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2   **TOWN BOARD**

3   **TOWN OF OYSTER BAY**

4   REGULAR MEETING

5

6   March 7, 2023

7   10:33 a.m.

8   ***

9   **SPECIAL PRESENTATION**

10   ***

11

12   **JOSEPH SALADINO**

13   SUPERVISOR

14

15   **

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17   **RICHARD LaMARCA**

18   TOWN CLERK

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25   TAKEN BY: KAREN LORENZO, STENOGRAPHER

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2   A P P E A R A N C E S

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4   P R E S E N T:

5   SUPERVISOR   JOSEPH S. SALADINO

6   COUNCILWOMAN   MICHELE M. JOHNSON

7   COUNCILMAN   LOUIS B. IMBROTO

8   COUNCILMAN   THOMAS P. HAND

9   COUNCILMAN   STEVE L. LABRIOLA (ABSENT)

10   COUNCILWOMAN   LAURA L. MAIER

11   COUNCILWOMAN   VICKI WALSH

12

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

14   RICHARD LaMARCA   TOWN CLERK

15   DONNA ANTETOMASO,   DEPUTY TOWN CLERK

16   JEFFREY P. PRAVATO   RECEIVER OF TAXES

17   FRANK SCALERA, ESQ.   TOWN ATTORNEY

18

19   APPEARED:

20   Daniel Kelly

21   Mackenzie Anderson

22

23   PRAYER: Pastor Sheridan

24   PLEDGE: Corina Stevenson

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2   SUPERVISOR SALADINO: Good morning,

3   ladies and gentlemen.   Welcome to Oyster

4   Bay Town Hall. I am the Town of Oyster

5   Bay Supervisor, Joseph Saladino. For

6   those of you who are joining us for the

7   first time or haven't been here in some

8   time, we give an opportunity for everyone

9   to speak and be heard at our meetings,

10   whether it is the portion of the meeting

11   where we're going over the regular

12   Administrative Calendar, and then if

13   you'd like to be heard additionally to

14   that, we also are here to listen at the

15   end of the meeting for public comment.

16   As always, this meeting is being live

17   streamed on social media and through the

18   Town's website which is

19   OysterBaytown.com. These proceedings are

20   recorded and later transcribed. We want

21   everyone to know we your voices and your

22   feelings and your thoughts are very, very

23   important to us. Statements and comments

24   and input from the public relative to our

25   meetings are always welcomed. We always

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2   respect everyone, as does we ask that the

3   public respect everyone who is speaking

4   at the time. To submit comments online

5   If you're not able to be here, go to

6   public comment at OysterBay-ny.gov or you

7   can mail us at the Office of the Town

8   Attorney, 54 Audrey Avenue, Oyster Bay,

9   New York 11771.

10   Folks, since we changed to our new

11   administration, not that new, six years

12   ago in January of 2017, we made a big

13   difference in the way we begin our

14   meetings. We always for, oh, gosh, I

15   would guess, since the Town was founded

16   in 1653, we've always started with the

17   Pledge of Allegiance. But when we came

18   here, our new administration and our

19   board made the decision that we will

20   begin every meeting with prayer. And for

21   the young people in the room, you may

22   learn in school the separation of church

23   and state. Has anybody heard that

24   expression in school? So that has a

25   different connotation. But in terms of

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2   starting our meetings with prayer, where

3   I served and Councilman Labriola served

4   in the New York State Assembly, as well

5   as in the New York State Senate, all of

6   the public meetings are started with

7   prayer. So we felt that is appropriate.

8   And it's not a prayer to any one

9   religion, it is a prayer for everyone to

10   be inclusive for everyone. So that's how

11   we're going to start our meeting today,

12   as we always do. And I wanted to give you

13   all a little bit of education as to what

14   and why we do this.

15   We also ask a religious leader from

16   the community ecumenical, which means

17   from every different religion, to have a

18   turn coming to our Town Board meeting.

19   This way we all get to know about the

20   different churches and synagogues and

21   temples and all the different religious

22   groups, so we learn more about one

23   another's cultures. So for today, our

24   prayer will be led by Pastor Rebecca

25   Sheridan of the Faith Lutheran Church and

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2   School in Syosset. So if we can all rise.

3   Pastor, please come on up.

4   PASTOR SHERIDAN: Thank you for

5   having me this morning.

6   Let us pray. Almighty God, you have

7   called us to be your servants. And we ask

8   your blessing upon this meeting today.

9   Grant us your gracious presence that what

10   we do together will build up the town of

11   Oyster Oyster Bay. And we pray your

12   blessing, especially upon Town Supervisor

13   Joe Saladino, our Town councilmen, and

14   women that we may consult together

15   peacefully and please you with all that

16   we say and do. And it is in God's name,

17   we pray. Amen.

18   (Whereupon, Amen.)

19   SUPERVISOR SALADINO: Thank you,

20   Pastor. You know, with March being

21   Women's History Month, it's always a

22   pleasure to point out the accomplishments

23   of the exceptional women in our town. And

24   you certainly are one of them.

25   Pastor Sheridan grew up in Nebraska

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2   in the Lutheran church. She received a

3   bachelor's degree in English and

4   Secondary Education from Augusta

5   University in South Dakota, where I

6   imagine the winters are very, very cold.

7   Snow doesn't clear up quickly like we

8   have here, thank goodness.

9   TAX RECEIVER: A little different

10   from Augusta, Georgia.

11   SUPERVISOR SALADINO: A little

12   different from Augusta, Georgia. Good

13   point.

14   She earned a master's degree of

15   Divinity from the Lutheran School of

16   Theology in Chicago, where she met her

17   husband. She moved to the East Coast to

18   be closer to family, and they are both

19   raising their family here in Syosset,

20   where they live with their two daughters.

21   This has been a true blessing for the

22   congregants of the Faith Lutheran Church

23   and School. The pastor has answered the

24   call of ministry and has truly made a

25   difference in the lives of many in our

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2   community.

3   So we thank you very, very much,

4   especially in this month recognizing the

5   accomplishments of women. But as I am

6   reminded by my new wife that every month

7   should be the month where we recognize

8   the accomplishments of women. Let's have

9   another round of applause for Rebecca.

10   (Whereupon, applause.)

11   SUPERVISOR SALADINO: Joining us

12   here today to lead us in the Pledge of

13   Allegiance this morning, we always ask

14   for military personnel to join us for

15   that purpose so we can use the

16   opportunity to recognize them. This

17   morning, the Pledge is being led by

18   Corporal Corina Stevenson, who served in

19   the United States Marine Corps from 1993

20   to 1998 and earned the National Defense

21   Service Medal. She's here with us, also

22   with her husband, Michael, and both are

23   proud residents of Plainview. So,

24   Corporal, Semper Fi, the floor is yours.

25   If you'd all kindly face the flag, put

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2   your right hand over your heart.

3   (Whereupon, the Pledge of

4   Allegiance is said.)

5   SUPERVISOR SALADINO: Thank you. We

6 appreciate your being here. Where did you

7 serve?

8   CORPORAL STEVENSON: I served in

9 Camp Lejeune, North Carolina.

10   SUPERVISOR SALADINO: And what was

11 your major focus, primary focus there?

12   CORPORAL STEVENSON: It was focused

13 on supply.

14   SUPERVISOR SALADINO: Supply. Well,

15 thank you for your logistical know how.

16 Thank you for serving our nation. But

17 most importantly, thank you for the

18 continued effort in showing young people,

19 all of us Americans, why it's so

20 important to appreciate the sacrifice of

21 our military leaders and all of our

22 military personnel. So God bless you and

23 thank you for being here with us today.

24 Thank you. Let's have a hand.

25   (Whereupon, applause.)

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2   SUPERVISOR SALADINO: I tell the

3   story, and I won't tell the long story,

4   but my own grandmother was the first

5   woman in the New York metropolitan area

6   to be inducted in the United States Navy

7   in World War I. So once again, the women

8   in our lives and our communities and our

9   town are so important to us, whether they

10   be the experts in particular fields like

11   the law, whether they be teachers and

12   educators, and of course, to our own moms

13   and sisters and grandmothers. They all

14   make such a difference in our lives. And

15   we greatly appreciate the role of all of

16   the women here in our town.

17   So at this time, I'm going to ask

18   for a moment of silence so that we can

19   recognize the men and women, the United

20   States armed forces serving here in the

21   United States and internationally. And,

22   of course, the men and women in law

23   enforcement. Some of them are here today

24   and they come to our town meetings.

25   They're always protecting us, the men and

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2   women in the Department of Public Safety,

3   all of our first responders, our

4   firefighters, all those in emergency

5   services, and, of course, our healthcare

6   heroes. God bless them all. And God,

7   please protect them as they protect us.

8   (Whereupon, a brief moment

9   of silence is observed by all.)

10   SUPERVISOR SALADINO: Thank you.

11   Please be seated, everyone. My

12   colleagues on the Town Board, our Town

13   Clerk, our Receiver, we're all very, very

14   proud to to be joined by students along

15   with their families from the Howitt

16   Middle School in the Farmingdale School

17   District. These students embraced life

18   saving actions that they actually learned

19   in school and then put them into

20   practical use recently when they saved

21   actually two lives because we had the

22   same situation happen twice in the

23   school. But they worked hard and they had

24   the presence of mind to react in order to

25   perform the Heimlich maneuver on

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2   classmates who were choking on food

3   during their lunch break.

4   The first of those young people we'd

5   like to honor today is Daniel Kelly, who

6   this past January (applause). Daniel sat

7   down to eat lunch during fifth period

8   with his friend Anthony, and both became

9   friends playing for the Farmingdale Hawks

10   football program. We're big supporters of

11   Farmingdale Hawks, and you may notice

12   that you play on a fantastic new turf

13   field that this Town bought and this Town

14   voted on at a meeting just like this to

15   provide that field for you. You know who

16   owns that field? Who's sitting to the

17   right of you? That's the left. Oh, who's

18   sitting to the left of you? Is that your

19   dad?

20   (Whereupon, Daniel

21   acknowledges.)

22   SUPERVISOR SALADINO: Well, your

23   parents own that field. The residents of

24   the Town of Oyster Bay own our

25   properties, and our role is to care for

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2   them. So whenever you're on those fields

3   and on the beautiful facilities, whether

4   it's the beach, all the multitude of what

5   I like to think are the best facilities

6   anywhere in the state of New York, make

7   sure you think your parents, because

8   they're the ones who sacrifice and pay

9   their property taxes to the Town, which

10   have not gone up in six years. They've

11   been frozen for six years straight. But

12   we'll get the facts out. So this is one

13   of the many ways we are supportive of the

14   Farmingdale Hawks and all of the sports

15   programs throughout our town.

16   So getting back to your story. You

17   sat down with your friend Anthony,

18   probably eating and talking at the same

19   time, perhaps eating too fast, but I'm

20   not going to judge.

21   TAX RECEIVER: Was it a Friday

22   lunch?

23   SUPERVISOR SALADINO: What day of

24   the week was it?

25   TAX RECEIVER: Was it double pizza,

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2   double fries? I went to Howitt

3   (laughter).

4   SUPERVISOR SALADINO: So as they

5   were eating lunch, suddenly and very

6   seriously, Anthony started banging on the

7   table and pointing to his throat.

8   Realizing what was happening, Daniel got

9   up and threw his arms around Anthony and

10   started performing the Heimlich maneuver,

11   something he had learned in class maybe

12   just the week before, and out of his

13   mouth, the mozzarella stick dislodged

14   itself. And once his airway was cleared,

15   Anthony began breathing normally again.

16   So did the rest of the lunchroom, who

17   were watching in horror seeing this

18   unfold. Knowing that the young man was

19   okay, everyone was very happy and

20   applauded Daniel. Thanks to your quick

21   actions.

22   A very similar incident happened

23   just weeks later in February when

24   Mackenzie Anderson (applause)

25   successfully performed and did the same

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2   thing. She also thought very quickly,

3   reacted, used the education that she got

4   and one of the best school districts

5   everywhere -- which Jeff Pravato reminds

6   us of on a regular basis -- and McKenzie

7   again saw her friend suffering, choking,

8   unable to breathe, and she quickly went

9   into action, cool headed, calm,

10   understood what she needed to do to

11   protect the life of her friend. This is

12   life saving. This is what our police do,

13   our firefighters, our emergency

14   responders that we started the meeting

15   honoring and recognizing. So it's always

16   commendable when someone acts the way a

17   firefighter does or a veteran does to

18   protect others and many times risking

19   their own life. But in that case, you

20   weren't risking your own life because you

21   were following the rules you had learned

22   on how to safely save someone else's

23   life. And both of you are really heroes

24   in our town for doing this.

25   And this is also a great opportunity

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2   to remind us that learning first aid,

3   like the Heimlich maneuver, is critical.

4   And why were you taught that? Because of

5   the high responsibility of the

6   administrators in your school who realize

7   that these lessons learned lead to so

8   much in life. And we'd like to thank

9   Howard Middle School Assistant Principal

10   Cheryl De Pierro (applause).

11   Thank you. We recognize you and are

12   there others from the school district

13   here as well?

14   MS. DE PIERRO: I think I'm

15   representing all of us.

16   SUPERVISOR SALADINO: Okay.

17   So regardless of a person's age,

18   size or strength, they can all

19   successfully save a life. And learning

20   the Heimlich maneuver and other types of

21   first aid is really critical for all of

22   us, and we should use this as a reminder.

23   See that, you're teaching adults what we

24   should be doing. That must feel pretty

25   good. And learning CPR and all of these

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2   first aid techniques are so critical for

3   all of us to learn in life.

4   So with that, we have a two Town

5   Citations for the -- three actually --

6   for the purpose of presenting to you. And

7   I'm going to ask our councilman, Tom

8   Hand, to say a few words as we begin this

9   process. Go ahead, Councilman.

10   COUNCILMAN HAND: Good morning,

11   everyone. I have the pleasure of knowing

12   the Kelly family firsthand. They live in

13   the Farmingdale community. And I have to

14   say, you have a storied history of

15   community service, Daniel. Your dad is

16   with the East Farmingdale Fire

17   Department; we appreciate that service.

18   Your mom is a CCU nurse up at Huntington

19   Hospital. It's just a tribute to see you

20   learning from your folks.

21   In addition to that, we have great

22   things to give to the Farmingdale School

23   District for pushing forward the

24   exercises needed so you're prepared to

25   step forward when called upon. So we're

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2   recognizing two heroes today. I would be

3   remiss, because I was speaking to the

4   Anderson family earlier and I was

5   speaking to mom and dad. Mom was in

6   banking and dad works over at the

7   correctional facility. And the

8   grandfather, Mackenzie's grandpa down in

9   Florida, he worked for the Nassau County

10   PD over 30 some odd years as a detective

11   sergeant.

12   So you can see both families come

13   from a long line of community service. So

14   it's not a surprise that both Daniel and

15   Mackenzie are here today with the help of

16   the Farmingdale School District training

17   on the life saving efforts. And it

18   certainly paid dividends today.

19   And I'd be remiss if I didn't

20   recognize Daniel's grandfather. He's also

21   a volunteer in the Mellville Fire

22   Department. Thank you for being here. So

23   let's hear it for our two honorees today.

24   (Whereupon, applause.)

25   SUPERVISOR SALADINO: So this is the

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2   citation we will now present to Daniel

3   Kelly, and I will ask for the assistance

4   of a councilwoman, Vicki Walsh, as we

5   present this citation to Mackenzie

6   Anderson. Another up and coming woman of

7   distinction in the Town of Oyster Bay.

8   And I will ask our Town Clerk, Rich

9   LaMarca, to make this presentation to

10   Howitt Middle School and to Assistant

11   Principal Cheryl De Pierro to accept it

12   on behalf of the entire school. So let's

13   all go down to the rail and honor our

14   honorees.

15   (Whereupon, Citations are

16   presented.)

17   SUPERVISOR SALADINO: So to Daniel

18   and Mackenzie, please know that this

19   represents the fact that you are the

20   pride of the entire Town of Oyster Bay,

21   which is the third largest town in

22   America. You are the pride of the

23   Farmingdale community. You are the pride

24   of the Farmingdale School District. But

25   most importantly, you have brought

1

2   enormous pride to the most important

3   people: Your family. Congratulations.

4   (Whereupon, applause.)

5   MS. DE PIERRO: I'm just so proud of

6   these two young people that really prove

7   that they are paying attention in class

8   and that they're applying what they're

9   learning. That's what we really always

10   hope for.

11   This all started because we had two

12   adults joke in our school just last year

13   and one adult saved another adult. And

14   then right after that, we said, you know

15   what? We really need to teach everybody

16   in our building this simple lifesaving

17   technique of the Heimlich maneuver. And

18   what we learned was so amazing is that

19   size does not matter. We had Mackenzie

20   save a girl that is much larger than her.

21   We had Daniel save a boy that's smaller

22   than him. It really does not matter,

23   size, and it doesn't matter your age. You

24   can be a hero at any age. And now on to

25   CPR. That's what we're going to start

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2   teaching everybody in our school

3   district. So thank you so much, you

4   guys.

5   (Whereupon, applause.)

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2   SUPERVISOR SALADINO: Folks we've

3   been talking about Women's History Month.

4   Now that we're underway, we're pleased to

5   announce that nominations are now being

6   accepted for a Women of Distinction

7   Program, we invite residents to nominate

8   extraordinary women who have made a

9   difference in our communities. Nominees

10   should live or work in the Town of Oyster

11   Bay, and we recognize individuals for

12   their contributions to the arts,

13   education, environment, athletics,

14   community or civic service, volunteerism,

15   business so many different fields. And

16   we're proud to continue recognizing the

17   great work of women. And we have many

18   times recognized the great work of the

19   women on our Town Board and all of the

20   women who work in the Administration of

21   the Town of Oyster Bay. We appreciate all

22   of you. And we will be recognizing the

23   honorees chosen at a very special award

24   ceremony this spring. Anyone who knows of

25   a special woman who helps make their

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2   neighborhoods, their communities, a

3   better place, please feel free to

4   nominate her at OysterBaytown.com/women.

5   A few quick announcements before we

6   move along to our meeting. Folks who are

7   hosting a Pet Food and Supply Drive in

8   partnership with Long Island Cares

9   throughout the month of March with the

10   focus on collecting for family members

11   who are most vulnerable to hunger, and

12   that's our residents' pets. Food and

13   supply donations can be dropped off into

14   boxes at Town Hall, North town Hall South

15   and the Town of Oyster Bay Ice Skating

16   Center in Bethpage.

17   In other news, in an effort to help

18   hospitals facing a worldwide blood

19   shortage, my colleagues and I invite

20   residents to donate blood at our next

21   blood drive on Tuesday, March 28th, from

22   1 p.m. to 7 p.m. at the Hicksville

23   Athletic Center. It's located at 167

24   South Broadway in Hicksville. I'd like to

25   personally thank Councilwoman Maier for

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2   her efforts in helping to coordinate this

3   drive. Blood is critically needed for

4   our local hospitals to meet the demand

5   and continue saving lives.

6   This one I'm really looking forward

7   to, as all of the programs, but this one

8   is a lot of fun for me personally.

9   Especially, as I join with my colleagues

10   in jumping in freezing cold water at the

11   Polar Bear Plunge as we'll be Freezin'

12   For A Reason as we benefit the Special

13   Olympics New York, and that's on

14   Saturday, March 25th at Tobay Beach. You

15   can register a team to help out with this

16   fundraising event. You can invite family

17   and friends and everyone can visit

18   polarplungeny.org/tobay; that's

19   polarplunge.org/tobay. Before we move

20   on, any takers on this? I know I'll be

21   jumping in the water, as Jeff Pravato

22   runs away from the conversation. Will

23   anybody be joining us in jumping in the

24   water on that day?

25   COUNCILWOMAN WALSH: I'll put my

1

2   feet in.

3   SUPERVISOR SALADINO: You'll put

4   your feet in. Steve, any takers?

5   COUNCILMAN LABRIOLA: I can put a

6   toe in too.

7   COUNCILMAN IMBROTO: Councilman

8   Labriola has his Speedo ready.

9   SUPERVISOR SALADINO: Michele, are

10   you going to be joining us?

11   COUNCILWOMAN JOHNSON: I will be

12   away in the water somewhere else.

13   SUPERVISOR SALADINO: Yeah, where

14   the temperature is 80 degrees. Tom Hand.

15   COUNCILMAN HAND: I'll be joining

16   you.

17   SUPERVISOR SALADINO: Excellent.

18   COUNCILMAN HAND: At the event

19   (laughter).

20   SUPERVISOR SALADINO: It's really

21   not a big deal. It's a lot of fun.

22   Councilwoman, you've jumped in the water

23   before with me.

24   COUNCILWOMAN MAIER: I have. I'm

25   going to attempt to be at two different

1

2   places at once. I have the Polar Plunge,

3   and I also have my second annual walk for

4   Mighty Mason's Warriors.

5   COUNCILWOMAN WALSH: I'll come.

6   SUPERVISOR SALADINO: Where will

7   that be?

8   COUNCILMAN IMBROTO: I think we'll

9   all join you at Mighty Mason's.

10   COUNCILWOMAN MAIER: Fantastic.

11   That's on the record, correct?

12   SUPERVISOR SALADINO: Just to repeat

13   that again, someone else was speaking.

14   Can you give us the name of the event,

15   the date, the time and just the synopsis.

16   COUNCILWOMAN MAIER: So the date is

17   Saturday, March 25th at Marjorie Post

18   Park in Massapequa. It's our second

19   annual walk for Mighty Mason's Warriors

20   in honor of my son. And 100% of the

21   proceeds go to Leukemia and Lymphoma

22   Society.

23   SUPERVISOR SALADINO: Thank you. And

24   what time?

25   COUNCILWOMAN MAIER: I have to

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2   confirm the time, but I believe we are

3   starting our -- well, we have lots of

4   raffles and prizes. We'll be there

5   probably from 10 a.m. until 1 p.m.

6   SUPERVISOR SALADINO: Well, there'll

7   be time for people to do multiple events

8   that day, because those focused on our

9   beach and our environment can join us as

10   we protect our shoreline by planting dune

11   grass at Tobay Beach in the dunes on

12   Tobay Beach Dune Day, which is also March

13   25th Saturday at Tobay Beach. That also

14   begins at 10 a.m. So we have the Mighty

15   Mason walk, and that, you said, was at --

16   COUNCILWOMAN MAIER: Marjorie Post

17   Park.

18   SUPERVISOR SALADINO: Marjorie Post

19   Park in Massapequa. And then we have two

20   big events that both start approximately

21   10 a.m. and continue throughout the day,

22   the dune grass planting program to help

23   protect Tobay beach and one of our

24   favorites of the year Freezin' For A

25   Reason. Oh, come on. It's not that cold.

1

2   Where we're going to jump in the cold

3   water on Saturday, March 25th for the

4   Special Olympics New York.

5   Really appreciate our residents and

6   our workforce and my colleagues for all

7   they do. I didn't get around to you

8   asking you, Rich. Will you be jumping in

9   the cold water with us?

10   TOWN CLERK: Supervisor, I think I'm

11   going to check my calendar immediately

12   after this meeting and get back to you

13   ASAP.

14   SUPERVISOR SALADINO: Okay. All

15   right. Well, we'll definitely be heating

16   the day up there with all the good and

17   worthy events taking place, both at Tobay

18   and at Marjorie Post Park.

19   And again, if you're interested in

20   just being part of the Tobay Beach Dune

21   Day, which really isn't a "just". We've

22   constantly been working to fortify and

23   protect one of the best jewels of the

24   Town of Oyster Bay at Tobay Beach. You

25   can get more information about that event

1

2   from the Department of Environmental

3   Resources by calling (516)-677-5943.

4   TAX RECEIVER: Supervisor, one of my

5   employees just texted. Nicole Ruiz will

6   do the plunge in my place.

7   SUPERVISOR SALADINO: Is that like

8   carbon credits?

9   Okay. Well, I know that many Town

10   employees have on our proceedings here,

11   so I encourage you to join us. It's

12   really a lot of fun and it's a great

13   event. So all of these events are

14   wonderful, from Mighty Mason to our

15   protection of our dunes to the Polar

16   Plunge. And we encourage everyone to

17   visit our website for updates on the

18   many, many programs that we host and that

19   are held in the Town of Oyster Bay. And

20   our website is OysterBaytown.com.

21   (Whereupon, above matter

22   concludes, 10:54 a.m.)

23

24

25

1

2   C E R T I F I C A T E

3

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

6

7   I, KAREN LORENZO, a Notary Public for and

8   within the State of New York, do hereby

9   certify:

10   That the above is a correct transcription

11   of my stenographic notes.

12   IN WITNESS WHEREOF, I have hereunto set

13   my hand this 7th day of March, 2023.

14

15

16
                        Karen Lorenzo
17   KAREN LORENZO

18

19

20

21

22

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24

25

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1

2 **TOWN BOARD**

3 **TOWN OF OYSTER BAY**

4 REGULAR MEETING

5

6 March 7, 2023

7 10:44 a.m.

8 ***

9 **HEARINGS**

10 **P-2-23 through P-7-23**

11 ***

12 **P-2-23**

13 ***

14 **JOSEPH SALADINO**

15 SUPERVISOR

16

17 **

18

19 **RICHARD LaMARCA**

20 TOWN CLERK

21

22

23

24

25 TAKEN BY: KAREN LORENZO, STENOGRAPHER

1

2   A P P E A R A N C E S

3

4   P R E S E N T :

5   SUPERVISOR   JOSEPH S. SALADINO

6   COUNCILWOMAN   MICHELE M. JOHNSON

7   COUNCILMAN   LOUIS B. IMBROTO

8   COUNCILMAN   THOMAS P. HAND

9   COUNCILMAN   STEVE L. LABRIOLA

10   COUNCILWOMAN   LAURA L. MAIER

11   COUNCILWOMAN   VICKI WALSH

12

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

14   RICHARD LaMARCA   TOWN CLERK

15   DONNA ANTETOMASO,   DEPUTY TOWN CLERK

16   JEFFREY P. PRAVATO   RECEIVER OF TAXES

17   FRANK SCALERA, ESQ. TOWN ATTORNEY

18   THOMAS SABELLICO   DEPUTY TOWN ATTORNEY

19

20   APPEARED:

21   JUDY SIMONCIC, ESQ.
             Forchelli Deegan Terrana
22

         WAYNE MULLER
23   Robinson & Muller Engineering

24   JOHN MOCCIO
             JCM Architects PC
25

1

2   SUPERVISOR SALADINO: So with that,

3   would our clerk, Rich LaMarca, please

4   poll the Board?

5   TOWN CLERK: Supervisor Saladino?

6   SUPERVISOR SALADINO: Present.

7   TOWN CLERK: Councilwoman Johnson?

8   COUNCILWOMAN JOHNSON: Present.

9   TOWN CLERK: Councilman Imbroto?

10   COUNCILMAN IMBROTO: I'm present.

11   TOWN CLERK: Councilman Hand?

12   COUNCILMAN HAND: Present.

13   TOWN CLERK: Councilman Labriola?

14   COUNCILMAN LABRIOLA: Present.

15   TOWN CLERK: Councilwoman Maier?

16   COUNCILWOMAN MAIER: Present.

17   TOWN CLERK: Councilwoman Walsh?

18   COUNCILWOMAN WALSH: Present.

19   TOWN CLERK: We have a quorum,

20   Supervisor.

21   SUPERVISOR SALADINO: Great. So the

22   way things are going to run today at this

23   board meeting, we have a lengthy agenda

24   of hearings that we are working on

25   getting to in an efficient manner. And

1

2   then from there, we're going to move

3   directly toward to do our regular Action

4   Calendar, especially with Arthur here. We

5   know you will probably be commenting. We

6   want to make it convenient for your

7   schedule as well. And then we're going to

8   break for our Executive Session, as per

9   the law, and then come out from our

10   Executive Session. And then if anybody is

11   still here, we'll will continue to listen

12   to comments from the public.

13   So with that, would you please call

14   our Hearings?

15   TOWN CLERK: Supervisor, today we

16   have six hearings on the calendar. Three

17   of them relate to 170 Michael Drive in

18   Syosset, and the other three relate to

19   180 Michael Drive in Syosset. All of them

20   are the same beneficial owner. For

21   efficiency purposes, I'd like to call

22   them all together with your agreement.

23   The content of each hearing is to

24   maintain the existing use. So with your

25   blessing and the Board.

1

2   SUPERVISOR SALADINO: Yes, you have

3   my blessing and the blessing of the

4   Board.

5   And with that, Counselor?

6   (Whereupon, Easel with

7   Boards displayed and referred

8   to during presentation of

9   hearings.)

10   MS. SIMONCIC: Good morning. Good

11   morning, Mr. Supervisor, members of the

12   board. Judy Simoncic with the firm of

13   Forchelli Deegan Terrana, offices at 333

14   Earle Ovington Boulevard in Uniondale.

15   Appearing on behalf of all the applicants

16   this morning.

17   With respect to the application, so

18   I just want to be clear. We're going to

19   be speaking about all of them, but I

20   understand each of them are going to be

21   called separately. We're going to open

22   and close them procedurally?

23   SUPERVISOR SALADINO: For the

24   purposes of procedure, yes.

25   MS. SIMONCIC: So with me this

1

2   morning is John Moccio, the architect of

3   record. Also with me is Wayne Muller with

4   R&M Engineering. He's our traffic

5   engineer. And Stacy Finkelstein, she's

6   the controller at Taub.

7   So as indicated, there are six

8   special use permit applications that are

9   before the Board today. Many of these

10   uses that we're seeking to legalize have

11   been in existence for over eight years.

12   The premises is two separate

13   parcels. If you look at the site plan

14   before you on the easel (indicating), the

15   property is located in the Town's light

16   industrial zoning district. These

17   properties were initially developed in

18   the early 1960s and they were purchased

19   by the Taubs in 2006.

20   The first property, which is known

21   as 170 Michael Drive, which has some

22   highlights in yellow on the board before

23   you is known as Section 15, Block 157,

24   Lot 45. It contains a total lot area of

25   2.73 acres. It is presently approved for

1

2   the one story commercial building

3   approximately 51,213 square feet.

4   The second building that we're going

5   to be talking about today, the second

6   property, which is known as 180 Michael

7   Drive, is just south of 170. It's

8   designated as Section 15, Block 157, Lots

9   44 and 52. It has a lot area of 3.37

10   acres, and it's improved with a one story

11   commercial building of approximately

12   67,000 square feet. The combined lot area

13   of these properties is six acres.

14   Now, in terms of surrounding area in

15   the community, as you can see, most of

16   the other properties developed in this

17   area are within industrial park. They're

18   zoned industrial. The premises is, in

19   fact, located within industrial park and

20   it's only accessible from Jericho

21   Turnpike via Michael Drive and Eileen

22   Way. Both Michael Drive and Eileen Way

23   feature predominantly industrial and

24   commercial uses. The nearest residence to

25   this property is over 1000 feet away to

1

2   the east, on the opposite side of the

3   Long Island Rail Road tracks.

4   So to make things streamlined, I'm

5   going to go through each special use

6   permit and just lay out what each use is

7   following the Town Board's Agenda. I'm

8   going to go through each one of them just

9   to give you a brief overview of what each

10   special use request is.

11   So the first three special use

12   applications relate to 170 Michael Drive.

13   The first one listed on the agenda, which

14   is indicated as Hearing 2 is CAPS

15   Playhouse. It's an acronym for Cultural

16   Arts Playhouse. That special use is for a

17   theater workshop academy and Playhouse,

18   where they train and instruct actors.

19   They also have performances that they

20   provide to the public on weekends and

21   evenings.

22   The second special use permit, which

23   is Hearing 3, it's listed under also 170

24   Michael Drive LLC with the tenant Kayo

25   Fitness LLC. Kayo Fitness is a small

1

2   boxing fitness facility that does

3   business as title boxing.

4   Forgive me, on the prior

5   application, Cultural Arts Playhouse

6   occupies 9200 square feet within 170

7   Michael Drive.

8   Title Boxing occupies a small area

9   of 4061 square feet, and as the Board

10   knows recently, the Town Code was changed

11   to increase a special use permit

12   requirements. If you have over 3500

13   square feet of fitness space, you need a

14   special permit. So we're just 500 square

15   feet beyond the new threshold. So that's

16   why we require a special permit.

17   The third application, which is

18   under Hearing 4, is Long Island Swim

19   Academy LLC. That is a swimming

20   instructional water safety facility. They

21   occupy 13,528 square feet within 170

22   Michael Drive.

23   And I've highlighted on the easel

24   the areas in yellow of these various uses

25   (indicating). The Title Boxing is in the

1

2   corner of the building, the south

3   southwest corner of the building, and the

4   others on the northern corner of the

5   building. And when I do call Mr. Muller

6   to testify, he's going to talk about how

7   the parking relates to the various uses

8   and how these buildings work together.

9   But he'll get into those details in

10   further detail in a moment.

11   The last three special use permit

12   applications relate to 180 Michael Drive.

13   So I'm just going to go through those.

14   The first one is under the name

15   Escape Ventures LLC. They do business as

16   puzzle break and, essentially, it's an

17   escape room, teamwork, logic building

18   facility. So a group of people go in.

19   They have clues. They figure out how to

20   get out of these rooms. So that's the

21   type of business that that is. That

22   facility operates 4100 square feet within

23   180 Michael Drive. They're in the corner

24   of the building that I've highlighted in

25   pink (indicating). So just for reference,

1

2   this is the property line between 170 and

3   180. So that's where Puzzle Break is on

4   that corner.

5   And then the Hearing 6, which is the

6   John Ondrush Golf & Fitness Center, LLC.

7   They're doing business as the same name.

8   They're essentially a golf instruction

9   and training facility. They occupy 9166

10   square feet within 180 Michael Drive.

11   Puzzle Break and the Golf Academy are

12   both considered active recreational uses

13   within the town, which is why they

14   require special use permits.

15   And finally, Hearing 7, which is

16   listed under CrossFit Academy, LLC.

17   They're doing business as Peak 180.

18   They're a 4000 square foot fitness

19   center.

20   So as depicted on the site plans and

21   with respect to how these properties

22   operate --

23   SUPERVISOR SALADINO: Excuse me,

24   Counselor. What I'm going to do is,

25   you've given us the overview of what has

1

2   been asked. Then what we're going to do

3   is just open and then close at each

4   hearing individually to adhere to our

5   procedure.

6   I sense you're about to start the

7   particulars on the first one.

8   MS. SIMONCIC: Correct.

9   SUPERVISOR SALADINO: All right. So

10   we're going to ask to open the hearing

11   for the first one, which is P-2-23 on

12   this date of March 7th, 2023.

13   Counselor, would you state your

14   presence and proceed.

15   MS. SIMONCIC: Judy Simoncic the

16   firm of Forchelli Deegan and Terrana, 333

17   Irvington Boulevard in Uniondale,

18   appearing on behalf of the applicant.

19   SUPERVISOR SALADINO: Okay. Can you

20   give us the overview of the first one?

21   MS. SIMONCIC: Sure. So I wanted to

22   say with respect to the property, can we

23   incorporate everything I previously said

24   into the record?

25   SUPERVISOR SALADINO: Yes. But we're

1

2   going to close each one out individually.

3   MS. SIMONCIC: Separately.

4   What I would like to do with the

5   Board's permission, I would discuss the

6   application and talk about all of them

7   and have Mr. Muller testify because he's

8   going to talk about all the uses.

9   SUPERVISOR SALADINO: Okay.

10   MS. SIMONCIC: If that would make

11   sense. So that we don't have to have him

12   come back and re testify over and over

13   again as to what he's going to be

14   speaking.

15   SUPERVISOR SALADINO: I think that's

16   a fabulous idea.

17   MS. SIMONCIC: Okay.

18   COUNCILMAN IMBROTO: Ms. Simoncic,

19   which of these are are proposed uses and

20   what are existing uses?

21   MS. SIMONCIC: Okay. The proposed

22   uses are highlighted in yellow

23   (indicating). So this is 170 Michael

24   Drive. Title Boxing is in front of the

25   building. The CAPS playhouse is towards

1

2   the back. And then you have the Long

3   Island Swim Academy in the rear. So those

4   are all --

5   COUNCILMAN IMBROTO: Those are the

6   new ones?

7   MS. SIMONCIC: New, but existing.

8   Those are the proposed uses that require

9   special use permits.

10   COUNCILMAN IMBROTO: Are all of

11   those currently --

12   MS. SIMONCIC: Operating. Yes, they

13   are.

14   COUNCILMAN IMBROTO: Are any of

15   these new?

16   MS. SIMONCIC: None of them are new.

17   COUNCILMAN IMBROTO: So these are

18   just to maintain the existing uses.

19   MS. SIMONCIC: Just to maintain all

20   these existing uses. And then the balance

21   of the buildings are filled with other

22   as-of-right uses. So there are three

23   within 170 that are all existing. And as

24   I stated, they've all been in existence

25   for about eight years without any issues.

1

2   I would just also point out for the

3   record that we're not here because we got

4   violations. We voluntarily are here

5   trying to legalize these uses.

6   COUNCILMAN IMBROTO: So none of them

7   are new uses. They're all existing.

8   MS. SIMONCIC: Nothing is new and

9   they've all been there for nearly eight

10   years. All of them. So that's with

11   respect to 170.

12   On 180, we also have three existing

13   uses that have been there since, for

14   almost eight years. You have the Golf

15   Academy, that's in the front of the

16   building. CrossFit, which is in the rear,

17   which has its own parking area that it

18   accesses, and then Puzzle Break, which is

19   in this corner (indicating).

20   COUNCILMAN IMBROTO: I didn't want

21   to make you repeat yourself. I was just

22   wondering if any of them were new uses.

23   MS. SIMONCIC: No, I think it's

24   important to clarify that. And if I

25   wasn't clear, I apologize. None of them

1

2   are new and they've all been there for

3   many, many years.

4   Getting back to the Cultural Arts

5   Playhouse, it's an off-Broadway theater

6   workshop. They train actors with

7   instruction. They have performances on

8   Fridays, Saturdays and Sundays.

9   SUPERVISOR SALADINO: I'm just going

10   to stop you for a minute. So you don't

11   have to do this all over and over again.

12   MS. SIMONCIC: Okay.

13   SUPERVISOR SALADINO: We're adhering

14   to the protocols set forth by our

15   counsel. Can we listen to the experts

16   once in the beginning and then open each

17   hearing, get a brief description, and

18   then close each hearing individually?

19   DEPUTY TOWN ATTORNEY: I would open

20   all hearings.

21   SUPERVISOR SALADINO: And imposing.

22   and then close them individually at the

23   end. Okay. I apologize for interrupting.

24   MS. SIMONCIC: That's okay.

25   SUPERVISOR SALADINO: Please

1

2   proceed.

3   MS. SIMONCIC: Do you want to open

4   all of them at this point?

5   SUPERVISOR SALADINO: Let's do that.

6   MS. SIMONCIC: Because I thought the

7   beginning I was on the record, but.

8   SUPERVISOR SALADINO: You were.

9   TOWN CLERK: I'll read them.

10   So the first hearing is to consider

11   the application of 170 Michael Drive,

12   LLC, fee owner and CAP Playhouse, LLC,

13   lessee for a special use permit on

14   premises located at 170 Michael Drive

15   Syosset, New York.

16   Hearing P-3-23 is to consider the

17   application of 170 Michael Drive, LLC,

18   fee owner, and Kayo Fitness LLC, lessee

19   for a special use permit on premises

20   located at 170 Michael Drive Syosset, New

21   York.

22   Hearing P-4-23 is to consider the

23   application of 170 Michael Drive, LLC,

24   fee owner, and Long Island Swim Academy,

25   LLC, lessee, for a special use permit on

1

2   premises located at 170 Michael Drive

3   Syosset, New York.

4   Hearing P-5-23 is to consider the

5   application of 180 Michael Drive, LLC,

6   fee owner, and Escape Ventures, LLC,

7   lessee, for a special use permit on

8   premises located at 180 Michael Drive

9   Syosset, New York.

10   Hearing P-6-23 is to consider the

11   application of 180 Michael Drive, LLC,

12   fee owner, and John Ondrush, Golf &

13   Fitness Center, LLC, lessee, for a

14   special use permit on premises located at

15   180 Michael Drive, Syosset, New York.

16   Finally, Hearing P-7-23 is to

17   consider the application of 180 Michael

18   Drive, LLC, fee owner, and CrossFit

19   Syosset Academy, LLC, lessee, for a

20   special use permit on premises located at

21   180 Michael Drive Syosset, New York.

22   SUPERVISOR SALADINO: So we will

23   consider the testimony as part of each

24   and every one of these hearings

25   simultaneously. Do we need a vote to

1

2   include all of Counsel's previous

3   testimony for all of these?

4   TOWN ATTORNEY: Not at all.

5   SUPERVISOR SALADINO: We don't need

6   a vote for that.

7   TOWN ATTORNEY: The court reporter

8   just make comment, a note, that it was

9   incorporated, therein.

10   SUPERVISOR SALADINO: Thank you.

11   TOWN ATTORNEY: And like Tom

12   Sabellico said before, at the end we'll

13   close separately, so you have five

14   separate actions.

15   SUPERVISOR SALADINO: Six separate

16   actions.

17   TOWN ATTORNEY: Six.

18   SUPERVISOR SALADINO: So please

19   include the previous testimony of counsel

20   as part of the testimony for each of the

21   six hearings. Thank you.

22   Please proceed.

23   MS. SIMONCIC: We're definitely in

24   unchartered waters, right? I feel like.

25   SUPERVISOR SALADINO: This is all

1

2   designed to save time.

3   MS. SIMONCIC: In all the years I've

4   practice here in the Town, I've never had

5   six cases on at one time, so I thank you

6   for indulging and working through how we

7   should handle this. Appreciate that.

8   Before I introduce Wayne Muller, I

9   just wanted to point out, with respect to

10   parking, the buildings do share 316

11   parking spaces featured throughout the

12   site. In total with all the uses, the

13   special uses and the as-of-right uses

14   that are in all the buildings, we do

15   require 602 spaces. We will be requesting

16   a variance from the Zoning Board for

17   those.

18   SUPERVISOR SALADINO: I'm sorry for

19   how many?

20   MS. SIMONCIC: A variance for 286

21   spaces.

22   SUPERVISOR SALADINO: Okay.

23   MS. SIMONCIC: And again, you're

24   going to hear from Mr. Muller in a

25   moment. He's done parking studies. The

1

2   properties do function very well. The

3   uses complement each other based on when

4   various peak times exist. So you're going

5   to hear about the studies that have been

6   done. We believe and are confident that

7   the uses will continue to work the way

8   they have and they work well without any

9   issues.

10   SUPERVISOR SALADINO: To that point,

11   Counselor, if I may ask one question.

12   MS. SIMONCIC: Sure.

13   SUPERVISOR SALADINO: These

14   establishments are not the only

15   establishments in this commercial park,

16   correct?

17   MS. SIMONCIC: That is correct.

18   SUPERVISOR SALADINO: Have any of

19   the owners or any of the those leasing

20   these spaces, have they been contacted

21   from any of the other businesses or

22   property owners complaining about a lack

23   of parking?

24   MS. SIMONCIC: My client is shaking

25   her head, no; they have not.

1

2   SUPERVISOR SALADINO: Okay. Very

3   helpful. Thank you.

4   MS. SIMONCIC: Okay. With respect to

5   site improvements, you know, as I

6   indicated, the properties were developed

7   in 1960s, the building and the paving

8   really takes up the entire parcels and

9   that's how they were developed many years

10 ago. So it's not a lot of opportunity for

11 upgrades in this instance, but we are

12 putting in some landscaping and we are

13 going to be restriping because the

14 striping does need some restriping. So

15 we're going to do that to clarify the

16 parking.

17   Additionally, I would just point

18 out, there are some parking spaces that

19 were going to be restriping that are in

20 the Town's right of way. We went to DPW

21 and they have approved the location of

22 those within the right of way. So we're

23 going to actually be improving the

24 conditions that exist today by restriping

25 more spaces that are in the Town right of

1

2   way.

3   Unless you have any other questions

4   at the moment, I'd like to have Mr.

5   Muller testify and talk about the parking

6   and access to the properties.

7   SUPERVISOR SALADINO: Please do,

8   Counselor.

9   MR. MULLER: Good morning.

10   SUPERVISOR SALADINO: Good morning.

11   MR. MULLER: It's still morning, I

12   believe.

13   SUPERVISOR SALADINO: Yes.

14   MR. MULLER: For the record, Wayne

15   Muller, Robinson & Muller Engineering.

16   Our offices are at 50 Elm Street,

17   Huntington, New York. I have appeared

18   before this board numerous times in the

19   past.

20   We prepared a detailed parking and

21   traffic analysis that was previously

22   submitted to the Town as part of the

23   application. I would just like to

24   supplement the record with one copy so

25   it's complete.

1

2   (Whereupon, Copy of Parking

3   Analysis handed to Town Clerk.)

4   MR. MULLER: I believe a lot of

5   what's contained in my report, a lot of

6   what I was here to discuss this morning

7   has already been covered by this Ms.

8   Simoncic, so I'll just briefly discuss

9   the contents of my report.

10   As Ms. Simoncic has indicated, we

11   are here this morning to request

12   legalization of various different tenants

13   within the two buildings that are the

14   subject of the application before the

15   board. The tenants are depicted on the

16   plans to my right, the Board's left

17   (referring). On 170 Michael Drive, the

18   tenants that exist that we need

19   legalization are in yellow, and then on

20   180 Michael Drive, the tenants that we're

21   here to legalize are pink.

22   The rest of the building contains

23   various permitted uses that have that

24   have obtained Certificates of Occupancy.

25   And there are two small vacant spaces

1

2   within 180 Michael Drive that currently

3   exist in that facility.

4   As indicated in my report, we

5   performed very detailed parking

6   observations on the property during a

7   weekday and a Saturday, because

8   essentially all the uses that before the

9   board today, they're all existing and

10   operating. The swim facilities there, the

11   CrossFit gyms there, the boxing facility

12   is there.

13   As indicated by Ms. Simoncic, the

14   project site in composite 170 and 180

15   Michael Drive require a total of 602

16   parking spaces. The sites provide a total

17   of 316 parking spaces. They kind of work

18   together. People park on both properties;

19   however, they are in separate ownership.

20   We will be requesting a variance from the

21   Zoning Board for 286 spaces for the

22   composite 180 and 180 Michael Drive.

23   The detailed observations that we

24   performed on the property are contained

25   within my report. But to summarize, on

1

2   Saturday we saw a maximum of 154 vehicles

3   parked on the facility, and that occurred

4   at 11 a.m. And on a weekday, the maximum

5   that we saw parked was 143 on both sites,

6   and that was at 5:30 p.m.

7   As Ms. Simoncic indicated and as we

8   determined, based on our observations of

9   the activity on the site, there is a

10   synergy between the various different

11   uses. The peak activity does not all

12   occur at the same time. For instance, the

13   playhouse their activity is more later in

14   the evening with people going to

15   performances and/or different studio

16   workshops. And then some of the other

17   uses like the swim facility, their

18   activity occurs earlier in the day with

19   parents bringing their children to learn

20   how to swim at that facility.

21   We did factor in the vacant space

22   and what we found was that there would

23   still be no problem with parking. We

24   would anticipate a total of 172 cars

25   parked on the on the weekday and 183

1

2   parked on the Saturday. And that

3   translates to an occupancy of 54% on a

4   weekday and 58% on Saturday.

5   I went back again to the site this

6   past Saturday to take a look at what was

7   going on in advance of the public

8   hearing, and I found that the numbers

9   that we previously collected were pretty

10   much right in line with what I observed

11   there on the Saturday. So there's really

12   been no change in the level of activity

13   on the subject property.

14   As indicated in my report, we

15   prepared a very detailed traffic analysis

16   in which we collected traffic counts at

17   various different locations (referring).

18   The locations that would be most impacted

19   by the traffic generated by the uses that

20   are contained on the property. However,

21   they are existing. And those

22   intersections would be Jericho Turnpike

23   and Eileen Way, Jericho Turnpike and

24   Michael Drive in the various different

25   access driveways to the facility, which

1

2   are not changing. Our analysis has

3   indicated that the level of service or

4   the operation of each of those

5   intersections are within acceptable

6   parameters and we would not anticipate

7   that to change at all if the Board were

8   to approve these applications.

9   So therefore, in summary, it is my

10   professional opinion that based on the

11   observations that we performed, there's

12   more than adequate parking provided on

13   the composite properties. They do

14   function together as one unit. People

15   could park on one and walk to the

16   facility on the other on the other

17   properties.

18   So the granting of the special

19   permits, in my opinion, will not create

20   any undue traffic congestion or hazard

21   and that the parking is ample to satisfy

22   the demand. Thank you.

23   SUPERVISOR SALADINO: Counselor --

24   First of all, are there any questions

25   from any of you?

1

2   (Whereupon, no questions

3   from the Board.)

4   SUPERVISOR SALADINO: One quick

5 question. In the research you conducted

6 in the preparation of your report, did

7 you interview any other owner, commercial

8 business owner, or any of their employees

9 to determine if they sense that there was

10 a parking problem for their use?

11   MR. MULLER: I did not do that. No.

12 That's normally not something we would

13 do, approach other property owners.

14 However, we did observe the traffic

15 conditions and parking conditions in the

16 general area. Again, this is pretty much

17 an isolated area within the town. It's

18 like its own pocket of industrial space.

19   SUPERVISOR SALADINO: Just for

20 clarity, that's what I was asking the

21 other --

22   MR. MULLER: I did not.

23   SUPERVISOR SALADINO: Owners of the

24 other businesses in that protected area.

25   MR. MULLER: Did I personally talk

1

2   to them? No.

3   SUPERVISOR SALADINO: Did anybody on

4   your staff contact anyone else in that

5   grouping to find out if anyone else, or

6   perhaps you observed spots open during

7   the busiest times of the day?

8   MR. MULLER: Oh, absolutely.

9   Specifically, on street there's

10   available public parking which was

11   available.

12   SUPERVISOR SALADINO: What about

13   parking on the site?

14   MR. MULLER: There's plenty of

15   available parking on the subject

16   properties.

17   COUNCILMAN IMBROTO: Just to be

18   clear, you are talking about businesses

19   and industrial park that have been there

20   for eight years?

21   MR. MULLER: Correct? That's

22   correct. They're well established

23   businesses.

24   COUNCILWOMAN WALSH: Is the owner

25   the same owner as the Retro Fitness or

1

2   anything?

3   MR. MULLER: I believe Ms. Simoncic

4   can answer that better than I can.

5   MS. SIMONCIC: They're not the same

6   owner.

7   COUNCILWOMAN WALSH: Okay, Because I

8   spend a lot of time in that area at the

9   different businesses. And I do see that

10   this building, the cultural building and

11   some others they actually help the Hub

12   and some other businesses. I've parked in

13   the Cultural Arts Center at nighttime

14   because there's no -- it is weird like

15   that, like nobody cares. They just share

16   each other's parking. And for some

17   reason, it is always open at peak Hub

18   times. But I was just curious if it was

19   the same owners, or is that the way you

20   all just have nicely worked together all

21   these years, so far?

22   MS. FINKELSTEIN: Yeah. I mean,

23   there's a common --

24   COUNCILWOMAN WALSH: Because at

25   nighttime, when the retro is packed,

1

2   people are using your parking. I just

3   think it's interesting to point that out,

4   because I literally go every day and we

5   just kind of park wherever. And it's been

6   an understanding because, obviously,

7   there's a lot of little kids running in

8   and out of the Hub. And for me, I'm

9   dropping off teenagers who can easily

10   cross the street. So that's kind of like

11   we leave the spots for the little ones

12   and go across. So that's why I was

13   wondering if you are the same owners.

14   MS. FINKELSTEIN: I am Stacy

15   Finkelstein. I have worked for the family

16   for over 21 years. I have been involved

17   intimately with all of the real estate in

18   this vicinity. The Taubs do own the 165

19   Eileen way building under different

20   ownership.

21   COUNCILWOMAN WALSH: Which is the

22   Hub?

23   MS. FINKELSTEIN: That's the sports

24   Hub, right. That's that whole building.

25   Okay. We actually had bought several

1

2   buildings in the area. When I say we, the

3   Taub Family, not me personally, and work

4   to re-energize this entire area. With the

5   exception, I'll say, of the bowling

6   alley, which is at the corner of Jericho,

7   the other buildings, really, we all get

8   along.

9   COUNCILWOMAN WALSH: That's how I

10   felt. I felt like everybody owned or was

11   friends because we literally parked --

12   MS. FINKELSTEIN: And it's not that

13   the bowling alley doesn't get along with

14   us, but they have a different type of

15   traffic and it's far away. And they just

16   really they kind of act to themselves.

17   But everybody else really does get along.

18   And I'll call it our little peninsula.

19   COUNCILWOMAN WALSH: Right, Right.

20   Okay. Thank you.

21   SUPERVISOR SALADINO: And just one

22   quick question. Is there ever a time

23   during the day or evening, the height of

24   of business activity where consumers

25   coming into that area can't find a

1

2   parking spot?

3   MS. FINKELSTEIN: No. Not to my

4   knowledge. And I am there on a very

5   regular basis.

6   SUPERVISOR SALADINO: You're there

7   at least five days a week.

8   MS. FINKELSTEIN: I'm there more

9   than five days a week. But yes.

10   SUPERVISOR SALADINO: Thank you.

11   MR. MULLER: I have nothing further

12   if there are any more questions.

13   COUNCILWOMAN MAIER: I do have a

14   question. Regarding the variance or the

15   relief request for the parking spaces.

16   There are currently 316?

17   MR. MULLER: Correct.

18   COUNCILWOMAN MAIER: Now, is that

19   for just these six applications?

20   MR. MULLER: It's for both

21   properties in their entirety, including

22   the --

23   COUNCILWOMAN MAIER: The relief that

24   you're looking for is for 286 spaces.

25   MR. MULLER: For both properties.

1

2   Composite.

3   COUNCILWOMAN MAIER: Is there any,

4   since Councilwoman Walsh spends a lot of

5   time there, is there any signage there

6   indicating that you could park at another

7   building if you can't find a spot?

8   MR. MULLER: I did not see any. No.

9   MS. SIMONCIC: No, I don't think

10   there's any.

11   MR. MULLER: Not that I'm aware of.

12   COUNCILWOMAN MAIER: Would the

13   applicant be open to putting any signage?

14   MS. SIMONCIC: Stating that other

15   people can park on the property?

16   COUNCILWOMAN MAIER: I don't spend

17   much time up there.

18   MS. SIMONCIC: I don't think we want

19   to encourage that. These two buildings

20   function well together, and I don't think

21   we want to start mixing outside uses.

22   Everybody should maintain sufficient

23   parking for their uses. So I don't think

24   we would want to do that.

25   COUNCILWOMAN MAIER: I was really

1

2   impeding for the existing uses for 170

3   and 180 Michael Drive. Nothing outside

4   of that.

5   MS. SIMONCIC: To say that they can

6   share amongst --

7   COUNCILWOMAN MAIER: I'm not saying

8   the overflow for the bowling alley should

9   go down there.

10   MS. SIMONCIC: To say that they can

11   share parking.

12   COUNCILWOMAN MAIER: Correct.

13   MS. SIMONCIC: I think that would be

14   fine.

15   MS. SIMONCIC: I think it actually

16   occurs because the building like, for

17   example, if you look at the the building

18   170, the property line is here

19   (indicating) and the parking spaces at

20   that Mongo's Coffees uses, Title Boxing

21   uses, they're all on 180 Michael Drive.

22   So naturally that does occur.

23   COUNCILWOMAN WALSH: You know what's

24   weird? I'm sorry. I'm just thinking about

25   this. There's a lot of large apron cuts.

1

2   There's no. It's not like you feel like

3   you're leaving. Like if I go to Retro,

4   you don't have signs that say you can't

5   park there. And it's not like it's

6   streets with no curb cuts. It's huge.

7   It's almost like you drive from one. Do

8   you ever go that way? You just drive into

9   these lots and it doesn't say you can't

10   park, so you just park. You never told us

11   you couldn't park there. And again, I

12   sit in the car, I wait. I never leave my

13   car there, but I wait for them.

14   MS. SIMONCIC: There are signs that

15   say "Private property. Do not park."

16   Because like you said, people do tend to

17   just park wherever they find a spot.

18   COUNCILWOMAN WALSH: Right. But that

19   Cultural Arts, it's it's inviting at

20   nighttime if there's no other spots and

21   you have to wait because Retro could get

22   a little crazy packed so.

23   MS. SIMONCIC: And that's why I

24   guess the uses works. Because

25   differences in hours.

1

2   SUPERVISOR SALADINO: And I think

3   this was summed up when you answered my

4   question that, to your knowledge, you're

5   not receiving complaints from any of the

6   other tenants or the other businesses

7   that the consumers of these businesses

8   are parking on somebody else's property.

9   You've made it very clear that there is

10   always parking even at the height of

11   commerce for anyone coming into these

12   facilities.

13   MR. MULLER: Correct.

14   MS. SIMONCIC: And they do police

15   the property, too. If there's cars, if

16   they notice something that's unusual,

17   they investigate it and take care of it

18   as well.

19   SUPERVISOR SALADINO: Thank you. No

20   other the questions?

21   COUNCILWOMAN MAIER: I'm sorry.

22   SUPERVISOR SALADINO: Two other

23   questions.

24   COUNCILWOMAN MAIER: How many seats

25   in the theater?

1

2   MS. SIMONCIC: There are 168 seats.

3   And those are fixed seats?

4   COUNCILWOMAN MAIER: How many

5   performers do they have a week?

6   MS. SIMONCIC: They have

7   performances on Fridays, Saturdays and

8   Sundays. And I believe there's only one

9   performance an evening. It's at 8 p.m.

10   Currently, Ragtime is playing. And that's

11   really their busiest times Friday night,

12   Saturday and Sunday, when all the other

13   uses that are in this building are

14   generally not fully operational.

15   SUPERVISOR SALADINO: Councilman?

16   COUNCILMAN LABRIOLA: Counsel, I

17   have some questions regarding what you

18   said earlier.

19   Particularly with regards to the

20   fact that this owner has had these

21   tenants for the previous eight years, as

22   you said, and you're coming forward of

23   your own volition to legalize these uses,

24   my question to you is, is this a new

25   owner? Is 345 Underhill LLC, the new

1

2   owner, or have they been the owner of

3   these buildings during this tenancy?

4   MS. SIMONCIC: Yeah, they've been

5   the owner. They purchased these

6   properties in 2006. At that time they

7   were guided by a prior architect who has

8   since passed away, and they were not

9   aware that they needed special permits.

10   So under the advice of John Moccio, who

11   is their current architect of record,

12   when the prior architect died in 2017, he

13   advised, you should really go into the

14   Town. We need to clean up the properties.

15   There were issues.

16   So in 2018, John Moccio, under his

17   advice, said, let's make application and

18   clean up the properties. And that's when

19   we learned that we needed all these

20   special use permits. I will point out,

21   though, with respect to the Swim Academy,

22   they did have a CO before they opened,

23   and after the fact, it was determined

24   that we needed a special use permit.

25   So we don't know what happened and

1

2   what advice was given. I wasn't their

3   counsel at the time, but my understanding

4   is the architect was guiding them through

5   the process and obviously didn't give

6   them the right advice. Subsequently, when

7   Mr. Moccio took over for architect, then

8   he cleaned up and we started to make the

9   necessary applications to legalize

10   everything.

11   COUNCILMAN LABRIOLA: So you said

12   they acquired the property in what year?

13   MS. SIMONCIC: It was 2006. And when

14   they took over the property, it really

15   was in disrepair. They really did clean

16   up the site. They've since improved all

17   the facades of the buildings and really

18   made it very attractive looking

19   buildings.

20   COUNCILMAN LABRIOLA: And these

21   tenants that are here for eight years or

22   so have long term leases?

23   MS. SIMONCIC: Yes.

24   COUNCILMAN LABRIOLA: They have 20

25   year leases, 10 year?

1

2   MS. SIMONCIC: Ten years with

3   options to renew; five year options. And

4   they're all doing very well despite the

5   fact that COVID hit. And these are all

6   obviously recreational uses where people

7   need to come to the facilities. They did

8   have to shut down for quite some time.

9   The Town's worked with those tenants to

10   try to keep them going financially and

11   give them some opportunity, and we got

12   through COVID.

13   This process started in 2018, so

14   we've been at this for many, many years,

15   spent a lot of time and effort. And as

16   you know, you don't see six applications

17   before this Board in this manner. This is

18   very unusual, but we're finally at the

19   finish line of legalizing and completing

20   everything. So my clients are very happy

21   that we're finally here to clean it all

22   up and move forward.

23   As Wayne indicated, we have COs for

24   all the other uses in the building. The

25   building is, as per fire marshal, our

1

2   buildings are fully sprinklered. We have

3   appropriate fire access, so there's no

4   safety issues in any of these tenancies.

5   And again, they have been here

6   without any issue. And it works. And it's

7   a good use. Because right now, as we all

8   know, we're looking for reuses of

9   warehouse buildings. These buildings were

10   originally built as warehouses in the

11   1960s. So now we're repurposing them and

12   making it work.

13   COUNCILMAN LABRIOLA: Counselor, I'm

14   aware it's in a light industrial zone

15   and, therefore, out of sight, out of mind

16   for residents, etcetera. And apparently,

17   of course, based on Councilwoman's

18   comments, has a great deal of use and a

19   lot of satisfaction from the community.

20   MS. SIMONCIC: Sure. I was looking

21   through the records and I don't see any

22   outstanding violations from our Code

23   Compliance Bureau. Are you aware of any

24   open cases or outstanding violations?

25   MS. SIMONCIC: No, no. And that's

1

2   what I indicated at the beginning.

3   Usually people that come to the Town

4   Board are here because violations were

5   issued. We did not get violations at all.

6   There were no violations.

7   COUNCILMAN LABRIOLA: And for the

8   residents that may be listening at home

9   and for the residents in the audience,

10   you know, obviously our Town Board does

11   not like to hear about owners that have

12   flaunted our zoning codes, and then come

13   here afterwards to look for approval of

14   an existing use. That being said, you're

15   explaining that your client was misled by

16   a prior professional architect,

17   engineers. And so I'm happy to hear that

18   they are coming forward now. Is the

19   reason for that coming forward, is there

20   going to be a transfer of title or deed

21   is going to be a sale of the property?

22   Is that why these properties are now

23   coming forward, or is it simply just

24   coincidence it's that there's a new

25   architect?

1

2   MS. SIMONCIC: Yeah, it was

3   literally because the prior architect did

4   pass away and it's simply coincidence.

5   They've owned this property since 2006.

6   They have no intention of selling.

7   They've invested a lot of money into this

8   property. They have longstanding tenants

9   that they have very good relationships

10   with. So there is nothing on the table in

11   terms of trying to sell the properties at

12   all at this time.

13   COUNCILMAN LABRIOLA: You know,

14   there's one other thing, I'm not sure if

15   some of the members of the Board are

16   aware. We do have a policy in place when

17   somebody comes forth for a variance for

18   an existing use that was in violation of

19   the code that are actually fines that are

20   levied in the sense that we treble the

21   fees that are involved for the

22   application for a zoning variance when

23   you have an existing use. So there is

24   some form of fining punishment, as you

25   may know, that the Town does impose when

1

2   you have an existing use that has been in

3   violation of the zoning code. And that

4   being said, you know, our Board has to

5   consider all of that as factors. These

6   are apparently uses that have been

7   accepted in the community. They have a

8   longstanding history, and will take all

9   of that into consideration when we

10   ultimately decide to approve or

11   disapprove.

12   MS. SIMONCIC: I would just point

13   out, if I may, this is not a situation

14   where there's a knowing blatant

15   violation. They were advised by a

16   consultant improperly. And again, they

17   did, as to one of the special use

18   permits, they did have a CO for the

19   space. And then when we applied to

20   legalize everything, the Building

21   Department determined, Planning

22   determined that we also need a special

23   permit for the Long Island Swim Academy,

24   which they had a CO and they were

25   operating. So this is not an applicant,

1

2   an owner that's blatantly violating the

3   law. They have many permits that they've

4   secured on this property for all the

5   other uses in the buildings, and they're

6   trying to do the right thing.

7   SUPERVISOR SALADINO: Counselor, I

8   think part of the important message to

9   you, to your clients, to every business

10   entity and every resident, is what's most

11   important is compliance. And the Town of

12   Oyster Bay is here to assist applicants,

13   to assist businesses, to assist their

14   residents to come into compliance. And

15   we've continued to strive to help out

16   everyone in getting into compliance. We

17   actually have another issue on the

18   calendar for today that has to do with

19   adjudication and compliance. So we would

20   love for the take away from you and for

21   every resident and every business to know

22   that we're here to assist rather than to

23   focus on the punitive approach.

24   COUNCILWOMAN WALSH: And I'm also

25   glad that you're being proactive and came

1

2   to us to fix this and I compliment. I

3   hope in our other communities -- you put

4   the right uses right places in the

5   buildings. I have one that goes for arts

6   and the other that goes to the gym right

7   across the street. Then they eat dinner

8   at Wendy's down the block. So for me,

9   it's a place for the kids to go. And I

10   hope we can continue to do that the right

11   way. So thank you for being proactive

12   about it.

13   MS. SIMONCIC: That concludes our

14   presentation. Unless there are any other

15   questions, we respectfully request the

16   board approve the applications.

17   SUPERVISOR SALADINO: So thank you,

18   Counselor. You've done a fine job for

19   your clients, once again.

20   Would the Town Clerk kindly call

21   each hearing individually so that we can

22   provide motions at this time?

23   TOWN CLERK: So they've been called.

24   SUPERVISOR SALADINO: First, let me

25   ask this question. Is there any

1

2   correspondence and notice of postings for

3   any of these hearings?

4   TOWN CLERK: The Hearings P-2-23

5   through P-7-23, the attorney for the

6   applicant has filed the Affidavit with

7   the Service of Disclosure. The

8   communications are as follows:

9   We have memos from the Department of

10   Planning and Development, including

11   review of the required off-street

12   parking;

13   The Nassau County Land and Tax map

14   indicates the property is Section 15,

15   Block 157, Lot 44;

16   According to the Town of Oyster Bay

17   zoning maps, the property is located

18   within a light industry zone;

19   There are no open Fire Code

20   Enforcement Bureau cases. However, there

21   are variances on file;

22   We have Affidavits of Posting and

23   Publication.

24   There is no further correspondence

25   on any of the hearings.

1

2   SUPERVISOR SALADINO: On any of the

3   six hearings.

4   TOWN CLERK: Right.

5   SUPERVISOR SALADINO: At this time,

6   we would like to know if there is any

7   resident or anyone here who is here

8   specifically to be heard on any of these

9   six hearings?

10   (Whereupon, no verbal

11   response.)

12   SUPERVISOR SALADINO: Please let the

13   record reflect that no one has identified

14   themselves as wanting to be heard on any

15   of these six hearings.

16   So with that, would you call each

17   one and we'll follow each one

18   specifically with a motion and vote.

19   TOWN CLERK: May I have a motion to

20   close the Hearing P-2-23?

21   TOWN ATTORNEY: Identify the hearing

22   and take it from there.

23   COUNCILWOMAN JOHNSON: Supervisor,

24   I'll make a motion that Hearing P-2-23,

25   the public portion of the hearing is

1

2   closed and the comment period be open for

3   30 days, decision reserved.

4   COUNCILMAN IMBROTO: And I will

5   second.

6   SUPERVISOR SALADINO: All in favor.

7   Please signify by saying, "Aye".

8   (Whereupon, all members of

9   the Town Board respond in favor

10   with, "Aye".)

11   SUPERVISOR SALADINO: Those opposed,

12   "Nay".

13   (Whereupon, no verbal

14   response.)

15   SUPERVISOR SALADINO: The ayes have

16   it.

17   TOWN CLERK: May I have a motion to

18   close the Hearing P-3-23?

19   COUNCILWOMAN JOHNSON: Supervisor,

20   I'll make a motion that Hearing P-3-23,

21   the public portion of the hearing is

22   closed and the comment period be open for

23   30 days, decision reserved.

24   COUNCILMAN IMBROTO: Second.

25   SUPERVISOR SALADINO: All in favor.

1

2   Please signify by saying, "Aye".

3   (Whereupon, all members of

4   the Town Board respond in favor

5   with, "Aye".)

6   SUPERVISOR SALADINO: Those opposed,

7   "Nay".

8   (Whereupon, no verbal

9   response.)

10   SUPERVISOR SALADINO: The ayes have

11   it.

12   TOWN CLERK: May I have a motion to

13   close the Hearing P-4-23?

14   COUNCILWOMAN JOHNSON: Supervisor,

15   I'll make a motion that the public

16   portion of Hearing P-4-23 be closed and

17   the comment period be open for 30 days,

18   decision reserved.

19   COUNCILMAN IMBROTO: Second.

20   SUPERVISOR SALADINO: All in favor.

21   Please signify by saying, "Aye".

22   (Whereupon, all members of

23   the Town Board respond in favor

24   with, "Aye".)

25   SUPERVISOR SALADINO: Those opposed,

1

2   "Nay".

3   (Whereupon, no verbal

4   response.)

5   SUPERVISOR SALADINO: The ayes have

6   it.

7   TOWN CLERK: May I have a motion to

8   close the Hearing P-5-23?

9   COUNCILWOMAN JOHNSON: Supervisor,

10   I'll make a motion that public portion of

11   Hearing P-5-23 be closed and the comment

12   period be kept open for 30 days with

13   decision being reserved.

14   COUNCILMAN IMBROTO: Second.

15   SUPERVISOR SALADINO: All in favor.

16   Please signify by saying, "Aye".

17   (Whereupon, all members of

18   the Town Board respond in favor

19   with, "Aye".)

20   SUPERVISOR SALADINO: Those opposed,

21   "Nay".

22   (Whereupon, no verbal

23   response.)

24   SUPERVISOR SALADINO: The ayes have

25   it.

1

2   TOWN CLERK: May I have a motion to

3   close the Hearing P-6-23?

4   COUNCILWOMAN JOHNSON: Supervisor,

5   I'll make a motion that the public

6   portion of the Hearing P-6-23 be closed

7   and the comment period be kept open for

8   30 days and decision be reserved.

9   COUNCILMAN IMBROTO: Second.

10   SUPERVISOR SALADINO: All in favor.

11   Please signify by saying, "Aye".

12   (Whereupon, all members of

13   the Town Board respond in favor

14   with, "Aye".)

15   SUPERVISOR SALADINO: Those opposed,

16   "Nay".

17   (Whereupon, no verbal

18   response.)

19   SUPERVISOR SALADINO: The ayes have

20   it.

21   TOWN CLERK: Finally, may I have a

22   motion to close the Hearing P-7-23?

23   COUNCILWOMAN JOHNSON: Supervisor,

24   I'll make a motion that the public

25   portion of Hearing P-7-23 be closed and

1

2   the comment period be kept open for 30

3   days and decision will be reserved.

4   COUNCILMAN IMBROTO: Second.

5   SUPERVISOR SALADINO: All in favor.

6   Please signify by saying, "Aye".

7   (Whereupon, all members of

8   the Town Board respond in favor

9   with, "Aye".)

10   SUPERVISOR SALADINO: Those opposed,

11   "Nay".

12   (Whereupon, no verbal

13   response.)

14   SUPERVISOR SALADINO: The ayes have

15   it.

16   Thank you very much, Counselor.

17   MS. SIMONCIC: Thank you so much.

18   SUPERVISOR SALADINO: Okay, folks.

19   And those are the hearings for today.

20   (Whereupon, above matter

21   concludes, 11:47 a.m.)

22

23

24

25

1

2   C E R T I F I C A T E

3

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

6

7   I, KAREN LORENZO, a Notary Public for and

8   within the State of New York, do hereby

9   certify:

10   That the above is a correct transcription

11   of my stenographic notes.

12   IN WITNESS WHEREOF, I have hereunto set

13   my hand this 7th day of March, 2023.

14

15   _Karen Lorenzo_

16   KAREN LORENZO

17

18

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21

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TOWN BOARD

TOWN OF OYSTER BAY

REGULAR MEETING

March 7, 2023

11:47 a.m.

***

ACTION CALENDAR

***

JOSEPH SALADINO

SUPERVISOR

**

RICHARD LaMARCA

TOWN CLERK

TAKEN BY: KAREN LORENZO, STENOGRAPHER

1

2   A P P E A R A N C E S

3

4   P R E S E N T:

5   SUPERVISOR   JOSEPH S. SALADINO

6   COUNCILWOMAN   MICHELE M. JOHNSON

7   COUNCILMAN   LOUIS B. IMBROTO

8   COUNCILMAN   THOMAS P. HAND

9   COUNCILMAN   STEVE L. LABRIOLA

10   COUNCILWOMAN   LAURA L. MAIER

11   COUNCILWOMAN   VICKI WALSH

12

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

14   RICHARD LaMARCA   TOWN CLERK

15   DONNA ANTETOMASO,   DEPUTY TOWN CLERK

16   JEFFREY P. PRAVATO   RECEIVER OF TAXES

17   FRANK SCALERA, ESQ. TOWN ATTORNEY

18

19

20   PUBLIC COMMENT:

21   ARTHUR ADLEMAN

22

23

24

25

1

2   SUPERVISOR SALADINO: So with that,

3   I ask the Town Clerk to please call the

4   regular Action Calendar.

5   TOWN CLERK: May have a motion to

6   table Resolution 177-2023. On the motion

7   motion?

8   COUNCILWOMAN JOHNSON: So moved.

9   COUNCILMAN IMBROTO: Second.

10   TOWN CLERK: Motion made by

11   Councilman Johnson and seconded by

12   Councilman Imbroto.

13   On the vote, Supervisor Saladino?

14   SUPERVISOR SALADINO: Aye.

15   TOWN CLERK: Councilwoman Johnson?

16   COUNCILWOMAN JOHNSON: Aye.

17   TOWN CLERK: Councilman Imbroto?

18   COUNCILMAN IMBROTO: Aye.

19   TOWN CLERK: Councilman Hand?

20   COUNCILMAN HAND: Aye.

21   TOWN CLERK: Councilman Labriola.

22   COUNCILMAN LABRIOLA: Aye.

23   TOWN CLERK: Councilwoman Maier?

24   COUNCILWOMAN MAIER: Aye.

25   TOWN CLERK: Councilwoman Walsh?

1

2   COUNCILWOMAN WALSH: Aye.

3   TOWN CLERK: Motion to table

4 Resolution 177-2023 passes with seven

5 ayes.

6   May I have a motion to suspend the

7 rules and add Resolution 185-190-2023?

8   On the motion.

9   COUNCILWOMAN JOHNSON: So moved.

10   COUNCILMAN IMBROTO: Second.

11   TOWN CLERK: Motion may be

12 Councilwoman Johnson and seconded by

13 Councilman Imbroto.

14   On the vote, Supervisor Saladino?

15   SUPERVISOR SALADINO: Aye.

16   TOWN CLERK: Councilwoman Johnson?

17   COUNCILWOMAN JOHNSON: Aye.

18   TOWN CLERK: Councilman Imbroto?

19   COUNCILMAN IMBROTO: Aye.

20   TOWN CLERK: Councilman Hand?

21   COUNCILMAN HAND: Aye.

22   TOWN CLERK: Councilman Labriola?

23   COUNCILMAN LABRIOLA: Aye.

24   TOWN CLERK: Councilwoman Maier?

25   COUNCILWOMAN MAIER: Aye.

1

2   TOWN CLERK: Councilwoman Walsh?

3   COUNCILWOMAN WALSH: Aye.

4   TOWN CLERK: Motion to suspend the

5   rules and add Resolution 185-190-2023

6   passes with seven ayes.

7   May have a motion to adopt

8   Resolution P-6-23 - 176-2023, and 178 -

9   190-2023?

10   On the motion.

11   COUNCILWOMAN JOHNSON: So moved.

12   COUNCILMAN IMBROTO: Second.

13   TOWN CLERK: Motion may be

14   Councilwoman Johnson and Councilman

15   Imbroto.

16   I believe we have speakers.

17   SUPERVISOR SALADINO: Yes. Only one

18   speaker would like to be heard as

19   signified by filling out this form. That

20   speaker is Arthur Adelman.

21   MR. ADELMAN: Hello, everybody. I

22   appreciate the adjustment in the agenda.

23   My name is Arthur Adelman, 110 Dubois

24   Avenue, Sea Cliff.

25   I'm going to be short because you

1

2   tabled the resolution I wanted to chat

3   about a lot.

4   First off, I think congratulations

5   in order. You have a new bride.

6   SUPERVISOR SALADINO: Yes.

7   MR. ADELMAN: Congratulations.

8   SUPERVISOR SALADINO: Thank you.

9   MR. ADELMAN: Welcome to the club.

10   SUPERVISOR SALADINO: Thank you.

11   MR. ADELMAN: One quick question

12   about Resolution 169. My question regards

13   the utilization of the STOP program by

14   all residents of the Town of Oyster Bay.

15   My question is, are all residents

16   permitted to utilize the STOP program or

17   is it only residents in the Town of

18   Oyster Bay Garbage District per se? In

19   other words, village residents --

20   SUPERVISOR SALADINO: I understand

21   your question. All residents of the Town

22   of Oyster Bay may utilize the STOP

23   program and we encourage them to. It's so

24   important. This is a program that's been

25   around for quite some time. If I'm not

1

2   mistaken, it was supervisor Angelo

3   Delligatti who first began the STOP

4   program. We recognize the importance of

5   protecting our aquifer systems from

6   pollution, and this is one of many very

7   important steps to protect our

8   groundwater and our environment as a

9   whole. We realize a convenient way for

10   residents to drop off chemicals and

11   cleaning products and waste oil and a

12   long list of items, and we're going to

13   continue that program.

14   MR. ADELMAN: I do have one request

15   regarding that.

16   SUPERVISOR SALADINO: Yes.

17   MR. ADELMAN: I know many times we

18   have inter-municipal agreements with

19   surrounding towns. My request would be is

20   if it's possible that we could have an

21   inter-municipal agreement with the Town

22   of North Hempstead that would accommodate

23   the residents of the northernmost portion

24   of our town to be able to utilize the

25   STOP program run by the Town of North

1

2   Hempstead in their Port Washington

3   facility. It would be greatly appreciated

4   if we could have something like that

5   done.

6   SUPERVISOR SALADINO: I will speak

7   to the Commissioner and get more

8   information, and we'll take a very

9   serious look at your request.

10   MR. ADELMAN: As I said, 177 is now

11   off the table. I just request that if it

12   should resurface, this issue that the

13   residents be given ample warning, advice

14   that it's coming up for discussion again.

15   Because many times we have tabled

16   resolutions that are untabled at the

17   meeting and people who might have wanted

18   to talk about it are precluded from doing

19   so. So I would request that should there

20   be discussion to reintroduce that

21   resolution and expenditures for the

22   Tinker Mansion, that we get fair advice.

23   I don't want to use the word warning,

24   just advice.

25   Last thing is regarding --

1

2   SUPERVISOR SALADINO: Just another

3   item, if I may add to that. I know you

4   come to every meeting and we appreciate

5   that, but there are residents who can't

6   come to a meeting. They have to work.

7   There may be a number of different

8   reasons. But we always accept their input

9   via e-mail, text, regular mail. And we

10   begin every meeting by instructing the

11   public on how they can contact us with

12   their comments. We also take phone calls

13   and many staff members get quite a few

14   phone calls and we're more than happy to

15   discuss issues, educate the public to why

16   we're looking into something or perhaps

17   taking a particular approach and listen

18   to their expertise.

19   So as we begin every meeting, we

20   make clear that there are a multitude of

21   different ways to contact us. It's not

22   only about informing somebody about a

23   particular board meeting, but they can

24   contact us five days a week.

25   MR. ADELMAN: Right. All I'm asking

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2   is that a tabled item, should be fair

3   notice that it's going to be untabled. I

4   know it's not required because Robert's

5   Rules do not require that. But in such

6   instances as this, I think it's important

7   that the public be advised that we're

8   going to be discussing this issue. It's

9   coming, being untabled and being

10   presented on the regular calendar.

11   Last question regarding Resolution

12   190. I see we're spending the funds just

13   bringing in people to look up what must

14   be done. Then afterwards, like every

15   other project that experts advise the

16   town on how to handle it, the project to

17   do any groundwork, you know, putting

18   shovels in the ground, that will go out

19   to bid. It doesn't necessarily state here

20   that the golf course architect, Mr. Kay,

21   I think his name is, will be the one

22   doing the actual construction, so to say,

23   of the new tee boxes. That's it.

24   It's been a nice meeting. Thank you

25   again for the movement of the way we work

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2   and I wish you all well.

3   SUPERVISOR SALADINO: Thank you,

4   Arthur. Have a wonderful day.

5   Is there anyone else who would like

6   to be heard on any of the items on our

7   Resolution Calendar?

8   (Whereupon, no verbal

9   response.)

10   SUPERVISOR SALADINO: Please let the

11   record reflect that no one has indicated

12   they'd like to be heard.

13   With that, do we have postings and

14   correspondence?

15   TOWN CLERK: We have no other

16   correspondence, Supervisor.

17   SUPERVISOR SALADINO: None other.

18   Okay.

19   So at that point, we'd like to ask

20   for a vote.

21   Supervisor Saladino?

22   SUPERVISOR SALADINO: Aye.

23   TOWN CLERK: Councilwoman Johnson?

24   COUNCILWOMAN JOHNSON: Aye.

25   TOWN CLERK: Councilman Imbroto?

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2   COUNCILMAN IMBROTO: I abstain on

3   187 and I vote "Aye" on all the others.

4   TOWN CLERK: Councilman Hand?

5   COUNCILMAN HAND: Aye.

6   TOWN CLERK: Councilman Labriola?

7   COUNCILMAN LABRIOLA: Aye.

8   TOWN CLERK: Councilwoman Maier?

9   COUNCILWOMAN MAIER: Aye.

10   TOWN CLERK: Councilwoman Walsh?

11   COUNCILWOMAN WALSH: Aye.

12   SUPERVISOR SALADINO: I'd like to

13   modify my vote, please.

14   I, too, abstain on Resolution 187

15   and vote "Aye" on all others.

16   TOWN CLERK: Motion to adopt

17   resolution P-6-23 through 176-2023 passes

18   with seven ayes.

19   Resolution 177-2023 has been tabled.

20   Resolution 178 through 186-2023

21   passes with seven ayes.

22   Resolution 187-2023 passes with five

23   eyes and two abstentions.

24   And Resolution 188 through 190-2023

25   passes with seven ayes.

1

2   Calendar's complete, Supervisor.

3   SUPERVISOR SALADINO: Thank you.

4   Before we close this portion of our

5   meeting, we have an announcement from our

6   receiver of taxes Jeffrey Pravato.

7   TAX RECEIVER: Thank you,

8   Supervisor.

9   The County has extended their

10   grievance deadline now to April 3rd. So

11   with that, we've added two more tax

12   grievance seminars. The first one will be

13   March 20th at 10 a.m. at Hicksville

14   Community Center, 28 West Carl Street,

15   Hicksville. And the second one will be up

16   here at night meeting, if you can't

17   attend during the morning, Wednesday,

18   March 22nd at 7 p.m., right here in Town

19   Hall North.

20   Any questions, please call my office

21   at (516)624-6400 or e-mail

22   ReceiverofTaxes@OysterBay-ny.gov.

23   SUPERVISOR SALADINO: Would you mind

24   repeating the phone number for anyone who

25   may have questions as it relates to these

1

2   seminars and the other services?

3   TAX RECEIVER: (516)624-6400. My

4   staff can answer any and all questions

5   regarding taxes and seminars. It's really

6   good. Getting great turnout. Usually max

7   capacity every time we come, so come

8   early.

9   If anybody has any special needs,

10   hearing disabilities or anything, please

11   let us know. We will have a translator

12   here. We've done that in the past.

13   SUPERVISOR SALADINO: You have. And

14   I've been there. And they're great

15   hearings. We really appreciate your

16   efforts to better inform and educate the

17   public and how to go through this

18   process.

19   TAX RECEIVER: Thank you, sir.

20   SUPERVISOR SALADINO: Of course. So

21   with that, may I have a motion?

22   COUNCILWOMAN JOHNSON: Supervisor, I

23   make a motion that this Board break for

24   Executive session for the purpose of

25   discussing proposed and pending

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2   litigation.

3   COUNCILMAN IMBROTO: Second.

4   SUPERVISOR SALADINO: All in favor,

5   please signify by saying, "Aye".

6   (Whereupon, all members of

7   the Board respond in favor

8   with, "Aye".)

9   SUPERVISOR SALADINO: Those opposed,

10   "Nay".

11   (Whereupon, no verbal

12   response.)

13   SUPERVISOR SALADINO: The ayes have

14   it.

15   (Whereupon, Executive

16   Session 11:59-1:20 p.m.)

17   SUPERVISOR SALADINO: All right,

18   Folks. Now we are entering into the

19   public comment portion of the meeting, at

20   this time we'd like to entertain all

21   public comment from anyone in the room

22   after we close the meeting. With that

23   councilwoman Johnson, may I have a

24   motion?

25   COUNCILWOMAN JOHNSON: Supervisor, I

1

2   make a motion the Executive Session be

3   closed. No action was taken.

4   COUNCILMAN IMBROTO: Second.

5   SUPERVISOR SALADINO: All in favor,

6   signify by saying, "Aye".

7   (Whereupon, all members of

8   the Town Board respond in favor

9   with, "Aye".)

10   SUPERVISOR SALADINO: Those opposed,

11   "Nay"?

12   (Whereupon, no verbal

13   response.)

14   SUPERVISOR SALADINO: The ayes have

15   it.

16   Thank you very much. With that, may

17   I have another motion?

18   COUNCILWOMAN JOHNSON: Supervisor, I

19   make a motion that we close the meeting.

20   COUNCILMAN IMBROTO: Second.

21   SUPERVISOR SALADINO: All in favor,

22   please signify by saying, "Aye".

23   (Whereupon, all members of

24   the Board respond in favor

25   with, "Aye".)

1

2   SUPERVISOR SALADINO: Those opposed,

3   "Nay".

4   (Whereupon, no verbal

5   response.)

6   SUPERVISOR SALADINO: The ayes have

7   it.

8   (Whereupon, the meeting

9   concludes, 1:21 p.m.)

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2   C E R T I F I C A T E

3

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

6

7   I, KAREN LORENZO, a Notary Public for and

8   within the State of New York, do hereby

9   certify:

10   That the above is a correct transcription

11   of my stenographic notes.

12   IN WITNESS WHEREOF, I have hereunto set

13   my hand this 7th day of March, 2023.

14

15

16
                              Karen Lorenzo
17   KAREN LORENZO

18

19

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