

**TOWN BOARD**

**TOWN OF OYSTER BAY**

REGULAR MEETING

August 15, 2023

10:50 a.m.

\*\*\*

SPECIAL PRESENTATION

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**JOSEPH SALADINO**

SUPERVISOR

\*\*

**RICHARD LaMARCA**

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

RICHARD LaMARCA	TOWN CLERK
JEFFREY P. PRAVATO	RECEIVER OF TAXES

PRAYER:

Giani Amarjit Singh, Priest

Guru Gobind Singh Sikh Center, Plainview

PLEDGE:

Commander Richard DeJesu

Army Specialist Fourth Class Bob Selby

Commander-Elect Bob Lane

Jim Moore

SPECIAL PRESENTATION:

Bike Safety Awareness:

Brendan Lin

Janice Jiang

Special Olympics New York:

Diane Colonna, VP Downstate Operations

Rebecca Hoffmann, Director of Development

Paul Defendini, Superintendent Farmingdale

School District

Sean O'Neill, Senior Real Estate Manager Northeast

Luann Viglione, Oyster Bay Town 7-Eleven

Ken Bordieri, Senior Real Estate Rep

Diane Hopkins, Area Leader TOBAY

1  
2 SUPERVISOR SALADINO: Welcome to  
3 this meeting of the Oyster Bay Town Board  
4 for Tuesday, August 15th, 2023, here at  
5 Town Hall North in Oyster Bay. On behalf  
6 of the entire Town Board, we're here to  
7 welcome you and to say happy Indian  
8 Independence Day.

9 (Whereupon, applause).

10 SUPERVISOR SALADINO: For those of  
11 you joining us this morning, you have an  
12 opportunity to be heard on matters  
13 brought before the Town Board as well as  
14 during the public comment period which  
15 will take place at the very end of the  
16 meeting after we close the official Town  
17 Board meeting.

18 As always, this meeting is being  
19 live streamed and on social media, as  
20 well as the Town's website which is  
21 Oysterbaytown.com. These proceedings are  
22 recorded and later transcribed. We want  
23 you to know that your voice is very  
24 important to us. Statements and comments  
25 and input from the public relative to our

1  
2 meetings and the issues on our Calendar  
3 are very much welcomed and respected. And  
4 as always, we ask everyone to respect  
5 those others who are speaking and that  
6 all of the Rules of Decorum are followed  
7 at all times. Anyone can submit public  
8 comment, please e-mail  
9 publiccomment@OysterBay-ny.gov or you can  
10 mail us at the Office of the Town  
11 Attorney, 54 Audrey Avenue, Oyster Bay,  
12 New York 11771.

13 We begin every meeting with prayer.  
14 We all believe that is very important as  
15 a society and ecumenically we bring in a  
16 very diversified group representing so  
17 many different religions. It is our  
18 ecumenical approach to government and to  
19 community in this wonderful town. So  
20 making sense because it's India  
21 Independence Day and we started our day  
22 raising the Indian flag in front of  
23 Oyster Bay Town hall, we are going to ask  
24 to lead us in prayer is Giani Amarjit  
25 Singh from Guru Gobind Singh Sikh Center

1  
2 in Plainview, and Giani Kuldeep Singh  
3 from Guru Nanak Darbar in Hicksville.

4 Gentlemen, if you would, please  
5 approach the podium; the floor is yours.  
6 Would everyone please rise?

7 (Whereupon, Priest Singh  
8 says prayer in native  
9 language.)

10 SUPERVISOR SALADINO: Thank you very  
11 much. We greatly appreciate your  
12 participation.

13 Let's thank our good friends. Thank  
14 you so much for being with us today. May  
15 God bless you. May God bless us all.

16 (Whereupon, applause.)

17 SUPERVISOR SALADINO: Now leading us  
18 in the Pledge of Allegiance today, please  
19 help me welcome some very distinguished  
20 veterans from the Amvets North Shore  
21 Veterans Memorial Post 21, in Oyster Bay.  
22 We have Commander Bob Lane; we have first  
23 Vice Commander Rich DeJesu, who is the  
24 former commander; third vice commander  
25 Bob Selby; we have with us Jim Moore and

1  
2 a very dear friend who was our recipient  
3 of the Dr. Martin Luther King Junior  
4 Award here in the Town of Oyster Bay,  
5 United States Army Staff Sergeant Arturo  
6 Jerome Edwards. Thank you very much for  
7 your service.

8 (Whereupon, applause.)

9 (Whereupon, the Pledge of  
10 Allegiance is said.)

11 SUPERVISOR SALADINO: Thank you  
12 very, very much. We greatly appreciate  
13 your service to this nation, your service  
14 to all of us, and your continued service  
15 to veterans and the community.

16 At this point, we, the electeds of  
17 this town, ask you to join us for a  
18 moment of silence, praying for the safety  
19 of our men and women in the United States  
20 armed forces serving here in the homeland  
21 and abroad; for all of those in in law  
22 enforcement, whether it's the Nassau  
23 County police or firefighters or public  
24 safety officers, all of our first  
25 responders; and, of course, our

healthcare heroes who continue to protect  
us in healthcare settings throughout the  
town of Oyster Bay and throughout Nassau  
County. Thank you.

(Whereupon, moment of  
silence is observed by all.)

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1  
2 SUPERVISOR SALADINO: Please be  
3 seated, ladies and gentlemen.

4 Just a few quick announcements  
5 before we get to our presentations. We  
6 have some very nice presentations for  
7 very worthy recipients, and then we'll  
8 get started with our hearings for the  
9 day. Just a few announcements.

10 In May we recognized Bike Safety  
11 Awareness Awareness Month by launching a  
12 poster contest which was open to fifth  
13 grade students, and we received dozens of  
14 entries from students who took part in  
15 this friendly competition to raise  
16 awareness of bike safety. One only has  
17 to turn on the television to learn of  
18 horrific accidents on our roads that  
19 sometimes that ends in the perishing of  
20 of residents and others. So safety on our  
21 roads is critically important and we take  
22 very seriously our role in promoting  
23 traffic safety and bicycle safety. I'd  
24 like to personally thank Councilwoman  
25 Vicki Walsh, as well as Councilwoman

1  
2 Laura Maier, for their assistance in  
3 making this program a great success.  
4 Council members, thank you very much.

5 And now the winners. We are very  
6 pleased to congratulate Janice Jaing of  
7 Jericho, a fifth grader at Robbins Lane  
8 Elementary School. Janice, would you  
9 please rise.

10 (Whereupon, Janice stands.)

11 (Whereupon, applause.)

12 SUPERVISOR SALADINO: And Brendan  
13 Lin of Syosset, a fifth grader at  
14 Robbins.

15 (Whereupon, applause.)

16 SUPERVISOR SALADINO: And I will ask  
17 both Councilwomen Vicki Walsh and Laura  
18 Maier to assist with the presentation. So  
19 if the two of you would please step up  
20 and would all the other elected  
21 officials, join us at the rail.

22 (Whereupon, citations  
23 presented and photographs  
24 taken.)

25 SUPERVISOR SALADINO: Once again,

congratulations to Janice Jiang and  
Brendan Lin.

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1  
2 SUPERVISOR SALADINO: Next, we are  
3 here to welcome and honor friends from  
4 Special Olympics New York and the  
5 partners who have joined with them to  
6 make the 2023 Spring Games at Farmingdale  
7 School Districts Howard Middle School an  
8 enormous success. Most of us were there.  
9 It was phenomenal to watch the faces of  
10 these children so happy to feel the  
11 accomplishments, the amount of  
12 volunteers, and the lesson that our  
13 school district taught to their  
14 volunteers and students was remarkable  
15 and had tremendous value.

16 On hand are the vice president of  
17 Downstate Operations, Diane Colonna,  
18 along with the director of development,  
19 Rebecca Hoffmann of Special Olympics, New  
20 York. We also have with us two great  
21 friends, and I know I talk about them a  
22 lot, and I was just mentioning them  
23 outside during our ceremony because they  
24 really set the bar in so many ways. We  
25 have fabulous school districts in our

1  
2 town. We're known for the quality of  
3 education, but it's so much more than  
4 what you read about in headlines because  
5 they achieve an enormous amount of  
6 success with their academics, with their  
7 athletics, with the finances of the  
8 district, and the list goes on and on.  
9 They're a role model to every school  
10 district in the state. And by them I mean  
11 our Assistant Superintendent, Glen Zakian  
12 and our Farmingdale School District  
13 Superintendent Paul Defendini, as well as  
14 the Farmingdale School Board. Let's give  
15 them a big hand.

16 (Whereupon, applause.)

17 SUPERVISOR SALADINO: The school  
18 district hosted the games for the second  
19 straight year. They did a really  
20 phenomenal job and it's so appreciated.  
21 And of course there are so many  
22 organizations who donated from their  
23 heart in many, many ways. One of them is  
24 rather outstanding, the 7-Eleven  
25 Corporation, who brought a generous

1  
2 sponsorship and provided over 600 meals  
3 for staff and for the athletes. On hand  
4 from the 7-Eleven Corporation is Sean  
5 O'Neill, a senior real estate manager of  
6 the Northeast; Luann Viglione, who is a  
7 Oyster Bay 7-Eleven franchisee; Ken  
8 Bordieri, who is a senior real estate  
9 representative; and Diane Hopkins, the  
10 area leader in the Town of Oyster Bay,  
11 along with Oyster Bay Area leaders Victor  
12 Iron (phonetic) and Jonquiere Carrier  
13 (phonetic).

14 So over the years, the Special  
15 Olympics has offered our children and  
16 adults with intellectual disabilities the  
17 opportunity to participate in a true  
18 Olympic style event. Like all athletes,  
19 they train, they compete, they're focused  
20 on the growth not only physically but  
21 their mindset, and they really strive to  
22 do their best. The athletes read an oath  
23 and it reads, "Let me win. But if I  
24 cannot win, let me be brave in the  
25 attempt". I'd like to add a little, if I

1  
2 may, to that, because every student who  
3 competes, wins. They win the feeling of  
4 accomplishment. They win the self-worth.  
5 And to those volunteers, think about it,  
6 students who complain, Oh, I don't have a  
7 new ten speed bike, Oh, I don't have  
8 this. And then they get to spend time  
9 with these athletes seeing people who  
10 don't have as much as they have, who are  
11 very thrilled just for an opportunity to  
12 compete. What a fabulous lesson and  
13 growth for the students in our community  
14 and the students specifically in  
15 Farmingdale. So we're very, very proud of  
16 them.

17 It is my pleasure to call upon  
18 Farmingdale school Superintendent Paul  
19 Defendini and representatives from  
20 7-Eleven to come forward and be honored.  
21 We have special citations for all of you.  
22 I'm going to ask Councilman Steve  
23 Labriola, Councilman Tom Hand and  
24 Councilwoman Michele Johnson to assist  
25 with the presentation. And let's all join

1  
2 at the rail.

3 (Whereupon, citations and  
4 photos are taken.)

5 COUNCILWOMAN MAIER: Thank you,  
6 Supervisor. So, besides what I do here  
7 for the town, I also own a few Jersey  
8 Mike's franchises. And every year we  
9 choose an organization to donate money to  
10 called "Our Day of Giving". And every  
11 single Jersey Mike's this year chose the  
12 Special Olympics.

13 (Whereupon, applause.)

14 COUNCILWOMAN MAIER: A second year  
15 in a row. And that day we had some of the  
16 athletes come and help out. And it was  
17 really, truly remarkable. And I got to  
18 spend some time with some of them at  
19 Farmingdale a few months ago. I believe I  
20 may be wrong. You may have the total  
21 better than I do, but I think it was well  
22 over \$150,000.

23 MS. HOFMANN: It was \$174,000 in  
24 Long Island. In New York City and in the  
25 state, you guys gave over \$300,000.



1  
2 COUNCILWOMAN MAIER: And that  
3 \$174,000 was in one day. So every single  
4 franchisee for Jersey Mike's, we donated  
5 100% of our sales to the Special  
6 Olympics, something very near and dear to  
7 our heart. So we are very happy and proud  
8 to partner with you.

9 MS. HOFMANN: Thank you so much.

10 COUNCILWOMAN MAIER: And then we  
11 have the Special Olympics Farmingdale,  
12 which was truly remarkable. Actually,  
13 some of the athletes that came to Jersey  
14 Mike site stores were there and they got  
15 to spend some time with them. And it was  
16 it was amazing to see them participate  
17 and see how enthusiastic and how excited  
18 they were. So thank you for what you do.  
19 Thank.

20 SUPERINTENDENT DEFENDINI: So for  
21 those of you that were able to be a part  
22 of it, you'll know what it is that I'm  
23 talking about. But those of you that  
24 weren't, I'm going to try to do the best  
25 I can, expressing to you what it means

1  
2 like to be there on that particular day.  
3 It takes thousands and thousands of  
4 hours. I don't think you can fully  
5 appreciate how much goes into the work of  
6 getting the day underway, and it doesn't  
7 happen without the support of any number  
8 of organizations between the local fire  
9 department, the Village of Farmingdale  
10 was instrumental; Obviously, all of our  
11 sponsors and partners that were able to  
12 feed the athletes. The volunteer efforts,  
13 for those of you that don't know, again,  
14 we had between 400-500 volunteers there  
15 that day. That all had to be trained and  
16 coordinated in order to get that rolling.  
17 My team, my administrative team, was an  
18 unbelievable asset running each of the  
19 individual groups. Whether or not it was  
20 the organization that we were responsible  
21 for getting the games going or security  
22 and supervision, parking. The day of, we  
23 had well over 2500 people at our schools,  
24 between the participants, the volunteers  
25 and the spectators. It was a tremendous

1  
2 day. But a partner to us, this event  
3 simply doesn't happen unless they are  
4 there by our side, our partners from the  
5 Town of Oyster Bay.

6 I want to sincerely thank from the  
7 bottom of my heart, Supervisor Saladino,  
8 the entire Town Council who were  
9 instrumental in the work. Andy Rothstein,  
10 who I don't think was able to be here,  
11 was one of the leaders from the Town who  
12 was a big part of the project. Your help  
13 in getting all of the different things  
14 that necessarily aren't seen but are  
15 happening behind the scenes, whether or  
16 not it's transportation, the signage, all  
17 of the coordination all comes from the  
18 Town of Oyster Bay, all through volunteer  
19 efforts. None of this is paid. Every  
20 aspect of this is entirely volunteer. And  
21 we don't get this thing off the ground  
22 without the Town of Oyster Bay.

23 We are going to miss it. For those  
24 of you that also don't know, you are only  
25 allowed to host for two years. We have

1  
2 hosted our two years, so our time is due.  
3 We're handing the event off to Plainedge.  
4 I love our neighbors, but I am going to  
5 miss running the Special Olympics very  
6 much and being a part of it. But I know  
7 the Town is going to continue to work in  
8 partnership with Plainedge School  
9 District in the years to come when they  
10 run their events over there. All of our  
11 best Special Olympics from your support.  
12 You guys are absolutely amazing. We  
13 appreciate you. And again, one more big  
14 round of applause for Supervisor Saladino  
15 and the Town Council.

16 (Whereupon, applause.)

17 SUPERVISOR SALADINO: Thank you Paul  
18 Defendini, thank you to the Farmingdale  
19 School District and all of the  
20 volunteers. Thank you, 7-Eleven, Jersey  
21 Mike's, thank you for the sponsorships  
22 and everyone in making it a tremendous  
23 success. And we're looking forward to  
24 bringing equal help to Plainedge when  
25 they do it. And before Farmingdale was

Bethpage School District. So it's very  
interesting that when they want to work  
with the best of the best, they choose  
school districts in the Town of Oyster  
Bay.

(Whereupon, applause.)

SUPERVISOR SALADINO:

Thank you very, very much.

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2 SUPERVISOR SALADINO: Now turning to  
3 some more heroes. Last, but certainly not  
4 least, we want to again congratulate the  
5 Massapequa International Little League  
6 Girls softball on winning the World  
7 Series. We have had teams, last year from  
8 Massapequa Coast competing in the World  
9 Series, we had a boys team, 12-year-olds  
10 competing in the World Series. But it was  
11 the girls, ladies. It was the girls. All  
12 of them. All of the kids did a wonderful  
13 job. But these girls in particular had an  
14 undefeated season 19 and 0; 19 victories  
15 and zero losses and are now the world's  
16 best women's 12-U softball team. We are  
17 so proud of them. Thank you, girls, for  
18 putting Long Island and the Town of  
19 Oyster Bay on the map. Our elected  
20 officials were there yesterday at the  
21 homecoming party where we celebrated the  
22 kids. We got them a very special luxury  
23 bus to come home in, and we had a very  
24 special presentation with them, along  
25 with our colleagues in government in the

1  
2 Village of Massapequa Park, where Jeff  
3 Pravato used to be the mayor. Danny Pearl  
4 is now the mayor. We celebrated with  
5 them, and that's only the beginning.  
6 We're planning a parade and other honors  
7 for them. We hope everyone in the public  
8 will be at those things.

9 And once again, on behalf of the  
10 Oyster Bay Town Board, all of our elected  
11 officials and our whole Oyster Bay  
12 family, congratulations to Massapequa.  
13 International Little League 12-U girls,  
14 for being the World's Champions after  
15 winning the World Series of Softball.  
16 Congratulations.

17 (Whereupon, applause.)  
18

19 \*\*\*\*\*  
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2 SUPERVISOR SALADINO: All right. And  
3 now, after celebrating the importance of  
4 democracy outside with members of the  
5 largest democracy in the world by  
6 population in India, celebrating India  
7 Independence Day, we will practice what  
8 we preach by beginning the process,  
9 continuing the process of democracy.

10  
11 (Whereupon, above matter  
12 concludes, 11:19 a.m.)  
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C E R T I F I C A T E

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

I, KAREN 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 August, 2023.

Karen Lorenzo  
KAREN LORENZO

<b>\$</b>	13:24, 14:4, 14:7, 15:20, 20:20	21:7, 23:17	<b>B</b>
<b>\$150,000</b> <sup>[1]</sup> - 16:22	<b>A</b>	<b>applause</b> <sup>[1]</sup> - 4:9	<b>bar</b> <sup>[1]</sup> - 12:24
<b>\$174,000</b> <sup>[2]</sup> - 16:23, 17:3		<b>appreciate</b> <sup>[4]</sup> - 6:11, 7:12, 18:5, 20:13	<b>Bay</b> <sup>[18]</sup> - 3:22, 4:3, 4:5, 5:11, 5:23, 6:21, 7:4, 8:4, 14:7, 14:10, 14:11, 19:5, 19:18, 19:22, 21:6, 22:19, 23:10, 23:11
<b>\$300,000</b> <sup>[1]</sup> - 16:25	<b>a.m</b> <sup>[2]</sup> - 1:7, 24:12	<b>appreciated</b> <sup>[1]</sup> - 13:20	<b>BAY</b> <sup>[1]</sup> - 1:3
<b>0</b>	<b>able</b> <sup>[3]</sup> - 17:21, 18:11, 19:10	<b>approach</b> <sup>[2]</sup> - 5:18, 6:5	<b>begin</b> <sup>[1]</sup> - 5:13
<b>0</b> <sup>[1]</sup> - 22:14	<b>abroad</b> <sup>[1]</sup> - 7:21	<b>area</b> <sup>[1]</sup> - 14:10	<b>beginning</b> <sup>[2]</sup> - 23:5, 24:8
<b>1</b>	<b>absolutely</b> <sup>[1]</sup> - 20:12	<b>Area</b> <sup>[2]</sup> - 3:24, 14:11	<b>behalf</b> <sup>[2]</sup> - 4:5, 23:9
<b>100%</b> <sup>[1]</sup> - 17:5	<b>academics</b> <sup>[1]</sup> - 13:6	<b>armed</b> <sup>[1]</sup> - 7:20	<b>behind</b> <sup>[1]</sup> - 19:15
<b>10:50</b> <sup>[1]</sup> - 1:7	<b>accidents</b> <sup>[1]</sup> - 9:18	<b>Army</b> <sup>[2]</sup> - 3:8, 7:5	<b>best</b> <sup>[6]</sup> - 14:22, 17:24, 20:11, 21:4, 22:16
<b>11771</b> <sup>[1]</sup> - 5:12	<b>accomplishment</b> <sup>[1]</sup> - 15:4	<b>Arturo</b> <sup>[1]</sup> - 7:5	<b>Bethpage</b> <sup>[1]</sup> - 21:2
<b>11:19</b> <sup>[1]</sup> - 24:12	<b>accomplishments</b> <sup>[1]</sup> - 12:11	<b>aspect</b> <sup>[1]</sup> - 19:20	<b>better</b> <sup>[1]</sup> - 16:21
<b>12-U</b> <sup>[2]</sup> - 22:16, 23:13	<b>achieve</b> <sup>[1]</sup> - 13:5	<b>asset</b> <sup>[1]</sup> - 18:18	<b>between</b> <sup>[3]</sup> - 18:8, 18:14, 18:24
<b>12-year-olds</b> <sup>[1]</sup> - 22:9	<b>add</b> <sup>[1]</sup> - 14:25	<b>assist</b> <sup>[2]</sup> - 10:18, 15:24	<b>bicycle</b> <sup>[1]</sup> - 9:23
<b>15</b> <sup>[1]</sup> - 1:6	<b>administrative</b> <sup>[1]</sup> - 18:17	<b>assistance</b> <sup>[1]</sup> - 10:2	<b>big</b> <sup>[3]</sup> - 13:15, 19:12, 20:13
<b>15th</b> <sup>[2]</sup> - 4:4, 25:13	<b>adults</b> <sup>[1]</sup> - 14:16	<b>Assistant</b> <sup>[1]</sup> - 13:11	<b>Bike</b> <sup>[2]</sup> - 3:13, 9:10
<b>19</b> <sup>[2]</sup> - 22:14	<b>ago</b> <sup>[1]</sup> - 16:19	<b>athletes</b> <sup>[7]</sup> - 14:3, 14:18, 14:22, 15:9, 16:16, 17:13, 18:12	<b>bike</b> <sup>[2]</sup> - 9:16, 15:7
<b>2</b>	<b>Allegiance</b> <sup>[2]</sup> - 6:18, 7:10	<b>athletics</b> <sup>[1]</sup> - 13:7	<b>bless</b> <sup>[2]</sup> - 6:15
<b>2023</b> <sup>[4]</sup> - 1:6, 4:4, 12:6, 25:13	<b>allowed</b> <sup>[1]</sup> - 19:25	<b>attempt</b> <sup>[1]</sup> - 14:25	<b>Board</b> <sup>[6]</sup> - 4:3, 4:6, 4:13, 4:17, 13:14, 23:10
<b>21</b> <sup>[1]</sup> - 6:21	<b>Amarjit</b> <sup>[2]</sup> - 3:3, 5:24	<b>Attorney</b> <sup>[1]</sup> - 5:11	<b>BOARD</b> <sup>[1]</sup> - 1:2
<b>2500</b> <sup>[1]</sup> - 18:23	<b>amazing</b> <sup>[2]</sup> - 17:16, 20:12	<b>Audrey</b> <sup>[1]</sup> - 5:11	<b>Bob</b> <sup>[4]</sup> - 3:8, 3:9, 6:22, 6:25
<b>4</b>	<b>amount</b> <sup>[2]</sup> - 12:11, 13:5	<b>August</b> <sup>[3]</sup> - 1:6, 4:4, 25:13	<b>Bordieri</b> <sup>[2]</sup> - 3:23, 14:8
<b>400-500</b> <sup>[1]</sup> - 18:14	<b>Amvets</b> <sup>[1]</sup> - 6:20	<b>Avenue</b> <sup>[1]</sup> - 5:11	<b>bottom</b> <sup>[1]</sup> - 19:7
<b>5</b>	<b>Andy</b> <sup>[1]</sup> - 19:9	<b>Award</b> <sup>[1]</sup> - 7:4	<b>boys</b> <sup>[1]</sup> - 22:9
<b>54</b> <sup>[1]</sup> - 5:11	<b>announcements</b> <sup>[2]</sup> - 9:4, 9:9	<b>awareness</b> <sup>[1]</sup> - 9:16	
<b>6</b>	<b>applause</b> <sup>[10]</sup> - 6:16, 7:8, 10:11, 10:15, 13:16, 16:13, 20:14, 20:16,	<b>Awareness</b> <sup>[3]</sup> - 3:13, 9:11	
<b>600</b> <sup>[1]</sup> - 14:2			
<b>7</b>			
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**TOWN BOARD**

**TOWN OF OYSTER BAY**

REGULAR MEETING

August 15, 2023

11:19 a.m.

\*\*\*

Hearing 1

Application

Of

Manetto Hill Associates 116, LLC

**JOSEPH SALADINO**

SUPERVISOR

\*\*

**RICHARD LaMARCA**

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

APPEARANCES:

BRAM WEBER, ESQ.

JOSH HERMANN

\*\*\*

DENISE SCUDERI, VITALITY BOWLS

JOHN HALL, RAVES SALON,

RICHARD LOEVEN, UMBERTOS

1  
2 SUPERVISOR SALADINO: Mr. Clerk,  
3 kindly call the elected officials who  
4 represent the people the most important  
5 piece of democracy?

6 TOWN CLERK: Supervisor Saladino?

7 SUPERVISOR SALADINO: Present.

8 TOWN CLERK: Councilwoman Johnson?

9 COUNCILWOMAN JOHNSON: Present.

10 TOWN CLERK: Councilman Imbroto?

11 COUNCILMAN IMBROTO: I am here.

12 TOWN CLERK: Councilman Hand?

13 COUNCILMAN HAND: Present.

14 Councilman Labriola?

15 COUNCILMAN LABRIOLA: Present.

16 TOWN CLERK: Councilwoman Maier?

17 COUNCILWOMAN MAIER: Present.

18 TOWN CLERK: Councilwoman Walsh?

19 COUNCILWOMAN WALSH: Present.

20 TOWN CLERK: We have a quorum,  
21 Supervisor.

22 SUPERVISOR SALADINO: Would you  
23 kindly call the first hearing?

24 TOWN CLERK: Today's first hearing  
25 is to consider application of Manetto

Hills Associates 116, LLC, fee owner, for a special use permit on premises located at 50 Manetto Hill Road, Plainview.

SUPERVISOR SALADINO: Good morning, Counselor. How are you doing today?

MR. WEBER: Thank you. I'm doing well, thank you.

(Whereupon, boards and pamphlets displayed and distributed and referred to during presentation.)

SUPERVISOR SALADINO: Can you state your presence?

MR. WEBER: Bram Weber, Weber Law Group, 280 Broad Hollow Road Melville, New York. For the applicant Manetto Hill Associates 116, LLC. Joined today by Nick Brown from Kimco, who was the Northeast Regional Director of Acquisitions and Development for Kimco; Cara Pagan, who is sitting next to him, who was the director of New Club openings for Planet Fitness; Josh Herman is right there from Stonefield Engineering, who is our

1  
2 parking engineer; and Domenick Ciardullo,  
3 who is our professional engineer for  
4 Civil engineering from Bohler  
5 Engineering.

6 So as you know, I had to postpone  
7 last month's hearing. And I do appreciate  
8 the Town Board's willingness to let me  
9 postpone that hearing to deal with my  
10 health issue. I do want to publicly  
11 acknowledge this Board's professionalism  
12 in allowing me to postpone that hearing.  
13 I do appreciate it. I also want to thank  
14 Planet Fitness and Kimco. This  
15 application is very important to both of  
16 those organizations, and they allowed me  
17 with full support to delay the hearing.  
18 So I'd like to publicly thank them as  
19 well.

20 We are fortunate to have these two  
21 companies focused on improving Manetto  
22 Hill Plaza for the benefit of Plainview  
23 residents. That is the theme I want to  
24 convey to the Board today: Improvement.  
25 Just over a year ago we presented a

1  
2 larger Planet Fitness for this location  
3 with no proposed changes to the shopping  
4 center parking lot. Today we present a  
5 smaller Planet Fitness and have  
6 incorporated almost every suggestion this  
7 Board made for improving the parking lot  
8 at the shopping center at the previous  
9 hearing.

10 Today, the Planet Fitness has  
11 proposed is approximately 1700 square  
12 feet smaller. It's now 17,464ft<sup>2</sup>, down  
13 from 19,159ft<sup>2</sup>. And you have in front of  
14 you just a book that shows some interior  
15 photos of a recently opened Planet  
16 Fitness. The facade is not the facade  
17 that would be proposed here. Those are  
18 with palm trees and a much warmer  
19 climate. But we thought that would be a  
20 nice and interesting vision of a more  
21 modern and up to date Planet Fitness  
22 exterior, as well as some interior  
23 pictures, as I said, a site plan and two  
24 parking charts that will be the subject  
25 of Josh Herman's presentation.



1  
2           So as I said, we've reduced the size  
3 of the Planet Fitness as well as made the  
4 following changes to the parking lot, all  
5 of which were suggested at the Town Board  
6 meeting that we had a year ago:

7           1. We created a second entrance for  
8 Planet Fitness at the rear of the  
9 building to allow for convenient employee  
10 parking for Planet Fitness employees in  
11 parking spaces that are less desirable  
12 for customers.

13           2. We've added areas in the parking  
14 lot for dedicated employee parking for  
15 employees of all tenants at Manetto Hill  
16 Plaza, which will open up the most  
17 convenient parking spaces for customers.

18           3. We've added dedicated "one hour  
19 customer parking" spaces which will allow  
20 for frequent turnover of those spaces to  
21 allow for their optimal usage.

22           4. And we've reduced the overall  
23 number of required parking spaces by 18  
24 spaces at the shopping center.

25           Kimco wants to improve the Manetto

1  
2 Hill Plaza. What we have now is a  
3 shopping center in need of activity  
4 shoppers, foot traffic and economic  
5 vibrancy.

6 Currently, the shopping center has  
7 more than 25,000ft<sup>2</sup> of vacant space.  
8 Additionally, there is a 33,000 square  
9 foot grocery store without a definite  
10 opening date. That date being entirely  
11 within the control of the tenant and not  
12 in the control of Kimco.

13 So adding the vacant space and the  
14 currently dark grocery space, Manetto  
15 Hill Plaza has more than 58,000ft<sup>2</sup> of  
16 vacant space. The people who suffer in  
17 that scenario are the current tenants of  
18 the shopping center doing all they can to  
19 succeed in a very difficult market, and  
20 the residents in the area who are saddled  
21 with an underperforming shopping center  
22 right in the middle of their  
23 neighborhood.

24 I've been fortunate to stand before  
25 this Board on other Kimco applications,

1  
2 and this Board is very well aware of the  
3 level of care and attention Kimco pays to  
4 its properties. Kimco has nine retail  
5 properties within the borders of the town  
6 from Massapequa in the south to Jericho  
7 in the north, and including its worldwide  
8 headquarters in Jericho, which had opened  
9 in 2021.

10 Kimco is the largest and most  
11 experienced shopping center owner and  
12 manager in the town. It would not and  
13 does not put tenants in its properties,  
14 which it feels would not be a good fit  
15 for the community and work to support the  
16 other tenants in the shopping center.

17 Planet Fitness with two successful  
18 locations already in the Town of Oyster  
19 Bay in Massapequa and Syosset, knows the  
20 market well and how to succeed in the  
21 town. Based on the success of the  
22 Massapequa and Syosset locations and its  
23 experience in the town, Planet Fitness  
24 believes it can serve the Plainview  
25 community as well as it has its others in

1  
2 the town and throughout Long Island.

3 Finally, I alluded to it before, the  
4 shopping center and its tenants need  
5 Planet Fitness. In the year since our  
6 last public hearing, before we made the  
7 changes to the application which we are  
8 presenting to you today, this shopping  
9 centre and its tenants needed the Planet  
10 Fitness a year ago. That is even more  
11 true today. To its credit, Planet Fitness  
12 has remained committed to this location  
13 and wanting to be in this shopping  
14 center.

15 To its credit, Kimco heard the  
16 questions raised by this Board and went  
17 to the market to prove that there was no  
18 other quality tenant in the market who  
19 would lease the 17,000ft<sup>2</sup> Planet Fitness  
20 was committed to leasing here.

21 To the credit of both Kimco and  
22 Planet Fitness, they were willing to make  
23 almost every change suggested by this  
24 Board in order to convince the Board that  
25 their proposal will succeed here for the

1  
2 benefit of the community.

3 And I have for submission to the  
4 record a petition signed by 49  
5 individuals (handing). This is  
6 applicant's Exhibit 1. So the petition,  
7 as I said, is signed by 49 individuals,  
8 either owners of businesses at Manetto  
9 Hill Plaza or employees who work there in  
10 support of the Planet Fitness  
11 application. This petition was signed  
12 after the unsuccessful previous  
13 application.

14 So in concluding my remarks, I want  
15 to read a few sentences from the tenant  
16 and employee petition:

17 "We understand there were concerns  
18 regarding parking impacts associated with  
19 the proposed fitness use. However, as  
20 tenants, we have seen a fully occupied  
21 center in its busiest times. Our  
22 experience demonstrates that the parking  
23 lot would function adequately with the  
24 inclusion of this new fitness use. It is  
25 also clearly preferred to the

1  
2 alternative: Struggling businesses and  
3 an empty parking field without shoppers.

4 For the Town Board to live up to its  
5 stated goal of being pro-business, please  
6 don't turn away a business that is  
7 crucial to our livelihood.

8 We hope you will reconsider this  
9 application and approve Planet Fitness  
10 for Manetto Hill Plaza".

11 I was also handed right before the  
12 meeting, a letter from Solomon's Jewelers  
13 who couldn't attend to be there today. So  
14 I just want to read a couple of sentences  
15 from this letter, which I'll submit as  
16 Applicant Exhibit 2:

17 "We are Solomon's Jewelers in the  
18 Kimco Shopping Center. We have been in  
19 the center for over 50 years. July 2019,  
20 four years ago, the Fairway Supermarket  
21 closed and the large space they occupied  
22 is still empty. When Kimco told us the  
23 Planet Fitness would come in, we were  
24 thrilled. People looking to stay in good  
25 health and coming to our shopping center.

1  
2 This could make a big difference to the  
3 businesses here. I took photos with Kimco  
4 during the 2022 holiday season to show  
5 the tremendously empty lot. Planet  
6 Fitness would be a much needed boost to  
7 the center, since there aren't any  
8 shopping centers with a fitness center  
9 nearby. This would create extra foot  
10 traffic that the businesses in this  
11 center so desperately need. Planet  
12 Fitness would provide a boost to the  
13 businesses in the center, and we  
14 desperately need some life to this empty  
15 center. Signed, Mark Solomon from  
16 Solomon Jewelers" (handing).

17 So that concludes my introductory  
18 remarks. I have Josh Herman prepared to  
19 testify on parking. If there are any  
20 questions from the Board, I'm happy to  
21 answer them now.

22 COUNCILMAN IMBROTO: Mr. Weber, I  
23 just wanted to thank you and thank the  
24 applicant for working very closely with  
25 the Town to address some of the issues

1  
2 that we had with the last application.  
3 And I also had an opportunity to speak to  
4 some of the business owners in that  
5 shopping center. And their remarks are  
6 reflected by the petition and the  
7 correspondence that you just read. Given  
8 that the future of the Amazon Supermarket  
9 seems to be a little bit uncertain, you  
10 know, it seems like we're in a different  
11 situation than we were the last time this  
12 application was heard. So I appreciate  
13 you working with us.

14 MR. WEBER: And just to that point  
15 and not to overburden the record, but we  
16 did do what in my, probably, 25 years of  
17 doing this work is the most extensive  
18 parking study for an application like  
19 this. So Josh is going to present some of  
20 that data, not all of it.

21 But to your point, Councilman, we  
22 went out, we had originally done a  
23 parking study for the last hearing. We've  
24 gone out, we've updated all of our data.  
25 We've included an additional location to



1  
2 study for Planet Fitness and have come  
3 back with what I think is a pretty  
4 comprehensive set of numbers to show and  
5 prove that the parking here is adequate  
6 at this site for the Planet Fitness and  
7 Josh will make his presentation.

8 Thank you.

9 MR. HERMAN: Good morning,  
10 Supervisor Saladino and members of the  
11 board. My name is Josh Herman. I'm a  
12 traffic engineer with Stonefield  
13 Engineering and Design, located at 584  
14 Broadway, Suite 310, New York, New York.  
15 10012. I am a licensed professional  
16 engineer in the state of New York as  
17 well, with over a decade of experience  
18 doing traffic and parking work.

19 Thank you for taking the time to  
20 hear the details of our parking study  
21 that we've prepared. As Mr. Weber said,  
22 we've done a comprehensive parking study  
23 with a lot of data collection to support  
24 this application.

25 The proposed 17,464 square foot

1  
2 Planet Fitness per the Town Zoning  
3 Ordinance would require 233 parking  
4 stalls. And that's based on one parking  
5 space provided per 75ft<sup>2</sup>. I should also  
6 point out that we also took a look at the  
7 neighboring towns on Long Island and the  
8 parking requirements there. And that's  
9 double the next highest parking demand,  
10 which would be 116 parking requirement  
11 within the Town of Hempstead.

12 That being said, with this  
13 requirement, the new shopping center  
14 would require 628 parking spaces. The  
15 current shopping center provides 444  
16 parking spaces and would continue to  
17 provide the same parking area in the  
18 future. So that's a variance of 184  
19 spaces.

20 In order to assess the future  
21 parking situation with the proposed  
22 Planet Fitness as well as the other  
23 prospective tenants, we did an extensive  
24 data collection which is shown on the  
25 board as well as the last two pages in

1  
2 the pamphlet that was handed to you.

3 So the future parking study was done  
4 in layers, if you will. First, we  
5 collected the parking utilization of the  
6 existing Manetto Hill Shopping plaza we  
7 collected for a majority of the day on a  
8 typical weekday as well as on a weekend.  
9 And currently, you know, the peak that we  
10 observed was on a weekday at around  
11 around 1:00 pm when approximately 33% of  
12 the parking spaces on the site were  
13 occupied.

14 It's important to note that there is  
15 approximately 8200ft<sup>2</sup> of vacant retail  
16 space in addition to the location where  
17 the proposed supermarket and proposed  
18 Planet Fitness will be occupied. So we  
19 took that existing utilization and we  
20 used the parking utilization rates from  
21 the existing tenants and we applied that  
22 peak parking utilization rate to account  
23 for the vacant retail space.

24 We then collected data at several  
25 Planet Fitness locations throughout Long

1  
2 Island, but also within the town. We did  
3 parking counts for large portions of the  
4 day so that we could ensure that we're  
5 counting the peak of both weekdays and  
6 Saturdays. We counted the Planet Fitness  
7 location in Syosset, we counted the  
8 Planet Fitness location in Melville, and  
9 we counted the Planet Fitness location in  
10 Massapequa. It's important to note that  
11 the Hicksville Planet Fitness location is  
12 currently undergoing renovations, but we  
13 did count the parking there at that  
14 location prior to closing. But it is  
15 important to note that the other three  
16 locations were counted when the  
17 Hicksville location was closed. And the  
18 reason why that's relevant is because the  
19 members from the Hicksville location were  
20 allowed to use other planet fitness  
21 locations. So the other three locations  
22 are likely elevated compared to a typical  
23 condition when the Hicksville location is  
24 operational.

25 SUPERVISOR SALADINO: Just if I may

1  
2 ask one question in relation, since you  
3 brought up Hicksville, you looked at the  
4 parking situation prior to the  
5 construction, correct?

6 MR. HERMAN: Correct.

7 SUPERVISOR SALADINO: Just in  
8 general, did you find, based on your  
9 professional experience, that there is an  
10 adequate number of parking spots at the  
11 Hicksville location?

12 MR. HERMAN: Well, I will say that  
13 that shopping center in particular  
14 provides less parking per square foot of  
15 floor area compared to this shopping  
16 center. There was a high rate of  
17 parking, but it was not necessarily due  
18 to the Planet Fitness. We had our staff  
19 monitoring who was going to the Planet  
20 Fitness from within the parking lot. So  
21 we were able to really hone down on who  
22 in that shopping center in the parking  
23 lot was visiting Planet Fitness versus  
24 the other tenants in the shopping center.

25 COUNCILMAN IMBROTO: So is that a

1  
2 no?

3 MR. HERMAN: Yeah. It was a highly  
4 used parking lot, I will say that. That's  
5 not the focus of what we studied, but it  
6 was highly used. I do have the Hicksville  
7 the location, we do have the parking  
8 rates. One thing to point out, the  
9 Massapequa Planet Fitness has actually  
10 generated a higher parking demand, and  
11 I'll get to that in a few moments. But  
12 again, relative to the Massapequa  
13 location, Hicksville actually generates  
14 lower parking demand. That being said,  
15 the shopping center does --

16 MR. WEBER: Josh, I think to clarify  
17 the point.

18 So Hicksville, because of the amount  
19 of parking that's in Hicksville, provides  
20 fewer parking per square foot than this  
21 center does. So we have more parking per  
22 square foot at this center than in  
23 Hicksville; point one.

24 Point two, Hicksville parking lot is  
25 also taken up by outdoor seating for a

1  
2 restaurant that's there which removes  
3 available parking at that time.

4 Third, for not this study that we  
5 currently did now, because Hicksville is  
6 currently closed and we've seen in the  
7 data from Planet Fitness that most of the  
8 Hicksville users are going to Massapequa.

9 Third (sic), for Hicksville,  
10 previously we were able to determine  
11 which people parking were going to Planet  
12 Fitness and that was a smaller number  
13 than overall were going to the other  
14 tents. So that parking lot is different  
15 than this parking lot, doesn't provide as  
16 much parking and also doesn't have the  
17 number of people going to Planet Fitness  
18 that are causing parking shortages in  
19 that parking lot.

20 SUPERVISOR SALADINO: Okay.

21 MR. HERMAN: So as I was saying, the  
22 other three locations that we counted,  
23 Massapequa was actually the highest  
24 parking generator of the site. So our  
25 parking study, we looked at it two

1  
2 different ways. We took a look at one  
3 with an average of the parking demand at  
4 all the sites that we counted. And then  
5 we also took a look at the Massapequa  
6 site, which had the highest parking  
7 generation rate. And again, that  
8 Massapequa site was elevated.

9 As you can see on the chart that was  
10 provided, that is the orange bar  
11 (indicating), as well as in your  
12 pamphlet.

13 The next aspect that we took a look  
14 at was the supermarket that's proposed.  
15 We did count a comparable supermarket,  
16 which ended up being lower than standard  
17 parking demand rates provided by ITE.  
18 That's the a data source for  
19 transportation engineers that takes into  
20 account supermarkets throughout the  
21 country. So in order to provide  
22 conservative assessment, we did utilize  
23 those ITE parking demands in our analysis  
24 and that's shown in the blue bars on the  
25 graph (indicating) throughout the day.



1  
2 And lastly, there is a small  
3 proposed retail component that's 6307ft<sup>2</sup>,  
4 and that's shown with the little red bar  
5 at the top (indicating) and was using our  
6 peak parking generation.

7 Based on our assessment during the  
8 peak period of the day at a critical  
9 peak, which is on a weekday in the  
10 afternoon, there would still be 89 vacant  
11 parking spaces provided on the site. So  
12 the parking lot would provide excess  
13 parking and the parking demand would be  
14 met by the proposed parking. And that's  
15 taking into account the average of the  
16 Planet Fitness locations as I mentioned  
17 before.

18 We also took a look at the  
19 Massapequa data and utilizing only that  
20 parking data because it was the highest,  
21 and given that parking data, the site  
22 would have 65 vacant parking spaces in  
23 the future. So we did take it into  
24 account.

25 So based on all the data, the

1  
2 extensive data collection that we took  
3 for full weekdays Saturdays, it's my  
4 professional opinion that the site would  
5 provide enough parking to support the  
6 proposed Planet Fitness at this site.

7 And with that I'm happy to answer  
8 any questions.

9 COUNCILMAN IMBROTO: A parking  
10 variance would still be required, right?

11 MR. HERMAN: That is correct, yes.

12 COUNCILMAN IMBROTO: What's the  
13 variance?

14 MR. WEBER: It's 184 spaces.

15 So what the charts are showing here,  
16 what you have in the book and we have on  
17 the boards, at the peak during the  
18 weekday, if you peaked out every use,  
19 including the gym, you filled all the  
20 vacant retail and you had a fully  
21 occupied grocery store using ITE data,  
22 not the data that we collected from a  
23 similar grocery store which was actually  
24 lower, if you peaked out everything,  
25 during the weekday peak, you'd have 89

1  
2 empty spaces, and if you peaked out  
3 everything during the weekend peak, you'd  
4 have 128 empty spaces. So those are the  
5 charts that you have in front of you.

6 And also, if you took even the  
7 Massapequa gym peak, which is even higher  
8 than the anticipated parking utilization  
9 here for a gym, if you took the  
10 Massapequa peak, which is Massapequa  
11 members plus spillover from Hicksville,  
12 even that peak, peak, peak was 65 empty  
13 parking spaces. That's correct?

14 MR. HERMAN: Yes.

15 MR. WEBER: Correct.

16 COUNCILMAN IMBROTO: And this is  
17 counting the parking spaces along the  
18 side of the shopping center by the bank?

19 MR. WEBER: Correct. And you can  
20 actually see from your -- we included it  
21 in here in the site plan. And I'm happy  
22 to actually show you because I think,  
23 again, these were suggestions by the Town  
24 Board and we incorporated them into the  
25 -- not counting the cover page, so it's

1  
2 page two, we have "employee parking only"  
3 behind the building. So basically south  
4 of a proposed Planet Fitness, you'll see  
5 proposed "employee only parking" signs.  
6 You'll see that again for the parking  
7 that's against the building, as well as  
8 all the spaces that are against the  
9 property line. And then we've included  
10 "one hour parking" in front of those  
11 eastern facing retail centers. And then  
12 we also have "one hour parking" in front  
13 of the retail spaces to the north. It's a  
14 bit hard to see. It's small. But we've  
15 included a total of 37 employee parking  
16 spaces. We've included a total of 33  
17 short term parking spaces. And those are  
18 in addition to the 359 customer parking  
19 spaces that exist. And there are 15  
20 additional handicap parking spaces.

21 So throughout the shopping center,  
22 we put employee parking in one hour  
23 parking to keep the flow of the one hour  
24 parking, those spaces being utilized, as  
25 well as putting employees of all the

1  
2 tenants in locations of the shopping  
3 center at the least convenient for  
4 customers.

5 COUNCILWOMAN WALSH: I want to  
6 really thank you for working with our  
7 Board and our Board communicating with  
8 you guys. Because I remember a year ago  
9 when we talked about behind the building  
10 parking, it maybe wouldn't work because  
11 of the one registration desk when the  
12 guests come in and putting the employee  
13 parking behind there, I think is a great  
14 solution. And I told you by us we have we  
15 go behind the building and we get used to  
16 it. We have behind building parking and I  
17 think it works out well.

18 MR. WEBER: Thank you.

19 COUNCILMAN IMBROTO: And the one  
20 hour parking. I think that's good.

21 MR. WEBER: So we heard what you  
22 suggested.

23 SUPERVISOR SALADINO: And that  
24 concludes your presentation?

25 MR. WEBER: Yes.

1  
2 MR. WEBER: That concludes our  
3 presentation.

4 SUPERVISOR SALADINO: Okay. So as  
5 always, we will hear from some residents,  
6 and then have you come up to close or  
7 address any of those residential  
8 concerns.

9 MR. WEBER: Thank you. Our first  
10 speaker will be Denise Scuderi.

11 MS. SCUDERI: Hello.

12 SUPERVISOR SALADINO: Hi, Denise.  
13 We are going to ask you to begin by  
14 giving us your full name, the company  
15 representing, the address.

16 MS. SCUDERI: I am here on behalf of  
17 Vitality Bowls in Plainview. I'm the  
18 owner at 82 Manetto Hill Mall.

19 SUPERVISOR SALADINO: Thank you.

20 MS. SCUDERI: So we are. We opened  
21 on March 27th of 2019 and the pandemic  
22 shutdown was March 27th, 2020. So we've  
23 been struggling there for three years  
24 watching other tenants disappear. The  
25 fitness center coming to this community

1  
2 is something that I believe everybody  
3 needs and the menu that we have to offer  
4 pairs well with that.

5 Last year when it wasn't approved, I  
6 was one of the fortunate people to be  
7 awarded your grant. So thank you for  
8 that. That's kept us there for another  
9 year. But as you spoke here today about  
10 small businesses, it is a community and  
11 we get to offer a lot of opportunity to  
12 the kids in the community as well as some  
13 kids with disabilities who come in and  
14 volunteer with us. We've been hanging on  
15 by a thread. But parking, of course,  
16 doesn't seem to be an issue for us  
17 because there's nothing but parking there  
18 for three years. And I know from the  
19 customers we do serve, they are really  
20 looking forward to having a fitness  
21 center because they are looking for  
22 wellness, which most people are, and we  
23 have our product that supports that. So  
24 that's it. I hope it's approved.

25 SUPERVISOR SALADINO: Thank you for

1  
2 your time.

3 Our next speaker will be John Hall.

4 MR. HALL: Good morning. My name is  
5 John Hall. I'm the owner of Raves Salon  
6 in Plainview at 62 Manetto Hill Mall.

7 Being closed for three months, the  
8 closing of our anchor store, Fairway, at  
9 the beginning of the pandemic has not  
10 helped my business in recovery.

11 I have been established since 1986.  
12 I've seen many changes in the shopping  
13 center, but never without an anchor store  
14 for over three years.

15 Driving into the parking lot, the  
16 first thing you see is an empty, no  
17 movement, depressed site. Parking spaces  
18 with no cars does not give the patrons or  
19 the employees a sense of growth. No one  
20 likes to shop in an inactive location.

21 An appearance enhancement business,  
22 which I have, will greatly benefit with  
23 the gym as well as my fellow merchants.  
24 Please consider your decision on allowing  
25 continuing development in our location.



1  
2 Also, if the parking issue is a  
3 concern, does anybody remember when  
4 Fairway first opened? At its peak. And  
5 we're worried about a gym? There is a  
6 Planet Fitness where I shop in Greenlawn.  
7 And what you see are mostly parents  
8 dropping off their teenage children. You  
9 see bicycles and I never have a problem  
10 with parking in that shopping center  
11 where I grocery shop and do a lot of my  
12 shopping.

13 So I thank you so much. And please  
14 consider, because it's been a long three  
15 years. Thank you very much. And thank you  
16 for listening.

17 COUNCILMAN IMBROTO: Thank you, Mr.  
18 Hall. Just so you understand, the  
19 concern at the time that the last hearing  
20 was held was that this Amazon supermarket  
21 was about to open and this was going to  
22 open at the same time and it was going to  
23 create a crazy situation worse than what  
24 it was like when Fairway first opened.  
25 That situation has changed, which is why

1  
2 the application is being revisited.

3 MR. HALL: Okay. I'm going to tell  
4 you, I am really tired of hearing the  
5 comments. You know, Oh, the shopping  
6 center is so depressing. It's so empty.  
7 But remember when it was all so busy? Oh,  
8 the shopping center is so you can't find  
9 a parking spot.

10 So either way, you know, please help  
11 us pass this. Thank you so much.

12 COUNCILMAN IMBROTO: I've lived here  
13 my whole life. This was the shopping  
14 center I've been going through since I  
15 was a kid.

16 MR. HALL: So, you know.

17 COUNCILMAN IMBROTO: Yeah.

18 MR. HALL: Thank you very much.

19 SUPERVISOR SALADINO: And we did  
20 hear a number of items from the residents  
21 when they held the first hearing. And in  
22 tremendous credit to the organization and  
23 their counsel, they made a number of  
24 changes that will help you too, because  
25 remember, your constituents, your clients

1  
2 need a place to park.

3 MR. HALL: Thank you so much.

4 SUPERVISOR SALADINO: And now the  
5 last slip that I have received -- and if  
6 anybody else wants to be heard on this  
7 particular hearing, please fill out a  
8 slip. The last one I have is from Richard  
9 Leuven.

10 MR. LOEVEN: My name is Richard  
11 Leuven. I'm an owner of Umberto's  
12 Pizzeria, at Manetto Hill Shopping Center  
13 at 64 Manetto Hill Mall, Plainview, New  
14 York. Thank you for hearing us today,  
15 Council members.

16 I don't have the same experience  
17 with them. Covid wasn't a huge, huge  
18 impact on us. We were still able to do  
19 takeout and deliveries and we normally do  
20 go about business, but our dining room  
21 has suffered greatly. Our biggest issue  
22 is just having people come in and visit.  
23 A lot of times when Fairway was there, we  
24 would have people go do their shopping.  
25 They would stop in for a slice of pizza,

1  
2 bring a pie home or whatever it happened  
3 to be from our restaurant. Since then, I  
4 might also add also a big part was the  
5 employees of Fairway were customers of  
6 ours, and we're missing that as well and  
7 not just people coming in too. So just  
8 having a store there with employees would  
9 be a great help to all of our businesses.

10 Just to be visible again. We're kind  
11 of tucked away on Manetto Hill Road and  
12 people just drive by because there's not  
13 much going on. So anything that you guys  
14 can do to help us bring some life back  
15 into the shopping center would be greatly  
16 appreciated.

17 Thank you for your time.

18 SUPERVISOR SALADINO: Thank you very  
19 much. I have no other slips. I'm assuming  
20 that no one else would like to be heard.  
21 If you'd like to be heard, please raise  
22 your hand at this time.

23 (Whereupon, no response.)

24 SUPERVISOR SALADINO: Please let the  
25 record indicate that no one has

1  
2 identified themselves as wanting to be  
3 heard.

4 With that, sir, I believe you're  
5 back up to close.

6 MR. WEBER: Thank you very much. I  
7 have nothing further to add to the  
8 record. I'm happy to answer any questions  
9 if there are any.

10 SUPERVISOR SALADINO: Councilman  
11 Labriola.

12 COUNCILMAN LABRIOLA: Counselor,  
13 just for the record. Does the Manetto  
14 Hill Associates have a plan to enforce  
15 the employee parking spaces? Could you  
16 disclose what that plan is?

17 MR. WEBER: Absolutely. Thank you  
18 very much for asking that question. I  
19 wanted to add that to the record. So  
20 thank you. Yes. What Kimco will do, which  
21 is what they are in practice to do in  
22 other locations where they have this  
23 requirement, is they will ask for the  
24 license plate numbers for each one of the  
25 tenants and then enforce it that way to

1  
2 make sure that the license plates of the  
3 tenants employees are utilizing the  
4 employee parking and property management  
5 will enforce that.

6 COUNCILMAN LABRIOLA: Thank you.

7 COUNCILMAN IMBROTO: Thank you for  
8 all the modifications that you made. I  
9 appreciate you working with us.

10 MR. WEBER: Absolutely. Appreciate  
11 the input you gave us.

12 SUPERVISOR SALADINO: No other  
13 questions?

14 (Whereupon, no verbal  
15 response.)

16 SUPERVISOR SALADINO: Is there any  
17 correspondence?

18 TOWN CLERK: The attorney for the  
19 applicant has filed his affidavit of  
20 service and disclosure. The  
21 communications are as follows. We have  
22 memos from the Department of Planning and  
23 Development, including a review of the  
24 required off street parking. The Nassau  
25 County Land and Tax map indicates the

1  
2 property is Section 12, Block 381, Lots  
3 62 through 64, according to the Town of  
4 Oyster Bay zoning maps, the property is  
5 located within a (GB) General Business  
6 zone. There is an Open Code Enforcement  
7 Bureau case in Town Board resolutions and  
8 variances on file. We have affidavits of  
9 posting and publication. There is no  
10 further correspondence.

11 SUPERVISOR SALADINO: Okay. With  
12 that, can we have a motion, please?

13 COUNCILWOMAN JOHNSON: Supervisor, I  
14 make a motion for the public portion of  
15 this hearing be closed and the record be  
16 kept open for thirty days.

17 COUNCILMAN IMBROTO: I second the  
18 motion.

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

21 (Whereupon, all members of  
22 the Town of Oyster Bay Town  
23 Board respond in favor with,  
24 "Aye.")

25 SUPERVISOR SALADINO: Those opposed,

"Nay".

(Whereupon, no verbal  
response.)

SUPERVISOR SALADINO: The "Ayes"  
have it. Thank you very much, ladies and  
gentlemen.

(Whereupon, above matter  
concludes, 11:47 a.m.)



C E R T I F I C A T E

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

I, KAREN 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 August, 2023.

Karen Lorenzo  
KAREN LORENZO

08.15.2023 TOBAY TOWN BOARD HRG 1			
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**TOWN BOARD**

**TOWN OF OYSTER BAY**

REGULAR MEETING

August 15, 2023

11:48 a.m.

\*\*\*

Hearing 2

Application

Of

5002 Farmingdale Owner, LLC

**JOSEPH SALADINO**

SUPERVISOR

\*\*

**RICHARD LaMARCA**

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

APPEARANCES:

HOWARD AVRUTINE, ESQ., ATTORNEY FOR APPLICANT

DANIEL PEVERARO, KEY CIVIL ENGINEERING



1  
2 TOWN CLERK: The final hearing today  
3 is to consider the application of 5002  
4 Farmingdale Owner, LLC, fee owner, and  
5 5002 Food Corps lessee for a special use  
6 permit on premises located at 5002  
7 Hempstead Turnpike, Farmingdale.

8 SUPERVISOR SALADINO: Good morning,  
9 Counselor.

10 MR. AVRUTINE: Good morning,  
11 Supervisor Saladino, members of the  
12 board. It's a pleasure to see you all,  
13 as usual. My name is Howard Avrutine and  
14 the attorney for the applicant. My  
15 address is 2116 Merrick Avenue, Merrick.

16 This is the application of 5002  
17 Farmingdale Owner, LLC and 5002 Food Corp  
18 for a special use permit and site plan  
19 approval in order to operate a Tex's  
20 Chicken and Burgers fast food restaurant  
21 in a freestanding building. The premises  
22 under application is located on the  
23 southwest corner of Hempstead Turnpike.  
24 That's New York State Route 24 and West  
25 Gate in Farmingdale. It has a street

1  
2 address of 5002 Hempstead Turnpike. It's  
3 also known as Section 49, Block 178, Lot  
4 64 four on the Nassau County Land and Tax  
5 Map.

6 The premises is zoned (NB)  
7 Neighborhood Business district and is  
8 approved with a one story building  
9 formerly utilized as a Kentucky Fried  
10 Chicken restaurant from 1972 when the  
11 building on the property was constructed  
12 to approximately 2013, and then a Verizon  
13 retail store from approximately 2013 to  
14 approximately 2020 when the Verizon store  
15 ceased operations.

16 The site plan for the property was  
17 originally approved in 1972, when the  
18 building was constructed. The petitioners  
19 before you seek a special use permit to  
20 utilize the premises leased from 5002  
21 Farmingdale Owner, LLC to 5002 Food Corp  
22 as a Tex's Chicken and Burgers fast food  
23 restaurants in accordance with the site  
24 plans and architectural plans which are  
25 before the Board.

1  
2           The plans depict 19 parking spaces  
3           on site with 19 parking spaces provided,  
4           so we are fully parking compliant. The  
5           parking calculation is based upon an  
6           occupancy of 57; that's 35 indoors and 22  
7           outdoors. There is a proposed seating  
8           area in the front for weather permitting  
9           outdoor dining on the food purchased  
10          inside.

11          If I may, at this time, I have some  
12          photo packets I'd like to hand up for the  
13          Board's consideration, and I'll walk  
14          through the photos with you (handing).

15          The Board is familiar with Hempstead  
16          Turnpike, which has a very high volume of  
17          traffic. According to New York State  
18          Department of Transportation records,  
19          just under 42,000 vehicles pass by the  
20          site each day. And I'd like to go through  
21          with you the packets of photos that I've  
22          handed.

23          So the first photo in the packet is  
24          the existing building as it currently  
25          appears. The site is going to be

1  
2 improved. The building is going to be  
3 upgraded to accommodate the new use and  
4 the parking lot is going to be repaved.

5 The first two photos depict the  
6 building as it currently exists. The  
7 third photo is the rear of the property  
8 and the parking area. And as you can see,  
9 it's in need of a bit of an upgrade and  
10 it will be repaved and will have much,  
11 much better appearance after that  
12 happens.

13 The next photo is the rear of the  
14 building that's going to be repainted,  
15 and that's the area where the walk in  
16 cooler is proposed for the rear portion  
17 of the building, and that facade would be  
18 upgraded as well.

19 The next photo depicts one of the  
20 residences on East Gate, which abuts the  
21 premises to its south.

22 And the next photo is a law office  
23 which is directly across the premises  
24 located at 4 West Gate.

25 The next photo is a residence

1  
2 directly adjacent to that law office;

3 And then you can see beginning with  
4 the next photo, there's an Exxon station  
5 directly across the street on the south  
6 side of Hempstead Turnpike, and that is a  
7 gas station and convenience store, a  
8 Bolla Market, on property located in the  
9 (GB) General Business district.

10 Directly opposite the premises on  
11 the northerly side of Hempstead Turnpike  
12 is a Wendy's fast food restaurant and a  
13 freestanding building with a drive-thru  
14 window. The subject application before  
15 you today does not include a drive-thru.

16 Directly adjacent to the Wendy's  
17 facility is a religious use, Living Faith  
18 Center, and its parking lot.

19 In the next photo you can see  
20 adjacent to the Wendy's is a diner.

21 In the next photo you'll see  
22 directly next to the subject premises is  
23 a used car dealer. And next to the used  
24 car dealer dealer is a nursery and  
25 landscape business.

1  
2           So the surrounding area is fully,  
3           fully suitable and logical for this type  
4           of use being on Hempstead Turnpike.  
5           Importantly, New York State DOT has  
6           approved the plan that's before you, as  
7           has the Nassau County Fire Marshals  
8           Office.

9           As every application that comes  
10          before the Board, there was a rigorous  
11          review by the Town's Department of  
12          Planning and Development, which has  
13          deemed it appropriate for consideration  
14          by the Town Board at this time. The  
15          application has been designated as  
16          Type-II under the New York State  
17          Environmental Quality Review Act,  
18          concluding that there will be no adverse  
19          environmental impacts from the  
20          application.

21          This area, as I indicated, is  
22          certainly suitable for this use, which  
23          would be a permitted use if it were a  
24          restaurant rather than a fast food  
25          restaurant or was not a stand standalone

1  
2 building, a fast food restaurant in a  
3 multi-tenanted building is a permitted  
4 use.

5 The hours of operation: The  
6 employees arrive at 9 a.m., the  
7 restaurant opens at 10 a.m. and closes at  
8 11 p.m. in compliance with the Town's  
9 regulations regarding properties that  
10 abut residential uses. And it is open  
11 seven days a week. There will be a  
12 maximum of eight employees at any given  
13 time and a minimum of three.

14 Refuse is by private carter, and  
15 deliveries of food and paper goods are by  
16 a company called Maximum Quality Food and  
17 deliveries will take place by box truck  
18 during regular business hours. Beverages  
19 are from Coca Cola Company and their box  
20 trucks also will be made during business  
21 hours.

22 Tex's has a location on Hempstead  
23 Turnpike in Elmont. It also has a  
24 location at 70 South Broadway in  
25 Hicksville, if the Board were interested

1  
2 in visiting to see how they operate.

3 Unless the Board has questions of me  
4 at this time -- Yes.

5 COUNCILWOMAN MAIER: Thank you,  
6 Counselor. I do have a few questions.

7 So you did say this is not a  
8 drive-thru?

9 MR. AVRUTINE: It is not.

10 COUNCILWOMAN MAIER: Will they be  
11 having deliveries like Uber or DoorDash?

12 MR. AVRUTINE: Yes, they will.

13 COUNCILWOMAN MAIER: So when those  
14 cars come in, where will they be parking?

15 MR. AVRUTINE: Likely in the  
16 available spaces on site.

17 COUNCILWOMAN MAIER: Will they have  
18 spaces that are marked designated for  
19 delivery?

20 (Whereupon, Mr. Avrutine  
21 consults with owner in off the  
22 record discussion.)

23 MR. AVRUTINE: It's not something  
24 that has been done in their other  
25 locations. But if the Town would find



1  
2 that something desirable, we would  
3 certainly accommodate that request.

4 COUNCILWOMAN MAIER: So for the  
5 dumpster enclosure, how close is that to  
6 the nearest resident?

7 MR. AVRUTINE: On the other side of  
8 the fence is the residence. And it's been  
9 that way since 1972. This was an approved  
10 site plan.

11 COUNCILWOMAN MAIER: And what type  
12 of dumpster enclosure gate?

13 MR. AVRUTINE: It'll be per the Town  
14 requirements. It'll have a gate to allow  
15 the access and it'll have fencing around  
16 it.

17 COUNCILWOMAN MAIER: Is this is  
18 franchised or are they independently  
19 owned and operated?

20 MR. AVRUTINE: It's not a franchise.  
21 It's a corporate entity.

22 COUNCILWOMAN MAIER: Okay. Thank  
23 you.

24 COUNCILMAN HAND: To Councilwoman's  
25 point, the concrete slab where the refuse

1  
2           receptacle is going to be, is there any  
3           opposition from taking it away from the  
4           residential area, moving it up north  
5           abutting the car lot, as opposed to the  
6           residential?

7           MR. AVRUTINE: I'll let our site  
8           plan engineer address that. I think that  
9           is feasible and if we can accommodate it,  
10          the problem is we don't want to lose  
11          parking and put ourselves into a parking  
12          variance situation. But I'll have him  
13          address that. Thank you.

14          If there are no questions from the  
15          Board at this time, I have Daniel  
16          Peveraro. He is the site engineer.

17          Please give your name and address  
18          for the record.

19          MR. PEVERARO: Hi. Dan Peveraro with  
20          Key Civil Engineering, 664 Blue Point  
21          Road in Holtsville.

22          Mr. Avrutine did a pretty thorough  
23          job, so I will try to not repeat what he  
24          just said.

25          The site is, for the most part, an

1  
2 existing condition that we are  
3 maintaining with several important  
4 modifications that are improvements.  
5 Served by two existing curb cuts, one  
6 ingress only curb cut off of Hempstead  
7 Turnpike and full access off of West  
8 Gate. Both of those are existing and  
9 proposed to remain in exactly the same  
10 location. The ingress only curb cut off  
11 of Hempstead Turnpike is currently a  
12 little bit degraded in nature, so we're  
13 proposing to replace the curb cut right  
14 where it currently is, but it will be  
15 new.

16 In addition to that, we're proposing  
17 "Do not Enter" and "one way" signs and  
18 stop signs and arrows to help delineate  
19 the existing parking lot a little bit  
20 better and give better direction to the  
21 drivers as they proceed through the site.

22 Also, we're proposing a new ADA ramp  
23 to increase accessibility on the site and  
24 a proposed bike rack.

25 In addition to that, the proposed

1  
2 landscaping -- If you can flip over to  
3 the landscape plan -- we are proposing to  
4 increase the landscaping throughout the  
5 site in addition to the existing  
6 landscaping, all along the building  
7 frontage of West Gate and Hempstead  
8 Turnpike. Basically, everywhere that we  
9 can add landscaping, we are.

10 The existing lighting is compliant.  
11 We went out and did an existing lighting  
12 study and submitted the findings to the  
13 Planning, and there is no proposed change  
14 to the lighting on the site.

15 As far as the trash enclosure, if we  
16 can maintain the orientation of that  
17 trash enclosure basically perpendicular  
18 to parking with off-hour access to that,  
19 we could move that trash enclosure  
20 several spaces towards the north and swap  
21 the parking in place as long as the Board  
22 is okay with that.

23 SUPERVISOR SALADINO: Would you be  
24 kind enough to point that out on the map  
25 where it is now, where you would

1  
2 potentially move it?

3 MR. PEVERARO: (Indicating) That is  
4 the existing enclosure. And it's access  
5 along the parking existing.

6 SUPERVISOR SALADINO: And where  
7 could you move it to?

8 MR. PEVERARO: We could move it up a  
9 few spaces up over here, away from the  
10 residence. The residence is over here and  
11 it could still be accessed the same way.  
12 And we would swap the parking behind it.

13 SUPERVISOR SALADINO: How many feet  
14 would that represent that change?

15 MR. PEVERARO: Approximately 30 to  
16 35ft.

17 COUNCILMAN LABRIOLA: The access  
18 point on West Gate Road, I see a single  
19 arrow. Is that a two way curb cut?

20 MR. PEVERARO: Yes. There's a stop  
21 sign and a stop bar and a double yellow  
22 line.

23 COUNCILMAN LABRIOLA: Is there a  
24 current prohibition of no right turn out  
25 of that parking lot to prevent them from

1  
2 coming into the residential portion?

3 MR. PEVERARO: There's not.

4 COUNCILMAN LABRIOLA: Is that  
5 something that, perhaps, the applicant  
6 would consider?

7 MR. AVRUTINE: We would have no  
8 problem with that?

9 COUNCILMAN LABRIOLA: So they would  
10 make a left turn only left out towards  
11 Hempstead Turnpike.

12 MR. PEVERARO: Correct.

13 COUNCILMAN LABRIOLA: And that would  
14 be a nice change.

15 MR. AVRUTINE: Certainly, Councilman  
16 Labriola. I also think it'll follow what  
17 most customers are going to do when  
18 they're departing, unless they didn't  
19 know which way they were going or  
20 something like that. But because likely  
21 they came via Hempstead Turnpike and  
22 they'll likely want to leave via  
23 Hempstead Turnpike too, but we'll  
24 certainly add.

25 COUNCILMAN LABRIOLA: Thank you.

1  
2 SUPERVISOR SALADINO: Are there any  
3 other questions of the speaker?

4 (Whereupon, no verbal  
5 response.)

6 SUPERVISOR SALADINO: Thank you very  
7 much.

8 MR. AVRUTINE: I'd like to now call  
9 Sean Mulryan, who will testify regarding  
10 parking and traffic.

11 MR. MULRYAN: Sean Mulryan, Mulryan  
12 Engineering, 1225 Franklin Avenue, Garden  
13 City, New York.

14 I have a copy of my traffic  
15 engineering report (handing). I have ten  
16 copies. I just like to submit so the  
17 board has a copy of them.

18 In terms of parking, my job is easy  
19 today because the site is code compliant.  
20 We require 19 spaces; It provides 19  
21 spaces.

22 The subject site, as Mr. Avrutine  
23 has mentioned, is an existing site. It  
24 has two driveways. Currently, the  
25 suggestion of no right turns out of the

1  
2 subject site I don't think would be  
3 problematic for this site. As it is  
4 located on a side street leading back  
5 into a residential area, we understand  
6 the concern.

7 We are opposite at a gas station and  
8 we are located at an intersection that's  
9 controlled by traffic signal that  
10 benefits traffic not only coming into the  
11 site, but also exiting the site. So  
12 people traveling westbound are able to  
13 make a left turn at a left turn signal in  
14 a left turn lane on Hempstead Turnpike,  
15 entering West Gate and turning right into  
16 the subject site. Cars traveling  
17 eastbound can make a right turn into the  
18 existing driveway on Hempstead Turnpike,  
19 which would be redesigned or reconfigured  
20 to upgrade it to current standards in its  
21 existing location.

22 As Mr. Avrutine mentioned, this  
23 site, this application, and all the other  
24 applications that we go over with this  
25 Board, go under numerous sets of eyes to



1  
2 review them. This application has been  
3 before the New York State Department of  
4 Transportation, which has jurisdiction  
5 over the roadway and driveway on  
6 Hempstead Turnpike. It has also been  
7 before the Nassau County Planning  
8 Commission. I happened to listen to the  
9 Nassau County Planning Commission meeting  
10 on Thursday, and the Nassau County  
11 Planning Commission mentioned some  
12 concerns about left turns into the  
13 subject site at the driveway on  
14 Hempstead. We understand those concerns.  
15 We are not looking to provide left turn  
16 access. This is an aerial photograph  
17 showing the proximity of that driveway to  
18 the intersection (referring). The left  
19 turn lane in front of the driveway is  
20 facing in the opposite direction. So it  
21 would be for the Wendy's. Left turns at  
22 that location would not be practical, and  
23 we don't believe that they will be people  
24 looking to make that turn.

25 As I mentioned, this signal exists

1  
2 with the left turn lane onto West Gate,  
3 which would be much easier for cars to  
4 access. Of course, as I also mentioned,  
5 that driveway is under the review and  
6 jurisdiction of the New York State  
7 Department of Transportation. So any  
8 suggestions that they have, the applicant  
9 is more than happy to oblige with as they  
10 need to in order to get a highway work  
11 permit from the State.

12 This, again, was a Kentucky Fried  
13 Chicken. It is going to be converted back  
14 into a restaurant. In terms of the impact  
15 or potential impact the special use  
16 permit, this could be a restaurant in  
17 this building if it had more than one  
18 tenant. So in terms of impact, it is  
19 similar to those of permitted uses, but  
20 for the fact that it is a standalone use  
21 within the building.

22 Again, we are located directly  
23 across the street from a Wendy's with a  
24 drive-thru. This site is not big enough  
25 for a drive-thru, it's not configured for

1  
2 a drive-thru, so we don't anticipate that  
3 a drive-thru would ever be put on this  
4 subject property.

5 So if there's any questions from the  
6 Board, again, that's a brief summary of  
7 my report and I'd be happy to answer any  
8 questions any one might have.

9 SUPERVISOR SALADINO: I just have  
10 one quick question, just to refresh my  
11 memory. I've been to those stores and  
12 the diner and so forth, often. Is there a  
13 curb cut on Hempstead Turnpike?

14 MR. MULRYAN: There is. It is an  
15 entrance only.

16 SUPERVISOR SALADINO: That leads to  
17 my next question.

18 MR. MULRYAN: So the parking spaces  
19 as you enter the subject site are angled.  
20 And then once you pass the building,  
21 because those spaces are angled, then it  
22 enters into a two way configuration  
23 closer to the entrance from West Gate.

24 SUPERVISOR SALADINO: Thank you.

25 MR. MULRYAN: Absolutely. Thank you

1  
2 very much.

3 SUPERVISOR SALADINO: You're  
4 welcome. Counselor?

5 MR. AVRUTINE: I also have the  
6 project architect here. If the Board has  
7 any questions regarding the interior  
8 design, and I also have the  
9 representative of the applicant here to  
10 answer any questions that the Board may  
11 have. Otherwise, that completes our  
12 presentation.

13 SUPERVISOR SALADINO: Anyone have  
14 any other questions at this time?

15 (Whereupon, no verbal  
16 response.)

17 SUPERVISOR SALADINO: Okay.

18 I have no slips handed in from  
19 anyone, so I'll ask, is there anyone here  
20 in the room who would like to be heard?  
21 Any resident, any member of the public  
22 who would like to be heard on this  
23 application?

24 (Whereupon, no verbal  
25 response.)

1  
2 SUPERVISOR SALADINO: Please let the  
3 record reflect that no one has indicated  
4 they'd like to be heard.

5 Would you conclude, Counselor?

6 MR. AVRUTINE: I have nothing  
7 further, sir.

8 SUPERVISOR SALADINO: Okay. Is there  
9 any correspondence?

10 TOWN CLERK: The attorney for the  
11 applicant has filed his affidavit of  
12 service and disclosure. The  
13 communications are as follows: We have  
14 memos from the Department of Planning and  
15 Development, including a review of the  
16 required off street parking. The Nassau  
17 County Land and Tax Map indicates the  
18 property is Section 49, Block 178, Lot  
19 64. According to the Town of Oyster Bay  
20 zoning maps, the property is located  
21 within a Neighborhood Business zone.  
22 There are no variances or open prior code  
23 Enforcement Bureau cases. However, there  
24 is a Town Board Resolution on file. We  
25 have affidavits of posting and

1  
2 publication. There is a letter from the  
3 Nassau County Planning Commission on file  
4 which has been distributed to the Town  
5 Board. There is no further correspondence.

6 SUPERVISOR SALADINO: Thank you. May  
7 I have a motion, please?

8 COUNCILWOMAN JOHNSON: Supervisor, I  
9 make a motion that the public portion of  
10 this hearing be closed and the record  
11 kept open for the 30 days.

12 COUNCILMAN IMBROTO: Second.

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

15 (Whereupon, all members of  
16 the Town of Oyster Bay Town  
17 Board respond in favor with,  
18 "Aye.")

19 SUPERVISOR SALADINO: Those opposed,  
20 "Nay".

21 (Whereupon, no verbal  
22 response.)

23 SUPERVISOR SALADINO: The "Ayes"  
24 have it. Thank you.

25 MR. AVRUTINE: Thank you so much.

SUPERVISOR SALADINO: Enjoy your  
day.

(Whereupon, above matter  
concludes, 12:17 p.m.)

C E R T I F I C A T E

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

I, KAREN 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 August, 2023.

*Karen Lorenzo*  
KAREN LORENZO



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**TOWN BOARD**

**TOWN OF OYSTER BAY**

REGULAR MEETING

August 15, 2023

12:17 p.m.

\*\*\*

**ACTION CALENDAR**

\*\*\*

**JOSEPH SALADINO**

SUPERVISOR

\*\*

**RICHARD LaMARCA**

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

A P P E A R A N C E S

P R E S E N T:

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

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

PUBLIC COMMENT:

ARTHUR ADELMAN

1  
2 SUPERVISOR SALADINO: Would you  
3 please call our Regular Action Calendar?

4 TOWN CLERK: May I have a motion to  
5 table Resolution 571-23? On the motion.

6 COUNCILWOMAN JOHNSON: So moved.

7 COUNCILMAN HAND: Second.

8 TOWN CLERK: Motion made by  
9 Councilwoman Johnson and seconded by  
10 Councilman Hand.

11 On the vote. Supervisor Saladino?

12 SUPERVISOR SALADINO: Aye.

13 TOWN CLERK: Councilwoman Johnson?

14 COUNCILWOMAN JOHNSON: Aye.

15 TOWN CLERK: Councilman Imbroto?

16 COUNCILMAN IMBROTO: Aye.

17 TOWN CLERK: Councilman Hand?

18 COUNCILMAN HAND: Aye.

19 TOWN CLERK: Councilman Labriola?

20 COUNCILMAN LABRIOLA: Aye.

21 TOWN CLERK: Councilwoman Maier?

22 COUNCILWOMAN MAIER: Aye.

23 TOWN CLERK: Councilwoman Walsh?

24 COUNCILWOMAN WALSH: Aye.

25 TOWN CLERK: Motion to table

Resolution 571-2023 passes with 7 ayes  
and zero nays.

May I have a motion to suspend the  
Rules and add Resolution 613-620-2023? On  
the motion.

COUNCILWOMAN JOHNSON: So moved.

COUNCILMAN IMBROTO: Second.

TOWN CLERK: Motion made by  
Councilwoman Johnson and seconded by  
Councilman Imbroto.

On the vote. Supervisor Saladino?

SUPERVISOR SALADINO: Aye.

TOWN CLERK: Councilwoman Johnson?

COUNCILWOMAN JOHNSON: Aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: Aye.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

1  
2 TOWN CLERK: Motion to suspend the  
3 Rules and add Resolution 613-620-2023  
4 passes with seven ayes.

5 May I have a motion to resuspend the  
6 rules and add the following walk on  
7 Resolution 621-2023, which is a  
8 Resolution authorizing new and enhanced  
9 disclosure requirements for vendors and  
10 contractors. On the motion.

11 COUNCILWOMAN JOHNSON: So moved.

12 COUNCILMAN IMBROTO: Second.

13 TOWN CLERK: Motion made by  
14 Councilwoman Johnson and seconded by  
15 Councilman Imbroto.

16 On the vote, Supervisor Saladino?

17 SUPERVISOR SALADINO: Before we cast  
18 our vote, I would like to point out to  
19 the public and those interested that  
20 safeguarding taxpayers remains our top  
21 priority. That's why we created the  
22 Office of Inspector General, and that's  
23 why we have announced plans to retain a  
24 new inspector general and kept the public  
25 up to date on issues that are related to

1  
2 the inspector general and their  
3 responsibilities.

4 In the meantime, the Office  
5 continues its important uninterrupted  
6 work with multi level oversight, thanks  
7 to our Town Attorney's Office and Supreme  
8 Court Justice Angelo Delligatti. To  
9 enhance our efforts to protect taxpayers  
10 and prevent conflicts of interest, we  
11 previously adopted a Resolution directing  
12 the Town Attorney to draft five new  
13 disclosure requirements to strengthen  
14 existing ethics law.

15 Today, with the addition of this  
16 Resolution and others will be adding in  
17 the future, we move with a reform to  
18 require all vendors and contractors to  
19 disclose the names and percentage of  
20 interest of all partners, members or  
21 stakeholders of the entity. This reform  
22 is designed to unmask ownership that is  
23 not readily apparent while adding  
24 transparency and allowing a greater due  
25 diligence to prevent conflicts of

1  
2 interest or appearances, thereof. By  
3 instituting these new disclosure  
4 requirements, we are further protecting  
5 our taxpayers. This is an ongoing  
6 process, and I thank my team on the Town  
7 Board for your expertise, your deep  
8 understanding of these issues and the  
9 experience you bring to the table. I'd  
10 like to thank the Town Attorney's Office  
11 for working with us diligently after our  
12 town board and elected officials have  
13 demanded that we increase oversight and  
14 transparency in every way.

15 So for those reasons, I will be  
16 voting "Aye".

17 TOWN CLERK: Councilwoman Johnson?

18 COUNCILWOMAN JOHNSON: Aye.

19 TOWN CLERK: Councilman Imbroto?

20 COUNCILMAN IMBROTO: Aye.

21 TOWN CLERK: Councilman Hand?

22 COUNCILMAN HAND: Aye.

23 TOWN CLERK: Councilman Labriola?

24 COUNCILMAN LABRIOLA: Aye.

25 TOWN CLERK: Councilwoman Maier?



COUNCILWOMAN MAIER: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Motion to resuspend the rules of procedure and add walk on Resolution number 621-2023 passes with seven ayes.

May I have a motion to adopt resolution P-13-23 through 621-2023, noting that Resolution 571-2023 has been tabled?

On the motion?

COUNCILWOMAN JOHNSON: So moved.

COUNCILMAN IMBROTO: Second.

TOWN CLERK: Motion made by Councilwoman Johnson and seconded by Councilman Imbroto.

I believe we have one speaker.

SUPERVISOR SALADINO: Yes, we have one speaker who has identified himself. Arthur Adelman would like to be heard. And we are here to listen.

MR. ADELMAN: Good afternoon, Supervisor, Town Board.

1  
2           The first two resolutions I want to  
3 mention are 601 and 603. I would just  
4 like to commend the organizations looking  
5 for town assistance and putting on their  
6 their streetscapes, their fairs, whatever  
7 you would like to call it, and that  
8 they're not requesting a Town Special Use  
9 to be able to serve alcohol in public. I  
10 really believe that's very important for  
11 any of our street closures, that we  
12 relook at our attitude about controlling  
13 public intoxication, and that's a great  
14 way to do it.

15           Next, I want to bring to your  
16 attention on Resolution 615. This  
17 Resolution must be amended because it  
18 can't be passed as is, as there is a  
19 posting error.

20           SUPERVISOR SALADINO: Excuse me.  
21 I apologize. Are our counselors listening  
22 here?

23           MR. ADELMAN: You got your back up  
24 paperwork there, Town Attorney? You've  
25 listed invoice 107627 two times and added

1  
2 it into the total two times. In other  
3 words, you've added \$183, 298, 298 and 62  
4 for a grand total of 841, where the total  
5 should be 543. Invoice 107627, which is  
6 the endorsement number six is listed in  
7 there twice. That's all. You have to  
8 revise your Resolution to reflect that.  
9 It should read \$543, not 841.

10 TOWN ATTORNEY: You say posting  
11 error.

12 MR. ADELMAN: The backup  
13 documentation you have invoice 107627 for  
14 298 -- It's listed twice.

15 SUPERVISOR SALADINO: Just so we're  
16 clear and people following along are  
17 clear, is the concern that there is a  
18 difference in the total amount we're  
19 paying them?

20 MR. ADELMAN: Correct.

21 SUPERVISOR SALADINO: Frank, do you  
22 concur with that?

23 TOWN ATTORNEY: I am not sure. I  
24 speak to Deputy Town Attorney Ralph  
25 Healey, but anything that requires

1  
2 correction, downward or less, we can do  
3 as a corrective --

4 SUPERVISOR SALADINO: It doesn't  
5 require Town Board action?

6 TOWN ATTORNEY: No. He's claiming  
7 \$300 difference. So if it goes down, it  
8 can be corrected. It's a decrease.

9 SUPERVISOR SALADINO: Just so we  
10 clarify to you and to everyone, we will  
11 check and make sure that the appropriate  
12 amount is paid to the vendor and not a  
13 dollar more. But I am being told by  
14 counsel that we can pass it the way it is  
15 written and that we can reduce the amount  
16 to ensure that the amount is being paid  
17 to the vendor is accurate and not a  
18 dollar more, and we can do that through  
19 the legal process.

20 MR. ADELMAN: Right. The Resolution  
21 says not more than this specific amount.  
22 So we're not going to pay more than,  
23 we're going to pay less.

24 TOWN ATTORNEY: Not to exceed.  
25 Perfect.

1  
2 MR. ADELMAN: I have no problem with  
3 that. Great.

4 Now our walk on Resolution 621,  
5 which, you know, I am all for more  
6 transparency.

7 SUPERVISOR SALADINO: So you're for  
8 us, just so we're clear.

9 MR. ADELMAN: I would just like to  
10 know what these new enhancements and  
11 disclosures are. I'd like to have them  
12 read into the record, and I would like to  
13 know if there is a specific enhancement  
14 that I think is needed. Would the Board  
15 consider my recommendation to look at it  
16 at the next meeting? If I can see it in  
17 the current disclosures that we have for  
18 vendors?

19 SUPERVISOR SALADINO: So the answer  
20 is we're going to bring our Town Attorney  
21 up. We have thus far proposed five  
22 different means by which five different  
23 items in a package of reforms to not only  
24 tighten the process, but provide more  
25 transparency and increase our overall

1  
2 ethics approach. And I think they're very  
3 good proposals. We're always open minded  
4 to hearing more. Maybe the ones that we  
5 have proposed -- we are putting one up  
6 for a vote today and we'll be putting  
7 others up in subsequent board meetings.  
8 So maybe yours is already in some form  
9 included.

10 MR. ADELMAN: I would hope so,  
11 because there's a big loophole in the  
12 County disclosure forms which I brought  
13 to --

14 SUPERVISOR SALADINO: Before  
15 Frank gets up and before you sit, tell us  
16 what your concern is.

17 MR. ADELMAN: I don't know how -- it  
18 pertains to the manner in which  
19 vendors -- the current wording, the way  
20 the vendors have to disclose  
21 contributions made to PACs and  
22 individuals. And it's important that  
23 everything be disclosed. I'll show you  
24 all later, if we don't have it.

25 SUPERVISOR SALADINO: That sounds

1  
2 fine. Today we are doing one of those  
3 list of disclosures that we're continuing  
4 to work on to step up and to put a lot of  
5 intensity in time and effort to bring  
6 about a better Town of Oyster Bay.

7 MR. ADELMAN: Fine. I just know  
8 we're doing something new. I'd like to  
9 hear what it is before you vote on it.

10 SUPERVISOR SALADINO: Thank you,  
11 Arthur.

12 Frank, could you explain to the  
13 public what today's Item is? It is one of  
14 a package of five, but today we're doing  
15 the first.

16 TOWN ATTORNEY: Sure. Going back to  
17 June 27th, 2023. This board passed the  
18 Resolution 453-2023. You all know what  
19 that Resolution says; it's part of the  
20 backup. It pointed out five bullet  
21 points or five proposals that this board  
22 wanted to do to further enhance ethics  
23 and transparency and disclosure.

24 On that list, one of them dealt with  
25 the disclosure form itself. We already

1  
2 have a disclosure form; however, what my  
3 office did and what you folks directed me  
4 to do was to look at the disclosure form  
5 and conform it with some of the things  
6 that were said on June 27th, 2023, things  
7 that you have told me in our  
8 conversations with you and the Board  
9 throughout the last couple of months. And  
10 one of the things, amongst others, I only  
11 put in this Resolution for today the  
12 further disclosure of a business or a  
13 firm that proposes to do business with  
14 the Town, when they submit the disclosure  
15 form, one question or a couple of  
16 questions were added to disclose all  
17 ownership -- if the ownership interest,  
18 if it's a corporation, shareholder  
19 interest, if it's an LLC membership  
20 interest, it covers the whole gamut. That  
21 is one of the things that we focused on  
22 in the Resolution to respond to the  
23 former of Resolution from June 27th.

24 However, I also took the liberty --  
25 and you folks looked at it -- I also



1  
2 tightened up other questions in this  
3 questionnaire, which is also an affidavit  
4 because it is signed at the end under a  
5 notary, under sworn statements, a  
6 certification statement. So it's kind of  
7 a disclosure questionnaire/affidavit that  
8 gets submitted by the person from the  
9 company who is submitting on behalf of  
10 whether it be a bid or an RFP for the  
11 Town.

12 So it's a 7 or 8 page document. We  
13 went over it. It's attached to the  
14 Resolution. We gave a copy to whoever  
15 wants it, and you'll see that there are  
16 additional things on there that tighten  
17 things up, including the direct reference  
18 to Section 30 of the Town Code of the  
19 Town of Oyster Bay, which everybody knows  
20 is the Code of Ethics, which has been  
21 revised in keeping with the state public  
22 officers laws and the public integrity  
23 offices. Our outside counsel, Steve  
24 Leventhal, under your stewardship  
25 revamped back in 2018, I believe, or '17

1  
2 -- early on in your tenure -- revamped  
3 the whole code and the Code of Ethics  
4 stands with what New York State dictates  
5 in their actual Public Officers Law.

6 That's about it. There's more, but  
7 you know basically what we're achieving;  
8 more transparency, more disclosure.

9 SUPERVISOR SALADINO: We, the board  
10 members, do understand that. But I'm  
11 going to also ask you to translate what  
12 you just said for non attorneys so that  
13 the general public can understand briefly  
14 in a translated more common speak form.

15 TOWN ATTORNEY: Okay. When a  
16 business and the business owners submit  
17 to do business with the Town, they submit  
18 a response to a proposal. With that  
19 response, whatever it be, that proposal,  
20 whatever contract we put out there, they  
21 want to submit, they want to do the work  
22 for the Town. They want to be a vendor.  
23 They want to be a consultant. Each and  
24 every person that wants to do business  
25 with this Town of Oyster Bay has to fill

1  
2 out this disclosure form. In the  
3 disclosure form, obviously, it's the  
4 typical: Name of the company; when was  
5 it incorporated; Does it have a tax ID  
6 number? The typical stuff. Then more of  
7 the due diligence questions: Have they  
8 ever been investigated before; Has any of  
9 their directors and staff; Why? Because  
10 we want to make sure that the Town of  
11 Oyster Bay is doing business with folks  
12 out there, or businesses that these folks  
13 own, reputable businesses in good  
14 standing. That's basically it.

15 SUPERVISOR SALADINO: Basically,  
16 what we're doing is providing a means to  
17 have a look into the business, to know  
18 who all the owners of that business are.

19 TOWN ATTORNEY: Correct. Focusing  
20 on the latter part of what you just said.  
21 We already do look at the business. We  
22 already do look at the principals.  
23 However, from your direction, from all of  
24 you, from last meeting or June 27th  
25 meeting, there are times there could be

1  
2 partners or other shareholders in the  
3 company that were not necessarily  
4 disclosed in the past. We want them  
5 disclosed too. So when we do our vetting  
6 process, which we do, do we vet not only  
7 the principal owner, we vet any other  
8 owners to ensure that the whole company,  
9 in our opinion, our collective opinion,  
10 is in good standing. Is operating in good  
11 standing. That's basically it for this  
12 one and more and of course more to come  
13 on the other remaining four bullet points  
14 that were on that June 27th.

15 SUPERVISOR SALADINO: We are going  
16 to continue to increase and improve, and  
17 I ask that you give Arthur the  
18 opportunity of a telephone call or  
19 whatnot so that we can continue to listen  
20 to his ideas and anyone else who has  
21 ideas that we can take a very strong look  
22 at.

23 TOWN ATTORNEY: Very good.

24 SUPERVISOR SALADINO: So thank you,  
25 Counselor. Thank you. All right. I have

no other slips. Is there anyone else who  
would like to be heard?

(Whereupon, no verbal  
response.)

SUPERVISOR SALADINO: Please let the  
record reflect that no one has indicated  
they would like to be heard.

So with that, is there any  
correspondence?

TOWN CLERK: There's no further  
correspondence, Supervisor.

SUPERVISOR SALADINO: May we take a  
vote, please?

TOWN CLERK: Supervisor Saladino?

SUPERVISOR SALADINO: Aye.

TOWN CLERK: Councilwoman Johnson?

COUNCILWOMAN JOHNSON: Aye.

TOWN CLERK: Councilman Imbroto?

COUNCILMAN IMBROTO: Aye.

TOWN CLERK: Councilman Hand?

COUNCILMAN HAND: Aye.

TOWN CLERK: Councilman Labriola?

COUNCILMAN LABRIOLA: Aye.

TOWN CLERK: Councilwoman Maier?

COUNCILWOMAN MAIER: Aye.

TOWN CLERK: Councilwoman Walsh?

COUNCILWOMAN WALSH: Aye.

TOWN CLERK: Motion to adopt the Resolution P13-2023 through 570-2023 passes with seven ayes. Resolution 571-2023 has been tabled. Resolution 572-621-2023 passes with seven ayes.

The Calendar is complete.

SUPERVISOR SALADINO: Thank you very much.

At this time, we'll be coming back very shortly for public comment. But we have a group. It looks like I have three speakers all on the same subject. We do have to in adhering to the law, while the meeting is still open, take a break for Executive Session and then we'll come back. We greatly appreciate your patience in waiting for us. And then we will sit here and listen to everything you would like to present to us. Okay. Thank you for your patience.

With that, may I have a motion?

1  
2 COUNCILWOMAN JOHNSON: Supervisor,  
3 I'll make a motion to break for Executive  
4 Session to discuss pending litigation.

5 COUNCILMAN IMBROTO: Second that  
6 motion.

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

9 (Whereupon, all members of  
10 the Town Board respond with,  
11 "Aye".)

12 SUPERVISOR SALADINO: Thank you.  
13 We're going into Executive Session now,  
14 and we'll make it as quick as we possibly  
15 can. Thank you very much for your  
16 patience.

17 (Whereupon, Executive  
18 Session, 12:33-1:28 p.m.)  
19  
20  
21  
22  
23  
24  
25

1  
2 COUNCILWOMAN JOHNSON: Supervisor,  
3 I'll make a motion Executive session be  
4 closed. No action was taken.

5 COUNCILMAN IMBROTO: Second.

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

8 (Whereupon, all members of  
9 the Town Board respond with,  
10 "Aye".)

11 SUPERVISOR SALADINO: Those opposed,  
12 nay.

13 (Whereupon, no verbal  
14 response.)

15 SUPERVISOR SALADINO: The ayes have  
16 it.

17 We now need a motion to close our  
18 public meeting so we can proceed to  
19 public comment.

20 COUNCILWOMAN JOHNSON: Supervisor, I  
21 make a motion this meeting be closed.

22 COUNCILMAN IMBROTO: Second.

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

25 (Whereupon, all members of



the Town Board respond with,

"Aye".)

SUPERVISOR SALADINO: Those opposed,  
"nay".

(Whereupon, no verbal  
response.)

SUPERVISOR SALADINO: The ayes have  
it.

(Whereupon, above matter  
concludes, 1:29 p.m.)

C E R T I F I C A T E

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

I, KAREN 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 August, 2023.

*Karen Lorenzo*  
 KAREN LORENZO

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