

TOWN BOARD  
TOWN OF OYSTER BAY  
SPECIAL PRESENTATION  
AUGUST 14, 2018  
10:19 A.M.

**JOSEPH SALADINO**  
SUPERVISOR

**JAMES ALTADONNA JR.**  
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO  
COUNCILMAN ANTHONY D. MACAGNONE  
COUNCILWOMAN MICHELE M. JOHNSON  
COUNCILMAN LOUIS B. IMBROTO  
COUNCILMAN THOMAS HAND

A B S E N T:

COUNCILMAN JOSEPH D. MUSCARELLA  
COUNCILWOMAN REBECCA M. ALESIA

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

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

Minutes of the meeting  
taken by:

KRISTINA TRNKA  
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good morning,  
2 ladies and gentlemen, and welcome to Oyster Bay  
3 Town Hall for our Town Board meeting of Tuesday,  
4 August 14, 2018.

5 To lead us in prayer, please welcome  
6 Pundit Madan Jha, Head Priest of the Asamai Hindu  
7 Temple in Hicksville.

8 The Asamai Hindu Temple, located in  
9 Hicksville, educates and preserves traditional  
10 Hindu values while providing religious and  
11 spiritual guidance.

12 Pundit, the podium is yours.

13 (Whereupon, a prayer was recited by  
14 Pundit Madan Jha.)

15 SUPERVISOR SALADINO: Thank you. Thank  
16 you so much.

17 If you all please remain standing, I'd  
18 just like to thank Pundit Madan Jha from the Asamai  
19 Hindu Temple.

20 And now please welcome me in -- please  
21 join me in welcoming the greatest generation World  
22 War II combat veteran, Sal Citrano, to lead us in  
23 the pledge. Sal, if you would step forward.

24 (Whereupon, the Pledge of Allegiance  
25 was recited by Sal Citrano.)

1 SUPERVISOR SALADINO: Thank you very  
2 much, Sal.

3 It's our honor to have you here with  
4 us. And now let's please take a moment of silence  
5 for our men and women in the United States Armed  
6 Forces serving here in the homeland and abroad in  
7 recognition, also, of the men and women in law  
8 enforcement and our first responders.

9 (Whereupon, a moment of silence was  
10 observed.)

11 SUPERVISOR SALADINO: Thank you.

12 Would you all please be seated?

13 Sal joined us for a very important  
14 reason. He is a true America hero, and the Town  
15 Board of the Town of Oyster Bay and all of our  
16 residents are incredibly proud to honor Sal, who  
17 served in the United States Navy.

18 During World War II, young American  
19 soldiers, like Sal Citrano, set off on a mission to  
20 secure freedom, not only for the United States, but  
21 literally for the world. They fought fearlessly on  
22 many battle fronts. Normandy, France is the final  
23 resting place for many of these soldiers, lives  
24 that ended in battles that raged across this war  
25 torn countryside thousands of miles from home.

1                   This morning's Town Board meeting  
2 provides the ideal backdrop to join in recognizing  
3 Sal Citrano's proud legacy of brave and selfless  
4 military service.

5                   Sal is 93 years old and a graduate of  
6 Farmingdale High School. He participated in D-Day  
7 at Normandy Beach, fought in the invasion of  
8 Okinawa, and was in Nagasaki after the A bomb  
9 dropped. His life story could fill the pages of a  
10 script for a Hollywood movie; however, this  
11 incredible man did it for real.

12                   His life story is just incredible. We  
13 thank the members of the Farmingdale Massapequa  
14 Men's Club for their efforts in reaching out to  
15 Mr. Citrano and suggesting he be honored here this  
16 morning.

17                   In honor of Sal Citrano's amazing  
18 legacy of service, the Town Board will bestow upon  
19 him, a Proclamation recognizing his heroism, and  
20 our appreciation for your incredible service, sir.

21                   We join with the Farmingdale Massapequa  
22 Men's Club and all in attendance and all of our  
23 residents in recognizing this day, Tuesday,  
24 August 14, 2018, as Sal Citrano Day in the Town of  
25 Oyster Bay.

1 (Applause.)

2 SUPERVISOR SALADINO: Thank you so  
3 much, Sal. You and your lovely wife here with us.

4 (Applause.)

5 SUPERVISOR SALADINO: And I'm going to  
6 ask our elected officials to stand with Sal down in  
7 front and ask our Receiver, Jim Stefanich, to  
8 please make this presentation to Sal Citrano.

9 (Whereupon, a presentation was made to  
10 Sal Citrano.)

11 SUPERVISOR SALADINO: Ladies and  
12 gentlemen, let's hear it again for Sal Citrano.

13 (Applause.)

14 SUPERVISOR SALADINO: Joined by his  
15 wonderful wife.

16 (Applause.)

17 SUPERVISOR SALADINO: To the young  
18 people here in the audience, you have to think that  
19 lessons like World War II, Korean War, Vietnam War,  
20 and even the Gulf War are just pages in a history  
21 book, but people worked very hard and sacrificed  
22 for America, for our neighbors, our communities,  
23 and our families to protect us, to keep places like  
24 the Town of Oyster Bay a wonderful place to live,  
25 to protect our freedoms, our freedom of religion,

1 of all the religions, our freedom to pursue our  
2 happiness and it's heroes like Sal Citrano and the  
3 others who are here and those who cannot be here,  
4 that we owe so much to.

5 So as you're reading those pages in a  
6 schoolbook, remember, that's real people with  
7 incredible lives and tremendous sacrifice.

8 Mr. Citrano, we owe you everything.  
9 God bless you and God bless America.

10 Thank you.

11 (Applause.)

12 SUPERVISOR SALADINO: On the subject of  
13 soldiers, this past July, the Town of Oyster Bay  
14 hosted the Shootout For Soldiers, a 24-hour  
15 Lacrosse benefit tournament that raised charitable  
16 funds to support the brave men and women of our  
17 armed forces.

18 This year, SHAMROX team help raise the  
19 most money toward this charitable cause. Tonight,  
20 we are fortunate enough to have several people with  
21 us who continue to be the impetus toward making  
22 this incredible event a huge success.

23 We're joined by the co-chairs of this  
24 very successful event, Harry Jacobs, Co-Chairman  
25 Mike Nelson, Allstate Insurance Agent Robert

1 Zabbia, and Shootout Chief fundraiser Ray Donnelly,  
2 who are making a special check presentation of this  
3 terrific event.

4 Gentleman, if you'd step forward, the  
5 floor is yours.

6 (Applause.)

7 MR. JACOBS: First, I'd like to thank  
8 the Town Board for inviting us down here today to  
9 be able to present the check.

10 We also want to thank the Town of  
11 Oyster Bay for the assistance that they give my  
12 committee to be able to put this on for our  
13 veterans and for our current troops.

14 It's an honor to be able to play at the  
15 wonderful fields at the Town of Oyster Bay. I can  
16 tell you that we get nothing but the highest praise  
17 from people from all around the country.

18 Shootout for Soldiers is done now in 13  
19 cities around the country. I'm proud to say that  
20 ours is the largest and we have raised the most  
21 money this year for our veterans and our troops.

22 I'd like to thank the gentlemen behind  
23 me who work really, really hard on my committee to  
24 bring in the dollars that we need to bring in to  
25 help. One person who is with us, they're our

1 largest fundraiser, so I'm going to give the Town  
2 two checks today. Okay. I'm going to give them the  
3 \$18,000 from Allstate Insurance Agent Rob Zabbia,  
4 who is on our committee (inaudible).

5 (Applause.)

6 MR. JACOBS: And more importantly is  
7 what we were able to raise over the 24 hours. So  
8 this year, the residents of Long Island, the Long  
9 Island Lacrosse community have raised \$178,236.57.

10 (Applause.)

11 MR. JACOBS: Supervisor, thank you. We  
12 can't do this without you, without the Town Board,  
13 without the Town of Oyster Bay. I hope we are  
14 going get a photo.

15 SUPERVISOR SALADINO: Absolutely.

16 We are going to do a photo, and we have  
17 some Town citations for each and every one of you  
18 to say thank you for your hard work, your  
19 dedication and your tremendous effort.

20 And I'd like my Board members to join  
21 with you to make that presentation, led by someone  
22 who has made Lacrosse a very important part of his  
23 life, and that's Councilman Tony Macagnone.

24 COUNCILMAN MACAGNONE: That was a long,  
25 long time ago.



1 SUPERVISOR SALADINO: Well, let's give  
2 credit where credit is due.

3 MR. JACOBS: Same for me, sir.

4 SUPERVISOR SALADINO: Time goes on,  
5 right? But Tony Macagnone was a star Lacrosse  
6 player at Farmingdale High School. He went on to  
7 play as a tremendous impact player in college, and  
8 he's part of the impetus, with the other elected  
9 officials in this Town, to make sure that our young  
10 people have the resources needed to ensure that  
11 they have every opportunity and to turn this into  
12 something that helps our veterans is something that  
13 just blows us away in terms of touching,  
14 heartwarming and truly effective.

15 You know, kids, in the room, we talk  
16 about, and people of all ages, we talk about the  
17 American dream and how we're working hard to  
18 provide the opportunity for every one of every walk  
19 of life coming from everywhere in the world to have  
20 the American dream here in the Town of Oyster Bay,  
21 and you epitomize what it means to take the  
22 American dream and do something very special with  
23 it.

24 So my colleagues, led by our resident  
25 Lacrosse expert, Anthony Macagnone, will be very

1 happy to take a photo with the check presentation  
2 and present you with these citations saying thank  
3 you for your efforts.

4 MR. JACOBS: Thank you.

5 (Whereupon, a presentation was made.)

6 SUPERVISOR SALADINO: \$180,000 for our  
7 soldiers. That's just amazing. Let's give them  
8 all another big hand.

9 (Applause.)

10 SUPERVISOR SALADINO: I mentioned  
11 earlier that we had -- one of the leading teams in  
12 the fundraiser was the SHAMROX team, and I do want  
13 to point out that one of the very hard working  
14 athletes on that team is the son of our Town  
15 Attorney. I know young Joseph worked very hard  
16 with his colleagues, and how much did they raise in  
17 total, that team alone?

18 MR. NOCELLA: Over \$7,000.

19 SUPERVISOR SALADINO: And how old are  
20 they?

21 MR. NOCELLA: Nine years old.

22 SUPERVISOR SALADINO: Nine-year-olds  
23 who raised \$7,000 to add to that. It's a beautiful  
24 day. It really is. So thank you to them.

25 Now, for our final presentation this

1 morning, the Town Board is proud to recognize our  
2 exceptional class of 2018 summer interns. The Town  
3 intern program, funded through a grant, provides  
4 real world experience for many students on break  
5 from college for the summer.

6 This morning, my colleagues on the Town  
7 Board commend our interns for their dedicated  
8 service, their maturity, their hard work.

9 Interns, if you'd please join us up  
10 front for a photo with our elected officials.

11 Let's thank our interns, the future of  
12 our Town.

13 (Applause.)

14 (Whereupon, a presentation was made.)

15 (Applause.)

16 (TIME NOTED: 10:41 A.M.)  
17  
18  
19  
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TOWN BOARD  
TOWN OF OYSTER BAY  
REGULAR MEETING  
AUGUST 14, 2018  
10:42 A.M.

**HEARING P-4-18**

To consider the application of Federated Associates, LLC and Mister Gold, Inc., d/b/a La Piazza Restaurant for a Special Use Permit to operate a restaurant in a Neighborhood Business District at 1137 Old Country Road, Plainview, New York. (M.D. 7/3/18 #8).

**JOSEPH SALADINO**  
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1 SUPERVISOR SALADINO: All right, ladies  
2 and gentlemen. Thank you for your patience.

3 Before we get started with the business  
4 of the day, I have some short announcements that  
5 are very important that we make at this time.

6 With scheduled construction on the  
7 horizon, today we'll take action on an item related  
8 to alternative parking for the Hicksville garage.

9 Due to the need for significant  
10 structural repairs, the Town of Oyster Bay parking  
11 garage will temporarily close beginning  
12 September 12th and will reopen before the year's  
13 end. Again, the garage will temporarily close on  
14 September 12th.

15 The structural repairs include the  
16 replacement of concrete decking, crack repair and  
17 the placement of carbon fiber reinforcement,  
18 drainage improvements at the facility.

19 In terms of the mechanical and  
20 electrical repairs, this will include replacement  
21 of some of the lighting and security systems,  
22 replacement of the carbon monoxide detection  
23 system, replacement of fire detection  
24 infrastructure and modifications to the sprinkler  
25 system and the ventilation system.

1           As plans to reopen this facility  
2           commence, further information will be posted on our  
3           Town of Oyster Bay website. In the meantime, the  
4           Town has secured additional parking for commuters  
5           at the former Sears parking lot in Hicksville. A  
6           Town of Oyster Bay parking permit will be required  
7           to use these spots in the Sears lot.

8           Shuttle bus services between the former  
9           Sears lot and the Hicksville train station will be  
10          provided in a rotation from 9:00 a.m. -- from  
11          5:00 a.m. to 9:00 a.m., and then from 4:00 p.m. to  
12          8:00 p.m. Monday through Friday.

13          All on-street parking restrictions in  
14          the Downtown area will continue to be enforced by  
15          the Nassau County Police Department during the  
16          construction period.

17          In addition to the Sears parking lot,  
18          12 other lots in Downtown Hicksville offer parking  
19          for residents with a Town of Oyster Bay parking  
20          permit.

21          Next, I'd like to thank our local  
22          Baymen who joined me two Sundays ago in seeding our  
23          Oyster Bay Harbor with 25,000 oysters in  
24          recognition of National Oyster Day.

25          On a separate note, the Town was

1 awarded a state grant to train unemployed workers  
2 in medical office administration or medical billing  
3 specialist programs at the Hunter Business School  
4 in Levittown.

5           Upon program completion, Northwell  
6 Health and other employers will interview trainees  
7 for entry level positions that offer opportunities  
8 for advancement and career pathways. To  
9 participate, please call our career center in  
10 Massapequa at area code 516-797-4560.

11           Lastly, in recognition of National  
12 Overdose Awareness Day, we invite residents to join  
13 us for a special remembrance ceremony at Philip  
14 Healey Beach in Massapequa on August 30th at  
15 7:30 p.m.

16           Together with YES Community Counseling  
17 Center, we will honor loved ones lost to addiction  
18 and overdose. Residents are encouraged to bring a  
19 framed picture of their loved one and we will  
20 continue to remind folks to stay away from opioids  
21 and prescription pills. When these items are  
22 abused, it can lead to tragedy and death, and we  
23 want to protects our residents of all ages.

24           With that work concluded, it's time to  
25 move on with our Town Board proceedings.

1 Town Clerk Altadonna, please poll the  
2 Board.

3 MR. ALTADONNA: Supervisor Saladino?

4 SUPERVISOR SALADINO: Present.

5 MR. ALTADONNA: Councilman Muscarella  
6 is absent.

7 Councilman Macagnone?

8 COUNCILMAN MACAGNONE: Here.

9 MR. ALTADONNA: Councilwoman Alesia is  
10 absent.

11 Councilwoman Johnson?

12 COUNCILWOMAN JOHNSON: Here.

13 MR. ALTADONNA: Councilman Imbroto?

14 COUNCILMAN IMBROTO: Present.

15 MR. ALTADONNA: Councilman Hand?

16 COUNCILMAN HAND: Here.

17 MR. ALTADONNA: Okay.

18 Would you like me to call the first  
19 hearing?

20 SUPERVISOR SALADINO: Yes, please.

21 MR. ALTADONNA: Hearing P-4-18 to  
22 consider the application of Federated Associates,  
23 LLC and Mister Gold, Inc., d/b/a La Piazza  
24 Restaurant for a Special Use Permit to operate a  
25 restaurant in a Neighborhood Business District at



1 1137 Old Country Road, Plainview, New York.

2 MR. AVRUTINE: Good morning,  
3 Mr. Supervisor, Members of the Board.

4 Appearing for the applicants, Howard  
5 Avrutine, 575 Underhill Boulevard, Syosset.

6 This is the application of Federated  
7 Associates, LLC and Mister Gold Incorporated d/b/a  
8 La Piazza Restaurant for a special use permit to  
9 have a restaurant with an occupancy in excess of  
10 75.

11 The premises under application is  
12 located at the southeast corner of Old Country Road  
13 and Plainview Road in Plainview. It is also known  
14 as Section 47, Block 151, Lots 54 and 55 on the  
15 Nassau County Land and Tax Map. The premises under  
16 application is located in the Crossroads Shopping  
17 Center in Plainview.

18 The premises has a lot area of  
19 approximately 3.9 acres and is developed with a one  
20 and two-story masonry building and accessory  
21 parking. There are presently 17 tenants in the  
22 center. The application before the Board this  
23 morning concerns the La Piazza Restaurant, which is  
24 located at the north of the center, the very end  
25 unit of the building.

1           The application as originally filed  
2           sought approval of a special use permit authorizing  
3           106 occupants. 76 or more requires a special use  
4           permit in the Neighborhood Business Zoning District  
5           within which the property is located.

6           However, any occupancy of 100 or more  
7           requires a sprinkler system to be installed in the  
8           building. As a result, the request before the  
9           Board is being modified to request a total of 90  
10          occupants in accordance with the plans before the  
11          Board, so we're no longer seeking 106; we are  
12          seeking 90 in order to avoid the problems  
13          associated with a sprinkler system if we exceed  
14          100.

15          The Town Public Assembly Division  
16          reviewed the plan and concluded that it is  
17          acceptable for 90 occupants. The tenant and  
18          operator of the restaurant has been at this  
19          location since 1993 and it is a -- I would say an  
20          institution in Plainview, a place very often  
21          frequented by many, many residents.

22          In 1994, a renovation was done and  
23          Certificate of Occupancy number A32038, dated  
24          May 3, 1994 was issued authorizing 63 seats in the  
25          restaurant.

1           In 1998, a parking variance was granted  
2           by the Zoning Board of Appeals under Case No.  
3           98-706, authorizing 251 spaces for the shopping  
4           center with 295 spaces required, or a 44 space  
5           deficiency was granted at that time.

6           Subsequently, a gasoline station  
7           previously located in the Center was demolished and  
8           additional parking was created on the site. As a  
9           result, with the current tenancies, and assuming  
10          this Board approves 90 occupants for La Piazza as  
11          proposed, there will be a requirement for 313  
12          spaces with 279 required. That's a 34 space  
13          deficiency, a lesser deficiency than was approved  
14          by the Zoning Board of Appeals in 1998 for the  
15          center.

16          In the event this application is  
17          approved, the applicant will still need to apply to  
18          the ZBA to modify the prior variance approval in  
19          order to reduce the parking deficiency from what  
20          was previously approved to what is being proposed  
21          presently. The application has been reviewed by  
22          the Town of Oyster Bay Department of Environmental  
23          Resources and all comments were addressed to their  
24          satisfaction.

25          Similarly, the application has been

1 reviewed by the Town's Department of Planning and  
2 Development and all comments addressed to their  
3 satisfaction in order that this public hearing can  
4 now take place.

5 And as I noted previously, the Division  
6 of Public Assembly has also reviewed and determined  
7 the plan before the Board to be acceptable.

8 Unless the Board has questions of me at  
9 this time, I have Robert Eschbacher, who is an  
10 expert in the area of parking and traffic, to  
11 address the Board.

12 COUNCILMAN MACAGNONE: Mr. Avrutine,  
13 there's not going to be a change in operation hours  
14 or anything else?

15 MR. AVRUTINE: Nothing. All the same.

16 COUNCILMAN MACAGNONE: I'm happy the  
17 business is flourishing and looking to expand; just  
18 checking on that.

19 MR. AVRUTINE: Absolutely. No, the  
20 hours will remain the same. If you'd like, I can  
21 go through them if you'd like to hear them.

22 COUNCILMAN MACAGNONE: Not necessary.

23 COUNCILMAN IMBROTO: Mr. Avrutine --  
24 are you finished, Tony?

25 COUNCILMAN MACAGNONE: Go right ahead.

1 COUNCILMAN IMBROTO: Mr. Avrutine just  
2 so I understand, is the restaurant moving from one  
3 side of the shopping center?

4 MR. AVRUTINE: No. It's staying in the  
5 same location.

6 COUNCILMAN IMBROTO: What is the part  
7 that has to do with the northern side?

8 MR. AVRUTINE: That's where it's  
9 located. I was just trying to give you a little --

10 COUNCILMAN IMBROTO: Isn't it located  
11 on the southeast of the shopping center?

12 MR. AVRUTINE: No. It's the north  
13 side.

14 COUNCILMAN MACAGNONE: The southeast is  
15 where the shopping center is. That restaurant in  
16 question is on the north side of the shopping  
17 center.

18 MR. AVRUTINE: North side of the  
19 parcel.

20 COUNCILMAN IMBROTO: Okay. Okay. Yes,  
21 you're right.

22 So, are they expanding the restaurant?  
23 Is that what's going on?

24 MR. AVRUTINE: No. It's within the  
25 same space. We're just increasing the seating over

1 what the threshold is that would require a special  
2 use permit from the Town Board.

3 COUNCILMAN IMBROTO: In the back area?

4 MR. AVRUTINE: In the same space that  
5 it's currently located.

6 COUNCILMAN IMBROTO: Okay.

7 MR. AVRUTINE: The space -- the Public  
8 Assembly Division required some slight  
9 modifications, an additional exit door, some  
10 addition -- some issues regarding emergency  
11 lighting and exit lighting, all of that's -- all of  
12 those items being associated with the Public  
13 Assembly review.

14 So all of that has been followed  
15 through and verified and approved as far as the  
16 technical aspects.

17 Any other questions before I call  
18 Mr. Eschbacher?

19 It's time then, if I may, Robert  
20 Eschbacher.

21 MR. ESCHBACHER: Good morning,  
22 Mr. Supervisor and Members of the Board.

23 My name is Robert Eschbacher with VHB  
24 Engineering. My office is located at 100 Motor  
25 Parkway in Hauppauge.

1 I've been retained by the applicant to  
2 review the traffic and parking aspects of the  
3 existing La Piazza Restaurant at this location in  
4 the Crossroads Plaza Shopping Center.

5 As Mr. Avrutine indicated, the property  
6 is located on the southeast corner of Old Country  
7 Road and Plainview Road, but La Piazza is in the  
8 part of the building closest to Old Country Road.

9 The center has primary access driveways  
10 on both streets, Old Country Road and Plainview  
11 Road, and also has left turn lanes on both of those  
12 to facilitate turns into the center.

13 La Piazza is seeking a special use  
14 permit. The existing restaurant has 107 seats, but  
15 that will be reduced to 90 seats should this Board  
16 grant the application.

17 The restaurant is an off-peak traffic  
18 generator which experiences its greatest level of  
19 activity after the evening commuter peak hour, but  
20 does not generate any traffic during the morning  
21 peak hour because the restaurant is closed and  
22 lower traffic levels during the midday hours.

23 This is unlike the traffic generation  
24 characteristics of other uses, such as retail use  
25 or office building, which could be developed as of

1 right in this Neighborhood Business District.

2 With respect to parking, it would be  
3 necessary to seek a variance from the Zoning Board  
4 of Appeals since the parking provided on the site  
5 is lower than the Town Code requirement. However,  
6 the Town Code parking provisions do not take into  
7 consideration two important factors which relate to  
8 shopping centers.

9 First is what we refer to as shared  
10 parking. This is where the same parking spaces can  
11 be shared by uses which experience activity peaks  
12 at different times of the day.

13 As an example, the bagel store here  
14 needs its most parking in the morning, whereas the  
15 restaurant is not operating at that time, and the  
16 similar situation occurs with other uses.

17 The second factor is what we refer to  
18 as multi-use trip making. This is where customers  
19 patronize multiple businesses during a single trip  
20 to the shopping center, and a good example at this  
21 location would be somebody parking, going to the  
22 bank, going to the card store, going to the  
23 clothing store, and then back to their car. They  
24 park once, but they go to several different places.

25 And the effectiveness of these factors



1 is clearly demonstrated in the actual parking  
2 demand in the center. We've conducted a series of  
3 parking observations of the site, most recently  
4 this summer on a Friday and Saturday when the  
5 restaurant and center would be busiest, and the  
6 result showed a significant number of vacant  
7 parking spaces.

8 At midday for the lunch business, there  
9 were in the range of 35 to 40 vacant spaces on the  
10 site; late afternoon, 90 to 125 vacant spaces; and  
11 the early evening, between 150 and 170 vacant  
12 spaces; and these numbers reflect not only the fact  
13 that the restaurant is there and in operation, but  
14 also more seats than is being sought approval from  
15 the Board.

16 In conclusion, based upon the results  
17 of my study and analysis is my professional opinion  
18 that granting of the special use permit will not  
19 have an adverse impact on traffic conditions in the  
20 area and that the available on-site parking is  
21 adequate to meet the needs of La Piazza and the  
22 other tenants in the Crossways Plaza center.

23 I'll be happy to answer any questions  
24 the Board may have.

25 (No verbal response from the Board.)

1 MR. ESCHBACHER: Okay. Thank you.

2 MR. AVRUTINE: Thank you,  
3 Mr. Eschbacher.

4 That completes our application.

5 Unless the Board has any further  
6 questions subject to anything that the community  
7 might have to add, we would respectfully request  
8 that the Town Board approve the application,  
9 approve the special use permit authorizing the 90  
10 occupants.

11 And as I indicated previously, in the  
12 event that the Board does approve the application,  
13 we will then proceed to the Zoning Board of Appeals  
14 to obtain the necessary variance and essentially  
15 tie up all the loose ends and make sure that every  
16 aspect of the entire center is in compliance with  
17 all code requirements.

18 Thank you.

19 SUPERVISOR SALADINO: Thank you,  
20 Howard.

21 Is there any member or members of the  
22 public that would like to be heard on this  
23 application?

24 Sir, would you please come forward?

25 Can you give us your full name and address for the

1 record?

2 MR. SOCRATES: Gregory Socrates. I'm  
3 at 33 Cranford Road in Plainview.

4 The only question I had, and I looked  
5 at the plans briefly this morning, I believe it's  
6 not an issue, is that with this application,  
7 there's no intention for outdoor seating in the  
8 north side patio area; is that correct?

9 MR. AVRUTINE: No, there is not.

10 MR. SOCRATES: Okay. That's all.

11 Thank you.

12 SUPERVISOR SALADINO: Okay.

13 Would you make sure you get  
14 Mr. Avrutine's contact information so if other  
15 questions arise, you two can discuss them  
16 immediately, and I ask Mr. Avrutine to please make  
17 sure, as you always do, please make sure you give  
18 the residents all of your time and energy so that  
19 any and all of their questions would be addressed  
20 immediately.

21 MR. AVRUTINE: Will do.

22 SUPERVISOR SALADINO: Thank you, sir.

23 Anyone else that would like to be heard  
24 on this application?

25 (No verbal response given.)

1 SUPERVISOR SALADINO: Let the record  
2 reflect that no one else is here on this hearing.

3 May I have motion, please?

4 COUNCILMAN MACAGNONE: Supervisor, I'd  
5 like to have a motion to -- I'm sorry?

6 MR. ALTADONNA: We have correspondence.

7 SUPERVISOR SALADINO: Oh, I'm sorry.

8 Go ahead.

9 MR. ALTADONNA: The attorney for the  
10 applicant has filed his Affidavit of Services and  
11 Disclosure.

12 The communications are as follows: We  
13 have memos from the Department of Planning and  
14 Development. As per present review procedures, the  
15 required off-street parking for the subject  
16 application is 313 spaces.

17 The site plan submitted depicts a total  
18 of 279 parking spaces. The Nassau County Land and  
19 Tax Map indicates the property is Section 47, Block  
20 151, Lots 54 and 55. According to the Town of  
21 Oyster Bay zoning maps, the property is located  
22 within an NB, Neighborhood Business Zone.

23 There are Town Board Resolutions and  
24 Zoning Board of Appeals Decisions on file and there  
25 is one open code compliance case for the subject

1 premise. There is no further correspondence.

2 SUPERVISOR SALADINO: Thank you, Town  
3 Clerk.

4 May I have a motion, please?

5 COUNCILMAN MACAGNONE: Certainly.

6 I'd like to make a motion that this  
7 hearing be closed and decision be reserved.

8 COUNCILWOMAN JOHNSON: Second.

9 SUPERVISOR SALADINO: All in favor of  
10 that motion, please signify by saying "Aye."

11 ALL: "Aye."

12 SUPERVISOR SALADINO: Those opposed,  
13 "Nay."

14 (No verbal response given.)

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

17 Thank you.

18 MR. AVRUTINE: Thank you very much.

19 (TIME NOTED: 11:00 A.M.)

20

21

22

23

24

25

TOWN BOARD  
TOWN OF OYSTER BAY  
ACTION CALENDAR  
AUGUST 14, 2018  
11:01 A.M.

**JOSEPH SALADINO**  
SUPERVISOR

**JAMES ALTADONNA JR.**  
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO  
COUNCILMAN ANTHONY D. MACAGNONE  
COUNCILWOMAN MICHELE M. JOHNSON  
COUNCILMAN LOUIS B. IMBROTO  
COUNCILMAN THOMAS HAND

A B S E N T:

COUNCILMAN JOSEPH D. MUSCARELLA  
COUNCILWOMAN REBECCA M. ALESIA

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

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

Minutes of the meeting  
taken by:

KRISTINA TRNKA  
Reporter/Notary Public

1 SUPERVISOR SALADINO: Thank you.

2 At this point, we will continue with  
3 the regular Resolution Calendar.

4 MR. ALTADONNA: May I have motion to  
5 table Resolution No. P-4-18?

6 On the motion?

7 COUNCILMAN MACAGNONE: Excuse me, is  
8 that P-14, not P-4?

9 MR. ALTADONNA: I have here P-14.  
10 That's correct.

11 COUNCILMAN MACAGNONE: Okay. So moved.

12 COUNCILWOMAN JOHNSON: Second.

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

15 ALL: "Aye."

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

18 (No verbal response given.)

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

21 MR. ALTADONNA: May I have motion to  
22 suspend the rules and add the following Resolution  
23 Nos. 533, 534 and 535-2018?

24 On the motion?

25 COUNCILMAN MACAGNONE: So moved.

1 MR. ALTADONNA: Second?

2 COUNCILWOMAN JOHNSON: Second.

3 MR. ALTADONNA: Motion made by  
4 Councilman Macagnone, seconded by Councilwoman  
5 Johnson.

6 On the vote? And this is just to add  
7 it to the calendar.

8 Supervisor Saladino?

9 SUPERVISOR SALADINO: "Aye."

10 MR. ALTADONNA: Councilman Muscarella  
11 is absent.

12 Councilman Macagnone?

13 COUNCILMAN MACAGNONE: "Aye."

14 MR. ALTADONNA: Councilwoman Alesia is  
15 absent.

16 Councilwoman Johnson?

17 COUNCILWOMAN JOHNSON: "Aye."

18 MR. ALTADONNA: Councilman Imbroto?

19 COUNCILMAN IMBROTO: "Aye."

20 MR. ALTADONNA: Councilman Hand?

21 COUNCILMAN HAND: "Aye."

22 MR. ALTADONNA: Motion to suspend the  
23 rules and add Resolutions No. 533, 534 and 535-2018  
24 passes with five "Ayes."

25 Now, we have two Walk-On Resolutions.



1                   May I have a motion to resuspend the  
2 rules and add the following Walk-On Resolutions No.  
3 536 and 537, which is Resolutions relating to --  
4 Resolution 536 is a resolution granting request  
5 from Pakistan Day Parade Long Island for Town  
6 assistance in conducting the Pakistan Day Parade on  
7 September 2, 2018, and the use of municipal parking  
8 lot Field H-14 in Hicksville and Town equipment for  
9 the event.

10                   Resolution No. 537-2018 is a Resolution  
11 amending Resolution No. 63-2018 to allow for the  
12 addition of food service for the Challenger  
13 Baseball Jamboree to be held on September 16, 2018  
14 and the Senior Men's All-Star Softball game to be  
15 held on October 2, 2018, Account No.  
16 PKSA7110476700000000.

17                   On the motion?

18                   COUNCILMAN MACAGNONE: So moved.

19                   COUNCILWOMAN JOHNSON: Second.

20                   MR. ALTADONNA: Motion made by  
21 Councilman Macagnone, seconded by Councilwoman  
22 Johnson.

23                   On the vote?

24                   Supervisor Saladino?

25                   SUPERVISOR SALADINO: "Aye."

1 MR. ALTADONNA: Councilman Macagnone?

2 COUNCILMAN MACAGNONE: "Aye."

3 MR. ALTADONNA: Councilman Muscarella  
4 is absent.

5 Councilwoman Alesia is absent.

6 Councilwoman Johnson?

7 COUNCILWOMAN JOHNSON: "Aye."

8 MR. ALTADONNA: Councilman Imbroto?

9 COUNCILMAN IMBROTO: "Aye."

10 MR. ALTADONNA: Councilman Hand?

11 COUNCILMAN HAND: "Aye."

12 MR. ALTADONNA: Motion to resuspend the  
13 rules of procedures and add the following Walk-On  
14 Resolutions 536 and 537 passes with five "Ayes."

15 May I have a motion to adopt  
16 Resolutions No. TF-14-18 through Resolution 537?

17 COUNCILMAN MACAGNONE: Excuse me --

18 MR. ALTADONNA: Is it still wrong now?

19 COUNCILMAN MACAGNONE: Yeah. I think  
20 we tabled TF-14.

21 MR. ALTADONNA: No, no. That's  
22 transfer of funds.

23 You tabled Personnel.

24 COUNCILMAN MACAGNONE: Okay. I  
25 apologize.

1 MR. ALTADONNA: Through Resolution 537.

2 Transfer of Funds Resolution No.  
3 TF-14-18; Resolution pertaining to Transfer of  
4 Funds within various departments accounts for the  
5 Year 2018.

6 Resolution No. 492-2018; Resolution  
7 authorizing the property board-up assessment of  
8 95 South Windhorst Avenue, Bethpage, New York,  
9 performed on May 21, 2018, be referred to the  
10 County of Nassau for placement on the Nassau County  
11 Tax Assessment Rolls. (M.D. 7/17/18 #7).

12 Resolution No. 493-2018; Resolution  
13 authorizing the assessment of re-boarding property  
14 at 889 Main Street, Farmingdale, New York,  
15 performed on February 6, 2018, be referred to the  
16 County of Nassau for placement on the Nassau County  
17 Tax Assessment Rolls. (M.D. 7/17/18 #8).

18 Resolution No. 494-2018; Resolution  
19 authorizing the property clean-up assessment of  
20 37 Garfield Avenue, Glen Head, New York, performed  
21 on August 22, 2017, be referred to the County of  
22 Nassau for placement on the Nassau County Tax  
23 Assessment Rolls (M.D. 7/17/18 #9).

24 Resolution No. 495-2018; Resolution  
25 authorizing the Recommending the property clean-up

1 assessment of 7 Pickwick Drive South, Hicksville,  
2 New York, performed on May 2, 2018, be referred to  
3 the County of Nassau for placement on the Nassau  
4 County Tax Assessment Rolls. (M.D. 7/17/18 #10).

5 Resolution No. 496-2018; Resolution  
6 authorizing the property clean-up assessment of  
7 14 Fourteenth Street, Locust Valley, New York,  
8 performed on March 1, 2018, be referred to the  
9 County of Nassau for placement on the Nassau County  
10 Tax Assessment Rolls. (M.D. 7/17/18 #11).

11 Resolution No. 497-2018; Resolution  
12 authorizing the property clean-up assessment of  
13 20 Fourteenth Street, Locust Valley, New York,  
14 performed on March 20, 2018, be referred to the  
15 County of Nassau for placement on the Nassau County  
16 Tax Assessment Rolls. (M.D. 7/17/18 #12).

17 Resolution No. 498-2018; Resolution  
18 authorizing the property clean-up assessment of  
19 510 Clocks Boulevard, Massapequa, New York,  
20 performed on June 14, 2017, be referred to the  
21 County of Nassau for placement on the Nassau County  
22 Tax Assessment Rolls. (M.D. 7/17/18 #13).

23 Resolution No. 499-2018; Resolution  
24 authorizing the property clean-up assessment of  
25 21 Maple Street, Massapequa, New York, performed on

1       October 2, 2017, be referred to the County of  
2       Nassau for placement on the Nassau County Tax  
3       Assessment Rolls. (M.D. 7/17/18 #14).

4               Resolution No. 500-2018; Resolution  
5       authorizing the issuance of a refund of a parking  
6       permit fee to C. Hans. Account No. HWY ST 0001  
7       01721 000 0000. (M.D. 7/17/18 #15).

8               Resolution No. 501-2018; Resolution  
9       authorizing the issuance of a refund of a parking  
10       permit fee to R. Bolivar. Account No. HWY ST 0001  
11       01721 000 0000. (M.D. 7/17/18 #16).

12              Resolution No. 502-2018; Resolution  
13       granting request from the Syosset Fire District for  
14       the use of two roll-off containers from  
15       September 28, 2018 through October 1, 2018 for  
16       their annual Fire Prevention Day "Open House."  
17       (M.D. 7/17/18 #17).

18              Resolution No. 503-2018; Resolution  
19       authorizing the issuance of a refund for  
20       overpayment of a sidewalk permit fee to  
21       E. Kronenberg. Account No. HWY A 0001 02560 000  
22       0000. (M.D. 7/17/18 #18).

23              Resolution No. 504-2018; Resolution  
24       authorizing the acceptance of a monetary donation  
25       from M.B. Dobrin and A.B. Dobrin to benefit the

1 Town Animal Shelter. (M.D. 7/17/18 #19).

2 Resolution No. 505-2018; Resolution  
3 authorizing the acceptance of a donation of two  
4 memorial plaques from Mr. & Mrs. M. Signorelli to  
5 be placed on an existing bench located at John J.  
6 Burns Park in memory of their parents. (M.D.  
7 7/24/18 #5).

8 Resolution No. 506-2018; Resolution  
9 directing the Town Clerk to publish a Notice of  
10 Hearing on the proposed amendments to the Code of  
11 the Town of Oyster Bay, New York, amending Chapter  
12 233 of the said Code pertaining to parking,  
13 stopping, crossing, loading zones, thru traffic,  
14 trucking operations and other traffic regulations.  
15 Hearing Date: September 18, 2018. (M.D. 7/24/18  
16 #9).

17 Resolution No. 507-2018; Resolution  
18 authorizing the issuance of a refund of a parking  
19 permit fee to M. Kohli. Account No. HWY ST 0001  
20 01721 000 0000. (M.D. 7/24/18 #11).

21 Resolution No. 508-2018; Resolution  
22 authorizing the rejection of bids and to rebid  
23 closure of Tank #31 at 150 Miller Place, Syosset  
24 DPW Complex. (M.D. 7/24/18 #12).

25 Resolution No. 509-2018; Resolution

1 authorizing an extension of time, acceptance and  
2 final payment for Contract No. DP17-157,  
3 Replacement of Parking Lot Lights at Plainview-Old  
4 Bethpage Community Park and Syosset-Woodbury  
5 Community Park. (M.D. 7/24/18 #13).

6 Resolution No. 510-2018; Resolution  
7 granting request from the Syosset Fire District, in  
8 conducting their annual Fire Prevention Open House  
9 on September 30, 2018, for the use of the northeast  
10 portion of Municipal Parking Lot S-1, the posting  
11 of temporary "No Parking" signs in said area and  
12 for the use of various Town equipment. (M.D.  
13 7/24/18 #14).

14 Resolution No. 511-2018; Resolution  
15 authorizing payment to the Oyster Bay East Norwich  
16 Community Band for their participation in the  
17 annual Independence Day Celebration in the hamlet  
18 of Oyster Bay, which is sponsored by the Quentin  
19 Roosevelt Post #4 American Legion. Account No. TWN  
20 A 7510 47900 000 0000. (M.D. 7/24/18 #17).

21 Resolution No. 512-2018; Resolution  
22 authorizing the annual "9/11 Memorial Ceremony" at  
23 Tobay Beach (bay side) on September 6, 2018, to  
24 employ vocal services and to utilize the services  
25 of a tent company for the event and to authorize

1 the Supervisor or his designee to execute an  
2 agreement. Account No. CYS A 7020 47660 000 0000.  
3 (M.D. 7/31/18 #4 & 8/7/18 #24).

4 Resolution No. 513-2018; Resolution  
5 authorizing the Town Animal Shelter to host a free  
6 rabies clinic on September 15, 2018 in conjunction  
7 with the Nassau County Department of Health. (M.D.  
8 7/31/18 #31).

9 Resolution No. 514-2018; Resolution  
10 authorizing issuance of refunds for various Parks  
11 Department fees to various residents. Account Nos.  
12 PKS A 0001 02001 510 0000, PKS A 0001 02025 523  
13 0000, PKS SP01 0001 02025 528 0000, PKS SP07 0001  
14 02025 523 0000, PKS A 0001 02410 000 0000, PKS SP11  
15 0001 02025 528 0000 & PKS A 0001 02025 526 0000.  
16 (M.D. 7/31/18 #7).

17 Resolution No. 515-2018; Resolution  
18 authorizing publication of a legal notice  
19 pertaining to the 2018/2019 School Tax. Account No.  
20 ROT A 1330 44100 000 0000. (M.D. 7/31/18 #8).

21 Resolution No. 516-2018; Resolution  
22 authorizing a one-year extension of time to obtain  
23 a certificate of occupancy for Bolla EM Realty,  
24 LLC, 40 Hicksville Road, Plainedge, New York, from  
25 September 12, 2018 to September 12, 2019. (M.D.



1 7/31/18 #14).

2 Resolution No. 517-2018; Resolution  
3 recommending amended site plan approval and  
4 modification of restrictive covenants for property  
5 located at 20 Carmans Road, Massapequa, New York.  
6 (M.D. 7/31/18 #15).

7 Resolution No. 518-2018; Resolution  
8 authorizing additional legal fees and disbursements  
9 in connection with various Town matters. Account  
10 No. OTA A 1420 44110 000 0000. (M.D. 7/31/18 #17).

11 Resolution No. 519-2018; Resolution  
12 authorizing additional legal fees and disbursements  
13 in connection with special counsel services to the  
14 Town Attorney. Account No. OTA A 1420 44110 000  
15 0000. (M.D. 7/31/18 #18).

16 Resolution No. 520-2018; Resolution  
17 authorizing retention of counsel relative to a  
18 civil action; Moran v. Town of Oyster Bay, et al.  
19 Account No. OTA A 1420 44110 000 0000. (M.D.  
20 7/31/18 #19).

21 Resolution No. 521-2018; Resolution  
22 granting request from Holy Trinity Greek Orthodox  
23 Church in Hicksville, for Town assistance in  
24 conducting their annual Grecian Festival on  
25 September 7, 8 & 9, 2018 and for the use of various

1 Town equipment for the event. (M.D. 7/31/18 #20).

2 Resolution No. 522-2018; Resolution  
3 authorizing the Supervisor or his designee to  
4 execute a letter license agreement and any  
5 necessary documents to use 195 North Broadway,  
6 Hicksville, New York, for temporary commuter  
7 parking for the initial period of August 15 through  
8 December 31, 2018 in connection with repair work to  
9 the Hicksville Parking Facility. (M.D. 7/31/18 #35  
10 & 8/7/18 #26).

11 Resolution No. 523-2018; Resolution  
12 pertaining to Contract No. PWC07-18, On-Call  
13 Engineering Services relative to Civil Engineering  
14 in connection with South Bay Canal Mouth Dredging  
15 and for the use of sub-consultants for survey and  
16 environmental services. Account No. PKS H 7197  
17 20000 000 0902 001. (M.D. 7/31/18 #23).

18 Resolution No. 524-2018; Resolution  
19 authorizing acceptance of the design and request to  
20 enter Bid & construction phases of Contract No.  
21 DP17-167-PH2, Expansion of Ellsworth W. Allen Town  
22 Park Phase 2. (M.D. 7/31/18 #24).

23 Resolution No. 525-2018; Resolution  
24 authorizing payment to the New York State  
25 Department of Environmental Conservation -

1 Brownfield Cleanup Program Fees for Bethpage  
2 Community Park. Account No. PKS H 7197 20000 000  
3 0606 001. (M.D. 7/31/18 #25).

4 Resolution No. 526-2018; Resolution  
5 authorizing rejection of bids and request to rebid  
6 Contract No. DPW09-003, Syosset Streetscape and  
7 Walkability Improvements. (M.D. 7/31/18 #27).

8 Resolution No. 527-2018; Resolution  
9 authorizing a "Free Adoption Month" event during  
10 September 2018 and to waive adoption fees. (M.D.  
11 7/31/18 #32).

12 Resolution No. 528-2018; Resolution  
13 directing the Town Clerk to publish a Notice of  
14 Hearing to consider the application of MOM Realty  
15 II LLC, fee owner, for Modification of Restrictive  
16 Covenants and/or Modification of Conditions, for  
17 premises located at 150 Crossways Drive West,  
18 Woodbury, New York. Hearing Date: September 18,  
19 2018. (M.D. 7/31/18 #34).

20 Resolution No. 529-2018; Resolution  
21 authorizing award of contract and use of a  
22 sub-consultant for Technical Assistance with the  
23 Town's Historical Landmarks for the Town of Oyster  
24 Bay's Landmarks Commission, commencing August 15,  
25 2018 through December 31, 2018 and for the

1 Supervisor or his designee to execute said  
2 contract. Account No. PAD B 8020 44800 000 0000.  
3 (M.D. 7/31/18 #13 & 8/7/18 #9).

4 Resolution No. 530-2018; Resolution  
5 pertaining to Contract No. PWC 12-18, On-Call  
6 Technical Assistance relative to Environmental  
7 Science, clam density survey for Oyster Bay Harbor.  
8 Account No. DER A 8090 44500 000 0000. (M.D.  
9 7/31/18 #26 & 8/7/18 #18).

10 Resolution No. 531-2018; Resolution  
11 pertaining to Contract No. PWC18-18, On-Call  
12 Technical Assistance relative to Electrical  
13 Engineering - Hicksville Parking Facility. Account  
14 No. HWY H 5997 20000 000 1804 016. (M.D. 7/31/18  
15 #28 & 8/7/18 #19).

16 Resolution No. 532-2018; Resolution  
17 pertaining to Contract No. PWC 07-18, On-Call  
18 Engineering Request relative to Civil Engineering,  
19 inspection and evaluation of the bulkhead at the  
20 Joseph J. Saladino Marina at Tobay and for the use  
21 of sub-consultants for underwater inspection and  
22 for underwater survey and soundings. Account No.  
23 PKS H 7197 20000 000 1302 001. (M.D. 7/31/18 #29 &  
24 8/7/18 #20).

25 Resolution No. 533-2018; Resolution

1 authorizing the employment of the services of a  
2 music company to perform at the Town of Oyster  
3 Bay's Waterfront Festival scheduled to be held  
4 September 15, 2018 at Tobay Beach (marina side) and  
5 for the Supervisor or his designee to execute said  
6 agreement. Account No. CYS A 7020 47660 000 0000.  
7 (M.D. 8/7/18 #25).

8 Resolution No. 534-2018; Resolution  
9 granting request from the Bayville Chamber of  
10 commerce for the use of Charles E. Ransom Beach and  
11 Stehli Beach to hold their annual Bayville  
12 Waterside Festival on September 8, 2018 and for the  
13 waiver of Town Ordinances 168-22 and 168-20 and for  
14 the use of various Town equipment. (M.D. 8/7/18  
15 #27).

16 Resolution No. 535-2018; Resolution  
17 directing the Town Clerk to publish a Notice of  
18 Hearing on the application of Kimco Jericho MI LLC,  
19 Kimco Birchwood Jericho LLC, Kimco Birchwood  
20 Jericho Lot LLC, Jericho Atrium 1761 LLC, and Kimco  
21 Birchwood Jericho Office LLC for a Special Use  
22 Permit to allow for hotel use on premises located  
23 on the eastern side of Route 107, south of Jericho  
24 Turnpike, Jericho, New York. Hearing Date:  
25 September 18, 2018. (M.D. 8/7/18 #28).

1 Resolution No. 536-2018; Resolution  
2 granting request from Pakistan Day Parade Long  
3 Island for Town assistance in conducting the  
4 Pakistan Day Parade on September 2, 2018, and the  
5 use of municipal parking lot field H-14 in  
6 Hicksville and Town equipment for the event.

7 Resolution No. 537-2018: Resolution  
8 amending Resolution No. 63-2018 to allow for the  
9 addition of food service for the Challenger  
10 Baseball Jamboree to be held on September 16th,  
11 2018 and the Senior Men's All-Star Softball game to  
12 be held on October 2nd, 2018, Account No.  
13 PKSA7110476700000000.

14 COUNCILMAN MACAGNONE: So moved.

15 COUNCILWOMAN JOHNSON: Second.

16 MR. ALTADONNA: Motion made by  
17 Councilman Macagnone, seconded by Councilwoman  
18 Johnson.

19 Okay. You have multiple speakers.

20 SUPERVISOR SALADINO: Our first speaker  
21 will be Mr. Hank Tiska.

22 (Inaudible.)

23 SUPERVISOR SALADINO: Okay. I  
24 understand that he left. We'll keep that aside and  
25 we'll call him again before we start.

1 Laura Schultz, please.

2 MS. SCHULTZ: Hi.

3 Good morning, Mr. Supervisor and  
4 Members of the Town Board.

5 SUPERVISOR SALADINO: Good morning.

6 MS. SCHULTZ: I am speaking on  
7 Resolution No. 526.

8 Laura Schultz, Residents For a More  
9 Beautiful Syosset, 22 Barbara Drive, Syosset,  
10 New York.

11 Residents asks you to approve this  
12 resolution that authorizes the rejection of bids  
13 and gives permission to rebid the Syosset street  
14 scape and walkability improvements. We anxiously  
15 await shovels in the ground for this project.

16 Thank you.

17 SUPERVISOR SALADINO: Okay. Thank you.

18 Our next speaker will be Charles Weber.

19 MR. WEBER: Good morning.

20 My name is Charles Weber. I live at  
21 17 East Street in Syosset, New York, and I wanted  
22 to speak about the Syosset parking situation  
23 regarding the railroad parking.

24 As you know, there were recent changes  
25 to add more commuter parking and remove parking

1 restrictions on residential streets that are  
2 adjacent to the railroad station. I wanted to  
3 speak about the hardship that that's created on our  
4 street, on East Street.

5 I think they advertise that there were  
6 17 parking spaces created on East Street.

7 Previously, parking had been restricted  
8 between 8:00 a.m. and 10:00 a.m. on weekdays, so  
9 there was no commuter parking for people catching  
10 trains before 10:00 a.m. on that street.

11 As you know, there were many other  
12 changes made to the parking situation. I really  
13 just wanted to speak about East Street. At the --  
14 one end of the street, that would be the -- I guess  
15 west end of the street, there are two restaurants  
16 that use that area for valet parking. Okay. So we  
17 get the valet parking at night there.

18 There's also some other businesses  
19 there that don't have adequate parking that have  
20 variances, other restaurants, the La Bottega  
21 restaurant, and so people park there as well.

22 You've now removed all parking  
23 restrictions in that area so those spots are now  
24 taken up, you know, before 8:00 a.m. and so those  
25 people now and the -- and the valet parking now



1 park elsewhere on East Street. Okay.

2 We have always had commuter parking on  
3 East Street after 10:00 a.m. People still parked  
4 there after 10:00 a.m. This has always been an  
5 overflow area for late commuters. So in front of  
6 my house at any given day, three or four cars park  
7 after 10:00 a.m., even before these restrictions  
8 were removed. Across the street from my house,  
9 you've made unrestricted parking and you said  
10 there's ten spaces there for unrestricted parking.

11 This morning, I was out there and I saw  
12 there were cars parked there with Huntington  
13 parking stickers. There are cars parked there with  
14 no parking stickers, and they'll be there all day  
15 until 5:00 p.m. So people are avoiding buying your  
16 permit, people are coming from Cold Spring Harbor  
17 and parking now on our streets.

18 They leave trash. They make noise.  
19 They come early. They leave late. They can park  
20 there, they can go to Kennedy airport for two  
21 weeks, go to France, and they can leave their cars  
22 there in our neighborhoods, and then we have to  
23 park elsewhere.

24 Down on Orchard Street, which  
25 intersects us, you created more parking spaces in

1 an area that was used as what I would call the cell  
2 phone waiting lot area in the evenings. So people  
3 would pull up, wait for their loved ones to get off  
4 the train, you know, tell them where they were  
5 parked or whatever, that activity is now moved  
6 further down the block.

7 There are -- you know, I know a variety  
8 of problems that you have regarding the commuter  
9 parking, but you pushed it onto the neighborhoods,  
10 and in particular, on our street, which is used --  
11 our neighborhood is used as a cut-thru to get to  
12 the railroad station.

13 There is speeding. The stop signs are  
14 ignored. We've made complaints to the Second  
15 Precinct. We've had several meetings with  
16 Councilwoman Alesia, but we haven't seen any  
17 enforcement of that yet. There are school, you  
18 know, school bus stops in the area, and I just  
19 think it's inappropriate to have commuter parking,  
20 you know, on that street in that area. It's  
21 just -- you've overburdened the street at this  
22 point.

23 Thank you.

24 SUPERVISOR SALADINO: Thank you, sir.

25 Thank you, Mr. Weber.

1 Mr. Bishop, would you please raise your  
2 hand?

3 I'm going to ask you to speak to  
4 Mr. Bishop. He's our Deputy Commissioner of  
5 Highway because we want to do everything possible  
6 to get this resolved.

7 And, Mr. Bishop, I will ask you to  
8 please have a vehicle there today on the issue of  
9 trash. That's something that's an easy fix and we  
10 shouldn't be putting these neighbors out the way  
11 they've been, and we apologize for that because it  
12 is very difficult.

13 So I ask you, after the meeting or  
14 whenever you'd like, to please meet with Mr. Bishop  
15 so that we can get these ironed out and get it  
16 resolved for you.

17 MR. WEBER: Thank you.

18 SUPERVISOR SALADINO: You're welcome.

19 Our next speaker is Marina Rosenthal.

20 How are you today?

21 MS. ROSENTHAL: I'm good.

22 How are you?

23 SUPERVISOR SALADINO: Good.

24 MS. ROSENTHAL: Marina Rosenthal,

25 2 North Street. I live actually across from Chuck

1 so I'm not going to restate all the things that he  
2 said, but I just want to say that my husband and I  
3 bought our house 17 years ago with the  
4 understanding that there will not be commuter  
5 parking in our neighborhood.

6 My house is a triangle, so I'm  
7 surrounded by three streets. Now, one of them, the  
8 signs were taken down and people are parking.

9 Like he said, trash is now being left  
10 on my lawn, so daily, I'm walking around picking up  
11 the trash where the commuter parking is leaving.  
12 People are just opening their cars. They're  
13 leaving their garbage.

14 My daughter just started driving and  
15 pulling up to the stop sign in front of my house,  
16 we can't even see to the left because of all the  
17 cars that are there are.

18 So, again, we've always dealt with it  
19 being a cut-thru neighborhood. People are flying  
20 through. I've been at the bus stop with my kids.  
21 Everybody is just trying to get to the train. But  
22 now putting it in the middle of the neighborhood,  
23 people are now rushing to get those spots. It's  
24 just not safe at all.

25 Besides the garbage, it's just people

1 constantly trying to get there, get the spots and  
2 causing traffic problems.

3 I do foresee when busses start coming  
4 down into our neighborhood, it's going to be really  
5 hard for them to get through the streets.

6 SUPERVISOR SALADINO: Okay.

7 Just so you know, at our next Board  
8 meeting, we will have a hearing to speak about  
9 making these adjustments that you all are asking  
10 for. So we have heard you loud and clear, and as I  
11 said, our next Board meeting, we have proposed this  
12 opportunity to make the changes.

13 MS. ROSENTHAL: I just have a question.

14 So at the last meeting, Councilwoman  
15 Alesia said that they were going to put the parking  
16 signs back up and then kind of decide what to do  
17 with the parking situation, but this was on  
18 June 28th. It just hasn't been done, so I'm just  
19 confused.

20 SUPERVISOR SALADINO: We have to go  
21 through the legal process. So there's a hearing  
22 that's required. We are working with the MTA about  
23 additional parking spots that will really cure the  
24 parking issue long term. We have redesigned some  
25 spots to add -- redesigned some of the striping to

1 add more parking spots, but at our next Board  
2 meeting, we'll be making some of the changes that  
3 you've been asking for.

4 MS. ROSENTHAL: Okay.

5 Thank you.

6 COUNCILMAN MACAGNONE: I can tell you  
7 for a fact, the Supervisor and I were walking  
8 around the parking lot at the train station on a  
9 Monday night until it got dark out trying to figure  
10 out how to revamp the whole place, so we are  
11 working on it.

12 SUPERVISOR SALADINO: We thank you for  
13 your patience.

14 MS. ROSENTHAL: Thank you.

15 SUPERVISOR SALADINO: Yes, Councilman,  
16 and thank you for your help on that, too.

17 June DiBello?

18 MS. DIBELLO: Good morning, Supervisor,  
19 and everyone.

20 SUPERVISOR SALADINO: Good morning.

21 MS. DIBELLO: Thank you for hearing us.

22 It's been a very frustrating time for  
23 us because we've all lived on the block. I've  
24 lived on the block 18 years.

25 My address 31 East Street in Syosset.

1 My mother and father live on 15 Orchard Street, so  
2 those two streets meet with each other.

3 I have a question, have any of you ever  
4 taken the train at Syosset?

5 COUNCILMAN MACAGNONE: Oh, yeah, I live  
6 in Syosset.

7 MS. DIBELLO: Great.

8 And you've gotten off the train day and  
9 night, middle of the night, maybe, coming from the  
10 theater or whatever. Have you felt safe walking  
11 back to your car?

12 COUNCILMAN MACAGNONE: Yes.

13 MS. DIBELLO: Yes. I would agree. I  
14 would say the same thing.

15 So, you know, I've been going through a  
16 lot with this. I've walked up and down the  
17 neighbor -- the neighborhood. I've gone down Ira,  
18 Railroad, I've put out flyers, and I keep thinking,  
19 what makes this train station so popular, like  
20 why -- what's the deal with the Syosset train  
21 station, and people are coming from all walks of  
22 life.

23 And I start thinking about growing up  
24 because I lived in Queens, and I can tell you, I  
25 rarely ever felt safe at a train station in Queens.

1 With the exception of one train station, could you  
2 guess which one on the line would be, like, you'd  
3 say. Oh, this is safe when you're here? It's  
4 Forest Hills.

5 In Forest Hills, if you don't know, was  
6 a planned community, and one of the things that  
7 makes that whole area so valuable is that they have  
8 very strict restricted parking. You can't park for  
9 two minutes. They will boot your car. It's not  
10 even a ticket. You can't get your car. You can't  
11 move your car. They will make you get cash, pay  
12 them before they take it off and release it.

13 So, you know, I think about this and I  
14 think just about in terms of the whole  
15 neighborhood, the whole community. If you keep  
16 allowing these strangers, predators, people from  
17 all over to get free parking in our neighborhood,  
18 I'd say within two years, nobody will want to go to  
19 that train station, and that's just my experience  
20 growing up.

21 There's, you know, 61st Street in  
22 Woodside, I can name a whole bunch of them that I  
23 would not want to get off that platform in the  
24 middle of the night.

25 And the more I thought about it, I



1 thought about, it's not the train. It has nothing  
2 to do with the train. Go to Long Beach. There's  
3 restricted parking. Go to Garden City. Go to Port  
4 Washington on Manhasset. Walk outside right here.  
5 I saw three restricted parking signs on one pole.

6 Commuter parking is a problem, but that  
7 doesn't mean it has to be paid at the expense of  
8 the residents. I mean, we've had festivals in our  
9 neighborhood. We've never had a problem when they  
10 had to close the lot and put the extra cars on our  
11 block. We've never complained about it. As a  
12 matter of fact, we welcome it because sometimes you  
13 see a neighbor that you don't normally see and  
14 you're like, hey, what are you doing down here,  
15 you're lost, and we joke about it.

16 The parades, the snow, okay,  
17 hurricanes, we've had all types of  
18 different situations and we all came together as a  
19 community.

20 And now with this parking situation,  
21 and I don't think it was intentional, but you pit  
22 neighbor against neighbor and it has become a very  
23 volatile situation.

24 SUPERVISOR SALADINO: Well, as you  
25 heard me say earlier --

1 MS. DIBELLO: Yes. I have, and I  
2 appreciate that.

3 SUPERVISOR SALADINO: We have scheduled  
4 the hearing for the changes at the next Board  
5 meeting, and if it makes you feel any better, this  
6 parking issue, we're seeing in every community  
7 across the Town and across Long Island. More and  
8 more choose to -- especially our young people -- we  
9 had some interns here today, many of them plan,  
10 they want to go work in Manhattan for the  
11 excitement, for the jobs, or throughout the  
12 boroughs of New York City, so there's more and more  
13 people using the railroad situations throughout  
14 Long Island, but we have scheduled the changes for  
15 this hearing for the next Board meeting.

16 And in the meantime, I'll ask  
17 Mr. Bishop, again, to raise his hand, please talk  
18 to him about these issues. He's our Deputy  
19 Commissioner of Highways, so that we make sure that  
20 every one of these issues, including the issue of  
21 trash, Mr. Bishop, there should be no excuses for  
22 unsightly trash on our streets, and we must get  
23 that cleaned up immediately. And then at the next  
24 meeting, we'll bring some more relief and we will  
25 continue to push the MTA for a number of objectives

1 that we have that will significantly solve this  
2 problem.

3 MS. DIBELLO: I appreciate it. From  
4 our -- the whole group, we were frustrated because  
5 we have no feedback and we don't know what's  
6 happening, and so we're in limbo every day saying,  
7 when is this going to get resolved.

8 SUPERVISOR SALADINO: Touch base with  
9 Mr. Bishop before you go, and please know for  
10 yourself and all of the residents, we appreciate  
11 you coming out and we hear you loud and clear.

12 MS. DIBELLO: Thank you.

13 SUPERVISOR SALADINO: Glen Cohen?

14 Good morning, Mr. Cohen.

15 MR. COHEN: Good morning.

16 How are you?

17 SUPERVISOR SALADINO: Very well,  
18 thanks.

19 MR. COHEN: Thank you for having us  
20 here for the meeting.

21 My name Glen Cohen. I live at 6 Maple  
22 Street in Syosset, which is in the area of Orchard  
23 Street and North Street.

24 I'm here to speak, again, with what my  
25 friends and neighbors have addressed with the

1 parking situation, so I agree with their comments  
2 and I'd like to also discuss the fact that -- from  
3 a safety perspective. We all have small children  
4 that play in the area. They ride their bicycles.  
5 It's nice outside. It's been a beautiful summer.  
6 In the Fall, which would be nice as well. The cars  
7 that come in our neighborhood speed, and it's not  
8 only on Orchard Street, but it's also on Woodbury  
9 Way, which is the other parallel street to --  
10 getting to Cold Spring Harbor Road, and the issue  
11 is a safety concern.

12 There's been at least two pedestrians  
13 that have been hit by vehicles leaving the train  
14 station, one by CVS, one by Cardinali Bakery. The  
15 driving has become reckless. People are in a rush  
16 to get home, rush to get to the train, and it's  
17 affecting the safety of our children and the  
18 residents of our area.

19 An area that is also of concern is the  
20 triangle by where Berry Hill Road meets Spring --  
21 Split Rock Road, Jackson Avenue, that area is  
22 extremely congested during the rush hour. Cars are  
23 blocked, emergency vehicles can't get through, and  
24 that affects, obviously, our safety.

25 Nothing's been done about that.

1 There's been no public safety, no police directing  
2 traffic at all, and it becomes a safety issue. It  
3 becomes -- you know, I've seen people almost get to  
4 the issue of, like, road rage, which is  
5 unacceptable. You know, we know this area gets  
6 congested for the reasons because Syosset is a  
7 great area, train station is great. Something  
8 needs to be done about this issue as well.

9 SUPERVISOR SALADINO: We will do that.  
10 Mr. Cohen, would you turn around,  
11 please?

12 Commissioner McCaffrey, please raise  
13 your hand. That's Commissioner McCaffrey. Make  
14 sure he has that list of all of those specific  
15 spots that you just mentioned.

16 And, Commissioner, I would like you to  
17 work with my staff so that we have a letter ready,  
18 either by the end of today or first thing tomorrow  
19 morning, to coordinate our efforts with the Nassau  
20 County Police Department to address, not just one,  
21 not just some, but every single issue that  
22 Mr. Cohen brought to our attention.

23 MR. COHEN: Great. Thank you.

24 SUPERVISOR SALADINO: We are here to  
25 get this resolved, sir.

1 MR. COHEN: I appreciate it.

2 SUPERVISOR SALADINO: Thank you for  
3 coming today.

4 MR. COHEN: Thank you.

5 SUPERVISOR SALADINO: Christopher  
6 DiFilippo?

7 MR. DIFILIPPO: Good morning, Town  
8 Board.

9 Christopher DiFilippo, 75 Keri Way,  
10 Woodbury, New York.

11 I wanted to touch base and discuss with  
12 you that I've seen a letter from the Town of Oyster  
13 Bay about the creation and development of an  
14 advisory committee for independent testing in the  
15 area known as the former Cerro Wire property for a  
16 proposed development. It references that the  
17 civic association --

18 MR. ALTADONNA: Excuse me, sir.

19 Sir, that's for public comment. That  
20 should be for public comment.

21 MR. DIFILIPPO: Well, he called me up.  
22 That's why I'm talking.

23 MR. ALTADONNA: I'm just trying to  
24 do --

25 SUPERVISOR SALADINO: I'm sorry.

1                   You were on the same page with the  
2 Resolutions. Someone put that together.

3                   COUNCILMAN MACAGNONE: Yeah, but he  
4 started.

5                   Can we let him finish?

6                   SUPERVISOR SALADINO: Yeah, let's just  
7 let him finish. That's okay.

8                   Go ahead, sir.

9                   MR. DIFILIPPO: All right.

10                  No objection?

11                  SUPERVISOR SALADINO: No objection.

12                  MR. DIFILIPPO: Okay. You're not  
13 taking any time off my clock here?

14                  MR. ALTADONNA: No. Everybody is  
15 looking so I just wanted to give everybody the  
16 reason.

17                  MR. DIFILIPPO: No problem. Okay.

18                  The reason I came out here today is to  
19 talk about that, I live in the area, in the  
20 community for almost 40 years. Okay. I've never  
21 been part of a civic association. I reached out to  
22 a local civic association that would consider to  
23 joining. I haven't heard back.

24                  I keep in touch with the social media  
25 on Facebook, and like I referenced, I saw the

1 letter from the Town of Oyster Bay dated back last  
2 month talking about -- it appears -- and you can  
3 articulate and correct me where I don't have the  
4 right information, okay? It seems to limit the  
5 people to be on the Town of Oyster Bay Independent  
6 Testing Committee limited to members affiliated,  
7 who are with a civic association.

8 SUPERVISOR SALADINO: That's not our  
9 intention in any way.

10 MR. DIFILIPPO: Because I'm not with a  
11 civic association.

12 SUPERVISOR SALADINO: That's okay.

13 We began with the process of the civic  
14 associations because it was just the path of common  
15 sense to reach out to the largest number, but it --  
16 but if you've gotten the impression that we are  
17 limiting this only to civic association leaders,  
18 then we apologize if we've given that impression.

19 So is Julia Schneider here? Okay.

20 Do you see Julia right there? Why  
21 don't you give her your contact information? She  
22 and the people in that department are heading up  
23 this process so that we can be very inclusive of  
24 you because that's our intention.

25 MR. DIFILIPPO: Okay. I'm just curious



1 because the -- maybe it's something that certain  
2 group of select civic groups are advocating that --

3 SUPERVISOR SALADINO: No. No. No.

4 There's been misinformation.

5 MR. DIFILIPPO: How many civic  
6 associations are here today? Just one.

7 COUNCILMAN MACAGNONE: Mr. DiFilippo, I  
8 happen to know, because it came up last meeting,  
9 that they are reserving some spots for independent  
10 people.

11 MR. DIFILIPPO: Okay. All right.

12 Good. Good. Because I wasn't aware of  
13 that. I'm very active in my community.

14 SUPERVISOR SALADINO: Good.

15 So if you would share your information  
16 with Julie Schneider, we would be thrilled to be  
17 inclusive of you, whether it's folks from the fire  
18 department, the library. This was just a starting  
19 point.

20 MR. DIFILIPPO: Gotcha.

21 SUPERVISOR SALADINO: As a means of a  
22 broad reach to get as many people involved as  
23 possible.

24 MR. DIFILIPPO: Very good. Thank you.

25 SUPERVISOR SALADINO: Thank you, sir.

1 Our next speaker is Paul Molinari.

2 MR. MOLINARI: Good morning,  
3 Mr. Supervisor, Board members.

4 SUPERVISOR SALADINO: Good morning.

5 MR. MOLINARI: Paul Molinari, 332 West  
6 Nicholai Street, Hicksville, New York.

7 I'm addressing Resolution 522, which is  
8 the alter- -- I'm not opposed to having alternative  
9 parking at the Sears property. My concerns revolve  
10 around what's that going to cost the Town. And  
11 also, why do we have to provide a shuttle service?  
12 People already walk from the far lots by Woodbury  
13 Road to the train station. It's just about the  
14 same amount of distance, so I would be opposed to  
15 the shuttle service and the costs associated with  
16 that.

17 Thank you.

18 SUPERVISOR SALADINO: Thank you for  
19 sharing that information with us, Paul.

20 We really appreciate it.

21 Arthur Adelman?

22 MR. ADELMAN: Arthur Adelman,  
23 110 DuBois Avenue, Sea Cliff, New York.

24 Good morning, Board, Supervisor, Clerk.

25 I'm here to -- referring to Resolutions

1 518 and 519, Resolutions that state and request  
2 authorization of additional legal fees and  
3 disbursements.

4 I've requested previously that when we  
5 have resolutions using such wording, that the  
6 running total of what has already been expended for  
7 those vendors, lawyers, contractors, whatever, be  
8 included in the backup data of the resolution.

9 I mean, in this case, we're talking  
10 about 519 is Clayman & Rosenberg, we're asking for  
11 an additional \$18,000. I don't know what we've  
12 already spent.

13 And for the Resolution 518 for -- what  
14 law firm is that? That's Quinn Emanuel. I think  
15 the request is for another \$191,000, and that's  
16 regard to the -- I think the Phoenix case, so...

17 SUPERVISOR SALADINO: I'll bring our  
18 Town Attorney up when you're done.

19 MR. ADELMAN: Okay.

20 My only request is that when we have  
21 these type of resolutions with the wording,  
22 additional fees and/or disbursements, that the  
23 running total be offered to the residents and the  
24 Board Members.

25 I guarantee Councilman Hand has no idea

1       how much we've spent already for Quinn Emanuel.

2                   COUNCILMAN MACAGNONE:   Neither do I.

3                   It's not just Councilman Hand.

4                   MR. ADELMAN:   Okay.

5                   So how can we make a valid -- I know  
6       the bills are in already and this is a very  
7       important case for the Town, but as far as I  
8       understand, that case is on hold since the federal  
9       cases against the former Supervisor and County  
10      Executive are completed, so how can we have  
11      additional billing?

12                   SUPERVISOR SALADINO:   I'm going to  
13      bring our Town Attorney up to shed more light on  
14      that.

15                   MR. ADELMAN:   Okay.

16                   Thank you for your attention to this  
17      matter.

18                   SUPERVISOR SALADINO:   Thank you very  
19      much.

20                   MR. NOCELLA:   Supervisor, Members of  
21      the Town Board, Joseph Nocella, Town Attorney.

22                   I understand Mr. Adelman's requests,  
23      but the actual running tally for any of these  
24      firms, which, in some cases would go back a period  
25      of years, would actually be misleading and

1 confusing.

2 Let me start with the last point that  
3 Mr. Adelman made, and I do understand, from his  
4 perspective, that these appear to be valid  
5 questions and valid points.

6 The SEC case against the Town was  
7 stayed. Notwithstanding, the SEC has engaged in  
8 communications with our outside counsel, and in  
9 addition to the communications, there have also  
10 been requests for documents and for other matters  
11 unrelated to the charges directly against the Town  
12 of Oyster Bay.

13 We are required to use counsel in order  
14 to engage the SEC in these discussions in these  
15 meetings in response to documented information  
16 requests. And in addition to that, the firm in  
17 question, Quinn Emanuel, performs a variety of  
18 functions. I'll use one example.

19 It's commonly referred to in the legal  
20 field as disclosure advice. We are required at  
21 the -- in our official statement when we are  
22 finished with our audits, generally at the end of  
23 June, to provide information regarding contingent  
24 liabilities that the Town may face.

25 We are required to give an indication

1 of how likely any of those contingent liabilities  
2 might actually come to reality, and what the impact  
3 would be on our bottom line for our overall budget.

4 Quinn Emanuel has been providing  
5 disclosure advice, not only with respect to our  
6 official statement for our end of the year audit,  
7 but each time we also go out into the bond market  
8 to purchase bonds.

9 And since they're familiar with the  
10 SEC's allegations in the SEC complaint, they played  
11 an essential role in providing that disclosure  
12 information. That's a separate category of legal  
13 advice. It's -- it might appear related, but it  
14 isn't really. It's not the same as defending  
15 against the SEC action, which, of course, would  
16 heat up when the stay is lifted.

17 And that appears to be eminent because  
18 the SEC, just by way of example, one of the -- one  
19 of the conferences with our outside counsel and the  
20 SEC was, what is your position, what is the Town's  
21 position with respect to the stay, if we have one.

22 The stay was imposed by the Justice  
23 Department, not by the Town of Oyster Bay, and the  
24 SEC was reaching out and we operate through outside  
25 counsel.

1                   They're required to contact Quinn  
2 Emanuel. Quinn Emanuel is required to respond to  
3 us. With respect to, for example, Clayman &  
4 Rosenberg, they have represented various Town  
5 employees, current and former Town employees, in  
6 various investigations where the employees, through  
7 no fault of their own, simply had information that  
8 perhaps the SEC or the Justice Department or some  
9 other investigative body wanted to obtain and they  
10 wanted to interview these witnesses.

11                   They're entitled to have counsel.  
12 We've actually had a great savings by using  
13 Clayman & Rosenberg, in what is commonly referred  
14 to as pool counsel. They're familiar with the  
15 general parameters of the different investigations,  
16 they know about the previous aspects of the  
17 different investigations, and when, for example,  
18 the SEC comes along and says, we'd like to speak to  
19 this person, they're already up to speed with all  
20 the questions, all the issues, all the different  
21 variations on that particular matter, and they have  
22 been since, I would say in this case, at least  
23 2015, if not earlier.

24                   So every time the SEC, in this example,  
25 requests that another Town employee come forward

1 and speak to them, the Town employee is entitled to  
2 representation. We call out to Clayman & Rosenberg  
3 and ask them, would you please go with this  
4 witness, prep the witness for the fact that they're  
5 going to be interviewed, and go to the interview  
6 with the witness, and they do so.

7 So I don't know if that gives all the  
8 answer to Mr. Adelman's questions.

9 I respect Mr. Adelman's questions very  
10 much, but a simple running tally of amounts paid  
11 out to a firm, I don't know that that would  
12 enlighten anybody.

13 SUPERVISOR SALADINO: In addition to  
14 that, quite frankly, we have had misinformation by  
15 certain individuals on the Internet, which fans  
16 flames and distributes statements that are not  
17 facts and not true.

18 For instance, as a matter of clearing  
19 this up, has the Town paid for the legal defense of  
20 anyone who has been indicted of a crime?

21 MR. NOCELLA: No, sir. Never.

22 SUPERVISOR SALADINO: Never.

23 And would we do that at any point.

24 MR. NOCELLA: No. Our Town Code does  
25 not allow for us to do so.



1                   It would be the equivalent of an  
2                   illegal gift to a Town employee.

3                   SUPERVISOR SALADINO: In terms of  
4                   someone who's called in for information, is it the  
5                   municipality's responsibility to provide legal  
6                   counsel?

7                   MR. NOCELLA: Yes. We have absolutely  
8                   no choice in the matter.

9                   SUPERVISOR SALADINO: Is that the same  
10                  in every municipality across the state?

11                  MR. NOCELLA: To the best of my  
12                  knowledge, every municipality has the same  
13                  obligation.

14                  And, by the way, it's also true in the  
15                  private sector. As a general rule, a private  
16                  corporation is going to reimburse an employee who's  
17                  called in for one of these investigations.

18                  SUPERVISOR SALADINO: Okay. Let's keep  
19                  an open line of communication going on with this  
20                  resident so they can understand, and others in the  
21                  community can understand, and let's provide more  
22                  information in the backup.

23                  Of course, it starts to get technical  
24                  because which dollar goes toward which issue and  
25                  which case, but by having an open line of

1 communication, that should help the situation.

2 We wish no one would sue us. We are  
3 not the deep pockets. We are not the target for  
4 everyone to come and make money on our taxpayers.  
5 It's not right. It's not fair. But it is American  
6 and it is legal for them to take these actions, and  
7 we will continue to protect our taxpayers and  
8 defend the Town.

9 Thank you.

10 MR. NOCELLA: Thank you, sir.

11 SUPERVISOR SALADINO: Is there anyone  
12 else who would like to be heard on these  
13 Resolutions?

14 (No verbal response given.)

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

18 Is there correspondence?

19 MR. ALTADONNA: No correspondence.

20 SUPERVISOR SALADINO: No  
21 correspondence. All right then.

22 I believe we're ready to take a vote.

23 MR. ALTADONNA: The motion was made my  
24 Councilman Macagnone, seconded by Councilwoman  
25 Johnson.

1 This is on Resolutions No. T, as in  
2 Tom, F as in Frank, 14-18 through Resolution 537.

3 On the vote?

4 Supervisor Saladino?

5 SUPERVISOR SALADINO: "Aye."

6 MR. ALTADONNA: Councilman Muscarella  
7 is absent.

8 Councilman Macagnone?

9 COUNCILMAN MACAGNONE: I'm going to  
10 vote no on 535.

11 I would like to take a second. We  
12 should step back; especially, 107, 106, to stop and  
13 have a study because there's a lot of stuff planned  
14 for there, for Hicksville, Jericho, for Syosset  
15 Park, so I'm going vote no on that.

16 "Aye" on all the rest.

17 MR. ALTADONNA: Councilwoman Alesia is  
18 absent.

19 Councilwoman Johnson?

20 COUNCILWOMAN ALESIA: I'm going to  
21 recuse myself on 535, and vote "Aye" on the rest.

22 MR. ALTADONNA: Councilman Imbroto?

23 COUNCILMAN IMBROTO: I vote "Aye" on  
24 all.

25 I just want to point out that 535 is

1 just to publish the Notice of Hearing.

2 It's not --

3 COUNCILMAN MACAGNONE: Councilman, I  
4 realize that, but if we don't have a hearing, we  
5 don't go a step further.

6 COUNCILMAN IMBROTO: Okay.

7 I'm "Aye" on all.

8 MR. ALTADONNA: Councilman Hand?

9 COUNCILMAN HAND: "Aye."

10 MR. ALTADONNA: Motion to adopt  
11 Resolutions TF-14-18 through 534 passes with five  
12 "Ayes."

13 535 passes with three "Ayes," one no,  
14 and one recusal.

15 536 and 537 passes with five "Ayes."

16 The calendar is complete.

17 SUPERVISOR SALADINO: Thank you.

18 Okay. We have some residents who would  
19 like to be heard in the public comment portion.

20 The first is Donald McAvoy.

21 Oh, yes, of course.

22 May we have a motion to close the  
23 meeting?

24 COUNCILMAN MACAGNONE: I'd like to make  
25 a motion to close the meeting.

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COUNCILWOMAN JOHNSON: Second.

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

ALL: "Aye."

SUPERVISOR SALADINO: Those opposed,  
"Nay."

(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have  
it.

Thank you.

(TIME NOTED: 11:36 A.M.)

(Whereupon, the On Time reporter  
departed at this time.)

TOWN BOARD  
TOWN OF OYSTER BAY  
REOPENED ACTION CALENDAR  
AUGUST 14, 2018  
11:42 A.M.

**JOSEPH SALADINO**  
SUPERVISOR

**JAMES ALTADONNA JR.**  
TOWN CLERK

P R E S E N T:

SUPERVISOR JOSEPH S. SALADINO  
COUNCILMAN ANTHONY D. MACAGNONE  
COUNCILWOMAN MICHELE M. JOHNSON  
COUNCILMAN LOUIS B. IMBROTO  
COUNCILMAN THOMAS HAND

A B S E N T:

COUNCILMAN JOSEPH D. MUSCARELLA  
COUNCILWOMAN REBECCA M. ALESIA

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

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

Minutes of the meeting  
taken by:

KRISTINA TRNKA  
Reporter/Notary Public

1                   **(Whereupon, the following proceedings**  
2                   **were transcribed by the On Time Reporter from the**  
3                   **Town of Oyster Bay's Livestream recorded video as**  
4                   **follows:)**

5                   MR. ALTADONNA: We are going to have a  
6                   motion to reopen the meeting because Resolution 535  
7                   did not pass.

8                   COUNCILWOMAN JOHNSON: (Inaudible.)  
9                   I was very confused.

10                  MR. ALTADONNA: Yes, it did not pass.  
11                  Although we had five attendees, we have a Board of  
12                  seven, so we needed four votes to have a majority.  
13                  We only achieved three.

14                  So may I have a motion to reopen the  
15                  regular meeting?

16                  On the motion?

17                  COUNCILMAN MACAGNONE: So moved.

18                  COUNCILWOMAN JOHNSON: Second.

19                  MR. ALTADONNA: Okay.

20                  Motion was made by Councilman  
21                  Macagnone, seconded Councilwoman Alesia.

22                  COUNCILMAN MACAGNONE: No.

23                  Point of order --

24                  MR. ALTADONNA: I'm just reopening --  
25                  I'm sorry, Councilwoman Johnson.

1 COUNCILMAN MACAGNONE: Point of order.

2 Town Attorney, why are we reopening  
3 this? We had a vote. It didn't pass.

4 Why reopen it?

5 MR. ALTADONNA: Because I want to put  
6 it on the record.

7 COUNCILMAN MACAGNONE: Town Attorney?

8 MR. NOCELLA: Yes.

9 The purpose of reopening is simply to  
10 go back on the record and officially indicate for  
11 the record that the vote failed.

12 COUNCILMAN MACAGNONE: Thank you.

13 MR. ALTADONNA: Just to reiterate, the  
14 votes were as follows:

15 Supervisor Saladino voted "Aye."

16 Councilman Imbroto voted "Aye."

17 Councilman Hand voted "Aye."

18 Councilman Macagnone voted no.

19 Councilwoman Johnson recused herself.

20 Therefore, the vote did not pass.

21 May I have a motion to close the  
22 regular meeting?

23 COUNCILMAN MACAGNONE: So moved.

24 COUNCILWOMAN JOHNSON: Second.

25 MR. ALTADONNA: Okay.



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

ALL: "Aye."

SUPERVISOR SALADINO: Those opposed,  
"Nay."

(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have  
it.

Thank you.

(TIME NOTED: 11:44 A.M.)