

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
August 17, 2021
10:18 a.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good morning,
2 everyone.

3 While the Board members are getting
4 their paperwork and documents together, I'm going
5 to begin things. They're all here, and they will
6 be joining us momentarily.

7 I'd like to welcome you all to the Town
8 of Oyster Bay Town Board meeting for Tuesday,
9 August 17, 2021, here at Town Hall North in Oyster
10 Bay. I appreciate you being here in the room, and
11 we appreciate everyone who is watching us live on
12 the internet.

13 For those of you joining us for the
14 first time, you have an opportunity to be heard on
15 matters brought before the Town Board today as well
16 as during the public comment period at the end of
17 the meeting.

18 As always, we're live-streaming our
19 meeting on social media and on the Town's website,
20 which is oysterbaytown.com. That's a great
21 location to visit not only for all things
22 governmentally that are going on as they relate to
23 our Town Board meetings, but for all of the
24 activities, how to take advantage of our events,
25 our entertainment for your family, and, of course,

1 to be a part of the many worthy projects, and also
2 information on our facilities. That's all on
3 oysterbaytown.com.

4 These proceedings are recorded and will
5 later be transcribed, and your voice is very
6 important to us. Statements, comments --

7 (Whereupon, the Supervisor's microphone
8 was turned on.)

9 SUPERVISOR SALADINO: -- it's very
10 important that you hear my voice too, so thank you
11 very much, Brian.

12 Statements, comments, and input from
13 the public relative to our meetings are always
14 welcomed and are a respected part of the record.

15 To submit comments online, please
16 e-mail publiccomment@oysterbay-ny.gov; or mail us
17 at the Office of the Town Attorney, 54 Audrey
18 Avenue, Oyster Bay, New York 11771.

19 We have made changes in the Town. Many
20 positive changes, and I think one of the most
21 important changes that we've made versus previous
22 years -- clearly, the way we spend money very
23 carefully -- but we begin every Town Board meeting
24 with prayer, and we're very proud of that.

25 Leading us today in prayer is a very

1 good friend and, quite frankly, an awesome
2 religious leader, and that's Rabbi Jason
3 Fruithandler of the Woodbury Jewish Center.

4 Rabbi, the floor is yours.

5 Would everyone, kindly, please rise.

6 RABBI FRUITHANDLER: (In Hebrew) --
7 Creator of all that is, thank you, God, for the
8 gift of the holy language of Hebrew. The language
9 often used in synagogues across the world.

10 A word repeated over and over again is
11 the word (in Hebrew.) We translate it as blessed,
12 but it misses some of the texture. Not only do we
13 mean that you, God, are blessed, and, perhaps, we
14 too are blessed, but the word carries the root of
15 the same word (in Hebrew) of knees. The knees on
16 our body that we use to bow.

17 Blessed is not just a status of feeling
18 connected and holy, but it is a status of being
19 able to bow, to show respect to God and to each
20 other and even more, it has the root of the same
21 word as (in Hebrew) which means pool and reminds us
22 that blessing comes as a wellspring from the pool
23 that is the existence of divinity, and even more
24 than that, this word, which carries so many layers
25 is a reminder to each of us as we do the work of

1 trying to build a just and beautiful and wonderful
2 society, the layers upon layers that each of us
3 have to share, the meaning of what is inside of us
4 is rarely captured by the words we share.

5 Please, God, on this day as we do the
6 business of community, of town, please give us the
7 strength to see and hear our words, to hear the
8 meaning behind them, and to struggle and reach out
9 and find the holiness and depth that you provide
10 that is hidden in each and every one of us, and may
11 our statutes, our laws, our workings, our meetings
12 be a light to shine on that divinity, and let us
13 say, Amen.

14 ALL: Amen.

15 SUPERVISOR SALADINO: Rabbi, we thank
16 you so much for all the ways that you help your
17 flock and this Town, and I think it's very apropos
18 being that we -- this weekend, the Board celebrated
19 the 75th anniversary of the independence of both
20 Pakistan and India -- that we say to you,
21 namaste -- the God inside me bows to the God inside
22 you. The one God we all share that watches over
23 us.

24 Thank you so much for what you do for
25 us each and every day. You truly are a dear friend

1 and an inspiration. God bless you.

2 RABBI FRUITHANDLER: Thank you.

3 SUPERVISOR SALADINO: And, of course,
4 we stand for something in this Town of Oyster Bay.

5 We stand for our Nation, we stand for
6 our Veterans. Because of their sacrifice, we have
7 tremendous freedoms, but, of course, freedom is not
8 free.

9 So we have with us this morning United
10 States Marine Corps Corporal E4 Joseph Hili and
11 U.S. Marine Corps Sergeant Joseph DiLorenzo to lead
12 us in the Pledge of Allegiance as we remember all
13 of those who have made many sacrifices -- including
14 the ultimate sacrifice -- so that we could join in
15 halls like this throughout this great Nation.

16 Gentlemen, the podium is yours with our
17 deepest appreciation for all you do.

18 (Whereupon, the Pledge of Allegiance
19 was recited by the assemblage present.)

20 SUPERVISOR SALADINO: Thank you,
21 gentlemen, very much for your sacrifice.

22 Thank you for your current leadership
23 with our Veterans and our communities, and let's
24 all take a moment to remember all of those who have
25 sacrificed for us including all of our law

1 enforcement, all of our first responders, our fire,
2 our health care heroes, those who are in ambulances
3 and hospitals and medical facilities working so
4 hard to protect us each and every day.

5 God bless them all.

6 (Whereupon, a moment of silence was
7 observed.)

8 SUPERVISOR SALADINO: Thank you.

9 Please be seated.

10 Before we begin the Town Board work of
11 the day, we take great pride in recognizing a
12 graduate of the Plainview-Old Bethpage Central
13 School District, Rachel Perlmutter.

14 Rachel, who is here this morning with
15 her family, is an extraordinary individual. She
16 has dedicated herself to making a positive
17 difference in the lives of others, and she's done
18 this at a very young age, which speaks tremendous
19 volumes about the type of person she is and how
20 well she has been raised by her parents and what
21 her family is doing.

22 Rachel was nominated as a candidate for
23 Student of the Year by the Leukemia & Lymphoma
24 Society.

25 (Whereupon, a round of applause

1 ensued.)

2 SUPERVISOR SALADINO: This prestigious
3 recognition was part of the organization's annual
4 competition, which is a worldwide philanthropic
5 leadership program. Here students foster their
6 professional skills in order to raise money and
7 make a difference in helping LLS.

8 Rachel organized a team of 25 of her
9 peers -- students who were motivated by Rachel to
10 make a difference. They raised \$31,000 for the
11 Leukemia & Lymphoma Society and for cancer
12 research. That's incredible and much appreciated.

13 It's an interesting note that the
14 Plainview-Old Bethpage Central School District was
15 with the efforts of people like Rachel and her team
16 of supporters and were part of a movement that
17 raised nearly \$1 million from very caring
18 individuals on Long Island.

19 The good deeds of others are the
20 foundation of a healthy community and serve in
21 doing the right thing, and you really showed people
22 of all ages, including those much, much older than
23 you, what it means to be a leader, and what it
24 means to help others in a very selfless and very
25 important way, and that's a -- and you are a true

1 role model, and we appreciate that quite a bit.

2 So we want to congratulate Rachel as
3 she prepares to embark on her freshman year at the
4 University of Delaware. I'm sure the school will
5 never be the same again after you get there.

6 We have a very special presentation for
7 you, and it will be the presentation of a Town
8 Proclamation and will be led by Councilwoman Laura
9 Maier -- who certainly understands the importance
10 of supporting cancer research -- and all of us.
11 All of the elected officials that you see here and
12 all of our employees and everyone who is part of
13 the Town of Oyster Bay -- a family -- congratulate
14 you for being an incredible role model and your
15 title of Student of the Year by the Leukemia &
16 Lymphoma Society.

17 Congratulations, Rachel.

18 (Whereupon, a round of applause
19 ensued.)

20 COUNCILWOMAN MAIER: If I may for just
21 one second. If I may, Supervisor.

22 SUPERVISOR SALADINO: Yes.

23 COUNCILWOMAN MAIER: I read your story
24 and how much money you raised, and how much you
25 accomplished over a very short window. I don't

1 think people understand.

2 So I'm very intimately involved with
3 the Leukemia & Lymphoma Society, so when I saw
4 this, I was, like, I need to present this to you.

5 How much did you raise?

6 SUPERVISOR SALADINO: \$31,000.

7 COUNCILWOMAN MAIER: \$31,000. That's a
8 lot of money and in a short -- it's only a few week
9 timeframe, and you built a team of 25 individuals.
10 That's such an amazing accomplishment at such a
11 young age.

12 The Leukemia & Lymphoma Society raises
13 lots of money for cancer research, and myself -- my
14 son, actually, has leukemia so the interesting
15 thing is I, actually, am running for Woman of the
16 Year for 2022, I guess, so I'm just starting my
17 campaign right now and building my team, so I may
18 want to trade some notes and get some ideas from
19 you because \$31,000 is a lot of money.

20 So congratulations on what an amazing
21 accomplishment, and you definitely have a great
22 head on your shoulders, and your parents are
23 probably so incredibly proud, and I wish you all
24 the luck in college.

25 So, congratulations, and we'd love to

1 present this Citation to you.

2 SUPERVISOR SALADINO: Come on up to the
3 rail with your family, and let's all give Rachel a
4 big round of applause.

5 (Whereupon, a round of applause ensued,
6 a Town Proclamation was presented followed by a
7 photo opportunity.)

8 MS. PERLMUTTER: Thank you very much.

9 SUPERVISOR SALADINO: Would you like to
10 say anything?

11 MS. PERLMUTTER: I had a great
12 experience doing this. I was so happy to be able
13 to have this experience.

14 I, fortunately, haven't been personally
15 affected, anyone in my close family hasn't been
16 affected by leukemia or lymphoma, but I have had
17 many extended family members and close family
18 friends who have been affected, so I was so happy
19 to be able to give back and do this, and it was a
20 great experience.

21 I'm happy that my two goals, which were
22 to raise at least \$30,000, which I happily
23 accomplished, and the other goal was to build a
24 legacy in my own community, which I also
25 successfully accomplished, and I'm proud to say

1 that I met with the two candidates who are holding
2 the legacy and continuing the team this upcoming
3 school year, and I'm very confident that they will
4 be able to exceed my expectations and the
5 community's.

6 (Whereupon, a round of applause
7 ensued.)

8 SUPERVISOR SALADINO: Rachel, it
9 reflects so much on your family, your school, your
10 community, and the entire Town of Oyster Bay. We
11 appreciate you very much.

12 COUNCILWOMAN MAIER: Congratulations.

13 MS. PERLMUTTER: Thank you.

14 SUPERVISOR SALADINO: How about another
15 hand for Rachel and her family?

16 (Whereupon, a round of applause
17 ensued.)

18 SUPERVISOR SALADINO: And for our next
19 presentation, we'd like to warmly welcome Phil and
20 Rene Renna of the Christina Renna Foundation.

21 The Foundation was established in
22 memory of their daughter, Christina Renna, a Long
23 Island teenager who, unfortunately, died in January
24 2007 from a rare soft tissue cancer.

25 The Foundation is dedicated to

1 supporting children's cancer research and
2 furthering awareness and education through the
3 support of cancer groups and outreach programs for
4 those in need.

5 After being diagnosed, Christina dreamt
6 of a world entirely free of cancer, an important
7 wish for all of us, and, certainly, the subject of
8 our prayers. Her legacy, the Christina Renna
9 Foundation, celebrates her life and her vision.

10 My colleagues and I are proud to
11 recognize September 2021 as National Children's
12 Cancer Awareness Month in the Town of Oyster Bay.
13 It's an effort to continue Christina's dream of
14 creating a cancer-free world.

15 For the month of September, we will be
16 illuminating the Town Hall in a golden yellow and
17 be placing these golden ribbons (indicating) on our
18 columns outside.

19 And at this time, I'd like to ask
20 Councilman Tom Hand, who is a Board member of the
21 Foundation, to present a Proclamation honoring
22 Christina's inspirational legacy.

23 COUNCILMAN HAND: It's truly an
24 incredible pleasure to work with Phil and Rene.
25 They took a tragic situation where they lost their

1 daughter to rhabdomyosarcoma and what they did was
2 they turned it into a situation where they were
3 going to fulfill her dream. The dream -- the
4 prayer and a wish of a cancer-free world.

5 And they do a lot of work with the
6 local Cold Spring Harbor Laboratories raising tens
7 of thousands of dollars each and every year, and
8 it's going to go a long way to come up with a cure,
9 and I'm sure Mr. Renna is going to give us an
10 update on how things are going now.

11 So without further ado, we will bring
12 him up and say congratulations and thank you for
13 all you do for our community.

14 (Whereupon, a round of applause ensued,
15 a Town Proclamation was presented followed by a
16 photo opportunity.)

17 MR. RENNA: Thank you, Tom. I
18 appreciate it.

19 SUPERVISOR SALADINO: Congratulations,
20 and thank you for all you do.

21 MR. RENNA: Thank you.

22 SUPERVISOR SALADINO: Would you like to
23 say a few words?

24 MR. RENNA: Yes.

25 I just want to say that in about

1 fifteen short years, we've built a coalition of
2 cancer groups that came together, identified a lab
3 -- the Cold Spring Harbor Laboratory -- which is
4 just in your backyard, and we've now identified
5 three targets -- druggable targets it looks like --
6 and we're investing into a company -- a startup --
7 to, basically, develop the drugs, so we're very
8 excited, and, hopefully, by the end of the year, we
9 might have a major announcement. And it's from the
10 support of the community like this that actually
11 gives us the opportunity to make a difference. So
12 thank you again.

13 SUPERVISOR SALADINO: Thank you.

14 (Whereupon, a round of applause
15 ensued.)

16 SUPERVISOR SALADINO: And a special
17 thanks to Councilman Tom Hand who devotes countless
18 hours as a volunteer to help the Foundation and
19 help this great cause.

20 Thank you, Tom.

21 Thank you, Mr. Renna.

22 God bless.

23 We have a few announcements to make
24 today. We will have four hearings, and then we're
25 going to break for Executive Session -- so you can

1 get a sense of the timing -- so we can listen to a
2 presentation by our Town Attorney updating us on
3 legal issues.

4 Just a quick reminder -- and then we'll
5 be coming back out for our regular Action Calendar.

6 Just a quick reminder, the Town has
7 arranged a drop-off book drive to benefit the Book
8 Fairies, and this is a wonderful group that
9 collects and distributes books to those in need
10 across Long Island and the surrounding communities.

11 As we ask our residents to support this
12 amazing program, you can drop off gently used books
13 at three separate locations throughout the month of
14 September during Town business hours -- 9:00 to
15 4:45. The locations are Town Hall North, right
16 here, Town Hall South in Massapequa, and at our ice
17 skating rink in Bethpage. This will be a
18 contactless dropoff, and all donations must be in a
19 box or a carton. For more information -- you can
20 get all the information about the program by
21 calling the Town's Public Information Office at
22 516-624-6380. We thank you for help that way.

23 Before we move forward with the
24 business of the day, I'd like to report to you some
25 incredible information that we are all so proud of

1 and our Town Board, our Receiver, and our Town
2 Clerk, and our administration, more good news for
3 our residents.

4 Wall Street has, again, recognized our
5 success with Town finances. There are two major
6 reporting groups who evaluate, in depth, all that
7 the Town does and then make -- give bond ratings so
8 that it determines the interest rate that the Town
9 borrows money at. Both Standard & Poors Global
10 Ratings and Moody's Investor Services have upgraded
11 our Town significantly.

12 Our administration is tickled pink
13 about the way -- all the bond rating increases that
14 we've received, and we're very proud of the
15 tremendous progress that we've made here in our
16 Town.

17 Prior, before our administration took
18 over and before I had the chance to work with these
19 highly qualified professionals, the Town's bond
20 rating was junk. It was junk credit rating. And
21 now we are back up to an A+ credit rating according
22 to Standard & Poors, which upgraded the Town of
23 Oyster Bay's credit level three times in the month
24 of August. Three bond rating increases in one
25 month --

1 (Whereupon, a round of applause
2 ensued.)

3 SUPERVISOR SALADINO: Thank you, and
4 thank you to the team.

5 And in their rating, they pine over the
6 books. They do a very deep audit of our credit
7 information and our financials and what we're doing
8 to improve the Town, and I will quote Standard &
9 Poors when they say, "The Town substantially
10 improved their financial position even during the
11 pandemic."

12 Standard & Poors cited our robust
13 operating performance and cost cutting, which also
14 declared a positive outlook going forward, which
15 means we can expect more improvements as we reach
16 the goal of a perfect bond rating, and that's
17 exactly where we're headed, and we're going to make
18 sure of that.

19 Now, Moody's Investor Services assigned
20 the Town an A3 rating reflecting continued
21 improvements to the Town's financial position.
22 This marks the sixth credit rating upgrade since
23 our administration took over in 2017 through -- in
24 just four years and even more impressively, the
25 fourth during the COVID pandemic.

1 When other towns were raising taxes and
2 struggling financially, the Town of Oyster Bay
3 continues to lower taxes and improve our
4 operations, and Wall Street has looked at this and
5 said you're doing a great job, and we appreciate
6 Moody's and S&P.

7 They've noted that the Town's 2020
8 surplus is more impressive even than it appears at
9 first blush, and that's a quote right out of their
10 findings. The report credited the Town for budget
11 trimming even at the height of the pandemic,
12 although Oyster Bay did not receive any CARES Act
13 money -- not even a dollar -- and overall this is
14 great news for our Town, and we'll pay
15 significantly less in interest expenses when
16 bonding for the costs associated with our road
17 repaving program and other critical infrastructure
18 improvements that we continue to make.

19 We have an operating budget in this
20 Town, and we have a capital budget in this Town.
21 The capital budget is the road repaving, the
22 bridges, the purchase of the large trucks that we
23 have to buy every year to keep our fleet updated,
24 for the collection of trash and recyclables, and
25 for plowing snow and all the other critical things

1 that we do. When we got here, the capital debt was
2 enormous. Enormous for this Town, and we've done
3 it -- they're saying my mic is off.

4 (Whereupon, the technical difficulty
5 with the microphone was corrected.)

6 SUPERVISOR SALADINO: You want to hang
7 on every word that I'm saying.

8 Is that better?

9 COUNCILMAN LABRIOLA: Can you start
10 over, Supervisor?

11 (Whereupon, there was some laughter in
12 the audience.)

13 SUPERVISOR SALADINO: (Laughing) Yes.
14 We'll start over.

15 Good morning, everyone. Welcome to the
16 Town Board meeting of --

17 (Whereupon, there was some laughter in
18 the audience.)

19 SUPERVISOR SALADINO: Thank you. Thank
20 you.

21 It's really great news. So we're at
22 this A+ level. When we got here, there was an
23 enormous amount of capital debt. We've paved way
24 more roads than the many years before we got here,
25 and we've still reduced our Town total capital debt

1 by over \$165 million, which is historic.

2 Previously, there was a \$44 million
3 ongoing deficit in the Town's operating budget --
4 the other side of the financial ledger.
5 \$44 million. It's like having a checking account
6 where you still owe \$44 million.

7 Now, just four years later, actually,
8 as of the close of 2020, our independent audit,
9 which was also confirmed by Wall Street, we now
10 have a \$47.6 million surplus even with -- while
11 cutting taxes \$5.2 million.

12 (Whereupon, a round of applause
13 ensued.)

14 SUPERVISOR SALADINO: I know Frank's
15 very happy about that. It's a big deal. We proud
16 of it. We continue to listen to the needs of the
17 public. Cutting taxes, improving the services --
18 the services in the Town of Oyster Bay are better
19 than they've been in many decades, and one only has
20 to come to our concerts or our recreation programs,
21 visit our pools and our parks, see what we've done
22 at our beaches to understand all of the
23 improvements, which cost money, but we're balancing
24 those needs with reducing debt tremendously,
25 eliminating the deficit, and making sure that Wall

1 Street and the professionals see what we've done
2 and have been responding.

3 So that's an update on what we're
4 doing. Record breaking four-notch increase in our
5 bond rating, and we're just a few notches away from
6 a perfect AAA credit rating, and boy, oh, boy we're
7 going to get there, too.

8 We work for you -- the residents of the
9 Town of Oyster Bay, the businesses in the Town of
10 Oyster Bay -- and we're going to continue to make
11 these impacts to make this the best Town ever.

12 (TIME NOTED: 10:45 A.M.)
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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
August 17, 2021
10:46 a.m.

HEARING - LOCAL LAW

To consider a Local Law entitled: "A Local Law to Amend Chapter 196 - Shellfish and Marine Life, to Add a New Article VI Aquaculture, to the Code of the Town of Oyster Bay, and to Amend Sections 196-2, Purpose and Findings; Applicability, 196-3, Penalties for Offenses, 196-5(B), Permits Required and 196-15, Restrictions, of the Code of the Town of Oyster Bay, to Add Related Language Regarding Aquaculture to these Sections." (M.D. 6/29/21 #26).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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COUNCILWOMAN MICHELE M. JOHNSON
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COUNCILMAN THOMAS P. HAND
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A L S O P R E S E N T:

RICHARD LaMARCA, TOWN CLERK
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taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: And with that, I
2 turn to our Clerk, Rich LaMarca, and ask you to
3 please poll the Board, a Board made up of
4 incredible professionals who are working diligently
5 to help us each and every day to reach that goal as
6 the best town in America.

7 MR. LaMARCA: Supervisor Saladino?

8 SUPERVISOR SALADINO: I am present in
9 body and soul.

10 MR. LaMARCA: Councilwoman Johnson?

11 COUNCILWOMAN JOHNSON: Present.

12 MR. LaMARCA: Councilman Imbroto?

13 COUNCILMAN IMBROTO: I'm here.

14 MR. LaMARCA: Councilman Hand?

15 COUNCILMAN HAND: Present.

16 MR. LaMARCA: Councilman Labriola?

17 COUNCILMAN LABRIOLA: Present.

18 MR. LaMARCA: Councilwoman Maier?

19 (Whereupon, there was no response from
20 Councilwoman Maier.)

21 MR. LaMARCA: She stepped out.

22 Councilwoman Walsh?

23 COUNCILWOMAN WALSH: Present.

24 SUPERVISOR SALADINO: Okay.

25 Attendance is complete, and as we

1 stated earlier, we will be having four hearings,
2 and then we're going to break -- I'm not sure how
3 long it's going to take, we'll move as quickly as
4 we can -- for an Executive Session.

5 During that Executive Session, Jeff
6 Pravato has an update of information in terms of
7 the Receiver's Office to bring you up-to-date on
8 all the information people are seeking, and then we
9 will come back out and conduct our normal business
10 of our Action Calendar.

11 So with that, Rich LaMarca, would you
12 kindly call the first hearing?

13 MR. LaMARCA: Today's first hearing is
14 to consider a local law entitled: A Local Law to
15 Amend Chapter 196 - Shellfish and Marine Life, to
16 add a New Article VI Aquaculture to the Code of the
17 Town of Oyster Bay and to amend Sections 196-2,
18 Purpose and Findings; Applicability; 196-3,
19 Penalties for Offenses; 196-5(B), Permits Required;
20 and 196-15, Restrictions of the Code of the Town of
21 Oyster Bay, to add related language regarding
22 aquaculture to these sections.

23 SUPERVISOR SALADINO: Good morning,
24 Mr. Scalera.

25 How are you?

1 MR. SCALERA: Good morning, Supervisor
2 and Members of the Town Board.

3 Frank Scalera, Town Attorney, Oyster
4 Bay.

5 We are here today, as the Clerk just
6 said, for this local law hearing. It is to
7 consider amendments to the existing code chapter --
8 Chapter 196 of the Code of the Town of Oyster Bay.

9 The purpose of this local law is to
10 provide for licensure of Town-owned underwater
11 lands for the benefit of the environment in
12 restoring our bay and, thereby, giving the
13 shellfish industry a boost. The provision for the
14 issuance of licenses will be included in a new
15 article within this chapter. It will be called
16 Article IV of Chapter 196 of the Code of the Town
17 and it will be entitled: Aquaculture.

18 Specifically, we are here to discuss
19 amendment to the code to provide the Town the
20 ability to issue licenses for the harvesting of
21 commercial shellfish, seaweed, sugar kelp, and
22 other organisms in estuary and marine waters owned
23 by the Town of Oyster Bay, all known as
24 Aquaculture. This will apply to both the bay in
25 the North and, of course, the waters on the South

1 Shore as well.

2 This local law will not apply -- will
3 not apply to any person engaged in commercial
4 shellfish operations who obtains a valid permit
5 under Article II or who has been granted a lease
6 pursuant to Section 196-23 of Article II. So the
7 existing lease that is there, as well as the
8 commercial baymen who are on the waters, this
9 particular code amendment will not affect those
10 individuals or entities.

11 Now, regarding the issuance of licenses
12 for aquaculture, this local law provides that the
13 Town Board, upon the recommendation of the Town of
14 Oyster Bay Department of Environmental Resources,
15 shall issue licenses as the Town Board may deem
16 appropriate with rules and regulations as required
17 to permit aquaculture in the estuary and marine
18 waters that are subject to the Town jurisdiction,
19 which we said before -- the bay in the north and
20 the waters to the south. The proposed local law
21 seeks to, by amendment, include aquaculture related
22 language in corresponding sections of Chapter 196.

23 For legal purposes, a previous
24 Resolution was passed by this Board to post public
25 notice of this local law hearing. The local law

1 and the public notice was posted on the website of
2 the Town of Oyster Bay, on the bulletin boards of
3 both Town Hall North here at 54 Audrey and what we
4 call Town Hall South at 977 Hicksville Road in
5 Massapequa. It also was the -- the public notice
6 with the local law attached was available for
7 viewing during all this time since the passage of
8 that Reso to today's meeting, and it was available
9 through the Town Clerk's Office both in Town Hall
10 North at 54 Audrey, as well as Town Hall South at
11 977 Hicksville Road in Massapequa. Of course, that
12 public notice put the hearing on for today, and the
13 hearing -- on the record here today for all parties
14 interested to be heard.

15 At this point in time, I want -- I
16 would like to -- for some of the substance of this
17 local law is to call up one or both of the
18 individuals that have been working diligently on
19 this, and that is George Baptista, who is the
20 Deputy Commissioner of the Department of
21 Environmental Resources, and with him, as well, is
22 Greg Greene, who is the Senior Vice President and
23 Director of Environmental Programs at Cashin
24 Associates.

25 The firm, Cashin Associates, has been

1 doing the work regarding the bay for many years
2 with the Town, and has worked alongside the
3 Department of Environmental Resources, and I would
4 ask at this point in time, I'll defer to them now,
5 and if the Board would like, I will call them up --
6 call George Baptista up and give some comments on
7 some of the intent and purposes of these
8 amendments, okay?

9 MR. BAPTISTA: Good morning, Supervisor
10 and Members of the Town Board.

11 SUPERVISOR SALADINO: Good morning,
12 George.

13 MR. BAPTISTA: George Baptista, Deputy
14 Commissioner, Department of Environmental
15 Resources.

16 As the Town Attorney laid out some of
17 the more legal aspects, I'd like to take a minute
18 to discuss the environmental administrative aspects
19 of this code change.

20 The change in the current shellfish
21 marine life ordinance is going to benefit the
22 Town's residents by recognizing and expanding the
23 shellfish methods that have been developed over the
24 years. The methods include off-bottom aquaculture,
25 which benefits the environmental health of the bay

1 while creating an administrative structure to
2 permit a variety of approaches that can procure
3 through an RFP rather than bids as required under
4 current sections of Chapter 196.

5 When we look to -- how the benefit of
6 this program -- I'm sorry, that this program will
7 benefit the Town and the bay, we did a little
8 research, and John Cameron from the Long Island
9 Regional Planning Council said, aquaculture is Long
10 Island's -- is great for Long Island's environment,
11 food supply and economy. The planned cultivation
12 harvest of shellfish and seaweed with kelp will
13 improve our water quality and add an abundant and
14 healthy food source and generate economic
15 opportunity for current and future aquaculture
16 farmers.

17 This change in the ordinance and the
18 adoption and a pivot toward aquaculture would,
19 actually, put us in line with other municipalities
20 on Long Island. The Town of Islip, the Town of
21 Brookhaven, and Suffolk County all have robust
22 aquaculture programs and licensing programs, so we
23 look to those municipalities as a model of what we
24 can look forward to.

25 Today we may hear some broader comments

1 made, but today's hearing really is about the law
2 itself, and, certainly, we'll engage and discuss
3 anything that the Board wants to discuss and any
4 members of the public.

5 One of the things that we look forward
6 to, though, in the RFP process and then the
7 licensing process as Frank explained, the
8 Department of Environmental Resources would
9 approach the Town and make a recommendation for a
10 license. We expect to include in those licenses,
11 all right, that the license holder would be
12 responsible for any environmental damage done to
13 our bay bottom and to our shellfish.

14 We require that the license holders
15 stock the beds annually up and until the time the
16 license expires. So, you know, that's a very
17 important distinction because there are times under
18 the current lease that the license holder -- the
19 lease holder rather -- is not obligated to seed the
20 bottom. The license will change that.

21 We've included many, many safeguards to
22 the -- that will actually enhance and protect our
23 environment. The license holder will be required
24 to provide annual sediment studies, which I know is
25 critical to the bay, critical to the interests of

1 the bay, who have been looking for that kind of
2 sensitivity, if you will, to their situation.

3 We'll also be conducting water sampling and require
4 the license holder to do water sampling constantly.

5 Again, these are all requirements that
6 are new that don't exist under the current lease
7 arrangements, and that's the kind of safeguards,
8 the kind of responsibility to the environment that
9 this code change brings to the Town. It's a simple
10 code change in many ways, but the impact is great.

11 So I'd be more than happy to answer any
12 questions now, and if you have technical questions
13 and you have questions how other municipalities
14 handle their program, Greg Greene, Senior Vice
15 President from Cashin Associates is here. Greg has
16 done decades of work on our shellfish program, and
17 he can answer those kinds of questions, but I'm
18 certainly here right now if you'd like to ask some
19 questions that I can answer.

20 SUPERVISOR SALADINO: Would any of the
21 Board members like to ask any questions of
22 Mr. Baptista?

23 (Whereupon, there was no response from
24 the Board.)

25 SUPERVISOR SALADINO: Clearly, we're

1 environmentalists. The accomplishments this
2 administration and our Town workforce has made over
3 the past four years are immense, and it's a long
4 list. We built a shellfish hatchery, we have put
5 far more seedlings into the bays and our waters to
6 increase the output and to protect the environment.

7 Many of you already know that each clam
8 and oyster can filter up to 50 gallons a day of
9 water, which clearly makes an impact on the clarity
10 and the pristine environment that is so important
11 to us.

12 We have done tremendous work in
13 protecting our groundwater, in building
14 opportunities and ensuring that our water and those
15 who make their living on our water continue to
16 prosper, and now we're looking to expand. The
17 technical and scientific community has shown us and
18 other municipalities -- whether they be in Europe,
19 other countries, and here in America -- that as you
20 expand the spectrum of resources, you improve the
21 environment that they live in.

22 So this is an important step in
23 allowing for and promulgating all of the many
24 different processes -- being it kelp farming,
25 seaweed farming -- I'm a big fan of sushi so

1 seaweed is an important part of those meals and
2 it's delicious -- but it helps the environment, it
3 provides more opportunities, and I believe, and I
4 know that feeling is shared by the other Board
5 members, that our commitment to expand
6 environmental opportunities, resource
7 opportunities, and protect Oyster Bay on the North
8 Shore and South Shore means so much to us.

9 So I'm very happy, and we're proud to
10 be part of this. We have folks from the
11 environmental groups and from the North Shore
12 Baymen's Association, and we have been speaking to
13 the science community, so this isn't something that
14 we've just stumbled upon, but it's something we've
15 been working on for a long time.

16 George, have we made it very clear to
17 you and the Department of Environmental Resources
18 that protecting our environment, providing for a
19 more progressive and scientific embracing process
20 has been one of our highest priorities in terms of
21 Town policy?

22 MR. BAPTISTA: Yes, Supervisor.

23 I can give you a crystal clear example.

24 Just a few short years ago we were
25 stocking the bay with roughly one million clam

1 seeds. The vision that the Town Board had -- and
2 you, Supervisor -- had by funding us in this
3 department, we'll be putting in 10 million clam
4 seeds this year.

5 SUPERVISOR SALADINO: Ten times the
6 volume of seedlings that were put in previously.

7 MR. BAPTISTA: That is correct,
8 Supervisor.

9 SUPERVISOR SALADINO: And by growing
10 them out to a size which is much more sustainable,
11 what percentage of those seedlings live now
12 compared to in past years?

13 MR. BAPTISTA: We believe it will be at
14 60 percent, which is really quite phenomenal.

15 SUPERVISOR SALADINO: That's wonderful.
16 And those that don't survive, they're still
17 providing food because that means that those clams
18 and oyster seedlings are being eaten by other
19 animals in the marine environment.

20 MR. BAPTISTA: That's correct,
21 Supervisor.

22 SUPERVISOR SALADINO: We're very proud
23 of this. Thank you for your report.

24 Being there are no other questions --

25 COUNCILMAN LABRIOLA: Supervisor, just

1 one question.

2 SUPERVISOR SALADINO: Of course, Steve.

3 COUNCILMAN LABRIOLA: George, I
4 remember when I was Town Clerk that we had an
5 issue, sometimes, with nonresidents coming in
6 because Oyster Bay, of course, is such a plentiful
7 harbor with oysters and marine life, and that was
8 one of the issues, and in this instance, I notice
9 it's residents also, so you must have residency in
10 order to get a license.

11 Can somebody come across the bay and
12 get an apartment in Oyster Bay and get a license,
13 or do they have to have so much time as a resident
14 prior to getting this license?

15 MR. BAPTISTA: My understanding of the
16 licensing process -- the permit process rather --
17 you're talking where will we be looking at in the
18 future?

19 COUNCILMAN LABRIOLA: Yeah. For
20 licensing, it says residency requirement.

21 MR. BAPTISTA: I'm sorry. When we --
22 again, the flexibility with the ordinance change
23 would certainly allow the Department of
24 Environmental Resources to attach criteria that
25 says you would have to be a resident of the Town of

1 Oyster Bay for a year, two years. I expect during
2 the comment period to involve our stakeholders that
3 have an interest in that kind of question, and
4 maybe if we have to strengthen the code that way,
5 we will. I don't think that's an unreasonable
6 request from anybody.

7 COUNCILMAN LABRIOLA: Yeah, I would
8 hope that you would do that, protect our local
9 commercial fishermen.

10 SUPERVISOR SALADINO: Which is very
11 important to all of us. Thank you.

12 MR. BAPTISTA: Thank you, Supervisor.

13 COUNCILWOMAN JOHNSON: I would just
14 like to add that I know this has been a long time
15 coming, many years of thoughtful work and
16 collaborating with different stakeholders, and I
17 appreciate your time and effort in getting us to
18 this point, and I look forward to hearing some of
19 the comments.

20 MR. BAPTISTA: Thank you, Councilwoman,
21 for your help and support, too.

22 SUPERVISOR SALADINO: George, you know,
23 to that note, and Frank and all of the interested
24 people, and we have so many environmentalists who
25 understand what we are trying to achieve, I want to

1 personally thank Michele Johnson.

2 She is a Councilwoman extraordinaire, a
3 great legal mind, but talk about someone who truly
4 cares for all of the environment, but especially
5 the North Shore environment. As a long-time
6 resident, and now with the support of other North
7 Shore residents, the baymen, Rich LaMarca, Vicki
8 Walsh, and all of our Town Board, we've really
9 moved the dial quite a bit environmentally. We've
10 received many accolades, we've won awards of
11 leadership for the great improvements we're making,
12 and now as we embark on this process, it's very,
13 very exciting.

14 But I want to thank you, Michele, for
15 tremendous painstaking hours to get it done right,
16 to work with us, all of your suggestions, all of
17 your advocacy.

18 As I mentioned, we're true
19 environmentalists and to be working with you and
20 the other Board members and the other members of
21 the community makes a big difference in our
22 effectiveness, so thank you very much, and I think
23 we've gotten the message across loud and clear that
24 we want to be number one when it comes to our
25 environmental pursuits in this Town.

1 MR. BAPTISTA: Thank you.

2 SUPERVISOR SALADINO: Is there anything
3 else, Counselor, in terms of the presentation on
4 this hearing?

5 MR. SCALERA: I believe that part of
6 the hearing, and it's in the proposed local law, a
7 part of it is what we call the environmental SEQRA
8 findings under the Environmental Conservation Law,
9 and just for the record, that it was determined
10 that this action, if you adopt this local law is --
11 invokes Section 617.5, Subdivision C, Subdivision
12 26, of the NYCRR is basically, in regular speech,
13 it's a routine or continuing agency administrative
14 and management determination that will not have a
15 significant effect on the environment as that's
16 defined in the Environmental Conservation Law.

17 Other than that, I don't know if
18 there's any comments...

19 SUPERVISOR SALADINO: We have two slips
20 of people who would like to be heard as it relates
21 to this, and I'll be calling them up in just a
22 moment.

23 MR. SCALERA: And also, just to note
24 for the record that, if the Town Clerk
25 acknowledges, that Councilwoman Laura Maier had

1 stepped in at the beginning of this hearing because
2 we were taking attendance, so please make a note
3 for the record that she had been here from the
4 beginning of the hearing.

5 MR. LaMARCA: Councilwoman Maier was
6 present.

7 SUPERVISOR SALADINO: Thank you.

8 We have some residents who have asked
9 to be heard, and let's start with Heather Johnson
10 of Friends of the Bay.

11 Come on up, Heather.

12 MS. JOHNSON: Good morning, assuming
13 it's still morning.

14 I'm Heather Johnson, Executive Director
15 of Friends of the Bay.

16 I'm here in support of a sustainable
17 harbor environment and sustainable aquaculture, and
18 the Town's proposed licensing system could be a
19 means to those goals.

20 The Town has taken several important
21 steps on working towards a healthier estuary,
22 including, as mentioned, opening a hatchery, which
23 we are very pleased to see is being expanded.

24 The Town also identified the need for
25 additional shellfish sanctuaries and drafted a

1 guideline for a water resources management
2 strategy.

3 Shellfish sanctuaries with no
4 harvesting or transplanting from them are one of
5 the key ways to ensure there will be stock in the
6 bay for the future. Mill Neck Creek should be one
7 of these sanctuaries.

8 We can all agree that now is the time
9 to rethink how aquaculture can be practiced in a
10 way that respects the Oyster Bay heritage,
11 contributes to restoration of water quality, and
12 continues to provide a livelihood for commercial
13 harvesters.

14 Thank you.

15 SUPERVISOR SALADINO: Thank you,
16 Heather, and all of us in Town government would
17 like to publicly thank you and all of the members
18 of Friends of the Bay for your collaboration, not
19 only on this initiative, but on so many over the
20 course of many years. You've been a wonderful
21 friend, and you have been a wonderful steward of
22 the environment, always happy to work with us to
23 make these things happen.

24 Thank you.

25 MS. JOHNSON: Thank you.

1 SUPERVISOR SALADINO: Our next speaker,
2 Robert W -- Robert, is it Wamley (phonetic)?

3 AUDIENCE SPEAKER: Wemyss.

4 COUNCILWOMAN JOHNSON: Are you doctor?

5 MR. WEMYSS: Hmm? Excuse me?

6 COUNCILWOMAN JOHNSON: It's a bad joke.
7 Your handwriting. I said, are you a doctor?

8 MR. WEMYSS: (Laughing) Sorry.

9 Thank you for this opportunity to speak
10 on this public hearing on the Town shellfish code.

11 The new license program cannot be
12 considered a routine continuing agency
13 administration management under 617 of the SEQRA.

14 Law because it does not -- that does
15 not apply. The exemption that would make it a Type
16 II does not apply to new programs that may affect
17 the environment, and this is a new program that may
18 affect the environment. A new license program is a
19 Type I action, and the Town appears to have acted
20 to avoid SEQRA by putting out RFPs first.

21 The Town should go back to the drawing
22 board and flesh out a program with defined limits
23 and geographic scope. Floating gear creates a lot
24 of controversy, productivity surveys create a lot
25 of controversy, large areas of cultivation create a

1 lot of controversy, and harvest methods create a
2 lot of controversy.

3 These issues can be appropriately dealt
4 with by developing best management practices up
5 front, building them into the code as
6 administrative guidance developed through a public
7 process in the context of a SEQRA Type I action
8 review process.

9 Currently, 196 pertains only to Town-
10 owned underwater land, and the change extends the
11 geographic scope of Town licensing authority to
12 waters where the Town has municipal jurisdiction.

13 The changes add other aquaculture
14 marine life, which has never been part of the
15 Town's purview. The change adds a new definition
16 of aquaculture, which includes shellfish, seaweed,
17 sugar kelp, and other organisms in the estuary and
18 marine waters that are owned by the Town of Oyster
19 Bay.

20 The term, "owned by the Town of Oyster
21 Bay" is meaningless in terms of water. You own
22 underwater land. You really don't own the waters.

23 As a matter of housekeeping, the Town
24 deeded its underwater land, or most of it, to the
25 United States Department of the Interior as a

1 wildlife refuge in 1968, reserving the right to
2 continue its shellfish programs, not aquaculture of
3 seaweed, kelp, and other marine species.

4 Some entity must make an objective
5 determination that the new program will be
6 conducted in a manner that's compatible with the
7 use of property as a wildlife refuge. It should
8 also be noted that the Town has no authority under
9 State Law to license cultivation of species other
10 than shellfish.

11 So, apparently, the Town believes it
12 can grant itself by a code change to -- by a code
13 change the authority to license aquaculture of
14 shellfish and other marine life within and beyond
15 the geographic area of its Colonial boundary with
16 State owned underwater land, which has been
17 adjudicated to be Whitewood to Rocky Point.

18 Considering the area north of Whitewood
19 to Rocky line is an area of statewide importance to
20 wild harvest shellfish industry. Any change that
21 would institute the Town of Oyster Bay license
22 requirements for shellfishing or aquaculture would
23 create great public controversy and more
24 litigation.

25 Even within the traditional Town

1 boundary, the new license program allows
2 cultivation practices new to the area.

3 We have seen two very different
4 Requests for Proposals, so it's impossible to
5 discern what the Town is actually planning here.
6 It's a moving target, but the code change contains
7 no conditions or limits. It seems inappropriate
8 for the code change to go first as it was
9 inappropriate to put the RFP out -- the RFP for
10 licenses without the authority to license in hand.

11 Past and current practices it -- that
12 is the Town's management enforcement of the current
13 lease holder are entirely relevant to discussions
14 of this code change.

15 Initially, this licence program, as
16 illuminated by the RFP's conditions, was proposed
17 as replacement for leasing, and now it is alongside
18 leasing as an addition.

19 Does the public want a two-tiered
20 system of continued leasing and new licensing?

21 Past practice is the best indicator.
22 How the Town has acted in the enforcement of the
23 current lease conditions is what can be expected
24 with aquaculture licenses. The conditions of
25 Flowers Lease require compliance with State and

1 Federal Law. This makes compliance with specific
2 state and federal conditions enforceable by the
3 Town of Oyster Bay as a material condition of the
4 lease.

5 Despite this fact, the Town maintains
6 that the Town of Oyster Bay does not possess the
7 authority to enforce the provisions of the permits
8 issued by these agencies. This is in a letter from
9 the 10th of this month.

10 This is just false and demonstrates
11 perfectly what might be expected from the Town in
12 the enforcement of the terms of the license.

13 The overly broad, unconditional nature
14 of licensing power confirmed to the Town Board by
15 the Board in this code change will leave the public
16 with no recourse but the courts. We hope that the
17 Town changes course. We asked for one code change.
18 Stop hydraulic shellfish dredging, and we got more
19 plans for privatization.

20 Really, the way the County did the
21 program, the way Islip did the program, they
22 concede it's a Type I action. That it's a change.
23 You'd never had a license program for aquaculture
24 before, so the process that I would envision and --
25 in both cases, they ended up at a negative

1 declaration, but they ended up at a negative
2 declaration by putting the program through
3 committee and doing all the diligence that much of
4 it's similar of what you would do at an impact
5 statement but coming to grips with stakeholders and
6 deciding where, like, in Suffolk County, out East,
7 they said we're going to designate cultivation
8 zones, so you find the area where the conflict
9 isn't, you can designate it as a cultivation zone,
10 and then people can, you know, work on an RFP that
11 deals with that, so those things are in the code as
12 administrative guidance prior to the change in the
13 code. Because the way this is written, it's very
14 open. You could license any lands, you know.

15 Islip said their second five-year
16 program put out 1,500 acres. The County just gave
17 back almost 10,000 acres from their original
18 cultivation zone, and the cultivation zones are
19 something where you do the productivity survey, you
20 make sure there's no natural shellfish there. You
21 don't necessarily have to privatize land to do the
22 cage culture aquaculture. You could actually have
23 four, 100-acre lots where you do rotation, and the
24 people who are licensed to put down the cages on a
25 lot, rotate the lot, so one lot at the end of the

1 system ends up open to the public every year with
2 some of the shellfish that they planted on the
3 bottom accruing to the public.

4 I think everybody should understand how
5 baymen on this Island have become uncomfortable
6 because of these very large leases that came up in
7 the past, and some of the practices, really -- Blue
8 Point's on the Great South Bay, you know, converted
9 from transplanting oysters from the Chesapeake to
10 straight-up harvesting the natural clams in one of
11 the most productive bays on the East Coast to the
12 point where by the early '90s, they were running a
13 conveyor boat all day to dig two bushels of clams.
14 That, actually, ground down -- the side scan sonar
15 shows reefs that were existing in the bay on the
16 Blue Point property that were ground down by that
17 continuous conveyor hydraulic dredging, and the
18 area next to it that had only a hand-harvesting
19 history still had those old thousands of year old
20 shell reefs that are the productive bottom.

21 So we want a productive bay, and we
22 understand that there's going to be aquaculture.
23 It's just, I think, you need to look at it as it's
24 better in terms of making the code change to do it
25 in the context of a SEQRA Type I because you really

1 are proposing a new way of doing aquaculture, so
2 everybody can sit down and get in the room and -- I
3 can be dismissed. I'm an angry clam digger, that's
4 fine, but Billy's here, and he wants to save his
5 harbor, and I want to see him have a chance to save
6 it.

7 There's a lot of hyperbole about what
8 shellfish can do for you, and what they can't, and
9 I disagree with a lot of it because I see it's
10 commercial shellfish aquaculture is trying to come
11 in, and they really don't want to leave a place to
12 stand for the baymen. I get that you're saying
13 that you do, but it has not been our experience
14 over time.

15 I'm just -- I don't think that you
16 should pass this the way it is now. I think that
17 you should concede that it's a Type I action and
18 look at the process that was done with the County.
19 I'm not, like, super happy with the County's
20 process, I'm not super happy with the Town of
21 Islip's process, I commented on both of them, and I
22 would comment on this, but I've been fighting some
23 of this stuff for almost thirty years, and the
24 Suffolk County program is an example.

25 That program came about because we were

1 fighting hydraulic dredging out there, and the
2 County responded, and the hydraulic dredging
3 stopped, and they came up with an aquaculture
4 program.

5 I fought for my side of the argument,
6 they fought for their side of the argument, and you
7 end up with a much more robust program that way.
8 But if you hand it over the way it is, the license
9 to lease any lands -- an authorization to license
10 any lands within the jurisdiction of the Town, and
11 I have two RFPs to look at that are vastly
12 different, but they -- but I can't tell what you're
13 actually trying to authorize. You're trying to
14 give yourself a power that I can't see.

15 SUPERVISOR SALADINO: There's a reason
16 for that, Robert. You'll be very happy to know
17 we're not voting on this today. This is the mere
18 beginning of a process. We're having a hearing
19 because that's the proper legal way to get the
20 information out there and start the discussion, so
21 you will be very happy to know we're going to
22 continue to listen to you and all of the
23 stakeholders, and I'd like to make the suggestion
24 that you speak with Frank Scalera on some of the
25 legal issues and speak with Deputy Commissioner

1 Baptista to make sure that we've heard all of your
2 concerns and that that becomes part of our process.

3 We're going to -- our plan is to
4 empower the Department to evolve to a process that
5 works. The baymen have been very happy with us in
6 terms of what we've been doing by building and
7 expanding our seed program. Our hatchery has been
8 very successful, but that's just one of many
9 programs, so I want you to rest assured that we
10 will work with you -- the baymen -- all of the
11 stakeholders.

12 And in terms of the public's
13 perception, this is not a hearing on hydraulic
14 dredging, and I understand your concern, and I also
15 understand why you might choose to use this
16 opportunity to get information out about that.

17 We want our program to be way better
18 than Nassau County's, make improvements way beyond
19 the Town of Islip or anyone else who does this, but
20 we're all in agreement that the new processes,
21 while change comes tough, we get that, but we want
22 to continue to work on a process that's inclusive,
23 that allows for more types of aquaculture than the
24 Town has seen.

25 Because now these pursuits are becoming

1 the norm throughout the world, and the Town of
2 Oyster Bay would like to look at this and see what
3 we could do as well, but it's very important for
4 you, for Bill, for everyone to know that we will
5 not diminish the role and the right of baymen to
6 continue to harvest and to continue to work in our
7 bay. And I hope we've made it very loud and clear
8 with our actions, with working with great
9 organizations like Friends of the Bay, other
10 environmental groups, but most importantly, the
11 people who make their living on the water --
12 especially the individuals -- that we get it, and
13 that we will continue to collaborate with you, and
14 I do -- we do thank you for being here today and
15 for your great interest, and it's not falling on
16 deaf ears.

17 So I'd ask you to start working today
18 to get some clarification on the issues you brought
19 up. Frank Scalera will be available to speak with
20 you, or if you'd like to get his phone number --

21 MR. WEMYSS: I work on it every day.

22 SUPERVISOR SALADINO: All right.

23 So thank you for being here. Thank you
24 for providing that information, but keep working
25 with us. We want this to be effective. We want to

1 do it right, and we want to embrace all of the
2 different ways that we oxygenate the bay, that we
3 continue to keep the bay cleaner, but more
4 prolific, so that we can fix the problems.

5 One of my first meetings here as
6 Supervisor in 2017 was listening to baymen come and
7 tell us of the depletion of the resource, and we're
8 turning that around, and nobody can disagree with
9 that.

10 MR. WEMYSS: But the guys are not --
11 it's going to take a while. You're not going to
12 hatch your way out of this problem. It helps, but,
13 really, it's the habitat that's damaged. These
14 guys are digging the big clams out of the harbor.
15 The landings are down. Before COVID, they were
16 down. Going from smaller clams that they would be
17 normally harvesting to larger clams, so you get,
18 maybe, a similar volume, but not the same value
19 and, certainly, not the same number of clams, and
20 the last clam density survey shows it. There is no
21 seed behind this.

22 Most of the commercial guys are out in
23 the Sound. Supplementing with seed is great, but
24 you need the natural productivity to come back.
25 Whatever happens -- spawn or sanctuaries and

1 putting seed in -- it hasn't seemed to result in a
2 ubiquitous increase in spawning and recruitment,
3 and that's what we need. We need shelling programs
4 that bulk up the bottom where the bottom is too
5 soft to support shellfish. We have all these
6 rotational management ideas that Billy and I talk
7 hours and hours about --

8 SUPERVISOR SALADINO: That's what this
9 is about, Robert. We want to hear, we want to
10 learn from your experience, we want to continue
11 that, so I'm asking for your commitment to continue
12 to work with us, to collaborate with us, and we've
13 proven our concern and our commitment.

14 I'll give you one small example. The
15 pandemic hits, and some leaders decided that the
16 best approach is shutting down marinas, shutting
17 down docks, shutting down launching ramps.

18 In the County, they came in with
19 forklifts, and they took the docks, and they put
20 them parallel, nobody could use the ramps. Whether
21 it was a fireman trying to make a rescue to save
22 someone's life or the essential workers -- the
23 baymen -- who got the definition of essential
24 because they're food harvesters, we didn't shut
25 down our ramps. Not one day. We didn't do what

1 Laura did in Nassau County. We took a better
2 approach. That's one small example.

3 We're going to continue to listen, to
4 work with you, and I want for our -- for people to
5 look back decades from now and say thank God they
6 did the right things because now we have a bottom
7 with real structure. They stopped things that
8 damaged the bottom, and they made sure they grew
9 out the resources, and they expanded the resource
10 opportunities for the littlest companies to
11 everyone who wants to embrace new technology -- new
12 green technology -- to make our environment much
13 better.

14 So please promise us that you'll work
15 with our Department, get some of your questions
16 answered on the legal issues you brought up with
17 Frank, work with George and Environmental
18 Resources. We want to learn from your experience
19 so that we can be much better.

20 MR. WEMYSS: We looked at the two RFPs,
21 and I'm the guy who always complains, but there was
22 nothing in the way they were structured that made
23 those RFPs available to the guys who really have
24 the tenure in the harbor.

25 SUPERVISOR SALADINO: We made changes

1 already that made it --

2 MR. WEMYSS: Yeah, but it was
3 impossible for them to meet the bar.

4 Now, my opinion, and this is -- how it
5 is federally in the law, Magnuson-Stevens Fishery
6 Act says that, you know, these things need to be
7 fair and equitable to all fisherman. These are the
8 fisherman. The least recognized fishing community
9 in the United States is the in-shore shell
10 fishermen that have been here from Colonial times,
11 and their stake -- it should have been a priority
12 in the RFP to make sure -- if anybody, they were
13 the first ones who had the opportunity to come up
14 with something because they're the ones that have
15 to tell you, look, we have all these public trust
16 issues with leasing and privatizing land and
17 closing it off from public use.

18 I just gave you an example of a
19 rotational management that does no permanent
20 alienation of underwater land and uses rotation,
21 and you can add a fifth rotation lot or a fifth lot
22 into it. That's always a sanctuary. We believe in
23 sanctuaries, but none of that was really on the
24 table. It was do you have enough insurance, can
25 you do this, can you do that.

1 SUPERVISOR SALADINO: Robert, rather
2 than get into a debate in this situation, speak
3 with our Town Attorney. I'm not pushing you off to
4 a middle management person. He's the top guy,
5 and --

6 MR. WEMYSS: We'll do it, and --

7 SUPERVISOR SALADINO: -- we want --

8 MR. WEMYSS: I appreciate your time,
9 and I've taken enough of it.

10 SUPERVISOR SALADINO: -- to work with
11 you. But we want to work with you. We want to get
12 it right, and our priority are the people who make
13 their living on the waters. We've continued to
14 prove it in so many ways.

15 Do you know the destruction that would
16 have happened if we sat idly by and allowed a
17 bridge or tunnel to Rye or Connecticut to be built
18 in these pristine waters?

19 It would have destroyed the habitat
20 permanently. We stopped that, and we're damned
21 proud of the fact that we stopped the bridge or the
22 tunnel. The amount of pollution it would have
23 dumped into the area and the water would have been
24 something we could never get over. We never would
25 have been able to come back from that. We stopped

1 that. We're here to continue to work with you.

2 MR. WEMYSS: But my harbor in
3 Huntington never got over the hydraulic dredging,
4 and this harbor has never -- it's twenty years
5 later.

6 SUPERVISOR SALADINO: That's why I ask
7 you, man-to-man, to work with Frank. He will
8 describe to you the different processes and the
9 changes that we're putting in place that will make
10 you very happy.

11 MR. WEMYSS: I'll do that. I
12 appreciate your time.

13 Thank you.

14 SUPERVISOR SALADINO: Thank you very
15 much.

16 Is there anyone else who would like to
17 be heard on this hearing?

18 (Whereupon, there was no response from
19 the Board or members of the audience.)

20 SUPERVISOR SALADINO: Please let the
21 record reflect that no one else has raised their
22 hand.

23 MR. SCALERA: Supervisor, Members of
24 the Town Board, I just want to address -- is it
25 Robert's -- Robert's query about the SEQRA.

1 The Environmental Conservation --

2 SUPERVISOR SALADINO: You might have to
3 explain to the public what SEQRA is briefly so that
4 they understand what you're talking about.

5 MR. SCALERA: SEQRA is the State
6 Environmental Quality Review Act, which is the
7 regulations that come from Environmental
8 Conservation Law of the State of New York.

9 Let's just clarify this quickly here,
10 and, of course, we'll speak further. The act of
11 writing words and amending a statute, a local law,
12 that is a routine and continuing administrative
13 action, which doesn't require a Type I finding.
14 The actual applications down the road, if we pass
15 this law, and there are applications for
16 aquaculture types of uses, those will be separately
17 looked at by the same Environmental Conservation
18 Law and SEQRA and will also be looked at in
19 connection with the State jurisdiction, the Fish
20 and Wildlife jurisdiction, and any and all other
21 regulations that are under the Town jurisdiction as
22 well as other government entities. So I just
23 wanted to clarify --

24 SUPERVISOR SALADINO: So, Frank --

25 MR. SCALERA: -- it doesn't -- for the

1 purpose of writing down words to amend a statute,
2 that is a continuing and routine act.

3 SUPERVISOR SALADINO: -- to relieve the
4 concerns of the public, and those who make their
5 living in the marine environment, and those with
6 deep concerns -- just like us -- for the
7 environment, is it safe to say that this is not the
8 end of the process --

9 MR. SCALERA: Not at all. Not at all.

10 SUPERVISOR SALADINO: -- this is more
11 the beginning of the process.

12 MR. SCALERA: And you don't know yet
13 because it's a hypothetical what the applications
14 will be in the future if, indeed, you pass this
15 amendment.

16 We don't know --

17 SUPERVISOR SALADINO: For one example,
18 Frank, is that new companies would come in and
19 present ideas of what they'd like to grow in the
20 bay.

21 MR. SCALERA: Correct.

22 SUPERVISOR SALADINO: And we would
23 listen to that and evaluate it.

24 MR. SCALERA: Not just listen, but what
25 George Baptista said, we could put other

1 regulations on it that protect the quality and the
2 environment and the ecology of bay.

3 This is just a starting point. You
4 don't know what the applications are. Is somebody
5 going to ask to do something in ten feet of water,
6 five feet of water, is it going to be this type of
7 organism? You don't know. It's too many
8 hypotheticals.

9 SUPERVISOR SALADINO: Is it safe to say
10 that any change we make will fully embrace our
11 desire to bring green technology and protect the
12 health of the bay?

13 MR. SCALERA: Correct.

14 Well, what I'm seeing from this law and
15 some of the background that you've heard from
16 George Baptista and the Department of Environmental
17 Resources, there's a lot more going into this that
18 addresses all concerned, in a positive way, in a
19 favorable way.

20 SUPERVISOR SALADINO: Frank, as the
21 Town Attorney, please make sure to get the names
22 and contact information of those here so you have
23 the responsibility of contacting them.

24 I want to make sure that all of their
25 questions are answered, and that we collaborate

1 with them in any process that we move forward on.

2 MR. SCALERA: Very well. Very well.

3 I just want to make sure that before we
4 close out this hearing, there were -- there is a
5 letter from someone, I think it's David Berg, a
6 principal of DLB Planning, LLC.

7 Sheila, do you have the original?

8 I think she has the original, so that
9 will be submitted as part of the record. The
10 gentleman was here, I don't know if he's still here
11 now, he asked that it be submitted on behalf of
12 that company.

13 There was, also, again, this is what I
14 know. I know there's other things that were in the
15 record. There was an e-mail sent to the
16 Supervisor's Office by Eric Swenson, who was for
17 thirty years -- he's now retired from the Town --
18 but he served as the Superintendent of
19 Environmental Control for the Department of
20 Environmental Resources. I don't know if you have
21 that e-mail.

22 Rich, we'll put it into the record as
23 well --

24 (Whereupon, documents were handed to
25 the Town Clerk.)

1 MR. SCALERA: -- and based upon -- at
2 that point, I'm completed with this part of the --

3 SUPERVISOR SALADINO: And just to bring
4 clarity in all those correspondence, they are in
5 support of us beginning a process --

6 MR. SCALERA: They were in support of
7 this --

8 SUPERVISOR SALADINO: -- of
9 aquaculture.

10 MR. SCALERA: Excuse me.

11 Those two letters or those two
12 communications were in support of this particular
13 amendment to the local law, and, of course,
14 speaking with Michele Johnson -- Councilwoman
15 Johnson -- who also spoke to Bill Painter, the
16 President of the Baymen --

17 SUPERVISOR SALADINO: Good man.

18 MR. SCALERA: -- we typically leave the
19 record open on such a proceeding like this for
20 thirty days; however, because of all the concerns
21 that we knew -- that we know, and we also know from
22 Robert speaking here today, the request would be to
23 keep the record open for sixty days, which gives us
24 plenty of time to vet out all the concerns --

25 SUPERVISOR SALADINO: And more

1 importantly, it gives the public plenty of time --

2 MR. SCALERA: Absolutely.

3 SUPERVISOR SALADINO: -- to
4 collaborate, to provide us information.

5 This does not delineate what we're
6 going to do. It provides the opportunity to
7 explore many other options.

8 MR. SCALERA: That is true.

9 SUPERVISOR SALADINO: Thank you so
10 much.

11 MR. SCALERA: So I'm requesting that a
12 motion be made that the public portion of this
13 hearing be closed, and that the record be kept open
14 for sixty days.

15 SUPERVISOR SALADINO: First, we're
16 going to ask of our Town Clerk about
17 correspondence, postings and mailings.

18 MR. LaMARCA: We have Affidavits of
19 Posting and Publication.

20 There is correspondence on file, which
21 have been distributed to the Town Board.

22 There is no other correspondence.

23 SUPERVISOR SALADINO: May I have a
24 motion?

25 COUNCILWOMAN JOHNSON: Supervisor, I'll

1 make a motion that this public hearing be closed,
2 and the record be kept open until October 16, 2021,
3 which is sixty days from today.

4 COUNCILMAN IMBROTO: Second the motion.

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

7 ALL: "Aye."

8 SUPERVISOR SALADINO: Those opposed,
9 "Nay."

10 (Whereupon, there were no "Nay"
11 responses from the Board.)

12 SUPERVISOR SALADINO: The "Ayes" have
13 it.

14 So we will be leaving the record open
15 for a minimum of sixty days giving everyone plenty
16 of opportunity to correspond with us, to meet with
17 us.

18 Gentlemen, you see George Baptista
19 right behind you, one of our point people on this.
20 We have made the commitment of working with the
21 environmental groups that are so important to us --
22 all of them -- and with professional services to
23 get it right.

24 We look forward to improving our
25 environment in the bay, and we feel this is one of

1 the first steps to embrace green technology, modern
2 procedures, and to continue to increase oversight
3 over one of the most important natural resources we
4 have. Without oysters, there is no Oyster Bay.

5 Thank you. Thanks everybody for being
6 here today.

7 (TIME NOTED: 11:32 A.M.)
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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
August 17, 2021
11:33 a.m.

HEARING - CONDEMNATION

To consider the condemnation of real property known as N/E/C West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street). (M.D. 6/8/21 #22).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would the Town
2 Clerk please call the next hearing?

3 MR. LaMARCA: Today's second hearing is
4 to consider the condemnation of real property known
5 as N/E/C West Barclay Street & Wycoff Street,
6 Hicksville, New York, also known as 47 West Barclay
7 Street.

8 MR. SCALERA: Good morning, again.
9 Frank Scalera, Town Attorney.

10 Supervisor, Members of the Town Board,
11 this is the second of four hearings today, but this
12 will be the last one that I present.

13 We have the two other hearings that
14 will be presented by other deputies in my office,
15 but this particular hearing is pursuant to the
16 New York State Eminent Domain Procedure Law,
17 pursuant to a Resolution from last month.

18 Public notice was posted on the
19 bulletin boards for the notice of this hearing
20 today, as well as notice was mailed to the property
21 owners of record regarding this hearing today, both
22 pursuant to New York State Law.

23 This is a public --

24 SUPERVISOR SALADINO: And we made this
25 clear about this hearing, obviously, in places like

1 our website.

2 MR. SCALERA: Excuse me. Yes.

3 Our typical, that we followed by law:
4 Website, bulletin board, north -- Town Hall North
5 and Town Hall South and, of course, because it's a
6 New York Eminent Domain Law proceeding, a direct
7 mail to the owners of record in the Assessor's in
8 the County.

9 SUPERVISOR SALADINO: As well as
10 notification of the hearing in the media.

11 MR. SCALERA: Exactly. Exactly.

12 SUPERVISOR SALADINO: Thank you, Frank.

13 MR. SCALERA: So we're considering --
14 the Town of Oyster Bay is considering the possible
15 acquisition of real property known as the northeast
16 corner of West Barclay Street and Wycoff Street.
17 It's in Hicksville, and it's commonly known as
18 47 West Barclay Street, designated as Section 11,
19 Block 185, Lots 2 and 8 on the Land and Tax Map of
20 Nassau County.

21 This parcel is a privately owned
22 parking lot. No structures, but a paved parking
23 lot approximately 21,149 square-feet or about a
24 half an acre in size and, again, improved as a
25 commercial paved open parking lot and located in

1 what we call now the HD-1 Hicksville downtown core
2 sub-district.

3 This hearing will determine, pursuant
4 to the Eminent Domain Law, the public purpose, the
5 need and location of a commuter parking lot, which
6 is considered a public use before any acquisition
7 can be made.

8 Now, before we begin any substantive
9 portion -- the substance of the hearing -- I would
10 like to set forth, again, the procedural
11 requirements pursuant to New York Eminent Domain
12 Law, which is necessary to hold this hearing. This
13 is the legal nuances, and they have been met.

14 As I mentioned earlier, pursuant to
15 Resolution No. 412-2021, which was adopted on
16 July 13, 2021, by this Board, this Board authorized
17 the notice and publication of this public hearing
18 in newspapers and communicated to the property
19 owners of record, which I mentioned just moments
20 ago.

21 Original Affidavits of Publication,
22 including the notice of this hearing in five
23 successive issues of a daily newspaper of general
24 circulation, and that was done, as well, by the
25 department -- excuse me, the Division of

1 Legislative Affairs of my office, because in an
2 Eminent Domain proceeding, you have to do five
3 successive postings in a newspaper.

4 Now, I just want to ask Mr. LaMarca,
5 the Town Clerk, are those affidavits on file?

6 MR. LaMARCA: Yes, there are.

7 MR. SCALERA: Okay.

8 I'm also submitting to the Town Clerk
9 and to the Board, these are the original Affidavits
10 of Service by Alicia Lazarek, who is support staff
11 in my office -- of the Town Attorney's office,
12 indicating that the notice was sent to the property
13 owners of record together with the Certified
14 Mailing Return Receipts and green cards for the
15 relevant individual entity.

16 So these are the Affidavit of Service
17 and the Return Receipts for the mailing to the
18 property owners of record (indicating), and that is
19 pursuant to, obviously, New York State Eminent
20 Domain Procedure Law.

21 (Whereupon, the above-mentioned
22 documents were handed to the Town Clerk.)

23 MR. SCALERA: So the New York State
24 Eminent Domain Procedural Law requires
25 substantiating the purpose of the proposed

1 acquisition in addition to informing the public of
2 the proposed taking and a review of the public
3 purpose associated, therewith. And this hearing
4 will also review the impact of the proposed use on
5 the environment.

6 When I say "the impact of the proposed
7 use on the environment," once again, we're talking
8 about the Environmental Conservation Law and the
9 SEQRA regulations as we mentioned earlier.

10 SUPERVISOR SALADINO: Which are the
11 mandates set forth by New York State in Albany --

12 MR. SCALERA: Correct.

13 SUPERVISOR SALADINO: -- the
14 Legislature -- to tell towns how to operate, and
15 what the mandates are that we must follow.

16 MR. SCALERA: Correct.

17 SUPERVISOR SALADINO: Are we following
18 all the mandates the State has asked?

19 MR. SCALERA: Yes.

20 SUPERVISOR SALADINO: Are we in
21 compliance fully?

22 MR. SCALERA: We have, and we will
23 continue to do so in this hearing, and in the
24 proposal as well.

25 SUPERVISOR SALADINO: Thank you.

1 MR. SCALERA: So to that end, the
2 purpose of providing the empirical evidence of the
3 basis of this taking or purchase of the subject
4 parcel in Hicksville for the purpose of having a
5 commuter parking lot for the commuting residents of
6 the Town of Oyster Bay, we have with us, who we had
7 last month on another hearing, we have with us
8 Mr. John Ellsworth, who is an Environmental
9 Planning Specialist at Nelson, Pope & Voorhis, and
10 he will address the Board.

11 Mr. Ellsworth will also provide the
12 relevant information in connection with the
13 environmental impact of the proposed use, and it
14 also -- that environmental information that
15 Mr. Ellsworth is going to propose here is also
16 being double checked and reviewed by the Department
17 of Environmental Resources of the Town of Oyster
18 Bay.

19 So right now, I want to introduce
20 Mr. John Ellsworth. I don't know if he has his
21 curriculum vitae or résumé with him. You can
22 submit to the Town Clerk --

23 (Whereupon, the above-referred to
24 document, résumé, was handed to the Town Clerk by
25 Mr. John Ellsworth.)

1 MR. SCALERA: -- and if you choose to
2 ask him questions about his background to qualify
3 him as an expert, but I've been working with John
4 Ellsworth for twenty years, and I can tell you he
5 is an expert in his field and his résumé --

6 SUPERVISOR SALADINO: For the record,
7 we understand his professionalism and experience,
8 and we consider him an expert.

9 MR. SCALERA: Very well. Thank you.

10 SUPERVISOR SALADINO: Thank you.

11 Good morning.

12 MR. ELLSWORTH: Good morning,

13 Mr. Supervisor and Members of the Board.

14 As Mr. Scalera mentioned, my name is
15 John Ellsworth, I'm with Nelson, Pope & Voorhis, 70
16 Maxess Road, Melville.

17 Nelson, Pope & Voorhis was requested by
18 the Town to analyze the public use purpose and
19 benefit that would be served by this proposed
20 acquisition.

21 As shown in our report, which I'm going
22 to submit to the Board in a little while, the
23 proposed acquisition would serve public purpose and
24 benefit of ensuring that the site -- half-acre site
25 that's used for paved parking is retained as an

1 important public parking resource serving
2 Hicksville station.

3 (Whereupon, the above-referred to
4 document/report was handed to the Town Clerk.)

5 SUPERVISOR SALADINO: Which is,
6 Hicksville, of course, is the busiest railroad
7 station in all of Long Island.

8 MR. ELLSWORTH: That is correct.

9 It's -- of the whole Long Island Rail
10 Road system, it's only behind Penn Station and
11 Jamaica Station, so that's where it fits in the
12 pecking order.

13 SUPERVISOR SALADINO: Thank you.

14 Please, continue.

15 MR. ELLSWORTH: The analysis that we
16 performed includes a review of the appraisal report
17 that was submitted to the Board, photographs, maps,
18 other relevant information sources.

19 We also inspected the site and
20 surrounding area on three dates: July 22nd,
21 July 28th and August 3rd.

22 The report that -- the figures for the
23 report are after the text if you want to take a
24 peek at those, and I have some of them on poster
25 boards, so I'm going to go walk over and just point

1 out where the site is and then where the station
2 is.

3 (Whereupon, Mr. Ellsworth walked over
4 to an easel displaying the materials.)

5 MR. ELLSWORTH: The site is the red
6 square here (indicating), and the station is the
7 long white platforms (indicating). That's in
8 figure -- I believe it's Figure 1, the Location
9 Map.

10 It's important to note how close this
11 site is to the train station. It is literally
12 across the street from the main entrance to the
13 station.

14 (Whereupon, Mr. Ellsworth walked over
15 to an easel and changed the display materials.)

16 MR. ELLSWORTH: Figure 2 in the report
17 shows a closeup of the subject property.

18 Again, it's about a half an acre, it's
19 completely paved, and it's marked for 65 spaces.
20 It's very efficiently laid out. It has slightly
21 diagonal spaces, so you can get as many spaces in
22 there as the engineers could possibly get on the
23 site.

24 (Whereupon, Mr. Ellsworth walked over
25 to an easel and changed the display materials.)

1 COUNCILWOMAN WALSH: Can you do me a
2 favor? Could you just turn it so that they can
3 see?

4 MR. ELLSWORTH: Turn it to the
5 audience?

6 COUNCILWOMAN WALSH: Yes.

7 (Whereupon, the easel displaying the
8 materials was moved to accommodate easier viewing
9 for the audience.)

10 MR. ELLSWORTH: The board that's up
11 now -- the photographs come after the figures in
12 the report -- and this gives you a sense of how
13 close it is.

14 This is at the back end of the parking
15 lot, so you see the whole parking lot, and that big
16 structure in the distance is the station. So it is
17 approximately 300 feet from the main entrance to
18 the station, and at an average person's walking
19 speed, you can get there in a little over a minute,
20 so that's how convenient this site is.

21 (Whereupon, Mr. Ellsworth walked over
22 to an easel and changed the display materials.)

23 MR. ELLSWORTH: The list of figures
24 also includes a parking lot map. This parking lot
25 is part of an extensive network of parking

1 resources around Hicksville station.

2 It is -- other than the two parking
3 lots that are right up against the station, which
4 are designated as H2 and H18, this is the closest
5 parking lot to the station. Other parking lots --
6 H2 and H18, again, the ones right next to the
7 station, there's H16, which is a little bit further
8 to the west, and then H17, which is across the
9 street. The Town parking garage, which is
10 designated as H1, is the big blue box just to the
11 south of the station.

12 There are lots further to the east
13 across Newbridge Road and then continuing across
14 Broadway, and some of them -- those lots are as
15 much as a quarter mile or more from the station.
16 Again, this is 300 feet from the station.

17 While I was out in the field, I made
18 observations of the parking that was occurring on
19 this particular property and in the surrounding
20 area. And it wasn't an official parking
21 utilization study; it was just spot checks while I
22 was out there to see what was going on.

23 For the subject property, again, I
24 visited three dates, two in July and one in August.
25 The average occupancy was 98 percent. On one day

1 it was completely full, on another date there was
2 one empty spot, and these sorts of things happen
3 during the day when people pull out and people
4 haven't figured out that there's a space that is
5 open there yet.

6 So that parking lot, based on my
7 observations -- my spot observations -- is full at
8 the time of -- and this was 10:00, 11:00 in the
9 morning on those three dates.

10 The two parking lots right up against
11 the station, again, they're H2 and H18, were
12 essentially full. There were, maybe, a couple of
13 handicapped spaces and then, maybe, one space where
14 somebody came in during the middle of the morning,
15 and people didn't see that there was an available
16 space.

17 H17 -- excuse me, H16, which is the one
18 just west of the two right up against the station,
19 that was mostly full, and it was completely full on
20 one day, and the far west end, the furthest from
21 the station, there were some spots in that area on
22 the other two days.

23 And then H17, which is across West
24 Barclay Street, from that one, was a little less --
25 seemed to be a little less than half full, so there

1 were spaces in that area. When you go further to
2 the east going across Newbridge Road and then
3 Broadway, there was, admittedly, a lot of parking
4 that was available in that area.

5 (Whereupon, Mr. Ellsworth walked over
6 to an easel and changed the display materials.)

7 MR. ELLSWORTH: Based just on that
8 information, the proposed acquisition would serve a
9 public benefit and purpose of allowing the Town to
10 ensure that the subject property remained as a key
11 element in the inventory parking that's available
12 for Hicksville station.

13 Observations, again, just to put a fine
14 point on it, this is one of the most heavily
15 utilized parking lots in the entire system. It's
16 very convenient. It's a stone's throw from the
17 station.

18 It's also important to point out that
19 the Strategic Investment Plan, which was prepared
20 in March 2018, and that was what led up to the
21 rezoning of Downtown Hicksville, that was prepared
22 under the highly publicized \$10 million grant for
23 Downtown Revitalization Initiative, specifically
24 identified this property to be retained as parking.

25 Beyond the immediate considerations of

1 the property's advantageous location and current
2 high level of usage, along with the recommendations
3 of the Downtown Revitalization Initiative, there
4 are several other important factors that come into
5 play.

6 The station very recently underwent a
7 major renovation -- \$132 million. It was completed
8 in 2018, and right after that work was completed,
9 the station saw record number of passengers going
10 through.

11 Additionally, the Long Island Rail Road
12 is undertaking two large systemic expansions
13 expecting to increase passenger traffic through
14 Hicksville station. Both of those projects are
15 expected to be completed by the end of next year.

16 The first one -- the Board is well
17 aware of what's going on there -- the Third Track,
18 and that will add to the two existing tracks a
19 parallel third track for the approximate ten-mile
20 stretch between Floral Park and Hicksville station.
21 And the second big project is the East Side Access
22 Project, which will provide a second Long Island
23 Rail Road terminal in Manhattan.

24 Currently, Long Island Rail Road's only
25 terminal is at Penn Station. So if you wanted to

1 go uptown, you go into Penn Station now on the Long
2 Island Rail Road, and then you have to subway,
3 Uber, or taxi, something like that. At the end of
4 next year, when the west side -- East Side Access
5 is open, you'll be able to go in there, and you'll
6 have greater access to a larger part of Manhattan.

7 The Environmental Impact Statement for
8 the Third Track -- this is important because it's
9 also going to show why it's essential to retain the
10 existing parking that you have.

11 The Environmental Impact Statement for
12 the Third Track Project included an MTA proposal
13 for two new parking -- and I know the Board is
14 aware of this too -- two new parking garages to
15 replace Town lots H17 and H16, which are the ones
16 to the west of the two that are right up against
17 the station with a total net increase in parking of
18 909 spaces, and the Environmental Impact Statement
19 expressly stated that these garages were intended
20 to accommodate increased demand for parking -- and
21 this is the words right out of the Environmental
22 Impact Statement -- that would result from the two
23 major projects, the Third Track Project -- the
24 Environmental Impact Statement for the Third Track
25 Project, but they also looked at the cumulative

1 impacts with the East Side Access.

2 The parking garages would accommodate
3 increased demand for parking that would result from
4 the two major projects and also indicated
5 uncertainty about whether 909 spaces would be
6 sufficient, and they acknowledge that the situation
7 would have to be monitored to determine if they'd
8 have to do anything after building two parking
9 garages. That's right in the Environmental Impact
10 Statement.

11 Unfortunately, the MTA subsequently
12 decided not to pursue the expanded parking in
13 Hicksville and, therefore, depriving the Town of
14 the 909 parking spaces that they, essentially,
15 promised as part of the Third Track and East Side
16 Access projects, and, again, those projects are
17 nearing completion, scheduled by the end of next
18 year.

19 Now, the 800-pound gorilla, the
20 COVID-19 pandemic.

21 Certainly, the level of usage of the
22 Long Island Rail Road has seen substantial decline
23 since the pandemic started. This was most severe
24 during the lockdown. The initial closures, and
25 this Board tried to keep things as open as

1 possible, but everywhere felt -- in the early part
2 of last year when they were trying to control the
3 spread of the virus, the Long Island Rail Road
4 ridership plummeted to 3 percent of what it had
5 been before, and what it had before, in 2019, were
6 record levels of ridership.

7 Thereafter, and continuing to this day,
8 the Long Island Rail Road ridership has steadily
9 increased, and it now is over 40 percent of what
10 they had in 2019 at their record high. That's in
11 July and August of this year during the weekday
12 peak hours when you'd most need the parking at the
13 station.

14 The MTA's projections indicate that a
15 rebound in ridership to approximately 80 percent of
16 pre-pandemic levels by 2025, so they're still
17 forecasting that it will continue to go up, and
18 that's consistent. That's not only the MTA. There
19 are other sources that have looked at it and have
20 agreed that the number is about 80 percent.

21 The projected 80 percent recovery of
22 the Long Island Rail Road ridership volumes in the
23 next few years, as compared to the 2019 peak, would
24 represent a doubling from what we have right now.

25 So it can be reasonably anticipated

1 that compared to what's going on at the station
2 now, you're going to need twice as much parking
3 just for their normal increase following the
4 pandemic to reflect the recovery of the economy.

5 Ultimately, with increased ridership
6 expected from the Third Track and East Side Access
7 projects -- and once the recovery from the economic
8 slowdown has achieved a steady state of the new
9 normal -- patronage of the railroad and associated
10 demand for parking at Hicksville station will
11 adjust accordingly. This increased demand will
12 have to be accommodated by the existing parking
13 facilities without the 900-plus spaces that were
14 planned in the two parking garages.

15 Immediately prior to the pandemic,
16 demand for parking around the station, and, again,
17 the Board is well aware of this, greatly exceeded
18 the available supply, and that was reflected in
19 people parking wherever they could find a spot and
20 running to the station. There was also a big
21 business in private parking where the -- I don't
22 know what they ended up -- what the most recent
23 rates were, but it was on order of \$10 a day just
24 to park your car and then get on the train and go
25 into Manhattan.

1 Therefore, if the trend of increasing
2 community use continues, and with the anticipated
3 benefits for Long Island Rail Road riders upon
4 completion of the Third Track and East Side Access
5 projects, there's a potential for a return to a
6 pre-pandemic situation, whereby, demand for
7 commuter parking exceeds available supply of
8 designated spaces.

9 So, in conclusion, the proposed action
10 involving acquisition of the subject property by
11 the Town would ensure continuing availability of
12 the site for public parking, which is a critical
13 ancillary use supporting the viability of the
14 important transit resource at Hicksville station.

15 Observations made during my
16 investigation indicate that the subject property
17 presently is one of the most heavily utilized
18 parking lots around the station during peak periods
19 of commuter demand and, therefore, is one of the
20 most important components of that system of parking
21 facilities around the station.

22 COVID-19 has had a major impact on the
23 Long Island Rail Road, but the railroad has
24 rebounded significantly since the height of the
25 pandemic early in the lockdown -- early part of

1 2020 -- but it's still well below the 2019 peak.
2 It's anticipated that ongoing upward in trend in
3 overall Long Island Rail Road ridership will
4 continue with projections, again, indicating an
5 approximate doubling from current levels, and this
6 is just on the normal recovery -- economic
7 recovery.

8 Based on this factor alone, it's
9 reasonable to assume that there will also be a
10 commensurate doubling of demand for parking around
11 Hicksville station.

12 Under this scenario, the proposed
13 acquisition will serve a public purpose and result
14 in a public benefit in terms of allowing the Town
15 to continue providing convenient parking -- public
16 parking -- within a short walking distance of the
17 station.

18 Beyond that simple evaluation about the
19 current level of parking utilization and the
20 projected continuation of the general upward trend
21 in the ridership of the railroad, there are several
22 compounding factors, which are expected to magnify
23 the demand for parking around Hicksville station
24 and these include: The anticipated effect of the
25 Third Track and East Side Access projects scheduled

1 for completion, again, it's less than a year and a
2 half away, what they're projecting; a significant
3 shortfall in the number of available commuter
4 spaces around the station that was experienced
5 immediately prior to the onset of the pandemic;
6 and, again, the MTA's decision to drop the proposal
7 to provide 900-plus additional parking spaces near
8 the station in conjunction with their two big
9 projects.

10 When considering the cumulative effect
11 of these factors, there's a potential for return to
12 pre-pandemic situation, whereby, demand for
13 commuter parking exceeds available supply of
14 designated parking spaces, and under these
15 circumstances, the proposed acquisition will serve
16 the public purpose and benefit of continuing to
17 provide parking for 65 commuters who would
18 otherwise be displaced if the Town lost the use of
19 that parking.

20 And, finally, although the subject
21 property currently is operated as a commuter
22 parking lot under the Town's control -- that's the
23 existing condition -- this situation is contingent
24 upon the tenuous month-to-month rental arrangement,
25 which the owner can terminate at any time.

1 The Town's proposal to acquire the site
2 will ensure that the important public parking use
3 of the site can continue, and that the public
4 purpose and benefits discussed -- that I've
5 discussed previously -- can be realized
6 indefinitely into the future.

7 So that concludes the public purpose
8 and benefit portion, and now I'm going to discuss
9 the environmental impact of the proposed action.

10 (Whereupon, documentation was handed to
11 the Town Clerk for distribution.)

12 MR. ELLSWORTH: We also prepared Part 1
13 of an Environmental Assessment Form, which is the
14 first step that you take in completing the SEQRA
15 review, S-E-Q-R-A review, of the -- under the
16 Environmental Conservation Law of New York State
17 that Mr. Scalera mentioned previously.

18 This is a 13-page form that provides
19 information regarding the property and the proposed
20 action -- what you're going to do with the
21 property, and this is intended to assist the Town
22 -- that goes through the Department of
23 Environmental Resources -- and they make a
24 recommendation to the Town Board in determining
25 whether there's a potential for significant

1 environmental impact.

2 So based on the information contained
3 in that 13-page form we filled out, we also
4 completed an analysis going through the full range
5 of environmental parameters that the Board needs to
6 look at in arriving at a determination of
7 significance -- basically, a decision on whether
8 the impacts are significant.

9 The proposed acquisition itself --
10 that's just transferring ownership from a private
11 entity to the Town -- that won't have any impacts
12 positive or negative, and as discussed previously,
13 the intention is once the Town acquires it, just to
14 continue the existing use as public parking, and
15 that will retain the status quo, so under SEQRA,
16 that, by definition, has no significant impacts.
17 You're not changing anything. You're going to just
18 transfer ownership from the current owner to the
19 Town, and the people who use the parking lot won't
20 even notice a difference; however, the proposed
21 action will have certain positive secondary
22 benefits by allowing the Town to continue to
23 provide this parking to its residents in
24 perpetuity.

25 All right. And that concludes my

1 presentation. I would be happy to take any
2 questions the Board may have.

3 SUPERVISOR SALADINO: Does anyone have
4 any questions for Mr. Ellsworth?

5 COUNCILMAN LABRIOLA: Well, Supervisor,
6 I don't have any questions.

7 You did a terrific job in explaining
8 the benefits to the public and the commuting public
9 in particular, and I, especially, appreciate that
10 map that you put together because I think any new
11 commuter in the Town of Oyster Bay would love to
12 have that map as they're racing around looking for
13 a parking space in the morning, so maybe we should
14 make that public, Supervisor.

15 The only thing I would ask you to do,
16 and, perhaps, this is to the Town Attorney, as you
17 make mention to the appraisal report, to make sure
18 that we have a copy of that.

19 (Whereupon, Mr. Scalera, Town Attorney,
20 nodded his head in the affirmative.)

21 SUPERVISOR SALADINO: Okay.

22 Being there are no questions of our
23 expert witness --

24 (Whereupon, an audience member raised
25 their hand to comment.)

1 SUPERVISOR SALADINO: Come on up, sir.

2 We have a speaker -- I'll tell you
3 what. Why don't we have Joel come up first? He
4 put in his slip.

5 AUDIENCE SPEAKER: Okay.

6 SUPERVISOR SALADINO: Let's be fair. I
7 see Joel smiling from ear to ear.

8 Mr. Joel Berse.

9 Good afternoon, Joel.

10 MR. BERSE: Not yet. It's still
11 morning. We made it under the gun here.

12 Good morning, everybody. It's
13 wonderful to see all of you.

14 COUNCILMAN IMBROTO: Hey, Joel.

15 MR. BERSE: It was a pleasure to walk
16 into this room this morning and see so many
17 smiling, happy faces that I haven't seen in a
18 while. I did, fortunately, get to see Vicki a
19 couple of weeks ago over at National Night Out.
20 She did a great job representing the Town --

21 COUNCILWOMAN WALSH: Thank you. Always
22 good seeing you.

23 MR. BERSE: -- and we were all hanging
24 out with the police department and minding my role
25 on the Commissioner's Community Council.

1 I jotted down quite a few notes during
2 John's presentation. I have known John Ellsworth a
3 great, great many years. I find him to be the
4 expert that the Town is recognizing him to be, and
5 think he did an excellent, comprehensive report.

6 I also on that geography consider
7 myself an expert. The only one that's sitting here
8 as an elected official that was probably involved
9 was Steve as Town Clerk dating back to 2008; am I
10 correct?

11 COUNCILMAN LABRIOLA: Yes.

12 MR. BERSE: That was when the garage
13 was being reconstructed.

14 Now, my history with the Hicksville
15 train station goes back to 1984 as an adult,
16 granted before that in 1969 as a kid who took the
17 train once in a while.

18 In 1984, I was Director of Operations
19 with Long Island Yellow Cab, and I was also the one
20 that did all the licensing work with our Town at
21 that time, so I am intimately acquainted with what
22 the regulations were for parking around the
23 station, the ins and outs of the way taxis and
24 professionals were supposed to use the station and
25 of that nature.

1 Now, in 1998, when I officially moved
2 to Hicksville and became a member of the Board of
3 the NorthWest Civic Association, I was involved
4 with Plan 2020.

5 At that time, that was supposed to be
6 for the Hicksville Revitalization, and I was an
7 observer to the most recent Hicksville Downtown
8 Revitalization Committee because at that time, I
9 felt it a conflict of interest as having been a
10 Town employee from 2008 to 2017 before I was
11 disabled.

12 In 2008, while the garage was being
13 constructed, I was also the one tasked to train the
14 bus drivers -- the routes they should take through
15 the neighborhood from the temporary parking
16 locations.

17 On top of that, I remember when this
18 particular parking lot was paved -- at Town expense
19 -- to create the lease that was done, and, I
20 believe, it's with the Thomas family; am I correct
21 with that?

22 Are they the family that owns it still,
23 Frank?

24 AUDIENCE SPEAKER: Russos (phonetic)
25 own it.

1 MR. BERSE: Oh, okay.

2 AUDIENCE SPEAKER: Spiegel (phonetic)
3 has the lease.

4 MR. BERSE: Okay. All right.

5 Well, at that time, I know Mark Thomas
6 had some involvement, but that's immaterial to now.
7 The question -- one question I would have initially
8 is what was the appraised value?

9 Are you able to release that?

10 (Whereupon, there was no response from
11 the Town Attorney.)

12 MR. BERSE: Okay. We'll table that
13 question. You're uncomfortable with it. I'll
14 table it. All right.

15 Continuing right along, one question
16 that we would have from NorthWest Civic
17 Association, that we've asked in the past is, when
18 you have issues like this in the community, can we
19 get a letter even though it is not a formal
20 residence for the Civic?

21 When something this important is going
22 on in the community -- we didn't get an official
23 letter to the Civic.

24 SUPERVISOR SALADINO: Joel, we're happy
25 to go beyond the mandates of law to alert the

1 public. You're here at a lot of Board meetings,
2 there's a lot of communication going --

3 MR. BERSE: Well, I knew.

4 SUPERVISOR SALADINO: So the answer is
5 yes, Joel.

6 MR. BERSE: Okay.

7 SUPERVISOR SALADINO: We'd be happy to
8 communicate with you.

9 MR. BERSE: All right.

10 SUPERVISOR SALADINO: We appreciate
11 your deep concern on this site.

12 Before we go any further though, just
13 so people watching on the internet and so forth
14 understand, are you in favor of us doing everything
15 possible to ensure that there is a continuance of
16 public parking on this site?

17 MR. BERSE: I am toward favoring it.

18 I have questions and things to think
19 about before making a final decision, but it's not
20 a bad idea, okay, because it has been utilized for
21 so long.

22 Currently, with the status of what's
23 going on at the train station, the only lot that's
24 consistently very empty is 17, and that's the one
25 off of West John Street behind Westy's. All the

1 others do get occupied on this side of Newbridge
2 Road by the train station to a very, very high
3 level, if not 100 percent.

4 SUPERVISOR SALADINO: And prior to the
5 pandemic, they were all full.

6 MR. BERSE: Prior to the pandemic, they
7 were all full. This is pandemic conditions for 17.
8 If I just may -- how many spots are in this lot?

9 I remember some kind of a number like
10 60?

11 SUPERVISOR SALADINO: I believe they
12 told us 65.

13 MR. BERSE: Okay. Good. So I didn't
14 remember that number.

15 Now --

16 SUPERVISOR SALADINO: Joel, in --

17 MR. BERSE: I just -- I'll be one more
18 minute -- just looking to not -- now, we have been,
19 and I, myself, over the years very intimately
20 involved with the Long Island Rail Road, especially
21 over this parking garage issue that we're talking
22 about that they are reneging on, and I want to say
23 that's not a Town thing --

24 SUPERVISOR SALADINO: Just so it's
25 clear to everyone, we're talking about --

1 MR. BERSE: -- it's the Long Island
2 Rail Road reneging.

3 SUPERVISOR SALADINO: Yes. We're
4 talking about that the Long Island Rail Road and
5 the MTA promised to build --

6 MR. BERSE: Right.

7 SUPERVISOR SALADINO: -- two parking
8 garages in Hicksville --

9 MR. BERSE: And I had given them a
10 proposal along with -- when they first started
11 talking about it -- with that Mr. Garcia -- their
12 public person -- to not only build on 16 and 17,
13 but to build where there was one level on the high
14 end that would go across West Barclay and join the
15 two garages so -- therefore, creating a safe
16 pedestrian path all the way to the station, and
17 that wasn't met as outlandish. It was met as
18 expensive. So that was what would knock that down.

19 Now, what I have realized in other
20 conversations, they just built that garage in
21 Westbury, and they're hoping to get Westbury to
22 take some of our ridership in the future, that by
23 not giving us a new garage, they're hoping it
24 transfers to there so that they can look and say
25 oh, we built a garage, but we didn't need to build

1 it over there. And part of the issue that we have
2 ongoing was if they built the garage, that there
3 should be a portion for local residents to be able
4 to park. Let's say they build 900 spots --

5 SUPERVISOR SALADINO: Joel, these are
6 exactly the things that we got across to them in
7 our meetings with the MTA.

8 MR. BERSE: I know, but I'm trying to
9 support what you're saying by putting it on the
10 record now.

11 SUPERVISOR SALADINO: Okay.

12 So we have -- everyone gets a certain
13 amount of time. You know you've exceeded that --

14 MR. BERSE: The other speaker before me
15 went well beyond that. Come on. I'm not -- I'm
16 not -- I'm not saying --

17 SUPERVISOR SALADINO: I'm not arguing
18 with you. I just want to make the point --

19 MR. BERSE: Okay.

20 SUPERVISOR SALADINO: -- that you came
21 here saying that you needed questions asked, and I
22 do make the suggestion that you meet with our legal
23 team to get your questions asked because you sound
24 like you're in favor of it, but there are certain
25 items that you would like more clarification on.

1 COUNCILMAN IMBROTO: It's clear we need
2 parking in Hicksville, right, by the train station?

3 MR. BERSE: Absolutely. Absolutely.

4 And there's no question that when they
5 did this Third Track Project and now the East Side
6 Access, there are going to be more people from
7 outside of the Town of Oyster Bay than there are
8 even now that are going to find ways to, as we call
9 it, cheat coming in and parking in our spots --

10 COUNCILMAN IMBROTO: It's always a
11 challenge.

12 MR. BERSE: -- despite the requirement
13 of having a permit.

14 SUPERVISOR SALADINO: And these are all
15 the points we did bring -- just so you rest
16 assured, these are all the points, as well as other
17 points, that we brought up in all of our meetings
18 with the MTA and the Long Island Rail Road
19 representatives in terms of their capital budget
20 and sticking to their promise that they made. They
21 even had us looking at designs and finishes --
22 would you like this type of brick, do you like this
23 color --

24 MR. BERSE: I saw some of the drawings.

25 SUPERVISOR SALADINO: Yes. So we

1 worked for a long time, and then they pulled the
2 rug out from under our residents, and we're not
3 happy about that, so this is a great opportunity
4 for all of us to send them a message -- to the
5 MTA -- that you made promises, and now you're
6 pulling the rug out, and you're saying that it's
7 because there are financial limitations.

8 Well, we see the money that they've
9 spent in other communities, and we're demanding
10 that they spend that money in the Town of Oyster
11 Bay -- the busiest railroad station in all of Long
12 Island, and as our expert told us, number three
13 behind Penn Station and Jamaica Station.

14 MR. BERSE: Right. I'm well aware of
15 that.

16 SUPERVISOR SALADINO: That speaks
17 volumes of our need for these.

18 MR. BERSE: When he spoke of walking
19 three minutes as a normal person from that parking
20 lot to the train station, as an abnormal walker,
21 from my house to the train station is ten minutes,
22 okay, so --

23 SUPERVISOR SALADINO: We do appreciate
24 your utilizing the time allotted to you, and we do
25 appreciate your tremendous passion, not only in all

1 things Hicksville, but as it relates specifically
2 to this, Joel, and we thank you very, very much.

3 I will ask you --

4 MR. BERSE: But ongoing -- moving
5 forward, though, if there comes any more discussion
6 with the railroad, they're afraid of me. They
7 don't like when I make noise, so I'd be happy to
8 make noise on behalf of the Town for this.

9 SUPERVISOR SALADINO: Thank you. Thank
10 you very much.

11 COUNCILMAN IMBROTO: Can I just have
12 the Town Attorney speak to the procedure for the
13 condemnation?

14 I don't think Mr. Ellsworth really
15 touched upon it, and I think just for the clarity
16 of the residents, it might be helpful.

17 SUPERVISOR SALADINO: It's a good
18 point, Lou.

19 Very briefly and in the people's speak.

20 MR. SCALERA: Supervisor, Members of
21 the Town Board --

22 COUNCILMAN IMBROTO: And specifically
23 why we may or may not share the appraised value.

24 MR. SCALERA: Okay.

25 First --

1 SUPERVISOR SALADINO: Thanks, Lou.

2 MR. SCALERA: Yeah, good questions,
3 Councilman.

4 SUPERVISOR SALADINO: Very good.

5 MR. SCALERA: I'll take the second
6 question first.

7 Sharing the appraised value at this
8 point would, again, would adversely affect any
9 competitive advantage in negotiations, so at this
10 point in time until --

11 SUPERVISOR SALADINO: Which means you
12 don't negotiate publically. It just drives up the
13 cost.

14 MR. SCALERA: You don't negotiate
15 against yourself.

16 And remember, we are spending taxpayer
17 dollars so giving the number away now will only
18 affect the taxpayer, so in order to get the best
19 price for the taxpayer.

20 At this point in time, we won't reveal,
21 of course, like anything else, once the action is
22 taken, if it's approved and it's accepted, the
23 offer, if there is an offer before condemnation
24 then, of course, you have to reveal it, and it will
25 be revealed in a subsequent Resolution, which comes

1 to the other question, what's the procedure.

2 First, you have a hearing such as this
3 to determine the public use. The hearing has to
4 have a Resolution to it -- meaning a decision.
5 We're not deciding today, but there comes a point
6 in time where we have to decide.

7 Now, if the Board looks favorably on
8 deciding for condemnation with the Resolution that
9 decides that the Town will move forward with
10 Eminent Domain Law, that Resolution also has to
11 have the findings of public purpose.

12 Why -- what is the public purposes of
13 the Town of Oyster Bay using Eminent Domain?

14 You would, of course, utilize some of
15 the -- not some, most of what you heard today
16 between myself and Mr. Ellsworth, and in that
17 Resolution, you would either find that there is a
18 public purpose or there's not a public purpose, and
19 if you, indeed, find that there is a public
20 purpose, you put those findings in the Reso. That
21 Reso, if it gets passed, now gives the authority
22 for the Town Attorney's Office to go forward in
23 court to get what they call a vesting order.

24 A vesting order is just a very fancy
25 way of saying -- a court order saying that the Town

1 can acquire or take the property. The reason why
2 they use the word "take," even though I don't
3 prefer that word, the Town may get possession and
4 ownership immediately and then, thereafter, in the
5 court proceeding, you determine the value of the
6 property.

7 If the former property owner objects to
8 what the Town offers them based upon the appraisal,
9 which we have not revealed at this point in time,
10 so if the property owner accepts that amount, then
11 the proceeding is pretty much done quickly. If
12 they don't, the Town will take ownership -- and
13 they call that filing the acquisition map.

14 What is the acquisition map? It's a
15 glorified or fancy survey that is part of the land
16 surveying cost that Mr. John Ellsworth and his firm
17 is preparing because the acquisition map is a
18 little different than a typical survey. That
19 acquisition map you attach it to the court order,
20 you file it in the County Clerk, and the Town gets
21 the property, and then if they object to the price
22 that we're offering, then you would contest in
23 court on the value of the property. That's
24 basically it.

25 SUPERVISOR SALADINO: So just to boil

1 this down for the nonattorneys who are following
2 along, the Town has to determine if there is a
3 tremendous benefit. And the benefit is clear, that
4 parking is needed. And that the Town has been
5 renting this property, but it makes much more
6 financial sense and sustainability of keeping that
7 parking for the Town to own it rather than rent it.

8 Would you agree with that?

9 MR. SCALERA: Well, yeah, you could
10 say, right -- but right now we're renting it, and
11 the fact that we're renting it and we needed it for
12 the spaces does kind of add that there is a public
13 purpose and benefit because we've been using it for
14 the last eight to ten years, so that alone shows us
15 that we need it.

16 SUPERVISOR SALADINO: We make an offer
17 to the owners --

18 MR. SCALERA: Correct.

19 SUPERVISOR SALADINO: -- if they accept
20 it, we purchase. If they don't, we condemn the
21 property, take over the property for our residents,
22 for those who need to continue to need to park --

23 MR. SCALERA: Correct.

24 SUPERVISOR SALADINO: -- and it was
25 told to us how the need for parking is growing and

1 growing, especially now that we're getting out of
2 COVID, and in court -- it's a court proceeding --
3 to figure out what the proper cost of the property
4 is.

5 MR. SCALERA: The court proceeding is
6 just basically two experts: Your appraiser, that
7 the Town retained and the appraiser that the
8 property owner retains. And they go on the witness
9 stand, and they tell the judge -- it's typically
10 just a judge trial -- and there's one extra step in
11 between so it doesn't look like we're beating up on
12 the former property owner.

13 Whatever we offer to them, if they
14 don't accept it as a final payment, the
15 municipality gives it what you'd call an advance
16 payment. So for argument's sake, you know, if we
17 offered them 50,000, they said no, the property is
18 worth more, we give them the advance payment of 50
19 thousand immediately, and we take acquisition of
20 the property, and then you fight out for what the
21 actual value is in court, so the property owner
22 doesn't have to wait years to get something. They
23 get most of the money up front.

24 COUNCILMAN IMBROTO: Thank you, Frank.

25 MR. SCALERA: Okay.

1 SUPERVISOR SALADINO: Thank you.

2 Okay.

3 Next, Mr. Adelman, would like to
4 present a statement for this hearing?

5 MR. ADELMAN: Good afternoon,
6 everybody.

7 It's nice to see you. I'll see you
8 again during the call of the Resolutions, but I've
9 got a question regarding this hearing.

10 I was sitting here listening to -- and
11 I understood the environmental impact and the
12 parking impact. No one has mentioned the fiscal
13 impact of purchasing this property, and I think
14 that should be in black and white.

15 COUNCILMAN IMBROTO: That's what we
16 were discussing.

17 MR. ADELMAN: What?

18 SUPERVISOR SALADINO: Yes. We were
19 just --

20 COUNCILMAN IMBROTO: That's what we
21 were just talking about.

22 SUPERVISOR SALADINO: -- talking about
23 it --

24 MR. ADELMAN: I know. I was very happy
25 to hear --

1 SUPERVISOR SALADINO: -- but without
2 arriving at a number, it's difficult to say.

3 MR. ADELMAN: Well, we currently have
4 an offer made we know is going to be -- that's been
5 refused. Using that number, we can set up a model
6 and say, okay, it's going to cost "x" amount of
7 dollars, and we're going to save on our rental
8 every year, so we save there.

9 On the other hand, we have lost income
10 from the taxes the Town gets on the property and
11 the income from the permits, which is minimal and I
12 don't even think it should be included.

13 So, I'm just curious, have we run the
14 numbers on what --

15 SUPERVISOR SALADINO: That's part of
16 the whole process.

17 MR. ADELMAN: Well, I mean, we should
18 have done that already to see if it makes sense to
19 -- I mean, has this landowner hinted that he wants
20 to build on the land?

21 What is it zoned?

22 Is it commercial?

23 SUPERVISOR SALADINO: You can --
24 Mr. Ellsworth?

25 MR. ELLSWORTH: It's downtown

1 commercial.

2 MR. ADELMAN: But he can put up a
3 little office building or --

4 MR. ELLSWORTH: That's what is allowed.

5 MR. ADELMAN: So that influences the
6 value of the property, and that's why, I'm sure,
7 we're doing an assess -- you know, having an
8 assessor coming in, but I do think we should see
9 what the financial impact is before we decide to
10 move forward and spend additional funding.

11 COUNCILMAN IMBROTO: Of course.

12 SUPERVISOR SALADINO: Yes, we can
13 assure you that we're taking that into
14 consideration as one of the highest priorities and
15 the needs of those who commute and need parking
16 spots, so, yes.

17 MR. ADELMAN: Right. But the County
18 wants us to go to Westbury. The MTA wants everyone
19 to run to Westbury to park.

20 SUPERVISOR SALADINO: Thank you,
21 Arthur.

22 The next speaker will be Mr. Kevin
23 McKenna.

24 Mr. McKenna, how are you?

25 MR. McKENNA: Just terrific. Terrific.

1 SUPERVISOR SALADINO: Good.

2 MR. McKENNA: How are you?

3 SUPERVISOR SALADINO: Good.

4 MR. McKENNA: Good. Good to see you.

5 SUPERVISOR SALADINO: You, too.

6 MR. McKENNA: Kevin McKenna, 3 Edna
7 Drive, Syosset, New York 11791.

8 I was listening before I got here, and
9 I heard you give great accolades to Mr. John
10 Ellsworth, and I just wanted to also add in that he
11 was the right-hand man for Mr. John Venditto -- the
12 late John Venditto. He was actually hired by
13 Mr. Venditto to --

14 SUPERVISOR SALADINO: Mr. McKenna --

15 MR. McKENNA: -- analyze, and I just
16 want to give him good accolades --

17 COUNCILMAN IMBROTO: Is this on the
18 subject matter of the hearing?

19 COUNCILWOMAN JOHNSON: You need to keep
20 you questions germane --

21 SUPERVISOR SALADINO: -- you know the
22 rules of decorum, and you know them very well.

23 MR. SCALERA: Strike one on the comment
24 as of the rules --

25 MR. McKENNA: Your hair's getting gray.

1 COUNCILWOMAN JOHNSON: Strike two.

2 MR. SCALERA: Thank you.

3 MR. McKENNA: Do me a favor and get out
4 of my face.

5 COUNCILWOMAN JOHNSON: Strike three.

6 MR. McKENNA: Get out of my face.

7 MR. SCALERA: This is your first
8 warning --

9 MR. McKENNA: Give me six feet.

10 MR. SCALERA: You are not -- I'll give
11 you six feet.

12 MR. McKENNA: I don't need you to be in
13 my face.

14 MR. SCALERA: You are not addressing
15 the Board regarding the hearing.

16 MR. McKENNA: Yes, I am. I'm talking
17 about Mr. Ellsworth, who's part of the hearing.

18 COUNCILMAN IMBROTO: That's not the
19 subject matter of the hearing.

20 MR. SCALERA: Once again, that's not
21 the subject matter of the hearing.

22 MR. McKENNA: So anyway --

23 SUPERVISOR SALADINO: Just please --

24 MR. McKENNA: So anyway --

25 SUPERVISORS SALADINO: -- talk about

1 what your feelings are on the hearing.

2 Mr. McKenna, please address the Board
3 and --

4 COUNCILMAN IMBROTO: Mr. McKenna, you
5 don't need to start a fight.

6 MR. McKENNA: By the way --

7 SUPERVISOR SALADINO: -- just tell us
8 how you feel --

9 MR. McKENNA: By the way --

10 SUPERVISOR SALADINO: -- about the
11 hearing's subject matter.

12 MR. McKENNA: By the way -- I'm not
13 even going to get into that. He's not even -- he's
14 not even a valid Town Attorney. He was --

15 COUNCILWOMAN JOHNSON: I would like --

16 SUPERVISOR SALADINO: Mr. McKenna --

17 COUNCILMAN IMBROTO: This is also
18 not --

19 COUNCILWOMAN JOHNSON: -- not germane
20 to the subject --

21 SUPERVISOR SALADINO: -- you're going
22 so far off the rails --

23 MR. McKENNA: Let me speak on the
24 hearing.

25 SUPERVISOR SALADINO: Please.

1 Thank you.

2 MR. SCALERA: Strike two. The comment.

3 It was an insulting comment that you
4 made both to Mr. Ellsworth --

5 SUPERVISOR SALADINO: These are all the
6 rules of decorum --

7 MR. McKENNA: It's not insulting. It's
8 true. It's not insulting. It's true.

9 COUNCILWOMAN JOHNSON: This is your
10 third one.

11 COUNCILMAN IMBROTO: It's irrelevant to
12 the hearing, Mr. McKenna, so, please, let's get
13 back on track.

14 MR. McKENNA: He was the right-hand man
15 for John Venditto.

16 How can you say that's not true?

17 SUPERVISOR SALADINO: Mr. McKenna --

18 MR. SCALERA: Your courtesy --

19 MR. McKENNA: Your hair is really
20 getting gray.

21 SUPERVISOR SALADINO: Mr. McKenna --

22 MR. SCALERA: Your courtesy --

23 COUNCILWOMAN JOHNSON: I believe that
24 is the third comment.

25 MR. SCALERA: Excuse me. Excuse me.

1 MR. McKENNA: Why does he always need
2 to disrupt the meeting?

3 MR. SCALERA: Excuse me --

4 SUPERVISOR SALADINO: Folks, listen --

5 MR. McKENNA: Why does he need to
6 disrupt the meeting?

7 SUPERVISOR SALADINO: Folks. Folks --

8 MR. SCALERA: -- rules of decorum, that
9 is your second warning.

10 MR. McKENNA: Mr. Supervisor, let me
11 speak on the hearing.

12 COUNCILMAN IMBROTO: Please.

13 SUPERVISOR SALADINO: Okay.

14 Mr. McKenna, you're starting off --

15 MR. McKENNA: But it's true. He was --

16 SUPERVISOR SALADINO: -- in a way that
17 doesn't make you look good.

18 MR. McKENNA: -- the right-hand man for
19 John Venditto.

20 SUPERVISOR SALADINO: The rules of
21 decorum are that you speak on the subject matter --

22 COUNCILWOMAN JOHNSON: Why is he
23 allowed to continue when he's still talking about
24 the same thing?

25 SUPERVISOR SALADINO: -- so please show

1 us that you're coherent and you're focused on the
2 subject --

3 MR. McKENNA: I'm very coherent.

4 SUPERVISOR SALADINO: So prove it to
5 us, please. We're listening.

6 MR. McKENNA: So on the garage.

7 COUNCILMAN IMBROTO: This is not about
8 the garage.

9 MR. McKENNA: I mean, not the garage.

10 SUPERVISOR SALADINO: It's on the
11 parking facility.

12 MR. McKENNA: On the parking.

13 SUPERVISOR SALADINO: Okay. We're
14 focused in now.

15 MR. McKENNA: You -- and this is about
16 the parking, okay?

17 SUPERVISOR SALADINO: Okay.

18 MR. McKENNA: The public deserves to
19 know why the MTA has reneged on building the garage
20 that the Town says --

21 SUPERVISOR SALADINO: Would you like an
22 answer to that?

23 MR. McKENNA: When I get done.

24 SUPERVISOR SALADINO: Okay.

25 MR. McKENNA: When I get done.

1 SUPERVISOR SALADINO: Okay.

2 MR. McKENNA: The Town deserves to know
3 why the MTA has reneged, right?

4 COUNCILMAN IMBROTO: What are your
5 feelings on this?

6 MR. McKENNA: They do deserve to know
7 that, and I'm not trying to be -- I'm not trying to
8 take a shot right now, you have advocated -- you
9 have stated in the past that you had -- you had or
10 maybe you still do -- a great relationship --

11 COUNCILMAN IMBROTO: Mr. McKenna, is
12 this about the parking garage?

13 MR. McKENNA: Excuse me. I'm speaking.

14 SUPERVISOR SALADINO: Mr. McKenna,
15 we're still trying to get you --

16 MR. McKENNA: It's about -- it's about
17 the parking.

18 SUPERVISOR SALADINO: -- to focus on
19 today's hearing and that you have a coherent
20 process to come up and give us some information
21 about how you feel about --

22 MR. McKENNA: You know, I didn't come
23 up here --

24 SUPERVISOR SALADINO: -- this hearing
25 subject.

1 MR. McKENNA: -- you know, I didn't
2 watch you -- I just watched Joel -- I just watched
3 Joel come up here and give his autobiography --

4 COUNCILMAN IMBROTO: This is not
5 germane to the hearing.

6 SUPERVISOR SALADINO: You're going off
7 subject again, sir.

8 MR. McKENNA: -- and you allowed him to
9 do that --

10 SUPERVISOR SALADINO: Sir, you're going
11 off subject.

12 MR. McKENNA: Let me start off by
13 telling you that I was born in 1957.

14 SUPERVISOR SALADINO: You're not --

15 MR. McKENNA: No. You allowed Joel
16 to --

17 SUPERVISOR SALADINO: You're not making
18 yourself look better. We're here to --

19 MR. McKENNA: So you know what?

20 Let me fast forward --

21 SUPERVISOR SALADINO: -- listen to you
22 and every other --

23 MR. McKENNA: -- let me fast forward --

24 SUPERVISOR SALADINO: -- resident on
25 today's hearing --

1 MR. McKENNA: -- before --

2 SUPERVISOR SALADINO: -- please try to
3 stay focused on today's hearing, sir.

4 MR. McKENNA: Okay. Okay.

5 So before you go ahead and spend
6 taxpayers' money on the parking, okay, please, and
7 I'd like to get the answer before I sit down,
8 please tell us why the MTA reneged, and also in
9 light of the fact that, thank God, we have a new
10 governor coming in, right, Kathy Hochul, am I
11 pronouncing it correct, Kathy Hochul just met on
12 Long Island with people, and Kathy Hochul just made
13 a very strong statement that she will fight for
14 Long Islanders like hell, she said. And I'm not
15 standing here right now advocating for Kathy Hochul
16 one way or the other. As a matter of fact -- well,
17 I'm not even going to go there, but the fact of the
18 matter is -- is that she made a statement that she
19 will fight like hell for Long Islanders, so you, as
20 the Supervisor --

21 COUNCILMAN IMBROTO: Let's hope she
22 does.

23 MR. McKENNA: -- maybe, and I'm not
24 trying to be sarcastic right now -- before you go
25 forward with this, why not call Kathy Hochul and

1 put her to the test and see how much she really
2 will fight like hell for Long Islanders to get the
3 MTA to live up to the agreement.

4 Thank you very much.

5 SUPERVISOR SALADINO: Thank you,
6 Mr. McKenna.

7 MR. McKENNA: And I'll sit down if you
8 can give the answer as to why the MTA really
9 reneged on the --

10 COUNCILMAN IMBROTO: You have to sit
11 down one way or another.

12 COUNCILWOMAN JOHNSON: You can't give
13 orders.

14 SUPERVISOR SALADINO: You have to sit
15 down, Mr. McKenna.

16 Thank you.

17 Just to answer the question that was
18 asked, we've met with the MTA so many times. I met
19 with Phil Eng in Albany, among all the times we met
20 with them here in Town Hall with staff and so
21 forth, and they have communicated that it is a
22 financial issue, and as their finances fall into a
23 more complicated place, they tell us that they will
24 continue to consider it, but they made the promise
25 to build, and they have not yet confirmed that they

1 will be building the parking garages that they
2 promised.

3 Okay. Yes, come on up.

4 How are you today?

5 MS. REINHARDT: Good. Good morning.

6 Lisa Reinhardt, 65 Elm Street,
7 Hicksville.

8 Speaking as a former commuter,
9 commuters could always use extra spaces in
10 Hicksville. That goes without saying.

11 What I'm wondering, though, is it's
12 kind of a stopgap given Mr. Ellsworth's noting that
13 if return to LIRR usage goes up to 80 percent of
14 normal by 2025, in the next few years, and with the
15 Third Track and East Side projects being completed,
16 demand for parking is projected to exceed current
17 availability. That's an old story in Hicksville.

18 The 65 spaces, while helpful, are
19 really only a stopgap for the moment. Has there
20 been any discussion of development of that -- I
21 think it's a brown field on new South Road because
22 there's already a track going through there, and I
23 don't know -- and I should look up what the
24 previous use was maybe 20, 25 years ago, but
25 there's, I think, either 11 or 15 acres there and

1 rather than having, you know, only 65 spaces, if we
2 could get another parking there with a small
3 station or something, and I'm sure if the MTA won't
4 even build the other garages that that may not be
5 viable, but is that -- is there any more permanent
6 discussions of any parking beyond this 65 spaces
7 because if, in fact, the usage does go up as
8 projected and expected, we're going to be back in
9 the same situation, you know?

10 With the parking committee a couple of
11 years ago, we found several spaces in Syosset and
12 several spaces at Bethpage, and the spaces here and
13 there help, but we really need a lot more at once,
14 and if the MTA is reneging on the other stuff, do
15 we have any other plans for more permanent stuff --
16 more permanent parking availability?

17 COUNCILMAN IMBROTO: I don't think
18 anyone thinks this lot is going to solve all of the
19 parking needs --

20 MS. REINHARDT: Right.

21 COUNCILMAN IMBROTO: -- this isn't a
22 silver bullet --

23 MS. REINHARDT: Right.

24 COUNCILMAN IMBROTO: -- but you would
25 agree that we do need parking by the train station

1 in Hicksville --

2 MS. REINHARDT: Sure.

3 COUNCILMAN IMBROTO: -- and this
4 accomplishes that goal of ensuring that there is
5 some parking.

6 MS. REINHARDT: It does. It does. I'm
7 not disputing that at all.

8 COUNCILMAN IMBROTO: Are you in favor
9 of this?

10 MS. REINHARDT: What I am saying is,
11 this does seem to be a stopgap --

12 SUPERVISOR SALADINO: So you want to
13 know about our overall plans to continue to
14 increase parking capacity? And we're going to
15 answer that for you right now.

16 MS. REINHARDT: But within the scope of
17 the hearing, though, I'm just saying that while the
18 65 parking spaces would be appreciated, we found a
19 couple of years ago, probably a total of 18 spaces
20 and in two different places.

21 SUPERVISOR SALADINO: So we're going to
22 answer your question.

23 MS. REINHARDT: Okay. Great.

24 SUPERVISOR SALADINO: Right now, okay?

25 MS. REINHARDT: Thank you very much.

1 SUPERVISOR SALADINO: Thank you.

2 Jim McCaffrey, would you please come
3 up?

4 Jim, you know, over these four years,
5 we have instituted many different ways to look at
6 this situation and many different tasks to increase
7 parking in the community. We've been speaking
8 about the two stations that the MTA promised they
9 would pay to build, and the public may know that
10 parking garages cost \$35,000 per parking spot,
11 \$35,000 per parking spot to construct, and the
12 higher the parking garage the more that price goes
13 up because, of course, the infrastructure to
14 support that bigger building is increasingly more
15 expensive.

16 Having said that, we've been working
17 quite a bit and quite intensely to the long-term
18 plans to have as much parking as possible to fit
19 the need.

20 Can you speak to that issue?

21 DEPUTY COMMISSIONER McCAFFREY: Yes.

22 James McCaffrey, Deputy Commissioner of
23 Planning and Development.

24 Firstly, I would just like to address
25 Ms. Reinhardt's question as far as the property on

1 New South Road.

2 The Department of Planning and
3 Development and Environmental Resources is
4 currently reviewing an application for that
5 property for warehouse use. So there are plans
6 already, so that would, actually, not be a suitable
7 use at this point in time.

8 But moving forward to your comments
9 earlier, we have been having several discussions
10 with the MTA. Fruitful discussions on some of the
11 parking issues that we've been having there, and we
12 continue to press for the parking garages that we
13 believe that were promised to the Town of Oyster
14 Bay as part of the Third Track Project, and we
15 haven't stopped with that. We're continuing, but
16 as you addressed earlier, they keep telling us it's
17 not in their capital budget for right now. They
18 haven't told us that it will never not be, but at
19 this point in time, there's nothing in their budget
20 for that.

21 SUPERVISOR SALADINO: So Deputy
22 Commissioner, we have continued to keep the
23 pressure on the MTA to build the garages they
24 promised. We have documents that show our
25 communications with them to this effect.

1 DEPUTY COMMISSIONER McCaffrey: Yes.

2 We met with them just last week.

3 SUPERVISOR SALADINO: In addition to
4 that, we've looked at and we continue to strive for
5 other means by which to meet the growing parking
6 capacity issue. We've looked at and we've continue
7 to pursue a model of parking wrapped in different
8 kinds of stores and mixed-use buildings. We've
9 looked at other properties throughout Hicksville.
10 We've utilized the Sears property for parking at
11 one point during construction of our own facility.

12 There's been many, many ways that we
13 continue to pursue more parking in Downtown
14 Hicksville, and it was stated over and over, and
15 we've been talking about this for years that the
16 Hicksville parking -- rather, the Hicksville
17 railroad station is the most heavily used, has the
18 highest capacity of any railroad station on Long
19 Island and in the entire Long Island Rail Road
20 complex of stations and facilities. It's number
21 three behind only Penn Station and Jamaica.

22 DEPUTY COMMISSIONER McCaffrey: Yes.
23 That is correct.

24 When the MTA withdrew their plans for
25 the parking garage, the Town did look at any

1 potential development along West Barclay Street
2 building on the Town-owned lots that are there with
3 mixed use, but also requiring parking garages, as
4 you had mentioned, to be wrapped around the
5 buildings -- the buildings to be wrapped around
6 parking garages, that would provide additional
7 commuter parking as any possible future development
8 on that site.

9 SUPERVISOR SALADINO: Is it correct to
10 speak to our motivation as a continuance of
11 intensely seeking many ways to meet the parking
12 demands?

13 DEPUTY COMMISSIONER McCAFFREY:
14 Absolutely. It's a correct statement.

15 SUPERVISOR SALADINO: Thank you.

16 Thank you very much.

17 Okay. Is there anyone else that would
18 like to be heard on this hearing?

19 AUDIENCE SPEAKER: Can I add one more
20 thing?

21 SUPERVISOR SALADINO: Well,
22 Mr. McKenna, you have been up on this hearing, we
23 have listened to your, at times, focused
24 comments --

25 AUDIENCE SPEAKER: I'll get it at

1 public comment.

2 SUPERVISOR SALADINO: -- and then, of
3 course, we know you'll be up for public comment
4 later on, and you can speak about this or any other
5 issue. We're here to listen to you.

6 AUDIENCE SPEAKER: Thank you very much.

7 SUPERVISOR SALADINO: Please let the
8 record reflect that no other resident has asked to
9 speak.

10 Mr. Scalera?

11 MR. SCALERA: The public portion of
12 this hearing -- I ask that a motion be made that it
13 be closed and the record be held open for
14 approximately thirty days with decision reserved.

15 SUPERVISOR SALADINO: Thirty days.

16 Is there anything Mr. Ellsworth needs
17 to add his presentation?

18 MR. ELLSWORTH: No.

19 SUPERVISOR SALADINO: Thank you very
20 much.

21 Can you please, Town Clerk, tell us of
22 any correspondence and postings?

23 MR. LaMARCA: We have Affidavits of
24 Posting and Publication.

25 There is no other correspondence.

1 SUPERVISOR SALADINO: May I have a
2 motion?

3 COUNCILWOMAN JOHNSON: Supervisor, I
4 will make a motion that the public portion of this
5 hearing be closed, and the record be kept open for
6 thirty days, which is September 16, 2021.

7 COUNCILMAN IMBROTO: Second the motion.

8 SUPERVISOR SALADINO: Would all in
9 favor of this motion please say, "Aye"?

10 ALL: "Aye."

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

13 (Whereupon, there were no "Nay"
14 responses from the Board.)

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

17 Thank you.

18 (TIME NOTED: 12:35 P.M.)

19 COUNCILWOMAN MAIER: Supervisor?

20 SUPERVISOR SALADINO: Yes.

21 COUNCILWOMAN MAIER: May I suggest we
22 take maybe a five-minute break for our
23 stenographer?

24 SUPERVISOR SALADINO: Sure.

25 Would you need a break at this point.

1 (Whereupon, the stenographer answered
2 in the affirmative.)

3 SUPERVISOR SALADINO: Okay. We have
4 two more hearings, so let's take that five-minute
5 break and return for our hearings, and then we'll
6 go into break for Executive Session.

7 Thank you.

8 (TIME NOTED: 12:35 P.M.)
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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
August 17, 2021
12:59 p.m.

HEARING - WATER DISTRICT

To consider the application of the Oyster Bay Water District for the Extension of Oyster Bay Water District within the Incorporated Village of Cove Neck, Oyster Bay, New York. (M.D. 7/6/21 #15).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Will the Town
2 Clerk please call the next hearing?

3 MR. LaMARCA: The next hearing is to
4 consider the application of the Oyster Bay Water
5 District for the extension of Oyster Bay Water
6 District within the Incorporated Village of Cove
7 Neck, Oyster Bay, New York.

8 SUPERVISOR SALADINO: Good afternoon,
9 Ralph.

10 MR. HEALEY: Good afternoon,
11 Mr. Supervisor and Members of the Town Board.

12 Before I begin, I would just like to
13 introduce someone you all know, Mr. Robert McEvoy,
14 who is the Commissioner of the Oyster Bay Water
15 District, who will be here to answer any questions
16 you may have later about what I am about to
17 present.

18 SUPERVISOR SALADINO: Thank you.

19 MR. HEALEY: My presentation is
20 actually threefold --

21 SUPERVISOR SALADINO: Could you state
22 your presence for the record, please.

23 MR. HEALEY: Surely.

24 My name is Ralph Healey. I'm with the
25 Oyster Bay Town Attorney's Office.

1 I'm here to speak to you about this
2 hearing, which is brought pursuant to Article 13,
3 Section 216 of the New York State Town Law to
4 review the petition of the commissioners of the
5 Oyster Bay Water District, said Petition dated
6 June 17, 2021, to expand the boundaries of that
7 District to include a parcel, which is situated
8 within the boundaries of the Incorporated Village
9 of Cove Neck, the purpose of which is to ensure
10 that this parcel has an uninterrupted access to a
11 water supply.

12 The parcel of which I speak lies at the
13 intersection of Cove Road and Cove Neck Road, once
14 again, in the Incorporated Village of Cove Neck.

15 It is approximately 32,670 square-feet
16 or three-quarters of an acre in size, and is
17 identified on the Nassau County Land and Tax Map as
18 Section 26, Block A, Lot 66.

19 Since 1938, the parcel has been
20 occupied and owned by the Incorporated Village of
21 Cove Neck and has been utilized solely for Village
22 purposes.

23 Specifically, it is the sight of a
24 police booth for the Old Brookville Police
25 Department and provides patrol services for the

1 surrounding area.

2 Requests for the inclusion of this
3 parcel originated with the Village of Cove Neck,
4 who, pursuant to New York State Town Law Section
5 209, adopted a Resolution of May 12th of this year,
6 which authorized the filing of this petition with
7 the Town to extend the District lines within the
8 Village of Cove Neck to include this parcel.

9 Before I get to the actual substantive
10 merits of the petition, I'd just like to briefly go
11 through the procedural requirements.

12 Pursuant to Town Board Resolution No.
13 410-2021, which was adopted by this Board on
14 July 13th of this year, the Town Board authorized a
15 notice of publication of this public hearing
16 pursuant to the provisions of the New York State
17 Town Law where the posting was achieved on the
18 bulletin boards both on Town Hall North and Town
19 Hall South, and was published in newspapers of
20 general circulation in the County of Nassau and in
21 the affected area.

22 The petition itself has been on file
23 with the Office of the Town Clerk, and could be
24 viewed on the Town's website and was available for
25 review and inspection in the Office of the Town

1 Clerk prior to today's hearing.

2 One other note is that the petition
3 includes copies of ownership of the subject parcel
4 and a map of the parcel sought to be included in
5 the District.

6 With respect to the merits of the
7 actual petition, the petition states that no cost
8 or bond will be required for the inclusion of the
9 subject parcel in the District.

10 Furthermore, the subject parcel will --
11 this will ensure a continuous supply of potable
12 water to the parcel, and no additional capital
13 improvements will be required if the petition for
14 extension of the boundaries is granted.

15 The extension will benefit the property
16 owner and the public by ensuring the public's
17 safety with a continuous water supply serviced by
18 the District, and providing a reliable supply of
19 potable water and increased firefighting
20 capabilities.

21 So, in sum, we would recommend that
22 Resolution No. 487-2021, which is on today's
23 calendar, be adopted by the Town Board, which would
24 authorize the extension set forth in the petition.

25 And if there are any other questions at

1 this point, I'd be happy to answer.

2 SUPERVISOR SALADINO: Mr. Healey, do we
3 have documents as to the opinion of the Village of
4 Cove Neck to this application?

5 What is their position?

6 MR. HEALEY: Yes.

7 The Village of Cove Neck has consented
8 to this.

9 My apologies for not mentioning this
10 before, but they have passed a Resolution
11 consenting to this action -- to the petition -- and
12 the action requested therein.

13 SUPERVISOR SALADINO: Are there any
14 other questions of the Board members?

15 (Whereupon, there was no response from
16 the Board.)

17 SUPERVISOR SALADINO: Okay.

18 So, this is, in general, to provide
19 water to this site, and in order to do that, they
20 have to include it, and it is our role to pass a
21 Resolution that would allow them to do that, but
22 none of this would incur any additional tax expense
23 to the taxpayers of the Town of Oyster Bay at
24 large; is that correct?

25 MR. HEALEY: That's correct. Yes.

1 SUPERVISOR SALADINO: Okay, thank you.

2 That's all my questions.

3 Anyone else?

4 (Whereupon, there was no response from
5 the Board.)

6 SUPERVISOR SALADINO: Okay.

7 Is there anything else the Commissioner
8 would like to add to this?

9 COMMISSIONER McEVOY: No.

10 It just seems to be a lot of red tape
11 to get this done and a lot of intermunicipal
12 cooperation, which we're glad to see and hope the
13 Town Board finds its way to pass this and extend
14 the District.

15 Thank you.

16 SUPERVISOR SALADINO: When it comes to
17 intermunicipal cooperation, nobody is better than
18 you and the Board of the Oyster Bay Water District,
19 so we thank you, Commissioner McEvoy, for all
20 you've done.

21 In terms of the frustration with red
22 tape, this is all about New York State Law and the
23 rules and regulations we must follow as you know.
24 But that's the rules, those are the laws, and we're
25 going to continue to follow them and get this done

1 in an expeditious but in a legal manner.

2 MR. HEALEY: Thank you very much.

3 That's all I have, Mr. Supervisor.

4 SUPERVISOR SALADINO: Are there any
5 postings or correspondence?

6 MR. LaMARCA: We have Affidavits of
7 Posting and Publication.

8 There is no other correspondence.

9 SUPERVISOR SALADINO: May I have a
10 motion?

11 COUNCILWOMAN JOHNSON: Supervisor, I
12 will make a motion that this public hearing be
13 closed and decision be voted on today.

14 COUNCILMAN IMBROTO: Second.

15 SUPERVISOR SALADINO: All in favor of
16 this motion, please signify by saying, "Aye."

17 ALL: "Aye."

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

20 (Whereupon, there were no "Nay"
21 responses from the Board.)

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

24 Thank you.

25 Thank you, Commissioner, for all of

1 your work not only for today but for your
2 incredible work in providing us with a tremendous
3 supply of quality water.

4 COMMISSIONER McEVOY: Thank you.

5 SUPERVISOR SALADINO: Be well,
6 Commissioner.

7 (TIME NOTED: 1:07 P.M.)
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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
August 17, 2021
1:08 p.m.

HEARING - FIRE PROTECTION CONTRACTS

To consider the 2021 Fire Protection Agreements for Bayville Fire Company No. 1, Inc., Roslyn Highlands Hook & Ladder, Engine & Hose Company, Inc., Rescue Company Hook & Ladder Company No. 1 (aka Roslyn Rescue), Atlantic Steamer Fire Company No. 1, Inc., Oyster Bay Fire Department, Inc. and Wantagh Fire District. (M.D. 7/6/21 #14).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Would you please
2 call the next hearing?

3 MR. LaMARCA: Today's final hearing is
4 to consider the 2021 Fire Protection Agreements for
5 Bayville Fire Company No. 1, Inc.; Roslyn Highlands
6 Hook & Ladder, Engine and Hose Company, Inc.;
7 Rescue Company Hook & Ladder Company No. 1, also
8 known as Roslyn Rescue; Atlantic Steamer Fire
9 Company No. 1, Inc.; Oyster Bay Fire Department,
10 Inc.; and Wantagh Fire District.

11 MS. FAUGHNAN: Good afternoon,
12 Supervisor and Members of the Town Board.

13 Elizabeth Faughnan, Deputy Town
14 Attorney, Office of the Town Attorney.

15 So I come before you today for
16 requesting approval for contracts with various fire
17 companies that provide fire protection to residents
18 of the Town of Oyster Bay.

19 As you are all well aware, and I will
20 spare you today, New York State Town Law requires
21 that in an area where there is no Fire District
22 with elected commissioners, the Town Board is
23 responsible to provide fire protection.

24 In this instance, these entities are
25 volunteer, not-for-profit companies, with the

1 exception of Wantagh Fire District, which is a
2 District, they provide fire protection at Tobay
3 Beach and Emergency Service Response at Tobay
4 Beach.

5 But I come to you today to request
6 contracts with, as the Town Clerk stated, the
7 Bayville Fire Company, Roslyn Highlands Fire
8 Company, Roslyn -- what we call Roslyn Rescue,
9 Atlantic Steamer Fire Company, Oyster Bay Fire
10 Company, and then as I said previously, Bayville
11 Fire Company and the Wantagh Fire District to
12 provide fire protection in the Bayville Fire
13 Protection District, in the Greenvale Fire
14 Protection District, in the Oyster Bay Fire
15 Protection District, and then for what we call
16 certain territory in the Hamlet of Bayville and at
17 Tobay Beach.

18 I want to point out to the Board that
19 the numbers vary with respect to each District
20 because the Town of Oyster Bay is not the sole
21 municipality with which this Fire Company has a
22 contract.

23 So, for instance, with respect to the
24 two Roslyn Fire Companies that provide protection
25 in Greenvale, we are less than one percent of their

1 fire protection area, so that is why the numbers
2 may seem drastically different but, in fact,
3 they're all relative to how much of the Town of
4 Oyster Bay they protect.

5 I do want to point out to the Board
6 that the Town Attorney's Office has been working
7 hand-in-hand with the fire companies to keep an eye
8 on the budgets and mindful of the fact that these
9 are residents' dollars -- taxpayers' dollars -- and
10 that, for instance, the two Oyster Bay Fire
11 Companies have not raised their budgets in four
12 years, so they've had zero increase budgets. The
13 only increase in costs has been the unfunded State
14 mandate to provide a cancer insurance coverage to
15 their firemen.

16 So the Town Attorney's Office is very
17 proud of the role we have taken to work with the
18 fire companies to be mindful of taxpayer dollars.

19 SUPERVISOR SALADINO: Thank you.

20 MS. FAUGHNAN: Thank you, Supervisor.

21 SUPERVISOR SALADINO: Very, very
22 important.

23 Are there any questions?

24 (Whereupon, there was no response from
25 the Board.)

1 SUPERVISOR SALADINO: Is there anyone
2 in the audience that would like to be heard on this
3 hearing?

4 (Whereupon, there was no response from
5 the audience members present.)

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

9 Are there any mailings and postings?

10 MR. LaMARCA: We have Affidavits of
11 Posting and Publication.

12 There is no other correspondence.

13 SUPERVISOR SALADINO: May I have a
14 motion?

15 COUNCILWOMAN JOHNSON: Supervisor, I
16 will make a motion that this public hearing be
17 closed and decision be voted on today.

18 COUNCILMAN IMBROTO: Second the motion.

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

21 ALL: "Aye."

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

24 (Whereupon, there were no "Nay"
25 responses from the Board.)

1 SUPERVISOR SALADINO: The "Ayes" have
2 it.

3 Thank you very much.

4 MS. FAUGHNAN: Thank you.

5 (TIME NOTED: 1:11 P.M.)

6 SUPERVISOR SALADINO: And I'd like to
7 thank you, Beth Faughnan, and you, Ralph Healey,
8 for the very -- for all of your professionalism in
9 presenting the hearings today.

10 Okay. At this point, we are done with
11 our four hearings, and we are going to break for
12 Executive Session, come back out, take care of the
13 Town's business on our Resolution Calendar and then
14 stay for public comment, but the gentleman in the
15 back, rather than wait, Mr. -- Michael --

16 AUDIENCE MEMBER: Yes?

17 SUPERVISOR SALADINO: Is there an issue
18 you'd like to speak to us about or the Town
19 Attorney that we can get you some assistance rather
20 than having to sit and wait for --

21 AUDIENCE SPEAKER: It's on the Alhambra
22 Beach project.

23 SUPERVISOR SALADINO: The project as it
24 relates to the dock and the construction?

25 AUDIENCE MEMBER: Yes.

1 SUPERVISOR SALADINO: My suggestion,
2 because we're happy to help you and all the
3 residents there, my suggestion is rather than
4 having to wait for all of the other processes in
5 place for public comment, if you would bring your
6 issue to our Town Attorney, Frank Scalera.

7 Frank, would you like to raise your
8 hand?

9 You're welcome to stay and present it
10 at public comment, but we can get to you right
11 away, perhaps -- yeah, this way you don't have to
12 sit here all day. We want to be convenient to you,
13 and we can have the department, probably Public
14 Works, address whatever issues -- be they
15 construction issues, hours of construction and
16 whatever it might be.

17 AUDIENCE MEMBER: Thank you.

18 SUPERVISOR SALADINO: We're here to
19 help you.

20 AUDIENCE SPEAKER: I appreciate it.

21 SUPERVISOR SALADINO: And if after all
22 of that you're still not satisfied, call my office
23 directly and ask for Liz.

24 AUDIENCE SPEAKER: Thank you very much.

25 SUPERVISOR SALADINO: Please help him.

1 Now, we need to go into Executive
2 Session. It will take a little while, but we'll be
3 out of that to follow up with our regular
4 Resolution Calendar.

5 And to that, Councilwoman, may I have a
6 motion?

7 COUNCILWOMAN JOHNSON: Supervisor, I
8 will make a motion that this Board go into
9 Executive Session for the purpose of discussing
10 proposed and pending litigation.

11 COUNCILMAN IMBROTO: And I would second
12 that motion.

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

15 ALL: "Aye."

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

18 (Whereupon, there were no "Nay"
19 responses from the Board.)

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

22 Thank you.

23 We'll make it as quick as possible so
24 we can come back out to continue our work.

25 Thank you.

1 (Whereupon, the Executive Session began
2 at 1:13 p.m. and ended at 1:30 p.m. and the
3 proceedings resumed as follows:)

4 SUPERVISOR SALADINO: We will turn the
5 floor over to Councilwoman Johnson who will give us
6 a report on our Executive Session.

7 COUNCILWOMAN JOHNSON: Supervisor, I'd
8 like to make a motion to close the Executive Session.

9 No action was made.

10 COUNCILWOMAN WALSH: You're not on,
11 Michele.

12 COUNCILWOMAN MAIER: We need a Town
13 Clerk.

14 (Whereupon, the proceedings were
15 briefly halted until the arrival of the Town
16 Clerk.)

17 SUPERVISOR SALADINO: Okay.

18 Could Councilwoman Michele Johnson,
19 again, give us a report on Executive Session?

20 COUNCILWOMAN JOHNSON: Supervisor, I
21 make a motion that Executive Session be closed.

22 No action was taken.

23 COUNCILMAN LABRIOLA: I don't think the
24 microphones are on.

25 (Whereupon, it was determined that

1 there was a technical difficulty with the
2 microphones.)

3 SUPERVISOR SALADINO: How about now?

4 Can everyone hear us?

5 Better?

6 Okay, we have a vote. All in favor,
7 please --

8 COUNCILWOMAN JOHNSON: He didn't second
9 the motion.

10 SUPERVISOR SALADINO: He just did.

11 COUNCILMAN IMBROTO: And I don't have
12 to, but I will.

13 Nobody has to second a motion.

14 COUNCILWOMAN JOHNSON: You're correct.

15 COUNCILMAN IMBROTO: If we have to vote
16 on a motion --

17 SUPERVISOR SALADINO: Ladies and
18 gentlemen, all in favor, please signify by saying
19 "Aye."

20 ALL: "Aye."

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

23 (Whereupon, there were no "Nay"
24 responses from the Board.)

25 SUPERVISOR SALADINO: The "Ayes" have

11

it.

(TIME NOTED: 1:32 P.M.)

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
August 17, 2021
1:33 p.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

RICHARD LaMARCA, TOWN CLERK
JEFFREY P. PRAVATO, RECEIVER OF TAXES

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Will the Town
2 Clerk now call the regular Action Calendar?

3 MR. LaMARCA: May I have a motion,
4 please to suspend the rules and add Resolution
5 No. 489 through 495-2021?

6 **RESOLUTION NO. 489-2021;** Resolution
7 directing the Town Clerk to advertise a Notice of
8 Hearing in connection with the application of Our
9 House Montessori Corporation for a Special Use
10 Permit and Site Plan Approval for development and
11 operation of a day care/nursery school on premises
12 at 192 Broadway Bethpage. Hearing Date:
13 September 14, 2021. (M.D. 8/10/21 #25).

14 **RESOLUTION NO. 490-2021;** Resolution
15 authorizing the Town of Oyster Bay Animal Shelter
16 to hold a "Free Adoption Month" event waiving
17 adoption fees for the Month of September 2021.
18 (M.D. 8/10/21 #18).

19 **RESOLUTION NO. 491-2021;** Resolution
20 authorizing payment to satisfy outstanding fees,
21 disbursements and expenses of Court Ordered Fees
22 for Independent Consultant. Account No. OTA A 1420
23 44110 000 0000. (M.D. 8/10/21 #12).

24 **RESOLUTION NO. 492-2021;** Resolution
25 authorizing the Town of Oyster Bay Animal Shelter

1 to host a "Free Rabies Clinic" event in conjunction
2 with the Nassau County Department of Health,
3 to be held September 11, 2021. (M.D. 8/10/21 #17).

4 **RESOLUTION NO. 493-2021;** Resolution
5 granting request from Rolling Thunder Inc. NY
6 Chapter 6, for Town assistance in conducting their
7 Ride for Robby Event to be held August 15, 2021,
8 and for the use of Municipal Parking Field M-9 in
9 Massapequa for the event. (M.D. 8/10/21 #26).

10 **RESOLUTION NO. 494-2021;** Resolution to
11 ratify the Memorandum of Agreement between the Town
12 of Oyster Bay and the CSEA, dated June 8, 2021,
13 relative to resolving a grievance. (M.D. 8/10/21
14 #27).

15 **RESOLUTION NO. 495-2021;** Resolution
16 pertaining to Settlement of Claim, Claimant:
17 Ronald Capobianco, Matter ID No. 2020-7480.
18 Account No. TWN AMS 1910 43010 602 0000 000. (M.D.
19 8/10/21 #28).

20 On the motion:

21 COUNCILWOMAN JOHNSON: So moved.

22 COUNCILMAN IMBROTO: Second.

23 MR. LaMARCA: Motion made by
24 Councilwoman Johnson and seconded by Councilman
25 Imbroto.

1 On the vote:
2 Supervisor Saladino?
3 SUPERVISOR SALADINO: "Aye."
4 MR. LaMARCA: Councilwoman Johnson?
5 COUNCILWOMAN JOHNSON: "Aye."
6 MR. LaMARCA: Councilman Imbroto?
7 COUNCILMAN IMBROTO: "Aye."
8 MR. LaMARCA: Councilman Hand?
9 COUNCILMAN HAND: "Aye."
10 MR. LaMARCA: Councilman Labriola?
11 COUNCILMAN LABRIOLA: "Aye."
12 MR. LaMARCA: Councilwoman Maier?
13 COUNCILWOMAN MAIER: "Aye."
14 MR. LaMARCA: Councilwoman Walsh?
15 COUNCILWOMAN WALSH: "Aye."
16 MR. LaMARCA: Motion to suspend the
17 rules and add Resolution No. 489 through 495-2021
18 passes with seven "Ayes" and zero "Nays."
19 May I have a motion to adopt Resolution
20 Nos. P-13-21 through 495-2021?
21 **PERSONNEL RESOLUTION NO. P-13-21;**
22 Resolution pertaining to personnel of various
23 departments within the Town of Oyster Bay.
24 **TRANSFER OF FUNDS RESOLUTION NO.**
25 **TF-11-21;** Resolution pertaining to transfer of

1 funds within various departments' accounts
2 for the Year 2021.

3 **RESOLUTION NO. 415-2021;** Resolution
4 pertaining to building application review and
5 approval for the North Massapequa Fire District,
6 1000 N. Broadway, Massapequa, NY. (M.D. 7/6/21 #5).

7 **RESOLUTION NO. 416-2021;** Resolution
8 pertaining to settlement of negligence claim;
9 Claimant: Vijander Kumar Baswal, Matter ID No.
10 2021-7960, Account No. TWN AMS 1910 43020 602 0000
11 000. (M.D. 7/6/21 #8).

12 **RESOLUTION NO. 417-2021;** Resolution
13 authorizing Change Order No. 1, Highway
14 Improvements to the Southwood Circle Area, Phase 1,
15 Syosset, under Contract No. H19-198PH1. (M.D.
16 7/6/21 #9).

17 **RESOLUTION NO. 418-2021;** Resolution to
18 amend Resolution No. 242-2021, dated May 4, 2021,
19 to change the check payable recipient for the
20 August 12, 2021 Music Under the Stars. (M.D.
21 7/13/21 #6).

22 **RESOLUTION NO. 419-2021;** Resolution
23 authorizing acceptance of a donation of a memorial
24 plaque and bench from D. Gugerty, to be placed in
25 Stehli Beach, in memory of Merrill Gugerty.

1 (M.D. 7/13/21 #7).

2 **RESOLUTION NO. 420-2021;** Resolution
3 authorizing the Town of Oyster Bay Armed Forces
4 Appreciation Day to be held September 17, 2021 at
5 Syosset-Woodbury Community Park and to employ
6 services of various musicians, for the use of DJ
7 and/or audio services and to utilize current Town
8 food and beverage concessionaires. Account No. PKS
9 A 7110 47670 000 0000. (M.D. 7/13/21 #8).

10 **RESOLUTION NO. 421-2021;** Resolution
11 authorizing renewal of membership in the New York
12 Association of Training & Employment Professionals
13 (NYATEP) for the period July 1, 2021 through
14 June 30, 2022. Account No. IGA CD 6293 47900 000
15 CW20. (M.D. 7/13/21 #16).

16 **RESOLUTION NO. 422-2021;** Resolution
17 authorizing property cleanup assessment of
18 19 Nevada Street, Hicksville, performed on May 12,
19 2021, be referred to the County of Nassau for
20 placement on the Nassau County Tax Assessment
21 Rolls. (M.D. 7/13/21 #19).

22 **RESOLUTION NO. 423-2021;** Resolution
23 authorizing the property cleanup assessment of
24 28 Pickwick Drive, Old Bethpage, performed on
25 May 13, 2021, be referred to the County of Nassau

1 for placement on the Nassau County Tax Assessment
2 Rolls. (M.D. 7/13/21 #20).

3 **RESOLUTION NO. 424-2021;** Resolution
4 authorizing the property cleanup assessment of
5 91 North Knickerbocker Road, Plainview, performed
6 on April 27, 2021, be referred to the County of
7 Nassau for placement on the Nassau County Tax
8 Assessment Rolls. (M.D. 7/13/21 #21).

9 **RESOLUTION NO. 425-2021;** Resolution
10 authorizing the property cleanup assessment of
11 101 Grohmans Lane, Plainview, performed on
12 April 27, 2021, be referred to the County of Nassau
13 for placement on the Nassau County Tax Assessment
14 Rolls. (M.D. 7/13/21 #22).

15 **RESOLUTION NO. 426-2021;** Resolution
16 authorizing the Supervisor, or his designee, to
17 exercise a first one-year extension option for the
18 Ice Rink Management Consulting Services Contract
19 for the Town of Oyster Bay Ice Skating Center,
20 Bethpage, at the same terms and conditions in the
21 present contract, for the period September 1, 2021
22 through August 31, 2022. (M.D. 7/20/21 #4).

23 **RESOLUTION NO. 427-2021;** Resolution
24 authorizing acceptance of a donation of a memorial
25 plaque from R. DeMasi to be placed on an existing

1 bench in Theodore Roosevelt Memorial Park and
2 Beach in memory of John Barbato. (M.D. 7/20/21 #5).

3 **RESOLUTION NO. 428-2021;** Resolution
4 authorizing the Supervisor, or his designee, to
5 extend the 2020 Community Development Public
6 Service Contract Agreement in connection with
7 Plainedge Senior Citizens, Inc. through
8 December 31, 2021 because of cancellations of
9 meetings due to COVID-19. Account No. IGA CD 8676
10 48280 748 CD 20. (M.D. 7/20/21 #6).

11 **RESOLUTION NO. 429-2021;** Resolution
12 authorizing the Supervisor, or his designee, to
13 extend the 2020 Community Development Public
14 Service Contract Agreement in connection with
15 Veterans of Foreign Wars of the U.S., William M.
16 Gouse, Jr., Post #3211 through December 31, 2021
17 because of cancellations of meetings due to
18 COVID-19. Account No. IGA CD 8676 48280 748 CD 20.
19 (M.D. 7/20/21 #7).

20 **RESOLUTION NO. 430-2021;** Resolution
21 pertaining to General Planning Services in
22 connection with updating the 2006 Town of Oyster
23 Bay Zoning Maps. Account No. PAD B 8020 44800 000
24 0000. (M.D. 7/20/21 #8).

25 **RESOLUTION NO. 431-2021;** Resolution

1 authorizing a six-month extension of time in
2 connection with Resolution No. 269-2019, petition
3 of Kimco Jericho, MI LLC, 585 North Broadway,
4 Jericho, New York, for a Special Use Permit and
5 Approved Site Plan, from the current expiration
6 date of May 7, 2021 to November 7, 2021. (M.D.
7 7/20/21 #9).

8 **RESOLUTION NO. 432-2021;** Resolution
9 authorizing issuance of a refund of a building
10 permit fee to D. Basso. Account No. PAD B 0001
11 02555 000 0000. (M.D. 7/20/21 #10).

12 **RESOLUTION NO. 433-2021;** Resolution
13 authorizing issuance of a refund of a building
14 permit fee to A. Karimzada. Account No PAD B 0001
15 02555 000 0000. (M.D. 7/20/21 #11).

16 **RESOLUTION NO. 434-2021;** Resolution
17 pertaining to the filing of Town of Oyster Bay -
18 External Audit Report, NYS Department of
19 Transportation, for the period ended December 31,
20 2020 and ratifying the actions of the Town Clerk in
21 publishing said report as required by law. (M.D.
22 7/20/21 #12).

23 **RESOLUTION NO. 435-2021;** Resolution
24 pertaining to the filing of Town of Oyster Bay -
25 External Audit Report, Office of the Town Clerk,

1 for the period ended December 31, 2020 and
2 ratifying the actions of the Town Clerk in
3 publishing said report as required by law. (M.D.
4 7/20/21 #13).

5 **RESOLUTION NO. 436-2021;** Resolution
6 pertaining to the filing of Town of Oyster Bay -
7 External Audit Report, Office of the Receiver of
8 Taxes, for the period ended September 30, 2020
9 and ratifying the actions of the Town Clerk in
10 publishing said report as required by law. (M.D.
11 7/20/21 #14).

12 **RESOLUTION NO. 437-2021;** Resolution
13 pertaining to Contract No. PWC 07-20, On-Call
14 Consultant Services relative to Civil Engineering
15 in connection with concrete testing at Fairwater
16 Avenue. Account No. HWY H5197 20000 000 2103 008.
17 (M.D. 7/20/21 #16).

18 **RESOLUTION NO. 438-2021;** Resolution
19 pertaining to Contract No. PWC10-20, On-Call
20 Consultant Services relative to Construction
21 Management in connection with concrete observation
22 services regarding miscellaneous concrete through
23 the Town of Oyster Bay. Account No. HWY H5197
24 20000 000 2103 008. (M.D. 7/20/21 #17).

25 **RESOLUTION NO. 439-2021;** Resolution

1 authorizing the 9/11 Memorial Service to be held on
2 September 9, 2021 at TOBAY Beach (bay side), to
3 employ performers for the event, lease a tent, to
4 utilize sound services and for the Supervisor
5 and/or his designee and/or the Commissioner of the
6 Department to execute said agreements. Account Nos.
7 CYS A 7020 41800 000 0000, CYS A 7020 45100 000 000
8 and CYS A 7020 47660 000 0000. (M.D. 7/27/21 #4).

9 **RESOLUTION NO. 440-2021;** Resolution
10 authorizing issuance of refunds as requested for
11 the 2021 Full Day/Half Day Summer Recreation
12 Program. Account No. PKS A 0001 02001 510 0000.
13 (M.D. 7/27/21 #5).

14 **RESOLUTION NO. 441-2021;** Resolution
15 authorizing acceptance of a donation of a memorial
16 plaque on an existing bench from S. Ferrugia, to be
17 placed in Bayfront Park in memory of Joseph
18 Ferrugia. (M.D. 7/27/21 #6).

19 **RESOLUTION NO. 442-2021;** Resolution
20 authorizing issuance of an RFP for Computerized
21 Accounting System Support and One-Stop Operating
22 System Support, effective January 1, 2022. Account
23 No. IGA CD 6293 48080 000 CW20. (M.D. 7/27/21 #9).

24 **RESOLUTION NO. 443-2021;** Resolution
25 authorizing retention of a Professional Services

1 Trainer for Public Safety First Responders in the
2 subject area of first aid and trauma. Account No.
3 DPS A 3010 44140 000 0000. (M.D. 7/27/21 #12).

4 **RESOLUTION NO. 444-2021;** Resolution
5 authorizing the acceptance of a donation of a 9/11
6 Memorial sign from Cub Scout Pack 436, to be
7 installed by the Department of Parks in Parklet
8 M-08. (M.D. 8/3/21 #4).

9 **RESOLUTION NO. 445-2021;** Resolution
10 authorizing the acceptance of a donation of a
11 memorial plaque and a bench from M. Anzalone, to be
12 placed in Theodore Roosevelt Memorial Park and
13 Beach in memory of Donald J. Anzalone. (M.D. 8/3/21
14 #5).

15 **RESOLUTION NO. 446-2021;** Resolution
16 authorizing the acceptance of a donation of two
17 memorial plaques and a bench from A. Troise, to be
18 placed in Theodore Roosevelt Memorial Park and
19 Beach in memory of Diane and Jared Troise. (M.D.
20 8/3/21 #6).

21 **RESOLUTION NO. 447-2021;** Resolution
22 authorizing the Department of General Services to
23 advertise surplus equipment for competitive bid
24 sale or public auction, as required by the Town
25 Surplus Policy, Resolution No. 415-2018. (M.D.

1 8/3/21 #11).

2 **RESOLUTION NO. 448-2021;** Resolution
3 ratifying the action of the execution of the
4 Coronavirus State and Local Fiscal Recovery Funds -
5 Financial Assistance Agreement with the U.S.
6 Department of the Treasury, from July 6, 2021 and
7 for the Supervisor, or his designee, to execute
8 documents in connection with U.S. Department of
9 Treasury Coronavirus State and Local Fiscal
10 Recovery Funding. (M.D. 8/3/21 #12).

11 **RESOLUTION NO. 449-2021;** Resolution
12 authorizing publication of a legal notice
13 pertaining to the 2021-2022 School Tax. Account No.
14 ROT A 1330 44100 000 0000. (M.D. 8/3/21 #14).

15 **RESOLUTION NO. 450-2021;** Resolution
16 pertaining to approval of a Building Permit
17 Application Review from the South Farmingdale Fire
18 District, 3 Locust Avenue, Farmingdale. (M.D.
19 8/3/21 #17).

20 **RESOLUTION NO. 451-2021;** Resolution
21 authorizing a six-month extension of time in
22 connection with Resolution No. 90-2020, Petition of
23 62 South Street Tower, Inc., 62 South Street,
24 Oyster Bay, for a Special Use Permit and Approved
25 Site Plan, from the current expiration date of

1 July 28, 2021 to January 28, 2022. (M.D. 8/3/21
2 #18).

3 **RESOLUTION NO. 452-2021;** Resolution
4 authorizing of a one-year extension of time in
5 connection with Resolution No. 696-10, Petition of
6 Woodbury Realty Holdings Corp., Woodbury Villas,
7 884 Jericho Turnpike, Woodbury, for a Change of
8 Zone and Approved Site Plan, from the current
9 expiration date of July 13, 2021 to July 13, 2022.
10 (M.D. 8/3/21 #19).

11 **RESOLUTION NO. 453-2021;** Resolution
12 pertaining to an Amended Site Plan for PJA 250
13 Crossways Park, LLC, Woodbury. (M.D. 8/3/21 #20).

14 **RESOLUTION NO. 454-2021;** Resolution to
15 accept a recommendation from the Town of Oyster Bay
16 Housing Authority for an appointment to the Board.
17 (M.D. 8/3/21 #22).

18 **RESOLUTION NO. 455-2021;** Resolution
19 directing the Town Clerk to publish a Notice of
20 Hearing on a Proposed Local Law entitled: "A Local
21 Law to Amend Chapter 233 - Traffic, of the Code of
22 the Town of Oyster Bay." Hearing date:
23 September 14, 2021. (M.D. 8/3/21 #23).

24 **RESOLUTION NO. 456-2021;** Resolution
25 directing the Town Clerk to publish a Notice of

1 Hearing on a Proposed Local Law entitled "A Local
2 Law to Amend Chapter 203 - Speed Limits, of the
3 Code of the Town of Oyster Bay. Hearing date:
4 September 14, 2021. (M.D. 8/3/21 #24).

5 **RESOLUTION NO. 457-2021;** Resolution
6 directing the Town Clerk to publish a Notice of
7 Hearing in connection with the application of
8 Nassau County Industrial Development Agency, fee
9 owner, and Lunar Module Park, LLC, for a Special
10 Use Permit to allow for construction and operation
11 of television and film studios at premises located
12 at 500 Grumman Road West, Bethpage, New York.
13 Hearing Date: September 14, 2021. (M.D. 8/3/21 #25).

14 **RESOLUTION NO. 458-2021;** Resolution
15 authorizing the property cleanup assessment of
16 Old Country Road and East Avenue, Hicksville,
17 Section 45, Block 66, Lot 292, performed on May 18,
18 2021, be referred to the County of Nassau for
19 placement on the Nassau County Tax Assessment
20 Rolls. (M.D. 8/3/21 #29).

21 **RESOLUTION NO. 459-2021;** Resolution
22 authorizing the property cleanup assessment of
23 37 West Cherry Street, Hicksville, performed on
24 May 24, 2021, be referred to the County of Nassau
25 for placement on the Nassau County Tax Assessment

1 Rolls. (M.D. 8/3/21 #30).

2 **RESOLUTION NO. 460-2021;** Resolution
3 authorizing the property cleanup assessment of
4 10 High Farms Road, Glen Head, performed on May 25,
5 2021, be referred to the County of Nassau for
6 placement on the Nassau County Tax Assessment
7 Rolls. (M.D. 8/3/21 #31).

8 **RESOLUTION NO. 461-2021;** Resolution
9 authorizing the property cleanup assessment of
10 4 West Park Drive, Old Bethpage, performed on
11 May 24, 2021, be referred to the County of Nassau
12 for placement on the Nassau County Tax Assessment
13 Rolls. (M.D. 8/3/21 #32).

14 **RESOLUTION NO. 462-2021;** Resolution
15 authorizing the property cleanup assessment of
16 544 Old Country Road, Plainview, performed on
17 May 24, 2021, be referred to the County of Nassau
18 for placement on the Nassau County Tax Assessment
19 Rolls. (M.D. 8/3/21 #33).

20 **RESOLUTION NO. 463-2021;** Resolution
21 authorizing the property cleanup assessment of
22 Madison Street, Massapequa, Section 53, Block 3,
23 Lots 21 and 22, performed on May 21, 2021, be
24 referred to the County of Nassau for placement on
25 the Nassau County Tax Assessment Rolls. (M.D.

1 8/3/21 #34).

2 **RESOLUTION NO. 464-2021;** Resolution
3 authorizing the Acceptance of the Design and
4 Request to Enter Bid & Construction Phases of
5 Contract No. H17-161, Retrofit of Existing
6 Streetlights to LED with Solar Power and Battery
7 Backup located in Massapequa, NY. (M.D. 8/3/21 #40).

8 **RESOLUTION NO. 465-2021;** Resolution
9 pertaining to Contract No. PWC10-20, On-Call
10 Services Relative to Construction Management in
11 connection with Parklet B-21. Account No. PKS H
12 7197 20000 000 2001 013. (M.D. 8/3/21 #41).

13 **RESOLUTION NO. 466-2021;** Resolution
14 pertaining to Contract No. PWC22-20, On-Call
15 Engineering Services Relative to Architecture in
16 connection with Marjorie Post Park Community Center
17 Upgrades and for use of a sub-consultants for
18 printing and blueprints and acoustical design.
19 Account No. CYS H 1997 20000 000 1401 001. (M.D.
20 8/3/21 #42).

21 **RESOLUTION NO. 467-2021;** Resolution
22 granting request from Holy Trinity Greek Orthodox
23 Church for Town assistance in conducting their
24 Annual Grecian Festival to be held September 10,
25 2021 through September 12, 2021, and for use of

1 various Town equipment for the event. (M.D. 8/3/21
2 #43).

3 **RESOLUTION NO. 468-2021;** Resolution
4 authorizing award of engineering services under
5 Contract No. DP21-215, Harry Tappen Beach Sanitary
6 System Improvements. Account No. PKS H 7197
7 20000 000 2102 001. (M.D. 8/3/21 #44).

8 **RESOLUTION NO. 469-2021;** Resolution to
9 ratify the procurement of a producer for a
10 televised notice in connection with the Rental
11 Assistance Program. (M.D. 8/3/21 #45).

12 **RESOLUTION NO. 470-2021;** Resolution
13 granting request from People Loving People
14 Community Food Pantry for Town assistance in
15 conducting their Event to be held August 13, 2021.
16 (M.D. 8/3/21 #48).

17 **RESOLUTION NO. 471-2021;** Resolution
18 pertaining to Requirements Contract for General
19 Reconstruction throughout the Town of Oyster Bay
20 under Contract No. HGR17-162. (M.D. 8/3/21
21 #49).

22 **RESOLUTION NO. 472-2021;** Resolution
23 authorizing the issuance of a refund for a Golf
24 Membership fee to L. Lasher. Account No. PKS A 0001
25 02025 523 0000. (M.D. 8/3/21 #50).

1 **RESOLUTION NO. 473-2021;** Resolution
2 authorizing the waiver of all golf fees for all
3 Town of Oyster Bay Veterans who have served in the
4 U.S. Military at the Town of Oyster Bay Joseph
5 Colby Golf Course on Veteran's Day, November 11,
6 2021. (M.D. 8/3/21 #47 and 8/10/21 #6).

7 **RESOLUTION NO. 474-2021;** Resolution
8 pertaining to Contract No. PWC31-20, On-Call
9 Engineering Services Relative to Operation and
10 Development of the Old Bethpage Solid Waste
11 Disposal Complex, in connection with evaluation of
12 proposals as part of the RFP for management of
13 solid waste and recyclables, and operational and
14 regulatory assistance. Account No. DER SR05 8160
15 44800 000 0000. (M.D. 8/3/21 #39 and 8/10/21 #14).

16 **RESOLUTION NO. 475-2021;** Resolution
17 authorizing a Permit Agreement related to the MTA
18 Capital Construction Company's Main Line Expansion
19 in Hicksville, and for the Supervisor, or his
20 designee, to execute said Agreement. (M.D. 8/3/21
21 #51 and 8/10/21 #24).

22 **RESOLUTION NO. 476-2021;** Resolution
23 authorizing a temporary amendment to Special Use
24 Permit Site Plan for Nassau Steel, LLC, d/b/a Gold
25 Coast Studios, 999 S. Oyster Bay Road, Bethpage.

1 (M.D. 8/3/21 #15 and 8/10/21 #10).

2 **RESOLUTION NO. 477-2021;** Pertaining to
3 authorization of expenditures for residential
4 document scanning for the Department of Planning
5 and Development. (M.D. 8/3/21 #16 and 8/10/21
6 #11).

7 **RESOLUTION NO. 478-2021;** Resolution
8 granting request from the Bethpage Chamber of
9 Commerce, for Town assistance for their Music on
10 Broadway event to be held August 28, 2021, to have
11 temporary road closure of Powell Avenue and Nibbe
12 Lane and use various Town equipment for the event.
13 (M.D. 8/3/21 #52).

14 **RESOLUTION NO. 479-2021;** Resolution
15 authorizing an agreement for the upgrade and
16 installation of software/equipment for the
17 Department of Planning and Development and for the
18 Supervisor, or his designee, to execute said
19 agreement. (M.D. 8/3/21 #21 and 8/10/21 #8).

20 **RESOLUTION NO. 480-2021;** Resolution
21 authorizing a License Agreement for the use of a
22 portion of Town owned property located at the Old
23 Bethpage Solid Waste Disposal Complex for overnight
24 storage of "Small Type 2 School Buses," for the
25 period August 18, 2021 through October 31, 2022,

1 with two (2) one (1) year extension options, and
2 for the Supervisor, or his designee, to execute
3 said Agreement. (M.D. 8/3/21 #26 and 8/10/21 #19).

4 **RESOLUTION NO. 481-2021;** Resolution
5 authorizing a License Agreement for the use of a
6 portion of Town owned property located at the Old
7 Bethpage Solid Waste Disposal Complex for
8 manufacture and storage of an inventory of wood
9 chips, the performance of tree trimming and
10 landscaping services, the performance of concrete
11 material removal, and street sweeping removal
12 services for the period September 1, 2021 through
13 August 31, 2023, and for the Supervisor, or his
14 designee, to execute said Agreement. (M.D. 8/3/21
15 #27 and 8/10/21 #20).

16 **RESOLUTION NO. 482-2021;** Resolution
17 authorizing a License Agreement for use of a
18 portion of Town owned property located at the
19 Old Bethpage Solid Waste Disposal Complex for
20 storage of vehicles impounded in connection with an
21 agreement with the County of Nassau for the period
22 August 18, 2021 through October 31, 2022, and for
23 the Supervisor, or his designee, to execute said
24 Agreement. (M.D. 8/3/21 #28 and 8/10/21 #21).

25 **RESOLUTION NO. 483-2021;** Resolution

1 pertaining to Contract No. PWC09-20, On-Call
2 Engineering Services Relative to Site Development
3 at Peninsula Golf Course for surveying, technical
4 and planning services and for the use of a
5 sub-consultant for environmental services. Account
6 No. DPW-H-1997-20000-000-2110-001. (M.D. 8/3/21 #35
7 and 8/10/21 #22).

8 **RESOLUTION NO. 484-2021;** Resolution
9 pertaining to Contract No. PWC09-20, On-Call
10 Engineering Services Relative to Site Development
11 at 47 West Barclay, Hicksville in connection with
12 surveying, technical and planning services and for
13 use of a sub-consultant for environmental services.
14 Account No. DPW-H-1997-20000-000-2110-001. (M.D.
15 8/3/21 #36 and 8/10/21 #23).

16 **RESOLUTION NO. 485-2021;** Resolution
17 pertaining to Contract PWC14-20, On-Call Consultant
18 Services Relative to Surveying, in connection
19 survey and construction management of the
20 Hicksville Parking Facility roof level for
21 necessary repairs and to replace waterproofing
22 system. Account No. DPW H 5997 20000 000 1804 016.
23 (M.D. 8/3/21 #37 and 8/10/21 #13).

24 **RESOLUTION NO. 486-2021;** Resolution
25 pertaining to the decision on the application of

1 JP Optionee LLC, Contract Vendee, for a Change of
2 Zone and Special Use Permit to allow for
3 construction and operation of a hotel on premises
4 located at One and Two Jericho Plaza, Jericho,
5 New York. Hearing held: July 13, 2021. (M.D.
6 7/13/21 #5).

7 **RESOLUTION NO. 487-2021;** Resolution
8 pertaining to the decision on the application of
9 the Oyster Bay Water District for the Extension of
10 Oyster Bay Water District within the Incorporated
11 Village of Cove Neck, Oyster Bay, New York.
12 Hearing held: August 17, 2021. (M.D. 7/6/21 #15).

13 **RESOLUTION NO. 488-2021;** Resolution
14 pertaining to the decision on the 2021 Fire
15 Protection Agreements for Bayville Fire Company No.
16 1, Inc., Roslyn Highlands Hook & Ladder, Engine &
17 Hose Company, Inc., Rescue Company Hook & Ladder
18 Company No. 1 (aka Roslyn Rescue), Atlantic Steamer
19 Fire Company No. 1, Inc., Oyster Bay Fire
20 Department, Inc. and Wantagh Fire District.
21 Hearing held: August 17, 2021. (M.D. 7/6/21 #14).

22 **RESOLUTION NO. 489-2021;** Resolution
23 directing the Town Clerk to advertise a Notice of
24 Hearing in connection with the application of Our
25 House Montessori Corporation for a Special Use

1 Permit and Site Plan Approval for development and
2 operation of a day care/nursery school on premises
3 at 192 Broadway Bethpage. Hearing Date:
4 September 14, 2021. (M.D. 8/10/21 #25).

5 **RESOLUTION NO. 490-2021;** Resolution
6 authorizing the Town of Oyster Bay Animal Shelter
7 to hold a "Free Adoption Month" event waiving
8 adoption fees for the Month of September 2021.
9 (M.D. 8/10/21 #18).

10 **RESOLUTION NO. 491-2021;** Resolution
11 authorizing payment to satisfy outstanding fees,
12 disbursements and expenses of Court Ordered Fees
13 for Independent Consultant. Account No. OTA A 1420
14 44110 000 0000. (M.D. 8/10/21 #12).

15 **RESOLUTION NO. 492-2021;** Resolution
16 authorizing the Town of Oyster Bay Animal Shelter
17 to host a "Free Rabies Clinic" event in conjunction
18 with the Nassau County Department of Health,
19 to be held September 11, 2021. (M.D. 8/10/21 #17).

20 **RESOLUTION NO. 493-2021;** Resolution
21 granting request from Rolling Thunder Inc. NY
22 Chapter 6, for Town assistance in conducting their
23 Ride for Robby Event to be held August 15, 2021,
24 and for the use of Municipal Parking Field M-9 in
25 Massapequa for the event. (M.D. 8/10/21 #26).

1 **RESOLUTION NO. 494-2021;** Resolution to
2 ratify the Memorandum of Agreement between the Town
3 of Oyster Bay and the CSEA, dated June 8, 2021,
4 relative to resolving a grievance. (M.D. 8/10/21
5 #27).

6 **RESOLUTION NO. 495-2021;** Resolution
7 pertaining to Settlement of Claim, Claimant:
8 Ronald Capobianco, Matter ID No. 2020-7480.
9 Account No. TWN AMS 1910 43010 602 0000 000. (M.D.
10 8/10/21 #28).

11 On the motion:

12 COUNCILWOMAN JOHNSON: So moved.

13 COUNCILMAN IMBROTO: Second.

14 MR. LaMARCA: Motion made by
15 Councilwoman Johnson and seconded by Councilman
16 Imbroto.

17 I think we have some speakers on these.

18 SUPERVISOR SALADINO: Yes, we do.

19 Our first speaker on our Resolution
20 Calendar will be Joel Berse.

21 COUNCILMAN IMBROTO: Is the Town
22 Attorney keeping track of the speaker's time?

23 MR. SCALERA: I'll keep track.

24 SUPERVISOR SALADINO: Okay, Joel, of
25 course, you know the rules in terms of time

1 allotted, and we ask you to please stay within the
2 allotted time.

3 Please, proceed.

4 MR. BERSE: I have -- should I go for
5 all three of the Resolutions?

6 SUPERVISOR SALADINO: Yes, please do
7 them all at once.

8 MR. BERSE: All right.

9 First of all, number 430.

10 Was that the Hicksville rezoning or a
11 different area?

12 MR. McCAFFREY: That would be the
13 entire town.

14 MR. BERSE: Did it have anything
15 specific to Hicksville?

16 MR. McCAFFREY: No.

17 MR. BERSE: Okay.

18 Next victim.

19 As far as 434, which area did this
20 cover with the DOT?

21 SUPERVISOR SALADINO: This is an audit
22 that is mandated by Albany. An unfunded mandate
23 that covers a number of the actions as they relate
24 to the Town Clerk.

25 MR. BERSE: And on 475, what work was

1 this that was done?

2 SUPERVISOR SALADINO: Jim, do you have
3 information on that?

4 MR. McCaffrey: Just give me one
5 second.

6 MR. BERSE: Is that the stuff over at
7 the railroad contract?

8 MR. McCaffrey: I believe that's best
9 handled by the Town Attorney.

10 SUPERVISOR SALADINO: While we're
11 waiting for that, do you have questions --

12 MR. BERSE: That's the last Resolution,
13 and I just wrote on there to come back under P.C.

14 SUPERVISOR SALADINO: Because two times
15 is not enough to get all the information across,
16 you want to come up a third time to give more
17 information to us.

18 MR. BERSE: No. It's different.

19 What's the 475 in reference to? The
20 railroad? You know what? I'm going to sit down
21 and listen to you.

22 How's that?

23 SUPERVISOR SALADINO: Thank you, Joel.

24 MR. McCaffrey: Once again, James
25 McCaffrey, Deputy Commissioner Planning and

1 Development.

2 That agreement is between the Town and
3 the MTA. What, basically, it is, is they required
4 an additional transformer to help with the Third
5 Track Project, and the location where they wanted
6 to place the transformer is next to their existing
7 transformer, and the Town owns that property. So
8 we had to enter into an agreement with the MTA to
9 allow them to use Town owned property.

10 That's, basically, what it is.

11 SUPERVISOR SALADINO: And, Frank, is
12 there something that you wanted to add from a legal
13 perspective?

14 MR. SCALERA: If the Resolution is
15 passed and the mechanics work out with the MTA for
16 that use of the property, then we will be receiving
17 \$400,000 for the use or the acquisition of that
18 piece of property, which, of course, we'll be using
19 the \$400,000 for the other -- if, indeed, you pass
20 the Eminent Domain hearing on the 47 Barclay. That
21 was one of the -- you know, that was one of the
22 selling points as well.

23 SUPERVISOR SALADINO: Thank you so
24 much. Much appreciated.

25 Okay. That was Joel Berse.

1 And our next speaker we have
2 Mr. McKenna and followed by Arthur Adelman on deck.

3 MS. FAUGHNAN: Mr. Supervisor, how many
4 Resolutions?

5 SUPERVISOR SALADINO: It looks as
6 though Mr. McKenna would like to -- he didn't say.

7 MS. FAUGHNAN: Mr. McKenna, how many
8 Resolutions do you anticipate speaking on?

9 MR. McKENNA: I can't hear you.

10 MS. FAUGHNAN: How many Resolutions?

11 MR. McKENNA: I don't know. Whatever I
12 wrote on the sheet. I didn't count them.

13 SUPERVISOR SALADINO: Okay.

14 MR. McKENNA: But I'm going to be
15 brief.

16 SUPERVISOR SALADINO: Yeah, I know you
17 are.

18 MR. McKENNA: Kevin McKenna, Edna
19 Drive, Syosset, New York.

20 First, I'll start off on Resolution
21 486. I'm losing my eyesight. I'd like to know --

22 MR. IMBROTO: Hold on, Mr. McKenna.
23 I'm just turning the page.

24 MR. McKENNA: 486, the hotel. The
25 new -- the latest hotel in Jericho. The one that

1 you had the hearing on the last meeting.

2 At the last meeting, I had asked, or I
3 had brought to the attention of the Board the fact
4 that it was highly unusual that the Birchwood Civic
5 Association of Jericho, led by Mr. Roy Chipkin, it
6 was highly unusual that there was no feedback from
7 his Civic as to their opinion on this hotel, and,
8 once again, I'd like to ask you if you received any
9 correspondence whatsoever from the Birchwood Civic
10 as to their opinion on this hotel.

11 SUPERVISOR SALADINO: Have we -- has
12 the Town Attorney's Office received any
13 correspondence?

14 MR. SCALERA: The Town Attorney's
15 Office didn't receive any correspondence, nor did
16 Legislative Affairs.

17 MR. McKENNA: No?

18 COUNCILMAN IMBROTO: Is the proposed
19 hotel within the boundaries of the Birchwood Civic
20 Association?

21 MR. McKENNA: I'm sorry. I didn't hear
22 what he said. I really didn't.

23 SUPERVISOR SALADINO: The Town Attorney
24 reports that, to his knowledge, we have not
25 received any correspondence.

1 MR. McKENNA: Okay. That answers the
2 question.

3 So the public in Jericho now knows the
4 tax paying -- the -- the -- I'll leave it at that.

5 I'm going to go to the next Resolution.

6 SUPERVISOR SALADINO: Okay.

7 MR. McKENNA: I guess what I'm trying
8 to say is that Roy Chipkin collects dues from
9 people in Jericho, but he doesn't send in their
10 opinions.

11 COUNCILMAN IMBROTO: Yeah, he's not
12 affiliated with the Town.

13 MR. McKENNA: Resolution 469.

14 I noticed recently the TV commercial
15 that was running about the rental assistance
16 program, and I'd like to know if this is the
17 approval for the commercials that have already been
18 running.

19 SUPERVISOR SALADINO: Please ask all
20 your questions as we always --

21 MR. McKENNA: Okay.

22 SUPERVISOR SALADINO: -- as is our
23 procedure --

24 MR. McKENNA: Just so you know --

25 SUPERVISOR SALADINO: -- ask all your

1 questions --

2 MR. McKENNA: Just so you know --

3 SUPERVISOR SALADINO: -- take a seat,
4 and we'll answer --

5 MR. McKENNA: Just so you know, I'd
6 like to stay here when I get done to get answers to
7 all of them.

8 Why don't you just answer one at time?
9 It's easier.

10 SUPERVISOR SALADINO: We're going to
11 continue to stick with our policy --

12 MR. McKENNA: Okay.

13 SUPERVISOR SALADINO: -- to ask all
14 your questions or make comments --

15 MR. McKENNA: It just would be --

16 SUPERVISOR SALADINO: -- but remember
17 this isn't just about --

18 MR. McKENNA: -- a whole lot -- you just
19 did it. If you answered them one at a time, it
20 would be a whole lot easier.

21 SUPERVISOR SALADINO: This isn't about
22 debate. It's about, more times people --

23 MR. McKENNA: All right. I don't want
24 to -- with all due respect, I don't want to waste
25 my time.

1 SUPERVISOR SALADINO: Okay.

2 MR. McKENNA: 454, the Town of Oyster
3 Bay Housing Authority.

4 And what I'm going to say I'm probably
5 bringing to the Board's attention. I'm sure that
6 you know that Commissioner James McCaffrey is the
7 head of the Town of Oyster Bay Housing Authority,
8 which is a separate entity from the Town, and
9 recently there has been a lot of attention brought
10 to the Town of Oyster Bay Housing Authority by
11 someone else on social media. They actually
12 started a Facebook page. That's why I'm bringing
13 it to your attention. And there is a continued
14 lack of maintenance across the Town of Oyster Bay
15 Housing Authority. If you go on the Facebook page
16 that was started by somebody else that I've never
17 met, it's not like I'm in cahoots with the person,
18 he's actually posting all the pictures of the lack
19 of maintenance. He lives in one of the -- he lives
20 in the Plainview -- Mr. McCaffrey is well aware of
21 what I'm talking about because he has been in touch
22 with, I think his name is Mr. Einhorn (phonetic).

23 The point that I'm trying to make is
24 that it would be highly suggestive that the Town of
25 Oyster Bay Housing Authority, since it is separate,

1 it create its own website because when you go on
2 the Town of Oyster Bay Housing Authority now, it
3 links to the Town of Oyster Bay, so on one hand
4 you're saying that it's a separate entity, and on
5 the other hand, when you go on the site, it links
6 to the Town of Oyster Bay's website, and the fact
7 that Commissioner McCaffrey is, obviously, a Deputy
8 Commissioner with the Town and also a -- I'm not
9 sure if it's president or chairman of the Housing
10 Authority -- how you could say it's separate from
11 the Town is beyond me, but that's not the point.

12 The reason I bring it up right now is
13 that the public right now needs to know who is
14 currently on the Board of the Housing Authority
15 because that's not published anywhere. And if you
16 take the recommendation to create a website, you
17 should put the Board members on that website so
18 that the people that live in these apartments know
19 who the Board members are. Right now, they don't.

20 I actually -- I actually sent an e-mail
21 to Mr. McCaffrey asking the question, and for
22 whatever the reason, I can't get the answer to that
23 question, so now -- so now you're appointing a new
24 Member to the Board, and I'd like to know if any of
25 the residents that live there -- it would make

1 sense to have a resident who lives there be
2 considered to be on the Board in order to bring to
3 the attention of the Town of Oyster Bay Housing
4 Authority secret Board the lack of maintenance in
5 all the different apartments.

6 SUPERVISOR SALADINO: Thank you.

7 MR. McKENNA: Moving on. 443.

8 COUNCILMAN IMBROTO: Hold on. I just
9 have to get to the page. For some reason, my pages
10 are out of order.

11 MR. McKENNA: While you guys are
12 looking, you can just give me an extra minute or
13 two because my time is being wasted giving you guys
14 the courtesy to find -- Councilwoman Johnson is
15 shaking her head no, but --

16 SUPERVISOR SALADINO: Please, just
17 stick to your comments. We're listening.

18 MR. McKENNA: Anyway.

19 A professional services trainer for
20 Public Safety responders, is there an RFP that went
21 out for that position, or why is that needed?

22 Why all of a sudden do they need this
23 training? Haven't they had it already?

24 And, by the way, I read last night that
25 one of the towns in Suffolk County has the Public

1 Safety Department under the Parks Department, which
2 is an interesting idea. Not under the Planning --
3 under Elizabeth Maccarone's group. You should
4 reconsider that.

5 SUPERVISOR SALADINO: That's not
6 accurate, but you know that. That's not part of
7 the same department.

8 MR. McKENNA: 442.

9 Could you tell me if the computerized
10 accounting system includes, finally, the
11 recommendation that I made four years ago to get
12 away from manual time sheets for the employees?

13 We're in the year 2021. Maybe you've
14 updated the time sheets to computerized already,
15 but if you haven't, could you tell us if the
16 accounting system updates the time sheets across
17 the board, across the Town to computerize time
18 sheets?

19 Okay. 431, the extension for the
20 Kimco, North Broadway, which is actually the --
21 it's actually behind the Marriott hotel that was in
22 such a rush to be built two years ago.

23 In light of -- in light of all the
24 changes in Hicksville, which were laid out by
25 Mr. Ellsworth earlier -- in light of the fact that

1 COVID has brought -- how many people moved from
2 New York City to Long Island?

3 The housing, the population increase,
4 the traffic increase, especially in the Hicksville
5 area with the rentals, I -- I believe this is the
6 second extension that they're asking for and -- and
7 the fact that you're going to be voting on the
8 hotel in Jericho that's on this -- that's one of
9 the Resolutions on this agenda. There's going to
10 be another hotel, the increased traffic, more
11 people, the fact that the traffic study that was
12 done back two years ago for the Marriott was
13 inaccurate in the first place, I highly recommend
14 that the Board postpone this vote until you have
15 the applicant redo a traffic study based upon
16 today's times.

17 And why is a hotel -- why is the
18 Marriott now even going to be needed with the
19 Jericho hotel being built?

20 And real quick -- 417. I want to
21 thank -- I want to thank the Highway Division of
22 the Town of Oyster Bay for doing the work in the
23 Syosset area.

24 I brought that to their attention
25 probably about a year ago. I did a video of the

1 Syosset area. I sent the video to the Highway
2 Department, and a lot of my videos, even though I
3 don't get accolades and I don't get proclamations
4 like other people do, I know that a lot of the
5 information that I send to the Town is acted on,
6 and I thank you very much.

7 SUPERVISOR SALADINO: Arthur, please
8 step forward.

9 AUDIENCE MEMBER: My answers. I want
10 my answers.

11 SUPERVISOR SALADINO: Would you like an
12 answer? Of course.

13 Mr. McCaffrey, would you step forward.
14 We have been questioned. Our life-saving -- I'm
15 sorry, Commissioner McCaffrey, would you step
16 forward?

17 We've been investing in continued
18 training for the members of your department.

19 Can you speak to us about the
20 importance of that training, and what we arrived at
21 for that investment?

22 COMMISSIONER McCAFFREY: Justin
23 McCaffrey, Commissioner of Public Safety.

24 The training that he's referring to is
25 a more advanced training class for the Town's Bay

1 Constables, Public Safety Officers, and some of the
2 department managers that we're putting into a more
3 advanced than the typical CPR and First Aid
4 training that they had.

5 As you are well aware, probably on a
6 weekly basis, we're doing First Aid. I think we
7 had a save over last weekend right at Syosset pool.
8 The lifeguards --

9 SUPERVISOR SALADINO: We did.

10 COMMISSIONER McCAFFREY: --
11 resuscitated someone successfully --

12 SUPERVISOR SALADINO: A young child's
13 life was saved.

14 COMMISSIONER McCAFFREY: -- a young
15 child. Right. A four-year-old that they pulled
16 out of the pool and successfully resuscitated.

17 The Bay Constables, on a weekly basis,
18 are responding to life-threatening emergencies out
19 there and injuries so that training, I think, is
20 some of the best money we've ever spent, and we're
21 just enhancing the training that they all ready
22 have. It's a more advance medical training.

23 SUPERVISOR SALADINO: This assists with
24 all kinds of medical emergencies.

25 COMMISSIONER McCAFFREY: Yeah. This

1 particular class was focused on, like, trauma, you
2 know, cuts and wounds and things like that that
3 we're experiencing on the water, and that the
4 Public Safety Officers are coming across, like I
5 said, almost weekly.

6 SUPERVISOR SALADINO: And they just
7 dealt with this recently -- or at least this season
8 when a person on a personal watercraft crashed into
9 the bridge. It created all kinds of trauma, and
10 they saved that person's life.

11 COMMISSIONER McCAFFREY: I could tell
12 you 50 stories of just similar incidents like that.
13 Think about being on the water. Help is a long way
14 off. It's not like, you know, typically when we're
15 in one of our parks, we call for an ambulance and
16 help comes. Out on the water, the Bay Constables
17 are out there. They're it. They're the first
18 responders. They're it. So this training was
19 essential. It was some of the best training. I'm
20 going to be looking to do more of it in the future.

21 COUNCILWOMAN WALSH: Just to interrupt,
22 I had a personal experience last year. A boy in
23 our community jumped off of the dock and landed on
24 the rocks and his feet bled and just wouldn't stop
25 bleeding, and if it wasn't for the Bay Constable,

1 she, Kim, got right into action, and, you know, not
2 all of them have been around as long as she has,
3 but he would not stop bleeding -- his feet.

4 So, thank you.

5 SUPERVISOR SALADINO: Thank you,
6 Commissioner.

7 Arthur?

8 AUDIENCE SPEAKER: Wait, wait, wait,
9 wait, wait. There's other questions. Please.
10 Thank you very much. You answered that question.
11 I'm particularly interested in the time clock.

12 SUPERVISOR SALADINO: The time clock.

13 Do we have someone here from HR?

14 AUDIENCE MEMBER: Are we still using
15 manual time sheets?

16 COUNCILWOMAN JOHNSON: Why is he
17 dictating the meeting?

18 SUPERVISOR SALADINO: I'll tell you
19 what. Why don't we do this? See if someone is --
20 what's that?

21 MR. SCALERA: This isn't public
22 comment.

23 MS. FAUGHNAN: It's nothing to do --

24 AUDIENCE MEMBER: You guys don't --

25 SUPERVISOR SALADINO: So it has nothing

1 to do with this Resolution.

2 MR. SCALERA: Correct.

3 SUPERVISOR SALADINO: So at this point,
4 Mr. McKenna --

5 AUDIENCE MEMBER: So the answer to the
6 question is that that Resolution does not --

7 SUPERVISOR SALADINO: -- we will get
8 you -- this Resolution is not germane to the
9 subject you brought up. We will look into it and
10 get you more information.

11 AUDIENCE MEMBER: You told me four
12 years ago when you started that you were going to
13 look into it -- about going to computerized time
14 clocks and get away from manual time sheets.

15 Why haven't you done that already?

16 SUPERVISOR SALADINO: Let's take a
17 look, and we'll get that information.

18 Arthur, come on up.

19 AUDIENCE MEMBER: I'm going to let you
20 go on the other non-answers.

21 MR. ADELMAN: Greetings, Board.

22 I'm here to address a few Resolutions.
23 I'll try to go fast, and we can get responses right
24 away.

25 The first is the transfer of funds --

1 TF-031-21 -- it regards the movement of \$20,000
2 from salaries to -- for expenses in the Highway
3 Department. I'm sure this is in regards to zombie
4 home fixups.

5 My question is, my feeling always was
6 that the expenses -- the Village expenses -- the
7 Town expenses for the teardown or the fixing up of
8 properties was self-sustaining with the money we
9 get from the taxes, so what I did, even though it
10 was late because everything was offered to us very
11 late, so I had to stay up late to do it -- that's a
12 footnote -- I went to some zombie Resolutions where
13 we added to the tax line of people back in 2019. I
14 checked their general tax bills for those
15 properties in 2019, 2020, 2021, and I can't find
16 the line item under the Town's general tax bill
17 where these assessments are added.

18 I talked to Mr. Pravato about this. He
19 asked me to send him a couple of examples. I will
20 do that, and I'll follow this up because I'm
21 curious if there is even a checkoff by the
22 department that does the zombie home teardowns of
23 when they get the money back. I mean, the money
24 should go back to their department so they wouldn't
25 have to move funds around like this from salaries

1 to expenses to do teardowns.

2 SUPERVISOR SALADINO: Please understand
3 that a budget is approved a year in advance and
4 then as the monies are spent in the budget that we
5 vote on and approve, there is a second level of
6 transparency and public comment when we then spend
7 the money in the budget. It gets approved a second
8 time, but a budget is a fluid model of how the Town
9 will spend money. In the case of zombie homes,
10 Arthur. Arthur?

11 MR. ADELMAN: What? I'm just trying to
12 stop the clock.

13 SUPERVISOR SALADINO: Arthur, in the
14 case of zombie homes, we tear down zombie homes,
15 and when this administration took over, we worked
16 together to make sure that we were more successful
17 going to court and getting the judicial approval to
18 take down the homes. Then we set up a system for
19 the mortgagee -- the lender -- to put money in
20 escrow.

21 In this case, \$25,000 per home. That's
22 used for cleanups, that's used for the maintenance
23 that the Town has to provide so it doesn't come
24 from the taxpayers, so that the taxpayers are not
25 paying for homes that are in disrepair because it's

1 not fair to them when the mortgagee should be
2 maintaining the property they own.

3 In the case where there's no mortgage,
4 there's a multitude of different reasons why a
5 person can't pay -- and one of them is a pandemic,
6 where someone's out of work or someone could be
7 destitute -- so these monies are needed to continue
8 that program, and we take the fluid document of the
9 budget, but as there is more need in one area and
10 less need in the other, we make adjustments and
11 then we put it before the Board for their approval
12 for yet another level of transparency in the
13 process.

14 MR. ADELMAN: Okay. I'm just
15 requesting that Elizabeth just add two minutes back
16 on, please.

17 SUPERVISOR SALADINO: That's really a
18 decision for the Board, not the speaker.

19 MR. ADELMAN: Okay. I'm just looking
20 to find out if there's a checkoff that we did get
21 the money back from the homeowners.

22 SUPERVISOR SALADINO: We'll check into
23 that and let you know.

24 Please confer with our Town Attorney.

25 MR. ADELMAN: I'll tell you something

1 that was conveyed to me. There was recently a
2 Glen Head house that was torn down, and I was
3 talking to one of the neighbors, and he said that
4 the person whose house we tore down -- because it
5 was such a wreck -- said to his neighbor, I'm going
6 to let the Town do it because it's cheaper, and I
7 won't have to pay for it for two years. So I just
8 want to put that --

9 SUPERVISOR SALADINO: So you know, the
10 vast majority of these cases are foreclosures,
11 where it's not a homeowner --

12 MR. ADELMAN: This was not.

13 SUPERVISOR SALADINO: -- in the rare
14 cases where it is the homeowner, just like
15 everything else, just like what the County does,
16 all the other municipal entities, put it on the
17 homeowner so if they can't pay -- because you can't
18 take blood from a stone -- so if they can't pay,
19 when the house is sold, that's when the taxpayers
20 get the money back. That's the process in law.

21 MR. ADELMAN: It's a lien? It isn't --
22 it doesn't go on the tax bill?

23 SUPERVISOR SALADINO: So if you'll take
24 your seat, I can bring Frank Scalera and he can
25 delineate it in great detail for you.

1 MR. ADELMAN: This is not even
2 important, and my time is running.

3 The next one is 431.

4 Like Mr. McKenna, I don't understand,
5 number one, why we would give an extension to an
6 entity that disrespects this Board and the Town by
7 not --

8 SUPERVISOR SALADINO: Sir, everyone has
9 -- just so I can get to this rather than you start
10 to hurl insults at people who may or may not
11 deserve it. The bottom line is this.

12 We're in a pandemic. That pandemic has
13 created conditions -- we shouldn't debate about it,
14 sir, I'm answering the question.

15 MR. ADELMAN: Excuse me. The letter --
16 the extension is from a May 7th expiration of a
17 permit. There's no reason why a law firm cannot
18 get out a letter well ahead of time asking for an
19 extension. I feel that an extension at this time
20 is inappropriate in the fact --

21 SUPERVISOR SALADINO: Based on what
22 facts?

23 MR. ADELMAN: The fact that we're --
24 one of the reasons we gave this permit for this
25 build, this variance, was the need of hotel space

1 in the area. We are now getting a new 182-room
2 hotel right down the block, and I don't think
3 there's a need for hotel rooms where --

4 SUPERVISOR SALADINO: So your
5 motivation to bring this is not about an extension.
6 It sounds like it's about the fact that you don't
7 want a hotel built at this location.

8 MR. ADELMAN: Well, I think that we
9 should revisit. At this point -- the extension --
10 we can revisit that permit process.

11 SUPERVISOR SALADINO: Thank you,
12 Arthur.

13 MR. ADELMAN: That's all.

14 I'm only expressing -- maybe some of
15 the Board members might agree with me, and we can
16 revisit the Marriott question.

17 SUPERVISOR SALADINO: Thank you,
18 Arthur.

19 MR. ADELMAN: Next, 480, 481, 482, the
20 rental of property at the Bethpage landfill. I see
21 we're renting acreage out at anywhere from \$4,800 a
22 month, \$3,500 a month, and as high as 4 to \$5,000 a
23 month.

24 My question on the two parking lot
25 areas -- are the areas that these buses and the

1 Bill's towed cars -- the towed cars for Nassau
2 County -- will they be stored on paved property --
3 will the land -- will the parking lots be paved as
4 per Town rules that we had that parking lots have
5 to be paved? I want to know if they're paved.
6 That's number one.

7 Number two is the storage of buses.
8 It's for the overnight storage of buses.

9 My question is, this is not an in and
10 out? The people who drive the buses don't have to
11 drive there to get the bus and then drive out? Or
12 are they picked up somewhere else and mass
13 delivered to this site, and then there's no
14 problem.

15 Because the way it looks is that people
16 are going to drive, park their cars, and then get
17 in a bus, and then drive it out, so it's really
18 cars and buses. I think that should be made clear
19 in their license agreement.

20 And then I had the question of the
21 buses that they're paying \$4,800 a month and for
22 the same parking, Bill's Towing is only paying
23 \$3,500 a month. I don't understand the disparity
24 in that.

25 My last item was 483, the on-call

1 engineering services for the Peninsula Golf Course.
2 We haven't -- we've made a decision to move forward
3 in the condemnation; am I correct?

4 SUPERVISOR SALADINO: We are moving
5 forward.

6 MR. ADELMAN: So this is all part of
7 that process?

8 SUPERVISOR SALADINO: We're moving
9 forward with the process.

10 MR. ADELMAN: So this is spending
11 another -- up to \$64,000 is all part of that
12 process. Because I'm just trying to keep track of
13 what we're spending. We spent \$5,000 for a real
14 estate guy to come in and give us an assessment,
15 which we can't look at right now, and now we're
16 spending up to \$64,000 for a look-see of what could
17 be done there.

18 That's it. I actually made it in time.
19 I'm really curious about the parking at Bethpage.

20 Is that -- all the parking lots are
21 paved?

22 SUPERVISOR SALADINO: If you'd kindly
23 take a seat, I'll bring Frank Scalera up, and we
24 can talk to you briefly about the contracts -- the
25 rental agreements.

1 Please have a seat, Arthur.

2 Frank Scalera, if you would come
3 forward and state your presence again.

4 MR. SCALERA: Good afternoon.

5 Frank Scalera, Town Attorney.

6 SUPERVISOR SALADINO: Very specific
7 question to you, Frank.

8 The previous speaker asked the question
9 -- there are different amounts as listed in the
10 backup for these different sections of the
11 property.

12 Can you describe what we've put in
13 place to create a fair and equitable system for all
14 of those who are renting property from our
15 taxpayers?

16 MR. SCALERA: From the Resolutions in
17 question, what we've been doing to keep it
18 consistent with all our rentals that being at the
19 VIP lease up in the 150 Miller Place, the lease or
20 the license that we have down at the Brooklyn
21 Avenue, and then these three, they're all
22 consistent.

23 They're approximately \$5,000 per acre.
24 Some may be a couple of hundred dollars off, but
25 then the other ones are a couple of hundred dollars

1 more, so more or less it averages out to \$5,000 an
2 acre, which is, actually, a good value because
3 these are licenses -- these three Resolutions --
4 they're not leases.

5 SUPERVISOR SALADINO: License
6 agreements.

7 MR. SCALERA: License agreements.

8 So, we're getting close to lease fair
9 market value on licenses, and for those who don't
10 know the difference, a lease gives you a property
11 right where you can go to court. A license we can
12 ask you to leave, and you have to leave.

13 SUPERVISOR SALADINO: So what you're
14 saying to us, in "people speak" --

15 MR. SCALERA: In "people speak," we're
16 getting good money for licenses.

17 SUPERVISOR SALADINO: -- is that the
18 Town taxpayers are getting a lot of money for our
19 renting out this surplus property -- surplus to our
20 operation -- and yet we're preserving more rights
21 for the taxpayers than the lessees.

22 MR. SCALERA: Correct.

23 And also when it comes to movement on
24 or about the area, there's provisions in these
25 license agreements that they have to take a certain

1 route, which stays away from the residential
2 portion and takes them -- I forget, I have to read
3 it again, but --

4 SUPERVISOR SALADINO: It ensures that
5 we don't have commercial vehicles or a multitude of
6 them going through the residential areas, keeping
7 the commercial vehicles out of the residential
8 areas.

9 Thank you.

10 MR. SCALERA: Correct.

11 And they're in all three license
12 agreements.

13 SUPERVISOR SALADINO: And, finally, if
14 you would look into the question, and you can
15 contact the Commissioner of DPW, look into the
16 question of what surfaces they're parked in, and
17 when you find out, come back to us in the next few
18 days and give us the answer because I know
19 Mr. Adelman will be here at our next meeting, and I
20 want to make sure that we have the answers to his
21 questions.

22 We thank you, Mr. Adelman.

23 I'm so sorry for keeping you waiting.

24 Come on up.

25 AUDIENCE SPEAKER: Me?

1 SUPERVISOR SALADINO: Yes.

2 Yes, I apologize.

3 I thought you wanted to speak on public
4 comment and not the Resolutions; otherwise, I would
5 have called you sooner.

6 MS. GREENE: How are you?

7 Good afternoon, Councilman Saladino --
8 Supervisor Saladino, excuse me. Council Members,
9 good afternoon.

10 Karen Greene, District Secretary, South
11 Farmingdale Fire District.

12 It's my first time at this meeting, not
13 my first time in a government public forum, so it's
14 nice to be here.

15 But I am here in relation to Resolution
16 450 for the approval of a building permit
17 application for the South Farmingdale Fire
18 District.

19 It's an outdoor landscape/small gazebo,
20 and, normally, I wouldn't get up here to speak. I
21 was waiting for all the Resolutions to go and see
22 if it got approved. I don't know the permit
23 process, but I was going to ask if you would
24 consider waiving the permit fee as it is a Fire
25 District. I figured I'd ask.

1 SUPERVISOR SALADINO: We're going to
2 confer with our Town Attorney on that to make sure
3 that whatever decision is made adheres to the law.

4 MS. GREENE: Perfect.

5 COUNCILMAN IMBROTO: We'll take it
6 under advisement, Karen.

7 MS. GREENE: Perfect.

8 Thank you so much.

9 SUPERVISOR SALADINO: Karen, I want to
10 personally thank you for all you've done for the
11 Fire District in advocacy and your support, and you
12 truly care about our residents, and you truly care
13 about those who put their lives on the line for the
14 rest of our safety, and we greatly appreciate that.

15 MS. GREENE: Thank you.

16 Thank you all. Have a great day.

17 SUPERVISOR SALADINO: God bless.

18 COUNCILMAN IMBROTO: Thank you for your
19 patience.

20 SUPERVISOR SALADINO: Okay.

21 Looking over the slips, I don't believe
22 I see anyone else who has asked to speak on our
23 Resolutions, so with that, I believe, it is time
24 for a vote.

25 MR. LaMARCA: Supervisor Saladino?

1 SUPERVISOR SALADINO: "Aye."

2 MR. LaMARCA: Councilwoman Johnson?

3 COUNCILWOMAN JOHNSON: "Aye."

4 MR. LaMARCA: Councilman Imbroto?

5 COUNCILMAN IMBROTO: I vote "Aye" in
6 full support of the Resolutions.

7 MR. LaMARCA: Councilman Hand?

8 COUNCILMAN HAND: "Aye."

9 MR. LaMARCA: Councilman Labriola?

10 COUNCILMAN LABRIOLA: "Aye."

11 MR. LaMARCA: Councilwoman Maier?

12 COUNCILWOMAN MAIER: "Aye."

13 MR. LaMARCA: Councilwoman Walsh?

14 COUNCILWOMAN WALSH: "Aye."

15 MR. LaMARCA: Motion to adopt
16 Resolution Nos. P-13-21 through 495-2021 passes
17 with seven "Ayes" and zero "Nays."

18 The calendar is complete, Supervisor.

19 (TIME: 2:07 P.M.)

20 SUPERVISOR SALADINO: Thank you.

21 Before we close out our meeting, I'd
22 like our Receiver of Taxes, Jeffrey Pravato, to
23 give us an update and share with us pertinent
24 information to all of our residents.

25 MR. PRAVATO: Thank you, Supervisor.

1 I was just at the office today. The
2 County has sent out delinquent school tax bills, so
3 we're getting a lot of calls at the office.
4 Someone at the County is telling them to call us,
5 but they should be calling the County to get that
6 other information.

7 Also, I wanted to point out that
8 August 10th was the cutoff date for on-time
9 payments for the second-half general tax. If you
10 are late in paying, the late bills are going out in
11 a couple of days, and that will be due to us by
12 August 31st. August 31st is when we close the
13 whole general warrant and then deliver it back to
14 the County. Any payments after that will be made
15 to the County Treasurer's Office.

16 Any questions, you can call my office,
17 624-6400.

18 SUPERVISOR SALADINO: Can you give us
19 that number again more slowly, please?

20 MR. PRAVATO: Yup. 516-624-6400.

21 Send us an e-mail, receiveroftaxes@
22 oysterbay-ny.gov.

23 SUPERVISOR SALADINO: Thank you, Jeff
24 Pravato.

25 I want to especially thank you for all

1 the precautions you put into place to protect our
2 residents: Outdoor walk-up windows, paying by
3 credit card, paying with bank checks and so forth,
4 a long list -- especially very reasonably priced
5 ways to pay without coming in personally --
6 contactless means, and outdoor means to protect our
7 residents.

8 MR. PRAVATO: Supervisor, on that note,
9 we do have the walk-up window still available to
10 drop off a check or a stub. Come inside if you
11 want to pay cash, credit card, or get information
12 because the inside is open again.

13 SUPERVISOR SALADINO: And once again,
14 for all of this information, residents can call
15 what phone number?

16 MR. PRAVATO: 624-6400.

17 SUPERVISOR SALADINO: Thank you, Jeff
18 Pravato. Appreciate it.

19 May I have a motion to close out our
20 meeting?

21 COUNCILWOMAN JOHNSON: Supervisor, I
22 will make a motion that today's meeting be closed.

23 COUNCILMAN IMBROTO: Second that
24 motion.

25 SUPERVISOR SALADINO: All in favor,

1 please signify by saying, "Aye."

2 ALL: "Aye."

3 SUPERVISOR SALADINO: Those opposed,
4 "Nay."

5 (Whereupon, there were no "Nay"
6 responses from the Board.)

7 SUPERVISOR SALADINO: The "Ayes" have
8 it.

9 Thank you for your participation, and
10 thank you for the participation of the public.

11 (TIME NOTED: 2:09 P.M.)
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