Meeting of February 2, 2016 RESOLUTION NO. TF-2-16

RESOLVED, That the Comptroller be and he hereby is directed to Transfer Funds within the various Departments Accounts as indicated:

ITEM NO.	DEPT.	AMOUNT	FROM
003-16	CYS	$ 1,346.00	CYS A 7020.47660.000.0000
			TO
			CYS A 7020.47620.000.0000
004-16	EXE	see attached	
			FROM
005-16	EXE	$ 25,000.00	HWY ST 5650.42200.000.0000
			TO
			HWY ST 5650.46300.000.0000

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
C & Y Svcs.
Finance

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 41-2016

WHEREAS, James Altadonna, Jr., Town Clerk, by memorandum dated January 7, 2016, requests Town Board authorization to renew the Town of Oyster Bay's membership in the following organizations with annual membership dues as follows:

1. Association of Towns of the State of New York: $1,950.00;

2. New York Association of Local Government Records Officers: $30.00;

3. New York State Town Clerk's Association: $75.00; and

4. Nassau/Suffolk Town Clerk's Association: $35.00.

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and James Altadonna, Jr., Town Clerk, is hereby authorized to renew the Town of Oyster Bay's membership in the abovementioned organizations for 2016, at the abovementioned annual dues, for a total amount not to exceed $2,090.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of duly certified claims, after audit, and that the funds for said payments are to be drawn from Account No. OTC A 1410 47900 000 0000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Town Clerk

Meeting of February 2, 2016 Resolution No. 42-2016

WHEREAS, Kevin M. Hanifan, Commissioner, Highway Department, and Richard A. Carozza, Permit Section, Highway Department, by memorandum dated December 10, 2015, have advised that the Highway Department is in receipt of a request from Delta Well & Pump Co., Inc., on behalf of the United States Navy, 97 Union Avenue, Ronkonkoma, New York 11779, for permission to conduct drilling and to install test wells in a Town roadway easement along the East Service Road of the Seaford-Oyster Bay Expressway, North Massapequa, New York; and

WHEREAS, Delta Well & Pump Co., Inc., has provided a Certificate of Insurance, with the Town named as an additional insured,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is approved and the Supervisor is hereby authorized to enter into an agreement with Delta Well & Pump Co., Inc., on behalf of the United States Navy, 97 Union Avenue, Ronkonkoma, New York 11779, permitting drilling and the installation of test wells in a Town of Oyster Bay roadway easement along the East Service Road of the Seaford-Oyster Bay Expressway, North Massapequa, New York.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Highway
Environmental Resources

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 43-2016

WHEREAS, Frederick P. Ippolito, Commissioner of the Department of Planning and Development, and James M. McCaffrey, Deputy Commissioner of the Department of Economic Development, by memorandum dated January 8, 2016, request Town Board authorization to renew the membership of the Town of Oyster Bay in the Long Island Association, Inc., for the period from September 1, 2015 through August 31, 2016, at a cost of $625.00,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and Frederick P. Ippolito, Commissioner of the Department of Planning and Development, and James M. McCaffrey, Deputy Commissioner of the Department of Economic Development, are hereby authorized to renew the membership of the Town of Oyster Bay in the Long Island Association, Inc., nunc pro tunc from September 1, 2015 through August 31, 2016, at a cost of $625.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment shall be drawn from Account No. DED A6610 47900 000 0000, or any other appropriate account.

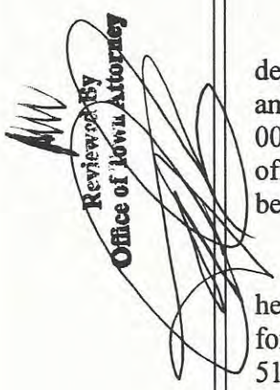
The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Economic Dev.

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Diane H. Ramos, Recreation Supervisor II, Department of Parks, by memorandum dated January 6, 2016, request Town Board authorization to establish the administrative fees for the 2016 Summer Recreation Program, as follows:

One child	$ 275.00
Two children	$ 375.00
Each additional child within a family of more than two	$ 100.00



WHEREAS, it is further requested that the total of the aforementioned monies be deposited into account number PKS A 0001 02001 510 0000, with $69,000.00 of the total amount of said monies to be deposited in Special Events Account TWN TA 0000 0085 444 0000, of which $65,000.00 shall be used for the purpose of purchasing t-shirts to be worn on all off-site field trips, supplies, and to provide transportation for all registrants, and $4,000.00 shall be used to rent trailers for use at the parks,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Town Board hereby authorizes the abovementioned fees for the 2016 Summer Recreation Program, to be deposited in Account No. PKS A 0001 02001 510 0000; and be it further

RESOLVED, That $69,000.00 of the total amount collected shall be deposited in Special Events Account TWN TA 0000 0085 444 0000, or any other appropriate account, for the purpose of purchasing t-shirts to be worn on all off-site field trips, supplies, renting trailers for use at the parks, and to provide transportation for all registrants.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 45-2016

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Diane H. Ramos, Recreation Supervisor II, Department of Parks, by memorandum dated January 11, 2016, request and recommend Town Board authorization to enter into a Co-Sponsorship Agreement with Oyster Bay Marine Supply, Inc. for the purpose of conducting the Thirty First Annual Bluefish Tournament; and

WHEREAS, the event will be conducted under the following guidelines:

1. Date: September 18, 2016
2. Time: 4:30 a.m. – 4:00 p.m.
3. Place: Theodore Roosevelt Memorial Park
4. Cost: $30.00 Residents, $40.00 Non-Residents
5. Funds collected will be deposited into the Recreation Special Events Account No. 2000 20951,to be used as follows:

A. Pay Oyster Bay Marine Supply, Inc. $4,991.50 for gift certificates with a face value of $7,450.00. Oyster Bay Marine Supply, Inc., will guarantee the gift certificates if registration fees fall below the anticipated number of anglers. Gift certificates will be awarded to contestants finishing first through fifteenth place. Additional prizes will be purchased using registration fees.

B. Additional sponsors to enhance the tournament may be added upon the approval of the Commissioner of the Department of Parks.

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request and recommendation is accepted and approved, and Frank A. Nocerino, Commissioner of the Department of Parks, and Diane H. Ramos, Recreation Supervisor II, Department of Parks, are hereby authorized to enter into a Co-Sponsorship Agreement with Oyster Bay Marine Supply, Inc., in accordance with the hereinabove stated guidelines, for the purpose of conducting the Thirty First Annual Bluefish Tournament.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 46-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, and Iris Williams, Accounting Assistant III, Department of Community and Youth Services, by memorandum dated January 8, 2016, request Town Board authorization to enter into a contract with the Nassau County Department of Human Services to receive grant funding for youth program services, for the period covering January 1, 2015 through December 31, 2015, in the amount of $65,000.00, and as Nassau County has consolidated grant recipients for their program, the Town will distribute $1,346.00 of the $65,000.00 to the Incorporated Village of Bayville,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Supervisor or his designee is hereby authorized to enter into a contract with the Nassau County Department of Human Services for Youth Program Services, in the amount of $65,000.00, nunc pro tunc, from January 1, 2015 through December 31, 2015, with the Town to distribute $1,346.00 of the $65,000.00 to the Incorporated Village of Bayville, with funds for said program to be deposited into Account No. TWN A 0000 00410 000 0000, and distributed to the Incorporated Village of Bayville from Account No. CYS A 7020 47620 000 0000, once a transfer of funds has been completed.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Community & Youth Services

Meeting of February 2, 2016 Resolution No. 47-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary E. Hurst, Director of Handicapped Services, Department of Community and Youth Services, by memorandum dated January 15, 2016, request Town Board authorization to renew the contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Service Office, for the reimbursement of family support services rendered to developmentally disabled persons, administered by the Group Activities Program, through December 31, 2016; and

WHEREAS, Long Island Developmental Disabilities Service Office will reimburse the Town a total of $113,563.00 for family support services rendered to developmentally disabled persons through the Group Activities Program (GAP),

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request is granted and approved, and the abovementioned contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Service Office, for reimbursement of a total of $113,563.00 for family support services rendered to developmentally disabled persons, administered by the Group Activities Program (GAP), is hereby renewed, through December 31, 2016.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Community & Youth Services

Meeting of February 2, 2016 Resolution No. 48-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary E. Hurst, Director of the Division of Handicapped Services for the GAP Program, Department of Community and Youth Services, by memorandum dated January 16, 2016, request Town Board authorization at a total cost of $1,150.00, to employ performers and a caterer to GAP Program participants as follows:

Quilla's Catering, Inc.
39 Alabama Avenue
Hempstead, N.Y. 11550
Performance Dates: Friday, February 5, 2016
Location: Syosset-Woodbury Community Center
Fee: $300.00

Jester Jim, Inc.
56 Candido Avenue
Shirley, New York 11967
Performance Date: Friday, February 26, 2016
Location: North Massapequa Community Center
Fee: $350.00

Kidz Entertainment, Inc.
2914 Carnation Avenue
Baldwin, New York 11510
Performance Dates: Friday, March 18, 2016
Location: North Massapequa Community Center
Fee: $500.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Department of Community and Youth Services is hereby authorized to employ the aforementioned performers and caterer, on the dates, locations and fees as abovementioned, for a total cost of $1,150.00, for the purposes of providing catering and entertainment to GAP Program participants; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. CYS A 7020 47660 000 0000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Community & Youth Services

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary E. Hurst, Director of Handicapped Services, Department of Community and Youth Services, by memorandum dated January 15, 2016, request Town Board authorization to renew the contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Service Office, for reimbursement of services in connection with an Autism Program administered by the Group Activities Program (GAP), through December 31, 2016; and

WHEREAS, Long Island Developmental Disabilities Service Office will reimburse the Town a total of $27,395.00 for said program, which shall be administered by the Group Activities Program (GAP),

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request is granted and approved, and the abovementioned contract between the Town of Oyster Bay and the Long Island Developmental Disabilities Service Office, for reimbursement of a total of $27,395.00 for services in connection with an Autism Program administered by Group Activities Program (GAP), is hereby renewed, through December 31, 2016.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Community & Youth Services

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Daniel I. Mendelson, Parks Accounting Division, Department of Parks, by memorandum dated January 12, 2016, have recommended that a refund for the month of December 2015, in the amount of $292.50, be authorized for Mr. Louis Zeppieri, 1552 Old Cedar Swamp Road, Brookville, New York 11545, for his Harry Tappen Marina boat slip, because he was unable to use his boat during the month of December,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Mr. Louis Zeppieri is hereby granted a pro-rata refund in the amount of $292.50, with the administrative fee being waived, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 526 0000, or any other appropriate account.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Meeting of February 2, 2016 Resolution No. 51-2016

WHEREAS, on August 4, 2015, the Town Board adopted Resolution No. 449-2015 approving and appointing Intercounty Judicial Services, LLC, 85 Willis Avenue, Suite F, Mineola, New York 11501, as process server for the Office of the Town Attorney, for the 2015 calendar year, at a cost of $1,500.00, and

WHEREAS, Leonard Genova, Town Attorney, and Regan U. Lally, Assistant Town Attorney, by memorandum dated January 13, 2016, advise that Intercounty Judicial Services, LLC, process service costs exceeded the previously authorized sum and the Town Board is hereby requested to authorize an additional sum of $182.00 to satisfy fees owed for the calendar year 2015, and

WHEREAS, funds are available in Account No. OTA A 1420 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board does hereby approve the authorization of an additional sum of $182.00 for purposes of payment to Intercounty Judicial Services, LLC, for process services for the calendar year 2015, and be it further

RESOLVED, That payment is hereby authorized and directed to be made upon submission of a duly certified claim, after audit by the Comptroller, from Account No. OTA A 1420 44800 000 0000, or any other appropriate account.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Meeting of February 2, 2016 Resolution No. 52-2016

Reviewed By
Office of Town Attorney

WHEREAS, by Town Board Resolution No. 84-2015, adopted on February 24, 2015, the Town of Oyster Bay's Department of Community and Youth Services was authorized to pay an annual licensing fee to the American Society of Composers, Authors and Publishers ("ASCAP"); and

WHEREAS, Patricia A. Beckerle, Deputy Commissioner of the Department of Community and Youth Services, and Iris Williams, Accounting Assistant III, Department of Community and Youth Services, by memorandum dated January 19, 2016, state that all music performed through the Town's programs must be licensed through ASCAP, and request Town Board approval, to pay the 2016 licensing fee to ASCAP for the period covering January 1, 2016 through December 31, 2016, in the amount of $2,548.00; and

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request is granted, and the Town Board hereby authorizes, the payment of the 2016 licensing fee to ASCAP, nunc pro tunc from January 1, 2016 through December 31, 2016, in the amount of $2,548.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds for said payment to be drawn from Account No. CYS A 7020 47660 000 0000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Community & Youth Services

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 53-2016

WHEREAS, by Resolution 778-2014, the Town Board authorized the following professional court reporters to provide stenographic services to the Office of the Town Attorney, from January 1, 2015 through December 31, 2015, with two (2) one (1) year extension options:

Veritext Court Reporting
200 Old Country Road
Mineola, New York 11501

Elite Stenotype
78 Division Avenue
Massapequa, New York 11758

Key Court Reporting
5 Wisteria Lane
Wantagh, New York 11793

Fevola Reporting & Transcription Inc.
15 Franciscan Lane
Smithtown, New York 11787

On-Time Court Reporting, Inc.
263 Brown Street
Mineola, New York 11501

North Shore Court Reporters
P.O. Box 382
Manhasset, New York 11030

WHEREAS, by memorandum dated January 11, 2016, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, recommend that the Town exercise the first of two, one-year options, with funds to be drawn from Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned professional court reporters are hereby authorized to provide stenographic services to the Office of the Town Attorney, *nunc pro tunc* from January 1, 2016 through and including December 31, 2016, in an amount not to exceed $10,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, or any other appropriate account, upon submission of a duly certified claim, after audit.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Meeting of February 2, 2016 Resolution No. 54-2016

WHEREAS, Resolution No. 746-2015, adopted on December 15, 2015, authorized Nelson & Pope Engineers & Surveyor, PLLC, to provide technical services under Contract No. PWC 15-16, On-Call Engineering Services Relative to Traffic Engineering; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated January 19, 2016, request that Nelson & Pope Engineers & Surveyor, PLLC, be authorized to provide technical services for Project I.D. No. 1403-HWYDB-03 including conceptual plans to depict various traffic calming measures along Renee Road in Syosset, New York, and further request that the Comptroller issue an encumbrance order in the amount of $15,000.00, with funds to be drawn from Account No. HWY H 5197 20000 000 1403 008,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Nelson & Pope Engineers & Surveyor, PLLC, is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of $15,000.00 for Contract No. PWC 15-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1403 008, or any other appropriate account.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 55-2016

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Daniel I. Mendelson, Parks Accounting Division, Department of Parks, by memorandum dated January 12, 2016, have recommended that a refund in the amount of $75.00 be authorized for Mr. Sigifredo Arreguin, 196 Oyster Bay Road, Locust Valley, New York 11560, for his picnic permit, due to the cancellation of his picnic at Theodore Roosevelt Memorial Park,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Mr. Sigifredo Arreguin is hereby granted a refund in the amount of $75.00, with the administrative fee being waived, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 523 0000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Meeting of February 2, 2016 Resolution No. 56-2016

WHEREAS, by Resolution No. 389-2015, adopted July 7, 2015, the Town Board authorized the payment of court reporters who are employed by the New York State Judiciary and are assigned to cases without input from the Town; and

WHEREAS, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated January 13, 2016, have advised that an additional sum of $354.60 is necessary to satisfy fees owed to Ronda Acker, 100 Supreme Court Drive, Mineola, New York 11501, with such funds to be drawn from Account No. OTA A 1420 44110 000 0000.

NOW, THEREFORE, BE IT RESOLVED, That Town Board hereby authorizes the additional sum of $354.60 in order to satisfy fees owed to Court assigned court reporters; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment from Account No. OTA A 1420 44110 000 0000, or any other appropriate account, upon submission of a duly certified claim, after audit.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Corrected Copy
Resolution No. 57-2016

Meeting of February 2, 2016

WHEREAS, Resolution No. 687-2015, adopted on November 24, 2015, awarded Cashin Associates, P.C., a contract to provide engineering services under Contract No. DPW 15-124, Permanent Generators at Critical Facilities in Massapequa and Massapequa Park, New York, and this Resolution further authorized the Supervisor, or his designee, to execute a Consultant Agreement specifically developed for this Project; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public works, by memorandum dated January 19, 2016, recommend that a revised Consultant Agreement be executed by the Supervisor, or his designee, as several changes to the Consultant's Agreement were required to be made following further review by the New York State Governor's Office of Storm Recovery (GOSR) and Cashin Associates, P.C.,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as set forth hereinabove is approved, and the Supervisor, or his designee, is hereby authorized to execute a revised Consultant's Agreement with Cashin Associates, P.C., pursuant to the engineering services provided by said Consultant in connection with Contract No. DPW 15-124.

Reviewed By
Office of Town Attorney
Martin Alessi

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
Intergovernmental Affairs

Meeting of February 2, 2016

Corrected Copy
Resolution No. 58-2016

Reviewed By
Office of Town Attorney

WHEREAS, this Town Board has heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board of the Town of Oyster Bay must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of $10,000.00; and

WHEREAS, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, by memorandum dated January 19, 2016, have advised that claimant Travelers Home and Marine Insurance Company as subrogee of Salvatore Gragnaniello has paid No-Fault benefits to its insured as a result of a Town vehicle having struck its insured's vehicle on Stewart Avenue, Bethpage, New York; and

WHEREAS, The Town Attorney's office has negotiated the settlement of this matter in the sum of $25,000.00, and recommends and requests authorization to sign the documents to complete the settlement,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the sum of $25,000.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to claimant, Travelers Home and Marine Insurance Company as subrogee of Salvatore Gragnaniello, with regard to Claim No.: 2012-3728, and the Comptroller is hereby authorized and directed to make payment therefore, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to Travelers Home and Marine Insurance Company as subrogee of Salvatore Gragnaniello, in the amount of $25,000.00; and be it further

RESOLVED, That the Town Attorney's Office is authorized to sign all documentation to execute the settlement; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No.: TWN AMS 1910 43020 602 0000 000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 59-2016

WHEREAS, by Resolution No. 51-2015, adopted on February 3, 2015, the Town Board authorized the procurement of several court reporters to provide stenographic services with respect to Town of Oyster Bay employee relations matters; and

WHEREAS, Leonard Genova, Town Attorney, and Anthony C. Curcio, Assistant Town Attorney, by memorandum dated January 13, 2016, have requested authorization to provide an additional amount of $180.00, to satisfy fees owed to North Shore Court Reporters, P.O. Box 382, Manhasset, New York 11030 for services and expenses in connection therewith, to be paid from Account No. OTA A 1420 44800 000 0000, or any other appropriate account,

NOW THEREFORE BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved for additional funds, in the amount of $180.00, to North Shore Court Reporters, P.O. Box 382, Manhasset, New York 11030, for services and expenses in connection therewith; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment shall be drawn from Account No. OTA A 1420 44800 000 0000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 60-2016

WHEREAS, Burns, Russo, Tamigi & Reardon, LLP, by Resolution No. 26-2015, adopted on January 20, 2015, was duly appointed as Special Counsel to represent and provide legal services for the Town of Oyster Bay in connection with the Town's Self-Insurance Program; and

WHEREAS, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, by memorandum dated January 19, 2016, advise that legal fees and disbursements have exceeded the previously authorized sum, and it is now necessary to request an additional sum, not to exceed $275,000; and

WHEREAS, funds will be available in Account Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS 1910 43020 602 0000 000, or other appropriate account,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board does hereby approve the authorization of an additional sum not to exceed $275,000 for purposes of payment to the law offices of Burns, Russo, Tamigi & Reardon, LLP, for legal fees and disbursements as Special Counsel, which sum is to be paid at the predetermined rate; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said Special Counsel for legal fees and disbursements rendered upon the submission of a duly certified claim, after audit by the Comptroller, with the funds to be drawn from Account Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS 1910 43020 602 0000 000, or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Corrected Copy

Meeting of February 2, 2016 Resolution No. 61-2016

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and George Baptista, Jr., Deputy Commissioner of the Department of Parks, by memorandum dated January 19, 2016, have advised that as a result of a Request for Proposal issued by the Department of Parks soliciting for the Design, Production and Delivery of a Bronze Statue in the likeness of Detective Brian Moore, to be installed at Plainedge Park, North Massapequa, New York, the Department of Parks received a proposal from BRODIN STUDIOS, INC., 70127 330th Street, Kimball, MN 55353, which the Department has decided will most effectively meet the criteria contained in the Request for Proposal; and

WHEREAS, Commissioner Nocerino and Deputy Commissioner Baptista request Town Board authorization for the Supervisor to enter into a contract with BRODIN STUDIOS, INC., to design, produce and install said statue at a cost of $45,000.00, with an additional cost of $2,775.00 for delivery, shipping, and handling, to be paid from Account No. TWN TA 0000 00085 452; and

WHEREAS, the Town, by various Resolutions, has already received and accepted donations equaling the cost of the design, production, delivery, shipping, handling and installation of said statue, so that all of same may be accomplished at no expense to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the request as set forth hereinabove is accepted and approved, and the Supervisor is hereby authorized to enter into a contract with BRODIN STUDIOS, INC., to design, produce and install a bronze statue in the likeness of Detective Brian Moore, to be installed at Plainedge Park, North Massapequa, New York, at a cost of $45,000.00, with an additional cost of $2,775.00 for delivery, shipping, and handling; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. TWN TA 0000 00085 452 or any other appropriate account.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Meeting of February 2, 2016 Resolution No. 62-2016

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts for fire protection for the 2016 Calendar Year, said hearing to be held in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on February 23 , 2016, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the Oyster Bay Enterprise Pilot, Plainview Herald, Farmingdale Observer, Glen Cove Record Pilot Newspapers of general circulation in the Town of Oyster Bay, pursuant to the provisions of law.

Reviewed By
Office of Town Attorney

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 63-2016

BE IT ORDAINED, by the Town Board of the Town of Oyster Bay, County of Nassau, State of New York, that the Code of the Town of Oyster Bay, New York, adopted October 5, 1971, and recodified April 22, 1991, as Chapter 233, as amended, be and the same is further amended as follows:

That the following locations be ADDED to SECTION 17-25 of the said Code establishing thereunder the following intersections as STOP intersections and stop signs shall be erected at appropriate places facing traffic on the stop street. All traffic on a stop street approaching a through street from either direction, unless otherwise designated, shall come to a full stop before entering the through street.

	THROUGH STREET	STOP STREET
BETHPAGE	MARBOURNE ROAD	ELIZABETH DRIVE, northbound
	ELIZABETH DRIVE	MARBOURNE ROAD, eastbound
	CHESHIRE ROAD	SURREY LANE, westbound
	SURREY LANE	CHESHIRE ROAD, northbound
	SURREY LANE	EILEEN AVENUE, northbound
	SURREY LANE	DEVON ROAD, northbound
FARMINGDALE	SPRUCE STREET	JAMES STREET, east & west
	PLAINVIEW ROAD	DOLPHIN DRIVE, north & south
	DOLPHIN DRIVE	PLAINVIEW ROAD, westbound
HICSVILLE	9TH STREET	DIVISION AVENUE, north & south
JERICHO	ESSEX PLACE	SULLIVAN DRIVE, eastbound
	SULLIVAN DRIVE	ESSEX PLACE, southbound
	RICHMOND AVENUE	SULLIVAN DRIVE, westbound
LOCUST VALLEY	OYSTER BAY ROAD	COCKS LANE, westbound
MASSAPEQUA	EAST SHORE DRIVE	SOUTH MERRICK RD, east & west
OLD BETHPAGE	PASTURE LANE	VOORHIS DRIVE, southbound (southernmost section)
PLAINVIEW	JULLIARD DRIVE	JOSLYN DRIVE, northbound
	SUTTON DRIVE	JOSLYN DRIVE, southbound
	BLUEBIRD LANE	PARKWAY DRIVE, northbound
	JEREMY AVENUE	COUNTRY DRIVE, north & south

That the following location be DELETED from SECTION 17-25 of the said Code:

	THROUGH STREET	STOP STREET
BETHPAGE	ARDVIN LANE	ELIZABETH DRIVE, northbound
	DEVON ROAD	SURREY LANE, eastbound

That the following location be DELETED from SECTION 17-44 of the said Code: SYOSSET - Burke Lane - No Right Turn - westbound traffic from the egress Driveway of the indoor Facility Shall be prohibited from Turning Right onto Burke Lane.

That the following locations be ADDED to SECTION 17-152 of the said Code establishing NO STOPPING ZONES, which shall be appropriately designated by posted signs: BETHPAGE - Powell Avenue - No Stopping Here to Corner - south side - starting from the west curbline of Cambridge Avenue, west for a distance of 35 feet; south side - starting from the west curbline of Concord Avenue, west for a distance of 43 feet. HICKSVILLE - Jerusalem Avenue - No Stopping Here to Corner - east side - starting from the north curbline of Harnat Court, north for a distance of 35 feet. Harnat Court - No Stopping Here to Corner - south side - starting from the east curbline of Jerusalem Avenue, east for a distance of 35 feet. Lawrence Street - No stopping Here to Corner - west side - starting from the north curbline of Harnat Court, north for a distance of 35 feet. Charlotte Avenue - No Stopping Here to Corner- east side - starting at the north curbline of Old Country Road, north for a distance of 70 feet; No Stopping Anytime - east side - starting at a point 70 feet north of the north curbline of Old Country Road, north to the south curbline of Duffy Avenue.

Second Street - No Stopping Here to Corner - southwest side - starting from the extended west curbline of Jerusalem Avenue, west to a point 50 feet of said extended curbline; northeast side - from extended east curbline of Jerusalem Avenue, east to a point 55 feet of said extended curbline; Fourth Street - No Stopping Here to Corner - southwest side - from extended west curbline of Jerusalem Avenue, west to a point 50 feet of said extended curbline. Seventh Street - No Stopping Here to Corner - southwest side - from extended west curbline of Jerusalem Avenue, west to a point 55 feet of said extended curbline; northeast side - from extended east curbline of Jerusalem Avenue, east to a point 70 feet of said extended curbline. Tenth Street - No Stopping Here to Corner - southwest side - from extended west curbline of Jerusalem Avenue, west to a point 50 feet of said extended curbline; northeast side - from extended east curbline of Jerusalem Avenue, east to a point 55 feet of said extended curbline. Maglie Drive - No Stopping here to Corner - northeast side - from extended east curbline of Jerusalem Avenue, east to a point 50 feet of said extended curbline. Winding Road - No Stopping Here to Corner - southwest side - from extended west curbline of Jerusalem Avenue, west to a point 45 feet of said extended curbline. Service Road to Winding Road - No Stopping Here to Corner - west side - from extended south curbline of Winding Road, south to a point 35 feet of said extended curbline. MASSAPEQUA - Rhode Island Avenue - No Stopping Here to Corner - north side - starting at the east curbline of Broadway east for a distance of 53 feet. PLAINVIEW - Northern Parkway - No Stopping Here to Corner - south side - starting from the east curbline of Wood Lane, east for a distance of 35 feet. SYOSSET - Whitman Avenue - No Stopping Here to Corner - west side - starting at the south curbline of Willets Avenue, south for a distance of 35 feet. Burke Lane - No Stopping Anytime - east side - starting at a point 247 feet north of the north curbline of Jericho Turnpike, north for a distance of 30 feet; east side - starting at a point 527 feet north of the north curbline of Jericho Turnpike, north for a distance of 108 feet.

That the following locations be DELETED from SECTION 17-152 of the said Code: HICKSVILLE - Maglie Drive - No Stopping Here to Corner - north side - starting at the east curbline of Jerusalem Avenue, east for a distance of 30 feet. Charlotte Avenue - No Stopping Anytime - east side - starting at the north curbline of Old Country Road, north for a distance of 32 feet; east side - starting from the north curbline of Old Country Road, north to Duffy Avenue. MASSAPEQUA - Rhode Island Avenue - No Stopping Here to Corner - north side - starting at the east curbline of Broadway, east for a distance of 20 feet. SYOSSET - Burke Lane - No Stopping Anytime - east side - starting at a point 180 feet north of the north curbline of Jericho Turnpike, north for a distance of 255 feet.

That the following location be ADDED to SECTION 17-153 of the said Code establishing NO STOPPING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: SYOSSET - Burke Lane - No Parking 7am to 4pm, except Saturday, Sunday and Holidays - west side - starting at a point 535 feet north of the north curbline of Jericho Turnpike, north for a distance of 117 feet.

That the following location be ADDED to SECTION 17-165 of the said Code, establishing NO PARKING ZONES, which shall be appropriately designated by posted signs: SYOSSET - Edward Avenue - No Parking Anytime - north side - starting at a point 120 feet west of the west curbline of Jackson Avenue, west for a distance of 50 feet.

That the following locations be ADDED to SECTION 17-166 of the said Code establishing NO PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: HICKSVILLE -Fifth Street - No Parking 8am to 4pm School Days - south side - starting at a point 165 feet west of the west curbline of Jerusalem Avenue, west for a distance of 60 feet. Herzog Place - No Parking 9am to 5pm Sundays - south side - starting at a point 120 feet west of the west curbline of South Broadway, west for a distance of 50 feet. MASSAPEQUA - West Shore Drive - No Parking 8am to 6pm except Saturday, Sunday and Holidays - west side - starting at a point 120 feet south of the west curbline of Merrick Road, south for a distance of 62 feet. Grove Street - No Parking 9am to 5pm except Sunday and Holidays - south side - starting at a point 175 feet east of the east curbline of Seaford Avenue, east for a distance of 60 feet. OYSTER BAY - White Street - No Parking 8am to 4pm except Saturday, Sunday and Holidays - east side - starting at a point 140 feet north of the north curbline of East Main street, north for a distance of 75 feet.

That the following location be DELETED from SECTION 17-166 of the Said Code: HICKSVILLE - Fifth Street No Parking 8am to 4pm School Days - south side - starting at a point 105 feet west of the west curbline of Jerusalem Avenue, west for a distance of 120 feet. Fourth Street - No Parking 8am to 2pm School Days - south side - starting at the west curbline of Jerusalem Avenue, west to the east curbline of Division Avenue.

That the following locations be ADDED to SECTION 17-168 of the said Code establishing LIMITED PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: HICKSVILLE - East Cherry Street - One Hour Parking 9am to 12pm except Saturday, Sunday and Holidays - west side - starting at the south curbline of Kraemer Street, south to the dead end termination. Second Street - Two Hour Parking 8am to 4pm School Days - south side - starting at a point 50 feet west of the extended curbline, west to the east curbline of Division Avenue. Fourth Street - Two Hour Parking 8am to 2pm School Days -south side - starting at a point 50 feet west of the extended west curbline of Jerusalem Avenue, west to the east curbline of Division Avenue. SYOSSET - Arizona Avenue - Two Hour Parking 9am to 5pm except Saturday, Sunday and Holidays - south side - starting at a point opposite the west curbline of Montana Court, west for a distance of 62 feet.

That the following locations be DELETED to SECTION 17-168 of the said Code: BETHPAGE - Railroad Avenue - Two Hour Parking 8am to 4pm except Saturday, Sunday and Holidays - north side - starting at the north curbline of Burkhardt Avenue, west to the east curbline of South Fourth Street. HICKSVILLE - Second Street - Two Hour Parking 8am to 4pm School Days - south side - starting at the west curbline of Jerusalem Avenue, west to the east curbline of Division Avenue. Fourth Street - No Parking 8am to 2pm School Days - south side - starting at the west curbline of Jerusalem Avenue, west to the east curbline of Division Avenue.

That the following location be ADDED to SECTION 17-184 of the said Code establishing: NO PARKING DURING CERTAIN DAYS OR HOURS, which shall be appropriately designated by posted signs: BETHPAGE - Ennis Avenue - No Parking 8am to 10am except Saturday, Sunday and Holidays - north side - starting at the east curbline of Iram Place, east for a distance of 93 feet. Iram Place - No Parking 8am to 10am except Saturday, Sunday and Holidays - east side - starting at the north curbline of Ennis Avenue, south for a distance of 83 feet. HICKSVILLE - Second Street - No Parking School Days 7am to 8:30 am - north side - starting from a point 55 feet east of the extended east curbline of Jerusalem Avenue, east to the west curbline of Sterling Place. SYOSSET - Nathan Court - No Parking 10am to 12pm except Saturday, Sunday and Holidays - west side - starting at a point 235 feet south of the south curbline of Ira Road, south for a distance of 45 feet.

That the following location be DELETED to SECTION 17-184 of the said Code: HICKSVILLE - Second Street - No Parking School Days 7am to 8:30 am - north side - starting at the east curbline of Jerusalem Avenue, east to the west curbline of Sterling Place.

That the following location be ADDED to SECTION 17-215 of the said Code establishing: No Trucks Over 4 Tons Gross Weight except Local Delivery, which shall be appropriately designated by posted signs: BETHPAGE - Laurel Place - north side - No Trucks Over 4 Tons Gross Weight except Local Delivery - 20 feet west of the west curbline of Sheridan Avenue. GLEN HEAD - Scudders Lane - No Trucks Over 4 Tons Gross Weight, Except Local Delivery - from the west curbline of Glen Cove Avenue, west to the east curbline of Cody Avenue.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Safety
Highway
Public Works

Reviewed By
Office of Town Attorney

February 2, 2016 Resolution No. 64-2016

WHEREAS, M&B BUILDING OWNERS II, LLC, fee owner and QUICKCHEK CORPORATION, lessee, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to operate an accessory retail store in a General Business ("GB") Zone, Modification of the existing Declaration of Covenants and Restrictions, and Site Plan Approval for the construction of a gasoline station and accessory retail store, located on the north side of Hempstead Turnpike, at the northwest corner of the intersection with New York State Route 107, Bethpage, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block 579, Lot 37 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on September 29, 2015, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Town Environmental Quality Review Commission, did, by Resolution No. 728-15, adopted on December 15, 2015, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10056-16, adopted on January 7, 2016, recommended local determination of said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Frederick P. Ippolito, Commissioner of the Department of Planning and Development, by memorandum dated July 13, 2015, has advised that the Department of Planning and Development has reviewed the following seventeen (17) plans prepared by Joseph A. Deal, P.E., Bohler Engineering, Hauppauge, NY, and the following three (3) plans prepared by Gary Kliesch, A.I.A., Gary Kliesch and Associate Architects, P.C.:

SHEET NO.	TITLE		DATE
C-1	COVER SHEET	Joseph A. Deal, P.E.	06/02/15
C-2	REMOVALS PLAN	Joseph A. Deal, P.E.	06/02/15
C-3	SITE PLAN	Joseph A. Deal, P.E.	06/02/15
C-4	GRADING PLAN	Joseph A. Deal, P.E.	06/02/15
C-5	DRAINAGE PLAN	Joseph A. Deal, P.E.	06/02/15
C-6	PHASE I SOIL EROSION & SEDIMENT CONTROL PLAN	Joseph A. Deal, P.E.	06/02/15
C-7	PHASE II SOIL EROSION &		

	SEDIMENT CONTROL PLAN	Joseph A. Deal, P.E.	06/02/15
C-7	PHASE II SOIL EROSION & SEDIMENT CONTROL PLAN	Joseph A. Deal, P.E.	06/02/15
C-8	SOIL EROSION & SEDIMENT CONTROL DETAILS	Joseph A. Deal, P.E.	06/02/15
C-9	UTILITY & SANITARY PLAN	Joseph A. Deal, P.E.	06/02/15
C-10	LANDSCAPE PLAN	Joseph A. Deal, P.E.	06/02/15
C-11	LANDSCAPE NOTES	Joseph A. Deal, P.E.	06/02/15
C-12	LIGHTING PLAN	Joseph A. Deal, P.E.	06/02/15
C-13	SITE DETAILS I	Joseph A. Deal, P.E.	06/02/15
C-14	SITE DETAILS II	Joseph A. Deal, P.E.	06/02/15
C-15	R.O.W. DETAILS	Joseph A. Deal, P.E.	06/02/15
TR-1	FUELING TRUCK TURN EXHIBIT	Joseph A. Deal, P.E.	06/02/15
TR-2	WB-50 LOADING TRUCK RUN EXHIBIT	Joseph A. Deal, P.E.	06/02/15
A-1	PROPOSED FLOOR PLAN	Gary Kliesch, A.I.A.	04/17/15
A-2	PROPOSED BUILDING ELEVATIONS	Gary Kliesch, A.I.A.	04/17/15
A-3	PROPOSED BUILDING ELEVATIONS (CONT'D), BUILDING SIGN DETAIL	Gary Kliesch, A.I.A.	04/17/15

NOW, THEREFORE, BE IT RESOLVED, That the Petition of M&B BUILDING OWNERS II, LLC, fee owner and QUICKCHEK CORPORATION, lessee, for a Special Use Permit to operate an accessory retail store in a General Business ("GB") Zone, Modification of the existing Declaration of Covenants and Restrictions, and Site Plan Approval for the construction of a gasoline station and accessory retail store, located on the north side of Hempstead Turnpike, at the northwest corner of the intersection with New York State Route 107, Bethpage, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block 579, Lot 37 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being near Bethpage, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Bethpage Turnpike (Hempstead-Farmingdale Turnpike) where the same is intersected by the extreme southerly end of a line bearing South 48 degrees 10 minutes 45 seconds West having a length of 67.67 feet which line connects the said northerly side of Bethpage Turnpike with the westerly side of Massapequa-Glen Cove Road (Hicksville-Massapequa Road) and from point of BEGINNING;

RUNNING THENCE westerly along the northerly side of Bethpage Turnpike, the following two courses and distances:

1) Westerly along the arc of a curve having a radius of 4543.75 feet, a distance of 7.86 feet;
2) North 72 degrees 23 minutes 30 seconds West, 169.15 feet to land now or formerly of Loomis J. Grossman;

THENCE North 1 degree 26 minutes 32 seconds East along the said last mentioned land 312.57 feet;

THENCE South 76 degrees 02 minutes 44 seconds East, 146.84 feet to the westerly side of Massapequa-Glen Cove Road;

THENCE South 13 degrees 32 minutes 42 seconds East along the westerly side of Massapequa-Glen Cove Road, 293.63 feet to the extreme northerly end of the line having a length of 67.67 feet to the northerly side of Bethpage Turnpike at the point or place of BEGINNING.

TOGETHER with an easement for ingress and egress for pleasure and commercial automobiles over additional land described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being near Bethpage, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Glen Cove-Massapequa Road distant 293.63 feet northerly from the extreme northerly end of a line which connects the westerly side of Glen Cove-Massapequa Road with the northerly side of Bethpage Turnpike;

RUNNING THENCE North 76 degrees 02 minutes 44 seconds West, 146.84 feet;

THENCE North 1 degree 26 minutes 32 seconds East, 51.22 feet to land now or formerly of William F. Hahn;

THENCE along the land now or formerly of William F. Hahn South 76 degrees 02 minutes 44 seconds East, 131.91 feet to the westerly side of Glen Cove-Massapequa Road;

THENCE along said last mentioned road South 13 degrees 32 minutes 42 seconds East, 56.37 feet to the point or place of BEGINNING.

SAID PREMISES being known as 3965 Hempstead Turnpike, Bethpage, New York 11714, and designated as Section 46 Block 579 Lot 37 on the Land and Tax Map of Nassau County;

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises, as modified by a Declaration of Restrictive Covenants imposed by the Petitioners, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Frederick P. Ippolito, Commissioner of the Department of Planning and Development, dated July 13, 2015, the twenty (20) plans described herein are hereby approved.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources
Planning & Development

Reviewed By
Office of Town Attorney

Meeting of February 2, 2016 Resolution No. 65-2016

WHEREAS, Town Board member Rebecca Alesia requested that the Supervisor issue an Executive Order suspending the Site Plan Approval originally issued to Guru Gobino Singh Sikh Center affecting the premises located at 1065 Old Country Road, Plainview, New York, known as Section 47, Block 7, Lot 36 on the Land and Tax Map of Nassau County, on the basis that Guru Gobino Singh Sikh Center is not in compliance with the contingency requiring applicant to acquire the premises at 1082 Old Country Road, Plainview, New York, to provide adequate parking for the application; and

WHEREAS, Ms. Alesia further requested that the Town Board approve the Executive Order of the Supervisor, as requested; and

WHEREAS, Ms. Alesia further requested that the Town Board have the applicant appear before the Board on a date certain, and that the Town Board be the oversight committee to review this application in its entirety; and

WHEREAS, Supervisor John Venditto issued an Executive Order that the Site Plan Approval issued to Guru Gobino Singh Sikh Center be suspended immediately, and that Guru Gobino Singh Sikh Center be directed to appear before the Town Board, which will act as the oversight committee on this application affecting premises 1065 Old Country Road, Plainview, New York, known as Section 47, Block 7, Lot 36 on the Land and Tax Map of Nassau County,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board approved the Executive Order issued by the Supervisor, which suspended the Site Plan Approval issued to Guru Gobino Singh Sikh Center; and be it further

RESOLVED, That the applicant be directed to appear before the Town Board, which shall act as an oversight committee for this application.

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Planning & Development