

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
June 18, 2019
7:15 p.m.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH SALADINO
COUNCILMAN JOSEPH D. MUSCARELLA
COUNCILMAN ANTHONY D. MACAGNONE
COUNCILWOMAN MICHELE M. JOHNSON (present at 8:42 p.m.)
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS P. HAND
COUNCILMAN STEVE LABRIOLA

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

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

Minutes of the meeting
taken by:

HOLLY DALOIA OSTEEN
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would you kindly
2 poll the Board?

3 MR. ALTADONNA: Councilman Labriola?

4 COUNCILMAN LABRIOLA: Here.

5 MR. ALTADONNA: Councilman Hand?

6 COUNCILMAN HAND: Here.

7 MR. ALTADONNA: Councilman Imbroto?

8 COUNCILMAN IMBROTO: Present.

9 MR. ALTADONNA: Councilwoman Johnson, I
10 believe is on her way.

11 Councilman Macagnone?

12 COUNCILMAN MACAGNONE: I'm not sure of
13 this order, but I'm here.

14 MR. ALTADONNA: Councilman Muscarella?

15 COUNCILMAN MUSCARELLA: Here.

16 MR. ALTADONNA: And Supervisor?

17 SUPERVISOR SALADINO: Present.

18 Okay. I believe we're now ready to call
19 the regular Action Calendar.

20 MR. ALTADONNA: May I have a motion
21 remove from the table and add Resolution No. 281
22 which was tabled on May 7, 2019?

23 **RESOLUTION NO. 281-2019;** Resolution
24 pertaining to the Dock Application of Kathleen
25 Austin, 59 Stillwater Avenue, Massapequa, New York.

1 (M.D. 4/16/19 #14).

2 On the motion?

3 COUNCILMAN MUSCARELLA: So moved.

4 COUNCILMAN MACAGNONE: I believe I
5 second that. I wouldn't go in that order, but I
6 second that.

7 MR. ALTADONNA: Motion was made by
8 Councilman Muscarella, second by Councilman
9 Macagnone.

10 On the vote:

11 Supervisor?

12 SUPERVISOR SALADINO: "Aye."

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: "Aye."

15 MR. ALTADONNA: Councilman Macagnone?

16 COUNCILMAN MACAGNONE: "Aye."

17 MR. ALTADONNA: Councilwoman Johnson is
18 absent.

19 Councilman Imbroto?

20 COUNCILMAN IMBROTO: "Aye."

21 MR. ALTADONNA: Councilman Hand?

22 COUNCILMAN HAND: "Aye."

23 MR. ALTADONNA: Councilman Labriola?

24 COUNCILMAN LABRIOLA: "Aye."

25 MR. ALTADONNA: Motion to remove from

1 the table and add Resolution 281 passes with six
2 "Ayes."

3 May I have a motion to suspend the
4 rules and add the following Resolutions Nos. 392,
5 393, 394?

6 **RESOLUTION NO. 392-2019;** Resolution
7 pertaining to court mandated court reporters.
8 Account No. OTA A 1420 44110 604 0000. (M.D.
9 6/11/19 #16).

10 **RESOLUTION NO. 393-2019;** Resolution
11 directing the Town Clerk to advertise a Notice of
12 Hearing to consider a proposed Local Law entitled,
13 "A Local Law to Amend Chapter 203 Speed Limits,
14 Section 203-9, 35 Miles Per Hour, at Specific
15 Locations of the Code of the Town of Oyster Bay
16 New York." Hearing date: July 9, 2019. (M.D.
17 6/11/19 #17).

18 **RESOLUTION NO. 394-2019;** Resolution
19 requesting New York State Governor Cuomo to sign
20 Senate Bill No. S-3337 and Assembly Bill No.
21 A05477C to clarify the statute of limitations rules
22 regarding well head contamination.

23 On the motion?

24 COUNCILMAN MUSCARELLA: So moved.

25 COUNCILMAN MACAGNONE: Second.

1 MR. ALTADONNA: Motion was made by
2 Councilman Muscarella, second by Councilman
3 Macagnone.

4 On the vote:
5 Supervisor?

6 SUPERVISOR SALADINO: "Aye."

7 MR. ALTADONNA: Councilman Muscarella?

8 COUNCILMAN MUSCARELLA: "Aye."

9 MR. ALTADONNA: Councilman Macagnone?

10 COUNCILMAN MACAGNONE: "Aye."

11 MR. ALTADONNA: Councilwoman Johnson is
12 absent.

13 Councilman Imbroto?

14 COUNCILMAN IMBROTO: "Aye."

15 MR. ALTADONNA: Councilman Hand?

16 COUNCILMAN HAND: "Aye."

17 MR. ALTADONNA: Councilman Labriola?

18 COUNCILMAN LABRIOLA: "Aye."

19 MR. ALTADONNA: Motion to suspend the
20 rules and add Resolutions No. 392, 393, 394 passes
21 with six "Ayes."

22 Now, one more.

23 May I have a motion to resuspend the
24 rules and add the following Walk-On Resolutions
25 Nos. 395, 396, 397, which are Resolutions relating

1 to -- I have to read them into the record --

2 "Whereas, Town pools, operated by the
3 Department of Parks, are scheduled to be opened for
4 the 2019 season on Saturday, June 22, 2019 with
5 fees as previously approved by the Town Board; and

6 "Whereas, Joseph Nocella, Town
7 Attorney, and Thomas M. Sabellico, Special Counsel,
8 by memorandum dated June 17, 2019, have advised
9 that Joseph G. Pinto, Commissioner, Department of
10 Parks, by e-mail dated June 14, 2019, advised that
11 the last day of school is Friday, June 21, 2019,
12 and requested Town Board approval to open the Town
13 pools on Friday, June 21, 2019, from 3:00 p.m. to
14 8:00 p.m. and to waive any admission fees for that
15 day.

16 "Now, therefore, be it resolved, that
17 the request as hereinabove set forth is accepted
18 and approved, and the Town Board hereby authorizes
19 the Department of Parks to open the Town pools on
20 Friday, June 28, 2019, and to waive any admission
21 fees for that day."

22 That's Resolution No. 395.

23 Resolution No. 396 is:

24 "Whereas, Resolution No. 116-2017
25 adopted February 28, 2017, the Town Board appointed

1 the five individuals to serve on the Town of Oyster
2 Bay Board of Ethics; and.

3 "Whereas, subsequent to the adoption of
4 Resolution 116-2017, vacancies opened on the Board
5 of Ethics; and

6 "Whereas, Joseph Saladino, Supervisor,
7 by Memorandum dated June 17, 2019, recommends that
8 the following individual be appointed to fill the
9 vacancy on the Board and serve on the Ethics Board
10 of the Town of Oyster Bay, without compensation, to
11 fill a term commencing immediately upon and
12 including December 31, 2022; Hal Simon, 74 Diamond
13 Drive, Plainview, New York 11803.

14 "Now, therefore, be it resolved, that
15 the recommendation as hereinabove set forth is
16 accepted and approved, and the Town Board appoints
17 Hal Simon to serve as a member of the Town of
18 Oyster Bay Board of Ethics, without compensation,
19 to fill a term commencing immediately up and until
20 December 31, 2022.

21 Resolution No. 397:

22 "Whereas, the Town Attorney is aware of
23 the potential for litigation with a party whose
24 identity has been made known to the Town Board in
25 Executive Session regarding the Town's Peddling and

1 Soliciting ordinance (Town Code Chapter 173);

2 "Whereas, Joseph Nocella, Town
3 Attorney, and Matthew M. Rozea, Deputy Town
4 Attorney by Memorandum dated June 18, 2019, advised
5 that because of time sensitive nature of the matter
6 of the Office of the Town Attorney recommends and
7 requests that the Town Board authorize the
8 retention of Albanese & Albanese, LLP, 1050 Franklin
9 Avenue, Suite 500, Garden City, New York 11530,
10 pursuant to Guideline 5 of the Town's Procurement
11 Policy; and

12 "Now, therefore, be it resolved that
13 the request as hereinabove set forth is accepted
14 and approved and the retention of Albanese &
15 Albanese, LLP is authorized and approved, and be it
16 further resolved, that the Comptroller is hereby
17 authorized and directed to make payment in an
18 amount not to exceed \$30,000.000 with funds to be
19 drawn from Account No. OTAA1420441100000000 upon
20 submission of a duly certified claim after audit."

21 On the motion?

22 COUNCILMAN MUSCARELLA: So moved.

23 COUNCILMAN MACAGNONE: Second.

24 MR. ALTADONNA: Motion made by
25 Councilman Muscarella, second by Councilman

1 Macagnone.

2 For the audience, this is just to put
3 it on the calendar. You'll have the right to
4 speak.

5 On the vote:

6 Supervisor?

7 SUPERVISOR SALADINO: "Aye."

8 MR. ALTADONNA: Councilman Muscarella?

9 COUNCILMAN MUSCARELLA: "Aye."

10 MR. ALTADONNA: Councilman Macagnone?

11 COUNCILMAN MACAGNONE: "Aye."

12 MR. ALTADONNA: Councilwoman Johnson is
13 absent.

14 Councilman Imbroto?

15 COUNCILMAN IMBROTO: "Aye."

16 MR. ALTADONNA: Councilman Hand?

17 COUNCILMAN HAND: "Aye."

18 MR. ALTADONNA: And Councilman

19 Labriola?

20 COUNCILMAN LABRIOLA: "Aye."

21 MR. ALTADONNA: Motion to resuspend the
22 rules and add the following Walk-On Resolutions
23 395, 396, 397 passes with six "Ayes."

24 You have speakers.

25 SUPERVISOR SALADINO: Mr. Adelman?

1 MR. ADELMAN: Good morning, Board, Town
2 Supervisor.

3 The first question I have is the tabled
4 Resolution 281. I'm curious to know what that
5 pertains to, so I don't even know if I want to talk
6 about that.

7 MR. ALTADONNA: You want me to read it?

8 MR. ADELMAN: Can the Clerk read into
9 the record, please?

10 MR. ALTADONNA: It's a Resolution
11 pertaining to a dock application of Kathleen
12 Austin, 59 Stillwater Avenue, Massapequa, New York.
13 This is a lengthy one.

14 COUNCILMAN IMBROTO: Is that enough
15 information for you, Mr. Adelman?

16 MR. ADELMAN: I remember. Okay. I
17 have no objection to that.

18 I'm hear to talk about Resolution 371,
19 permission for Long Island Uncorked for a waiver of
20 Ordinance 168-22. Nowhere in the Resolution does
21 it discuss any fees the Town is charging this
22 organization.

23 As far as I know, this is a for-profit
24 organization. They do charge people to attend.
25 There is no backup data regarding this request.

1 I'm curious how this event benefits the
2 residents of the Town of Oyster Bay. I assume
3 there's an issue of Certificate of Insurance yet,
4 because there's be no reason to spend money on that
5 if they don't know they're going to have the
6 affair.

7 Next, I want to talk about 379
8 regarding the issue of refunding bonds. This was
9 110 pages worth of documentation. I couldn't get
10 through it. I don't know if any of the Board
11 Members did. I'd be curious if any of you could
12 get through it. It would be nice if the Finance
13 Department, whoever is putting forth this
14 Resolution, had given a two-page synopsis of what
15 this -- how it really saves us money so we don't
16 have to go through the whole 110 pages.

17 My next Resolution I question is
18 On-Call Engineering Consultant Services regarding
19 the roof at the Littauer Estate. The request is to
20 put aside \$93,500 for engineering and architectural
21 plans.

22 My question is, the documentation I
23 have shows that we've already drawn down \$53,000 of
24 \$150,000 allotted for this plan and I'm just
25 curious what we've already spent 50,000 on and that

1 we're just planning to spend 93 on architectural
2 engineering.

3 Do we have any scope of what the full
4 project will cost to repair or replace the roof on
5 the --

6 COUNCILMAN MACAGNONE: Littauer --

7 MR. ADELMAN: The barn, whatever it is.

8 COUNCILMAN MACAGNONE: It's a house, a
9 mansion. I believe this will come back with the
10 amount.

11 MR. ADELMAN: It doesn't talk if it's
12 slate or --

13 COUNCILMAN MACAGNONE: Cedar shakes are
14 on there right now and they're going to replace
15 with cedar shakes. But that's what this consultant
16 is for, to come back with a recommendation.

17 MR. ADELMAN: My question pertains to
18 the requested money -- I left it on my seat. It
19 talks about they've already drawn down \$53,000.
20 I'm curious who was that paid to.

21 Was that paid to the engineering firm
22 as well prior to this request because it's very
23 confusing? I'd like to know what we're spending
24 money on and if it's really legitimate.

25 And, finally, did the Inspector General

1 go over the documentation on these things? Let's
2 see what we've got.

3 SUPERVISOR SALADINO: Thank you very
4 much.

5 First of all, let's talk about
6 Resolution 379. Many know that because of the
7 proper management and the finances of the Town of
8 Oyster Bay paying down the largest amount of
9 capital debt in the history of the Town, we have
10 entirely paid off the -- what was a \$44,000,000
11 operating budget deficit, before I got here. We
12 have paid that off entirely.

13 Our independent auditor is coming out
14 with that independent report and -- which will make
15 it very clear to the public that we have entirely
16 paid off the deficit and, indeed, we cut taxes,
17 brought up the bond rating, so by bringing up the
18 bond rating, we have access to better rates.

19 Quite simply, we took \$3,000,000. We
20 borrowed -- we borrowed \$3,000,000 while relieving
21 that \$3,000,000 -- which was at a higher debt and
22 borrowed it at a lower percentage, lower interest
23 payment and, therefore, we're making appreciable
24 savings on interest.

25 There is no additional borrowing and

1 I'm going to bring Rob Darienzo up for a moment
2 just to confirm the numbers.

3 Quite frankly, all of our residents are
4 very proud of the much better financial shape --
5 remarkably better financial shape the Town is in
6 because of the management of this administration
7 and this Board.

8 MR. DARIENZO: Good evening, Supervisor
9 and Town Board.

10 The Resolution in question --

11 SUPERVISOR SALADINO: Just start by
12 giving us your presence.

13 MR. DARIENZO: I'm sorry.

14 Rob Darienzo Director of Finance, Town
15 of Oyster Bay.

16 SUPERVISOR SALADINO: Thank you.

17 MR. DARIENZO: The Resolution in
18 question mentions borrowing up to \$3,000,000 in
19 refunding bonds.

20 It's actually 2 million -- \$2,185,000
21 in bonds that were issued in 2009 will be refunded
22 at the amount of 2,165,000. We're going to save
23 \$20,000 in principal and over \$100,000 in interest
24 over the next nine years. \$53,000 combined will be
25 saved over 2019 and 2020. So this is a very small

1 savings compared to the other refinancing we've
2 done in the past, but saving \$100,000 over nine
3 years is better than save nothing.

4 And the figures have in your backup
5 were issued as of May 30th. Today is June 18th.
6 We're going to a new bond rating in early July
7 before these figures are finalized. So, if our
8 bond rating goes up between now and the actual
9 present date, we should stand to see additional
10 savings. It's also subject to whatever the market
11 will bear because the market changes every single
12 day.

13 Right now, what's proposed to us by our
14 outside financial advisors and underwriters told
15 us, hey, if you were to refinance this debt, you'll
16 save over \$100,000 over the next nine years or 50K
17 in the two years, why wouldn't you do it. And so
18 we're going to. And the \$100,000 should be the
19 bear minimum if, in fact, the market stays the way
20 it is when that pricing was done on May 30th.

21 SUPERVISOR SALADINO: Thank you very
22 much. We appreciate the detail.

23 MR. DARIENZO: No problem.

24 SUPERVISOR SALADINO: And we're very
25 proud of the good work that you're doing.

1 MR. DARIENZO: Thank you.

2 SUPERVISOR SALADINO: The next issue
3 was an issue in regard to -- was that 371?

4 MR. ADELMAN: Yes, sir.

5 SUPERVISOR SALADINO: 371, okay.

6 Commissioner Pinto, are you prepared to
7 talk to us on this issue?

8 COMMISSIONER PINTO: Good evening.

9 SUPERVISOR SALADINO: Would you mind
10 starting off by stating your presence?

11 COMMISSIONER PINTO: Joseph Pinto,
12 Commissioner of Parks.

13 SUPERVISOR SALADINO: Thank you.

14 Mr. Adelman has asked about Resolution
15 371 which relates to an event going on much like
16 the many events we have in the Town, whether it's
17 the Oyster Festival that uses facilities and
18 properties of the Town and a long, long list of
19 festivals and events that other entities come in.

20 Let's start off by asking, is this a
21 not-for-profit organization?

22 COMMISSIONER PINTO: It is not.

23 SUPERVISOR SALADINO: It is not.

24 So, can you tell us a little bit about
25 how we came upon the contract with them?

1 COMMISSIONER PINTO: I received a phone
2 call from this gentleman and he went through his
3 plan on what he's done in the past.

4 At the time, we were hearing from some
5 of the merchants over at Ransom -- across from
6 Ransom - how there isn't as much traffic anymore
7 in that area. And we just thought that if we
8 brought this gentleman in to do this event, we
9 might get some more people into that area and they
10 may start frequencing some of our establishments
11 across the street.

12 He has reached out to a lot of the
13 merchants over there. He's going to try to get
14 them involved with this group is what he's trying
15 to do. We just thought it would be a good idea to
16 bring him in and see if it works.

17 SUPERVISOR SALADINO: Can you make sure
18 that -- can you ask them to reach out to all of the
19 stores and shops that are applicable in that
20 community so that everyone has an equal chance at
21 playing a role in this event?

22 COMMISSIONER PINTO: Sure.

23 COUNCILMAN MACAGNONE: Commissioner,
24 how much are we charging this group to use our
25 facilities?

1 COMMISSIONER PINTO: It's going to be
2 \$1,000 for each facility. He is using the deli,
3 Ransom, and Centre Island for parking and so, then
4 if there is any lights or stuff like that.

5 COUNCILMAN MACAGNONE: Thank you, sir.

6 SUPERVISOR SALADINO: So we are
7 charging \$1,000 per facility --

8 COMMISSIONER PINTO: Yes.

9 SUPERVISOR SALADINO: -- and the cost
10 of the use of these resources?

11 COMMISSIONER PINTO: Yes.

12 SUPERVISOR SALADINO: And then, in
13 addition to that, we expect it to be helping the
14 businesses there who have been hurt from a
15 multitude of issues including the closing of Shore
16 Road. That really put -- that they came to us and
17 told us that they were hurt by that.

18 COMMISSIONER PINTO: Yes.

19 COUNCILMAN MACAGNONE: They're paying
20 light you said, security --

21 COMMISSIONER PINTO: Exactly.

22 Initially, the gentleman wanted to
23 bring food trucks in and we told him he couldn't do
24 that because of the restaurants across the way.
25 Then we decided to have him go talk to them and try

1 to bring them in. He might bring in some food
2 tasting stuff, but we think it's a positive for the
3 community and for the Town and we hope it's a
4 success.

5 SUPERVISOR SALADINO: And they have a
6 positive track record?

7 COMMISSIONER PINTO: Yes. From what I
8 understand, yes.

9 SUPERVISOR SALADINO: Okay.
10 Does anybody have any other questions?

11 COUNCILMAN IMBROTO: It sounds like a
12 fun event.

13 COUNCILMAN LABRIOLA: I think the
14 confusion, I'm not sure, but I think he thinks we
15 were waiving the fees, but you're only waiving a
16 part of our code that allows them to bring in
17 alcoholic beverages?

18 COMMISSIONER PINTO: As we do all the
19 other bazaars and feasts that go on throughout the
20 Town.

21 COUNCILMAN MACAGNONE: Or if the group
22 wanted to use one of our parks and they wanted to
23 have alcohol there?

24 COMMISSIONER PINTO: We have to have a
25 waiver. It's just normal practice for us.

1 SUPERVISOR SALADINO: Thank you very
2 much.

3 I'm glad we brought clarity to that.

4 (Mr. Adelman raises his hand.)

5 SUPERVISOR SALADINO: Yes?

6 MR. ADELMAN: One question regarding
7 the \$1,000 rental, that refers to Resolution, I
8 think, 127-2017. That was the rental rate board
9 came up with back in 2017. I don't know anybody
10 who pays the same rent as they did in 2017. So I
11 don't understand how Commissioner Pinto came up
12 with \$1,000 per location. We have no -- I can't
13 find any information about this organization. So I
14 would appreciate it if the Commissioner could
15 e-mail me. I know he has my e-mail address.

16 SUPERVISOR SALADINO: You have the
17 Commissioner right here, right now.

18 Why not do it immediately? Sit with
19 him.

20 MR. ADELMAN: I'd love to.

21 SUPERVISOR SALADINO: Get some more
22 information from him this evening, and we are happy
23 to provide you the information.

24 Will you be attending and supporting
25 the event?

1 MR. ADELMAN: I have no idea. I don't
2 know what they are doing.

3 COUNCILMAN LABRIOLA: Wine tasting.

4 SUPERVISOR SALADINO: Yes, wine
5 tasting, food tasting and they'll be showing off
6 the best of the best in restaurants and so forth
7 and we hope that many of the establishments in
8 Bayville will participate.

9 COUNCILMAN IMBROTO: It's just fun,
10 Arthur. It's just fun.

11 MR. ADELMAN: Okay.

12 SUPERVISOR SALADINO: All right.

13 Thank you.

14 MR. ADELMAN: Last item.

15 SUPERVISOR SALADINO: Which was?

16 MR. ADELMAN: Regarding the \$93,500
17 approval for the Littauer Estates, I think engineer
18 study.

19 SUPERVISOR SALADINO: I believe that
20 falls under DPW Commissioner, I'm sorry.

21 COUNCILMAN MACAGNONE: General
22 services.

23 SUPERVISOR SALADINO: I'm sorry.

24 COMMISSIONER LENZ: Could I just ask a
25 question? Is there a reason why this needs to be

1 right next to us while we're trying to speak?

2 SUPERVISOR SALADINO: You know, we're
3 dealing with someone who has shown they're very
4 disrespectful over and over including at another
5 public meeting where they disrespected others at a
6 meeting. It's really a shame.

7 COMMISSIONER LENZ: Thank you.

8 MR. DARIENZO: Supervisor, Town Board,
9 Rob Darienzo, Director of Finance, Town of Oyster
10 Bay.

11 The initial question Commissioner Lenz
12 mentioned the question had to do with the funded
13 date figure which is on this availability form; is
14 that correct?

15 COMMISSIONER LENZ: That's the first
16 question.

17 COUNCILMAN MACAGNONE: Part A question.

18 MR. DARIENZO: So, on the form, it
19 shows 56,881.33 has been funded to date against
20 Resolution 861-2017. The total authorization was
21 for \$150,381.33, leaving a balance of \$93,500. The
22 \$93,500 is what's being requested on this form.

23 COMMISSIONER LENZ: Mr. Adelman is
24 asking what this is for.

25 MR. DARIENZO: The \$56,881.33 simply

1 represents any funds that were authorized under
2 this Resolution by this Board prior to this date.
3 I don't have any backup to get to 56,000 but rest
4 assured they were all authorized by this Board
5 previously to this date.

6 SUPERVISOR SALADINO: Publicly?

7 MR. DARIENZO: Yes, right.

8 SUPERVISOR SALADINO: Thank you.

9 COMMISSIONER LENZ: Then the 93, comes
10 up from -- I just want to make you sure that
11 everybody understands this is -- I keep calling
12 time card meaning that just because we put 93 in
13 for the budget does not mean that that's how much
14 it is.

15 COUNCILMAN MACAGNONE: It's a normal
16 thing in construction. It could be how many hours
17 it is.

18 COMMISSIONER LENZ: Yes.

19 COUNCILMAN MACAGNONE: You couldn't
20 possibly be half that amount.

21 COMMISSIONER LENZ: Exactly.

22 So, the first portion of this of 20,000
23 is for the investigation that you were talking
24 about earlier to investigate what type of roof,
25 what kind of supports are underneath, do we need to

1 have better structure underneath?

2 COUNCILMAN MACAGNONE: What condition
3 it's in. It's an old building. It has been
4 neglected.

5 COMMISSIONER LENZ: The second portion
6 is to -- for the design documents to go out to bid
7 and then the third portion is -- the third portion
8 is for the construction oversight of the
9 contractor. That's how this is broken out.

10 Thank you.

11 SUPERVISOR SALADINO: Okay.

12 And is the normal process of following
13 the law and preparing to go out to bid, is this the
14 same process that we follow for every other bid?

15 COMMISSIONER LENZ: Yes, it is. We bid
16 all our contracts.

17 SUPERVISOR SALADINO: Outside the
18 building being very old and historic, is there --
19 it's very old and therefore, it needs special
20 attention and how this process goes about.

21 COMMISSIONER LENZ: Exactly.

22 SUPERVISOR SALADINO: Is there anything
23 else unusual about this that changes the process
24 from the vast, vast majority of the processes that
25 we go out to bid with?

1 COMMISSIONER LENZ: No, it's not.

2 Thank you, sir.

3 SUPERVISOR SALADINO: Any questions
4 from the Board?

5 COUNCILMAN MACAGNONE: No.

6 Thank you, Commissioner.

7 SUPERVISOR SALADINO: Thank you very
8 much.

9 All right then, being that those
10 questions are all answered, we have to go into
11 Executive Session before our vote, so I'm going to
12 call for a motion, please.

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

18 COUNCILMAN MACAGNONE: Second.

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

21 ALL: "Aye."

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

24 (No verbal response given.)

25 SUPERVISOR SALADINO: Thank you for

1 your patience. We'll be meeting with counsel and
2 then coming out to take a vote.

3 Thank you.

4 (Whereupon, Supervisor Saladino and the
5 Members of the Town Board of Oyster Bay went into
6 Executive Session at 7:39 p.m. and the proceedings
7 resumed and at 8:42 p.m. as follows with the
8 presence of Councilwoman Johnson:)

9 SUPERVISOR SALADINO: May we have your
10 attention ladies and gentlemen, please? We're
11 ready to start -- proceed.

12 COUNCILMAN MUSCARELLA: Supervisor,
13 I'll make a motion to close the Executive Session.
14 No action has been taken by the Board.

15 COUNCILMAN MACAGNONE: I'll second
16 that.

17 SUPERVISOR SALADINO: All in favor
18 please signify by saying "Aye."

19 ALL: "Aye."

20 SUPERVISOR SALADINO: Those opposed
21 "Nay."

22 (No verbal response given.)

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

25 MR. ALTADONNA: Just some housekeeping

1 here.

2 SUPERVISOR SALADINO: Please proceed.

3 MR. ALTADONNA: Councilwoman Johnson is
4 in attendance.

5 And, on the motion, we are going to
6 add, with Sheila's advisement, from 281 we're going
7 to add P12-18, PA6-19, TF11-19 and then 281 which
8 was removed from the table and added.

9 369 through 397, that will be the vote.
10 Okay. All of those were included in the suspend and
11 resuspend.

12 And Councilwoman Johnson is in
13 attendance now.

14 **PERSONNEL RESOLUTION NO. P-12-19 and**
15 **PA-6-19;** Resolution pertaining to personnel of
16 various departments within the Town of Oyster Bay.

17 **TRANSFER OF FUNDS RESOLUTION NO.**
18 **TF-11-19;** Resolution pertaining to Transfer of
19 Funds within various departments accounts for the
20 Year 2019.

21 **RESOLUTION NO. 281-2019;** Resolution
22 pertaining to the Dock Application of Kathleen
23 Austin, 59 Stillwater Avenue, Massapequa, New York.
24 (M.D. 4/16/19 #14).

25 **RESOLUTION NO. 369-2019;** Resolution

1 authorizing the employment of an art instructor for
2 the Senior Citizens Services Program and to
3 authorize the Supervisor or his designee to execute
4 agreement for these services. Account No. CYS A
5 7020 47660 0000 0000. (M.D. 5/28/19 #4).

6 **RESOLUTION NO. 370-2019;** Resolution
7 amending Resolution No. 277-2019 to include
8 pre-movie activities for the *Movies by Moonlight*
9 series, to be paid by Friends of The Community
10 Services Dept., Inc., and authorizing the
11 Supervisor or his designee to execute agreement for
12 these services. (M.D. 5/28/19 #5).

13 **RESOLUTION NO. 371-2019;** Resolution
14 granting request from Long Island Uncorked for a
15 waiver of Town Ordinance 168-22, for a food and
16 wine event to be held on September 8, 2019 at
17 Stehli Beach, Charles E. Ransom Beach and Centre
18 Island Beach. (M.D. 6/4/19 #4).

19 **RESOLUTION NO. 372-2019;** Resolution
20 authorizing acceptance of a donation of a memorial
21 plaque and bench to be placed in Theodore Roosevelt
22 Memorial Park and Beach from Peter Play in memory
23 of John Play. (M.D. 6/4/19 #5).

24 **RESOLUTION NO. 373-2019;** Resolution
25 authorizing acceptance of a donation of a memorial

1 plaque and bench to be placed in Anchor Park from
2 Dr. Tricia Aiello in memory of Tyler Abizeid. (M.D.
3 6/4/19 #6).

4 **RESOLUTION NO. 374-2019;** Resolution
5 authorizing the Town of Oyster Bay Tennis Program
6 and adoption of an entry fee to provide funds for
7 the program. (M.D. 6/4/19 #7).

8 **RESOLUTION NO. 375-2019;** Resolution
9 granting request from the Bayville Chamber of
10 Commerce to use Centre Island Beach to hold an End
11 of Summer Concert and Barbeque on September 7,
12 2019, to use Town equipment and have Town
13 Ordinances 168-22 and 168-20 waived for the event.
14 (M.D. 6/4/19 #8).

15 **RESOLUTION NO. 376-2019;** Resolution
16 authorizing issuance of a refund of a Summer
17 Recreation registration at Tappen Beach for the
18 summer season of 2019 to D. Iannelli. Account No.
19 PKS A 0001 02001 510 0000. (M.D. 6/4/19 #9).

20 **RESOLUTION NO. 377-2019;** Resolution
21 authorizing issuance of a refund of a boat slip fee
22 at Tappen Marina for the summer season of 2019 to
23 F. Vasconcelos. Account No. PKS A 0001 02025 526
24 0000. (M.D. 6/4/19 #10).

25 **RESOLUTION NO. 378-2019;** Resolution

1 authorizing issuance of a refund of a boat slip fee
2 for the difference from a large boat slip to a
3 smaller slip at Tappen Marina to R. Khan. Account
4 No. PKS A 0001 02025 526 0000. (M.D. 6/4/19 #11).

5 **RESOLUTION NO. 379-2019;** Resolution
6 authorizing the issuance of refunding bonds. (M.D.
7 6/4/19 #17).

8 **RESOLUTION NO. 380-2019;** Resolution
9 relating to the filing of the Town of Oyster Bay
10 External Audit Report, Office of the Receiver of
11 Taxes for the period ended September 30, 2018 and
12 ratifying the action of the Town Clerk in
13 publishing said report as required by law. (M.D.
14 6/4/19 #18).

15 **RESOLUTION NO. 381-2019;** Resolution
16 pertaining to Contract No. PWC 07-18, On-Call
17 Consultant Service Request relative to Civil
18 Engineering, in connection with Chemical Concrete
19 Storage Building at Woodbury Golf Course. Account
20 No. PKS H 7197 20000 000 1102 001. (M.D. 6/4/19
21 #20).

22 **RESOLUTION NO. 382-2019;** Resolution
23 authorizing the Comptroller to make payment of
24 Brownfield Cleanup Program Funds relative to
25 Bethpage Community Park. Account No. PKS H 7197

1 20000 000 0606 001. (M.D. 6/4/19 #21).

2 **RESOLUTION NO. 383-2019;** Resolution
3 pertaining to Contract No. PWC 22-18, On-Call
4 Engineering Service Request relative to
5 Architectural Engineering in connection with Roof
6 Replacement at the Littauer Estate/The Farm at
7 Oyster Bay. Account No. DGS H 1997 20000 000 1401
8 001. (M.D. 6/4/19 #22).

9 **RESOLUTION NO. 384-2019;** Resolution
10 authorizing acceptance and final payment for
11 Contract No. DP15-132, Oyster Bay Golf Course
12 C.V.M. Building Roof Replacement. (M.D. 6/4/19
13 #25).

14 **RESOLUTION NO. 385-2019;** Resolution
15 granting request from the Oyster Bay Main Street
16 Association for Town assistance in conducting the
17 9th season of the "Dancing in the Street" events on
18 Audrey Avenue in Oyster Bay on various dates in
19 July and August 2019 and to use various Town
20 equipment for the events. (M.D. 6/4/19 #26). #26).

21 **RESOLUTION NO. 386-2019;** Resolution
22 granting request from Maria Regina R.C. Church, for
23 Town assistance in conducting their annual family
24 carnival from June 20, 2019 through June 23, 2019
25 and to use various Town equipment for the event.

1 (M.D. 6/4/19 #27).

2 **RESOLUTION NO. 387-2019;** Resolution
3 granting request from the Massapequa-Farmingdale
4 Men's Club, Inc., for Town assistance in conducting
5 their 2nd Annual Car Show to be held June 23, 2019
6 and to use various Town equipment supplied by the
7 Highway and Parks Departments for the event. (M.D.
8 6/4/19 #28).

9 **RESOLUTION NO. 388-2019;** Resolution
10 directing the Town Clerk to publish a Public Notice
11 for Transfer of Funds in connection with the Nassau
12 County Contract 42nd Program Year. Account No. IGA
13 CD 8686 44100 000 CD 19. (M.D. 6/4/19 #29).

14 **RESOLUTION NO. 389-2019;** Resolution
15 appointing Michael Mazzola to the position of
16 Massapequa Water District Commissioner effective
17 immediately through December 31, 2019. (M.D. 6/4/19
18 #30).

19 **RESOLUTION NO. 390-2019;** Resolution
20 directing the Town Clerk to publish a Request for
21 Proposals for One-Stop Operator under the Workforce
22 Innovation and Opportunity Act for the period
23 September 1, 2019, through August 30, 2021. Account
24 No. IGA CD 6293 47900 000 CW18. (M.D. 6/4/19 #14 &
25 6/11/19 #14).

1 **RESOLUTION NO. 391-2019;** Resolution
2 pertaining to Quantity Increase/Decrease No. 2 and
3 Change Order No. 2 for Contract No. H17-159R,
4 Repairs to the Hicksville Parking Facility. Account
5 No. HWY H 5997 20000 000 1804 016. (M.D. 6/4/19 #23
6 & 6/11/19 #15).

7 **RESOLUTION NO. 392-2019;** Resolution
8 pertaining to court mandated court reporters.
9 Account No. OTA A 1420 44110 604 0000. (M.D.
10 6/11/19 #16).

11 **RESOLUTION NO. 393-2019;** Resolution
12 directing the Town Clerk to advertise a Notice of
13 Hearing to consider a proposed Local Law entitled,
14 "A Local Law to Amend Chapter 203 Speed Limits,
15 Section 203-9, 35 Miles Per Hour, at Specific
16 Locations of the Code of the Town of Oyster Bay
17 New York." Hearing date: July 9, 2019. (M.D.
18 6/11/19 #17).

19 **RESOLUTION NO. 394-2019;** Resolution
20 requesting New York State Governor Cuomo to sign
21 Senate Bill No. S-3337 and Assembly Bill No.
22 A05477C to clarify the statute of limitations rules
23 regarding well head contamination.

24 So may I have a motion?

25 COUNCILMAN MUSCARELLA: So moved.

1 MR. ALTADONNA: And a second?

2 COUNCILMAN MACAGNONE: Second.

3 MR. ALTADONNA: Motion made by
4 Councilman Muscarella, second by Councilman
5 Macagnone.

6 On the vote:

7 Supervisor?

8 SUPERVISOR SALADINO: "Aye."

9 MR. ALTADONNA: Councilman Muscarella?

10 COUNCILMAN MUSCARELLA: I "abstain" on
11 Resolution 387.

12 "Aye" on the rest.

13 MR. ALTADONNA: Abstain on 387.

14 Councilman Macagnone, go slow.

15 COUNCILMAN MACAGNONE: I just want to
16 say on 370, I want to commend Commissioner
17 Fitzgerald on a great job he does with movie
18 moonlight.

19 Guys, if you haven't seen it, residents
20 go see it. It's great. They put on a little show.
21 It's a lot of fun. It's not expensive for the
22 Town, so please take advantage of it.

23 And 358 is Dancing in the Street here
24 in Oyster Bay coming up on Friday nights. It's a
25 lot of fun.

1 You might see Councilman Muscarella
2 dancing up there.

3 COUNCILMAN MUSCARELLA: No, you won't.

4 COUNCILMAN MACAGNONE: I vote "Aye" on
5 all.

6 MR. ALTADONNA: Thank you, Councilman.
7 Councilwoman Johnson?

8 COUNCILWOMAN JOHNSON: I vote "Aye" on
9 all.

10 MR. ALTADONNA: Councilman Imbroto?

11 COUNCILMAN IMBROTO: "Aye" on all.

12 MR. ALTADONNA: Councilman Hand?

13 COUNCILMAN HAND: I abstain on 387.

14 I'd like to make a quick comment on 389
15 with the passing of Frank Flood, the Deacon of
16 St. Rose of Lima Church in Massapequa, Commissioner
17 of the Massapequa Water District. We suffered a
18 great loss.

19 I vote all "Aye" on all with the
20 exception of 387, "abstain."

21 MR. ALTADONNA: Councilman Labriola?

22 COUNCILMAN LABRIOLA: "Aye" on all with
23 the exception of 391, I vote no.

24 MR. ALTADONNA: 391 is no

25 Okay, here we go.

1 281, P1218, PA619, TF11-19.

2 369 through 386 passes with seven
3 "Ayes."

4 387 passes with five "Ayes" and two
5 "abstentions."

6 388 through 399 is seven "Ayes."

7 391 is six "Ayes" and one "No."

8 392 through 397 is seven "Ayes."

9 The calendar is complete.

10 SUPERVISOR SALADINO: Thank you very
11 much, ladies and gentlemen.

12 At this time, I'd like report that we
13 have all unanimously voted to appoint Hal Simon to
14 the Ethics Board of the Town of Oyster Bay.

15 Hal, you're here with us. Would you
16 please come forward? We'd like to swear you in.

17 COUNCILMAN MACAGNONE: Do you want to
18 close the meeting?

19 SUPERVISOR SALADINO: We'll do it right
20 afterwards.

21 Normally, we swear you in and then give
22 you an opportunity to say a few words, but if you
23 would like to say a few words first.

24 MR. SIMON: I just want to say thank
25 you for the opportunity. It's a pleasure to serve

1 the community and serve the Town in a small
2 capacity, but I'm looking forward to working with
3 the other members of the Board of Ethics to help
4 make the town and our community a better place for
5 all.

6 (Applause.)

7 SUPERVISOR SALADINO: Tell us about
8 yourself, where you live, your family, so forth.

9 MR. SIMON: Hal Simon. I grew up in
10 Massapequa. Still live in the Town. I live in
11 Plainview now. Married with two adult children.
12 Went to school at the University of Buffalo. I
13 currently manage three restaurants for Ben's Kosher
14 Delicatessens. I supervise Bayside, Queens,
15 Manhattan and our Scarsdale restaurants.

16 SUPERVISOR SALADINO: Can you tell us a
17 little about your work, promoting the ethics of
18 your employees?

19 MR. SIMON: All right, sure.

20 SUPERVISOR SALADINO: Your training and
21 so forth.

22 MR. SIMON: So, I've been with Ben's
23 for a better part of 39 years since I was 16 years
24 old. It's very important to me that the people who
25 work under me treat our product, our guests, other

1 employees the proper way.

2 Ethics is important to me. I don't
3 like people who work with me get out of line in any
4 way. It's all about respect for me. I think just
5 in general if I took that to a greater level if we
6 all work with respect and treat others with
7 respect, I think we'd all be living in a better
8 place.

9 (Applause.)

10 SUPERVISOR SALADINO: We'll be ready to
11 proceed in a moment.

12 Would you kindly place your left hand
13 here and raise your right hand and repeat after me?

14 I, Hal Simon --

15 MR. SIMON: I, Hal Simon --

16 SUPERVISOR SALADINO: -- do solemnly
17 swear --

18 MR. SIMON: -- do solemnly swear --

19 SUPERVISOR SALADINO: -- to support to
20 the Constitution --

21 MR. SIMON: -- to support the
22 Constitution --

23 SUPERVISOR SALADINO: -- of the United
24 States of America --

25 MR. SIMON: -- of the United States of

1 America --

2 SUPERVISOR SALADINO: -- and the
3 Constitution --

4 MR. SIMON: -- and the Constitution --

5 SUPERVISOR SALADINO: -- of the State
6 of New York --

7 MR. SIMON: -- of the State of
8 New York --

9 SUPERVISOR SALADINO: -- and the rules,
10 regulations and laws --

11 MR. SIMON: -- and the rules,
12 regulations and laws --

13 SUPERVISOR SALADINO: -- of the Town of
14 Oyster Bay --

15 MR. SIMON: -- of the Town of Oyster
16 Bay --

17 SUPERVISOR SALADINO: I further swear --

18 MR. SIMON: I further swear --

19 SUPERVISOR SALADINO: -- to execute the
20 duties --

21 MR. SIMON: -- to execute the duties --

22 SUPERVISOR SALADINO: -- as a Member of
23 the Town of Oyster Bay --

24 MR. SIMON: -- as a Member of the Town
25 of Oyster Bay --

1 SUPERVISOR SALADINO: -- Ethics

2 Board --

3 MR. SIMON: -- Ethics Board --

4 SUPERVISOR SALADINO: -- with

5 dedication --

6 MR. SIMON: -- with dedication --

7 SUPERVISOR SALADINO: -- and to the

8 best of my ability --

9 MR. SIMON: -- and to the best of my

10 ability --

11 SUPERVISOR SALADINO: -- so help me

12 God.

13 MR. SIMON: -- so help me God.

14 SUPERVISOR SALADINO: Congratulations.

15 (Applause.)

16 SUPERVISOR SALADINO: Councilman, may I

17 have a motion?

18 COUNCILMAN MUSCARELLA: I make a motion

19 to close the meeting.

20 COUNCILMAN MACAGNONE: Second.

21 SUPERVISOR SALADINO: All in favor

22 please signify by saying "Aye."

23 ALL: "Aye."

24 SUPERVISOR SALADINO: All opposed,

25 "Nay."

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(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have
it.

Thank you very much and thank you.

(TIME NOTED: 8:54 P.M.)