be referred to the County of Nassau for
4 placement on the Nassau County Tax Assessment
5 Rolls. (M.D. 3/20/18 #16).

6 Resolution No. 223-2018; Resolution
7 authorizing the property cleanup of 14 Gainsboro
8 Lane, Syosset, New York, performed September 5,
9 2017, be referred to the County of Nassau for
10 placement on the Nassau County Tax Assessment
11 Rolls. (M.D. 3/20/18 #17).

12 Resolution No. 224-2018; Resolution
13 authorizing the property cleanup of 44 Langdon
14 Road, Farmingdale, New York, performed October 18,
15 2017, September be referred to the County of Nassau
16 for placement on the Nassau County Tax Assessment
17 Rolls. (M.D. 3/20/18 #18).

18 Resolution No. 225-2018; Resolution
19 authorizing the property cleanup of 6 Barbara Lynn
20 Court, Plainview, New York, performed August 15,
21 2017, be referred to the County of Nassau for
22 placement on the Nassau County Tax Assessment
23 Rolls. (M.D. 3/20/18 #19).

24 Resolution No. 226-2018; Resolution
25 authorizing the property cleanup of 18 Sherman

1 Avenue, Plainview, New York, performed October 24,
2 2017, be referred to the County of Nassau for
3 placement on the Nassau County Tax Assessment
4 Rolls. (M.D. 3/20/18 #20).

5 Resolution No. 227-2018; Resolution
6 authorizing the property cleanup of 62 Alhambra
7 Road, Massapequa, New York, performed October 17,
8 2017, be referred to the County of Nassau for
9 placement on the Nassau County Tax Assessment
10 Rolls. (M.D. 3/20/18 #21).

11 Resolution No. 228-2018; Resolution
12 authorizing the property cleanup of 116 Thorne
13 Drive Bethpage, New York, performed September 19,
14 2017, be referred to the County of Nassau for
15 placement on the Nassau County Tax Assessment
16 Rolls. (M.D. 3/20/18 #22).

17 Resolution No. 229-2018; Resolution
18 authorizing acceptance of the design and entrance
19 into the bid and construction phases for contract
20 no. Department of Public Works 16-143, Closure of
21 Tank #31 at Miller Place, Syosset, New York. M.D.
22 3/20/18 #23).

23 Resolution No. 230-2018; Resolution
24 authorizing award of Contract No. HFR18-172,
25 Requirements Contract for Fence Replacement

1 throughout the Town of Oyster Bay. (M.D. 3/20/18
2 #24).

3 Resolution No. 231-2018; Resolution
4 authorizing an agreement for professional services
5 for AED oversight from January 1, 2018 through
6 December 31, 2018 and for the Supervisor or his
7 designee to execute said agreement. Account No. DPS
8 A 3010 44900 000 0000. (M.D. 3/20/18 #25).

9 Resolution No. 232-2018; Resolution
10 authorizing an agreement to employ food services
11 for the Group Activities Program barbecue,
12 scheduled to be held May 12, 2018 at Marjorie R.
13 Post Community Park, which will be paid by Friends
14 of The Community Services department., Inc., and
15 for the Supervisor or his designee to execute
16 agreement for said services. (M.D. 3/27/18 #5).

17 Resolution No. 233-2018; Resolution
18 authorizing the employment for the services of
19 musicians for various dates and locations for the
20 Senior Summer Program and to authorize the
21 Supervisor or his designee to execute agreements
22 for said services; Account No. CYS A 7020 47660 000
23 0000. (M.D. 3/27/18 #6).

24 Resolution No. 234-2018; Resolution
25 relating to the designation of Town Depositories

1 for 2018. (M.D. 3/27/18 #14).

2 Resolution No. 235-2018; Resolution
3 directing the Town Clerk to publish a Notice of
4 Hearing on proposed amendments to the Code of the
5 Town of Oyster Bay, New York, amending Chapter 233
6 of the said Code pertaining to parking, stopping,
7 crossing, loading zones, thru traffic, trucking
8 operations and other traffic regulations. Hearing
9 Date: April 24, 2018. (M.D. 3/27/18 #15).

10 Resolution No. 236-2018; Resolution
11 pertaining to an increase in authorization for
12 legal services to the Town in connection with
13 various matters. Account No. OTA A 1420 44110
14 000 0000. (M.D. 3/27/18 #16).

15 Resolution No. 237-2018; Resolution
16 authorizing the property cleanup of 173 15th
17 Street, Hicksville, New York, performed August 8,
18 2017, be referred to the County of Nassau for
19 placement on the Nassau County Tax Assessment
20 Rolls. (M.D. 3/27/18 #17).

21 Resolution No. 238-2018; Resolution
22 authorizing the property cleanup of 47 Chestnut
23 Street, Hicksville, New York, performed July 7,
24 2017, be referred to the County of Nassau for
25 placement on the Nassau County Tax Assessment

1 Rolls. (M.D. 3/27/18 #18).

2 Resolution No. 239-2018; Resolution
3 authorizing the property cleanup of 14 Gainsboro
4 Lane, Syosset, New York, performed July 7, 2017, be
5 referred to the County of Nassau for placement on
6 the Nassau County Tax Assessment Rolls. (M.D.
7 3/27/18 #19).

8 Resolution No. 240-2018; Resolution
9 authorizing the property cleanup of 23 Soloff Road,
10 Massapequa, New York, performed August 7, 2017, be
11 referred to the County of Nassau for placement on
12 the Nassau County Tax Assessment Rolls. (M.D.
13 3/27/18 #20).

14 Resolution No. 241-2018; Resolution
15 authorizing the property cleanup of 4699 Merrick
16 Road, Massapequa, New York, performed August 11,
17 2017, be referred to the County of Nassau for
18 placement on the Nassau County Tax Assessment
19 Rolls. (M.D. 3/27/18 #21).

20 Resolution No. 242-2018; Resolution
21 authorizing the bid and construction phases of
22 Contract No. HMR18-174, Requirements Contract for
23 Micro-surfacing throughout the Town of Oyster
24 Bay. (M.D. 3/27/18 #22).

25 Resolution No. 243-2018; Resolution

1 authorizing engineering services for Contract No.
2 H17-161 - retrofit of existing streetlights to LED
3 with Solar power and battery backup as part of the
4 New York Rising Community Reconstruction Program
5 for locations in Massapequa and Massapequa Park and
6 for the Supervisor or his designee to execute the
7 consultant agreement for the project. Account No.
8 Intergovernmental Affairs H 1997 20000 000 1303
9 001. (M.D. 3/27/18 #24).

10 Resolution No. 244-2018; Resolution
11 authorizing implementation of the 2018 Summer
12 Beach, Ramp, and Joseph J. Saladino Memorial Marina
13 at Tobay Operation and Fee Schedule.
14 (M.D. 3/27/18 #25).

15 Resolution No. 245-2018; Resolution
16 authorizing a Third Amendment to the Community
17 Development Block Grant Disaster Recovery
18 Sub-recipient Agreement with the Housing Trust Fund
19 Corporation and to authorize the Supervisor or his
20 designee to execute said Agreement in connection
21 with the New York Rising Community Reconstruction
22 Program. (M.D. 3/27/18 #13 & 4/3/18 #7).

23 Resolution No. 246-2018; Resolution
24 authorizing award of Contract No. DP17-166-Synthetic
25 Turf Field replacement at Syosset-Woodbury Park.

1 Account No. PKS H 7197 20000 000 1802 001. (M.D.
2 3/27/18 #23 & 4/3/18 #15).

3 Resolution No. 247-2018; Resolution to
4 adopt a Negative Declaration and approve the
5 Contract of Sale for 50 Engel Street, Hicksville,
6 New York, and to authorize the Supervisor or his
7 designee to execute said contract. (M.D. 3/27/18
8 #26 & 4/3/18 #22).

9 Resolution No. 248-2018; Resolution
10 authorizing the services of an appraiser to prepare
11 an appraisal of a vacant lot on Orchard Street,
12 Plainview, New York. Account No. OTA A 1420 44110
13 000 0000. (M.D. 3/27/18 #27 & 4/3/18 #12).

14 Resolution No. 249A-2018; Resolution/
15 Order pertaining to the decision on the issuance of
16 bonds in the amount of \$6,800,000 for Public
17 Parking District Improvements. Hearing held:
18 April 10, 2018. (M.D. 3/13/18 #18).

19 Resolution No. 249B-2018; Resolution
20 authorizing the issuance of bonds in the amount of
21 \$6,800,000 for Public Parking District
22 Improvements. Hearing held: April 10, 2018. (M.D.
23 3/13/18 #18).

24 Resolution No. 250-2018; Resolution
25 pertaining to the decision on Tax Exempt Financing

1 for East Norwich Fire Company No. 1, for the
2 purpose of purchasing a replacement tower ladder
3 truck. Hearing held: April 10, 2018. (M.D. 3/20/18
4 #28).

5 Resolution No. 251-2018; Resolution
6 pertaining to the decision for the application of
7 Taco Bell of America, LLC, for a Special Use Permit
8 and Site Plan Approval to construct and operate a
9 restaurant to be utilized for a new Taco Bell
10 restaurant on premises located at 424 Jericho
11 Turnpike, Syosset, New York. Hearing held: June 6,
12 2017. (M.D. 6/7/17 #7).

13 Resolution No. 252-2018; Resolution to
14 amend Resolution No. 34-2018 in connection with the
15 2018 Fire Protection Contracts. (M.D. 4/3/18 #23).

16 Resolution No. 253-2018; Resolution
17 directing the Town Clerk to publish a notice of
18 hearing in connection with the 2017 and 2018 Fire
19 Protection Agreements with East Norwich Volunteer
20 Fire Company No. 1. Hearing Date: April 24, 2018.
21 (M.D. 4/3/18 #24).

22 On the motion?

23 COUNCILMAN MUSCARELLA: So moved.

24 COUNCILMAN MACAGNONE: Second.

25 MR. ALTADONNA: Motion made by

1 Councilman Muscarella, seconded by Councilman
2 Macagnone.

3 You have various speakers.

4 SUPERVISOR SALADINO: Okay.

5 Thank you, Town Clerk Altadonna.

6 Our first speaker will be Amy Musnik.

7 Good morning, Amy.

8 MS. MUSNIK: Good morning.

9 SUPERVISOR SALADINO: Please step up
10 and could you start off by please giving us your
11 full name and address for the record?

12 MS. MUSNIK: Sure.

13 Amy Musnik, 21 Fairhaven Boulevard in
14 Woodbury. I am representing the AP Willets PTA.

15 We voted in June 2017 at our meeting
16 against the Taco Bell. I have e-mailed everyone
17 just to put it out there because it's now back on
18 your agenda.

19 So we took a vote and our quorum at the
20 time of that meeting was ten, and we had about 30
21 members show up to vote against the Taco Bell
22 building on Jericho Turnpike. Some topics that
23 were brought up to avoid traffic pattern in that
24 area, it's very heavy as is. Our school is located
25 behind that area and it's pretty much hidden as is

1 and we'd like to keep it that way, avoiding crime,
2 vandalism, any potential security issues that we
3 now -- schools have all been aware of.

4 Another issue is that our school
5 district overall is really talking about healthy
6 eating and it's a very unhealthy food option that's
7 open to 4:00 a.m. So it's just bringing a lot of
8 different options to the environment that we don't
9 need.

10 So again, I'm just representing our PTA
11 and our membership, that we are against the
12 building of the Taco Bell on Jericho Turnpike.

13 Thank you.

14 SUPERVISOR SALADINO: Thank you very
15 much.

16 Our next speaker will be Larry Sklar.

17 MR. SKLAR: Good morning, Town Council,
18 Supervisor.

19 I just have two things. One, in this
20 printed version this month, we don't have any
21 prices on the thousands on what it cost to demolish
22 them, but yet it's in these minutes. It would be
23 nice to know.

24 And second question is, you've always
25 had the prices for each house. We spent over

1 \$11,000.

2 Did we ever recoup any of this money?

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

5 Any other questions before I ask you to
6 take a seat?

7 MR. SKLAR: You what?

8 SUPERVISOR SALADINO: Do you have any
9 other questions you'd like to get answered?

10 MR. SKLAR: No.

11 SUPERVISOR SALADINO: So if you'd
12 kindly take a seat, I'm going to ask -- I
13 believe --

14 MR. SKLAR: Okay. Oh, wait.

15 Yes, I do have one more before.

16 SUPERVISOR SALADINO: Of course, Larry.

17 MR. SKLAR: Okay. Nice to hear
18 something good.

19 Last week, I was on Clark Street and I
20 can't believe what you did to that house.

21 SUPERVISOR SALADINO: Thank you.

22 MR. SKLAR: Really amazing.

23 SUPERVISOR SALADINO: We are all
24 excited about that.

25 MR. SKLAR: And you really deserve a

1 congratulations for doing it.

2 SUPERVISOR SALADINO: Thank you, Larry.

3 MR. SKLAR: It looks like somebody is
4 living in there.

5 SUPERVISOR SALADINO: Yeah.

6 MR. SKLAR: I'm a squatter. I'm going
7 to move in now. It looks great.

8 SUPERVISOR SALADINO: I know you're
9 only kidding.

10 MR. SKLAR: Really.

11 SUPERVISOR SALADINO: So we don't have
12 to have you escorted out.

13 Thank you, Larry.

14 Thanks for that nice compliment.

15 MR. ALTADONNA: It's on the record.

16 SUPERVISOR SALADINO: What Mr. Sklar is
17 referring to is a change in our Town Code.

18 Thanks to all of our Board members as
19 well as our committee on --

20 COUNCILMAN IMBROTO: Quality of Life.

21 Our Quality of Life Task Force.

22 SUPERVISOR SALADINO: Thank you.

23 Our Town of Oyster Bay Quality of Life
24 Task Force, which is being co-chaired by Councilman
25 Lou Imbroto and our Town Clerk, James Altadonna Jr.

1 with the support of all of the Board,
2 we have a changed our Town Code, and among the
3 changes -- in an effort to fight the problem of
4 zombie homes, which you've heard, has been very,
5 very successful. Looking forward to reading about
6 these changes in our paper and in the media because
7 it's really made a difference and so many residents
8 have thanked us for this change.

9 And because by getting the word out to
10 the other municipalities, we start to become the
11 template for others to follow in terms of bringing
12 relief in the communities to the problem of zombie
13 homes. We have made it mandatory for banks and the
14 lending institutions that own these homes to put
15 \$25,000 in escrow so as to ensure that they are
16 paying for the upkeep and maintenance and not our
17 taxpayers.

18 And additionally, what Mr. Sklar
19 specifically referred to was that we are now
20 mandating that these homes take down the plywood on
21 the doors and the windows and replace it with
22 polycarbonate, which is also known by the brand
23 name Plexiglass.

24 When you go by these homes, you see the
25 inside of the house, which makes it safer, and no

1 longer will these homes have the unsightly plywood
2 up, which really puts a very negative connotation
3 in the communities, and our residents have
4 responded.

5 So I thank our Board members. I thank
6 our Commissioner and the Department for doing such
7 a great job and I want to specifically thank James
8 Altadonna Jr. and Lou Imbroto for heading up and
9 chairing this very important task force, which is
10 bringing real results to our residents. So thank
11 you to all of you.

12 Thank you for pointing out, Mr. Sklar.
13 We really appreciate it.

14 So I'm going to ask Commissioner
15 Maccarone to come on up and speak to us a little
16 bit about some of the issues concerning Mr. Sklar's
17 question.

18 COMMISSIONER MACCARONE: Good morning.

19 Elizabeth Maccarone, Commissioner of
20 Planning and Development.

21 On today's docket or Town Board
22 calendar, as well as many of the others, we have
23 the property cleanups.

24 As many of you know, when we receive a
25 request or a complaint regarding an unkept piece of

1 property, we send out our code enforcement
2 officers. We attempt to get the property owner to
3 do the required work.

4 In many instances, it's a vacant piece
5 of property. After the proper service, we will
6 then notify our Highway Department and they will
7 send out their crew to perform the work that needs
8 to be done.

9 At that point, the Highway Department
10 prepares a list of all the hours that were worked
11 by their staff. It is forwarded to Planning and
12 Development and to the Town Attorney's Office.

13 The Town Attorney's Office prepares
14 this paperwork that is before you today to recoup
15 the money for the services that were performed by
16 Town personnel. And this Resolution, once it's
17 adopted, it will be sent over to Nassau County and
18 will be put on the tax rolls of the -- of the
19 specific property. So we do get -- we do recoup
20 the money for the work that has been done.

21 SUPERVISOR SALADINO: Thank you,
22 Commissioner.

23 For those of you who follow along with
24 our Resolutions and take a look at the backup,
25 you'll see on many of our Town Resolutions, perhaps

1 the majority of them or close to it, are for
2 authorizing property cleanup and then putting it on
3 the tax assessment rolls so that the home can't be
4 sold with the -- and the deed transferred without
5 the Town being paid.

6 Now, there are residents, through our
7 notifications, who take care of the property
8 themselves. There are residents who don't respond.
9 It's a long legal process that we adhere to and we
10 give the resident plenty of opportunities to be
11 forewarned and give them an opportunity to do the
12 cleanup themselves.

13 When they don't, we proceed with this
14 and do that cleanup and charge the homeowner so
15 that our taxpayers are not absorbing that cost.

16 I believe that answers Mr. Sklar's
17 question.

18 COMMISSIONER MACCARONE: Yes.

19 SUPERVISOR SALADINO: And I thank you,
20 Commissioner, very much.

21 COMMISSIONER MACCARONE: And all that
22 information is up on the Town website with the
23 calendar, all the backup showing the cost
24 associated with each Resolution.

25 SUPERVISOR SALADINO: And that we fully

1 document how many employees and what the charge is
2 and what the --

3 COMMISSIONER MACCARONE: -- equipment.

4 SUPERVISOR SALADINO: -- and how we
5 arrive at that cost.

6 COMMISSIONER MACCARONE: Absolutely.

7 SUPERVISOR SALADINO: Thank you very
8 much, Commissioner, for your diligence.

9 All right.

10 Our next speaker will be Patricia
11 Flynn.

12 MS. FLYNN: Hi. Good morning.

13 My name is Patricia Flynn. I'm
14 representing other residents of Syosset who do want
15 the Taco Bell.

16 I've lived here since 1989. We've
17 really a Taco Bell here for a very long time. I
18 know the food might not be ultra wonderful all the
19 time, but it's another option and we've always
20 wanted it.

21 As far as inconveniencing our
22 neighbors, if the drive-thru is very close to their
23 homes, we certainly don't want that. If there's
24 some way to make it a better drive-thru or put it
25 across the street in the old Burger King area.

1 Also, open until 4:00 in the morning,
2 it just seems to be bringing in -- I don't know
3 what. I mean, I don't know what the purpose is of
4 4:00 in the morning, who you will really get to
5 come in there at 4:00 in the morning. Maybe people
6 that are at bars and they're hungry and who knows
7 what we can bring in there. I don't think it's a
8 good idea. 1:00, maybe, you know, but we love
9 having a Taco Bell, but we just don't know about
10 the particulars of that location, and that's all I
11 wanted to say.

12 COUNCILMAN MACAGNONE: Ms. Flynn, I
13 live in the neighborhood.

14 You mentioned the Burger King.

15 MS. FLYNN: Yeah.

16 COUNCILMAN MACAGNONE: Also, the old
17 Chase Bank over by the old King Kullen would be an
18 ideal location.

19 MS. FLYNN: Exactly.

20 COUNCILMAN MACAGNONE: There's a light
21 there. It doesn't affect residents behind it.

22 MS. FLYNN: Can it have a drive-thru
23 over there near that King Kullen?

24 COUNCILMAN MACAGNONE: Yeah, there's a
25 drive-thru for the bank.

1 MS. FLYNN: Okay. I know what you
2 mean.

3 COUNCILMAN MACAGNONE: Yeah.

4 MS. FLYNN: Yeah, I mean, because I'm
5 sure we could all work it out.

6 COUNCILMAN MACAGNONE: Location is --
7 no one is really against Taco Bell. It's just the
8 location, I believe.

9 MS. FLYNN: Okay. Because I thought --
10 okay. Sure. Okay. Thank you.

11 COUNCILMAN IMBROTO: Ms. Flynn, just so
12 I understand, you are in favor of a Taco Bell.

13 MS. FLYNN: Yeah.

14 COUNCILMAN IMBROTO: But you are
15 opposed to this Taco Bell?

16 MS. FLYNN: You know, honestly, I don't
17 know how far, logistic wise, the drive-thru would
18 be to the neighbors, but since I am a resident, I
19 want to stick up for my neighbors, and if they say
20 it's too close, then I really think it must be too
21 close.

22 But having a Taco Bell, I'm not the
23 only one. You know, we've talked about it for
24 years over the many years, and wouldn't it be great
25 to have a Taco Bell. We're always going down to

1 Plainview or in Hicksville, and it's a nice option.

2 COUNCILMAN IMBROTO: Okay.

3 So even as somebody who likes Taco Bell
4 and wants a Taco Bell, you think that maybe this
5 location might be inappropriate?

6 MS. FLYNN: Yeah. Yeah.

7 COUNCILMAN IMBROTO: Okay. Thank you.

8 MS. FLYNN: All right. You're welcome.

9 SUPERVISOR SALADINO: Thank you,
10 Ms. Flynn.

11 That's all I have on these Resolutions.

12 Is there anyone else who would like to
13 be heard on any of the Resolutions?

14 COUNCILWOMAN ALESIA: Supervisor, I
15 just wanted to comment on 247.

16 I just want to verify, this is a
17 negative declaration on 50 Engel Street, but this
18 is for the sale, so depending on who comes forward
19 to purchase the property, there would then be
20 another environmental review at that time?

21 SUPERVISOR SALADINO: Let me get that
22 answer specifically.

23 Who do we have? George Baptista?
24 Would you kindly come forward?

25 MR. BAPTISTA: Good morning,

1 Supervisor, Town Board.

2 George Baptista, Deputy Commissioner,
3 Department of Environmental Resources.

4 To the Councilwoman's question, yes,
5 Councilwoman, any future applicants would be
6 required to do a full environmental assessment.

7 COUNCILWOMAN ALESIA: But my colleague
8 is explaining to me that this is -- and thank you
9 for that, Councilman -- that this is approving a
10 sale to Hicksville bus lot for their use. So I'm
11 very confused as to how we can say that there is no
12 environmental impact on traffic at all for a bus
13 lot where this was a plant before. It seems like a
14 different use that would have some --

15 COUNCILMAN IMBROTO: Deputy, I have the
16 same concern because how could it be a negative
17 declaration if what they're proposing to do is an
18 as-of-right use and they would not need to come
19 back for another application?

20 MR. BAPTISTA: They would still be
21 subject to an environmental review and all of the
22 constraints during that environmental review. So
23 while we're explaining that the negative
24 declaration is only for the sale, certainly we can
25 do the full environmental review and all of the

1 constraints that would apply during that review
2 process.

3 COUNCILWOMAN ALESIA: You can do it or
4 you will have to do it?

5 MR. BAPTISTA: We'll have to do it.

6 COUNCILWOMAN ALESIA: So I'm definitely
7 a little confused.

8 So we're selling it to this bus lot?

9 MR. BAPTISTA: Correct.

10 COUNCILWOMAN ALESIA: And the negative
11 declaration is that the sale has no impact on the
12 environment?

13 MR. BAPTISTA: That's correct,
14 Councilwoman.

15 COUNCILWOMAN ALESIA: What about their
16 use? So they -- but they're buying it without
17 knowing whether or not they're going to be
18 approved?

19 MR. BAPTISTA: That's entirely
20 possible.

21 They -- certainly someone from the Town
22 Attorney's Office would be better --

23 COUNCILMAN IMBROTO: Well, perhaps the
24 Commissioner of Planning and Development might be
25 able to better answer that.

1 The use that's being proposed on this
2 site, would that require any approval from --

3 SUPERVISOR SALADINO: Just a moment,
4 please.

5 Commissioner, would you step forward,
6 please?

7 Thank you, Mr. Baptista.

8 COMMISSIONER MACCARONE: Yes, this
9 is -- you're voting on the sale of the property,
10 but like any other piece of property that you sell,
11 you are not selling the property for a specific
12 use. It's being purchased by this bus company, but
13 they are purchasing it just as a piece of property.

14 They still have to come and apply for
15 building permits, site plan applications, perhaps
16 use permits as to what they're going to use the
17 property for and that will require a full Planning
18 and Development review, as well as a special use --
19 environmental review, similar to the sale of DPW
20 and that project.

21 COUNCILWOMAN ALESIA: But is this bus
22 lot an as-of-right use for this parcel?

23 COMMISSIONER MACCARONE: In the LI
24 District, yes.

25 COUNCILWOMAN ALESIA: So it -- but

1 noneththeless, will require a SEQR review?

2 COMMISSIONER MACCARONE: SEQR review
3 during the site plan review process.

4 COUNCILWOMAN ALESIA: I'm satisfied,
5 thank you.

6 SUPERVISOR SALADINO: Thank you.

7 Thank you very much.

8 Is there anyone else, Town Board, or in
9 the public? Yes. Yes. Thank you.

10 Please step forward, and if you could
11 please start off by giving us your full name and
12 full address.

13 MS. AHEARN: Sure.

14 Maureen Ahearn, 12 Jarvis Avenue in
15 Syosset. I live directly behind the proposed Taco
16 Bell. I can see that property from my house. Not
17 necessarily opposed to Taco Bell or a restaurant,
18 there's a restaurant there now.

19 So I don't know what we could do to say
20 that we can't put another restaurant there, but the
21 drive-thru and the nature of traffic that would be
22 on Jericho Turnpike right there, which is a pretty
23 congested area, and the hours just don't seem
24 reasonable or necessary. I'm not sure who's going
25 to a restaurant at 3:00 in the morning, but I don't

1 know that I want those -- that extra chaos and
2 irresponsibility happening on my streets at 3:00 in
3 the morning.

4 COUNCILWOMAN ALESIA: I want to just
5 comment on your comment because I haven't really --
6 I haven't discussed it with any of the other Board
7 members and I'm not sure how anybody else feels
8 about it, but since we're in open session, an open
9 forum, and this is a good opportunity to bring it
10 up, I want to tell my colleagues that I take that
11 road every single day, twice a day, to get to and
12 from work and I think a drive-thru there is a
13 really dangerous idea.

14 You already have cars coming out of
15 Rare 650 and coming out of the Beverage Barn,
16 difficult turns, a split to get on the 135 and I
17 feel it is a completely inappropriate use for the
18 property.

19 COUNCILMAN MACAGNONE: I'll go a step
20 further, I go by there all the time, I live in
21 proximity. People leave that Chipotle, there's no
22 left hand turn, one out of every four cars makes a
23 left hand turn onto Jericho Turnpike. I can't see
24 adding more confusion into that neighborhood.

25 COUNCILWOMAN ALESIA: At a minimum,

1 you've got two of us. I don't know how the other
2 Board members feel, but I just wanted to express
3 that out here to the rest of you that as somebody
4 who has personal experience there, I think it's a
5 mistake.

6 COUNCILMAN HAND: Ms. Ahearn, you
7 brought up a very valid point in regards to the
8 drive-thru.

9 Initially, the request was somewhere
10 around the 4:00 hour. There were some restrictive
11 covenants to 2:00, but that would be setting a much
12 later time than other drive-thrus in that area, so
13 for that reason, I'm very concerned about it.

14 MS. AHEARN: Yeah, just having a
15 drive -- I mean, there are backyards right there.
16 Having a car idle right -- you know, within feet of
17 where children are sleeping. You can't idle your
18 car outside a school, but you can idle your car
19 outside my backyard.

20 And I understand that Taco Bell
21 proposed microphone suggestions and how it all
22 would be laid out to respect the neighbors, but the
23 drivers won't be respecting the neighbors so I'm
24 concerned about --

25 COUNCILWOMAN ALESIA: Sometimes

1 something just isn't the right fit for the price,
2 no question.

3 MS. AHEARN: Right. So I just wanted
4 to voice my concerns about that, so thank you for
5 that.

6 SUPERVISOR SALADINO: We thank you very
7 much for your adding to our hearing.

8 Is there anyone who would like to be
9 heard on the Taco Bell application or any other
10 item on today's Resolutions?

11 Yes. Please come forward.

12 Would you kindly start off by giving us
13 your full name and full address?

14 MS. ALESSI: My name is Terri Alessi.
15 I live at 7 Harriet Drive in Syosset, which is also
16 in the neighborhood behind the Taco Bell.

17 I think -- I know some people have been
18 confused about whether or not -- has Taco Bell
19 already purchased that property? Is it definitely
20 going in or is it just a question of whether or not
21 there will be a drive-thru?

22 COUNCILMAN MACAGNONE: I wouldn't know.

23 COUNCILMAN MUSCARELLA: I don't know
24 that a contract has been deeded. I don't know.

25 SUPERVISOR SALADINO: Is there someone

1 here who is familiar with that fact? We are
2 listening to the application, but we will get you
3 that answer. Can you give us some more
4 information?

5 COUNCILMAN IMBROTO: They're described
6 as a lessee on the Resolution.

7 MS. ALESSI: Excuse me, I'm sorry?

8 COUNCILMAN IMBROTO: They're described
9 as a lessee on the Resolution.

10 MS. ALESSI: Okay.

11 COUNCILWOMAN ALESIA: A renter?

12 COUNCILMAN IMBROTO: That's what the
13 Resolution says.

14 I don't know firsthand whether -- who
15 owns the property.

16 SUPERVISOR SALADINO: A lessee on the
17 property rather than purchasing it, but we can get
18 you an answer.

19 Do you have -- while we're finding that
20 out, do you have other comments or would you like
21 to give us your opinion on this application?

22 MS. ALESSI: Speaking as someone who
23 lives in the neighborhood, we would prefer it not
24 to be there. Whether or not -- I don't know if
25 it's going in and the question is just the

1 drive-thru or not, but as someone who lives in the
2 neighborhood, you know, a restaurant that
3 potentially has a drive-thru that's open until
4 4:00 a.m. is not something that's desirable to us.

5 It invites crime. It invites potential
6 vandalism. It invites -- you know, my parents
7 always said nothing good happens after midnight.

8 SUPERVISOR SALADINO: I was thinking
9 the same thing.

10 MS. ALESSI: You know, do we need
11 people driving around our neighborhood potentially,
12 you know, looking for a place to park and have
13 their late night snack? No.

14 Is it another unhealthy food option for
15 the area? Yes.

16 Do we have Chipotle right next door
17 where you can get essentially the same thing at --
18 you know, according to Chipotle, arguably, a better
19 health grade? Yes.

20 And then I would also just say, in
21 front of that particular area, the -- the parcel of
22 land that they're looking to put it, there is a
23 change in the traffic pattern there as well. That
24 is where it goes from three lanes to two lanes, so
25 you already have that congestion and then

1 everything else that Councilwoman Alesia spoke to,
2 it's just a lot going on there and it just seems
3 like a very bad spot to put some kind of restaurant
4 that's going to have a giant traffic flow going
5 through. That's all.

6 SUPERVISOR SALADINO: We very much
7 appreciate your testimony.

8 It's very helpful in our decision-
9 making. At least one other resident said that
10 they're not opposed to a Taco Bell or that type of
11 fast food establishment in another location.

12 What are your feelings on that?

13 MS. ALESSI: I wouldn't have an
14 opposition to it in another location. I just feel
15 that that particular location --

16 SUPERVISOR SALADINO: -- is not
17 properly suited for that location.

18 MS. ALESSI: It's not. It's not
19 favorable for that kind of a restaurant.

20 SUPERVISOR SALADINO: Thank you very
21 much. You've been very helpful today.

22 MS. ALESSI: Thank you.

23 SUPERVISOR SALADINO: Is there anyone
24 else who would like to be heard on this application
25 or any of the Resolutions before us today?

1 Would you like to come back up again.

2 MS. EATON: Margaret Eaton, 239 Lee
3 Avenue, again, Hicksville.

4 Just questions regarding Resolution
5 249A and 249B.

6 First of all, we know that you are
7 under litigation and you were trying to recoup some
8 of the funds that we laid out to begin with.

9 Are you able to share how much money we
10 are suing for?

11 SUPERVISOR SALADINO: Let me ask that
12 of Counsel.

13 Is Mr. Scalera nearby? Let's bring him
14 out and a get that question. Obviously, there's
15 been negotiation.

16 MS. EATON: Okay.

17 And then, just also with 249A, what is
18 the difference between 249A and 249B?

19 SUPERVISOR SALADINO: Okay. We will
20 get that answered for you.

21 MS. EATON: Okay. Thank you.

22 SUPERVISOR SALADINO: Mr. Scalera, we
23 have a resident -- why don't you state your
24 presence again?

25 MR. SCALERA: Frank M. Scalera, Chief

1 Deputy Town Attorney, Town of Oyster Bay.

2 SUPERVISOR SALADINO: We have a
3 question as to the status.

4 Obviously, in terms of a lawsuit, we
5 can't discuss every aspect of it, but of what you
6 can discuss, can we just speak very briefly to the
7 issue at hand.

8 MR. SCALERA: Sure.

9 A lawsuit was started by the Town of
10 Oyster Bay against the person -- the entity who
11 built the -- built the garage and the entity that
12 designed the garage. That lawsuit is pending in
13 Nassau County, Supreme Court.

14 Document Discovery has been exchanged,
15 which is typical in a lawsuit, and depositions have
16 not been held as of yet. They will be held
17 shortly. The amount of the damages in the lawsuit,
18 I don't recall. I can find out. But it would be
19 at least -- at least the amount of money that we
20 will be spending to repair it.

21 SUPERVISOR SALADINO: Why don't please
22 find that out and confer with the resident to make
23 sure that she leaves today with that information?

24 MR. SCALERA: But I'll just say it's at
25 least what we're going to expect, prepare --

1 SUPERVISOR SALADINO: At least the cost
2 of the upgrades.

3 MR. SCALERA: -- it but if you want to
4 know the exact number we put in the lawsuit, I'll
5 find out right now.

6 SUPERVISOR SALADINO: Why don't you
7 find that out and report back to the resident
8 directly?

9 MR. SCALERA: Sure.

10 SUPERVISOR SALADINO: Thank you.

11 And, Mr. Darienzo, would you join us as
12 to answering the question as to why we have an A
13 and B on today's schedule -- today's Resolutions?

14 MR. DARIENZO: Good morning again,
15 Supervisor and Town Board members.

16 249A and 249B, B is the actual
17 Resolution, and A is a -- I believe it's called a
18 public interest order. Both documents are prepared
19 by our outside bond counsel and provided to me for
20 review by this Board.

21 I believe it's just a matter of
22 following the protocols of the local finance law,
23 but the important one, the more important one is
24 249B, that's the actual Resolution that authorizes
25 the bond issuance.

1 SUPERVISOR SALADINO: But to go ahead
2 with this, both have to be passed?

3 MR. DARIENZO: Correct.

4 Much like the order calling for the
5 public hearing two weeks ago. This is part of the
6 procedure.

7 SUPERVISOR SALADINO: Okay. Thank you
8 very much.

9 MR. DARIENZO: No problem.

10 SUPERVISOR SALADINO: Is there anyone
11 else who has a question on any of these
12 Resolutions?

13 (No verbal response given.)

14 SUPERVISOR SALADINO: Let the record
15 indicate that no one has raised their hand.

16 Do we have any notifications and
17 correspondence?

18 MR. ALTADONNA: Yes.

19 I have one from a Mr. Kevin McKenna
20 he'd like read into the record. He's a Syosset
21 resident.

22 "Do you want a Taco Bell to get
23 approved to build a store within a drive-thru,
24 replacing the Inn Between restaurant and bar at 24
25 Jericho Turnpike, Syosset, just east of Jackson

1 Avenue. Original application was to be open as
2 late as Inn Between, 2:00 a.m."

3 SUPERVISOR SALADINO: Any other
4 correspondence?

5 MR. ALTADONNA: That was it.

6 SUPERVISOR SALADINO: All right.

7 May I have a motion.

8 COUNCILMAN MACAGNONE: Hang on,
9 Supervisor.

10 SUPERVISOR SALADINO: Certainly.
11 Certainly.

12 COUNCILMAN MACAGNONE: I've gotten many
13 correspondence from residents against this
14 application I've shared it with all the Board
15 members. Syosset residents came out overwhelmingly
16 against this.

17 I just wanted to share that with you.

18 SUPERVISOR SALADINO: Thank you. Thank
19 you so much.

20 May I have a motion?

21 MR. ALTADONNA: We have the motion on
22 the table.

23 The motion was made by Councilman
24 Muscarella, seconded by Councilman Macagnone.

25 Now, we're going to take the vote.

1 SUPERVISOR SALADINO: Yes.

2 The Town Clerk will now call for the
3 vote.

4 MR. ALTADONNA: On the vote:

5 Supervisor Saladino?

6 SUPERVISOR SALADINO: "Aye" on all,
7 except for Resolution 251.

8 Over the weeks, the Town has received
9 overwhelming opposition from the Syosset residents
10 in regards to the construction of a Taco Bell
11 drive-thru on Jericho Turnpike.

12 Homeowners bordering this property and
13 in the surrounding residential neighborhoods have
14 expressed many, many concerns. Those concerns
15 range from late night hours and lights, to limited
16 parking, idling cars, noise created from delivery
17 and Dumpster service, as well as the sounds
18 emanating from the intercom, and, as we heard
19 today, issues about the safety for our children,
20 safety on our roadways and the potential conduct of
21 the customers of this facility throughout the day,
22 but especially what might be expected at night and
23 late night hours.

24 With this area already congested in the
25 Jericho Turnpike area, residents currently have

1 serious traffic and pedestrian safety concerns.
2 Specifically, they reference a potentially
3 dangerous situation related to an increase in cars
4 entering and exiting the property in an area in
5 which three lanes of Jericho Turnpike merge into
6 two lanes.

7 With this in mind, and being here to
8 voice the needs of our residents and listening
9 fully to all of the issues by -- in so many
10 different ways here today at the hearing, through
11 correspondence, I am casting my vote of "no" in
12 opposition to this project.

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: I vote "Aye" on
15 all, except for Resolution 251, I vote no.

16 MR. ALTADONNA: Councilman Macagnone?

17 COUNCILMAN MACAGNONE: I vote "Aye" on
18 all with the exception of 247, I vote no.

19 And 251, I vote no.

20 MR. ALTADONNA: Councilwoman Alesia?

21 COUNCILWOMAN ALESIA: No on 251.

22 "Aye" as to the rest.

23 MR. ALTADONNA: Councilwoman Johnson is
24 absent.

25 Councilman Imbroto?

1 COUNCILMAN IMBROTO: I vote "Aye" on
2 all, and I also vote no on 251.

3 I think that the residents of Syosset
4 have made themselves very clear. Particularly,
5 persuasive to me was the individual who came and
6 said that she wants a Taco Bell, but this is not
7 the appropriate location. So I -- having heard
8 nothing in support of the application, I vote no on
9 251 as well.

10 MR. ALTADONNA: Councilman Hand?

11 COUNCILMAN HAND: "Aye" on all with the
12 exception of 251, which I vote "Nay."

13 And on Councilman Macagnone's point,
14 I'd like to add into correspondence the
15 overwhelming number of e-mails we have received in
16 regards to being against this application.

17 MR. ALTADONNA: Sure. Excellent.

18 COUNCILMAN MACAGNONE: Mr. Clerk?

19 MR. ALTADONNA: Resolutions TF-6-18
20 through 246 passes with six "Ayes."

21 Resolution 247 passes with five "Ayes"
22 and one "Nay."

23 248 through 250 passes with six "Ayes."

24 251 fails with six "Ayes" and one
25 absent.

1 250 to 253 passes with six "Ayes."

2 The calendar is complete.

3 SUPERVISOR SALADINO: Just for the
4 record, I believe that was six "Nays," not six
5 "Ayes."

6 MR. ALTADONNA: Six "Nays." I'm sorry.
7 Six "Nays."

8 SUPERVISOR SALADINO: Resolution 251 is
9 defeated.

10 MR. ALTADONNA: Six "Nays."

11 SUPERVISOR SALADINO: Thank you, Town
12 Clerk.

13 MR. ALTADONNA: You're welcome.

14 The calendar is complete.

15 SUPERVISOR SALADINO: All right.

16 The calendar is complete, and I thank
17 you very much.

18 And I thank all of the residents,
19 especially on Resolution 251. This is the way
20 government is supposed to work. We are here to
21 listen to you and to represent your needs and you
22 did a wonderful job in conveying the issues,
23 sticking to the facts, presenting it very
24 professionally, and I want to thank you as we point
25 out this, once again, proves it's a brand-new day

1 in the Town of Oyster Bay and we are so happy to
2 work with you to continue good government in our
3 Town and protect our neighbors, protect our
4 communities, protect our children and make the Town
5 a safer place.

6 God bless you all. Thank you.

7 As we stated earlier, we are going to
8 break now for another Executive Session to confer
9 with counsel and then we'll come out after that,
10 report on any actions, if we take an action, and
11 then listen to public comment.

12 And I thank you very much for your
13 patience.

14 COUNCILMAN MUSCARELLA: Supervisor, I
15 make a motion that this Town Board go to Executive
16 Session for the purpose of discussion regarding
17 proposed, pending and current litigation.

18 COUNCILMAN MACAGNONE: Second.

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

21 ALL: "Aye."

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

24 (No verbal response given.)

25 SUPERVISOR SALADINO: The "Ayes" have

1 it.

2 Thank you. We'll be coming back out to
3 finish our meeting as quickly as possible.

4 (Whereupon, the Executive Session
5 began at 11:42 a.m. and the proceedings resumed at
6 12:18 p.m. as follows:)

7 SUPERVISOR SALADINO: Ladies and
8 gentlemen, if I may have your attention, please.

9 Councilman Muscarella has the floor.

10 COUNCILMAN MUSCARELLA: Supervisor, I
11 make a motion to end the Executive Session. No
12 action has been taken by the Board.

13 COUNCILMAN MACAGNONE: Second.

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

16 ALL: "Aye."

17 SUPERVISOR SALADINO: Opposed, "Nay."

18 (No verbal response given.)

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

21 So now we need another motion to close
22 our regular board meeting so we may proceed with
23 public comment.

24 COUNCILMAN MUSCARELLA: Supervisor, I
25 make a motion to close the meeting.

1 COUNCILMAN MACAGNONE: Second.

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

4 ALL: "Aye."

5 SUPERVISOR SALADINO: Those opposed,
6 "Nay."

7 (No verbal response given.)

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

10 All right. Thank you, ladies and
11 gentlemen.

12 (TIME NOTED: 12:20 P.M.)

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