

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
OCTOBER 30, 2018
10:15 A.M.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Good morning,
2 ladies and gentlemen, and welcome to the Town of
3 Oyster Bay Town Board meeting of October 30, 2018.
4 Welcome to Town Hall.

5 To lead us in prayer we welcome our
6 friend and the new rabbi of the Woodbury Jewish
7 Center, Rabbi Jason Fruithandler.

8 Rabbi, as well you know and teach us
9 all, it's important that we all stand together in
10 solidarity and remember the victims of the
11 senseless tragedy, which took place at the Tree of
12 Life synagogue in Pittsburgh. We must come
13 together.

14 We must embrace our community. We must
15 denounce hate, hate of all types. We must show
16 love for one another. Love must win over hate. We
17 must embrace unity, compassion, patience, and
18 recognize that we all have differences. Of course,
19 we're human beings. But we have so much more in
20 common, especially as residents of this great town.
21 We have so much to protect by coming together and
22 working together as one.

23 The idea of hate is just wrong. It
24 takes our nation, our Town, our community in the
25 wrong direction. And we've had terrible losses.

1 And we have to work in their memory to come
2 together.

3 We also should specifically remember
4 these eleven victims, their families and their
5 loved ones and pray for them all.

6 Rabbi Hazzan Jeffery Meyers, the rabbi
7 of the Tree of Life synagogue previously served at
8 Congregation Bethel in Massapequa, which is now a
9 combined congregation.

10 But it only underscores how close to
11 home this has hit for us. And please remember them
12 all in your prayers, but remember them in our
13 actions, too. We must come together as one
14 community in this Town.

15 Rabbi Fruithandler, the podium is
16 yours.

17 Would you all please rise?

18 (Whereupon, a prayer was recited by
19 Rabbi Jason Fruithandler.)

20 SUPERVISOR SALADINO: Thank you so
21 much, Rabbi.

22 And now to lead us in the Pledge of
23 Allegiance, please welcome two distinguished
24 veterans from AMVETS North Shore Veterans Memorial
25 Post 21 in Oyster Bay.

1 Commander Richard Dejesu, who served in
2 the United States Navy from 1958 through 1961, and
3 Vietnam-era Army Specialist Fourth Class, Bob
4 Shelby.

5 Gentleman, it's all yours.

6 (Whereupon, the Pledge of Allegiance
7 was recited by Richard Dejesu and Bob Shelby.)

8 SUPERVISOR SALADINO: Thank you.

9 You all may be seated.

10 And, gentleman, if you'd just stay up
11 here in the front. I just want -- we want to take
12 this opportunity to thank you, Richard, and you,
13 Bob.

14 We can't thank you enough for your
15 dedicated service to our nation in defense of
16 American freedom. You represent all of our
17 veterans who have given up themselves selflessly to
18 protect us, protect our nation, our community, our
19 freedoms.

20 You are our home Town heros and we
21 thank you and we thank all of the other veterans
22 and those currently serving in the military, all
23 our heros. Thank you for protecting us and
24 protecting all we hold so dear.

25 We'd like to let anyone here in the

1 room, those listening at home on the internet, if
2 you're a local veteran, please consider joining
3 AMVETS Post 21 here in Oyster Bay. It's truly a
4 great organization, and without a doubt, lead by an
5 incredible group of people.

6 Thank you. Let's give them a big hand.

7 (Applause.)

8 SUPERVISOR SALADINO: Ladies and
9 gentlemen, this is a bittersweet day. It's a good
10 day that we're bringing forth an incredible budget,
11 one of the best. This budget, last year's Town
12 budget the best in decades. We're very, very proud
13 of, but so bitter because of the loss to this
14 entire Town family.

15 Over the weekend we lost a member of
16 our family, Mary Diglio, long-time assistant to
17 Councilman Anthony Macagnone. She'll long be
18 remembered for the care she gave to others, her
19 tremendous faith, her incredible bravery. She was
20 here at the last board meeting, working, helping,
21 not letting her pain and her problems interfere
22 with her responsibilities. That's the definition
23 of a hero.

24 She was brave. She was dedicated to
25 our residents. And the bottom line is everyone

1 loved Mary. She was a kind soul. I can go on and
2 on, but the most appropriate person to speak about
3 Mary is the person that she worked with someone --
4 our dear friend, and all of this Town Board's
5 condolences go out to you, go out to all of the
6 employees of the Town Board office and all of
7 Mary's family and loved ones.

8 Councilman Macagnone, I know you'd like
9 to say a few words about Mary.

10 COUNCILMAN MACAGNONE: Thank you,
11 Supervisor.

12 When I first got elected, I had known
13 Mary for years, I said, would you like to come work
14 with me. We didn't no anything about Town
15 government or anything else, but we learned, and
16 Mary was wonderful.

17 Looking out I see residents I know that
18 dealt with her. If she couldn't have the answer,
19 she'd find out where to get the answer for you.
20 Mary had a long, hard fight and she was dedicated
21 to this Town, to her position and to our residents.

22 I spoke to her on Thursday, and she
23 said to me, Tony, I'm coming back to work as soon
24 as I can.

25 My condolences to her husband Vinny,

1 her family, to our workers, to our residents. Mary
2 was loved and she'll be missed. And guys cancer
3 sucks. That's all I can say.

4 Thank you very much, Supervisor.

5 SUPERVISOR SALADINO: Thank you, Tony.

6 Again, our condolences go out to you,
7 to her family, to Vinny, and as I mentioned
8 earlier, the Town Board office. Those who work in
9 the Town Board office are very committed,
10 incredible people, and this a big, big loss for all
11 of us.

12 Mary epitomized all the good that a
13 human being could have, could extol, and she'll be
14 tremendously missed.

15 Thank you, Councilman, again, our
16 condolences.

17 Let's all please rise for a moment of
18 silence in memory of Mary Diglio.

19 (Whereupon, a moment of silence was
20 observed.)

21 SUPERVISOR SALADINO: Good bless you,
22 Mary. Thank you.

23 To continue on in our recognition of
24 our heros, our veterans, and quite frankly our
25 recognition of a better way to treat one another,

1 it's important to point out that our nation has
2 been deeply divided in the past several years and
3 quite frankly it's reached a boiling point.

4 We ask everyone to recommit themselves
5 to finding unity and common purpose so that we may
6 heal the wounds that divide our communities across
7 America. It's only together that we'll achieve
8 great things in our nation, in our houses of
9 worship, in our communities and our Town and our
10 government. What divides us pales in comparison to
11 what unifies us in this country and certainly in
12 this Town of Oyster Bay.

13 With Veteran's Day less than two weeks
14 away, it's important to always remember the
15 sacrifices that our veterans, those who came before
16 us, those serving now -- the sacrifices they give
17 so we can have the freedoms, the freedoms to talk
18 about the path we'd like government to go, the path
19 we'd like politics to go, all that we see, all
20 these -- all that's going on every time we turn our
21 television or pick up a paper.

22 It's a time that we, who truly want to
23 show leadership, must embrace that leadership and
24 work with one another, have a better approach --
25 clearly, on the internet, but in our every day

1 life.

2 A century ago 4.7 million American sons
3 and daughters put on a uniform to serve our nation
4 and serve the world in what was the first major
5 global conflict. Men and women from the Town of
6 Oyster Bay served selflessly and honorably in World
7 War I. Including in World War I, my grandmother,
8 Jessie, one of the first women inducted into the
9 United States Navy in America's history. But she
10 was just one of so many other willing to take on
11 any sacrifice it meant to protect America, protect
12 this nation. She wasn't even born here, just like
13 so many others and yet the motivation is that
14 America comes first, their town, their community
15 comes first, their family.

16 There were 375,000 casualties in World
17 War I, including over 116,000 deaths. On the 11th
18 hour of the 11th day of the 11th month in 1918 an
19 armistice in the fighting was declared.

20 The Town of Oyster Bay proudly issued a
21 commemorative proclamation for the U.S. World War I
22 Centennial commission, to recognize that this
23 Veterans Day, Sunday, November 11, 2018, as a day
24 of World War I Centennial Armistice Remembrance in
25 the Town Of Oyster Bay.

1 And we thank our colleagues on the Town
2 Board for signing that Resolution and committing to
3 our veterans and reminding all Americans that we
4 take freedom very seriously.

5 So we call upon the citizens and
6 institutions of our community to join in the
7 remembrance of Armistice Day on -- at 11:00 a.m.
8 local time on November 11, 2018.

9 We also take this opportunity to
10 remember the sacrifices made by all American
11 veterans and all in the name of freedom.

12 Thank you.

13 For our first presentation today we
14 welcome Olivia Riegler, an 11th grade student at
15 Plainview-Old Bethpage High School. Olivia is a
16 member of Girl Scout Troop 3251 and is currently
17 working towards earning her Gold Award, which is
18 the most prestigious Girl Scout achievement -- the
19 highest award in Scouting.

20 The Gold Award is achieved by creating
21 a project that reaches beyond the Girl Scout
22 organization and provides a sustainable, lasting
23 benefit to the larger community.

24 Olivia's project centers on building
25 awareness to a debilitating condition known as

1 Complex Regional Pain Syndrome.

2 This cause is very important to Olivia
3 because her aunt suffers from the condition.

4 Extremely painfully chronic neurological pain
5 syndrome that affects one or more extremities.

6 It's very rare. It's a debilitating nerve disorder
7 and, at this time, there's no identifiable cure as
8 of yet.

9 This horrific disease was first
10 diagnosed during the Civil War. Yet most
11 individuals and quite frankly many doctors are not
12 familiar with the condition. It is Olivia's goal
13 to make it a household name.

14 Another individual with us today
15 advocating on behalf of his daughter has also made
16 it his mission to build awareness. Richard Hans
17 and his wife Patricia of Syosset have made this
18 illness a priority since their daughter Kristin was
19 first diagnosed.

20 Kristin is a three-sport varsity
21 athlete at Syosset High School. She worked for --
22 she's a member of our family here, as a Tobay
23 lifeguard, and then she went onto Cornell
24 University and Columbia University. She now lives
25 in Manhattan and she's a financial writer.

1 Kristin has built a career while facing
2 daunting conditions every single day, showing
3 amazing strength.

4 At Olivia and Richard's request, the
5 Town is proud to support this crucial awareness
6 initiative by proclaiming Monday, this Monday,
7 November 5, 2018, as Color the World Orange Day to
8 help spread awareness. The color orange was
9 originally selected by a group of young teens to
10 raise awareness to this condition.

11 Both Olivia and Richard ask everyone to
12 please wear orange on Monday, November 5, 2018,
13 this Monday, and post a picture on social media of
14 yourself, you and your friends, your group all
15 wearing orange.

16 We also join with the CRPS RSD
17 community in recognizing the fifth annual Color the
18 World Orange Day to spread awareness of this poorly
19 understood pain disorder.

20 Olivia and Richard, if you please come
21 forward to receive your proclamations.

22 I'd like to ask Plainview resident,
23 Councilwoman Rebecca Alesia, to help us in thanking
24 you for your efforts and all you're doing on behalf
25 of CRPS RSD awareness.

1 Thank you.

2 If you'd like to come forward and if
3 the Town Board would all join us down front please,
4 all of our elected officials.

5 (Whereupon, Town citations were
6 presented.)

7 COUNCILWOMAN ALESIA: Supervisor,
8 ladies and gentlemen, we're going to hear now from
9 our Girl Scout Gold, from Olivia.

10 And just so that you know, it is an
11 extreme -- listen, not to make this like a gender
12 war or anything, but I've gone to plenty of Eagle
13 Scout ceremonies. We all know it's very difficult
14 to become an Eagle Scout.

15 Tim Zike, I'm looking at you.

16 But becoming a Gold Award from the Girl
17 Scouts is really, really difficult. It is a much
18 smaller percentage of woman that do accomplish it.
19 So we are truly lucky to have one here today, our
20 own unicorn.

21 We ask you to please come forward and
22 say a few words. We are honored to have you and
23 congratulations again and to your parents as well.

24 (Applause.)

25 MS. RIEGLER: Hello. My name is Olivia

1 Riegler and I'm an 11th grader at Plainview-Old
2 Bethpage High School. I'm in my eleventh year of
3 being a Girl Scout in Troop 3251. This year, I'm
4 aiming to achieve the Gold Award, the highest Girl
5 Scout award.

6 The Gold Award is achieved by
7 developing a project that researches beyond my Girl
8 Scout organization and provides a sustainable,
9 lasting benefit to the larger community. It's
10 required a minimum of 80 hours of work and planning
11 and actively completing the project.

12 My Gold Award project is to spread
13 awareness about CRPS, Complex Regional Pain
14 Syndrome. Spreading awareness is important to me
15 because my aunt has this disease, was misdiagnosed
16 for ten years, and received the wrong treatment
17 because her doctor didn't know about CRPS.

18 CRPS is a nerve disorder characterized
19 by chronic severe burning pain, changes in the bone
20 density and skin color, sweating, tissue swelling,
21 and extreme sensitivity to the touch. The level of
22 pain is measured as one of the most severe on
23 McGill pain scale. They call this disease the
24 Suicide Disease because CRPS pain is 24 hours a
25 day, 7 days a week, and there is no cure.

1 It was first diagnosed during the Civil
2 War, yet most doctors and individuals are not
3 familiar with this condition. It is my goal to
4 make it is a household name. Your participation
5 helps support this project.

6 Thank you so much for today's
7 proclamation and your support.

8 (Applause.)

9 SUPERVISOR SALADINO: Thank you.

10 Thank you, Olivia Riegler.

11 That's -- you know, as the councilwoman
12 said, it's very difficult to earn the Gold Award.
13 That's part of what makes it so incredibly special.
14 You're a true leader, not only among the youth in
15 -- of our community but among all adults and young
16 people.

17 Please continue your good work. It's
18 so important and your leadership is greatly
19 appreciated.

20 Again, ladies and gentleman, Olivia
21 Riegler.

22 (Applause.)

23 SUPERVISOR SALADINO: And Richard, we
24 thank you and your family.

25 Did you also want to say something?

1 MR. HANS: I just wanted to thank the
2 Board of the Town of Oyster Bay for recognizing
3 Color the World Orange.

4 It's an initiative that, as the
5 Supervisor said, will be celebrated on Monday and
6 is a worldwide initiative that includes things like
7 Times Square, Niagara Falls literally everywhere
8 around the world will have a building or a bridge
9 lit up in orange on Monday.

10 So I just wanted to thank you on behalf
11 of Olivia, her family, and my family and my
12 daughter Kristin who couldn't be here today.

13 Thank you very much for the recognition
14 of doing this.

15 Thank you.

16 SUPERVISOR SALADINO: God bless you.

17 (Applause.)

18 SUPERVISOR SALADINO: Thank you to
19 Richard and Patricia Hans, and, obviously, Kristin.
20 It sounds like she's doing fabulous.

21 MR. HANS: Yeah, she's hanging in
22 there.

23 Thank you.

24 SUPERVISOR SALADINO: God bless. God
25 bless her and God bless all of you. Thank you.

1 Before we move forward with the
2 business of the day, we would all like to thank
3 State Senator Carl Marcellino for his success in
4 securing very significant funds for the Town of
5 Oyster Bay and our residents.

6 Recently, Senator Marcellino secured a
7 \$500,000 State grant for improvements to the
8 Downtown area in Downtown Oyster Bay. These funds
9 will help to beautify our community, improve
10 pedestrian and bicyclist safety, and connect
11 parking to the business district.

12 Additionally, Senator Carl Marcellino
13 secured a \$100,000 grant towards the construction
14 of a new dog park here on the North Shore and new
15 playground equipment for our children and for
16 families here and our parks here on the North Shore
17 in Bayville.

18 We greatly appreciate the work of
19 Senator Marcellino and know that this new amenity
20 will benefit dog owners and the dogs themselves on
21 the North Shore, help drive foot traffic to the
22 business area that needs help.

23 It's been tough in the businesses in
24 Bayville. We are certainly here to help them.
25 Because of the construction and reconstruction of

1 Shore Road, which came out beautiful, but it
2 stopped a lot of businesses -- stopped a lot of
3 people from traveling there and supporting the
4 businesses last year and they felt that.

5 So, we greatly appreciate Senator
6 Marcellino, who, by the way, as a member of the
7 New York State Senate Chairman of the New York
8 State Senate Environmental Conservation Committee
9 has done an incredible job for many years,
10 protecting the environment. Hundreds of laws
11 passed, money secured to protect environmental
12 programs. Nobody has done more with the exception
13 of one person doing an equal job and that was his
14 counter part on the assembly chair of the
15 Environmental Conservation Committee, a man, you
16 might recognize. His name is Tom DiNapoli.

17 So Tom DiNapoli in the Assembly and
18 Carl Marcellino in the Senate, worked together for
19 many, many years protecting our shoreline,
20 protecting our water, protecting our environment,
21 especially, here on Long Island. They both were
22 Long Islanders. How lucky were we -- we've been to
23 have these two great leaders working for us in
24 Albany. So a big thanks. Over \$600,000 between
25 the two grants and our Town Board and our residents

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thank Senator Marcellino quite a bit.

(TIME NOTED: 10:42 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
OCTOBER 30, 2018
10:43 A.M.

HEARING - LOCAL LAW

To consider local law entitled: "A Local Law Amending Chapter 180 Plumbing, of the Town Code of the Town of Oyster Bay." (M.D. 10/2/18 #25).

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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COUNCILMAN JOSEPH D. MUSCARELLA
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COUNCILWOMAN MICHELE M. JOHNSON
COUNCILMAN LOUIS B. IMBROTO
COUNCILMAN THOMAS HAND

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

JAMES ALTADONNA JR., TOWN CLERK
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Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: Will the Town
2 Clerk now please poll the Board?
3 MR. ALTADONNA: Supervisor?
4 SUPERVISOR SALADINO: Present.
5 MR. ALTADONNA: Councilman Muscarella?
6 COUNCILMAN MUSCARELLA: Here.
7 MR. ALTADONNA: Councilman Macagnone?
8 COUNCILMAN MACAGNONE: Here, Clerk.
9 MR. ALTADONNA: Councilwoman Alesia?
10 COUNCILWOMAN ALESIA: I am here.
11 Good morning, Jim.
12 MR. ALTADONNA: Good morning.
13 Councilwoman Johnson?
14 COUNCILWOMAN JOHNSON: Here.
15 MR. ALTADONNA: Councilman Imbroto?
16 COUNCILMAN IMBROTO: Present.
17 MR. ALTADONNA: Councilman Hand?
18 COUNCILMAN HAND: Here.
19 SUPERVISOR SALADINO: Let's proceed
20 with our first hearing, please.
21 MR. ALTADONNA: Hearing Local Law to
22 consider a local law entitled a local law amending
23 Chapter 180 plumbing of the Town code of the Town
24 of Oyster Bay.
25 MS. FAUGHNAN: Good morning,

1 Supervisor, members of the Town Board.

2 Elizabeth Faughnan, Deputy Town
3 Attorney, Town Attorney's office.

4 I believe all of you have in front of
5 you a copy of the proposed local law with respect
6 to today's proposed changes.

7 And just -- I'm going to start out by
8 saying my understanding is that you're going to
9 reserve decision on this proposed local law, that
10 you're going to keep the record open for 30 days
11 for public comment, and during that time, we will
12 revise the proposed local law to reflect the
13 deleted portions, as well as the new amended
14 portions so that you can see specifically in the
15 law what the exact changes are.

16 So now that I've got all the
17 housekeeping out of the way, basically, the changes
18 today come about as a result of review of the
19 existing code, with input from the Planning
20 Advisory Board, as well as licensed master plumbers
21 in the Town of Oyster Bay to update the code and
22 bring it into a more contemporary code.

23 One of the most blatant changes, I
24 guess, is in the code as it exists, now a plumbing
25 permit expires when a building permit expires. But

1 as we call know, there are times when someone can
2 come in for a plumbing permit without needing a
3 building permit, so then there is no expiration
4 date.

5 So, by making these changes, it will
6 make the code much more clear, much more
7 contemporary and up to date and in line with the
8 other municipal codes on Long Island and in the
9 County of Nassau.

10 The change with respect to the plumbing
11 permit is it will be a one-year term, which then
12 can be renewed.

13 What the code will also do -- the
14 proposed changes will do -- will strengthen the
15 Plumbing Advisory Board's ability to enforce
16 provisions against those unlicensed plumbers who
17 come into the Town of Oyster Bay and perform work.
18 And also the code will require that if someone
19 wants to advertise for work in the Town of Oyster
20 Bay, that they have to have -- if they do their
21 advertising, they have to have their plumbing
22 license -- plumbing license number included in the
23 advertising.

24 Also that they can't lend their license
25 out to other plumbers. Only their own employees

1 that work for them full time can work under that
2 plumbing license in order to protect the safety and
3 the welfare of the residents of the Town of Oyster
4 Bay.

5 Are there any -- yes?

6 COUNCILWOMAN ALESIA: I was just
7 wondering if you've sort of shopped this around --
8 for lack of a better word -- to the community of
9 plumbers within the Town and what the reaction has
10 been?

11 MS. FAUGHNAN: I know that we have a
12 representative from Plumbers Local Union 200 who is
13 going to -- who intends to speak today and comment
14 with respect to this and I believe they are in
15 favor of it.

16 And, the idea, again, is to protect --
17 protect the residents and make sure that the
18 plumbers that do come on are licenses, do you have
19 the knowledge and the ability to perform work for
20 our residents and to protect the residents against
21 those that say they're a plumber and say they'll do
22 a wonderful job and, in fact, are not licensed and
23 don't have a clue.

24 COUNCILWOMAN ALESIA: Forgive me only
25 because I was just consulting with my colleague on

1 another resolution at the beginning of your
2 presentation.

3 What are the penalties for someone
4 that's found to be in violation?

5 MS. FAUGHNAN: I don't know those off
6 the top of my head.

7 COUNCILWOMAN ALESIA: I'm being told
8 \$3,000 by both sides.

9 MS. FAUGHNAN: There you go.

10 COUNCILMAN MACAGNONE: Honestly, I
11 think it should be more severe, that the license be
12 revoked. Because we are talking about the safety
13 of our residents -- the health and safety. Nothing
14 more can control it than plumbing. If something's
15 wrong with the plumbing, people get terribly sick.
16 Like an office building or something, I think the
17 license should be revoked and they have to reapply.

18 I do not think that a monetary fine --
19 these people, what they're doing now, they are
20 lending out their license, subbing out to a sub to
21 a sub, and \$3,000 is the amount -- they are saving
22 that a day by not hiring somebody professionally
23 trained. So I think we should go to the extreme
24 and just cut them right out completely --

25 SUPERVISOR SALADINO: Well,

1 Councilman --

2 COUNCILMAN MACAGNONE: -- for a period
3 of a year, at least.

4 SUPERVISOR SALADINO: Councilman, you
5 show you know what you're talking about because we
6 have given that thought and I'm going to ask our
7 Commissioner of Planning and Development, Leslie
8 Maccarone, to come up here.

9 We've had many discussions on this and
10 I think you'll be very, very happy with what the
11 Town's plan is.

12 COMMISSIONER MACCARONE: Good morning.

13 SUPERVISOR SALADINO: Please state your
14 presence.

15 COMMISSIONER MACCARONE: Elizabeth
16 Maccarone, Commissioner of Planning and
17 Development.

18 Yes, Councilman, currently our code,
19 right now, we only have the ability to charge \$900
20 per offense. This is now going to be a \$3,000
21 fine, however -- per offense as well.

22 However, all along in our ordinance, we
23 have the ability to revoke and suspend licenses.
24 And our Plumbing Board is very active. They meet
25 twice a month.

1 We -- any complaint we receive or any
2 notification that we receive or if we come upon it
3 ourselves during our normal course of inspections,
4 we will hold a hearing or the Plumbing Examining
5 Board will hold a hearing, call the plumber in, as
6 well as notify the person who may be using
7 someone's plumbing license illegally, and we will
8 begin prosecution of them.

9 And we have in -- I know for the past
10 two years since I've -- almost two years that I've
11 been here, we've revoked and suspended several
12 licenses.

13 There are also instances where we have
14 people who have been operating as a plumber in the
15 Town of Oyster Bay using someone else's license.
16 So the person who gave out his license, he gets
17 brought in, his license either gets suspended or
18 revoked. Then what happens is, the plumber who was
19 using the license illegally, he then realizes he
20 needs to come in to try to obtain a proper license.

21 COUNCILMAN MACAGNONE: I think --

22 COMMISSIONER MACCARONE: -- at that
23 point --

24 COUNCILMAN MACAGNONE: I think we
25 should prosecute.

1 COMMISSIONER MACCARONE: Well, we have
2 -- the Board has denied applications -- two
3 instances that I know, specifically.

4 In terms of prosecuting, we also will
5 take calls from people who will say we have a
6 plumber who is operating illegally. We need to
7 catch them in the act. So we will send out an
8 inspector. Sometimes we're successful. Sometimes
9 the person has already moved on.

10 We have recently also in terms of
11 advertising, we found an advertisement of a person
12 indicating that they were a licensed Town of Oyster
13 Bay plumber. We served him a Summons. He came to
14 court and we received \$1,600 for him as well. So
15 we are prosecuting. We're doing both. The \$3,000
16 will go a lot further by increasing the fine.

17 COUNCILMAN MACAGNONE: Honestly, it
18 should be \$30,000. Make it really severe. \$3,000
19 is nothing to these guys that are misclassifying
20 workers, stealing from our system, probably paying
21 cash to these people. It should be a severer
22 fine -- suspension and \$3,000. Make them really
23 hurt. Make it an example for other people on Long
24 Island that when they come here, if you've got the
25 license, great, we want you.

1 COMMISSIONER MACCARONE: Right.

2 COUNCILMAN MACAGNONE: If you don't, go
3 elsewhere.

4 COMMISSIONER MACCARONE: Okay.

5 COUNCILMAN IMBROTO: Commissioner,
6 currently, does the Board have the discretion to
7 suspend or revoke the license?

8 COMMISSIONER MACCARONE: Yes. They
9 make a recommendation and then ultimately I sign
10 the paperwork.

11 COUNCILMAN IMBROTO: Under the proposed
12 ordinance, they would still have that discretion?

13 COMMISSIONER MACCARONE: Absolutely.
14 That's not only the plumbers, the
15 Electrical Board as well.

16 SUPERVISOR SALADINO: And there's limit
17 to how long that license can be revoked for?

18 COMMISSIONER MACCARONE: No. They have
19 to -- you know, they could try to reapply, but the
20 Board can continue to not pursue it.

21 SUPERVISOR SALADINO: So if we were to
22 suspend the license for a year or even multiple
23 years, it would be way more than a \$30,000 penalty
24 to them.

25 COMMISSIONER MACCARONE: Unless they go

1 move on somewhere else.

2 SUPERVISOR SALADINO: In terms of the
3 Town --

4 COMMISSIONER MACCARONE: The Town of
5 Oyster Bay, right.

6 SUPERVISOR SALADINO: -- where we have
7 control.

8 COUNCILMAN MACAGNONE: Or they come
9 back with a different name, which happens more
10 often than not.

11 COMMISSIONER MACCARONE: Right.

12 COUNCILMAN MACAGNONE: I think --

13 COMMISSIONER MACCARONE: They key --
14 the key -- I'm sorry to cut you off -- is really to
15 go after the licensed plumbers who are allowing
16 people to use their license. Because if they're
17 not allowing them to file the paperwork and sign
18 the building permit, these people will have to move
19 on to other -- other places.

20 COUNCILMAN IMBROTO: Commissioner, just
21 to be clear, if somebody were to reapply under a
22 different name, that is a factor that the examiners
23 would take into account in determining whether to
24 grant the license?

25 COMMISSIONER MACCARONE: Yes. Because

1 they have to also hand in their identify also. So
2 they may be trying to file under a plumbing
3 business name, but they have to appear before the
4 Plumbing Board with their license -- and, you know,
5 their identification. So we know who the people
6 are and, you know, if they're going come back.

7 COUNCILMAN IMBROTO: So in addition to
8 the \$3,000 penalty, the Board has the inherent
9 power to revoke the license and to not --

10 COMMISSIONER MACCARONE: Issue.

11 COUNCILMAN IMBROTO: Issue.

12 COMMISSIONER MACCARONE: And to not
13 issue, that's correct. And we've done that this
14 year, recently.

15 SUPERVISOR SALADINO: Let's do this,
16 Commissioner, because we're going to leave the
17 rolls open on this for 30 days for more public
18 comment, please make a point to meet with either in
19 person or telephone with Councilman Macagnone who
20 has years of experience in this field so that we
21 can address these issues, many of them -- it sounds
22 like we're already addressing, but I want to make
23 sure that we get to every issue that the Councilman
24 has and any other Board Member for that matter so
25 that we are embracing this and doing it fully,

1 doing it right the first time.

2 COMMISSIONER MACCARONE: Absolutely.

3 And we'll look to increase the fine as
4 well.

5 COUNCILMAN MACAGNONE: And can we look
6 into doing this for the Electrical Board also?

7 COMMISSIONER MACCARONE: Yes.

8 COUNCILMAN MACAGNONE: Because I'm sure
9 they have the same problems.

10 COMMISSIONER MACCARONE: Yes.

11 COUNCILMAN MACAGNONE: And what -- a
12 pet peeve of mine has always been, if you build a
13 four-story hotel, you don't need a license, but to
14 put a mailbox in a house you have to be licensed --
15 a licensed contractor. That's archaic.

16 I'd really like to see some legislation
17 put into effect in this Town that protects people
18 that use the office buildings and hotels, making
19 sure that qualified contractors and developers and
20 general contractors build here in the Town.

21 COMMISSIONER MACCARONE: Okay.

22 Absolutely.

23 COUNCILMAN MACAGNONE: Thank you.

24 SUPERVISOR SALADINO: Are there any
25 other questions?

1 COUNCILMAN IMBROTO: Commissioner,
2 could we also consider increasing the penalties for
3 a second offense?

4 For, you know, there -- I can foresee
5 some situations where somebody might be fined, have
6 their license suspended, have it reinstated and
7 then do it again.

8 You know, you would think --

9 COMMISSIONER MACCARONE: A second
10 offense.

11 COUNCILMAN IMBROTO: -- Double, triple.

12 COMMISSIONER MACCARONE: Okay.

13 COUNCILMAN MACAGNONE: Make it ten
14 times. Make it hurt. Make it --

15 COUNCILMAN IMBROTO: I mean if you're a
16 repeat offender, it should really hurt.

17 COMMISSIONER MACCARONE: Absolutely.

18 COUNCILMAN MACAGNONE: We see it all
19 the time -- check with the Department of Labor of
20 New York State. We see contractors that are
21 misclassified that come back with a different name
22 to bid on public work that woefully under pay the
23 workers.

24 COMMISSIONER MACCARONE: Okay.

25 COUNCILMAN MACAGNONE: One thing I'll

1 say about our Town, we do check the certified
2 payrolls. Not every municipality, school district
3 does that.

4 COMMISSIONER MACCARONE: Right.

5 SUPERVISOR SALADINO: Any other
6 questions or comments?

7 Thank you, Councilman.

8 Thank you, Commissioner.

9 COUNCILWOMAN JOHNSON: Real quick, how
10 many licensed plumbers are there in the Town that
11 have their license with us?

12 COMMISSIONER MACCARONE: I believe it's
13 close to a 1,000 -- Tim -- yup, 1,000.

14 COUNCILWOMAN JOHNSON: Thank you.

15 SUPERVISOR SALADINO: Thank you very
16 much.

17 Counselor, want to ask you to come up
18 to wrap it up.

19 MS. FAUGHNAN: I was going to say any
20 other questions from the Board Members or from you,
21 Supervisor?

22 COUNCILMAN MACAGNONE: No.

23 Thank you.

24 MS. FAUGHNAN: Then as I stated earlier
25 we will prepare -- we will obviously coordinate

1 with Commissioner Maccarone and with Councilman
2 Macagnone, Councilman Imbroto and all of your
3 comments and then prepare a new, revised, proposed
4 local law.

5 It will obviously, as I stated earlier,
6 include the deleted sections, as well as the new
7 amended sections so that it is blatantly obvious as
8 to what provisions are being changed.

9 So that is the end of my presentation
10 and it is my understanding that, again, you will be
11 closing the hearing, reserving decision, but
12 leaving the hearing open for public comment for 30
13 days.

14 SUPERVISOR SALADINO: That's correct.

15 MS. FAUGHNAN: Thank you, Supervisor.

16 SUPERVISOR SALADINO: Thank you,
17 Counselor.

18 I want to stress on behalf of all of
19 Town Members -- Town Board Members how important it
20 is to us to protect the safety of our residents, to
21 ensure that they are getting the construction
22 services that they pay for, to make sure that
23 everyone knows if they are going to do work in the
24 Town of Oyster Bay, they are going be licensed and
25 we are going to get -- ensure that our residents

1 get the top quality services that they deserve.

2 Thank you.

3 COUNCILMAN MACAGNONE: Well said,
4 Supervisor.

5 SUPERVISOR SALADINO: Thank you,
6 Councilman.

7 We have a speaker and that speaker on
8 this hearing is Art Gipson from Plumber's Local
9 Union 200.

10 MR. GIPSON: Good morning,
11 Mr. Supervisor, Board Members.

12 Art Gipson, business agent, Plumber's
13 Local Union 200. I cover Nassau County. My union
14 covers all of Long Island.

15 I am in favor of Bill 703-2018,
16 absolutely. The model of the plumber has always
17 been to protect the health of the nation. It
18 wasn't vaccines that saved the world. It was the
19 plumber. They purified our water and that is a
20 fact.

21 The sharing of licenses has been going
22 on forever. I've been a battling this for many
23 years. I had a moment with the Town of Hempstead,
24 the largest town in the country, they passed the
25 law. The Town of North Hempstead followed suit.

1 We're here today -- I'm here speaking
2 in favor of it, hoping that this gets passed in
3 this Town as well. The City of Long Beach, the
4 City of Glen Cove are working on it as well. As
5 well as I have Babylon working on it at this time.

6 This is an underground business that
7 goes on every single day. And it's for big money
8 and it's cash. Don't fool yourself. I know of
9 many instances -- there's one individual who holds
10 over 250 plumbers licenses throughout the State of
11 New York, New Jersey, Pennsylvania, Connecticut,
12 Florida, and Arizona; has no employees; covers no
13 Workmen's Comp; and he's wealthier than every
14 person in this room put together. That's the kind
15 of money that we're talking about.

16 A typical Home Depot, you cover
17 somebody's license on that, you're getting \$50,000
18 at least cash to cover a license and it goes on
19 every day. This is not an union issue or a
20 nonunion issue --

21 COUNCILMAN MACAGNONE: Thank you.

22 MR. GIPSON: It's a public safety
23 issue.

24 It has nothing to do with it. Plumbers
25 on both sides of the aisle agree with this. It

1 prevents the --

2 COUNCILMAN MACAGNONE: Legitimate,
3 legitimate plumbers.

4 MR. GIPSON: Legitimate, yeah, we are
5 always speaking on the terms of legitimate.

6 And in today's world it's harder and
7 harder every day.

8 One of my largest contractors -- it's
9 \$40,000 a month before he turns the light on just
10 for Workmen's Comp. He has a hard time competing
11 with the guy who pulls up and takes four or five
12 guys a day. You just can't compete.

13 If we want to remain the middle class
14 on Long Island, we have to enforce these types of
15 laws.

16 What I do in my home can directly
17 affect what happens in your home through the water.
18 If I do something that's so adverse it can back up
19 into the system and find its way -- it can happen.
20 We do try to protect everything with backflow but
21 people go around those as well.

22 A licensed plumber protects the health
23 of the nation. Again, it is not an union issue,
24 it's not a nonunion issue; it's a safety issue and
25 it's a good cause. This is something we should all

1 agree upon.

2 As far as the penalties, revocation,
3 that was not something that was in there, I
4 believe. The fines, listen, \$3,000 to a plumber
5 who's making \$300,000 a year sharing his license is
6 nothing, but if you put him out of the ability to
7 do it. And you also can keep the out of state
8 workers from coming in because that's what happens
9 a lot. You know a guy, that knows a guy, I get a
10 job over here in Oyster Bay. I don't have a
11 license. I'm from Connecticut. That happens every
12 day.

13 And, as an agent, it breaks my heart
14 when I look in and I see all out-of-state plates.
15 We weren't even asked to bid the job because he a
16 hook with a guy whose covering so this is a good
17 thing.

18 COUNCILMAN MACAGNONE: Excuse me, Art.

19 MR. GIPSON: Yes.

20 COUNCILMAN MACAGNONE: And a lot of
21 states don't have the stringent code that New York
22 has, I know that.

23 MR. GIPSON: No, they don't. But I'll
24 tell you what, Connecticut has one leg up on us.
25 They have what's called journeymen licensing. So

1 to see the Town of Oyster Bay adopt something like
2 this would be beautiful. You would need a license
3 whether you're doing plumbing, painting or whatever
4 other trade it is from the Town of Oyster Bay and,
5 if not, you get a fine.

6 So we had one of our contractors go to
7 Connecticut recently to do some plumbing, they are
8 licensed in the state, but they didn't have their
9 journeymen license. They got \$1,500 fines in one
10 day for five men. So think about it. It keeps
11 people out. Local jobs for local people.

12 Thank you.

13 COUNCILWOMAN JOHNSON: Real quick,
14 Art --

15 SUPERVISOR SALADINO: Just a couple of
16 questions.

17 COUNCILWOMAN JOHNSON: What are the
18 penalties that maybe Town of Hempstead --

19 MR. GIPSON: The laws that you're
20 looking to adopt are directly from them. They are
21 the same. So it's a -- you know, it's a start.

22 COUNCILWOMAN JOHNSON: Do they have
23 revocation, license revocation?

24 MR. GIPSON: Yes, they do. They have
25 fines and they have revocation. There has never

1 been that in place before, so now there's some
2 teeth behind it.

3 I had a situation a few years ago where
4 it was actually a Town of Oyster Bay licensed,
5 master plumber with no employees, no Workmen's
6 Comp., got a 6 and a half million dollar plumbing
7 job down in Woodmere. That's huge. That's bigger
8 than the Canon building that we built on the South
9 Service road. That was a 4 million dollar plumbing
10 job. And this one-man band, he brought in a
11 company from out of state and did the entire job.
12 And there was nothing I could do. I was at this
13 Town and I was at the Town of Hempstead. It was
14 reciprocal from here to the Town of Hempstead and
15 worked its way down. And there was nothing I could
16 do because there was no meat -- there was no bite
17 behind it, so this will give us the bite. We will
18 be out there trying to help to police this. We're
19 your soldiers.

20 SUPERVISOR SALADINO: Thank you so
21 much.

22 Any other questions for Art?

23 (No verbal response given.)

24 SUPERVISOR SALADINO: Thank you, Art.

25 MR. GIPSON: Thank you.

1 SUPERVISOR SALADINO: You continue to
2 make a difference here and our local communities
3 and our towns and Albany statewide and we
4 appreciate it very much.

5 MR. GIPSON: Thank you, Supervisor.

6 SUPERVISOR SALADINO: Just as an
7 overview we are trying to catch up so that our
8 rules, our laws in terms of plumbing are stringent
9 and we are protecting jobs, jobs, jobs.

10 It's very important to protect our
11 economy. But as the Councilman noted before
12 there's a safety issue. Many people realize that
13 there are poisonous gases in the pipes in our own
14 homes and we hear the expression a trap. They
15 dropped their wedding ring or engagement ring down
16 the drain and it's in the trap.

17 Really what a trap is, is water inside
18 the curved pipe under the sinks or in other places
19 under sinks in the home and even in the commode to
20 trap water so the gases can't get back into the
21 house. They are poisonous gases.

22 A leaky pipe or a pipe that's not
23 fitted properly, not installed properly will
24 continue to leak and do damage to the structure,
25 can cause mold, and, in many cases, it's behind a

1 wall. People won't know for years that that mold
2 is growing there. So there are many reasons why
3 legislation like this protects our residents,
4 protects our consumers.

5 But from a safety standpoint, it's
6 exceptionally important that we get this done
7 right. So I thank all of you and the public can
8 certainly comment on this. We will leave the rolls
9 open for 30 days and then we will come back and
10 vote on this.

11 Thank you very much, everyone.

12 Thank you, Tony.

13 COUNCILMAN MACAGNONE: Thank you,
14 Supervisor.

15 SUPERVISOR SALADINO: All right then.

16 We will now proceed with our regular
17 action calendar.

18 MR. ALTADONNA: Do you want to make a
19 motion to keep it --

20 Because we have here, there's
21 affidavits of posting and publications. There's no
22 other correspondence.

23 SUPERVISOR SALADINO: No other
24 correspondence.

25 May I have a motion, please?

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COUNCILMAN MUSCARELLA: Supervisor, I make a motion that this public hearing be closed and the decision be reserved.

COUNCILMAN MACAGNONE: Second.

SUPERVISOR SALADINO: But the rolls be left open.

COUNCILMAN MUSCARELLA: And the record to stay open for 30 days.

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

ALL: "Aye."

SUPERVISOR SALADINO: Those opposed, "Nay."

(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have it.

(TIME NOTED: 11:04 A.M.)

TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
OCTOBER 30, 2018
11:05 A.M.

JOSEPH SALADINO
SUPERVISOR

JAMES ALTADONNA JR.
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

KRISTINA TRNKA
Reporter/Notary Public

1 SUPERVISOR SALADINO: May we please
2 proceed with our regular Action Calendar?

3 MR. ALTADONNA: In that spirit, may I
4 have motion to table Resolution No. 703?

5 COUNCILMAN MUSCARELLA: So moved.

6 COUNCILMAN MACAGNONE: Second.

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

10 On the vote:
11 Supervisor?

12 SUPERVISOR SALADINO: "Aye."

13 MR. ALTADONNA: Councilman Muscarella?

14 COUNCILMAN MUSCARELLA: "Aye."

15 MR. ALTADONNA: Councilman Macagnone?

16 COUNCILMAN MACAGNONE: "Aye."

17 MR. ALTADONNA: Councilwoman Alesia?

18 COUNCILWOMAN ALESIA: "Aye."

19 MR. ALTADONNA: Councilwoman Johnson?

20 COUNCILWOMAN JOHNSON: "Aye."

21 MR. ALTADONNA: Councilman Imbroto?

22 COUNCILMAN IMBROTO: "Aye."

23 MR. ALTADONNA: Councilman Hand?

24 COUNCILMAN HAND: "Aye."

25 MR. ALTADONNA: Motion to table

1 Resolution 703 passes with seven "Ayes."

2 May I have a motion to remove from the
3 table and add to the regular Action Calendar
4 Resolution No. 655, which was removed from the
5 table on October 16, 2018.

6 We are just motioning to move it onto
7 the regular Action Calendar. We are not voting on
8 the actual action.

9 On the motion?

10 COUNCILMAN MUSCARELLA: So moved.

11 COUNCILMAN MACAGNONE: Second.

12 MR. ALTADONNA: Motion made by
13 Councilman Muscarella, seconded by Councilman
14 Macagnone.

15 On the vote:

16 Supervisor Saladino?

17 SUPERVISOR SALADINO: "Aye."

18 MR. ALTADONNA: Councilman Muscarella?

19 COUNCILMAN MUSCARELLA: "Aye."

20 MR. ALTADONNA: Councilman Macagnone?

21 COUNCILMAN MACAGNONE: "Aye."

22 MR. ALTADONNA: Councilwoman Alesia?

23 COUNCILWOMAN ALESIA: "Aye."

24 MR. ALTADONNA: Councilwoman Johnson?

25 COUNCILWOMAN JOHNSON: "Aye."

1 MR. ALTADONNA: Councilman Imbroto?

2 COUNCILMAN IMBROTO: "Aye."

3 MR. ALTADONNA: And Councilman Hand?

4 COUNCILMAN HAND: "Aye."

5 MR. ALTADONNA: Motion to remove from
6 the table and add to the regular Action Calendar on
7 Resolution No. 655 passes with seven "Ayes."

8 May I have a motion to adopt
9 Resolutions No. TF18-18 through Resolution No. 705,
10 noting that 655 has been added and 703 has been
11 tabled?

12 **TRANSFER OF FUNDS RESOLUTION NO.**

13 **TF-18-18;** Resolution pertaining to Transfer of
14 Funds within various departments accounts for the
15 Year 2018.

16 **RESOLUTION NO. 655-2018;** Resolution
17 authorizing Quantity Decrease, acceptance and final
18 payment on Contract No. H16-142PH3, Construction of
19 Highway Improvements to the Smith Street Area, Glen
20 Head, New York. (M.D. 9/25/18 #15).

21 **RESOLUTION NO. 678-2018;** Resolution
22 authorizing an agreement with Nassau County
23 Department of Human Services to receive grant
24 funding for youth program services for the period
25 January 1, 2018 through December 31, 2018 and to

1 reimburse the Incorporated Village of Bayville for
2 their youth program under the terms of said
3 agreement. Account No. CYS A 7020 47620 000 0000.
4 (M.D. 10/9/16 #4).

5 **RESOLUTION NO. 679-2018;** Resolution
6 authorizing the Supervisor to execute On-the-Job
7 Training Agreements for the period covering
8 January 1, 2019 through December 31, 2019. (M.D.
9 10/9/16 #6).

10 **RESOLUTION NO. 680-2018;** Resolution
11 authorizing the issuance of a refund for a building
12 permit fee to Mr. Faucet Services Co., Inc. Account
13 No. PAD B 0001 02555 000 0000. (M.D. 10/9/16 #8).

14 **RESOLUTION NO. 681-2018;** Resolution
15 pertaining to the filing of the Town of Oyster Bay
16 External Audit Report New York State Department of
17 Transportation for the period ended December 31,
18 2017 and ratifying the actions of the Town Clerk in
19 publishing said report as required by law. (M.D.
20 10/9/16 #11).

21 **RESOLUTION NO. 682-2018;** Resolution
22 pertaining to the filing of the Town of Oyster Bay
23 External Audit Report Federal Single Audit Report
24 for the period ended December 31, 2017 and
25 ratifying the actions of the Town Clerk in

1 publishing said report as required by law. (M.D.
2 10/9/16 #12).

3 **RESOLUTION NO. 683-2018;** Resolution
4 pertaining to the filing of the Town of Oyster Bay
5 External Audit Report Office of the Town Clerk for
6 the period ended December 31, 2017 and ratifying
7 the actions of the Town Clerk in publishing said
8 report as required by law. (M.D. 10/9/16 #13).

9 **RESOLUTION NO. 684-2018;** Resolution
10 authorizing acceptance of design, entrance into the
11 bid and construction phases of Contract No.
12 H17-165, Construction of Highway and Drainage
13 Improvements to the William Street area, Glen Head.
14 (M.D. 10/9/16 #19).

15 **RESOLUTION NO. 685-2018;** Resolution
16 authorizing Change Order No. 1 & Quantity Decrease
17 in connection with Contract No. DP15-132, Oyster
18 Bay Golf Course C.V.M. Roof Reconstruction. (M.D.
19 10/9/16 #20).

20 **RESOLUTION NO. 686-2018;** Resolution
21 authorizing sponsorship of the Town's 35th Annual
22 Holiday Concert Series at the Tilles Center, Long
23 Island University's C. W. Post Campus, Brookville,
24 New York, with four performances scheduled to be
25 held December 3, 4 & 5, 2018, and for the

1 Supervisor or his designee to execute entertainment
2 agreements for said concerts. Account No. CYS A
3 7020 47660 000 0000. (M.D. 10/16/18 #5).

4 **RESOLUTION NO. 687-2018;** Resolution
5 authorizing a licensing agreement for use of the
6 Tilles Center for the Town's Holiday Concert Series
7 scheduled to be held December 3, 4 & 5, 2018 and to
8 provide a fee to the Tilles Center for the services
9 of the Old Brookville Police Department. Account
10 No. CYS A 7020 47660 000 0000. (M.D. 10/16/18 #6).

11 **RESOLUTION NO. 688-2018;** Resolution
12 granting request from the Nassau County Police
13 Marine Bureau to berth one marine enforcement boat
14 at both Harry Tappen Marina and Theodore Roosevelt
15 Memorial Beach Marina for the 2018-2019 winter
16 season with fees waived. (M.D. 10/16/18 #7).

17 **RESOLUTION NO. 689-2018;** Resolution
18 authorizing the Supervisor to execute the extension
19 of and Modification to the Supportive Services
20 agreement under the Workforce Innovation and
21 Opportunity Act and the Community Development Block
22 Grant, effective January 1, 2019 through
23 December 31, 2019. (M.D. 10/16/18 #9).

24 **RESOLUTION NO. 690-2018;** Resolution
25 rescinding Restrictive Covenants at premises

1 located at 68 East Marie Street, Hicksville,
2 New York. (M.D. 10/16/18 #11).

3 **RESOLUTION NO. 691-2018;** Resolution
4 pertaining to outside counsel in connection with
5 pending litigation regarding telecommunications.
6 Account No. OTA A 1420 44110 000 0000. (M.D.
7 10/16/18 #12).

8 **RESOLUTION NO. 692-2018;** Resolution
9 authorizing the first one-year extension option for
10 court reporter services in connection with
11 litigation for the period beginning January 1, 2019
12 through December 31, 2019. Account No. OTA A 1420
13 44110 000 0000. (M.D. 10/16/18 #13).

14 **RESOLUTION NO. 693-2018;** Resolution
15 authorizing a one-year extension option for
16 Independent Medical Examination services in
17 connection with the Town's defense against
18 negligence actions for the period beginning
19 January 1, 2019 through December 31, 2019. Account
20 Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS
21 1910 43020 602 0000 000. (M.D. 10/16/18 #14).

22 **RESOLUTION NO. 694-2018;** Resolution
23 authorizing payment for court designated court
24 reporters for the period beginning January 1, 2019
25 through December 31, 2019. Account No. OTA A 1420

1 44110 604 0000. (M.D. 10/16/18 #15).

2 **RESOLUTION NO. 695-2018;** Resolution
3 pertaining to Contract No. PWC07-18, On-Call
4 Engineering Services relative to Civil Engineering
5 for 9/11 Walls of Honor located at Tobay Beach.
6 Account No. PKS H 7197 20000 000 1502 001. (M.D.
7 10/16/18 #17).

8 **RESOLUTION NO. 696-2018;** Resolution
9 authorizing NYSDEC Erosion and Sediment Control
10 Training through the Nassau County Soil & Water
11 Conservation District. Account No. DPW A 1490 47900
12 000 0000. (M.D. 10/16/18 #18).

13 **RESOLUTION NO. 697-2018;** Resolution
14 granting request from the Rotary Club of Locust
15 Valley for Town assistance in conducting their
16 annual Oktoberfest on October 21, 2018 at Thomas
17 Park in Locust Valley and for the use of various
18 Town equipment for the event. (M.D. 10/16/18 #20).

19 **RESOLUTION NO. 698-2018;** Resolution
20 scheduling the Town Board Meeting dates for 2019.
21 (M.D. 10/16/18 #21).

22 **RESOLUTION NO. 699-2018;** Resolution
23 authorizing the sidewalk repair assessments be
24 referred to the County of Nassau for placement on
25 the Nassau County Tax Assessment Rolls. (M.D.

1 10/16/18 #22).

2 **RESOLUTION NO. 700-2018;** Resolution
3 pertaining to the application of MOM Realty II LLC,
4 fee owner, for Modification of Restrictive
5 Covenants and/or Modification of Conditions, for
6 premises located at 150 Crossways Drive West,
7 Woodbury, New York, removing the condition
8 contained in Resolution No. 676-2018.

9 **RESOLUTION NO. 701-2018;** Resolution
10 pertaining to Contract No. PWC07-18 On-Call
11 Engineering Services relative to Civil Engineering
12 in connection with synthetic Turf Field Replacement
13 at John J. Burns Town Park and at Cpl. Kevin T.
14 Kolm Memorial Park. Account No. PKS H 7197 20000
15 000 1209 001 (M.D. 10/16/18 #19 & 10/23/18 #19).

16 **RESOLUTION NO. 702A-2018;** Resolution
17 pertaining to the decision for the Budget for the
18 Town of Oyster Bay for the Year 2019. (M.D. 9/18/17
19 #24).

20 **RESOLUTION NO. 702B-2018;** Resolution
21 pertaining to the decision for the Budget for the
22 Town of Oyster Bay for the Year 2019. Special
23 Districts. (M.D. 9/18/17 #24).

24 **RESOLUTION NO. 704-2018;** Resolution
25 pertaining to settlement of litigation Town of

1 Oyster Bay v. M Pire Land Rental Corp., to
2 authorize the Supervisor or his designee to execute
3 a Termination Agreement and the Comptroller to
4 accept payment in connection with said litigation.
5 (M.D. 10/23/18 #26).

6 **RESOLUTION NO. 705-2018;** Resolution
7 authorizing the Town to enter into an
8 Inter-Municipal Agreement with the Incorporated
9 Village of Centre Island whereby the Town will
10 provide sand and salt to said Village. (M.D.
11 10/23/18 #27).

12 On the motion?

13 COUNCILMAN MUSCARELLA: So moved.

14 COUNCILMAN MACAGNONE: Second.

15 SUPERVISOR SALADINO: Okay.

16 So we --

17 COUNCILMAN MACAGNONE: Excuse me,
18 Supervisor.

19 I've been requested by the Town Clerk
20 to do a Walk-On regarding personnel in the Town
21 Clerk's office.

22 MR. ALTADONNA: Yes.

23 COUNCILMAN MACAGNONE: I will pass this
24 out to everybody.

25 COUNCILMAN MUSCARELLA: I had no idea

1 about it.

2 SUPERVISOR SALADINO: First I've heard.

3 COUNCILMAN MACAGNONE: I'd like to make
4 a motion after you've read it to accept it.

5 SUPERVISOR SALADINO: We ask that our
6 Town attorney -- a representative from the Town
7 attorney's office also look at this, please.

8 So, Councilman, can you please describe
9 to us what it is you're asking for?

10 COUNCILMAN MACAGNONE: The Town Clerk
11 is losing one of its key personnel due to
12 retirement come December and he'd like to replace
13 that person and to have them trained by the person
14 who's retiring. This way it will serve the
15 residents better that we have -- the new hire will
16 be able to come up running full speed,.

17 Is that correct?

18 MR. ALTADONNA: That's correct. We
19 need a continuity there. We need to serve the
20 residents.

21 SUPERVISOR SALADINO: This is highly
22 unusual because we have a normal process, which
23 goes through personnel.

24 Has anyone --

25 COUNCILMAN MACAGNONE: The clerk has

1 tried -- I'm not going to speak for the clerk.

2 Clerk, would you mind speaking on this,
3 please?

4 COUNCILWOMAN ALESIA: I was just going
5 to ask that same question.

6 Mr. Clerk, have you tried to go through
7 the normal channels to make this hire?

8 MR. ALTADONNA: Yes. I have meetings
9 going back as far as 11/14/2017, 11/29/2017,
10 2/15/2018, August 13, 2018, September 30, 2018, and
11 finally, October 3, 2019.

12 COUNCILWOMAN ALESIA: What was the
13 first date? Sorry.

14 MR. ALTADONNA: It went back to --
15 staffing requirements was 11/14/2017.

16 COUNCILWOMAN ALESIA: So almost a year
17 ago?

18 MR. ALTADONNA: Yeah.

19 COUNCILWOMAN ALESIA: Have you had any
20 staff added to the office since then?

21 MR. ALTADONNA: I've had one
22 replacement and all I'm asking for is a
23 replacement. I'm not asking for additional staff.
24 We've cut the staff in the Clerk's office by three
25 people, which is significant.

1 COUNCILMAN IMBROTO: I would imagine
2 that there are civil service implications to this.

3 MR. ALTADONNA: That's why I am in a
4 rush to get this done, yes. That's why it needs to
5 be done now because we do have a training and I've
6 been asking for this for months.

7 COUNCILMAN MUSCARELLA: When you say
8 you've been asking for it, did you ask the
9 Supervisor or any other Board members?

10 MR. ALTADONNA: I've asked -- I've had
11 meetings with Greg Carman. I've interviewed three
12 people and nothing has moved forward. I received a
13 letter from Ms. Spinelli.

14 COUNCILMAN MUSCARELLA: But you had no
15 correspondence interoffice --

16 MR. ALTADONNA: Excuse me.

17 COUNCILMAN MUSCARELLA: -- to the
18 council members?

19 MR. ALTADONNA: Well, the last one I
20 did to the council because nothing was moving
21 forward.

22 SUPERVISOR SALADINO: Let's bring Vicky
23 up to shed some more light on this. Vicky is our
24 Deputy Commissioner of Human Resources.

25 MR. ALTADONNA: You know, she puts in

1 her memo to me that I need Board approval.

2 SUPERVISOR SALADINO: Vicky, can you
3 please state your presence?

4 DEPUTY COMMISSIONER SPINELLI: Good
5 morning, everybody.

6 Vicky Spinelli, Deputy Commissioner of
7 Human Resources.

8 I did receive the memo from the Town
9 Clerk and we have been going through -- the Deputy
10 Supervisor and I -- have been going through each of
11 the departments trying to figure out needs and
12 wants of all departments.

13 The last organizational chart that I
14 got from the Clerk's office only listed titles,
15 didn't tell me what they were doing. I don't know
16 what functions we need people for.

17 The Town Board action that I need would
18 be because there is no budget, there is no
19 vacancies in the Town Clerk's office at this time.
20 So I don't have a title to put somebody in. I
21 don't have money to put somebody in. That's what
22 we need to come to the Board for.

23 So if you wanted to Walk-On a
24 resolution, you would have to give me some sort of
25 a title to put somebody on and if it was a clerk or

1 something like that, I have to get the list from
2 civil service, I have to canvas them.

3 Excuse me, I ran down the stairs.

4 So I'm not exactly sure what this --

5 COUNCILWOMAN ALESIA: Vicky, can I ask
6 a question?

7 Is it -- you know, because I've tried
8 for years to talk to you about civil service titles
9 and things and I just have a lot of trouble keeping
10 it all straight -- but is this title or person or
11 slot in the budget for next year for the Town
12 Clerk's office?

13 DEPUTY COMMISSIONER SPINELLI: I have
14 no idea. I don't believe so.

15 As far as I know --

16 COUNCILWOMAN ALESIA: So he has someone
17 that is definitely retiring, but we don't have
18 anyone coming in to take the spot?

19 DEPUTY COMMISSIONER SPINELLI: That's
20 the only vacancy he's going to have is the person
21 who retires going next year.

22 COUNCILWOMAN ALESIA: So there's no way
23 to overlap them so the person who's retiring can
24 train the new person? Is that the issue?

25 DEPUTY COMMISSIONER SPINELLI: Not

1 without adding to the budget.

2 COUNCILMAN IMBROTO: Is there nobody in
3 the Clerk's office right now that can be trained to
4 fulfill this function?

5 DEPUTY COMMISSIONER SPINELLI: That's
6 not my call.

7 COUNCILMAN MUSCARELLA: Jim, the
8 question posed to you, is there anyone in your
9 office right now that can do the job, the training?

10 MR. ALTADONNA: No.

11 There is no one other than the person
12 that has that job that would be able to train that
13 person.

14 COUNCILMAN IMBROTO: No but, Jim, can't
15 that -- can't the person who had that job train
16 somebody that's already in the office?

17 MR. ALTADONNA: We don't have the
18 staff. We are bare bones. We've lost three
19 people.

20 COUNCILWOMAN ALESIA: How many people
21 do you have in there now?

22 MR. ALTADONNA: We started with 19 when
23 I first came down. We are down to 16 total. And
24 we have one person that is now in the South office.
25 She is now out on disability and we don't know if

1 she's coming back.

2 COUNCILWOMAN ALESIA: I know Keith is
3 like an institution. His knowledge is --

4 MR. ALTADONNA: Yes.

5 COUNCILWOMAN ALESIA: -- very
6 comprehensive.

7 MR. ALTADONNA: We were supposed to get
8 an individual in June and that fell through. So
9 this was in the works. We were supposed to get
10 someone internally and that fell through.

11 COUNCILWOMAN ALESIA: You're certainly
12 asking since November, yeah.

13 COUNCILMAN IMBROTO: But, Jim, it seems
14 to me that the big issue you have is that you're
15 worried that when this person retires his
16 replacement is not going to be trained.

17 MR. ALTADONNA: No.

18 My worry is I don't have someone to
19 fill that role. Even if I train someone
20 internally, that would leave us with two people to
21 serve our residents at the front office. Right now
22 we have three. We'd be down to two. It's just
23 insufficient.

24 SUPERVISOR SALADINO: Let's do this --

25 COUNCILMAN MUSCARELLA: There have been

1 times in the past where we brought people back
2 after they retired to come back where the
3 transition is better for that department head or --

4 MR. ALTADONNA: I think it's costly to
5 do so. I think what we should do, is we should
6 train someone now, this way when that person does
7 come back, it could be a fill role as opposed to
8 being a go-to person. Because the person coming
9 back part time is a great supplement. I mean, it's
10 a wonderful supplement to any department, but we do
11 need someone --

12 COUNCILMAN MUSCARELLA: Right now the
13 department is running efficiently. Everything is
14 good. We are trying to save money on payroll --

15 COUNCILWOMAN ALESIA: He's saying it's
16 running well now --

17 MR. ALTADONNA: Well, we are going to
18 be saving money because the person that we are
19 going to be hiring -- can I finish? The person
20 that we're going to be hiring will be making a far
21 less salary than the person leaving. So there will
22 be an additional savings.

23 COUNCILMAN MACAGNONE: Clerk?

24 MR. ALTADONNA: Yes.

25 COUNCILMAN MACAGNONE: I'm going to

1 have to assume that come January 1st there's a lot
2 more things come due in your office, your
3 department.

4 MR. ALTADONNA: That is correct.

5 We have a lot of licensing that comes
6 to be renewed.

7 DEPUTY COMMISSIONER SPINELLI: Well, we
8 have in the past --

9 COUNCILMAN MACAGNONE: If I can throw
10 an olive branch out, we have a meeting in three
11 weeks.

12 Can we come up with something and solve
13 this then? Do we have to do it right now? Would
14 that be sufficient for you? Would a month be
15 enough time?

16 MR. ALTADONNA: That would give me a
17 month to train, that would be wonderful.

18 SUPERVISOR SALADINO: So let's do
19 this --

20 COUNCILMAN MACAGNONE: Does that work
21 for you, Deputy --

22 DEPUTY COMMISSIONER SPINELLI: That
23 would be fine. I just need --

24 COUNCILMAN MACAGNONE: Commissioner,
25 would that be fine with you? I know you're in the

1 room. I heard you earlier.

2 SUPERVISOR SALADINO: What I'd like to
3 do --

4 COUNCILWOMAN JOHNSON: I just want to
5 -- procedurally, did anyone second your motion?

6 SUPERVISOR SALADINO: No one has
7 seconded his motion --

8 COUNCILWOMAN JOHNSON: I'll second it,
9 so it's up for discussion.

10 SUPERVISOR SALADINO: Before you do
11 that --

12 COUNCILWOMAN JOHNSON: I did it.

13 SUPERVISOR SALADINO: This is what I'm
14 going to ask for, rather than going down this road
15 which puts us in a more complicated place, I'm
16 going to ask that we meet with the Town Clerk, the
17 Deputy Commissioner, yourself, the Deputy
18 Supervisor this afternoon so we make this a
19 priority, discuss what the best opinion is for
20 everyone and then we'll get this done.

21 This process is highly unusual and
22 would lead to a problem if every Commissioner and
23 Department head went this route. It would throw
24 out budget into a tailspin, and right now we have a
25 great budget that we are going to pass today or we

1 are going to vote on today and hopefully pass.

2 DEPUTY COMMISSIONER SPINELLI: There's
3 no problem. It's just there's a lot of up in the
4 air what ifs that I don't know.

5 SUPERVISOR SALADINO: Right. Including
6 civil service issues --

7 DEPUTY COMMISSIONER SPINELLI: That's
8 why I responded this way.

9 SUPERVISOR SALADINO: -- including our
10 union contract. We have to look at everything to
11 proceed in a legal, ethical, and proper way.

12 So I'm going to ask you all -- the
13 Commissioner, yourself, the Town Clerk, the Deputy
14 Commissioner, if you'd like to bring another member
15 of your staff, if you feel more comfortable having
16 another member of your staff with you, and set a
17 time. So let's get together today, get this
18 resolved today, and have a plan moving forward.

19 And quite frankly, that goes for every
20 department head. We went through this process in
21 putting together a budget and we all realized that
22 we are working on creating more efficiencies in the
23 Town. And that means doing more with less, but,
24 clearly, there are services that have to be
25 rendered in every department and it should be done

1 as part of the normal procedure.

2 So I'm going to ask you all -- I see
3 the Commissioner is here, the Deputy Commissioner,
4 the Town Clerk, the Deputy Supervisor, and as I
5 said -- offered in case you want another person --
6 let's set a time to meet today so that we arrive at
7 a plan to get this resolved.

8 And again, I reach out, as we have, to
9 every department head to ensure that we're meeting
10 the goals and the needs of the services in the
11 Town.

12 COUNCILMAN MACAGNONE: I hereby
13 withdraw my motion for this Walk-On resolution.

14 COUNCILWOMAN JOHNSON: Second.

15 SUPERVISOR SALADINO: Thank you.

16 COUNCILMAN MUSCARELLA: Thank you.

17 SUPERVISOR SALADINO: Okay. So then we
18 will proceed with the regular Action Calendar that
19 we are working on today and we ask for speakers.

20 The first speaker is Dan O'Connor from
21 Glen Head.

22 Hi, Dan. How are you today?

23 MR. O'CONNOR: Good. Good morning.

24 How's everyone?

25 COUNCILMAN MACAGNONE: Hey,

1 Mr. O'Connor.

2 How are you?

3 MR. O'CONNOR: Good. Very good.

4 Thank you.

5 Good morning, Council, Supervisor.

6 This is for 648.

7 SUPERVISOR SALADINO: 684.

8 MR. O'CONNOR: 684.

9 SUPERVISOR SALADINO: Right, 684 and
10 655.

11 MR. O'CONNOR: Yes.

12 684, I just obviously wanted to stand
13 up here in support of the bidding process and,
14 hopefully, seeing that work in the William Street
15 area in Glen Head go forward.

16 Right now the water company, through
17 their subcontractor, Banker, is actually upgrading
18 the mains in that area and they are undertaking a
19 large vent on Kissam this morning where they are
20 going around a major gas main to upgrade those
21 connections.

22 So there's obviously a lot of work
23 going in the area and the streets were already in
24 major disarray, and, obviously, when you put in
25 some new mains and hook ups to every house, it's

1 going to be more of a disarray on streets that
2 haven't been paved since '83. So I just wanted to
3 stand up here in support of Resolution 684.

4 And also ask, it's probably going to be
5 a couple months before they actually hook up each
6 house, but, again, if the work and the timing can
7 be worked out with the water company and the
8 subcontractor, it may behoove everyone involved to
9 actually get the project moving forward before they
10 come in and cut and repave every single cut. And
11 then the Town comes in and basically scrapes
12 everything that was just done a month prior to do
13 the whole street so...

14 COUNCILMAN MACAGNONE: And things get
15 raised and we get more pot holes, yes.

16 MR. O'CONNOR: Just because it doesn't
17 make sense to asphalt cuts at 50 or 100 of them and
18 then come in a month later and re-asphalt the whole
19 street. I mean, the only one who really loses is
20 the asphalt company, but it just makes sense and
21 saving money for someone in the contract.

22 As far as 655, I wasn't here at the
23 last meeting so I was actually confused on it when
24 I read it this morning.

25 The Smith Street Project -- and I know

1 there was three phases to the Smith Street Project
2 -- one of those phases is only complete, so I just
3 wanted to make sure that Council knew that because
4 it mentions something about acceptance and final
5 payment on contract.

6 I don't know if that contract number
7 was just for that one phase that was complete, but
8 the two other phases, which I believe Dan Haas, the
9 engineer who I spoke to, and I'm sure Commissioner
10 Lenz will speak to will, hopefully, be done within
11 the next month or so.

12 I know National Grid held up some of
13 that work because they were in there doing cuts,
14 but I wanted to make sure that that contract only
15 specified the one phase that was complete and not
16 the total three phases.

17 SUPERVISOR SALADINO: Okay, Dan.

18 Thank you.

19 MR. O'CONNOR: That's it.

20 Thank you.

21 SUPERVISOR SALADINO: Dan, if you would
22 look over in that direction and John Bishop, our
23 Deputy Commissioner -- raise your hand -- please
24 meet with him. I am going to ask him to come up
25 just to give us a briefing on the Smith Street

1 aspect, but in terms of the other issue that you
2 brought up, if you'd meet with him after the
3 meeting, this way you can get any of your questions
4 answered and we will improve communication with you
5 and with the community.

6 MR. O'CONNOR: Great.

7 And just so you know, they've been
8 great so far in communicating.

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

11 And we really appreciate you coming in.

12 COUNCILMAN MACAGNONE: And we
13 appreciate your patience.

14 SUPERVISOR SALADINO: And your
15 compliments of the work of our staff.

16 Deputy Commissioner -- oh, I see Rich
17 Lenz is here.

18 Commissioner Lenz, would you please
19 step up?

20 You didn't hear that whole question --

21 COMMISSIONER LENZ: I'm sorry.

22 SUPERVISOR SALADINO: That's all right.
23 That's all right.

24 Dan O'Connor was here with us and asked
25 for an update.

1 Obviously, the first phase of the Smith
2 Street project has been complete, but we want to
3 just get a -- just a very, general brief overview
4 so that we could brief everyone on what the status
5 is and when we expect some of the completion dates.

6 COMMISSIONER LENZ: Certainly.

7 My name is Richard Lenz. I'm
8 Commissioner of the Department of Public Works and
9 Highway.

10 We wanted to go -- originally, I just
11 want to make sure everybody -- all the Council
12 people remember this -- is, we wanted to go into
13 Phase One first, but because of National Grid doing
14 some natural gas work, we had to go into Phase
15 Three. So that's complete. Phase Three is
16 complete.

17 We are going to go into now Phase One
18 and Two at the same time. Bids were received last
19 week. We have a low bidder and we are proposing to
20 put that up for the Town Board approval at the next
21 Town Board meeting. We then will start in like a
22 week or two after that, having the Supervisor sign
23 the specifications.

24 SUPERVISOR SALADINO: So, can you give
25 us a general idea --

1 COMMISSIONER LENZ: Sure.

2 SUPERVISOR SALADINO: -- of when that
3 work may begin and when it's expected to be
4 completed?

5 And I know, obviously, that is pursuant
6 to any questions or issues the Town Board Members
7 might have or the public.

8 COMMISSIONER LENZ: Absolutely.

9 The -- it will -- it will -- we can do
10 some work this year, but due to the weather, we are
11 going to -- we are going to start doing some areas.
12 But what we are going to do is only areas that we
13 can replace the road this year, then we are going
14 to shut down and then next year. But we will be
15 done before Summer of next year doing all the areas
16 of Smith Street.

17 SUPERVISOR SALADINO: We expect to have
18 the entire project done by Spring of 2018?

19 COMMISSIONER LENZ: Yes. 2019.

20 SUPERVISOR SALADINO: For the public's
21 information, we cannot do paving work in the months
22 where there's a frost?

23 COMMISSIONER LENZ: Yes.

24 SUPERVISOR SALADINO: What --
25 approximately what are those dates so the public

1 understands? We'd like to be doing our paving work
2 throughout and get it done as quickly as possible,
3 obviously.

4 COMMISSIONER LENZ: Yeah.

5 SUPERVISOR SALADINO: But if we do
6 paving during --

7 COUNCILMAN MACAGNONE: Asphalt plants
8 close down come Thanksgiving roughly.

9 COMMISSIONER LENZ: Thank you,
10 Councilman.

11 That's exactly what happens. What
12 happens is because of the temperatures and because
13 of not the not being able to put the asphalt down
14 due to, like you're saying, frost and things like
15 that, they shut down. Usually around Thanksgiving,
16 they shut down for all of Thanksgiving, all of
17 December, a lot of January, and they start opening
18 up sometimes February -- sometimes February/March.
19 We've even had it where they've had to open up in
20 April, it's been so bad. You know what I mean?

21 SUPERVISOR SALADINO: So they're
22 weather dependent as well?

23 COMMISSIONER LENZ: This job is weather
24 dependent, yes.

25 But we will start as soon as we

1 possibly can. As I said, we have the contractor
2 already selected. It's just we have to submit --
3 we were reviewing the bids and then we have to
4 submit to the Councilmen.

5 SUPERVISOR SALADINO: Thank you,
6 Commissioner. We really appreciate that. And as
7 you know we've had this conversation many times,
8 our residents are very dependent upon getting these
9 roads down, so please do everything in your
10 efforts, in your purview, to get these roads
11 repaved and completed as soon as possible.

12 COMMISSIONER LENZ: We definitely will.
13 Thank you.

14 SUPERVISOR SALADINO: Okay.
15 Our next speaker is Arthur Adelman.
16 Good morning, Mr. Adelman.
17 How are you?

18 MR. ADELMAN: Okay.
19 Councilpersons, Supervisor -- Town
20 Clerk's not here.

21 My first question regards Resolution
22 691, the request for additional \$53,000 pertaining
23 to litigation started -- I don't know if -- it was
24 pertaining to litigation -- pending litigation that
25 was begun back in May 2017. I think that was

1 regarding the transponders that an outside vendor
2 was putting on Verizon poles.

3 As I ask with all these type of
4 continued litigation or payments to attorneys for
5 attorney fees, that we get a running total for each
6 case.

7 As I said, this was originally passed
8 in May 2017 where we authorized -- I say we, the
9 people -- authorized \$35,000 in payments. Now, we
10 are requesting an additionally \$53,000.

11 I'd like to know mhave there been other
12 Resolutions requesting payments in between May 2017
13 and today?

14 And furthermore, what is the -- where
15 are we with this? Has litigation begun or is it
16 still pending or are we still looking to determine
17 the rights of the telephone companies? I'd just
18 like to know if we can get an update on the case
19 that we are spending all this money on.

20 My second Resolution I was looking at
21 was with regard to number 704, the termination of a
22 lease and the settlement of other litigation that
23 was begun last June with a company called Empire
24 Rental -- Land Rental. It seems that -- I would
25 assume that because the way I read the agreement,

1 that they owed rental money and electrical.

2 We were getting the bills for electric
3 and utilities and then passing it onto them. There
4 seems to have been nonpayment. We've agreed to
5 make a settlement and the settlement calls for a
6 payout of approximately \$3,000 a month by this
7 company that hasn't been paying.

8 So, are we getting any type of personal
9 guarantee from the principal of the company?
10 Because that's what happens in commercial business.
11 You can't pay and you took up space, the landlords
12 always come back to the principal to guarantee
13 payment of the time you were there. Not -- even if
14 you had an extended lease, they let you out, but
15 while you were there, you should be, you know, give
16 a personal guarantee because that's what happened
17 to me, so I'm just curious about that.

18 SUPERVISOR SALADINO: Thank you. Thank
19 you.

20 If you kindly take your seat we'll ask
21 a representative of the Town Attorney's office to
22 come up and give us a brief overview.

23 MR. ROZEA: Thank you, Supervisor,
24 Members of the Board.

25 Deputy Town Attorney, Matt Rozea.

1 I'll take the questions in the inverse
2 order, the issue with Empire first and then we'll
3 deal with the legal fees for the action brought by
4 Crown Castle relative to telecommunications.

5 In the case of Empire, we commenced
6 in-house holdover proceeding to evict the Empire
7 Corporation from Town-owned property. That
8 proceeding moved forward in the Nassau County
9 District Court.

10 As the Memorandum Docket indicates,
11 we've reached terms with Empire so that they will
12 leave by December 31st. They will pay us what is
13 due and owing to the Town in the amount of \$24,000
14 and change.

15 I hesitate to use the word "guarantee."
16 It's not something that I've contemplated in the
17 context of this litigation, but Empire has
18 forwarded a check in the amount of \$12,000 and
19 change representing half of the amount owed to the
20 Town. It's sitting in my file, holding it
21 effectively in escrow, and if the Board adopts the
22 Resolution today authorizing the termination
23 agreement, I will forward it over to the Town's
24 Comptroller's office to be deposited. I think that
25 takes care of the Empire issue.

1 Are there questions?

2 (No verbal response given.)

3 MR. ROZEA: Okay.

4 Seeing none, we will move over to the
5 telecommunications issue.

6 COUNCILMAN MUSCARELLA: Wait --

7 MR. ADELMAN: There is -- in the
8 agreement it states that they are going to pay
9 \$3,000 a month --

10 MR. ROZEA: That's right.

11 MR. ADELMAN: -- after the settlement.

12 MR. ROZEA: Right.

13 MR. ADELMAN: Well, what kind of
14 guarantee that you're going to get that \$3,000. If
15 it's the party who signed the agreement for the
16 renter of the property, somebody named Caroline
17 Lizza/Lissa, I would think that they should be on
18 the hook if the corporation closes or does not pay.

19 MR. ROZEA: We didn't structure the
20 settlement in that -- in that fashion.

21 Suffice to say, if Empire were to
22 breach its obligations under the termination
23 agreement, I will be more than happy to commence a
24 breach of contract action to pursue, not only the
25 amount due, but then the additional costs that are

1 incurred as a result of --

2 COUNCILMAN IMBROTO: I think
3 Mr. Adelman thinks that they are staying after the
4 period --

5 MR. ADELMAN: No. No. The agreement
6 is they're out, they move.

7 The agreement states that Empire will
8 continue paying until everything is paid up at a
9 rate of approximately \$3,000 a month.

10 My contention is they haven't been
11 paying in the past. What makes you think they're
12 going to pay in the future? I would like to see --

13 COUNCILMAN IMBROTO: Well, they already
14 made a good faith payment in the amount of half the
15 settlement.

16 MR. ADELMAN: We have a fiduciary
17 obligation to the people, we should get a guarantee
18 from the principal of the company that that money
19 will be paid.

20 Whoever it is -- like I had my
21 business, I took up space. When I had to move out,
22 I owed my landlord rent. They terminated the rest
23 of my lease, but they said you were here for six
24 months you owe us \$30,000. And I said, okay, I'll
25 pay. I'll pay you \$5,000 a month. They said,

1 okay, but you have to sign right here to personally
2 guarantee it and I did. All right. Under advice
3 of counsel otherwise they would have sued me right
4 away and I would have lost.

5 This is the same thing. It's a
6 corporation, but they -- you need to get the
7 principal to sign personally for any type of
8 agreement. If you're letting them pay out and
9 they've proven by past performance they don't pay
10 their obligations --

11 COUNCILMAN IMBROTO: But they made a
12 good faith payment in the amount of half the
13 settlement already.

14 MR. ADELMAN: That's the settlement.
15 I don't know what they really owed
16 between electric and power and water.

17 What did they really owe?

18 MR. ROZEA: The amount owed as called
19 for in the agreement is what was actually owed to
20 the Town. We didn't cut pennies here. And they've
21 come forward -- Councilman Imbroto is absolutely
22 correct.

23 They've come forward with 50 percent of
24 amount owed. That is more than a good faith
25 showing. In any real estate transaction, a good

1 faith earnest payment is far less than 50 percent
2 of what the amount owed is.

3 I'm more than comfortable recommending
4 this settlement to the Town Board, as I indicated
5 in the memorandum. And I would encourage the Board
6 to adopt the Resolution so we can move forward, not
7 only with the eviction aspect, but in terms of
8 getting the taxpayers --

9 COUNCILMAN IMBROTO: I'm more than
10 happy to agree with -- I mean, a lot of times when
11 you have these landlord/tenant matters, you don't
12 get anywhere near the full amount owed. You're
13 lucky to get 50 percent. We already got the 50
14 percent.

15 MR. ADELMAN: Excuse me.

16 I'm only saying if the principal of the
17 company has the -- has the wherewithal to make
18 payments or has made money by use of this land in
19 the past, at this time asking for a personal
20 guarantee should not be a problem. If the
21 corporation is going to pay it, there's no problem.
22 If they are not going to pay it, then we have
23 someone else to go get our money from.

24 SUPERVISOR SALADINO: So then why don't
25 we do this, in respect to the points Mr. Adelman

1 has brought to us and the Town Board -- I assume
2 you're not an attorney?

3 MR. ADELMAN: No.

4 SUPERVISOR SALADINO: But you've had
5 some experience with this in your own personal
6 lease matters?

7 MR. ADELMAN: Correct.

8 SUPERVISOR SALADINO: Okay.

9 So, I'm going to please direct you to
10 confer with our Town Attorney and then reach out to
11 this party to determine if they would -- if this
12 can be considered in our negotiations.

13 MR. ROZEA: I'm more than happy to have
14 that conversation, but I just want to advise the
15 Board that I cannot forward the \$12,000 to the
16 Comptroller to be deposited --

17 SUPERVISOR SALADINO: Do this, have the
18 conversation with our Town Attorney, come up with
19 some options, and then contact me for consideration
20 and we'll talk about these options.

21 Okay?

22 COUNCILWOMAN JOHNSON: Matt, if it were
23 to pass, when is the next payment due?

24 MR. ROZEA: I could check the --

25 COUNCILWOMAN JOHNSON: Monthly

1 schedule?

2 MR. ROZEA: It's set forth -- I mean,
3 there's a schedule set forth in the agreement. I
4 don't have it in front of me. It's in --

5 COUNCILWOMAN JOHNSON: How often do you
6 find that someone on behalf of a corporation will
7 be personally liable in terms of the
8 corporation --

9 MR. ROZEA: Again, as I said at the
10 outset, I hesitate to use the word "guarantee." I
11 just don't like the word.

12 But this is the first time in my years
13 at the Town where we'd be calling for a personal
14 guarantee of any kind of debt owed to the Town.

15 SUPERVISOR SALADINO: We want to be
16 respectful of all our residents. I can't expect
17 Mr. Adelman who is not an attorney to be practicing
18 law and especially municipal law on this case.

19 MR. ROZEA: Sure.

20 SUPERVISOR SALADINO: Having said that,
21 the opinions and the views of all our residents are
22 important to us, so, once again, I ask you to
23 please confer with the Town Attorney, come up with
24 some options and then reach out to me and we will
25 consider those options.

1 COUNCILWOMAN JOHNSON: Is there any
2 chance this is going to jeopardize the settlement
3 and we're going to lose the \$12,000?

4 MR. ROZEA: You never really know,
5 right? I mean, these were the terms we worked out.

6 Again, all respect to the Supervisor
7 and to Mr. Adelman, I think respectfully the Town
8 should move forward with adopting this Resolution
9 so that we can close the matter out.

10 COUNCILMAN MACAGNONE: And get that
11 piece of property back.

12 MR. ROZEA: That's correct.

13 There are municipal uses certainly for
14 the property.

15 SUPERVISOR SALADINO: Okay. And the
16 Town Attorney confers with your opinion.

17 MR. ROZEA: We've spoken extensively --

18 SUPERVISOR SALADINO: You have already
19 spoken extensively.

20 MR. ROZEA: Absolutely.

21 SUPERVISOR SALADINO: All right.

22 I thank you very much for this
23 information.

24 MR. ROZEA: The second aspect was the
25 telecommunications litigation.

1 That litigation is pending. It is
2 outstanding. In fact, we've fully briefed a
3 Summary Judgment Motion.

4 Just for the public's knowledge, a
5 Summary Judgment is effectively a trial on paper.
6 Each party comes forward with their arguments and
7 their proof. We are at that point.

8 Settlement negotiations are ongoing,
9 but it is a very fluid situation because it's very
10 dependent also upon a recent regulatory action by
11 the Federal Communications Commission, the FCC.

12 So, you know, again, counsel has been
13 thoroughly involved and engaged in the matter.
14 These fees are simply for work that's been
15 performed, not work moving forward.

16 MR. ADELMAN: But the question was, is
17 this first additional request for funds since the
18 original \$35,000 --

19 MR. ROZEA: I'd need to go back and
20 check. I'm not quite sure.

21 SUPERVISOR SALADINO: When you find
22 that out, would you please contact Mr. Adelman
23 directly so we can ensure --

24 MR. ROZEA: Of course.

25 MR. ADELMAN: Or let you --

1 SUPERVISOR SALADINO: Yes, we all will
2 be asking that.

3 MR. ROZEA: Of course. Of course.

4 SUPERVISOR SALADINO: So confer with
5 Mr. Adelman and let us know as well.

6 MR. ROZEA: Absolutely.

7 SUPERVISOR SALADINO: Thank you, Matt.
8 Thank you.

9 All right. Is there anyone else?
10 That's the only two slips I've received.

11 Does anyone else like to be heard on
12 our Resolutions on our Action Calendar?

13 MR. SKLAR: Public comment or just on
14 the calendar?

15 SUPERVISOR SALADINO: Comment comes
16 after the Board meeting is over. The Public
17 Comment period comes after the Board meeting, after
18 we vote.

19 Okay. So there is no one else who would
20 like to be heard on this.

21 So I'll rephrase this question, this --
22 in this Board meeting, as we alerted the public and
23 went through all the steps necessary to let the
24 public know that we are voting on the Town's
25 Proposed 2019 Budget today.

1 On the 16th of this month, we held two
2 public hearings on the budget where we explained
3 extensively -- would you agree extensively --
4 perhaps in more detail than the public has received
5 in many years on a budget hearing of all that the
6 budget does.

7 To decide whether or not we should go
8 through the whole process again of explaining this,
9 with a show of hands, who is here to speak on the
10 Town Budget vote today?

11 (No verbal response given.)

12 SUPERVISOR SALADINO: Please allow the
13 record to reflect that no one has signaled that
14 they have identified themselves as here to speak on
15 the budget.

16 We held a quite lengthy budget hearing,
17 got the information out on what this budget does,
18 holds the line on taxes and cuts spending, which
19 was also very important, and we will be paying off
20 by the end of 2019, a net of \$150 million to date
21 of the Town's debt and greatly reducing the deficit
22 on the operating side of the budget tremendously to
23 the tune of millions of dollars.

24 And we are in the process of getting
25 rid of the deficit altogether in 2019, which is

1 rather amazing in a short amount of time. We went
2 over all of this at the October 16th hearings, two
3 of them; one was a day hearing and one was a night
4 hearing.

5 It's also important to note, not only
6 is no one here to speak on the budget or ask
7 questions on the budget today, but no one showed up
8 to the night meeting to ask about the budget.

9 There were people here on another
10 issue. We were here from 7:00 to about 9:00 p.m.,
11 and I asked that evening with a show of hands, no
12 one was there at that evening meeting whatsoever to
13 speak on the budget. There was one issue about a
14 hearing that had taken place at a previous Board
15 meeting that people spoke about, but that had
16 nothing to do with the budget either.

17 So one more time, a show of hands, is
18 there anyone here that would like to ask questions
19 or be heard on the 2019 Town of Oyster Bay Budget
20 that we will be voting on today?

21 (No verbal response given.)

22 SUPERVISOR SALADINO: No one. Okay.

23 Please let the record reflect that no
24 one is here, as was the case in that night meeting
25 at 7:00 p.m. on October 16th.

1 All right then.

2 No one else to speak on this, so I'll
3 ask is there correspondence?

4 MR. ALTADONNA: No correspondence. We
5 can go to the vote.

6 SUPERVISOR SALADINO: Yes, please
7 proceed to the vote.

8 MR. ALTADONNA: Okay.

9 Noting that we added Resolution 655 and
10 we tabled Resolution 703.

11 Supervisor?

12 SUPERVISOR SALADINO: I am very proud
13 to voting "Aye" on all of the Resolutions today,
14 including the 2019 budget.

15 The 2019 budget holds the line on
16 taxes. There are no one shots, no gimmicks, no
17 land sales. Revenues were calculated in a very
18 conservative manner. We underestimated revenues,
19 overestimated our expenses to approach this in a
20 very conservative way. We are significantly
21 cutting down our Town debt, approximately \$65
22 million of the long-term principal will be paid
23 down in 2019, making a total net, since we took
24 office in 2017, of \$150 million of the budget paid
25 down.

1 When I first got here, I was informed
2 that there was a \$44 million deficit in the
3 operating side of the budget, and if this budget is
4 passed, which I am voting for, we will no longer
5 have a deficit on the operating side, and we're
6 working towards a surplus.

7 It's very exciting to be voting for
8 this budget. It's the right thing for our
9 taxpayers, the right thing for our Town government,
10 and, quite frankly, we're exceptionally proud. The
11 2019 budget and the 2018 budget combined are among
12 the best financial news this Town has had in
13 decades, so I vote "Aye."

14 MR. ALTADONNA: Councilman Muscarella?

15 COUNCILMAN MUSCARELLA: "Aye" on all.

16 MR. ALTADONNA: Councilman Macagnone?

17 Go slow.

18 COUNCILMAN MUSCARELLA: Thank you,
19 Clerk Altadonna.

20 I vote "no" on 698. Limiting the
21 amount of night hearings is just a wrong message
22 sending to the residents. We want them more
23 involved.

24 I vote "no" on 700.

25 On 702A and B, I vote "no." I will not

1 vote for any budget that does not return the lag
2 payroll back to our workers. When the times were
3 bad, the workers took a hit. I think it's time
4 that we make plans to return that money to them.

5 That's all, Clerk.

6 I vote "Aye" on the rest.

7 MR. ALTADONNA: Councilwoman Alesia?

8 COUNCILWOMAN ALESIA: Just to address
9 Councilman Macagnone's comments on the Town Board
10 meeting schedule, I had a similar concern, Tony,
11 and then when I -- I'm not -- certainly, you made
12 your vote, I'm not asking you to change it, but I
13 just want to explain why I'm voting the way I am.

14 When I really thought about it, I was
15 like, all right, we have 25 percent of the meetings
16 now have a night meeting. Additionally, the two
17 times that I asked this administration for a night
18 meeting on an issue this year, both times they
19 acquiesced and it was no problem.

20 So I did give it some thought. I don't
21 want anyone to think that I'm just blanketly voting
22 for a meeting schedule that doesn't have a lot of
23 night meetings.

24 Having said that, I am in abstention
25 under my continuing abstention on 655, 91, 98 and

1 01.

2 And "Aye" on the rest.

3 And I want to, again, as I did last
4 week or two weeks ago, compliment the Supervisor on
5 inviting us in to discuss the budget and I think it
6 was very nicely done. The process was excellent.

7 SUPERVISOR SALADINO: Thank you.

8 MR. ALTADONNA: To reiterate 655, 98,
9 01.

10 COUNCILWOMAN ALESIA: And 91.

11 MR. ALTADONNA: And 91.

12 Councilwoman Johnson?

13 COUNCILWOMAN JOHNSON: I'm "recusing"
14 on 684.

15 "Aye" on the rest.

16 MR. ALTADONNA: Councilman Imbroto?

17 COUNCILMAN IMBROTO: I'm "abstaining"
18 on 691.

19 "Aye" on the rest.

20 MR. ALTADONNA: Councilman Hand?

21 COUNCILMAN HAND: "Aye" on all.

22 MR. ALTADONNA: Bear with me.

23 Resolution TF18-18 passes with seven
24 "Ayes."

25 Resolution 655 passes with six "Ayes,"

1 one Abstention.

2 Resolution 678 through 683 passes with
3 seven "Ayes."

4 684, six "Ayes," one "recusal."

5 685 through 690, seven "Ayes."

6 691, five "Ayes" and two "abstentions."

7 692 through 697, seven "Ayes."

8 698 is one "Nay," one "abstention" and
9 five "Ayes."

10 699 is seven "Ayes."

11 700 is one "Nay" and six "Ayes."

12 701 is six "Ayes" and one "abstention."

13 702A and B is six "Ayes" and one "Nay"
14 each.

15 703 through 705 is seven "Ayes."

16 Calendar is complete.

17 SUPERVISOR SALADINO: Thank you, Clerk
18 Altadonna.

19 Before we close the meeting and go to
20 the Public Comment, I think it's very important to
21 recognize what we just accomplished from a fiscal
22 standpoint in the Town.

23 Councilwoman Alesia, I appreciate your
24 compliment to me and I thank you very much
25 especially about the process and what we have done

1 with this budget, but I really think the big thanks
2 goes to our staff; everyone from our Director of
3 finance, Rob Darienzo; our Comptroller and his team
4 and all of the department heads. We met with and
5 every one of you both last year and this year to
6 prepare a budget. We asked each one of you to cut
7 back. We said every department has to cut back.
8 We have to deliver a tax cut. We have to do more
9 with less. And each and every one of you has
10 continued to work with us to do just that for our
11 taxpayers.

12 As we stated, we cut taxes last year
13 \$1.3 million and we maintain that cut for 2019, so
14 that works out to be \$2.6 million in tax relief for
15 these two years while paying off a net of \$150
16 million of the Town's debt since we began here in
17 2017. And I say "net" because we still have --

18 (Applause.)

19 SUPERVISOR SALADINO: Thank you.

20 I thank the Town Board Members for
21 working with us in this process, we thank our staff
22 and all here in the Town. We thank Department
23 Heads, we thank the employees of the town who have
24 worked so hard and have really stepped up.

25 That's why we delivered them early that

1 2 percent that we spoke of -- delivered that back
2 to them early because we could afford to do that
3 while cutting taxes.

4 So, we have a lot to be proud of and to
5 get that word out of great fiscal management, a
6 better approach and greatly improving the process
7 with much transparency working with our Board
8 Members and first and foremost most putting our
9 taxpayers first.

10 Thank you very much to each and every
11 one of you.

12 MR. ALTADONNA: And just to reiterate
13 for the record 703 was tabled.

14 SUPERVISOR SALADINO: Thank you.
15 A big hand for our staff members.
16 (Applause.)

17 SUPERVISOR SALADINO: Great job.
18 May I have a motion, please?

19 COUNCILMAN MUSCARELLA: Supervisor, I
20 make a motion to close the meeting.

21 COUNCILMAN MACAGNONE: Second.

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

24 ALL: "Aye."

25 SUPERVISOR SALADINO: Those opposed,

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"Nay."

(No verbal response given.)

SUPERVISOR SALADINO: The "Ayes" have
it.

(TIME NOTED: 11:47 A.M.)