

TOWN BOARD
TOWN OF OYSTER BAY
SPECIAL PRESENTATION
February 8, 2022
10:17 a.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Ladies and
2 gentlemen, welcome to the Oyster Bay Town Board
3 meeting for Tuesday, February 8, 2022.

4 For those joining us this morning, you
5 have the opportunity to be heard on matters brought
6 before the Town Board as well as during the public
7 comment portion at the end of our meeting.

8 As always, this meeting is being
9 live-streamed on social media and on the Town's
10 website, which is oysterbaytown.com. These
11 proceedings are recorded and later transcribed,
12 and, of course, your voice is important to us.

13 Any statements, comments, and input
14 from the public, relative to our meetings and the
15 specific issues that we're dealing with at the
16 moment, are always welcomed and respected as part
17 of the record.

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

22 Leading us in prayer today is a very
23 special friend, Pastor Derek Price, of the Bethel
24 Christian Center in Massapequa.

25 Pastor, the floor is yours.

1 Would everyone please rise?

2 PASTOR PRICE: Good morning, and thank
3 you for the opportunity to pray.

4 If you would bow your heads with me, I
5 would appreciate that.

6 Our God and Father, Patriarch of all
7 Mankind, you are the very source of our strength
8 and the strength of our lives.

9 In you, Lord, we live and we move and
10 we have our essence, our being, and King David
11 wrote these words when he said and thought about
12 your loving kindness, "What is man that you are
13 concerned about him and the offspring of man that
14 you would desire to visit him."

15 You made him a little lower than
16 angels, and, yet, you crowned him with glory and
17 honor and you put all things under his dominion.

18 So today we recognize your presence and
19 your authority, even now in this room, and we know
20 that you hear us when we pray. So this morning, we
21 pray for this chamber, to those that are here
22 today. We pray for our Town Supervisor in the
23 person of the Honorable Joseph Saladino, we pray
24 for the Councilwomen, the Councilmen. We pray for
25 our Town Clerk, the Receiver of Taxes, to every

1 assistant, every supervisor, every manager, every
2 clerk, every secretary, to those that provide
3 security and to all the wonderful people who serve
4 the Town of Oyster Bay and its residents.

5 We pray that your blessings and your
6 favor, your protection, your goodwill be upon them,
7 and not just to them, but to all their immediate
8 families and extended families and to all their
9 loved ones.

10 Father, bless what we put our hands to
11 do, and as they use all their gifts and talents,
12 skills and abilities in the service to the Town,
13 may we remember that we are not just accountable to
14 the people who we serve, but also accountable to
15 you.

16 So we pray for all our servant leaders,
17 to the White House, our Congress, our Senate, the
18 Justices, our military, the governors of our
19 states, our Governor over the State of New York,
20 all our local officials, and we pray for our great
21 Nation.

22 So, Father, once again, bless us as we
23 serve you today with joy and gladness. God bless
24 the Town of Oyster Bay, and God bless the United
25 States of America.

1 Amen.

2 ALL: Amen.

3 PASTOR PRICE: Thank you.

4 SUPERVISOR SALADINO: If you'd all
5 stand -- continue to stand -- first of all, Pastor
6 Derek Price, thank you --

7 PASTOR PRICE: My pleasure.

8 SUPERVISOR SALADINO: -- for your
9 friendship, thank you for your spiritual leadership
10 and the blessings that you provide your
11 congregation and all of us.

12 PASTOR PRICE: Thank you.

13 SUPERVISOR SALADINO: We greatly
14 appreciate you joining us today, and we greatly
15 appreciate collaborating with you each and every
16 day.

17 God bless you.

18 PASTOR PRICE: God bless you, too.

19 Thank you.

20 SUPERVISOR SALADINO: Ladies and
21 gentlemen, leading us in the Pledge of Allegiance
22 this morning is United States Marine Sergeant
23 Darryl Lamb, who served from 1992 to 2000.

24 Darryl is also a detective with the
25 NYPD for the past 18 years, and a minister with our

1 beloved Mount Olive Baptist Church in Oyster Bay.

2 Sergeant, the honor is ours and the
3 floor is yours. Please step forward to lead us in
4 the Pledge.

5 (Whereupon, the Pledge of Allegiance
6 was recited by United States Marine Sergeant Darryl
7 Lamb.)

8 SUPERVISOR SALADINO: Thank you,
9 Sergeant Lamb.

10 We appreciate your service to our
11 Nation and to our Town today.

12 And now, I ask you all to take a moment
13 to honor fallen NYPD Officers Wilbert Mora and
14 Jason Rivera, who were murdered in the line of duty
15 this past month; to all of those in law enforcement
16 who have been injured, attacked, or murdered; and
17 to the many men and women in the Armed Services,
18 here in the Homeland and fighting abroad; all of
19 the men and women in law enforcement, all of our
20 heroes working diligently for us in healthcare and
21 hospitals and emergency services.

22 They've all been doing a yeoman's
23 effort and quite a large task at a difficult time
24 in our Nation's history. We pray for each and
25 every one of these first responders and all who

1 keep us safe.

2 (Whereupon, a moment of silence was
3 observed by the assemblage present.)

4 SUPERVISOR SALADINO: Please be seated,
5 ladies and gentlemen.

6 We have some interesting honorees with
7 us today, and it's very fitting that we recognize
8 some very special people in this Town.

9 My colleagues on the Town Board and I
10 are proud to recognize the community contributions
11 of the Greater Long Island Running Club represented
12 here by their President, Jossi Fritz-Mauer and
13 Executive Director, Katie Pearlman. Also in
14 attendance is the Club President Emeritus, Mike
15 Polansky, and Carolyn Mazzola, who is the editor of
16 the monthly magazine, Footnotes.

17 Thank you for your partnership in
18 hosting the annual Tobay Triathlon and the
19 Tri-Relay. Particularly, noteworthy is that
20 proceeds from these events support local charities.

21 Today the Club will present a check to
22 the Lifetime Enrichment Center, represented by
23 Executive Director Judy Palumbo, from proceeds from
24 the Tobay Triathlon and Tri-Relay.

25 This Town Board is proud to recognize

1 the Greater Long Island Running Club for a
2 distinguished legacy of supporting incredibly
3 deserving charities and initiatives.

4 Katie, if you would please come forward
5 to accept this Citation.

6 Judy, please also come forward to
7 accept a check from the Club.

8 I'm going to ask that our Councilman
9 Steve Labriola assist us in the presentation to the
10 Long Island Running Club as well as all of our
11 elected officials.

12 (Whereupon, a Town Citation was
13 presented, followed by a photo opportunity and a
14 round of applause.)

15 SUPERVISOR SALADINO: For our next
16 presentation this morning, it is a distinct honor
17 to recognize another icon.

18 Maybe she doesn't do a lot of running,
19 but she certainly has spent her life running around
20 taking care of the needs of the greater Massapequa
21 community, and, to that, I speak of a dear friend
22 to this Town Board, to our community, to the
23 Massapequas, and a dear friend of mine for some
24 fifty years now, and, I'm sorry, I'm hinting at
25 giving away ages, but she's just been that icon for

1 a half a century or more, and that, of course, is
2 Patricia Orzano.

3 (Whereupon, a round of applause
4 ensued.)

5 SUPERVISOR SALADINO: Patty, you are
6 amazing, and that's why everyone is here to honor
7 you and to thank you.

8 Patty Orzano is here with her brother,
9 Jim, and her colleagues from the Massapequa Chamber
10 of Commerce where she's been the President, and I'm
11 sure she's held every office there is in the
12 Chamber including chief cook and bottle washer;
13 that's for sure.

14 Included we have President Keith
15 Wilson, the Chaplain Chris Merz, so many people
16 from one of the best Chambers anywhere in the
17 history of New York State. You do so much. We're
18 proud of all of the Chambers of Commerce in the
19 Town of Oyster Bay, and some would say that they
20 march to a drum that's set -- a rhythm set by your
21 organization and all of your great work, and
22 especially, your spiritual motivator, Patty Orzano.

23 Do you like that title, Patty?

24 It's true. It just has all kinds of
25 connotations.

1 Patty is a long, long time 7-Eleven
2 business owner in Massapequa and past President of
3 the Massapequa Chamber. She sees commerce and
4 volunteerism as necessities to the welfare,
5 happiness, betterment, prosperity of the community.
6 But she's that motivator. I don't know how many
7 cups of free coffee you've had to give out to the
8 members to get them to work, but they have, and it
9 has worked.

10 Patty wakes up every morning determined
11 to change the world. She dares to make a
12 difference, especially, when naysayers tell us it
13 cannot be done. Well, that's enough to get her
14 Italian up, and she makes sure it gets done.

15 When we think of Patty, a host of
16 adjectives come to mind including: Enthusiastic,
17 exuberant, exemplary. She is an extraordinary
18 community service person whose service to the
19 community spans -- here it says four decades, but I
20 happen to know it's more than that because I've
21 known you for longer than that.

22 You've been a great friend to my
23 parents, to my sister, to our family, and I also
24 think of how many people benefitted by your store
25 during the hurricane. That hurricane wreaked

1 havoc. It was horrific, and, yet, there you were
2 with a smile as an oasis during those days.

3 But that's just one of so many examples
4 of ways that the Massapequa Chamber of Commerce has
5 gotten better, has built on programs, has improved
6 with your leadership in the years you've been a
7 part. So many new programs. Just amazing.

8 Whether it's collecting food to fill
9 the shelves for local outreach programs, whether
10 it's the Toys for Tots through the holidays,
11 donating COVID relief items -- the list goes on and
12 on and on. Even when Patty may be risking her own
13 health, she continues to act for others, and that's
14 something that's also amazing that we don't
15 normally talk about Patty in those terms, but it's
16 true.

17 Patty, you're just incredible. Giving
18 back is a way of life for Patty Orzano. A most
19 recent example of this was her efforts with the
20 Chamber to install a "Welcome to the Massapequas"
21 sign near the Field of Dreams in Massapequa. This
22 was particularly fitting because Patty has been a
23 fixture welcoming residents into the Massapequas
24 for decades.

25 Patty, please join us up front, and I'm

1 going to ask my colleague in government, and a
2 neighbor, Laura Maier, to help me present this
3 Citation to you with tremendous love.

4 If all of our elected officials would
5 join us at the rail.

6 (Whereupon, a Town Citation was
7 presented to Patty Orzano followed by a photo
8 opportunity and a round of applause.)

9 SUPERVISOR SALADINO: Ladies and
10 gentlemen, just a few quick, but important,
11 announcements before we start our regular Board
12 meeting and our hearings.

13 With hospitals in great need of blood
14 donations, Oyster Bay Town Councilwoman Laura Maier
15 and Town Councilman Steve Labriola are hosting our
16 next blood collection drive on Thursday,
17 March 10th.

18 We will have a blood drive on Thursday,
19 March 10th collecting much needed blood. It's from
20 1:00 p.m. to 7:00 p.m. at the Hicksville Athletic
21 Center, and in order to donate, it would be greatly
22 appreciated if you would make an appointment for
23 the blood drive and sign up today at NYBC -- or
24 New York Blood Center -- nybc.org/donate; and you
25 can sign up to make that appointment right there.

1 We're also proud to announce that the
2 Town held its first ever Chinese Lunar New Year
3 celebration right here in Town Hall last week with
4 a resounding success.

5 Thank you to the South Asian Advisory
6 Board, and all of the participating organizations,
7 and the residents for their contributions to a
8 joyous celebration of culture and heritage. It's
9 an important celebration. The longest of the
10 celebrations on the calendar, and it is something
11 that we revel in, and we appreciate everyone from
12 Asia and South Asia who lives and works and
13 supports here in the Town of Oyster Bay.

14 It's an important month for so many
15 reasons. As you know, February is Black History
16 Month in our Nation and also important to celebrate
17 our diversity and reflect upon the many incredible
18 contributions made by African-Americans.

19 Here in the Town of Oyster Bay, we're
20 proud to join in the celebration and honor the many
21 ways African-Americans have helped to make this
22 Nation the greatest country in the world.

23 And to that end, last month, we
24 presented our Martin Luther King, Jr. Leadership
25 Award to Reverend Kent Edmonston of the Mount Olive

1 Baptist Church in Oyster Bay. The Reverend is here
2 with us today. You are an amazing friend. You are
3 an incredible leader.

4 I hold two African-Americans in the
5 highest esteem, and one of them is you, Reverend
6 Edmonston, and one of them is Ambassador Perkins,
7 who served in the United States Marines with my
8 father and went on to become the United States
9 Ambassador, first, to South Africa, where he ended
10 apartheid without civil war and massive bloodshed,
11 and then the U.S. Ambassador to the United Nations.

12 I'm a little curious why the media
13 doesn't mention this incredible man.

14 Is it discrimination?

15 I'm not sure. Maybe it's just a lack
16 of education on the part of the media, but
17 Ambassador Perkins came to the Town of Oyster
18 Bay -- Steve, you were with us that day -- to Tobay
19 Beach for the renaming of the marina after his
20 lifelong buddy, Joe Saladino, but the other person
21 that we have is you.

22 PASTOR EDMONSTON: Bless your heart.

23 SUPERVISOR SALADINO: Your friendship
24 is appreciated, your leadership is marvelled, we
25 appreciate all that you do.

1 Would you please stand, Reverend
2 Edmonston?

3 Kent Edmonston.

4 (Whereupon, a round of applause
5 ensued.)

6 SUPERVISOR SALADINO: Congratulations
7 being the recipient of the Martin Luther King, Jr.
8 Leadership Award, and well deserved.

9 On behalf of all of us here in Town
10 government, so well deserved. We appreciate you
11 very much.

12 So on February 22nd -- the 22nd of this
13 month -- we will host a Black History Month
14 celebration here in Town Hall, and I hope that you
15 will all come back and join us for that. A very
16 important celebration.

17 So at this time, let's move forward
18 with our morning business.

19 (TIME NOTED: 10:46 A.M.)

20

21

22

23

24

25

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
10:47 a.m.

HEARING - Z-1-22

To consider the application of A. Pironi & Son, Inc., d/b/a Pironi Homes, fee owner, for a Change of Zone and Revocation of Special Use Permit on premises at 1057 Jericho-Oyster Bay Road, East Norwich. (M.D. 12/28/21 #6).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Clerk LaMarca,
2 would you please poll the Board?

3 MR. LaMARCA: Supervisor Saladino?

4 SUPERVISOR SALADINO: Present.

5 MR. LaMARCA: Councilwoman Johnson?

6 COUNCILWOMAN JOHNSON: Present.

7 MR. LaMARCA: Councilman Imbroto?

8 COUNCILMAN IMBROTO: Here.

9 MR. LaMARCA: Councilman Hand?

10 COUNCILMAN HAND: Present.

11 MR. LaMARCA: Councilman Labriola?

12 COUNCILMAN LABRIOLA: Here.

13 MR. LaMARCA: Councilwoman Maier?

14 COUNCILWOMAN MAIER: Present.

15 MR. LaMARCA: Councilwoman Walsh?

16 COUNCILWOMAN WALSH: Present.

17 SUPERVISOR SALADINO: At this time,
18 will you please call the first hearing?

19 MR. LaMARCA: Today's first hearing is
20 to consider the application of A. Pironi & Son,
21 Inc., d/b/a Pironi Homes, fee owner, for a Change
22 of Zone and Revocation of Special Use Permit on
23 premises at 1057 Jericho-Oyster Bay Road, East
24 Norwich.

25 MS. SIMONCIC: Good morning,

1 Mr. Supervisor.

2 SUPERVISOR SALADINO: Good morning.

3 MS. SIMONCIC: Is this working (tapping
4 microphone)?

5 SUPERVISOR SALADINO: How about now?

6 MS. SIMONCIC: Good morning? No.

7 (Whereupon, technical difficulties with
8 the podium microphone were corrected.)

9 MS. SIMONCIC: Good morning, Supervisor
10 Saladino, Members of the Town Board.

11 My name is Judy Simoncic. I'm an
12 attorney with the firm Forchelli Deegan Terrana
13 with offices at 333 Earle Ovington Boulevard in
14 Uniondale. I'm appearing on behalf of the
15 applicant, A. Pironi & Son, Inc., d/b/a Pironi
16 Homes.

17 Before I begin with my presentation, I
18 just want to submit to the Clerk some additional
19 green cards that we had received after we submitted
20 our Affidavit of Mailing.

21 (Whereupon, Ms. Simoncic handed green
22 cards to Town Clerk Richard LaMarca.)

23 MS. SIMONCIC: With me today is Tom
24 Dixon, he's a professional engineer with Nelson and
25 Pope; Osman Barrie is our traffic engineer, also

1 with Nelson and Pope; Scott Grupp, the architect
2 that prepared the plans of the building that's
3 before the Town Board today; and Anthony Basile, a
4 Certified Real Estate Appraiser; and also Silvana
5 and Paolo Pironi, owners of Pironi Home Real
6 Estate. All of these individuals will be
7 addressing the Board after my presentation at some
8 point today.

9 The premises is known as 1057 Jericho
10 Turnpike-Oyster Bay Road, also known as Route 106,
11 in East Norwich. It's located just south of the
12 intersection of Northern Boulevard and Route 106 on
13 the east side of Route 106.

14 As the Board is familiar, this area
15 where the premises is located on 106 is a four-lane
16 major thoroughfare. The property contains
17 approximately 14,589 square feet, which is .34
18 acres. It has approximately 97 feet of frontage on
19 Route 106 and is 101 feet south from the
20 intersection of Northern Boulevard and Route 106,
21 and it directly abuts the TD Bank, which is on the
22 southeast corner of Northern Boulevard and Route
23 106.

24 The premises is currently located in
25 the R-10 Zoning District and is presently improved

1 with a one-story, framed dwelling with an accessory
2 detached garage. A large portion of the property
3 is currently paved with asphalt.

4 Now, historically, this property has
5 had a mix of office and residential uses. In 1956,
6 the Town Board granted a Special Use Permit to
7 erect and maintain an office building at this
8 location. The 1956 Special Use Permit with those
9 conditions is no longer applicable, so we are
10 requesting it be removed in connection with today's
11 Change of Zone request.

12 Now, the application today seeks an
13 amendment to the Zoning Map to change the zone of
14 the property from R1-10 to General Business. The
15 Change of Zone will permit development of the
16 premises with a two-story office building to be
17 occupied by the applicant, Pironi Homes.

18 Now, just to give you a little bit
19 about Pironi Homes. Pironi Homes is a family-owned
20 and operated real estate company that specializes
21 in developing new and luxury single-family homes
22 throughout Nassau and Suffolk County.

23 Pironi Homes has been responsible for
24 constructing and developing a lot of pivotal
25 residential developments in the Town of Oyster Bay.

1 They currently operate their office out of Franklin
2 Square, and should the Town Board look favorably
3 upon this application, the plan is to relocate this
4 building.

5 All of the principals of the Pironi
6 Homes do live in the immediate area of the North
7 Shore, and this, certainly, will be much more
8 convenient for them to come to their office here in
9 East Norwich as opposed to Franklin Square, and,
10 additionally, many of their customers and their
11 business is conducted in the North Shore area,
12 throughout the Town, and the North Shore villages.

13 Now, before I talk about the
14 surrounding area, I have a series of photos that
15 I'd like to submit to the Board, and there are
16 enough packets for each Board member.

17 (Whereupon, Ms. Simoncic handed
18 materials to Town Clerk Richard LaMarca for
19 distribution to the Board members.)

20 MS. SIMONCIC: In the packet that is
21 being handed up to the Board, there are four
22 exhibits.

23 The first exhibit is an aerial photo of
24 the subject property and the surrounding area.

25 The second exhibit is an aerial photo

1 with an overlay of all the Zoning Districts in the
2 area.

3 The third are photos of the surrounding
4 property, which the real estate appraiser will also
5 discuss later on.

6 And the fourth are pictures of the
7 subject premises.

8 Now, if you look at Exhibit 1, the
9 premises is within the four corners of the major
10 intersection of Northern Boulevard and Route 106.
11 There's only one property that separates the
12 premises from Northern Boulevard, that's the TD
13 Bank, which is zoned "GB," which is the Zoning
14 District we're seeking to change to.

15 TD Bank was built in 2010. It has two
16 drive-thrus currently, and at its closest point,
17 the driveway for the drive-thru is five feet from
18 the northern property line of the subject premises.

19 This property is the last lot in the
20 Town of Oyster Bay before you hit the Village of
21 Muttontown Zoning District. It is the divider
22 between the Town of Oyster Bay and the Village of
23 Muttontown.

24 If you look at Exhibit 2, you'll see
25 that all four corners of this major intersection --

1 and the exhibits are also on the board before you
2 (indicating) -- you will see that all four corners
3 of this major intersection are zoned business.

4 All the corner properties, except for
5 the northeast corner, which is vacant and owned by
6 the State of New York, are used for various
7 commercial uses. All of the corner properties --
8 I'm sorry -- they are used for commercial uses.
9 You have Rothman's Steakhouse on the northwest
10 corner, you have Laffey Real Estate and Joe Bello
11 Architects and other commercial users on the
12 southwest corner, and, of course, you have TD Bank
13 on the southeast corner.

14 Now, if you go directly west across the
15 five-lane highway of 106, you have the Community
16 Methodist Church, which is directly across from the
17 premises, and then, further south, you have the
18 East Norwich Veterinary Clinic. Behind the church
19 and the veterinary clinic are single-family homes.
20 Those properties are all zoned R1-7.

21 To the south, as I indicated, is the
22 boundary of the Village of Muttontown. Those
23 properties are the RA-1 District, which is a
24 one-acre requirement.

25 As you can see on the aerial, there are

1 no developed homes on any of those parcels, and the
2 only developed portion of the parcel has an
3 accessory tennis court on it, and that's all that
4 is south of the property. And that tennis court, I
5 would point out, is over 300 feet away from the
6 subject premises.

7 To the east of the premises, there are
8 only two other parcels, and those are in the Town
9 of Oyster Bay, and they are zoned R1-10, and they
10 are improved with single-family dwellings, and
11 further east, again, is the village division
12 between the Town of Oyster Bay and the Village of
13 Muttontown.

14 Now, with all the current zoning uses
15 being predominantly business, we believe the
16 proposed rezoning to "GB" is the most appropriate
17 zone for this property. There is really no demand
18 to build a single-family dwelling on this property,
19 and, clearly, the proposed office is in character
20 with the surrounding properties, which you'll hear
21 more about from our real estate expert.

22 And if you look at the zoning map and
23 the aerials, you'll see that this is really a good
24 transition use for the property. You have TD Bank,
25 which is a retail use on the corner with

1 drive-thrus with a lot of traffic, then you have an
2 office use, which we'll be discussing more about
3 what's going to occur in the building. It's a
4 benign use. It's not going to generate a lot of
5 traffic. And then you have the Village of
6 Muttontown residential one-acre zoning. So it's a
7 good transition between TD to a less intense office
8 use to those residential properties.

9 Now, as part of this application, the
10 applicants also are seeking site plan approval.
11 We're proposing to demolish all the existing
12 structures on the property, and, in their place,
13 we're going to construct a 4,922-square-foot,
14 two-story office building with related site
15 improvements.

16 Now, with respect to the proposed
17 building, it does comply with all of the
18 dimensional requirements of the "GB" District. We
19 meet or exceed all requirements with respect to
20 setbacks, height of the building, and lot coverage.

21 In the "GB" of note -- allows for 80
22 percent lot coverage, we're at 22.07 percent lot
23 coverage -- and, finally, with respect to the
24 dimensional requirements, the premises will provide
25 21 parking spaces with one handicapped space and a

1 loading space. And at the Town's requirements of
2 one per 200 for an office building, we fully comply
3 with the parking requirements.

4 At this point, I would like to have Tom
5 Dixon of Nelson & Pope address the Board and talk
6 about the site plan and talk about the layout
7 configuration and all the new features for this
8 property.

9 MR. DIXON: Good morning,
10 Mr. Supervisor, Members of the Board.

11 For the record, my name is Tom Dixon.
12 I'm a partner with Nelson & Pope with offices
13 located at 70 Maxess Road in Melville, New York.

14 I'm here this morning representing
15 Pironi Homes for their application for a new office
16 building located at 1057 Jericho-Oyster Bay Road in
17 East Norwich.

18 The proposed site is a two-story office
19 building with associated parking. There are
20 twenty-one parking stalls proposed on the site;
21 eleven of the stalls are proposed along the south
22 property line, five of the stalls are located in
23 the rear along the east property line, and the
24 remaining five stalls are located beneath the
25 building. The accessible stall is also located

1 beneath the building. There is one proposed
2 loading zone, and that's located behind the
3 building on the east side.

4 Vehicular access is proposed from
5 Jericho-Oyster Bay Road. This is a State roadway.
6 The proposal is for a right-in/right-out only
7 entrance. We did submit an application to the DOT,
8 and we received approval, and a highway work permit
9 has been issued by the DOT.

10 Pedestrian access to this site is
11 provided from walkways located along the south side
12 of the building, and those continue along the front
13 and out to Jericho-Oyster Bay Road to the public
14 way. This will provide safe pedestrian access for
15 clients and patrons entering from Jericho-Oyster
16 Bay Road.

17 The parking lot will be beautifully
18 landscaped with a mixture of trees and shrubs.
19 There is a large, mature 30-inch oak tree at the
20 southwest corner of the property that will remain.
21 Along the southeast and a portion of the northern
22 property line, this will be heavily buffered with
23 six- to eight-foot evergreens. Those will consist
24 of eastern white pine, red cedar, American hollies.
25 There will also be proposed shrubs along the

1 building foundation as well.

2 All landscaped areas will be provided
3 with irrigation, and there is also fencing proposed
4 along the south and east property line for
5 additional buffering.

6 There is a refuse enclosure proposed.
7 It is fully enclosed and gated. That's located
8 behind the building on the east side.

9 There is a grade change on the
10 property. This site is located approximately five
11 feet lower than the TD Bank, so this provides some
12 additional buffering to the TD Bank and from the
13 adjoining properties.

14 Decorative site lighting is provided.
15 The lighting will be energy-efficient LED lighting,
16 all dark-sky compliant and shielded to prevent any
17 illumination onto the adjoining roadways and
18 properties.

19 There is public water available to
20 service the development. The site is located in
21 the Jericho Water District, and there's an existing
22 main on Jericho-Oyster Bay Road to provide that
23 service. There is also electric and natural gas
24 readily available to service the development.

25 Public sewers are not available in this

1 area; therefore, we're proposing an on-site
2 sanitary disposal system.

3 This property is located in a special
4 groundwater protection area, and it's subject to
5 Article X of the Nassau County Public Health
6 Ordinance.

7 We did make application to Nassau
8 County Department of Health, and a waiver was
9 granted for a maximum allowable discharge on the
10 site, and that was issued on August 20, 2019, by
11 the Department of Health.

12 All stormwater will be contained
13 on-site. There will be no runoff to adjacent
14 properties or roadways. The system consists of a
15 series of inlets in the parking lot, underground
16 dry wells for storage of the stormwater, and all
17 the building roof runoff will be piped and
18 contained in this system.

19 This property is located in the Town
20 Aquifer Protection Overlay District. The proposed
21 disturbance of natural vegetation and lot coverage
22 fully complies with the requirements.

23 We are proposing a rain harvesting
24 system on this site, and this will reuse rainwater
25 from the roof to provide irrigation for our

1 landscaped areas on the site. And we're also
2 proposing a drip irrigation and drought tolerant
3 species, and that will help to reduce the amount of
4 irrigation and water required.

5 Inside the building, low-flow toilets
6 and sink fixtures are also proposed to further
7 reduce water demand. The walks on-site are also
8 permeable paver walks, and this reduces the amount
9 of stormwater runoff from the property.

10 During construction, sediment erosion
11 control will be implemented; silt fencing,
12 stabilized construction entrance, and inlet
13 protection.

14 In summary, all site improvements would
15 be constructed in accordance with the Town of
16 Oyster Bay Department of Planning and Development
17 specifications and details.

18 And that would conclude my
19 presentation. I would be happy to answer any
20 questions the Board may have at this time or at the
21 end of the presentation.

22 COUNCILWOMAN MAIER: I have a quick
23 question.

24 MR. DIXON: Yes.

25 COUNCILWOMAN MAIER: May I ask what the

1 parcel is to the rear of the subject property?

2 Is that a home on the east side?

3 MS. SIMONCIC: Yes. There is a home on
4 a separate parcel. The applicant does own that
5 property. It's a rental and the intent after -- if
6 the Board approves this application -- is to
7 demolish that house and develop it in accordance
8 with the zoning -- the current Residential Zoning
9 -- because that property is appropriate for
10 residential use.

11 COUNCILWOMAN MAIER: And that would be
12 under a separate application?

13 MS. SIMONCIC: Separate application.

14 COUNCILWOMAN MAIER: Thank you.

15 SUPERVISOR SALADINO: Are there any
16 other questions?

17 COUNCILWOMAN WALSH: I do.

18 SUPERVISOR SALADINO: Yes.

19 COUNCILWOMAN WALSH: I do have a
20 question. Only because I live a few blocks away
21 and I'm trying to figure out -- so the only way to
22 come out would be -- which is a good thing, I
23 guess, would be the right lane, which is the
24 turning lane towards TD; is that right?

25 MS. SIMONCIC: Yes.

1 COUNCILWOMAN WALSH: So if somebody
2 needs to go south, they're going to make the right
3 and come around Northern Boulevard and make a
4 U-turn?

5 Like, when you come out, there's three
6 lanes there and the right lane, Paolo, that's the
7 turning lane.

8 Is that the only lane this is going to
9 come out onto?

10 MR. PIRONI: Yes. We're only going
11 into the -- right into the right lane and then
12 you'd have to go around Northern Boulevard or 106.

13 COUNCILWOMAN WALSH: Perfect. Okay.
14 Right. Okay. Thank you.

15 MS. SIMONCIC: We also -- we have a
16 traffic engineer, who I was just going to bring up
17 to address the Board, so he can answer any of your
18 questions regarding traffic and circulation on-site
19 and off-site, and I think we should do that.

20 COUNCILWOMAN WALSH: Thank you.

21 SUPERVISOR SALADINO: Counselor, before
22 we begin, just one question I have.

23 Is that an artist's conception -- a
24 conceptual drawing of what it might look like, or
25 is that the actual proposed building in terms of

1 the finishes, the types of windows?

2 Is that what it will look like, or is
3 that a conception?

4 MS. SIMONCIC: The configuration of the
5 building is what it will look like, but the
6 materials and the look of it we're not necessarily
7 married to that, so if the Board has any concerns
8 or input on that, we're welcome to that, but that's
9 generally what we intend to build.

10 SUPERVISOR SALADINO: Thank you.

11 MS. SIMONCIC: At this time, I'd like
12 to have Osman Barrie. Osman is a traffic engineer
13 with Nelson & Pope. He's been a traffic engineer
14 for over twenty years. He's appeared before this
15 Board before, and I would ask this Board to
16 recognize him as a traffic expert in this field.

17 SUPERVISOR SALADINO: Good morning,
18 sir.

19 MR. BARRIE: Good morning.

20 Good morning, Supervisor and Council
21 members.

22 My name is Osman Barrie, O-S-M-A-N,
23 B-A-R-R-I-E, with the firm Nelson & Pope, with
24 offices at 70 Maxess Road in Melville.

25 The firm Nelson & Pope was retained to

1 conduct a traffic assessment for the proposed
2 4,922-square-foot office building located on the
3 east side of Jericho-Oyster Bay Road in the Hamlet
4 of East Norwich, New York.

5 The purpose of the study was to conduct
6 a traffic assessment to determine any traffic or
7 transportation issues as it would affect the
8 proposed project. To do that, we estimated the
9 amount of trips that would be generated by this
10 project using the Institute of Transportation
11 Engineers Trip Generation Manual, called ITE.

12 Based on ITE, the proposed building
13 would generate nine trips during the a.m. peak
14 hours and 12 trips during the p.m. peak hours. The
15 highest peak of 12 trips would represent one
16 vehicle every five minutes. An average of one
17 vehicle every five minutes will not be noticeable
18 on the roadways and will not create any significant
19 traffic issues.

20 It should also be noted that based on
21 the New York State Department of Environmental
22 Conservation, a new project that generates fewer
23 than a hundred trips per day -- peak hour, per
24 day -- will not result in any significant increase
25 in traffic; hence, we don't need a traffic study.

1 However, this project will generate
2 twelve trips during the peak hours, which is way
3 less than a hundred trips and should not require a
4 traffic study; however, as per the Town's request,
5 a comprehensive traffic and transportation impact
6 assessment was conducted to determine the traffic
7 impacts that would be associated with this project.

8 Traffic data on Jericho-Oyster Bay
9 Road, in the vicinity of the site, was obtained
10 from the New York State Department of
11 Transportation and the trip generation estimate for
12 the proposed project, based on ITE, was reviewed
13 and compared.

14 During the a.m. peak hours on
15 Jericho-Oyster Bay Road, the maximum number of
16 trips in the a.m. is 2,290 trips. The project
17 would add only nine trips to this peak period,
18 which is under a half of a percent. And during the
19 p.m. peak hours, Jericho-Oyster Bay Road will have
20 2,400 trips, and this project will only add twelve
21 trips to that traffic, which would be exactly half
22 a percent of an increase in traffic.

23 The increase in traffic on Jericho-
24 Oyster Bay Road due to the proposed project would
25 be half a percent or less. And the percent

1 increase in traffic calculated is low and should
2 not see significant impact in the roadways in the
3 surrounding area, and the proposed use is actually
4 a low traffic generator.

5 We also conducted an intersection sight
6 distance measurement to determine the available
7 sight lines exiting the driveway on Jericho-Oyster
8 Bay Road based on the recommendation of AASHTO,
9 which is the American Association of State Highway
10 and Transportation Officials.

11 Based on AASHTO, for a 40-miles-per-
12 hour roadway to make a right out of the driveway,
13 you need 385 feet sight lines. For this driveway,
14 you can see in excess of 1,000 feet.

15 We also conducted a traffic analysis at
16 the intersection of Jericho-Oyster Bay Road and the
17 site driveway, and the analysis shows that the
18 intersection will operate at acceptable level
19 status "B," meaning under 14 seconds of average
20 (indiscernible) per hour coming out of the
21 driveway; therefore, this project will not have a
22 significant traffic impact on the roadways and the
23 surrounding intersections.

24 Based on the Code, this office will
25 require 21 parking spaces and to those general

1 parking spaces would provide (indiscernible)
2 sufficient to meet the Town Code requirement;
3 however, based on ITE, this type of office would
4 only require a maximum of thirteen parking spaces,
5 which means we've provided more than adequate
6 parking spaces to support the office building.

7 In conclusion, it is my professional
8 opinion that the proposed office building will not
9 create any significant traffic impacts, and the
10 twenty-one parking spaces provided will be adequate
11 to support the parking demand of the proposed
12 office building.

13 That concludes my presentation, and I
14 will gladly answer any questions the Board might
15 have.

16 SUPERVISOR SALADINO: Questions?

17 (Whereupon, there was no response from
18 the Board.)

19 SUPERVISOR SALADINO: So Councilwoman
20 Walsh brought up a very significant point. For
21 cars that are exiting the site and want to go
22 south, they have to go across both lanes of
23 traffic, get in the far left, and make a U-turn.

24 Is that U-turn legal, is that allowed
25 there, are there any changes --

1 COUNCILWOMAN WALSH: They're not going
2 to be able to because that's a right-lane only
3 they're going into, right?

4 MR. BARRIE: Yes.

5 COUNCILWOMAN WALSH: They'll have to
6 come up Northern Boulevard and then down --

7 MR. BARRIE: And then they'll make a
8 U-turn.

9 COUNCILWOMAN WALSH: -- or make a
10 U-turn. Right.

11 SUPERVISOR SALADINO: They'll have to
12 make a U-turn further up north --

13 COUNCILWOMAN WALSH: They won't be able
14 to get into the left --

15 MR. BARRIE: They cannot go and make a
16 left turn. They have to make a U-turn.

17 COUNCILWOMAN WALSH: You're actually
18 part of the curve out, correct?

19 MR. BARRIE: Correct.

20 COUNCILWOMAN WALSH: Okay.

21 SUPERVISOR SALADINO: Thank you.

22 Anyone else?

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

25 SUPERVISOR SALADINO: Thank you so

1 much.

2 MR. BARRIE: Thank you so much.

3 MS. SIMONCIC: At this time, I'd like
4 to have Scott Grupp address the Board and talk
5 about the elevations and plans on the design of the
6 building.

7 SUPERVISOR SALADINO: Thank you,
8 Counselor.

9 MR. GRUPP: Good morning,
10 Mr. Supervisor, Members of the Board.

11 My name is Scott Grupp from the
12 architectural firm of Notaro, Grupp & Associates,
13 1005 Glen Cove Avenue, Glen Head, New York.

14 We were the design architects for this
15 project, and I'd first like to walk you through the
16 actual siting of the building.

17 Our counsel touched on it, and, as a
18 fact, we are in the northwest corner. Our building
19 results in a transitional type use between the
20 TD Bank, which TD considers themselves more of a
21 retail establishment than a business use, so ours
22 is a business use, so we will be buffering the
23 residential portion that is surrounding us. Even
24 though it's not overly developed, it's still a nice
25 transitional if you look at the site planning

1 aspect.

2 The TD Bank also still maintains an
3 ATM, which is a 24-hour/7-day-a-week operation, so
4 they're still going to have traffic generation
5 24/7, so our building, again, will buffer that
6 interaction from the adjacent residential uses.

7 Also, the noise that's generated on 106
8 and 25A -- our building, because of its location,
9 will buffer that sound from the adjoining
10 residential portion.

11 The building itself is fairly small --
12 as we would note, a postage stamp size building,
13 which is more equivalent to a residential house
14 scale than it is a commercial building. You may,
15 by looking at the rendering, not get that ideal,
16 but the reality is it is fairly small.

17 We have a basement that's only
18 817-square-feet -- a partial basement -- the first
19 floor consists of a 584-square-foot showroom;
20 233-square-feet of circulation with a separate
21 192-square-foot stair tower. We have parking under
22 the building, so that's why the first floor is so
23 di minimus.

24 The second floor area is only
25 2,980-square-feet, which, I think, we can all agree

1 for that neighborhood would be a very modest house.
2 It consists of four private offices, a reception
3 area, a conference room, a staff break room, and a
4 unisex toilet.

5 As our engineer was discussing, we were
6 talking about the fact of its impact and the fact
7 that we're over an aquifer. Residential houses of
8 this scale would commonly have upwards of four
9 bathrooms, a kitchen, and a laundry room, so their
10 site generation of wastewater would be
11 significantly more than the two bathrooms that
12 we're proposing in this development.

13 If we look at the height of the
14 building, the top of our main roof is only 26 feet.
15 The top of the parapet goes up another couple of
16 feet to screen any type of HVAC equipment or
17 anything that we're doing on that roof area, so
18 that goes up to 29 feet, and then the top of the
19 parapet at the stair tower, where you can see the
20 signage, goes up to 33 feet. Now, that is also
21 very comparable to the TD Bank center atrium
22 entrance vestibule area.

23 And then the whole building was
24 designed in compliance with New York State Energy
25 Conservation Code. We are utilizing all LED

1 lighting inside.

2 You'll notice that on the exterior
3 facades of the rendering, those windows are south-
4 facing windows. We have no north facing windows,
5 so this allow us to bring in a lot of natural
6 light.

7 We will have occupancy sensors that are
8 required by Code, but, in addition to that, we will
9 have light harvesting aspects to it where if there
10 is enough natural light, the interior lights do not
11 come on.

12 We will also have a light reflective
13 roof, which will reduce the overall impact of heat
14 load on the building.

15 You'll notice that there are exterior
16 sunshades. Those exterior sunshades are going to
17 function in two ways. One way, is the Summer sun.
18 To reduce the heat load on the building, they will
19 shade those south-facing windows and those west
20 facing windows. In addition, you'll notice that
21 they're down a little way from the top windows.
22 That allows for balanced light to come in and
23 naturally light the interior space.

24 We will have energy-efficient HVAC
25 equipment. The HVAC equipment has not been

1 designed yet, but because this is an owner/user, it
2 behooves them to be as energy-efficient as
3 possible.

4 We will also be exceeding the Code
5 requirements for insulation both on the roof and
6 the perimeter and the other side.

7 And if you have any additional
8 questions as far as the design of the building,
9 please, I'm here to answer anything.

10 SUPERVISOR SALADINO: When you speak of
11 sunshades, are those -- is that that stationary
12 portion of the building that hangs out or are there
13 actual shades that somehow protrude out from that?

14 MR. GRUPP: No. That is that shadowing
15 element that comes out.

16 SUPERVISOR SALADINO: How far off the
17 windows do they come?

18 MR. GRUPP: That hasn't been fully
19 studied yet, but I would assume it's about three
20 feet.

21 SUPERVISOR SALADINO: About three feet.
22 Thank you.

23 COUNCILMAN IMBROTO: I think it's
24 beautiful. It looks great. I haven't spoken to
25 anybody else, but how open are you as to the

1 architectural design of this building?

2 Is this the thing you want to build, or
3 would you consider redesigning elements of it?

4 MR. GRUPP: That's really a question
5 for my clients, and they will be an owner/user.
6 You know, this has been developed cohesively with
7 them and their involvement, so if they're open to
8 that, I'm sure that any input from the Town would
9 be well received.

10 COUNCILMAN IMBROTO: Okay. Thank you.

11 COUNCILWOMAN WALSH: I have a question.

12 MR. GRUPP: Yes.

13 COUNCILWOMAN WALSH: The lighting, the
14 outside lighting, would that be on at nighttime?

15 How long would that stay on the Pironi
16 building?

17 MR. GRUPP: The other thing with the
18 TD Bank -- obviously, it's a TD Bank. It has an
19 ATM, so their lighting levels are going to be far
20 higher than ours. Also their hours of operation
21 exceed ours. As you'll see in the EIS that our
22 operation hours are, like, 8:00 to 5:00, and then
23 those lights would be turned off automatically
24 within an hour of the exiting of the building.

25 And also we're sensitive -- very

1 sensitive -- to the surrounding residential
2 portion. It's in Muttontown, so we have to be
3 sensitive to their needs also.

4 COUNCILWOMAN WALSH: Right.

5 And to Councilman Imbroto's question to
6 you as far as the building goes, I live a few
7 blocks away, so that's why I'm really -- it's
8 definitely an improvement. It would be an
9 improvement to the area, but, maybe, the design,
10 like, the colors, the gray -- we do a lot of the
11 gaslight look in that area, the lighting off the
12 building, and I know that's not part of this plan,
13 but, maybe, we could change the colors a little bit
14 so it's all tan and not so dark gray. I don't
15 know. Maybe we can discuss things like that to
16 stay conducive to that corner.

17 MR. GRUPP: I'm sure the aesthetics
18 could be modified to be more contextual to the
19 neighborhood.

20 COUNCILWOMAN WALSH: Perfect.

21 Thank you.

22 SUPERVISOR SALADINO: No other
23 questions?

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

1 MS. SIMONCIC: In answer to the
2 question regarding the lights, they will be turned
3 off when the business is not operating, so the sign
4 on the building will not be lit all night long, and
5 the perimeter lighting will also be turned off in
6 the evening. They are on timers.

7 COUNCILWOMAN WALSH: Thank you.

8 MS. SIMONCIC: You're welcome.

9 COUNCILMAN HAND: Counselor, in regards
10 to Councilwoman Maier's concern about the house to
11 the east, how do they access that presently?

12 Is it from Northern Boulevard, or is it
13 from an easement that cuts through?

14 MS. SIMONCIC: It's actually through
15 this property from 106. There is no formal
16 easement of record. It's just been a matter of
17 course the way it was developed over the years.

18 COUNCILMAN HAND: So, theoretically,
19 then, they would be landlocked if there's no
20 easement created.

21 How do you anticipate that going
22 forward?

23 I know you said in the future it will
24 be knocked down, but it's a different property
25 owner and with a landlocked property without the

1 easement being created?

2 MS. SIMONCIC: That's correct,
3 Councilman Hand, and, actually, we are prepared to
4 demolish the building and any development on that
5 lot will have access exclusively from Northern
6 Boulevard.

7 We've secured approval from the DOT for
8 a curb cut at that location, so it will no longer
9 be landlocked. It will be accessing directly from
10 Northern Boulevard, and it will be, essentially,
11 cut off as you indicated, but we will have future
12 access from Northern Boulevard, and that's been
13 approved by New York State DOT at this time.

14 At this time, I would like to have
15 Anthony Basile address the Board.

16 Anthony is a New York State Certified
17 Real Estate Appraiser. I'd like to submit a copy
18 of his curriculum vitae to the Board (handing).

19 He's been a Certified Appraiser for
20 approximately 23 years, he's performed thousands of
21 appraisals and has done reports, analysis for
22 property values, feasibility analysis, cost
23 analysis, market analysis, and he's been a licensed
24 realtor since 2004, and I would ask the Board to
25 acknowledge him as a real estate expert.

1 MR. BASILE: Good morning, Supervisor
2 Saladino, and Members of the Board.

3 My name is Anthony Basile, and I'm a
4 Certified Residential Real Estate Appraiser. I
5 reside at 45 Constable Lane, Levittown, New York.

6 As Counselor Simoncic has said, I've
7 been practicing for 23 years. I was asked by the
8 applicant to address two issues, and that's the
9 character of the neighborhood, and the impact on
10 the property values surrounding the proposed
11 development.

12 The property is -- to reiterate
13 Councilwoman -- sorry, Counselor Simoncic, the
14 property is zoned R1-10. It is located just south
15 of Northern Boulevard, surrounded by commercial
16 development such as the TD Bank, the real estate
17 office, the veterinary hospital, the steakhouse,
18 the four-lane thoroughfare of 106.

19 The site has restricted access to
20 ingress and egress from the property due to its
21 location and its proximity to the commercial. It's
22 severely affected by the commercial due to its
23 absolute close proximity to the TD Bank.

24 Generally, people who are looking to
25 purchase homes in East Norwich, which the property

1 is located in and adjacent to Muttontown, are
2 looking to raise a family. They're concerned about
3 the safety of children, the access to the roadways
4 to the north and south direction.

5 The proposed office building generally
6 does conform to the character of the neighborhood
7 in line with the development of the TD Bank
8 development and the other commercial properties
9 with the drive-thru and so forth.

10 The proposed building does not further
11 adversely affect any residential properties in the
12 current market. I visited the site, I've looked at
13 the -- reviewed the zoning, I reviewed the market
14 data from Muttontown, I reviewed the market data
15 from East Norwich, I've appraised in East Norwich,
16 I've appraised homes in East Norwich. The effects
17 of any commercial development or any commercial
18 properties and the main road have already been
19 factored into the values of those properties.

20 For instance, on The Hollows, which is
21 in the Village of Muttontown, those properties that
22 are already backing up or in close proximity to the
23 TD Bank, the effect of that external factor has
24 been factored into those values and into those
25 sales prices.

1 The addition of this property will not
2 further affect that, as that's already been
3 factored into those values.

4 The residential homes on the East
5 Norwich side, which have already been factored, any
6 property that has been affected by commercial, such
7 as any homes that are on Vernon or on East Jericho-
8 Oyster Bay Road, those values have already been
9 factored into those values -- sales prices and
10 values.

11 I have printed out several MLS listings
12 of properties in the area and what have they sold
13 for, and they are generally in line with the --
14 (handing) -- I just made a copy of several homes on
15 Hollows, several homes on Jericho-Oyster Bay Road,
16 the homes on Vernon. The homes on Vernon back up
17 to commercial property. You've already been --
18 have already been -- the commercial external
19 obsolescence, not to use appraisal terms, but
20 external obsolescence for commercials has already
21 been factored into their sale prices, into their
22 values. The typical buyer of that market is
23 looking -- when they look at those properties,
24 they've already factored that into the buying
25 decision such as the homes that are on

1 Jericho-Oyster Bay Road.

2 The property of the proposed -- the
3 subject property, which is for the proposed
4 building, is no longer suited for residential use
5 for the reasons that I've addressed.

6 The four principals that are usually
7 applied to that would be the highest and best use
8 analysis, which would be is it legally possible,
9 financially feasible, is it maximally productive as
10 far as profits, and so on.

11 Yes, if the zoning is changed to
12 General Business, it would definitely maximize the
13 profitability of the property, and it would be
14 physically feasible and legally possible.

15 So, if there's any further questions,
16 I'm done with my presentation.

17 COUNCILMAN IMBROTO: I'm just laughing
18 because you said if we change the zoning, then it
19 would be legally possible. Of course. That's what
20 you're asking for.

21 MR. BASILE: Correct.

22 COUNCILMAN IMBROTO: When you say it's
23 in line with the character of the neighborhood, you
24 mean it looks like the bank because everything else
25 in the neighborhood has sort of a quaint, country

1 feel to it even if it's commercial --

2 MR. BASILE: Correct.

3 COUNCILMAN IMBROTO: -- the church.

4 This and the bank would be the only things that sort
5 of don't, right?

6 MR. BASILE: Well, you have the --
7 like, the strip storefronts of the real estate
8 offices that would be only one-story, yes.

9 As far as two-story, it would generally
10 conform to the -- with the -- it would conform with
11 the TD Bank.

12 COUNCILMAN IMBROTO: All right.

13 Thank you.

14 MS. SIMONCIC: When you're talking
15 about character, though, I just want to point out,
16 you know, what we're talking about is it's in
17 character with other surrounding business uses, so
18 we're seeking a Change of Zone because this
19 property is really not suitable for residential
20 purposes, and, I think, looking at the aerial
21 photos and the other surrounding businesses, you
22 know, they're not all the same. They're different.
23 Some are one-story, some are two-story, some are
24 traditional, some are more modern like the TD Bank.
25 You know, this particular building we're looking at

1 putting cedar planks on the building to pick up on
2 the TD Bank facade, and, again, we're not married
3 to the design, so, certainly, we are open to any
4 suggestions and --

5 COUNCILMAN IMBROTO: We can have a
6 conversation about that. We don't need to do it
7 now.

8 MS. SIMONCIC: Okay. I just wanted to
9 point that out. Okay.

10 COUNCILMAN IMBROTO: Thank you.

11 MS. SIMONCIC: So before we ever come
12 to the Town Board, as the Board members are aware,
13 we go through a very rigorous process with DER and
14 Planning and Development, and this particular
15 application has been under review for several
16 years.

17 DER did a comprehensive analysis and it
18 was very comprehensive. We had numerous comment
19 letters that we received. We responded to those.
20 The Town's traffic engineers looked at this
21 application. The Town's planners looked at it.
22 DER actually issued an eighteen-page report that
23 found, among other things, that this project is
24 consistent with the predominant character of the
25 existing landscape, that there's precedent in the

1 Town for having approved other similar Change of
2 Zone applications.

3 This project does, and importantly,
4 promote the Town's climate, smart community
5 measures by incorporating many design features to
6 enhance that such as use of LED lighting,
7 reflective cooling for the roof, use of low-flow
8 fixtures, and installation of rainwater harvesting
9 systems and drip irrigation system.

10 And as a result of all these mitigation
11 measures and the Town's comprehensive review, that
12 DER report did conclude with a recommendation of a
13 negative declaration pursuant to SEQRA for this
14 particular project.

15 We also did go through site plan review
16 with P&D, and, again, that was a back and forth.
17 Comment letters were issued. We responded to
18 those. We made changes that they had requested.
19 This application, there were a lot of changes that
20 P&D had requested; the inclusion of sidewalks,
21 additional landscaping. We went through that
22 review, and after incorporating all those comments,
23 they have recommended this plan for approval.

24 I would just also point out, too,
25 Nassau County Planning Commission looked at this

1 application. They recommended local determination,
2 but there was a proviso. They did suggest that if
3 the Town approves it, that we not landlock the
4 property as Councilman Hand pointed out, which we
5 are assured that we will not be landlocking the
6 adjacent residential property. We have a DOT
7 approval for a curb cut for that lot, which is also
8 owned by the applicant.

9 Additionally, the applicant has reached
10 out to local civics. We spoke with the East
11 Norwich Civic Association. I had conversations
12 with Matt Meng and went through all the plans with
13 him, answered all of his questions, and,
14 ultimately, he indicated that they have no
15 objection to the proposed project as proposed and
16 have no objection to the Board approving the Change
17 of Zone application. He would have been here
18 today, but he had surgery today so couldn't make
19 it.

20 In conclusion, this is really a unique
21 parcel. As the last lot along this side of 106,
22 it's really not conducive to a single-family
23 dwelling. We believe that the Change of Zone to
24 the "GB" District is the best development for this
25 property. It gives the Town an opportunity to

1 clean up a blighted eyesore piece of property --
2 that's over the years been mixed use office,
3 residential, back and forth, now it's
4 residential -- clean up this site, and it
5 certainly, we believe, will be in character with
6 the neighborhood and the surrounding zoning
7 districts.

8 As we've submitted, and equally and
9 almost more important, it's not going to have a
10 negative impact on traffic in the area. There's
11 more than ample parking, and you've heard testimony
12 from the traffic engineer that there's going to be
13 zero to no impact on traffic.

14 So based on everything you've heard
15 today, we respectfully request the Board approve
16 the application, and I'm available to answer any
17 questions, and if you have questions for our
18 experts, we're happy to bring them back up to
19 answer any questions.

20 COUNCILMAN IMBROTO: Ms. Simoncic, I
21 don't know if you covered this, but are you taking
22 any of the trees down on the property that are
23 there?

24 MS. SIMONCIC: We are preserving -- I
25 guess, Tom, can you address that.

1 We are definitely preserving the large
2 tree on the corner of the property. There are not
3 a lot of trees currently on the property.

4 If you're looking at the photos, those
5 are probably trees from the adjacent property in
6 the Village of Muttontown.

7 COUNCILWOMAN WALSH: Because there's a
8 house -- currently, there's a house there right
9 now, so there's no open space --

10 MS. SIMONCIC: On the subject property
11 there's a house, but most of the property is paved.
12 If you look at Exhibit 4, you can see that most of
13 the property is paved.

14 The tree that you see in the photo at
15 the top of the driveway, that is on the adjacent
16 residential property, so that's not slated to be
17 taken down in connection with this application.

18 And if you look at the subject
19 structure on the property, if you look just south,
20 all of those trees -- those are in the Village of
21 Muttontown, and those will remain.

22 Did I answer your question?

23 COUNCILMAN IMBROTO: So are you taking
24 any of the trees on the property down?

25 MS. SIMONCIC: I don't believe there

1 are any trees but one, which we are preserving, but
2 maybe Tom Dixon can confirm that for me.

3 COUNCILMAN IMBROTO: Thank you.

4 MR. DIXON: Yeah, there are some trees
5 coming down.

6 MS. SIMONCIC: I apologize. I stand
7 corrected.

8 MR. DIXON: Yes. We did map the
9 existing trees. There are two 14-inch spruce trees
10 that are coming down. Those are located on the
11 existing residence. There is a 30-inch deciduous
12 and a 40-inch oak to be removed.

13 I mentioned in my presentation a
14 30-inch oak to remain, that's the visible one in
15 the southwest corner along the frontage. And
16 there's an existing maple pretty much along the
17 east property line to be remained.

18 So to answer your question -- one, two,
19 three, four trees are coming down, two to remain.
20 Those are the ones that are of significance.

21 COUNCILMAN IMBROTO: All right.

22 Thank you.

23 SUPERVISOR SALADINO: Steve?

24 COUNCILMAN LABRIOLA: Counselor, just a
25 question regarding your new tax assessment that

1 will happen if the Board should favorably approve
2 this decision when the building is complete.

3 Have you got any indication from the
4 County as to what they will be assessing the
5 property at, the taxes that you will be paying as
6 compared to what you're paying today?

7 MS. SIMONCIC: In terms of dollars?

8 We don't. But I can tell you this,
9 they will be significantly more than what they're
10 paying today based upon the fact that there's a
11 small structure on the property, and we're building
12 an office building with, you know, larger
13 improvements, so they will, certainly, be
14 dramatically more than what they're paying now.

15 They are, actually, currently paying as
16 a business. The County is assessing this property
17 for commercial use now based upon prior commercial
18 uses, so they are paying commercial tax rates, but
19 we have not done a full analysis. I couldn't give
20 you the number, but it certainly will be more.

21 COUNCILMAN LABRIOLA: Okay.

22 Thank you.

23 SUPERVISOR SALADINO: Are there any
24 other questions?

25 (Whereupon, there was no response from

1 the Board.)

2 SUPERVISOR SALADINO: Thank you for
3 your presentation.

4 Do you have any other information for
5 us at this time?

6 MS. SIMONCIC: We have no further
7 information to provide.

8 SUPERVISOR SALADINO: Is there any
9 correspondence on this?

10 MR. LaMARCA: The attorney for the
11 applicant has filed the Affidavit of Service and
12 Disclosure.

13 The communications are as follows:

14 We have memos from the Department of
15 Planning and Development including a view of the
16 required off-street parking.

17 The Nassau County Land and Tax Map
18 indicates the property as Section 25, Block 56, Lot
19 40.

20 According to the Town of Oyster Bay
21 Zoning Maps, the property is located within the
22 R1-10 One-Family Residents Zoning District. There
23 are no open or prior Code Enforcement Bureau cases,
24 and no variances on file.

25 There is no further correspondence.

1 SUPERVISOR SALADINO: May I have a
2 motion?

3 COUNCILWOMAN JOHNSON: Supervisor, I
4 will make a motion to adjourn the public portion of
5 this hearing and to keep the record open for 30
6 days and to reserve decision.

7 SUPERVISOR SALADINO: May I have a
8 second?

9 COUNCILMAN IMBROTO: I second that
10 motion.

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

13 ALL: "Aye."

14 SUPERVISOR SALADINO: Those opposed,
15 "Nay."

16 (Whereupon, there were no "Nay"
17 responses from the Board.)

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

20 (TIME NOTED: 11:37 A.M.)

21 SUPERVISOR SALADINO: Thank you for
22 this presentation.

23 MS. SIMONCIC: Thank you. Have a good
24 day.

25 SUPERVISOR SALADINO: I just -- I don't

1 have any slips of anyone in the public who would
2 like to be heard on this. I just want to make
3 sure, though.

4 Is there anyone who wants to be heard
5 on this application?

6 (Whereupon, there was no response from
7 the assemblage present.)

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

11 Folks, we have some more hearings
12 today, and then after the hearings are done, we are
13 going to break for Executive Session and then come
14 back from Executive Session for our regular Action
15 Calendar.

16 But I do see that two people have asked
17 to be heard, and rather than have them sit through
18 all of these hearing and all that we have going on
19 today, let's give them a little bit of a break in
20 terms of waiting.

21 Is Linda Lyons (phonetic) here at this
22 time?

23 (Whereupon, a member of the assemblage
24 present indicated her presence by raising her
25 hand.)

1 SUPERVISOR SALADINO: Are you speaking
2 on a Resolution item on the Calendar?

3 MS. LYONS: I will be speaking based on
4 your discussion as the hearings.

5 SUPERVISOR SALADINO: Okay.

6 So yours is hearing related?

7 MS. LYONS: Yes.

8 SUPERVISOR SALADINO: Okay.

9 Harry Single. Your discussion is not
10 hearing related, so why don't we let you go ahead
11 so you're not sitting here for hours.

12 I want to be respectful of your time,
13 Harry.

14 MR. SINGLE: Thank you very much. I
15 appreciate that.

16 SUPERVISOR SALADINO: You're welcome.

17 MR. SINGLE: For those of you who don't
18 know me, my name is Harry Single. I live in
19 Hicksville, 3 Layton Avenue. I'm the President of
20 the Hicksville Community Council and the Vice
21 President of the Gregory Museum, along with some
22 other stuff that's not pertinent to that right now.

23 I'm here today for one reason. For
24 many years, the Board of the Gregory Museum has
25 worked diligently to try and get the improvements

1 done of a very important building. It is a
2 historical site, it is the original courthouse in
3 Hicksville, and today it houses an Earth Science
4 museum that is widely used for schools in Nassau
5 County.

6 I would like to take the opportunity
7 now to thank this Board for taking the project on.
8 We know now through the tremendous efforts of
9 Councilwoman Walsh that these projects are going
10 forward. We know now that the project will go in
11 the Spring, and the renovations will be done, and
12 the painting will be done, and we will, again, have
13 this beautiful landmark back in total operation and
14 looking good.

15 So I just wanted to take a couple
16 minutes of your time and say thank you. I know
17 it's a big project, and it means a great deal to
18 the people of Hicksville.

19 So thank you, all.

20 SUPERVISOR SALADINO: Thank you.

21 COUNCILWOMAN WALSH: Harry, thank you.

22 Thank you for taking the time out.

23 All the days that you met with our
24 different departments -- General Services and
25 Deputy Commissioner Ralph Raymond; and

1 Environmental and our Highway Department came, our
2 Scouts are volunteering to help with the grounds
3 when this is all done, the sign. That was the
4 original jail, I think, in the back also, so you
5 took a lot of time out, and we look forward to
6 working with you in the Spring to get it started.

7 MR. SINGLE: We certainly appreciate
8 it. Speaking from other people in Hicksville who
9 have commented about it, they're thrilled that
10 we're going to get that landmark back to looking
11 good. So, and I hope that you all take the
12 opportunity to come over and see it when it's done
13 because it's going to be well worth it.

14 We're looking forward to it, and,
15 again, I want to thank you all, and I especially
16 want to thank Councilwoman Walsh, who I've worked
17 closely with for the past -- a while -- and it's
18 been a pleasure, so thank you very much.

19 SUPERVISOR SALADINO: Harry, we
20 appreciate your coming forward, taking the time out
21 to recognize this Board and the Town and all of our
22 efforts.

23 That site is very important to us as we
24 realize how important it is to Hicksville, and this
25 Board is extremely supportive of our beloved

1 Hicksville community.

2 We appreciate working with you. This
3 collaboration with all of the Board members,
4 including Councilwoman Walsh, shows how much it
5 bears fruit, and it's just one of many examples of
6 how the Board has collaborated with you and the
7 Civic Association to bring a lot of positive
8 change.

9 MR. SINGLE: It's working good. I'm
10 glad.

11 SUPERVISOR SALADINO: Thank you.

12 COUNCILWOMAN WALSH: I think you
13 screamed at me a few times too (laughing).

14 MR. SINGLE: I what?

15 COUNCILWOMAN WALSH: I think you
16 screamed at me a few times also.

17 No, it's been a pleasure, Harry.

18 MR. SINGLE: Thank you.

19 Thank you all very much.

20 SUPERVISOR SALADINO: Thank you.

21 Enjoy your day.

22 (TIME NOTED: 11:42 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
11:43 a.m.

HEARING - Finance

To consider the 2022 Capital Program for Park Districts. (M.D. 1/11/22 #23).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: Today's second hearing is
4 to consider the 2022 Capital Program for Park
5 Districts.

6 MR. DARIENZO: Good morning, Town Board
7 members.

8 My name is Rob Darienzo. I'm the
9 Director of Finance here at the Town of Oyster Bay.

10 This hearing and the three that will
11 come next are part two of our 2022 Capital Program.
12 The vast majority was passed at the Town Board
13 meeting two weeks ago, but Local Finance Law
14 requires that we have public hearings for any bond
15 authorization involving Special Districts.

16 So this is the hearing for the Special
17 Park Districts, so we're asking to, in the future,
18 borrow up to \$930,000 for Special District Park
19 Improvements. No money is being spent today. This
20 really puts this authorization on the books, and
21 we'll borrow money at a future date, and any
22 spending that goes against this authorization will
23 come before the Town Board in the form of a
24 separate Resolution.

25 So, again, this is pretty standard

1 procedure. If anybody has any questions about the
2 Park District Improvements, I'm happy to answer
3 them to the best I can.

4 COUNCILMAN IMBROTO: Rob, what's the
5 difference between the money for Park District
6 Improvements and the money for the General Park
7 Improvements that was already approved?

8 MR. DARIENZO: There are certain parks
9 and parklets that belong to the Towns themselves as
10 opposed to the general Town as a whole.

11 For example, Allen Park in Farmingdale
12 is a General Fund Town park that belongs to
13 everybody, and Marjorie Post in Massapequa, there
14 are certain rights granted to Massapequa residents,
15 so they pay a little bit extra. And that's
16 probably a bad example because Burns in Massapequa
17 is a General Fund park, but Post in Massapequa is a
18 Special District park.

19 COUNCILMAN IMBROTO: So this is for
20 Improvements that are in those Special Park
21 Districts?

22 MR. DARIENZO: Correct.

23 Anybody have any other questions with
24 regard to Park Districts agreements?

25 (Whereupon, there was no response from

1 the Board.)

2 MR. DARIENZO: No?

3 COUNCILMAN IMBROTO: Motion?

4 COUNCILWOMAN JOHNSON: I'll make a
5 motion that this hearing be closed and decision be
6 voted on today.

7 COUNCILMAN IMBROTO: Did you have a
8 question on this hearing?

9 AUDIENCE MEMBER: Me?

10 COUNCILMAN IMBROTO: Whoever put in the
11 slip.

12 AUDIENCE MEMBER: Recycling.

13 COUNCILMAN IMBROTO: Okay. Not this
14 one.

15 I second the motion to close the
16 hearing.

17 COUNCILWOMAN JOHNSON: All in favor?

18 ALL: "Aye."

19 (TIME NOTED: 11:45 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
11:46 a.m.

HEARING - Finance

To consider the 2022 Capital Program for Public
Parking District Improvements. (M.D. 1/11/22 #26).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 MR. LaMARCA: The next hearing is to
2 consider the 2022 Capital Program for Public
3 Parking District Improvements.

4 MR. DARIENZO: Good morning, Town
5 Board.

6 Rob Darienzo, Director of Finance, Town
7 of Oyster Bay.

8 This is Hearing 2 of 4, Public Parking
9 Garage Improvements.

10 Last year's reso for this purpose was
11 over \$4 million. This year we're asking for
12 \$620,000; so it's a great reduction compared to
13 last year, but, again, this is standard procedure.

14 This money would go towards parking
15 garage and parking lot improvements throughout the
16 Town of Oyster Bay.

17 Does anybody have any questions?

18 SUPERVISOR SALADINO: Just an overview,
19 when I began on January 31st of 2017, you and I sat
20 down, and we worked out a long, well thought out
21 plan -- we began on that day and many subsequent
22 meetings from there -- and I just want to confirm a
23 few things because I think it's important in terms
24 of our overall strategy toward capital spending.

25 When I first got here as the

1 Supervisor, there was an enormous amount of debt.
2 We did no capital borrowing whatsoever in Calendar
3 Year 2017, correct?

4 MR. DARIENZO: Correct.

5 SUPERVISOR SALADINO: And we worked out
6 a plan for following those years to borrow less
7 than we were paying off so that our net of capital
8 debt would continue to go down, correct?

9 MR. DARIENZO: Correct.

10 SUPERVISOR SALADINO: How much of that
11 capital debt have we paid off to date?

12 MR. DARIENZO: How much of that capital
13 debt have we paid off to date?

14 When you got here, the outstanding debt
15 was roughly \$763 million, and now we're at roughly
16 6- -- and -- I'm sorry, 590 million dollars. So
17 it's down \$175 million or so.

18 SUPERVISOR SALADINO: Down \$175 million
19 net while still borrowing to pave our roads, to
20 protect our facilities, to build out the mandatory
21 programs that we know keep this Town in good shape,
22 especially, road repaving and protecting the
23 infrastructure of the Town, buying new trucks so we
24 can plow snow, so on and so forth, correct?

25 MR. DARIENZO: All true, yes.

1 SUPERVISOR SALADINO: Okay.

2 So it's important that we keep this in
3 mind as we talk about capital spending because,
4 overall, do all of the capital spending proposals
5 we will be talking about today stay in line with
6 that fiscal strategy of paying off more than we
7 borrow and continuing to reduce the net debt, which
8 is also added to the six bond rating increases
9 that's been significant in terms of earning those
10 bond rating increases that we've seen to date,
11 correct?

12 MR. DARIENZO: Correct.

13 Just so we're clear, the authorization
14 today is not to borrow money today. We're going to
15 borrow money in the future.

16 But, yes, if we borrowed the entirety
17 of the 2022 Capital Program in 2022, we would still
18 reduce debt in 2022, because we're paying down more
19 than we're going to be issuing.

20 So, yes, the trend will continue that
21 we will pay down more debt in 2022 than we will
22 issue.

23 SUPERVISOR SALADINO: Without raising
24 taxes all these years.

25 MR. DARIENZO: You actually reduced

1 taxes.

2 SUPERVISOR SALADINO: Thank you.

3 Please continue.

4 MR. DARIENZO: Were there any questions
5 about the Public Parking Garage Improvements?

6 (Whereupon, there was no response from
7 the Board.)

8 MR. DARIENZO: If not, you guys do what
9 you do with parliamentary procedure.

10 MR. LaMARCA: Supervisor, we have
11 Affidavits of Posting and Publication.

12 There is no further correspondence.

13 SUPERVISOR SALADINO: Thank you.

14 Thank you for your presentation.

15 COUNCILWOMAN JOHNSON: Supervisor --

16 SUPERVISOR SALADINO: Yes?

17 Would you like to make a motion?

18 COUNCILWOMAN JOHNSON: Supervisor, I
19 will make a motion that this hearing be closed and
20 decision be voted on today.

21 COUNCILMAN IMBROTO: Second.

22 SUPERVISOR SALADINO: Would you like to
23 read the roll on that? No.

24 All in favor, please signify by saying,
25 "Aye."

1 ALL: "Aye."

2 SUPERVISOR SALADINO: Those opposed,
3 "Nay."

4 (Whereupon, there were no "Nay"
5 responses from the Board.)

6 SUPERVISOR SALADINO: The "Ayes" have
7 it.

8 Thank you, Mr. Darienzo.

9 COUNCILWOMAN JOHNSON: Thank you.

10 MR. DARIENZO: I'm not going anywhere.

11 SUPERVISOR SALADINO: I know.

12 (Whereupon, there was laughter among
13 the assemblage present.)

14 (TIME NOTED: 11:49 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
11:50 a.m.

HEARING - Finance

To consider the 2022 Capital Program for Solid
Waste District Improvements. (M.D. 1/11/22 #27).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 MR. LaMARCA: The next hearing is to
2 consider the 2022 Capital Program for Solid Waste
3 District Improvements.

4 MR. DARIENZO: Good morning, Town Board
5 members.

6 Rob Darienzo, Town of Oyster Bay.

7 This third hearing is about Solid Waste
8 Improvements. The Town Board -- we are asking for
9 an authorization of \$730,000 in improvements.

10 The yard tells us that will go towards
11 improvements in the leachate treatments plants,
12 improvements of gas collection and venting system,
13 improvements to land cap and drainage, and then
14 general improvements to their transfer station.

15 That's what they contemplate doing with
16 these funds if so approved by the Town Board.

17 SUPERVISOR SALADINO: For a total
18 amount of?

19 MR. DARIENZO: \$730,000.

20 SUPERVISOR SALADINO: Let's -- if you
21 could explain, I understand you're representing the
22 financial side of that and not specifically the
23 Public Works and the solutions and the engineering
24 side of this, but can you generally explain to us
25 how these programs, if approved, would improve life

1 for the residents in the surrounding communities?

2 MR. DARIENZO: With regards to the
3 Solid Waste Improvements?

4 SUPERVISOR SALADINO: For one, you
5 mentioned the reduction of odors by one of the
6 proposals in that group.

7 MR. DARIENZO: The improvement to the
8 gas collection and venting systems, is that what
9 you're referring to?

10 SUPERVISOR SALADINO: Yes.

11 MR. DARIENZO: I don't want to sugar
12 coat it because I don't know exactly what that all
13 entails, but, yes, I would say, generally, that all
14 of these improvements would go towards improving
15 our facilities, which makes them operate more
16 efficiently and improve the infrastructure and the
17 surrounding areas.

18 SUPERVISOR SALADINO: For the purposes
19 of clarity, the Town had spoken about long-term
20 vision for that site, but these -- today's hearing
21 is not about financing that long-term vision and
22 those bigger aspects of how we could improve the
23 usage and the activities at that site. This is
24 about specific programs -- the gas collection.

25 The public may know that we have

1 numerous inspections and reports that we have to
2 present mandatorily to the New York State
3 Department of Environmental Conservation. We hire
4 a company, we look at -- that looks at all of these
5 mandates and ensures that we're up-to-date,
6 providing for the highest level of safety to the
7 residents and to the environment, that nothing is
8 leaching, there's no escape of gases and so on and
9 so forth.

10 So would -- by spending these monies,
11 would we be improving on those initiatives of
12 protecting the environment at that site?

13 MR. DARIENZO: I would say absolutely.

14 I think it's important to note that
15 this Capital Budget is similar to the Operating
16 Budget in that we are just putting a framework in
17 place.

18 Because the Town Board would authorize
19 \$730,000 does not require \$730,000 to be spent.
20 We're going to use the money in the most
21 responsible way possible and only spend what's
22 necessary.

23 SUPERVISOR SALADINO: And, of course,
24 it's important to -- for our residents to know when
25 we do a budget, as you say, it's a framework. But

1 then when we want to spend that money, we come back
2 again so the public can be heard, questions can be
3 answered.

4 So the public, actually, gets two bites
5 of the apple, if you will. One, of the overall
6 general spending, and then specific spending --
7 what it would be spent on, and how we go about it,
8 and we do that in a public fashion.

9 MR. DARIENZO: That's correct.

10 SUPERVISOR SALADINO: Are there any
11 questions?

12 COUNCILWOMAN MAIER: I have a question,
13 Mr. Darienzo.

14 Do we know what specific sites we are
15 looking to improve on?

16 MR. DARIENZO: I would -- I'll try to
17 speak for the Department. I would say it would be
18 for our landfill. Our Old Bethpage landfill will
19 be the majority of this.

20 SUPERVISOR SALADINO: So, specifically,
21 I can add to that by saying there are projects that
22 the Department has identified for improvement at
23 that landfill separate from that overall conceptual
24 improvement that we're continuing to work on.

25 Unfortunately, there was an article in

1 our daily paper, oh, more than a year ago, which
2 clearly misled the public, worked people up.

3 We've had many meetings on the
4 telephone and so forth, including ZOOMs, with
5 school district officials, and we continue to
6 answer people's questions.

7 So there's no confusion about that, but
8 these expenditures are not related to that. That's
9 long-term planning. These are specific projects
10 that would help us with the mandates, improve upon
11 the quality, protect the environment, and protect
12 the residents in the area.

13 MR. DARIENZO: Agreed.

14 SUPERVISOR SALADINO: So any other
15 questions at this time?

16 COUNCILWOMAN MAIER: No.

17 Thank you.

18 I was really speaking to the general
19 public that may be watching that may not know where
20 these facilities are located.

21 So thank you for clarifying.

22 SUPERVISOR SALADINO: Okay. I believe
23 it's for this one, and that's where I was going
24 next, but I wanted to clear the air, if you will,
25 because Mrs. Lyons had said that she wanted to

1 hear --

2 AUDIENCE MEMBER: It's not about that.

3 SUPERVISOR SALADINO: It is not about
4 this hearing?

5 AUDIENCE MEMBER: It is not about that
6 hearing.

7 SUPERVISOR SALADINO: Not about this
8 hearing or this expenditure, okay.

9 Is there anyone else who would like to
10 be heard on this particular hearing?

11 (Whereupon, there was no response from
12 the assemblage present.)

13 SUPERVISOR SALADINO: That makes it
14 very simple.

15 Please let the record reflect no one
16 has indicated that they would like to be heard on
17 this hearing.

18 Thank you, Mr. Darienzo.

19 MR. DARIENZO: My pleasure.

20 SUPERVISOR SALADINO: Are there any
21 postings or correspondence?

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

24 There is no other correspondence.

25 SUPERVISOR SALADINO: May I have a

1 motion, please?

2 COUNCILWOMAN JOHNSON: Supervisor, I
3 will make a motion that this hearing be closed and
4 decision be voted on today.

5 COUNCILMAN IMBROTO: Second.

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

8 ALL: "Aye."

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

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

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

15 Thank you.

16 (TIME: 11:55 A.M.)
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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
11:56 a.m.

HEARING - Finance

To consider the 2022 Capital Program for Public Lighting. (M.D. 1/11/22 #32).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: This hearing is to
4 consider the 2022 Capital Program for Public
5 Lighting.

6 MR. DARIENZO: Rob Darienzo, Director
7 of Finance, Town of Oyster Bay.

8 Good morning, Town Board.

9 This is the fourth and final hearing.
10 It's the smallest authorization.

11 The Lighting District is asking for up
12 to \$470,000 for them to purchase light fixtures,
13 light poles, et cetera, et cetera.

14 Again, this is what they do every year.
15 The amount of money is in line with what it is each
16 and every year, but I'm happy to answer any
17 questions if anybody has any.

18 SUPERVISOR SALADINO: Are there any
19 questions?

20 (Whereupon, there was no response from
21 the Board.)

22 SUPERVISOR SALADINO: I have sat in on
23 some of those meetings or have been briefed on
24 these asks, so I'm asking you a question I already
25 know the answer to, but will the Town, if passed,

1 be purchasing state-of-the-art, the most
2 energy-efficient components, equipment that will
3 help us to continue to light the responsibilities
4 that we have, light all of the roads and facilities
5 that we own while continuing to reduce energy usage
6 by finding the most state-of-the-art and cutting
7 edge technologies in terms of lighting?

8 MR. DARIENZO: Yeah, that's correct.

9 We've gone to almost exclusively LED
10 lighting, and we make sure all of our lights are on
11 electronic controls, so they are not on longer than
12 they need to be, so, long story short, yes, what
13 you said.

14 SUPERVISOR SALADINO: And you continue
15 to notice the outcome of this that we are making
16 sizable savings both financially and in lowering
17 the carbon footprint of the Town by utilizing these
18 technologies?

19 MR. DARIENZO: Sure.

20 The overall cost is going down a little
21 bit, and I say a little bit because the Town has
22 provided more locations and more hours than ever
23 before. So while we're increasing the services to
24 our residents, we're still saving some money on the
25 energy side.

1 SUPERVISOR SALADINO: And the net on
2 these fixtures is a savings on the fixtures we
3 replace?

4 MR. DARIENZO: Oh, absolutely. Yes.
5 And we've received rebates in the past on certain
6 fixtures that we've purchased, and we'll continue
7 to look for rebates in the future.

8 SUPERVISOR SALADINO: Okay.

9 Is there anyone who would like to be
10 heard on this hearing, on Public Lighting?

11 (Whereupon, there was no response from
12 the assemblage present.)

13 SUPERVISOR SALADINO: Okay.

14 Please let the record reflect that no
15 one has indicated that they wanted to be heard.

16 Are there postings and correspondence?

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

19 There is no other correspondence.

20 SUPERVISOR SALADINO: May I have a
21 motion, please?

22 COUNCILWOMAN JOHNSON: Supervisor, I'll
23 make a motion that this hearing be closed and a
24 decision be voted on today.

25 COUNCILMAN IMBROTO: Second.

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

3 ALL: "Aye."

4 SUPERVISOR SALADINO: Those opposed,
5 "Nay."

6 (Whereupon, there were no "Nay"
7 responses from the Board.)

8 SUPERVISOR SALADINO: The "Ayes" have
9 it.

10 Thank you, Mr. Darienzo.

11 MR. DARIENZO: No problem.

12 SUPERVISOR SALADINO: Do you need a
13 break?

14 THE STENOGRAPHER: No.

15 SUPERVISOR SALADINO: Okay.

16 (TIME NOTED: 11:57 A.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
11:58 a.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to amend the code of the Town of Oyster Bay, New York, Chapter 4 Administration of Government, to delete Article XVII, Highway Department, to amend Chapter 4, Article XI, Public Works Department, by deleting and replacing Sections 4-115 and 4-117, to amend Chapter 64, Purchasing, by deleting and replacing Section 64-9, to amend Chapter 84, All Terrain Vehicles, by deleting and replacing Section 84-6, to amend Chapter 96, Dangerous Buildings and Abandoned Buildings, by deleting and replacing

(Hearing description continued on next page.)

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

(Continued)

Section 96-21.4, to amend Chapter 135, Housing Standards, by deleting and replacing Section 135-54.B, to amend Chapter 160, Notice of Defects, by deleting and replacing Section 160-1, to amend Chapter 180, Plumbing, by deleting and replacing Section 180-11.A(2), to amend Chapter 182, Property Maintenance, by deleting and replacing Section 182-22.B, to amend Chapter 201, Solid Waste, by deleting and replacing Section 201-42.F, to amend Chapter 205, Streets and Sidewalks, by deleting and replacing Article II, Sidewalks, Curbs and Gutters, and Article III, Excavations and Curb Cuts, and to amend Chapter 242, Wireless Telecommunications Facilities, by deleting and replacing Section 242-16.E." M.D. 12/28/21 #7 & 1/4/22 #17).

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: This hearing is to
4 consider a Local Law entitled, "A Local Law to
5 Amend the Code of the Town of Oyster Bay, New York,
6 Chapter 4, Administration of Government, to delete
7 Article XVII, Highway Department; to amend Chapter
8 4, Article XI, Public Works Department, by deleting
9 and replacing Sections 4-115 and 4-117; to amend
10 Chapter 64, Purchasing, by deleting and replacing
11 Section 64-9; to amend Chapter 84, All Terrain
12 Vehicles, by deleting and replacing Section 84-6;
13 to amend Chapter 96, Dangerous Buildings and
14 Abandoned Buildings, by deleting and replacing
15 Section 96-21.4; to amend Chapter 135, Housing
16 Standards, by deleting and replacing Section
17 135-54.B; to amend Chapter 160, Notice of Defects,
18 by deleting and replacing Section 180-11.A(2); to
19 amend Chapter 182, Property Maintenance, by
20 deleting and replacing Section 182-22.B; to amend
21 Chapter 201, Solid Waste, by deleting and replacing
22 Section 201-42.F; to amend Chapter 205, Streets and
23 Sidewalks, by deleting and replacing Article II,
24 Sidewalks, Curbs and Gutters, and Article III,
25 Excavations and Curb Cuts; and to amend Chapter

1 242, Wireless Telecommunications Facilities, by
2 deleting and replacing Section 242-16.E."

3 SUPERVISOR SALADINO: Counselor, would
4 you begin by giving us your presence?

5 MS. UNDERWOOD: Good morning,
6 Supervisor, and Members of the Town Board.

7 My name is Karen Underwood, Deputy Town
8 Attorney for the Town Attorney's Office.

9 This is a hearing to consider an
10 Amendment to the Code of the Town of Oyster Bay, to
11 amend Chapter 4, Administration of Government, to
12 delete Article XVII, Highway Department, and to
13 amend other Articles and Chapters of the Code that
14 specifically reference the Highway Department
15 and/or the Commissioner of the Highway Department
16 and/or duties and/or functions set forth in the
17 Code presently performed by the Highway Department
18 or its Commissioner.

19 Before I begin with a presentation
20 outlining the proposed Local Law, I would like to
21 note for the record that the Town Clerk file
22 contains Affidavits of Posting and Publication of
23 the Public Notice of today's public hearing
24 pursuant to this Board's Resolution No. 9-2022,
25 dated and adopted on January 11, 2022.

1 SUPERVISOR SALADINO: Counselor, before
2 you begin with your detailed presentation, for the
3 nontechnical people who may be here or watching
4 this on their computer screen, can you just give a
5 down to earth, very basic description of what this
6 proposal is?

7 MS. UNDERWOOD: Yes.

8 To begin, this Local Law is the first
9 of a series of Local Laws aimed at improving the
10 efficiency and the provision of services to Town
11 residents and within Town departments.

12 Many of these changes include the same
13 duties and functions that already exist in the Code
14 but are being reorganized under the heading of
15 "housekeeping" to improve the efficiency of the
16 numerous functions of certain Town departments.

17 That's it in a nutshell.

18 SUPERVISOR SALADINO: So, in essence,
19 what's being proposed is a reorganization to bring
20 about greater efficiency?

21 MS. UNDERWOOD: Correct.

22 SUPERVISOR SALADINO: To reorganize our
23 departments with an eye towards saving money,
24 bringing the focus on where we believe it needs to
25 be in a more workable way that brings those

1 efficiencies to the services?

2 MS. UNDERWOOD: Correct, Supervisor.

3 So the specifics is that the proposed
4 Local Law deletes Article XVII, Highway Department,
5 and upon its deletion, Article XI, Public Works
6 Department, will be amended specifically to include
7 a Highway Division and Public Parking.

8 SUPERVISOR SALADINO: So what that
9 means, if I may translate that into common speak,
10 the Highway Department is its own standalone
11 department separate from the Department of Public
12 Works.

13 If we were to pass this, we will
14 eliminate the Highway Department as a standalone
15 department and roll it in under the auspices or
16 supervision of the Department of Public Works.

17 MS. UNDERWOOD: Correct.

18 SUPERVISOR SALADINO: And that's being
19 done to create efficiencies and, perhaps, save
20 money?

21 MS. UNDERWOOD: Correct. Yes.

22 For all the above-stated reasons.

23 And, really, after that, the remaining
24 numerous Sections or Subdivisions of the Chapters
25 set forth in the title of the Local Law are deleted

1 and/or deleted and replaced to reflect references
2 to the Commissioner of Public Works or the
3 Department of Public Works, which were previously
4 referenced as the Highway Department because now it
5 is a division of Public Works.

6 So I am happy to go through each of
7 those Sections, but, really, it's just a delete of
8 the Highway Department and a replacing with Public
9 Works, and instead as now Highway is a division of
10 Public Works to increase the efficiency of the
11 operation of their functions.

12 SUPERVISOR SALADINO: And is it true
13 that, overall, this administration, working
14 together with the Town Board, has had an eye toward
15 finding ways to bring more efficiencies, bring our
16 Town to a more updated operation that better suits
17 the needs of our residents and better suits an
18 efficient performance of those services?

19 MS. UNDERWOOD: Yes, Supervisor.

20 This is a wonderful way to increase the
21 efficiency for the Town and decrease cost overall.

22 SUPERVISOR SALADINO: And this is
23 something we've been working on for quite some time
24 now?

25 MS. UNDERWOOD: Yes. Yes.

1 SUPERVISOR SALADINO: Are there
2 questions?

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

5 SUPERVISOR SALADINO: Hearing there are
6 none, is there anything else you'd like to present
7 as it relates to this hearing?

8 MS. UNDERWOOD: I do not.

9 SUPERVISOR SALADINO: Okay.
10 Is there anyone who would like to be
11 heard on this hearing?

12 (Whereupon, a member of the assemblage
13 present raised a hand to be recognized.)

14 SUPERVISOR SALADINO: You would like to
15 be heard?

16 AUDIENCE MEMBER: Just a question.
17 Would it entail --

18 SUPERVISOR SALADINO: Would you like to
19 come up, give us your name, and just follow the
20 process if you don't mind, and we'll get your
21 question answered?

22 Thank you very, very much.

23 As we ask everyone who comes before us,
24 please state your name and address for the record.

25 MS. LYONS: Linda Lyons, 3 West Park

1 Drive, Old Bethpage.

2 Just a question. In this process of
3 redesigning the organizations, will this entail a
4 new commissioner?

5 SUPERVISOR SALADINO: No.

6 By rolling the Department of Highway
7 into Public Works, we will not be, then, hiring a
8 commissioner for a department that no longer exists
9 as a standalone department.

10 MS. LYONS: However, my understanding
11 is that the recycling center is under that auspice
12 also. That will be a new -- a new department?

13 SUPERVISOR SALADINO: Right.

14 So we have looked at the processes
15 about how to create the best product, the best
16 services, and we are -- the plan is to bring
17 Highway into Public Works where we already have a
18 commissioner, and, yes, look at Solid Waste and
19 Recycling.

20 MS. LYONS: Which would need its own
21 commissioner?

22 SUPERVISOR SALADINO: Yes.

23 MS. LYONS: Which should be somebody
24 specifically trained in recycling.

25 SUPERVISOR SALADINO: In recycling, in

1 Sanitation, in the mandates that the New York
2 Department of Conservation --

3 MS. LYONS: I'm done with my question
4 now, but I will have many later.

5 SUPERVISOR SALADINO: Okay.

6 MS. LYONS: Okay?

7 SUPERVISOR SALADINO: Okay.

8 And by the way --

9 MS. LYONS: Thank you.

10 SUPERVISOR SALADINO: -- what you're
11 suggesting is exactly what we're proposing to do.

12 MS. LYONS: Okay. Well, you don't know
13 what I'm suggesting, but, thank you.

14 I appreciate the opportunity to come up
15 and ask my question.

16 SUPERVISOR SALADINO: Sure, of course.
17 Please.

18 And that concludes your presentation on
19 this?

20 MS. UNDERWOOD: That concludes our
21 presentation on this.

22 SUPERVISOR SALADINO: And there is no
23 one else who has asked to speak, so are there any
24 postings and communications?

25 MR. LaMARCA: We have Affidavits of

1 Posting and Publication.

2 There is no other correspondence.

3 SUPERVISOR SALADINO: May I have a
4 motion, please?

5 COUNCILWOMAN JOHNSON: Supervisor, I
6 will make a motion to adjourn the public portion of
7 this hearing, to keep the record open for 30 days,
8 and to reserve decision.

9 COUNCILMAN IMBROTO: Second.

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

12 ALL: "Aye."

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

15 (Whereupon, there were no "Nay"
16 responses from the Board.)

17 SUPERVISOR SALADINO: The "Ayes" have
18 it.

19 Thank you.

20 (TIME NOTED: 12:07 P.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
12:08 p.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to amend the code of the Town of Oyster Bay, New York, Chapter 4 Administration of Government, to add Article XVII, Sanitation Department, to amend Chapter 4, Article XI, Public Works Department, by deleting and replacing Sections 4-115 AND 4-117, to amend Chapter 4, Article XIV, Department of Environmental Resources, by deleting and replacing Sections 4-148 AND 4-150, to amend Chapter 135 Housing Standards by deleting and replacing Section 135-54.B to amend Chapter 182, Property

(Hearing description continued on next page.)

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

(Continued)

Maintenance, by deleting and replacing Section 182-22.B, to amend Chapter 201, Solid Waste, Part 1, Solid Waste Regulations, Article I, General Provisions, by deleting and replacing Subsections 201-1.9, 201-1.12.B, 201-1.22, 201-1.25 and 201-1.31. Article II Collection and Container Provisions, by deleting and replacing Subsection 201-2.A(1), 201-3.A(1), 201-4.A(1), 201-11 and 201-15, Article III, Private Collection; Permits; Vehicles, by deleting and replacing Subsections 201-18, 201-19, 201-24.B, 201-26, 201-27, 201-28, 201-29, Article IV, Public Disposal Facilities, by deleting and replacing Subsections 201-38, 201-42.B, 201-42.F, 201-43.N, 201-47, 201-47.1, 201-48, 201-49, Article VI, Recycling, by deleting and replacing Subsection 201-70, 201-71, 201-72, Part 2, Solid Waste Management, Article VIII, General Provisions, by deleting and replacing Subsection 201-78.1, and deleting Subsection 201-78.2, Article IX, Disposal Regulations, by deleting and replacing Subsection 201-79, Article X, Enforcement, by deleting and replacing Subsection 201-80, and to amend Chapter 241, Waterways, by deleting and replacing Subsection 241-31A." M.D. 12/28/21 #8 & 1/4/22 #16).

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

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

3 MR. LaMARCA: The next hearing is to
4 consider a Local Law entitled, "A Local Law to
5 Amend the Code of the Town of Oyster Bay, New York,
6 Chapter 4, Administration of Government, to add
7 Article XVII, Sanitation Department; to amend
8 Chapter 4, Article XI, Public Works Department, by
9 deleting and replacing Sections 4-115 and 4-117; to
10 amend Chapter 4, Article XIV, Department of
11 Environmental Resources, by deleting and replacing
12 Sections 4-148 and 4-150; to amend Chapter 135,
13 Housing Standards, by deleting and replacing
14 Section 135-54.B; to amend Chapter 182, Property
15 Maintenance, by deleting and replacing Section
16 182-22.B; to amend Chapter 201, Solid Waste, Part
17 1, Solid Waste Regulations, Article I, General
18 Provisions, by deleting and replacing Subsections
19 201-1.9, 201-1.12.B, 201-1.22, 201-1.25, and
20 201-1.31; Article II, Collection and Container
21 Provisions, by deleting and replacing Subsections
22 201-2.A(1), 201-3.A(1), 201-4.A(1), 201-11, and
23 201-15; Article III, Private Collections, Permits,
24 Vehicles, by deleting and replacing Subsections
25 201-18, 201-19, 201-24.B, 201-26, 201-27, 201-28,

1 201-29; Article IV, Public Disposal Facilities, by
2 deleting and replacing Subsections 201-38,
3 201-42.B, 201-42.F, 201-43.N, 201-47, 201-47.1,
4 201-48, 201-49; Article VI, Recycling, by deleting
5 and replacing Subsection 201-70, 201-71, 201-72,
6 Part 2, Solid Waste Management; Article VIII,
7 General Provisions, by deleting and replacing
8 Subsection 201-78.1, and deleting Subsection
9 201-78.2; Article IX, Disposal Regulations, by
10 deleting and replacing Subsection 201-79; Article
11 X, Enforcement, by deleting and replacing
12 Subsection 201-80; and to amend Chapter 241,
13 Waterways, by deleting and replacing Subsection
14 241-31A."

15 And I'm done.

16 (Whereupon, there was laughter among
17 the assemblage present.)

18 COUNCILMAN LABRIOLA: It's a good thing
19 we don't pay you by the word, Town Clerk.

20 (Whereupon, there was laughter among
21 the assemblage present.)

22 MS. UNDERWOOD: Good morning,
23 Supervisor, and members of the Town Board.

24 Karen Underwood, Deputy Town Attorney,
25 Town of Oyster Bay.

1 This is a hearing to consider an
2 Amendment to the Codes of the Town of Oyster Bay to
3 amend Chapter 4, Administration of Government, to
4 add Article XVII, Sanitation Department, and to
5 amend other Articles and Chapters of the Code to
6 reference the proposed Sanitation Department and/or
7 the Commissioner of Sanitation, where the present
8 Code provisions reference the Department of Public
9 Works and/or its Commissioner and/or the Department
10 of Environment Conservation and/or its
11 Commissioner.

12 Before I begin with the presentation
13 outlining the proposed Local Law, I would like to
14 note for the record that the Town Clerk file
15 contains Affidavits of Posting and Publication of
16 the Public Notice of today's public hearing
17 pursuant to this Board's Resolution No. 10-2022,
18 dated and adopted on January 11, 2022.

19 As I mentioned in the previous hearing
20 regarding a proposed Local Law to delete the
21 Highway Department, the subject proposed Local Law
22 is aimed at improving the efficiency of the
23 provision of services to Town residents and within
24 Town departments.

25 Many of the changes included in the

1 proposed Local Law are the same duties and
2 functions that already exist in the Code, but are
3 simply being reorganized under the general heading
4 of "housekeeping" to improve the efficiency of
5 numerous functions of certain Town departments.

6 To begin, Article XVII, Sanitation
7 Department, will be added to the Code. The
8 Division of Sanitation and Recycling Collection is
9 currently part of the Department of Public Works.
10 This division is being excised from Public Works
11 and reorganized as a department, which will
12 continue to manage Sanitation Collection operations
13 and Recycling Collection programs.

14 This department will also inspect,
15 manage and control all municipal solid waste
16 generated by the Town of Oyster Bay Solid Waste
17 Disposal District, a function that is currently
18 performed by the Department of Environmental
19 Resources.

20 Functions and duties of the proposed
21 Sanitation Department will improve the
22 effectiveness of management of these areas of
23 services provided by the Town.

24 Sanitation Department will have three
25 divisions: Administration, Sanitation Collection

1 and Recycling, and the Division of Solid Waste.

2 Also included in the subject Local Law
3 is Amendment to Article XI, Public Works
4 Department, specifically, Sections 4-115,
5 Organization, and 4-117, Enumeration of Divisions,
6 are amended to delete Subdivision D, which is the
7 Division of Sanitation and Recycling Collection,
8 and to amend Subdivision C, Division of
9 Engineering, to include language in addition to
10 existing language regarding landfill remediation.

11 So just to be clear, Division of
12 Engineering already includes that language for
13 managing the Town landfill, remediation, and
14 closure programs, just additional language will be
15 added.

16 SUPERVISOR SALADINO: And just for
17 clarity so that there is no misconception, the
18 landfill has been closed for many years. There is
19 no plan to reopen the landfill, but we must
20 continue to adhere to all the New York State
21 mandates for reporting, testing, and so forth.

22 And that provides a tremendous
23 assurance to our residents that things there are
24 safe and are meeting all of the State's guidelines
25 as to safety to the environment, to the residents,

1 and so forth.

2 MS. UNDERWOOD: Yes.

3 SUPERVISOR SALADINO: And we continue
4 to meet and exceed all of those specifics.

5 MS. UNDERWOOD: Correct, Supervisor.

6 Next, in the Local Law is Amendment to
7 Article XIV, Department of Environmental Resources,
8 which will specifically amend Sections 4-148,
9 Organization, and 4-150, Enumeration of Divisions;
10 to delete Subdivision D, Division of Solid Waste
11 Disposal and Landfill Remediation, and to delete
12 language contained in Subdivision A, Division of
13 Environmental Planning, Conservation, and Outreach
14 regarding Solid Waste Management and Recycling.

15 So, basically, just references to those
16 functions.

17 As I mentioned before in the previous
18 hearing, the remaining numerous Sections and/or
19 Subdivisions of the Chapters set forth and the
20 title of this Local Law are deleted and replaced to
21 reflect references to Sanitation Department and/or
22 the Commissioner of Sanitation where the present
23 Code provisions reference the Department of Public
24 Works and/or the Department of Environmental
25 Resources.

1 I am prepared, if the Board wishes, to
2 go through each Section, but as I said in the
3 previous Local Law, these are just delete and/or
4 delete and replace mention references.

5 SUPERVISOR SALADINO: So let's condense
6 this down in normal, everyday speak.

7 In essence, we will no longer have a
8 Department of Highway, but will add this new
9 Department of Sanitation that will oversee the
10 collection of Sanitation, the collection of
11 recyclables, activities at the landfill, which
12 don't change. We're not going to change something
13 as it relates to this hearing in this change in
14 law, but the administration of it, and I would like
15 to say that one of the major motivations for this
16 is to put more focus on how we handle our solid
17 waste, what our operations are, and to show the
18 residents that we're 100 percent committed to full
19 safety and protection of our residents and
20 protection of our environment as it relates to
21 Sanitation and recycling and the activities, which
22 means the transfer station, the scales, and a long
23 list of activities that take place there.

24 MS. UNDERWOOD: And the everyday things
25 that, you know, pertain to the residents -- the

1 collection and the recycling.

2 SUPERVISOR SALADINO: Mm-hmm.

3 And, meanwhile, not only do we bring
4 more focus on these protections of our residents
5 and our environment and the structure by which we
6 operate, but it also brings about more efficiency
7 in that operation.

8 MS. UNDERWOOD: Yes. Correct.

9 SUPERVISOR SALADINO: Are there any
10 questions from the Board?

11 (Whereupon, there was no response from
12 the Board.)

13 SUPERVISOR SALADINO: Are there any
14 questions from the public?

15 (Whereupon, a member of the assemblage
16 present raised a hand to be recognized.)

17 SUPERVISOR SALADINO: Yes.

18 Would you please like to come up,
19 Ms. Lyons, and go through our procedure again, if
20 you don't mind, because it's a separate hearing, so
21 we want you on the record.

22 While she's doing that, it's important
23 to recognize that the public can provide any
24 information that they'd like us to know about by
25 e-mailing publiccomment@oysterbay-ny.gov; or

1 mailing us at the Office of the Town Attorney,
2 54 Audrey Avenue, Oyster Bay, New York 11771.

3 Would you please, once again, provide
4 us with your name and address for the record?

5 MS. LYONS: Linda Lyons, 3 West Park
6 Drive, Old Bethpage.

7 Okay?

8 SUPERVISOR SALADINO: Yes. Please.

9 MS. LYONS: I have several questions.
10 Several times I have heard mentioned
11 that information was put out to the public to
12 identify these meetings right now and the hearing.
13 I saw one small article this big (demonstrating).

14 SUPERVISOR SALADINO: All -- we have
15 done all that the law asks us to do and then in
16 addition to what the law requests -- because it's
17 not the size, it's where you --

18 MS. LYONS: I just want to know where
19 they are so that I know where to look for them.

20 SUPERVISOR SALADINO: Where they are.
21 Okay.

22 Rich, can you shed some light on where
23 we have listed, in what publications, or can
24 Communications give us an idea to answer that
25 question as to where we're advertising this?

1 Would you like to answer that?

2 We're going to bring our Town Attorney
3 up.

4 MS. LYONS: Perfect. Thank you.

5 SUPERVISOR SALADINO: But what I can
6 assure you in this process --

7 MR. SCALERA: Miss, Miss, stay there.
8 I'll talk loud enough.

9 We do a public notice --

10 SUPERVISOR SALADINO: First, please
11 state your presence.

12 MR. SCALERA: Oh, I'm sorry.

13 Frank Scalera, Town Attorney.

14 When we have a hearing such as this, we
15 have Public Notice. We have a Resolution that
16 the --

17 MS. LYONS: Where is the Public Notice?

18 MR. SCALERA: Public Notices are put on
19 our bulletin boards in Town Hall North and Town
20 Hall South. We also put it on our website, and
21 it's also published in Newsday.

22 So we do beyond what's required by law
23 because the law requires Newsday -- well, it
24 requires a newspaper of general circulation, so we
25 do that, plus our website, which is up 24 hours,

1 24/7, and we post it on our bulletin boards, just
2 like we do every single meeting here, which is
3 usually twice a month for the entire year.

4 SUPERVISOR SALADINO: And, in addition
5 to that, at the previous Board meeting, which was a
6 public Board meeting, we voted on the advertising
7 for this meeting ahead of time, so we take --

8 MS. LYONS: Okay. So I think part of
9 the difficulty in the community is that the
10 previous meetings -- and I was involved in a
11 specific situation where I was not allowed into the
12 hall now. I had to watch it on a streamline and
13 that was it. I couldn't --

14 SUPERVISOR SALADINO: Because of COVID?

15 MS. LYONS: Yes.

16 SUPERVISOR SALADINO: Yes.

17 That was a mandate from the Governor.

18 MS. LYONS: And then it came back.

19 Then you opened up again and then it
20 came back, so there's a lot of communication that
21 hasn't been consistent, not because of you or any
22 of you, but hasn't been consistent because of the
23 format not being consistent, people being afraid
24 to --

25 SUPERVISOR SALADINO: Which was a

1 mandate by the State.

2 MS. LYONS: I understand that.

3 SUPERVISOR SALADINO: Okay.

4 MS. LYONS: But I just think in that
5 situation, there are many, many people in our
6 community that are not particularly technologically
7 inclined and they're not going to go on the website
8 to find these things. They will see it in Newsday.
9 If they missed one week, perhaps it could be in for
10 several weeks.

11 SUPERVISOR SALADINO: Okay.

12 MS. LYONS: So that they understand
13 what's going on because I have that article. I saw
14 it. Nobody else that I spoke to even had a glimpse
15 of it.

16 SUPERVISOR SALADINO: I don't
17 believe -- and I'm not debating with you, but I
18 don't believe it was an article. When we say a
19 publication, we pay for an advertisement.

20 (Whereupon, Ms. Lyons held up a
21 document for the Board to see.)

22 SUPERVISOR SALADINO: So you are
23 showing me an article, and what is that related to?

24 MS. LYONS: January 12th, this
25 meeting --

1 SUPERVISOR SALADINO: Okay.

2 MS. LYONS: -- and the Town is
3 considering creating a Sanitation Department to
4 handle garbage collection --

5 SUPERVISOR SALADINO: I didn't see that
6 article, I apologize.

7 MS. LYONS: -- and recycling. It was a
8 very tiny article. I printed it online, and it
9 came out this size, but it was really this big
10 (demonstrating).

11 SUPERVISOR SALADINO: So our last Board
12 meeting was a public Board meeting that everyone
13 was invited to --

14 MS. LYONS: I understand. My husband
15 had surgery, and I couldn't be here.

16 SUPERVISOR SALADINO: -- and it was at
17 that Board meeting that we brought up a Resolution
18 and we voted on it to advertise, but also by
19 bringing it up at the Board meeting, that's part of
20 the communications.

21 MS. LYONS: Absolutely. I'm not
22 disagreeing with you at all.

23 I just feel that this is a terribly
24 important and a terribly sensitive issue in our
25 community, and I think that when you give people

1 the information, they will show up. They will hear
2 it from you, they'll have a much better
3 understanding of what's going on.

4 I mean, honestly, I have a presentation
5 for today.

6 Do you want me to do it?

7 I will, but this is after speaking with
8 people in the community, and everybody is very
9 concerned. We lived in R.A.G.E.

10 SUPERVISOR SALADINO: Please understand
11 we're not looking to --

12 MS. LYONS: We were part of the
13 original R.A.G.E. group.

14 SUPERVISOR SALDINO: We're not looking
15 to change the operation.

16 MS. LYONS: I know. But that's what
17 I'm saying. People are not understanding that
18 there has been some discussion about companies
19 coming in and doing a -- having transfer stations --

20 SUPERVISOR SALADINO: That's entirely
21 separate to today's discussion. That has nothing
22 to do with this.

23 MS. LYONS: So that's why I'm saying
24 that the need for separating these things and
25 publishing it, I won't say put an article, but

1 publishing it where many people would have the
2 opportunity to see it.

3 SUPERVISOR SALADINO: Okay.

4 MS. LYONS: I think it would be a much
5 better approach to cleaning up this act.

6 Yes, we have a mess there. There's no
7 question, but we want it done in the right way. We
8 don't want our children to breathe in fumes, we
9 don't want the elderly -- you have a farm an eighth
10 of a mile away, you have a school an eighth of a
11 mile away. Everybody is very concerned.

12 Country Pointe, 600 apartments or
13 homes, which really is close to a thousand or 1,200
14 people minimum that are directly affected by this
15 right down the road. I live right down the road.
16 They live right down the road (pointing). You have
17 a shopping center there. You have a school to the
18 east, no, to the south in Farmingdale, just around
19 the corner, an elementary school.

20 We've had issues with odors in the
21 schools. We've had issues with odors at Country
22 Pointe where it woke people up in the middle of the
23 night. People are very, very concerned about this,
24 and I want to express that to you.

25 SUPERVISOR SALADINO: So with that in

1 mind, you must be happy that today's hearing is all
2 about bringing more focus on our operations.

3 MS. LYONS: Yes. Yes. I would like
4 the community to be involved in that.

5 SUPERVISOR SALADINO: Okay.

6 MS. LYONS: Absolutely.

7 SUPERVISOR SALADINO: So we're only
8 beginning that process --

9 MS. LYONS: Mm-hmm.

10 SUPERVISOR SALADINO: -- and there's
11 plenty of room for that, and if -- Marta, would you
12 raise your hand, please?

13 Would you please speak to Marta after
14 this hearing, or anytime you'd like, you can get
15 her phone number and contact information, so we can
16 improve upon those communications.

17 AUDIENCE MEMBER: What's her last name?

18 SUPERVISOR SALADINO: Marta Kane,
19 K-A-N-E, 624-6350, is one of the ways to get hold
20 of our Communications Department.

21 But the great news is that you're
22 seeing that this Town Board recognizes how
23 important that long list of communities and
24 facilities, schools and neighborhoods are to us,
25 and by moving toward making Sanitation its

1 standalone department, speaks of what a tremendous
2 high-priority you all are to us and these functions
3 are to us.

4 MS. LYONS: And you are a priority to
5 us as well --

6 SUPERVISOR SALADINO: Thank you.

7 MS. LYONS: -- which is why I am here
8 with all of these locations (indicating) that most
9 are under a mile from the site --

10 SUPERVISOR SALADINO: Yes.

11 MS. LYONS: -- and involve the
12 community.

13 So we just -- we want you to know that
14 we're doing that work, and we're happy to work with
15 you and share that information.

16 SUPERVISOR SALADINO: Wonderful.

17 MS. LYONS: Yeah, it is wonderful.

18 SUPERVISOR SALADINO: So we want to
19 continue collaborating with you --

20 MS. LYONS: 43 years later. But we
21 were -- 43 years later, we were the original group
22 from R.A.G.E., so everybody -- the minute you hear
23 about anything happening in that recycling area,
24 anything, any excavation -- I know that you now
25 have excavation being done because you have mulch

1 there. You're renting space out. That kind of
2 concerns me. I know there was talk about the
3 transfer station and people dropping things from
4 other communities. We don't need that. We have
5 enough crap on our own.

6 SUPERVISOR SALADINO: We made that very
7 clear where we're at with that issue, and I hope we
8 put that fear to bed.

9 MS. LYONS: No, you didn't. You did
10 put a fear in, but you did not make it clear that
11 that's out of the question.

12 COUNCILMAN IMBROTO: I'm from this
13 community, and I've dealt with --

14 MS. LYONS: I know you are.

15 COUNCILMAN IMBROTO: -- a lot of
16 members of the community a year or two ago about
17 this, and there are a lot of people that are
18 putting out things that weren't necessary true to
19 try and get people riled up to make it like a
20 flashback to the old days.

21 MS. LYONS: The truth is that land
22 cannot be excavated. It's much too dangerous.
23 It's a Superfund site. We cannot look to do major
24 construction on that land. It's over an aquifer.
25 It's a main source of water for Nassau County.

1 All of these things have to be
2 considered in each decision that you've been asked
3 to make for us.

4 SUPERVISOR SALADINO: With professional
5 expertise, not just consider --

6 MS. LYONS: And the community.

7 SUPERVISOR SALADINO: But the community
8 and professional expertise.

9 MS. LYONS: Yes. And that's what my
10 question was before about a commissioner who really
11 knows what they're doing, somebody that's trained
12 in solid waste.

13 SUPERVISOR SALADINO: And you can rest
14 assured that Nassau County Civil Service has a long
15 list of criteria that they want in place for
16 whoever is chosen for that role.

17 So it's a lot more than the public
18 realizes yet, and I think part of our work will be
19 to collaborate with you and all of the groups that
20 are listed and beyond to make sure people know what
21 we intend to do, why, and what the results will be,
22 so that as I've said so many times, it's a new day
23 in Oyster Bay.

24 You spoke about 43 years ago --

25 COUNCILMAN IMBROTO: And by the way, we

1 appreciate the work that you all did all those
2 years ago --

3 MS. LYONS: Yes, I know.

4 COUNCILMAN IMBROTO: -- because we're
5 still benefitting from it now.

6 MS. LYONS: Our PTA President was
7 arrested in front of the site with the baby
8 carriage --

9 SUPERVISOR SALADINO: For what?

10 MS. LYONS: -- and I was standing next
11 to her because we were picketing.

12 SUPERVISOR SALADINO: What crime was
13 committed for that arrest?

14 MS. LYONS: Because we wouldn't leave.
15 We wouldn't leave the entrance, and she stood for
16 the rest of us --

17 COUNCILMAN IMBROTO: They were there
18 fighting for the rights of our community.

19 MS. LYONS: Absolutely. Our kids were
20 in Kindergarten.

21 SUPERVISOR SALADINO: Oh, you're
22 referring to something that took place decades ago.

23 MS. LYONS: Yes.

24 SUPERVISOR SALADINO: You mentioned 43
25 years ago, okay.

1 MS. LYONS: That's how long we've all
2 been involved in this.

3 SUPERVISOR SALADINO: Okay.

4 MS. LYONS: So you have to realize that
5 when the topic comes up in an article this big
6 (demonstrating), it's going to blow up. People are
7 going to say what are they doing, why are they
8 doing it. We can't touch that land.

9 COUNCILMAN IMBROTO: And trust me, we
10 know how sensitive of a subject this is, and we
11 have been or we've tried to be very careful about
12 the way that we communicate regarding the property
13 so that we don't get people's fears stoked like
14 that.

15 MS. LYONS: I just have to stress that
16 you have an elementary school, grades K to 4, 8
17 miles. You have a farm directly across the street.

18 SUPERVISOR SALADINO: Yes. Yes. Yes.

19 MS. LYONS: You have a campgrounds
20 directly next door to it less than an eighth of a
21 mile I think it is.

22 SUPERVISOR SALADINO: Okay. Yes --

23 MS. LYONS: All of these things have to
24 have very important consideration.

25 SUPERVISOR SALADINO: -- and we have

1 the New York State Department of Environmental
2 Conservation --

3 MS. LYONS: Yes. Yes. Absolutely.

4 SUPERVISOR SALADINO: -- watching over
5 everything that goes on there, and you can get
6 multiple assurances today, from myself and this
7 Board, that we're not going to do anything there
8 that would create any issue for the New York State
9 Department of Environmental Conservation, which
10 lawfully oversees anything that might take place
11 there.

12 MS. LYONS: Well, again, we are
13 counting on you to do that, and we are counting on
14 you to invite us to be involved so that the
15 communication is consistent and accurate --

16 SUPERVISOR SALADINO: Okay.

17 MS. LYONS: -- and I just have a
18 question, though. It was just something you were
19 talking about. I'm sorry. I forgot what my
20 question was.

21 SUPERVISOR SALADINO: It's okay.

22 Please know that I've had multiple
23 conversations with the School Superintendent on
24 this subject --

25 MS. LYONS: I know you have.

1 SUPERVISOR SALADINO: -- to keep them
2 up to speed.

3 MS. LYONS: I know you have.

4 And I know that you've had it with
5 previous Superintendents, and as an educator, the
6 children are the most important, so we have to
7 really make sure that we are focusing on their
8 safety --

9 COUNCILMAN IMBROTO: Absolutely.

10 MS. LYONS: -- their healthy days, and
11 their health in long term. We can't take any
12 chances.

13 COUNCILMAN IMBROTO: We would never do
14 anything to jeopardize that.

15 MS. LYONS: We know. We hope.

16 SUPERVISOR SALADINO: But this is part
17 of what we need to have these conversations but
18 also to focus on the facts.

19 So we are here to alleviate fear in
20 your community, in your neighborhood, in your
21 household, in your school district, in your civic
22 association, that we are operating within the
23 bounds of the law.

24 This is a reorganization -- because
25 we're going to count on you to deliver the message

1 -- that this reorganization proves that the Town of
2 Oyster Bay is very focused on the high priority of
3 providing these services with the utmost concern of
4 the public safety, health concerns, and protecting
5 the environment.

6 Can we count on you to deliver that
7 message?

8 MS. LYONS: Of course.

9 SUPERVISOR SALADINO: Thank you.

10 MS. LYONS: Thank you.

11 (Whereupon, a member of the assemblage
12 present raised a hand to be recognized.)

13 SUPERVISOR SALADINO: Yes. You can
14 come up next.

15 Would you like to come up next?

16 AUDIENCE MEMBER: No. I just have a
17 comment.

18 SUPERVISOR SALADINO: But the process
19 here --

20 AUDIENCE MEMBER: Okay. Okay. I
21 understand.

22 SUPERVISOR SALADINO: -- and I thank
23 you for understanding the process.

24 All right.

25 Can you please start off by giving us

1 your name and address for the record?

2 MS. GRUBER: Edna Gruber, 188 Haypath
3 Road in the Old Bethpage community.

4 I'm a little bit cynical when I hear
5 you tell me about the EPA because --

6 SUPERVISOR SALADINO: DEC.

7 MS. GRUBER: -- because I recall very
8 distinctly being told that after 9-11, not 43 years
9 ago, when Governor Whitman, head of the
10 organization, said that the air was clear to
11 breathe, and, so, again, forgive me for not always
12 trusting government and what they tell me is okay
13 is not always okay.

14 COUNCILMAN IMBROTO: We understand
15 that, too.

16 MS. GRUBER: And that's my only comment
17 on that.

18 COUNCILMAN IMBROTO: I want you to know
19 that, look, my family lives in the community. We
20 would not do anything to jeopardize any person, to
21 put any child --

22 MS. GRUBER: No, no --

23 COUNCILMAN IMBROTO: -- at risk, any
24 community member at risk.

25 MS. GRUBER: I don't always like the

1 responsibility being shifted from the Town of
2 Oyster Bay to the Federal government and government
3 organizations. That's all.

4 COUNCILMAN IMBROTO: We will take full
5 responsibility.

6 MS. GRUBER: That's all.

7 SUPERVISOR SALADINO: Thank you.

8 Thank you.

9 Is there anyone else that would like to
10 be heard on this hearing?

11 (Whereupon, there was no response from
12 the assemblage present.)

13 SUPERVISOR SALADINO: Counselor, do you
14 have anything else for us on this hearing?

15 MS. UNDERWOOD: I do not.

16 SUPERVISOR SALADINO: Okay.

17 Mr. Town Clerk, any postings and
18 advertisements -- correspondence?

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

21 There is no other correspondence.

22 SUPERVISOR SALADINO: No
23 correspondence.

24 May I have a motion, please?

25 COUNCILWOMAN JOHNSON: Supervisor, I

1 will make a motion to adjourn the public portion of
2 this hearing, to keep the record open for 30 days,
3 and to reserve decision.

4 COUNCILMAN IMBROTO: Second.

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

7 ALL: "Aye."

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

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

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

14 I'm going to just, once again,
15 reiterate that in order for people to have
16 immediate comment on this, there are multiple ways
17 including questions that people want answered, and
18 you can contact us at publiccomment@oysterbay-ny.gov;
19 or mail us a letter to the Office of the Town
20 Attorney, 54 Audrey Avenue, Oyster Bay, New York
21 11771.

22 These are just some of the ways to
23 improve communication.

24 (TIME NOTED: 12:35 P.M.)
25

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
12:36 p.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to Amend the code of the Town of Oyster Bay, New York, Chapter 4, Administration of Government, to delete Article XVI, Economic Development Department, and to amend Chapter 4, Article V, Planning and Development Department, by deleting and replacing Sections 4-53 and 4-55. (M.D. 12/28/21 #9 & 1/3/22 #14).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: Counselor, would
2 you please proceed?

3 Would you please call the next hearing?

4 MR. LaMARCA: The eighth hearing today
5 is to consider a Local Law entitled, "A Local Law
6 to Amend the Code of the Town of Oyster Bay,
7 New York, Chapter 4, Administration of Government,
8 to delete Article XVI, Economic Development
9 Department; and to amend Chapter 4, Article V,
10 Planning and Development Department, by deleting
11 and replacing Sections 4-53 and 4-55."

12 MS. UNDERWOOD: Karen Underwood, Deputy
13 Town Attorney, Town of Oyster Bay.

14 I believe I've been saying good
15 morning. I think it's afternoon right now, so I
16 apologize.

17 This is a hearing to consider Amendment
18 to the Code of the Town of Oyster Bay to amend
19 Chapter 4, Administration of Government, to delete
20 Article XVI, Economic Development Department, and
21 to amend Article V, Planning and Development
22 Department, which will specifically reference the
23 duties and/or functions set forth in the Codes
24 presently performed by the Department of Economic
25 Development.

1 Before I begin with a presentation
2 outlining the proposed Local Law, I would like to
3 note for the record, that the Town Clerk file
4 contains Affidavits of Posting and Publication of
5 the Public Notice of today's public hearing
6 pursuant to this Board's Resolution No. 10-2022,
7 dated and adopted January 11, 2022.

8 As I mentioned in previous hearings
9 regarding the proposed Local Laws to delete the
10 Highway Department, and I apologize if I sound
11 redundant, but would like the record of this
12 hearing to reflect that these Local Laws and the
13 proposed Local Law that is the subject of this
14 hearing are aimed at improving the efficiency of
15 the provision of services to Town residents and
16 within Town departments.

17 Many of the changes included in the
18 proposed Local Law are the same duties and
19 functions that already exist in the Code, but are
20 simply being reorganized under the heading of
21 "housekeeping" to improve the efficiency of the
22 numerous functions of certain Town departments.

23 To begin, Article XVI, Economic
24 Development Department, will be deleted from the
25 Code. Article V, Planning and Development

1 Department, will be amended, specifically, Sections
2 4-53, Organization, and 4-55, Enumeration of
3 Divisions, to add a new subdivision, Subdivision C,
4 Economic Development, Commerce Industry and Labor.

5 The current Division of Planning and
6 Development entitled -- contained in the Planning
7 and Development Department is entitled, Commerce,
8 Industry and Labor.

9 It is now being augmented to include
10 the duties and functions currently performed by the
11 Department of Economic Development.

12 So I can specify further, but,
13 basically --

14 SUPERVISOR SALADINO: Counselor, rather
15 than doing that, let me let the public know if the
16 way I'm going to summarize this is accurate or not.

17 In an effort to bring about more
18 efficiencies -- and now for months and months we've
19 been working on a long list of bringing about more
20 efficiencies, better service, a better way to
21 reorganize government -- and in this specific case,
22 we are taking this Department of Economic
23 Development and rolling it into the Department of
24 Planning and Development, which is better known as
25 the Building Department, without suffering in terms

1 of the services of promoting and assisting with
2 economic development in our Town.

3 MS. UNDERWOOD: Correct.

4 All the duties and functions of that
5 department are being put under the Planning and
6 Development Department, so residents and --

7 SUPERVISOR SALADINO: And will be under
8 that auspices and supervision of the Commissioner
9 of the Department of Planning and Development
10 rather than a standalone. No lessening of the
11 efforts, the work and the successes of the economic
12 development of this Town.

13 We're just reorganizing it under the
14 supervision of the Commissioner of Planning and
15 Development while keeping those services protected
16 and, quite frankly, enhanced in terms of economic
17 development in our Town.

18 MS. UNDERWOOD: Correct, Supervisor.

19 SUPERVISOR SALADINO: Are there any
20 questions from the Board?

21 (Whereupon, there was no response from
22 the Board.)

23 SUPERVISOR SALADINO: Are there any
24 correspondence or postings?

25 MR. LaMARCA: We have Affidavits of

1 Posting and Publication.

2 There is no other correspondence.

3 SUPERVISOR SALADINO: I see that no
4 other members of the public -- or no members of the
5 public outside of Town employees are in the Board
6 Room, so I'm going to assume that there is no one
7 who wants to be heard on this.

8 So with that, I will ask for a motion,
9 please.

10 COUNCILWOMAN JOHNSON: Supervisor, I'll
11 make a motion to adjourn the public portion of this
12 hearing, keep the record open for 30 days, and
13 decision be reserved.

14 COUNCILMAN IMBROTO: Second.

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

17 ALL: "Aye."

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

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

22 SUPERVISOR SALADINO: The "Ayes" have it.
23 Thank you, counselor.

24 MS. UNDERWOOD: Thank you.

25 (TIME NOTE: 12:41 P.M.)

TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
12:42 p.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to amend the code of the Town of Oyster Bay, New York, Chapter 4, Administration of Government, to add Article XVI, Information Technology Department, and to amend Chapter 4, Article VI, Office of the Comptroller, by deleting and replacing Sections 4-65 AND 4-67." (M.D. 12/28/21 #10 & 1/4/22 #18).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 SUPERVISOR SALADINO: I believe that's
2 it on our hearings, or do we have one more?

3 MS. UNDERWOOD: Two.

4 SUPERVISOR SALADINO: Two more, I
5 apologize.

6 MS. UNDERWOOD: Sorry.

7 SUPERVISOR SALADINO: It's okay.

8 MR. LaMARCA: This hearing is to
9 consider a Local Law entitled, "A Local Law to
10 Amend the Code of the Town of Oyster Bay, New York,
11 Chapter 4, Administration of Government, to add
12 Article XVI, Information Technology Department, and
13 to amend Chapter 4, Article VI, Office of the
14 Comptroller, by deleting and replacing Sections
15 4-65 and 4-67."

16 COUNCILWOMAN JOHNSON: Supervisor, I'm
17 going to make a motion to adjourn this hearing
18 without a date.

19 COUNCILMAN IMBROTO: Second.

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

22 ALL: "Aye."

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

25 (Whereupon, there were no "Nay")

1 responses from the Board.)

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

4 (TIME: 12:43 P.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
REGULAR MEETING
February 8, 2022
12:44 p.m.

HEARING - Local Law

To consider a Local Law entitled, "A Local Law to amend the code of the Town of Oyster Bay, New York, Chapter 4, Administration of Government, Article XIV, Department of Environmental Resources by deleting and replacing Sections 4-148 and 4-150, to amend Chapter 156, Noise, by deleting and replacing Section 156-3, Duties and Responsibilities of Town Departments and to amend Chapter 241, Waterways, by deleting and replacing Subsection 241-9. (M.D. 1/4/22 #15).

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

1 MR. LaMARCA: The tenth and final
2 hearing today is to consider a Local Law entitled,
3 "A Local Law to Amend the Code of the Town of
4 Oyster Bay, New York, Chapter 4, Administration of
5 Government, Article XIV, Department of
6 Environmental Resources, by deleting and replacing
7 Sections 4-148 and 4-150; to amend Chapter 156,
8 Noise, by deleting and replacing Section 156-3,
9 Duties and Responsibilities of Town Departments;
10 and to amend Chapter 241, Waterways, by deleting
11 and replacing Subsection 241-9."

12 MS. UNDERWOOD: Good afternoon,
13 Supervisor and Members of the Town Board.

14 This is a hearing to consider Amendment
15 to the Code of the Town of Oyster Bay to amend
16 Chapter 4, Administration of Government, Article
17 XIV, Department of Environmental Resources,
18 specifically, regarding the Organization and
19 Enumeration of Divisions Sections of this Article.

20 In the title that the Town Clerk just
21 read to you, it mentioned other sections, so I'd
22 like to amend that on the record that this Local
23 Law will only be amending Sections 4-148,
24 Organization, and 4-150, Enumeration of Divisions,
25 of the Code of the Town of Oyster Bay.

1 Before I begin with a presentation, I'd
2 like to note for the record the Town Clerk file
3 contains Affidavits of Posting and Publication of
4 the Public Notice of today's public hearing
5 pursuant to this Board's Resolution No. 19-2022,
6 dated and adopted on January 11, 2022.

7 This is today's last hearing with
8 respect to housekeeping reorganization of Town
9 Departments.

10 For the record, the proposed Local Law
11 seeks to improve the efficiency of provision of
12 services to Town residents and within Town
13 departments and is more of an intradepartmental
14 reorganization.

15 Article XIV, Department of
16 Environmental Resources, will be amended as I just
17 mentioned, specifically, Section 4-148,
18 Organization, will be deleted in its entirety and
19 replaced with new outline division titles for the
20 department.

21 Section 4-150, Enumeration of
22 Divisions, will set forth the duties and functions
23 of each division.

24 Many of the duties and functions of
25 these divisions are already included in the current

1 organization of the Department of Environmental
2 Resources; however, they've been reorganized and
3 amended to more accurately represent the present
4 day needs of the Town, which are serviced by this
5 department.

6 So the present Code that includes the
7 Enumeration of Divisions has several subdivisions.
8 They've been organized just to clean it up in a
9 housekeeping measure for more efficiency in
10 administering the duties and functions of this
11 department.

12 I'm happy to go through the specifics,
13 but that's it in a nutshell.

14 SUPERVISOR SALADINO: That's not
15 necessary, but in a sentence for those who might
16 not understand the legalese, can you give just a
17 summary of what the intention of this is in a
18 sentence or two?

19 MS. UNDERWOOD: Well, basically, it's
20 to reorganize the divisions for a better, efficient
21 promulgation of the duties of the department, so,
22 things have come up, you know, new language has
23 been added in, sort of, in an updating of what the
24 department does.

25 The Town Environmental Quality Review

1 Division was previously its own division; now, it's
2 part of Planning and Technical Review.

3 Those sorts of changes, for example.

4 SUPERVISOR SALADINO: Consolidations
5 and efficiencies?

6 MS. UNDERWOOD: Yes.

7 SUPERVISOR SALADINO: And because we're
8 making changes to the Code, it has to come before
9 the Board in this fashion.

10 MS. UNDERWOOD: Correct.

11 SUPERVISOR SALADINO: Okay.

12 Are there any questions from any of the
13 Board members on this hearing?

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

16 SUPERVISOR SALADINO: Are there any
17 questions from the public on this hearing?

18 (Whereupon, there was no response from
19 the assemblage present.)

20 SUPERVISOR SALADINO: Please let the
21 record reflect that no one has indicated that they
22 want to be heard.

23 And to that, are there any postings or
24 communications?

25 MR. LaMARCA: We have Affidavits of

1 Posting and Publication.

2 There is no correspondence.

3 SUPERVISOR SALADINO: No
4 correspondence.

5 May I have a motion, please?

6 COUNCILWOMAN JOHNSON: Supervisor, I'll
7 make a motion to adjourn the public portion of the
8 hearing, to keep the record open for 30 days, and
9 to reserve decision.

10 COUNCILMAN IMBROTO: Second that
11 motion.

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

14 ALL: "Aye."

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

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

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

21 (TIME NOTED: 12:47 P.M.)

22 SUPERVISOR SALADINO: Thank you.

23 Does that complete our work on public
24 hearings?

25 MR. LaMARCA: Yes, sir.

1 SUPERVISOR SALADINO: So, at this time,
2 we're going to break for Executive Session, and
3 then once we have concluded that, we will come back
4 out and finish up the work of the day on the
5 Regular Action Calendar.

6 So to that, may I have a motion for
7 Executive Session?

8 COUNCILWOMAN JOHNSON: Supervisor, I'll
9 make a motion that this Board enter into Executive
10 Session for purposes of discussing current and
11 pending litigation.

12 COUNCILMAN IMBROTO: Second.

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

15 ALL: "Aye."

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

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

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

22 We'll be back as quickly as we can.

23 Thank you.

24 (TIME NOTED: 12:47 P.M.)

25 (Whereupon, the Executive Session began

1 at 12:47 p.m. and the proceedings resumed at
2 1:45 p.m. as follows:)

3 SUPERVISOR SALADINO: May I have a
4 motion, please?

5 COUNCILWOMAN JOHNSON: Supervisor, I'll
6 make a motion that the Executive Session be closed.
7 No action was taken.

8 COUNCILMAN IMBROTO: Second.

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

11 ALL: "Aye."

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

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

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

18 (TIME: 1:46 P.M.)

19 SUPERVISOR SALADINO: At this time, we
20 will call the Regular Action Calendar.

21 Mr. Clerk?

22 (Whereupon, a side bar conversation
23 between Councilwoman Johnson and Supervisor
24 Saladino took place.)

25 SUPERVISOR SALADINO: Okay.

1 May I have a motion, please?

2 COUNCILWOMAN JOHNSON: Supervisor, I'll
3 make a motion to reopen the last hearing, which was
4 "A Local Law to Amend the Code of the Town of
5 Oyster Bay, New York, Chapter 4, Administration of
6 Government."

7 COUNCILMAN IMBROTO: Second.

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

10 ALL: "Aye."

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

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

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

17 (TIME NOTED: 1:47 P.M.)

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TOWN BOARD
TOWN OF OYSTER BAY
ACTION CALENDAR
February 8, 2022
1:48 p.m.

JOSEPH SALADINO
SUPERVISOR

RICHARD LaMARCA
TOWN CLERK

P R E S E N T:

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

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

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

Minutes of the meeting
taken by:

TRACIE A. CINQUEMANI
Reporter/Notary Public

ORIGINAL

1 SUPERVISOR SALADINO: Mr. Town Clerk,
2 will you please call the Regular Action Calendar
3 for this day?

4 MR. LaMARCA: May I have a motion to
5 suspend the Rules and add Resolution Nos. 98-2022
6 through 103-2022?

7 **RESOLUTION NO. 98-2022;** Resolution
8 pertaining to payment for Outside Counsel in order
9 to satisfy outstanding legal fees and expenses in
10 connection with Town of Oyster Bay v. Manija
11 Ghaqfoorzada. Account No. OTA A 1420 44110 000
12 0000. (M.D. 2/1/22 #8).

13 **RESOLUTION NO. 99-2022;** Resolution
14 pertaining to payment for Court Ordered Fees for
15 Independent Consultant in order to satisfy
16 outstanding fees, disbursements and expenses to be
17 approved by the United States District Court,
18 Eastern District of New York. Account No. OTA A
19 1420 44110 000 0000. (M.D. 2/1/22 #14).

20 **RESOLUTION NO. 100-2022;** Resolution
21 authorizing a six-month extension of contract for
22 Telecommunications Consultant for the Town of
23 Oyster Bay for the period January 1, 2022 through
24 June 30, 2022, to allow for issuance of an RFP.
25 (M.D. 2/1/22 #16).

1 **RESOLUTION NO. 101-2022;** Resolution
2 pertaining to additional allocation of funds for
3 Outside Law Firm fees. Account No. OTA A 1420
4 44110 000 0000. (M.D. 2/1/22 #17).

5 **RESOLUTION NO. 102-2022;** Resolution
6 pertaining to a settlement of a negligence claim;
7 Claimant: Scott Jewell, Matter ID No. 2021-8397.
8 Account No. TWN AMS 1910 43010 602 0000 000. (M.D.
9 2/1/22 #18).

10 **RESOLUTION NO. 103-2022;** Resolution
11 authorizing the Supervisor or his designee to
12 execute a license agreement with the Jericho Water
13 District to allow the district to install and
14 maintain a backup generator on Town property
15 located on the south side of Jericho Turnpike, east
16 of Juneau Boulevard and north of Nome Drive in
17 Woodbury. (M.D. 2/1/22 #19).

18 On the motion?

19 COUNCILWOMAN JOHNSON: So moved.

20 MR. LaMARCA: May I have a second?

21 COUNCILMAN IMBROTO: Second.

22 MR. LaMARCA: Motion made by
23 Councilwoman Johnson and seconded by Councilman
24 Imbroto.

25 On the vote:

1 Supervisor Saladino?

2 SUPERVISOR SALADINO: "Aye."

3 MR. LaMARCA: Councilwoman Johnson?

4 COUNCILWOMAN JOHNSON: "Aye."

5 MR. LaMARCA: Councilman Imbroto?

6 COUNCILMAN IMBROTO: "Aye."

7 MR. LaMARCA: Councilman Hand?

8 COUNCILMAN HAND: "Aye."

9 MR. LaMARCA: Councilman Labriola?

10 COUNCILMAN LABRIOLA: "Aye."

11 MR. LaMARCA: Councilwoman Maier?

12 COUNCILWOMAN MAIER: "Aye."

13 MR. LaMARCA: Councilwoman Walsh?

14 COUNCILWOMAN WALSH: "Aye."

15 MR. LaMARCA: Motion to suspend the
16 Rules and add Resolution Nos. 98 through 103-2022
17 passes with seven "Ayes."

18 May I have a motion to Resuspend the
19 Rules and add Walked-On Resolution No. 104-2022,
20 which is a Resolution authorizing the Department of
21 Parks to implement a one-day price adjustment on
22 February 22, 2022, at all Town of Oyster Bay ice
23 skating rinks; and 105-2022, which is a Resolution
24 authorizing the Supervisor or his designee to
25 execute a settlement agreement in connection with

1 55 Motor Avenue, Farmingdale.

2 On the motion?

3 COUNCILWOMAN JOHNSON: So moved.

4 COUNCILMAN IMBROTO: Second.

5 MR. LaMARCA: Motion made by
6 Councilwoman Johnson and seconded by Councilman
7 Imbroto.

8 On the vote:

9 Supervisor Saladino?

10 SUPERVISOR SALADINO: "Aye."

11 MR. LaMARCA: Councilwoman Johnson?

12 COUNCILWOMAN JOHNSON: "Aye."

13 MR. LaMARCA: Councilman Imbroto?

14 COUNCILMAN IMBROTO: "Aye."

15 MR. LaMARCA: Councilman Hand?

16 COUNCILMAN HAND: "Aye."

17 MR. LaMARCA: Councilman Labriola?

18 COUNCILMAN LABRIOLA: "Aye."

19 MR. LaMARCA: Councilwoman Maier?

20 COUNCILWOMAN MAIER: "Aye."

21 MR. LaMARCA: Councilwoman Walsh?

22 COUNCILWOMAN WALSH: "Aye."

23 MR. LaMARCA: Motion to resuspend the
24 Rules and add Walked-on Resolution Nos. 104 and
25 105-2022, passes with seven "Ayes."

(TIME NOTED: 1:47 P.M.)

MR. LaMARCA: May I have a motion to adopt Resolution No. P-3-22 through 105-2022?

PERSONNEL RESOLUTION NO. P-3-22;

Resolution pertaining to personnel of various departments within the Town of Oyster Bay.

TRANSFER OF FUNDS RESOLUTION NO.

TF-2-22; Resolution pertaining to transfer of funds within various departments' accounts for the Year 2022.

RESOLUTION NO. 45-2022; Resolution authorizing an agreement to retain an art instructor for the Senior Citizens Services Program, for the period January 1, 2022 through December 31, 2022, and for the Supervisor, or his designee, or the Commissioner of Community and Youth Services, to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 1/18/22 #4).

RESOLUTION NO. 46-2022; Resolution authorizing an agreement to retain a yoga instructor for the Senior Citizens Services Program, for the period January 1, 2022 through December 31, 2022, and for the Supervisor, or his designee, or the Commissioner of Community and Youth Services, to execute said Agreement. Account

No. CYS A 7020 47660 000 0000. (M.D. 1/18/22 #5).

RESOLUTION NO. 47-2022; Resolution
authorizing an a agreement to retain instructors
for the Spring 2022 Workshop Enrichment Program,
and for the Supervisor, or his designee, or the
Commissioner of Community and Youth Services, to
execute said Agreement. Account No. CYS A 0001
02001 511 0000. (M.D. 1/18/22 #6).

RESOLUTION NO. 48-2022; Resolution
authorizing two Town of Oyster Bay Car Show Long
Island events to be held at TOBAY Beach on
April 30, 2022, and October 2, 2022. Account Nos.
TWN A 0001 02770 590 0000, TWN TA 0000 00085 438
0000. (M.D. 1/18/22 #7).

RESOLUTION NO. 49-2022; Resolution
authorizing implementation of a "Hometown Heroes
Program" in recognition and appreciation of all
Town of Oyster Bay veterans and active duty
personnel who have served in the United States
Armed Forces or National Guard, and for the
addition of sponsors for the program. Account No.
TWN 0000 00085 436 0000. (M.D. 1/18/22 #8).

RESOLUTION NO. 50-2022; Resolution
authorizing the Town of Oyster Bay Special Olympics
"Polar Plunge" in cooperation with Special Olympics

1 on March 19, 2022 at Tobay Beach. Account No. PKS
2 A 7110 47670 000 0000. (M.D. 1/18/22 #9).

3 **RESOLUTION NO. 51-2022;** Resolution
4 authorizing the Supervisor to execute a new Elected
5 Officials Agreement under the Workforce Innovation
6 and Opportunity Act (WIOA) to reflect the change of
7 administration in the Town of North Hempstead and
8 the City of Glen Cove. (M.D. 1/18/22 #12).

9 **RESOLUTION NO. 52-2022;** Resolution
10 authorizing the property cleanup assessment of
11 874 Main Street, Farmingdale, performed on
12 October 13, 2021, be referred to the County of
13 Nassau for placement on the Nassau County Tax
14 Assessment Rolls. (M.D. 1/18/22 #25).

15 **RESOLUTION NO. 53-2022;** Resolution
16 authorizing the property cleanup assessment of
17 135 Frost Pond Road, Glen Head, performed on
18 September 16, 2021, be referred to the County of
19 Nassau for placement on the Nassau County Tax
20 Assessment Rolls. (M.D. 1/18/22 #26).

21 **RESOLUTION NO. 54-2022;** Resolution
22 authorizing the property cleanup assessment of
23 12 Spruce Avenue, Bethpage, performed on
24 September 17, 2021, be referred to the County of
25 Nassau for placement on the Nassau County Tax

1 Assessment Rolls. (M.D. 1/18/22 #27).

2 **RESOLUTION NO. 55-2022;** Resolution
3 authorizing the property cleanup assessment of
4 94 East Street, Hicksville, performed on
5 September 14, 2021, be referred to the County of
6 Nassau for placement on the Nassau County Tax
7 Assessment Rolls. (M.D. 1/18/22 #28).

8 **RESOLUTION NO. 56-2022;** Resolution
9 authorizing the property cleanup assessment of
10 18 Cheryl Road, Massapequa, performed on
11 September 14, 2021, be referred to the County of
12 Nassau for placement on the Nassau County Tax
13 Assessment Rolls. (M.D. 1/18/22 #29).

14 **RESOLUTION NO. 57-2022;** Resolution
15 authorizing the property cleanup assessment of
16 15 Reading Lane, Bethpage, performed on
17 September 14, 2021, be referred to the County of
18 Nassau for placement on the Nassau County Tax
19 Assessment Rolls. (M.D. 1/18/22 #30).

20 **RESOLUTION NO. 58-2022;** Resolution
21 authorizing the property cleanup assessment of
22 Old Country Road, Hicksville, Section 45, Block 55,
23 Lot 254, performed on September 13, 2021, be
24 referred to the County of Nassau for placement on
25 the Nassau County Tax Assessment Rolls. (M.D.

1 1/18/22 #31).

2 **RESOLUTION NO. 59-2022;** Resolution
3 authorizing the property cleanup assessment of
4 18 Melissa Lane, Old Bethpage, performed on
5 September 14, 2021, be referred to the County of
6 Nassau for placement on the Nassau County Tax
7 Assessment Rolls. (M.D. 1/18/22 #32).

8 **RESOLUTION NO. 60-2022;** Resolution
9 authorizing the property cleanup assessment of
10 901 South Main Street, Farmingdale, performed on
11 July 14, 2021, be referred to the County of Nassau
12 for placement on the Nassau County Tax Assessment
13 Rolls. (M.D. 1/18/22 #33).

14 **RESOLUTION NO. 61-2022;** Resolution
15 authorizing the property cleanup assessment of
16 28 High Street, Farmingdale, performed on July 12,
17 2021, be referred to the County of Nassau for
18 placement on the Nassau County Tax Assessment
19 Rolls. (M.D. 1/18/22 #34).

20 **RESOLUTION NO. 62-2022;** Resolution
21 authorizing the property cleanup assessment of
22 24 West John Street, Hicksville, performed on
23 August 17, 2021, be referred to the County of
24 Nassau for placement on the Nassau County Tax
25 Assessment Rolls. (M.D. 1/18/22 #35).

1 **RESOLUTION NO. 63-2022;** Resolution
2 authorizing the property cleanup assessment of
3 9 North Pershing Avenue, Bethpage, performed on
4 August 17, 2021, be referred to the County of
5 Nassau for placement on the Nassau County Tax
6 Assessment Rolls. (M.D. 1/18/22 #36).

7 **RESOLUTION NO. 64-2022;** Resolution
8 authorizing the property cleanup assessment of
9 32 Juneau Boulevard, Woodbury, performed on
10 July 19, 2021, be referred to the County of Nassau
11 for placement on the Nassau County Tax Assessment
12 Rolls. (M.D. 1/18/22 #37).

13 **RESOLUTION NO. 65-2022;** Resolution
14 authorizing the property cleanup assessment of Old.
15 Country Road, SW Corner East Avenue, Hicksville,
16 performed on July 19, 2021, be referred to the
17 County of Nassau for placement on the Nassau County
18 Tax Assessment Rolls. (M.D. 1/18/22 #38).

19 **RESOLUTION NO. 66-2022;** Resolution
20 authorizing the property cleanup assessment of
21 346 Woodbury Road, Hicksville, performed on May 20,
22 2021, be referred to the County of Nassau for
23 placement on the Nassau County Tax Assessment
24 Rolls. (M.D. 1/18/22 #39).

25 **RESOLUTION NO. 67-2022;** Resolution

1 authorizing the property cleanup assessment of
2 4 Elizabeth Drive, Bethpage, performed on August 3,
3 2021, be referred to the County of Nassau for
4 placement on the Nassau County Tax Assessment
5 Rolls. (M.D. 1/18/22 #40).

6 **RESOLUTION NO. 68-2022;** Resolution
7 recommending the property cleanup assessment of
8 346 Woodbury Road, Hicksville, performed on
9 August 11, 2021, be referred to the County of
10 Nassau for placement on the Nassau County Tax
11 Assessment Rolls. (M.D. 1/18/22 #41).

12 **RESOLUTION NO. 69-2022;** Resolution
13 recommending the property cleanup assessment of
14 18 Melissa Lane, Old Bethpage, performed on May 20,
15 2021, be referred to the County of Nassau for
16 placement on the Nassau County Tax Assessment
17 Rolls. (M.D. 1/18/22 #42).

18 **RESOLUTION NO. 70-2022;** Resolution
19 recommending the property cleanup assessment of
20 Melrose Avenue, Massapequa, Section 53, Block C,
21 Lot 277, performed on July 19, 2021, be referred to
22 the County of Nassau for placement on the Nassau
23 County Tax Assessment Rolls. (M.D. 1/18/22 #43).

24 **RESOLUTION NO. 71-2022;** Resolution
25 amending Resolution No. 389-2021 for an increase to

1 cover additional 2021 expenses and for 2022
2 services. Account No. DIG A 1345 44800 000 0000.
3 (M.D. 1/18/22 #45).

4 **RESOLUTION NO. 72-2022;** Resolution
5 authorizing ratification of the emergency
6 procurement of a vendor under Resolution No.
7 389-2021 in connection with computer services to
8 the Town. Account No. DIG A 1345 44800 000 0000.
9 (MEGA) (M.D. 1/18/22 #46).

10 **RESOLUTION NO. 73-2022;** Resolution
11 authorizing ratification of the emergency
12 procurement of a vendor under Resolution No.
13 389-2021 in connection with computer services to
14 the Town. Account No. DIG A 1345 44800 000 0000.
15 (WH) (M.D. 1/18/22 #47).

16 **RESOLUTION NO. 74-2022;** Resolution
17 authorizing acceptance of a donation of a memorial
18 plaque from J. Babinski to be placed under an
19 existing tree in the Honorable Joseph Colby Town of
20 Oyster Bay Golf Course in memory of John T.
21 Babinski. (M.D. 1/25/22 #5).

22 **RESOLUTION NO. 75-2022;** Resolution
23 authorizing the Town of Oyster Bay Armed Forces
24 Appreciation Day to be held May 20, 2022, to employ
25 musicians and to use DJ and/or audio services for

the event. Account No. PKS A 7110 47670 000 0000.
(M.D. 1/25/22 #6).

RESOLUTION NO. 76-2022; Resolution
authorizing issuance of a facility use permit for
the use of TOBAY Beach Parking field for the "2022
BMW Ultimate Driving Experience" on March 30, 2022
through April 3, 2022. Account No. TWN A 0001 02770
590 0000. (M.D. 1/25/22 #8).

RESOLUTION NO. 77-2022; Resolution
authorizing a first one-year extension of contract
for General Planning Services in the Town of Oyster
Bay for the period January 1, 2022 through
December 31, 2022. (M.D. 1/25/22 #18).

RESOLUTION NO. 78-2022; Resolution
amending Resolution No. 325-2021 for an increase
for additional Planning Services for 2021 which
were required in order to complete the draft code
modifications. Account No. PAD B 8020 44800 000
0000. (M.D. 1/25/22 #19).

RESOLUTION NO. 79-2022; Resolution
directing the Town Clerk to advertise a Notice of
Hearing to consider the application of the Jericho
Water District for Bond Financing. Hearing date:
March 1, 2022. (M.D. 1/25/22 #20).

RESOLUTION NO. 80-2022; Resolution

1 directing the Town Clerk to advertise a Notice of
2 Hearing on the application of Manetto Hills
3 Associates 116, LLC, fee owner for a Special Use
4 Permit at premises located at 50 Manetto Hill Road,
5 Plainview, New York. Hearing date: March 1, 2022.
6 (M.D. 1/25/22 #21).

7 **RESOLUTION NO. 81-2022;** Resolution
8 directing the Town Clerk to advertise a Notice of
9 Hearing on the application of Taliran, Inc., fee
10 owner, Ritz Barklton 2 LLC, d/b/a K9 Resorts,
11 lessee for a Special Use Permit and Revocation of
12 Declaration of Restrictive Covenants at premises
13 located at 120 Eileen Way, Syosset, New York.
14 Hearing date: March 15, 2022. (M.D. 1/25/22 #22).

15 **RESOLUTION NO. 82-2022;** Resolution
16 authorizing an agreement for Payroll and HR
17 Management processing services for the period
18 February 8, 2022 through and including February 8,
19 2027, with the option of two (2) five-year
20 extensions. Account No. CMP A 1680 46410 000 0000.
21 (M.D. 1/25/22 #24).

22 **RESOLUTION NO. 83-2022;** Resolution
23 authorizing acceptance of the Design and Request to
24 Enter Bid & Construction Phases of Contract No.
25 H20-210, Highway Improvements to the Crescent Drive

Area, Old Bethpage. (M.D. 1/25/22 #25).

RESOLUTION NO. 84-2022; Resolution
pertaining to Contract No. PWC31-20, On-Call
Technical Assistance Relative to Operation and
Development of the Old Bethpage Solid Waste
Disposal Complex. Account No. DER H 8797 20000 000
1906 015. (M.D. 1/25/22 #26).

RESOLUTION NO. 85-2022; Resolution
authorizing payment of emergency veterinary
specialty surgery services. Account No. DER A 3510
44900 000 0000. (M.D. 1/25/22 #30).

RESOLUTION NO. 86-2022; Resolution
authorizing additional funds for after-hours
emergency veterinary treatment. Account No. DER A
3510 44900 000 0000. (M.D. 1/25/22 #31).

RESOLUTION NO. 87-2022; Resolution
authorizing settlement of a negligence claim;
Laurie Sobel, as Administratrix of the Estate of
Jonathan Sobel, et al. V. Town of Oyster Bay,
Nassau County Index No. 606166/2015, Matter No.
2014-4559. Account No. TWN AMS 1910 43010 602 0000
000. (M.D. 1/25/22 #32).

RESOLUTION NO. 88-2022; Resolution
pertaining to Contract No. PWC17-20, on-call
engineering services relative to laboratory

1 analysis in connection with additional laboratory
2 Analytical services. Account no. DER SR05 8160
3 44800 000 0000. (M.D. 1/25/22 #28 & 2/1/22 #12).

4 **RESOLUTION NO. 89-2022;** Resolution
5 pertaining to Contract No. PWC19-22, on-call
6 technical assistance relative to structural
7 engineering in connection with the Hicksville
8 Parking Facility ramp/trench drain girders and the
9 upper level repairs and waterproofing. Account No.
10 HWY H 5997 2000 000 2104 016. (M.D. 1/25/22 #29 &
11 2/1/22 #11).

12 **RESOLUTION NO. 90-2022;** Resolution
13 directing the Town Clerk to advertise a Notice of
14 Hearing pertaining to Hydrant Rental for Oyster Bay
15 Fire Protection District and Oyster Bay Water
16 District for the year 2022. Hearing Date: March 1,
17 2022. (M.D. 1/25/22 #33).

18 **RESOLUTION NO. 91-2022;** Resolution
19 directing the Town Clerk to advertise a Notice of
20 Hearing pertaining to Hydrant Rental for Plainview
21 Fire Protection District and Plainview Water
22 District for the year 2022. Hearing Date: March 1,
23 2022. (M.D. 1/25/22 #34).

24 **RESOLUTION NO. 92-2022;** Resolution
25 pertaining to the decision on the application of

1 L&B Land LLC, fee owner, for a Special Use Permit
2 on premises at 521 Stewart Avenue, Bethpage.

3 Hearing held: December 7, 2021. (M.D. 12/7/21 #5).

4 **RESOLUTION NO. 93-2022;** Resolution
5 pertaining to the decision on the application of
6 Cedar-Carmans, LLC, fee owner, Treasure Island Swim
7 d/b/a Treasure Island Swim School, lessee, for a
8 Special Use Permit on premises at 900-944 Carmans
9 Road, Massapequa. Hearing held: January 11, 2022.
10 (M.D. 1/11/22 #5).

11 **RESOLUTION NO. 94A-2022;** Resolution/
12 Order pertaining to the decision on the 2022
13 Capital Program for Park Districts. Hearing held:
14 February 8, 2022. (M.D. 1/11/22 #23).

15 **RESOLUTION NO. 94B-2022;** Resolution
16 authorizing issuance of bonds for the 2022 Capital
17 Program for Park Districts. Hearing held:
18 February 8, 2022. (M.D. 1/11/22 #23).

19 **RESOLUTION NO. 95A-2022;** Resolution/
20 Order pertaining to the decision on the 2022
21 Capital Program for Public Parking District
22 Improvements. Hearing held: February 8, 2022. (M.D.
23 1/11/22 #26).

24 **RESOLUTION NO. 95B-2022;** Resolution
25 authorizing the issuance of bonds for the

1 2022 Capital Program for Public Parking District
2 Improvements. Hearing held: February 8, 2022. (M.D.
3 1/11/22 #26).

4 **RESOLUTION NO. 96A-2022;** Resolution/
5 Order pertaining to the decision on the 2022
6 Capital Program for Solid Waste District
7 Improvements. Hearing held: February 8, 2022. (M.D.
8 1/11/22 #27).

9 **RESOLUTION NO. 96B-2022;** Resolution
10 authorizing the issuance of bonds for the 2022
11 Capital Program for Solid Waste District
12 Improvements. Hearing held: February 8, 2022. (M.D.
13 1/11/22 #27).

14 **RESOLUTION NO. 97A-2022;** Resolution/
15 Order pertaining to the decision on the 2022
16 Capital Program for Public Lighting. Hearing held:
17 February 8, 2022. (M.D. 1/11/22 #32).

18 **RESOLUTION NO. 97B-2022;** Resolution
19 authorizing the issuance of bonds for the 2022
20 Capital Program for Public Lighting. Hearing held:
21 February 8, 2022. (M.D. 1/11/22 #32).

22 **RESOLUTION NO. 98-2022;** Resolution
23 pertaining to payment for Outside Counsel in order
24 to satisfy outstanding legal fees and expenses in
25 connection with Town of Oyster Bay v. Manija

1 authorizing the Supervisor or his designee to
2 execute a license agreement with the Jericho Water
3 District to allow the district to install and
4 maintain a backup generator on Town property
5 located on the south side of Jericho Turnpike, east
6 of Juneau Boulevard and north of Nome Drive in
7 Woodbury. (M.D. 2/1/22 #19).

8 **RESOLUTION NO. 104-2022;** Resolution
9 authorizing the Department of Parks to implement a
10 one-day price adjustment on February 22, 2022, at
11 all Town of Oyster Bay ice skating rinks.

12 **RESOLUTION NO. 105-2022;** Resolution
13 authorizing the Supervisor or his designee to
14 execute a settlement agreement in connection with
15 55 Motor Avenue, Farmingdale.

16 On the motion?

17 COUNCILWOMAN JOHNSON: So moved.

18 COUNCILMAN IMBROTO: Second.

19 MR. LaMARCA: Motion made by
20 Councilwoman Johnson and seconded by Councilman
21 Imbroto.

22 We have some slips.

23 SUPERVISOR SALADINO: Yes.

24 We have one speaker.

25 Arthur Adelman, please step forward.

1 MR. ADELMAN: Good afternoon, Town
2 Board, Supervisor, Chief Clerk.

3 Do you have my mail?

4 I sent you some e-mails.

5 Do you have them?

6 MR. LaMARCA: Yes.

7 MS. FAUGHNAN: How many Resolutions?

8 MR. ADELMAN: I'm going to talk on
9 three, actually, six Resolutions but three
10 groupings.

11 I sent an e-mail ahead of time because
12 I did not anticipate arriving here, and my first
13 question would be if those questions had been read
14 aloud to the Board for response or simply entered
15 into the records as --

16 SUPERVISOR SALADINO: So, as always,
17 you'll ask all your questions, take your seat, and
18 then we'll --

19 MR. ADELMAN: Okay, fine, fine. All
20 right.

21 So, now, I'm going to read my letters
22 because I'm here to do it -- address the
23 Resolutions.

24 First, I'll address Resolution 101.

25 I'd like to know if the Board or the

1 Supervisor could advise me and the public the
2 details regarding the request by memorandum from
3 Town Attorney, Frank Scalera, the need for an
4 additional \$223,919.05 to satisfy outstanding costs
5 for services rendered to the Town in the year 2021
6 and not paid by the previous budgeted funds
7 allotted in Resolution 752-2020 in the amount of
8 \$1,475,000.

9 The second part of this question is,
10 have there been any other Resolutions amending the
11 original budgeted amount, that being almost
12 \$1.5 million?

13 If so, will the Supervisor, or his
14 designee, advise the now revised amount
15 contributable to Resolution 752-2020? If not,
16 please confirm the total cost attributed to
17 Resolution 752-2020 in the year 2021 was no more
18 than \$1,698,000. That's Resolution 101.

19 I have -- Rich, can you read my e-mail
20 so I don't have to try and draw them up on my iPad?

21 Thank you. Greatly appreciate it.

22 (Whereupon, Town Clerk Richard LaMarca
23 handed Mr. Arthur Adelman requested documentation.)

24 MR. ADELMAN: My question about
25 Resolutions 71, 72, 73 pertaining to the Internet

1 outage in the towns back in December and January,
2 and my question was, before the Town passes payment
3 for this Resolution, please offer me and the public
4 full disclosure of the events for which the Board
5 is considering authorizing the payment of over
6 \$95,000 to three vendors, that being said, 71, 72,
7 and 73.

8 In other words, I want to know what
9 happened to our computers and Internet system,
10 WiFi, whatever you want to call it.

11 My last question is in regards to
12 Resolution 70. This is about the Town doing
13 cleanup on the property in Massapequa, and my
14 question or statement regarding this cleanup -- the
15 property in question has tax arrears dating back to
16 at least 2004. It is time -- it is my feeling it
17 is time the Town do more than maintain the property
18 at the taxpayers' expense and take the lead to move
19 forward with public sale of this vacant property.

20 My reasoning here is that neighbors of
21 this adjoining property probably get crazy with the
22 overgrowth and infestation of vermin, and the owner
23 of the property is not cleaning it up, so they
24 call --

25 SUPERVISOR SALADINO: We'll bring Frank

1 up to speak about the legalities of what we can and
2 can't do --

3 MR. ADELMAN: Right.

4 COUNCILMAN IMBROTO: But it's never a
5 taxpayer expense.

6 SUPERVISOR SALADINO: But it's not a
7 taxpayer expense.

8 MR. ADELMAN: Excuse me.

9 We're spending taxpayer funds. It's
10 the money you sent, the amount is \$1,400 in this
11 case. You sent to the County to add to the tax
12 lien on the property. Well, this owner is not
13 paying that. No one's paying it. I looked. They
14 have past due taxes due dating back to 2004, so why
15 isn't this being sold, this piece of land.

16 SUPERVISOR SALADINO: So to shed light
17 on this situation because I know you don't know the
18 answer to, after you take your seat, as we ask of
19 everyone, we're going to bring our Town Attorney
20 up, and he'll explain that process.

21 MR. ADELMAN: Oh, good. We'll get some
22 answers.

23 Lastly, I don't know where this falls
24 in -- last meeting you tabled a Resolution. It was
25 at the end, it was about the insurance -- Workmen's

1 Comp. or something -- I think it was Salerno. It
2 was the last Resolution, it was removed and then a
3 walk-on. I think it was 103 and then a walk-on, or
4 93, or -- it doesn't matter the number -- it ended
5 with a three, and then you did a walk-on, and we
6 added a Resolution, which when Rich read it into
7 the record, it was verbatim the same as the
8 Resolution that had been tabled, but there was no
9 backup data for anybody to review of the walk-on
10 Resolution.

11 It's sort of the same situation we have
12 today. We have two walk-ons. One is
13 self-explanatory -- free skating on a specific
14 date -- the other is not explained, and it should
15 be discussed what the second Walked-on Resolution
16 is all about because I think what we did last month
17 in approving a walk-on without any draft in the
18 folder -- there was no draft online, in the folder,
19 or anywhere to be found, except at the end of
20 today's drafts, it was in there. I don't know if
21 you noticed that.

22 So I'm just curious how we truly handle
23 walk-ons.

24 Do the Board members truly get to
25 review the data that's supplied for all other

1 Resolutions?

2 Thank you, and I'm glad I made it here.

3 SUPERVISOR SALADINO: Frank, let's
4 begin with this issue of how the Town is reimbursed
5 for cleanups, and how we spend that money, and what
6 that process is.

7 What is the legal process?

8 MR. SCALERA: Sure.

9 Frank Scalera, Town Attorney.

10 Good afternoon, Town Board Members,
11 Supervisor.

12 The Resolution 70-2022 is a typical
13 Resolution you see during most meetings where we
14 have what we call a property assessment.

15 So, basically, it usually occurs if
16 somebody's not maintaining their property or, you
17 know, is a hoarder, has weeds overgrown for a long
18 period of time. We just don't immediately go to
19 somebody when somebody has some disarray of their
20 property.

21 So after several notices under the law,
22 we use one of our statute Town Codes to go in to
23 clean it up. We're not necessarily expending
24 money. We're using our resources, whether it be
25 employees, whether it be certain machinery, lawn

1 mowers and the like. John Bishop is here. He's
2 the Deputy Commissioner of Highway. He works
3 directly on it. He gets direction from us, which
4 comes from the Building Department, so it's a long
5 process to get here.

6 Usually, the house is in disrepair for
7 quite a certain amount of time, so what ends up
8 happening is because we have to go in there to
9 clean up the property, John Bishop, the Deputy
10 Commissioner, sends back the bills, itemized
11 exactly what kind of resources we've expended -- so
12 the hourly rate of our employee and a customary
13 rental of the machine if you were to go rent it at
14 a Home Depot or the like.

15 SUPERVISOR SALADINO: But we don't pay
16 for any rental --

17 MR. SCALERA: No. No.

18 SUPERVISOR SALADINO: -- we don't pay
19 for additional labor. The employees are on no
20 matter what.

21 MR. SCALERA: Correct.

22 Employees are already working. It's
23 part of their work logs, work tasks. The machinery
24 is already ours. We don't go out to buy anything.
25 This is a very typical, very custom throughout the

1 years.

2 Now, of course, when the person doesn't
3 pay the bill to us, the only recourse that we have
4 that ensures that the Town gets back the money for
5 the resource expended is to put it on the property
6 assessment.

7 Now, obviously, there are some homes
8 that are in disrepair for many years, some go as so
9 far as being in such disrepair that we are able to
10 use a different Code -- Town Code, and we pursue it
11 as a zombie home, which you know.

12 SUPERVISOR SALADINO: We condemn the
13 property.

14 MR. SCALERA: Correct.

15 Some properties don't reach that level.
16 They're structurally okay, there's no holes in the
17 roof, there's no water going in, and these are the
18 properties that you typically find on these kinds
19 of Resolutions, so we send it to the Assessor. It
20 requires, by law, that the Town Board have a Reso
21 in order for the County Assessor to put in onto the
22 tax bill.

23 Now, whether or not a property is in
24 arrears, it doesn't shock me. Many people who keep
25 their property in disrepair, you know, that

1 deteriorates, doesn't surprise me because we
2 already pursued them to have them pay us for our
3 resources, so it's not uncommon; however, that is
4 the proper legal way in which it allows this Town
5 to recoup.

6 Now, public sale, I understand the
7 speaker indicated a public sale. I don't
8 understand that. I don't know how we can
9 constitutionally go in and just take somebody's
10 house. I don't know how we do that.

11 SUPERVISOR SALADINO: So let's phrase
12 this in the appropriate way if somebody's watching
13 at home they can understand.

14 The previous speaker, a nice man --
15 comes to just about every single board meeting we
16 have -- and asked the question, or I might even
17 suggest that the way he formed the question
18 suggests that we should go out and sell the
19 property.

20 Do we have any legal ability to do
21 that?

22 MR. SCALERA: No, not legally.

23 SUPERVISOR SALADINO: So the speaker
24 didn't understand the law and formed his question
25 in a way that a bystander or someone listening from

1 home from wherever on their computer would think
2 that we have that ability, but, in reality, we have
3 no legal ability to force the sale or to force that
4 person to pay.

5 Our only ability under the law, just as
6 you've stated, is to get Nassau County through this
7 process -- in a Resolution that we vote on -- to
8 get them to attach this bill to the home, and when
9 the home is sold, we, the Town, would be reimbursed
10 for this cost.

11 MR. SCALERA: Now, typically, people
12 that have liens, and this is not technically a lien
13 -- this is an assessment -- but when certain
14 entities like a mortgage company has a lien, they
15 can foreclose on the property, but we don't -- this
16 is not a lien. This is an assessment from a
17 municipality sent to the Assessor, County of
18 Nassau, because they happen to be the assessor.

19 COUNCILMAN IMBROTO: And, Frank, what
20 happens with respect to the money that the Town
21 gets paid when the resident who owns that property
22 does not pay their property taxes?

23 MR. SCALERA: Well, what happens to the
24 -- we -- if they don't pay their property taxes,
25 what ends up happening is that a tax lien may be

1 sold at the County, and then the people who buy
2 that, they're paying -- by buying the tax lien,
3 they're paying the taxes, so we get it that way,
4 but we've had pretty good success out of our office
5 the last couple of years of accessing and
6 collecting because my office, with Rob Darienzo,
7 Finance Director, we've been tracking it, and we do
8 recoup, usually within sometimes the year, but most
9 of the money within the second year all comes back.

10 The alternative is what? To seek a
11 condemnation of a house that's just going to cost
12 us hundreds of thousands of dollars versus \$1,500,
13 or do we bring a lawsuit so now we've used
14 Highway's resources, now we're going to use Town
15 Attorney's resources to go after \$1,500, which you
16 probably won't collect because most people who
17 don't take care of their home -- most, I'm not
18 saying all -- some are -- have extenuating
19 circumstances, they're sick, but most people who
20 keep their house in disarray after we go after them
21 over a year's time, typically, are the folks that
22 just kind of gave up on their home or --

23 COUNCILMAN IMBROTO: Probably judgment
24 proof --

25 MR. SCALERA: Yeah, judgment proof,

1 they don't have any assets, so, again, this is the
2 most practical, and it is the legal way.

3 SUPERVISOR SALADINO: It is the only
4 legal method we have --

5 MR. SCALERA: Correct.

6 SUPERVISOR SALADINO: -- to
7 reimburse --

8 MR. SCALERA: We cannot force a public
9 sale of someone's property. We don't have that
10 power.

11 SUPERVISOR SALADINO: So, you know,
12 obviously, the previous speaker asked the question
13 with all good intention.

14 My concern is when residents come up
15 and phrase questions in a way that's accusatory as
16 if something that the Town is doing is nefarious.

17 This is -- we're following the law. It
18 is our only legal course, and we are fully taking
19 that course to protect our taxpayers and protect
20 the neighborhood.

21 MR. SCALERA: Correct.

22 We're following our Town Code to do the
23 actual work, and we're following the Town, State
24 and the County rules of assessing the property,
25 and, of course, we're following the Constitution of

1 not just taking somebody's home, which we cannot
2 do.

3 SUPERVISOR SALADINO: Yes.

4 Jeff, you had something to add?

5 MR. PRAVATO: Supervisor, to add a
6 little bit more.

7 Arthur, we get the assessment from the
8 County, they put it on the tax bill, right? If
9 they don't pay that tax, the County guarantees.
10 The County guarantees that --

11 COUNCILMAN IMBROTO: That's what I was
12 getting at. We get paid one way or another.

13 MR. PRAVATO: We get paid. We're not
14 losing the money. The County guarantees the tax
15 rolls for the schools, the townships, everything.

16 So we're going to get that money, and
17 then what happens, once I return that warrant to
18 the County, they see the unpaid taxes. They'll
19 send out late bills, interest. If they don't get
20 any response by February, I think this week there's
21 a tax lien sale. They sell it, you can go buy the
22 tax lien, then you charge interest to that resident
23 to get the money back.

24 COUNCILMAN IMBROTO: It's the County's
25 problem. It's not our problem.

1 MR. SCALERA: I think, Councilman
2 Imbroto, you were alluding to that earlier, and I
3 didn't pick it up.

4 MR. PRAVATO: That's why I just wanted
5 to --

6 MR. SCALERA: Receiver Pravato,
7 correct. Thank you.

8 The County guarantees the Town's taxes,
9 so we get it all back. Sometimes a year, sometimes
10 the second year, but we get the money back fully.

11 SUPERVISOR SALADINO: And you were not
12 aware of the that, correct?

13 MR. ADELMAN: Absolutely not.

14 SUPERVISOR SALADINO: So this is what
15 happens, and it would be wonderful if people keep
16 this in mind, when folks come up to ask us a
17 question, and they generally don't understand the
18 law, and after we explain it, they're very happy
19 we're following the law, but it's always
20 frustrating to hear sometimes questions phrased in
21 a way that seems to make accusations --

22 COUNCILMAN IMBROTO: Conspiratorial --

23 SUPERVISOR SALADINO: Right, right,
24 which is absolutely not happening --

25 COUNCILMAN IMBROTO: -- you can

1 accomplish the same thing by calling up the Town
2 Attorney's Office and asking or calling up our
3 office and asking instead of come here and publicly
4 trying to accuse people in a public meeting. You
5 can just call us and ask, and we'll tell you.

6 SUPERVISOR SALADINO: That's the best
7 way to handle this, yes. And it's far more
8 professional, and you get the answer that you're
9 seeking.

10 So, yeah, to just wrap it up because
11 it's already 2:00, we all have meetings this
12 afternoon, I know I do, the question was asked
13 about legal fees.

14 MR. SCALERA: Right. I was going to --

15 SUPERVISOR SALADINO: We continue to
16 have issues that we're fighting --

17 MR. SCALERA: Correct.

18 SUPERVISOR SALADINO: -- a Navy plume
19 is a perfect example.

20 Mr. Selman and his firm. We continue
21 to call on them, and when you put a budget
22 together, you have approximates of what we might be
23 spending --

24 MR. SCALERA: Correct.

25 SUPERVISOR SALADINO: -- but then as

1 issues come up and there is a lawsuit, or there's a
2 shift in the case of the Grumman Navy plume, a
3 shift in the way in which the State is handling
4 this, and we have to address the situation, we call
5 up our consultant, our legal team that is the most
6 knowledgeable to ask for advice and to work out a
7 strategy moving forward, and when you use a
8 lawyer's time, they charge you for it.

9 MR. SCALERA: Correct.

10 And you got it on point. There are a
11 couple of cases out there that, unfortunately, like
12 the Grumman Navy plume, that is very sensitive and
13 it's very important --

14 SUPERVISOR SALADINO: Very important.

15 MR. SCALERA: -- and people don't see
16 from day to day between Town Board meetings there's
17 stuff that we do every day and usually driven
18 sometimes by other parties like New York State or
19 by Grumman themselves, and we're fighting. And we
20 fight.

21 SUPERVISOR SALADINO: It's our
22 responsibility to fight Grumman and the Navy to
23 ensure that they do everything they promised, both
24 structurally to protect the water, but financially
25 to reimburse and to pay their fair share. They are

1 the polluters.

2 So, Frank, nobody's got that crystal
3 ball, so when you put together your budget, you
4 estimate, correct?

5 MR. SCALERA: Yes. I estimate.

6 SUPERVISOR SALADINO: And in every
7 single year, more expenses come up that we just
8 didn't count on in the moment because you had no
9 crystal ball to know the future.

10 MR. SCALERA: Correct.

11 SUPERVISOR SALADINO: So we do this
12 publicly. We put it on a Resolution.

13 You don't get to spend that money
14 unless this Board approves it, correct?

15 MR. SCALERA: Correct.

16 SUPERVISOR SALADINO: And we do that
17 publicly, and we notify the public.

18 MR. SCALERA: Correct.

19 SUPERVISOR SALADINO: So if the
20 impression is that we're spending this money in
21 some nefarious way, or there's some conspiracy, as
22 my colleague pointed out, it's the furthest thing
23 from the truth because here we are with a
24 notification putting it on at a public hearing, and
25 that's the process that we spend money in all

1 scenarios in government.

2 MR. SCALERA: In all the other
3 departments, correct.

4 All purchases and all expenditures come
5 through you folks.

6 SUPERVISOR SALADINO: That's certainly
7 a satisfying answer.

8 Thank you for your time today. We
9 certainly appreciate it.

10 All right. I don't have any other
11 slips from anyone else in the public, so if I may
12 please --

13 MR. ADELMAN: Excuse me, please. We
14 had one more item to address. I'm sorry.

15 SUPERVISOR SALADINO: I apologize.

16 MR. ADELMAN: The Internet breakdown.
17 Do we have a cause or --

18 SUPERVISOR SALADINO: It's my
19 understanding that that is still being formulated,
20 that's still being looked at as to the totalitary
21 (sic) costs associated with IT.

22 MR. SCALERA: I just want to clarify,
23 it was just an anomaly to the e-mail system. It's
24 not an Internet breakdown, I just want to clarify.
25 It was limited to the e-mail system, and they took

1 all preventive measures to protect all --

2 SUPERVISOR SALADINO: And it's
3 important that you know, you can feel free to
4 contact Frank directly, Frank Scalera, Office of
5 the Town Attorney, and because some of these
6 questions you have may take quite a bit of time,
7 more than is appropriate for a public hearing, but
8 we're happy to give you or anyone that information.

9 So with that, we still have items open
10 on this Resolution Calendar.

11 (Whereupon, a side bar conversation
12 between Councilwoman Johnson and Supervisor
13 Saladino took place.)

14 SUPERVISOR SALADINO: Karen?

15 COUNCILWOMAN JOHNSON: We already
16 opened the hearing.

17 MR. SCALERA: Oh, you reopened the
18 hearing?

19 COUNCILWOMAN JOHNSON: Yes.

20 COUNCILMAN IMBROTO: Then shouldn't we
21 have done that before we did the Calendar?

22 COUNCILWOMAN JOHNSON: She wasn't here.

23 MR. SCALERA: If I may?

24 You have your outstanding Action
25 Calendar.

1 Why don't you vote on your Resos and
2 Karen will close it out. How's that?

3 SUPERVISOR SALADINO: Okay.

4 With that, I call for a vote on the
5 Regular Action Calendar.

6 MR. LaMARCA: Supervisor Saladino?

7 SUPERVISOR SALADINO: I am an "Aye" on
8 all except for number 87, which I abstain.

9 MR. LaMARCA: Councilwoman Johnson?

10 COUNCILWOMAN JOHNSON: "Aye."

11 MR. LaMARCA: Councilman Imbroto?

12 COUNCILMAN IMBROTO: "Yes" on every
13 Resolution on the Calendar.

14 MR. LaMARCA: Councilman Hand?

15 COUNCILMAN HAND: "Aye."

16 MR. LaMARCA: Councilman Labriola?

17 COUNCILMAN LABRIOLA: "Aye" on all.

18 MR. LaMARCA: Councilwoman Maier?

19 COUNCILWOMAN MAIER: "Aye" on all.

20 MR. LaMARCA: Councilwoman Walsh?

21 COUNCILWOMAN WALSH: "Aye" on all.

22 MR. LaMARCA: Motion to adopt
23 Resolution Nos. P-3-22 through 86-2022 passes with
24 seven "Ayes."

25 Resolution No. 87-2022 passes with six

1 "Ayes" and one "Abstention."

2 Resolution No. 88-2022 through 105-2022
3 passes with seven "Ayes."

4 The Calendar is complete, Supervisor.

5 (TIME NOTED: 2:09 P.M.)

6 SUPERVISOR SALADINO: Thank you.

7 MR. SCALERA: Okay, before adjourning
8 the regular meeting, Karen Underwood would like to
9 address something on one of the hearings.

10 SUPERVISOR SALADINO: Thank you very
11 much.

12 MS. UNDERWOOD: I apologize,
13 Supervisor, and Town Board. I was in the ladies'
14 room when you reconvened.

15 I would like to call for the Local Law
16 to Amend Chapter 4, Administration of Government,
17 Article XIV, Department of Environmental Resources,
18 to be reopened.

19 If I could ask the Board to reopen that
20 hearing. I would just like to read the title so we
21 have no confusion as to what is being amended.

22 SUPERVISOR SALADINO: May I have a
23 motion?

24 COUNCILWOMAN JOHNSON: Supervisor, I
25 will make a motion to reopen the hearing.

1 COUNCILMAN IMBROTO: Second.

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

4 ALL: "Aye."

5 SUPERVISOR SALADINO: Those opposed,
6 "Nay."

7 (Whereupon, there were no "Nay"
8 responses from the Board.)

9 SUPERVISOR SALADINO: The "Ayes" have
10 it.

11 (TIME NOTED: 2:10 P.M.)

12 SUPERVISOR SALADINO: The hearing is
13 reopened.

14 MS. UNDERWOOD: Okay. So the hearing
15 is reopened for the purpose of reading the title,
16 which is, "A Local Law to Amend the Code of the
17 Town of Oyster Bay, New York, Chapter 4,
18 Administration of Government, Article XIV,
19 Department of Environmental Resources, by deleting
20 and replacing Sections 4-148 and 4-150; to amend
21 Chapter 156, Noise, by deleting and replacing
22 Section 156-3, Duties and Responsibilities of Town
23 Departments; and to amend Chapter 241, Waterways,
24 by deleting and replacing Subsection 241-9."

25 There's really nothing further to say.

1 I just wanted the record to reflect that those
2 Sections that were advertised for the public
3 hearing today are included in this Local Law.

4 SUPERVISOR SALADINO: Now, to close,
5 may I have a motion?

6 COUNCILWOMAN JOHNSON: Supervisor, I'll
7 make a motion that this hearing be closed.

8 COUNCILMAN IMBROTO: Second.

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

11 ALL: "Aye."

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

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

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

18 (TIME NOTED: 2:11 P.M.)

19 COUNCILWOMAN JOHNSON: I think I was
20 supposed to make a motion to reclose the hearing,
21 keep the record open for 30 days, and the decision
22 be reserved.

23 SUPERVISOR SALADINO: May I have a
24 second?

25 COUNCILMAN IMBROTO: That's the right

1 motion, Frank?

2 MR. SCALERA: On the hearing, a motion
3 to reclose it. Like you indicated, keep it open
4 for 30 days -- closing the public portion, keeping
5 the record open for 30 days, and reserve decision
6 on that hearing, and then you make a motion to
7 adjourn your regular meeting.

8 Her motion is good on the table.

9 COUNCILMAN IMBROTO: Okay. I'll second
10 the motion on the table.

11 SUPERVISOR SALADINO: Okay. So we have
12 made the motion --

13 COUNCILMAN IMBROTO: And I seconded the
14 motion.

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

17 ALL: "Aye."

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

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

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

24 (TIME NOTED: 2:12 P.M.)

25 MR. SCALERA: Now, a motion to adjourn

1 your regular Town Board meeting.

2 COUNCILWOMAN JOHNSON: Supervisor, I
3 will make a motion to adjourn the Town Board
4 meeting.

5 COUNCILMAN IMBROTO: I'll second the
6 motion.

7 SUPERVISOR SALADINO: Seconded motion
8 to adjourn today's meeting.

9 All in favor, please signify by saying,
10 "Aye."

11 ALL: "Aye."

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

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

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

18 (TIME NOTED: 2:12 P.M.)
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