

John Laming
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Reviewed By
Office of Town Attorney
John M. ...

Meeting of February 23, 2016

RESOLUTION P-4-16

WHEREAS, The 2016 Budget, adopted October 13, 2015 established the titles and salaries of officers and employees of the Town of Oyster Bay pursuant to Section 27 of Town Law, and other Local Laws relating to the establishment of Town Departments, and Rules and Regulations governing appointments, etc., of employees; and

WHEREAS, The adoption of said 2016 Budget, on October 13, 2015, was by a Resolution of the Town Board; and

WHEREAS, Resolution #P1063, dated December 12, 1972, provides a procedure for the amendment of the Resolution establishing grades, salaries and titles as required and requested by Department Heads,

NOW, THEREFORE, BE IT RESOLVED, That the Budget as adopted be and hereby is amended to reflect the approved additions and deletions as indicated by the attached.

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
Town Clerk	Councilman Coschignano	Aye
Cc: Town Board	Councilman Pinto	Aye
Supervisor	Councilwoman Alesia	Aye
Human Resources	Councilwoman Johnson	Aye
Comptroller		
Payroll		

Meeting of February 23, 2016

Resolution No. TF3-2016

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

ITEM NO.	DEPT.	AMOUNT	DECREASE
006-16	DPW	\$ 550.00	DPW A 1640.41200.000.0000
			TO/CREATE
			DPW A 1640.21000.000.0000
			FROM
007-16	PKS	\$ 2,000.00	PKS A 7110.46300.000.0000
			TO
			PKS A 7110.47660.000.0000

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)
Public Works
Parks

Meeting of February 23, 2016

Resolution No. 66-2016

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Liz Carroll, Town of Oyster Bay Ice Skating Center, Department of Parks, by memorandum dated January 12, 2016, request Town Board authorization for a waiver of skate rentals and ice rink fees for the use of the Town of Oyster Bay Ice Skating Center on January 30, 2016 from 3:45 p.m. to 7:45 p.m. and the Syosset-Woodbury Community Park Ice Rink on January 31, 2016 from 8:00 a.m. to 9:30 a.m. by the Long Island Blues Special Hockey for their Winter Classic fundraiser on behalf of Special Athletes and their families,

NOW, THEREFORE, BE IT RESOLVED, That the request for Town Board authorization as hereinabove set forth is accepted and approved, and the skate rentals and ice rink fees are hereby waived, for the use of the Town of Oyster Bay Ice Skating Center on January 30, 2016 from 3:45 p.m. to 7:45 p.m. and the Syosset-Woodbury Community Park Ice Rink on January 31, 2016 from 8:00 a.m. to 9:30 a.m. by the Long Island Blues Special Hockey, nunc pro tunc from January 30, 2016, for their Winter Classic fundraiser on behalf of Special Athletes and their families.

Reviewed By
Office of Town Attorney
Frank A. Nocerino

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 23, 2016

Resolution No. 67-2016

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated January 26, 2016, requests Town Board authorization to renew the membership of the following employees in the New York State Association for Solid Waste Management for 2016, at an annual fee of \$75.00 per person, for a total amount of \$300.00:

Neil O. Bergin, Commissioner of the Department of Environmental Resources
Daniel Pearl, Deputy Commissioner of the Department of Environmental Resources
Maryann Webb, Research Assistant, Office of the Town Board
Gary Terrell, Supervisor, Solid Waste Disposal District

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request is granted and approved, and Neil O. Bergin, Commissioner of the Department of Environmental Resources, is hereby authorized to renew the membership of the abovementioned employees in the New York State Association for Solid Waste Management, for the 2016 calendar year, at an annual fee of \$75.00 per person, for a total amount of \$300.00; 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 are to be drawn from Account No. DER SR05 8160 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)
Environmental Resources

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Diane H. Ramos, Recreation Supervisor II, Department of Parks, by memorandum dated January 22, 2016, have requested Town Board authorization to co-sponsor the following events with the Greater Long Island Running Club (GLIRC), under the following terms and conditions:

1. All races will be sanctioned by USA Track and Field (USATF) provided by the GLIRC.
2. All courses will be certified and registered with USATF by the GLIRC.
3. USATF will provide all runners with insurance through the GLIRC in a timely manner before each race. GLIRC will provide the Town with said certificate of insurance before each event.
4. The races will be administered by the GLIRC.
5. Refreshments for the courses as well as those needed during the race will be provided by the GLIRC.
6. All fees will be collected and accounted for by the GLIRC. They are:
 - A) **Northwell Run for ASPIRE:** \$25.00, \$30.00 Day of Race
 - B) **Runner's Edge Tobay Triathlon & Tri-Relay:**

Individual	\$75.00 postmarked by 3/31/16,
	\$85.00 postmarked by 4/1/16-4/30/16
	\$100.00 postmarked by 5/1/16-5/31/16
	\$115.00 postmarked by 6/1/16-6/30/16
	\$135.00 thereafter until entries close
	Town of Oyster Bay residents deduct \$10.00 from these fees.
Team/Person	\$55.00 postmarked by 3/31/16
	\$60.00 postmarked by 4/1/16-4/30/16
	\$75.00 postmarked by 5/1/16-5/31/16
	\$85.00 postmarked until entries close
	Town of Oyster Bay residents deduct \$6.00 per team member from the above fees
 - Tobay Triathlon for Children:**
\$25.00 Race, \$30.00 Day of Race
 - Youth Triathlon Training Clinics:**
\$25.00 for all sessions

Reviewed By
Office of Town Attorney
Ann Gordon

C) Supervisor's 5K Run

\$25.00
\$21.00 Town of Oyster Bay Residents
\$30.00 Day of Race

D) Rob's Run

\$26.00
\$30.00 Day of Race

E) Ho Ho Ho Holiday Run

\$25.00
\$30.00 Day of Race

7. Sponsors to enhance the event may be added by the GLIRC, upon the approval of the Commissioner of the Department of Parks.
8. Camera ready artwork for applications will be provided by the GLIRC, printed on recycled paper by the Town of Oyster Bay.
9. Artwork for race day memento tee shirts must be provided by the GLIRC, and approved by the Commissioner of the Department of Parks. The Department of Parks will provide payment for instructors, tee shirts and other incidental costs for the Youth Triathlon Training Clinics – not to exceed \$10,000.00. The Department of Parks will provide partial payment for timing services for the Triathlon – not to exceed \$6,000.00. Payment, not to exceed \$4,000.00, will be provided for the cost of printing the Runner's Edge Tobay Triathlon results book. The costs for the Youth Triathlon Training clinics will be charged to Account No. PKS A 7110 47670 000 0000. The cost for the printing and timing services will be charged to Account No. PKS A 7110 44900 000 0000.
10. All personnel necessary to conduct race registration for each race must be provided by the GLIRC.
11. Numbers must be provided by the GLIRC, and logos on same must be approved by the Commissioner of the Department of Parks.
12. The awards ceremony immediately following each event must be conducted by the GLIRC. Awards, as listed, must bear the Town logo. The GLIRC will provide awards for all listed events except the Northwell Run for ASPIRE. The Town will provide awards for the Northwell Run for ASPIRE.
13. The races will be conducted as follows:

Northwell Run for ASPIRE	Saturday, April 2, 2016
Youth Triathlon Training Clinics	Saturdays, July 9, 16, 23, 30, August 6, 13, 20, 2016

Tobay Triathlon for Children	Saturday, August 27, 2016
Runner's Edge Tobay Triathlon & Tri-Relay	Sunday, August 28, 2016
Supervisor's Annual 5K Run	Saturday, October 15, 2016
Rob's Run	Sunday, November 27, 2016
Ho Ho Ho Holiday Run	Saturday, December 17, 2016

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is granted, and the Department of Parks is hereby authorized to co-sponsor the abovementioned events with the Greater Long Island Running Club, under the above stated conditions; and be it further

RESOLVED, That the Department of Parks is further authorized to provide payment for instructors, tee shirts and other incidental costs for the Youth Triathlon Training Clinics in an amount not to exceed \$10,000, and to provide partial payment for timing services for the Triathlon in an amount not to exceed \$6,000 and payment for the cost of printing the Runner's Edge Tobay Triathlon results book in an amount not to exceed \$4,000.00, and 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 the costs for the instructors, tee shirts and other incidental costs for the Youth Triathlon Training clinics to be drawn from Account No. PKS A 7110 47670 000 0000, or any other appropriate account and the payment costs for the printing and the partial payment for the timing services to be drawn from Account No. PKS A 7110 44900 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)
Parks

WHEREAS, John Canning, Commissioner of the Department of Human Resources, and Richard LaMarca, Director of Labor-Management Relations, Department of Human Resources, by memorandum dated January 26, 2016, request Town Board authorization for the Supervisor to enter into agreements with Jackson Lewis, PC, 58 South Service Road, Suite 410, Melville, New York 11747, Guercio & Guercio, LLP, 77 Conklin Street, Farmingdale, New York 11735, The Scher Law Firm, One Old Country Road, Suite 385, Carle Place, New York 11514, Bisceglie & Associates, P.C., 112 Madison Avenue, New York, NY 10016, and Silverman Acampora LLP, 100 Jericho Quadrangle, Suite 300, Jericho, New York 11753, to provide services as the Town's labor counsel, in an amount not to exceed \$100,000 per year, from January 1, 2016 through December 31, 2016, with two (2), one (1) year extension options; and

WHEREAS, said services include,

1. Guidance in negotiating Collective Bargaining Agreements with Town employees' labor unions,
2. Representation on behalf of the Town in grievances submitted by Town employees,
3. Representation on behalf of the Town in disciplinary hearings based on charges proffered against Town employees,
4. Guidance to the Town on interpretation of New York State Civil Service Law in matters concerning promotion and/or discipline of employees;
5. In-house, live and possibly internet-based training for the Town of Oyster Bay employees on various employment and management related policies and topics, including but not limited to, Anti-Harassment and Anti-Violence,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Supervisor is hereby authorized to enter into agreements with the aforementioned firms to provide the above services as the Town's labor counsel, in an amount not to exceed \$100,000 per year, nunc pro tunc, from January 1, 2016 through December 31, 2016, with two (2), one (1) year extension options, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment shall be available from Account No. TWN AMW 9040 84040 000 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)
Human Resources

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated July 22, 2015, authorized the Highway Department to clean up the premises located at 25 Rim Lane, Hicksville, New York 11801 also known as Section 45, Block 332, Lot 1 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated January 12, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 30, 2015, in the amount of \$883.02, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated January 12, 2016, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$883.02 may be assessed by the Legislature of the County of Nassau against the parcel known as 25 Rim Lane, Hicksville, New York 11801, also known as Section 45, Block 332, Lot 1 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

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)
Planning & Development
Highway

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 6, 2015, authorized the Highway Department to clean up the premises located at 60 West Shore Drive, Massapequa, New York 11758 also known as Section 66, Block 21, Lots 57 to 61 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated January 12, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 13, 2015, in the amount of \$889.56, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated January 12, 2016, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$889.56 may be assessed by the Legislature of the County of Nassau against the parcel known as 60 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 57-61 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

MSW
Reviewed By
Office of Town Attorney
[Signature]

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
Highway

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated June 22, 2015, authorized the Highway Department to clean up the premises located at 12 Spruce Avenue, Bethpage, New York 11714 also known as Section 46, Block 491, Lot 30 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated January 12, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 1, 2015, in the amount of \$1,214.06, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated January 12, 2016, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,214.06 may be assessed by the Legislature of the County of Nassau against the parcel known as 12 Spruce Avenue, Bethpage, New York 11714, also known as Section 46, Block 491, Lot 30 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

AMM
Reviewed By
Office of Town Attorney
Donna B. Swanson

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
Highway

WHEREAS, by Resolution No. 184-2010, adopted on February 23, 2010, Nelson & Pope Engineers & Surveyors, Consulting Engineers, were authorized to provide engineering services in connection with Contract No. DPW 09-003, Syosset Streetscape & Walkability Improvement 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 26, 2016, and Nelson & Pope Engineers & Surveyors, Consulting Engineers, by letter dated November 11, 2015, request Town Board authorization for an increase in engineering fees of \$99,798.00 due to a revised agreement on project scope with the Nassau County Department of Public Works and additional reviews by the New York State Department of Transportation; and

WHEREAS, funds for said increase in engineering fees are to be drawn from Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and in connection with Contract No. DPW 09-003, Project I.D. # 1503-HWYDB03, Town Board authorization is hereby granted for an increase in engineering fees of \$99,798.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for the increase in engineering fees, in accordance with the terms and provisions of said Consultant's Agreement with the Town, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. HWY H 5197 20000 000 1503 008 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)
Public Works
Intergovernmental Affairs
Highway

[Handwritten Signature]
Reviewed By
Office of Town Attorney
[Handwritten Signature]

WHEREAS, Resolution No. 739-2015, adopted on December 15, 2015, authorized Douglas A. Wilke, Architects & Engineers, to provide on-call engineering services, in connection with Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture; and

WHEREAS, Eric Tuman, Commissioner of the Department of General Services, by memorandum dated January 13, 2016, requests that Douglas A. Wilke, Architects & Engineers, be authorized under Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture, to Implement Repair of the Base Structure to the Littauer Mansion, Project Id No. 1208 TWNA-02, and further request that the Comptroller issue an encumbrance order in an amount of \$12,500.00, with funds available in Account No. DGS H 1997 20000 000 1208 001,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Douglas A. Wilke, Architects & Engineers, is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of \$12,500.00 for Contract No. PWC 22-16, with funds to be drawn from Account No. DGS H 1997 20000 000 1208 001, 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)
General Services

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Sharon A. Betz, Assistant Director of Community Relations, Department of Community and Youth Services, by memorandum dated January 28, 2016, request Town Board authorization to sponsor enrichment workshops and to retain the professional services of the instructors on the attached chart for the locations, services and fees listed therein, for the Spring 2016 Town of Oyster Bay Workshop Enrichment Program,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Sharon A. Betz, Assistant Director of Community Relations, Department of Community and Youth Services, are hereby authorized to retain the professional services of the instructors on the attached chart, for the locations, services and fees listed therein, for the Spring 2016 Town of Oyster Bay Workshop Enrichment Program; 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. CYS A 7020 47660 000 0000, or any other appropriate account; and be it further

RESOLVED, That the registration fees for the Children's and Adult Workshops will range from \$50.00 to \$100.00 for Residents and \$65.00 to \$115.00 for Non-Residents and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 0000, or any other appropriate account; and be it further

RESOLVED, That the Department of Community and Youth Services is hereby authorized to process refunds for workshops that do not materialize for cause, and the Comptroller is hereby authorized and directed to make payment for the aforementioned professional services, upon presentation of a duly certified claim, after audit, and to process refunds for resident and non-resident fees, upon presentation 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)
Community & Youth Services

Reviewed By
Office of Town Attorney

Meeting of February 23, 2016

Resolution No. 76-2016

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Peter Aiello, Program Coordinator, Division of Community Development, Department of Intergovernmental Affairs, by memorandum dated January 28, 2016, request that the Town Board authorize the Town Clerk to publish a Public Notice regarding the Forty Second Community Development Program Year 2016-2017, in Newsday, no later than February 17, 2016, to announce that a public hearing will be held on March 2, 2016, at 3 o'clock p.m., prevailing time, at Town Hall South, to provide for public participation in the programming of Community Development funding,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby approved, and the publication of the aforesaid Public Notice in Newsday by the Town Clerk no later than February 17, 2016 is hereby ratified and approved, and the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. IGA CD 13 8686 44100 000 CD 14, or from any other appropriate account.

AM
Reviewed By
Office of Town Attorney
Prater d'Alvarez

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)
Intergovernmental Affairs

A Resolution Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Master Grant Contract, Under the Appropriate Laws of New York State.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Town of Oyster Bay, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid,

NOW, THEREFORE, BE IT RESOLVED BY the Town Board of the Town of Oyster Bay:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Supervisor of the Town of Oyster Bay or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

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)
Intergovernmental Affairs
Environmental Resources

AMS
Reviewed By
Office of Town Attorney


WHEREAS, Bracken Margolin Besunder LLP, by Resolution No. 939-2013, adopted on December 17, 2013, was duly appointed as special and appellate counsel to the Town of Oyster Bay, in the litigation entitled: "In the Matter of the Application of the Town of Oyster Bay to acquire title to certain real property located at the Liberty Industrial Finishing Site, 55 Motor Avenue, Farmingdale, New York," Supreme Court, County of Nassau, Index No. 11488/2003 and Index No. 11159/2010; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated January 26, 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 \$100,000; and

WHEREAS, Funds are available in Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That Town Board does hereby approve the authorization of an additional sum not to exceed \$100,000 for purposes of payment to the law firm of Bracken Margolin Besunder LLP, for legal fees and disbursements as special and appellate 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 No. OTA A 1420 44110 000 0000, or any other appropriate account.

Reviewed By
Office of Town Attorney
[Signature]

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 23, 2016

Resolution No. 79-2016

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 February 2, 2016, recommend that the Town Board approve the plans, specifications and construction cost estimates for Contract No. DP14-118, JFK High School Comfort Station Building, Plainview, New York, that the Division of Purchasing, Department of General Services, proceed with setting a date for receiving bids for said Contract, and the Division of Engineering, Department of Public Works, be authorized and directed to proceed with the Bid and Construction Phases of the above said Contract,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendations are hereby accepted and approved, and the Division of Purchasing, Department of General Services is hereby authorized and directed to proceed with setting a date for receiving bids for Contract No. DP14-118, and that the Division of Engineering, Department of Public Works is hereby authorized and directed to proceed with the Bid and Construction Phase of Contract No. DP14-118.

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
General Services
Parks

Reviewed By
Office of Town Attorney
Elizabeth L. Maccarone

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated June 22, 2015, authorized the Highway Department to clean up the premises located at 221 North Iowa Avenue, Massapequa, New York 11758 also known as Section 52, Block 3, Lots 61, 62 and 71 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated January 20, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 2, 2015, in the amount of \$920.06, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated January 20, 2016, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$920.06 may be assessed by the Legislature of the County of Nassau against the parcel known as 221 North Iowa Avenue, Massapequa, New York 11758, also known as Section 52, Block 3, Lots 61, 62 and 71 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

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)
Planning & Development
Highway

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 10, 2015, authorized the Highway Department to clean up the premises located at 4111 Hempstead Turnpike, Bethpage, New York 11714 also known as Section 46, Block W, Lot 214 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated January 20, 2016, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 15, 2015, in the amount of \$153.76, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated January 20, 2016, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$153.76 may be assessed by the Legislature of the County of Nassau against the parcel known as 4111 Hempstead Turnpike, Bethpage, New York 11714, also known as Section 46, Block W, Lot 214 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

Reviewed By
Office of Town Attorney
[Signature]

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
Highway

Meeting of February 23, 2016

Resolution No. 82-2016

MM
Reviewed By
Office of Town Attorney
Thomas M. Sabell

WHEREAS, Plainedge Alumni Association, by letters dated January 16, 2016, January 30, 2016 and February 7, 2016, has offered to donate the sum of \$2,970.00 collected by the Association, and Massapequa Kiwanis Club, by letter dated December 17, 2015, has offered to donate \$1,550.00 to the Town of Oyster Bay, to help defray the cost of the memorial being built by the Town of Oyster Bay, in memory of Detective First Rank Brian Moore; and

WHEREAS, Leonard Genova, Town Attorney and Thomas M. Sabellico, Special Counsel, by memorandum dated January 27, 2016, recommend that the Town accept said donations, to partially fund the costs associated with the development and production of a bronze memorial statue to honor Detective First Rank Brian Moore to be erected at Plainedge Park in North Massapequa,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donations of \$2,970.00 from the Plainedge Alumni Association and \$1,550.00 from Massapequa Kiwanis Club to help defray the cost of the statue to be placed at Plainedge Park in memory of Detective First Rank Brian Moore.

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)

WHEREAS, the Department of Parks solicited and advertised for Requests for Proposal for the "Historic Preservation and Development of Special Events Consultant Services" and as a result of this request, the Department of Parks received two proposals, both of which the Department has decided will meet the criteria contained in the Request for Proposal; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and George Baptista, Jr., Deputy Commissioner of the Department of Parks, request Town Board authorization for the Supervisor to enter into contracts with Mrs. Linda E. Mondello to provide historic preservation and PR Inc. to develop special events for the Department of Parks, under contract PWC 005-16, effective March 1, 2016 through December 31, 2018, in an amount not to exceed \$75,000.00, to be paid from Account No. PKS A 7110 44900 000 0000, with a provision for one (1) additional two (2) year term,

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 contracts with Mrs. Linda E. Mondello to provide historic preservation and PR Inc. to develop special events for the Department of Parks, under contract PWC 005-16, effective March 1, 2016 through December 31, 2018, in an amount not to exceed \$75,000.00, with a provision for one (1) additional two (2) year term; 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. PKS A 7110 44900 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)
Parks

Reviewed by
Office of Town Attorney

WHEREAS, by Resolution No. 269-2014, adopted on April 22, 2014, this Town Board authorized the Supervisor to enter into an Agreement with Pine Neck Consulting, Inc. to provide planning services for the Department of Intergovernmental Affairs Divisions of Community Development and Federal and State Aid, nunc pro tunc from April 1, 2014 through March 31, 2015, with two (2) one (1) year extension options; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Peter Aiello, Division of Community Development, Department of Intergovernmental Affairs, by memorandum dated February 2, 2016, request Town Board authorization for the Supervisor to exercise the second one (1) year extension, from April 1, 2016 through March 31, 2017, for the services and in the amounts, under the various account numbers, as set forth below:

Reviewed By
Office of Town Attorney
[Signature]

<u>Services</u>	<u>Amounts</u>	<u>Account Numbers</u>
Other Contract	\$20,000.00	IGA A 8686 44900 000 0000
Residential Rehabilitation Environmental	\$20,000.00	IGA CD 8668 48250 730 CD16
Planning Consultants	\$24,000.00	IGA CD 8684 48270 000 CD16
Residential Rehabilitation	\$11,000.00	IGA CD 8668 48250 732 CD16

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Supervisor is hereby authorized to enter into and exercise the second one (1) year extension to the Agreement with Pine Neck Consulting, Inc., from April 1, 2016 through March 31, 2017, in connection with planning services for the Department of Intergovernmental Affairs Divisions of Community Development and Federal and State Aid, for the services and funding amounts as set forth hereinabove, with said funds to be drawn from the aforementioned account numbers, or any other appropriate account; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly authorized 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)
Intergovernmental Affairs

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated February 3, 2016, recommends that a refund in the amount of \$384.00 be granted to Mr. Anthony Lamantia, Administrator for Mrs. Virginia Lamantia, 459 Boundary Avenue, Bethpage, New York 11714, for Building Permit No. R13001047, obtained on March 21, 2013, because the property owner withdrew a portion of the planned construction in the Revised Site Plan dated December 18, 2015,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Mr. Anthony Lamantia, Administrator for Mrs. Virginia Lamantia, is hereby granted a refund in the amount of \$384.00, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 3620 02555 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)
Planning & Development

Meeting of

WHEREAS, Sinnreich, Kosakoff & Messina, LLP, by Resolution No. 70-2009, adopted on January 20, 2009, was retained to represent the Town of Oyster Bay in connection with various matters; and

WHEREAS, Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated February 2, 2016, advise that legal fees, costs and disbursements have exceeded the previously authorized sum, and it is now necessary to request an additional sum, not to exceed \$95,000.00; and

WHEREAS, funds will be available in Account No. OTA A 1420 44110 000 0000, or any other appropriate account,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the authorization of an additional sum not to exceed \$95,000.00 for purposes of payment to Sinnreich, Kosakoff & Messina, LLP, for legal fees, costs and disbursements as outside 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 outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly certified claim, after approval by the Town Attorney, and after audit, with funds available in Account No. OTA A 1420 44110 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
Thomas M. Sabellico

Meeting of February 23, 2016

Resolution No. 87-2016

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 February 9, 2016, have requested and recommended that the Town Board approve the second five (5) year term with Winter Bros. Recycling of Long Island LLC, for Contract No. DPW 09-999, Transfer, Haul and Disposal of Solid Wastes from the Town of Oyster Bay Solid Waste Disposal District, for the period from June 1, 2016 through May 31, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is accepted, and the Town Board hereby approves the second five (5) year term with Winter Bros Recycling of Long Island LLC for Contract No. DPW 09-999 for the period from June 1, 2016 through May 31, 2021.


Reviewed By
Office of Town Attorney
Matthew V. Almy

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 23, 2016

Resolution No. 88-2016

WHEREAS, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, by memorandum dated February 9, 2016, state that Ace American Insurance Company has been selected to provide the Town's Public Officials and Employees Liability Insurance coverage, for the period January 28, 2016 through January 27, 2017, at a premium of \$121,180.00, and request and recommend that the new policy be accepted and all necessary premiums be paid,

NOW THEREFORE, BE IT RESOLVED, That the abovementioned recommendation in selecting Ace American Insurance Company, for the Town's Public Officials and Employees Liability Insurance, for the period January 28, 2016 through January 27, 2017, at a cost of \$121,180.00, is hereby affirmed and ratified, nunc pro tunc from January 28, 2016, and the Comptroller is hereby authorized and directed to make payment, upon submission of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 603 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)

TMS
Reviewed By
Office of Town Attorney
Jeffrey Ehrlich

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated February 3, 2016, recommends that a refund in the amount of \$1,334.00 be granted to Michael and Syade Rosen of 24 Mahan Road, Old Bethpage, NY 11804, for Building Permit No. R12000848, obtained on March 14, 2012, because they obtained a new Building Permit No. R15003328, on August 18, 2015, in the amount of \$5,696.00, which supersedes Building Permit No. R12000848,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Michael and Syade Rosen are hereby granted a refund in the amount of \$1,334.00, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 3620 02555 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)
Planning & Development

Meeting of February 23, 2016

Resolution No. 90-2016

WHEREAS, this Town Board had 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, by memorandum dated February 9, 2016, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, have advised that Claimant, Peter Sloman, Individually and as f/n/g of Bailey Sloman, an infant who suffered personal injuries, while attending a Town of Oyster Bay Summer Recreation Program at Ellsworth Allen Park in Farmingdale, when, while playing a game of kickball, a camp counselor kicked a ball and hit claimant's right wrist which resulted in a fracture; and

WHEREAS, after extensive negotiations, the Town's special counsel advises that a settlement was reached, and that said matter can be settled for \$16,500.00,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the sum of \$16,500.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to Claimant, Peter Sloman, Individually and as f/n/g of Bailey Sloman, with regard to Claim No. 2010-10675 (10198), with a check in the sum of \$5,500.00 to be paid to Decolator Cohen & Diprisco LLP, as attorneys for Peter Sloman, individually and as f/n/g of Bailey Sloman, and a check in the sum of \$11,000.00 to be paid to Peter Sloman f/n/g of Bailey Sloman, jointly with an officer of Nassau Educators Credit Union i/t/f Bailey Sloman and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 000 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
[Handwritten Signature]

WHEREAS, Resolution No. 925-2013, adopted on December 15, 2013, authorized Gayron de Bruin Land Surveying & Engineering, P.C., to provide engineering services under Contract No. PWC 14-14, On-Call Engineering Services Relative to Surveying; 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 February 9, 2016, request Town Board authorization for Gayron de Bruin Land Surveying & Engineering, P.C., to provide engineering services in connection with the elevation of the residence at 51 Leewater Avenue, Massapequa, New York under the Flood Mitigation Assistance Program, including laser scanning to verify the dimensions of the foundation of said residence, Project I.D. No. 1303 TWNA-02, and further request that the Comptroller issue an encumbrance order in an amount of \$5,100.00, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Gayron de Bruin Land Surveying & Engineering, P.C., is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of \$5,100.00, for Contract No. PWC 14-14, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001, 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)
Public Works
Intergovernmental Affairs

MM
Reviewed By
Office of Town Attorney
Maria V. Alayza

Meeting of February 23, 2016

Resolution No. 92-2016

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated February 3, 2106, requests and recommends that a refund in the amount of \$7,785.00 be granted to Jeffrey S. Tanen, Esq., 5 Beach Road, Massapequa, New York 11758, for Building Permit No. R14005426, which was superseded by Building Permit No. R15005360,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Jeffrey S. Tanen, Esq. is hereby granted a refund in the amount of \$7,785.00, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 3620 02555 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)
Planning & Development

Reviewed By *MM*
Office of Town Attorney
Alana B. Swanson

Meeting of February 23, 2016

CORRECTED COPY

Resolution No. 93-2016

WHEREAS, by Resolution No. 740-2014, adopted on November 18, 2014, the Town Board authorized the Office of the Comptroller to enter into the first one (1) year extension of Contract No. PWC036-13, On-Call Auditing Services, with the firm Cullen and Danowski, LLP, to provide auditing services to the Town for the 2015 financial period, for the period from December 1, 2014 through November 30, 2015, in an amount not to exceed \$99,000.00; and

WHEREAS, Town Board authorization is requested to amend Resolution No. 740-2014, adopted on November 18, 2014, by changing the 2015 financial period stated in the resolution to the 2014 financial period; and

WHEREAS, Robert J. McEvoy, Comptroller, by memorandum dated February 4, 2016, requests Town Board authorization to amend Resolution No. 740-2014, to increase the authorized amount for Contract No. PWC036-13 by \$25,000.00, and further requests authorization to reimburse Cullen and Danowski, LLP, for out of pocket expenses incurred in relation to the completion of the audit for the 2014 financial period in the amount of \$15,000.00, increasing the total authorized amount for Contract No. PWC036-13 to \$139,000.00,

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 740-2014 is hereby amended to change the 2015 financial period stated in the resolution to the 2014 financial period; and be it further

RESOLVED, That the Town Board hereby approves the abovementioned requests and authorizes Robert J. McEvoy, Comptroller, to increase the amount for Contract No. PWC036-13 by \$25,000.00 and to provide funds in the amount of \$15,000.00 to reimburse Cullen and Danowski, LLP, for out of pocket expenses incurred in relation to the completion of the audit for the 2014 financial period, increasing the total authorized amount for Contract No. PWC036-13 to \$139,000.00, with said funds to be drawn from Account No. TWN A 1989 44810 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 23, 2016

Resolution No. 94-2016

WHEREAS, Albanese & Albanese, LLP, by Resolution No. 366-2013, adopted on May 21, 2013, was retained to represent the Town of Oyster Bay, in connection with various matters; and

WHEREAS, Leonard Genova, Town Attorney, and Anthony C. Curcio, Assistant Town Attorney, by memorandum dated February 2, 2016, request that \$6,043.29 be authorized to pay for legal services in connection with ongoing matters, and that the actions of the Office of the Town Attorney in utilizing Albanese & Albanese, LLP as special counsel be ratified and continued through December 31, 2016; and

WHEREAS, funds will be available in Account No. OTA A 1420 44110 000 0000, or any other appropriate account,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the authorization of an additional sum not to exceed \$6,043.29 for purposes of payment to Albanese & Albanese, LLP, for legal fees, costs and disbursements as outside counsel, which sum is to be paid at the predetermined rate; and be it further

RESOLVED, That the actions of the Office of the Town Attorney in utilizing Albanese & Albanese, LLP as special counsel are hereby ratified and continued through December 31, 2016; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees and disbursements rendered, upon the submission of a duly certified claim, after approval by the Town Attorney, and after audit, with funds available in Account No. OTA A 1420 44110 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 23, 2016

Resolution No. 95-2016

WHEREAS, Resolution No. 753-2015, adopted on December 15, 2015, authorized de Bruin Engineering P.C., to provide engineering services under Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil 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 February 9, 2016, request Town Board authorization for de Bruin Engineering P.C., to provide engineering services in connection with Alhambra Road Bulkhead, Massapequa, Project I.D. No. 1302 PKSA-07, and further request that the Comptroller issue an encumbrance order in an amount of \$8,048.50, with funds to be drawn from Account No. PKS H 1997 20000 000 1302 001. This amount reflects monies previously authorized in 2015 which is now being re-authorized under the current 2016 On-Call contract,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, de Bruin Engineering P.C., 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 \$8,048.50, for Contract No. PWC 07-16, with funds to be drawn from Account No. PKS H 1997 20000 000 1302 001, 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)
Public Works
Parks

Reviewed By
Office of Town Attorney

[Handwritten signature]

WHEREAS, this Town Board, by Resolution No. 130-15, adopted on March 10, 2015, adopted the Capital Budget for the 2015 calendar year, which Budget designated funds for Highway Department and Department of Parks Capital Projects; and

WHEREAS, this Town Board, by Resolution No. 645-2013, adopted on September 17, 2013, awarded Contract No. RIC 13-080, Requirements Contract for Coating Systems at Various Locations Throughout the Town of Oyster Bay, to Blendex Industrial Corp., which Contract contains a provision for extensions, and was most recently extended through September 16, 2016; and

WHEREAS, Kevin M. Hanifan, Commissioner of the Highway Department, and John P. Bishop, Division of Administration, Highway Department, by memorandum dated February 8, 2016, request that from the 2015 Capital Budget funds designated for Highway Department and Department of Parks Capital Projects, the amount of \$250,000 be allocated for Contract No. RIC 13-080, with Blendex Industrial Corp.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and from the 2015 Capital Budget funds designated for Highway Department and Department of Parks Capital Projects, the amount of \$250,000 is hereby authorized to be allocated for Contract No. RIC 13-080, with Blendex Industrial Corp.

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

Meeting of February 23, 2016

Resolution No. 97-2016

WHEREAS, this Town Board had 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, by memorandum dated February 9, 2016, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, have advised that Claimant, CiCi Fader (infant) by f/n/g Robert S. Fader, suffered personal injuries, while practicing figure skating at the Town of Oyster Bay's Ice Skating Center, in Bethpage, when she was knocked down by another skater who was skating backwards at a high rate of speed, which resulted in a fracture to her left tibia; and

WHEREAS, after extensive negotiations, the Town's special counsel advises that a settlement was reached, and that said matter can be settled for \$43,000.00,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the sum of \$43,000.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to CiCi Fader, (infant) by f/n/g Robert S. Fader, with regard to Claim No. 2010-10574 (10096), and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to Robert S. Fader f/n/g, jointly with an officer of Astoria Federal Savings Bank, i/t/f CiCi Fader, in the amount of \$43,000.00; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 000 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)

AMS
Reviewed By
Office of Town Attorney

Meeting of February 23, 2016

Resolution No. 98-2016

WHEREAS, in accordance with the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney issued a Request for Proposals for appraisal services; and

WHEREAS, the responses to the Request for Proposals were reviewed and evaluated; and

WHEREAS, Leonard Genova, Town Attorney, and Fern S. Goodman, Deputy Town Attorney, by memorandum dated February 2, 2016, have recommended that the following appraisal firms be authorized to provide appraisal services from March 1, 2016 through December 31, 2018:

- Wilson Appraisal Services, Inc., Great Neck, New York
- Lynch Appraisal Ltd., Huntington, New York
- Breslin Appraisal Co., Inc., Huntington, New York
- Michael Haberman Associates, Inc., Mineola, New York
- John S. Goess Realty Appraisal, Inc., East Islip, New York

NOW, THEREFORE, BE IT RESOLVED, That the recommendation is hereby accepted and the Town Board hereby approves the abovementioned appraisal firms to provide appraisal services from March 1, 2016 through December 31, 2018.

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
Fern S. Goodman

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated June 30, 2015, authorized the Highway Department to clean up the premises located at 23 Camp Road, Massapequa, New York 11758 also known as Section 53, Block 211, Lot 20 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated January 26, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 13, 2015, in the amount of \$582.37, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated January 26, 2016, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$582.37 may be assessed by the Legislature of the County of Nassau against the parcel known as 23 Camp Road, Massapequa, New York 11758, also known as Section 53, Block 211, Lot 20 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

MS
Reviewed By
Office of Town Attorney
[Signature]

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
Highway

WHEREAS, Cascone & Kluepfel, 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 February 5, 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 \$95,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board does hereby approve the authorization of an additional sum not to exceed \$95,000.00 for purposes of payment to the law offices of Cascone & Kluepfel, 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.

TMS
Reviewed By
Office of Town Attorney
Amy S. S. S.

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 23, 2016

Resolution No. 101-2016

WHEREAS, Resolution No. 745-2015, adopted on December 15, 2015, authorized John A. Grillo, Architect, P.C., to provide on-call engineering services, in connection with Contract No. PWC 16-16, On-Call Engineering Services Relative to Multi-Discipline Projects; 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 February 9, 2016, request Town Board authorization that John A. Grillo, Architect, P.C., proceed under Contract No. PWC 16-16, On-Call Engineering Services Relative to Multi-Discipline Projects, for Sanitation Division Radio Systems Evaluation and Improvement, Project Id No. 0801 TWNA-01, and further request that the Comptroller issue an encumbrance order in an amount of \$13,464.00, with funds available in Account No. DPW H 1997 20000 000 0801 001. This amount reflects monies previously authorized in 2015 which is now being re-authorized under the current 2016 On-Call contract,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, John A. Grillo, Architect, P.C., is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of \$13,464.00 for Contract No. PWC 16-16, with funds to be drawn from Account No. DPW H 1997 20000 000 0801 001, 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)
Public Works

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, the Office of the Town Attorney, working with Salerno Brokerage Corp., has been able to secure flood insurance on fifteen (15) Town Buildings through the National Flood Insurance Program (NFIP); and

WHEREAS, the NFIP is administered through FEMA, through various private insurance companies, and provides flood insurance as set rates; and

WHEREAS, flood insurance is essential to protect the Town's valuable assets, and to ensure FEMA reimbursement in the event of flooding resulting from a federally declared disaster; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated February 10, 2016, recommend that flood insurance be secured on fifteen (15) Town Buildings, at a cost of \$30,194.00 for a one (1) year period, nunc pro tunc for the period from September 18, 2015 through September 17, 2016, with funds to be drawn from Account No. TWN AMS 1019 43010 602 0000 000, or any other appropriate account,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted, and the Office of the Town Attorney is hereby authorized to secure flood insurance on fifteen (15) Town Buildings, from the National Flood Insurance Program, through Wright Flood Insurance Company, nunc pro tunc for the period from September 18, 2015 through September 17, 2016, in the amount of \$30,194.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon the submission of a duly certified claim therefor, 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)

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, the New York State Department of Transportation (NYSDOT) has required the Town to maintain a License and Permit Bond, in the amount of \$10,000.00, to ensure the Town's performance of its obligations during highway repair and/or construction; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated February 10, 2016, recommend that the bond be secured from Utica Mutual Insurance Company, through Salerno Brokerage Corp., nunc pro tunc for the period from November 2, 2015 through November 1, 2016, for an annual premium in the amount of \$100.00,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby approved and accepted and the Office of the Town Attorney is hereby authorized to secure the bond from Utica Mutual Insurance Company, through Salerno Brokerage Corp., nunc pro tunc for the period from November 2, 2015 through November 1, 2016, and the Comptroller is hereby authorized and directed to make payment for same, in the amount of \$100.00, with funds to be drawn from Account No. HWY A 5010 47900 0000 000, or other appropriate account.

Reviewed By
Office of Town Attorney
[Signature]

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 23, 2016

Resolution No. 104-2016

WHEREAS, SYOSSET PARK DEVELOPMENT, LLC and OYSTER BAY REALTY LLC, owners of a portion of the subject premises and contract vendees of the remainder of the subject premises, with the consent of the TOWN OF OYSTER BAY, fee owner of a portion of the subject premises, have petitioned the Town Board of the Town of Oyster Bay for the establishment of a new "Planned Unit Development/Mixed-Use (PUD/MU)" zoning district and a Change of Zone from Light Industrial ("LI") to Planned Unit Development/Mixed-Use ("PUD/MU"), so as to allow the construction of a mixed-use development consisting of 200,000 square feet of office space, hotels with 350 guest rooms, 65,000 square feet in restaurants/cafes, 35,000 square feet in theaters and other entertainment uses, 364,000 square feet of retail space, 625 residential units, 14,000 square feet of public meeting space, and a 30-acre public park, for property located at the northeast corner of the Long Island Expressway North Service Road (a/k/a Miller Place) and Robbins Lane, in Syosset, Town of Oyster Bay, County of Nassau, State of New York, said premises being described as Section 15, Block H, Lots 243, 244, 247, 248, 251, and 252 on the Land and Tax Map of Nassau County; and

WHEREAS, the proposed action is classified as a Type I Action pursuant to the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, a coordinated review was conducted pursuant to SEQRA, whereby the Full Environmental Assessment Form, Petition and preliminary proposed site plan were circulated to other potentially involved agencies via correspondence dated September 15, 2015 which, among other things, requested if any involved agency wished to assume the responsibilities of lead Agency for the proposed action under SEQRA; and

WHEREAS, no other involved agency expressed an interest in acting as the lead agency for the proposed action pursuant to SEQRA and, accordingly, the Town Board assumed the role of lead agency in this matter; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed and submitted its "Review of Action and Recommendation for Determination of Significance", regarding the environmental impacts contemplated by said Petition; and

WHEREAS, the "Review of Action and Recommendation for Determination of Significance" was duly made in the Town Environmental Quality Review Division's report dated February 8, 2016, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petition and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Positive Declaration, indicating that the proposed action poses the potential for significant impacts upon the environment and that, accordingly, a Draft Environmental Impact Statement (DEIS) should be prepared, and that the appropriate proceedings thereon should be undertaken pursuant to the Environmental Conservation Law of the State of New York and its rules and regulations pertaining thereto,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby determine that the Petition of SYOSSET PARK DEVELOPMENT, LLC and OYSTER BAY REALTY LLC, owners of a portion of the subject premises and contract vendees of the remainder of the subject premises, with the consent of the TOWN OF OYSTER

Reviewed By
Office of Town Attorney

Thomas M. Decker

BAY, fee owner of a portion of the subject premises, for the establishment of a new "Planned Unit Development/Mixed-Use (PUD/MU)" zoning district and a Change of Zone from Light Industrial ("LI") to Planned Unit Development/Mixed-Use ("PUD/MU"), so as to allow the construction of a mixed-use development consisting of 200,000 square feet of office space, hotels with 350 guest rooms, 65,000 square feet in restaurants/cafes, 35,000 square feet in theaters and other entertainment uses, 364,000 square feet of retail space, 625 residential units, 14,000 square feet of public meeting space, and a 30-acre public park, for property located at the northeast corner of the Long Island Expressway North Service Road (a/k/a Miller Place) and Robbins Lane, in Syosset, Town of Oyster Bay, County of Nassau, State of New York, said premises being described as Section 15, Block H, Lots 243, 244, 247, 248, 251, and 252 on the Land and Tax Map of Nassau County, poses the potential for significant adverse impacts on the environment, and that this determination shall constitute a Positive Declaration in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon, based upon the "Review of Action and Recommended Determination of Significance" dated February 8, 2016; and be it further

RESOLVED, That the Department of Environmental Resources is hereby directed to undertake all necessary proceedings pursuant to the New York State Environmental Quality Review Act in order to undertake the preparation of an appropriate Draft Environmental Impact Statement, as well as required public hearings, all in accordance with prevailing laws and regulations pertaining thereto, and thereafter submit its recommendations thereon to the Town Board for its final determination of the Petition's environmental impact.

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
Environmental Resources

Meeting of February 23, 2016

Corrected Copy
Resolution No. 105-2016

WHEREAS, Resolution No. 753-2015, adopted on December 15, 2015, authorized de Bruin Engineering, P.C., to provide on-call engineering services, in connection with Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil 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 memoranda dated February 9, 2016 and February 16, 2016, request Town Board approval that de Bruin Engineering, P.C., be authorized under Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering, for Highway Improvements to Lafayette Place in Massapequa, Project Id No. 1503 HWYDB-03, and further request that the Comptroller issue an encumbrance order in an amount of \$59,628.50, with funds available in Account No. HWY H 5197 20000 000 1503 008. This amount reflects monies previously authorized in 2015 which is now being re-authorized under the current 2016 On-Call Contract,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, de Bruin Engineering, P.C., is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of \$59,628.50 for Contract No. PWC 07-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, 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)
Public Works
Highway

Reviewed By
Office of Town Attorney
Thomas M. Johnson

Meeting of February 23, 2016

Resolution No. 106-2016

WHEREAS, by Town Board Resolution No. 754-2015, adopted on December 15, 2015, Nelson & Pope Engineers and Land Surveyors, PLLC, was approved to provide engineering services for the preparation of Contract No. HCR16-135, Concrete Restoration Throughout the Town Of Oyster Bay; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, has approved the specifications and recommends that the Division of Engineering be authorized and directed to proceed with the bidding phase and construction phase for Contract No. HCR16-135; 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 memoranda dated February 9, 2016 and February 16, 2016, have requested that the Town Board authorize the Division of Purchasing to proceed with setting a date for receiving bids for this contract by contacting the Division of Engineering to establish the bid date,

NOW, THEREFORE, BE IT RESOLVED, that the Division of Engineering is hereby authorized and directed to proceed with the bidding phase and construction phase for Contract No. HCR16-135, and the Division of Purchasing is hereby authorized to proceed with setting a bid date for receiving bids for Contract No. HCR16-135 by contacting the Division of Engineering to establish the bid date.

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
General Services

Reviewed By
Office of Town Attorney

WHEREAS, Resolution No. 739-2015, adopted on December 15, 2015, authorized Douglas A. Wilke, Architects & Engineers, to provide on-call engineering services under Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture; 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 memoranda dated February 9, 2016 and February 16, 2016, request that Douglas A. Wilke, Architects & Engineers, be authorized to provide engineering services under Contract No. PWC 22-16, including oversight of emergency repairs to the North Massapequa Community Center, and further request that the Comptroller issue an encumbrance order in the amount of \$25,500.00, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Douglas A. Wilke, Architects & Engineers, are 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 \$25,500.00 for Contract No. PWC 22-16, with funds to be drawn from Account No. TWN AMS 1910 43030 601 0000 000, or any other appropriate account.

AWW
Reviewed By
Office of Town Attorney
Robert V. Caloggero

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
General Services

WHEREAS, Resolution No. 750-2015, adopted on December 15, 2015, authorized LiRo Engineers, Inc., to provide on-call engineering services under Contract No. PWC 10-16, On-Call Engineering Services Relative to Construction Management; 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 memoranda dated February 9, 2016 and February 16, 2016, request Town Board authorization that LiRo Engineers, Inc., be authorized to provide engineering services under Contract No. PWC 10-16, including engineering support and construction inspection services for the proposed highway improvements for the Elderberry Road area, Project ID 1503 HWYDB-03, and further request that the Comptroller issue an encumbrance order in the amount of \$162,500 with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, LiRo Engineers, Inc., are 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 \$162,500 for Contract No. PWC 10-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, 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)
Public Works
Highway

MW
Reviewed By
Office of Town Attorney
Town Board

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, Audrey Avenue, Oyster Bay, New York on, the 22nd day of March, 2016, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of JOAN III, LLC, and JOE III, LLC, fee owners, and BSL NY DEVELOPMENT LLC, contract vendee, for a Special Use Permit to permit the development of an assisted living facility and Site Plan Approval to permit the construction of a 73,955 square foot two-story assisted living facility in a Neighborhood Business (NB) Zone, on premises located at 900 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 527, Lot 24 on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

Syosset Jericho Tribune & Syosset Advance newspapers of general circulation within the Town of Oyster Bay.

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
 Town Clerk

AW
 Reviewed By
 Office of Town Attorney
John M. ...

WHEREAS, the Town Board presented the Contracts for FIRE PROTECTION in the Town of Oyster Bay for the year 2016 as follows:

Glenwood Hook & Ladder Engine & Hose Co., Inc.	for Glenwood-Glen Head Fire Protection District
Plainview Volunteer Fire Department, Inc.	for Plainview Fire Protection District
Roslyn Highlands Hook & Ladder, Engine & Hose Co.	for Greenvale Fire Protection District
Rescue Hook & Ladder Co. No. 1	for Greenvale Fire Protection District
Bayville Fire Co. No. 1, Inc.	for Bayville Fire Protection District
Bayville Fire Co. No. 1, Inc.	for certain territory Located in Bayville
Wantagh Fire District	for Town-owned property known as TOBAY Beach
Incorporated Village of Farmingdale	for Northeast Farmingdale Fire Protection District
Oyster Bay Fire Co. No. 1 (3 year contract)	for Oyster Bay Fire Protection District
Atlantic Steamer Fire Co. No. 1 (3 year contract)	for Oyster Bay Fire Protection District

The following resolution was offered by Councilman Muscarella and seconded by Councilman Macagnone .

NOW, THEREFORE, BE IT RESOLVED, That the Supervisor is hereby authorized to execute the aforesaid Contracts covering Fire Protection for the 2016 Calendar Year on behalf of the Town, as well as other documents that are necessary to carry out the purpose of this Resolution and Contracts to be effective nunc pro tunc January 1, 2016.

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

WHEREAS, pursuant to Town Code §§ 22-2, 22-3, and 22-9(D), Town employees are entitled to representation by counsel in proceedings involving that employee's work duties, with the associated costs to be borne by the Town; and

WHEREAS, in connection with certain recent proceedings, involving skills and the utilization of resources beyond those that can be supplied by the Office of the Town Attorney, counsel was obtained to represent a number of Town employees, whose identities were discussed in Executive Session; and

WHEREAS, Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated February 17, 2016 recommend that the Procurement Policy be waived and the law firm of Clayman & Rosenberg LLP, 305 Madison Avenue, New York, New York 10165, be authorized to represent said employees in said recent proceedings,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, the law firm of Clayman & Rosenberg LLP, 305 Madison Avenue, New York, New York 10165 is and was authorized to represent a number of Town employees, whose identities were discussed in Executive Session, in recent proceedings; and be it further

RESOLVED, That the Town Board finds a waiver of the Procurement Policy to be proper, due to the time sensitive nature of the proceedings, and the unique skills required to handle the proceedings; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$86,577.50, 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)

Reviewed By
Office of Town Attorney
Thomas M. Sabellico