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TOWN BOARD
Town of Oyster Bay

REGULAR MEETING

July 15, 2025

10:00 a.m.

SPECIAL PRESENTATION

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: ALEXA LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR	JOSEPH S. SALADINO
COUNCILMAN	LOUIS B. IMBROTO
COUNCILMAN	STEVE L. LABRIOLA
COUNCILWOMAN	LAURA L. MAIER
COUNCILWOMAN	VICKI WALSH
COUNCILMAN	ANDREW MONTELEONE

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

RICHARD LaMARCA	TOWN CLERK
JEFFREY P. PRAVATO	RECEIVER OF TAXES
FRANK SCALERA, ESQ.	TOWN ATTORNEY
ELIZABETH VAUGHNAN, ESQ.	DEPUTY TOWN ATTORNEY

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PRAYER:

Rabbi Deborah Bravo

PLEDGE:

Gerald Ford

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SUPERVISOR SALADINO: Good morning, ladies and gentlemen, and welcome to our Oyster Bay Town Board meeting for Tuesday, July 15, 2025. I'm Joe Saladino, your town supervisor, and we're so thrilled to have you with us. And a special treat, is that so many of our interns who have been involved in the intern program with joining with us at a town board meeting, and we hope you've been having a fantastic learning experience here with the Town of Oyster Bay.

So for those of you joining us for the first time, everyone has an opportunity to be heard on matters brought before the Town Board, as well as during the public comment portion that takes place at the end of the meeting. As always, this meeting is live streamed on social media as well as on the Town's website, and I hope all you interns know that what the Town's website is, that's like question number one. It is

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2 OysterBaytown.com. All of our
3 information, our programs, including our
4 free concerts, are all listed, and our
5 Movies By Moonlight. We have a Department
6 of Community and Youth Services that has
7 been doing a fantastic job with
8 presenting our free concerts. And our
9 free Movies By Moonlight tonight in John
10 Burns Park at 8 p.m., we have an ABBA
11 experience. Everybody remembers ABBA. You
12 all listened to ABBA in the 70's, I'm
13 sure. And tomorrow night we have Michael
14 DelGuidice, who is a long time performer,
15 actually a member of the Billy Joel band,
16 fantastic musician. And then it just
17 keeps getting better and better. We're
18 very proud of our concerts, and I hope
19 everybody will be joining us for that.

20 So as I mentioned, this meeting is
21 live streamed and the proceedings are
22 recorded and later transcribed. But your
23 voices are important to us. Statements,
24 comments and input from the public
25 relative to our meetings are always

1
2 welcome. And we respect one another,
3 especially when someone is speaking. To
4 submit comments online as they may relate
5 to any resolution, any hearing we do, you
6 can e-mail us at publiccomment -- that's
7 one word at
8 publiccomment@OysterBay-NY.gov/
9 publiccomment@OysterBay_NY.gov. Or you
10 can mail us office of the Town Attorney,
11 54 Audrey Avenue, Oyster Bay, New York
12 11771.

13 We are very proud to have a dear
14 friend and a tremendously respected
15 member of the religious community with us
16 today. For those of you, especially our
17 interns joining us for the first time,
18 when I became supervisor in the Town of
19 Oyster Bay back in January 31st of 2017,
20 we introduced prayer at the opening of
21 our town board meetings. And some people
22 said you can't do prayer. Prayer? You
23 can't have government mixed with
24 religion. That's against the
25 Constitution. It actually is not. And

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2 what I said is, if it's good enough for
3 the New York State Senate to begin
4 session with prayer, and good enough for
5 the New York State Assembly, where I
6 served previously and Councilman Labriola
7 served previously, it's good enough to
8 start the session in the State Capitol
9 with prayer, it's good enough for the
10 Town of Oyster Bay. And it also serves as
11 an important way for us to get to know
12 one another. We're one family. We're a
13 mosaic in the Town of Oyster Bay, and
14 it's very important for us to learn about
15 all the religions, all the cultures and
16 the congregations and the people who lead
17 those congregations. With us today is
18 someone very, very special. A dear
19 friend, Rabbi Deborah Bravo, who is the
20 founder of Makom New York.

21 Rabbi, would you please lead us in
22 prayer? And if everyone would kindly
23 stand, we appreciate it.

24 RABBI BRAVO: So good to have so many
25 interns and young people in our space

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this morning.

May be your will, Adonai, our God and God of our fathers and our mothers, that you bless this community and its citizens. Pour out your blessing upon the elected officials and all who faithfully serve the needs of this great community. Grant them wisdom, understanding, and discernment to govern with justice and compassion. To make decisions that foster peace, happiness, and freedom for all.

Inspire us, the residents of this town, to appreciate one another and to work together to build a community where love, fellowship and friendship flourish amongst people of all backgrounds and beliefs.

We continue to pray for peace across our country and throughout this world. We pray for the return of the 50 hostages still being held in Gaza, and we thank the Town of Oyster Bay for continued support.

We pray that all individuals can

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find a path toward goodness, kindness,
and sacred work to make this world even
greater. May we all strive to be a beacon
of light and goodness, and together we
say, Amen.

(Whereupon, all, "Amen".)

SUPERVISOR SALADINO: Thank you,
Rabbi. We greatly appreciate you and your
friendship.

One quick question, Rabbi. How many
congregants do you have in Makom
involved?

RABBI BRAVO: We have about 550
families. That represents about 1,200
people.

SUPERVISOR SALADINO: Wonderful. See
that? We got to know a little bit about
our friends.

And thank you again for mentioning
the hostages. This is very, very
important to us. Jeff Pravato and I went
to Israel right before the attack, and I
can't believe 700 people have been
released. Terrorists. Some murderers,

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anti-Semitic. All. All. And we still
can't get our hostages home? So we pray
for the safe return of those living and
the remains of those who are not living,
including our beloved favorite son in the
Town of Oyster Bay, our Plainview
resident, Omer Neutra, his remains are
still not being released to his family,
his wonderful, loving family. And we
come together as one family to push for
that, to lobby for their return. And to
remind people sometimes the messages
you're getting are not accurate. This is
a horrific situation. Israel has been
attacked. They continue to hold the
hostages. You see one side of the story,
and there's not enough attention to
provide the information of these
incredible families and what was done to
the people of Israel and what continues
to be done in terms of harassment and all
of the many negative issues toward our
Jewish brothers and sisters. Well, we
don't tolerate that in our town.

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So thank you so much, Rabbi Bravo.
And thank you for your incredible
leadership.

Let's give Rabbi Bravo a big thank
you. Thank you for joining us today. God
bless you and all of your congregants.

RABBI BRAVO: Thank you.

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SUPERVISOR SALADINO: We also begin our town board meetings with the Pledge of Allegiance. And leading us today is Gerald Ford, who was the Chief Warrant Officer with the United States Marine Corps for over 18 years and then was Chief Warrant Officer three with the U.S. Army National Guard for 12 years.

Gerry proudly served from 1977 to 2018. That's a long time to serve in the military, folks. Gerry is also a valued member of our town family working in our IT Department.

Gerry, we know the story because my father said it many, many times. A proud marine, once a marine, always a marine. We thank you for leading us in the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was said.)

SUPERVISOR SALADINO: Thank you, Gerry, for your defense of America's freedom. Thank you for a very long and storied career representing and

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protecting America. Quite frankly, we have jobs in representative government because you and others got the job done in protecting our government. We greatly appreciate you.

And as we all stand together, let us keep in mind the men and women in the United States Armed Forces serving here in our homeland and across the nation. Let's keep in mind our men and women in law enforcement, all of our first responders, our emergency responders, our fire medic members. And of course, let us continue to keep in mind all of the hostages and the families of all of those affected.

Please be seated.

Thank you, Gerry. Let's give Gerry a big hand.

Thank you.

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SUPERVISOR SALADINO: Before we get started with our program and then our town board meeting, a special congratulations goes out to the Labriola family and the Pravato family as some of their beloved have become engaged. Let's give them all the big hands. Many, many blessings to the Labriola and Pravato families.

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SUPERVISOR SALADINO: So this morning we're very happy and privileged to welcome the exceptional Class of 2025 Summer Interns. The Town's intern program provides real world experience for students over the summer. We commend our interns for your dedicated service. We thank you very much. Each of you will be receiving a Certificate of Achievement for your efforts, as well as our best wishes.

Bottom line is, folks, when you work in different fields at this stage in life, it gives you a feel for things you enjoy and maybe things you don't want to do in life, which is important. Especially, as you're starting off your college career or you're in your college career because it gives you time to decide; I like this field, I don't. I want to put my major or my course load on an area that I enjoy. And that's how you find out. Try things, continue to intern, volunteer, work in as many fields as you

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can to get a sense of what you want. Because when you find the job that fits, it doesn't feel like work. And my colleagues and I will all back that up because we love what we do representing the Town of Oyster Bay. So with that, we thank you very much. And I understand the intern is going to join us all up here for a group photo; is that correct? Yes. So who is leading them? Esther, would you do that? You bring them all up. All right. We're going to we're going to sit in our seats and we're going to have you come up here. We're going to take the group photo with you.

(Whereupon, a group photo was taken.)

SUPERVISOR SALADINO: Thank you. So, to our interns, I always feel as though this is a great opportunity. Ladies and gentlemen, I mentioned about trying different experiences to get a sense of what you want to do in life, about professionalism, but I will give you a

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little geography lesson of life. Is everybody ready for this one? Remember this, it's about happiness. The city of happiness is located in the state of the mind; The city of happiness is located in the state of the mind. Think about what that means and think about what that means to you. You're responsible for your own happiness. Seek it out. Seek out the things that are healthy. Seek out the things that propel you forward, not only professionally, but personally. Make good choices and make your parents and us proud. Do it when it's easy. Do it when it's tough. There are lots of good choices and good opportunities for you in life. Keep making good choices and you'll see that as you learn to paddle with the current instead against the current, you'll have a lot more success in life. But remember, say, that's right, Supervisor Joe Saladino, years ago, said the city of happiness is located in the state of the mind. The way you look at

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2 things. Remember there is good in every
3 situation. Find it and keep improving
4 your lives because you get to choose. You
5 get to choose. Now that you're adults,
6 you get to choose where your life goes.
7 You get to choose the choices you make,
8 and those choices will dictate where you
9 end up in life.

10 So we wish you all the best of luck.
11 Keep in touch. We hope that you're all
12 successful in your careers, in your
13 lives, and we hope when it's time for you
14 to find that permanent place to live, you
15 choose the best town in America, The Town
16 of Oyster Bay. But I don't just say that,
17 because it's backed up. *US News and World*
18 *Report*, one of the leading national
19 magazines, named communities in the Town
20 of Oyster Bay among the best places to
21 live throughout the country, and the
22 number one and number three places in New
23 York state. We're very proud of that.

24 COUNCILWOMAN MAIER: And the safest
25 county.

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SUPERVISOR SALADINO: Thank you,
Councilwoman Maier, the safest county.
Councilman Labriola?

COUNCILMAN LABRIOLA: Thank you,
Supervisor.

I just wanted to just add my words
to you as you go into the world and leave
us. But thank you, first of all, for
sharing your talents with us. I think
it's the young people in the Town of
Oyster Bay that's what's going to help
lead us into the new and exciting future
of artificial intelligence, and of
course, making our town a much more
efficient and more beautiful place.

Not everybody knows exactly what
they want to do at your age -- except for
Supervisor Saladino. I think that when he
was about two-years-old, he said he
wanted to be a supervisor in the Town of
Oyster Bay.

SUPERVISOR SALADINO: I waited until
I was four.

COUNCILMAN LABRIOLA: When he could

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 speak. As soon as he could speak.

 But, the truth of the matter is, is that by trying before you buy, that's the expression that I like to use with internships. It's like when you test drive a car before you buy it. It's the same thing with your career. Sometimes an internship is giving you the opportunity to try something out before you actually make that commitment. How many times do people change their majors throughout college? Not sure what they want to be, what they're going to do. Even people who graduate with law degrees end up becoming nurses or police officers, et cetera. People change their minds and that's okay.

 Well, one thing about government you should know is that it employs just about every profession that you can think of, from astronauts to attorneys and nurses and teachers and doctors, et cetera. There's always a place, especially in our first responders and law enforcement. My

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daughter interned for the Police Department when she was about your age, and today she's an intelligence analyst. She's working behind the scenes, solving crimes and investigating gangs, et cetera, keeping our community safe. It's something that she's always wanted to do because she was one of those Law and Order junkies back in the day. Criminal Minds and Law and Order and those are the things that got her interested and excited. So when she goes to work as the supervisor said, it's not really like work. You don't think of it as work when you love what you do.

And, so, hopefully you'll choose that. And if you don't get the first shot, you'll have another opportunity. You can always change it up. But at least remember this: In government we have great opportunities for young people. You got to think about the benefits. The pension at the end of your career. There's a pension waiting for you in

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addition to all of the benefits that government offers in security. But we need young people to fill these roles and to continue making the Town of Oyster Bay, and of course, New York State, a great place to live and to raise your family.

So I thank you once again and good luck to each and every one of you as you go forward.

SUPERVISOR SALADINO: Thank you, Councilman Labriola.

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, ALEXA LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 15th day of July 2025.

Alexa Lorenzo
ALEXA LORENZO

1	10:14 Achievement [1] - 15:10 add [1] - 19:7 addition [1] - 22:2 Adonai [1] - 8:3 adults [1] - 18:5 affected [1] - 13:17 age [2] - 19:18, 21:3 ago [1] - 17:23 Alexa [1] - 23:16 ALEXA [3] - 1:22, 23:7, 23:17 Allegiance [3] - 12:4, 12:19, 12:21 Amen [1] - 9:6 Amen" [1] - 9:7 America [2] - 13:2, 18:15 America's [1] - 12:23 analyst [1] - 21:4 ANDREW [1] - 2:10 anti [1] - 10:2 anti-Semitic [1] - 10:2 appreciate [4] - 7:23, 8:14, 9:9, 13:6 area [1] - 15:23 Armed [1] - 13:9 Army [1] - 12:9	artificial [1] - 19:14 Assembly [1] - 7:5 astronauts [1] - 20:22 attack [1] - 9:23 attacked [1] - 10:16 attention [1] - 10:18 ATTORNEY [2] - 2:15, 2:16 Attorney [1] - 6:10 attorneys [1] - 20:22 Audrey [1] - 6:11 Avenue [1] - 6:11	become [1] - 14:7 becoming [1] - 20:15 begin [2] - 7:3, 12:2 behind [1] - 21:5 beliefs [1] - 8:18 beloved [2] - 10:6, 14:7 benefits [2] - 21:23, 22:2 best [4] - 15:11, 18:10, 18:15, 18:20 better [2] - 5:17 big [3] - 11:5, 13:20, 14:8 Billy [1] - 5:15 bit [1] - 9:18 bless [2] - 8:5, 11:7 blessing [1] - 8:6 blessings [1] - 14:9 board [4] - 4:11, 6:21, 12:3, 14:4 BOARD [1] - 1:2 Board [2] - 4:4, 4:18 Bottom [1] - 15:13 BRAVO [3] - 7:24, 9:14, 11:8 Bravo [4] - 3:3, 7:19, 11:2, 11:5 bring [1] - 16:12
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TOWN BOARD
Town of Oyster Bay

REGULAR MEETING

July 15, 2025

10:21 a.m.

HEARING - P-5-25

To consider the application of
KK Marketplace 2468, LLC, fee owner, for a
Special Use Permit at premises located at
8063 Jericho Turnpike, Woodbury, New York.

(M.D. 6/3/25 #24)

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: ALEXA LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO
COUNCILMAN LOUIS B. IMBROTO (10:31 a.m.)
COUNCILMAN THOMAS HAND (ABSENT)
COUNCILMAN STEVE L. LABRIOLA
COUNCILWOMAN LAURA L. MAIER
COUNCILWOMAN VICKI WALSH
COUNCILMAN ANDREW MONTELEONE

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

RICHARD LaMARCA TOWN CLERK
JEFFREY P. PRAVATO RECEIVER OF TAXES
FRANK SCALERA, ESQ. TOWN ATTORNEY
ELIZABETH FAUGHNAN, ESQ. DEPUTY TOWN ATTORNEY

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APPEARANCES:

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New York, New York 10012

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SUPERVISOR SALADINO: With that Town Clerk Rich LaMarca, would you please poll the Board.

TOWN CLERK: Supervisor Saladino?

SUPERVISOR SALADINO: Present.

TOWN CLERK: Councilman Imbroto is absent. Councilman Hand is absent.

Councilman Labriola?

COUNCILMAN LABRIOLA: Present.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Present.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Present.

TOWN CLERK: And Councilman Monteleone?

COUNCILMAN MONTELEONE: Present.

TOWN CLERK: We have a quorum.

SUPERVISOR SALADINO: Thank you very much.

Can you call the first hearing, please?

TOWN CLERK: Today's first hearing is to consider the application of K.K. Marketplace 2468, LLC, the owner, for a

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special use permit at premises located at
863 Jericho Turnpike, Woodbury, New York.

SUPERVISOR SALADINO: Well, some of
them have some responsibilities and their
Deputy Commissioners are taking them back
to work. If you don't, we encourage you
to stay, watch the hearings, see how
representative government works. We're
proud of the democracy we uphold in this
town and this is part of the American way
of doing government.

Good morning, Counselor. How are
you?

MR. WEBER: Excellent. Thank you.
Thank you so much, Mr. Supervisor, for
indulging that. I was so excited when I
saw all the interns here.

SUPERVISOR SALADINO: This is just
some of our interns.

MR. WEBER: Because I actually
brought two of my own interns here today
for the exact reason that you said
before. Whether win or lose, whether this
application gets approved or not, this

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town is a great example of good government; that is 100% true.

SUPERVISOR SALADINO: I like to say great government.

MR. WEBER: I agree as well.

Bram Weber of the Weber Law Group, 290 Broad Hollow Road, Melville.

I have two interns with me as well. Tom Frankel, who's a law student at Touro Law School; he is with us for the summer. And I have another intern who is with us for the year, Layla Motlin. She graduated Binghamton University in three years. She's taking a gap year before she goes to law school. She is a resident of the Town of Oyster Bay. So we brought her here as well to observe this hearing. Generally, I don't put the interns before the applicant team, but I thought it was important.

SUPERVISOR SALADINO: Quite appropriate.

MR. WEBER: Yeah. Thank you.

SUPERVISOR SALADINO: Counselor, Mr.

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Weber, would you kindly ask them to stand to be recognized?

We're very proud of our interactive government here. The people are the owners of the town who have entrusted us to run it for them. But we work for the residents. They own this town. When we protect the facilities, when we protect the services, shooting for the best, striving to make our services the best in the nation, and also our processes and our hearings are a part of that. So we're very, very proud of that. We're thrilled to have the two of you here. We wish you and all our interns all the best. But it doesn't happen because of luck, right? The harder you work, the luckier you get. It's just the way life works, right?

Bram Weber, would you please continue?

MR. WEBER: Yes. Thank you so much, Mr. Supervisor. And again, thank you to the interns for staying to watch this public hearing.

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So our public hearing today is a complete training experience. We won't call it a gym because they don't call themselves a gym. It's Action Black, which will be located at the Marketplace Shopping Center, which is a shopping center at 8063 Jericho Turnpike in Woodbury.

I have a disclosure from Manuela Flores. She is the general manager for US Operations. Special Counsel of the town board, Tom Sabelico, asked that I submit this for the record, so I have that for the record. Thank you (handing).

SUPERVISOR SALADINO: And, Mr. Weber, because we have so many interns, young people here. Just in a couple of sentences, if you would, at an elementary level, explain why you're here; what are they applying for; what's on the property now; and what they would like to build. This is called zoning. Town of Oyster Bay Town and many villages control their own zoning. And we hope and pray that

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continues in New York State -- separate subject.

So we get to hear an application. Listen to the public and then make a decision to approve or deny. It's not like we get to tell them what we want on the site. They, by constitutional right, get to make an application for a facility, for a commercial entity, whatever it might be, on the site. And we get to listen and listen to the public and then make our decision on the zoning.

With that, Mr. Weber, please continue.

MR. WEBER: Absolutely. So we are here for a special use permit, which is a use, then, therefore, with a special use permit from the town board. It is a fitness facility called Action Black. The property is, as I said, the Marketplace, which is a shopping center, which some of you may know, which is on Jericho Turnpike in Woodbury. It's where the restaurant Sushi Vogue is. I'm trying to

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talk to both sides so I apologize. It's where the restaurant Sushi Vogue is and Anthony's Coal Fired Pizza. There was a Party City in this location, and I think that's an important point, which is because Party City, as you may know, has recently filed for bankruptcy. So therefore, that space may become vacant soon. So this town has a mantra, which states they do not like empty storefronts. So what we are trying to do is bring a new use to this property. Not in the Party City space -- I'll get to that in a second -- but there is currently a 15,000 square foot vacancy. That used to be a Joseph A. Bank clothing store, which closed during Covid and that has been vacant since Covid. So it's been vacant for basically five years. It's a shame that Councilman Imrboto is not here today. And the reason why is it just shows a way that an applicant and us and the Town can work together. Which is I previously brought a fitness use to the

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Town and during the work on that

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application, Councilman Imbroto

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specifically said, is it possible that

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your client could bring us a high end

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fitness use? We'd love another high end

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fitness use in the town. So my client,

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Kimco Realty, which owns many shopping

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centers throughout the town, which

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actually has their corporate headquarters

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in the Town of Jericho, went out and

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found Action Black.

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So something else. Why, I also

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wanted some of you to be here. I've never

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done this before, but I actually have a

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short video provided to us by Action

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Black that will show us a little bit

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about their operation.

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This town has done a great job in

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bringing technology to the Town Board

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hearing room. Not every town does this. A

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lot of hearings that we do, we have these

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big boards that we point to, which will

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show pictures or maps. But now we have

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the opportunity to use technology. Each

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of the board members has it on the screen in front of them. So your staff, Nick, has been fantastic. He worked with us yesterday to get this working. He worked with Layla, who was here yesterday. So if we could just play that 30 second video -- it's only 30 seconds. And hopefully the volumes at a low enough level, but you can get a little flavor about Action Black, please.

(Whereupon, video is played.)

MR. WEBER: Thank you.

COUNCILWOMAN WALSH: Where are the older people (laughter)?

MR. WEBER: You should know that Action Black promises that if we go to this gym, we will come out looking like that (laughter).

So now I have just a few slides of the interior of what Action Black looks like. It's called Action Black because all the rooms are blackout rooms. It's basically a multi fitness use. There are

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multiple classrooms for cycling and for boxing and for yoga. It started in South America, in Colombia. And interestingly, and I think it's important for everybody to hear, not only is this, this will this location be the first Action Black location on Long Island. It actually will be the first suburban location for Action Black in the country. They've been operating in South America for ten years. They are now located in New York. They are opening in Miami and Woodbury, Long Island, if the application is approved.

So again, it's a 15 thousand square foot space. The only relief that we need is parking. And I have Matt Seckler here who will stand up in a minute and go through a brief parking explanation as to how we're able to get all of the uses, the restaurants and the retail and the fitness working together parkingwise at the site.

And I can just show you as well, one more slide, which brings us to the site

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plan. So I'll explain the site plan briefly. And just one other quick point as well. Another way the Town and the applicant are working together. So the darker beige is the space. And if you'll notice, it's in a T shape. I mentioned a previous application that I had to this board, and when I was here for that application for a fitness facility on another property. The Town Board was very focused on trying to have two means of ingress and egress in the front and the back of the building to balance out the parking. We eventually were able to do that at that location -- and we can't do that for all applications, and we can't do that for all properties, and some tenants won't do that -- here, Action Black has really been fantastic. They've worked with us. So this property will enable us to have a entrance in the front and an entrance in the back, which will enable us to balance the parking between the front and the back. I don't have an

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aerial here now, but if you go behind the building, the parking lot needs a lot of what we call TLC; tender loving care. It's not in great shape. As part of this application, the entire back of the parking lot will be redone, repaved, new striping for new parking spaces. We're going to get a more efficient and a better layout in the back. And overall the parking demand will be balanced between the front and the back with the two entrances.

The larger square on the top, that's the vacant Party City or that's the Party City space. It's currently has a tenant on a short term lease, which is another party supply type store. Hopefully they will remain long term. But one of the things certainly they would like to see is more foot traffic at the property.

And then the three smaller spaces on the bottom are, as I said, two restaurants and a salon. So this is what we call the site plan. And generally

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speaking, when we do these types of site plans, we like to add color to it. So it really can show the details of what we're doing. You see the parking, you see the areas of the property that are landscaped, and you can clearly see the, the tenant spaces.

SUPERVISOR SALADINO: Could you tell us as part of this application, will the applicant have the need, or the property owner, have the need to apply for any relief from the parking regulations based on square footage?

MR. WEBER: Yes, that is correct. And it is really because, Supervisor, as you say, the way the Town of Oyster Bay calculates parking is at a very intense parking count. It's one space per 75 square feet. So even though this is not a fitness facility like you might think, with an open floor plan, this is only class based. So Mr. Seckel will explain the parking and how it works and how we worked with the applicant in order to

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make sure that the class sizes are appropriately sized, as well as making sure that they are staggered in a timeframe so that we don't have too many people coming to the site at one time. But this isn't a fitness facility that that would have a demand throughout the entire space because it's based off in classrooms.

So the only relief that we do need is a parking variance. And I think this Board is familiar, Kimco itself is a very experienced shopping center owner. And we would not bring an application that we did not feel could be supported with the spaces.

SUPERVISOR SALADINO: How many spaces do you need? How many spaces are you proposing?

MR. WEBER: I have that data right here. We will ultimately have 184 spaces on site. If you take the calculation of one space per 175 square feet, it says that this facility needs 203 parking

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2 spaces. But the most people that will
3 ever be in it are 87. So the numbers as
4 the Town requires the calculation don't
5 meet the actual usage. So we will have
6 184 spaces on site. A total of 320
7 required when you include the 203 that
8 this space itself will require only per
9 code.

10 SUPERVISOR SALADINO: So I'm just
11 going to stop you there for a minute
12 because we're throwing around a lot of
13 numbers. So based on square footage
14 alone, we have set up rules in the Town
15 so that we don't have a situation where
16 we have people looking for a parking spot
17 and can't find one. So based on just
18 square footage alone, just for the
19 portion that the applicant is bringing
20 today for the new Action Black applicant,
21 they would need 203 parking spots just
22 for their square footage. Correct?

23 MR. WEBER: That's correct.

24 SUPERVISOR SALADINO: All right. You
25 are providing 108 just for this.

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MR. WEBER: We are providing 184 over the entire site.

SUPERVISOR SALADINO: 184.

MR. WEBER: 184.

SUPERVISOR SALADINO: How many would just their portion require?

MR. WEBER: They are only required 203 per code.

SUPERVISOR SALADINO: It's not for the entire section we're, just for the Action Black square footage.

MR. WEBER: Correct.

SUPERVISOR SALADINO: They need 203.

MR. WEBER: Correct.

SUPERVISOR SALADINO: You are providing 184 on the entire site.

MR. WEBER: Correct.

SUPERVISOR SALADINO: For all the stores.

MR. WEBER: That is correct.

SUPERVISOR SALADINO: So we're talking about, at least based on the regulations of the Town, how many spots are you short?

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MR. WEBER: 136.

SUPERVISOR SALADINO: And you're asking for relief of them. You will be, depending on how this portion goes, you'll be asking for a relief of 136 spots.

MR. WEBER: And just to your point, and again, our parking expert will speak to this, again, also for the benefit of the interns, so the concept of shared parking here, because a fitness facility has peak times -- all businesses have peak times -- that are where more people are using that particular use, an office building will be busier, generally speaking, I think, Matt, 11:00 in the morning, right during the week? Restaurants, especially these restaurants, which are only which are dinner service only, are busy in the evening. A fitness facility has two peaks. They have a peak in the morning when the restaurants are closed and they'll have a peak in the evening when

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the restaurants would be open. And that is where we implement things like limits on number of people in the classes and number of classes and staggering times so that the parking works altogether. And like I said, we have a presentation from Mr. Sackel who can speak to.

SUPERVISOR SAADINO: When someone is in a class, they're done with their class; do they have to leave or can they go into another section to work out or use a different piece of equipment?

MR. WEBER Excellent question. So the majority of this is only class based. There's a small area of free weights for basically warm up or cool down afterwards. But this is not a floor gym. There aren't rows of bench presses or dumbbells.

SUPERVISOR SALADINO: We saw quite a bit of that in the video.

MR. WEBER: In the classes. Class only. It's a good point. What you saw, these are classrooms. These are each

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individual classrooms with a maximum of 20 people per class. So it's not an open gym. You're not going to go there and just do a workout that's not class based.

SUPERVISOR SALADINO: What is the length of time of a typical class?

MR. WEBER: An hour.

SUPERVISOR SALADINO: One hour?

MR. WEBER: Correct.

SUPERVISOR SALADION: What is the typical amount of time someone spends in a gym?

MR. WEBER: This would be an hour. It would be someone coming a few minutes before the --

SUPERVISOR SALADINO: I'm asking about an industry standard.

MR. WEBER: An industry standard. Well it's interesting. When you go to a class based gym, it'll be the duration of the class. A SoulCycle is 40 minutes or 45 minutes. These classes are an hour. If you go to an Equinox or a Planet Fitness where you're going for a non class based

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workout, you could be there for a half hour, 45 minutes, an hour, an hour and a half, or it'll be depending on how you wish to work out, but these are one class at a time.

COUNCILMAN IMBROTO: So this is similar to like an Orangetheory or something like that?

MR. WEBER: Correct.

COUNCILWOMAN WALSH: A couple questions. How do you sign up for the classes? Is that done like on an app?

MR. WEBER; Correct, yes.

COUNCILWOMAN WALSH: And how far in advance are you able to book those classes out?

MR. WEBER: So you could generally book about 72 hours or so in advance. You can generally book about 72 hours in advance on the app.

COUNCILWOMAN MAIER: Okay. Sorry. Not to revert back, but going back to the picture of the space and the other tenants, who are the other tenants?

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MR. WEBER: There is Anthony's Coal
Fired Pizza. There is a salon and Sushi
Vogue.

COUNCILMAN IMBROTO: Is this the
Party City space?

MR. WEBER: No. It's not the Party
City space. This is the old Joseph A.
Bank space that's been vacant for five
years.

TOWN CLERK: Supervisor, if I may, I
just want to note for the record, that
Councilman Imbroto has joined the board
meeting and is here

SUPERVISOR SALADINO: Thank you. He
has been here for the majority of the
hearing.

COUNCILMAN MONTELEONE: The place
that was Party City, it's still open as a
party place, right?

MR. WEBER: Correct. It has a
temporary tenant in there surveying the
market and testing the market to see if
they feel like they have a sustainable
business in that location.

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SUPERVISOR SALADINO: So at lunchtime on a Saturday, people are using the restaurants, people are shopping, people are getting their hair done, and now you would have this applicant operating. Why should we believe that the parking lot won't become packed? Filled up?

MR. WEBER: Excellent point. Their classes end at 1:00 on weekends, so they're not there.

SUPERVISOR SALADINO: What happens after 1:00?

MR. WEBER: The gym is closed.

SUPERVISOR SALADINO: They shut down?

MR. WEBER: Correct.

COUNCILMAN MONTELEONE: What is the maximum amount of people that would be in this facility in any one time?

MR. WEBER: This is the calculation that we did -- and, again, Matt, you could speak to this -- but there will be three classes at most at any one time. Maximum of 20 people in each class, that is 60. There will be seven staff on

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maximum shift. That's seven. So sixty seven. What we did to be conservative in our calculations is we added another class, even though there will only be three at a time. We said, okay, we'll do four because we're staggering them. So let's just say the way the staggered schedule goes, there'll be four classes. So we are anticipating at most 87 people. And then we're also anticipating that everybody comes in their own car so that there aren't maybe couples or friends showing up in the same car. We've said, let's be extra conservative in our analysis and let's count everybody in their own car.

COUNCILWOMAN MAIER: How many stations are there? So you said three classes, at max four. But how many, I guess, options are there?

MR. WEBER: Eight options. Eight options in total.

COUNCILWOMAN MAIER: And each class holds 20?

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MR. WEBER: Correct.

COUNCILMAN MONTELEONE: How many parking spots are there now?

MR. WEBER: Okay, so before we re-stripe, there are 165. Today there are 165. After we improve the back of the shopping centre, there will be 184.

SUPERVISOR SALADINO: So we're talking about 184 for five different businesses.

MR. WEBER: Correct.

COUNCILWOMAN WALSH: And, Mr. Weber, first of all, thank you. This is great what you're doing with the interns here. And this is a very appropriate hearing because I feel like they can relate to it a little bit.

But thank you for coming to us in the past and acknowledging that putting a parking lot in the back is always helpful, especially with employees. So maybe the employees of this health club could know when they come in and show up for work they park in the back.

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MR. WEBER: That's right. We've actually had that discussion already with a tenant. And yes, that is part of their agreement with the landlord.

SUPERVISOR SALADINO: Okay. Are there any, it's not really the back. It's kind of the looks like the what is used as the back of their facility is actually the east side of the building, am I correct?

MR. WEBER: North side.

SUPERVISOR SALADINO: Yeah, North on the north side. So are there any entrances into this facility on the north side?

MR. WEBER: Yes. And we were able to do that and the tenant agreed to that, because we knew based on a previous application that was important to this board, was to be able to have entrances and exits on both sides.

SUPERVISOR SALADINO: Are there any other questions?

COUNCILWOMAN MAIER: I do. What is currently in the the north side of that

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parcel? Is that just vacant?

MR. WEBER It's vacant. It's all vacant. It's been vacant for five years.

COUNCILWOMAN MAIER: No. I'm sorry. The back. You're going to make the parking lot.

MR. WEBER: The back is parking now, but it's not efficiently laid out. It needs to be repaved and re-striped. And we now have taken a much better look at it and figured out a much better flow for the way it works.

COUNCILWOMAN MAIER: And how many do you have back there? Would you anticipate? 50?

MR. WEBER: Yeah, 57 spaces in the back.

COUNCILWOMAN MAIER: And that's something that is part of this application?

MR. WEBER: That is correct. It's part of the site plan part of this application.

COUNCILWOMAN WALSH: I'm sorry. You

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said you're going to have the entrance in the back also?

MR. WEBER: Front and back. Correct.

COUNCILMAN IMBROTO: The entrance to the gym?

MR. WEBER: Correct.

COUNCILMAN IMBROTO: There's no entrance to the parking lot.

MR. WEBER: Well, no.

COUNCILMAN IMBROTO: You could go around the building.

MR. WEBER: You go around the building, correct.

COUNCILMAN IMBROTO: In my experience, this has not been a very crowded shopping center. Even when the two businesses were open.

MR. WEBER: Right.

SUPERVISOR SALADINO: How would people frequenting or visiting this site know that there's parking in the back? They'll pull in left Jericho Turnpike. Will there be signage?

MR. WEBER: There's going to be

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signage as well. It's going to be an active part of Action Black's operation to let its customers know that they are able to park in the back of the location. We've had this discussion with them.

SUPERVISOR SALADINO: So there will be signage out on Jericho Turnpike or somewhere where someone pulling in can see immediately that's permanent signage. And they will be using their digital platform to be informing in other ways to inform their customers about that parking in the back.

MR. WEBER: Absolutely correct.

COUNCILMAN MONTELEONE: What are the hours of operation aside from the Saturday?

MR. WEBER: So generally speaking, they will be open at 6 a.m. in the morning. And I believe they anticipate on closing at 10 p.m.

But again, the classes won't run throughout the day. They'll have classes in the morning, then probably a break.

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There might be a class or two at lunch if they see how that works. And then they'll have classes in the evening. But their schedule is very much is based on demand.

COUNCILMAN LABRIOLA: In terms of feet, how close is the nearest residence to that 50 foot buffer zone in the rear?

MR. WEBER: They're directly to the north of that 50 foot buffer.

COUNCILMAN LABRIOLA: They're adjacent to that line?

MR. WEBER: Correct. Yeah. Their backyards start on the other side of that 50 foot buffer.

SUPERVISOR SALADINO: How many of them across the stretch of the property?

MR. WEBER: I think two, maybe three.

COUNCILMAN LABRIOLA: So that 50 foot buffer zone that you have laid out in this site plan, is that currently existing, or is that something that the residents have requested from you, or is that something you're proposing?

MR. WEBER: That is existing.

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Nothing is changing. They've lived behind that shopping center, and they've lived with that buffer for as long as it's existed.

COUNCILMAN LABRIOLA: I was just curious if 50 is more than you need, if you could create more spaces in that area and continue to keep the residents happy, but to provide more parking so that our Zoning Board doesn't have such a difficult decision to make after we rule on your application.

SUPERVISOR SALADINO: Very good point, counselor.

MR. WEBER: I think it's a balance, right? It's a balance between adding parking, if necessary, and reducing the buffer for the residents. My suggestion would be we don't touch the buffer at this time. Because again, we've spent a lot of time -- I know you're hearing this application for the first time -- we've spent a lot of time analyzing the parking.

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COUNCILMAN IMBROTO: I would make the same suggestion. This shopping center is dead. There's no need to do that.

MR. WEBER: Yeah, and I wouldn't want to reduce the buffer for the residents, because we don't anticipate that that's going to be an issue.

SUPERVISOR SALADINO: Our experience, and experience is a mighty teacher, there's a lot of ways to intensify a buffer. One is to build up the Earth in a berm. Another is to plant a very large arborvitaes, or some kind of evergreen. The best is to do both. Would this be something that would be a consideration of the applicant if we ask for it?

MR. WEBER: I believe that that is actually a fully natural buffer. So it is not something that's actually ever been -- it's not manmade. It's actually natural. So if there were spots in it that there was need for extra coverage, I would say absolutely, yes. We haven't done that analysis because it's a natural

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buffer. But if there are parts there that are, I would say thin, for lack of a better term, we would have the applicant add to it.

SUPERVISOR SALADINO: But to Councilman Labriola's point, it's not only about filling in a thin or a less intense buffer, it's also about providing more spots. Your application is an excellent application, but you are asking for a variance for quite a number of spots.

MR. WEBER: I think if that was a request of the Board to add some landscaping in the rear, and there was an ability to do that without affecting -- I guess, my concern would be affecting what's already there and growing and natural -- but if there's ability to do that, we would do it.

SUPERVISOR SALADINO: With the end result of adding even more parking spots back there. That's the point we're getting at. Not only intensifying the

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buffer, planting evergreens or arborvitaes, whatever it might be, but also doing this specifically with the intended purpose of adding more spots to lessen your variance ask.

MR. WEBER: So that I'm clear, the point would be reduce the size of the natural buffer and add parking?

SUPERVISOR SALADINO: And intensify that buffer with plantings and perhaps a berm if needed.

MR. WEBER: Okay. Understood.

COUNCILMAN LABRIOLA: And this is to Councilman Imbroto's point, and I'm not sure he's correct, but he does seem to know the area very well. He calls this shopping center dead. I just want to be clear that I know Kimco is a phenomenal shopping center owner, and they don't like to keep their shopping centers empty and vacant. So in the hopes that Action Black is a very successful entity, and they're going to be driving a lot more people and cars into that shopping

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center, I'm just anticipating that the residents who have been used to this quiet time since Covid, where you have Joseph A. Banks and you have Party City, now declaring bankruptcy and closing up, that they will now have to get accustomed to a much busier shopping center. So that Councilman Imbroto would be wrong. And Kimco is successful, of course we want Action Black, as we want all of our businesses, and particularly a new business like Action Black to be successful. And we don't want to start off on the wrong foot. So it is something to consider. As Supervisor Saladino said, you could intensify a natural buffer with more plantings and possibly provide the patrons with maybe another 25 or 30 spaces. I don't know, I'm not an engineer, but maybe your parking expert here might be able to further discuss.

SUPERVISOR SALADINO: Yeah. We'll further discuss that with your parking expert.

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And for everyone here in the gallery listening. You may be thinking, why all this attention to parking spots? Why is this that important? When we hear an application, our job is to use our experience and think of every aspect, positive or negative. Has anyone ever been to a shopping center at a busy time? Maybe it's holiday time. Whatever. Maybe you want to get in for a workout. Maybe you're trying to pick something up quick, but you can't find a spot. There's no place to park. Have you had that experience? That's what we're trying to figure out and avoid. We have a general overview ratio of square footage to parking spots needed. So we have a general sense, the town code does. But they're asking for relief from that. And if we say yes to the application, then it goes to the Zoning Board of Appeals where they ask for relief from the parking regulations. And we're asking these questions because we're trying to

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determine whether or not, that by accepting this, approving this application, are we creating a bigger problem.

RECEIVER OF TAXES: Supervisor, can I ask a question? Just to explain to the kids. You might be saying like this is an existing building like that was approved with all the parking, maybe even, say the old applicant was there storage that didn't require parking. Maybe you could explain that to the kids.

MR. WEBER: Sure. Absolutely. Happy to do that.

So and that's one of the things that I think it's interesting just now we can take a step back and look at the market overall. I don't know how many of you actually walk into stores. Maybe you do a lot of shopping online. That's kind of the way retail is moving. More and more goods are being purchased online. So finding retail tenants to fill shopping center spaces is becoming increasingly

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difficult. So what you're seeing now overall and what this board has to contend with are these questions generally about parking. Because the three main uses we are now seeing coming to shopping centers are food, medical and fitness. So it's great overall for our community. Fitness centers are great. A healthier focus on wellness, a focus on community. Action Black is very big on creating a community in their facilities among their members. So that's a great addition to a community, a fitness center.

Medical as the population ages, you might not be thinking about it at your age, God willing. But as you get older, there are an increased need for medical services. So having more convenient medical facilities in your community and shopping centers that you know well is also another convenience. But again, the board has to balance those uses with parking.

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So this specific site has been a retail store. It was a more formal men's clothing store. Now, you see all of us here. Men and women we're wearing suits. But generally in the world it is a more casual atmosphere. So things like large stores for clothing, for more formal business attire are not as successful. This store closed during Covid when people were working out of their houses and not going to their offices anymore and has been vacant for five years. Like I said. So there is there is a balance here.

And I would just say one other point to that point. Party City declared bankruptcy. There was a tenant there. If the party if the tenant there now doesn't get the support from people coming to the property, they too will leave. That is a 12,000 square foot space. If Action Black were to not be approved, then there would be basically between the two spaces 27,000 square feet out of the 35,000

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2 square feet vacant. So the majority of
3 the shopping center would be vacant. And
4 that's not good for the community. It's
5 not good for for the town. It's not good
6 for young people who may work at any of
7 these locations. So we're trying to
8 strike a balance between bringing the
9 right uses to the property and kind of
10 moving these properties into the kind of
11 the next generation of retail, which
12 tends to be fitness and dining uses kind
13 of coexisting together.

14 COUNCILMAN MONTELEONE: Mr. Weber, I
15 just have a comment and a possible
16 suggestion. So as far as the buffering in
17 the back, I think it's enough. There's
18 buffering not only this property, but the
19 properties behind also maintain trees on
20 their own property looking at the houses
21 that back it. I think they would have a
22 bigger problem with taking that buffer
23 away as opposed to adding to parking. I
24 think that the one of the possible things
25 that that can be done, and I'm not sure

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2 if it can be done, is I'm not sure where
3 you check in, whether you check in on the
4 south side or the or the north side. But
5 I think if you have the check in counter
6 on the north side, which kind of, not
7 forces people to go to that back parking
8 lot, but essentially makes that back
9 parking lot for that facility. Only
10 because I have had some issues in that
11 parking lot, specifically at nighttime
12 when I'm going to one of the restaurants
13 there. So it gets a little crowded there.
14 That's my only concern. But I do think if
15 you change the, I don't know, I'm not
16 sure how it is now, if you make the check
17 in on that north side, which forces the
18 60 people in, however many are going to
19 go to that back parking lot. I think that
20 would solve any sort of issue you have,
21 not only with the front parking lot, but
22 but the back parking lot as well.

23 MR. WEBER: That's exactly right,
24 Councilman. We've planned for that. We've
25 planned for the back to be that main

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entrance for that specific purpose.

SUPERVISOR SALADINO: Counselor, would you like to bring one of your experts up?

MR. WEBER: Thank you so much.

Nick, would you please put the parking charts up? Thank you.

MR. SECKLER: Good morning. I'm Matt Seckler with Stonefield Engineering and Design. Our address is 584 Broadway in New York.

SUPERVISOR SALADINO: Matt, are you an engineer?

MR. SECKLER: Yes, I'm a licensed engineer in the state of New York.

SUPERVISOR SALADINO: And before you became an engineer, did you take advantage of any internship program?

MR. SECKLER: I worked as an intern for about three summers at various engineering firms, yes.

SUPERVISOR SALADINO: And did that help you a lot in deciding to go forward and become an engineer?

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MR. SECKLER: It made me realize which engineering disciplines I did not want to be a part of. And then found traffic engineering, which maybe other people would not find exciting, but I found exciting.

SUPERVISOR SALADINO: That's exactly the point I was getting at earlier in the the beginning of the morning.

Please proceed.

MR. SECKLER: Certainly. So as part of this project, we did perform a Traffic and Parking Assessment Report. And as you know, the board has mentioned a number of times, we are seeking a deviation from your code here. And I think it's again, important to remember that the code is looking at general operations. Again, you have a definition for fitness center floor area, which typically when you think of fitness, you think of kind of whenever you want to go to the gym, you go to the gym. In January, you're going to see everyone with their New Year's

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2 resolutions jamming up the gym. This is
3 not that type of operation being
4 basically class focused. It allows the
5 operator and myself as an engineer to
6 have a lot more certainty in terms of the
7 maximum demand of parking when you're
8 looking at a site like this.

9 Now as part of this project, we did
10 do counts at the existing parking lot.
11 Those counts were done in May. It was
12 Wednesday, May 22, 2024, from noon to 8
13 p.m., and Saturday, May 18, 2024 from
14 noon to 8 p.m., as well. The reason why
15 we didn't count the morning, even though
16 the gyms are typically very busy in the
17 morning, the rest of the shopping center
18 is dead. Anthony's Coal Fired Pizza and
19 sushi no one's grabbing in the morning.
20 Even the Party City, even if they were
21 open at 9:00, pretty much dead. So we
22 don't believe there's any parking issues
23 really in the morning, which is one of
24 our peaks. But we did want to study that
25 lunchtime into evening time peak periods.

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And we studied on Wednesday and Saturday. Those counts were done when Party City was open. So the current tenant was not there, but the previous national tenant was there when we did the earlier counts.

When we did those count, we did find that the center was, I'm going to say fairly dead. We did look, and what we have here, up there on the screen is a shared parking chart. What it represents in blue is the parking demand that we counted out at the site at 15 minute intervals. So as you see, the parking I believe what's up there, my eyes are terrible, is the weekday parking demand. So this is the Wednesday from 12 to 8. Left side is at noon. As you work yourself to the right side, it becomes 8:00 p.m., and you'll see the blue kind of fluctuates throughout the day with a little bit higher at night as people go to the the sushi and the pizza place, as you get a little bit later towards the night.

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What we've overlaid on that is the expected parking demand for the Action Black facility. And again, from a traffic engineering perspective, I like the fact that we have that assurity they will not have any more than three classes going on at once, and they do not have any classes that start at the same time. So you may have a class that starts at 5 p.m., next one at 5:15, maybe one at 5:30, and you wouldn't have another one that would start then until 6 p.m., when those other the 5:00 class ends. So you will not have any more than three at a time? 20 people per class, as Bram mentioned. That'll give you 60 patrons working at any one time.

SUPERVISOR SALADINO: So you're saying that one class lets out and the next one starts immediately?

MR. SECKLER: We can have three overlapping, but when, let's say the first one ends, a new one can begin.

SUPERVISOR SALADINO: Because the

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counselor spoke to how many cars might be there. But what I'm hearing from you is you could have one group coming out; their cars are still in the parking lot. Another group coming in; their cars are entering the parking lot. So in essence, it could be even more cars than the class is allowed because people don't immediately run back to their cars.

MR. SECKLER: Exactly. But we accounted for that in our analysis. As was mentioned, three classes at a time would be 60; 20, 20 and 20. We added another class, as Bram mentioned. Another class because you may have that overlap time. Someone may get there a little early. The second class ends.

SUPERVISOR SALADINO: So there aren't physically four classes going on. That was to correct the analysis to make it realistic.

MR. SECKLER: Correct. So we accounted for 80 patrons being on site. It would be 60 in classes and then let's

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say 20 in the in between time, either leaving or coming, and then the seven employees on the site.

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So what you see in red here is based on their potential class schedule layered on to the existing counts that are performed at the shopping center. So when you would have that 80 person time period, a couple of those, you could see those red lines going up that represents the 80 people that we part of the Action Black class.

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On the top of the screen, there is a green line that runs across horizontally, that's actually the 165 parking spaces that are out there now. As was mentioned, because we're going to be restriking in the back, we're actually going to get to 184 spaces. That's actually beyond the top line with the number is 180 along the top. So basically, even if we keep the existing parking demand as it is today, we add on the 87 spaces for Action Black at their peak periods, there's still a

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sufficient gap between the top of our chart and that green line, which represents the existing parking field and that top grade line, which would represent basically the expanded parking field design, which shows that there is sufficient parking at this site.

SUPERVISOR SALADINO: The green line looks like it's about 165.

MR. SECKLER: 165. That's the existing demand. Yes. Existing supply.

SUPERVISOR SALADINO: But we were told 184 are being provided.

MR. SECKLER: Because we are adding those spaces. We are re-striping the back of the site to increase it to 184.

SUPERVISOR SALADINO: Thank you.

COUNCILWOMAN MAIER: But I thought -- I'm sorry. So maybe I'm mistaken. So 57 spaces are going to be put in the back?

MR. SECKLER: There will be a total of 57 space in the back. There are spaces there now.

COUNCILWOMAN MAIER: Right. So I

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don't think the math is adding up.
Because you're saying currently there's
how many in front?

MR. SECKLER: The overall site has
165 spaces.

COUNCILWOMAN MAIER: Okay. So that's
including the rear.

MR. SECKLER: Including the rear,
which I think has about maybe 19 spaces
back there, something like that. Maybe
29, but we are increasing that to 57.

COUNCILWOMAN MAIER: So that makes
sense.

So here's my challenge: I had asked
the question before how many stations are
there. So there's eight stations. So, in
theory, eight stations inside, there's
eight.

MR. SECKLER: There's eight workout
rooms inside.

COUNCILWOMAN MAIER: Right.

MR. SECKLER: Each workout room has
20 stations. So if it's the treadmill
room, they'll have 20 treadmills in one

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of their rooms. But not all the rooms are active at one time. They would not have any more than three.

COUNCILWOMAN MAIER: In theory, they could be, right.

MR. SECKLER: Potentially. But that's not --

COUNCILWOMAN MAIER: That's probably not the question for you. But theoretically, you could have eight operating at the same time.

MR. SECKLER: Based on the model that they run at other sites. Again, this is their first suburban site they're looking for. And again, I believe, Bram is here in terms of there's conditions that we could put in place, they've designed this model that they'd be able to function with three operating at one time. And as was mentioned by the supervisor that basically won that fourth class. That could start when the first class ends.

MR. WEBER: If I may, Councilwoman.

COUNCILWOMAN MAIER: Yeah.

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MR. WEBER: Thank you. So we've had this discussion with the tenant for yourself.

SUPERVISOR SALADINO: Please reidentify yourself.

MR. WEBER: Sure. Bram Weber from Weber Law Group. We had this discussion with the tenant. They are limited to three classes at one time, and they've agreed to that for your specific concern. They won't have enough staff. They couldn't staff more classes than that. And we've explained to them to balance the issue of the parking that they could only run three classes at one time. So we've had that discussion.

COUNCILWOMAN MAIER: Listen, our goal is to not stifle how much money you know you're capable of making. But if you have the ability to have eight classes at once, you know, since there are eight stations, you know, just optically it looks like, okay, we're going to have 160 people there at any given time.

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MR. WEBER: And I think one of the reasons why also, and again, we could go back to the pictures. These are not open rooms like you might have at a facility where you may have a dance class and a ballet class, but it's open. Or you might then just bring in free weights too, in order to have a different type of class. Each of these classrooms have equipment in it. You can't move it, and you can't really use the boxing room for anything else, which is why they have to have that number of rooms, because their whole theme is you have your yoga room, your boxing room, your cycling room, your Pilates room, so that the equipment is there. And you can't use each classroom for something else. So that's why they have to have eight. So they can have each one of their what they call modalities.

MR. SECKLER: And again, for the record, Matt Seckler.

And again, I think that is one of

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the things that makes this type of user unique, but also allows for the Town to have that control. This was a open gym like a Planet Fitness, you wouldn't be able to say you can't have any more 80 customers on the site if the fire code allowed it. But on a site like this, with the class schedule, that is a condition that can be put in place in terms of you can't have more than three classes going on at one time.

COUNCILWOMAN MAIER: Okay. Thank you.

SUPERVISOR SALADINO: Are there any other questions of the expert?

COUNCILMAN LABRIOLA: I'm looking only at the weekday model you provided.

MR. WEBER: I could move you up to the next.

COUNCILMAN LABRIOLA: Let's talk about Saturday.

MR. WEBER: So the benefit of Saturday is the last class they offer is at 1 p.m., so when you get closer to the Saturday night period where the

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restaurants may be busy, there's nothing going on at the gym. It's closed. So you have a little bit over the lunch period. And again, based on the schedule that they provided us as a projected schedule, they have more classes in the Saturday morning, Sunday morning period. But by the time they get to lunchtime, they're really only operating about one class at a time at that point.

COUNCILMAN LABRIOLA: What are the hours of operation?

MR. WEBER: I believe it was just mentioned, the first classes, I believe, at 6 a.m. on the weekdays goes to 10 p.m. last class, I guess would be nine to end at ten. And on the weekends it looks like it runs from about 7 to 1. The class is run from 7 to 1. The 1:00 class would I guess end at two.

COUNCILMAN LABRIOLA: So that's why you're showing no activity after two.

SUPERVISOR SALADINO: No activity for Action Black. But I am also

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questioning why would things drop off significantly with two food service facilities there? Pizza people buy pizza at 7:45, they buy it at 8 p.m., they close at 8 p.m. as well, the pizza, the sushi places or they're open later?

MR. WEBER: I think Bram has the openings. I know the salon, though, does a lot of middle of the day work. Obviously not at night. So that's probably some of the reason why it drops off. And obviously when we did these counts when Party City was open. They're obviously not a big Saturday night crowd. So I think that's why the middle of the day is a little bit higher, because that square footage is being used versus later on in the day.

MR. WEBER: Thank you. Bram Weber. The Sushi Vogue closes at 9:30 during the week, at 10:30 on the weekends, and Anthony's Pizza closes at 9:00 during the week, at 10:00 on the weekends.

SUPERVISOR SALADINO: Okay.

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COUNCILMAN LABRIOLA: Counselor, when you talk about limiting a business to the amount of patrons that can come in at any given time. You're talking about covenants and restrictions, and these are things that you are willing to agree to with our Town Attorney's Office that you're willingly putting these things into the covenants and restrictions for Action Black?

MR. WEBER: I would say this: I would say we have already had those discussions with the tenant for that reason. If the Town wishes to require that, at this point, we could do that, absolutely. Or we could not put them in the covenant restrictions now.

And what I've been thinking about throughout this entire conversation is there is always an ability to modify the approval if the parking demand seems to be more than we're anticipating. But my thought would be that why restrict a business before we even see how it

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operates.

COUNCILMAN LABRIOLA: Well, that was my point. None of us have ventured or offered to you to say, to restrict the business you had yourself had represented that the Action Black is only holding three classes at one time, and I was just assuming that you are putting that into covenants and restriction. But if you're not, then that's something that the Board needs to know, that that is not something that is going to be a restrictive covenant, that they can, in fact, modify their business and their hours of operation. That's what I'm getting at. Because you're leaving this wide open, in other words, not restriction.

MR. WEBER: So I'll yeah, exactly. I'll say this. And I said it earlier, but I'm happy to emphasize it again. I have a lot of benefit with working with this town. Kimco, as the largest shopping center owner in the town, knows what's important to the town. So when a fitness

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facility comes to us, or any use, comes to us, we have discussions with them about, from our experience, what we believe the Town would want to see. So we said to them, we know parking is important to the Town Board. We're coming for a special use permit. We'll need a parking variance. So we can't go to the Town Board and have your operation eight classes at a time. If you're going to locate here the most we feel that we could support -- again, we were conservative we said four classes. We use that in that data -- but we said the most you could have is three. And that's the discussion we've had with them about only running three at a time. So it comes from an experience perspective.

And again, Kimco does not want to have a situation where people, and no tenant there, will come to the property and say, I'm going somewhere else because I can't park. So that's why we've worked with the tenants to work on the best

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schedule in order to make sure that the entire site works from a parking perspective and a convenience perspective for the customer.

COUNCILWOMAN MAIER: Do you have any data on any other similar type concepts of a similar nature, like an orange theory or another gym that does this class base --

MR. WEBER: Nothing has multiple different classes at one time. Orangetheory is one class. That's the issue. You don't really have, there's nothing like this. This is going to be unique, which is why I think it's great for the town. It's great for Long Island. Like I said, it's the first suburban Action Black in the entire country. There is no experience like that here.

I know of a boxing gym, but they only have one room for one class at a time. Nothing multiple like this. And Mr. Seckler just suggested to me, it is possible, also, if the Board would like,

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we could always go ahead and do a parking study after they open and submit it to the to the Town to make sure that the town is satisfied and how the site is operating; we could do that as well.

COUNCILWOMAN WALSH: Thank you.

We're sure that if this goes through, that Action Black will be a success. I think that the community will love this type of a gym, but if down the road it were to close and another gym came in, say a bigger gym, almost like a Planet Fitness or something else that's open till 10:00 or 9:00 on Saturday night. How would we as a board manage that? I mean, there's no restrictions on it right now. So they'd be able to come right in and be a gym.

MR. WEBER: So that's a very good point that I think that's certainly something that's a legitimate condition. I think a special use permit conditioned on this particular user would satisfy that. And I think that's reasonable from

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that perspective. So that if it's Action Black, that particular user, if not, if the user would change, we could come back to the board and seek an amendment to the approval. We could do that.

COUNCILMAN IMBROTO: Do you have anybody else?

MR. WEBER: Council Imbroto, I just want to tell you, I mentioned this before you got here, and you've missed our video. This is for you because you asked for a high end gym. You specifically said, can you bring a high end gym to the town? And we're bringing you this.

(Whereupon, the video was played.)

COUNCILMAN IMBROTO: Sign me up, Bram.

I move that we close the hearing and leave the record open for 30 days.

MR. WEBER: May I make a request for ten days?

COUNCILMAN IMBROTO: Is our town attorney in the room?

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Any reason we can't leave it open
for ten days?

DEPUTY TOWN ATTORNEY: Elizabeth
Faughnan, Deputy Town Attorney. I don't
know if you've received any slips from
individuals that wish to speak on the
application. I would say --

(Whereupon, from the Town
Attorney's Desk, the next 20
days from advice of Town
Attorney.)

COUNCILMAN IMBROTO: I don't see any
slips for anybody to speak in this
hearing.

Does anybody want to speak on the
hearing?

(Whereupon, no response.)

COUNCILMAN IMBROTO: Is there any
correspondence relating to the hearing?

TOWN CLERK: The attorney for the
applicant has filed the affidavit of
service and disclosure of the
communications are as follows:

We have memos from the Department of

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Planning and Development, including a review of the required off street parking.

The Nassau County Land and Tax map indicates the property is Section 14, Block B, Lot 58.

According to the Town of Oyster Bay zoning maps, the property is located within a neighborhood business zone.

There are no open required Code Enforcement Bureau cases; however, there are variances on the file.

We have affidavits of posting and publication, there is no further correspondence.

COUNCILMAN IMBROTO: Okay. I move to close the hearing and leave the record open for 20 days.

COUNCILMAN LABRIOLA: Second.

COUNCILMAN IMBROTO: All in favor?

(Whereupon, the Board responds in favor with Aye.)

COUNCILMAN IMBROTO Okay. Thank you.

MR. WEBER: Thank you for staying.

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Thank you for being here.

(Whereupon, above matter
concludes.)

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, ALEXA LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 15th day of July, 2025.

Alexa Lorenzo
ALEXA LORENZO

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TOWN BOARD
Town of Oyster Bay
REGULAR MEETING

July 15, 2025
11:18 a.m.

HEARING - Local Law -

**To consider a Local Law to extend the Town's
Battery Energy Storage System ("BESS")
Moratorium for an additional six (6) month
period.**

(M.D. 6/17/25 #25)

JOSEPH SALADINO
SUPERVISOR

**

RICHARD LaMARCA
TOWN CLERK

TAKEN BY: ALEXA LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR	JOSEPH S. SALADINO
COUNCILMAN	LOUIS B. IMBROTO
COUNCILMAN	STEVE L. LABRIOLA
COUNCILMAN	THOMAS HAND (ABSENT)
COUNCILWOMAN	LAURA L. MAIER
COUNCILWOMAN	VICKI WALSH
COUNCILMAN	ANDREW MONTELEONE

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

RICHARD LaMARCA	TOWN CLERK
JEFFREY P. PRAVATO	RECEIVER OF TAXES
FRANK SCALERA, ESQ.	TOWN ATTORNEY
ELIZABETH FAUGHNAN, ESQ.	DEPUTY TOWN ATTORNEY

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COUNCILMAN IMBROTO: Mr. Clerk, our last hearing?

TOWN CLERK: Today's last hearing is to consider a local law to extend the Town's Battery Energy Storage System auditorium for an additional six month period.

DEPUTY TOWN ATTORNEY: Good morning, Elizabeth Faughnan, Deputy Town Attorney, Office of the Town Attorney.

At this time, the town attorney's office would respectfully request that the Town Board make a motion to adjourn this hearing to September 9th at 10 a.m., the reason being that it is summertime. It was pointed out to us that a lot of individuals have scheduled their vacations, and to hold this hearing in September would allow more individuals to speak on the subject.

COUNCILMAN IMBROTO: Okay. I move that the hearing be adjourned.

COUNCILMAN LABRIOLA: Second.

COUNCILMAN IMBROTO: All in favor?

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(Whereupon, all members of
the Board respond in favor.)

COUNCILMAN IMBROTO: Until when?

DEPUTY TOWN ATTORNEY: September 9th
at 10 a.m.

COUNCILMAN IMBROTO: Thank you very
much.

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C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF NASSAU)

I, ALEXA LORENZO, a Notary Public for and
within the State of New York, do hereby
certify:

That the above is a correct transcription
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set
my hand this 15th day of July, 2025.

Alexa Lorenzo
ALEXA LORENZO

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TOWN BOARD

Town of Oyster Bay

REGULAR MEETING

July 15, 2025

11:19 a.m.

ACTION CALENDAR

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: ALEXA LORENZO, STENOGRAPHER

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A P P E A R A N C E S

P R E S E N T:

SUPERVISOR	JOSEPH S. SALADINO
COUNCILMAN	LOUIS B. IMBROTO
COUNCILMAN	STEVE L. LABRIOLA
COUNCILMAN	THOMAS HAND (ABSENT)
COUNCILWOMAN	LAURA L. MAIER
COUNCILWOMAN	VICKI WALSH
COUNCILMAN	ANDREW MONTELEONE

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

RICHARD LaMARCA	TOWN CLERK
JEFFREY P. PRAVATO	RECEIVER OF TAXES
FRANK SCALERA, ESQ.	TOWN ATTORNEY
ELIZABETH FAUGHNAN, ESQ.	DEPUTY TOWN ATTORNEY

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COUNCILMAN IMBROTO: Mr. Clerk, will you call the Action Calendar?

TOWN CLERK: May I have a motion to suspend the Rules and add Resolution numbers 473 through 476-2025.

On the motion?

COUNCILMAN IMBROTO: So moved.

COUNCILMAN LABRIOLA: Second.

TOWN CLERK: Motion made by Councilman Imbroto and seconded by Councilman Labriola.

On the vote, Councilman Imbroto?

COUNCILMAN IMBROTO: Aye.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Councilman Monteleone?

COUNCILMAN MONTELEONE: Aye.

TOWN CLERK: Motion to suspend the Rules and add Resolution numbers 473

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through 476 2025, passes with five Ayes.

May I have a motion to table
Resolution number 476-2025.

On the motion?

COUNCILMAN IMBROTO: So moved.

COUNCILMAN LABRIOLA: Second.

TOWN CLERK: Motion made by
Councilman Imbroto and seconded by
Councilman Labriola. On the vote.

Supervisor Saladino?

SUPERVISOR SALADINO: Aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: Aye.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Councilman Monteleone?

COUNCILMAN MONTELEONE: Aye.

TOWN CLERK: Motion to table
Resolution number 476-2025 passes with
six Ayes and zero Nays.

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May I have a motion to adopt the Resolution number P13-2025 through 475-2025.

On the motion?

COUNCILMAN IMBROTO: So moved.

COUNCILMAN LABRIOLA: I second the motion.

TOWN CLERK: Motion made by Councilman Imbroto and seconded by Councilman Labriola.

Supervisor, I don't believe I have any slips on this.

COUNCILMAN IMBROTO: No, but we need to have an executive session first. So I'm going to make a motion that we go into executive session for the purpose of discussing pending litigation.

TOWN ATTORNEY: Vote on the Action Calendar first.

SUPERVISOR SALADINO: May I have a motion?

CLERK LAMRACA: I think we want to ask if anybody wants to speak on the resolution.

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SUPERVISOR SALADINO: That's exactly what I want to do. I would like to know if anyone here would like to be heard on our normal resolution calendar for today?

(Whereupon, no verbal response.)

SUPERVISOR SALADINO: Please let the record reflect that no one has indicated that they would want to be heard. Are there any residents outside? No.

So we have folks who want to be heard in public comment, but not the regular Action Calendar. Let's proceed.

TOWN CLERK: On the vote. Supervisor Saladino?

SUPERVISOR SALADINO: On the vote on today's resolutions, just a moment, please. I recuse on Resolution 470 and vote Aye on all the rest.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: I vote yes on all.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

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TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Aye on all.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye on all.

TOWN CLERK: And Councilman

Monteleone?

COUNCILMAN MONTELEONE: Aye on all.

TOWN CLERK: Motion to adopt

Resolution numbers P13-2025 through

469-2025 passes with six Ayes.

Resolution 470-2025 passes with five

Ayes and one recusal.

Resolution numbers 471 through

475-2025 passes with six Ayes.

Resolution 476-2025 has been tabled.

Calendar is complete.

COUNCILMAN IMBROTO: Okay, now I move
that we go into executive session for the
purpose of discussing pending litigation.

COUNCILMAN LABRIOLA: Second.

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

(Whereupon, all members of
the Board respond in favor with

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Aye.)

SUPERVISOR SALADINO: Those opposed
Nay?

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: The Ayes have
it.

(Whereupon, Executive
Session, 11:23 a.m.-1:35 p.m.)

SUPERVISOR SALADINO: May I have a
motion?

COUNCILMAN IMBROTO:

SUPERVISOR SALADINO: Motion to
close executive session.

COUNCILMAN IMBROTO: I move that the
executive session be closed. No action
was taken.

COUNCILMAN LABRIOLA: Second.

SUPERVISOR SALADINO: All in favor,
say aye.

(Whereupon, all members
respond in favor.)

SUPERVISOR SALADINO: Those opposed,
nay?

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(Whereupon, no response.)

COUNCILMAN IMBROTO: I move that the
Town Board meeting be closed.

SUPERVISOR SALADINO: May I have a
second?

COUNCILMAN LABRIOLA: Second.

SUPERVISOR SALADINO: All those in
favor, please signify by saying, Aye.

(Whereupon, all members of
the Town Board respond in favor
with, "Aye.")

SUPERVISOR SALADINO: Those opposed,
"Nay".

(Whereupon, no verbal
response.)

SUPERVISOR SALADINO: The ayes have
it.

(Whereupon, above matter
concludes, 1:36 p.m.)

1	<p>adopt [2] - 5:2, 7:9</p> <p>ALEXA [3] - 1:22, 10:11, 10:20</p> <p>Alexa [1] - 10:19</p> <p>ANDREW [1] - 2:11</p> <p>ATTORNEY [3] - 2:16, 2:17, 5:19</p> <p>aye [16] - 3:15, 3:17, 3:19, 3:21, 3:23, 4:12, 4:14, 4:16, 4:18, 4:20, 4:22, 6:25, 7:3, 7:5, 7:8, 8:21</p> <p>Aye [5] - 6:20, 7:23, 8:2, 9:9, 9:12</p> <p>Ayes [6] - 4:2, 4:25, 7:11, 7:13, 7:15, 8:7</p> <p>ayes [1] - 9:17</p>	<p>certify [1] - 10:13</p> <p>CLERK [25] - 1:18, 2:14, 3:5, 3:11, 3:16, 3:18, 3:20, 3:22, 3:24, 4:8, 4:13, 4:15, 4:17, 4:19, 4:21, 4:23, 5:9, 5:23, 6:15, 6:21, 6:24, 7:2, 7:4, 7:6, 7:9</p> <p>clerk [1] - 3:3</p> <p>close [1] - 8:15</p> <p>closed [2] - 8:17, 9:4</p> <p>comment [1] - 6:13</p> <p>complete [1] - 7:17</p> <p>concludes [1] - 9:20</p> <p>correct [1] - 10:14</p> <p>COUNCILMAN [28] - 2:6, 2:7, 2:8, 2:11, 3:3, 3:9, 3:10, 3:15, 3:17, 3:23, 4:6, 4:7, 4:14, 4:16, 4:22, 5:6, 5:7, 5:14, 6:22, 6:25, 7:8, 7:18, 7:21, 8:13, 8:16, 8:19, 9:3, 9:7</p> <p>Councilman [12] - 3:12, 3:13, 3:14, 3:22, 4:9, 4:10, 4:13, 4:21, 5:10, 5:11, 6:21,</p>	<p>7:6</p> <p>councilman [3] - 3:16, 4:15, 6:24</p> <p>COUNCILWOMAN [8] - 2:9, 2:10, 3:19, 3:21, 4:18, 4:20, 7:3, 7:5</p> <p>Councilwoman [6] - 3:18, 3:20, 4:17, 4:19, 7:2, 7:4</p> <p>COUNTY [1] - 10:9</p>
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