

John Lanning
COMMISSIONER OF HUMAN RESOURCES

APPROVED

Meeting of March 15, 2016 RESOLUTION P-5-16

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 March 15, 2016

WHEREAS, Resolution No. 754-2015, adopted on December 15, 2015, authorized Nelson & Pope Engineers & Land Surveyors, PLLC, to provide on-call engineering services, in connection with Contract No. PWC 06-16, On-Call Engineering Services Relative to Contract Administration; 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 16, 2016, request Town Board authorization that Nelson & Pope Engineers & Land Surveyors, PLLC, proceed under Contract No. PWC 06-16, On-Call Engineering Services Relative to Contract Administration, for Requirements Contract for Concrete Work Throughout the Town of Oyster Bay, Project Id No. 1503HWYDB-03, and further request that the Comptroller issue an encumbrance order in an amount of \$13,300.00, with funds available in Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Nelson & Pope Engineers & Land Surveyors, PLLC, 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 \$13,300.00 for Contract No. PWC 06-16, 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

Meeting of March 15, 2016

WHEREAS, Lt. Gregg Magnifico, Marine/Aviation Bureau, Nassau County Police Department, 1490 Franklin Avenue, Mineola, New York 11501, by letters dated February 3, 2016, has requested permission to use boat slip F-11 at the Harry Tappen Marina and one (1) boat slip at Theodore Roosevelt Marina, for Marine 1 and Marine 3, which are marine enforcement boats, for the 2016 summer boating season, with all fees waived; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Brian A. Vander Veer, Assistant Superintendent of Beaches, Department of Parks, by memorandum dated February 22, 2016, have advised that they have no objection to providing Marine/Aviation Bureau, Nassau County Police Department with boat slip F-11 at the Harry Tappen Marina and one (1) boat slip at Theodore Roosevelt Marina, for the 2016 summer boating season, with all fees waived,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Town Board authorizes the Department of Parks to provide the Marine/Aviation Bureau, Nassau County Police Department with boat slip F-11 at the Harry Tappen Marina and one (1) boat slip at Theodore Roosevelt Marina, for the 2016 summer boating season, with all fees waived.

MM
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)
Parks

Meeting of March 15, 2016

Resolution No. 114 - 2016

Reviewed By
Office of Town Attorney

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated February 22, 2016, recommends that a refund in the amount of \$423.00 be authorized to James J. Stout & Associates, 2 Greg Lane, East Northport, New York 11731, for Building Permit No. R14005529, obtained on December 23, 2014, because the permit that was processed was not within the Town's jurisdiction,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and James J. Stout & Associates is hereby authorized to receive a refund in the amount of \$423.00, 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 0001 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

Meeting of March 15, 2016

WHEREAS, Raymond T. Spagnuolo, Deputy Town Clerk, by memorandum dated February 17, 2016, requests that the Town Board reappoint James Altadonna Jr., Town Clerk, to the position of Registrar of Vital Statistics for the Town of Oyster Bay, pursuant to Section 4121, Article 41 of the Public Health Law of the State of New York, from January 1, 2016 through December 31, 2017,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and James Altadonna Jr., Town Clerk, is hereby reappointed to the position of Registrar of Vital Statistics for the Town of Oyster Bay, nunc pro tunc from January 1, 2016 through December 31, 2017.

MM
Reviewed By
Office of Town Attorney
James Altadonna Jr.

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Town Clerk

Meeting of March 15, 2016

WHEREAS, Eileen A. Krieb, Feast by the Shore Co-Chairman of St. Boniface Martyr Church, 145 Glen Avenue, Sea Cliff, New York 11579, by letter dated January 15, 2016, has requested the use of Tappen Beach from May 15, 2016 through May 23, 2016, and town property and equipment in connection with its annual Feast by the Shore, with the actual dates of the event to be May 19, 2016 through May 22, 2016; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Donna Antetomaso, Recreation Specialist III, Department of Parks, by memorandum dated February 22, 2016, advise that Tappen Beach and the following property and equipment will not be required for use by the Town at that time, and that the Department of Parks has no objection to providing same, and they request Town Board authorization to grant the following requests of St. Boniface Martyr Church:

1. Use of Tappen Beach from May 15, 2016 through May 23, 2016,
2. The waiver of the following ordinances of the Code of the Town of Oyster Bay: Section 168-5B, which prohibits gambling at parks, pools, and beaches, so as to allow raffles and other games of chance to be sold; and Section 168-22 to sell beer during the Feast by the Shore;
3. The use of the Town Show Mobile and portable lighting units from Thursday, May 19, 2016 through Sunday, May 22, 2016, twenty (20) trash receptacles and twenty (20) picnic tables; and

WHEREAS, this Town Board deems this event to be an appropriate and worthwhile endeavor, and has determined that the approval of this request will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned requests are hereby authorized and approved, and that St. Boniface Martyr Church may use Harry Tappen Beach from May 15, 2016 through May 23, 2016 for its annual Feast by the Shore; and be it further

RESOLVED, That the Town Board hereby waives Section 168-5B of the Code of the Town of Oyster Bay so as to allow raffles and other games of chance to be sold at and during the aforementioned Feast by the Shore; and Section 168-22 of the Code of the Town of Oyster Bay so as to allow the sale of beer during the Feast by the Shore, and be it further

RESOLVED, That Frank A. Nocerino, Commissioner of the Department of Parks, and Donna Antetomaso, Recreation Specialist III, Department of Parks, are hereby authorized to provide the abovementioned property and equipment to St. Boniface Martyr Church, for its Feast by the Shore to be held from May 19, 2016 through May 22, 2016, said property and equipment to be delivered as abovementioned, subject to the following conditions:

1. St. Boniface Martyr Church shall be responsible for obtaining all necessary permits for its Feast by the Shore, and will furnish copies of same to the Department of Parks prior to the start of the Feast.

Reviewed By
Office of Town Attorney

2. St. Boniface Martyr Church shall be responsible for 24 hour security at Harry Tappen Beach from Sunday, May 15, 2016 through Monday, May 23, 2016.

3. The use of all Town property shall be in conformance with the direction of the Commissioner of the Department of Parks, or his duly authorized designee.

4. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in conduct of the aforementioned activities, except for Sections 168-5B and 168-22, as indicated above.

5. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains commercial general liability insurance, in the amounts of \$1,000,000 with a general aggregate of \$2,000,000 and naming the Town as an additional insured, in connection with the aforementioned activities.

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 March 15, 2016

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated February 22, 2016, recommends that a refund in the amount of \$330.00 be authorized to Towers Electrical Contracting, Inc. D/B/A/ Long Island Emergency Power, 615 Acorn Street, Suite G, Deer Park, N.Y. 11729, for Building Permit No. R15003469, obtained on August 27, 2015, because the installation of a 22 KW gas generator was withdrawn, as per their letter dated November 5, 2015,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and Towers Electrical Contracting, Inc. D/B/A/ Long Island Emergency Power is hereby authorized a refund in the amount of \$330.00, 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 0001 02555 000 0000, or any other appropriate account.

Paul
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

Meeting of March 15, 2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary T. Ryan, Director, Senior Citizen Services, Department of Community and Youth Services, by memorandum dated February 16, 2016, request that the Town Board authorize the Town Wide Senior Trips for April, May and June 2016, listed below, and further authorize the Commissioner of Community and Youth Services to make adjustments, deletions or changes, as needed, provided that in the event of change, participants are permitted to receive a full refund if the change is not to his or her preference:

<u>Date</u>	<u>Place</u>	<u>Cost Includes</u>
Thursday, April 21, 2016	John Engeman Theater, \$60.00 per ticket	Transportation by Town or Coach Bus Ticket for matinee show
Thursday, May 12, 2016	Salute to Seniors Luncheon \$40.00 per person	Town and School Bus Transportation (if required), Luncheon Entertainment and Valet Parking
Friday, June 10, 2016	Hunterdon Hills Playhouse, \$80.00 per person	Coach Bus Transportation Complete Luncheon Entertainment

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the abovementioned Town Wide Senior Trips for April, May and June 2016 are hereby authorized, and are to be conducted pursuant to the Department of Community and Youth Service's procedures for self-sustaining accounts; and be it further

RESOLVED, That the Commissioner of the Department of Community and Youth Services, or her designee is authorized to make any adjustments, deletions, or changes, as needed, to the above schedule, provided that in the event of any change, each participant is permitted to receive a full refund if the change is not to his or her preference.

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 March 15, 2016

WHEREAS, by deed dated March 24, 2015, an offer of dedication was made by Lewis Construction, Ltd., of a certain street known as Lewis Court f/k/a Heroes Court, Bethpage, New York, Nassau County Planning Commission Map No. 9592, as shown on "Map of Heroes of 9/11 Homes", and as more particularly described in said deed; and

WHEREAS, it is deemed to be in the best interests of the Town of Oyster Bay to accept the offer of dedication of the above street; and

WHEREAS, Lewis Construction, Ltd. has offered to grant a permanent easement adjacent to Lewis Court f/k/a Heroes Court to the Town, so that the Town may maintain the roadway drainage structures,

NOW, THEREFORE, BE IT RESOLVED, That the offer of dedication of Lewis Court f/k/a Heroes Court, Bethpage, New York, is hereby accepted, and said street is hereby declared to be a public street of the Town of Oyster Bay; and be it further

RESOLVED, That the Town hereby accepts the drainage easement adjacent to Lewis Court f/k/a Heroes Court from Lewis Construction, Ltd.; and be it further

RESOLVED, That the developer of said subdivision must provide the Office of the Town Clerk with a copy of the cashier's receipt for the recording of the herein described Deed of Dedication with the Nassau County Clerk's office within thirty (30) days of the adoption of the herein Resolution, and must provide the Office of the Town Clerk with a copy of the filed Deed of Dedication within six (6) months of the adoption of the herein Resolution.

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

Decided By
Clerk of Town Attorney
Teru A. Good

WHEREAS, in 2015, the Town was a party to a special proceeding entitled *Denton, et al. v. Town of Oyster Bay, et al.*, which challenged certain Town Board determinations with respect to the Country Pointe at Plainview project; and

WHEREAS, although Justice George R. Peck dismissed the special proceeding, finding that the Town Board's determination "was not arbitrary, capricious or affected by an error in law and was supported by substantial evidence", the parties nevertheless entered into a stipulation of settlement on January 15, 2016, under which the Country Pointe developer agreed to further reduce the density of the Country Pointe project; and

WHEREAS, said stipulation of settlement was fully executed by the parties, so-ordered by Justice Peck, and entered in the Office of the Nassau County Clerk; and

WHEREAS, because the environmental activist who assisted in the *Denton* matter has continued to make application to the courts in an attempt to intervene in the action despite it being discontinued and settled, the Office of the Town Attorney commenced litigation entitled *Town of Oyster Bay v. Richard A. Brummel*, seeking an injunction against further applications; and

WHEREAS, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated February 17, 2016, have recommended that both the January 15, 2016 stipulation of settlement and the litigation be ratified and authorized by the Town Board,

NOW, THEREFORE, BE IT RESOLVED, That Town Board hereby ratifies and authorizes the commencement of the *Town of Oyster Bay v. Richard A. Brummel* litigation as well as the January 15, 2016 stipulation of settlement in its entirety.

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]

Meeting of March 15, 2016

WHEREAS, by Resolution No. 916-2013, adopted on December 17, 2013, this Town Board authorized D & B Engineers and Architects, P.C., to provide engineering services under Contract No. PWC 23-14, On-Call Engineering Services Relative to Environmental 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 23, 2016, and D & B Engineers and Architects, P.C., by letter dated October 30, 2015, request that D & B Engineers and Architects, P.C. be authorized to utilize Pace Analytical Services, Inc., 575 Broadhollow Road, Melville, NY, 11747, and Pine Environmental Services, Inc., 92 North Main Street, Building 20, Windsor, NJ 08561, as sub-consultants to provide laboratory analysis and environmental assistance relative to the Old Bethpage Landfill Groundwater Monitoring and Hydraulic Modeling, under Contract No. PWC 23-14,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and D & B Engineers and Architects, P.C., is hereby authorized to utilize Pace Analytical Services, Inc. and Pine Environmental Services, Inc., as sub-consultants to provide laboratory analysis and environmental assistance relative to the Old Bethpage Landfill Groundwater Monitoring and Hydraulic Modeling, under Contract No. PWC 23-14.

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
Environmental Resources

Revised By
Office of Town Attorney

Meeting of March 15, 2016

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

WHEREAS, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, by memorandum dated February 18, 2016, advise that legal fees and disbursements have exceeded the previously authorized sum, and it is now necessary to request an additional sum, not to exceed \$275,000; and

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

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

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

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

Reviewed By
Office of Town Attorney
[Handwritten Signature]

Meeting of March 15, 2016

WHEREAS, James Altadonna Jr., Town Clerk and Raymond T. Spagnuolo, Deputy Town Clerk, by memorandum dated February 16, 2016, recommend that a refund in the amount of \$80.00 be authorized for Mr. Kyle Lyons, 52 Route 106, Jericho, New York 11753, due to a clerical error in mistakenly issuing an Incorporated Village Parking Permit No. 1215, instead of a Resident Parking Permit,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and Mr. Kyle Lyons is hereby authorized to receive a refund in the amount of \$80.00, 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. HWY ST 0001 01721 000 0000, or any other appropriate account.

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Town Clerk

Reviewed By
Office of Town Attorney

Meeting of March 15, 2016

WHEREAS, by Resolution No. 326-2015, adopted on May 26, 2015, this Town Board authorized the Supervisor to enter into an agreement with Leventhal, Cursio, Mullaney & Spector, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed \$50,000.00 per year, through December 31, 2015, with two (2), one (1) year extension options; and

WHEREAS, Leonard Genova, Town Attorney, and Anthony C. Curcio, Assistant Town Attorney, by memorandum dated February 23, 2016, recommend Town Board authorization to exercise the first, one (1) year extension option of said agreement through December 31, 2016, in an amount not to exceed \$50,000.00,

NOW, THEREFORE BE IT RESOLVED, That the abovementioned recommendation is hereby approved, and the Town Board hereby ratifies the exercise of the first, one (1) year extension option of the agreement with Leventhal, Cursio, Mullaney & Spector, LLP, 15 Remsen Avenue, Roslyn, New York, to provide services as the Town's ethics counsel, in an amount not to exceed \$50,000.00, through December 31, 2016, 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 funds for said payment are to be drawn from Account No. OTA A 1420 44110 000 0000, or any other appropriate account.

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

Meeting of March 15, 2016

WHEREAS, Resolution No. 739-2015, adopted on December 15, 2015, authorized Angelo Francis Corva & Associates, Architects, 60 Hempstead Avenue, Suite 300, West Hempstead, NY 11552, to provide on-call engineering services under Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture; and

WHEREAS, Angelo Francis Corva & Associates, Architects, by letter dated December 28, 2015 has advised as to the scope of work to be performed; and

WHEREAS, Diana S. Aquiar, Deputy Commissioner of the Department of Planning and Development, by memoranda dated February 24, 2016 and February 26, 2016, requests that Angelo Francis Corva & Associates, Architects, be authorized to provide architectural review of plans for the Department of Planning & Development under Contract No. PWC 22-16, On Call Engineering Services relative to Architecture and requests that the Comptroller issue an encumbrance order in the amount of \$150,000.00, with funds to be drawn from Account No. PAD B 3620 44800 0000 000,

NOW, THEREFORE, BE IT RESOLVED, That upon the requests as hereinabove set forth, Angelo Francis Corva & Associates, Architects, are hereby authorized to proceed with the abovementioned services, and the Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of \$150,000.00 for Contract No. PWC 22-16, with funds to be drawn from Account No. PAD B 3620 44800 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)
Planning & Development

Reviewed By
Office of Town Attorney

Meeting of March 15, 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 memoranda dated February 23, 2016 and March 1, 2016, and Angelo Francis Corva & Associates, Architects, 60 Hempstead Avenue, Suite 300, West Hempstead, NY 11552, by letter dated February 10, 2016, have advised that it is necessary and essential to authorize Change Order No. 2, relative to Contract No. DA 13-105, Flood Mitigation/House Raising, 20 Pirates Cove, Massapequa, New York, for the costs relating to the supply and installation of two (2) smart vents, one in the garage door and one in the garage block wall, for a total increase in the amount of \$1,850.00, which amount is covered by the FEMA Hazard Mitigation Program and homeowner funding; and

WHEREAS, Angelo Francis Corva & Associates, by letter dated February 10, 2016, has also advised that a final inspection has been made of the work performed under Contract No. DA 13-105, and has certified that the Contractor, Long Island House Lifting, Inc., 52 Maple Place, Amityville, New York 11701, has complied with all of the requirements of the Contract, and Commissioner Richard T. Betz, and Deputy Commissioner Elizabeth L. Maccarone, by memoranda dated February 23, 2016 and March 1, 2016, have also advised that: the Department of Public Works concurs with the Consulting Engineer that this Contract be accepted as having been completed, and that final payment be made to the Contractor; that work was scheduled to be completed on June 10, 2014, and was completed on August 1, 2014, and recommend that an extension of time be ratified; and final construction costs were in the amount of \$173,050.00; and

WHEREAS, the Department of Intergovernmental Affairs, by memorandum dated February 23, 2016, concurs with the recommendation of final acceptance of this project; and

WHEREAS, the Office of the Town Attorney and the Office of the Comptroller, by separate memoranda dated February 25, 2016, have stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of final acceptance of this Contract,

NOW THEREFORE IT BE RESOLVED, That upon the recommendation as hereinabove set forth, Change Order No. 2 to Contract No. DA 13-105 is hereby approved, and the Supervisor is hereby authorized to sign Change Order No. 2, setting forth the work required, at a total cost of \$1,850.00; and be it further

RESOLVED, That upon the recommendations as hereinabove set forth, Contract No. DA 13-105 is accepted as being complete, at a final construction cost of \$173,050.00, and an extension of time for completion be ratified to August 1, 2014, and the Comptroller is hereby authorized and directed to make final payment for same, in accordance with the applicable terms and provisions of this Contract, after the customary review of the engineer's certificate, 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)
Public Works
Intergovernmental Affairs

Reviewed By
Office of Town Attorney

Meeting of March 15, 2016

WHEREAS, Resolution No. 753-2015, adopted on December 15, 2015, authorized LiRo Engineers, Inc., to provide on-call 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 memoranda dated February 23, 2016 and March 1, 2016, request that LiRo Engineers, Inc., be authorized to provide engineering services in the amount of \$128,925.09 under Contract No. PWC 07-16, including planning and design services for improvements to the Lake Avenue C.V.M. Garage, Project ID No. 1501TWNA-02, as these funds represent the unused portion of funds authorized under the previous on-call contract and that the Comptroller issue an encumbrance order in the amount of \$128,925.09, with funds to be drawn from Account No. DPW H 1997 20000 000 1501 001,

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 \$128,925.09 for Contract No. PWC 07-16, with funds to be drawn from Account No. DPW H 1997 20000 000 1501 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

Meeting of March 15, 2016

WHEREAS, Resolution No. 910-2013, adopted on December 17, 2013, authorized Sidney B. Bowne & Son, LLP, to provide on-call engineering services, in connection with Contract No. PWC 15-14, On-Call Engineering Services Relative to Traffic Engineering; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memoranda dated February 23, 2016 and March 1, 2016, request that Sidney B. Bowne & Son, LLP, be authorized under Contract No. PWC 15-14, On-Call Engineering Services Relative to Traffic Engineering, to provide Design Services for Fairwater Avenue Area, Massapequa, New York, Project ID No. 1403HWYDB-18, and further request that the Comptroller issue an encumbrance order in an amount of \$49,000.00, with funds available in Account No. HWY H 5197 20000 000 1403 008,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Sidney B. Bowne & Son, LLP, 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 \$49,000.00 for Contract No. PWC 15-14, with funds to be drawn from Account No. HWY H 5197 20000 000 1403 008, or any other appropriate account.

MW
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)
Public Works
Highway

WHEREAS, this Town Board, by Resolution No. 408-13, adopted on June 11, 2013, awarded Contract No. HRR13-089, Requirements Contract for Road Restoration at Various Locations Throughout the Town of Oyster Bay, to Carlo Lizza & Sons Paving Inc., which Contract contains a provision for extensions, and was most recently extended through June 10, 2016; and

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 Capital Projects; and

WHEREAS, Kevin M. Hanifan, Commissioner of the Highway Department, and John P. Bishop, Division of Administration, Highway Department, by memoranda dated February 19, 2016 and March 1, 2016, request that from the 2015 Capital Budget funds designated for Highway Department Capital Projects, the amount of \$1,500,000 be allocated for Contract No. HRR13-089, for Carlo Lizza & Sons Paving Inc.,

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 Capital Projects, the amount of \$1,500,000 is hereby authorized to be allocated for Contract No. HRR13-089, for Carlo Lizza & Sons Paving Inc.

MS
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

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and George Baptista, Jr., Deputy Commissioner of the Department of Parks, by memoranda dated February 22, 2016 and March 4, 2016, advise that on January 25, 2016, the Department of Parks issued a Request for Proposals for Golf Professional Services and Driving Range Operations for the Hon. Joseph Colby Town of Oyster Bay Golf Course; and

WHEREAS, in response to that Request for Proposals, four responses were timely received by the Department of Parks; and

WHEREAS, after review of all of the responses that were received by the Department of Parks in accordance with both the Procurement Policy and the criteria set forth in the Request for Proposals, the Department of Parks recommends and requests that the Town Board authorize the Supervisor to enter into a license agreement with Zebra Golf, Inc., for a three year period beginning on March 16, 2016 through December 31, 2018, with the option of two, one-year extensions, at a rate of \$50,000.00 per year plus a thirty percent additional payment for each \$5,000.00 increment of gross driving range revenue in excess of \$185,000.00, all payable to the Town; and

WHEREAS, the Town Board deems it to be in the best interest of the Town to enter into such license agreement,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation and request is hereby approved, and the Supervisor is hereby authorized to execute any and all documents necessary to enter into such license agreement with Zebra Golf, Inc.

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)
Parks