Meeting of July 12, 2016 Resolution No. TF12 -2016

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

ITEM NO.	DEPT.		FROM	
028-16	IGA	$123,026.75	IGA CD	0001 02170 000 CD16
			TO	
		123,026.75	IGA CD	8668 48290 000 CD16
			FROM	
029-16	DPW	6,400.00	DPW A	1640 41210 000 0000
			TO	
		6,400.00	DPW A	1640 47900 000 0000
			FROM	
		4,000.00	DPW A	1640 41210 000 0000
			TO	
		4,000.00	DPW A	1640 46340 000 0000
			FROM	
		7,500.00	DPW A	1640 41210 000 0000
			TO	
		7,500.00	DPW A	1640 25000 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	Absent
Councilwoman Johnson	Aye

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

Meeting of July 12, 2016 Resolution No. TF12 -2016

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

ITEM NO.	DEPT.		FROM	
028-16	IGA	$123,026.75	IGA CD	0001 02170 000 CD16
			TO	
		123,026.75	IGA CD	8668 48290 000 CD16
			FROM	
029-16	DPW	6,400.00	DPW A	1640 41210 000 0000
			TO	
		6,400.00	DPW A	1640 47900 000 0000
			FROM	
		4,000.00	DPW A	1640 41210 000 0000
			TO	
		4,000.00	DPW A	1640 46340 000 0000
			FROM	
		7,500.00	DPW A	1640 41210 000 0000
			TO	
		7,500.00	DPW A	1640 25000 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	Absent
Councilwoman Johnson	Aye

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

Meeting of July 12, 2016 Resolution No. 346-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary E. Hurst, Director of the Division of Handicapped Services for the GAP Program, Department of Community and Youth Services, by memorandum dated June 9, 2016, requested Town Board authorization to employ a performer to provide entertainment for GAP Program participants at a total cost of $300.00, as follows:

Timothy Aldridge
38 Constable Lane
Levittown, New York 11756
Performance Date: Tuesday, July 19, 2016
Location: Syosset-Woodbury Community Center
Fee: $300.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Department of Community and Youth Services is hereby authorized to employ the aforementioned performer, on the date, location and fee as abovementioned, at a total cost of $300.00, for the purposes of providing entertainment to GAP Program participants; and be it further

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

-#-

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	Absent
Councilwoman Johnson	Aye

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

4

346

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

RECEIVED
SUPERVISOR'S OFFICE

June 9, 2016

TO: Memorandum Docket

FROM: Mary E. Hurst, Director of Handicapped Services
GAP Division

THROUGH: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services

SUBJECT: Services for GAP

The Department of Community & Youth Services requests Town Board authorization to employ the services of the performer listed below for the date and location noted. They will be providing entertainment for GAP Program participants.

Timothy Aldridge
38 Constable Lane, Levittown, N.Y. 11756
Performance Date: Tuesday, July 19, 2016
Performance Location: Syosset-Woodbury Community Center
Performance Fee: $300.00

Funds are available in Account CYS A 7020 47660 000 0000, *Special Events.* In accordance with Guideline 5, Section b, of the Town Procurement Policy, these services are exempt from the solicitation, written proposal or requirements of the policy.

Mary E. Hurst
Mary E. Hurst
Director of Handicapped Services

Maureen A. Fitzgerald
Maureen A. Fitzgerald
Commissioner

MAF:MEH:jd
cc: Town Attorney (+19 copies)

CORRECTED COPY

Meeting of July 12, 2016 Resolution No. 347-2016

Reviewed By
Office of Town Attorney

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated June 13, 2016, advised that on March 22, 2016, the Department of Planning and Development issued a Request for Proposals for Contract PWC62-16, Technical Assistance Services Relating to Building Standards and Zoning Codes; and

WHEREAS, in response to that Request for Proposals, four (4) responses were timely received by the Department of Planning and Development; and

WHEREAS, after review of all of the responses that were received by the Department of Planning and Development, in accordance with both the Procurement Policy and the criteria set forth in the Request for Proposals, the Department of Planning and Development recommends and requests that the Town Board authorize the Supervisor to enter into an agreement with Angelo Francis Corva & Associates, Architects, 60 Hempstead Avenue, Suite 300, West Hempstead, NY 11552, with the Contract Amount not to exceed $60,000.00 and Sidney B. Bowne & Son, LLP, 235 E. Jericho Turnpike., Mineola, NY 11501, with the Contract Amount not to exceed $100,000.00, for the period commencing on April 1, 2016, nunc pro tunc and terminating on December 31, 2016. The funds will be available from account No. PAD B 3620 44800 000 0000; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby approved, and the Supervisor is hereby authorized to execute any and all documents necessary to enter into an agreement with Angelo Francis Corva & Associates, Architects, 60 Hempstead Avenue, Suite 300, West Hempstead, NY 11552, at a cost not to exceed $60,000.00 and Sidney B. Bowne & Son, LLP, 235 E. Jericho Turnpike., Mineola, NY 11501, at a cost not to exceed $100,000.00, for Contract PWC62-16, Technical Assistance Services Relating to Building Standards and Zoning Codes for the period commencing April 1, 2016, nunc pro tunc, through December 31, 2016; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds to be drawn from Account No. PAD B 3620 44800 000 0000.

-#-

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	Absent
Councilwoman Johnson	Aye

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

10
MW

347

Town of Oyster Bay
Department of Planning and Development

Inter-Departmental Memo

June 13, 2016

TO: MEMORANDUM DOCKET

FROM: TIMOTHY R. ZIKE
Deputy Commissioner

SUBJECT: AWARD OF ON-CALL PWC 62-16 TECHNICAL ASSISTANCE SERVICES RELATING TO BUILDING STANDARDS AND ZONING CODES

On March 22, 2016, the Town of Oyster Bay Department of Planning & Development solicited proposals for Technical Assistance Services for a one-(1) year contract with two (2) one year mutually agreed upon extensions. This service will provide technical assistance to the Department of Planning & Development as it relates to building standards and zoning codes. The "Requests for Proposals" were issued to fifteen (15) firms in accordance with the Town of Oyster Bay Procurement Policy – Qualification-Based Selection process (Guideline 6.).

By March 24, 2016 the Department of Planning and Development had received four (4) responses which were reviewed and evaluated by a selection committee based on the technical merits of the responses. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy.

After review of the Selection Committee's preliminary recommendations, and based upon Guideline 6 of the Procurement Procedure, the firms noted below have been selected to perform the work.

It is therefore respectfully requested that the Town Board authorize the Supervisor to enter into agreements with the firms listed for the amounts noted for each company for the period commencing on April 1, 2016 (*nunc pro tunc)* and terminating on December 31, 2016, with two (2) mutually agreed upon annual extension options.

COMPANY NAME	CONTRACT AMOUNT
ANGELO FRANCIS CORVA & ASSOCIATES, ARCHITECTS 60 Hempstead Avenue, Suite 300 West Hempstead, NY 11552	Not to exceed $60,000.00
SIDNEY B. BOWNE & SON, LLP 235 East Jericho Turnpike Mineola, NY 11501	Not to exceed $100,000.00

The funds are available from account no. PAD B 3620 44800 000 0000. This authorization and others charged to this account will not exceed the 2016 budget.

Timothy R. Zike ds

TIMOTHY R. ZIKE
Deputy Commissioner

:dsa
cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller

Meeting of July 12, 2016 Resolution No.348-2016

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 September 16, 2015, authorized the Highway Department to clean up the premises located at 50 Virginia Avenue, Plainview, New York 11803, also known as Section 12, Block 23, Lot 57 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 June 8, 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 September 29, 2015, in the amount of $471.31, 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 June 8, 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 $471.31 may be assessed by the Legislature of the County of Nassau against the parcel known as 50 Virginia Avenue, Plainview, New York 11803, also known as Section 12, Block 23, Lot 57 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	Absent
Councilwoman Johnson	Aye

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

348

13

Town of Oyster Bay
Inter-Departmental Memo

2016 JUN 13 P
TOWN OF OYSTER

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 8, 2016

SUBJECT: Property Cleanup Assessment
50 Virginia Avenue, Plainview, New York 11803
Section 12, Block 23, Lot 57

The Department of Planning and Development, by memorandum dated September 16, 2015, directed the Highway Department to clean the premises located at 50 Virginia Avenue, Plainview, New York 11803, also known as Section 12, Block 23, Lot 57 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 30, 2015, advised that the property was cleaned by a crew from the Highway Department on September 29, 2015. The cost incurred by the Town of Oyster Bay was $471.31.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Attys\DBS\Cleanup MD&Resr\MD 50 Virginia Ave 6 8 16.doc

Have Deed
2016-5307
ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
September 16, 2015

To: KEVIN HANIFAN, COMMISSIONER HIGHWAY

From: MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT

Through: FREDERICK P. IPPOLITO, COMMISSIONER
PLANNING AND DEVELOPMENT

Subject: 50 Virginia Avenue Plainview, NY 11803
SBL: ~~12-23-38~~ – ~~[illegible]~~
12-23-57

Notice of Violation (No.14939) was issued to the owner of the above-referenced premises 08/25/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

2015 DEC 16 A 9:22

7405-42778

Standard N.Y.B.T.U. Form 8002 Bargain and Sale Deed, with covenants against Grantor's Acts-Individual or Corporation

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 19th day of October, Two Thousand Six.

BETWEEN

PATRICIA MACK, GERARD MACK, and EDWARD MACK III
50 Virginia Avenue
Plainview, New York

party of the first part, and

LORETTA GUIDA
337 Vernon Street
Dix Hills, New York 11746

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SEE SCHEDULE "A" ANNEXED

Sect 12 Blk 23 Lot 57

SAID premises known as **50 Virgina Avenue, Plainview, New York 11803**

Being and intended to be the same premises conveyed to the Grantor herein by deed dated August 20, 1998 and recorded on October 15, 1998 in the Office of the Clerk of Nassau County in Liber 10973 page 43

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Patricia Mack
PATRICIA MACK

Edward A. Mack III
EDWARD MACK, III

~~GERARD MACK~~
GERARD MACK
GM

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 10-26-2006
Recorded Time: 11:25:49 a

Liber Book: D 12189
Pages From: 331
To: 334

Control Number: 886
Ref #: RE 007640
Doc Type: D01 DEED

Record and Return To:
MICHAEL JEW ESQ
1225 FRANKLIN AVE SUITE 450
GARDEN CITY, NY 11530

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0012	00023-00	00057	

Consideration Amount: 431,200.00

Taxes Total	1,726.00
Recording Totals	127.00
Total Payment	1,853.00

NMM001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
MAUREEN O'CONNELL
COUNTY CLERK

2006102600886

✓ De

Town of Oyster Bay
Inter- Departmental Memo

September 30, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: 50 VIRGINIA AVENUE, PLAINVIEW
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$471.31**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2015 DEC -8 A 9:22

Clean up 50 VIRGINIA AVENUE, PLAINVIEW to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE
50 Virginia Ave, Plainview

DATE: 09/28/15

WO# 18398

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Badome, Phil	Equip Oper I	1.00		26.14	$	26.14
Dade, Scott	Equip Supv	1.00		46.63	$	46.63
Limoncelli, Robert	Equip Oper II	1.00		41.68	$	41.68
Pecora, Joseph	Laborer I	1.00		24.28	$	24.28
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	138.73

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Packer	PP938	PK358	105.00	1.00	$	105.00
Pickup	016	PU406	79.00	1.00	$	79.00
Power Wagon	HP924	TD562	105.00	1.00	$	105.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	289.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	80.70	0.54	$	43.58
WHITE PAINT (GALLONS)	$	11.30		$	0.00
MAINTENANCE AND PROTECTION OF OF TRAFFIC				$	
			Subtotal C	$	43.58
			Total of A+B+C	$	471.31

DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using 2 lawn mowers, 2 weedwackers and 1 backpack blowers. Debris removed and dumped.

Signature:

Name: Douglas Robalino

Title: Storeyard Supervisor

Date: 09/30/15

Meeting of July 12, 2016 Resolution No.349-2016

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 December 15, 2015, authorized the Highway Department to clean up the premises located at 43 Crestwood Boulevard, Farmingdale, New York 11735, also known as Section 48, Block 273, Lots 47, 48, 49 and 50 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 June 8, 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 January 11, 2016, in the amount of $1,084.63, 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 June 8, 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 $1,084.63 may be assessed by the Legislature of the County of Nassau against the parcel known as 43 Crestwood Boulevard, Farmingdale, New York 11735, also known as Section 48, Block 273, Lots 47, 48, 49 and 50 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Approved 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	Absent
Councilwoman Johnson	Aye

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

14

349

Town of Oyster Bay
Inter-Departmental Memo

RECEIVED
AFFAIRS

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 8, 2016

SUBJECT: Property Cleanup Assessment
43 Crestwood Boulevard, Farmingdale, New York 11735
Section 48, Block 273, Lots 47, 48, 49 and 50

The Department of Planning and Development, by memorandum dated December 15, 2015, directed the Highway Department to clean the premises located at 43 Crestwood Boulevard, Farmingdale, New York 11735, also known as Section 48, Block 273, Lots 47, 48, 49 and 50 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated January 20, 2016, advised that the property was cleaned by a crew from the Highway Department on January 11, 2016. The cost incurred by the Town of Oyster Bay was $1,084.63.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Atty-OBS\Cleanups MD&Res\MD 43 Crestwood Blvd 6 7 16.doc

2016-5272 S
Have Deed

TOWN OF OYSTER BAY

Inter-Departmental Memo
December 15, 2015

REVIEWED BY
K.M.H.
DATE

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

From: **MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT**

Through: **FREDERICK P. IPPOLITO, COMMISSIONER**
PLANNING AND DEVELOPMENT

Subject: **43 Crestwood Blvd. Farmingdale, NY 11735 .**
SBL: 48-273-47,48,49 and 50

Notice of Violation (No.15405) was issued to the owner of the above-referenced premises 12/07/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris on the southwest side of the property. Secondly, please board up the basement window on the other of the house.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

STATE OF NEW YORK
SUPREME COURT: COUNTY OF NASSAU

----------X

BANK OF AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION AS TRUSTEE FOR RASC 2007KS4
3451 Hammond Avenue
Waterloo, IA 50704-5400

Plaintiff,

vs.

DANIEL W. HARDGROVE, ARLENE M. HARDGROVE, NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE,

JOHN DOE (Said name being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein, and any parties, corporations or entities, if any, having or claiming an interest or lien upon the mortgaged premises.)

Defendant(s).

----------X

NOTICE OF PENDENCY OF ACTION

ORIGINAL FILED WITH THE CLERK ON

INDEX NO.: 08-014097

MORTGAGED PREMISES:
43 CRESTWOOD BOULEVARD
SOUTH FARMINGDALE, NY
11735

SBL #:
48-273-47,
48-273-48,
48-273-49,
48-273-50

NOTICE IS HEREBY GIVEN, that an action has been commenced and is now pending in the Supreme Court of Nassau County upon the Complaint of the above named Plaintiff against the above named Defendant(s) for the foreclosure of a mortgage bearing date the 1st day of March, 2007 executed by ARLENE M. HARDGROVE and DANIEL W. HARDGROVE to secure the sum of $425,000.00, and recorded at Liber 31727 of Mortgages at Page 316 in the Office of the Clerk of the County of Nassau, on the 2nd day of April, 2007; which mortgage was duly assigned by assignment dated the 14th day of July, 2008, and sent for recording in the Office of the Clerk of Nassau County;

AND, NOTICE IS FURTHER GIVEN, that the mortgaged premises described in such mortgage(s) affected by the said foreclosure action, were, at the time of the commencement of this action, and at the time of the filing of this Notice, situated in the County of Nassau and State of New York, and are described in "Schedule A - Legal Description" attached hereto and made a part hereof.

The Clerk of the County of Nassau, is directed to index this Notice against the names of all the Defendant(s).

DATED: July 16, 2009

SBL No.: 48-273-47, 48-273-48, 48-273-49 and 48-273-50

By:
Sarah Foor, Esq.
Steven J. Baum, P.C.
Attorneys for Plaintiff
220 Northpointe Parkway Suite G
Amherst, NY 14228
Tel.: 716-204-2400

The law firm of Steven J. Baum, P.C. and the attorneys whom it employs are debt collectors who are attempting to collect a debt. Any information obtained by them will be used for that purpose.

KC

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 07-17-2009
Recorded Time: 1:27:14 p

Record and Return To:

Liber Book: L 1503
Pages From: 224
To: 229

Control
Number: 1510
Ref #: 09--014097
Doc Type: X09 LIS PENDENS/SUMMONS/COMPLAINT

Plnt: BANK OF AMERICA NATIONAL ASSN
Plnt: LASALLE BANK NATIONAL ASSN
Dfnd: HARDGROVE, DANIEL W
Dfnd: HARDGROVE, ARLENE M

Refers to: Book: M 31727 Page: 316

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0048	00273-00	00047	
OYSTER BAY (2824)	0048	00273-00	00048	
OYSTER BAY (2824)	0048	00273-00	00049	
OYSTER BAY (2824)	0048	00273-00	00050	

Judgment Amount: 425,000.00

	Taxes Total	.00
	Recording Totals	54.00
POB001	Total Payment	54.00

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
MAUREEN O'CONNELL
COUNTY CLERK

200907170151O

DB5

Town of Oyster Bay
Inter- Departmental Memo

January 20, 2016

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **43 CRESTWOOD BLVD, FARMINGDALE**
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$1,084.63**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2016 FEB -3 A 9:37

CLEAN-UP 43 CRESTWOOD BLVD, FARMINGDALE to P & D

3

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-273-47) 43 CRESTWOOD BLVD FARMINGDALE 11735

Date Jan 11, 2016

Work Order # 21940

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANTHONY ANTONUCCI	General Maintenance	01:30	$38.99	00:00	0	$58.49
MICHAEL HAYWARD	General Maintenance	01:30	$41.80	00:00	0	$62.70
MARTIN LANG	General Maintenance	01:30	$47.97	00:00	0	$71.96
MICHAEL MARTIN	General Maintenance	01:30	$24.04	00:00	0	$36.06
JOHN PIETROSANTE	General Maintenance	01:30	$43.92	00:00	0	$65.88
BARRY SPECTOR	General Maintenance	01:30	$43.36	00:00	0	$65.04
					Total Labor	$360.13

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK360	SANI PACKER 2006 INTL 7400 YW (PP940 / PP-940)	$105.00	01:30	$157.50
PU413	PICK UP 2011 FORD F250 YELLO (14 / 027)	$79.00	01:30	$118.50
SW183	SWEEPER 2012 ELGIN PELIC YW (S-241)	$115.00	01:30	$172.50
TP633	PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	$79.00	01:30	$118.50
TD728	POWER WAGON 2015 T-245	$105.00	01:30	$157.50
			Total Equipment	$724.50

Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total **$1084.63**

Description of Work:

CLEAN UP 43 CRESTWOOD BLVD. FM TO GOUG

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Jan 13, 2016

Meeting of July 12, 2016 Resolution No.350-2016

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 March 31, 2015, authorized the Highway Department to clean up the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 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 June 8, 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 April 1, 2015, in the amount of $187.92, 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 June 8, 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 $187.92 may be assessed by the Legislature of the County of Nassau against the parcel known as 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 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	Absent
Councilwoman Johnson	Aye

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

15

350

Town of Oyster Bay
Inter-Departmental Memo

RECEIVED
PUBLIC AFFAIRS

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 8, 2016

SUBJECT: Property Cleanup Assessment
50 Elizabeth Street, Massapequa, New York 11758
Section 53, Block 43, Lots 1, 3, 5 and 7

The Department of Planning and Development, by memorandum dated March 31, 2015, directed the Highway Department to clean the premises located at 50 Elizabeth Street, Massapequa, New York 11758, also known as Section 53, Block 43, Lots 1, 3, 5 and 7 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated April 3, 2015, advised that the property was cleaned by a crew from the Highway Department on April 1, 2015. The cost incurred by the Town of Oyster Bay was $187.92.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Acts\DBS\Cleanup MO&Resol\MO 50 Elizabeth St 6.8.16.doc

2016-5243 S

Not on Hotter

Hanel

2015 APR 14 P 2:51

TOWN ATTORNEY OFFICE
TOWN OF OYSTER BAY

TOWN OF OYSTER BAY

Inter-Departmental Memo
March 31, 2015

To: KEVIN HANIFAN, COMMISSIONER HIGHWAY

From: MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT

Through: FREDERICK P. IPPOLITO, COMMISSIONER
PLANNING AND DEVELOPMENT

Subject: 50 Elizabeth Street Massapequa, NY 11758
SBL: 53-43-1

Notice of Violation (No.14702) was issued to the owner of the above-referenced premises 03/23/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris. Secondly please reboard the window located in the rear of the house.**
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

1498 ✓

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 11th day of May ,2005

BETWEEN

RAYMOND A. GRAHAM and ANN~~E~~ ASG S. GRAHAM, residing at 362 UNIONDALE AVE., UNIONDALE, NY 11553

party of the first part, and

DAVID WALKER, residing at 50 Elizabeth Street, Massapequa, NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 ($10.00) dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Nassau, more particularly described as follows:

Sec. 53 Blk 43 Lot 13, 54 & 7

SEE ANNEXED DESCRIPTION

Said premises known as 50 Elizabeth Street, Massapequa, NY

Being and intended to be the same premises as described in Deed recorded in Liber 11896 page 126.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

RAYMOND A. GRAHAM

Ann S Graham by [signature] her AIF

ANN~~E~~ ASG S. GRAHAM

Standard N.Y.B.T.U. Form 8002 - Bargain and Sale Deed, with Covenant against Grantor's Acts – Uniform Acknowledgment
Form 3290

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 08-16-2005
Recorded Time: 11:13:12 a

Liber Book: D 11993
Pages From: 137
To: 140

Control
Number: 1062
Ref #: RE 001768
Doc Type: D01 DEED

Record and Return To:
ROBERT SHANAHAN
686 BROADWAY
MASSAPEQUA, NY 11758

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0053	00043-00	00001	
OYSTER BAY (2824)	0053	00043-00	00003	
OYSTER BAY (2824)	0053	00043-00	00005	
OYSTER BAY (2824)	0053	00043-00	00007	

Consideration Amount: 463,500.00

Taxes Total	1,854.00
Recording Totals	127.00
Total Payment	1,981.00

KAV001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK

2005081601062

Mike E.

Town of Oyster Bay
Inter- Departmental Memo

April 3, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **50 ELIZABETH STREET, MASSAPEQUA**
CLEAN-Up

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$187.92**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

Board-up 50 Elizabeth Street, Massapequa to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE, 50 Elizabeth St, E Mass. DATE: 04/01/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Brodowski, Joe	P/T Laborer	1.00		15.00	$	15.00
Fournier, Ruben	Maint Welder	1.00		32.59	$	32.59
Van Nostrand, Jeff	MaintCarpenter	1.00		40.68	$	40.68
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	88.27

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	1.00	$	79.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	79.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$			$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	1.00	$	20.65
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	20.65
			Total of A+B+C	$	187.92

DESCRIPTION OF WORK:
Boarded up back window and front door using 1 sheet of 1/2" plywood, 1 lock and 1 hasp.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 04/02/15

Meeting of July 12, 2016 Resolution No.351-2016

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 October 7, 2015, authorized the Highway Department to clean up the premises located at 889 Main Street, Farmingdale, New York 11735, also known as Section 49, Block 278, Lot 2 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 June 8, 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 November 12, 2015, in the amount of $938.57, 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 June 8, 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 $938.57 may be assessed by the Legislature of the County of Nassau against the parcel known as 889 Main Street, Farmingdale, New York 11735, also known as Section 49, Block 278, Lot 2 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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	Absent
Councilwoman Johnson	Aye

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

16

357

Town of Oyster Bay
Inter-Departmental Memo

RECEIVED
TOWN AFFAIRS

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 8, 2016

SUBJECT: Property Cleanup Assessment
889 Main Street, Farmingdale, New York 11735
Section 49, Block 278, Lot 2

The Department of Planning and Development, by memorandum dated October 7, 2015, directed the Highway Department to clean the premises located at 889 Main Street, Farmingdale, New York 11735, also known as Section 49, Block 278, Lot 2 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 2, 2015, advised that the property was cleaned by a crew from the Highway Department on November 12, 2015. The cost incurred by the Town of Oyster Bay was $938.57.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Attys\DBS\Cleanups\MD&Res\MD 889Main St 6-8-16.doc

✓ 2916753376 S

TOWN OF OYSTER BAY

Inter-Departmental Memo
October 7, 2015

To: KEVIN HANIFAN, COMMISSIONER HIGHWAY

From: MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT

Through: FREDERICK P. IPPOLITO, COMMISSIONER
PLANNING AND DEVELOPMENT

Subject: 889 Main Street Farmingdale, NY 11735
SBL: 49-278-2

Notice of Violation (No.15184) was issued to the owner of the above-referenced premises 09/28/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris throughout the property as well as all the garbage on the back deck.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

889 Main St

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 02-15-2008
Recorded Time: 9:04:36 a

Liber Book: D 12367
Pages From: 462
To: 464

Control
Number: 28
Ref #: RE 014089
Doc Type: D01 DEED

Record and Return To:
FUTTERMAN & LANZA LLP
222 E MAIN STREET
STE 212
SMITHTOWN, NY 11787

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0049	00278-00	00002	

Taxes Total	.00
Recording Totals	124.00
Total Payment	124.00

ALM001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
MAUREEN O'CONNELL
COUNTY CLERK

2008021500028

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made on this 19th day of October, 2007,

between

Stephanie Leon, residing at 413 Purdy Avenue, Placentia, California 92870 and Lisa Gladstein, residing at 21 Hillside Road, Stony Brook, New York 11790, as Co-Trustees of THE PAULA SCHECK FAMILY TRUST dated October 26, 2006, party of the first part, and

Paula Scheck, residing at 889 Main Street, Farmingdale, New York 11735, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents ($10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Farmingdale, Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lot No. 2 in Block 278 on a certain map entitled, "Map of Francis Manor, situate near Farmingdale, County of Nassau and Babylon, Suffolk County, New York, surveyed December 1954, Baldwin and Cornelius Co., Civil Engineers and Surveyors, Freeport, New York," and filed in the Office of the Clerk of the County of Nassau on May 11, 1955, as Map No. 6421 being bounded and described as follows:

49/278/2

BEGINNING as a point on the southerly side of Mill Road which is intersected by the extreme northerly end of an arc connecting the southerly side of Mill Road with the easterly side of Main Street; **RUNNING THENCE** along the southerly side of Mill Road the following two courses and distances; 1. North 58 degrees 13 minutes 00 seconds east 72.54 feet; 2. Along an arc of a curve bearing to the left having a radius of 300 feet and a length of 16.00 feet; **THENCE** South 36 degrees 22 minutes 00 seconds east 80.90 feet; **THENCE** South 58 degrees 13 minutes 00 seconds west 104.99 feet to a point on the easterly side of Main Street; **THENCE RUNNING** along the easterly side of Main Street the following two courses and distances; 1. North 31 degrees 47 minutes 00 seconds west 70.00 feet; 2. Along an arc of a curve bearing to the right having a radius of 10 feet, and a length of 15.71 to the point or place of **BEGINNING**.

BEING and intended to be the same premises conveyed to the party of the first part by deed dated October 26, 2006 and recorded in the Nassau County Clerk's Office on October 30, 2006 in Liber Book D12190 at Pages 753 to 755.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

Stephanie Leon

Stephanie Leon

Lisa Gladstein

Lisa Gladstein

✓ dbs

Town of Oyster Bay
Inter- Departmental Memo

December 2, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **889 MAIN STREET, FARMINGDALE**
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$938.57**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2015 JAN 11 P 4:40
TOWN ATTORNEY OFFICE

Clean up 889 MAIN STREET, FARMINGDALE to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-278-2) 889 MAIN ST FARMINGDALE 11735

Work Order # 19135

Date 11/12/15

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	01:00	$28.56	00:00	0	$28.56
MICHAEL HAYWARD	General Maintenance	01:00	$41.80	00:00	0	$41.80
LARRY JACKSON	General Maintenance	01:00	$39.42	00:00	0	$39.42
MARTIN LANG	General Maintenance	01:00	$47.97	00:00	0	$47.97
MICHAEL MARTIN	General Maintenance	01:00	$24.04	00:00	0	$24.04
JOHN PETROSANTE	General Maintenance	01:00	$43.92	00:00	0	$43.92
					Total Labor	$225.71

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK348	SANI PACKER 2004 INTL 7400 YW (PP935 / PP-935)	$105.00	01:00	$105.00
PU413	PICK UP 2011 FORD F250 YELLO (I4 / 027)	$79.00	01:00	$79.00
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	$131.00	01:00	$131.00
TD573	TRUCK DUMP 2005 FORD F-350 YW (T-245) - Power Wagons	$105.00	01:00	$105.00
TD633	PICK-UP TRUCK 2008 FORD F-250 YW (Z4 / 024)	$79.00	01:00	$79.00
			Total Equipment	$499.00

Materials

Material	Cost Per Unit	Units	Line Cost
Tipping Fee (per ton)	$80.70	2.65	$213.86
		Total Materials	$213.86

Grand Total **$938.57**

Description of Work:

clean 889 Main Street Farmingdale as well as all garbage on back deck.

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Nov 19, 2015

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 December 8, 2015, authorized the Highway Department to clean up the premises located at 219 North Hickory Street, Massapequa, New York 11758, also known as Section 52, Block 103, Lots 54, 55, 56 and 75 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 June 8, 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 January 7, 2016, in the amount of $498.93, be referred to the County of Nassau for assessment,

Reviewed By
Office of Town Attorney

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 June 8, 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 $498.93 may be assessed by the Legislature of the County of Nassau against the parcel known as 219 North Hickory Street, Massapequa, New York 11758, also known as Section 52, Block 103, Lots 54, 55, 56 and 75 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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	Absent
Councilwoman Johnson	Aye

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

17

352

Town of Oyster Bay
Inter-Departmental Memo

RECEIVED
... AFFAIRS

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 8, 2016

SUBJECT: Property Cleanup Assessment
219 North Hickory Street, Massapequa, New York 11758
Section 52, Block 103, Lots 54, 55, 56 and 75

The Department of Planning and Development, by memorandum dated December 8, 2015, directed the Highway Department to clean the premises located at 219 North Hickory Street, Massapequa, New York 11758, also known as Section 52, Block 103, Lots 54, 55, 56 and 75 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated January 20, 2016, advised that the property was cleaned by a crew from the Highway Department on January 7, 2016. The cost incurred by the Town of Oyster Bay was $498.93.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Atty\DBS\Cleanup MD&Res\MD 219 N Hickory 8 6 8 16.doc

✓ ✓ Have Recd DBS
2016-5275 S
ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
December 8, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

From: **MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT**

Through: **FREDERICK P. IPPOLITO, COMMISSIONER PLANNING AND DEVELOPMENT**

Subject: **219 N. Hickory Street Massapequa, NY 11758**
SBL: 52-103-54, 55, 56 and 75

Notice of Violation (No.15391) was issued to the owner of the above-referenced premises 11/30/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

2016 FEB -3 A 9:37

BR14783N

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE FILED BY LAWYERS ONLY

THIS INDENTURE, made this 19th day of April 2002

BETWEEN, MICHAEL MIGNANELLI and CHRISTINE MIGNANELLI f/k/a CHRISTINE BIHARY, residing at 219 North Hickory Street, North Massapequa, NY, party of the first part, and

HILL MARTIN, residing at 3540 Bayview Drive, Seaford, NY, party of the second part,

TT
1310

WITNESSETH, that the party of the first part in consideration of TEN and 00/100 ($10.00) DOLLARS and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SEE SCHEDULE "A" ANNEXED

SAID PREMISES and the grantor(s) herein described being and intended to be the same premises and the grantee(s) as described in deed dated 08/27/1992 and recorded on 12/29/1992 in liber 10244 page 645. The Premises being also known more commonly as and by the street address of 219 North Hickory Street, North Massapequa, NY.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

Section: 52

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

Block: 703

Lots: 54, 55, 56 & 75

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

MICHAEL MIGNANELLI

CHRISTINE MIGNANELLI f/k/a CHRISTINE BIHARY

IN PRESENCE OF:

Witness Only

LEGIBILITY POOR FOR MICROFILM

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 04-29-2002
Recorded Time: 2:27:50 p

Liber Book: D 11466
Pages From: 998
To: 1000

Control
Number: 3455
Ref #: RE 022440
Doc Type: D01 Deed

Record and Return To:
JILL MARTIN
219 N HICKORY ST
N MASSAPEQUA, NY 11758

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0052	00103-00	00054	
OYSTER BAY (2824)	0052	00103-00	00055	
OYSTER BAY (2824)	0052	00103-00	00056	
OYSTER BAY (2824)	0052	00103-00	00075	

Consideration Amount: 327,500.00

Taxes Total	1,310.00
Recording Totals	59.00
Total Payment	1,369.00

LBS001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK

200204290345S

✓ DBS

Town of Oyster Bay
Inter- Departmental Memo

January 20, 2016

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **219 NORTH HICKORY STREET, MASSAPEQUA**
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$498.93**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2016 FEB -3 A 9:31

CLEAN-UP 219 NORTH HICKORY STREET, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-103-54) 219 NORTH HICKORY ST MASSAPEQUA 11758 **Date** Jan 7, 2016

Work Order # 21650

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
STEVE DIAKOGIANNIS	General Maintenance	01:00	$37.86	00:00	0	$37.86
DANIEL LAMBERT	General Maintenance	01:00	$41.05	00:00	0	$41.05
JOSE NUNEZ	General Maintenance	01:00	$37.86	00:00	0	$37.86
CHRISTOPHER OLTON	General Maintenance	01:00	$23.62	00:00	0	$23.62
DERRICK SCOTT	General Maintenance	01:00	$38.87	00:00	0	$38.87
					Total Labor	$179.26

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	$105.00	01:00	$105.00
YD647	PICK-UP TRUCK 2009 FORD F-250 YW (T-019 / 020)	$79.00	01:00	$79.00
YD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	$105.00	01:00	$105.00
			Total Equipment	$289.00

Materials

Material	Cost Per Unit	Units	Line Cost
Tipping Fee (per ton)	$80.70	0.38	$30.67
		Total Materials	$30.67

Grand Total **$498.93**

Description of Work:

CLEAN UP 219 N. HICKORY STREET, MASSAPEQUA TO DOUG

Signature:

Name: Giacomo Grandinle

Title: Highway Construction Supervisor

Date: Jan 13, 2016

Reviewed By
Office of Town Attorney

Meeting of July 12, 2016 Resolution No. 353-2016

WHEREAS, HICKSVILLE ROAD LLC, fee owner, has petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to maintain an existing 1,276 square foot one story building on an approximately 0.42 acre site, and to be expanded by 177 square feet and to be used for retail sales ancillary to the existing gasoline service station on premises situated at 975 Hicksville Road, Massapequa, New York 11758, which premises is located in a General Business ("GB") Zone, located on the west side of Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block A, Lot 253 on the Land and Tax Map of Nassau County; 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 Determination of Significance", regarding the environmental impacts contemplated by said Petitions; and

WHEREAS, the "Review of Action and Determination of Significance" was duly made in the Town Environmental Quality Review Division's report dated April 4, 2016, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petitions and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Negative Declaration, indicating that the proposed actions would not cause significant impacts upon the environment and recommended, accordingly, that the Town Board issue a Negative Declaration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the Petition of HICKSVILLE ROAD LLC, fee owner, for a Special Use Permit and Site Plan Approval to maintain an existing 1,276 square foot one story building on an approximately 0.42 acre site, and to be expanded by 177 square feet and to be used for retail sales ancillary to the existing gasoline service station on premises situated at 975 Hicksville Road, Massapequa, New York 11758, which premises is located in a General Business ("GB") Zone, located on the west side of Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block A, Lot 253 on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Department of Environmental Resources is hereby directed to circulate and file the Negative Declaration in accordance with the requirements of the New York State Environmental Quality Review Act ("SEQRA").

-#-

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	Absent
Councilwoman Johnson	Aye

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 8, 2016

SUBJECT: Petition of Hicksville Road LLC for Special Use Permit and Site Plan Approval to Maintain and Expand an Existing Accessory Retail Store, 975 Hicksville Road, Massapequa; Section 52, Block A, Lot 253

Attached hereto is the Memorandum of Neil Bergin, Commissioner of the Department of Environmental Resources, dated April 4, 2016, recommending that the Town Board adopt a Negative Declaration with respect to the above-referenced application.

In the event that the Town Board accepts the recommendation of the Department of Environmental Resources, the attached proposed resolution is submitted for its approval. We hereby request that this matter be scheduled for the July 12, 2016 action calendar.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st
Enclosure

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 4, 2016

TO: LEONARD GENOVA, TOWN ATTORNEY
ATTENTION: THOMAS M. SABELLICO, SPECIAL COUNSEL

FROM: NEIL BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: PETITION OF HICKSVILLE ROAD LLC FOR SPECIAL USE PERMIT AND SITE PLAN APPROVAL TO MAINTAIN AND EXPAND AN EXISTING ACCESSORY RETAIL STORE, 975 HICKSVILLE ROAD, MASSAPEQUA; SECTION 52, BLOCK A, LOT 253

Pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review (TEQR) Law, Chapter 110 of the Code of the Town of Oyster Bay, and the promulgating regulations of the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, the Department of Environmental Resources has completed its review of the above captioned proposed action.

Based on our review, the Department of Environmental Resources believes that the adoption of a Negative Declaration would be appropriate for the subject proposed action. Accordingly, we have prepared the attached proposed draft Negative Declaration memo/notice for consideration by the Town Board.

If the Town Board proceeds with the adoption of a Negative Declaration for this proposed action, the Department of Environmental Resources will finalize the attached document - including any revisions that may be necessary at the direction of the Town Board, as well as including the date of the Town Board's adopting Resolution on the final memo/notice - and we will then forward same for distribution and filing in accordance with the requirements of SEQRA.

The Town Board Resolution adopting a Negative Declaration can make reference to the detailed information contained in the attached proposed memo/notice.

Please do not hesitate to let us know if you have any questions.

NEIL BERGIN, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES

cc: FILE - Massapequa/975 Hicksville Road

TOWN BOARD
TOWN OF OYSTER BAY
****DRAFT****
REVIEW OF ACTION AND
DETERMINATION OF SIGNIFICANCE
(NEGATIVE DECLARATION)

April 4, 2016

Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQRA, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (EQR) Law (Chapter 110 of the Oyster Bay Town Code), the Town Board of the Town of Oyster Bay has reviewed the following action:

- **Applicant:** Hicksville Road LLC

- **Title of Project:** BP Gasoline Service Station Accessory Retail Store

- **Description of Proposed Action:** Application to the Town Board for a **Special Use Permit** and **Site Plan Approval** to allow the existing 1,276-square foot one-story building on an approximately 0.42-acre site to be expanded by 177 square feet and to be used for retail sales ancillary to the existing gasoline service station on the site.

  The proposed site plan provides ten on-site parking stalls, which it is indicated equals the minimum required parking capacity under the Zoning Code. According to the applicant's submissions to the Town, no variances are required in connection with the proposed action.

- **Other Possible Approvals Required:**
  - Nassau County Planning Commission – 239m review and recommendation
  - Nassau County Fire Marshal – site plan approval

- **Location of Proposed Action:** 275 Hicksville Road, Massapequa, Town of Oyster Bay, State of New York, and identified as Section 52, Block A, Lot 253 on the Land and Tax Map of Nassau County.

- **SEQR Classification:** Unlisted

- **Type of Review:** Uncoordinated

- **Lead Agency:** Not applicable

- **Contact Person:** Town of Oyster Bay Department of Environmental Resources
  150 Miller Place
  Syosset, NY 11791
  Attention: John Ellsworth; telephone: (516) 677-5824

- **Documents Reviewed:**
  - Environmental Assessment Form (EAF) Part 1, dated 9/20/2012, including supplemental information provided in a follow-up submission from the applicant;
  - Verified Petition, prepared by Sahn, Ward, Coschignano & Baker, PLLC, dated 10/12/2012;
  - Application for Site Plan Approval, dated 9/20/2012;

DRAFT

- *Boundary and Topographic Survey*, prepared by Gallas Surveying Group, as amended 1/10/2012;
- site plan drawings , prepared by High Point Engineering, as amended 8/6/2013 except as otherwise indicated, including:
  - *Site Plan* (Sheet SP-1),
  - *Grading/Drainage and Utility Plan* (Sheet SP-2),
  - *Lighting Plan* (Sheet SP-3),
  - *Landscape Plan* (Sheet SP-4),
  - *Detail Sheet* (Sheet SP-5),
  - *Proposed Floor Plan & Elevations* (Sheet A-1), as amended 4/17/2013, and
  - *300' Radius Map* (Sheet RM-1), as amended 3/7/2014; and
- Phase I Environmental Site Assessment, prepared by Advanced Cleanup Technologies, dated 8/16.2010.

The environmental review of this application also included inspection of the subject premises and surrounding area.

Review of this application also took into consideration testimony at the public hearing before the Town Board convened on January 19, 2016. No members of the public addressed the Town Board during the hearing and the Board did not provide commentary indicating any open issues.

REASONS SUPPORTING DETERMINATION OF NO SIGNIFICANCE AND ISSUANCE OF NEGATIVE DECLARATION

The Town Board of the Town of Oyster Bay has issued a **Negative Declaration**, establishing that **the proposed action will not cause significant environmental impacts**, based on review and analysis of the following environmental parameters relative to this matter:

Zoning and Land Use – The subject property contains a gasoline service station, which lies within a General Business (GB) zoning district. The proposed ancillary retail use is permitted in the GB district subject to the issuance of a special use permit by the Town Board.

The subject property fronts on Hicksville Road, New York State Route 107, and is located in an area of mixed uses, characterized as follows:

- Long Island Power Authority (LIPA) electrical substation to the immediate south and west, in a Neighborhood Business (NB) district;

- a private preschool to the west of the aforementioned LIPA substation and a parking lot for the preschool to the south of the substation, in an NB district;

- a North Massapequa Fire Department station to the south of the preschool parking lot, in an R1-7 One-Family Residence district;

- a neighborhood of single-family residences to the west of the preschool, in an R1-7 district;

- a medical plaza (with various medical offices and a medical laboratory) to the immediate north, in an NB district; and an automotive repair shop further to the north, in an NB district;

- a neighborhood of single-family residences to the northeast and east, across Hicksville Road, in an R1-7 district; and

DRAFT

- a Nassau County recharge basin to the southeast, across Hicksville Road, in an R1-7 district; and a neighborhood of single-family residences further to the southeast, in an R1-7 district.

The nearest residential lots are located approximately 160 feet to the east of the subject property, across Hicksville Road, and approximately 370 feet to the west, beyond the LIPA substation and preschool parcel.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to zoning and land use.

Traffic and Parking – The subject parcel fronts on Hicksville Road, which is an arterial roadway under New York State jurisdiction. The proposed action would not alter the configuration of the two existing vehicular driveways serving the site, at the northeast and southeast corners of the property. The northerly driveway is located in close proximity to a traffic signal, which serves William Road and the driveway for the adjacent medical plaza.

The EAF indicates that the proposed action will increase site-generated traffic during the peak hour by 11 two-way trips, based on empirical data published in the 9th edition of *Trip Generation* by the Institute of Transportation Engineers (ITE). The proposed site plan provides ten on-site parking stalls, which it is indicated equals the minimum required parking capacity under the Zoning Code.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to traffic and parking.

Soils and Topography – The subject property is almost level and essentially fully covered with impervious surfaces. These conditions would minimize the potential for erosion and sediment transport during construction of the small expansion of the accessory retail store, which is the only site disturbance that will occur under the proposed action.

Flora and Fauna – As the subject property is essentially fully covered with impervious surfaces, it does contain significant ecological resources.

Surface Water – The subject property does not contain, nor lie in the immediate vicinity of, any surface water body.

The proposed action entails a slight increase in the extent of landscaping on the subject property, which will slightly decrease the volume of stormwater runoff generated on the site.

Groundwater – The proposed expanded accessory retail facility will discharge sewage to the existing Nassau County sewer line, which serves the site, thereby avoiding potential groundwater quality impacts that may be associated with the use of subsurface sewage disposal systems. This type of use generally does not involve the storage or use of hazardous materials or other activities that pose a significant threat for impacting groundwater resources.

Site Contamination – Because of the primary use of the subject premises as a gasoline service station, a Phase I Environmental Site Assessment (ESA) was received as part of the environmental documentation for the proposed action. The ESA did not identify any known or suspected Recognized Environmental Conditions or other issues which would indicate the presence of potentially significant environmental contamination on the site.

DRAFT

Special Groundwater Protection Area (SGPA)/Critical Environmental Area (CEA) – The subject property is not located in or substantially contiguous to the SGPA or any other area designated as a CEA by the Town of Oyster Bay.

Air Quality, Odors, Noise, and Lighting – The proposed accessory retail use does not entail activities which normally pose the potential for significant impacts with respect to air quality, odors or noise. Any new exterior lighting that may be installed in conjunction with the proposed action will be of shielded design to minimize impacts to neighboring uses.

Water Usage and Sewage Generation – The EAF indicates that the proposed action will minimally increase water consumption at the subject location, by approximately 60 gallons per day, based on Nassau County sewage disposal standards.

Sanitary wastewater generated by the proposed accessory retail use will be discharged to the existing Nassau County sewer connection which serves the site. This sewage will be conveyed to the County's Cedar Creek facility on the south shore of the Town of Hempstead (Market of Wantagh) for treatment and effluent discharge to the Atlantic Ocean. Sewage typically is generated at about the same rate as water consumption, or an estimated increase of approximately 60 gallons per day for the proposed action.

Solid Waste Generation – The proposed expanded accessory retail use will result in a minor increase in solid waste generation at the subject location. Recycling is required in accordance with Town of Oyster Bay requirements. The additional waste will be removed from the site via private carter to existing disposal facilities, as presently occurs.

Other Community Services – The proposed action involves expansion of an accessory retail use, which generates school taxes without placing any additional service demand on the Plainedge School District. Any increase in demand for other community services by the proposed action is not expected to be significant.

Aesthetic Resources – The proposed action includes refurbishment of the existing building and the installation of extensive new landscaping at the perimeter of the subject property, which will improve the aesthetic conditions at the site.

Historic and Archaeological Resources – The subject property does not contain historically significant resources. As the site is fully developed, it lacks the characteristics which would suggest the potential presence of significant archaeological resources.

Open Space and Recreation – The project site is a commercial parcel, which does not comprise public open space and is not used for recreation.

Energy – The subject property is currently connected to utilities. The proposed expanded accessory retail use is expected to result in a small, incremental increase in energy consumption.

Public Health and Safety – The proposed accessory retail use does not entail the types of activities that pose a significant potential public safety or health risk.

Community Growth and Character – The proposed expanded accessory retail use will not result in population growth and will not adversely affect the character of the project area.

DRAFT

Meeting of July 12, 2016 Resolution No.354-2016

WHEREAS, by Resolution No. 41-2016, adopted on February 2, 2016, the Town Board authorized the renewal of the Town of Oyster Bay's various annual membership dues for the fiscal year 2016-2017, including the Nassau Suffolk Town Clerks Association; and

WHEREAS, by memoranda dated June 13, 2016, James Altadonna, Jr., Town Clerk, has advised that it is necessary to amend Resolution 41-2016 to change the renewal dues for the Nassau Suffolk Town Clerks Association from $35.00 to $50.00,

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 41-2016 is hereby amended to provide for an increase from $35.00 to $50.00 for the 2016-2017 renewal dues to the Nassau Suffolk Town Clerks Association, with the funds being available in account No. OTC A 1410 47900 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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Town Clerk

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 13, 2016

TO: MEMORANDUM DOCKET

FROM: JAMES ALTADONNA, JR., TOWN CLERK

SUBJECT: RENEWAL OF VARIOUS TOWN MEMBERSHIPS

Town Board authorization is requested to amend Resolution #41-2016 (copy attached) to reflect a small increase in the dues for the Nassau Suffolk Town Clerks Association.

The annual dues for the fiscal year June 1, 2016 through May 31, 2017 have increased to $50.00 (fifty dollars).

Sufficient funds are available in Account Number OTC A 1410 47900 000 0000 to accommodate this increase.

JAMES ALTADONNA JR.
TOWN CLERK

JA:lat
Attachments
cc: Town Attorney w/19 copies

RECEIVED
TOWN OF OYSTER BAY
TOWN AFFAIRS

Nassau/Suffolk Town Clerks Association

655 Main Street

Islip, New York 11751

Vendor Code_____

Date_____

Pay to_____

COMPTROLLERS OFFICE USE ONLY

Voucher #_____
Fund Code_____
Amount Allowed $_____
Check #_____
Date Paid_____

COMPLETE DESCRIPTION	NET TOTAL
Annual Dues Nassau/Suffolk Town Clerks Association June 1, 2016 - May 31, 2017	$50.00

Total $_____

Adjustment $_____

Total Due $_____

Claimant's Certification

I hereby certify that the services for which this charge is made were in fact furnished, rendered or paid and that no part thereof has been paid or satisfied by the said Town of _____; and that there is no off-set counter claim against same. Claimant certifies that the prices charged herein do not include Federal Excise Tax or any New York City or State sales tax.

Claimant's Signature_____ **Date**_____

Department Head's Approval_____ **Date**_____

Comptroller's Approval for Payment_____

TOWN OF ISLIP

OFFICE OF THE TOWN CLERK

OLGA H. MURRAY
TOWN CLERK & REGISTRAR OF VITAL STATISTICS

TOWN OF OYSTER BAY
'16 MAY 20 A 10 17
RECEIVED
TOWN CLERK

James Altadonna, Jr., Town Clerk
Town of Oyster Bay
54 Audrey Ave
Oyster Bay, NY 11771

RE: Dues June 1, 2016-May 31, 2017

Dear Mr. Altadonna,

It's time again to renew your dues for the Nassau Suffolk Town Clerks Association. Please be reminded there is a nominal increase and dues for the fiscal year 2016-2017 are $50.00 (Fifty dollars)

Please send your dues check and any updated contact information to me. I appreciate your attention to this matter.

Thank you.

Very truly yours,
Olga 5/17/16
Olga H. Murray

655 MAIN STREET, ISLIP, LONG ISLAND, NEW YORK 11751
Town Clerk: (631) 224-5490 • Registrar: (631) 224-5498 • Fax: (631) 224-5574

Meeting of February 2, 2016

Resolution No. 41-2016

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

1. Association of Towns of the State of New York: $1,950.00;
2. New York Association of Local Government Records Officers: $30.00;
3. New York State Town Clerk's Association: $75.00; and
4. Nassau/Suffolk Town Clerk's Association: $35.00.

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

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

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)
Town Clerk

Meeting of July 12, 2016 Resolution No. 355 -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 June 13, 2016, have advised that Nassau Suffolk Engineering & Architecture, PLLC, Consulting Engineers, has made a final inspection of the work performed under Contract No. DP 13-098, Installation of Standby Generator at Town Hall North, Oyster Bay, and has certified that the Contractor, Palace Electrical Contractors, Inc., 3558 Park Avenue, Wantagh, New York 11793, has complied with all of the requirements of the Contract, and 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; and

WHEREAS, final construction costs were in the amount of $67,462.80; and

WHEREAS, the Office of the Town Attorney and the Office of the Comptroller, by memoranda dated June 2, 2016 and June 6, 2016, respectively, have stated that there are no financial encumbrances or legal obstacles of record that would necessitate the withholding of final acceptance of this Contract; and

WHEREAS, the Department of Public Works and the Department of General Services, by memoranda dated June 13, 2016 and June 8, 2016, respectively concur with the recommendation of final acceptance of this project,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, Contract No. DP 13-098 is accepted as being complete, at a final construction cost of $67,462.80, 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, and upon presentation of a duly certified claim, after audit.

-#-

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
General Services

3555

21

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 13, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ACCEPTANCE AND FINAL PAYMENT
INSTALLATION OF STANDBY GENERATOR AT TOWN HALL NORTH
CONTRACT NO. DP13-098

Attached herewith is:

1. A letter dated May 13, 2016 from Nassau Suffolk Engineering & Architecture, PLLC. recommending final acceptance by the Town of Oyster Bay.

2. The consultant's final engineer's certificate for dated May 31, 2016.

3. A statement from the Town Attorney's office indicating there are no legal hindrances.

4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.

5. A statement from the Department of General Services concurring with final acceptance.

Work under this contract was directed to proceed as of May 11, 2015 and to be completed on October 7, 2015. Actual work was completed on May 5, 2016. Due to their failure to complete the work within the contract time period, liquidated damages were assessed to the Contractor in the negotiated amount of $38,000.00, in accordance with the relevant sections of the Contract. This reduction is reflected in the Contractor's final payment request, as well as other credits to the Town for work which was deleted from the Contract.

Final construction costs amount to $809,656.00. The Contractor is Palace Electrical Contractors, Inc.

We hereby concur with Nassau Suffolk Engineering & Architecture, PLLC. that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RECEIVED
TOWN AFFAIRS

RTB/ELM/MR/DT/dm
Attachments

cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Eric Tuman, Commissioner/General Service
Kathy Stefanich, Administration/DPW

DP13-098 Docket Final Acceptance

NASSAU SUFFOLK
ENGINEERING &
ARCHITECTURE, PLLC

May 13, 2016

Richard T. Betz
Commissioner of Public Works
Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, NY 11791

Re: Installation of Standby Generator at Town Hall North
Contract No. DP13-098 (PW 024-15)
NSEA No. N-40:1439

Dear Commissioner Betz:

Nassau Suffolk Engineering & Architecture PLLC, ("NSEA") has reviewed the attached Final Claim #7 in the amount of $105,962.80 submitted by Palace Electrical Contractors, Inc. ("Palace") dated May 6, 2016, for work performed on the above-referenced project. The pricing contained herein has been revised to reflect 1) liquidated damages being assessed in accordance with Article 23 of the Contract, totaling $38,000.00, as discussed with Palace at our meeting on January 5, 2016, 2) in accordance with Article 34 of the Contract, a charge of $500 against the contract balance for Palace's inability to touch up the Spring Street parking lot striping and 3) a deduction to the Contract in the amount of $20,844.00 for the remaining balance of contract allowances. Based on the deductions itemized above, there was a net decrease to the contract in the amount of $59,344.00 resulting in a final contract amount of $809,656.00. Also attached is the consent of surety to final payment and a one year maintenance bond as required by the Contract.

NSEA hereby certifies to the best of its knowledge, information, and belief, with the exception of the parking lot line striping, that the work performed and the closeout documentation submitted by Palace comply with the terms of the contract.

NSEA hereby recommends that the Town accept this project and process the final payment to Palace in the amount of $67,462.80.

If you have any questions or comments, please feel free to call.

Very truly yours,
Nassau Suffolk Engineering & Architecture PLLC

Bruce Strum

Bruce Strum, AIA, LEED GA
Director of Architecture

Enclosures

cc: Michael W. Spinelli, AIA, Principal, Nassau Suffolk Engineering & Architecture, PLLC
Harold B. Mayer, Esq., Director of Municipal Services
Leslie Maccarone, Deputy Commissioner Town of Oyster Bay Department of Public Works
Matt Russo, PE, Town of Oyster Bay, Department of Public Works
Doug Tuman, Program Manager, Town of Oyster Bay, Department of Public Works

601 Motor Parkway, Suite 103, Hauppauge, New York 11788
T: 631.574.4870 | F: 631.574.4871 | www.nassausuffolkea.com

AIA Document G702™ – 1992

Application and Certificate for Payment

TO OWNER: Town of Oyster Bay North
74 Audrey Avenue
Oyster Bay, NY 11771

PROJECT: Installation of StandBy Generator @Tow North Contract # DPW 13-098(PW 024-15)

APPLICATION NO: 7F
PERIOD TO: 05/05/2016
CONTRACT FOR: Electrical
CONTRACT DATE: 05/11/2015
PROJECT NOS: TOB Generator 201

Distribution to:
OWNER ☐
ARCHITECT ☐
CONTRACTOR ☒
FIELD ☐
OTHER ☐

FROM CONTRACTOR: Palace Electrical Cont., Inc.
3558 Park Avenue
Wantagh, NY 11793

VIA ARCHITECT: Nassau Suffolk Engineering & Architecture, PLLC
801 Motor Parkway
Hauppauge, NY 11788

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
AIA Document G703™, Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM	$	869,000.00
2. NET CHANGE BY CHANGE ORDERS	$	(59,344.00)
3. CONTRACT SUM TO DATE *(Line 1 ± 2)*	$	809,656.00
4. TOTAL COMPLETED & STORED TO DATE *(Column G on G703)*	$	809,656.00
5. RETAINAGE:		
a. 0.00% of Completed Work *(Column D + E on G703)*	$	0.00
b. 0.00% of Stored Material *(Column F on G703)*	$	0.00
Total Retainage *(Lines 5a + 5b, or Total in Column I of G703)*	$	0.00
6. TOTAL EARNED LESS RETAINAGE *(Line 4 minus Line 5 Total)*	$	809,656.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT *(Line 6 from prior Certificate)*	$	742,193.20
8. CURRENT PAYMENT DUE	$	67,462.80
9. BALANCE TO FINISH, INCLUDING RETAINAGE *(Line 3 minus Line 6)*	$	0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	$ 0.00	$ (59,344.00)
Total approved this month	$ 0.00	$ 0.00
TOTAL	$ 0.00	$ (59,344.00)
NET CHANGES by Change Order	$ (59,344.00)	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Palace Electrical Cont., Inc.
By: _____ Date: 05/27/2016
State of: New York
County of: Nassau
Subscribed and sworn to before me this 27 day of May 2016
Notary Public: Linda Constantinou
My commission expires:

LINDA CONSTANTINOU
NOTARY PUBLIC, STATE OF NEW YORK
No. 01CO6007072
Qualified in Suffolk County
My Commission Expires May 18, 2018

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED $ 67,462.80
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: Bruce Stum, AIA
By: Nassau Suffolk Engineering & Architecture, PLLC Date: 5/31/16

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA Document G702™ – 1992. Copyright © 1953, 1963, 1965, 1971, 1978, 1983 and 1992 by The American Institute of Architects. All rights reserved. WARNING: This AIA® Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA® Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. Purchasers are permitted to reproduce ten (10) copies of this document when completed. To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.

INVOICE DETAIL

INVOICE NUMBER.: 7F DATE: 02/25/2016 PERIOD TO: 05/05/2016 JOB NUMBER.: TOB Generator 2015

FROM: Palace Electrical Cont., Inc.

NO.	WORK ITEM NAME	CONTRACT + CHANGE ORDERS	TOTAL PREVIOUSLY BILLED	CURRENT WORK	MATERIALS STORED ON JOB	TOTAL BILLED TO DATE	% COMPLETE	BALANCE REMAINING	RETAINAGE
01.100	Bonds & Insurances	39,000.00	39,000.00			39,000.00	100		
01.200	Mobilization / Demobilization	21,000.00	21,000.00			21,000.00	100		
01.300	General Conditions	15,000.00	15,000.00			15,000.00	100		
01.400	Temporary Facilities & Controls	7,000.00	7,000.00			7,000.00	100		
01.500	Demolition	20,000.00	20,000.00			20,000.00	100		
01.600	SiteWork	120,000.00	114,000.00	6,000.00		120,000.00	100		
01.700	Electrical Installation	470,000.00	470,000.00			470,000.00	100		
01.800	PSEGLI3 Phase Power Upgrade Allowan	70,000.00	52,286.00	17,714.00		70,000.00	100		
01.900	Site Allowance	20,000.00	16,870.00	3,130.00		20,000.00	100		
02.100	Punchlist & Project Closeout	87,000.00	26,100.00	60,900.00		87,000.00	100		
03.000	Deduct Allowance Balance	(20,844.00)		(20,844.00)		(20,844.00)	100		
04.000	Deduct liquidated damages	(38,000.00)		(38,000.00)		(38,000.00)	100		
05.000	Deduct Parking lot Stripping	(500.00)		(500.00)		(500.00)	100		
		809,656.00	781,256.00	28,400.00		809,656.00	100		

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Town of Oyster Bay
Inter-Departmental Memo

Doug

TO : Richard T. Betz, Commissioner
Department of Public Works
Attention: Elizabeth L. Maccarone, Deputy Commissioner

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : June 2, 2016

SUBJECT: FINAL ACCEPTANCE
Installation of Standby Generator at Town Hall North
Contract No. DP13-098

In reply to your memorandum dated May 24, 2016, kindly be advised that the records of this office disclose no pending litigation or other obstacles which would prevent final acceptance of the above referenced Contract. In addition hereto, we approve Maintenance Bond No. EAIC011600283 as to form and further advise you to proceed with your Docket Memorandum.

LEONARD GENOVA
TOWN ATTORNEY

Frank M. Scalera
Chief Deputy Town Attorney

FMS:esk

cc: Comptroller
Town Clerk

S:\attorney\admin\aty\Maccarone.StbyGen.5.27.16

TOWN OF OYSTER BAY

Inter-Departmental Memo

JUNE 6, 2016

To: RICHARD T. BETZ, COMMISSIONER OF PUBLIC WORKS

From: ROBERT J. McEVOY, COMPTROLLER

Subject: FINAL ACCEPTANCE
INSTALLATIIN OF STANDBY GENERATOR AT:
TOWN HALL NORTH
CONTRACT NO. DP13-098

In response to your memo dated May 24, 2016, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

ROBERT J. McEVOY
COMPTROLLER

by:
Leonard G. Kunzig
Deputy Comptroller

Enclosure

RJM:LGK:mr

cc: Town Attorney w/enclosure
Accounts Payable Division (2)
Reading File

Town of Oyster Bay
Inter-Departmental Memo

To:	Richard T. Betz, Commissioner, Department of Public Works Elizabeth L. Maccarone Deputy Commissioner, Department of Public Works
From:	June Mascia, Deputy Commissioner of General Services
Date:	June 8, 2016
Subject:	Re: FINAL ACCEPTANCE INSTALLATION OF STANDBY GENERATOR TOWN HALL NORTH CONTRACT NO. DPW 13-098

The Department of General Services is in concurrence with the final acceptance of the above subject. All work has been completed.

Thank You.

June Mascia
DEPUTY COMMISSIONER,
GENERAL SERVICES

JM/nl

Meeting of July 12, 2016 Resolution No. 356-2016

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated June 9, 2016, has advised that the following individuals have offered donations to the Town of Oyster Bay's Animal Shelter:

Anthony Gaeta and Linda S. Gaeta---total donation of $10.00
Lung-Shan Han---total donation of $40.00
Jennifer Spirakis Dziurka---total donation of $50.00
Maria Chirafisi and Paula Chirafisi---total donation of $100.00
Vinny Neider, Jr. and Nina Neider---total donation of $100.00; and

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated June 9, 2016, recommends that the Town accept said donations,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the abovementioned donations to the Town's Animal Shelter, and that the funds be deposited in account No. DER A 3510 41600 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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources

3560

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 9, 2016

TO: The Memorandum Docket

FROM: Neil O. Bergin, Commissioner of Environmental Resources

SUBJECT: **ACCEPTANCE OF GIFTS TO THE ANIMAL SHELTER:**
Donation to the Animal Shelter
DER File Nos.: A-100

The Department of Environmental Resources requests the Town Boards' Approval to accept the following donations presented to the Animal Shelter:

$10.00 donated by Anthony Gaeta and Linda S. Gaeta

$40.00 donated by Lung-Shan Han

$50.00 donated by Jennifer Spirakis Dziurka

$100.00 donated by Maria Chirafisi and Paula Chirafisi

$100.00 donated by Vinny Neider Jr. and Nina Neider

These gifts would benefit the Town by adding to the funds needed to purchase equipment and supplies for the shelter.

We respectfully request that the Town approve these donations, and that they be deposited in account DER A 3510 41600 000 0000.

If you should have any questions, please feel free to contact this department at 5784.

NEIL O. BERGIN
Commissioner of Environmental Resources

NOB/bp
Attachments
Copy: Town Attorney - w/ 19 copies
Robert J. McEvoy, Comptroller
Der file no. G500

RECEIVED
SUPERVISOR'S OFFICE

ANTHONY GAETA
LINDA S. GAETA
197 SOMERSET DR.
MASSAPEQUA, NY 11735-3758

3301

DATE May 7, 2016

PAY TO THE ORDER OF Town Animal Shelter $ 10 00/100

Ten Dollars DOLLARS

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO

[redacted]

LUNG-SHAN HAN
167 PARK AVE
HICKSVILLE, NY 11801

595

DATE June 17, 2016

PAY TO THE ORDER OF Town of Oyster Bay Animal Shelter $ 40.00

Forty DOLLARS

Bethpage Federal Credit Union
Bethpage, New York 11714

MEMO SIGNATURE

[redacted] 0595

JENNIFER SPIRAKIS DZIURKA
22 BELMONT AVE
PLAINVIEW, NY 11803

328
55-7355/2214

5/19/16

Pay to the Order of Town of Oyster Bay Shelter $ 50.00
— fifty 00/xx — Dollars

Bethpage Federal Credit Union
Bethpage, New York 11714

For Donation Signature Jen Spirakis

[redacted]

MARIA CHIRAFISI
PAULA CHIRAFISI
529 PLAINVIEW RD.
PLAINVIEW, NY 11803

4860
1-7199/2210
5

May 31, 2016
Date

Pay to the Order of TODAY, Animal Shelter $ 100.00
One hondred 00/100 Dollars

The Family of Banks

For

Paula Chirafisi

[redacted] 4860

VINNY NEIDER JR.
NINA NEIDER
292 FRANKLIN AVE.
SEA CLIFF, NY 11579

1793
50-7355/2214

6/3/16
Date

Pay to the Order of TOB Animal Shelter $ 100.00
One hundred 00/100 Dollars

Bethpage Federal Credit Union
Bethpage, New York 11714

For

Nina Neider

[redacted] 1793

Meeting of July 12, 2016 Resolution No. 357-2016

WHEREAS, Meredith Maus, Executive Director, Oyster Bay Main Street Association, 21 West Main Street, Oyster Bay, New York 11771, by letter dated June 6, 2016, has requested the use of twelve (12) complete barricades and sixteen (16) traffic cones, as well as the closing of Audrey Avenue in Oyster Bay, between Town Hall and Townsend Park and the Audrey Avenue Extension, with the installation of "No Parking" signs from 5:30 p.m. through 9:30 p.m., nunc pro tunc for the Dancing in the Street event, being held from July 1, 8, 15, 22 and 29, 2016, from 7:00 p.m. until 9:00 p.m.; and

WHEREAS, Kevin M. Hanifan, Commissioner of the Highway Department, by memorandum dated June 6, 2016, has advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing same to the Oyster Bay Main Street Association, and to closing Audrey Avenue, for the Dancing in the Street event; and

WHEREAS, this Town Board deems this event to be an appropriate and worthwhile endeavor, and one which shall benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Highway Department is hereby authorized to provide the use of twelve (12) complete barricades and sixteen (16) traffic cones, as well as the closing of Audrey Avenue in Oyster Bay, between Town Hall and Townsend Park and the Audrey Avenue Extension, with the installation of "No Parking" signs from 5:30 p.m. through 9:30 p.m., nunc pro tunc for the Dancing in the Street event, being held from July 1, 8, 15, 22 and 29, 2016, from 7:00 p.m. until 9:00 p.m., subject to the following terms and conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of the Highway Department, or his duly designated representative;

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment and in the conduct of the abovementioned activity; and

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amounts of $1,000,000 bodily injury and $500,000 property damage and naming the Town of Oyster Bay as an additional insured in connection with the abovementioned activity.

-#-

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	Absent
Councilwoman Johnson	Aye

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

357

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 6, 2016

TO: MEMORANDUM DOCKET

FROM: KEVIN M. HANIFAN, COMMISSIONER OF HIGHWAYS

SUBJECT: OYSTER BAY MAIN STREET ASSOCIATION
DANCING IN THE STREETS
TO BE HELD FRIDAY EVENINGS – AUDREY AVENUE, OYSTER BAY
JULY 1st, 8th, 15th, 22nd, & 29th 2016

Enclosed please find a copy of the letter from Meredith Maus, Executive Director, requesting our assistance on behalf of the Oyster Bay Main Street Association in conducting the 6th season of the "Dancing in the Street"events on Audrey Avenue in Oyster Bay on Friday evenings July 1st, 8th, 15th, 22nd, and 29th 2016.

The Highway Department has no objection to the Oyster Bay Main Street Association utilizing the portion of Audrey Avenue in the Oyster Bay Hamlet between Town Hall and the (Gazebo area) Townsend Park and Audrey Avenue Extension which is located across the street from 20th Century Bikes for the Dancing in the Street events on Friday evenings from July 1st through July 29th, 2016. The area will be closed from 5:30 P.M. until 9:30 P.M. to allow for set-up and break-down. The actual hours of the events will be from 7:00 P.M. until 9:00 P.M.

Further, the Highway Department will be pleased to provide Twelve (12) Complete Barricades and Sixteen (16) Traffic Cones and "No Parking" signs which will state the dates and times of the event to help traffic control and to keep cars off the street for the event, from July 1st thru August 1st, 2016.

Also attached is the Certificate of Insurance, Endorsement Sheet, and Hold Harmless Agreement to cover this affair. Therefore Town Board approval is requested.

KEVIN M. HANIFAN
COMMISSIONER OF HIGHWAYS

KMH/taw

C: Town Attorney (19) copies
Doug Robalino, General Foreman
Rich Buckley – 006
Steve Kelly, Sign Bureau Supervisor
Justin McCaffrey, Commissioner, Department of Public Safety

OYSTER BAY

Main Street Association

Officers
John Bonifacio, *President*
Henry Clark, *Vice-President*
Claude Babnik, *Treasurer*
Kyle Piechucki, *Secretary*

Board of Directors
Sandra Coudert Graham
Kevin Curry
Timothy DiPiero
Tracy Deliotto
Mario Gallo
Julie Heiss
Diane Melzer
Alex Urdea
Donald Zoeller

Advisory Board
Roger Babnik
Jack Bernstein
John Collins
Harriet Gerard Clark
Kelly Fuhrmann
Hon. Judy Jacobs
Billy Joel
Hunt & Betsy Lawrence
Hon. Carl Marcellino
Colleen McKean
Nancy Morton-Melius
Bob Santos
Dr. Laura Schifeld
William Sheehan
Dottie Simons
John Specce

Honorary Trustee
George O'Neill

June 6, 2016

Kevin Hanifan, Commissioner of Highways
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Dear Mr. Hanifan:

The Oyster Bay Main Street Association is hereby requesting that Audrey Avenue in Oyster Bay Hamlet between the Town Hall and the municipal parking lot be closed for the 6th season of the "Dancing in the Street" events organized by the Oyster Bay Main Street Association.

We will need this closing for:
Friday, July 1st, 2016
Friday, July 8th, 2016
Friday, July 15th, 2016
Friday, July 22nd, 2016
Friday, July 29th, 2016

The hours of street closing will be 5:30 pm – 9:30 pm to allow for the set up and break down. The actual hours of the events are 7:00 pm – 9:00 pm.

We are requesting 12 barricades and 16 cones and "No Parking" signs for traffic control for this event. These will need to be delivered on every event day, by 6 pm, to the parking lot on Audrey Avenue Extension that serves the Town Hall and is located across the street from the 20th Century Bikes. The Oyster Bay Main Street Association will be responsible for the equipment from July 1, 2016 through August 1, 2016.

If there are any questions or further requirements you may contact me directly at 516-922-6982.

Sincerely,

Meredith Maus
Executive Director
Mamaus@oysterbaymainstreet.org

Administration
Meredith Maus
Executive Director

21 West Main St
Oyster Bay, NY 11771
(516) 922-6982
info@oysterbaymainstreet.org
www.oysterbaymainstreet.org

"DANCING IN THE STREET" RETURNS FOR SIXTH SEASON IN JULY!

Main Street Association Invites Public to Five Free Downtown Evenings

New DJ Added to the Mix

Sponsored by BMW of Oyster Bay

May 16, 2016, Oyster Bay, NY—Put on your dancing shoes! The Oyster Bay Main Street Association is excited to announce the return of **"Dancing in the Street,"** a series of free dance evenings on the streets of historic, charming Oyster Bay.

Following the record breaking success of last year's **"Dancing in the Street,"** OBMSA welcomes dancers of all ages, skills, and styles—even those with two left feet—to come out for delightful evenings of pure fun under the stars. Once again, **BMW OF Oyster Bay** is most graciously sponsoring the series. As in past years, they plan on bringing several of their newest model cars to display.

Mark your calendars now for the five Fridays in July: **July 1** (we'll kick off—literally!—the holiday weekend); **July 8**; **July 15**; **July 22**; and **July 29**. The hours are **7:00 to 9:00 p.m.**, on **Audrey Avenue around the Bandstand**. Bring a chair if desired.

Music and dance instructions will be provided by several of Long Island's most popular DJs/Dancers. All steps are geared for singles and couples alike.

Louis del Prete will lead off on **July 1**. We are thrilled to have him back, showcasing his talent as dancer, teacher, musician and singer. For us he will play all types of music from the 1940's right up to today, including Latin rhythm, ballroom, group party routines, and of course any requests. He will return to Oyster Bay for two more fabulous nights on **July 8** and **July 29**.

Mark James, assisted by Karen Lupo, are a full-time professional dancing couple who also have a tremendous following on the Island, and will be gracing the stage (aka the street) on **July 15**. They have been featured performers at many dance competitions and on PBS, and will offer Salsa, Hustle, Pop, Swing, and everything in between! There will be several opportunities to get up, learn some new steps, and join in the fun.

Lyndy Ang will be our new surprise DJ on **July 22**. He is an internationally known country western dance instructor and choreographer, with a huge base on Long Island. He has appeared on Nashville programs on TV and at many dance weekends; performed at Hunter Mountain, Opryland, and Disneyworld; and even won the national "Achy Breaky" line dance contest. This evening promises to deliver a rollicking good time for all!

BMW General Manager Jay Sarasky paraphrased the song we all know: " 'There will be laughing, singing and music swinging. Dancing in the street!' **BMW of Oyster Bay** is proud to sponsor our community's annual Dancing in the Street event once again. Looking forward to a fun summer with our Oyster Bay neighbors."

"Dancing in the Street" is one of the community building/downtown revitalization efforts organized by the Oyster Bay Main Street Association (OBMSA). As Promotion Chair Diane Meltzer commented, "Hard to believe this is the sixth year of what has become an Oyster Bay summer tradition. A starlit night in a beautiful town, with good music, and fun dance instruction--everyone loves it!"

For more information, please visit www.oysterbaymainstreet.org.

Contact:
Diane J. Meltzer
Promotion Chair, OBMSA
diane.writes4@gmail.com
516-313-1683

Meredith Maus
Executive Director, OBMSA
mmoysterbay@gmail.com
516-922-6982

Hold Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 15th day of June 2016, by the Oyster Bay Main Street Association (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 12 barricades and 12 cones for traffic control. These will need to be delivered, each event day, by 4pm to the parking lot on Audrey Avenue behind that serves Town Hall and is across the street from 20th Century Cycles

For the event described as Dancing in the Street

The property/equipment is need ~~from~~ on 7/1, 7/8, 7/15, 7/22, 7/29 ~~to~~ from 5:30pm to 10pm.

The event for which the property and/or equipment is requested ( ) is (X) is not a not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for loss and/or expense or suits for damage to persons or property, including its property, arising from its use of Town property and/or equipment.

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of $1,000,000 each occurrence, $2,000,000 general aggregate and, where appropriate, $2,000,000 products, naming the Town as additional insured. All certificated of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization:

Oyster Bay Main Street Association

Address of Organization:
P.O. Box 116
Oyster Bay, NY 11771

By: [signature]
Authorized Representative

Title: Executive Director

Telephone Number: 516.922.6982

DATE: 5/20/16

TO: **HIGHWAY OPERATIONS**

SUBJECT: Oyster Bay Main Street Association
Dancing in the Streets

PLEASE DELIVER TO:

The parking lot on
Audrey Avenue across from
20th Century Bikes

Contact: Diane Meltzer
516-313-1683

DATE OF EVENT: 7/1/16 every Friday
Through 7/29/16

BARRICADES: 12

CONES: 16

SANITATION PACKERS:

DELIVER ON: July 1, 2016

PICKUP ON: August 1, 2016

SIGNATURE: _____

PRINT NAME: _____

RETURNED ON:

CONES:

BARRICADES:

MISC. ITEMS:

SORT PAILS:

FOREMAN:

FOREMAN AREA _____

SWEEPING BEFORE AFFAIR IS NEEDED: **YES** ☐ **NO** ☐

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

KEVIN M. HANLFAN
COMMISSIONER OF HIGHWAYS

KMH/taw

C: Doug Robalino, General Foreman 005
Peter Brown, Regional Foreman 009
Peter Brown, Area Foreman 015
Rich Buckley 006
Jeff VanNostrand
Public Safety Division

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 6/6/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Bullen Insurance Group
3333 New Hyde Park Road
Suite 300
New Hyde Park NY 11042

CONTACT NAME: Erica DiRubbio
PHONE (A/C, No, Ext): (516)482-7200 FAX (A/C, No): (516)439-4341
E-MAIL ADDRESS: edirubbio@gvbullen.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Continental Cas Co	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Oyster Bay Main Street Association Inc.
PO Box 116
Oyster Bay NY 11771

COVERAGES CERTIFICATE NUMBER: CL166606750 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:	X		84GB5932909	6/3/2016	6/3/2017	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS						Hired/Non-Owned Auto	$ 1,000,000
							COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: The event Dancing in the Street.
On Days: 7/1; 7/8; 7/15; 7/22; 7/29 from 6pm to 10pm.

The Town of Oyster Bay is included as additional insured where required by a written contract, and as per the policy terms and conditions.

CERTIFICATE HOLDER

The Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Matthew Fox/ED

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POLICY NUMBER	INSURED NAME AND ADDRESS
B 4025932909	Oyster Bay Main Street Association Inc. PO BOX 116 OYSTER BAY, NY 11771

ADDITIONAL INTEREST SCHEDULE

LOCATION 2 **BUILDING** 1

Type: Designated Person or Organization
Additional Interest Name and Address:
TOWN OF OYSTER BAY
54 AUDREY AVENUE
OYSTER BAY , NY 11771

LOSS PAYEE SCHEDULE

All loss payees as their interests may appear in the Covered Property.

The following provisions apply in accordance with the insurable interest of the loss payee: Loss Payee

Description of Property: Any Covered Property in which a loss payee, creditor or lender holds an interest, including any person or organization you have entered a contract with for the sale of Covered Property.

AGENT

POLICY NUMBER
B 4025932909

INSURED NAME AND ADDRESS
Oyster Bay Main Street Association Inc.
PO BOX 116
OYSTER BAY, NY 11771

FORMS AND ENDORSEMENTS SCHEDULE

The following list shows the Forms, Schedules and Endorsements by Line of Business that are a part of this policy.

COMMON

FORM NUMBER		FORM TITLE
CNA81751XX	03/2015	Cap on Losses from Certified Acts of Terrorism
SB147006E	04/2014	New York Changes
SB147008A	01/2006	New York Changes - Fraud
SB147075A	01/2006	Economic and Trade Sanctions Condition
SB147082E	04/2014	Businessowners Common Policy Conditions
SB147086B	04/2010	Loss Payable Provisions

COMMERCIAL PROPERTY

FORM NUMBER		FORM TITLE
SB146801I	04/2014	Businessowners Special Property Coverage Form
SB146802D	06/2011	Business Income and Extra Expense
SB146803A	01/2006	Seasonal Increase
SB146804A	01/2006	Arson and Theft Reward
SB146805A	01/2006	Claim Data Expense
SB146806B	01/2008	Debris Removal
SB146807D	04/2014	Employee Dishonesty
SB146808A	01/2006	Expediting Expenses
SB146809C	07/2009	Fine Arts
SB146810A	01/2006	Fire Department Service Charge
SB146811A	01/2006	Fire Protective Equipment Discharge
SB146812C	04/2010	Forgery and Alteration
SB146813B	01/2008	Newly Acquired or Constructed Property
SB146814B	03/2006	Ordinance or Law
SB146815A	01/2006	Outdoor Trees, Shrubs, Plants and Lawns
SB146816A	01/2006	Pollutant Clean Up and Removal
SB146817A	01/2006	Preservation of Property
SB146818A	01/2006	Temporary Relocation of Property
SB146819A	01/2006	Water Damage, Other Liquids, Solder, Molten Damage
SB146820C	06/2011	Accounts Receivable
SB146821A	01/2006	Appurtenant Buildings and Structures
SB146822A	01/2006	Building Glass
SB146823B	01/2008	Business Income Extra Expense - Dependent Property
SB146824B	01/2008	Business Income Extra Expense-Newly Acquired Locs
SB146825C	06/2011	Business Personal Property Off Premises
SB146826B	01/2008	Civil Authority
SB146827F	06/2011	Electronic Data Processing
SB146828E	04/2014	Equipment Breakdown
SB146830B	01/2008	Money Orders and Counterfeit Paper Currency
SB146831B	06/2011	Nonowned Detached Trailers
SB146832B	01/2008	Ordinance or Law-Increased Period of Restoration
SB146833A	01/2006	Outdoor Property
SB146834A	01/2006	Personal Effects
SB146835A	01/2006	Signs
SB146836A	01/2006	Spoilage Consequential Loss
SB146837A	01/2006	Theft Damage to Rented Property
SB146838C	06/2011	Valuable Papers and Records
SB146839F	06/2011	Sewer or Drain Back Up
SB146936A	01/2006	Inflation Guard
SB300129A	03/2006	Targeted Hacker Attack

AGENT

POLICY NUMBER	INSURED NAME AND ADDRESS
B 4025932909	Oyster Bay Main Street Association Inc. PO BOX 116 OYSTER BAY, NY 11771

FORMS AND ENDORSEMENTS SCHEDULE

COMMERCIAL PROPERTY

FORM NUMBER		FORM TITLE
SB300456A	07/2007	Concurrent Causation, Earth Movmnt, Water Excl Chg
SB300596A31	01/2008	Identity Theft Endorsement
SB300618C	04/2014	Choice Extra Endorsement

COMMERCIAL GENERAL LIABILITY

FORM NUMBER		FORM TITLE
SB146902F	04/2014	Hired Auto and Nonowned Auto Liability
SB146932E31	06/2011	Blanket Additional Insured - Liability Extension
SB147057A	01/2006	NY Changes - Businessowners Liability Coverage
SB147080A31	03/2006	Exclusion - Silica
SB147088A31	01/2006	Exclusion - Asbestos
SB147089A	01/2006	Employment - Related Practices Exclusion
SB300000D	04/2014	Businessowners Liability Coverage Form
SB300113C	06/2011	Additional Insured - Designated Person
SB300849A	07/2009	Recd and Distribution of Material or information

*** PLEASE READ THE ENCLOSED IMPORTANT NOTICES CONCERNING YOUR POLICY ***

FORM NUMBER		FORM TITLE
CNA62823XX	06/2015	Notice To Policyholders Jurisdictional Inspections
CNA81758XX	03/2015	Notice - Offer of Terrorism Disclosure of Premium

Countersignature

Chairman of the Board

Secretary

Meeting of July 12, 2016 Resolution No. 358-2016

WHEREAS, BOLLA EM REALTY, LLC, fee owner, and BOLLA OPERATING L.I. CORP., lessee, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to allow the existing four-pump service station (with canopy) to be demolished and redeveloped with a six-pump service station (with new canopy, pumps and associated appurtenances), and to allow the existing 1,817 square foot, one-story, three-bay garage building to be converted for retail sales use ancillary to the gasoline service station on the approximately 0.395 acre parcel located at 620 Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York 11801, which premises is located in a General Business (GB) Zone, and described as Section 11, Block 484, Lot 39, on the Land and Tax Map of Nassau County; and

Reviewed By Office of Town Attorney

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

WHEREAS, the "Review of Action and Determination of Significance" was duly made in the Town Environmental Quality Review Division's report dated June 9, 2016, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petitions and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Negative Declaration, indicating that the proposed actions would not cause significant impacts upon the environment and recommended, accordingly, that the Town Board issue a Negative Declaration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the Petition of BOLLA EM REALTY, LLC, fee owner, and BOLLA OPERATING L.I. CORP., lessee, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to allow the existing four-pump service station (with canopy) to be demolished and redeveloped with a six-pump service station (with new canopy, pumps and associated appurtenances), and to allow the existing 1,817 square foot, one-story, three-bay garage building to be converted for retail sales use ancillary to the gasoline service station on the approximately 0.395 acre parcel located at 620 Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York 11801, which premises is located in a General Business (GB) Zone, and described as Section 11, Block 484, Lot 39, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Department of Environmental Resources is hereby directed to circulate and file the Negative Declaration in accordance with the requirements of the New York State Environmental Quality Review Act ("SEQRA").

-#-

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	Absent
Councilwoman Johnson	Aye

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

19 358

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 9, 2016

SUBJECT: Application of Bolla Operating L.I. Corp. for Special Use Permit and Site Plan Approval, 620 Old Country Road, Hicksville; Section 11, Block 484, Lot 39

Attached hereto is the Memorandum of Neil Bergin, Commissioner of the Department of Environmental Resources, dated June 9, 2016, recommending that the Town Board adopt a Negative Declaration with respect to the above-referenced application.

In the event that the Town Board accepts the recommendation of the Department of Environmental Resources, the attached proposed resolution is submitted for its approval. We hereby request that this matter be scheduled for the July 12, 2016 action calendar.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st
Enclosure

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

June 9, 2016

TO: LEONARD GENOVA, TOWN ATTORNEY
ATTENTION: THOMAS M. SABELLICO, SPECIAL COUNSEL

FROM: NEIL BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: APPLICATION OF BOLLA OPERATING L.I. CORP. FOR SPECIAL USE PERMIT AND SITE PLAN APPROVAL, 620 OLD COUNTRY ROAD, HICKSVILLE; SECTION 11, BLOCK 484, LOT 39

Pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review (TEQR) Law, Chapter 110 of the Code of the Town of Oyster Bay, and the promulgating regulations of the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, the Department of Environmental Resources has completed its review of the above captioned proposed action.

Based on our review, the Department of Environmental Resources believes that the adoption of a Negative Declaration would be appropriate for the subject proposed action. Accordingly, we have prepared the attached proposed draft Negative Declaration memo/notice for consideration by the Town Board.

If the Town Board proceeds with the adoption of a Negative Declaration for this proposed action, the Department of Environmental Resources will finalize the attached document - including any revisions that may be necessary at the direction of the Town Board, as well as including the date of the Town Board's adopting Resolution on the final memo/notice - and we will then forward same for distribution and filing in accordance with the requirements of SEQRA.

The Town Board Resolution adopting a Negative Declaration can make reference to the detailed information contained in the attached proposed memo/notice.

Please do not hesitate to let us know if you have any questions.

NEIL BERGIN, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES

cc: FILE - Hicksville/Bolla

TOWN BOARD
TOWN OF OYSTER BAY
****DRAFT****
REVIEW OF ACTION AND
DETERMINATION OF SIGNIFICANCE
(NEGATIVE DECLARATION)

June 9, 2016

Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQRA, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (EQR) Law (Chapter 110 of the Oyster Bay Town Code), the Town Board of the Town of Oyster Bay has reviewed the following action:

- **Applicant:** Bolla Operating L.I. Corp.

- **Title of Project:** Bolla Gasoline Service Station Accessory Retail Store

- **Description of Proposed Action:** Application to the **Town Board** for a **Special Use Permit** and **Site Plan Approval** to allow the existing four-pump service station (with canopy) on the approximately 0.395-acre subject property to be demolished and redeveloped with a six-pump service station (with new canopy, pumps and associated appurtenances), and to allow the existing 1,817-square foot, one-story, three-bay garage building to be converted for retail sales use ancillary to the gasoline service station. The existing underground fuel storage tanks are proposed to be retain.

  The proposed site plan provides 11 on-site parking stalls, which is two fewer than the 13-space minimum required parking capacity under the Zoning Code, requiring the issuance of a zoning variance.

  The proposed action also requires a number of other dimensional variances, along with the elimination of certain existing dimensional non-conformities, including:
  - side yard – 5 feet required, 1 foot provided under the proposed plan at the trash enclosure;
  - rear yard – 25 feet required, 2 feet provided at the trash enclosure;
  - landscape buffer – 15 feet – 15 feet required, 0 feet provide along Old Country Road between the driveways (as is the case under existing conditions), 10 feet provided to the east of the easterly driveway on Old Country Road (eliminating an existing non-conformity), 10 to 13 feet provided along Duffy Avenue (eliminating an existing non-conformity);
  - parking setback – 6 feet required, 10 feet provided along Old Country Road, Duffy Avenue and the northern property line (eliminating existing non-conformities at these locations where the setbacks range from 0 to 3 feet), and 1 foot provided along easterly property line (as compared to the 1.5-foot existing non-conformity); and
  - maximum floor area ratio – 20 percent permitted, 27.6 percent proposed for the building and canopy combined (as compared to 20.1 percent under existing conditions); however, the applicant notes that the area of landscaping will be increased from 1,912 square feet in the proposed plan as compared to 670 square feet under existing conditions.

  The 24-hour-per-day operation of the existing gasoline service station would be continued for the proposed facility, including the new accessory retail use. The applicant indicates that staffing would be reduced from four employees at present (two in the garage and two pump attendants) to a maximum of three in the proposed accessory retail store during peak periods; the minimum staffing

DRAFT

would be two people during off-peak hours, which would allow one attendant to serve a disabled customer while the other attendant serves customers in the building.

The applicant is not proposing modifications to the covenants and restrictions which were adopted in conjunction with the Town Board's original approval of the gasoline service station on the subject property in 1961. However, new covenants and restrictions may be established, as deemed appropriate if the Town Board decides to proceed with the proposed action, to reflect the development of an accessory retail use and redevelopment of the gasoline service station.

- **Other Possible Approvals Required:**
  - Nassau County Planning Commission – 239m review and recommendation
  - Nassau County Department of Public Works – 239f approval (including drainage review)
  - Nassau County Fire Marshal – site plan approval
  - Nassau County Department of Health/U.S. Environmental Protection Agency – decommissioning of subsurface drainage structures under the USPEA's Underground Injection Control Program
  - Hicksville Water District – backflow prevention device

- **Location of Proposed Action:** 620 Old Country Road, Hicksville, Town of Oyster Bay, State of New York, and further identified as Section 11, Block 34, Lot 39 on the Land and Tax Map of Nassau County.

- **SEQRA Classification:** Unlisted

- **Type of Review:** Uncoordinated

- **Lead Agency:** Not applicable

- **Contact Person:** Town of Oyster Bay Department of Environmental Resources
  [illegible] Miller Pl[illegible]
  Syos[illegible] NY [illegible]
  Attenti[illegible] telephone: (516) 677-5824

- **Documents Reviewed:**
  - Amended Environmental Assessment Form (EAF) Part 1, prepared by High Point Engineering (HPE), dated 8/25/2014, including additional information provided in supplemental correspondence;
  - Amended Petition, prepared by Brown & Altman, LLP, dated 1/31/2014;
  - *ALTA/ACSM Survey*, prepared by Gallas Surveying Group, dated 1/17/2012;
  - *300' Radius Map*, dated [illegible]25/2013;
  - Site plan drawings prepared by HPE, amended 7/1/2014, except as otherwise noted, including:
    - *Site Plan* (Sheet #SP-1),
    - *Grading/Drainage & Utility Plan* (Sheet #SP-2),
    - *Landscape/Erosion Control Plan* (Sheet #SP-3),
    - *Lighting Plan* (Sheet #SP-4), as amended 2/10/2014,
    - *Detail Sheet* (Sheet #SP-5),
    - *Fuel Delivery Truck Plan* (Sheet #TR-1), as amended 8/19/2014,
    - *Proposed Floor Plan* (Sheet #A-1), as amended 2/10/2014, and
    - *Proposed Elevations* (Sheet #A-2), as amended 2/10/2014;
  - *Tank Excavation Assessment and Divestment Summary Report*, prepared by Groundwater and Environmental Services, Inc., dated June 2010;

DRAFT

- *Phase I Environmental Site Assessment* (Phase I ESA), prepared by Impact Environmental, dated 3/5/2012;
- *Phase II Environmental Site Assessment: Limited Subsurface Investigation* (Phase II ESA), prepared by Impact Environmental, dated 3/8/2012; and
- *Traffic Impact Report*, prepared by Stonefield Engineering and Design, revised 2/24/2014.

The environmental review of this application also included inspection of the subject premises and surrounding area.

Review of this application also took into consideration testimony at the public hearing before the Town Board convened on February 2, 2016. During this hearing, it was suggested that the median on Old Country Road, which currently extends eastward to about the midpoint of the subject property's frontage on that roadway, be lengthened so that it extends past the site's easterly boundary, in order to provide a greater deterrent against illegal left turns into the site by eastbound vehicles. In correspondence dated 3/23/2016 to the Nassau County Department of Public Works, which as indicated above has jurisdiction over this roadway, the Town asked that consideration be given to this suggestion. In a response dated 4/5/2016, NCDPW concurred with this proposal.

REASONS SUPPORTING DETERMINATION OF NO SIGNIFICANCE AND ISSUANCE OF NEGATIVE DECLARATION

The Town Board of the Town of Oyster Bay has issued a **Negative Declaration**, establishing that **the proposed action will not cause significant environmental impacts**, based on review and analysis of the following environmental parameters relative to this matter.

Zoning and Land Use – The subject property contains a gasoline service station, which lies within a General Business (GB) zoning district. The operation of a gasoline service station at this location is pursuant to a special use permit granted by the Town Board in 1961. The vehicle repair shop in the building is not presently in operation.

The proposed ancillary retail use is permitted in the GB district subject to the issuance of a special use permit by the Town Board.

The subject property fronts on Old Country Road, an arterial roadway under Nassau County jurisdiction, and is located in an area of mixed uses, summarized as follows:

- Old Country Road interchange for Wantagh State Parkway to the west, southwest and northwest, across Levittown Avenue;

- a motel to the immediate north and northeast, in GB and Light Industrial (LI) zoning districts; a softball/baseball training facility and batting range and a mini-storage facility in an LI district further to the north and northeast;

- a restaurant to the immediate east in a GB district; and offices further to the east in GB and LI districts; and

- single-family homes to the south, across Old Country Road, in an R1-7 One-Family Residence district.

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The nearest residential lots are located approximately 105 feet to the south of the subject property, across Old Country Road.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to zoning and land use.

Traffic and Parking – The subject parcel fronts on Old Country Road, which is a four-lane, arterial roadway under Nassau County jurisdiction. The proposed action would not alter the configuration the three existing vehicular driveways serving the site: two on Old Country Road and one on Duffy Avenue. Under the proposed plan, the Old Country Road driveways will continue to be restricted to easterly right-turn-only ingress and westerly right-turn-only egress, while the Duffy Avenue driveway will continue to allow right-turns in and out.

Based on empirical data published in the 8th edition of *Trip Generation* by the Institute of Transportation Engineers (ITE), the EAF estimates that the proposed facility (i.e., a gasoline service station with 12 fueling positions and an accessory convenience store) would generate 122 two-way trips during the weekday morning peak hour (AM peak) and 162 two-way trips during the weekday evening peak hour (PM peak); more than half of these trips would be "pass-by", representing traffic already present on the surrounding roadway system that would be diverted to the proposed facility, and which does not represent new or increased traffic volumes. Without applying a credit for traffic generated by the existing gasoline service station on the subject property, the analysis submitted by the applicant's transportation engineer indicates that project-generated traffic would have a minor effect on the westbound Old Country Road/Duffy Avenue intersection with delays for the stop-controlled right turn movement on southbound Duffy Avenue increasing by approximately 3 seconds during the AM peak and less than 2 seconds during the PM peak.

The *Fuel Delivery Truck* [illegible] indicates that tanker trucks will arrive to the subject property via the Duffy Avenue driveway to access the fuel delivery ports on the west side of the site, at the location of the existing underground storage tanks which will be retained. These tanker trucks will depart via the westerly exit driveway onto westbound Old Country Road.

During the [illegible] board hearing, it was suggested that the median on Old Country Road at the subject location, which extends eastward to about the midpoint of the site, be extended to provide a more effective deterrent against eastbound vehicles illegally turning left into the site. The Nassau County Department of Public Works has concurred with this proposal, with the applicant funding the work.

As noted previously, the proposed site plan provides 11 on-site parking stalls, whereas 13 spaces are required under the Zoning Code, necessitating the issuance of a variance. However, since the proposed retail use is intended to be accessory to the gasoline service station, it is expected that a large percentage of customers for the retail use will park their vehicles at the 12 fueling positions, which will serve as de facto parking spaces but are not included among the 11 spaces enumerated on the proposed site plan.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to traffic and parking.

Soils and Topography – The subject property is almost level and essentially fully covered with impervious surfaces. These conditions minimize the potential for erosion and sediment transport during construction.

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It is estimated that the proposed development entails the excavation of approximately 200 cubic yards of soil for the installation of drainage infrastructure and foundations for the new canopy.

The Phase I ESA indicates that a number of remedial activities were satisfactorily completed on the subject property, with no further action necessary, as follows:

- all seven spill cases on file with NYSDEC were closed; and
- as documented in the 2010 *Tank Excavation Assessment* report, the following facilities were satisfactory removed and remediated:
  - 3 gasoline underground storage tanks (USTs), related dispensers and piping, and associated contaminated soil;
  - 1 fuel oil UST, for which no soil remediation was necessary based on end-point testing results;
  - 1 used oil UST and associated contaminated soil; and
  - 3 hydraulic lifts and associated contaminated soil.

The Phase I ESA recommended Phase II activities with respect to the following recognized environmental conditions:

- the site contains an abandoned septic system, which was utilized until 1991;
- USTs, installed in 1961, were abandoned in-place;
- insufficient documentation was available to demonstrate the decommissioning of prior waste oil and fuel oil USTs; and
- the site contains 3 drywells.

The Phase II ESA included a ground-penetrating radar (GPR) survey of subsurface conditions and testing of soil and groundwater on the subject property in relation to the recognized environmental conditions summarized above. Although the GPR survey did not identify any surface anomalies that could be interpreted as USTs, soil and groundwater samples were collected from borings installed in suspected areas of former USTs; however, testing of these samples did not indicate the presence of contamination at levels requiring remedial action. The former septic system was located by GPR survey; testing in this area did not indicate the presence of contamination at levels requiring remedial action. Similarly, testing of sediment collected from the dry wells did not indicate the need for remedial action. On the basis of these Phase II ESA findings, it was concluded that no further action was necessary regarding environmental conditions on the subject property.

Notwithstanding the foregoing, the applicant's engineering consultant noted during the public hearing before the Town Board that the vehicle lifts in the existing building on the subject property will be removed early in the site redevelopment process, and any floor drains or other drainage structures on the site will be decommissioned in accordance with the U.S. Environmental Protection Agency's Underground Injection Control Program under the oversight of the Nassau County Department of Health.

Flora and Fauna – As the subject property is essentially fully covered with impervious surfaces, and is surrounded by fairly intense suburban development, it does not contain significant ecological resources.

Surface Waters – The subject property does not contain, nor lie in the immediate vicinity of, any surface water body. The proposed development plan includes the installation of new dry wells and associated infrastructure which will provide capacity for the on-site storage of five inches of stormwater runoff, which will help mitigate potential flooding impacts on adjacent properties and roadways.

DRAFT

Groundwater – The proposed accessory retail facility will discharge sewage to the existing Nassau County sewer line which serves the site, thereby avoiding potential groundwater quality impacts that may be associated with the use of subsurface sewage disposal systems. This type of use generally does not involve the storage or use of hazardous materials or other activities that pose a significant threat for impacting groundwater resources.

As indicated previously, because of the primary use of the subject premises as a gasoline service station, Phase I and Phase II ESAs were received as part of the environmental documentation for the proposed action. The ESAs indicate that all known or suspected recognized environmental conditions have been addressed and there is no indication of the presence of potentially significant contamination on the site.

Two monitoring wells on the subject property which were installed as part of the Phase II ESA investigation will be retained. These monitoring wells will be protected during construction.

Replacement of the existing fuel pumps and associated piping and appurtenances as part of the proposed action with new equipment will enhance the protection of groundwater resources. The existing two 15,000-gallon, double-walled fiberglass USTs, which were installed 2010, will be retained under the proposed action.

Special Groundwater Protection Area (SGPA)/Critical Environmental Area (CEA) – The subject property is not located in or substantially contiguous to the SGPA or any other area designated as a CEA by the Town of Oyster Bay.

Air Quality, Odors, Noise, and Lighting – The proposed accessory retail use does not entail activities which normally pose the potential for significant impacts with respect to air quality, odors or noise. The applicant has indicated that CCTV cameras are required by the Nassau County Fire Marshal for self-serve fuel dispensers. Speakers are proposed in conjunction with these cameras to provide communication between customers at the pumps and attendants inside the building.

All existing exterior lighting fixtures will be replaced with state-of-the-art custom/low-level LED fixtures or shielded as needed to minimize impacts to neighboring uses.

As discussed in the *Zoning and Land Use* section of this report, the subject property is adjoined by busy roadways and commercial uses and is not situated in close proximity to sensitive uses such as residences.

Water Usage and Sewage Generation – The EAF indicates that the proposed action will result in a small increase water consumption at the subject location, based on Nassau County sewage disposal standards.

Sanitary wastewater generated by the proposed accessory retail use will be discharged to the existing Nassau County sewer connection which serves the site. This sewage will be conveyed to the County's Cedar Creek facility on the south shore of the Town of Hempstead (hamlet of Wantagh) for treatment and effluent discharge to the Atlantic Ocean. Sewage typically is generated at about the same rate as water consumption.

Solid Waste Generation – The EAF indicates that the proposed action will result in a minor increase in solid waste generation at the subject location. Recycling is required in accordance with Town of

DRAFT

Oyster Bay requirements. The additional waste will be removed from the site via private carter to existing disposal facilities, as presently occurs.

Other Community Services – The proposed action involves reconstruction of the existing gasoline service station and conversion of the existing garage building for accessory retail use, which will generate school taxes without placing any additional service demand on the Hicksville School District. Any increased demand for other community services by the proposed action is not expected to be significant.

Aesthetic Resources – The proposed action includes redevelopment and rehabilitation of the existing garage building, reconstruction of the existing gasoline service station, and installation of new landscaping around the perimeter of the subject property, which will improve aesthetic conditions at the site.

Historic and Archaeological Resources – The subject property does not contain historically significant resources. As the site is fully developed, it lacks the characteristics which would suggest the potential presence of significant archaeological resources.

Open Space and Recreation – The project site is a commercial parcel, which does not comprise public open space and is not used for recreation.

Energy – The subject property is currently connected to utilities. The proposed accessory retail use is expected to result in an incremental increase in energy consumption. The site plan includes an outdoor, gas-fired generator near the northeast corner of the proposed building, which will provide emergency power to the building and fuel dispensers.

Public Health and Safety – The proposed new accessory retail use does not entail the types of activities that pose a significant potential public safety or health risk.

Community Growth and Character – The proposed new accessory retail use will not result in population growth and will not affect the character of the project area.

Mitigation – The following measures have been identified for inclusion in the proposed action so as to mitigate potential environmental impacts:

- In order to provide a more effective deterrent against eastbound vehicles illegally turning left into the subject property, the applicant shall fund the work necessary to lengthen the median on Old Country Road so that it extends past the site's easterly boundary.

- Vehicle lifts in the existing building on the subject property shall be removed at the start of the site redevelopment process, and any floor drains or other drainage structures on the site shall be decommissioned in accordance with the U.S. Environmental Protection Agency's Underground Injection Control Program under the oversight of the Nassau County Department of Health.

- Appropriate action shall be taken to protect the two existing monitoring wells on the subject property during construction and to ensure that these wells are accessible for sample collection after the new facilities have been completed.

DRAFT

Meeting of July 12, 2016 Resolution No. 359-2016

WHEREAS, Robert J. McEvoy, Comptroller, and Leonard G. Kunzig, Deputy Comptroller, by memorandum dated June 16, 2016, request and recommend that a refund in the amount of $100.00 be authorized to Mr. Benjamin Curatolo, 8 Winding Road, Massapequa, New York 11758, for overpayment of his sidewalk repair,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as set forth above is accepted and approved, and Mr. Benjamin Curatolo is hereby granted a refund in the amount of $100.00, 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. TWN DB 0000 00380 000 0000.

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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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

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TOWN OF OYSTER BAY

Inter-Departmental Memo

JUNE 16, 2016

To: **MEMORANDUM DOCKET**

From: **ROBERT J. McEVOY, COMPTROLLER**

Subject: **SIDEWALK REPAIR REFUND**

The Comptroller's Office has received the attached correspondence and completed claim form from Mr. Benjamin Curatolo, of 8 Winding Road, Massapequa, NY 11758, wherein he requests a $100.00 refund for overpayment of a sidewalk repair.

Based on the circumstances outlined in his letter, the Comptroller's Office requests that the Town Board authorize this refund.

Please debit account TWN DB 0000 00380 000 0000.

ROBERT J. McEVOY
COMPTROLLER

by

Leonard G. Kunzig
Deputy Comptroller

Attachments

RJM:LGK:mr

cc: Town Attorney (19)
Accounts Payable Division
Accounting Division A/R #5998
Reading File

RECEIVED

Benjamin Curatolo
8 Winding Road
Massapequa, NY 11758

May 23, 2016

Mr. Robert McEvoy
Comptroller
Town of Oyster Bay
Audrey Avenue
Oyster Bay, NY 11771

Dear Mr. McEvoy,

RE: Sidewalk Repair CREDIT/8 Winding Road, Massapequa, NY 11758

I am requesting a refund for an overpayment of $100 regarding sidewalk repair made to my property.
When I called the office it was confirmed that indeed there was an overpayment made.
Please review and forward refund.

Thank you for your attention to this request.

Sincerely,

Benjamin Curatolo

TOWN OF OYSTER BAY
CLAIM
AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER
FEDERAL ID # ☐ SOCIAL SECURITY #

CLAIMANT'S NAME: BENJAMIN CURATOLO	CONTRACT #	ORDER #
CLAIMANT'S ADDRESS: 8 WINDING RD, MASSAPEQUA NY 11758	CONTRACT NAME	
TOWN DEPARTMENT: COMPTROLLERS OFFICE	CLAIMANT INVOICE # 5998	

FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

DATE	DESCRIPTION	UNIT PRICE	TOTAL
5/12/16	REFUND OF OVERPAYMENT OF		
	SIDEWALK REPAIR AMOUNT BILLED		3,125.00
	PAYMENTS (SEE ATTACHED)		(3,225.00
	AMOUNT TO BE REFUNDED		100.00

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

TOTAL AMOUNT	100.00
CASH DISCOUNT %	
NET AMOUNT	100.00

I HEREBY CERTIFY the above articles were sold and delivered and/or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there stated in the amount of no part thereof has been paid except as stated therein and that the balance there in stated in the amount of

ONE HUNDRED DOLLARS

is actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom.

CLAIMANT FURTHER CERTIFIES that the unit prices charged herein are not higher than those charged to any governmental or commercial consumer for like deliveries.

Date 5/23/16

Signature Benjamin Curatolo Title N/A

Print or type name BENJAMIN CURATOLO Name of Company N/A

I HEARBY APPROVE this claim form for the sum of _____ for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature _____ Title _____ Date _____

Department _____ Account _____

RSH (05/18/16)

YEAR	DATE	DEBIT BATCH	CASH RECEIPT	TOTAL DEBITS	TOTAL CREDITS	BALANCE DUE
2007	10/9/2007	187		3,125.00		3,125.00
2007	11/27/2007		163		50.00	3,075.00
2007	12/31/2007		179		50.00	3,025.00
2008	2/2/2008		022		50.00	2,975.00
2008	3/11/2008		034		25.00	2,950.00
2008	4/9/2008		048		50.00	2,900.00
2008	4/24/2008		055		50.00	2,850.00
2008	6/17/2008		087		50.00	2,800.00
2008	8/14/2008		125		25.00	2,775.00
2008	9/18/2008		145		25.00	2,750.00
2008	10/15/2008		157		35.00	2,715.00
2008	12/3/2008		181		25.00	2,690.00
2009	1/6/2009		001		50.00	2,640.00
2009	2/10/2009		015		25.00	2,615.00
2009	4/20/2009		052		25.00	2,590.00
2009	5/26/2009		068		25.00	2,565.00
2009	6/18/2009		082		25.00	2,540.00
2009	9/15/2009		132		25.00	2,515.00
2009	12/9/2009		174		50.00	2,465.00
2009	12/28/2009		179		25.00	2,440.00
2010	3/10/2010		032		25.00	2,415.00
2010	5/26/2010		072		25.00	2,390.00
2010	6/23/2010		089		25.00	2,365.00
2010	10/5/2010		146		50.00	2,315.00
2010	11/3/2010		158		25.00	2,290.00
2010	12/20/2010		180		25.00	2,265.00
2011	1/24/2011		009		35.00	2,230.00
2011	2/16/2011		022		25.00	2,205.00
2011	3/15/2011		038		35.00	2,170.00
2011	4/25/2011		061		25.00	2,145.00
2011	6/7/2011		083		25.00	2,120.00
2011	6/20/2011		089		45.00	2,075.00
2011	7/27/2011		112		35.00	2,040.00
2011	9/6/2011		136		40.00	2,000.00
2011	10/12/2011		153		25.00	1,975.00

YEAR	DATE	DEBIT BATCH	CASH RECEIPT	TOTAL DEBITS	TOTAL CREDITS	BALANCE DUE
2011	10/19/2011		158		25.00	1,950.00
2011	11/29/2011		177		35.00	1,915.00
2011	12/21/2011		188		25.00	1,890.00
2012	3/5/2012		032		50.00	1,840.00
2012	4/17/2012		056		30.00	1,810.00
2012	5/23/2012		076		45.00	1,765.00
2012	6/28/2012		097		30.00	1,735.00
2012	8/13/2012		130		35.00	1,700.00
2012	9/17/2012		153		35.00	1,665.00
2012	9/25/2012		159		25.00	1,640.00
2012	11/27/2012		188		40.00	1,600.00
2012	12/18/2012		199		25.00	1,575.00
2013	2/14/2013		021		35.00	1,540.00
2013	3/18/2013		040		35.00	1,505.00
2013	5/15/2013		076		35.00	1,470.00
2013	7/16/2013		113		30.00	1,440.00
2013	9/5/2013		151		30.00	1,410.00
2013	10/16/2013		173		40.00	1,370.00
2013	11/12/2013		185		30.00	1,340.00
2013	12/10/2013		203		40.00	1,300.00
2014	1/21/2014		008		40.00	1,260.00
2014	2/19/2014		022		50.00	1,210.00
2014	3/21/2014		042		50.00	1,160.00
2014	6/18/2014		206		160.00	1,000.00
2014	8/18/2014		239		100.00	900.00
2014	10/2/2014		261		50.00	850.00
2014	10/24/2014		275		50.00	800.00
2014	12/18/2014		315		100.00	700.00
2015	3/17/2015		046		100.00	600.00
2015	4/20/2015		073		100.00	500.00
2015	5/27/2015		099		100.00	400.00
2015	7/13/2015		132		100.00	300.00
2015	8/13/2015		157		100.00	200.00
2015	9/2/2015		181		100.00	100.00
2015	10/15/2015		226		100.00	0.00
2015	12/7/2015		285		100.00	(100.00)
				3,125.00	3,225.00	(100.00)

S:\Comptroller\Shared\Accounting\Acct Receivable Worksheets\5998 SIDEWALK

WHEREAS, Resolution No. 741-2015, adopted on December 15, 2015, authorized D & B Engineers and Architects, P.C., to provide on-call engineering services, in connection with Contract No. PWC 20-16, On-Call Engineering Services Relative to Tank 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 memorandum dated June 16, 2016, request Town Board authorization for D & B Engineers and Architects, P.C., to proceed under Contract No. PWC 20-16, On-Call Engineering Services Relative to Tank Management with the training of Town personnel to comply with new NYSDEC regulations for underground storage tank operators, and further request that the Comptroller issue an encumbrance order in an amount of $8,000.00, with funds available in account No. DPW A 1640 46340 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth, are hereby approved, and D & B Engineers and Architects, 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 $8,000.00 for Contract No. PWC 20-16, with funds to be drawn from account No. DPW A 1640 46340 000 0000.

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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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 16, 2016

TO: MEMORANDUM DOCKET

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 20-16
TANK MANAGEMENT
ACCOUNT NO.: DPW A 1640 46340 000 0000

The consultant, D & B Engineers and Architects, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC 20-16 by Resolution No. 741-2015 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated June 2, 2016 from D & B Engineers and Architects, P.C. regarding the scope of work to be performed in an amount not to exceed $8,000.00. Services to be performed include training of Town personnel to comply with new NYSDEC regulations for underground storage tank operators.

Attached is an availability of funds in the amount of $8,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DPW A 1640 46340 000 0000.

It is hereby requested that the Town Board authorize by Resolution D & B Engineers and Architects, P.C. under Contract No. PWC 20-16, On-Call Engineering Services Relative to Tank Management and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/SC/dm

Attachment

cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathy Stefanich, Administrative Division/DPW
Mike Cipriano, Deputy Commissioner/CVM

PWC 20-16 - D&B - ON CALL SERVICE REQUEST_8,000

RECEIVED
TOWN CLERK

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 9, 2016

To: ROBERT S. DARIENZO
DIRECTOR OF FINANCE

From: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Subject: REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO PWC 20-16
D & B ENGINEERS AND ARCHITECTS, P.C.
TANK MANAGEMENT

Attached please find the original On-Call Consultant Service/Requirements Contract Request for Availability of Funds and Town of Oyster Bay Work Order signed by both the requesting department and the Commissioner of Public Works.

If there are any questions, please contact Diane Marx at ext. 5779.

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/dm
Attachments

PWC 20-16 $8000.00 D&B SC.DOCX

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 3, 2016

TO : MIKE CIPRIANO, DEPUTY COMMISIONER
DEPARTMENT OF CENTRAL VEHICLE MAINTENANCE

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC 20-16
TANK MANAGEMENT
D & B ENGINEERS AND ARCHITECTS, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of $8,000.00.

Funds are required for engineering services related to tank management, as per the attached letter from D & B Engineers and Architects, P.C., dated June 3, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $8,000.00 and Resolution No. 741-2015 authorizing D & B Engineers and Architects, P.C. for on-call services.

If you have any questions, please contact Sunita Chakraborti, Division of Engineering, at extension 5725.

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

VERIFIED:

DIANE I. MARX
DIVISION OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

RTB:ELM:MR:SC:dm
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC 20-16 D&B - REQUEST FOR FUNDS_8,000

ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT
REQUEST FOR AVAILABILITY OF FUNDS

Requesting Division/Department: CVM

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number: PWC 20-16

Contract Period: 01/01/16 - 12/31/17

Consultant/Contractor: D & B Engineers and Architects, P.C.

Discipline: Tank Management

Total Authorization: $ 43,900.00

Resolution No. 741-2015 Date 12/15/2015

Funded To Date: $ 35,900.00

Amount Requested: $8,000.00

Account To Be Used: DPW-A-1640-46340-000-0000

If Capital Account, State The Related Contract Number:

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

Tank Management Program

UST Operator Training

Work To Be Completed In Contract Period: Yes [X] No [ ]

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes [X] No [ ]

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [X]

Amount of Bond $

Requesting Division/Department	DPW Approval Only To Be Executed By The Commissioner
Signature	Signature
Title: DEPUTY COMMISSIONER D.P.W.	Title: Commissioner of Public Works
Date: 6-8-2016	Date: 6/9/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 8,000.00

Unemcumbered Balance: 26,841.61

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature Date 6/13/16

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC 20-16 Contract End 12/31/2017

Commencement Date _____

No claim shall be paid for work performed prior to the Commencement Date

Vendor Name and Address

D & B Engineers and Architects, P.C.

330 Crossways Park Drive

Woodbury, NY, 11797

Requesting Town Department Parks

Contact Sunita Chakraborti Phone (516) 677 - 5725

Description of Work to be Performed (Attach Detail If Necessary)

Tank Management Program

UST Operator Training

This work order shall not exceed $ 8,000.00

Please notify the above mentioned contact person 48 hours prior to commencing any work.

Requesting Division/Department

Signature _____

Title DEPUTY ~~COMMISSIONER D.P.W.~~

Date 6-8-2016

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 6/9/16

Reviewed by Office of Town Attorney

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 December 1, 2015, request and recommend that D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc., and LiRo Engineers, Inc. be authorized to provide on-call engineering services in connection with Contract No. PWC20-16, On-Call Engineering Services Relative to Task Management, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc., and LiRo Engineers, Inc. have an open-ended service agreement with the Town under which the services will be provided; and

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and D & B Engineers and Architects, P.C., Holzmacher, McLendon & Murrell, PC, Cashin Associates, PC, FST Engineers, Inc. and LiRo Engineers, Inc. be authorized to provide on-call engineering services in connection with Contract No. PWC20-16, On-Call Engineering Services Relative to Task Management, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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 Maragnone	Aye
Councilman Cosolignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

D&B ENGINEERS AND ARCHITECTS, P.C.
50 YEARS
330 Crossways Park Drive, Woodbury, New York 11797
516-364-9890 • Fax: 516-364-9045 • www.db-eng.com

Board of Directors
Henry J. Chiupka, P.E., BCEE
President & Chairman
Steven A. Fangmann, P.E., BCEE
Executive Vice President
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Christopher M. LeHanka
Richard W. Lenz, P.E.
Olga Mubarak-Jaramillo
Philip R. Sachs, P.E.
Daniel Shabat, P.E.

Associates
Meredith A. Byers
Anthony M. Carvano
Rudolph F. Cannavale
Christopher W. Francis
James J. Magda
Michele Mastrangelo
Jared Miranda, P.E.
Roger W. Owens
Steven E. Patak
Robbin A. Petrella
Swaroop C. Puchassapalli, P.E.
Edward J. Reilly
Michael G. Saxwese, P.E.
Stephen E. Tauss

June 2, 2016

Richard T. Betz, Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Re: Technical Scope of Work and Cost Estimate
Tank Management Program UST Operator Training
TOB PWC 20-16
D&B No. 3490-03

Dear Commissioner Betz:

The NYSDEC issued revised regulations for bulk storage of petroleum and chemicals in New York State in the fall of 2015. Under those new regulations, USTs that store petroleum or chemicals that are subject to both the New York State PBS or CBS regulations and are regulated under federal regulations found at 40 CFR Part 280 must designate Class A, Class B and Class C Operators for each UST system. Class A Operators have the primary responsibility for operation and maintenance of the UST system and typically manage the equipment and personnel required to maintain compliance. Class B Operators have day-to-day operational responsibility for implementing the applicable requirements. One person can serve as both the authorized Class A and B Operator for a facility. Each fueling facility must have an operator. These individuals are required to pass an exam that is administered by the NYSDEC. Class C Operators have the primary responsibility for initially addressing emergencies resulting from a spill or release from the UST system. Class C Operators must be trained by the Class A or Class B Operator to take appropriate actions in response to emergencies caused by a spill or release. This training and designation of operators must be completed by October 11, 2016.

To assist the Town with these new requirements, D&B Engineers and Architects, P.C. (D&B) is pleased to provide this technical scope of work and cost estimate to provide training for Town of Oyster Bay (TOB) employees in preparation to take the Class A and/or Class B underground storage tank (UST) Operator exam as required under the New York State Department of Environmental Protection (NYSDEC) petroleum bulk storage (PBS) and chemical bulk storage (CBS) regulations found at 6 NYCRR 613-2.5 and 6 NYCRR 598.12, respectively.

In order to assist TOB, D&B is proposing to provide a one-day training session and assist TOB employees with taking the NYSDEC Class A and/or Class B exam. The training portion of the session will cover the topics included in the NYSDEC "Tank IQ: Training Guide for Class A and B UST Operators." Each attendee will receive a color copy of this guidance manual to follow along with the presentation and for use during the open book exam.

The training program will be scheduled for an 8-hour day, and will include the presentation portion of the training session followed by an online exam. D&B will assist attendees to register for the exam and then will proctor while attendees complete the exam. The allotted time to complete the Class A or Class B exam is 2 hours and the combined Class A/B exam has an allotted time of 2 ½ hours. If an individual does not pass, they will be able to retake the exam 24 hours later.

D&B will administer the training session at our office at 330 Crossways Park Drive in Woodbury, New York. Each attendee will be provided with a copy of the NYSDEC guidance manual and an individual computer will be available to take the exam. Each training session will be limited to a maximum of 10 people and lunch will be included. Based upon the estimated level of effort required to undertake the scope of work described above, D&B will complete the project for the not-to-exceed cost of $8,000 including actual labor and expenses incurred.

We can schedule the work to be completed in late August or early September to ensure compliance with the regulatory deadline.

D&B respectfully requests authorization for the total fee of $8,000 for Engineering Services to assist the Town with the UST Operator Training.

We sincerely appreciate the opportunity to assist TOB with compliance of these upcoming regulations and if you have any questions or require any additional information, please contact me at (516) 364-9890, Ext 3015.

Very truly yours,

Richard W. Lenz, P.E.
Senior Associate

RWL/cf
cc: M. Russo (TOB)
*3490 \RWL16LTR-09

Meeting of July 12, 2016 Resolution No.361-2016

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development by the emergency powers granted to the Commissioner of the Department of Planning and Development, authorized the Highway Department to board-up the premises located at 45 Club Drive, Massapequa, New York 11758, also known as Section 65, Block 215, Lots 59 and 62 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 June 15, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of boarding up the premises on October 22, 2015, in the amount of $176.51, 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 June 15, 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 $176.51 may be assessed by the Legislature of the County of Nassau against the parcel known as 45 Club Drive, Massapequa, New York 11758, also known as Section 65, Block 215, Lots 59 and 62 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	Absent
Councilwoman Johnson	Aye

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

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361

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 15, 2016

SUBJECT: Property Cleanup Assessment
45 Club Drive, Massapequa, New York 11758
Section 65, Block 215, Lots 59 and 62

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board-up the premises located at 45 Club Drive, Massapequa, New York 11758, also known as Section 65, Block 215, Lots 59 and 62 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 12, 2015, advised that the property was boarded-up by a crew from the Highway Department on October 22, 2015. The cost incurred by the Town of Oyster Bay was $176.51.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 45 Club Dr Bd Up 6.15.16

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

State Transfer Tax $ 3,000.00
Nassau County Transfer Tax $ 750.00

THIS INDENTURE, made the 15th day of November 1999

BETWEEN RUTH HINDEN, 45 Club Drive, Massapequa, New York 11758

party of the first part, and

RALPH M. LAVORO AND MICHELE LAVORO, his wife, 190 Cedar Shore Drive, Massapequa, NY 11758

party of the second part,

WITNESSETH, that the party of the first part, in consideration of SEVEN HUNDRED FIFTY THOUSAND ($750,000.00) and 00/100 dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE ATTACHED SCHEDULE A

Sec. 65
Block 2H
Lots 59 & 62

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

X Ruth Hinden
RUTH HINDEN

Standard N.Y.B.T.U. Form 8002 Bargain and Sale Deed, with Covenant against Grantor's Acts – Uniform Acknowledgment
Form 3290

C. (KC

NASSAU COUNTY CLERKS OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 1999-12-02
Recorded Time: 10:55:37 a

Record and Return To:

Liber Book: D 11140
Pages From: 983
To: 986

Control Number: 359
Reference Number: RE 010599
Doc Type: D61 Deed

Location:	Section	Block	Lot	Unit
	0065	00215-00	00059	
	0065	00215-00	00062	

Consideration Amount: 750,000.00

The following fees were charged for the above document:

Recording Fee	17.00	Block Fee	10.00
Equal/CTY	5.00	County Transfer Tax	5.00
State Fee	4.75	State Fee/CTY	.25
Transfer Tax	3,000.00	Surcharge/NY	22.00
Surcharge/NY	3.00	County Transfer Tax	3.00
County Transfer Tax	7,500.00		

Taxes Total	10,500.00
Recording Totals	62.00
Total Payment	10,562.00

ERD001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK

19991202000359

285/

Town of Oyster Bay
Inter- Departmental Memo

November 12, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **45 CLUB DRIVE, Massapequa**
Board-Up

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$176.51**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2015 FEB 11 A 9:18

Board-up 45 CLUB DRIVE, Massapequa to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 45 Club Dr, Massapequa

DATE: 10/22/15

WO# 19728

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Fournier, Ruben	Maint Welder	1.00		34.20	$	34.20
Van Nostrand, Jeff	MaintCarpenter	1.00		42.66	$	42.66
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	76.86

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	1.00	$	79.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	79.00

MATERIALS

Materials Used (Sand, Etc.)	Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$		$	0.00
PLYWOOD SHEETS 1/2"	$ 20.65	1.00	$	20.65
PLYWOOD SHEETS 3/4"	$ 30.06		$	0.00
LUMBER 2x4x8	$ 3.20		$	0.00
		Subtotal C	$	20.65
		Total of A+B+C	$	176.51

DESCRIPTION OF WORK:
Boarded up back door using 1 sheet of 1/2" plywood.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 10/29/15

Meeting of July 12, 2016 Resolution No.362-2016

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 October 26, 2015, authorized the Highway Department to clean up the premises located at 2 Robin Court, Farmingdale, New York 11735, also known as Section 48, Block 553, Lot 4 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 June 15, 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 November 19, 2015, in the amount of $868.36, 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 June 15, 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 $868.36 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Robin Court, Farmingdale, New York 11735, also known as Section 48, Block 553, Lot 4 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Approved 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	Absent
Councilwoman Johnson	Aye

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 15, 2016

SUBJECT: Property Cleanup Assessment
2 Robin Court, Farmingdale, New York 11735
Section 48, Block 553, Lot 4

The Department of Planning and Development, by memorandum dated October 26, 2015, directed the Highway Department to clean the premises located at 2 Robin Court, Farmingdale, New York 11735, also known as Section 48, Block 553, Lot 4 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 2, 2015, advised that the property was cleaned by a crew from the Highway Department on November 19, 2015. The cost incurred by the Town of Oyster Bay was $868.36.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Atty\DBS\Cleanup MD&Rose\MD 2 Robin Ct 6.15.16.doc

✓ Have Recd
2016-5305 ✓S
LO

TOWN OF OYSTER BAY

Inter-Departmental Memo
October 26, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

From: **MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT**

Through: **FREDERICK P. IPPOLITO, COMMISSIONER PLANNING AND DEVELOPMENT**

Subject: **2 Robin Court Farmingdale, NY 11735**
SBL: 48-553-4

Notice of Violation (No.15199) was issued to the owner of the above-referenced premises 10/15/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:-
Michael Esposito (JS)
MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

Nassau County Clerk
RECORDS OFFICE
RECORDING PAGE

Deed Number (RETT):
RERE 008295

Type of Instrument: Deed

Control No: 199810232069

JAMES P
MILLI

JAMES P
MILLI

Recorded: 10/23/1998
At: 3:14:37 PM
In Liber: 10976
Of: Deed Book
From Page: 0740
Through Page: 0743

Refers to Liber: 00000
Of:
Page: 0000

Location:	Section:	Block:	Lot:	Unit:
Oyster Bay (2824)	00000048	00553-00	00004	

EXAMINED AND CHARGED AS FOLLOWS:

Consider Amt $ 113,250.00

Received The Following Fees For Above Instrument

			Exempt				Exempt
Recording	$	27.00	NO	Equal/Cty	$	5.00	NO
GAINS				State Fee	$	4.75	NO
St.Fee/Cty	$	.25	NO	Trans Tax	$	454.00	NO
				Surchg/NYS	$	22.00	NO
Surchg/Cty	$	3.00	NO				

Fees Paid: $ 516.00

Deed Number (RETT): RERE 008295

THIS PAGE IS A PART OF THE INSTRUMENT

GJS001

Karen V. Murphy
County Clerk, Nassau County

199810232069

Standard N.Y.B.T.U. Form 8050 Executor's Deed—Individual or Corporation.
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

SCAP 18/75N

THIS INDENTURE, made the 9th day of October, nineteen hundred and ninety-eight

BETWEEN JAMES P. MILLI, RESIDING AT 2 ROBIN COURT, FARMINGDALE, NEW YORK, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF JOHN F. MILLI, DECEASED, JOHN J. MILLI, RESIDING AT 12 BELLVIEW AVE, PORT WASHINGTON, NEW YORK, ELIZABETH ERNST, RESIDING AT 85 LEACH STREET, STOUGHTON, MASS, AND JANET KASKA, RESIDING AT 712 PALM AIRE DRIVE, FRIENDSWOOD, TEXAS, ALL AS DISTRIBUTEES UNDER THE LAST WILL AND TESTAMENT OF JOHN F. MILLI, DECEASED, SAID WILL HAVING BEEN PROBATED IN THE NASSAU COUNTY SURROGATE'S COURT, FILE NO. 283708,

as executor of the last will and testament of John F. Milli, late of Farmingdale, deceased,

party of the first part, and James P. Milli, residing at 2 Robin Court, Farmingdale, New York,

party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given to and by said last will and testament, and in consideration of ONE HUNDRED THIRTEEN THOUSAND TWO HUNDRED FIFTY AND 00/100 ($113,250.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SC: 48
BL: 553
LT: 4

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~NEAR~~ near Farmingdale, Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lot No. 4 in Block No. 553 on a certain map entitled, "Map of Fortesque at Farmingdale, Section No. 1, situated near Farmingdale, Nassau County, New York, surveyed March 1954, by Baldwins Cornelius Co., civil engineers and surveyors, Freeport, N.Y." and filed in the Nassau County Clerk's Office on June 29, 1954, as Map No. 6180, being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Robin Court distant 48.00 feet southeasterly from the extreme southeasterly end of an arc of a curve which connects the easterly side of Robin Lane with the easterly side of Robin Court;

RUNNING THENCE north 66 degrees 31 minutes east, 131.81 feet;

THENCE south 13 degrees 20 minutes east, 15.38 feet to a point;

THENCE south 6 degrees 11 minutes 20 seconds west, 135.50 feet;

THENCE north 63 degrees 37 minutes west, 123.80 feet to the easterly side of Robin Court;

THENCE northerly along a curve which bears to the left having a radius of 50 feet and a length of 43.51 feet to the point or place of BEGINNING.

Said premise are more commonly known as 2 Robin Court, S. Farmingdale, New York.

Premises herein described are and intended to be the same as those described in deed recorded in Liber 5816 Page 540.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof.

TOGETHER with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

JAMES R. MILLI

JOHN J. MILLI

ELIZABETH ERNST

JANET RASKA

STATE OF NEW YORK, COUNTY OF NASSAU ss:

On the 30th day of Sept. 19 98 before me personally came ELIZABETH ERNST

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that SHE executed the same.

Jacqueline Maffei
NOTARY PUBLIC

LINDA G. CASTORINA
Notary Public
STATE OF TEXAS
My Comm. Exp. 08-01-2003

STATE OF NEW YORK, COUNTY OF Galveston ss:

On the 31 day of September 19 98, before me personally came JANET RASKA

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that SHE executed the same.

Linda G. Castorina
PUBLIC

LINDA G. CASTORINA
Notary Public

STATE OF NEW YORK, COUNTY OF NASSAU ss:

On the 8th day of October 19 98, before me personally came JOHN J. MILLI

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that HE executed the same.

Joseph D Meares
NOTARY PUBLIC

JOSEPH D MEARES
Notary Public, State of New York
No. 4853460
Qualified in Nassau County
Term Expires July 10, 1999

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19 98 before me personally came JAMES P. MILLI
INDY Executor

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that HE executed the same.

NOTARY PUBLIC

ARTHUR KARDI
Notary Public, State of New York
No. 30-4739349
Qualified in Nassau County
Term Expires December 31, 1999

Executor's Deed

TITLE NO. SBAF 18173N

JAMES P. MILLI, AS EXECUTOR & INDIVIDUALLY, JOHN J. MILLI, ELIZABETH ERNST, AND JANET RASKA, ALL AS DISTRIBUTEES TO JAMES P. MILLI

SECTION 48
BLOCK 553
LOT 4
COUNTY of Nassau, Town of Oyster Bay

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
Fidelity National Title
INSURANCE COMPANY OF NEW YORK

Recorded At Request of Fidelity National Title
RETURN BY MAIL TO:

JOSEPH D. MEARES, P.C.
320 CONKLIN STREET
FARMINGDALE, NY 11735

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

dbs

Town of Oyster Bay
Inter- Departmental Memo

December 2, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **2 ROBIN COURT, FARMINGDALE**
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$868.36**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2015 JAN 15 P 4:40

Clean up 2 ROBIN COURT, FARMINGDALE to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-553-4) 2 ROBIN CT FARMINGDALE 11735

Date Nov 19, 2015

Work Order # 20832

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	01:45	$28.56	00:00	0	$49.98
MICHAEL HAYWARD	General Maintenance	01:45	$41.80	00:00	0	$73.15
MICHAEL MARTIN	General Maintenance	01:45	$24.04	00:00	0	$42.07
JOHN PIETROSANTE	General Maintenance	01:45	$43.92	00:00	0	$76.86
					Total Labor	$242.06

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	$131.00	01:45	$229.25
TD573	TRUCK DUMP 2005 FORD F-350 YW (T-245) - Power Wagons	$105.00	01:45	$183.75
TD633	PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	$79.00	01:45	$138.25
			Total Equipment	$551.25

Materials

Material	Cost Per Unit	Units	Line Cost
Tipping fee (per ton)	$80.70	0.93	$75.05
		Total Materials	$75.05

Grand Total **$868.36**

Description of Work:

clean up 2 Robin Court TPM to Doug

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Nov 24, 2015

Meeting of July 12, 2016 Resolution No.363-2016

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 January 27, 2016, authorized the Highway Department to clean up the premises located at 115 Roy Street, Massapequa, New York 11758, also known as Section 48, Block 191, Lot 9, 10, 11, and 39 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 June 15, 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 February 23, 2016, in the amount of $803.98, 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 June 15, 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 $803.98 may be assessed by the Legislature of the County of Nassau against the parcel known as 115 Roy Street, also known as Section 48, Block 191, Lot 9, 10, 11 and 39 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	Absent
Councilwoman Johnson	Aye

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

16

363

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 15, 2016

SUBJECT: Property Cleanup Assessment
115 Roy Street, Massapequa, New York 11758
Section 48, Block 191, Lot 9, 10, 11 and 39

The Department of Planning and Development, by memorandum dated January 27, 2016, directed the Highway Department to clean the premises located at 115 Roy Street, Massapequa, New York 11758, also known as Section 48, Block 191, Lot 9, 10, 11 and 39 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated March 9, 2016, advised that the property was cleaned by a crew from the Highway Department on February 23, 2016. The cost incurred by the Town of Oyster Bay was $803.98.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Atty\DBS\Cleanup MD&Resol\MD 115 Roy St 6-15-16.doc

2016-5428 S
Need Ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
January 27, 2016

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

From: **MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT**

Through: **FREDERICK P. IPPOLITO, COMMISSIONER PLANNING AND DEVELOPMENT**

Subject: **115 Roy Street Massapequa, NY 11758**
SBL: 48-191-9

Notice of Violation (No.15423) was issued to the owner of the above-referenced premises 1/15/16 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 1 day of JUNE, in the year 2012

BETWEEN WILLIAM G MAY AND GLORIA J. MAY, residing at 115 Roy Street, Massapequa, New York 11758 and Angela Sanabria as tenants in common,

party of the first part, and TODD KEARNEY, residing at 17 Colonial Drive, Farmingdale, New York 11735

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

TEN.....($10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See Schedule "A" Attached hereto Hereto

Said premises being further known as:
115 Roy Street, Massapequa, New York 11758

Being the same premises described in the deed dated 10-11-67 recorded 10-18-67 in Liber 7744 Page 215

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF

WILLIAM G MAY

GLORIA J MAY

Section: 48

Block: 191

Lot: 9,10,11 & 39

NC CLERK

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 06-11-2012
Recorded Time: 11:49:43 a

Liber Book: D 12836
Pages From: 376
To: 379

Control Number: 1855
Ref #: RE 016595
Doc Type: D01 DEED

Record and Return To:
ROBERT BICHOUPAN PC
175 EAST SHORE RD
STE 270
GREAT NECK, NY 11023

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0048	00191-00	00009	
OYSTER BAY (2824)	0048	00191-00	00010	
OYSTER BAY (2824)	0048	00191-00	00011	
OYSTER BAY (2824)	0048	00191-00	00039	

Consideration Amount: 445,000.00

Taxes Total	1,780.00
Recording Totals	265.00
Total Payment	2,045.00

IJC001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
MAUREEN O'CONNELL
COUNTY CLERK

201206110185 5

285

Town of Oyster Bay
Inter- Departmental Memo

March 9, 2016

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **115 ROY STREET, MASSAPEQUA**
Clean-Up

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$803.98**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

2016 MAR 21 P 1:33
TOWN ATTORNEY'S OFFICE
TOWN OF OYSTER BAY

Enc. T & M sheet

CLEAN-UP 115 ROY STREET, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (48-191-9) 115 ROY ST MASSAPEQUA NY 11758 **Date** Feb 23, 2016

Work Order # 23310

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL HAYWARD	General Maintenance	02:00	$43.02	00:00	0	$86.04
MICHAEL MARTIN	General Maintenance	02:00	$24.76	00:00	0	$49.52
JOHN PIETROSANTE	General Maintenance	02:00	$45.21	00:00	0	$90.42
					Total Labor	$225.98

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK360	SANI PACKER 2006 INTL 7400 YW (PP940 / PP-940)	$105.00	02:00	$210.00
TD633	PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	$79.00	02:00	$158.00
TD728	POWER WAGON 2015 T-245	$105.00	02:00	$210.00
			Total Equipment	$578.00

Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total **$803.98**

Description of Work:

CLEAN UP 115 ROY STREET MASSAPEQUA TO DOUG

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Feb 25, 2016

Meeting of July 12, 2016 Resolution No.364-2016

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development by the emergency powers granted to the Commissioner of the Department of Planning and Development, authorized the Highway Department to board-up the premises located at 889 Main Street, Farmingdale, New York 11735, also known as Section 49, Block 278, Lot 2 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 June 15, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of boarding up the premises on September 16, 2015, in the amount of $438.15, 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 June 15, 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 $438.15 may be assessed by the Legislature of the County of Nassau against the parcel known as 889 Main Street, Farmingdale, New York 11735, also known as Section 49, Block 278, Lot 2 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	Absent
Councilwoman Johnson	Aye

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

17

364

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 15, 2016

SUBJECT: Property Cleanup Assessment
889 Main Street, Farmingdale, New York 11735
Section 49, Block 278, Lot 2

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board-up the premises located at 889 Main Street, Farmingdale, New York 11735, also known as Section 49, Block 278, Lot 2 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 22, 2015, advised that the property was boarded-up by a crew from the Highway Department on September 16, 2015. The cost incurred by the Town of Oyster Bay was $438.15.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (19 copies)

S:\Attys\DBS\Cleanup MGM\Resp\BD 889 Main St Bd Up 6 15 16

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made on this 1st day of October, 2007,

between

Stephanie Leon, residing at 413 Purdy Avenue, Placentia, California 92870 and Lisa Gladstein, residing at 21 Hillside Road, Stony Brook, New York 11790, as Co-Trustees of THE PAULA SCHECK FAMILY TRUST dated October 26, 2006, party of the first part, and

Paula Scheck, residing at 889 Main Street, Farmingdale, New York 11735, party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents ($10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

49/278/2

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Farmingdale, Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lot No. 2 in Block 278 on a certain map entitled, "Map of Francis Manor, situate near Farmingdale, County of Nassau and Babylon, Suffolk County, New York, surveyed December 1954, Baldwin and Cornelius Co., Civil Engineers and Surveyors, Freeport, New York," and filed in the Office of the Clerk of the County of Nassau on May 11, 1955, as Map No.: 6421 being bounded and described as follows:

BEGINNING as a point on the southerly side of Mill Road which is intersected by the extreme northerly end of an arc connecting the southerly side of Mill Road with the easterly side of Main Street; **RUNNING THENCE** along the southerly side of Mill Road the following two courses and distances; 1. North 58 degrees 13 minutes 00 seconds east 72.54 feet; 2. Along an arc of a curve bearing to the left having a radius of 300 feet and a length of 16.00 feet; **THENCE** South 36 degrees 22 minutes 00 seconds east 80.90 feet; **THENCE** South 58 degrees 13 minutes 00 seconds west 104.99 feet to a point on the easterly side of Main Street; **THENCE RUNNING** along the easterly side of Main Street the following two courses and distances; 1. North 31 degrees 47 minutes 00 seconds west 70.00 feet; 2. Along an arc of a curve bearing to the right having a radius of 10 feet, and a length of 15.71 to the point or place of **BEGINNING**.

BEING and intended to be the same premises conveyed to the party of the first part by deed dated October 26, 2006 and recorded in the Nassau County Clerk's Office on October 30, 2006 in Liber Book D12190 at Pages 753 to 755.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

Stephanie Leon
Stephanie Leon

Lisa Gladstein
Lisa Gladstein

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 02-15-2008
Recorded Time: 9:04:36 a

Liber Book: D 12367
Pages From: 462
To: 464

Control Number: 28
Ref #: RE 014089
Doc Type: D01 DEED

Record and Return To:
FUTTERMAN & LANZA LLP
222 E MAIN STREET
STE 212
SMITHTOWN, NY 11787

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0049	00278-00	00002	

Taxes Total	.00
Recording Totals	124.00
Total Payment	124.00

ALM001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
MAUREEN O'CONNELL
COUNTY CLERK

2008021500028

Town of Oyster Bay
Inter- Departmental Memo

September 22, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **889 MAIN STREET, FARMINGDALE**
BOARD-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$438.15**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2016 FEB -8 A 11:30

BOARD UP 889 MAIN STREET, FARMINGDALE to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 889 Main St, Farmingdale

DATE: 09/16/15

LABOR COSTS

WO# 18240

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Fournier, Ruben	Maint Welder	2.50		34.20	$	85.50
Van Nostrand, Jeff	MaintCarpenter	2.50		42.66	$	106.65
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	192.15

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	0.50	$	39.50
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	39.50

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units			TOTAL
DIPPING FEE	$				$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	10.00		$	206.50
PLYWOOD SHEETS 3/4"	$	30.06			$	0.00
LUMBER 2x4x8	$	3.20			$	0.00
				Subtotal C	$	206.50
				Total of A+B+C	$	438.15

DESCRIPTION OF WORK:
Boarded up house using 10 sheets of 1/2" plywood, 1 locks and 1 hasps.

Signature:

Name: Douglas Robalino

Title: Storeyard Supervisor

Date: 09/17/15

Meeting of July 12, 2016 Resolution No.365-2016

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 April 1, 2015, authorized the Highway Department to clean up the premises located at 27 Hart Street, Farmingdale, New York 11735, also known as Section 48, Block 464, Lot 65 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 June 15, 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 April 21, 2015, in the amount of $1,532.45, 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 June 15, 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 $1,532.45 may be assessed by the Legislature of the County of Nassau against the parcel known as 27 Hart Street, Farmingdale, New York 11735, also known as Section 48, Block 464, Lot 65 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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	Absent
Councilwoman Johnson	Aye

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

18

365

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 15, 2016

SUBJECT: Property Cleanup Assessment
27 Hart Street, Farmingdale, New York 11735
Section 48, Block 464, Lot 65

The Department of Planning and Development, by memorandum dated April 1, 2015, directed the Highway Department to clean the premises located at 27 Hart Street, Farmingdale, New York 11735, also known as Section 48, Block 464, Lot 65 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated April 30, 2015, advised that the property was cleaned by a crew from the Highway Department on April 21, 2015. The cost incurred by the Town of Oyster Bay was $1,532.45.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Attys\DBS\Cleanup MD\Reno\MD 27 Hart St 6 15 16.doc

2016-5357 S

TOWN OF OYSTER BAY

Inter-Departmental Memo
April 1, 2015

To: KEVIN HANIFAN, COMMISSIONER HIGHWAY

From: MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT

Through: FREDERICK P. IPPOLITO, COMMISSIONER
PLANNING AND DEVELOPMENT

Subject: 27 Hart Street, So. Farmingdale NY 11735
SBL: 48-464-65

Notice of Violation (No.14707) was issued to the owner of the above-referenced premises 04/01/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:-
Michael Esposito (JS)
MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

Form 8002 (4/99) - 20M — Bargain and Sale Deed, with Covenant against Grantor's Acts—Individual or Corporation. (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 28 day of October two thousand and five

BETWEEN

Regina Mott and Robert Mott, residing at 27 Bart Street, Farmingdale, New York

party of the first part, and

Michael Maher and Erin Maher, as husband and wife, residing at 474 East Harrison Street, Long Beach, New York.

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See Attached Schedule A.

Being the same premises as conveyed to Robert E. Mott, title acquired with Regina M. BIvola, under deed dated 10/6/89, recorded 11/2/89 in Liber 10026 page 761 and further by a deed made by Regina M. Bivola, dated 4/30/90, recorded 3/25/91 in Liber 10124 page 891.

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Regina Mott

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 12-05-2005
Recorded Time: 2:38:30 p

Liber Book: D 12046
Pages From: 795
To: 798

Control
Number: 2134
Ref #: RE 012785
Doc Type: D01 DEED

Record and Return To:
CIPOLLA & HAYDEN ESQS
241-28 SOUTH CONDUIT AVE
ROSEDALE, NY 11422

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0048	00464-00	00065	

Consideration Amount: 457,500.00

Taxes Total	1,830.00
Recording Totals	127.00
Total Payment	1,957.00

AAR001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK

200512050213 4

Mike E.

Town of Oyster Bay
Inter- Departmental Memo

April 30, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **27 Hart Street, South Farmingdale**
Clean-Up

2015 JUL -9 P 3:16

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$1,532.45**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE
27 Hart St, Farmingdale

DATE: 04/21/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Jackson, Lawrence	Equip Oper II	3.00		37.61	$	112.83
Lang, Martin	Equip Supv	3.00		45.74	$	137.22
Mankiewicz, Frank	Laborer II	3.00		38.12	$	114.36
McGeever, Michael	Equip Oper II	3.00		26.10	$	78.30
Peters, Patrick	Laborer II	3.00		27.22	$	81.66
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	524.37

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Power Wagon	T225	TD683	105.00	3.00	$	315.00
Pickup	027	PU413	79.00	3.00	$	237.00
					$	0.00
Packer	PP940	PK360	105.00	3.00	$	315.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	867.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	75.00	0.96	$	72.00
TEMPORARY FENCE (PER FOOT)	$	1.04	40.00	$	41.60
FENCE POSTS	$	4.58	6.00	$	27.48
OF TRAFFIC					
				Subtotal C	$ 141.08
				Total of A+B+C	$ 1,532.45

DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using 2 lawn mower, 2 weedwackers, 2 backpack blowers, 1 hedge clipper and 1 chainsaw. Two truckloads of debris removed and dumped. Installed 40 ft. of temporary fence with 6 posts.

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 04/22/15

Meeting of July 12, 2016

Resolution No. 366-2016

WHEREAS, the Dormitory Authority of the State of New York has made up to $125,000 in grant funding through the State and Municipal Facilities Program available to the Town of Oyster Bay, with said funding to be applied to exterior renovations at the Raynham Hall Museum Education Center located at 30 West Main Street, Oyster Bay, New York; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs and Colin Bell, Department of Intergovernmental Affairs, by memorandum dated June 24, 2016, request that the Town Board authorize Colin Bell on behalf of the Department of Intergovernmental Affairs to execute and submit a Project Information Sheet in pursuit of State and Municipal Facilities Program funding to be applied for renovations to the Raynham Hall Museum Education Center and authorize the Supervisor, and Colin Bell, as the Supervisor's authorized designee, to execute any and all forms in connection with the pursuit of the grant funding up to the amount of $125,000, from the Dormitory Authority of the State of New York under the State and Municipal Facilities Capital Program,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and Town Board authorization is hereby granted for Colin Bell on behalf of the Department of Intergovernmental Affairs to execute and submit a Project Information Sheet in pursuit of State and Municipal Facilities Program funding to be applied for renovations to the Raynham Hall Museum Education Center and the Town Board authorizes the Supervisor, and Colin Bell, as the Supervisor's authorized designee, to execute any and all forms in connection with the pursuit of the grant funding up to the amount of $125,000, from the Dormitory Authority of the State of New York under the State and Municipal Facilities Capital Program.

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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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: COLIN BELL, INTERGOVERNMENTAL AFFAIRS

THROUGH: FRANK V. SAMMARTANO, DEPUTY COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JUNE 24, 2016

SUBJECT: STATE AND MUNICPAL FACILITIES PROGRAM: RENOVATIONS TO RAYNHAM HALL MUSEUM EDUCATION CENTER: EXTERIOR

The Town of Oyster Bay (Town) is eligible to apply for State funding through the State and Municipal Facilities Program (SAM) for renovations to the Raynham Hall Museum Education Center (Project) in the amount of $125,000.00. These funds will be applied to exterior renovations at the Raynham Hall Museum Education Center located at 30 West Main Street, Oyster Bay. This grant is being administered by the Dormitory Authority of the State of New York (DASNY) and requires no additional financial contribution by the Town.

Pursuit of this funding requires the execution and submission of a Project Information Sheet. It is therefore respectfully requested that the Town Board adopt a Resolution authorizing Colin Bell on behalf of Intergovernmental Affairs to submit a Project Information Sheet in pursuit of State and Municipal Facilities Program funding to be applied to this Project. This Resolution must also authorize the Supervisor, and Colin Bell as the Supervisor's designee, to execute all forms in connection with this Project.

Colin Bell
Intergovernmental Affairs

Frank V. Sammartano,
Deputy Commissioner

FVS:CB:jv
cc: Town Attorney w/19 copies

DASNY RaynhamApp

RECEIVED
SUPERVISOR'S OFFICE

Meeting of July 12, 2016 Resolution No. 367-2016

WHEREAS, the Town of Oyster Bay has been notified that New York American Water will provide $3,500.00 in funding to the Town through the American Water Environmental Grant Program (AWGP), to be applied to the construction of a rain garden at Marjorie Post Park (Project); and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs and Colin Bell, Department of Intergovernmental Affairs, by memorandum dated June 27, 2016, request Town Board authorization for the Office of the Comptroller to accept a $3,500.00 payment from New York American Water through the AWGP, to be applied to the construction of a rain garden at Marjorie Post Park, and authorizing the Supervisor, and Colin Bell, as the Supervisor's authorized designee, to execute any and all forms in connection with the abovementioned American Water Environmental Grant Program funding; and

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and in connection with Project I.D. # 1504PKSSP-03, Town Board authorization is hereby granted for the Office of the Comptroller to accept a $3,500.00 payment to be deposited into Revenue Account No. TWN H 0001 02706 000 1504 000 from New York American Water through the American Water Environmental Grant Program (AWGP), and the Town Board authorizes the Supervisor, and Colin Bell, as the Supervisor's authorized designee, to execute any and all forms in connection with the American Water Environmental Grant Program funding.

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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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: COLIN BELL, INTERGOVERNMENTAL AFFAIRS

THROUGH: FRANK V. SAMMARTANO, DEPUTY COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JUNE 27, 2016

SUBJECT: NEW YORK AMERICAN WATER ENVIRONMENTAL GRANT PROGRAM: FUNDING AWARD

New York American Water (NYAW) is a private water company which provides service to many areas within the Town of Oyster Bay. NYAW makes grant funding available to projects which improve, restore and/or protect watersheds and community water supplies through the American Water Environmental Grant Program (AWGP).

The Town of Oyster Bay (Town) has been notified that NYAW will provide $3,500.00 in AWGP funding to the Town to be applied to the construction of a rain garden at Marjorie Post Park (Project). Rain gardens provide a natural filtration system that helps trap pollutants, sediment and other undesirable materials from being deposited into local waterbodies. This technique reduces the amount of nonpoint source pollution that is negatively impacting our aquifers and other waterbodies while also creating an aesthetically pleasing visual display.

New York American Water's American Water Environmental Grant Program provides the grant funding to recipients in advance of the Project. Upon the completion of the Project the Town will be required to submit a Final Report including pictures, final budget costs and other pertinent information ensuring the project was completed satisfactorily. This Project does not require a cash contribution from the Town.

It is therefore respectfully requested that the Town Board adopt a Resolution authorizing the Office of the Comptroller to accept a $3,500.00 payment from New York American Water. This Resolution must also authorize the Supervisor and Colin Bell as the Supervisor's designated appointee to execute all forms in connection with New York American Water's American Water Environmental Grant Program. For accounting purposes, the Project ID# is 1504PKSSP-03 and the revenue account is TWN-H-0001-02706-000-1504-000.

Colin Bell
Intergovernmental Affairs

Frank V. Sammartano,
Deputy Commissioner

FVS:CB:jv
cc: Town Attorney w/19 copies
AmericanWaterAward

Reviewed By
Office of Town Attorney

WHEREAS, the Town's outside Bond Counsel, Norton Rose Fulbright LLP, recommended that it was in the best interest of the Town for the Town to adopt Policies and Procedures for Disclosures Intended or Expected to Reach Investors, and said outside Bond Counsel prepared said Policies and Procedures for Disclosures Intended or Expected to Reach Investors; and

WHEREAS, said Policies and Procedures for Disclosures Intended or Expected to Reach Investors were reviewed by the Office of the Town Attorney and by the Town's Director of Finance, Robert Darienzo, and executed by Supervisor John Venditto on June 17, 2016; and

WHEREAS, Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated June 24, 2016, recommended that the Town Board adopt the Policies and Procedures for Disclosures Intended or Expected to Reach Investors,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as hereinabove set forth, the Town Board does hereby adopt the Policies and Procedures for Disclosures Intended or Expected to Reach Investors.

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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

TOWN OF OYSTER BAY

POLICIES AND PROCEDURES
FOR
DISCLOSURES INTENDED OR EXPECTED TO REACH INVESTORS

The following policies and procedures (this "*Disclosure Policy*") shall be observed when the Town of Oyster Bay, Nassau County, New York (the "Town") makes statements or other communications that are intended to be accessible to and relied upon by investors in the Town's bonds or other debt securities.

1. **Definitions.** For purposes of this Disclosure Policy:

1.1. "***Bond Counsel***" means Norton Rose Fulbright LLP, or any other law firm having a nationally recognized standing in the field of law relating to the issuance of obligations by state and municipal entities and federal securities laws, selected and engaged by the Town to advise the Town with respect to the issuance, validity and tax-exempt status of its Securities.

1.2. "***Disclosure Agreements***" means the Continuing Disclosure Undertaking or Events Notice Certificate or other disclosure agreements of the Town, which require the Town to provide financial and operating data periodically and timely notices of certain events to the MSRB pursuant to Rule 15c2-12.

1.3. "***Disclosure Document***" means any statement or other communication that is intended to be accessible to and relied upon by investors in the Town's Securities, including:

(a) Offering Documents: preliminary and final Official Statements and other documents by which Securities are offered to the public by the Town

(b) Annual Financial and Operating Data: annual financial and operating data filed with the MSRB through EMMA pursuant to the Disclosure Agreements, including audited financial statements or Comprehensive Annual Financial Report (the "CAFR"); and

(c) Event Notices and Other EMMA Filings: notice of certain events described in Rule 15c2-12, and other voluntary information filed with the MSRB through EMMA.

1.4. "***EMMA***" means the Electronic Municipal Market Access System maintained by the MSRB.

1.5. ***Financial Advisor*** means Fiscal Advisors & Marketing, Inc., or any other firm engaged by the Town to provide financial advice with respect to the issuance of the Town's Securities and to assist in the preparation and filing of Disclosure Documents.

1.6. "***Material***" when used to with respect to a fact or Disclosure Document means that a reasonable investor likely would attach significance to it in making a decision to buy, hold, or sell Securities of the Town.

1.7. "***MSRB***" means the Municipal Securities Rulemaking Board.

1.8. ***"Rule 15c2-12"*** means Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended.

1.9. "***SEC***" means the United States Securities and Exchange Commission.

1.10. "***Securities***" means bonds, notes, certificates of obligation, certificates of participation, and other debt obligations or securities of the Town that are sold to or otherwise held or traded in by the public.

1.11. "***Town Disclosure Officers***" means the Director of Finance, the Comptroller, and the Town Attorney, or from time to time, other officers or employees of the Town, charged with the disclosure responsibilities described in this Disclosure Policy.

2. **Background.**

2.1. **Investor Reliance.** The Town has issued and expects to continue to issue Securities in the public debt markets and, in connection therewith, issue offering documents and enter into continuing disclosure undertakings to update financial and operating data in the offering documents at least annually and/or to file timely notices of certain events with the MSRB through EMMA. Investors in the Town's Securities rely on the filings as other Disclosure Documents in deciding whether to buy, hold, or sell the Town's Securities.

2.2. **Federal Securities Laws.** Under the federal securities law, the Town must exercise due care in preparing Disclosure Documents that are used to sell or tender for Securities to avoid material misstatements or omissions, and may not knowingly or recklessly include material misstatements or misleading statements in other Disclosure Documents while its Securities are outstanding. Bond Counsel opinions may help to establish care, but are no defense to an action for failing to disclose a known material fact.

3. **Purposes.** The purpose of this Disclosure Policy is to:

(a) ensure that the Disclosure Documents are accurate, complete and in compliance with all applicable securities laws;

(b) identify roles and responsibilities regarding the preparation, review and filing of the Disclosure Documents; and

(c) promote best practices regarding the preparation of the Disclosure Documents.

4. **Policies.** It is the policy of the Town:

4.1. **Good Disclosure.** To make disclosure to investors that is sufficiently clear, concise, accurate, and complete to (a) keep them informed of the Town's financial condition and results of operations (while advising them of material risks to future financial prospects)

and (b) to avoid losses attributable to materially inaccurate or misleading Disclosure Documents,

4.2. **Responses to Inquiries.** To respond to all reasonable inquiries from investors, rating agencies, and other participants in the municipal securities markets regarding Disclosure Documents or the financial condition, results of operations, and future financial prospects of the Town (while advising them of material risks to future financial prospects), and

4.3. **Reasonable Care.** To exercise reasonable care in preparing and issuing Disclosure Documents, including responses to inquiries, that may be material to investors,

5. **Procedures.** The following officials and employees of the Town shall follow the following procedures in preparing, checking, or issuing the following types of Disclosure Documents.

5.1. **Preliminary Official Statements and Final Official Statements**

5.1.1. **OS Working Group.** The working group for preliminary and final official statements issued in primary offerings shall consist of a representative of Bond Counsel, a representative of the Financial Advisor, a representative of and the Town Disclosure Officers (collectively, the "OS Working Group").

5.1.2. **Scope of Official Statement.** At the beginning of the disclosure process, the Financial Advisor and the Director of Finance will (a) determine (with input from the Town's underwriters, in the case of a negotiated offering) what information should be disclosed in the Disclosure Document to fairly present the Town's financial condition and future financial prospects (while advising of material risks to such prospects), (b) assign responsibilities for assembling and verifying the information, and (c) establish a schedule for producing the information and the Disclosure Document that will afford sufficient time for final review by the OS Working Group. While the information included in the last offering document may be used as a starting point, the OS Working Group will not assume that it represents a complete list of what is currently required.

5.1.3. **Assembling Current Information.** The Town Disclosure Officers shall (a) identify officers or employees of the Town who are likely to know or be able to obtain and verify required information, (b) request that they produce and verify the information and also notify the Town Disclosure Officers of any other fact that they consider to be material to investors, and (c) establish a reasonable but sufficient deadline for producing the information.

The Town Disclosure Officers will provide information to the Financial Advisor to prepare the initial draft of the Disclosure Document. The Financial Advisor shall distribute drafts of the Disclosure Document to the OS Working Group for review and allow sufficient time for members of the OS Working group to provide comments to the Disclosure Document. The members of the OS Working Group shall ensure that employees within their areas devote sufficient time and care in reviewing the Disclosure Document.

5.1.4. **Review for Process, Accuracy, and Completeness.** The OS Working Group shall review the Disclosure Document drafts to determine whether (a) the material facts in the Disclosure Document appear to be consistent with those known to the members of the OS Working Group, and (b) the Disclosure Document omits any material fact that is necessary to be included to prevent the Disclosure Document from being misleading to investors, taking into account disclaimers as to the scope of the Disclosure Document. Comments from members of the OS Working Group will be incorporated in the Disclosure Document by the Financial Advisor and a revised Disclosure Document will be sent to the OS Working Group for final review.

5.1.5. **Final Approval.** The Town's Disclosure Officers are responsible for the final review of the Disclosure Document and will confirm with Bond Counsel and the Financial Advisor that the Disclosure is in final form for printing.

5.1.6. **Supplements to the Disclosure Document.** After the printing/posting of the Disclosure Document, if any member of the OS Working Group or other Town employee becomes aware of any information that calls into question the accuracy or completeness of the statements contained in the Disclosure Document, he or she must immediately notify the Director of Finance, who will notify the OS Working Group. The OS Working Group will make a determination regarding whether or not such information requires the posting of a supplement to the Disclosure Document.

5.2. **Annual Financial and Operating Data.**

5.2.1. **Working Group.** The working group for annual financial and operating data to be filed with the MSRB pursuant to Disclosure Agreements shall consist of a representative of the Financial Advisor and the Town Disclosure Officers (collectively, the "Disclosure Working Group").

5.2.2. **Assembling Current Information.** The Town Disclosure Officers shall (a) compile and retain maintain (and shall update after every issuance or defeasance of Securities) a list of all financial and operating data required to be filed with the MSRB pursuant to the Disclosure Agreements, (b) assign responsibilities to officers and employees for periodically assembling and verifying the data, (c) request that they produce and verify the data and also notify the Town Disclosure Officers of any other fact that they consider to be material to investors, and (d) establish a schedule for producing the data (and the Disclosure Document by which it is filed) that will afford sufficient time for final review by the Disclosure Working Group.

The Financial Advisor will contact the Director of Finance in advance of the required filing date, requesting certain information and updates from the Town Disclosure Officers. The Director of Finance will provide the annual and operating information updates to the Financial Advisor and the Financial Advisor shall

prepare the initial draft of the Disclosure Document and distribute it to the Disclosure Working Group.

5.2.3. **Review for Process, Accuracy, and Completeness.** The Disclosure Working Group shall review the Disclosure Document drafts and determine as to whether (a) the material facts in the Disclosure Document appear to be consistent with those known to the members of the Disclosure Working Group, and (b) the Disclosure Document omits any material fact that is necessary to be included to prevent the Disclosure Document from being misleading to investors, taking into account disclaimers as to the scope of the Disclosure Document.

5.2.4. **Final Approval.** The Director of Finance is responsible for the final review of the Disclosure Document and will confirm with the other members of the Town Disclosure Officers that the Disclosure Document is in final form for filing with the MSRB

5.2.5. **Posting.** The Financial Advisor shall file the Disclosure Document with the MSRB through EMMA by the deadline established by the Disclosure Agreements. The Financial Advisor shall exercise due care to file the Disclosure Document in the format and with the identifying information required by the Disclosure Agreements, including applicable CUSIP numbers for the Town's Securities.

5.3. **Event Notices.**

5.3.1. **Identification of Reportable Events.** The Town Disclosure Officers shall maintain a list of events of which the Town is required to provide notice to the MSRB pursuant to the Disclosure Agreements. The Town Disclosure Officers shall (a) identify the officers and employees of the Town who are most likely to first obtain knowledge of the occurrence of such events, and (b) request in writing that they notify the Town Disclosure Officers immediately after learning of any such event, regardless of materiality.

5.3.2. **Preparation of Event Notice.** The Town Disclosure Officers shall (a) assess the materiality of any reported event with the assistance of the Financial Advisor and Bond Counsel and (b) if notice of the event must be given, request that the Financial Advisor prepare a Disclosure Document giving notice of the event and forward the draft Disclosure Document to Bond Counsel for review, and (c) provide approval of the final Disclosure Document to the Financial Advisor.

5.3.3. **Posting.** The Financial Advisor shall file the Disclosure Document with the MSRB through EMMA by the deadline established by the Disclosure Agreements. The Financial Advisor shall exercise due care to file the Disclosure Document in the format and with the identifying information required by the Disclosure Agreements, including applicable CUSIP numbers for the applicable Securities.

6. **Training.**

6.1. **Personnel to be Trained.** The Town Disclosure Officers and the Financial Advisor shall undergo periodic training.

6.2. **Training Content.** The training program and materials shall be prepared by or with the assistance of Bond Counsel. The training program shall impart the requirements of federal and state securities laws and the Disclosure Agreements, the meaning of "material," and the duties of such officers and employees under this Disclosure Policy.

6.3. **Training Frequency.** Each of the Town Disclosure Officers shall undergo training (a) promptly after being appointed to such position and (b) at least once every two years.

7. **Updates to Policies and Procedures.**

7.1. **Annual and Periodic Review.** After each Disclosure Document is issued pursuant to 5.1 or 5.2, the Town Disclosure Officers shall solicit possible recommendations for changes to this Disclosure Policy from each member of the OS Working Group.

7.2. **Recommendations for Change.** Following receipt of any such recommendation, the Town Disclosure Officers shall give their advice regarding the recommendation to the OS Working Group. The OS Working Group shall consider the recommendation and advice, determine whether to propose a change to this Disclosure Policy, and submit such proposal to the Town Supervisor.

7.3. **Changes to Disclosure Policy.** The Town Supervisor, with the advice from the Town Disclosure Officers and Bond Counsel, shall approve and implement any change to this Disclosure Policy that is proposed by the OS Working Group, which does not change the fundamental policies or procedures established by this Disclosure Policy, and is determined by the Town Supervisor to be advisable.

****

This version of the Disclosure Policy has been reviewed and approved by the Town Supervisor, as chief fiscal officer of the Town, on June 17, 2016.

Town Supervisor

Reviewed By
Office of Town Attorney

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368

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : June 24, 2016

SUBJECT: Policies and Procedures for Disclosures Intended or Expected to Reach Investors

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The Office of the Town Attorney has received a Policies and Procedures for Disclosures Intended or Expected to Reach Investors, prepared by Bond Counsel, Norton Rose Fulbright LLP, which has been reviewed by the Director of Finance, Robert Darienzo and by the Office of the Town Attorney.

It is the recommendation of this Office that the Policies and Procedures for Disclosures Intended or Expected to Reach Investors be adopted by the Town Board at the July 12, 2016 meeting.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st
Enclosure

RECEIVED

TOWN OF OYSTER BAY

POLICIES AND PROCEDURES
FOR
DISCLOSURES INTENDED OR EXPECTED TO REACH INVESTORS

The following policies and procedures (this "*Disclosure Policy*") shall be observed when the Town of Oyster Bay, Nassau County, New York (the "Town") makes statements or other communications that are intended to be accessible to and relied upon by investors in the Town's bonds or other debt securities.

1. **Definitions.** For purposes of this Disclosure Policy:

1.1. "***Bond Counsel***" means Norton Rose Fulbright LLP, or any other law firm having a nationally recognized standing in the field of law relating to the issuance of obligations by state and municipal entities and federal securities laws, selected and engaged by the Town to advise the Town with respect to the issuance, validity and tax-exempt status of its Securities.

1.2. "***Disclosure Agreements***" means the Continuing Disclosure Undertaking or Events Notice Certificate or other disclosure agreements of the Town, which require the Town to provide financial and operating data periodically and timely notices of certain events to the MSRB pursuant to Rule 15c2-12.

1.3. "***Disclosure Document***" means any statement or other communication that is intended to be accessible to and relied upon by investors in the Town's Securities, including:

(a) Offering Documents: preliminary and final Official Statements and other documents by which Securities are offered to the public by the Town

(b) Annual Financial and Operating Data: annual financial and operating data filed with the MSRB through EMMA pursuant to the Disclosure Agreements, including audited financial statements or Comprehensive Annual Financial Report (the "CAFR"); and

(c) Event Notices and Other EMMA Filings: notice of certain events described in Rule 15c2-12, and other voluntary information filed with the MSRB through EMMA.

1.4. "***EMMA***" means the Electronic Municipal Market Access System maintained by the MSRB.

1.5. ***Financial Advisor*** means Fiscal Advisors & Marketing, Inc., or any other firm engaged by the Town to provide financial advice with respect to the issuance of the Town's Securities and to assist in the preparation and filing of Disclosure Documents.

1.6. "***Material***" when used to with respect to a fact or Disclosure Document means that a reasonable investor likely would attach significance to it in making a decision to buy, hold, or sell Securities of the Town.

1.7. "***MSRB***" means the Municipal Securities Rulemaking Board.

1.8. ***"Rule 15c2-12"*** means Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended.

1.9. "***SEC***" means the United States Securities and Exchange Commission.

1.10. "***Securities***" means bonds, notes, certificates of obligation, certificates of participation, and other debt obligations or securities of the Town that are sold to or otherwise held or traded in by the public.

1.11. "***Town Disclosure Officers***" means the Director of Finance, the Comptroller, and the Town Attorney, or from time to time, other officers or employees of the Town, charged with the disclosure responsibilities described in this Disclosure Policy.

2. **Background.**

2.1. **Investor Reliance.** The Town has issued and expects to continue to issue Securities in the public debt markets and, in connection therewith, issue offering documents and enter into continuing disclosure undertakings to update financial and operating data in the offering documents at least annually and/or to file timely notices of certain events with the MSRB through EMMA. Investors in the Town's Securities rely on the filings as other Disclosure Documents in deciding whether to buy, hold, or sell the Town's Securities.

2.2. **Federal Securities Laws.** Under the federal securities law, the Town must exercise due care in preparing Disclosure Documents that are used to sell or tender for Securities to avoid material misstatements or omissions, and may not knowingly or recklessly include material misstatements or misleading statements in other Disclosure Documents while its Securities are outstanding. Bond Counsel opinions may help to establish care, but are no defense to an action for failing to disclose a known material fact.

3. **Purposes.** The purpose of this Disclosure Policy is to:

(a) ensure that the Disclosure Documents are accurate, complete and in compliance with all applicable securities laws;

(b) identify roles and responsibilities regarding the preparation, review and filing of the Disclosure Documents; and

(c) promote best practices regarding the preparation of the Disclosure Documents.

4. **Policies.** It is the policy of the Town:

4.1. **Good Disclosure.** To make disclosure to investors that is sufficiently clear, concise, accurate, and complete to (a) keep them informed of the Town's financial condition and results of operations (while advising them of material risks to future financial prospects)

and (b) to avoid losses attributable to materially inaccurate or misleading Disclosure Documents,

4.2. **Responses to Inquiries.** To respond to all reasonable inquiries from investors, rating agencies, and other participants in the municipal securities markets regarding Disclosure Documents or the financial condition, results of operations, and future financial prospects of the Town (while advising them of material risks to future financial prospects), and

4.3. **Reasonable Care.** To exercise reasonable care in preparing and issuing Disclosure Documents, including responses to inquiries, that may be material to investors,

5. **Procedures.** The following officials and employees of the Town shall follow the following procedures in preparing, checking, or issuing the following types of Disclosure Documents.

5.1. **Preliminary Official Statements and Final Official Statements**

5.1.1. **OS Working Group.** The working group for preliminary and final official statements issued in primary offerings shall consist of a representative of Bond Counsel, a representative of the Financial Advisor, a representative of and the Town Disclosure Officers (collectively, the "OS Working Group").

5.1.2. **Scope of Official Statement.** At the beginning of the disclosure process, the Financial Advisor and the Director of Finance will (a) determine (with input from the Town's underwriters, in the case of a negotiated offering) what information should be disclosed in the Disclosure Document to fairly present the Town's financial condition and future financial prospects (while advising of material risks to such prospects), (b) assign responsibilities for assembling and verifying the information, and (c) establish a schedule for producing the information and the Disclosure Document that will afford sufficient time for final review by the OS Working Group. While the information included in the last offering document may be used as a starting point, the OS Working Group will not assume that it represents a complete list of what is currently required.

5.1.3. **Assembling Current Information.** The Town Disclosure Officers shall (a) identify officers or employees of the Town who are likely to know or be able to obtain and verify required information, (b) request that they produce and verify the information and also notify the Town Disclosure Officers of any other fact that they consider to be material to investors, and (c) establish a reasonable but sufficient deadline for producing the information.

The Town Disclosure Officers will provide information to the Financial Advisor to prepare the initial draft of the Disclosure Document. The Financial Advisor shall distribute drafts of the Disclosure Document to the OS Working Group for review and allow sufficient time for members of the OS Working group to provide comments to the Disclosure Document. The members of the OS Working Group shall ensure that employees within their areas devote sufficient time and care in reviewing the Disclosure Document.

5.1.4. **Review for Process, Accuracy, and Completeness.** The OS Working Group shall review the Disclosure Document drafts to determine whether (a) the material facts in the Disclosure Document appear to be consistent with those known to the members of the OS Working Group, and (b) the Disclosure Document omits any material fact that is necessary to be included to prevent the Disclosure Document from being misleading to investors, taking into account disclaimers as to the scope of the Disclosure Document. Comments from members of the OS Working Group will be incorporated in the Disclosure Document by the Financial Advisor and a revised Disclosure Document will be sent to the OS Working Group for final review.

5.1.5. **Final Approval.** The Town's Disclosure Officers are responsible for the final review of the Disclosure Document and will confirm with Bond Counsel and the Financial Advisor that the Disclosure is in final form for printing.

5.1.6. **Supplements to the Disclosure Document.** After the printing/posting of the Disclosure Document, if any member of the OS Working Group or other Town employee becomes aware of any information that calls into question the accuracy or completeness of the statements contained in the Disclosure Document, he or she must immediately notify the Director of Finance, who will notify the OS Working Group. The OS Working Group will make a determination regarding whether or not such information requires the posting of a supplement to the Disclosure Document.

5.2. **Annual Financial and Operating Data.**

5.2.1. **Working Group.** The working group for annual financial and operating data to be filed with the MSRB pursuant to Disclosure Agreements shall consist of a representative of the Financial Advisor and the Town Disclosure Officers (collectively, the "Disclosure Working Group").

5.2.2. **Assembling Current Information.** The Town Disclosure Officers shall (a) compile and retain maintain (and shall update after every issuance or defeasance of Securities) a list of all financial and operating data required to be filed with the MSRB pursuant to the Disclosure Agreements, (b) assign responsibilities to officers and employees for periodically assembling and verifying the data, (c) request that they produce and verify the data and also notify the Town Disclosure Officers of any other fact that they consider to be material to investors, and (d) establish a schedule for producing the data (and the Disclosure Document by which it is filed) that will afford sufficient time for final review by the Disclosure Working Group.

The Financial Advisor will contact the Director of Finance in advance of the required filing date, requesting certain information and updates from the Town Disclosure Officers. The Director of Finance will provide the annual and operating information updates to the Financial Advisor and the Financial Advisor shall

prepare the initial draft of the Disclosure Document and distribute it to the Disclosure Working Group.

5.2.3. **Review for Process, Accuracy, and Completeness.** The Disclosure Working Group shall review the Disclosure Document drafts and determine as to whether (a) the material facts in the Disclosure Document appear to be consistent with those known to the members of the Disclosure Working Group, and (b) the Disclosure Document omits any material fact that is necessary to be included to prevent the Disclosure Document from being misleading to investors, taking into account disclaimers as to the scope of the Disclosure Document.

5.2.4. **Final Approval.** The Director of Finance is responsible for the final review of the Disclosure Document and will confirm with the other members of the Town Disclosure Officers that the Disclosure Document is in final form for filing with the MSRB

5.2.5. **Posting.** The Financial Advisor shall file the Disclosure Document with the MSRB through EMMA by the deadline established by the Disclosure Agreements. The Financial Advisor shall exercise due care to file the Disclosure Document in the format and with the identifying information required by the Disclosure Agreements, including applicable CUSIP numbers for the Town's Securities.

5.3. **Event Notices.**

5.3.1. **Identification of Reportable Events.** The Town Disclosure Officers shall maintain a list of events of which the Town is required to provide notice to the MSRB pursuant to the Disclosure Agreements. The Town Disclosure Officers shall (a) identify the officers and employees of the Town who are most likely to first obtain knowledge of the occurrence of such events, and (b) request in writing that they notify the Town Disclosure Officers immediately after learning of any such event, regardless of materiality.

5.3.2. **Preparation of Event Notice.** The Town Disclosure Officers shall (a) assess the materiality of any reported event with the assistance of the Financial Advisor and Bond Counsel and (b) if notice of the event must be given, request that the Financial Advisor prepare a Disclosure Document giving notice of the event and forward the draft Disclosure Document to Bond Counsel for review, and (c) provide approval of the final Disclosure Document to the Financial Advisor.

5.3.3. **Posting.** The Financial Advisor shall file the Disclosure Document with the MSRB through EMMA by the deadline established by the Disclosure Agreements. The Financial Advisor shall exercise due care to file the Disclosure Document in the format and with the identifying information required by the Disclosure Agreements, including applicable CUSIP numbers for the applicable Securities.

6. **Training.**

6.1. **Personnel to be Trained.** The Town Disclosure Officers and the Financial Advisor shall undergo periodic training.

6.2. **Training Content.** The training program and materials shall be prepared by or with the assistance of Bond Counsel. The training program shall impart the requirements of federal and state securities laws and the Disclosure Agreements, the meaning of "material," and the duties of such officers and employees under this Disclosure Policy.

6.3. **Training Frequency.** Each of the Town Disclosure Officers shall undergo training (a) promptly after being appointed to such position and (b) at least once every two years.

7. **Updates to Policies and Procedures.**

7.1. **Annual and Periodic Review.** After each Disclosure Document is issued pursuant to 5.1 or 5.2, the Town Disclosure Officers shall solicit possible recommendations for changes to this Disclosure Policy from each member of the OS Working Group.

7.2. **Recommendations for Change.** Following receipt of any such recommendation, the Town Disclosure Officers shall give their advice regarding the recommendation to the OS Working Group. The OS Working Group shall consider the recommendation and advice, determine whether to propose a change to this Disclosure Policy, and submit such proposal to the Town Supervisor.

7.3. **Changes to Disclosure Policy.** The Town Supervisor, with the advice from the Town Disclosure Officers and Bond Counsel, shall approve and implement any change to this Disclosure Policy that is proposed by the OS Working Group, which does not change the fundamental policies or procedures established by this Disclosure Policy, and is determined by the Town Supervisor to be advisable.

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This version of the Disclosure Policy has been reviewed and approved by the Town Supervisor, as chief fiscal officer of the Town, on June 12, 2016.

Town Supervisor

Meeting of July 12, 2016 Resolution No.369-2016

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 November 6, 2015, authorized the Highway Department to clean up the premises located at 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 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 June 22, 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 November 18, 2015, in the amount of $1,434.00, 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 June 22, 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 $1,434.00 may be assessed by the Legislature of the County of Nassau against the parcel known as 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 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	Absent
Councilwoman Johnson	Aye

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 22, 2016

SUBJECT: Property Cleanup Assessment
4699 Merrick Road, Massapequa, New York 11758
Section 57, Block 222, Lot 19

The Department of Planning and Development, by memorandum dated November 6, 2015, directed the Highway Department to clean the premises located at 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated December 2, 2015, advised that the property was cleaned by a crew from the Highway Department on November 18, 2015. The cost incurred by the Town of Oyster Bay was $1,434.00.

Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (w/19 copies)

S:\Any\DBS\Cleanup MD\Reso\MD 4699 Merrick Rd 6.22.16.doc

RECEIVED
TOWN ATTORNEY

TOWN OF OYSTER BAY

Inter-Departmental Memo

November 6, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

From: **MICHAEL ESPOSITO-BUREAU CHIEF/ CODE ENFORCEMENT**

Through: **FREDERICK P. IPPOLITO, COMMISSIONER PLANNING AND DEVELOPMENT**

Subject: **4699 Merrick Rd. Massapequa, NY 11758**
SBL: 57-222-19

Notice of Violation (No.15335) was issued to the owner of the above-referenced premises 10/29/15 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, **I am directing that you cut the grass, trim the bushes, and remove the litter and debris. Please remove the large dead tree in the rear yard.**

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

FREDERICK P. IPPOLITO
COMMISSIONER

BY:

MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

FPI/ME/js
cc: Leonard Genova, Town Attorney

NYSTT
$700 -

Standard N. Y. B. T. U. Form 9002 - Bargain and Sale Deed, with Covenant against Grantor's Acts—Individual or Corporation (single deed)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 28th day of September, nineteen hundred and eighty-nine

BETWEEN

DENNIS C. BRONZ, residing at
20 Broadway
Massapequa, New York 11758

party of the first part, and

BARBARA KERN, residing at
86 Ripplewater Avenue
Massapequa, New York 11758

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the new northerly side of Merrick Road, distant 328.81 feet westerly from the extreme westerly end of the arc of a curve connecting the new northerly side of Merrick Road with the westerly side of road known as Dover Road which point of beginning is also distant 500.82 feet westerly when measured along the new northerly side of Merrick Road from the westerly side of land of Grace Episcopal Church;

RUNNING THENCE westerly along the new northerly side of Merrick Road, 63 feet;

RUNNING THENCE northerly and at right angles to Merrick Road, 115 feet;

RUNNING THENCE easterly parallel with Merrick Road, 63 feet:

RUNNING THENCE southerly and at right angles to Merrick Road, 115 feet to the northerly side of Merrick Road, at the point or place of BEGINNING. Known as Section 57, Block 222, Lot 19 on the Nassau County Land & Tax map.

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated 3/4/82 and recorded 3/9/82 in Liber 9395 at page 263.

PREMISES ALSO KNOWN AS No. 4699 Merrick Road, Massapequa, New York.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Dennis C Bronz

DEED 10024 PAGE 17

Lottery Section 57 Block 222 Lot 19

OCT 17 1989

STATE OF NEW YORK, COUNTY OF NASSAU ss:

On the 28th day of September 19 89, before me personally came DENNIS C. BRONZ

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

NOTARY PUBLIC

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of , the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw executs the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. SP6592 SPA-N-558541

BRONZ

TO

KERN

SECTION 57
BLOCK 222
LOT 19
COUNTY OR TOWN NASSAU

Recorded At Request of
First American Title Insurance Company of New York.

Records RETURN BY MAIL TO:

SPANO ABSTRACT SERVICE CORP.

Complete Title Insurance Service

370 Old Country Road
Garden City, N.Y. 11530

(516) 294-7037
(718) 358-9416
FAX (516) 742-9375

FORM 2000 FOR USE IN NEW YORK STATE OR WASHINGTON
Distributed by
First American Title Insurance Company of New York

DEED 10024 PAGE 15

005217

X00155

RECEIVED
REAL ESTATE
OCT 25 1989
TRANSFER TAX
NASSAU COUNTY

RECORDED
HAROLD J. MCDONNELL
COUNTY CLERK
NASSAU COUNTY
Oct 25 10 24 AM '89

RECORDED
OCT 25 1989
60 MR 51 01 91 '89

RECORDED BY
SPANO ABSTRACT SERVICE CORP.

LEAVE THIS SPACE FOR USE OF RECORDING OFFICE

DB

Town of Oyster Bay
Inter- Departmental Memo

December 2, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **4699 MERRICK ROAD, MASSAPEQUA**
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$1,434.00**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2016 JAN 14 PM 1:59
TOWN ATTORNEY'S OFFICE

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (57-222-19) 4699 MERRICK RD MASSAPEQUA 11758

Date Nov 18, 2015

Work Order # 20631

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL HAYWARD	General Maintenance	03:00	$41.80	00:00	0	$125.40
LARRY JACKSON	General Maintenance	03:00	$39.42	00:00	0	$118.26
JOSE NUNEZ	General Maintenance	03:00	$37.86	00:00	0	$113.58
JOHN PIETROSANTE	General Maintenance	03:00	$43.92	00:00	0	$131.76
					Total Labor	$489.00

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK348	SANI PACKER 2004 INTL 7400 YW (PP935 / PP-935)	$105.00	03:00	$315.00
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	$131.00	03:00	$393.00
TD633	PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	$79.00	03:00	$237.00
			Total Equipment	$945.00

Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total $1434.00

Description of Work:

clean up and remove large dead tree in back yard at 4699 Merrick Road MS to Doug

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Nov 24, 2015

Meeting of July 12, 2016 Resolution No.371-2016

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development by the emergency powers granted to the Commissioner of the Department of Planning and Development, authorized the Highway Department to board-up the premises located at 27 Hart Street, Farmingdale, New York 11735, also known as Section 48, Block 464, Lot 65 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 June 22, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of boarding up the premises on April 21, 2015, in the amount of $566.53, 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 June 22, 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 $566.53 may be assessed by the Legislature of the County of Nassau against the parcel known as 27 Hart Street, Farmingdale, New York 11735, also known as Section 48, Block 464, Lot 65 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	Absent
Councilwoman Johnson	Aye

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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 22, 2016

SUBJECT: Property Cleanup Assessment
27 Hart Street, Farmingdale, New York 11735
Section 48, Block 464, Lot 65

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board-up the premises located at 27 Hart Street, Farmingdale, New York 11735, also known as Section 48, Block 464, Lot 65 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 5, 2015, advised that the property was boarded-up by a crew from the Highway Department on April 21, 2015. The cost incurred by the Town of Oyster Bay was $566.53.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (19 copies)

S:\Atty\DBS\Cleanup MD&Reso\MD 27 Hart St. Bd Up 6.22.16

RECEIVED
TOWN OF OYSTER BAY
TOWN OF OYSTER BAY
PUBLIC AFFAIRS

16

DEPARTMENT OF PLANNING AND DEVELOPMENT

TOWN HALL WEST, 74 AUDREY AVENUE, OYSTER BAY, NY 11771
TEL. 516-624-6200 FAX 516-624-6240

FREDERICK P. IPPOLITO
Commissioner

TIMOTHY R. ZICE
Deputy Commissioner

OFFICE OF THE COMMISSIONER

May 5, 2015

Hand Delivered and Via Certified Mail, RRR

Michael and Erin Maher
27 Hart Street
Farmingdale, NY 11735

RE: Premises: 27 Hart Street, Farmingdale, NY 11735
Section 48, Block 464, Lot 65

NOTICE OF DANGEROUS PREMISES
Pursuant to Chapter 96 of the Code of the Town of Oyster Bay

Dear Property Owners,

The reports and photographs of the inspection performed by a representative of the Building Department and Code Enforcement Official have been thoroughly reviewed. The conditions observed present a danger to the health, safety and general welfare of the public.

Be advised that, pursuant to the emergency powers granted to Frederick P. Ippolito, the Commissioner of the Department of Planning and Development, under Section 96-28 of the Code of the Town of Oyster Bay ("Town Code"), the Premises are deemed to contain a dangerous condition and that, for the protection and safety of the public, the Premises are ordered to be secured, boarded, fenced, sealed or otherwise made safe. In addition, the pool must be secured and covered.

Interference with this Order may be considered an obstruction of governmental authority and an action of gross negligence.

Pursuant to Chapter 96 of the Town Code, you have seventy-two (72) hours to commence the abatement of the dangerous conditions (§96-9) or seven (7) days to reject the emergency findings (§96-8).

BY ORDER OF:

Frederick P. Ippolito
Commissioner

FPI:sw

Cc: Justin McCaffrey, Commissioner
Department of Public Safety

Richard Betz, Commissioner
Department of Public Works

Kevin Hanifan, Commissioner
Department of Highways

Erin Maher
25 Applifld Lane, Apt. 16H
Kihei, HI 96753-6078

Michael Maher
10300 Strathmore Hall St., Apt. 410
Rockville, MD 20852-6600

TOWN OF OYSTER BAY

Form 8002 (9/99) - 2006 — Bargain and Sale Deed, with Covenants against Grantor's Acts—Individual or Corporation. (single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 28 day of October two thousand and five

BETWEEN

Regina Mott and Robert Mott, residing at 27 Hart Street, Farmingdale, New York

party of the first part, and

Michael Maher and Erin Maher, as husband and wife, residing at 474 East Harrison Street, Long Beach, New York.

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See Attached Schedule A.

Being the same premises as conveyed to Robert E. Mott, title acquired with Regina M. Bivola, under deed dated 10/6/89, recorded 11/2/89 in Liber 10026 page 761 and further by a deed made by Regina M. Bivola, dated 4/30/90, recorded 3/25/91 in Liber 10124 page 891.

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In presence of:

27 Hart St.

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 12-05-2005
Recorded Time: 2:38:30 p

Liber Book: D 12046
Pages From: 795
To: 798

Control
Number: 2134
Ref #: RE 012785
Doc Type: D01 DEED

Record and Return To:
CIPOLLA & HAYDEN ESQS
241-28 SOUTH CONDUIT AVE
ROSEDALE, NY 11422

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0048	00464-00	00065	

Consideration Amount: 457,500.00

Taxes Total	1,830.00
Recording Totals	127.00
Total Payment	1,957.00

AAR001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK

200512050213 4

NC CLERK

dbs

TOWN ATTORNEY OFFICE
TOWN OF OYSTER BAY
RECEIVED

2015 JUL -9 A 9:16

Town of Oyster Bay
Inter- Departmental Memo

May 5, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **27 Hart Street, Farmingdale**
Board-Up

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$566.53.**

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

Board-up 27 Hart Street, Farmingdale to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE, 27 Hart St, Farmingdale DATE: 04/21/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Fournier, Ruben	Maint Welder	2.50		32.59	$	81.48
Van Nostrand, Jeff	MaintCarpenter	2.50		40.68	$	101.70
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	183.18

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	2.50	$	197.50
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	197.50

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$			$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	9.00	$	185.85
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	185.85
			Total of A+B+C	$	566.53

DESCRIPTION OF WORK:
Boarded up house using 9 sheets of 1/2" plywood, 1 lock and 2 hasp.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 04/21/15

Meeting of July 12, 2016 Resolution No.372-2016

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development by the emergency powers granted to the Commissioner of the Department of Planning and Development, authorized the Highway Department to board-up the premises located at 210 Haypath Road, Old Bethpage, New York 11804, also known as Section 47, Block 71, Lot 6 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 June 22, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of boarding up the premises on October 30, 2015, in the amount of $762.44, 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 June 22, 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 $762.44 may be assessed by the Legislature of the County of Nassau against the parcel known as 210 Haypath Road, Old Bethpage, New York 11804, also known as Section 47, Block 71, Lot 6 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	Absent
Councilwoman Johnson	Aye

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

17

372

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 22, 2016

SUBJECT: Property Cleanup Assessment
210 Haypath Road, Old Bethpage, New York 11804
Section 47, Block 71, Lot 6

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board-up the premises located at 210 Haypath Road, Old Bethpage, New York 11804, also known as Section 47, Block 71, Lot 6 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 18, 2015, advised that the property was boarded-up by a crew from the Highway Department on October 30, 2015. The cost incurred by the Town of Oyster Bay was $762.44.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (19 copies)

S:\Atys\DBS\Cleanup MD&Reso\MD 210 Haypath Rd Bd Up 6 22.16

RECEIVED
TIME AFFAIRS

DEPARTMENT OF PLANNING AND DEVELOPMENT

TOWN HALL WEST, 74 AUDREY AVENUE, OYSTER BAY, NY 11771
TEL. 516-624-6200 FAX 516-624-6240

FREDERICK P. IPPOLITO
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

OFFICE OF THE COMMISSIONER

October 27, 2015

Hand Delivered and Via Certified Mail, RRR

RE: Premises: 210 Haypath Road Old Bethpage, NY 11804

NOTICE OF DANGEROUS PREMISES
Pursuant to Chapter 96 of the Code of the Town of Oyster Bay

Dear:

The reports and photographs of the inspection performed by a representative of the Building Department and Code Enforcement Official have been thoroughly reviewed. The conditions observed present a danger to the health, safety and general welfare of the public. Based on this review, it has been determined that the garage portion of the Premises present an imminent danger to the occupants.

Be advised that, pursuant to the emergency powers granted to Frederick P. Ippolito, the Commissioner of the Department of Planning and Development, under Section 96-20 of the Code of the Town of Oyster Bay ("Town Code"), the Premises are deemed to contain a dangerous condition and that, for the protection and safety of the public, the garage portion of the Premises are ordered to be secured, boarded, fenced, sealed or otherwise made safe.

No entry into the garage portion of the Premises is permitted by any person without the consent of the Commissioner of Planning and Development.

Interference with this Order may be considered an obstruction of governmental authority and an action of gross negligence.

Pursuant to Chapter 96 of the Town Code, you have seventy-two (72) hours to commence the abatement of the dangerous conditions (§96-9) or seven (7) days to reject the emergency findings (§96-8). The abatement of the condition is to submit an application for a building permit to maintain any interior alterations, structures, construction, additions, within your tenancy etc. You will have to work in conjunction with the owner of the property, who must prepare the site plan and application for approval.

BY ORDER OF:

Frederick P. Ippolito
Commissioner

FPI:dsa

Cc: **Justin McCaffrey, Commissioner**
Department of Public Safety

Richard Betz, Commissioner
Department of Public Works

Kevin Hanifan, Commissioner
Department of Highways

TOWN OF OYSTER BAY

Standard N.Y.B.T.U. Form 8002 - 1-71-7064—Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 17 day of September nineteen hundred and 77

BETWEEN JOSEPH PREISS and ISABELLE PREISS, his wife, both residing at 210 Haypath Road, Old Bethpage, New York

party of the first part, and FRED GOLDSTEIN and SARA GOLDSTEIN, his wife, both residing at 1271 East 82nd Street, Brooklyn, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the at the Old Bethpage, in the Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lot No. 6 in Block 71 on a certain map entitled "Map of Bethpage Park Estates, Section No. 1 situated at Old Bethpage, Nassau County, New York, surveyed February 1955 by Baldwin and Cornelius Co., Civil Engineers and Surveyors, Freeport, New York" and filed in the Office of the Clerk of the County of Nassau on June 9, 1955 as Map No. 6439 being more particularly bounded and described according to said map as follows:

BEGINNING at a point on the southerly side of Plain Hay Path distant 245 feet and 30/100 of a foot westerly when measured along said southerly side of Plain Hay Path from the westerly end of a curve connecting the southerly side of Plain Hay Path with the westerly side of East Park Drive, as said Plain Hay Path and East Park Drive are shown on the aforesaid map;

RUNNING THENCE South 16 degrees 27 minutes 22 seconds East 125 feet;

RUNNING THENCE South 73 degrees 32 minutes 38 seconds West 80 feet;

RUNNING THENCE North 16 degrees 27 minutes 22 seconds West 125 feet to the southerly side of Plain Hay Path;

RUNNING THENCE North 73 degrees 32 minutes 38 seconds East along the southerly side of Plain Hay Path 80 feet to the point or place of BEGINNING.

PREMISES known as and by 210 Haypath Road, Old Bethpage, New York.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Joseph Preiss

Isabelle Preiss

Lotted Sec. 7 Post 8 Tax Lot
Section Block 71

SEP 23 1977

STATE OF NEW YORK, COUNTY OF Kings ss:

On the 17th day of September, 19 77, before me personally came

JOSEPH PREISS and ISABELLE PREISS

to me known to be the individual s described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Dominic J. Marro

DOMINIC J. MARRO
Notary Public, State of New York
No. 43-2546375
Qualified in Richmond County
Commission Expires March 30, 19 79

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of , the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed h name thereto by like order.

STATE OF NEW YORK, COUNTY OF ss:

On the day of 19, before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed h name as witness thereto.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO. 77N12156

JOSEPH PREISS and ISABELLE PREISS

TO

FRED GOLDSTEIN and SARA GOLDSTEIN

SECTION 47
BLOCK 71
LOT 6
COUNTY OR TOWN Nassau

Recorded at Request of Title Guarantee Corp.
147 Remsen St., Brooklyn, N.Y. 11201

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
TITLE GUARANTEE-NEW YORK
A TICOR COMPANY

Recorded As Required of Title Guarantee Corp.

RETURN BY MAIL TO:

STANLEY D. STEINHAUS, ESQ.
44 Court Street
Brooklyn, New York

Zip No. 11201

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

SEP 23 1977

RECORDED

SEP 23 3 27 PM '77

MARGARET MORGENNELL
COUNTY CLERK
NASSAU COUNTY

37866

7 487

P 36

RECEIVED
$ 6.50
REAL ESTATE
SEP 23 1977
TRANSFER TAX
NASSAU COUNTY

LIBER 9065 PAGE 662

dbs/

Town of Oyster Bay
Inter- Departmental Memo

November 18, 2015

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **210 HAYPATH ROAD, OLD BETHPAGE**
BOARD-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$762.44**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

Enc. T & M sheet

2016 JAN -6 A 10:39

BOARD-UP 210 HAYPATH ROAD, OLD BETHPAGE to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (47-71-6) 210 HAYPATH RD OLD BETHPAGE 11804 **Date** 10/30/15

Work Order # 20327

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RUBEN FOURNIER	General Maintenance	02:00	$34.20	00:00	0	$68.40
OSCAR GUEVARA	General Maintenance	02:00	$22.97	00:00	0	$45.94
JEFFREY VAN NOSTRAND	General Maintenance	02:00	$42.66	00:00	0	$85.32
					Total Labor	$199.66

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD627	PICK-UP TRUCK 2008 FORD F-250 YW (HP911)	$79.00	02:00	$158.00
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	$79.00	02:00	$158.00
			Total Equipment	$316.00

Materials

Material	Cost Per Unit	Units	Line Cost
Plywood 4'X8'X1/2"	$20.65	11	$227.15
Hasps	$7.24	1	$7.24
Locks	$12.39	1	$12.39
		Total Materials	$246.78

Grand Total **$762.44**

Description of Work:

property board up at 210 Haypath Road Old Bethpage to Rich given 10/30/15

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: Nov 16, 2015

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development by the emergency powers granted to the Commissioner of the Department of Planning and Development, authorized the Highway Department to board-up the premises located at 19 Nevada Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 539 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 June 22, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of boarding up the premises on June 7, 2015, in the amount of $900.17, 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 June 22, 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 $900.17 may be assessed by the Legislature of the County of Nassau against the parcel known as 19 Nevada Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 539 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	Absent
Councilwoman Johnson	Aye

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

18

3/3

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 22, 2016

SUBJECT: Property Cleanup Assessment
19 Nevada Street, Hicksville, New York 11801
Section 11, Block D, Lot 539

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board-up the premises located at 19 Nevada Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 539 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated June 9, 2015, advised that the property was boarded-up by a crew from the Highway Department on June 7, 2015. The cost incurred by the Town of Oyster Bay was $900.17.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Attachments
Town Attorney (19 copies)

S:\Adyn\DBS\Cleanup MD&Reso\MD 19 Nevada St 8d Up 6 22 16

RECEIVED
AFFAIRS

DEPARTMENT OF PLANNING AND DEVELOPMENT

TOWN HALL WEST, 74 AUDREY AVENUE, OYSTER BAY, NY 11771
TEL. 516-624-6200 FAX 516-624-6240

OFFICE OF THE COMMISSIONER

FREDERICK P. IPPOLITO
COMMISSIONER

TIMOTHY R. ZIRS
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 19 Nevada Street
Hicksville, NY 11801
Section 11, Block D, Lot 539

NOTICE

Pursuant to the New York State Building Code, and Section 96.20 of the Code of the Town of Oyster Bay, portions of this PREMISES IS ORDERED SECURED. The Town of Oyster Bay shall board up all interior and exterior access into the premises. No entry into the premises will be permitted without the express permission of the Commissioner of the Department of Planning and Development.

These premises are deemed unsafe because of the following conditions:

- ☑ DANGEROUS CONDITION—ALTERATIONS MADE WITHOUT PERMITS AND/OR INSPECTIONS BY THE TOWN OF OYSTER BAY
- ☑ FAILURE TO COMPLY WITH A DIRECTIVE §246-14.7.2
- ☑ TOWN OF OYSTER BAY BUILDING CODE; DISTRICT USE VIOLATIONS §246-5.2 (VIOLATION OF PERMITTED USE AS ONE FAMILY DWELLING), §135.18 NON-HABITABLE SPACE (TENANTS LIVING IN THE BASEMENT) §135.20 EXITS (SECONDARY EXIT OPENINGS SHALL BE PROVIDED FOR EMERGENCY USE).
- ☑ VIOLATIONS OF NYS UNIFORM FIRE SAFETY CODE
- ☑ PLUMBING WORK WITHOUT PERMITS, WITHOUT A TOWN OF OYSTER BAY LICENSED PLUMBER AND WITHOUT INSPECTION BY THE TOWN OF OYSTER BAY
- ☑ ELECTRICAL WORK WITHOUT A TOWN OF OYSTER BAY LICENSED ELECTRICIAN AND NO ELECTRICAL CERTIFICATE OF APPROVAL

By Order of Town of Oyster Bay
Department of Planning & Development

_____
Frederick P. Ippolito
Commissioner

Dated: June 07, 2015

THIS NOTICE MAY NOT BE REMOVED WITHOUT APPROVAL OF THE COMMISSIONER.REMOVAL SHALL BE DEEMED A VIOLATION OF SECTION 96-18 OF THE TOWN CODE.

TOWN OF OYSTER BAY

19 Nevada St.

Section: 11 Block: D Lot: 539 Town: Oyster Bay

Dol. 4

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 17 day of November , 2004

BETWEEN

Stella Igoe as sole surviving spouse of Lawrence Edward Igoe
19 Nevada Street, Hicksville NY

party of the first part, and

Stella Igoe and Peter Cardano
19 Nevada Street, Hicksville NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

at Hicksville, not an incorporate village, Town of Oyster bay, County of Nassau and State of New York, known as and by lot numbers 12, 13 and the westerly of lot 11 in Block 5 as shown and designated on a certain map entitled, "Section number 1, property situated at Hicksville, Nassau County, Long Island, New York, owned by the New York Suburban Land Co., Hempstead, October 18, 1907, Thomas V. Smith, Civil Engineer," and filed in the office of the Clerk of the County of Nassau on December 24, 1907, under the file number 170, case number 1486, which said lots and part of lot when taken together, are, according to said map bounded and described as follows:

11
D
539

BEGINNING at a point on the southerly side of Hicksville Avenue (Nevada Street) distant 210 feet westerly from the corner formed by the intersection of the southerly side of Hicksville Avenue (Nevada Street) with the westerly side of Broadway; running thence southerly on a line forming an interior angle of 85 degrees 04 minutes 47 seconds with the southerly side of Hicksville Avenue (Nevada Street) a distance of 100 feet; thence westerly parallel with the southerly side of Hicksville Avenue (Nevada Street) 50 feet; thence northerly on a line forming an interior angle of 90 degrees 55 minutes 13 seconds with the preceding course 100 feet to the southerly side of Hicksville Avenue (Nevada Street); thence easterly along the southerly side of Hicksville Avenue (Nevada Street) 50 feet to the point or place of BEGINNING.

SUBJECT to any state of facts an accurate survey would show, provided same does not render title unmarketable.

SUBJECT to covenants, restrictions, easements, agreements and reservations of record to buildings and zoning restrictions, ordinances and regulations.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Stella Igoe

Stella Igoe

Standard N.Y.B.T.U. Form 8004 – Quitclaim Deed – Uniform Acknowledgment (single sheet)
Form 2216

19 Nevada St

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 12-10-2004
Recorded Time: 12:03:35 p

Liber Book: D 11885
Pages From: 440
To: 443

Control
Number: 1490
Ref #: RE 013926
Doc Type: D01 DEED

Record and Return To:
STELLA IGOE
PETER CENTENO
19 NEVADA ST
HICKSVILLE, NY 11801

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0011	0000D-00	00539	

Taxes Total	.00
Recording Totals	127.00
Total Payment	127.00

TM5001

THIS PAGE IS NOW PART OF THE INSTRUMENT AND SHOULD NOT BE REMOVED
KAREN V. MURPHY
COUNTY CLERK

2004121001490

dbs ✓

Town of Oyster Bay
Inter- Departmental Memo

June 9, 2015

2015 JUL -9 P 3:16

TOWN ATTORNEY'S OFFICE

TO: FREDERICK P. IPPOLITO, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

ATT: DIANA S. AQUIAR, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: KEVIN M. HANIFAN, COMMISSIONER
DEPARTMENT OF HIGHWAYS

SUBJECT: **19 NEVADA STREET, HICKSVILLE**
BOARD-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Department. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of **$900.17**.

If you have any questions pertaining to the above subject, please feel free to contact Kevin Hanifan at 677-5769.

KEVIN M. HANIFAN
COMMISSIONER
HIGHWAY DEPARTMENT

KMH/kjb

962

Enc. T & M sheet

Clean up 19 Nevada Street, Hicksville to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 19 Nevada St, Hicksville DATE: 06/07/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Fournier, Ruben	Maint Welder		4.00	32.59	$	195.54
Van Nostrand, Jeff	MaintCarpenter		4.00	40.68	$	244.08
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	439.62

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	4.00	$	316.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	316.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$			$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	7.00	$	144.55
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	144.55
			Total of A+B+C	$	900.17

DESCRIPTION OF WORK:
Boarded up house using 13 sheets of 1/2" plywood, 1 lock and 1 hasp

Signature:

Name: Richard Buckley

Title: Highwey Construction Supervisor

Date: 06/08/15

Meeting of July 12, 2016 Resolution No. 374 -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 June 27, 2016, recommend that the Town Board approve the plans, specifications and construction cost estimates for Contract No. DP16-141, John J. Burns Park Soccer Field Turf Replacement, 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 recommendations as hereinabove set forth are hereby accepted and approved, and the Town Board approves the plans, specifications and construction cost estimates for Contract No. DP16-141, John J. Burns Park Soccer Field Turf Replacement, that 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. DP16-141, 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. DP16-141.

-#-

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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
General Services
Parks

374

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JUNE 27, 2016

TO: MEMORANDUM DOCKET

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID & CONSTRUCTION PHASES
JOHN J. BURNS PARK SOCCER FIELD TURF REPLACEMENT
CONTRACT NO. DP16-141

Town Board Resolution No. 751-2015 authorized John A. Grillo Architect, P.C. to perform engineering services relative to the above-mentioned contract.

The design has been completed, and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 45 days.

It is hereby requested that the Town Board authorize by Resolution that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract. They are requested to contact the Division of Engineering to establish a bid date.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dz

Attachment

cc: Office of the Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Eric Tuman, Commissioner/General Services
Frank Nocerino, Commissioner/Parks
Brian Kunzig, Division of Engineering

DP16-141 DOCKET PERMISSION TO BID

RECEIVED

Reviewed by
Office of Town Attorney

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 December 1, 2015, request and recommend that LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Nelson & Pope Engineers & Land Surveyor, PLLC, Lockwood, Kessler and Bartlett, Inc., D & B Engineers and Architects, P.C., John A. Grillo Architect, PC., Cameron Engineering & Associates, LLP, Lucchesi Engineering, PC, Angelo Francis Corva Associates, Architects, O'Connor-Petito, LLP and Schneider Engineering, PLLC be authorized to provide on-call engineering services in connection with Contract No. PWC09-16, On-Call Engineering Services Relative to Site Development for a two (2) year contract term from January 1, 2016 through December 31, 2017; and

WHEREAS, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Nelson & Pope Engineers & Land Surveyor, PLLC, Lockwood, Kessler and Bartlett, Inc., D & B Engineers and Architects, P.C., John A. Grillo Architect, PC., Cameron Engineering & Associates, LLP, Lucchesi Engineering, PC, Angelo Francis Corva Associates, Architects, O'Connor-Petito, LLP and Schneider Engineering, PLLC have an open-ended service agreement with the Town under which the services will be provided,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved and LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Nelson & Pope Engineers & Land Surveyor, PLLC, Lockwood, Kessler and Bartlett, Inc., D & B Engineers and Architects, P.C., John A. Grillo Architect, PC., Cameron Engineering & Associates, LLP, Lucchesi Engineering, PC, Angelo Francis Corva Associates, Architects, O'Connor-Petito, LLP and Schneider Engineering, PLLC are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC09-16, On-Call Engineering Services Relative to Site Development for a two (2) year contract term from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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

WHEREAS, this Town Board did heretofore award Contract No. H15-130, Highway Improvements to the Elderberry Road Area, Syosset, New York 11791, to LiRo Engineers, Inc.; 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 June 27, 2016, and LiRo Engineers, Inc., by letter dated June 13, 2016, have advised that it is necessary and essential to authorize Change Order No. 1, relative to the Construction Phase of Contract No. H15-130, which results in no change to the contract amount, due to a change in construction method for the road improvement project from full-depth reconstruction to mixed-in-place, which shall decrease the contract duration and provide for a reduced impact on the residents of the area,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, Change Order No. 1 to Contract No. H15-130 is hereby approved, and the Supervisor is hereby authorized to sign Change Order No. 1, setting forth the work required, which results in no change in the contract amount.

-#-

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	Absent
Councilwoman Johnson	Aye

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

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JUNE 27, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: CHANGE ORDER NO. 1
HIGHWAY IMPROVEMENTS TO THE ELDERBERRY ROAD AREA
CONTRACT NO. H15-130

Attached is a letter from LiRo Engineers, Inc. dated June 13, 2016 concerning Change Order No. 1 for a net result in no change in contract value.

The above subject Change Order No. 1 is due to a change in construction method for the road improvement project from full-depth reconstruction to mixed-in-place, which shall decrease the contract duration and provide for a reduced impact to the residents of the area. The contractor, Laser Industries, Inc., has agreed to perform this alternate method a no additional cost. Change Order No. 1 was reviewed and approved by the Change Order Committee on June 24, 2016.

Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 which results in no change in the contract amount, relative to the Construction Phase of Contract No. H15-130.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dz
Attachments

cc: Office of the Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
John Bishop, Department of Highways
Sunita Chakraborti, Division of Engineering

H15-130 DOCKET CO1

LiRo Engineers, Inc.
A LiRo Group Company
Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421

June 13, 2016

Commissioner Richard T. Betz
Town of Oyster Bay DPW
150 Miller Place
Syosset, NY 11791

Attn: Leslie Maccarone

Re: Town of Oyster Bay
Elderberry Road Highway Improvements
Syosset Area, Oyster Bay
Contract No. H15-130 PW-028-15
Change Order No. 1

Dear Commissioner Betz:

We have received a request from Laser Industries for consideration of an alternative method of construction for the proposed road improvements at the Elderberry Road Improvement Project in Syosset. Laser Industries is proposing to construct the roadway pavement using the "mix-in-place" method in lieu of the method specified in the contract. Laser has proposed to carry out this alternative method at no additional cost to the original contract amount and offered to provide the testing of the existing pavement and prepare a design mix specification based upon the results of the test. This method is an acceptable alternative to the method specified in the contract documents.

The original design called for removal and replacement of the pavement and was predicated on the possibility of encountering soil cement under the pavement section. As such, should Laser Industries encounter any soil cement in the area utilizing its proposed mix-in-place method, Laser will have to address it at their own cost.

The Mix-in-Place method will reduce the construction schedule by approximately six (6) weeks thereby eliminating or significantly reducing impacts on school bus operations during the new school term beginning in September. This method has been used successfully on other Town road reconstruction projects and has reduced substantially, construction time frames.

As the proposed change will be achieved at no additional cost to the original contract amount, we recommend that the Town approve the proposed change in construction method. This will reduce the time of pavement reconstruction thus minimizing any inconvenience to the resident's, school bussing operations and traveling public. If you concur with our recommendation to proceed with Laser Industries alternate method, we will notify them.

We trust this meets with your approval. Should you have any questions, please advise.

Very truly yours,

LiRo ENGINEERS, INC.

John P. Lekstutis, P.E.
President Emeritus

U:TOB/16-026-0424 Elderberry Rd/Construction/Correspondence/JPL-Improvements in Syosset 6-13-16.docx

TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

ELDERBERRY ROAD HIGHWAY IMPROVEMENTS
CONTRACT NO. H15-130

CHANGE ORDER NO. 1

To: Laser Industries, Inc.

Re: Elderberry Road Highway Improvements
Contract No. H15-130

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay related to the referenced contract:

DELETE:

Item 2 Unclassified Excavation 4400 CY @$22.00 = $96,800.00
Item 4B-1 Cement Concrete Structural Removal 1 CY @$500.00 = $500.00
Item 5S Select Borrow Fill 350 CY @ $5.00 = $1,750.00
Item 7 Fine Grading 900 SY @ $9.00 =$8,100.00
Item 115 Butt Joint 325 LF @ $10.00 =$3,250.00
Item 376 Dust Palliative 11,500 GAL @ $0.30 = $3,450.00
Item 398M Dense Graded Base Course RCA 2,400 CY @$15.00 = $36,000
Item 572 Silt Fence for Sediment Control 100 LF @$10.00 = $1,000.00
Item 573 Straw Bales for Sediment Control 100 LF @$10.00 = $1,000.00

TOTAL COST **$151,850.00**

ADD:

Laser Industries has offer the following alternative method of construction for the proposed road improvements at the above referenced project. Laser Industries has proposed constructing the road improvements using the "mix-in-place" method. This method will reduce the construction schedule significantly and has been used in the Town of Oyster Bay with great success. Results of the testing and the design mix specifications confirm the acceptability of this approach.
Below is a list of components that are included in the Town of Oyster Bay Standards for Mix-in-Place Item #623 and Recycled Emulsion Item # 567 which will be provided by the contractor:

- Design Mix Formula
- Benkelman Beam Test
- Grinding and Pulverizing Existing Pavement
- Item #623 in its entirety
- Injection of Oil Emulsification
- Removal of excess material

The proposed change will be paid as a Lump Sum with no additional increase to the overall original contract amount. In addition any field condition encountered using change in method shall be borne by the contractor.

TOTAL COST **$151,850.00**

The above work is to be performed in accordance with a letter from LiRo Engineers, Inc. dated 13 June 2016, and the memorandum of Richard T. Betz, Commissioner of Public Works, dated , with no additional increase to the overall original contract amount

The above change order is hereby accepted by the Town of Oyster Bay.

Dated:_____ _____
John Venditto, Supervisor

Recommended by:

LiRo Engineers, Inc.

_____
President Emeritus

The above Change Order is hereby accepted.

Laser Industries, Inc.

_____
President

Meeting of July 12, 2016 Resolution No. 376-2016

WHEREAS, Badiak & Will, LLP, by Resolution No. 259-2013, adopted on April 9, 2013, was retained to represent the Town of Oyster Bay, in connection with maritime and admiralty matters; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, by memorandum dated June 23, 2016, have requested that Resolution No. 259-2013 be amended, to provide an additional amount not to exceed $824.24, to pay the outstanding counsel services of Badiak & Will, LLP, 151 Manchester Street, Westbury, New York 11590,

NOW, THEREFORE, BE IT RESOLVED, That Town Board Resolution No. 259-2013 be amended to increase the authorization for Badiak & Will, LLP, 151 Manchester Street, Westbury, New York 11590, in an amount not to exceed $824.24, including expenses and disbursements; and be it further

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

-#-

Approved 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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

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Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : June 23, 2016

SUBJECT: Special Counsel to the Town of Oyster Bay
Badiak & Will, LLP
Amendment of Resolution No. 259-2013

The Town Board has previously adopted Resolution No. 259-2013, retaining the law firm of Badiak & Will, LLP, (new address: 151 Manchester Street, Westbury, New York 11590), as special counsel for the Town of Oyster Bay, in connection with maritime and admiralty matters. Said matters require additional funds to complete the work on the litigation related thereto. Therefore, it is necessary to authorize additional funds, in the amount of $824.24, to cover the remaining legal fees and expenses in connection therewith, to be paid from Account No. OTA A 1420 44110 000 0000.

LEONARD GENOVA
TOWN ATTORNEY

Karen J. Underwood
Deputy Town Attorney

KJU:mek

Attachment
LT 2013-4274
cc: Town Attorney w/19 copies

S:\Attorney\RESOS 2016\MD & RESO\Badiak . Will addnl sum 6-15-16.docx

RECEIVED
TOWN CLERK

RESOLUTION NO. 259-2013

Meeting of April 9, 2013

WHEREAS, the Office of the Town Attorney anticipates significant litigation with regard to maritime and admiralty matters concerning the Town, and it is in the Town's best interest to retain outside counsel, at this time, to assist the Office of the Town Attorney to ensure proper protection with respect to potential claims against the Town; and

WHEREAS, the foregoing matters involve the utilization of resources beyond what can be supplied by the Office of the Town Attorney, and knowledge of legal issues of a specialized nature; and

Reviewed By Office of Town Attorney

WHEREAS, Leonard Genova, Town Attorney, and Karen Underwood, Deputy Town Attorney, by memorandum dated March 25, 2013, recommend that the law firm of Badiak & Will, LLP, 106 Third Street, Mineola, New York 11501, be retained to represent the Town as special counsel for maritime and admiralty matters and litigation, at a cost not to exceed $25,000.00, at the rate of $250.00 per hour for partners, $210.00 per hour for associates, including contingency fees of 25% without litigation and 33.3% with litigation, with a sliding scale applied on large recoveries, plus costs and disbursements.

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of Leonard Genova, Town Attorney, and Karen Underwood, Deputy Town Attorney, the law firm of Badiak & Will, LLP, 106 Third Street, Mineola, New York 11501, is hereby retained, to represent the Town of Oyster Bay to ensure proper protection with respect to potential claims against the Town with regard to maritime and admiralty matters concerning the Town, at a total cost not to exceed $25,000.00, at the rate of $250.00 per hour for partners, $210.00 per hour for associates, including contingency fees of 25% without litigation and 33.3% with litigation, with a sliding scale applied on large recoveries, plus costs and disbursements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. A 1420.4520, or any other appropriate account, upon submission of a duly certified claim, approved by the Town Attorney, 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

cc: Supervisor
Town Attorney
Comptroller (2)

WHEREAS, pursuant to public notice, bids were duly and regularly received for Engineering Services relative to Traffic Consulting for Syosset Park Development, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. DER 16-139, and said bids were publicly opened and read on March 15, 2016; and

WHEREAS, the lowest acceptable bid submitted was that of LiRo Engineers, Inc., 3 Aerial Way, Syosset, New York 11791, with a bid in the amount of $79,638.00; 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 June 29, 2016, recommend that the abovementioned bid be accepted, and the Department of Public Works requests that $50,000.00 of the total authorization be encumbered; further authorizations, up to the maximum of $79,638.00, will be submitted to the Office of the Comptroller when required. It is further requested that the services of LiRo Engineers, Inc. be authorized nunc pro tunc to June 20, 2016; and

NOW, THEREFORE, BE IT RESOLVED, That upon the abovementioned recommendations, the Supervisor is hereby authorized to enter into Contract No. DER 16-139 with LiRo Engineers, Inc., in the amount of $79,638.00, in accordance with the provisions thereunder; and that the services of LiRo Engineers, Inc. be authorized nunc pro tunc to June 20, 2016; and be it further

RESOLVED, Funds are available to satisfy the initial encumbrance in the amount of $50,000.00 from Account No. TWN TA 0000 00085 466 0000. This account has been established by the Office of the Director of Finance utilizing funds provided by the applicant for the proposed Syosset Park Development, in accordance with Section 110-8 of the Town Code for Environmental Quality Review; and be it further

RESOLVED, That in accordance with Town policy, the amount of $50,000.00 shall be encumbered, with funds to be drawn from Account No. TWN TA 0000 00085 466 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	**Absent**
Councilwoman Johnson	**Aye**

cc: **Supervisor**
Town Attorney
Comptroller (2)
DPW
DER

32 317

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JUNE 29, 2016

TO : MEMORANDUM DOCKET

FROM : ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: AWARD OF ENGINEERING SERVICES
TRAFFIC CONSULTANT FOR PROPOSED SYOSSET PARK DEVELOPMENT
CONTRACT NO. DER16-139
ACCOUNT NO. TWN TA 0000 00085 466 0000

At the request of the Department of Environmental Resources, on February 29, 2016 the Department of Public Works issued "Requests for Proposals" to six (6) firms in accordance with the Town of Oyster Bay Procurement Policy – Qualification-Based Selection process (Guideline 6).

On March 15, 2016 the Division of Engineering had received four (4) responses which were reviewed and evaluated by a selection committee based on the technical merits of the responses. The Commissioner of Public Works, after review of the Division's preliminary recommendations and in conjunction with the current workload, has selected LiRo Engineers, Inc. to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy.

Successful negotiation of fees was completed on April 5, 2016 with the maximum total fee for engineering services, based upon the anticipated scope of work as detailed in the RFP document, to be $79,638.00, as stated in the attached letter from LiRo Engineers, Inc. The firm of LiRo Engineers, Inc. has previously executed a Standard Consultant Agreement with the Department of Public Works under which their services are to be provided, which is on file in the Division of Engineering. It is further requested that the services of LiRo Engineers, Inc. be authorized *nunc pro tunc* to June 20, 2016.

At this time, the Department of Public Works requests that $50,000.00 of the total authorization be encumbered. Further authorizations, up to the maximum of $79,638.00, will be submitted to the Office of the Comptroller when required. Funds are available to satisfy engineering services in the initial amount of $50,000.00 from Account No. TWN TA 0000 00085 466 0000. This account has been established by the Office of the Director of Finance utilizing funds provided by the applicant for the proposed Syosset Park development, in accordance with Section 110-8 of the Town Code for Environmental Quality Review.

It is hereby requested that the Town Board authorize, by resolution, LiRo Engineers, Inc. to perform engineering services relative to Traffic Consultant for Proposed Syosset Park Development, Contract No. DER16-139, *nunc pro tunc* to June 20, 2016.

for ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dm

cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Neil O. Bergin, Commissioner/Environmental Resources
Kathleen Stefanich, DPW/Administration

DER16-139 DOCKET SYOSSET PARK TRAFFIC AWARD

LiRo Engineers, Inc.
A LiRo Group Company
Three Aerial Way, Syosset, NY 11791 Telephone 516 938.5476 Facsimile 516.937.5471

April 5, 2016

Richard T. Betz, Commissioner
Town of Oyster Bay – Department of Public Works
150 Miller Place
Syosset, NY 11791-5699

Attention: Leslie Maccarone
Deputy Commissioner

Re: RFP # 2016-001
Engineering Services – Traffic Consultant for Syosset Park Development

Dear Commissioner Betz:

LiRo Engineers, Inc. is pleased to submit the attached manpower breakdown and cost estimate to provide traffic consultant services for the Syosset Park Development. This revised estimate is based on the discussions during our March 31, 2016 meeting and a subsequent meeting with Mr. John Ellsworth of Cashin Spinelli & Ferretti, LLC, as advised. It assumes a reduced number of meetings and attendees from LiRo, reduction in hours estimated for certain tasks and reallocation of hours among the proposed staff, where possible to reduce the cost. As indicated in the attached exhibit, the revised estimate reflects a total of 482 hours and associated cost of $79,638.00. We trust that this meets the requirements.

Thank you for providing this opportunity of service to the Town of Oyster Bay. Should you have any questions, please feel free to contact me at (516) 938-5476.

Very truly yours,

LiRo ENGINEERS, INC.

John Lekstutis, PE
President Emeritus

I:\TOB\Agency Info\PROPOSALS\JPL- 4-5-16 Syosset Park Development.docx

Meeting of July 12, 2016 Resolution No. 378 -2016

Reviewed By
Office of Town Attorney

WHEREAS, Resolution No. 750-2015, adopted on December 15, 2015 and Resolution No. 108-2016 adopted on February 23, 2016, authorized LiRo Engineers, Inc., to provide On-Call Engineering Services Relative to Construction Management in connection with Contract No. PWC10-16, the Elderberry Road Highway Improvements, Syosset, New York 11791; 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 June 27, 2016, have recommended that LiRo Engineers, Inc., be authorized to utilize, as a sub-consultant, Universal Testing and Inspection Services, Inc., for concrete cylinder testing, relative to the hereinabove set forth project,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and LiRo Engineers, Inc., is hereby authorized to utilize Universal Testing and Inspection Services, Inc., as a sub-consultant in connection with Contract No. PWC10-16, the Elderberry Road Highway Improvements, Syosset, New York 11791.

-#-

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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JUNE 27, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: USE OF SUB-CONSULTANT
ON-CALL ENGINEERING SERVICES RELATIVE TO CONSTRUCTION MANAGEMENT
CONTRACT NO. PWC10-16

The office of LiRo Engineers, Inc. has been authorized and directed by Resolution No. 750-2015 and 108-2016 for On-Call Engineering Services relative to Construction Management, Contract No. PWC10-16. Attached is a letter dated June 27, 2016 concerning a request to be authorized to use, as a sub-consultant, Universal Testing and Inspection Services, Inc., for concrete cylinder testing, relative to the above-captioned project.

Therefore, it is hereby requested that LiRo Engineers, Inc. be authorized by resolution to use, as a sub-consultant, Universal Testing and Inspection Services, Inc., relative to On-Call Engineering Services relative to Construction Management, Contract No. PWC10-16.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/mr

cc: Town Attorney (w/19 copies)
Robert McEvoy, Comptroller
Kathy Stefanich, DPW/Administration

PWC10-16 LIRO DOCKET UNIVERSAL SUB ADD

RECEIVED
AFFAIRS

LiRo Engineers, Inc.
A LiRo Group Company
Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421

June 27, 2016

LiRo No. 16-026-0424

Mr. Richard T. Betz, P.E.
Commissioner of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Attention: Matt Russo
Division of Engineering

Re: Elderberry Road Highway Improvements
Contract No. H15-130 PW 028-15
Syosset, New York
Request for the Approval of Concrete Laboratory Sub Contractor

Gentlemen:

In conjunction with our construction work for the above referenced project, we have solicited a proposal from Universal Testing & Inspection Services, Inc. for the purpose of obtaining concrete cylinder breaks.

Based upon our previous experience with Universal Testing & Inspection Services, Inc. and the Town of Oyster Bay, we request retaining their services as a sub-consultant for obtaining the concrete cylinder laboratory results for this project. Information obtained from the cylinders will be incorporated into our Construction Inspection results.

We request your approval to proceed with this work. If you should have any questions, please do not hesitate to contact me.

Very truly yours,

LiRo ENGINEERS, INC.

Michael Kwaschyn

Michael Kwaschyn, P.E.
Vice President

U:16-026-0424 Elderberry Rd/Engg/Construction Phase/Correspondence/MK 6-27-16 lab approval .doc

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 December 1, 2015, request and recommend that Cashin Associates, P.C., Cashin, Spinelli & Ferretti, LLC, CSM Engineering, P.C., Gibbons, Esposito & Boyce, Engineers, P.C., Nassau Suffolk Engineers & Architecture, PLLC, Nelson & Pope Engineers & Land Surveyor, PLLC, Sidney B. Bowne & Son, LLP, LiRo Engineers, Inc., Schneider Engineering, PLLC, de Bruin Engineering, P.C. and D & B Engineers and Architects, P.C., be authorized to provide on-call engineering services in connection with Contract No. PWC10-16, On-Call Engineering Services Relative to Construction Management, for a two (2) year contract term from January 1, 2016 through December 31, 2017; and

WHEREAS, Cashin Associates, P.C., Cashin, Spinelli & Ferretti, LLC, CSM Engineering, P.C., Gibbons, Esposito & Boyce, Engineers, P.C., Nassau Suffolk Engineers & Architecture, PLLC, Nelson & Pope Engineers & Land Surveyor, PLLC, Sidney B. Bowne & Son, LLP, LiRo Engineers, Inc., Schneider Engineering, PLLC, de Bruin Engineering, P.C. and D & B Engineers and Architects, P.C., have an open-ended service agreement with the Town under which the services will be provided;

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved and Cashin Associates, P.C., Cashin, Spinelli & Ferretti, LLC, CSM Engineering, P.C., Gibbons, Esposito & Boyce, Engineers, P.C., Nassau Suffolk Engineers & Architecture, PLLC, Nelson & Pope Engineers & Land Surveyor, PLLC, Sidney B. Bowne & Son, LLP, LiRo Engineers, Inc., Schneider Engineering, PLLC, de Bruin Engineering, P.C. and D & B Engineers and Architects, P.C., are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC10-16, On-Call Engineering Services Relative to Construction Management, for a two (2) year contract term from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, upon presentation of a duly certified claim, after audit.

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

Meeting of February 23, 2016 Resolution No. 108-2016

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.

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
Highway

Meeting of July 12, 2016 Resolution No. 379-2016

WHEREAS, John M. Garcia, 2nd Lieutenant, Hook & Ladder Co. 1, Syosset Fire Department, 50 Cold Spring Road, Syosset, New York 11791, by letter dated May 10, 2016, requests the closing of Municipal Parking Field S-1 in Syosset, accompanied by the installation of "No Parking" signs for Friday, July 29, 2016 at 9:00 p.m. until Saturday, July 30, 2016 at 6:00 p.m., and twenty (20) complete barricades from July 29, 2016 through August 1, 2016, for the Syosset Fire Department Wet Down Ceremony, to be held on July 30, 2016; and

WHEREAS, John Bishop of the Highway Department, by memorandum dated June 23, 2016, has advised that he has no objection to the closing of Municipal Parking Field S-1 in Syosset, accompanied by the installation of "No Parking" signs for Friday, July 29, 2016 at 9:00 p.m., until Saturday, July 30, 2016 at 6:00 p.m., and to provide twenty (20) complete barricades from July 29, 2016 through August 1, 2016, for the Syosset Fire Department Wet Down Ceremony, to be held on July 30, 2016; and

Reviewed By Office of Town Attorney

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

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned requests are hereby accepted and approved, and John Bishop of the Highway Department, is hereby authorized to provide for the closing of Municipal Parking Field S-1 in Syosset, accompanied by the installation of "No Parking" signs for Friday, July 29, 2016 at 9:00 p.m., until Saturday, July 30, 2016 at 6:00 p.m., and twenty (20) complete barricades from July 29, 2016 through August 1, 2016, for the Syosset Fire Department Wet Down Ceremony, to be held on July 30, 2016; subject to the following conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Highway Department, or his duly designated representative;

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the aforesaid activity; and

3. The said municipality shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said municipality maintains 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 aforedescribed activity.

-#-

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	Absent
Councilwoman Johnson	Aye

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

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DRAFT

TOWN OF OYSTER BAY

Inter-Departmental Memo

June 23, 2016

TO: MEMORANDUM DOCKET

FROM: JOHN BISHOP, HIGHWAY DEPARTMENT

SUBJECT: SYOSSET FIRE DEPARTMENT (SYOSSET FIRE DISTRICT)
WETDOWN CEREMONY
JULY 30, 2016

Enclosed please find a copy of the letter from John Garcia, 2nd Lieutenant Syosset Fire Dept. requesting our assistance on behalf of the Syosset Fire Department (Syosset Fire District) in their Wet Down Ceremony on July 30, 2016.

The Highway Department has no objection to the Syosset Fire Department (Syosset Fire District) utilizing Municipal Parking Fields S-1 in Syosset on Saturday, July 30, 2016 for the above-mentioned event. The Syosset Fire Department is also requesting the posting of temporary 'No Parking' signs in Municipal Parking Field S-1 in Syosset for Friday, July 29, 2016 9:00 P.M. until Saturday, July 30, 2016 at 6:00 P.M. Please post signs 1 week in advance.

In addition, the Highway Department can readily supply Twenty (20) Complete Barricades, for use from July 29, 2016 through August 1, 2016.

Also attached are Certificate of Insurance, Hold Harmless, and Endorsement Sheet to cover this affair. Therefore, Town Board approval is requested.

JOHN BISHOP
HIGHWAY DEPARTMENT

JB/taw
Attachments

C: Town Attorney (19) copies
Doug Robalino, General Foreman 005
Rich Buckley – 006
Steve Kelly, Sign Bureau
Public Safety Division

Hook & Ladder Company #1

Syosset Fire Department
50 Cold Spring Road
Syosset, N.Y. 11791
(516) 921-0728 ext. 4552

Craig M. Manfredonia, Captain
Jack A. Lord, 1st Lieutenant
John M. Garcia, 2nd Lieutenant

Thomas E. Gaffney, Secretary
William D. Stuart, Treasurer

May 10, 2016

To: Commissioner Hanifan, TOB Highway Dept.
From: Lieutenant John Garcia
Re: Wet Down Ceremony

Commissioner,

I would like to request the use of the north side Syosset commuter parking lot of the LIRR (S1) on Saturday July 30th 2016 for a wet down ceremony. We would need the lot closed off to commuter parking on Friday, July 29th by 9pm until Saturday July 30th until 6pm. We will be using the lot to the rear and just adjacent to Syosset fire headquarters. We are also requesting signs of lot closure to be put up 1 week before the event. We will also need 20 barricades to be dropped off Friday July 29 and picked up Monday August 1. Barricades to be placed in the rear lot of Syosset fire headquarters. We will likely not need the parking area to the rear of the Jackson Ave shops. Please be advised that the Syosset Fire Department is covered under the attached Syosset Fire District insurance. Any questions, I can be reached by cell phone at 516.554.2667.

Thank you in advance,

John M. Garcia
John M. Garcia
2nd Lieutenant
Hook & Ladder Co. 1
Syosset Fire Department

Dedicated Service Since 1932

DATE: **5/24/16**

TO: **HIGHWAY OPERATIONS**

SUBJECT: Syosset FD Wetdown Ceremony
Parking Field S-1

PLEASE DELIVER TO:

Rear of:
Syosset Fire House
50 Cold Spring Road
Syosset

CONTACT:
John Garcia: 516-677-4509
516-554-2667(CELL)

DATE OF EVENT: **7/30/16**

BARRICADES: **20**

SORT PAILS:

SNOW FENCE:

DELIVER ON: **7/29/16**

PICKUP ON: **8/1/16**

SIGNATURE: _____

PRINT NAME: _____

RETURNED ON:

BARRICADES:

SNOW FENCE:

CONES:

MISC. ITEMS:

FOREMAN:

FOREMAN AREA _____

SWEEPING BEFORE AFFAIR IS NEEDED: **YES X** **NO** ☐

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

KEVIN M. HANIFAN
COMMISSIONER OF HIGHWAYS

KMH/kz

C: Doug Robalino, General Foreman 005
Peter Brown, Regional Foreman 009
Peter Brown, Area Foreman 015
Rich Buckley 006
Jeff VanNostrand
Public Safety Division
John Guarino, SORT Sup.
Rich Porcelli, DPW Admin

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 5-17-16

PRODUCER
HARBOR INSURANCE AGENCY,LLC
5 FLINT ROAD
AMITY HARBOR, NY 11701 631-842-5350

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: ARCH INSURANCE COMPANY	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

INSURED
SYOSSET FIRE DISTRICT
50 COLD SPRING ROAD
SYOSSET, NY 11791

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY ✓ COMMERCIAL GENERAL LIABILITY CLAIMS-MADE ✓ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	MEPK06248011	04/01/2016	04/01/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 10,000,000 $ 10,000,000
A	AUTOMOBILE LIABILITY ✓ ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS ✓ HIRED AUTOS ✓ NON-OWNED AUTOS	MEPK06248011	04/01/2016	04/01/2017	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
	GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
A	EXCESS/UMBRELLA LIABILITY ✓ OCCUR CLAIMS-MADE DEDUCTIBLE RETENTION $	MEUM06415111	04/01/2016	04/01/2017	EACH OCCURRENCE AGGREGATE	$ 10,000,000 $ 20,000,000 $ $ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
	OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
CERTIFICATE HOLDER IS ADDITIONAL INSURED PER FORM CG2026(07-04) WITH RESPECT TO PROVIDING USE OF PARKING LOT S1 AND 20 BARRICADES FROM 7-29-16 TP 7-30-16

CERTIFICATE HOLDER
TOWN OF OYSTER BAY HIGHWAY DEPARTMENT
54 AUDREY AVE
OYSTER BAY, NY 11771

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

© ACORD CORPORATION 1988

Reviewed By
Office of Town Attorney

Hold Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 17th day of may 2016, by Syosset Fire Department (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Commuter Parking lot for Lire located on Cold Spring Rd, Syosset, NY 11791, 20 barricades,

For the event described as Wetdown Ceremony
The property/equipment is need from Friday July 29th 9pm to Monday August 1, 2016
The event for which the property and/or equipment is requested (___) is (✓) is not a not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for loss and/or expense or suits for damage to persons or property, including its property, arising from its use of Town property and/or equipment.

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of $1,000,000 each occurrence, $2,000,000 general aggregate and, where appropriate, $2,000,000 products, naming the Town as additional insured. All certificated of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization:
Syosset Fire Department

Address of Organization:
50 Cold Spring Road
Syosset, NY 11791

By: _____
Authorized Representative

Title: Chief (1st Asst)

Telephone Number: _____

Reviewed By
Office of Town Attorney

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

POLICY CHANGES

Policy Change Number 2

POLICY NUMBER	POLICY CHANGES EFFECTIVE	COMPANY
MEPK06248011	05/10/2016	Arch Insurance Company

NAMED INSURED	AUTHORIZED REPRESENTATIVE
Syosset Fire District	McNell & Company, Inc.

COVERAGE PARTS AFFECTED

Commercial General Liability Coverage

CHANGES

We have hereby AMENDED form CG2026 (04/13) Additional Insured Designated Person or Organization, on the above policy to include the following:

Town of Oyster Bay Highway Department
54 Audrey Avenue
Oyster Bay, NY 11771

WRT use of Commuter Parking Lot 51 for Wet Down Drill and Ceremony and use of 20 Barricades from 7/29/16 to 7/30/16.

No Premium Change

All other coverage terms and conditions apply.

mp 5/17/2016

IL 12 01 11 85

Copyright, Insurance Services Office, Inc., 1983
Copyright, ISO Commercial Risk Services, Inc., 1983

Reviewed By
Office of Town Attorney

WHEREAS, Jeff Zero, Festival Committee Chairman, St. Edward the Confessor Church, 205 Jackson Avenue, Syosset, New York 11791, by letter dated May 23, 2016, and Hon. Chris J. Coschignano, Councilman, by memorandum dated May 31, 2016, have requested the use of the northeast portion of Municipal Parking Field S-1 in Syosset, located at the train station on Jackson Avenue, orange plastic snow fencing, plus stakes, complete barricades, orange traffic cones, SORT pails and generators, for the St. Edward the Confessor Church Annual Festival, to be held from Thursday, August 18, 2016 through Sunday, August 21, 2016, and the posting of temporary "No Parking" signs on said Field from Wednesday, August 17, 2016 at 9:00 p.m. through Sunday, August 21, 2016 at 12:00 Midnight, for the celebration of said Festival; and

WHEREAS, it is further requested that temporary "No Parking" signs be posted in Municipal Field S-2 on Saturday, August 20, 2016 as it is to be used for fireworks, with the lot to be closed all day on Saturday, August 20, 2016 and to be reopened on Sunday, August 21, 2016; and

Reviewed By
Office of Town Attorney

WHEREAS, John Bishop, of the Highway Department, by memorandum dated June 24, 2106, has advised that the abovementioned property will not be required for Town use at that time, and that the Highway Department has no objection to providing the use of the northeast portion of Municipal Lot S-1 in Syosset, located at the train station on Jackson Avenue, two hundred feet (200') of orange plastic snow fencing, plus stakes, one hundred (100) complete barricades, fifty (50) orange traffic cones, twenty- five (25) SORT pails and six (6) generators, for the St. Edward the Confessor Church Annual Festival to be held from Thursday, August 18, 2016 through Sunday, August 21, 2016, and the posting of temporary "No Parking" signs on said Field from Wednesday, August 17, 2016 at 9:00 p.m. through Sunday, August 21, 2016 at 12:00 Midnight, for the celebration of said Festival and also the posting of temporary "No Parking" signs in Municipal Parking Field S-2 on Saturday, August 20, 2016 as it is to be used for fireworks, with said Field to be closed all day on Saturday, August 20, 2016 and reopened on Sunday, August 21, 2016; and

WHEREAS, in connection with said Festival, Jeff Zero, Festival Committee Chairman, St. Edward the Confessor Church, by letter dated May 23, 2016, further requests that the Town Board waive Chapter 82, Section 82-3 of the Code of the Town of Oyster Bay, "Prohibitions", Chapter 168, Section 168-22 of the Code of the Town of Oyster Bay, "Alcoholic Beverages", Section 168-24, "Conduct of Private Business", and Section 168-20, "Solicitation of Alms", from August 18, 2016 through August 21, 2016; and

WHEREAS, Jeff Zero, Festival Committee Chairman, St. Edward the Confessor Church, by letter dated May 23, 2016, and Hon. Chris J. Coschignano, Councilman, by memorandum dated May 31, 2016, further request the waiver of parking restrictions on several roadways in the vicinity of Municipal Parking Field S-1 to assist with commuter parking during the Festival, with the following roadways to be the subject of a "Waiver of Parking Restrictions" for Thursday, August 18, 2016 and Friday, August 19, 2016, however, signs stating "No Stopping Anytime" or "No Stopping Here to Corner" shall not be waived: Apple Street, Arizona Avenue, East Street, Ira Road, Maple Street, Miller Boulevard, Orchard Street and Woodbury Way; and

WHEREAS, this Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Public Works is hereby authorized to provide St. Edward the Confessor Church the use of the northeast portion of Municipal Parking Field S-1 in Syosset, located at the train station on Jackson Avenue, two hundred feet (200') of orange plastic snow fencing, plus stakes, one hundred (100) complete barricades, fifty (50) orange traffic cones, twenty-five (25) SORT pails and six (6) generators, for the St. Edward's the Confessor Church Annual Festival to be held from Thursday, August 18, 2016 through Sunday, August 21, 2016, and the posting of temporary "No Parking" signs on said Field from Wednesday, August 17, 2016 at 9:00 p.m. through Sunday, August 21, 2016 at 12:00 Midnight, for the celebration of said Festival and the posting of temporary "No Parking" signs on Field S-2 on Saturday, August 20, 2016, with the parking lot to be closed all day on Saturday, August 20, 2016 and to be reopened on Sunday, August 21, 2016; subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Highway Department;

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment, and in the conduct of the aforedescribed activity; and

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amount of $1,000,000 bodily injury and $500,000 property damage, and naming the Town as an additional insured, in connection with the aforedescribed activities; and be it further

RESOLVED, That in connection with said Festival, the Town Board hereby waives the following: Chapter 82, Section 82-3 of the Code of the Town of Oyster Bay, "Prohibitions", Chapter 168, Section 168-22 of the Code of the Town of Oyster Bay, "Alcoholic Beverages", Section 168-24, "Conduct of Private Business", and Section 168-20, "Solicitation of Alms", from August 18, 2016 through August 21, 2016; and be it further

RESOLVED, That in connection with said Festival, the Town Board hereby designates the following roadways the subject of a "Waiver of Parking Restrictions" for Thursday, August 18, 2016 and Friday, August 21, 2016, however, signs stating "No Stopping Anytime" or "No Stopping Here to Corner" shall not be waived: Apple Street, Arizona Avenue, East Street, Ira Road, Maple Street, Miller Boulevard, Orchard Street and Woodbury Way.

-#-

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	Absent
Councilwoman Johnson	Aye

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

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TOWN OF OYSTER BAY

Inter-Departmental Memo

RECEIVED
TOWN OF OYSTER BAY
PUBLIC AFFAIRS

June 24, 2016

TO: MEMORANDUM DOCKET

FROM: JOHN BISHOP, HIGHWAY DEPARTMENT

SUBJECT: ST. EDWARD THE CONFESSOR CHURCH ANNUAL FESTIVAL AUGUST 18th THROUGH AUGUST 21st, 2016

Enclosed please find a copy of correspondence from Jeff Zero, Festival Committee Chairman and Hon. Chris J. Coschignano, Councilman, requesting our assistance on behalf of St. Edward the Confessor Church in hosting a Festival from Thursday, August 18th through Sunday, August 21st, 2016.

The Highway Department has no objection to the use of the northeast portion of Municipal Parking Field S-1 in Syosset for the Festival from Thursday, August 18th through Sunday, August 21st, 2016. The Organization is requesting the posting of temporary "No Parking" signs in the northeast portion of Municipal Parking Field S-1 from Wednesday, August 17th at 9:00 P.M. through Sunday, August 21st, 2016 at 12:00 Midnight for the celebration of the Festival. Additionally, it is requested that temporary "No Parking" signs be posted in Municipal Field S-2 on Saturday, August 20th, 2016 as it is to be used for Fireworks. The Parking Lot is to be closed all day on Saturday, August 20th and reopened on Sunday, August 21st, 2016.

Further, the Highway Department can readily supply One (1) Packer, Two Hundred Feet (200') of Orange Plastic Snow Fencing plus the stakes, One Hundred (100) Complete Barricades, Fifty (50) Traffic Cones Twenty Five (25) SORT Pails and Six (6) Generators for the event, from Monday, August 15th, through Monday, August 22nd, 2016

They are also requesting a waiver of the Town Ordinance (Chapter 82-3 of the Town of Oyster Bay) 168-22 consumption of alcoholic beverages in public, 168-24 (Sale of Alcohol) and 168-20 (Solicitation of Alms) on behalf of St. Edward the Confessor Church during the celebration of the Festival from August 18th through August 21st, 2016.

This office received a request (copy attached) from St. Edward the Confessor Church through the Hon. Chris J. Coschignano, Councilman, for the waiver of parking restrictions on several roadways in the vicinity of Municipal Parking Field S-1 to assist with commuter parking during the Festival.

The following roadways will be the subject of a 'Waiver of Parking Restrictions" for Thursday, August 18th, 2016 and Friday, August 19th, 2016: Signs stating "No Stopping Anytime" or "No Stopping Here to Corner" shall not be waived:

Apple Street	Maple Street
Arizona Avenue	Miller Boulevard
East Street	Orchard Street
Ira Road	Woodbury Way

Note: Parking Restrictions will need to be waived only on Thursday, August 18th and Friday, August 19th, 2016 because the Ordinance does not apply to "Saturday, Sunday & Holidays".

Also attached are the Certificate of Insurance, Endorsement Sheet and Hold Harmless Form to cover the affair. Therefore, Town Board approval is requested.

JOHN BISHOP
HIGHWAY DEPARTMENT

JB/taw

C: Town Attorney (19) copies
Doug Robalino, General Foreman
Rich Buckley - 006
Steve Kelly, Sign Bureau Supervisor
Parks Department
Justin McCaffrey, Comm. Public Safety
Josephine Macchia, Ass.'t to Supervisor
Hon. Chris Coschignano, Councilman
Marta Kane, Public Information Office

THE ST. EDWARD'S FESTIVAL
205 Jackson Avenue
Syosset, New York 11791
(516) 921-8030

REVIEWED BY K.M.H.
DATE

May 23, 2016

VIA FIRST CLASS MAIL

Town Of Oyster Bay
Kevin Hanifan, Commissioner of Highways
150 Miller Place
Syosset, New York 11791

Dear Commissioner Hanifan:

St. Edward's the Confessor Church will be hosting a festival Thursday, August 18, 2015 thru Sunday, August 21, 2015 and requests permission for the use of the northeast portion of municipal parking lot S1, located at the train station on Jackson Avenue, Syosset. Arrangements will need to be made for the arrival of the rides sometime towards the beginning of the week which we will coordinate with your office. All rides will need to be inspected on August 18th prior to opening on Thursday therefore; we are requesting the parking lot be accessible on that day.

We respectfully request a waiver of Town ordinance, (chapter 82-3 of the Town of Oyster Bay) 168-22 (open container law), 168-24 (Sale of alcohol) and 168-20 (Solicitation of Alms) along with any applicable fees for this event.

At this time we also request the use of 25 trash receptacles, 100 barricades, 50 traffic cones and 200 feet of plastic snow fence. Please have available six (6) generators in the event that they are needed. In addition to this we are requesting the use of packer for sanitation, gloves and garbage bags. We will be responsible for this equipment from Monday 8/15/16 thru Monday 8/22/2016. Doug Robalino is part of our committee and will be assisting us in determining our needs.

Your consideration in this matter is greatly appreciated. The necessary insurance for this event will follow under separate cover.

Very truly yours,

Jeff Zero
Festival Committee Chairman

cc: Hon. Chris J. Coschignano

Town of Oyster Bay
Town Board Office
Inter-Departmental Memorandum

May 31, 2016

TO: KEVIN HANIFAN, COMMISSIONER OF HIGHWAYS

FROM: CHRIS J. COSCHIGNANO, TOWN COUNCILMAN

SUBJECT: **St. Edwards Festival, Syosset August 18, 19, 20, 21, 2016**

Please note that ***signs will be required to be posted week of August 8th, 2016*** at the Syosset Train Station ***parking lot (S1)*** notifying residents that the northeast section of lot will be closed beginning Wednesday, August 17th @ 9pm thru Sunday August 21st @ 11:59pm.

Also note parking restrictions will need to be lifted on the following streets as they were in previous years with the exception of "NO STOPPING ANY TIME" or "NO STOPPING HERE TO CORNER":

Apple Street
Arizona Avenue
East Street
Ira Road
Maple Street
Miller Boulevard
Orchard Street
Woodbury Way

Additionally, ***parking lot (S2)*** will also be closed all day Saturday, August 20th and reopened on Sunday, August 21st. This parking lot is being used for Fireworks.

Thank you for your usual courtesy and cooperation.

Chris J. Coschignano
CHRIS J. COSCHIGNANO
COUNCILMAN

CJC/mg
cc: Marta Kane/Public Information
Mary Beth Krummenacker/Public Information
Josephine Macchia, Assistant to Supervisor

DATE: 5/27/16

TO: **HIGHWAY OPERATIONS**

SUBJECT: St. Edwards Festival
Parking Lot S1

PLEASE DELIVER TO:

Parking Lot S1
Syosset

CONTACT:
Doug Robolino
516-351-4067

DATE OF EVENT: August 18, 19, 20, and 21, 2016

BARRICADES: **100**

SORT PAILS: **25**
TRAFFIC CONES: **50**
MISC. ITEMS: **200' Snow Fencing**
6 generators

PACKER: **1**

DELIVER ON: Monday 8/15/16

PICKUP ON: Monday 8/22/16

SIGNATURE: _____

PRINT NAME: _____

RETURNED ON:

BARRICADES:

SORT PAILS:

CONES:

MISC. ITEMS:

FOREMAN:

FOREMAN AREA _____

SWEEPING BEFORE AFFAIR IS NEEDED: **YES** X **NO** ☐

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

KEVIN M. HANIFAN
COMMISSIONER OF HIGHWAYS

KMH/taw

C: Doug Robalino, General Foreman
Peter Brown, Regional Foreman
Peter Brown , Area Foreman
Rich Buckley

Jeff VanNostrand
Public Safety Division
Rich Porcelli, DPW Admin
John Guarino, SORT Supervisor

Hold Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 2 day of Jan 2016, by St. Edward the Confessor church (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as S-1 & S2 parking lots, 25 trash receptacles, 100 barricades, 50 traffic cones, 200 feet of snow fencing, 6 generators, 1 packer

For the event described as Parish Grand Festival
The property/equipment is used from 8-17-16 to 8-22-16
The event for which the property and/or equipment is requested (X) is ( ) is not a not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for loss and/or expense or suits for damage to persons or property, including its property, arising from its use of Town property and/or equipment.

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of $1,000,000 each occurrence, $2,000,000 general aggregate and, where appropriate, $2,000,000 products, naming the Town as additional insured. All certificated of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization:

St. Edward the Confessor church

Address of Organization:
205 Jackson Avenue
Syosset, NY 11791

By: Rev Michael T. Moffett
Authorized Representative

Title: Pastor

Telephone Number: 516-921-8030

Reviewed By
Office of Town Attorney
Vincent P. Calvagna

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/20/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Ecclesia Assurance Company c/o Porter & Curtis, LLC
225 State Road
Media, PA 19063

CONTACT NAME: Kara Neff
PHONE (AC, No, Ext): 6108919870 FAX (AC, No): 6108919874
E-MAIL ADDRESS: Kneff@portercurtis.com

INSURER(S) AFFORDING COVERAGE

		NAIC #
INSURER A:	ECCLESIA ASSURANCE COMPANY	11952
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED
ST. EDWARD THE CONFESSOR CHURCH
205 JACKSON AVENUE
SYOSSET, NY 11791

COVERAGES CERTIFICATE NUMBER: 367059 Account: 000058 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER POLICY PRO-JECT LOC OTHER:			PKG-2015-1	11/01/2015	11/01/2016	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ Included
							MED EXP (Any one person)	$ Not Covered
							PERSONAL & ADV INJURY	$ Included
							GENERAL AGGREGATE	$ None Applicable
							PRODUCTS - COMP/OP AGG	$ None Applicable
								$
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
A	UMBRELLA LIAB X OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $			EX-LIAB-2015-1	11/01/2015	11/01/2016	EACH OCCURRENCE	$ 9,000,000
							AGGREGATE	$ None Applicable
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
The limits include applicable retentions. The certificate holder is included as an Additional Insured if required by written contract with respect to the use of parking lots for the annual festival from 08/18/2016 - 08/22/2016.

CERTIFICATE HOLDER

TOWN OF OYSTER BAY HIGHWAY DEPARTMENT
150 MILLER PLACE
SYOSSET, NY 11791

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2014/01)

The ACORD name and logo are registered marks of ACORD

Reviewed By
Office of Town Attorney

Endorsement Number: 30

Policy Number: PKG-2015-1 Date Effective: 11/1/2015

ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies the insurance provided under the following Coverage Part(s):
GENERAL LIABILITY

SCHEDULE

Town of Oyster Bay-Department of Parks, Department of Public Works (Highway and Sanitation), Department of Buildings (Town Hall), 150 Miller Place, Syosset, New York 11971

The definition of "Insured" expressly includes the person or organization shown in the Schedule above as respects tort liability assumed under a contract or agreement, but only with respect to liability caused, in whole or in part, by the negligence of or by those acting on behalf of a Named Insured.

All other terms and conditions remain unchanged.

In witness whereof, this Endorsement has been executed in Rockville Centre, New York by the Company's authorized officer as set forth below.

ECCLESIA ASSURANCE COMPANY

Authorized Representative's Signature 10/16/2015
Date

Reviewed By
Office of Town Attorney

Copyright ©, Porter & Curtis, LLC, 2007 E AI 03 02 09 07

Meeting of July 12, 2016 Resolution No. 381-2016

WHEREAS, Robert J. McEvoy, Comptroller, and Leonard G. Kunzig, Deputy Comptroller, by memorandum dated June 16, 2016, request and recommend that a refund in the amount of $900.00 be authorized to Mr. Bruce H. Lederman, 26 Fortune Lane, Jericho, New York 11753, for overpayment of his sidewalk repair,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as set forth above is accepted and approved, and Mr. Bruce H. Lederman is hereby granted a refund in the amount of $900.00, 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. TWN DB 0000 00380 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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

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TOWN OF OYSTER BAY

Inter-Departmental Memo

DRAFT

JUNE 16, 2016

To: **MEMORANDUM DOCKET**

From: **ROBERT J. McEVOY, COMPTROLLER**

Subject: **SIDEWALK REPAIR REFUND**

The Comptroller's Office has received the attached correspondence and completed claim form from Mr. Bruce H. Lederman, of 26 Fortune Lane, Jericho, NY 11753, wherein he requests a $900.00 refund for overpayment of a sidewalk repair.

Based on the circumstances outlined in his letter, the Comptroller's Office requests that the Town Board authorize this refund.

Please debit account TWN DB 0000 00380 000 0000.

ROBERT J. McEVOY
COMPTROLLER

by: _____
Leonard G. Kunzig
Deputy Comptroller

Attachments

RJM:LGK:mr

cc: Town Attorney (19)
Accounts Payable Division
Accounting Division A/R #L020
Reading File

RECEIVED

Robert J. McEvoy, Comptroller
Town Of Oyster Bay
74 Audrey Ave.
Oyster Bay NY 11771

Dear Mr. McEvoy,

Regarding my property located at 26 Fortune Lane, Jericho, NY, it has come to my attention that I paid my sidewalk repair invoice twice. Once on 3/2/16 by Check 6228 in the amount of $900 and one on 3/26/16 by check 6235 in the amount of $900. I have enclosed copies of those two paid checks (front and back).

Therefore, I am requesting a refund in the amount of $900.

Thank you for your prompt attention to this matter.

Sincerely,

Bruce H. Lederman
26 Fortune Lane
Jericho, NY 11753
Cell Phone 516 551 0446

TOWN OF OYSTER BAY, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

CLAIM

CLAIMANT'S NAME: Bruce Lederman

CLAIMANT'S ADDRESS: 26 Fortune Lane Jericho NY 11753

TAXPAYER IDENTIFICATION NUMBER
- ☐ FEDERAL ID#
- ☐ SOCIAL SECURITY #

TOWN DEPARTMENT

T.O.B. ORDER OR CONTRACT NUMBER

CLAIMANT'S INVOICE NO. L020

CLAIM NO.

FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING SERVICES OR MATERIALS

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

DATE	DESCRIPTION	UNIT PRICE	TOTAL
	Refund Overpayment of sidewalk repair as follows		
	Billed December 2015 900.00		
	Payments		
	R089 3/31/16 ck# 6228 (900.00)		
	R094 4/13/16 ck# 6235 (900.00)		
	(1,800.00)		
	Amount To Be Refunded 900.00		

TOTAL AMOUNT	900.00
CASH DISCOUNT %	
NET AMOUNT	900.00

I HEREBY CERTIFY the above articles were sold and delivered and or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there in stated in the amount of

is actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom.

CLAIMANT FURTHER CERTIFIES that the unit prices charged herein are not higher than those charged to any governmental or commercial consumer for like deliveries.

Signature X [signature] Title Owner

Print or type name Bruce H Lederman Name of Company

[illegible]

ACCT #	NAME	AVR. DEBITS PER MONTH	ESCROW BALANCE
L020	LEDERMAN, BRUCE	.00	.00

MONTH	PRIOR BALANCE	TOTAL CREDITS	TOTAL DEBITS	NEW BALANCE
JANUARY	900.00	.00	.00	900.00
FEBUARY	900.00	.00	.00	900.00
MARCH	900.00	900.00	.00	.00
APRIL	.00	900.00	.00	900.00-
MAY	900.00-	.00	.00	900.00-
	.00	.00	.00	.00
	.00	.00	.00	.00
	.00	.00	.00	.00
	.00	.00	.00	.00
	.00	.00	.00	.00
	.00	.00	.00	.00
	.00	.00	.00	.00

Bank of America Online Banking

BHL Checking 3994: Account Activity Transaction Details

My Description: Town Of Oyster Bay

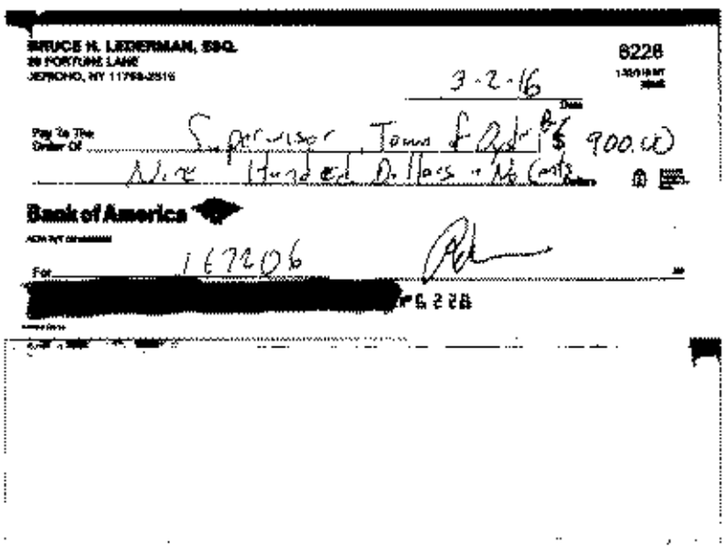
Check number: 00000006228

Post date: 03/31/2016

Amount: -900.00

Type: Check

Description: Check


BRUCE H. LIEBERMAN, ESQ.
20 FORTUNE LANE
JERICHO, NY 11753-2516

6228

3-2-16

Pay To The Order Of Supervisor Town of Oyster Bay $ 900.00

Nine Hundred Dollars + No Cents

Bank of America

For 167206

[redacted] 6228

Bank of America

Online Banking

BHL Checking 3994: Account Activity Transaction Details

My Description: Town of Oyster Bay

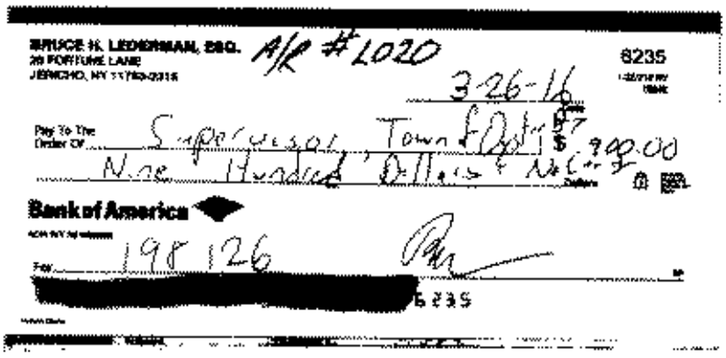
Check number: 00000006235

Post date: 04/13/2016

Amount: -900.00

Type: Check

Description: Check


BRUCE H. LIEDERMAN, ESQ.
20 FORTUNE LANE
JERICHO, NY 11753-2318

A/R #L020

6235

3-26-16

Pay To The Order Of Supervisor, Town of Oyster Bay $ 900.00

Nine Hundred Dollars & No Cents

Bank of America

For 198 126

[redacted] 6235

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, Leonard Genova, Town Attorney, and Jeffrey H. Ehrlich, Deputy Town Attorney, by memorandum dated June 16, 2016, have advised that claimant alleges that he suffered serious personal injuries including a post thoracic-aortic rupture which required surgery with grafting, post-splenic laceration with multiple pelvic fractures and a pulmonary contusion, when he was involved in an auto collision with a Massapequa Fire District vehicle, allegedly due partially to a large snow pile obstruction located at the intersection of Hicksville Road and Pennsylvania Avenue, in Massapequa, New York; and

Reviewed By
Office of Town Attorney

WHEREAS, after extensive settlement negotiations, this case settled on December 1, 2015, prior to jury selection, for $849,995.00 with co-defendant, the Massapequa Fire District paying $750,000.00 and the Town of Oyster Bay paying $99,995.00,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, payment of the sum of $99,995.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to claimant, Sean Scarisbrick, with regard to Claim No. 2011-10805 (11091), 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 Sean Scarisbrick and Donald N. MacKenzie, Esq. as attorney, in the amount of $99,995.00; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

-#-

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	Abstain
Councilman Pinto	Aye
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : June 16, 2016

SUBJECT: SETTLEMENT OF NEGLIGENCE CLAIM
Claimant: Sean Scarisbrick, an infant by f/n/g J.P. Scarisbrick and J.P. Scarisbrick, Individually v. Town of Oyster Bay et al.
Claim No.: 2011-10805 (11091)

A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand ($10,000.00) Dollars.

The above referenced claim arose as a result of an accident that occurred on January 31, 2011. Claimant, Sean Scarisbrick, suffered serious personal injuries including a post thoracic-aortic rupture which required surgery with grafting, post-splenic laceration with multiple pelvic fractures and a pulmonary contusion, when claimant was involved in an auto collision with a Massapequa Fire Department vehicle, allegedly due partially to a large snow pile obstruction located at the intersection of Hicksville Road and Pennsylvania Avenue, in Massapequa, New York.

After extensive settlement negotiations, this case settled on December 1, 2015, prior to jury selection, for $849,995.00 with co-defendant, the Massapequa Fire District, paying $750,000.00 and the Town of Oyster Bay paying $99,995.00. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

Accordingly, we have attached a resolution authorizing payment of $99,995.00, together with copies of a Stipulation of Settlement and a General Release executed by the claimant on December 11, 2015.

LEONARD GENOVA
TOWN ATTORNEY

Jeffrey H. Ehrlich
Deputy Town Attorney

JHE:ba
Attachments
cc: Town Attorney (w/19 copies)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU
----------X
SEAN SCARISBRICK, INDEX NO. 13008/11

Plaintiff,

STIPULATION OF SETTLEMENT

-against-

STEVEN A. DARESTA, MASSAPEQUA FIRE DEPARTMENT AND THE TOWN OF OYSTER BAY,

Defendants.
----------X

IT IS HEREBY STIPULATED AND AGREED by and between the plaintiff, SEAN SCARISBRICK, and defendant, TOWN OF OYSTER BAY and their respective counsel that the above matter is settled in the total sum of $ 99,995.00 to be paid by the TOWN OF OYSTER BAY to plaintiff, and it is

FURTHER STIPULATED AND AGREED and plaintiff's counsel represents to the Town's counsel that he has spoken with his client and his client agrees to this settlement and plaintiff's counsel represents, as an officer of the Court, that he has the authority to enter into this settlement agreement; and it is

FURTHER STIPULATED AND AGREED that plaintiff's counsel shall provide the Town with a duly executed General Release from plaintiff releasing the Town of Oyster Bay from all

claims and a stipulation discontinuing the action with prejudice and without costs to either side; and it is

FURTHER STIPULATED AND AGREED that the plaintiff and plaintiff's counsel represent that there are no liens existing as a result of this lawsuit and if any liens do exist, plaintiff will hold the Town harmless and indemnify the Town therefore, and it is

FURTHER STIPULATED AND AGREED that the Town of Oyster Bay settlement is subject to Town Board approval within 120 days from the date of receipt at the office to the Town Attorney for the Town of Oyster Bay at 54 Audrey Avenue, Oyster Bay, New York 11771 of the above-referred settlement documents. In the event said settlement approval is rejected by the Town Board or not approved within the 120 day period, the defendant, Town, agrees to enter into a stipulation with plaintiff's counsel restoring the above matter to the Court's calendar on ten (10) days written notice; and it is

FURTHER STIPULATED AND AGREED that plaintiff and plaintiff's counsel understand that it may require 120 days for the Town of Oyster Bay to process and issue the settlement check, as aforesaid, and plaintiff hereby waives any and all claims for interest or costs from the

settlement date of December 1, 2015 and specifically waives the provisions of CPLR section 5003-a(b).

Dated: Syosset, New York
March 21, 2015

Law Office of Donald N. Mackenzie
Attorneys for Plaintiff
Sean Scarisbrick
116 Jackson Avenue
Syosset, N.Y. 11791
516 496 4529

by: _____
Donald N. Mackenzie, Esq.

Burns, Russo, Tamigi & Reardon, LLP
Attorneys for Defendant
Town of Oyster Bay
390 East Old Country Road
Garden City, New York 11530
516 746 7371

by: _____
Alan J. Reardon, Esq.

GENERAL RELEASE

TO ALL INTERESTED PARTIES KNOW THAT:

SEAN SCARISBRICK, Releasor

In consideration of the sum of Ninety Nine Thousand Nine Hundred and Ninety Five Dollars ($99,995.00) inclusive of cost and disbursements Received from The Town of Oyster Bay, Releasee, the adequacy and receipt whereof is hereby acknowledged by Releasor, releases and discharges the Releasee(s), the releasee's executors, administrators, heirs, successors, and assigns (herein collectively sometimes referred to as "Releasees") from all causes of actions, actions, debts, sums of money, accounts, bonds, bills, covenants, contracts, controversies, promises, agreements, trespasses, variances, judgments, damages, executions, claims, demands whatsoever, in law equity and/or admiralty, which against the said Releasees, the Releasor, his/her executors, administrators, successors, and assigns have, ever had or may have in the future, by reason of any matter, cause or thing whatsoever from the beginning of time to the date hereof.

Releasor shall hold Releasee harmless as to any liens.

The words "Releasor" and "Releasee" shall include the singular and plural wherever construction in this instrument dictates.

This Release may only be changed in writing.

IN WITNESS WHEREOF, the Releasor has executed this Release on the 11th day of December 2015.

Witness:

STATE OF NEW YORK

COUNTY OF NASSAU

On the 11th day of December 2015, before me appeared Sean Scarisbrick, to me known to be the person named in the foregoing release, and who executed the foregoing Release and acknowledged to me that he has read the Release and understands the contents thereof and that he voluntarily executed the same.

NOTARY PUBLIC

DONALD N. MACKENZIE
Notary Public - State of New York
No. 02MA5305070
Qualified in Nassau County
My Commission Expires: 06/02/20_19

GENERAL RELEASE

TO ALL INTERESTED PARTIES KNOW THAT:

JEAN PIERRE "J.P." SCARISBRICK, Releasor

In consideration of the sum of Ten Dollars ($10.00) inclusive of cost and disbursements Received from Stephen Daresta, Massapequa Fire District, Massapequa Fire Department, AAIC Insurance Company, GCM Inc., Siler and Ingber, LLP, Releasee, the adequacy and receipt whereof is hereby acknowledged by Releasor, releases and discharges the Releasee(s), the releasee's executors, administrators, heirs, successors, and assigns (herein collectively sometimes referred to as "Releasees") from all causes of actions, actions, debts, sums of money, accounts, bonds, bills, covenants, contracts, controversies, promises, agreements, trespasses, variances, judgments, damages, executions, claims, demands whatsoever, in law equity and/or admiralty, which against the said Releasees, the Releasor, his/her executors, administrators, successors, and assigns have, ever had or may have in the future, by reason of any matter, cause or thing whatsoever from the beginning of time to the date hereof.

Releasor shall hold Releasee harmless as to any liens.

The words "Releasor" and "Releasee" shall include the singular and plural wherever construction in this instrument dictates.

This Release may only be changed in writing.

IN WITNESS WHEREOF, the Releasor has executed this Release on the 8th day of March 2016.

Witness:

STATE OF NEW YORK

COUNTY OF NASSAU

On the 8th day of March 2016, before me appeared Jean Pierre "J.P." Scarisbrick, to me known to be the person named in the foregoing release, and who executed the foregoing Release and acknowledged to me that he has read the Release and understands the contents thereof and that he voluntarily executed the same.

NOTARY PUBLIC

DONALD N. MACKENZIE
Notary Public - State of New York
No. 02MA6305070
Qualified in Nassau County
My Commission Expires: 06/02/2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

X

SEAN SCARISBRICK, an infant under the age of 18
By his Father and Natural Guardian J.P SCARISBRICK,
and J.P SCARISBRICK, individually,

Plaintiffs,

-against-

STEPHEN A.DARESTA, MASSAPEQUA FIRE DISTRICT, MASSAPEQUA FIRE DEPARTMENT, TOWN OF OYSTER BAY, RECCO HOME CARE SERVICES, INC., 524 HICKS REALTY GROUP, LLC., PEQUA GETTY, INC., a/k/a/ PEQUA AUTO MOTIVE, INC and THOMAS LIPERA,

Defendants.

X

Index No. 13008/2011

STIPULATION OF DISCONTINUANCE

SUPREME COURT OF THE STATE OF NEW YORK

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: December 14, 2015

LAW OFFICE OF DONALD N. MACKENZIE
Donald MacKenzie
116 Jackson Avenue
Syosset NY 11791
Tel No. (516) 496-4529
Fax (516)496-9529

Burns, Russo, Tamigi & Reardon LLP
BURNS RUSSO, TAMIGI & REARDON
Attorney for Defendant
390 Old Country Road
Garden City, NY 11530

Siler & Ingber, LLP
Attorney for Defendant
301 Mineola Boulevard
Mineola, NY 11501

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Meeting of July 12, 2016 Resolution No. 383-2016

WHEREAS, John P. Bishop, Highway Administration, Highway Department, and Richard A. Carozza, Permit Section, Highway Department, by memoranda dated June 24, 2016 and John P. Bishop, Highway Administration, Highway Department, by memorandum dated July 1, 2016, have advised that the Highway Department is in receipt of a request from Arcadis of New York, Inc., Consulting Engineers, Two Huntington Quadrangle, Suite 1S10, Melville, New York 11747, made on behalf of Northrop Grumman Corporation, for permission to install one (1) permanent test well and four (4) permanent monitoring wells in five (5) various locations throughout Bethpage, Town of Oyster Bay, New York, for the purpose of monitoring groundwater contamination from the former Grumman Aerospace Facility in Bethpage in connection with a project being undertaken by Northrop Grumman Corporation at the direction of the New York State Department of Environmental Conservation; and

Reviewed By
Office of Town Attorney

WHEREAS, Arcadis of New York, Inc., has provided a Certificate of Insurance with the Town named as an additional insured,

NOW, THEREFORE, BE IT RESOLVED, That the Supervisor is hereby authorized to enter into an agreement with Arcadis of New York, Inc., Consulting Engineers, Two Huntington Quadrangle, Suite 1S10, Melville, New York 11747, made on behalf of Northrop Grumman Corporation, for permission to install one (1) permanent test well and four (4) permanent monitoring wells in five (5) various locations throughout Bethpage, Town of Oyster Bay, New York, for the purpose of monitoring groundwater contamination from the former Grumman Aerospace Facility in Bethpage.

-#-

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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Highway

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Town of Oyster Bay
Inter-Departmental Memo

DRAFT

June 24, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD A. CAROZZA
PERMIT SECTION, DEPARTMENT OF HIGHWAYS

THROUGH: JOHN P. BISHOP, HIGHWAY ADMINISTRATION

SUBJECT: ACCESS TO TOWN OF OYSTER BAY PROPERTY AND RIGHTS-OF-WAY FOR INSTALLATION OF ONE PERMANENT REMEDIAL WELL AND FOUR PERMANENT MONITORING WELLS

SUPPLEMENTAL MEMO TO FOLLOW

APPLICANT: Arcadis of New York, Inc.
(on behalf of Northrop Grumman Corporation, NGC)
Two Huntington Quadrangle, Suite 1S10
Melville, NY 11747

SITE LOCATIONS: Five Locations in Bethpage, for the installation of one remedial well and four vertical profile borings/monitoring wells

The Department of Highways is in receipt of a request from the above-named applicant for permission to gain access to five (5) Town of Oyster Bay properties and rights-of-way in Bethpage, New York, in connection with the installation of remedial wells and test wells. The proposed wells are being installed in connection with a project being undertaken by NGC at the direction of the New York State Department of Environmental Conservation (NYSDEC) to investigate and remediate the groundwater contamination plume emanating from the baseball field area at Bethpage Community Park. This plume resulted from waste disposal operations by Grumman Corp (predecessor to NGC) prior to their conveyance of this land to the Town of Oyster Bay in 1962. NYSDEC has requested that approval of these applications be expedited so that the groundwater remediation system is constructed and activated as soon as practicable.

It is requested that a space be reserved on the agenda for the Town Board meeting of July 12, 2016 for a resolution to approve an access agreement for the work summarized above.

Upon the receipt of all required information from the applicant, the Department of Highways will submit a supplemental memo regarding this matter.

RICHARD A. CAROZZA
PERMIT SECTION
DEPARTMENT OF HIGHWAYS

JOHN P. BISHOP
HIGHWAY ADMINISTRATION

JPB/RAC

C: Office of the Town Attorney (19)
John Belock, Comptroller's Office
Richard A. Carozza, Permit Section

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Town of Oyster Bay

Inter-Departmental Memo

July 1, 2016

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, HIGHWAY ADMINISTRATION
DEPARTMENT OF HIGHWAYS

SUBJECT: ACCESS TO TOWN OF OYSTER BAY PROPERTY AND RIGHTS-OF-WAY FOR INSTALLATION OF ONE PERMANENT REMEDIAL WELL AND FOUR PERMANENT MONITORING WELLS -- **SUPPLEMENT TO MD 6/28/2016, #31**

APPLICANT: Arcadis of New York, Inc.
(on behalf of Northrop Grumman Corporation, NGC)
Two Huntington Quadrangle, Suite 1S10
Melville, NY 11747

SITE LOCATIONS: Five (5) Locations in Bethpage --

1. Remedial Well #RW-21 -- Town of Oyster Bay Parking Lot B-2, south side of Seaman Avenue, east of Broadway (Section 46, Block 116, Lot 7)
2. Vertical Profile Boring/Monitoring Well #VP/MW-13 -- Intersection of Broadway and Wilson Lane, northwest corner, adjacent to 73 Broadway (Section 49, Block 177, Lot 33)
3. Vertical Profile Boring/Monitoring Well #VP/MW-14 -- Town of Oyster Bay easement, south of easterly terminus of Sophia Street, (Section 49, Block 293, Lot 34)
4. Vertical Profile Boring/Monitoring Well #VP/MW-15 -- east end of Town of Oyster Bay-owned easement, southeast corner of Broadway-Arthur Avenue intersection (Section 49, Block C, Lot 302)
5. Vertical Profile Boring/Monitoring Well #VP/MW-16 -- Town of Oyster Bay easement, east of Broadway, south of southerly terminus of North Windhorst Avenue (Section 49, Block 105, Lot 593)

The Department of Highways is in receipt of a request from the above-named applicant for permission to gain access to the above-referenced Town of Oyster Bay properties and rights-of-way in Bethpage, New York, in connection with the installation one new remedial well and four new permanent monitoring wells. The proposed wells are being installed in connection with a project being undertaken by NGC at the direction of the New York State Department of Environmental Conservation (NYSDEC) to investigate and remediate the groundwater contamination plume emanating from the baseball field area at Bethpage Community Park. This plume resulted from waste disposal operations by Grumman Corp (predecessor to NGC) prior to their conveyance of this land to the Town of Oyster Bay in 1962. NYSDEC has requested that approval of these applications be expedited to the maximum extent practicable.

The proposed remedial well is being installed to pump groundwater from a contamination "hot spot" which has been identified based on the results of testing of vertical profile borings and monitoring wells previously installed in the Bethpage area. Two more remedial wells are planned for installation further to the south, with the precise location to be decided based on further analysis by the applicant, including the testing of the four proposed vertical profile borings/monitoring wells and other existing monitoring wells. The remedial wells will be connected by a new piping system to a new treatment plant which tentatively is being considered for the Town of Oyster Bay owned property on the west side of the Seaford-Oyster Bay Expressway, south of the southerly terminus of North Hermann Avenue, which is the site of an existing treatment plant for a distinct groundwater contamination plume being addressed by the U.S. Navy. NGC intends to submit one or more subsequent applications for the additional

remedial wells, underground vaults containing the controls for the remedial wells, the treatment plant, and piping system connecting the remedial wells to the plant.

At the Town's request, the applicant held a public meeting for residents in the project area on June 21st at Bethpage Community Center. The applicant gave a presentation describing the proposed project, and then provided the opportunity for questions from the audience. Representatives of NYSDEC and the New York State Department of Health attended the meeting and assisted with the question-and-answer portion of the meeting. Written notification of this meeting was provided directly to all residences in the area between Stewart Avenue and the Seaford-Oyster Bay Expressway, South of Central Avenue and north of Hempstead Turnpike. Direct telephone communication regarding the proposed project occurred with the pastor of St. Martin of Tours, which adjoins the proposed remedial well site to the south.

Additionally, at the Town's request, the applicant has developed traffic control plans for project locations on or adjacent to public roadways (i.e., VP/MW-13 and VP/MW-15) directed at ensuring public safety. These plans are also attached hereto.

As indicated on the attached sketch for the proposed remedial well, the drilling operation will require that six parking spaces in Town Lot B-2 be cordoned off as part of the work area until the well installation has been completed. A representative of the Department of Highways has coordinated closely with the applicant to ensure that the temporary loss of commuter parking is minimized to the degree practicable. At the Town's request, the applicant will distribute windshield fliers to provide advance notification to commuters of the upcoming work and temporary cordoning-off of a portion of the parking lot. It also is noted that the project will occur in the summer, when parking demand at and in the vicinity of the train station typically is lower than at other times of the year, which should further mitigate impacts to commuters. During the Town's late morning meeting with the applicant at the site on June 27th, it was observed that well in excess of six spaces were unoccupied.

The applicant has submitted to this Department the requisite application documents. The subject properties have been inspected, and we have no objection to the applicant's request for access to the sites for the purposes described above.

It should be noted that the agreement is based on a form agreement approved by the Town Attorney's Office. All fees have been paid.

John Bishop By Richard T. Botz

JOHN P. BISHOP
HIGHWAY ADMINISTRATION
DEPARTMENT OF HIGHWAYS

JPB/rac

C: Office of the Town Attorney (19)
John Bellock, Comptroller's Office
Richard A. Carozza, Department of Highways, Permit Section

Overall Project Documents

ARCADIS Design & Consultancy for natural and built assets

Mr. Richard Carozza
Town of Oyster Bay
Highway Department
150 Miller Place
Syosset, NY 11791

Arcadis of New York, Inc.
Two Huntington Quadrangle
Suite 1S10
Melville
New York 11747
Tel 631 249 7600
Fax 631 249 7610
www.arcadis.com

ENVIRONMENT

Subject:
Permanent Well Application for Drilling within the Town of Oyster Bay

Date:
June 20, 2016

Contact:
Xuan Xu

Phone:
631 391 5235

Email:
xuan.xu@arcadis.com

Our ref:
NY001496.2415.R21E3

Dear Mr. Carozza:

Arcadis, on behalf of Northrop Grumman, is submitting applications to install four permanent test wells (MW-13, MW-14, MW-15 and MW-16) and two remedial wells (RW-20 and RW-21) in Bethpage, New York. The monitoring wells will be installed in accordance to the "Pre-Design Work Plan for Groundwater Hotspot, Operable Unit 3, Former Grumman Settling Ponds, Bethpage, New York, May 1, 2014", approved by NYSDEC. The remedial wells are being installed as part of implementation of the RW-21 Area Groundwater Remedy. The method for installation of the remedial wells is discussed in the Preliminary Design Plan dated April 26, 2016. The NYSDEC approved this plan on April 28, 2016. The permits enclosed reflect the changes requested by the Town of Oyster Bay in your 6/3/2016 communication.

Each application consists of the following items:

- Permanent Test Well Application form;
- Road Opening Permit;
- Certified check of $1,500 as deposit for the permanent test well;
- Certified check of $100 as deposit for road opening permit;
- Surety bond in the amount of $10,000;
- Updated Arcadis insurance certificate;
- Figure 1 indicating the location of the permanent test well;
- Attachment 1: Traffic control plan for each location;
- Attachment 2: Copy of the Project Factsheet and Notice of Local Resident Meeting that have been sent to local residents regarding

upcoming work. Also included is a figure showing the geographic area of residents who have received the notification (via FedEx trackable service);

- Attachment 3: Figure showing the geographic area of residents who will receive notification and information regarding the RW-21 Area project (cover letter and Factsheet) via USPS first class.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Arcadis of New York, Inc.

Xuan Xu

Xuan Xu

Staff Geologist

Copies:

Ed Hannon, Northrop Grumman Corporation

Thomas Pirrung, Northrop Grumman Corporation

Fred Weber, Northrop Grumman Corporation

Carlo San Giovanni, Arcadis

David Stern, Arcadis

File

Enclosures

an ACE Company

LICENSE AND/OR PERMIT BOND

Bond No: K09501654

KNOW ALL MEN BY THESE PRESENTS:

That we, ARCADIS OF NEW YORK, INC. as Principal and WESTCHESTER FIRE INSURANCE COMPANY, incorporated under the laws of the State of Pennsylvania, with principal office in Philadelphia, as Surety, are held and firmly bound unto TOWN OF OYSTER BAY HIGHWAY DEPT. as Obligee, in penal sum of $ 10,000.00 Ten Thousand and 00/100, lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS, the above bounden Principal has obtained or is about to obtain from the said Obligee a license or permit for Installation of permanent test wells at various locations in Bethpage, NY; and the term of said license or permit is as indicated opposite the block checked below:

___ Beginning the _____ day of _____, _____; and ending the _____ day of _____, _____.

X Continuous, beginning the 20th day of May, 2016.

WHEREAS, The Principal is required by law to file with TOWN OF OYSTER BAY HIGHWAY DEPT. a bond for the above indicated term and conditioned as hereinafter set forth.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden Principal as such licensee or permittee shall indemnify said Obligee against all loss, costs, expenses or damage to it caused by said Principal's non-compliance with or breach of any laws, statutes, ordinances, rules or regulations pertaining to such license or permit issued to the Principal, which said breach or non-compliance shall occur during the term of this bond, then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, that if this bond is for a fixed term, it may be continued by Certificate executed by the Surety hereon; and

PROVIDED FURTHER, that regardless of the number of years this bond shall continue or be continued in force and of the number of premiums that shall be payable or paid, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond, and

PROVIDED FURTHER, that if the Surety shall so elect, this bond may be canceled by the Surety as to subsequent liability by giving thirty (30) days notice in writing to said Obligee.

Signed, sealed and dated the 20th day of May, 2016.

ARCADIS OF NEW YORK, INC.

By: [signature] (SEAL)
Elizabeth Spaak (Principal) Secretary

WESTCHESTER FIRE INSURANCE COMPANY

By: [signature] (SEAL)
Mvisha S. Jefferson, Attorney-In-Fact

[signature] (Witness) Kayte Jo Gerwig

[signature] (Witness) Nancy Thomas

Rev. 8/06

Power of Attorney

WESTCHESTER FIRE INSURANCE COMPANY

Know all men by these presents: That **WESTCHESTER FIRE INSURANCE COMPANY**, a corporation of the Commonwealth of Pennsylvania pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 11, 2006, to wit:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into the ordinary course of business (each a "Written Commitment"):

(1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.

(2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such persons written appointment as such attorney-in-fact.

(3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(4) Each of the Chairman, the President and Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(5) The signature of any officer or other person executing any Written Commitment in appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

Does hereby nominate, constitute and appoint Anoop Chawla Adlakha, Donna L Williams, Jennifer Copeland, Lisa Ward, Lupe Tyler, Margaret Buboltz, Michael J Herrod, Myisha S Jefferson, Nancy Thomas, Stephenie Whittington, Vanessa Dominguez, Wendy Stuckey, all of the City of HOUSTON, Texas, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Seventy Five million dollars & zero cents ($75,000,000.00) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the Corporate seal of the said **WESTCHESTER FIRE INSURANCE COMPANY** this 20 day of August 2015.

WESTCHESTER FIRE INSURANCE COMPANY

Stephen M. Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA ss.

On this 20 day of August, AD. 2015 before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney, Vice-President of the **WESTCHESTER FIRE INSURANCE COMPANY** to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
KAREN E. BRANDT, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Sept. 20, 2016

Notary Public

I, the undersigned Assistant Secretary of the **WESTCHESTER FIRE INSURANCE COMPANY**, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the Corporation, this 20th day of May, 2016

William L. Kelly, Assistant Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER August 20, 2017.

(Incorporated #04540 contains a security pantograph, blue background, heat-sensitive ink, coin-reactive watermark, and microfiled printing for border)

CERTIFICATE OF ACKNOWLEDGMENT OF SURETY

State of Texas |

County of Harris |

Before me, the undersigned authority, on this day personally appeared, Myisha S. Jefferson known to me to be the person whose name is subscribed to the foregoing instrument as Attorney-In-Fact of the Westchester Fire Insurance Company and acknowledged to me that he/she executed the same for purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 20th day of May, 2016.

SEAL

Vanessa Marie Dominguez, Notary Public in and for
The State of TEXAS
My Commission expires: 02/07/2020

VANESSA MARIE DOMINGUEZ
Notary Public
STATE OF TEXAS
My Commission Expires FEBRUARY 7, 2020
NOTARY ID 1[illegible]-7

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY) 07/08/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Aon Risk Services South, Inc.
Franklin TN Office
501 Corporate Centre Drive
Suite 300
Franklin TN 37067 USA

CONTACT NAME:
PHONE (A/C, No, Ext): (888) 283-7122 FAX (A/C, No): 800-363-0105
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: XL Specialty Insurance Co	37885
INSURER B: Greenwich Insurance Company	22322
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Arcadis of New York, Inc.
6723 Tompath Road
Syracuse NY 13214 USA

COVERAGES CERTIFICATE NUMBER: 570062920273 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [X] PRO-JECT [X] LOC OTHER:			GLC0010078114 General Liability	01/01/2016	01/01/2017	EACH OCCURRENCE	$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$1,000,000
							MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
							PRODUCTS - COMP/OP AGG	$2,000,000
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY [X] / HIRED AUTOS ONLY [X] SCHEDULED AUTOS / NON-OWNED AUTOS ONLY [X]			AEC001073814 Auto (ADS)	01/01/2016	01/01/2017	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB / EXCESS LIAB						EACH OCCURRENCE	
	OCCUR / CLAIMS-MADE						AGGREGATE	
	DED / RETENTION							
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N H	N/A	WLR943316310 Workers Compensation WLR943316710 State of Wisconsin	01/01/2016 01/01/2016	01/01/2017 01/01/2017	X PER STATUTE / OTH-ER	
							E.L. EACH ACCIDENT	$1,000,000
							E.L. DISEASE - EA EMPLOYEE	$1,000,000
							E.L. DISEASE - POLICY LIMIT	$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: Northrop Grumman Corporation, Operable Unit 3, Bethpage, New York.
Town of Oyster Bay is included as Additional Insured in accordance with the policy provisions of the General Liability and Automobile Liability policies.

CERTIFICATE HOLDER

Town of Oyster Bay
54 Audrey Avenue
Oyster Bay NY 11771 USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aon Risk Services South Inc.

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The ACORD name and logo are registered marks of ACORD

Holder Identifier : AB

Certificate No : 570062920273

ENDORSEMENT #021

This endorsement, effective 12:01 a.m., January 1, 2016 forms a part of Policy No. GEC001076114 issued to ARCADIS U.S., INC. AND CALLISONRTKL INC. by Greenwich Insurance Company.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
ANY PERSON OR ORGANIZATION THAT YOU ARE REQUIRED IN A WRITTEN CONTRACT OR WRITTEN AGREEMENT TO INCLUDE AS AN ADDITIONAL INSURED PROVIDED THE "BODILY INJURY" OR "PROPERTY DAMAGE" OCCURS SUBSEQUENT TO THE EXECUTION OF THE WRITTEN CONTRACT OR WRITTEN AGREEMENT.	VARIOUS
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. **Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or

2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

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2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

All other terms and conditions of this policy remain unchanged.

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ENDORSEMENT #008

This endorsement, effective 12:01 a.m., January 1, 2016 forms a part of Policy No. GEC001076114 issued to ARCADIS U.S., INC. AND CALLISONRTKL INC. by Greenwich Insurance Company.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location And Description Of Completed Operations
ANY PERSON OR ORGANIZATION THAT YOU ARE REQUIRED IN A WRITTEN CONTRACT OR WRITTEN AGREEMENT TO INCLUDE AS AN ADDITIONAL INSURED PROVIDED THE "BODILY INJURY" OR "PROPERTY DAMAGE" OCCURS SUBSEQUENT TO THE EXECUTION OF THE WRITTEN CONTRACT OR WRITTEN AGREEMENT.	Various
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

All other terms and conditions of this policy remain unchanged.

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PARK AVE
BROADWAY
SEAMAN AVE
RW-21
CENTRAL AVE
STEWART AVE
N WINDHORST AVE
N HERMAN AVE
LONG ISLAND RAILROAD
EMMA ST
RW-20
WILLIAM ST
BROADWAY
N WINDHORST AVE
N HERMAN AVE
SEAFORD-OYSTER BAY EXPRESSWAY
RUSSELL AVE
VP-14/MW-14
ARTHUR AVE
HELENA AVE
ARTHUR AVE
VP-15/MW-15
VP-16/MW-16
STEWART AVE
N MILLPAGE DR
S HERMAN AVE
HOOVER LN
VP-13/MW-13
WILSON LN
S WINDHORST AVE
APPROXIMATE SCALE IN FEET
PROPOSED WELL LOCATIONS
ARCADIS
1

ARCADIS Design & Consultancy for natural and built assets

Arcadis of New York, Inc.
Two Huntington Quadrangle
Suite 1S10
Melville
New York 11747
Tel 631 249 7600
Fax 631 249 7610
www.arcadis.com

ENVIRONMENT

Date:
June 13, 2016

Subject:
Notice of Local Resident Meeting,
Northrop Grumman RW-21 Area Groundwater Well Drilling Program,
Bethpage, New York

Dear Sir/Madam:

Arcadis has been retained by Northrop Grumman to provide notification of an upcoming Local Resident Meeting. This Local Resident Meeting will describe the RW-21 Area Groundwater Well Drilling Program that will be initiated in your area in the next few weeks.

The Meeting schedule is as follows:

Date: June 21, 2016

Time: 7:00 p.m. to 9.00 p.m.

Location: Bethpage Senior Community Center
103 Grumman Road West, Bethpage, NY 11714

Representatives of the New York State Department of Environmental Conservation, the New York State Department of Health, the Nassau County Department of Health, as well as Northrop Grumman and Arcadis will be available at this meeting to answer questions. The enclosed fact sheet provides more information on this upcoming meeting.

Sincerely,

Arcadis of New York, Inc.

Carlo San Giovanni

Carlo San Giovanni

Project Manager

Enclosures: Project Fact Sheet

UPDATED FACT SHEET
GROUNDWATER INVESTIGATION AND WELL DRILLING (RW-21 AREA)
Bethpage, New York

NORTHROP GRUMMAN

THIS FACT SHEET summarizes key information about the planned drilling and sampling of four temporary borings (used to collect soil and groundwater samples), three remedial wells (used to clean up the groundwater), and four permanent groundwater monitoring wells (used to monitor groundwater levels and quality over time) in your neighborhood as part of the groundwater cleanup south of the Bethpage Community Park. These activities will be performed by a consultant (Arcadis of New York, Inc.) and their subcontractors on behalf of Northrop Grumman. The work will be performed under the oversight of the New York State Department of Environmental Conservation (NYSDEC) and in compliance with methods approved by the NYSDEC. Adherence to a written health and safety plan will ensure the security and safety of residents and workers during the field activities.

THE PLANNED WORK will include the following activities:

1. Underground utilities will be located and marked out and a drilling rig will be set up at the proposed drilling locations.
2. Temporary borings will be drilled to collect soil and groundwater samples so that permanent monitoring and remedial wells can be properly located and designed.
3. Groundwater wells will be installed and groundwater quality samples collected. The monitoring and remedial wells will be flush with the ground surface and not generally noticeable.
4. At the same time the remedial wells are installed, a trench will be excavated and a portion of the pipe that will connect each well to the treatment plant will be installed. Additionally, a vault will be installed around each remedial well.
5. The drilling sites will be restored and waste materials removed.

Equipment used at each location will include: drilling rig, support trucks, portable water containers, pumps, and well construction materials. The drilling rigs will be secured at the drilling sites and cannot be moved until the drilling is completed. Soil, water, and other materials produced by the work will be transported daily from the work sites for disposal.

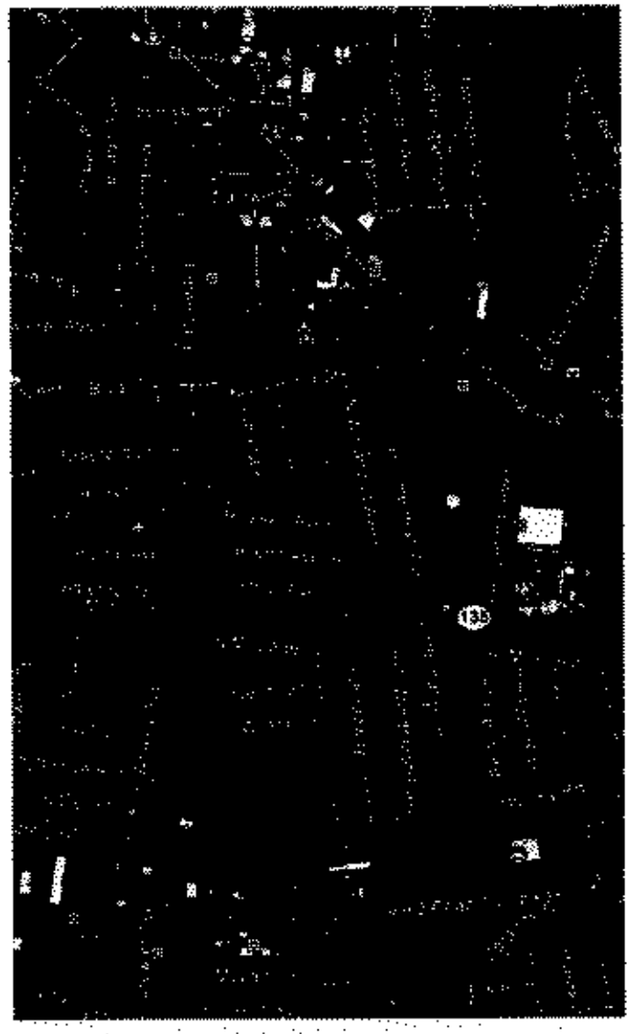
Borings and groundwater wells will be located on Town of Oyster Bay rights-of-way. The work is targeted to start in mid-July 2016 and is expected to be completed by early 2017. Drilling and well installation at a particular location will usually take place Monday to Friday from 7 a.m. to 5 p.m. and will take approximately 6 to 8 weeks to complete per location.

QUESTIONS OR COMMENTS? If you have any questions or experience any problems as a result of this work, please contact Northrop Grumman using the information provided below.

Ms. Dianne Baumert-Moyik
Communications, Northrop Grumman
Cell Phone: (516) 754-2645
E-mail: Dianne.Baumert-Moyik@ngc.com

Public Notification Mailing Layout

Residence within red line will receive summary of public meeting held on 6/21 and project Factsheet through USPS services.



Remediation Well RW-21

PRINT OR TYPE
(All three copies must be legible)

TOWN OF OYSTER BAY

HIGHWAY DEPARTMENT
150 Miller Place, Syosset, New York 11791
Phone # 677-5762 - 677-5884

RESIDENTIAL/COMMERCIAL APPLICATION

PERMIT FOR WORK ON TOWN RIGHT-OF-WAY

(see reverse side for explanation of terms and conditions)

Application
PERMIT NO. _____
FILE NO. _____
RECEIPT NO. _____
CASH_____ CHECK#_____

www.town-of-oyster-bay.org

Phone No. 631-249-7600
(applicant)

1) _____
Name of Homeowner address

2) Arcadis of New York, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, NY 11747
Name and address of licensed contractor/plumber Homeowner to complete if no contractor is being hired

3) _____ _____ _____
Homeowners Insurance Company Policy No.

_____ _____
Nassau County Permit No. Signature of Applicant Date

LOCATIONS OF WORK TO BE PERFORMED

Address RW-21; To be drilled on Town of Oyster Bay Parking Field No B-2 by Seaman Ave and Broadway, Bethpage, NY

Section: 46 Block: 116 Lot: 7

CHECK BELOW ONLY APPROPRIATE ITEMS BEING REQUESTED
(All measurements are in linear feet)
PERMITS OTHER THAN WATER OR SEWER REQUIRE DRAINAGE BUREAU'S APPROVAL

4a) [X] ROAD OPENING PERMIT (up to 4 Ft. wide)
Length: 2 FT Type: _____ Sewer: _____ Water Service: _____ Other: Remedial Well
Any road opening over 4 Ft. wide must be approved by the Commissioner of Highways. Approval: _____

Fee: $100.00 | Paid _____

4b) [ ] CURB CUT/APRON PERMIT (1 Per Opening)
Residential: size: _____ (maximum 20 Ft.) Commercial Size _____ (maximum 30 ft.)
Lighting Bureau called [ ] PVC Required [ ] PVC not required

Fee: $100.00 | Paid _____

4c) [ ] CURB ONLY CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**

Fee: $100.00 | Paid _____

4d) [ ] SIDEWALK CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**

Fee: $100.00 | Paid _____

4e) [ ] CURB DRAIN CONNECTION (includes scupper)

Fee: $100.00 | Paid _____

HIGHWAY AREA _____ MAP NO. _____ CONTRACT AREA Yes _____ No _____
TOTAL FEES RECEIVED:

THIS PERMIT IS NOT VALID UNLESS RECEIPT NUMBERED ABOVE. ALL CONDITIONS ON REVERSE SIDE ARE OBSERVED AND IS EXECUTED BY COMMISSIONER OF HIGHWAYS.

HIGHWAY DEPARTMENT
TOWN OF OYSTER BAY NY

INSPECTED BY _____
APPROVED [ ] DISAPPROVED [ ]

_____
REVIEWED BY BY _____ DATE

Comments: _____

NOTE: PERMIT EXPIRES 60 DAYS FROM DATE OF ISSUE
No work to be started until 36 hours after permit has been issued

PERMIT MUST BE AVAILABLE FOR INSPECTION

Copy Distribution: White - Contractor/Resident
Pink - Permit
Yellow - Inspector

EXPLANATION OF ITEMS, TERMS AND CONDITIONS SHOWN ON REVERSE SIDE

(1) **Applicant** - Under Section 149, New York State Highway Law, must be a resident or taxpayer of the Town of Oyster Bay, or a corporation.

(2) **Licensed Plumber** - If plumbing is involved, this permit must be in possession of the plumber duly licensed by the Town of Oyster Bay or his representative actually doing the work.

(3) **Insurance Policy** - As too all highway excavations, must insure the Town of Oyster Bay for one million dollars ($1,000,000.00) for personal liability and five hundred thousand dollars ($500,000.00) for property Damage.

(4) **Location** - Give street address of premises affected, or section, lot and block number and distance from nearest intersection.

(5) **Repairs** - Any excavations made under this permit must be repaired by the applicant of the plumber or contractor at his own expense. Such repairs must be made to standards as set forth by the Commissioner of Public Works.

(6) **Acceptance** - Permit is not valid unless signed on behalf of the Commissioner of Public Works and accepted by applicant or owner of premises affected. If applicant is not the owner his acceptance signifies that he is authorized by the owner of the premises affected.

GENERAL CONDITIONS

A. Applicant understands and agrees that this permit is granted upon consideration that construction will be so performed as not to interrupt or interfere with public traffic upon the highway and upon further condition that the applicant will replace the earth remove and leave the highway in all respects, in as good condition as before construction, will keep all excavations in good repair and maintain for two (2) years after notice of completion has been given pursuant to Section 6 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952 revised January 25, 1977, and will save the Town harmless for all damages which may occur by reason of such construction and upon notice by the Commissioner of Highways, the applicant will make the repairs for the protection and preservation of the highway.

B. The owner of the property affected understands and agrees that under Section 149 of the New York State Highway Law, if the applicant fails to make any repair required to be made under the permit, they may be made by the Commissioner of Highways of the Town of Oyster Bay at the expense of the applicant and/or the owner and such expense shall be a lien prior to any other lien upon the land benefited by the use of the highway.

In addition, the issuing of additional permits to the applicant may be withheld until the required repairs are made and approved by the Commissioner of Highways.

C. The Commissioner of Highways may revoke this permit upon failure to comply with any part of the terms and conditions hereof.

D. **Penalties:** One Hundred ($100.00) Dollars for each offense, pursuant to Section 7 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952, as amended, and each offense constitutes disorderly conduct.

E. **Legal requirement:** Before you dig, call No Cuts 1 - 800 - 272-4480 for location of underground utilities. Contractor is responsible for receiving clearance from all utility companies servicing area prior to commencing excavation.

T.O.B. Public Lighting Phone No. 677-5736 677-5813
Cablevision Phone No. 733-3221
Nassau County Sewer Dist. 571-4152
Water Districts: Contact your nearest Water District

KEVIN M. HANIFAN
COMMISSIONER

TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT
150 Miller Place
Syosset, New York 11791-5699
www.oysterbaytown.com

(516) 677-5757
FAX (516) 677-5928

AGREEMENT FOR PERMANENT TEST WELL

THIS AGREEMENT MADE the 20th day of June, 2016 between the Town of Oyster Bay, a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York, 11771 (hereinafter referred to as the TOWN), and Northrop Grumman Systems Corporation having its principal place of business at 925 S. Oyster Bay Rd, M/S W16-35, Bethpage, NY (hereinafter referred to as Northrop Grumman).

WITNESSETH

WHEREAS, Northrop Grumman has requested Town permission to install permanent test wells within the TOWN's right-of-way on Town of Oyster Bay Parking Field No B-2 (RW-21) in Bethpage, New York; and

WHEREAS, the Town has passed Resolution No. _____, permitting the Town Supervisor to enter into and sign and execute an agreement between the Town and Northrop Grumman,

NOW, THEREFORE, it is mutually agreed as follows:

1) Northrop Grumman, prior to placing its permanent test wells- which for this agreement will mean wells that remain in the Town's right-of-way for more than a day- will file with the Highway Department, a certificate of insurance in the amount of one (1) million dollars personal and $500,000 property damage for this agreement Northrop Grumman will also see that the Town is named as additional insured and that the Town receives a site plan indicating the location of all permanent test wells.

2) Northrop Grumman will deposit with the Town ($1,500 per well)for 1 permanent test well it plans to install in the Town's right-of-way. (Deposit money will be returned when the permanent test well or wells have been removed to the satisfaction of the Town)

3) Northrop Grumman agrees to indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind of nature, whether direct or indirect, arising out of the performance of this agreement or the carelessness, negligence of improper conduct of Northrop Grumman and/or its subcontractors, agents or employees.

4) Northrop Grumman will bear all costs for installation and maintenance and removal of its permanent test wells. Northrop Grumman will also see that the installation and removal of its permanent test wells meet New York State Department of Environmental Control guidelines.

5) Northrop Grumman will provide the Town with copies of all logs, sample results and/or records obtained from installing its permanent test wells.

6) This agreement will be for an indefinite period. The Commissioner of the Department of Highways, however, Upon thirty (30) days notice, may revoke this permission for Northrop Grumman to install or maintain its permanent test wells. If after being notified, Northrop Grumman does not remove the permanent test wells, the Town will remove the permanent test wells and submit the cost to Northrop Grumman and/or its surety company for reimbursement

IN THE WITNESS WHEREOF, the parties hereto set their hands and seal this 20th of June, 20 16.

TOWN OF OYSTER BAY

BY: _____

APPLICANT

BY _____

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this _____ day of _____, 20___, before me personally came _____, _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____ _____ that he is the _____ _____ of the Town of Oyster Bay, the municipal corporation described herein and which executed the foregoing instrument; that he knows that seal of said municipal corporation; that the seal he knows that seal of said municipal corporation; that the seal affixed to said instrument is such municipal corporate seal; that it was so affixed by order of the Town Board of said municipal corporation; and that he signed his name thereto by like order.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this 28th day of June 2016, before me personally came Edward I. Hannon to me know, who, being by me duly sworn, did depose and say that he resides at 925 South Oyster Bay Road, Bethpage, NY 11714; that he is the Manager of Northrop Grumman and has the authority to sign on behalf of said corporation; that the seal affixed to said instrument by order of the Board of Directors of said corporation is said corporate seal and that he signed his name thereto by like order.

Sandra J Miller

SANDRA J. MILLER
Notary Public, State of New York
Reg. No. 01MI6042695
Qualified in Nassau County
Commission Expires May 30, 20 18

Attachment 1: Traffic Control Plan

Traffic Control Plan/Site Traffic Awareness and Response Plan
Revision 8, 10/15/2015

1.0 General

Plan type	TCP
Project Name:	Northrop Grumman System Corporation
Project Number:	NY001496.2415
Developer Name:	Xuan Xu
Duration of Project (in hours or days):	60 days
Time Restrictions (Y/N, if Y descibe below):	Y
Roadway Work Zone Start Point	See Work Description
Roadway Work Zone End Point	See Work Description
Posted Speed Limit (roadway)	30 mph
Number of Lanes (each direction)	1

Comments:
Duration of work (60 days) is approximate and may vary pending progress on each borehole. General work hours are from 7:00am to 5:00pm. Work day may be extended beyond 5:00pm as necessary to complete activities, but will be limited to the extent reasonable possible.

2.0 Work Description
Provide a brief description of scope of work:
ARCADIS will be drilling and sampling soil at locations on rights-of-ways within the Town of Oyster Bay New York (Town). Temporary and permanent recovery wells will be installed. Equipment used at each location will include a drill rig, support trucks, a water truck, portable water containers, a pump rig, and a pump. The drill rig will be secured at the location, within the work zone, until the work is complete and will not be moved offsite overnight. Construction fence and yellow flashing lights will be used around the work zone overnight. Test borings RW-20 and RW-21 will be installed. Following the completion of each test boring, a recovery well will be installed in the test boring location.

At RW-20 the intersection of Broadway and Williams Street will be closed for the duration of the work (shown in the attached figure). The work zone will begin at the intersection of Broadway and Williams Street. On Williams Street the work zone will extend approximately 40 feet west and 100 feet east of the intersection with Broadway. On Broadway the work zone will extend approximately 100 feet north and 40 feet south of the intersection with Williams Street. The actual size of the work zone may vary depending on the final location of the boring. The work zone will occupy the existing pavement and the existing grass right-of-way.

At RW-21 the southern portion of the municipal parking lot will be closed for the duration of the work (shown in attached figure).

Due to the complexity of underground utilities at these locations, 5ft hand clear will be performed to determine final drilling location. Once the recovery wells are installed, a separate crew will develop and sample the wells.

3.0 Type and Duration

Work locations on this project will be: **Long term work (>8 hours per location)**

Roadway work will be performed: **Road and sidewalk closure**

Special traffic conditions may include (select most prevalent): **Construction equipment**

4.0 Traffic Control Layout, Number of Devices Required and Phasing

The following traffic control configuration in the Field Guide to RWZ Safety applies:

Section 8.13 Atypical Traffic Control (DOT Facts-301u)

All ARCADIS vehicles in a RWZ will, at a minimum, have a functioning high intensity strobe or rotating orange light. All ARCADIS employees in the RWZ will wear, at a minimum, a retroreflective high visibility vest meeting Class II or III requirements and other PPE required by JSA or HASP. Don't leave vehicle doors open. Do not park within 25 ft of the rear or front of parked large vehicles/construction equipment.

Select the traffic control devices to be used and enter number each required:

Check all that apply:	*Wording or Pictogram*	*Number:*
☑ Warning signs	Road Work Ahead	See attached layout
☑ Warning signs	End Road Work	See attached layout
☑ Warning signs	Road Closed Ahead	See attached layout
☐ Stop/Slow paddle		
☐ Red flag		
☐ Drums		
☐ Channelizer cone (42 inch height, 10 lb base)		
☐ Channelizer cone (42 inch height, 30 lb base)		
☑ Traffic cones (≥ 18 inches tall)		20
☐ Barricade ☐ Type I ☐ Type II		
☐ Flags for cones		
☐ Lights (for night work)		
☑ Plastic fencing (rolls)		10
☑ Caution tape (rolls)		10
☑ Other (specify):		
	Type III Barricade (One Rail)	See attached layout
	Solar Warning Lights	2 per barricade
	Sidewalk Closed	See attached layout

TCP Phasing:

1) Deploy warning signs at first approach, if required
2) Deploy subsequent approach warning signs, if required
3) Deploy channeling devices, if required, starting with first approach
4) Deploy "End Road Work" signs, if required
5) Position vehicle as shield to the extent practical
6) Commence work, SSO or designated contractor to maintain devices
7) Remove devices in reverse order

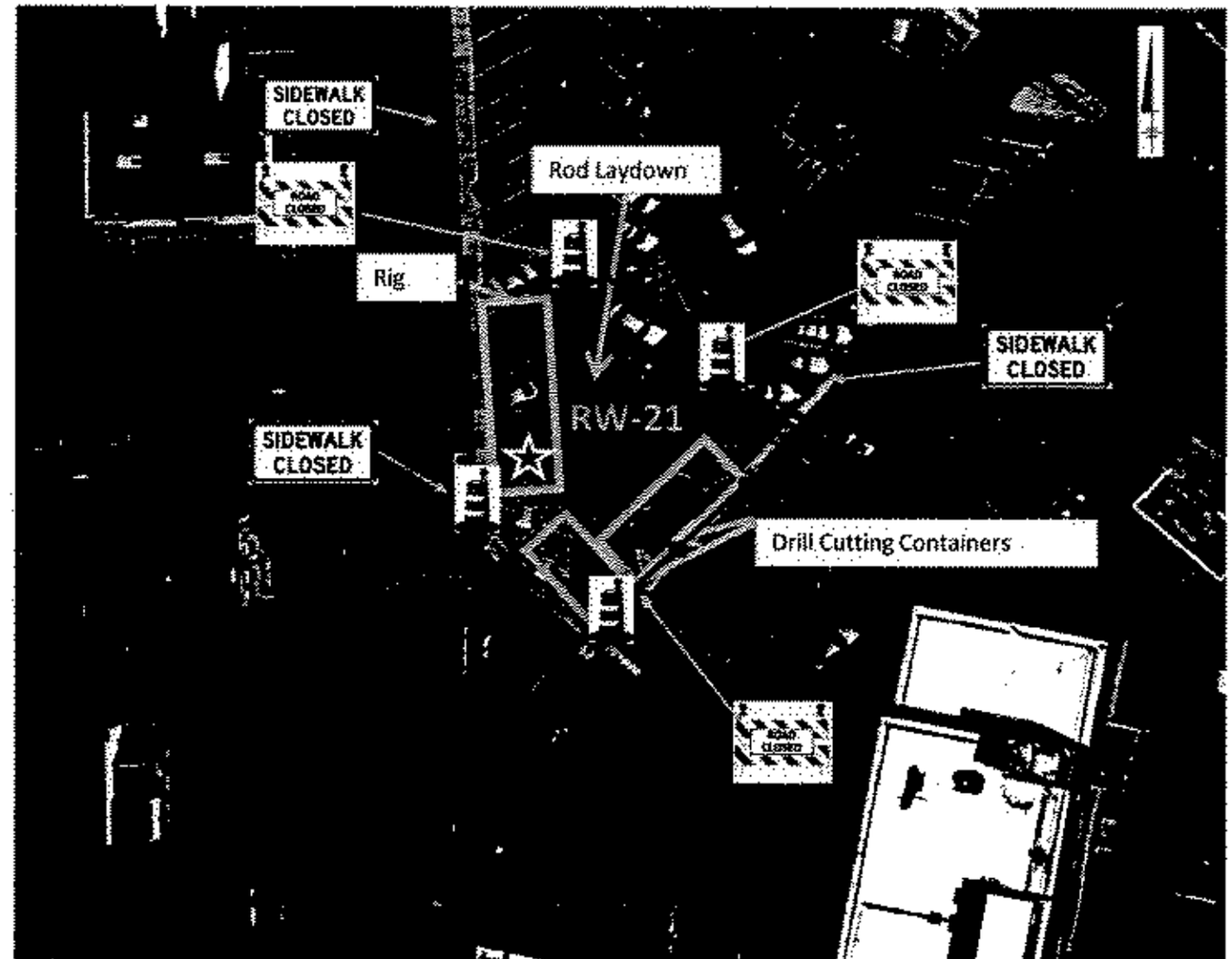
5.0 Approvals

Plan Developer: Xuan Xu

HASP Reviewer: Carlo San Giovanni

Engineering Judgment Review By: Justin Maderia

RW-21 Layout of Traffic Control Signs



Approximate location of proposed remedial well RW-21

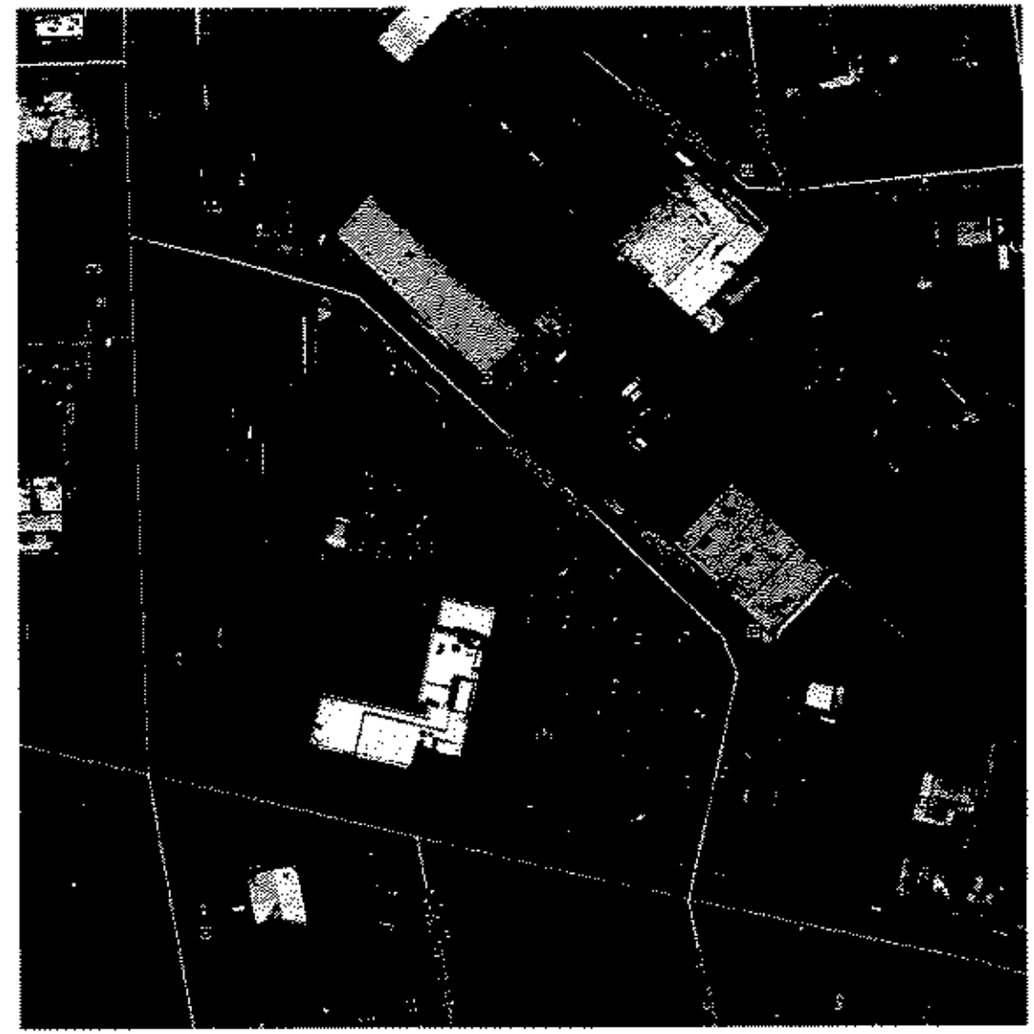
Approximate extend of Work zone

Channelizer Cones with safety fencing. Cone spacing on road side is 25ft or less apart.

Traffic drum with solar barricade flashing light

RW-21 Community Mailing Layout

Residence within red line will receive notification of upcoming work through FedEx trackable services. The notification will include a Project Factsheet and a Notice of Drilling Activities indicating corresponding boring location.



Vertical Profile Boring/Monitoring Well
VP/MW-13

PRINT OR TYPE
(All three copies must be legible)

TOWN OF OYSTER BAY

HIGHWAY DEPARTMENT
150 Miller Place, Syosset, New York 11791
Phone # 677-5762 - 677-5884

RESIDENTIAL/COMMERCIAL APPLICATION

PERMIT FOR WORK ON TOWN RIGHT-OF-WAY

(see reverse side for explanation of terms and conditions)

Application
PERMIT NO. _____
FILE NO. _____
RECEIPT NO. _____
CASH_____ CHECK#_____

www.town-of-oyster-bay.org

Phone No. 631-249-7600
(applicant)

1) _____
Name of Homeowner — address

2) Arcadis of New York, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, NY 11747
Name and address of licensed contractor/plumber — Homeowner to complete if no contractor is being hired

3) _____ _____ _____
Homeowners Insurance Company — Policy No.

_____ _____ _____
Nassau County Permit No. — Signature of Applicant — Date

LOCATIONS OF WORK TO BE PERFORMED

Address VP-13/MW-13; To be drilled at the intersection of Broadway and Wilson Ln, Bethpage, NY, in front of 73 Broadway and 33 Wilson Ln

Section: 49 Block: 177 Lot: 33

CHECK BELOW ONLY APPROPRIATE ITEMS BEING REQUESTED
(All measurements are in linear feet)
PERMITS OTHER THAN WATER OR SEWER REQUIRE DRAINAGE BUREAU'S APPROVAL

4a) [X] ROAD OPENING PERMIT (up to 4 Ft. wide)
Length: 2 FT Type: _____ Sewer: _____ Water Service: _____ Other: Monitoring Well
Any road opening over 4 Ft. wide must be approved by the Commissioner of Highways. Approval: _____
Fee: $100.00 | Paid _____

4b) [ ] CURB CUT/APRON PERMIT (1 Per Opening)
Residential: size: _____ (maximum 20 Ft.) Commercial Size _____ (maximum 30 ft.)
Lighting Bureau called [ ] PVC Required [ ] PVC not required
Fee: $100.00 | Paid _____

4c) [ ] CURB ONLY CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**
Fee: $100.00 | Paid _____

4d) [ ] SIDEWALK CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**
Fee: $100.00 | Paid _____

4e) [ ] CURB DRAIN CONNECTION (includes scupper)
Fee: $100.00 | Paid _____

HIGHWAY AREA _____ MAP NO. _____ CONTRACT AREA Yes _____ No _____
TOTAL FEES RECEIVED:

THIS PERMIT IS NOT VALID UNLESS RECEIPT NUMBERED ABOVE. ALL CONDITIONS ON REVERSE SIDE ARE OBSERVED AND IS EXECUTED BY COMMISSIONER OF HIGHWAYS.

HIGHWAY DEPARTMENT
TOWN OF OYSTER BAY NY

INSPECTED BY _____
APPROVED [ ] DISAPPROVED [ ]
Comments: _____

_____ REVIEWED BY BY _____ DATE

NOTE: PERMIT EXPIRES 60 DAYS FROM DATE OF ISSUE
No work to be started until 36 hours after permit has been issued

PERMIT MUST BE AVAILABLE FOR INSPECTION

Copy Distribution: White - Contractor/Resident
Pink - Permit
Yellow - Inspector

EXPLANATION OF ITEMS, TERMS AND CONDITIONS SHOWN ON REVERSE SIDE

(1) **Applicant** - Under Section 149, New York State Highway Law, must be a resident or taxpayer of the Town of Oyster Bay, or a corporation.

(2) **Licensed Plumber** - If plumbing is involved, this permit must be in possession of the plumber duly licensed by the Town of Oyster Bay or his representative actually doing the work.

(3) **Insurance Policy** - As too all highway excavations, must insure the Town of Oyster Bay for one million dollars ($1,000,000.00) for personal liability and five hundred thousand dollars ($500,000.00) for property Damage.

(4) **Location** - Give street address of premises affected, or section, lot and block number and distance from nearest intersection.

(5) **Repairs** - Any excavations made under this permit must be repaired by the applicant of the plumber or contractor at his own expense. Such repairs must be made to standards as set forth by the Commissioner of Public Works.

(6) **Acceptance** - Permit is not valid unless signed on behalf of the Commissioner of Public Works and accepted by applicant or owner of premises affected. If applicant is not the owner his acceptance signifies that he is authorized by the owner of the premises affected.

GENERAL CONDITIONS

A. Applicant understands and agrees that this permit is granted upon consideration that construction will be so performed as not to interrupt or interfere with public traffic upon the highway and upon further condition that the applicant will replace the earth remove and leave the highway in all respects, in as good condition as before construction, will keep all excavations in good repair and maintain for two (2) years after notice of completion has been given pursuant to Section 6 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952 revised January 25, 1977, and will save the Town harmless for all damages which may occur by reason of such construction and upon notice by the Commissioner of Highways, the applicant will make the repairs for the protection and preservation of the highway.

B. The owner of the property affected understands and agrees that under Section 149 of the New York State Highway Law, if the applicant fails to make any repair required to be made under the permit, they may be made by the Commissioner of Highways of the Town of Oyster Bay at the expense of the applicant and/or the owner and such expense shall be a lien prior to any other lien upon the land benefited by the use of the highway.

In addition, the issuing of additional permits to the applicant may be withheld until the required repairs are made and approved by the Commissioner of Highways.

C. The Commissioner of Highways may revoke this permit upon failure to comply with any part of the terms and conditions hereof.

D. **Penalties:** One Hundred ($100.00) Dollars for each offense, pursuant to Section 7 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952, as amended, and each offense constitutes disorderly conduct.

E. **Legal requirement:** Before you dig, call No Cuts 1 - 800 - 272-4480 for location of underground utilities. Contractor is responsible for receiving clearance from all utility companies servicing area prior to commencing excavation.

T.O.B. Public Lighting Phone No. 677-5736 677-5813
Cablevision Phone No. 733-3221
Nassau County Sewer Dist. 571-4152
Water Districts: Contact your nearest Water District

KEVIN M. HANIFAN
COMMISSIONER

TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT
150 Miller Place
Syosset, New York 11791-3699
www.oysterbaytown.com

(516) 571-5757
FAX (516) 677-5928

AGREEMENT FOR PERMANENT TEST WELL

THIS AGREEMENT MADE the 20th day of June, 2016, between the Town of Oyster Bay, a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York, 11771 (hereinafter referred to as the TOWN), and Northrop Grumman Systems Corporation having its principal place of business at 925 S. Oyster Bay Rd, Bethpage, NY (hereinafter referred to as Northrop Grumman).

WITNESSETH

WHEREAS, Northrop Grumman has requested Town permission to install permanent test wells within the TOWN's right-of-way on Broadway and Wilson Ln (VP-13/MW-13) in Bethpage, New York; and

WHEREAS, the Town has passed Resolution No. _____, permitting the Town Supervisor to enter into and sign and execute an agreement between the Town and Northrop Grumman,

NOW, THEREFORE, it is mutually agreed as follows:

1) Northrop Grumman, prior to placing its permanent test wells- which for this agreement will mean wells that remain in the Town's right-of-way for more than a day- will file with the Highway Department, a certificate of insurance in the amount of one (1) million dollars personal and $500,000 property damage for this agreement Northrop Grumman will also see that the Town is named as additional insured and that the Town receives a site plan indicating the location of all permanent test wells.

2) Northrop Grumman will deposit with the Town ($1,500 per well)for 1 permanent test well it plans to install in the Town's right-of-way. (Deposit money will be returned when the permanent test well or wells have been removed to the satisfaction of the Town)

3) Northrop Grumman agrees to indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind of nature, whether direct or indirect, arising out of the performance of this agreement or the carelessness, negligence of improper conduct of Northrop Grumman and/or its subcontractors, agents or employees.

4) Northrop Grumman will bear all costs for installation and maintenance and removal of its permanent test wells. Northrop Grumman will also see that the installation and removal of its permanent test wells meet New York State Department of Environmental Control guidelines.

5) Northrop Grumman will provide the Town with copies of all logs, sample results and/or records obtained from installing its permanent test wells.

6) This agreement will be for an indefinite period. The Commissioner of the Department of Highways, however, Upon thirty (30) days notice, may revoke this permission for Northrop Grumman to install or maintain its permanent test wells. If after being notified, Northrop Grumman does not remove the permanent test wells, the Town will remove the permanent test wells and submit the cost to Northrop Grumman, and/or its surety company for reimbursement

IN THE WITNESS WHEREOF, the parties hereto set their hands and seal this 20th of June, 2016.

TOWN OF OYSTER BAY

BY: _____

APPLICANT

BY _____

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this _____ day of _____, 20___, before me personally came _____, _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____ _____ that he is the _____ of the Town of Oyster Bay, the municipal corporation described herein and which executed the foregoing instrument; that he knows that seal of said municipal corporation; that the seal he knows that seal of said municipal corporation; that the seal affixed to said instrument is such municipal corporate seal; that it was so affixed by order of the Town Board of said municipal corporation; and that he signed his name thereto by like order.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this 28th day of June 2016, before me personally came Edward J. Hassan to me know, who, being by me duly sworn, did depose and say that he resides at 925 South Oyster Bay Rd, Bethpage, NY 11714; that he is the Manager of Northrop Grumman and has the authority to sign on behalf of said corporation; that the seal affixed to said instrument by order of the Board of Directors of said corporation is said corporate seal and that he signed his name thereto by like order.

Sandra J. Miller

SANDRA J. MILLER
Notary Public, State of New York
Reg. No. 01MI6042695
Qualified in Nassau County
Commission Expires May 30, 2018

Attachment 1: Traffic Control Plan

Traffic Control Plan/Site Traffic Awareness and Response Plan
Revision 8, 10/15/2015

1.0 General

Plan type	TCP
Project Name:	Northrop Grumman System Corporation
Project Number:	NY001496.2515
Developer Name:	Xuan Xu
Duration of Project (in hours or days):	30 days
Time Restrictions (Y/N, if Y descibe below):	Y
Roadway Work Zone Start Point	See Work Description
Roadway Work Zone End Point	See Work Description
Posted Speed Limit (roadway)	30 mph
Number of Lanes (each direction)	1

Comments:
Duration of work (30 days) is approximate and may vary pending progress on each borehole. General work hours are from 7:00am to 5:00pm. Work day may be extended beyond 5:00pm as necessary to complete activities, but will be limited to the extent reasonable possible.

2.0 Work Description

Provide a brief description of scope of work:
ARCADIS will be drilling and sampling groundwater and soil at locations on rights-of-ways within the Town of Oyster Bay New York (Town). Temporary and permanent wells will be installed. Equipment used at each location will include a drill rig, support trucks, a water truck, portable water containers, a pump rig, and a pump. The drill rig will be secured at the location, within the work zone, until the work is complete and will not be moved offsite overnight. Construction fence and yellow flashing lights will be used around the work zone overnight. Vertical profile borings (VPBs) VP-13, VP-14, VP-15 and VP-16 will be installed. Following the completion of each VPB, a permanent monitoring well will be installed in the VPB borehole.

At VP-13 the work zone will begin approximately 20 feet west of the intersection of Broadway and Wilson Lane. The work zone will extend approximately 100 feet west along the northern curb of Broadway, directly in front of the 73 Broadway and 33 Wilson Ln. The work zone will occupy the existing grass right-of-way on the south side of 73 Broadway and 33 Wilson Ln, and 9 feet, measured from the existing curb, of the existing roadway.

At VP-14 the work zone will begin approximately 90 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend approximately 60 feet east along the southern curb of Sophia Street. The work zone will end approximately 170 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend 50 ft south of the southern curb on Sophia Street into the grass area. The work zone will occupy the grass area on the powerline easement and will not interefere with traffic on Sophia Street.

At VP-15 the work zone will be located within the powerline easement area west of Broadway. The work zone will occupy the grass area between the overhead powerline and trees on southern side of Authur Ave. The work zone will begin approxmiately 30 feet west of the western curb of Broadway and extend approximately 80 feet west. All equpment and trucks must be staged in the grass area. No trucks or equipment shall be starged within the public roadway.

At VP-16 the work zone will be located within the powerline easement area east of Broadway. The work zone will begin approximately 370 feet east of Broadway and extend approximately 80 feet east along the

northern side of the access road within the easement. Work zone will be on the grass area and will not interfere with traffic on the access road.

Due to the complexity of underground utilities at these locations 5ft hand clear will be performed to determine final drilling location. Once the monitoring wells are installed a separate crew will develop and sample the wells.

3.0 Type and Duration

Work locations on this project will be: Long term work (>8 hours per location)

Roadway work will be performed: On shoulder and sidewalk

Special traffic conditions may include (select most prevalent): Construction equipment

4.0 Traffic Control Layout, Number of Devices Required and Phasing

The following traffic control configuration in the Field Guide to RWZ Safety applies:

Section 6.5 Shoulder Work with Minor Encroachment (DOT Facts-301m)

The following pedestrian requirements in the Field Guide to RWZ Safety applies:

Section 8.1 Sidewalk Detour or Diversion (DOT Facts-301x)

All ARCADIS vehicles in a RWZ will, at a minimum, have a functioning high intensity strobe or rotating orange light. All ARCADIS employees in the RWZ will wear, at a minimum, a retroreflective high visibility vest meeting Class II or III requirements and other PPE required by JSA or HASP. Don't leave vehicle doors open. Do not park within 25 ft of the rear or front of parked large vehicles/construction equipment.

Select the traffic control devices to be used and enter number each required:

Check all that apply:	*Wording or Pictogram*	*Number:*
☑ Warning signs	Road Work Ahead	See attached layout
☑ Warning signs	End Road Work	See attached layout
☐ Warning signs		
☐ Stop/Slow paddle		
☐ Red flag		
☐ Drums		
☐ Channelizer cone (42 inch height, 10 lb base)		
☐ Channelizer cone (42 inch height, 30 lb base)		
☑ Traffic cones (≥ 18 inches tall)		20
☐ Barricade ☐ Type I ☐ Type II		
☐ Flags for cones		
☐ Lights (for night work)		
☑ Plastic fencing (rolls)		12
☑ Caution tape (rolls)		12
☑ Other (specify):		
	Type III Barricade (One Rail)	2 per work zone
	Solar Warning Lights	1 per barricade
	Sidewalk Closed	See attached layout

TCP Phasing:

1) Deploy warning signs at first approach, if required
2) Deploy subsequent approach warning signs, if required
3) Deploy channeling devices, if required, starting with first approach
4) Deploy "End Road Work" signs, if required
5) Position vehicle as shield to the extent practical
6) Commence work, SSO or designated contractor to maintain devices
7) Remove devices in reverse order

5.0 Approvals

Plan Developer: Xuan Xu

HASP Reviewer Carlo San Giovanni

Engineering Judgment Review By: Justin Maderia

Approximate extend of work zone. Extend approximately 9ft from curb onto Wilson Ln.

Channelizer Cones. Cone spacing on road side is 25ft or less apart

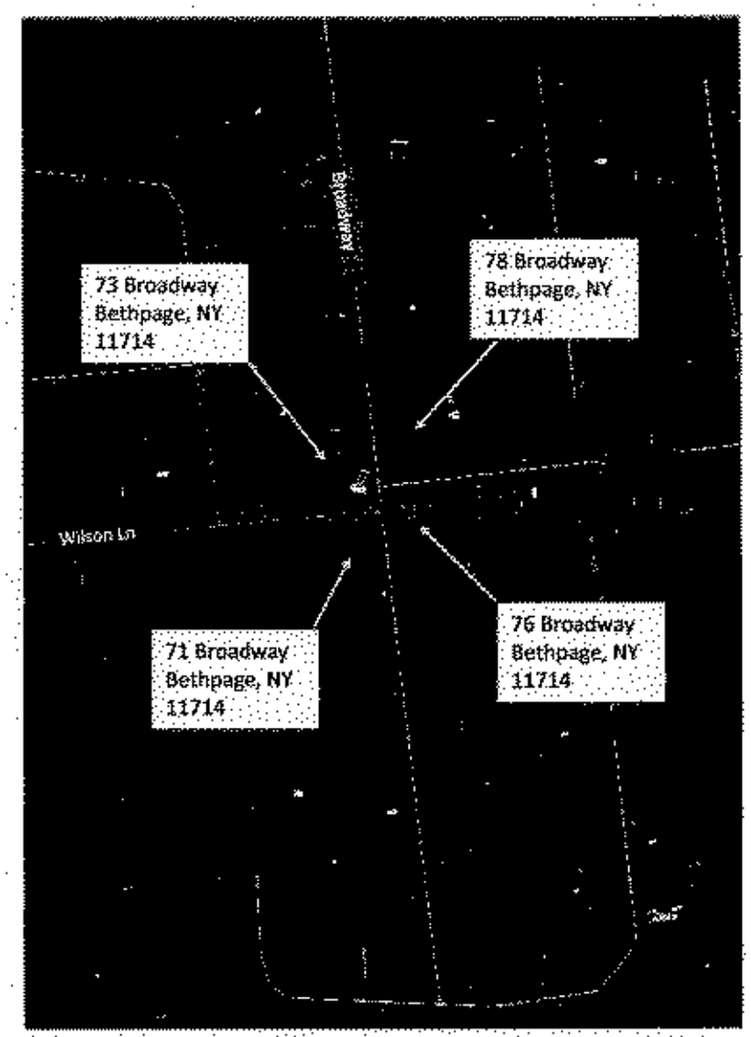
Traffic direction. Two-lane, two-way traffic will be maintained on Wilson Ln at all times.

"SIDEWALK CLOSED" will be placed at proceeding crosswalk.

VP-13 Community Mailing Layout

Residence within red line will receive notification of upcoming work through FedEx trackable services. The notification will include a Project Factsheet and a Notice of Drilling Activities indicating corresponding boring location.

VP-13/MW-13 will be installed directly in front of 73 Broadway.



Vertical Profile Boring/Monitoring Well
VP/MW-14

PRINT OR TYPE
(All three copies must be legible)

TOWN OF OYSTER BAY

HIGHWAY DEPARTMENT
150 Miller Place, Syosset, New York 11791
Phone # 677-5762 - 677-5884

RESIDENTIAL/COMMERCIAL APPLICATION

PERMIT FOR WORK ON TOWN RIGHT-OF-WAY

(see reverse side for explanation of terms and conditions)

Application
PERMIT NO. _____
FILE NO. _____
RECEIPT NO. _____
CASH_____ CHECK#_____

www.town-of-oyster-bay.org

Phone No. 631-249-7600 (applicant)

1) _____ Name of Homeowner _____ Address

2) Arcadis of New York, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, NY 11747
Name and address of licensed contractor/plumber — Homeowner to complete if no contractor is being hired

3) _____ Homeowners Insurance Company _____ Policy No.

_____ Nassau County Permit No. _____ Signature of Applicant _____ Date

LOCATIONS OF WORK TO BE PERFORMED

Address VP-14/MW-14; To be drilled on eastern end of Sophia St, Bethpage, NY

Section: 49 Block: 293 Lot: 36

CHECK BELOW ONLY APPROPRIATE ITEMS BEING REQUESTED
(All measurements are in linear feet)
PERMITS OTHER THAN WATER OR SEWER REQUIRE DRAINAGE BUREAU'S APPROVAL

4a) [X] ROAD OPENING PERMIT (up to 4 Ft. wide)
Length: 2 FT Type: _____ Sewer: _____ Water Service: _____ Other: Monitoring Well
Any road opening over 4 Ft. wide must be approved by the Commissioner of Highways. Approval: _____

4b) [ ] CURB CUT/APRON PERMIT (1 Per Opening) — Fee: $100.00 — Paid _____
Residential: size: _____ (maximum 20 Ft.) Commercial Size _____ (maximum 30 ft.)
Lighting Bureau called [ ] PVC Required [ ] PVC not required

4c) [ ] CURB ONLY CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)** — Fee: $100.00 — Paid _____ — Fee: $100.00 — Paid _____

4d) [ ] SIDEWALK CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)** — Fee: $100.00 — Paid _____

4e) [ ] CURB DRAIN CONNECTION (includes scupper) — Fee: $100.00 — Paid _____

HIGHWAY AREA _____ MAP NO. _____ CONTRACT AREA Yes _____ No _____
TOTAL FEES RECEIVED:

THIS PERMIT IS NOT VALID UNLESS RECEIPT NUMBERED ABOVE. ALL CONDITIONS ON REVERSE SIDE ARE OBSERVED AND IS EXECUTED BY COMMISSIONER OF HIGHWAYS.

HIGHWAY DEPARTMENT
TOWN OF OYSTER BAY NY

INSPECTED BY _____
APPROVED [ ] DISAPPROVED [ ]

REVIEWED BY _____ BY _____ DATE

Comments: _____

NOTE: PERMIT EXPIRES 60 DAYS FROM DATE OF ISSUE
No work to be started until 36 hours after permit has been issued

PERMIT MUST BE AVAILABLE FOR INSPECTION

Copy Distribution: White - Contractor/Resident
Pink - Permit
Yellow - Inspector

EXPLANATION OF ITEMS, TERMS AND CONDITIONS SHOWN ON REVERSE SIDE

(1) **Applicant** - Under Section 149, New York State Highway Law, must be a resident or taxpayer of the Town of Oyster Bay, or a corporation.

(2) **Licensed Plumber** - If plumbing is involved, this permit must be in possession of the plumber duly licensed by the Town of Oyster Bay or his representative actually doing the work.

(3) **Insurance Policy** - As too all highway excavations, must insure the Town of Oyster Bay for one million dollars ($1,000,000.00) for personal liability and five hundred thousand dollars ($500,000.00) for property Damage.

(4) **Location** - Give street address of premises affected, or section, lot and block number and distance from nearest intersection.

(5) **Repairs** - Any excavations made under this permit must be repaired by the applicant of the plumber or contractor at his own expense. Such repairs must be made to standards as set forth by the Commissioner of Public Works.

(6) **Acceptance** - Permit is not valid unless signed on behalf of the Commissioner of Public Works and accepted by applicant or owner of premises affected. If applicant is not the owner his acceptance signifies that he is authorized by the owner of the premises affected.

GENERAL CONDITIONS

A. Applicant understands and agrees that this permit is granted upon consideration that construction will be so performed as not to interrupt or interfere with public traffic upon the highway and upon further condition that the applicant will replace the earth remove and leave the highway in all respects, in as good condition as before construction, will keep all excavations in good repair and maintain for two (2) years after notice of completion has been given pursuant to Section 6 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952 revised January 25, 1977, and will save the Town harmless for all damages which may occur by reason of such construction and upon notice by the Commissioner of Highways, the applicant will make the repairs for the protection and preservation of the highway.

B. The owner of the property affected understands and agrees that under Section 149 of the New York State Highway Law, if the applicant fails to make any repair required to be made under the permit, they may be made by the Commissioner of Highways of the Town of Oyster Bay at the expense of the applicant and/or the owner and such expense shall be a lien prior to any other lien upon the land benefited by the use of the highway.

In addition, the issuing of additional permits to the applicant may be withheld until the required repairs are made and approved by the Commissioner of Highways.

C. The Commissioner of Highways may revoke this permit upon failure to comply with any part of the terms and conditions hereof.

D. **Penalties:** One Hundred ($100.00) Dollars for each offense, pursuant to Section 7 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952, as amended, and each offense constitutes disorderly conduct.

E. **Legal requirement:** Before you dig, call No Cuts 1 - 800 - 272-4480 for location of underground utilities. Contractor is responsible for receiving clearance from all utility companies servicing area prior to commencing excavation.

T.O.B. Public Lighting Phone No. 677-5736 677-5813
Cablevision Phone No. 733-3221
Nassau County Sewer Dist. 571-4152
Water Districts: Contact your nearest Water District

KEVIN M. HANIFAN
COMMISSIONER

TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT
150 Miller Place
Syosset, New York 11791-5899
www.oysterbaytown.com

(516) 677-5757
FAX (516) 677-5928

AGREEMENT FOR PERMANENT TEST WELL

THIS AGREEMENT MADE the 20th day of June, 2016, between the Town of Oyster Bay, a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York, 11771 (hereinafter referred to as the TOWN), and Northrop Grumman Systems Corporation having its principal place of business at 925 S. Oyster Bay Rd, Bethpage, NY (hereinafter referred to as Northrop Grumman).

WITNESSETH

WHEREAS, Northrop Grumman has requested Town permission to install permanent test wells within the TOWN's right-of-way on Sophia St (VP-14/MW-14) in Bethpage, New York; and

WHEREAS, the Town has passed Resolution No. _____, permitting the Town Supervisor to enter into and sign and execute an agreement between the Town and Northrop Grumman.

NOW, THEREFORE, it is mutually agreed as follows:

1) Northrop Grumman, prior to placing its permanent test wells- which for this agreement will mean wells that remain in the Town's right-of-way for more than a day- will file with the Highway Department, a certificate of insurance in the amount of one (1) million dollars personal and $500,000 property damage for this agreement Northrop Grumman will also see that the Town is named as additional insured and that the Town receives a site plan indicating the location of all permanent test wells.

2) Northrop Grumman will deposit with the Town ($1,500 per well)for 1 permanent test well it plans to install in the Town's right-of-way. (Deposit money will be returned when the permanent test well or wells have been removed to the satisfaction of the Town)

3) Northrop Grumman agrees to indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind of nature, whether direct or indirect, arising out of the performance of this agreement or the carelessness, negligence of improper conduct of Northrop Grumman and/or its subcontractors, agents or employees.

4) Northrop Grumman will bear all costs for installation and maintenance and removal of its permanent test wells. Northrop Grumman will also see that the installation and removal of its permanent test wells meet New York State Department of Environmental Control guidelines.

5) Northrop Grumman will provide the Town with copies of all logs, sample results and/or records obtained from installing its permanent test wells.

6) This agreement will be for an indefinite period. The Commissioner of the Department of Highways, however, Upon thirty (30) days notice, may revoke this permission for Northrop Grumman to install or maintain its permanent test wells. If after being notified, Northrop Grumman does not remove the permanent test wells, the Town will remove the permanent test wells and submit the cost to Northrop Grumman, and/or its surety company for reimbursement

IN THE WITNESS WHEREOF, the parties hereto set their hands and seal this 20th of June, 2016.

TOWN OF OYSTER BAY

BY: _____

APPLICANT

BY _____

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this _____ day of _____, 20___, before me personally came _____, _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____ _____ that he is the _____ of the Town of Oyster Bay, the municipal corporation described herein and which executed the foregoing instrument; that he knows that seal of said municipal corporation; that the seal he knows that seal of said municipal corporation; that the seal affixed to said instrument is such municipal corporate seal; that it was so affixed by order of the Town Board of said municipal corporation; and that he signed his name thereto by like order.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this 20th day of June 2016, before me personally came Edward J. Hanna to me know, who, being by me duly sworn, did depose and say that he resides at 925 South Oyster Bay Road, Bethpage, NY 11714; that he is the Manager of Winthrop Gruman and has the authority to sign on behalf of said corporation; that the seal affixed to said instrument by order of the Board of Directors of said corporation is said corporate seal and that he signed his name thereto by like order.

Sandra J. Miller

SANDRA J. MILLER
Notary Public, State of New York
Reg. No. 01MI6042695
Qualified in Nassau County
Commission Expires May 30, 20 18

Attachment 1: Traffic Control Plan

Traffic Control Plan/Site Traffic Awareness and Response Plan
Revision 8, 10/15/2015

1.0 General

Plan type	TCP
Project Name:	Northrop Grumman System Corporation
Project Number:	NY001496.2515
Developer Name:	Xuan Xu
Duration of Project (in hours or days):	30 days
Time Restrictions (Y/N, if Y descibe below):	Y
Roadway Work Zone Start Point	See Work Description
Roadway Work Zone End Point	See Work Description
Posted Speed Limit (roadway)	30 mph
Number of Lanes (each direction)	1

Comments:
Duration of work (30 days) is approximate and may vary pending progress on each borehole. General work hours are from 7:00am to 5:00pm. Work day may be extended beyond 5:00pm as necessary to complete activities, but will be limited to the extent reasonable possible.

2.0 Work Description

Provide a brief description of scope of work:
ARCADIS will be drilling and sampling groundwater and soil at locations on rights-of-ways within the Town of Oyster Bay New York (Town). Temporary and permanent wells will be installed. Equipment used at each location will include a drill rig, support trucks, a water truck, portable water containers, a pump rig, and a pump. The drill rig will be secured at the location, within the work zone, until the work is complete and will not be moved offsite overnight. Construction fence and yellow flashing lights will be used around the work zone overnight. Vertical profile borings (VPBs) VP-13, VP-14, VP-15 and VP-16 will be installed. Following the completion of each VPB, a permanent monitoring well will be installed in the VPB borehole.

At VP-13 the work zone will begin approximately 20 feet west of the intersection of Broadway and Wilson Lane. The work zone will extend approximately 100 feet west along the northern curb of Broadway, directly in front of the 73 Broadway and 33 Wilson Ln. The work zone will occupy the existing grass right-of-way on the south side of 73 Broadway and 33 Wilson Ln, and 9 feet, measured from the existing curb, of the existing roadway.

At VP-14 the work zone will begin approximately 90 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend approximately 80 feet east along the southern curb of Sophia Street. The work zone will end approximately 170 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend 50 ft south of the southern curb on Sophia Street into the grass area. The work zone will occupy the grass area on the powerline easement and will not interefere with traffic on Sophia Street.

At VP-15 the work zone will be located within the powerline easement area west of Broadway. The work zone will occupy the grass area between the overhead powerline and trees on southern side of Authur Ave. The work zone will begin approxmiately 30 feet west of the western curb of Broadway and extend approximately 80 feet west. All equpment and trucks must be staged in the grass area. No trucks or equipment shall be starged within the public roadway.

At VP-16 the work zone will be located within the powerline easement area east of Broadway. The work zone will begin approximately 370 feet east of Broadway and extend approximately 80 feet east along the

northern side of the access road within the easement. Work zone will be on the grass area and will not interfere with traffic on the access road.

Due to the complexity of underground utilities at these locations 5ft hand clear will be performed to determine final drilling location. Once the monitoring wells are installed a separate crew will develop and sample the wells.

3.0 Type and Duration

Work locations on this project will be: **Long term work (>8 hours per location)**

Roadway work will be performed: **On shoulder and sidewalk**

Special traffic conditions may include (select most prevalent): **Construction equipment**

4.0 Traffic Control Layout, Number of Devices Required and Phasing

The following traffic control configuration in the Field Guide to RWZ Safety applies:

Section 6.5 Shoulder Work with Minor Encroachment (DOT Facts-301m)

The following pedestrian requirements in the Field Guide to RWZ Safety applies:

Section 8.1 Sidewalk Detour or Diversion (DOT Facts-301x)

All ARCADIS vehicles in a RWZ will, at a minimum, have a functioning high intensity strobe or rotating orange light. All ARCADIS employees in the RWZ will wear, at a minimum, a retroreflective high visibility vest meeting Class II or III requirements and other PPE required by JSA or HASP. Don't leave vehicle doors open. Do not park within 25 ft of the rear or front of parked large vehicles/construction equipment.

Select the traffic control devices to be used and enter number each required:

Check all that apply:	*Wording or Pictogram*	*Number:*
☑ Warning signs	Road Work Ahead	See attached layout
☑ Warning signs	End Road Work	See attached layout
☐ Warning signs		
☐ Stop/Slow paddle		
☐ Red flag		
☐ Drums		
☐ Channelizer cone (42 inch height, 10 lb base)		
☐ Channelizer cone (42 inch height, 30 lb base)		
☑ Traffic cones (≥ 18 inches tall)		20
☐ Barricade ☐ Type I ☐ Type II		
☐ Flags for cones		
☐ Lights (for night work)		
☑ Plastic fencing (rolls)		12
☑ Caution tape (rolls)		12
☑ Other (specify):		
	Type III Barricade (One Rail)	2 per work zone
	Solar Warning Lights	1 per barricade
	Sidewalk Closed	See attached layout

TCP Phasing:

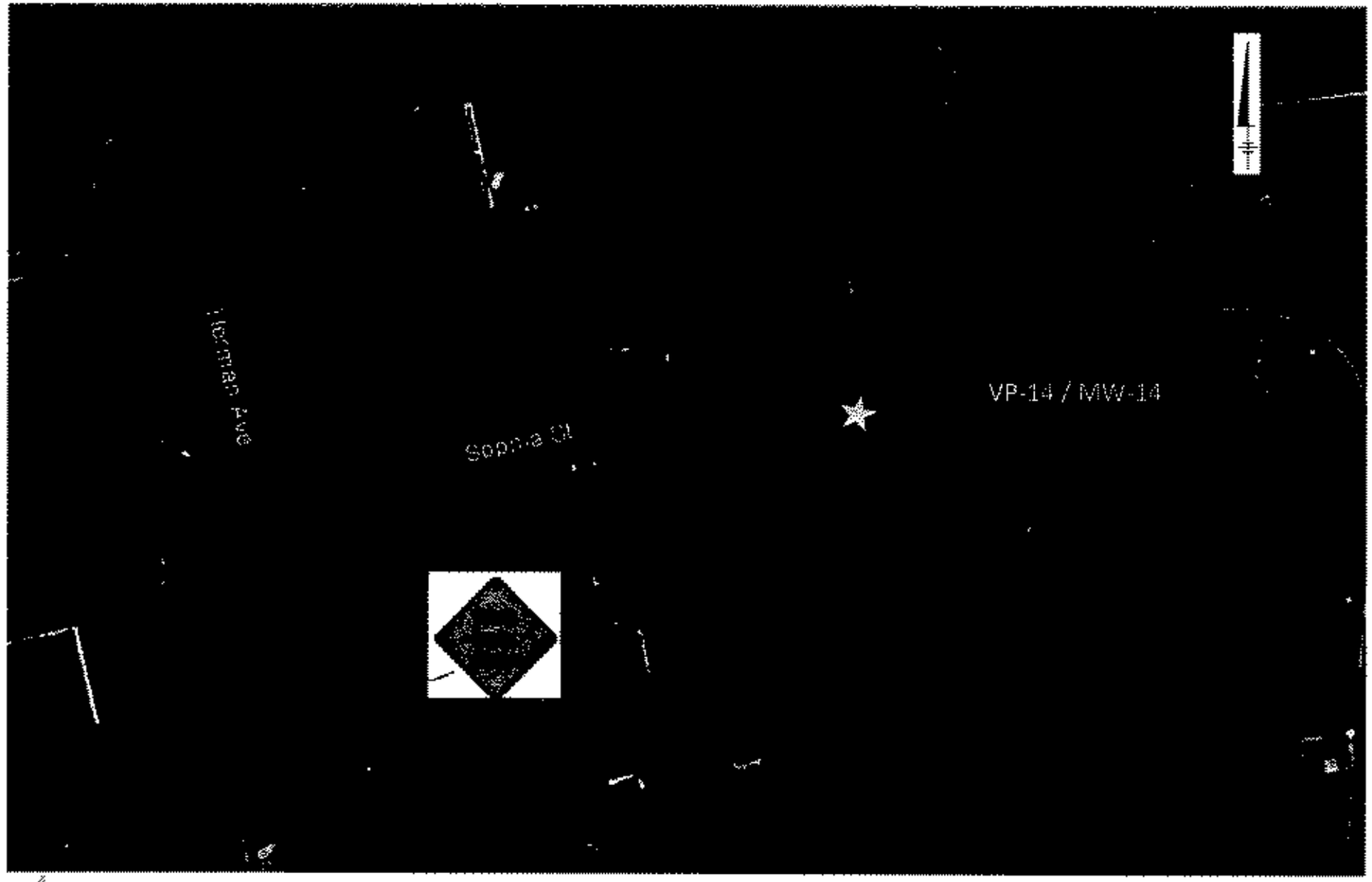
1) Deploy warning signs at first approach, if required
2) Deploy subsequent approach warning signs, if required
3) Deploy channeling devices, if required, starting with first approach
4) Deploy "End Road Work" signs, if required
5) Position vehicle as shield to the extent practical
6) Commence work, SSO or designated contractor to maintain devices
7) Remove devices in reverse order

5.0 Approvals

Plan Developer: Xuan Xu

HASP Reviewer: Carlo San Giovanni

Engineering Judgment Review By: Justin Maderia



Approximate extend of work zone. Extend approximately 5ft from curb onto Sophia St.

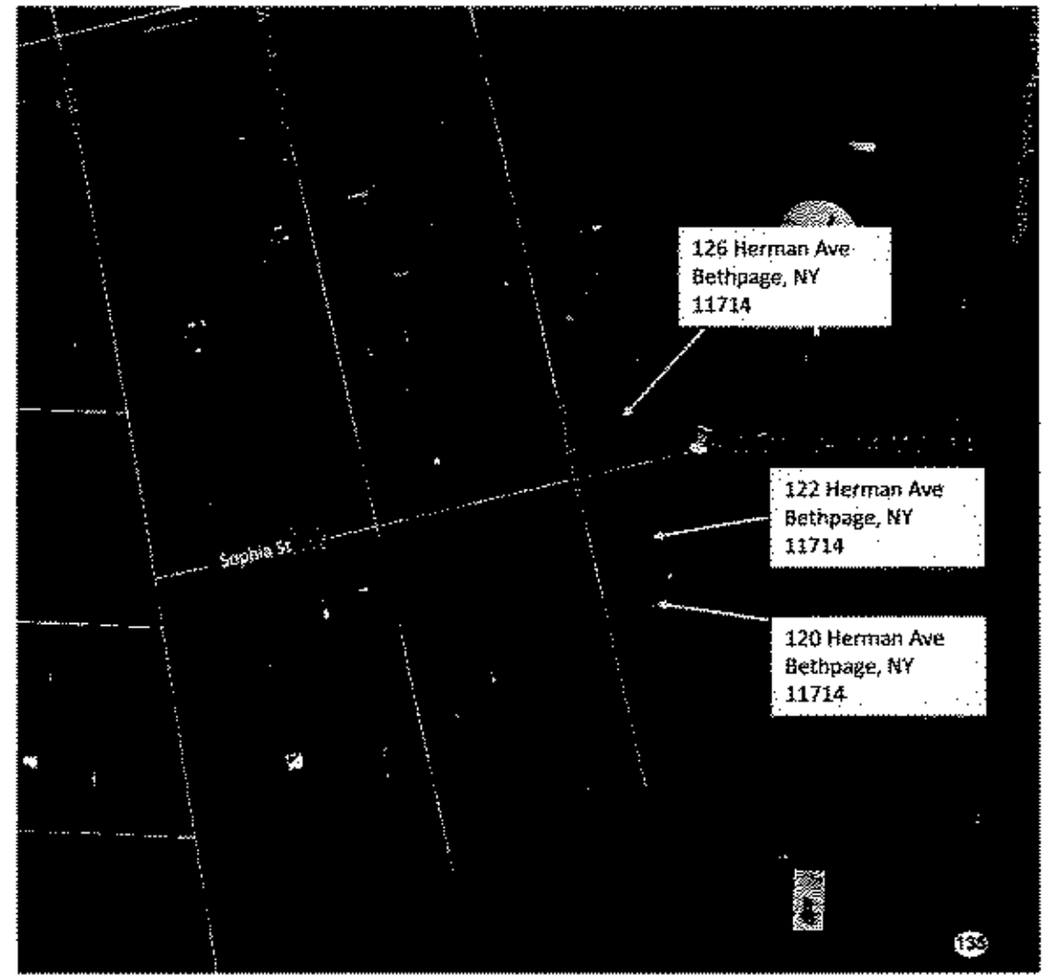
Channelizer Cones. Cone spacing on road side is 25ft or less apart

Traffic direction. Two-lane, two-way traffic will be maintained on Sophia St at all times.

VP-14 Community Mailing Layout

Residence within red line will receive notification of upcoming work through FedEx trackable services. The notification will include a Project Factsheet and a Notice of Drilling Activities indicating corresponding boring location.

VP-13/MW-13 will be installed to the east of 122 Herman Ave.



Vertical Profile Boring/Monitoring Well
VP/MW-15

PRINT OR TYPE
(All three copies must be legible)

TOWN OF OYSTER BAY

HIGHWAY DEPARTMENT
150 Miller Place, Syosset, New York 11791
Phone # 677-5762 - 677-5884

RESIDENTIAL/COMMERCIAL APPLICATION

PERMIT FOR WORK ON TOWN RIGHT-OF-WAY

(see reverse side for explanation of terms and conditions)

Application
PERMIT NO. _____
FILE NO. _____
RECEIPT NO. _____
CASH_____ CHECK#_____

www.town-of-oyster-bay.org

Phone No. 631-249-7600
(applicant)

1) _____
Name of Homeowner — address

2) Arcadis of New York, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, NY 11747
Name and address of licensed contractor/plumber — Homeowner to complete if no contractor is being hired

3) _____ _____ _____
Homeowners Insurance Company — Policy No.

_____ _____ _____
Nassau County Permit No. — Signature of Applicant — Date

LOCATIONS OF WORK TO BE PERFORMED

Address VP-15/MW-15; To be drilled on power line easement west of Broadway, Bethpage, NY

Section: 49 Block: C Lot: 302

CHECK BELOW ONLY APPROPRIATE ITEMS BEING REQUESTED
(All measurements are in linear feet)
PERMITS OTHER THAN WATER OR SEWER REQUIRE DRAINAGE BUREAU'S APPROVAL

4a) [X] ROAD OPENING PERMIT (up to 4 Ft. wide)
Length: 2 FT Type: _____ Sewer: _____ Water Service: _____ Other: Monitoring Well
Any road opening over 4 Ft. wide must be approved by the Commissioner of Highways. Approval: _____
Fee: $100.00 | Paid _____

4b) [ ] CURB CUT/APRON PERMIT (1 Per Opening)
Residential: size: _____ (maximum 20 Ft.) Commercial Size _____ (maximum 30 ft.)
Lighting Bureau called [ ] PVC Required [ ] PVC not required
Fee: $100.00 | Paid _____

4c) [ ] CURB ONLY CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**
Fee: $100.00 | Paid _____

4d) [ ] SIDEWALK CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**
Fee: $100.00 | Paid _____

4e) [ ] CURB DRAIN CONNECTION (includes scupper)
Fee: $100.00 | Paid _____

HIGHWAY AREA _____ MAP NO. _____ CONTRACT AREA Yes _____ No _____
TOTAL FEES RECEIVED:

THIS PERMIT IS NOT VALID UNLESS RECEIPT NUMBERED ABOVE. ALL CONDITIONS ON REVERSE SIDE ARE OBSERVED AND IS EXECUTED BY COMMISSIONER OF HIGHWAYS.

HIGHWAY DEPARTMENT
TOWN OF OYSTER BAY NY

INSPECTED BY _____
APPROVED [ ] DISAPPROVED [ ]

Comments: _____

_____ REVIEWED BY _____ BY _____ DATE

NOTE: PERMIT EXPIRES 60 DAYS FROM DATE OF ISSUE
No work to be started until 36 hours after permit has been issued

PERMIT MUST BE AVAILABLE FOR INSPECTION

Copy Distribution: White - Contractor/Resident
Pink - Permit
Yellow - Inspector

EXPLANATION OF ITEMS, TERMS AND CONDITIONS SHOWN ON REVERSE SIDE

(1) **Applicant** - Under Section 149, New York State Highway Law, must be a resident or taxpayer of the Town of Oyster Bay, or a corporation.

(2) **Licensed Plumber** - If plumbing is involved, this permit must be in possession of the plumber duly licensed by the Town of Oyster Bay or his representative actually doing the work.

(3) **Insurance Policy** - As too all highway excavations, must insure the Town of Oyster Bay for one million dollars ($1,000,000.00) for personal liability and five hundred thousand dollars ($500,000.00) for property Damage.

(4) **Location** - Give street address of premises affected, or section, lot and block number and distance from nearest intersection.

(5) **Repairs** - Any excavations made under this permit must be repaired by the applicant of the plumber or contractor at his own expense. Such repairs must be made to standards as set forth by the Commissioner of Public Works.

(6) **Acceptance** - Permit is not valid unless signed on behalf of the Commissioner of Public Works and accepted by applicant or owner of premises affected. If applicant is not the owner his acceptance signifies that he is authorized by the owner of the premises affected.

GENERAL CONDITIONS

A. Applicant understands and agrees that this permit is granted upon consideration that construction will be so performed as not to interrupt or interfere with public traffic upon the highway and upon further condition that the applicant will replace the earth remove and leave the highway in all respects, in as good condition as before construction, will keep all excavations in good repair and maintain for two (2) years after notice of completion has been given pursuant to Section 6 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952 revised January 25, 1977, and will save the Town harmless for all damages which may occur by reason of such construction and upon notice by the Commissioner of Highways, the applicant will make the repairs for the protection and preservation of the highway.

B. The owner of the property affected understands and agrees that under Section 149 of the New York State Highway Law, if the applicant fails to make any repair required to be made under the permit, they may be made by the Commissioner of Highways of the Town of Oyster Bay at the expense of the applicant and/or the owner and such expense shall be a lien prior to any other lien upon the land benefited by the use of the highway.

In addition, the issuing of additional permits to the applicant may be withheld until the required repairs are made and approved by the Commissioner of Highways.

C. The Commissioner of Highways may revoke this permit upon failure to comply with any part of the terms and conditions hereof.

D. **Penalties:** One Hundred ($100.00) Dollars for each offense, pursuant to Section 7 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952, as amended, and each offense constitutes disorderly conduct.

E. **Legal requirement:** Before you dig, call No Cuts 1 - 800 - 272-4480 for location of underground utilities. Contractor is responsible for receiving clearance from all utility companies servicing area prior to commencing excavation.

T.O.B. Public Lighting Phone No. 677-5736 677-5813
Cablevision Phone No. 733-3221
Nassau County Sewer Dist. 571-4152
Water Districts: Contact your nearest Water District

KEVIN M. HANIFAN
COMMISSIONER

TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT
150 Miller Place
Syosset, New York 11791-5609
www.oysterbaytown.com

(516) 677-5757
FAX (516) 677-5828

AGREEMENT FOR PERMANENT TEST WELL

THIS AGREEMENT MADE the 20th day of June, 2016, between the Town of Oyster Bay, a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York, 11771 (hereinafter referred to as the TOWN), and Northrop Grumman Systems Corporation having its principal place of business at 925 S. Oyster Bay Rd, Bethpage, NY (hereinafter referred to as Northrop Grumman).

WITNESSETH

WHEREAS, Northrop Grumman has requested Town permission to install permanent test wells within the TOWN's right-of-way on power line easement west of Broadway (VP-15/MW-15) in Bethpage, New York; and

WHEREAS, the Town has passed Resolution No. _____, permitting the Town Supervisor to enter into and sign and execute an agreement between the Town and Northrop Grumman,

NOW, THEREFORE, it is mutually agreed as follows:

1) Northrop Grumman, prior to placing its permanent test wells- which for this agreement will mean wells that remain in the Town's right-of-way for more than a day- will file with the Highway Department, a certificate of insurance in the amount of one (1) million dollars personal and $500,000 property damage for this agreement Northrop Grumman will also see that the Town is named as additional insured and that the Town receives a site plan indicating the location of all permanent test wells.

2) Northrop Grumman will deposit with the Town ($1,500 per well)for 1 permanent test well it plans to install in the Town's right-of-way. (Deposit money will be returned when the permanent test well or wells have been removed to the satisfaction of the Town)

3) Northrop Grumman agrees to indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind of nature, whether direct or indirect, arising out of the performance of this agreement or the carelessness, negligence of improper conduct of Northrop Grumman and/or its subcontractors, agents or employees.

4) Northrop Grumman will bear all costs for installation and maintenance and removal of its permanent test wells. Northrop Grumman will also see that the installation and removal of its permanent test wells meet New York State Department of Environmental Control guidelines.

5) Northrop Grumman will provide the Town with copies of all logs, sample results and/or records obtained from installing its permanent test wells.

6) This agreement will be for an indefinite period. The Commissioner of the Department of Highways, however, Upon thirty (30) days notice, may revoke this permission for Northrop Grumman to install or maintain its permanent test wells. If after being notified, Northrop Grumman does not remove the permanent test wells, the Town will remove the permanent test wells and submit the cost to Northrop Grumman and/or its surety company for reimbursement

IN THE WITNESS WHEREOF, the parties hereto set their hands and seal this 10th of June, 2016.

TOWN OF OYSTER BAY

BY: _____

APPLICANT

BY _____

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this _____ day of _____, 20___, before me personally came _____, _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____ _____ that he is the _____ of the Town of Oyster Bay, the municipal corporation described herein and which executed the foregoing instrument; that he knows that seal of said municipal corporation; that the seal he knows that seal of said municipal corporation; that the seal affixed to said instrument is such municipal corporate seal; that it was so affixed by order of the Town Board of said municipal corporation; and that he signed his name thereto by like order.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this 20th day of June 2016 2016, before me personally came Edward J. Hannon to me know, who, being by me duly sworn, did depose and say that he resides at 925 South Oyster Bay Road, Bethpage, NY 11714; that he is the Manager of Northrop Grumman and has the authority to sign on behalf of said corporation; that the seal affixed to said instrument by order of the Board of Directors of said corporation is said corporate seal and that he signed his name thereto by like order.

Sandra J. Miller
SANDRA J. MILLER
Notary Public, State of New York
Reg. No. 01MI6042695
Qualified in Nassau County
Commission Expires May 30, 2016

Attachment 1: Traffic Control Plan

Traffic Control Plan/Site Traffic Awareness and Response Plan
Revision 8, 10/15/2015

1.0 General

Plan type	TCP
Project Name:	Northrop Grumman System Corporation
Project Number:	NY001496.2515
Developer Name:	Xuan Xu
Duration of Project (in hours or days):	30 days
Time Restrictions (Y/N, if Y descibe below):	Y
Roadway Work Zone Start Point	See Work Description
Roadway Work Zone End Point	See Work Description
Posted Speed Limit (roadway)	30 mph
Number of Lanes (each direction)	1

Comments:
Duration of work (30 days) is approximate and may vary pending progress on each borehole. General work hours are from 7:00am to 5:00pm. Work day may be extended beyond 5:00pm as necessary to complete activities, but will be limited to the extent reasonable possible.

2.0 Work Description

Provide a brief description of scope of work:
ARCADIS will be drilling and sampling groundwater and soil at locations on rights-of-ways within the Town of Oyster Bay New York (Town). Temporary and permanent wells will be installed. Equipment used at each location will include a drill rig, support trucks, a water truck, portable water containers, a pump rig, and a pump. The drill rig will be secured at the location, within the work zone, until the work is complete and will not be moved offsite overnight. Construction fence and yellow flashing lights will be used around the work zone overnight. Vertical profile borings (VPBs) VP-13, VP-14, VP-15 and VP-16 will be installed. Following the completion of each VPB, a permanent monitoring well will be installed in the VPB borehole.

At VP-13 the work zone will begin approximately 20 feet west of the intersection of Broadway and Wilson Lane. The work zone will extend approximately 100 feet west along the northern curb of Broadway, directly in front of the 73 Broadway and 33 Wilson Ln. The work zone will occupy the existing grass right-of-way on the south side of 73 Broadway and 33 Wilson Ln, and 9 feet, measured from the existing curb, of the existing roadway.

At VP-14 the work zone will begin approximately 90 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend approximately 60 feet east along the southern curb of Sophia Street. The work zone will end approximately 170 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend 50 ft south of the southern curb on Sophia Street into the grass area. The work zone will occupy the grass area on the powerline easement and will not interefere with traffic on Sophia Street.

At VP-15 the work zone will be located within the powerline easement area west of Broadway. The work zone will occupy the grass area between the overhead powerline and trees on southern side of Authur Ave. The work zone will begin approxmiately 30 feet west of the western curb of Broadway and extend approximately 80 feet west. All equipment and trucks must be staged in the grass area. No trucks or equipment shall be starged within the public roadway.

At VP-16 the work zone will be located within the powerline easement area east of Broadway. The work zone will begin approximately 370 feet east of Broadway and extend approximately 80 feet east along the

northern side of the access road within the easement. Work zone will be on the grass area and will not interfere with traffic on the access road.

Due to the complexity of underground utilities at these locations 5ft hand clear will be performed to determine final drilling location. Once the monitoring wells are installed a separate crew will develop and sample the wells.

3.0 Type and Duration

Work locations on this project will be: Long term work (>8 hours per location)

Roadway work will be performed: On shoulder and sidewalk

Special traffic conditions may include (select most prevalent): Construction equipment

4.0 Traffic Control Layout, Number of Devices Required and Phasing

The following traffic control configuration in the Field Guide to RWZ Safety applies:

Section 8.5 Shoulder Work with Minor Encroachment (DOT Facts-301m)

The following pedestrian requirements in the Field Guide to RWZ Safety applies:

Section 8.1 Sidewalk Detour or Diversion (DOT Facts-301x)

All ARCADIS vehicles in a RWZ will, at a minimum, have a functioning high intensity strobe or rotating orange light. All ARCADIS employees in the RWZ will wear, at a minimum, a retroreflective high visibility vest meeting Class II or III requirements and other PPE required by JSA or HASP. Don't leave vehicle doors open. Do not park within 25 ft of the rear or front of parked large vehicles/construction equipment.

Select the traffic control devices to be used and enter number each required:

Check all that apply:	*Wording or Pictogram*	*Number:*
☑ Warning signs	Road Work Ahead	See attached layout
☑ Warning signs	End Road Work	See attached layout
☐ Warning signs		
☐ Stop/Slow paddle		
☐ Red flag		
☐ Drums		
☐ Channelizer cone (42 inch height, 10 lb base)		
☐ Channelizer cone (42 inch height, 30 lb base)		
☑ Traffic cones (≥ 18 inches tall)		20
☐ Barricade ☐ Type I ☐ Type II		
☐ Flags for cones		
☐ Lights (for night work)		
☑ Plastic fencing (rolls)		12
☑ Caution tape (rolls)		12
☑ Other (specify):		
	Type III Barricade (One Rail)	2 per work zone
	Solar Warning Lights	1 per barricade
	Sidewalk Closed	See attached layout

TCP Phasing:

1) Deploy warning signs at first approach, if required

2) Deploy subsequent approach warning signs, if required

3) Deploy channeling devices, if required, starting with first approach

4) Deploy "End Road Work" signs, if required

5) Position vehicle as shield to the extent practical

6) Commence work, SSO or designated contractor to maintain devices

7) Remove devices in reverse order

5.0 Approvals

Plan Developer: Xuan Xu

HASP Reviewer Carlo San Giovanni

Engineering Judgment Review By: Justin Maderia

Approximate extend of work zone

■ Channelizer Cones. Cone spacing on road side is 25ft or less apart

VP-15 Community Mailing Layout

Residence within red line will receive notification of upcoming work through FedEx trackable services. The notification will include a Project Factsheet and a Notice of Drilling Activities indicating corresponding boring location.

Vertical Profile Boring/Monitoring Well
VP/MW-16

PRINT OR TYPE
(All three copies must be legible)

TOWN OF OYSTER BAY

HIGHWAY DEPARTMENT
150 Miller Place, Syosset, New York 11791
Phone # 677-5762 - 677-5684

RESIDENTIAL/COMMERCIAL APPLICATION

PERMIT FOR WORK ON TOWN RIGHT-OF-WAY

(see reverse side for explanation of terms and conditions)

Application
PERMIT NO. _____
FILE NO. _____
RECEIPT NO. _____
CASH_____ CHECK#_____

www.town-of-oyster-bay.org

Phone No. 631-249-7600
(applicant)

1) _____
Name of Homeowner — address

2) Arcadis of New York, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, NY 11747
Name and address of licensed contractor/plumber — Homeowner to complete if no contractor is being hired

3) _____ _____ _____
Homeowners Insurance Company — Policy No.

_____ _____ _____
Nassau County Permit No. — Signature of Applicant — Date

LOCATIONS OF WORK TO BE PERFORMED

Address VP-16/MW-16; To be drilled on power line easement, east of Broadway, Bethpage, NY

Section: 49 Block: 105 Lot: 593

CHECK BELOW ONLY APPROPRIATE ITEMS BEING REQUESTED
(All measurements are in linear feet)
PERMITS OTHER THAN WATER OR SEWER REQUIRE DRAINAGE BUREAU'S APPROVAL

4a) ☒ ROAD OPENING PERMIT (up to 4 Ft. wide)
Length: 2 FT Type: _____ Sewer: _____ Water Service: _____ Other: Monitoring Well
Any road opening over 4 Ft. wide must be approved by the Commissioner of Highways. Approval: _____
Fee: $100.00 | Paid _____

4b) ☐ CURB CUT/APRON PERMIT (1 Per Opening)
Residential: size: _____ (maximum 20 Ft.) Commercial Size _____ (maximum 30 ft.)
Lighting Bureau called ☐ PVC Required ☐ PVC not required
Fee: $100.00 | Paid _____

4c) ☐ CURB ONLY CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**
Fee: $100.00 | Paid _____

4d) ☐ SIDEWALK CONSTRUCTION PERMIT **(per 100 Lin. Ft. or part thereof)**
Fee: $100.00 | Paid _____

4e) ☐ CURB DRAIN CONNECTION (includes scupper)
Fee: $100.00 | Paid _____

HIGHWAY AREA _____ MAP NO. _____ CONTRACT AREA Yes _____ No _____
TOTAL FEES RECEIVED:

THIS PERMIT IS NOT VALID UNLESS RECEIPT NUMBERED ABOVE. ALL CONDITIONS ON REVERSE SIDE ARE OBSERVED AND IS EXECUTED BY COMMISSIONER OF HIGHWAYS.

HIGHWAY DEPARTMENT
TOWN OF OYSTER BAY NY

INSPECTED BY _____
APPROVED ☐ DISAPPROVED ☐
Comments: _____

REVIEWED BY _____ BY _____ DATE

NOTE: PERMIT EXPIRES 60 DAYS FROM DATE OF ISSUE
No work to be started until 36 hours after permit has been issued
PERMIT MUST BE AVAILABLE FOR INSPECTION

Copy Distribution: White - Contractor/Resident
Pink - Permits
Yellow - Inspector

EXPLANATION OF ITEMS, TERMS AND CONDITIONS SHOWN ON REVERSE SIDE

(1) **Applicant** - Under Section 149, New York State Highway Law, must be a resident or taxpayer of the Town of Oyster Bay, or a corporation.

(2) **Licensed Plumber** - If plumbing is involved, this permit must be in possession of the plumber duly licensed by the Town of Oyster Bay or his representative actually doing the work.

(3) **Insurance Policy** - As too all highway excavations, must insure the Town of Oyster Bay for one million dollars ($1,000,000.00) for personal liability and five hundred thousand dollars ($500,000.00) for property Damage.

(4) **Location** - Give street address of premises affected, or section, lot and block number and distance from nearest intersection.

(5) **Repairs** - Any excavations made under this permit must be repaired by the applicant of the plumber or contractor at his own expense. Such repairs must be made to standards as set forth by the Commissioner of Public Works.

(6) **Acceptance** - Permit is not valid unless signed on behalf of the Commissioner of Public Works and accepted by applicant or owner of premises affected. If applicant is not the owner his acceptance signifies that he is authorized by the owner of the premises affected.

GENERAL CONDITIONS

A. Applicant understands and agrees that this permit is granted upon consideration that construction will be so performed as not to interrupt or interfere with public traffic upon the highway and upon further condition that the applicant will replace the earth remove and leave the highway in all respects, in as good condition as before construction, will keep all excavations in good repair and maintain for two (2) years after notice of completion has been given pursuant to Section 6 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952 revised January 25, 1977, and will save the Town harmless for all damages which may occur by reason of such construction and upon notice by the Commissioner of Highways, the applicant will make the repairs for the protection and preservation of the highway.

B. The owner of the property affected understands and agrees that under Section 149 of the New York State Highway Law, if the applicant fails to make any repair required to be made under the permit, they may be made by the Commissioner of Highways of the Town of Oyster Bay at the expense of the applicant and/or the owner and such expense shall be a lien prior to any other lien upon the land benefited by the use of the highway.

In addition, the issuing of additional permits to the applicant may be withheld until the required repairs are made and approved by the Commissioner of Highways.

C. The Commissioner of Highways may revoke this permit upon failure to comply with any part of the terms and conditions hereof.

D. **Penalties:** One Hundred ($100.00) Dollars for each offense, pursuant to Section 7 of the Ordinance of the Town of Oyster Bay, dated November 18, 1952, as amended, and each offense constitutes disorderly conduct.

E. **Legal requirement:** Before you dig, call No Cuts 1 - 800 - 272-4480 for location of underground utilities. Contractor is responsible for receiving clearance from all utility companies servicing area prior to commencing excavation.

T.O.B. Public Lighting Phone No. 677-5736 677-5813
Cablevision Phone No. 733-3221
Nassau County Sewer Dist. 571-4152
Water Districts: Contact your nearest Water District

KEVIN M. HANIFAN
COMMISSIONER

TOWN OF OYSTER BAY
HIGHWAY DEPARTMENT
150 Miller Place
Syosset, New York 11791-5699
www.oysterbayny.com

(516) 677-5757
FAX (516) 677-5928

AGREEMENT FOR PERMANENT TEST WELL

THIS AGREEMENT MADE the 30th day of June, 2016, between the Town of Oyster Bay, a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York, 11771 (hereinafter referred to as the TOWN), and Northrop Grumman Systems Corporation having its principal place of business at 926 S. Oyster Bay Rd, Bethpage, NY (hereinafter referred to as Northrop Grumman).

WITNESSETH

WHEREAS, Northrop Grumman has requested Town permission to install permanent test wells within the TOWN's right-of-way on Power line easement, east of Broadway (VP-16/MW-16) in Bethpage, New York; and

WHEREAS, the Town has passed Resolution No. _____, permitting the Town Supervisor to enter into and sign and execute an agreement between the Town and Northrop Grumman,

NOW, THEREFORE, it is mutually agreed as follows:

1) Northrop Grumman, prior to placing its permanent test wells- which for this agreement will mean wells that remain in the Town's right-of-way for more than a day- will file with the Highway Department, a certificate of insurance in the amount of one (1) million dollars personal and $500,000 property damage for this agreement Northrop Grumman will also see that the Town is named as additional insured and that the Town receives a site plan indicating the location of all permanent test wells.

2) Northrop Grumman will deposit with the Town ($1,500 per well)for 1 permanent test well it plans to install in the Town's right-of-way. (Deposit money will be returned when the permanent test well or wells have been removed to the satisfaction of the Town)

3) Northrop Grumman agrees to indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind of nature, whether direct or indirect, arising out of the performance of this agreement or the carelessness, negligence of improper conduct of Northrop Grumman and/or its subcontractors, agents or employees.

4) Northrop Grumman will bear all costs for installation and maintenance and removal of its permanent test wells. Northrop Grumman will also see that the installation and removal of its permanent test wells meet New York State Department of Environmental Control guidelines.

5) Northrop Grumman will provide the Town with copies of all logs, sample results and/or records obtained from installing its permanent test wells.

6) This agreement will be for an indefinite period. The Commissioner of the Department of Highways, however, Upon thirty (30) days notice, may revoke this permission for Northrop Grumman to install or maintain its permanent test wells. If after being notified, Northrop Grumman does not remove the permanent test wells, the Town will remove the permanent test wells and submit the cost to Northrop Grumman and/or its surety company for reimbursement

IN THE WITNESS WHEREOF, the parties hereto set their hands and seal this 20th of June, 2016.

TOWN OF OYSTER BAY

BY: _____

APPLICANT

BY _____

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this _____ day of _____, 20___, before me personally came _____, _____, to me known, who, being by me duly sworn, did depose and say that he resides at _____ _____ that he is the _____ of the Town of Oyster Bay, the municipal corporation described herein and which executed the foregoing instrument; that he knows that seal of said municipal corporation; that the seal he knows that seal of said municipal corporation; that the seal affixed to said instrument is such municipal corporate seal; that it was so affixed by order of the Town Board of said municipal corporation; and that he signed his name thereto by like order.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF NASSAU)

On this 20th day of June 2016, before me personally came Edward J. Hanna to the know, who, being by me duly sworn, did depose and say that he resides at 925 South Oyster Bay Road, Bethpage, NY 11714; that he is the Manager of Northrop Grumman and has the authority to sign on behalf of said corporation; that the seal affixed to said instrument by order of the Board of Directors of said corporation is said corporate seal and that he signed his name thereto by like order.

Sandra J Miller
SANDRA J. MILLER
Notary Public, State of New York
Reg. No. 01MI6042695
Qualified in Nassau County
Commission Expires May 30, 2018

Attachment 1: Traffic Control Plan

Traffic Control Plan/Site Traffic Awareness and Response Plan
Revision 8, 10/15/2015

1.0 General

Plan type	TCP
Project Name:	Northrop Grumman System Corporation
Project Number:	NY001496.2515
Developer Name:	Xuan Xu
Duration of Project (in hours or days):	30 days
Time Restrictions (Y/N, if Y describe below):	Y
Roadway Work Zone Start Point	See Work Description
Roadway Work Zone End Point	See Work Description
Posted Speed Limit (roadway)	30 mph
Number of Lanes (each direction)	1

Comments:
Duration of work (30 days) is approximate and may vary pending progress on each borehole. General work hours are from 7:00am to 5:00pm. Work day may be extended beyond 5:00pm as necessary to complete activities, but will be limited to the extent reasonable possible.

2.0 Work Description

Provide a brief description of scope of work:
ARCADIS will be drilling and sampling groundwater and soil at locations on rights-of-ways within the Town of Oyster Bay New York (Town). Temporary and permanent wells will be installed. Equipment used at each location will include a drill rig, support trucks, a water truck, portable water containers, a pump rig, and a pump. The drill rig will be secured at the location, within the work zone, until the work is complete and will not be moved offsite overnight. Construction fence and yellow flashing lights will be used around the work zone overnight. Vertical profile borings (VPBs) VP-13, VP-14, VP-15 and VP-16 will be installed. Following the completion of each VPB, a permanent monitoring well will be installed in the VPB borehole.

At VP-13 the work zone will begin approximately 20 feet west of the intersection of Broadway and Wilson Lane. The work zone will extend approximately 100 feet west along the northern curb of Broadway, directly in front of the 73 Broadway and 33 Wilson Ln. The work zone will occupy the existing grass right-of-way on the south side of 73 Broadway and 33 Wilson Ln, and 9 feet, measured from the existing curb, of the existing roadway.

At VP-14 the work zone will begin approximately 90 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend approximately 60 feet east along the southern curb of Sophia Street. The work zone will end approximately 170 feet east of the intersection of North Herman Avenue and Sophia Street. The work zone will extend 50 ft south of the southern curb on Sophia Street into the grass area. The work zone will occupy the grass area on the powerline easement and will not interefere with traffic on Sophia Street.

At VP-15 the work zone will be located within the powerline easement area west of Broadway. The work zone will occupy the grass area between the overhead powerline and trees on southern side of Authur Ave. The work zone will begin approxmiately 30 feet west of the western curb of Broadway and extend approximately 80 feet west. All equipment and trucks must be staged in the grass area. No trucks or equipment shall be starged within the public roadway.

At VP-16 the work zone will be located within the powerline easement area east of Broadway. The work zone will begin approximately 370 feet east of Broadway and extend approximately 80 feet east along the

northern side of the access road within the easement. Work zone will be on the grass area and will not interfere with traffic on the access road.

Due to the complexity of underground utilities at these locations 5ft hand clear will be performed to determine final drilling location. Once the monitoring wells are installed a separate crew will develop and sample the wells.

3.0 Type and Duration

Work locations on this project will be: **Long term work (>8 hours per location)**

Roadway work will be performed: **On shoulder and sidewalk**

Special traffic conditions may include (select most prevalent): **Construction equipment**

4.0 Traffic Control Layout, Number of Devices Required and Phasing

The following traffic control configuration in the Field Guide to RWZ Safety applies:

Section 6.5 Shoulder Work with Minor Encroachment (DOT Facts-301m)

The following pedestrian requirements in the Field Guide to RWZ Safety applies:

Section 8.1 Sidewalk Detour or Diversion (DOT Facts-301x)

All ARCADIS vehicles in a RWZ will, at a minimum, have a functioning high intensity strobe or rotating orange light. All ARCADIS employees in the RWZ will wear, at a minimum, a retroreflective high visibility vest meeting Class II or III requirements and other PPE required by JSA or HASP. Don't leave vehicle doors open. Do not park within 25 ft of the rear or front of parked large vehicles/construction equipment.

Select the traffic control devices to be used and enter number each required:

Check all that apply:	*Wording or Pictogram*	*Number:*
☑ Warning signs	Road Work Ahead	See attached layout
☑ Warning signs	End Road Work	See attached layout
☐ Warning signs		
☐ Stop/Slow paddle		
☐ Red flag		
☐ Drums		
☐ Channelizer cone (42 inch height, 10 lb base)		
☐ Channelizer cone (42 inch height, 30 lb base)		
☑ Traffic cones (≥ 18 inches tall)		20
☐ Barricade ☐ Type I ☐ Type II		
☐ Flags for cones		
☐ Lights (for night work)		
☑ Plastic fencing (rolls)		12
☑ Caution tape (rolls)		12
☑ Other (specify):		
	Type III Barricade (One Rail)	2 per work zone
	Solar Warning Lights	1 per barricade
	Sidewalk Closed	See attached layout

TCP Phasing:

1) Deploy warning signs at first approach, if required
2) Deploy subsequent approach warning signs, if required
3) Deploy channeling devices, if required, starting with first approach
4) Deploy "End Road Work" signs, if required
5) Position vehicle as shield to the extent practical
6) Commence work, SSO or designated contractor to maintain devices
7) Remove devices in reverse order

5.0 Approvals

Plan Developer: Xuan Xu

HASP Reviewer Carlo San Giovanni

Engineering Judgment Review By: Justin Madeña

Approximate extend of work zone

Channelizer Cones. Cone spacing on road side is 25ft or less apart

Traffic direction. Two-lane, two-way traffic will be maintained on access road at all times

VP-16 Community Mailing Layout

Residence within red line will receive notification of upcoming work through FedEx trackable services. The notification will include a Project Factsheet and a Notice of Drilling Activities indicating corresponding boring location.

Reviewed By
Office of Town Attorney

Meeting of July 12, 2016

Resolution No.384-2016

BE IT RESOLVED, that the Town of Oyster Bay / 30008 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Town Board Member	6	Joseph Muscarella		37805777	☐	1/1/16 – 12/31/19	21.87	☐
Town Board Member	6	Anthony Macagnone		39425384	☐	1/1/16 – 12/31/19	22.46	☐
Town Board Member	6	Rebecca Alesia		40162398	☐	1/1/16 – 12/31/19	21.87	☐
Town Clerk	8	James Altadonna Jr.		60351590	☐	1/1/16 – 12/31/17	24.77	☐
Receiver of Taxes	8	James J. Stefanich		39416763	☐	1/1/16 – 12/31/19	27.00	☐
Appointed Officials								
Zoning Board Member	6	Susan Cloninger		38858908	☐	1/1/16 – 12/31/20	4.48	☐

I, James Altadonna Jr., Clerk of the governing board of the Town of Oyster Bay, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 12th day of July, 2016, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Oyster Bay on this 12th day of July, 2016.

Affidavit of posting: I, James Altadonna Jr., being duly sworn, deposes and says that the posting of the

Resolution began on 07/12/2016 and continued for at least 30 days. That the resolution was available to the public on the
☒Employer's website at www.oysterbaytown.com
☒Official sign board at 54 Audrey Avenue, Oyster Bay, New York
☐Main entrance clerk's office

Employer: **Town of Oyster Bay** Location Code: **30008**

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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Human Resources
Town Board
Payroll

Town of Oyster Bay

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Vicki Spinelli, Deputy Commissioner
THRU: John Canning, Commissioner
Department of Human Resources

DATE: July 1, 2016

SUBJECT: Standard Work Day Reporting and Resolution for Elected & Appointed Positions
Supplemental Memorandum to #8 of 6/28/2016 Docket.

Pursuant to the Section 315.4 of the New York Codes Rules and Regulations of the New York State and Local Retirement System, concerning the calculation and reporting of days worked for elected or appointed officials, the governing board of the elected or appointed officials shall establish, by resolution, a standard work day for each elective or appointive position.

The aforementioned resolution shall include the number of hours prescribed as a standard work day for each position (no fewer than six hours, and no more than eight hours); the expiration of the term of each position; that the employer maintains an actual daily record of time worked for the official or the official holding office has recorded and submitted to the clerk his or her work activities for a period of three consecutive months; and the total number of days per month to be reported by the official, based upon such record of work activities.

Furthermore, the Standard Workday Resolution shall be posted for a minimum of thirty days. The new regulations also include filing and posting requirements whereby a certified copy of the Standard Work Day Resolution and an affidavit of posting shall be filed by the Town Clerk with the Office of the State Comptroller within 45 days of the adoption the resolution.

Pursuant to the foregoing, this office recommends Town Board adoption of a Standard Workday Resolution for the following: (1) elected position of Town Councilman for Anthony D. Macagnone based upon the three month reporting of his actual daily record of time worked; and (2) elected position of Town Councilman Joseph D. Muscarella based upon the three month reporting of his actual daily record of time worked; (3) the Recertification of the Record of Activities for Town Clerk James Altadonna Jr., Councilwoman Rebecca Alesia and Receiver of Taxes James J. Stefanich, and Zoning Board of Appeals-Member Susan Cloninger.

Page 1

TITLE	STANDARD WORK DAY (hours/day)	NAME	SSN (LAST 4 DIGITS)	REGISTRATIONS NUMBER	TIER	CURRENT TERM DATES	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM	RECORD OF ACTIVITIES RESULT
Elected Officials								
Town Board Member	6	Joseph D. Muscarella	9635	37805777	4	01/01/2016-12/31/2019	N	21.87
Town Board Member	6	Anthony D. Macagnone	5884	39425384	4	01/01/2016-12/31/2019	N	22.46
Town Board Member	6	Rebecca M. Alesia	0690	40162398	4	01/01/2016-12/31/2019	N	21.87
Town Clerk	8	James Altadonna Jr.	3552	39985809	4	01/01/2016-12/31/2017	N	24.77
Receiver of Taxes	8	James J. Stefanich	4966	39416763	4	01/01/2016-12/31/2019	N	27
Appointed Officials								
Member Zoning Board of Appeals	6	Susan Clonnger	7342	38858908	4	01/01/2016-12/31/2020	N	4.48

Said Resolution shall be adopted at the Town Board Meeting on July 12, 2016.

JOHN CANNING
COMMISSIONER

Vicki Spinelli
Deputy Commissioner of Human Resources

Cc: Town Attorney (+19 copies)
Town Clerk

Meeting of July 12, 2016 Resolution No. 385-2016

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 753-2015, adopted on December 15, 2015, the Town Board authorized and directed Sidney B. Bowne & Son, LLP, to provide on-call engineering services in connection with Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; 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 June 27, 2016, and Richard T. Betz, Commissioner of the Department of Public Works by memorandum dated July 1, 2016, and Sidney B. Bowne & Son, LLP, by letter dated May 25, 2016, request Town Board authorization for Sidney B. Bowne & Son, LLP to provide On-Call Engineering Services Relative to Civil Engineering under Contract No. PWC 07-16, including the design and construction phases of highway improvements for Sea Breeze Road and a portion of Canal Road in Massapequa, New York, and further request that the Comptroller issue an encumbrance order in an amount of $46,700.00, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, Project ID No. 1503 HWYDB-03,

NOW, THEREFORE, BE IT RESOLVED, That upon the requests as hereinabove set forth, Sidney B. Bowne & Son, LLP is hereby authorized to proceed to provide services in connection with Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering for Sea Breeze Road and a portion of Canal Road, Massapequa, New York, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of $46,700.00, for Contract No. PWC 07-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, Project ID No. 1503 HWYDB-03.

-#-

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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

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

90

385

DRAFT

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 27, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RECEIVED

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 07-16
HIGHWAY IMPROVEMENTS FOR SEA BREEZE ROAD AND A PORTION OF CANAL ROAD, MASSAPEQUA, NEW YORK
SIDNEY B. BOWNE & SON, LLP
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum to the Docket Committee at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on July 12, 2016.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/DJH

cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathleen Stefanich, DPW Administration
John Bishop, Department of Highways

PWC 07-16 BOWNE SEA BREEZE ROAD RESERVE A SPACE

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

July 1, 2016

TO : MEMORANDUM DOCKET

FROM : RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT : SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 20
DOCKET OF JUNE 28, 2016
ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 07-16
CIVIL ENGINEERING
ACCOUNT NO.: HWY H 5197 20000 000 1503 008
PROJECT ID NO. 1503 HWYDB-03

In furtherance to Item No. 20 of the docket of June 28, 2016, the consultant, Sidney B. Bowne & Son, LLP, has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC 07-16 by Resolution No. 753-2015 for the subject project. Funds have been made available by the Director of Finance.

At the request of the Department of Highways, attached is a letter dated May 25, 2016 from Sidney B. Bowne & Son, LLP regarding the scope of work to be performed in an amount not to exceed $46,700.00. Work to be performed includes additional design and construction phase services relative to highway improvements for Sea Breeze Road and a portion of Canal Road in Massapequa, NY.

Attached is an availability of funds in the amount of $46,700.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1503 008. These funds are utilized from remaining balances of the 2015 Capital Budget, which have been provided through a grant from the New York State Department of Transportation Multi-Modal Program.

It is hereby requested that the Town Board authorize by Resolution Sidney B. Bowne & Son, LLP under Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering, Highway Improvements for Sea Breeze Road and a portion of Canal Road, located in Massapequa, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/MR/DJH/dm
Attachment
cc: Office of the Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathy Stefanich, Administrative Division/DPW
John Bishop, Department of Highways

PWC 07-16 SUPP DKT BOWNE SEA BREEZE RD

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 28, 2016

To: ROBERT S. DARIENZO
DIRECTOR OF FINANCE

From: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Subject: REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO PWC 07-16
SIDNEY B. BOWNE & SON, LLP
CIVIL ENGINEERING

Attached please find the original On-Call Consultant Service/Requirements Contract Request for Availability of Funds and Town of Oyster Bay Work Order signed by both the requesting department and the Commissioner of Public Works.

If there are any questions, please contact Dane Marx at ext. 5779.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/ejg
Attachments

ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT
REQUEST FOR AVAILABILITY OF FUNDS

Requesting Division/Department: Highways

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number: PWC 07-16

Contract Period: January 1, 2016 through December 31, 2017

Consultant/Contractor: Sidney B. Bowne & Son, LLP

Discipline: Civil Engineering

Total Authorization: $115,600.00

Resolution No.: 753-2015 Date: 12/15/2015

Funded To Date: $68,900

Amount Requested: $46,700.00

Account To Be Used: HWY # 5197 20000 000 1503 008 / 20 1503 HWYDB 03

If Capital Account, State The Related Contract Number:

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

Funds are required for the design and construction phases of highway improvements for Sea Breeze Road and a portion of Canal Road in Massapequa, NY

Work To Be Completed In Contract Period: Yes [X] No [ ]

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes [X] No [ ]

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [X] N/A [ ]

Amount of Bond $

Requesting Division/Department	DPW Approval
	Only To Be Executed By The Commissioner
Signature: John Bishop	Signature:
Title: Highway Department	Title: Commissioner of Public Works
Date: 6-27-16	Date: 6/28/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 46,700.00

Unemcumbered Balance: 1,136,183.25

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature: Date: 6/28/16

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC 07-16 Contract End 12/31/2017

Commencement Date _____

No claim shall be paid for work performed prior to the Commencement Date

Vendor Name and Address

Sidney B. Bowne & Son, LLP

235 East Jericho Turnpike

Mineola, NY 11501

Requesting Town Department Highways

Contact Daniel Haas Phone 677-5883

Description of Work to be Performed (Attach Detail If Necessary)

Funds are required for the design and construction phases of highway

improvements for Sea Breeze Road and a portion of

Canal Road in Massapequa, New York

This work order shall not exceed $ $46,700.00

Please notify the above mentioned contact person 48 hours prior to commencing any work.

Requesting Division/Department

Signature John P. Bishop

Title Highway Department

Date 6-27-16

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date 6/28/16

BOWNE
AE&T
GROUP
Where
Experience
Empowers
Vision

Sidney B. Bowne
& Son, LLP
239 East Jericho Turnpike
PO Box 109
Mineola, NY 11501
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

May 25, 2016

Richard T. Betz
Commissioner of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791-5699

Re: Highway Improvements – Sea Breeze Rd., Massapequa

Dear Commissioner Betz,

Our estimated engineering fees for this project summarized in our letter of March 1, 2016 and subsequently approved by the Town Board were based on the design and construction of an improvement project consisting primarily of milling the existing pavement surface and placing a new asphalt wearing course. Plans and specifications have been completed based in that criteria. Engineering Services to prepare this design have expended approximately $13,600.00 of the total $26,600.00 fee amount authorized for the design phase.

In order to prepare a new design based on full reconstruction of the project area including all new curb and gutter, an increase in the authorized amounts for engineering services will be required as follows:

	Original Authorization	Additional Funds Required	Revised Total Amounts
Design Phase:	$26,600.00	$20,000.00	$46,600.00
Bid Phase	$3,500.00	$0.00	$3,500.00
Construction Phase:	$38,800.00	$26,700.00	$65,500.00

The increased amount for the design phase represents the additional survey work which will be required to perform a topographical survey and profiles of the project and to prepare a new design based on the revised design criteria. The estimated additional cost for engineering services during the construction phase is a direct result of the increase in the scope of work and the increase in the construction period for the project from 30 calendar days (4 weeks) to 56 calendar days (8 weeks).

Sincerely,

Frank J. Antetomaso, P.E.
Partner

FJA/WNT:wnt

Y:\Town\Oyster Bay\00089-SeaBreezeRd,MassapequaDesign\Doc\Eng Costs\Inc\EngCosts-DesCon.docx

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 December 1, 2015, request that LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers, be authorized to provide on-call engineering services in connection with Contract No. PWC07-16, On-Call Engineering Services, Relative to Civil Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers have an open-ended service agreement with the Town under which the services will be provided; and

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers are hereby authorized and directed to provide on-call engineering services, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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

John
HIGHWAY DEPARTMENT

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

2016 JUN 27 A 9:05

June 23, 2016

TO : JOHN BISHOP, DEPARTMENT OF HIGHWAYS

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC 07-16
ON-CALL ENGINEERING SERVICES RELATIVE TO CIVIL ENGINEERING HIGHWAY IMPROVEMENTS FOR SEA BREEZE ROAD AND A PORTION OF CANAL ROAD IN MASSAPEQUA, NEW YORK

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of $46,700.00.

Funds are required engineering services, as per the attached letter from Sidney B. Bowne & Son, LLP dated May 25, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $46,700.00 and Resolution No. 753-2015 authorizing Sidney B. Bowne & Son, LLP for on-call services.

If you have any questions, please contact Daniel Haas, Division of Engineering, at extension 5883.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

VERIFIED:

Diane I. Marx
DIANE I. MARX
ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

RTB:ELM:MR:DJH/dz
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC 07-16 REQUEST FUNDS #2 HWYS BOWNE $46,700.00

Reviewed by Office of Town Attorney

WHEREAS, by Resolution No. 739-2015, adopted on December 15, 2015, the Town Board authorized and directed 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, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; 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 June 27, 2016, and Richard T. Betz, Commissioner of the Department of Public Works by memorandum dated July 1, 2016, and Douglas A. Wilke, Architects & Engineers, by letter dated June 20, 2016, request Town Board authorization for Douglas A. Wilke, Architects & Engineers to provide On-Call Engineering Services Relative to Architecture under Contract No. PWC 22-16, including the demolition, inspection, and documentation of existing conditions along with various preliminary design phase services related to the North Massapequa Community Center fire, and further request that the Comptroller issue an encumbrance order in an amount of $8,500.00, with funds to be drawn from Account No. TWN AMS 1910 43030 606 0000 000,

NOW, THEREFORE, BE IT RESOLVED, That upon the requests as hereinabove set forth, Douglas A. Wilke, Architects & Engineers is hereby authorized to proceed to provide services in connection with Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of $8,500.00, for Contract No. PWC 22-16, with funds to be drawn from Account No. TWN AMS 1910 43030 606 0000 000.

-#-

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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
General Services
Public Works

21

386

TOWN OF OYSTER BAY

DRAFT

INTER-DEPARTMENTAL MEMO

June 27, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 22-16
NORTH MASSAPEQUA COMMUNITY CENTER FIRE
DOUGLAS A. WILKE, ARCHITECT-ENGINEER
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum to the Docket Committee at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on July 12, 2016.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/DJH

cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathleen Stefanich, DPW Administration
Eric Tuman, Commissioner/ General Services

PWC 22-16 WILKE NMCC FIRE RESERVE A SPACE

SUPERVISOR GENERAL

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

July 1, 2016

TO : MEMORANDUM DOCKET

FROM : RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT : SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 21
DOCKET OF JUNE 28, 2016
ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC 22-16
ARCHITECTURE
ACCOUNT NO.: TWN AMS 1910 43030 606 0000 000

In furtherance to Item No. 21 of the docket of June 28, 2016, the consultant, Douglas A. Wilke, Architects & Engineers has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC 22-16 by Resolution No. 739-2015 for the subject project. Funds have been made available by the Director of Finance.

At the request of the Department of General Services, attached is a letter dated June 20, 2016 from Douglas A. Wilke, Architects & Engineers regarding the scope of work to be performed. At this time the Department of Public Works requests to authorize services described as 'Phase 1' in the amount of $8,500.00, which include demolition inspection and documentation of existing conditions along with various preliminary design services.

Attached is an availability of funds in the amount of $8,500.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. TWN AMS 1910 43030 606 0000 000. These funds are provided by the 2016 Operating Budget. These funds have been provided through the Town's Insurance Policy.

It is hereby requested that the Town Board authorize by Resolution Douglas A. Wilke, Architects & Engineers under Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture, North Massapequa Community Center Restoration of Fire Damage located in North Massapequa, New York, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/MR/DJH/dm
Attachment
cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathy Stefanich, Administrative Division/DPW
Eric Tuman, Commissioner/General Services

PWC 22-16 SUPP DKT WILKE NMCC FIRE

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 28, 2016

To: ROBERT S. DARIENZO, ASSISTANT
DIRECTOR OF FINANCE

From: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Subject: REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO PWC 22-16
DOUGLAS A WILKE, ARCHITECTS & ENGINEERS
ARCHITECTURE

Attached please find the original On-Call Consultant Service/Requirements Contract Request for Availability of Funds and Town of Oyster Bay Work Order signed by both the requesting department and the Commissioner of Public Works.

If there are any questions, please contact Diane Marx at ext. 5779.

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/dm
Attachments

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 28, 2016

To: ROBERT S. DARIENZO, ASSISTANT
DIRECTOR OF FINANCE

From: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Subject: REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO PWC 22-16
DOUGLAS A WILKE, ARCHITECTS & ENGINEERS
ARCHITECTURE

Attached please find the original On-Call Consultant Service/Requirements Contract Request for Availability of Funds and Town of Oyster Bay Work Order signed by both the requesting department and the Commissioner of Public Works.

If there are any questions, please contact Diane Marx at ext. 5779.

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/dm
Attachments

ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT
REQUEST FOR AVAILABILITY OF FUNDS

Requesting Division/Department _____

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number: PWC 22-16

Contract Period: January 1, 2016 through December 31, 2017

Consultant/Contractor: Douglas A. Wilke, Architects & Engineers

Discipline: Architectural

Total Authorization: $149,500.00

Resolution No.: 739-2015 Date: 12/15/2015

Funded To Date: $141,000.00

Amount Requested: $8,500.00

Account To Be Used: TWN. AMS 1910 43030 606 0000 000

If Capital Account, State The Related Contract Number: _____

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

Funds are required for demolition inspection and documentation of existing conditions along with various preliminary design phase services - Phase 1

Work To Be Completed In Contract Period: Yes [X] No [ ]

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes [X] No [ ]

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [X]

Amount of Bond $ _____

Requesting Division/Department	DPW Approval Only To Be Executed By The Commissioner
Signature: Eric Duman	Signature: [signature]
Title: CDM Missioner	Title: Commissioner of Public Works
Date: 6/27/16	Date: 6/27/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 8,500.00

Unemcumbered Balance: 749,248.40

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature: [signature] Date: 6/28/16

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC 22-16 Contract End 12/31/2017

Commencement Date _____

No claim shall be paid for work performed prior to the Commencement Date

Vendor Name and Address

Douglas A. Wilke, Architects & Engineers

38 Roosevelt Avenue

Glen Head, NY 11545

Requesting Town Department General Services

Contact Daniel J. Haas Phone 677-5893

Description of Work to be Performed (Attach Detail If Necessary)

Funds are required for demolition inspection and documentation of existing conditions along with various preliminary design phase services - Phase 1

This work order shall not exceed $ $8,500.00

Please notify the above mentioned contact person 48 hours prior to commencing any work.

Requesting Division/Department

Signature Gus Newman

Title Commissioner

Date 6/27/16

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date 6/27/16

DOUGLAS A. WILKE
ARCHITECT-ENGINEER 38 ROOSEVELT AVE. GLEN HEAD, NEW YORK 11545 WilkeAE@Optonline.net (516) 759-9050

June 20, 2016

Richard T. Betz, Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place, Syosset, N.Y. 11791-5699

Attn.: Leslie Maccarone
Deputy Commissioner

Re: Restoration of North Massapequa Community Center

In accordance with discussions with the Department of Public Works, the office of Douglas A. Wilke, Architect & Engineer, submits the following request for authorization to perform engineering services relative to the restoration of the North Massapequa Community Center under Contract No. PWC22-16, On-Call Architecture Services.

Phase 1

Services to be provided include final inspection of the demolition work performed by Servpro, modification of existing as-built drawings to reflect existing, post-demolition conditions, review documentation provided by the Town's insurance provider for construction and reimbursement, and review of existing codes for potential necessary improvements.

Demolition Inspection:	4 Hours
Documentation of existing conditions:	12 Hours
Initial budgeting, drawings, conferencing:	12 Hours
Code Review:	20 Hours
Review of proposed restoration scope and costs:	20 Hours
Reimbursables:	$500
Not to exceed amount for Phase 1 :	**$8,500.00**

Phase 2

Services to be provided include preparation of final contract documents for the purpose of soliciting bids to perform reconstruction work, conducting field visits with contractors during the bid period, providing information, clarifications and adjustments, as necessary, relative to the contract documents, and submission of a recommendation of award to contractor(s) to the Town.

Preparation of construction documents:	240 Hours
Bid Phase services:	36 Hours
Not to exceed amount for Phase 2:	**$34,500.00**

Phase 3

Services to be provided include review and approval of necessary submissions by the contractor(s), providing part-time inspection during construction to monitor and approve the work of the contractor(s), and review and approval of payment requisitions and final submittals by the contractor(s).

Construction Phase Services:	480 Hours
Not to exceed amount for Phase 3:	**$60,000.00**

Phase 4

Services to be provided are the preparation and delivery of various drawings necessary for use by the Town, contractor(s), and the Town's insurance representatives.

Reimburseables:	$500
Not to exceed amount for Phase 4:	**$500.00**

TOTAL NOT TO EXCEED AMOUNT FOR ALL PHASES: $103,500.00

Respectfully,

Douglas A. Wilke June 20 2016

Douglas A. Wilke
Architect & Engineer

Date

Cc.: Eric Turman, General Services
Donna Swanson, Town Attorney

Reviewed By
Office of Town Attorney

Meeting of December 15, 2015 Resolution No. 739-2015

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 December 1, 2015, have requested that Angelo Francis Corva & Associates, Architects, Douglas A. Wilke, Architects & Engineers, LiRo Engineers, Inc., Nassau Suffolk Engineering & Architecture, PLLC, Lucchesi Engineering, PC, David Swift Architect, PC, John A. Grillo Architect, PC and BBS Architects, Landscape Architects & Engineers, P.C., be authorized to provide on-call engineering services in connection with Contract No. PWC 22-16 On-Call Engineering Services Relative to Architecture, for a two-year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, the abovementioned firms have an open- ended service Agreement with the Town under which the services will be provided,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, Angelo Francis Corva & Associates, Architects, Douglas A. Wilke, Architects & Engineers, LiRo Engineers, Inc., Nassau Suffolk Engineering & Architecture, PLLC, Lucchesi Engineering, PC, David Swift Architect, PC, John A. Grillo Architect, PC and BBS Architects, Landscape Architects & Engineers, P.C., are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC 22-16, On-Call Engineering Services Relative to Architecture, for a two-year contract term, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreements with the Town, 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

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 23, 2016

TO : ERIC TUMAN, COMMISSIONER
DEPARTMENT OF GENERAL SERVICES

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC22-16
ON-CALL ARCHITECTURE
DOUGLAS A. WILKE, ARCHITECTS & ENGINEERS

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of $8,500.00.

Funds are required for demolition inspection and documentation of existing conditions along with various preliminary design phase services of the North Massapequa Community Center, as per the attached letter from Douglas A. Wilke Architects & Engineers, dated June 20, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $8,500.00 and Resolution No. 739-2015 authorizing Douglas A. Wilke Architects & Engineers for on-call services.

If you have any questions, please contact Daniel J. Haas Division of Engineering, at extension 5883.

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

VERIFIED:

DIANE I. MARX
ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

RTB:ELM:MR:DJH/dz
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC22-16 WILKE GS #2 NMCC FIRE EQUEST FUNDS $8,500.00

Reviewed By
Office of Town Attorney

Meeting of July 12, 2016 Resolution No. 387-2016

WHEREAS, in connection with contract No. H12-076, The LandTek Group, Inc., by letter dated January 25, 2016, has requested an extension of time within which to complete said contract, under the same terms, conditions, and pricing as awarded in the original contract; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 1, 2016, and Sidney B. Bowne & Son, LLP by letter dated March 9, 2016, have recommended Town Board approval for an extension of time from October 24, 2015 to December 31, 2015, under the same terms, conditions, and pricing as awarded in the original contract; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 1, 2016, requests a decrease in funding for contract No. H12-076 by a net decreased amount of $271,686.51; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 1, 2016, and Sidney B. Bowne & Son, LLP by letter dated April 1, 2016, have advised that it is necessary and essential to authorize Change Order No. 1, relative to the construction phase of Contract No. H12-076, which results in a net increase of $69,695.16, due to additional labor and equipment requirements as a result of underground utility conflicts. This Change Order was reviewed and approved by the Change Order Committee on June 16, 2016. Funds are available for this purpose in Account Nos.

HWY H 5197 20000 1403 008 PROJ ID# 1403 HWYDB 02
HWY H 5197 20000 1207 008 PROJ ID# 1207 HWYDB 05
HWY H 5197 20000 1103 008 PROJ ID# 1103 HWYDB 07; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 1, 2016, has recommended that the Town Board authorize a reimbursement in the amount of $32,400.44 to Mr. Santi Greco, 135 Stillwater Avenue, Massapequa, New York 11758, due to the resident using his own contractor. LandTek Group, Inc., will be giving the Town a credit in an amount equal to the reimbursement given to the resident. It is requested that the Office of the Comptroller issue an encumbrance order utilizing Contract No. H12-076 balance of funds. Payment of said reimbursement is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 1, 2016, has recommended an increase in funding for Contract No. PWC 15-14, On-Call Technical Assistance Relative to Traffic Engineering by an additional amount of $345,500.00, due to additional time required for inspection and project coordination. Funds are available for this purpose in Account Nos.

HWY H 5197 20000 1403 008 PROJ ID# 1403 HWYDB 02
HWY H 5197 20000 1207 008 PROJ ID# 1207 HWYDB 05

HWY H 5197 20000 1103 008 PROJ ID# 1103 HWYDB 07; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 1, 2016 and Sidney B. Bowne & Son, LLP by letter dated May 3, 2016 have advised that a final inspection of the work performed under Contract No. PWC 15-14, Construction of Highway Improvements for the Stillwater Avenue Area, Massapequa, New York. 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. Final construction costs were in the amount of $345,500.00, and it is recommended that the Comptroller issue an encumbrance order in the amount of $345,500.00, in accordance with the applicable terms and provisions of the contract, after the customary review of the engineer's certificate, upon presentation of a duly certified claim, after audit; and

NOW THEREFORE IT BE RESOLVED, That upon the recommendations as hereinabove set forth, the Extension of Time for LandTek Group, Inc., in connection with Contract No. H12-076 is hereby approved. The decrease in funding in the amount of $271,686.51in connection with Contract No. H12-076 is hereby approved. Change Order No. 1 to Contract No. H12-076, with a net increase of $69,695.16 is hereby approved and the Supervisor is hereby authorized to sign Change Order No. 1. Reimbursement to resident Mr. Santi Greco in the amount of $32,400.44 is hereby approved; an Engineering Increase for Sidney B. Bowne & Son, LLP concerning Contract No. PWC 15-14 in the amount of $345,500.00 is hereby approved and that this project be accepted as being completed and that all final payments be made under Contract No. PWC 14-15; and be it further

RESOLVED, That upon the recommendations as hereinabove set forth, Extension of Time, Quantity Decrease, Change Order No. 1, Resident Reimbursement and that Contract No. PWC 14-15 is accepted as being complete 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	Absent
Councilwoman Johnson	Aye

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

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 27, 2016

TO: MEMORANDUM DOCKET

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: EXTENSION OF TIME, QUANTITY INCREASE/DECREASE, RESIDENT REIMBURSEMENT, CHANGE ORDER #1, AND FINAL ACCEPTANCE HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA MASSAPEQUA, NEW YORK
CONTRACT NO. H12-076
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on July 12, 2016.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/DJH

cc: Leonard Genova, Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
John Bishop, Department of Highways
Kathleen Stefanich, DPW Administration

H12-076 FINAL RESERVE A SPACE

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JULY 1, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 22
DOCKET OF JUNE 28, 2016
EXTENSION OF TIME, QUANTITY INCREASE/DECREASE, CHANGE ORDER NO. 1, RESIDENT REIMBURSEMENT, ENGINEERING INCREASE, AND FINAL ACCEPTANCE
HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA,
MASSAPEQUA, NEW YORK
CONTRACT NO. H12-076
CONTRACT NO. PWC 15-14 ON-CALL TECHNICAL ASSISTANCE RELATIVE TO TRAFFIC ENGINEERING

In furtherance to Item No. 22 of the docket of June 28, 2016, the Department of Public Works requests the following regarding Contract No. H12-076, Highway Improvements for the Stillwater Avenue Area, Massapequa:

EXTENSION OF TIME

Attached is a copy of a letter dated January 25, 2016, from The LandTek Group, Inc. requesting an extension of time for this project to December 31, 2015. The completion date, following a discontinuance of time, was October 24, 2015, but work was delayed due to additional tree removals, installations of new gas and water mains by the utility companies, and weather-related delays.

Attached is a letter from Sidney B. Bowne & Son, LLP dated March 9, 2016 recommending an extension of time for sixty-eight (68) calendar days beyond the current completion date of October 24, 2015. The new completion date will be December 31, 2015.

QUANTITY INCREASE/DECREASE

Attached is a letter, with backup, from Sidney B. Bowne & Son, LLP, dated May 3, 2016 concerning increases/decreases in quantities with a total net decrease in the amount of $271,686.51. Said quantity increases and decreases are explained by the consultant in this correspondence and further described as per the attached tabulation.

CHANGE ORDER NO.1

Attached is a letter from Sidney B. Bowne & Son, LLP dated April 1, 2016 concerning Change Order No.1 for a total net increase in the amount of $69,695.16 Change Order No.1 is due to additional labor and equipment requirements due to underground utility conflicts and delays in milling operations, and additional labor and material costs to re-adjust several drainage castings to finish grade.

Funds are available for this purpose in Account No. (s) :

- HWY H 5197 20000 1403 008 PROJ ID# 1403 HWYDB 02
- HWY H 5197 20000 1207 008 PROJ ID# 1207 HWYDB 05
- HWY H 5197 20000 1103 008 PROJ ID# 1103 HWYDB 07

The contractor, The LandTek Group, Inc., has submitted his price quote for the proposed work and the consultant, Sidney B. Bowne & Son, LLP, reviewed the contractor's price quote and finds the price of $69,695.16 for the additional work to be fair and reasonable. This Change Order was reviewed and approved by the Change Order Committee on June 16, 2016.

RESIDENT REIMBURSEMENT

Significant property restoration work was contractually required to be performed at 135 Stillwater Avenue. Due to the complexity of the resident's driveway and property, The LandTek Group, Inc., felt that their crews did not have the expertise to complete the work to the homeowner's satisfaction. The resident was also completing additional similar work at the property utilizing his own contractor. The resident requested, as documented in the attached letter, reimbursement for the value of the contract property restoration work that the Town's contractor was to perform that would instead be performed by his own contractor.

Attached is a letter, with backup, from Sidney B. Bowne & Son, LLP, dated May 6, 2016 concerning the quantities and the course of action to take to credit the homeowner the value of the work in the amount of $32,400.44 originally scheduled on the contract plans based on the attached summary of itemized costs.

Also attached is a letter from the Office of the Town Attorney, dated June 24, 2016, stating that reimbursement of the resident is permitted under the circumstances outlined in the memorandum from the Department of Public Works dated June 24, 2016, specifically in light of the fact that The LandTek Group, Inc. will be giving the Town a credit in an amount equal to the reimbursement to be given to the resident.

It is requested that the Office of the Comptroller issue an encumbrance order utilizing the contract balance of funds to Mr. Santi Greco, 135 Stillwater Avenue, Massapequa, New York 11758 in the amount of $32,400.44, and that payment be made to Mr. Greco upon submittal of a claim form and proper backup.

ENGINEERING INCREASE

Attached is a letter from Sidney B. Bowne & Son, LLP, dated May 3, 2016 concerning an increase in engineering under Contract No. PWC 15-14, On-Call Technical Assistance Relative to Traffic Engineering in the amount of $345,500.00. As explained by the consultant, said increase due to additional time required for inspection and project coordination.

Funds are available for this purpose in Account No. (s):

- HWY H 5197 20000 1403 008 PROJ ID# 1403 HWYDB 02
- HWY H 5197 20000 1207 008 PROJ ID# 1207 HWYDB 05
- HWY H 5197 20000 1103 008 PROJ ID# 1103 HWYDB 07.

FINAL ACCEPTANCE

Also attached herewith are:

1. A letter dated May 3, 2016 from Sidney B. Bowne & Son, LLP, recommending final acceptance by the Town of Oyster Bay.

2. The consultant's final engineer's certificate dated July 10, 2016.

3. A statement from the Town Attorney's office indicating that there are no legal hindrances.

4. A statement from the Town Comptroller indicating that there are no financial hindrances which would delay the acceptance of this contract.

5. A statement from the Department of Highways concurs with final acceptance.

Work under this contract was directed to proceed as of October 9, 2014 to be completed within 300 calendar days on August 4, 2015. Actual work was completed on December 31, 2015.

The above-noted Quantity Increase/Decrease and Change Order No. 1 result in a net decrease to the contract in the total amount of $201,991.35. Final construction costs amount to $3,264,661.15.

Therefore, we request the Town Board authorize, by resolution, the above-mentioned Extension of Time, Quantity Increase/Decrease, Change Order No.1, Resident Reimbursement, and we hereby concur with Sidney B. Bowne & Son, LLP that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller, and payment to the resident after the review of a claim by the Comptroller.

Also, it is hereby requested that the Town Board authorize, by resolution, the above-noted increase in engineering fees relative to the Construction Phase in the amount of $345,500.00, for a total amount of $345,500.00 relative to Traffic Engineering, Contract No. PWC 15-14.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/MR/JH/dm
Attachment

cc: Office of the Town Attorney (w/19 copies)
Robert McEvoy, Comptroller
John Bishop, Department of Highways
Kathy Stefanich, Administration/DPW

R12-076 FINAL, CO QUANTITY INC/DEC RESIDENT REIMBURSE SUPP

LANDTEK GROUP, INC.

235 COUNTY LINE ROAD, AMITYVILLE, NY 11701
OFFICE (631) 691-2381 • FAX (631) 598-8280

January 25, 2016

Sidney B. Bowne & Son, LLP
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501

Re: **Stillwater Avenue**
Town of Oyster Bay Contract No. H12-076
Extension of Time Request

Dear Mr. Norton-Taylor,

The specified construction period for this project is 300 calendar days. The date of commencement was October 9, 2014. After 77 calendar days, and completion of 95% of Neptune Place, the Town approved a discontinuance of contract work from December 24, 2014 until March 15, 2015. When work resumed, 223 calendar days remained to complete the project. The revised completion date was October 24, 2015.

As discussed in our progress meetings, upon restarting, several issues arose which necessitated additional time to complete the contract work. These included delays due to main replacements by National Grid and the Massapequa Water District, extensive utility offsets required throughout the project area, additional tree removals, and weather delays. These issues prohibited LandTek from performing work as originally planned, resulting in a sequencing of work that was inefficient.

For these reasons, we feel that there were causes beyond our control which affected our scheduled construction tasks. We therefore request an extension of time for Sixty Eight (68) calendar days for a revised completion date of December 31, 2015, at no additional cost to the Town.

Thank you,

Frank Labriola
Senior Director of Business Development

FL/mk

BOWNE
AE&T
GROUP
Where
Experience
Empowers
Vision

Sidney B. Bowne & Son, LLP
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

March 9, 2016

Richard T. Betz
Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Attention: Dan Haas

Re: Stillwater Avenue Area, Massapequa
Town of Oyster Bay Contract No. H12-076
Extension of Time Request (Article 18)

Dear Commissioner;

Attached is a letter, dated January 25, 2016, from The Land Tek Group requesting an extension of contract time on the referenced contract for an additional sixty-eight (68) Calendar days until December 31, 2015.

The specified construction period for this project was originally 300 calendar days. The directed starting date was October 9, 2014. After working 77 calendar days the contractor requested a discontinuance of contract time. Town granted Land Tek a discontinuance of contract time from December 24, 2014 until March 15, 2015. When work resumed, 223 calendar days remained to complete the project. The revised completion date was October 24, 2015.

The contractor states in his letter that this request is necessary for the following reasons;

1. During the fall of 2014 and again in the spring, 2015, American Water was installing new water mains within the contract limits on Stillwater Avenue, Tidewater Avenue and Waterview Avenue. Land Tek states that in order to accommodate the water district, land Tek had to keep clear from areas where utilities were being installed or offset which significantly impacted their own work schedule.

2. In the early spring, 2015 Land Tek performed test holes of existing underground utilities which cross the proposed drainage structures. There were eleven (11) gas main conflicts identified that were brought to the attention of National Grid. Due to the large number of conflicts, National Grid elected to replace all new plastic mains and house services on Waterview, Tidewater and Stillwater. This created a shift of Land Tek's resources to provide work areas for the utility. This shift affected their productivity by again altering our schedule to avoid the utility work.

   The new gas mains were directionally drilled under the sidewalk area which created additional sidewalk restoration that had to be restored at National Grid's expense. At the urging from the Town, the utilities restoration should be done by Land Tek and reimbursed by the utility. The additional sidewalk replacement was not part of Land Tek's contract and additional time was needed for scheduling the additional concrete work.

3. Tree removals increased by four (4) times the original bid quantity. The final list for tree removals is created after the surveyors stake out the new curb line and trees which will be endangered or are in conflict are finally designated for removal. After the affected homeowners are notified and a signed release is obtained, the contractor could schedule his tree removal sub-contractor. This release process required repeated visits with the homeowners until formal contact is made. The contractor states that this process interrupted them from scheduling their sub-contractor until there were enough trees approved and marked for removal.

4. Land Tek further states that there were circumstances beyond his control dealing with rain days which caused not only lost days but less than productive days when they did man the project during inclement weather. The contractor claims by historical data that he experienced ninety-four (94) rain days between (10-10-14 and 12-24-14) and (3-16-15 and 12-31-15).

For the reasons stated above, we feel there were causes beyond the contractor's control which affected their scheduled production rates. As a result of a review of weather records and project reports we feel the Contractor's request is justified and we therefore, recommend granting The Land Tek Group an extension of time of sixty-eight (68) calendar days for a revised completion date of December 31, 2015.

The contractor states in his request, that there will be no additional cost to the Town due to this request.

Sincerely,

Frank J. Antetomaso, P.E.
Partner

Attachment:

cc: Dan Haas, Town of Oyster Bay
Kevin D. Mansfield

T:\Town\Oyster Bay\[illegible]-Const-S[illegible]-Neptune\Pt.Massapequa_General\Doc\Time Extension recommendation Rev-6-29-2015.docx

BOWNE
AE&T
GROUP
Where
Experience
Empowers
Vision

Sidney B. Bowne & Son, LLP
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

May 3, 2016

Richard T. Betz
Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Re: Construction of Highway Improvements for
the Stillwater Avenue Area, Located in Massapequa, N.Y.
Contract No. H12-076 (P.W. 026-14)
Final Report: Contractor's Extension of Time, Quantity Increase/Decrease,
Change Order #1, Contractor's Final Acceptance, Additional Engineering Fees

Dear Sir:

The directed start date for this project was October 9, 2014 and the originally scheduled completion date was August 4, 2015. Construction of this project commenced on October 9, 2014 and was substantially completed by December 31, 2015. Due to winter weather the contractor requested and was granted by the Town a discontinuance of work from December 24, 2014 until March 15, 2015. The revised completion date due to this discontinuance period was October 24, 2015. The contractor was not able to complete the project within the allotted time and requested an extension of contract time. In his request the Contractor Noted that the installation of new water mains within the project area by New York American Water made it necessary for him to reschedule work to avoid interference with the Water District's Contractor. The installation of new gas mains and services by National Grid on Waterview Ave., Tidewater Ave., and Stillwater Ave. again made it necessary to reschedule work in order to avoid conflicts with the Gas Main contractor. Restoration of the sidewalk areas damaged due to the new gas main installation was performed by The LANDTEK GROUP, Inc. at the Town's request but at the Utility Company's cost, with the result that additional time was required for scheduling and completing the work. Additional tree removals beyond those shown on the plans were found to be required after the curb stake-out was performed, obtaining homeowner releases, and scheduling the work added additional time to the project. Finally, weather related delays produced several days of reduced or lost productivity. We therefore, recommend granting The LANDTEK GROUP,Inc. an extension of time of sixty-eight (68) calendar days to December 31, 2015. The contractor states in his request, that there will be no additional cost to the Town due to this request.

The total amount bid for the project was $3,466,652.50. An additional amount of $173,332.63 was reserved for contingencies. During construction, it was found necessary to increase and/or decrease the quantities of some items of work in the contract. These increases and/or decreases are addressed by Notification No. 1 which reflects a net decrease of ($271,686.51). Notification No. 1 is forwarded herewith for your approval.

As work progressed during construction, some time related disruptions occurred which caused additional work that was not part of the original contract but was necessary to fulfill the scope of work. This additional work amounts to an additional $69,695.16 and is addressed by Change

Order No.1 (forwarded previously) and as more fully explained in our letter dated April 1, 2015 (copy attached).

A final inspection of the project has been performed by this office and representatives of the Town and all work has been found to have been satisfactorily completed. We hereby recommend final acceptance of the project. Final certification for this contract is forwarded under separate cover.

Our original proposal for Engineering Services for this project was based on the assumption that the Town's Contractor, The LANDTEK GROUP, Inc. would have sole possession of the project area and would thus be enabled to schedule and coordinate his operations to his best advantage and without outside interference. As the Town's Contractor, The LANDTEK GROUP, Inc. prepared to commence work, both National Grid and New York American Water made the Town and the Contractor aware of their plans to replace all or some of their mains within the project area and in conjunction with the Town's project. As can be expected, having three Contractors working within the project area resulted in coordination and scheduling problems as well as additional effort on the part of our Resident Representative serving as liaison between the various groups. Often, in order to work around the utility contractors (whose work by necessity was to precede the Town's), the Town's Contractor found it necessary to work at scattered locations throughout the project, thus reducing efficiency and making proper inspection more difficult. As a result we found it necessary to double and sometimes triple our inspection and office support staff to the project.

In anticipation of the work by the utility Contractors, The LANDTEK GROUP, Inc. delayed starting work in the main body of the project (Stillwater Avenue, Tidewater Avenue, Waterview Avenue and Osprey Place) until after the details of the utility construction were finalized to avoid conflicts with the new drainage construction. As a consequence, The LANDTEK GROUP, Inc. was only able to commence work on Neptune Place in the fall of 2014. After 77 calendar days of work, The LANDTEK GROUP, Inc. discontinued operations for the winter without having been able to commence work on the main body of the project.

During the course of construction, the Contractor experienced various delays due to the Utility construction, extra tree removals and inclement weather, all of which added 32 days of construction. The additional 32 days of construction required an additional 32 days of resident inspection.

As bid, the pavement construction for this project was to consist of milling the existing pavement and resurfacing with an asphalt wearing course. Due to the various utility trenches and pavement repairs of same by the respective Utility Contractors, milling was performed only outside of the various trench areas thus making control of the milling operation more difficult and the computation of the payment quantity more complicated.

The Contractor has submitted several change orders for extra work on the project. The additional work and the processing of these change orders resulted in additional Engineering time expended to both oversee the additional work and to negotiate and process said change orders.

As a result of the additional time required for inspection and coordination of the project we have incurred costs which exceed our authorized amount and hereby request that said amount be increased by $345,500.00, this amount will cover our cost of $342,100.00 incurred through November 25, 2015 (completion of active conctruction) plus an additional $3,400.00 for services anticipated during the Contractor's Maintenance Bond period.

The following summary of Engineering and additional related optional costs associated with the Construction Phase of this project is provided for your use:

1.	Total Amount Authorized for Engineering and related Optional Services during the Construction Phase:		$ 496,300.00
2.	Funds required during the period of the Contractor's Guarantee and Maintenance Bond:		
	A.	Engineering Services under Agreement Item II D (Basic Services):	$ 2,500.00
	B.	Engineering Services to input project data to the Town's Pavement Management Database authorized as part of the Construction Phase:	$ 900.00
	C.	Total Funds Anticipated to be required for Bond Period (2A + 2B):	$ 3,400.00
	D.	Additional Funds required through the completion of active construction, (November 25, 2015):	$ 342,100.00
3.	Funds Required vs. Funds Authorized:		
	A.	Total Additional Engineering Funds required (2C + 2D):	$ 345,500.00
	B.	Total Cost of Engineering and related Optional Services during the Construction Phase:	$ 841,800.00

Sincerely,

Frank J. Antetomaso, P.E, Partner.
FJA:KM:tbm
attach:
T:\Town\Oyster Bay\00006-05-Constr-SBWaterAve-NoptunePl\Massapequa_General\Doc\final report-FINAL 6-29-16 rev.docx

FINAL ACCEPTANCE

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
DEPARTMENT OF PUBLIC WORKS

CONTRACT NO: H12-076 DATE: May 3, 2016

PROJECT NAME: Construction of Highway Improvements for The Stillwater Avenue Area Located in Massapequa, N.Y.

CONTRACTOR: The LandTek Group, Inc.

ADDRESS: 235 County Line Road, Amityville, NY 11701

BID DATE: June 18, 2014

CONTRACTOR DIRECTED TO PROCEED WITH WORK ON: October 9, 2014

ACTUAL STARTING DATE: October 9, 2014

WORK TO BE COMPLETED WITHIN: 300 calendar days

ORIGINAL CONTRACT DATE OF COMPLETION: August 4, 2015

ACTUAL DATE WORK WAS COMPLETED: December 31, 2015

EXTENSIONS REQUESTED: (1 @ Sixty-eight (68)); (Discontinuance, 1@ 77) CALENDAR DAYS

EXTENSIONS GRANTED: (1 @ Sixty-eight (68) (pending)) ; (Discontinuance, 1 @ 77)

CONTRACT DATE OF COMPLETION WITH EXTENSIONS: December 31, 2015

CONTRACT BID PRICE	$	3,466,652.50
RESERVE FOR POTENTIAL QUANTITY INCREASES	$	173,332.63
SUBTOTAL	$	3,639,985.13
AUTHORIZED MAXIMUM COST OF CHANGE ORDERS AND QUANTITY INCREASE/DECREASES (includes Notification # 1 and CO#1 Pending) (* Decrease)	$	(201,991.35)
TOTAL FUNDS ALLOCATED FOR PROJECT	$	3,437,993.8
FINAL CONSTRUCTION COST	$	3,264,661.15

RECOMMENDED FOR ACCEPTANCE

Engineer in Charge
Consulting Engineers
Sidney B. Bowne & Son, LLP

*	Notification No. 1 Quantity Increase / Decrease (Decrease) T.B.R. Pending	$	(271,686.51)
*	Change Order No. 1 (Increase) T.B.R. Pending	$	69,695.16
*	Net Change (Decrease)	$	(201,991.35)

SIDNEY B. BOWNE & SON
CONSULTING ENGINEERS

235 East Jericho Turnpike
Mineola, New York 11501

Contract Number: H12-076
QUANTITY INCREASE / DECREASE
NOTIFICATION NUMBER: 1
Dated: April 1, 2016

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

DECREASES:

During construction some contract unit quantities were not required and some quantities were not expended up to the full estimated quantity shown in the proposal. The quantities shown in the proposal are only approximate. Some final quantities are substantially less due to the prudent saving of existing infrastructure wherever possible.

Some items are included as contingencies and are only to be used if required by conditions encountered during construction. Actual field conditions encountered during construction did not necessitate the use of some of these items.

The final quantities submitted for payment are based on actual field measurements of the final work installed, measured and accepted in accordance with the plans, specifications and the directions of the Engineer.

These decreases are summarized as follows:

* ITEM: 2B	Alteration of Trench Depth								
	Decrease estimated quantity from		150	LF	to	0.00	LF		
	Decrease in cost of	(150)	LF	@ Unit Price Bid of		$30.00	=	$	(4,500.00)
* ITEM: 2U	Undercut								
	Decrease estimated quantity from		30	CY	to	25.00	CY		
	Decrease in cost of	(5)	CY	@ Unit Price Bid of		$31.25	=	$	(156.25)
ITEM: 4B-P	Remove Existing Pipe								
	Decrease estimated quantity from		2,100	LF	to	2,059.40	LF		
	Decrease in cost of	(40.60)	LF	@ Unit Price Bid of		$6.00	=	$	(243.60)
ITEM: 4D	Bituminous Concrete Saw Cut								
	Decrease estimated quantity from		220	LF	to	18.60	LF		
	Decrease in cost of	(201.40)	LF	@ Unit Price Bid of		$4.00	=	$	(805.60)
ITEM: 4E	Full Depth Saw Cut of Cement Concrete Pavement and/or Bituminous Concrete Pavement								
	Decrease estimated quantity from		21,500	LF	to	13,806.50	LF		
	Decrease in cost of	(7,693.50)	LF	@ Unit Price Bid of		$5.50	=	$	(42,314.25)
ITEM: 4E-1	Full Depth Saw Cut of Cement Concrete Sidewalk and/or Driveway								
	Decrease estimated quantity from		550	LF	to	525.00	LF		
	Decrease in cost of	(24.00)	LF	@ Unit Price Bid of		$5.50	=	$	(132.00)

SIDNEY B. BOWNE & SON
CONSULTING ENGINEERS

235 East Jericho Turnpike
Mineola, New York 11501

Contract Number: H12-076
QUANTITY INCREASE / DECREASE
NOTIFICATION NUMBER: 1
Dated: April 1, 2016

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM: 12B-18	Furnish and Lay 18" Diameter, Class IV Reinforced Concrete Pipe								
	Decrease estimated quantity from		780	LF	to	455.30	LF		
	Decrease in cost of	(324.70)	LF	@ Unit Price Bid of		$50.00	=	$	(16,235.00)
ITEM: 12B-18HE	Furnish and Lay 18" Diameter Equivalent , Class IV Reinforced Concrete Horizontal Elliptical Pipe (14" X 23")								
	Decrease estimated quantity from		480	LF	to	455.95	LF		
	Decrease in cost of	(24.05)	LF	@ Unit Price Bid of		$80.00	=	$	(1,924.00)
ITEM: 12B-24	Furnish and Lay 24" Diameter, Class IV Reinforced Concrete Pipe								
	Decrease estimated quantity from		160	LF	to	133.80	LF		
	Decrease in cost of	(26.20)	LF	@ Unit Price Bid of		$80.00	=	$	(2,096.00)
ITEM: 12B-30	Furnish and Lay 30" Diameter, Class IV Reinforced Concrete Pipe								
	Decrease estimated quantity from		160	LF	to	152.60	LF		
	Decrease in cost of	(7.40)	LF	@ Unit Price Bid of		$95.00	=	$	(703.00)
ITEM: 12B-30HE	Furnish and Lay 30" Diameter Equivalent , Class IV Reinforced Concrete Horizontal Elliptical Pipe (24" X 38")								
	Decrease estimated quantity from		715	LF	to	691.00	LF		
	Decrease in cost of	(24.00)	LF	@ Unit Price Bid of		$130.00	=	$	(3,120.00)
ITEM: 12B-8-DIP	Furnish and lay 8" Diameter Ductile Iron Pipe								
	Decrease estimated quantity from		125	LF	to	97.60	LF		
	Decrease in cost of	(27.40)	LF	@ Unit Price Bid of		$60.00	=	$	(1,644.00)
ITEM: 12B-14-DIP	Furnish and lay 14" Diameter Ductile Iron Pipe								
	Decrease estimated quantity from		250	LF	to	231.35	LF		
	Decrease in cost of	(18.65)	LF	@ Unit Price Bid of		$100.00	=	$	(1,865.00)

SIDNEY B. BOWNE & SON
CONSULTING ENGINEERS

235 East Jericho Turnpike
Mineola, New York 11501

Contract Number: H12-076
QUANTITY INCREASE / DECREASE
NOTIFICATION NUMBER: 1
Dated: April 1, 2019

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM: 13C	Catch Basin, Type C (4 inch Casting Reveal)									
	Decrease estimated quantity from			3	EA	to	2	EA		
	Decrease in cost of	(1)	EA	@ Unit Price Bid of			$8,000.00	=	$	(8,000.00)
ITEM: 13D	Catch Basin, Type D (4-inch Casting Reveal)									
	Decrease estimated quantity from			2	EA	to	1	EA		
	Decrease in cost of	(1)	EA	@ Unit Price Bid of			$4,500.00	=	$	(4,500.00)
ITEM: 13YD	Yard Drain									
	Decrease estimated quantity from			17	EA	to	9	EA		
	Decrease in cost of	(8)	EA	@ Unit Price Bid of			$2,500.00	=	$	(20,000.00)
* ITEM: 16M-A	Furnish and Install New Manhole casting									
	Decrease estimated quantity from			19	EA	to	18	EA		
	Decrease in cost of	(1)	EA	@ Unit Price Bid of			$650.00	=	$	(650.00)
* ITEM: 16M	Furnish New Manhole Casting									
	Decrease estimated quantity from			4	EA	to	0	EA		
	Decrease in cost of	(4)	EA	@ Unit Price Bid of			$500.00	=	$	(2,000.00)
ITEM: 16-1	Change Elevation of Manhole Casting - Minor Adjustment									
	Decrease estimated quantity from			27	EA	to	25	EA		
	Decrease in cost of	(2)	EA	@ Unit Price Bid of			$550.00	=	$	(1,100.00)
ITEM: 16-2	Change Elevation of Manhole Casting, Major Adjustment									
	Decrease estimated quantity from			4	EA	to	0.00	EA		
	Decrease in cost of	(4)	EA	@ Unit Price Bid of			$1,050.00	=	$	(4,200.00)
* ITEM: 17-AC	Concrete Masonry, Contingency, Class A Concrete									
	Decrease estimated quantity from			6	CY	to	0.00	CY		
	Decrease in cost of	(6)	CY	@ Unit Price Bid of			$1,000.00	=	$	(6,000.00)
ITEM: 26B	Stone Block Curb, 4-inch Reveal									
	Decrease estimated quantity from			1,350	LF	to	982.30	LF		
	Decrease in cost of	(367.70)	LF	@ Unit Price Bid of			$26.00	=	$	(9,560.20)
ITEM: 26-BG	Stone Block Curb and Reinforced Cement Concrete Gutter, 4-inch Reveal									
	Decrease estimated quantity from			11,200	LF	to	10,457.10	LF		
	Decrease in cost of	(742.90)	LF	@ Unit Price Bid of			$34.00	=	$	(25,258.60)

SIDNEY B. BOWNE & SON
CONSULTING ENGINEERS

235 East Jericho Turnpike
Mineola, New York 11501

Contract Number: H12-076
QUANTITY INCREASE / DECREASE
NOTIFICATION NUMBER: 1
Dated: April 1, 2016

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM: 28	Reinforced Cement Concrete Driveways and Driveway Aprons (7" Thick)									
	Decrease estimated quantity from			17,600	SF	to	16,928.47	SF		
	Decrease in cost of	(671.53)	SF	@ Unit Price Bid of			$10.25	=	$	(6,883.18)
ITEM: 28A	Bituminous Sidewalks and Driveways									
	Decrease estimated quantity from			3,850	SY	to	517.88	SY		
	Decrease in cost of	(3,332.12)	SY	@ Unit Price Bid of			$37.00	=	$	(123,288.44)
* ITEM: 28B	Loose Stone Sidewalks and Driveways									
	Decrease estimated quantity from			150	SY	to	113.26	SY		
	Decrease in cost of	(36.74)	SY	@ Unit Price Bid of			$20.00	=	$	(734.80)
ITEM: 49-E	Reinforced Cement Concrete Valley Gutter									
	Decrease estimated quantity from			20	SY	to	13.14	SY		
	Decrease in cost of	(6.86)	SY	@ Unit Price Bid of			$120.00	=	$	(823.20)
* ITEM: 60	Curb Cock and Water Service Box Relocation									
	Decrease estimated quantity from			7	EA	to	0.00	EA		
	Decrease in cost of	(7)	EA	@ Unit Price Bid of			$250.00	=	$	(1,750.00)
* ITEM: 61	Changing Elevations of House Service Connections to Water Mains									
	Decrease estimated quantity from			120	LF/dia	to	0.00	LF/dia		
	Decrease in cost of	(120)	LF/dia	@ Unit Price Bid of			$50.00	=	$	(6,000.00)
ITEM: 72	Removal and Replacement of Existing Hedge									
	Decrease estimated quantity from			10	LF	to	7.00	LF		
	Decrease in cost of	(3.00)	LF	@ Unit Price Bid of			$25.00	=	$	(75.00)
ITEM: 73A	Remove and Replace or Relocate Miscellaneous Plants and Shrubs									
	Decrease estimated quantity from			43	EA	to	8	EA		
	Decrease in cost of	(35)	EA	@ Unit Price Bid of			$50.00	=	$	(1,750.00)
ITEM: 74	Replace or Construct Miscellaneous Structures									
	Decrease estimated quantity from			1,100	CF	to	302.26	CF		
	Decrease in cost of	(797.74)	CF	@ Unit Price Bid of			$20.00	=	$	(15,954.80)

SIDNEY B. BOWNE & SON
CONSULTING ENGINEERS

235 East Jericho Turnpike
Mineola, New York 11501

Contract Number: H12-076
QUANTITY INCREASE / DECREASE
NOTIFICATION NUMBER: 1
Dated: April 1, 2016

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

* ITEM: 77	Moving Water Meter and Pit									
	Decrease estimated quantity from			2	EA	to	0.00	EA		
	Decrease in cost of	(2)	EA	@ Unit Price Bid of			$1,250.00	=	$	(2,500.00)
* ITEM: 77A	Water Meters - Change of Grade									
	Decrease estimated quantity from			53	EA	to	0.00	EA		
	Decrease in cost of	(53)	EA	@ Unit Price Bid of			$925.00	=	$	(49,025.00)
* ITEM: 99	Water Main Relocation, Various Diameters									
	Decrease estimated quantity from			200	LF/'dia	to	0.00	LF/'dia		
	Decrease in cost of	(200)	LF/'dia	@ Unit Price Bid of			$68.75	=	$	(13,750.00)
* ITEM: 99F	Water Main Fittings									
	Decrease estimated quantity from			3,080	LBS	to	0.00	LBS		
	Decrease in cost of	(3,080)	LBS	@ Unit Price Bid of			$5.00	=	$	(15,400.00)
* ITEM: 99-TB	Install Concrete Thrust Blocks									
	Decrease estimated quantity from			1	CY	to	0.00	CY		
	Decrease in cost of	(1)	CY	@ Unit Price Bid of			$350.00	=	$	(350.00)
* ITEM: 99-V	New Water Main Valve With Valve Box									
	Decrease estimated quantity from			1	EA	to	0.00	EA		
	Decrease in cost of	(1)	EA	@ Unit Price Bid of			$3,750.00	=	$	(3,750.00)
ITEM: 361S	Planting Evergreen Shrubs									
	Decrease estimated quantity from			25	EA	to	8	EA		
	Decrease in cost of	(17)	EA	@ Unit Price Bid of			$125.00	=	$	(2,125.00)
ITEM: 362	Painting Castings									
	Decrease estimated quantity from			50	EA	to	27	EA		
	Decrease in cost of	(23)	EA	@ Unit Price Bid of			$55.00	=	$	(1,265.00)
ITEM: 363	Furnishing and Applying Calcium Chloride									
	Decrease estimated quantity from			15	Tons	to	0.10	Tons		
	Decrease in cost of	(14.90)	Tons	@ Unit Price Bid of			$400.00	=	$	(5,960.00)

SIDNEY B. BOWNE & SON
CONSULTING ENGINEERS

235 East Jericho Turnpike
Mineola, New York 11501

Contract Number: H12-076
QUANTITY INCREASE / DECREASE
NOTIFICATION NUMBER: 1
Dated: April 1, 2016

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

* ITEM: 364A	Construction of Small Retaining Walls - Brick									
	Decrease estimated quantity from			14	CY	to	0.00	CY		
	Decrease in cost of	(14)	CY	@ Unit Price Bid of			$585.00	=	$	(8,190.00)
* ITEM: 364B	Construction of Small Retaining Walls - Concrete									
	Decrease estimated quantity from			10	CY	to	0.00	CY		
	Decrease in cost of	(10)	CY	@ Unit Price Bid of			$550.00	=	$	(5,500.00)
ITEM: 366T	Thermoplastic Reflectorized Pavement Markings									
	Decrease estimated quantity from			765	LF	to	0.00	LF		
	Decrease in cost of	(765)	LF	@ Unit Price Bid of			$1.75	=	$	(1,338.75)
ITEM: 374	Cleaning and Sweeping									
	Decrease estimated quantity from			5,500	LF	to	5,308.00	LF		
	Decrease in cost of	(192)	LF	@ Unit Price Bid of			$1.25	=	$	(240.00)
* ITEM: 383	Run of Crusher Screenings									
	Decrease estimated quantity from			25	CY	to	0	CY		
	Decrease in cost of	(25)	CY	@ Unit Price Bid of			$30.00	=	$	(750.00)
* ITEM: 387	Relocation of Water Main Valves									
	Decrease estimated quantity from			1	EA	to	0.00	EA		
	Decrease in cost of	(1)	EA	@ Unit Price Bid of			$2,500.00	=	$	(2,500.00)
ITEM: 389	Metal Beam Type Guide Rail									
	Decrease estimated quantity from			50	LF	to	0.00	LF		
	Decrease in cost of	(50)	LF	@ Unit Price Bid of			$250.00	=	$	(12,500.00)
ITEM: 396	Planting Sod, Supplied or Rebanded									
	Decrease estimated quantity from			7,900	SY	to	5,792.70	SY		
	Decrease in cost of	(2,107.30)	SY	@ Unit Price Bid of			$12.00	=	$	(25,287.60)
ITEM: 398	Dense Graded Aggregate Base Course									
	Decrease estimated quantity from			2,000	CY	to	1,161.72	CY		
	Decrease in cost of	(838.28)	CY	@ Unit Price Bid of			$45.00	=	$	(37,722.60)

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Item No.: As Listed Below

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Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM: 500	Clean Existing Drainage System								
	Decrease estimated quantity from		1,700	LF	to	928.00	LF		
	Decrease in cost of	(772.00)	LF	@ Unit Price Bid of		$5.00	=	$	(3,860.00)
* ITEM: 501	Miscellaneous Bituminous Macadam								
	Decrease estimated quantity from		50	Tons	to	0.00	Tons		
	Decrease in cost of	(50)	Tons	@ Unit Price Bid of		$160.00	=	$	(8,000.00)
ITEM: 504	Change Elevation of Water Service Box, Water Main Valve Box, Water Meter Pit, Sanitary Sewer Cleanout, Sprinkler Control Box or Traffic Signal Pullbox								
	Decrease estimated quantity from		210	EA	to	0.00	EA		
	Decrease in cost of	(210)	EA	@ Unit Price Bid of		$65.00	=	$	(13,650.00)
ITEM: 504-A	Furnish and Install New Water Service Box, Water Main Valve Box, Water Meter Pit, Sanitary Sewer Cleanout Casting or Sprinkler Control Box								
	Decrease estimated quantity from		10	EA	to	0.00	EA		
	Decrease in cost of	(10)	EA	@ Unit Price Bid of		$375.00	=	$	(3,750.00)
ITEM: 506	Remove ad Reset Ornamental Garden								
	Decrease estimated quantity from		515	SF	to	142.00	SF		
	Decrease in cost of	(373)	SF	@ Unit Price Bid of		$3.75	=	$	(1,398.75)
ITEM: 508	Removal and Replacement of Existing Fence								
	Decrease estimated quantity from		290	LF	to	26.00	LF		
	Decrease in cost of	(264)	LF	@ Unit Price Bid of		$50.00	=	$	(13,200.00)
* ITEM: 509-1	Cut and repair Existing Reinforced Concrete Pipe in Existing Drainage Structures								
	Decrease estimated quantity from		5	EA	to	0.00	EA		
	Decrease in cost of	(5)	EA	@ Unit Price Bid of		$62.50	=	$	(312.50)
ITEM: 529	Modify or Reconstruct Masonry Pillar								
	Decrease estimated quantity from		68	CF	to	29.50	CF		
	Decrease in cost of	(38.50)	CF	@ Unit Price Bid of		$25.00	=	$	(962.50)
ITEM: 530	Relocatre Light Fixtures, Complete, Various Types and Sizes								
	Decrease estimated quantity from		2	EA	to	0.00	EA		
	Decrease in cost of	(2)	EA	@ Unit Price Bid of		$37.50	=	$	(75.00)

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NOTIFICATION NUMBER: 1
Dated: April 1, 2015

Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miriteilo

Authorized Change: QUANTITY INCREASES AND DECREASES

* ITEM: 531	Furnish and Install Window Well								
	Decrease estimated quantity from		2	EA	to	0.00	EA		
	Decrease in cost of	(2)	EA	@ Unit Price Bid of		$435.00	=	$	(870.00)
ITEM: 533	Remove and Reinstall Wood Posts, Pilings, Steel Bollards and Other Upright Structures								
	Decrease estimated quantity from		12	EA	to	2	EA		
	Decrease in cost of	(10)	EA	@ Unit Price Bid of		$75.00	=	$	(750.00)
ITEM: 534	Relocate and/or Adjust Existing Hydrants								
	Decrease estimated quantity from		2	EA	to	0.00	EA		
	Decrease in cost of	(2)	EA	@ Unit Price Bid of		$5,000.00	=	$	(10,000.00)
* ITEM: 535	Grinding Existing Tree Stumps								
	Decrease estimated quantity from		6	EA	to	1	EA		
	Decrease in cost of	(5)	EA	@ Unit Price Bid of		$425.00	=	$	(2,125.00)
* ITEM: 539	Remove, Replace and/or Modify and Reinstall House Siding								
	Decrease estimated quantity from		100	SF	to	0.00	SF		
	Decrease in cost of	(100)	SF	@ Unit Price Bid of		$400.00	=	$	(40,000.00)
* ITEM: 548	Relocate and Change Elevation of Sanitary Sewer Cleanout								
	Decrease estimated quantity from		2	EA	to	0.00	EA		
	Decrease in cost of	(2)	EA	@ Unit Price Bid of		$500.00	=	$	(1,000.00)
ITEM: 559	Remove and Relocate Existing Light Pole								
	Decrease estimated quantity from		6	EA	to	0.00	EA		
	Decrease in cost of	(6)	EA	@ Unit Price Bid of		$375.00	=	$	(2,250.00)
ITEM: 573	Hay Bales / Straw Bales								
	Decrease estimated quantity from		300	LF	to	0.00	LF		
	Decrease in cost of	(300)	LF	@ Unit Price Bid of		$5.00	=	$	(1,500.00)
ITEM: 574	Silt Protection for Surfce Inlet Drainage Structures								
	Decrease estimated quantity from		71	EA	to	65	EA		
	Decrease in cost of	(6)	EA	@ Unit Price Bid of		$175.00	=	$	(1,050.00)
ITEM: 576-15	Catch Basin Outlet Pipe Oil/Sediment / Debris Hoods - 15" Dia.								
	Decrease estimated quantity from		52	EA	to	21	EA		
	Decrease in cost of	(31)	EA	@ Unit Price Bid of		$600.00	=	$	(18,600.00)

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Contractor: The Land Tek Group, Inc.

Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM: 578-8 Furnish and Install 8" Rubber In-Line Check Valve
Decrease estimated quantity from 16 EA to 12 EA
Decrease in cost of (4) EA @ Unit Price Bid of $1,500.00 = $ (6,000.00)

* ITEM: 600 Unforseen Restoration Work
Decrease estimated quantity from 1 Job to 0.265398 Job
Decrease in cost of (0.734602) Job @ Unit Price Bid of $25,000.00 = $ (18,365.05)

TOTAL DECREASES: $ (650,139.67)

INCREASES:

ITEM 4B: Cement Concrete Structure Removal
Increase Contract quantity from 135 CY to 149.87 CY
Increase in cost of 14.87 CY @ Unit Price Bid of $100.00 = $ 1,487.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Cement Concrete Structure Removal is based on the actual number of cubic yards of cement concrete structure removal performed as required due to actual field conditions encountered during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. Ten manholes, which were indicated on the plans to remain could not be incorporated into the new construction due to their condition, were demolished under this item and subsequently replaced.

ITEM 5S: Select Borrow Fill
Increase Contract quantity from 1,500 CY to 5,699.47 CY
Increase in cost of 4,199.47 CY @ Unit Price Bid of $30.00 = $ 125,984.10

Reason: The quantity given in the proposal is an estimate. The final quantity of Select Borrow Fill submitted for payment is based on final field measurements of the actual number of cubic yards of material placed as required due to actual subsurface soil conditions encountered during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

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Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

*** ITEM 5T:** Trench Borrow Fill

Increase Contract quantity from 150 CY to 690.85 CY

Increase in cost of 540.85 CY @ Unit Price Bid of $31.25 = $ 16,901.56

Reason: The quantity given in the proposal is an estimate. The final quantity of Trench Borrow Fill submitted for payment is based on final field measurements of the actual number of cubic yards of material placed as required due to actual subsurface soil conditions encountered during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

ITEM 7: Preparing Fine Grade

Increase Contract quantity from 1,925 SY to 7,278.12 SY

Increase in cost of 5,353.12 SY @ Unit Price Bid of $3.00 = $ 16,059.36

Reason: The quantity given in the proposal is only approximate. The Typical Section for roadway reconstruction shown on sheet 2/15 specifies Item 7, Fine Grading for roadways when reconstructing the sub-base course is required. The typical section for Stillwater, Tidewater, Waterview and Osprey did not specify a roadway reconstruction section with a new sub-base course and Fine Grading. These Streets specified milling the existing pavement (2") down to the existing soil cement sub-grade and resurfacing with 2" wearing course. Due to the installation of new curb and gutters and drainage pipes, the existing sub-base course required additional Fine Grading for the restoration of the new drainage pipe and curb trenches which were not addressed on the typical sections for Stillwater, Tidewater, Waterview and Osprey but were necessary for carrying out the intent of the project. The quantity was not reflected in the quantity as bid for this Item, therefore necessitating this increase. The final quantity for Preparing Fine Grade submitted for payment is based on final field measurements of the actual number of square yards of roadway required to be fine graded, measured and accepted in accordance with plans, specifications and/or directions of the Engineer.

ITEM 12B-15: Furnish and Lay 15" Diameter, Class IV Reinforced Concrete Pipe

Increase Contract quantity from 2,200 LF to 2,278.05 LF

Increase in cost of 78.05 LF @ Unit Price Bid of $45.00 = $ 3,512.25

Reason: The quantity given in the proposal is an estimate. The final quantity of 15" Reinforced Concrete Pipe submitted for payment is based on final field measurements of the actual number of linear feet of 15" Reinforced Concrete Pipe placed as required due to actual conditions encountered during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. Additional 15" pipe was required when existing pipe designated on the plans to remain was found to be deteriorated and could not be salvaged.

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Item No.: As Listed Below

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Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM 12B-8 PVC: Furnish and Lay 8" Diameter Polyvinyl Chloride Pipe

Increase Contract quantity from 200 LF to 288.40 LF

Increase in cost of 88.40 LF @ Unit Price Bid of $33.00 = $ 2,917.20

Reason: The quantity given in the proposal is only approximate. The final quantity of 8" Polyvinyl Chloride Pipe submitted for payment is based on final field measurements of the actual number of linear feet of 8" Polyvinyl Chloride Pipe placed as required due to actual conditions encountered and field changes made during construction to the locations and configuration of several yard drains, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

ITEM 13DX: Catch Basin, Type Dx (4 inch Casting Reveal)

Increase Contract quantity from 25 EA to 27 EA

Increase in cost of 2 EA @ Unit Price Bid of $4,350.00 = $ 8,700.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Catch Basins Type DX submitted for payment is based on final field measurements of the actual number of Type DX Catch Basins placed as required and due to field changes made during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. It was found that one existing catch basin indicated on the plans to be replaced with a new Type C catch basin (Item 13C) could instead be replaced with a Type DX catch basin under this item.

ITEM 15-3A: Manholes, Type 3 Alternate

Increase Contract quantity from 22 EA to 32 EA

Increase in cost of 10 EA @ Unit Price Bid of $3,200.00 = $ 32,000.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Manholes, Type 3 Alternate, submitted for payment is based on final field measurements of the actual number of Manholes, Type 3 Alternate placed as required and due to field changes made during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. Additional manholes were required to replace ten existing brick manholes which were indicated on the plans to remain but could not be incorporated into the new construction due to their condition. High water levels in the existing drainage system had prevented an accurate assesment of these structures during the design of the project.

ITEM 27: Cement Concrete Sidewalks and Ramps (5" Thick)

Increase Contract quantity from 16,900 SF to 17,197.29 SF

Increase in cost of 297.29 SF @ Unit Price Bid of $8.75 = $ 2,601.29

Reason: The quantity given in the proposal is an estimate. The final quantity of Cement Concrete Sidewalks and Ramps, submitted for payment is based on final field measurements of the actual number of square feet of Cement Concrete Sidewalk and Ramps installed, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

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Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM 36-2A-1: Bituminous Macadam Plant Mix, Type 2A Paving Courses, Various Thicknesses and Mixes

Increase Contract quantity from			3,500	Tons	to	3,752.59	Tons			
Increase in cost of	252.59	Tons	@ Unit	Price	Bid of	$115.00	=	$	29,047.85

Reason: The quantity given in the proposal is an estimate. The final quantity of Bituminous Macadam Plant Mix submitted for payment is based on final field measurements of the actual number of tons of Bituminous Macadam Plant Mix placed as required due to actual conditions encountered and necessary changes made during construction to the pavement construction details, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. The pavement design for this project called or milling the existing wearing course and resurfacing with new material, however, due to field conditions combined with the concurrent utility main replacement on the project it was necessary to remove and replace a greater thickness of pavment than had been proposed. Additional material was also required under this item to properly restore pipe and curb trenches which the orginal pavement section for the project (as bid) did not address.

ITEM 57-D: Rebuilding Catch Basins - Type D

Increase Contract quantity from			17	EA	to	18	EA			
Increase in cost of	1	EA	@ Unit	Price	Bid of	$3,500.00	=	$	3,500.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Type D Catch Basins rebuilt under this Item and submitted for payment is based on the final count of the actual number of Type D Catch Basins rebuilt as required due to actual conditions encountered during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

* ITEM 76: Topsoil and Seeding

Increase Contract quantity from			40	SY	to	716.40	SY			
Increase in cost of	676.40	SY	@ Unit	Price	Bid of	$6.50	=	$	4,396.60

Reason: The quantity given in the proposal is an estimate. The final quantity of Topsoil and Seeding performed under this Item and submitted for payment is based on final field measurements of the actual area where Topsoil and Seed was placed as required due to actual conditions encountered during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

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Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM 386A: Tree Removal over 4" to 12" Caliper Inclusive

Increase Contract quantity from 8 EA to 41 EA

Increase in cost of 33 EA @ Unit Price Bid of $600.00 = $ 19,800.00

Reason: The quantity is the proposal is an estimate. At the commencement of construction, all existing trees were inspected for interference with the proposed construction, including potential tripping hazards abutting the proposed construction due to uplifted sidewalk sections or extensive root systems in conflict with the proposed curb or sidewalk installation. If the tree could be endangered due to the proposed construction, removal was recommended. The final quantity for Item 386A is based on final measurements of trees ordered to be removed, measured and accepted for payment in accordance with the plans, specifications and the directions of the Engineer.

ITEM 386B: Tree Removal over 12" Caliper Inclusive

Increase Contract quantity from 10 EA to 42 EA

Increase in cost of 32 EA @ Unit Price Bid of $800.00 = $ 25,600.00

Reason: The quantity is the proposal is an estimate. At the commencement of construction, all existing trees were inspected for interference with the proposed construction, including potential tripping hazards abutting the proposed construction due to uplifted sidewalk sections or extensive root systems in conflict with the proposed curb or sidewalk installation. If the tree could be endangered due to the proposed construction, removal was recommended. The final quantity for Item 386B is based on final measurements of trees ordered to be removed, measured and accepted for payment in accordance with the plans, specifications and the directions of the Engineer.

ITEM 393: Test Holes

Increase Contract quantity from 28 EA to 57 EA

Increase in cost of 29 EA @ Unit Price Bid of $425.00 = $ 12,325.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Test Holes excavaed under this item and submitted for payment is based on final count of the actual number of Test Holes actually required during construction, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. Upgrading and relocating both the gas and water utility lines was in progress at the start of construction on the project. When the utility companies could not confirm the precise depths and locations locations of the new mains, a greater number of test holes than anticipated was required to obbtain the necessary information.

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Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM 394: Temporary Asphaltic Pavement

Increase Contract quantity from 285 Ton to 342.75 Ton

Increase in cost of 57.75 Ton @ Unit Price Bid of $125.00 = $ 7,218.75

Reason: The quantity given in the proposal is an estimate. The final quantity of Temporary Asphaltic Pavement placed under this item and submitted for payment is based on final field measurements of Temporary Asphaltic Pavement delivered to the site and placed as required, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

ITEM 503: Milling and Grinding

Increase Contract quantity from 18,380 SY to 23,000 SY

Increase in cost of 4,620 SY @ Unit Price Bid of $6.00 = $ 27,720.00

Reason: he quantity given in the proposal is an estimate. The final quantity of Milling and Grinding performed under this item and submitted for payment is based on final field measurements and computations of the areas milled and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

* ITEM 507: Modify Existing Roof Drains

Increase Contract quantity from 20 LF to 30 LF

Increase in cost of 10 LF @ Unit Price Bid of $12.50 = $ 125.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Roof Drains modified under this item and submitted for payment is based on final field measurements of the Roof Drains modified and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

ITEM 514: Furnish Self-Propelled Street Sweeper, Complete With Operator.

Increase Contract quantity from 110 HRS to 133 HRS

Increase in cost of 23 HRS @ Unit Price Bid of $110.00 = $ 2,530.00

Reason: The quantity given in the proposal is an estimate. The final quantity for Furnishng a Self Propelled Street Sweeper, Complete with Operator submitted for payment is based on final field records of the actual number of hours for which a Street Sweeper was furnished, accepted in accordance with the specifications and/or the directions of the Engineer. Dry conditi9ns throughout much of the construction required additional sweeping to minimize dust conditions.

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Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

ITEM 516-4: Furnish and Install New Catch Basin Castings, 4-inch Curb Height

Increase Contract quantity from 36 EA to 40 EA

Increase in cost of 4 EA @ Unit Price Bid of $1,250.00 = $ 5,000.00

Reason: The quantity given in the proposal is an estimate. The final quantity of Catch Basin Castings furnished and Installed submitted for payment is based on final count of the number of castings furnished and accepted in accordance with the plans, specifications and/or the directions of the Engineer. Existing catch basin castings which were shown on the plans to be re-used were found to be deteriorated and required replacement.

ITEM 570: Brick, Block, Precast Decorative or Cast-in-Place Decorative Driveways and Sidewalks

Increase Contract quantity from 3,000 SF to 4,421.36 SF

Increase in cost of 1,421.36 SF @ Unit Price Bid of $20.00 = $ 28,427.20

Reason: The quantity given in the proposal is an estimate. The final quantity of Brick, Block, Precast Decorative or Cast-in-Place Decorative Driveways and Sidewalks, submitted for payment is based on final field measurements of the actual number of square feet of Decorative Driveways and Sidewalks installed, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer. Changes in existng conditions at several locations between the time the project was designed and actual cinstruction resulted in the need for additional work under this item

ITEM 572: Silt Fence for Sediment Control

Increase Contract quantity from 100 LF to 360 LF

Increase in cost of 260 LF @ Unit Price Bid of $10.00 = $ 2,600.00

Reason: The quantity given in the proposal is an estimate. The final quantity ofSilt Fence for Sediment Control submitted for payment is based on final field measurements of the actual number of linear feet of Silt Fence installed, measured and accepted in accordance with the plans, specifications and/or the directions of the Engineer.

TOTAL INCREASES: $ 378,453.16
NET CHANGE (Decrease): $ (271,686.51)

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Item No.: As Listed Below

Resident Representative: Louis Miritello

Authorized Change: QUANTITY INCREASES AND DECREASES

PROJECT SUMMARY:

Authorized Amount (Bid Amount):	$ 3,466,652.50
Reserve Amount:	$ 173,332.63
Total Authorized Funds:	$ 3,639,985.13
Contract Scheduled Items:	$ 3,194,865.99
Authorized Change: Notification No. 1 (Decrease): (Pending)	$ (271,686.51)
Authorized Change: Change Order No. 1 (Increase) : (Pending)	$ 69,695.16
Final Construction Cost:	$ 3,264,661.15
Encumbered Funds Remaining (Total Authorized minus Final Const Cost):	$ 375,323.98

Recommended By:

Signed: Kevin D. Mansfield 6/22/16
Kevin Mansfield
SIDNEY B. BOWNE & SON

C:\Doster Bay H12-076\NOTIF #1 -CID Rev 7 KM.xlsx

BOWNE
AE&T
GROUP
Where
Experience
Empowers
Vision

Sidney B. Bowne
& Son, LLP
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

April 1, 2016

Richard T. Betz
Commissioner of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791-5699

Attn: Mr. Daniel Haas

Re: Construction of Highway improvements for Stillwater Avenue Area
Contract No. H12-076 (PW026-14)
Change order No. 1

Dear Commissioner Betz,

During the course of construction of the reconstruction of Stillwater Avenue, various unanticipated changes and additions to the work have been found to be required as further described herein. The Contractor for the project, The LANDTEK GROUP, Inc. has submitted the following cost proposals for the additional work.

Additional Work Added to the Project

During construction, The LANDTEK GROUP, Inc. experienced time related disruptions beyond their control which caused addition costs for Labor and Equipment charges, as follows;

THE LAND TEK GROUP, Inc., **PCO #1:**

- After the project was awarded and prior to construction, New York American Water and National Grid, under permit from the Town, installed new water and gas transmission mains with new service connections to residences on Stillwater Avenue, Waterview Avenue, Tidewater Avenue and Osprey Place.
- All utilities with facilities within the referenced Contract area were given copies of the approved plans showing the grade and alignment of the proposed drainage system so they could avoid placing their new facilities in conflict with the proposed drainage. However, during installation of the proposed drainage system by The LANDTEK GROUP,INC. under contract H12-076 with the Town, several conflicts were encountered crossing the proposed drainage with the newly installed utilities as follows;
- Existing water main and hydrant in conflict at station 4+70 Lt, Neptune Place had to be re-located by New York American Water. The contractor lost time re-allocating his crews to re-adjust his work force to other work areas when these conflicts were encountered disrupting his pre-planned scheduling.

- The previously re-located water main Near Proposed Stormceptor Structure No.PT-3 at station 15+76 Stillwater Avenue. The location of the Stormceptor is fixed, by design and the new water main was supposed to be installed by New York American water to avoid the area designed for placement of Stormceptor, PT-3. The water main had to be re-located by New York American Water. The contractor lost construction time re-allocating his crews to re-adjust his work force to other work areas when these conflicts were encountered, disrupting his pre-planned scheduling.

- An existing previously re-located Gas main was in conflict at station 2+50 Osprey Place and had to be re-located by National Grid. The contractor lost time re-allocating his crews to re-adjust his work force to other work areas when these conflicts were encountered, disrupting his pre-planned scheduling.

- While excavating and installing the proposed (24" x 38") elliptical pipe between proposed Manhole No.4 and No.5, the previously re-located water main was found to be in direct conflict and had to be offset again to allow clearance with the proposed pipe. The excavation had to be secured and abandoned while New York American Water was contacted and scheduled to be re-locate their facilities. The contractor lost construction time re-allocating his crews to re-adjust his work force to other work areas when these conflicts were encountered, disrupting his pre-planned scheduling

- Existing Manholes at station 0+60 Osprey Place and station 3+20 Stillwater Avenue were called out on the plans to remain with new proposed concrete pipe connected to them. During installation of the proposed new pipes, the existing Manholes were exposed and found to be undesirable to remain part of the new drainage system. The existing structures were ordered removed by the Engineer and replaced with new pre-cast manholes. The contractor accepted payment for the new Manholes at the contract bid price for Item 15-3A. A quantity increase has been prepared under Notification No. 1 for a new pre-cast manhole. This change is for the time the contractor lost re-allocating his crews to re-adjust his work force to other work areas while these locations were secured and re-visited when the new manholes were produced and made available for installation.

- When commencing excavation for removal of an existing structure at station 7+00 Stillwater Avenue. The homeowner at that location, House #101 interfered and halted the contractor from completing removal of the existing structure due to proximity of plantings on their property. This change is for the time the contractor lost disengaging an altercation with the homeowner and re-allocated his crews to re-adjust his work force to other work areas while attending to the homeowners concerns.

- At Station 10+83 Stillwater Avenue, The approved plans show connecting Stormceptor PT-2 to an existing outfall pipe through an easement between two houses. From existing Town records, the existing pipe is shown to be a 15 inch concrete pipe. The pipe is buried and is not accessible unless excavated. When the contractor exposed the existing pipe connection was not compatible with the proposed connecting pipe. The Engineer ordered A new manhole installed to connect the new RCP with the existing RCP in the sidewalk area. The contractor accepted payment for the new Manholes at the contract bid price for Item 15-3A. A quantity increase has been prepared under Notification No. 1 for a new precast manhole. This change is for the time the contractor lost re-allocating his crews to re-adjust his work force to modify a new manhole from existing stock for this location.

Total Labor and Material Costs for **PCO #1 are** as follows;

Labor, 204 Man-Hrs @ $83.45		= $17,023.80
*Labor; Sub-Contract 34 Man-Hrs @ $119.18		= $ 4,052.12
Total Labor:	A)	$21,075.92
15% Labor & Materials)		$ 3,161.39
* 0.5% Sub-Contract: ($4,052.12 x 5%)		= $ 202.61
Total O&P	B)	$ 3,364.00

Equipment

Tri-axle, 34 Hrs @ $130.22		= $ 4,427.48
Hyd. Exc., 34 Hrs @ $199.64		= $ 6,787.76
Total Equipment:	C)	$11,215.24

(A+B+C) **Total PCO #1** **$35,655.16**

The LANDTEK GROUP, Inc., **PCO #2:**

* During the milling operation, the Engineer provides milling grades painted on the pavement directly ahead of the contractor's Milling and Grinding operation. The contractor's Milling and Grinding operation progressed ahead of the Engineers ability to provide the necessary information causing the contractor to stop his operation until the Engineer provided the necessary grade control.

Total Labor and Material Costs for **PCO #2** is as follows;

Labor, 47 Man-Hrs @ $83.45		= $ 3,922.15
15% O&P		= $ 588.32
*Labor; Sub-Contract 3 Man-Hrs @ $1,081.25		= $ 3,243.75
5% O&P ($3,243.75 x 5%)		= $ 162.18
Total Labor:	A)	$ 7,916.40
Equipment		
14-Tri-axle, 42 Hrs @ $130.22		= $ 5,469.24
Total Equipment:	B)	$ 5,469.24
	(A+B)	**Total PCO #2** **$13,385.64**

The LANDTEK GROUP, Inc. PCO #3:

- During the curb and gutter installation on Tidewater Avenue and Osprey Place, several new drainage castings previously set to grade during drainage installation were checked by the Engineer and required re-adjustment to conform to the specified grade. The contractor originally set the drainage castings using the cut sheets provided by the surveyor for drainage installation at that time. The contractor was provided additional cut sheets prior to curb and gutter operations which the contractor claims were in error necessitating this change.

Total Labor and Material Costs for PCO #3 is as follows;

Labor, 12 Man-Hrs @ $83.45		= $ 1,001.40	
Materials			
Misc. Brick and Mortar,		= $ 53.00	
	A)	$ 1,054.40	
15% O&P (Labor & Material)		$ 158.16	
Total:	B)	$ 1,212.56	
	(A+B)	**Total PCO #3**	**$1,212.56**

The LANDTEK GROUP, Inc. PCO #4:

- Seventeen (17) Precast Yard Drains were specified in the contract to be installed at various locations throughout the project. The contractor received shipment for sixteen (16) units in advance. Due to conditions encountered in the field, the Engineer eliminated seven (7) locations for installation because homeowners at several locations where Yard Drains were scheduled to be installed have had alterations performed on their landscapes or were in the process of elevating their homes under a Federal program. Therefore installation of a new yard drain was no longer practical. Ultimately only nine (9) units were ordered installed, measured, accepted and submitted for payment. This change is to reimburse the contractor for the actual material cost including delivery of the precast structures to the Towns Yard that were received on the project but no longer required to be installed. These structures become the property of the Town of Oyster Bay for their use.

Total Material Costs for PCO #4 is as follows;

Labor:	= $ 0.00	
Materials: 7 EA @ $900.00	= $6,300.00	
15% O&P (Labor & Material)	$ 945.00	
Total:	$ 7,245.00	
	Total PCO #4	**$ 7,245.00**

The LANDTEK GROUP, Inc. PCO #5:

- Fifty-two (52), 15" Debris Hoods were specified in the contract to be installed in existing drainage structures throughout the project. The contractor received shipment for all fifty-two (52) units in advance. Due to conditions encountered in the field, the Engineer eliminated twenty-two (22) locations for installation because the internal dimensions of the existing structures where debris hoods were scheduled were not suitable for the proper installation and functioning of the debris hoods. Therefore, installation of debris hoods was no longer practical based on the manufacturers recommendations. Ultimately only twenty-one (21) units were ordered installed, measured, accepted and submitted for payment. This change is to reimburse the contractor for the actual material cost including delivery of the debris hood units to the Towns Yard that were received on the project but no longer required to be installed. These debris hoods become the property of the Town of Oyster Bay for their use.

  This change is to reimburse the contractor for the actual material cost including delivery for the debris hoods received but not required to be installed.

Total Labor and Material Costs for **PCO #5** is as follows;

Labor,	= $ 0.00
Materials	
Agreed Price $554.40 ea. for 22 units	= $12,196.80
Total:	$12,196.80
	Total PCO #5 $12,196.80

The changes and additions listed above are necessary for the proper completion of the project. We have reviewed the Contractor's proposals listed above and hereby recommend their acceptance by the Town. This Change Order request in the amount of **$69,695.16** will not exceed the amount of monies currently authorized by Town Board resolution.

Attached are the required (8) eight original Change Order forms for your approval.

Sincerely,

Frank Antetomaso, P.E.
Partner

enc. Change Order No. 1 (8 Originals)

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CONSTRUCTION OF
HIGHWAY IMPROVEMENTS FOR the STILLWATER AVENUE AREA
LOCATED IN MASSAPEQUA, N.Y.

CONTRACT NO. H12-076 (PW026-14)
CHANGE ORDER NO. 1

TO: THE LANDTEK GROUP, Inc.

FROM: SIDNEY B. BOWNE & SON, LLP

RE: CONSTRUCTION OF HIGHWAY IMPROVEMENTS
FOR THE Stillwater Avenue Area
LOCATED IN Massapequa, N.Y.

CONTRACT NUMBER H12-076 (PW026-14)

CHANGE ORDER NUMBER 1

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the captioned contract:

ADDITIONAL WORK:

1. The LANDTEK GROUP, Inc. PCO No. 1: Time related disruptions due to underground utility conflicts

   Labor and equipment charges to re-schedule manpower; $ 35,666.16

2. The LANDTEK GROUP, Inc. PCO No. 2: Time delay for re-scheduling Milling and Grinding operation while establishing grade control.

   Agreed cost based on Labor and equipment charges; $ 13,385.64

3. The LANDTEK GROUP, Inc. PCO No. 3: Labor and Material costs to re-adjust drainage castings to finished grade during curb and gutter installation.

   Agreed cost based on Labor and Materials charges; $1,212.66

4. The LANDTEK GROUP, Inc. PCO No. 4: Material costs for seven (7) pre-cast yard drains delivered to the job site but eliminated from the contract due to conditions encountered in the field. These pre-cast structures were transferred to the Town of Oyster Bay yard and become the property of the Town of Oyster Bay.

   Agreed cost based on Material Charges; $7,245.00

5. The LANDTEK GROUP, Inc. PCO No. 5: Material costs for twenty-two (22) 15" Debris Hoods delivered to the job site but eliminated from the contract due to conditions encountered in the field. These (22) Debris Hoods were transferred to the Town of Oyster Bay yard and become the property of the Town of Oyster Bay.

   Agreed cost based on Material Charges; $12,196.60

NET TOTAL INCREASE IN PROJECT COST DUE TO THIS CHANGE ORDER $69,695.16

CONSTRUCTION OF
HIGHWAY IMPROVEMENTS FOR the STILLWATER AVENUE AREA
LOCATED IN MASSAPEQUA, N.Y.

CONTRACT NO. H12-076 (PW028-14)
CHANGE ORDER NO. 1

The above work has been performed as described in the letter from Sidney B. Bowne & Son, LLP, Consulting Engineers, dated April 1, 2016 and the memorandum of Richard T. Betz, Commissioner of Public Works, dated _____, at a cost increase not to exceed $ 69,696.16

The above Change Order is hereby accepted by the Town of Oyster Bay.

Dated:

Oyster Bay, New York

JOHN VENDITTO,
Supervisor

RECOMMENDED FOR APPROVAL:
Sidney B. Bowne & Son, LLP

Frank Antetomaso, P.E.
Partner

The above Change Order is hereby accepted.

The LANDTEK GROUP, Inc.

By _____
(Principal) Michael Ryan
President

BOWNE
AE&T
GROUP
Where
Experience
Empowers
Vision

Sidney B. Bowne & Son, LLP
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

May 6, 2016

Richard T. Betz
Commissioner of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791-5699

Attn: Danny Haas

Re: Construction of Highway Improvements for the
Stillwater Avenue Area, Massapequa, NY
Contract No. H12-076 (PW-026-14)
House No. 135 Stillwater Avenue

Dear Commissioner Betz,

The contract plans for the referenced contract require significant property restoration at house No. 135 Stillwater Avenue due to a change in road grade. Prior to construction the homeowner attended a homeowner notification meeting held at Marjorie Post Park where the homeowner expressed his concerns regarding proper restoration of his driveway and entry consisting of intricate decorative pavers, asphalt pavement, stone block retaining walls and underground site lighting.

When the project commenced, we met with the Town's contractor, LandTek and the homeowner to discuss restoration at No. 135. LandTek felt that their crews did not have the expertise to complete the work to the satisfaction of the homeowner.

We estimated the value of the work that was contractually required by LandTek utilizing the contract bid Items. Attached is a summary of the measurements and costs based on contract bid items which total $32,400.44. The homeowner was planning on performing additional work at this site valued over $100,000.00. Therefore, in lieu of having LandTek perform the scheduled restoration work and since the homeowner was planning additional work with his own private contractor we recommend the best course of action would be for the Town to credit the homeowner the value of the work in the amount of $32,400.44 originally scheduled on the contract plans based on the attached summary of itemized costs.

The homeowner is agreeable with this procedure and will engage his own private contractor to restore his property to his own satisfaction and pay for the work privately.

Sincerely,

Frank Antetomaso, P.E.
Partner

FJA:KDM:tbm
Encl

cc: Leslie Maccarone, Deputy Commissioner, Department of Public Works

T:\Town\Oyster Bay\00066-03-Constr-StillwaterAve-NeptunePl,Massapequa_General\Doc\135 restoration.docx

SIDNEY B. BOWNE & SON, LLP
CONSULTING ENGINEERS
MINEOLA, N.Y. 11501

SHEET 1 OF 4

PROJECT NO: H12-076
DATE: 10-6-15
BY: K. MANSFIELD

#135 STILLWATER AVE.

#20

A) ITEM 570: BRICK/BLOCK, PRECAST DECORATIVE OR CAST-IN-PLACE DECORATIVE DRIVEWAYS AND SIDEWALKS
(SF)

1)	24' x 7.5'	=	180.0 ft²
2)	30' x 3.5'		105.0 ft²
3)	31.2 x 7.6'		237.12 ft²
4)	½(2.5 x 1.8)		2.25 ft²
5)	½(2.7' x 2.4')		3.24 ft²
6)	31' x [½(3.7 + 3.2)]		106.95 ft²
7)	19' x 4.3		81.7 ft²
8)	10' x 6'		60.0 ft²
9)	5.5 x 4.2		23.1 ft²
10)	½(12' x 9)		54.0 ft²
11)	2.8 x 6.5		18.2 ft²
12)	19' x 8.2		155.8 ft²
13)	22' x 5'		110.0 ft²
14)	17' x 5'		85.0 ft²
15)	⅓(15 x 9)		45.0 ft²

1,267.36 ft² @ $20 = $25,347.20

#37

B) ITEM 28A: BITUMINOUS SIDEWALKS & DRIVEWAYS
(SY)

1)	21' x 3.5'	=	73.5 ft²
2)	12' x 3.7'	=	44.4 ft²
3)	63' x 8'	=	504.0 ft²
4)	26 x 7.5'	=	195.0 ft²
5)	17 x 6.5'	=	110.5 ft²

927.4 ft² x (1/9) = 103.04 SY @ $37.00 = $3,812.64

SIDNEY B. BOWNE & SON, LLP
CONSULTING ENGINEERS
MINEOLA, N.Y. 11501

SHEET 2 OF 4

PROJECT NO: H12-076
DATE: 10-6-15
BY: K. MANSFIELD

#20

c) ITEM 74: REPLACE OR CONSTRUCT MISCELLANEOUS STRUCTURES (CF)

BEL BLOCK 4" x 8" x 8" = (.33)(.67)(.67) = 0.15 CF/FT

1)	12' x 0.15 C.F.	=	1.8 ft^3
2)	[[2(24')] + 6'] 0.15 C.F.	=	8.1 ft^3
3)	[2(5.5')] + [2(6')] 0.15 C.F.	=	3.45 ft^3
4)	9.5' (0.15) C.F.	=	1.43 ft^3

14.78 ft^3 @ $20.00 = $295.60

d) STORMWATER & CAP C.F.

1)	[3.2 x 1 x (1' + 18" ave)]	=	8.0 ft^3
2)	[3.3 x 1 x (1' + 18")]	=	8.25 ft^3
3)	2(1 C.F. block) + (1/2 C.F.)	=	1.0 ft^3
4)	[5' x (2.1' + 18") x 1]	=	18.0 ft^3
5)	[5.2 x (1.2' + 18") x 1]	=	14.04 ft^3
6)	[2.5 x (1' + 18") x 1]	=	6.25 ft^3
7)	[13 x (1.3' + 18") x 1']	=	49.4 ft^3
8)	[2 x (1' + 18") x 1]	=	5.0 ft^3
9)	[5.2' x (1.2 + 18") x 1]	=	14.04 ft^3
10)	2 [((2.1 + 1.2)/2 + 18") 2'] 1'	=	12.6 ft^3
11)	2 [((1.3 + 1)/2 + 18") 1'] 1'	=	5.3 ft^3
12)	2(2' x 1.5 x 0.8' ave)	=	2.4 ft^3
13)	1 (1' x 1.5 x 2 ave)	=	3.0 ft^3

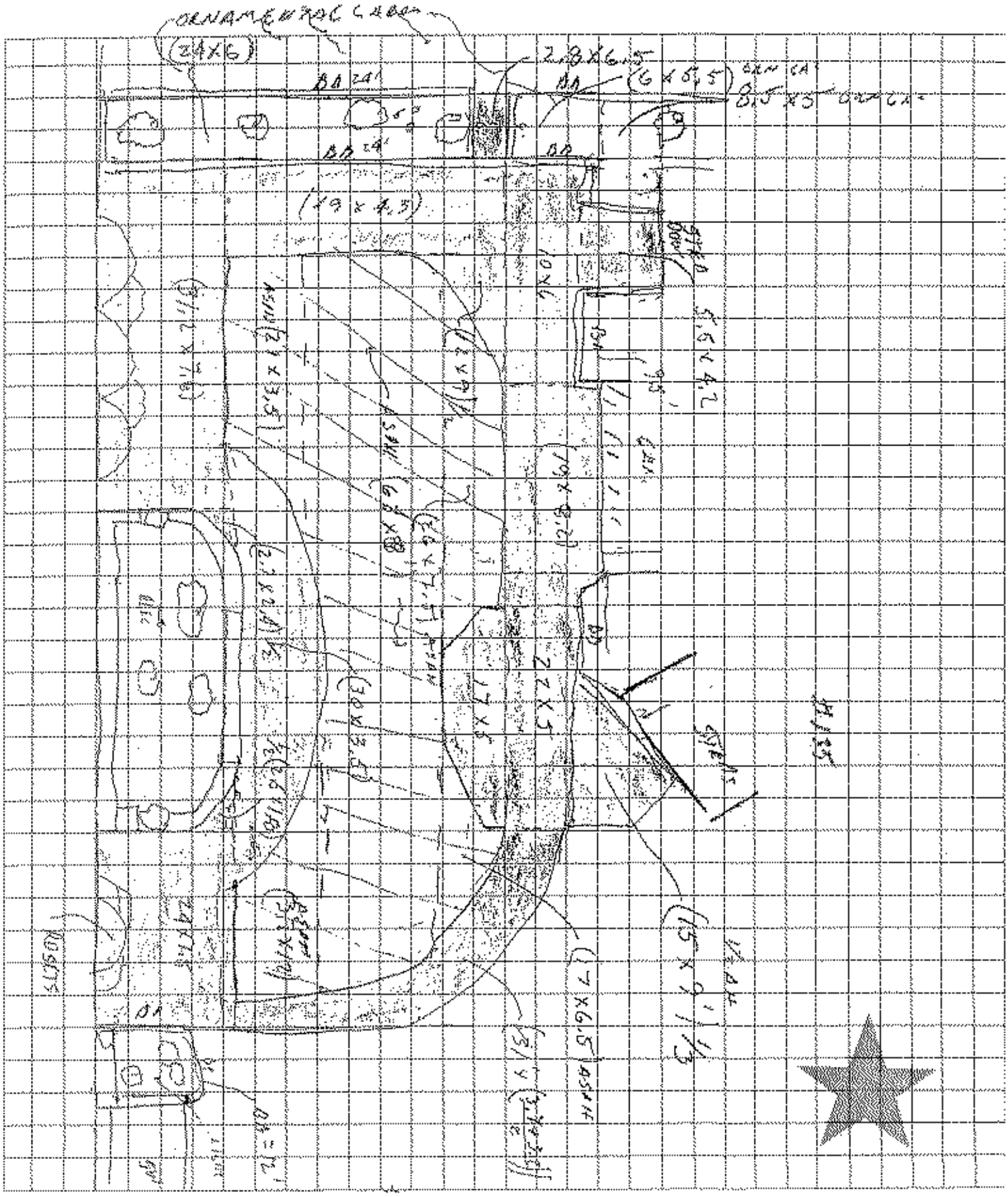
147.28 ft^3 @ $20.00 = $2,945.60

TOTAL: $ 32,400.44
(A+B+C+D)

SIDNEY B. BOWNE & SON, LLP
CONSULTING ENGINEERS
MINEOLA, N.Y. 11501

SHEET 3 OF 4

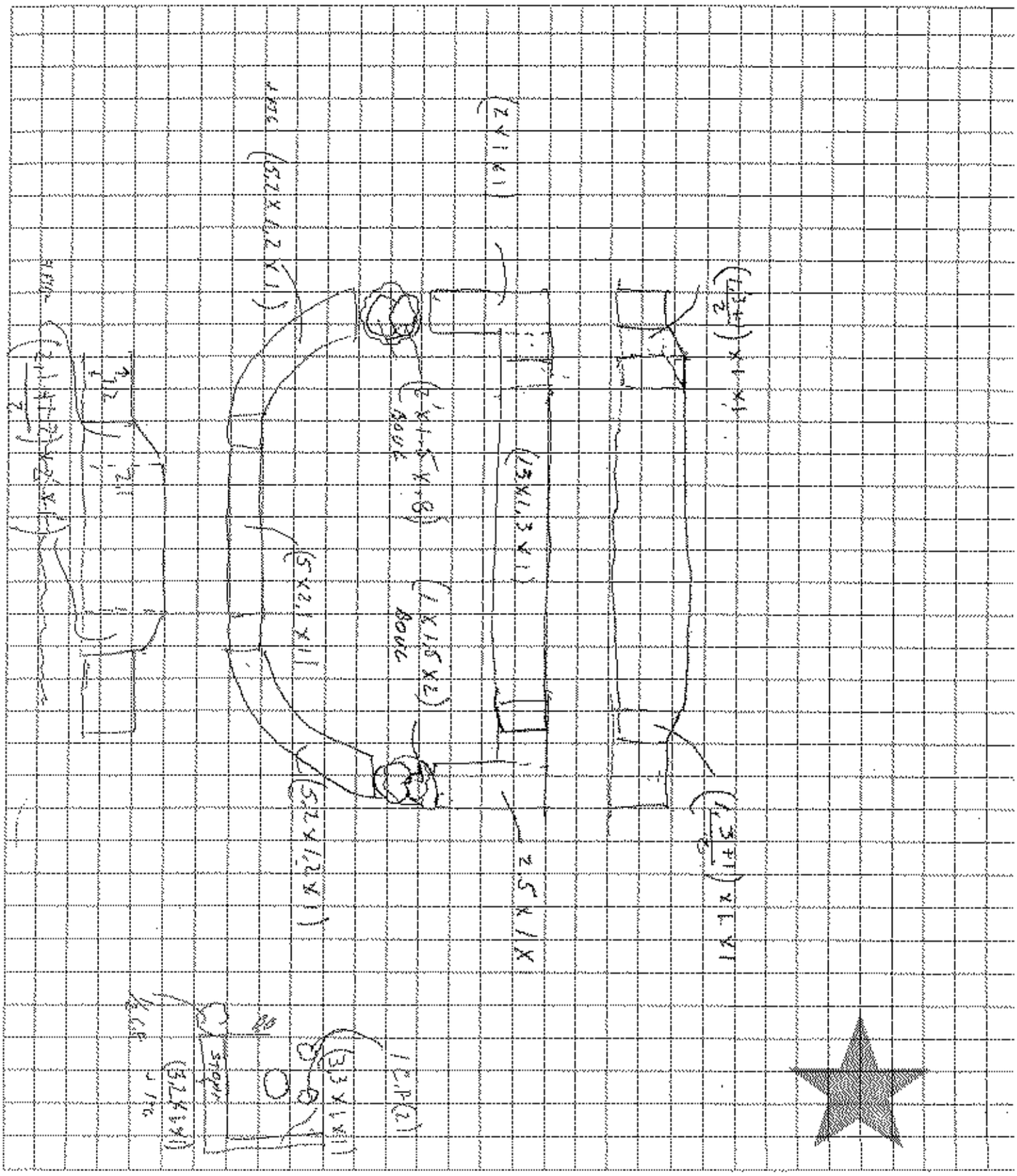
PROJECT NO: H12-076
DATE: 10-6-15
BY: K MANSFIELD



SIDNEY B. BOWNE & SON, LLP
CONSULTING ENGINEERS
MINEOLA, N.Y. 11501

SHEET 4 OF 4

PROJECT NO: H12-076
DATE: 10-6-15
BY: K. MANSFIELD



Town of Oyster Bay Department of Public Works

Division of Engineering

150 Miller Place

Syosset, New York 11791

Commissioner Richard Betz,

I am the homeowner at 135 Stillwater Ave Massapequa, New York 11758, part of the Stillwater Avenue Area highway improvement project. Because of grade changes in front of my home, your contractor would be required to remove and replace a large section of my driveway and landscaping in order to transition to the new elevation. I had no plans to replace my driveway since it is in perfect shape. The road elevation changes would require me to replace the drive way entirely due to the patterns and paver lay out that is existing and would be difficult to dismantle and put back in place.

Prior to the start of the town's construction I had several meetings with the town's representatives and my own Masonry contractor to evaluate the upcoming changes and to evaluate the replacement of my driveway, including stone landscape scrub and flower boxes. I realize that the Town intends to pay a substantial amount of money for the work that your contractor was to perform. I do not feel comfortable that town will replace and repair my home back to the level of my expectations.

I ask that in lieu of the Town's contractor performing any work on my property, the monetary value of the work that was to be performed be given to me to offset the costs of my contractor to perform basically the same work. Hurricane Irene & Sandy have financially affected me and a project of this magnitude was not planned for.

Please feel free to call me anytime to discuss this issue. I can be reached on my cell at [redacted].

Best Regards,

Santi Greco

135 Stillwater Ave

Masspequa, NY 11758

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 24, 2016

TO : FRANK M. SCALERA, CHIEF DEPUTY TOWN ATTORNEY

FROM : ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: RESIDENT REIMBURSEMENT
135 STILLWATER, MASSAPEQUA, NY
CONTRACT NO. H12-076

The Stillwater Avenue Area road project required significant property restoration on a resident's property due to a change in elevation. The homeowner's driveway consisted of an intricate paver layout which he was planning on expanding with his own contractor. The Town's contractor, The LandTek Group, Inc. felt that their crews did not have the expertise to complete the work to the homeowner's satisfaction. The Division of Engineering directed Sidney B. Bowne & Son, LLP to value the work that was contractually required by The LandTek Group, Inc. utilizing the contract items, which totaled $32,400.44.

While the homeowner had no plans to modify his property prior to the start of the contract, the restoration work that would have been required due to project caused the homeowner to intiate a substanial renovation. In lieu of having The LandTek Group, Inc. perform the work, and since the the Commissioner determined the best course of action would be to credit the homeowner the value of the work that would have been performed by the Town, for the homeowner's use in paying for the work privately. The homeowner has agreed to this.

The intent of the Division of Engineering was to have Sidney B. Bowne & Son, LLP document the situation, and in our final acceptance docket item request that the Comptroller issue a check to the homeowner in the amount of $32,400.44. This will not result in any additional cost to the Town. We ask that your office provide concurrance on this methodology, or otherwise provide other direction.

Please call Daniel Haas at extension 5883, if you have any questions.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/DJH
Attachment

c: Thomas M. Sabellico, Deputy Town Attorney
Kevin M. Hanifan, Commissioner/Highways
Kathy Stefanich, Administrative Staff

H12-076 - TA - Reimburse 135 Stillwater Ave

TOWN OF OYSTER BAY

Engineer's Certificate

DATE: 1-Apr-16

DEPARTMENT OF PUBLIC WORKS

150 Miller Place Syosset, New York 11791

Contractor: THE LAND TEK GROUP, INC

Address: 235 COUNTY LINE ROAD
AMITYVILLE, NY 11701

Project Name: CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

Engineer: SIDNEY B. BOWNE & SON, LLP

Address: 235 E. JERICHO TURNPIKE
P.O. BOX 109
MINEOLA, N.Y. 11501

TOB Contract No.: H12-076

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date			
					Unit Price	Quantity	Amount	
1		Job	Clearing and Grubbing	$ 4,000.00	$ 4,000.00	100.0%	$ 4,000.00	
	0		*QI-D Notification #1, TBR Pending*	$ -				
* 2B	~~150~~	LF	Alteration of Trench Depth	$ ~~4,500.00~~	$ 30.00		$ -	
	25.00		*QI-D Notification #1, TBR Pending*	$ 781.25				
* 2U	~~30~~	CY	Undercut	$ ~~937.50~~	$ 31.25	25.00	$ 781.25	
	149.87		*QI-D Notification #1, TBR Pending*	$ 14,987.00				
4B	~~435~~	CY	Cement Concrete Structure Removal	$ ~~13,500.00~~	$ 100.00	149.87	$ 14,987.00	
	2,059.40		*QI-D Notification #1, TBR Pending*	$ 12,356.40				
4B-P	~~2,100~~	LF	Remove Existing Pipe	$ ~~12,600.00~~	$ 6.00	2,059.40	$ 12,356.40	
	18.60		*QI-D Notification #1, TBR Pending*	$ 74.40				
4D	~~220~~	LF	Bituminous Concrete Saw Cut	$ ~~880.00~~	$ 4.00	18.60	$ 74.40	
	13,806.50		*QI-D Notification #1, TBR Pending*	$ 75,935.75				
4E	~~21,500~~	LF	Full Depth Saw Cut of Cement Concrete Pavement and/or Bituminous Concrete Pavement	$ ~~118,250.00~~	$ 5.50	13,806.50	$ 75,935.75	
	526.00		*QI-D Notification #1, TBR Pending*	$ 2,893.00				
4E-1	~~550~~	LF	Full Depth Saw Cut of Cement Concrete Sidewalk and/or Driveway	$ ~~3,025.00~~	$ 5.50	526.00	$ 2,893.00	
	5,699.47		*QI-D Notification #1, TBR Pending*	$ 170,984.10				
5S	~~1,500~~	CY	Select Borrow Fill	$ ~~45,000.00~~	$ 30.00	5,699.47	$ 170,984.10	
	690.85		*QI-D Notification #1, TBR Pending*	$ 21,589.06				
*5T	~~150~~	CY	Trench Borrow Fill	$ ~~4,687.50~~	$ 31.25	690.85	$ 21,589.06	
	7,278.12		*QI-D Notification #1, TBR Pending*	$ 21,834.36				
7	1,925	SY	Preparing Fine Grade	$ ~~5,775.00~~	$ 3.00	7,278.12	$ 21,834.36	
	2,278.05		*QI-D Notification #1, TBR Pending*	$ 102,512.25				
12B-15	~~2,200~~	LF	Furnish and Lay 15" Diameter, Class IV Reinforced Concrete Pipe	$ ~~99,000.00~~	$ 45.00	2,278.05	$ 102,512.25	
	455.30		*QI-D Notification #1, TBR Pending*	$ 22,765.00				
12B-18	~~780~~	LF	Furnish and Lay 18" Diameter, Class IV Reinforced Concrete Pipe	$ ~~39,000.00~~	$ 50.00	455.30	$ 22,765.00	

TOWN OF OYSTER BAY

Engineer's Certificate

DATE: 1-Apr-16

DEPARTMENT OF PUBLIC WORKS

150 Miller Place Syosset, New York 11791

Contractor: THE LAND TEK GROUP, INC

Address: 235 COUNTY LINE ROAD
AMITYVILLE, NY 11701

Engineer: SIDNEY B. BOWNE & SON, LLP

Address: 235 E. JERICHO TURNPIKE
P.O. BOX 109
MINEOLA, N.Y. 11501

Project Name:
CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

TOB Contract No.: H12-076

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date		
					Unit Price	Quantity	Amount
12B-18HE	455.35 480	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 18" Diameter Equivalent, Class IV Reinforced Concrete Horizontal Elliptical Pipe (14" X 23")	*$ 36,476.00* $-----38,400.00	$ 80.00	455.95	$ 36,476.00
12B-24	133.80 160	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 24" Diameter, Class IV Reinforced Concrete Pipe	*$ 10,704.00* $----12,800.00	$ 80.00	133.80	$ 10,704.00
12B-30	152.60 160	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 30" Diameter, Class IV Reinforced Concrete Pipe	*$ 14,497.00* $-----15,200.00	$ 95.00	152.60	$ 14,497.00
12B-30HE	691.00 745	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 30" Diameter Equivalent, Class IV Reinforced Concrete Horizontal Elliptical Pipe (24" X 38")	*$ 89,830.00* $-----92,950.00	$ 130.00	691.00	$ 89,830.00
12B-8-DIP	97.60 125	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 8" Diameter, Ductile Iron Pipe	*$ 5,856.00* $-------7,500.00	$ 60.00	97.60	$ 5,856.00
12B-14-DIP	231.35 250	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 14" Diameter, Ductile Iron Pipe	*$ 23,135.00* $-----25,000.00	$ 100.00	231.35	$ 23,135.00
12B-8 PVC	288.40 200	LF	*QI-D Notification #1, TBR Pending* Furnish and Lay 8" Diameter, Polyvinyl Chloride Pipe	*$ 9,517.20* $-------6,600.00	$ 33.00	288.40	$ 9,517.20
13C	2 3	EA	*QI-D Notification #1, TBR Pending* Catch Basin, Type C (4 inch Casting Reveal)	*$ 16,000.00* $----24,000.00	$ 8,000.00	2.00	$ 16,000.00
13D	1 2	EA	*QI-D Notification #1, TBR Pending* Catch Basin, Type D (4 inch Casting Reveal)	*$ 4,500.00* $-----9,000.00	$ 4,500.00	1.00	$ 4,500.00

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MINEOLA, N.Y. 11501

Project Name:
CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

TOB Contract No.: H12-076

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date		
					Unit Price	Quantity	Amount
	27		*QI-D Notification #1, TBR Pending*	$ 117,450.00			
13DX	~~26~~	EA	Catch Basin, Type DX (4 inch Casting Reveal)	$ ~~108,750.00~~	$ 4,350.00	27.00	$ 117,450.00
13FX	1	EA	Catch Basin, Type FX	$ 3,800.00	$ 3,800.00	1.00	$ 3,800.00
	9		*QI-D Notification #1, TBR Pending*	$ 22,500.00			
13YD	~~47~~	EA	Yard Drain	$ ~~42,500.00~~	$ 2,500.00	9.00	$ 22,500.00
	32		*QI-D Notification #1, TBR Pending*	$ 102,400.00			
15-3A	~~22~~	EA	Manholes, Type 3 Alternate,	$ ~~70,400.00~~	$ 3,200.00	32.00	$ 102,400.00
15-3A-5	3	EA	Manholes Type 3 Alternate, 5-ft. Diameter	$ 12,000.00	$ 4,000.00	3.00	$ 12,000.00
15-3A-6	1	EA	Manholes Type 3 Alternate, 6-ft.Diameter	$ 5,500.00	$ 5,500.00	1.00	$ 5,500.00
15-SMH	7	EA	Manholes Special	$ 28,000.00	$ 4,000.00	7.00	$ 28,000.00
15-PT	2	EA	Storm Drain Pre-Treatment Unit, Stormceptor Model STC-450i	$ 29,000.00	$ 14,500.00	2.00	$ 29,000.00
15-PT-1	1	EA	Storm Drain Pre-Treatment Unit, Stormceptor Model STC-1100	$ 55,000.00	$ 55,000.00	1.00	$ 55,000.00
15-PT-2	1	EA	Storm Drain Pre-Treatment Device, Stormceptor Model STC-7200	$ 17,000.00	$ 17,000.00	1.00	$ 17,000.00
15-PT-3	1	EA	Storm Drain Pre-Treatment Device, Stormceptor Model STC-900	$ 26,000.00	$ 26,000.00	1.00	$ 26,000.00
	18		*QI-D Notification #1, TBR Pending*	$ 11,700.00			
*16M-A	~~19~~	EA	Furnish and Install New Manhole Casting	$ ~~12,350.00~~	$ 650.00	18.00	$ 11,700.00
	0		*QI-D Notification #1, TBR Pending*	$ -			
*16M	4	EA	Furnish New Manhole Casting	$ ~~2,000.00~~	$ 500.00		$ -
	25		*QI-D Notification #1, TBR Pending*	$ 13,750.00			
16-1	~~27~~	EA	Change Elevation of Manhole Casting - Minor Adjustment	$ ~~14,850.00~~	$ 550.00	25.00	$ 13,750.00

TOWN OF OYSTER BAY

Engineer's Certificate

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Contractor: THE LAND TEK GROUP, INC

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AMITYVILLE, NY 11701

Project Name:
CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

Engineer: SIDNEY B. BOWNE & SON, LLP

TOB Contract No.: H12-076

Address: 235 E. JERICHO TURNPIKE
P.O. BOX 109
MINEOLA, N.Y. 11501

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date		
					Unit Price	Quantity	Amount
16-2	0 4	EA	*QI-D Notification #1, TBR Pending* Change Elevation of Manhole Casting Major Adjustment	$ - $ 4,200.00	$ 1,050.00		$ -
*17-AC	0 6	CY	*QI-D Notification #1, TBR Pending* Concrete Masonry, Contingency, Class A Concrete	$ - $ 6,000.00	$ 1,000.00		$ -
26B	982.30 4,350	LF	*QI-D Notification #1, TBR Pending* Stone Block Curb, 4-inch Reveal	$ 25,539.80 $ 35,400.00	$ 26.00	982.30	$ 25,539.80
26-BG	10,457.10 11,200	LF	*QI-D Notification #1, TBR Pending* Stone Block Curb and Reinforced Cement Concrete Gutter, 4-inch Reveal	$ 355,541.40 $ 380,800.00	$ 34.00	10,457.10	$ 355,541.40
27	17,197.29 16,900	SF	*QI-D Notification #1, TBR Pending* Cement Concrete Sidewalks and Ramps (5" Thick)	$ 150,476.29 $ 147,875.00	$ 8.75	17,197.29	$ 150,476.29
28	16,928.47 17,600	SF	*QI-D Notification #1, TBR Pending* Reinforced Cement Concrete Driveways and Driveway Aprons (7" Thick)	$ 173,516.82 $ 180,400.00	$ 10.25	16,928.47	$ 173,516.82
28A	517.88 3,850	SY	*QI-D Notification #1, TBR Pending* Bituminous Sidewalks and Driveways	$ 19,161.56 $ 142,450.00	$ 37.00	517.88	$ 19,161.56
*28B	113.26 150	SY	*QI-D Notification #1, TBR Pending* Loose Stone Sidewalks and Driveways	$ 2,265.20 $ 3,000.00	$ 20.00	113.26	$ 2,265.20
36-2A-1	3,752.59 3,600	TON	*QI-D Notification #1, TBR Pending* Bituminous Macadam Plant Mix, Type 2A, Paving Courses, Various Thicknesses and Mixes	$ 431,547.85 $ 402,500.00	$ 115.00	3,752.59	$ 431,547.85
49-E	13.14 20	SY	*QI-D Notification #1, TBR Pending* Reinforced Cement Concrete Valley Gutter	$ 1,576.80 $ 2,400.00	$ 120.00	13.14	$ 1,576.80

TOWN OF OYSTER BAY

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MINEOLA, N.Y. 11501

Project Name:
CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

TOB Contract No.: H12-076

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date		
					Unit Price	Quantity	Amount
57-C	17	EA	Rebuilding Catch Basins - Type C	$ 68,000.00	$ 4,000.00	17.00	$ 68,000.00
	18		*QI-D Notification #1, TBR Pending*	*$ 63,000.00*			
57-D	~~17~~	EA	Rebuilding Catch Basins - Type D	$ ~~59,500.00~~	$ 3,500.00	18.00	$ 63,000.00
	0		*QI-D Notification #1, TBR Pending*	*$ -*			
* 60	7	EA	Curb Cock and Water Service Box Relocation	$ 1,750.00	$ 250.00		$ -
	0		*QI-D Notification #1, TBR Pending*	*$ -*			
* 61	~~129~~	lf/"dia.	Changing Elevations of House Service Connections to Water Mains	$ 6,000.00	$ 50.00		$ -
* 61S	6	EA	Change Elevation of Sanitary Sewer House Connection	$ 5,550.00	$ 925.00	6.00	$ 5,550.00
	7.00		*QI-D Notification #1, TBR Pending*	*$ 175.00*			
72	10	LF	Removal and Replacement of Existing Hedge	$ 250.00	$ 25.00	7.00	$ 175.00
	8.00		*QI-D Notification #1, TBR Pending*	*$ 400.00*			
73A	43	EA	Remove and Replace or Relocate Miscellaneous Plants and Shrubs	$ 2,150.00	$ 50.00	8.00	$ 400.00
	302.26		*QI-D Notification #1, TBR Pending*	*$ 6,045.20*			
74	~~1,100~~	CF	Replace or Construct Miscellaneous Structures	$ 22,000.00	$ 20.00	302.26	$ 6,045.20
	716.40		*QI-D Notification #1, TBR Pending*	*$ 4,656.60*			
*75	40	SY	Topsoil and Seeding	$ 260.00	$ 6.50	716.40	$ 4,656.60
	0		*QI-D Notification #1, TBR Pending*	*$ -*			
* 77	2	EA	Moving Water Meter and Pit	$ ~~2,500.00~~	$ 1,250.00		$ -
	0		*QI-D Notification #1, TBR Pending*	*$ -*			
* 77A	53	EA	Water Meters - Change of Grade	$ ~~49,025.00~~	$ 925.00		$ -
98		Job	Maintenance and Protection of Traffic	$ 140,000.00	$ 140,000.00	100.0%	$ 140,000.00
	0		*QI-D Notification #1, TBR Pending*	*$ -*			
* 99	200	lf/"dia	Water Main Relocation, Various Diameters	$ 13,750.00	$ 68.75		$ -

TOWN OF OYSTER BAY

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150 Miller Place Syosset, New York 11791

Contractor: THE LAND TEK GROUP, INC

Address: 235 COUNTY LINE ROAD
AMITYVILLE, NY 11701

Project Name: CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

Engineer: SIDNEY B. BOWNE & SON, LLP

Address: 235 E. JERICHO TURNPIKE
P.O. BOX 109
MINEOLA, N.Y. 11501

TOB Contract No.: H12-076

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					Unit Price	Quantity	Amount
* 99F	0 ~~3,080~~	LBS	*QI-0 Notification #1, TBR Pending* Water Main Fittings	$ - ~~$ 15,400.00~~	$ 5.00		$ -
* 99-TB	0 ~~4~~	CY	*QI-0 Notification #1, TBR Pending* Install Concrete Thrust Blocks	$ - ~~$ 350.00~~	$ 350.00		$ -
* 99-V	0 ~~4~~	EA	*QI-0 Notification #1, TBR Pending* New Water Main Valve With Valve Box	$ - ~~$ 3,750.00~~	$ 3,750.00		$ -
361S	8 ~~25~~	EA	*QI-0 Notification #1, TBR Pending* Planting Evergreen Shrubs	$ 1,000.00 ~~$ 3,125.00~~	$ 125.00	8.00	$ 1,000.00
362	27 ~~60~~	EA	*QI-0 Notification #1, TBR Pending* Painting Castings	$ 1,485.00 ~~$ 2,750.00~~	$ 55.00	27.00	$ 1,485.00
363	0.10 ~~46~~	Tons	*QI-0 Notification #1, TBR Pending* Furnishing and Applying Calcium Chloride	$ 40.00 ~~$ 6,000.00~~	$ 400.00	0.10	$ 40.00
364A	0 ~~44~~	CY	*QI-0 Notification #1, TBR Pending* Construction of Small Retaining Walls - Brick	$ - ~~$ 6,160.00~~	$ 585.00		$ -
364B	0 ~~40~~	CY	*QI-0 Notification #1, TBR Pending* Construction of Small Retaining Walls - Concrete	$ - ~~$ 5,500.00~~	$ 550.00		$ -
366T	0 ~~765~~	LF	*QI-0 Notification #1, TBR Pending* Thermoplastic Reflectorized Pavement Markings	$ - ~~$ 1,338.75~~	$ 1.75		$ -
374	5,308.00 ~~5,500~~	LF	*QI-0 Notification #1, TBR Pending* Cleaning and Sweeping	$ 6,635.00 ~~$ 6,875.00~~	$ 1.25	5,308.00	$ 6,635.00
*383	0 ~~25~~	CY	*QI-0 Notification #1, TBR Pending* Run of Crusher Screenings	$ - ~~$ 750.00~~	$ 30.00		$ -
386A	41 ~~8~~	EA	*QI-0 Notification #1, TBR Pending* Tree Removal over 4" to 12" Caliper Inclusive	$ 24,600.00 ~~$ 4,800.00~~	$ 600.00	41.00	$ 24,600.00

TOWN OF OYSTER BAY

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Project Name:
CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

TOB Contract No.: H12-076

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date		
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385B	42 ~~40~~	EA	*QI-D Notification #1, TBR Pending* Tree Removal over 12" Caliper Inclusive	$ 33,600.00 ~~$ 8,000.00~~	$ 800.00	42.00	$ 33,600.00
*387	0 ~~4~~	EA	*QI-D Notification #1, TBR Pending* Relocation of Water Main Valves	$ - ~~$ 2,500.00~~	$ 2,500.00		$ -
389	0 ~~50~~	LF	*QI-D Notification #1, TBR Pending* Metal Beam Type Guide Rail	$ - ~~$ 12,500.00~~	$ 250.00		$ -
393	57.00 ~~28~~	EA	*QI-D Notification #1, TBR Pending* Test Holes	$ 24,225.00 ~~$ 14,000.00~~	$ 425.00	57.00	$ 24,225.00
394	342.75 ~~286~~	Tons	*QI-D Notification #1, TBR Pending* Temporary Asphaltic Pavement	$ 42,843.75 ~~$ 35,625.00~~	$ 125.00	342.75	$ 42,843.75
396	5,792.70 ~~7,900~~	SY	*QI-D Notification #1, TBR Pending* Planting Sod, Supplied or Rehandled	$ 69,512.40 ~~$ 94,800.00~~	$ 12.00	5,792.70	$ 69,512.40
398	1,161.72 ~~2,000~~	CY	*QI-D Notification #1, TBR Pending* Dense Graded Aggregate Base Course	$ 52,277.40 ~~$ 90,000.00~~	$ 45.00	1,161.72	$ 52,277.40
500	928.00 ~~1,700~~	LF	*QI-D Notification #1, TBR Pending* Clean Existing Drainage System	$ 4,640.00 ~~$ 8,500.00~~	$ 5.00	928.00	$ 4,640.00
* 501	0 ~~60~~	Tons	*QI-D Notification #1, TBR Pending* Miscellaneous Bituminous Macadam	$ - ~~$ 9,600.00~~	$ 160.00		$ -
503	23,000.00 ~~18,380~~	SY	*QI-D Notification #1, TBR Pending* Milling and Grinding	$ 138,000.00 ~~$ 110,280.00~~	$ 6.00	23,000.00	$ 138,000.00
504	0 ~~210~~	EA	*QI-D Notification #1, TBR Pending* Change Elevation of Water Service Box, Water Main Valve Box, Water Meter Pit, SanitarySewer Cleanout, Sprinkler Control Box or Traffic Signal Pullbox	$ - ~~$ 13,650.00~~	$ 65.00		$ -

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504-A	0 ~~40~~	EA	*QI-D Notification #1, TBR Pending* Furnish and Install New Water Service Box, Water Main Valve Box, Water Meter Pit, Sewer Clearout Casting or Sprinkler Control Box	$ - $ ~~3,750.00~~	$ 375.00		$ -
506	142.00 ~~416~~	SF	*QI-D Notification #1, TBR Pending* Remove and Reset Ornamental Garden	$ 532.50 $ ~~1,931.25~~	$ 3.75	142.00	$ 532.50
*507	30.00 ~~20~~	LF	*QI-D Notification #1, TBR Pending* Modify Existing Roof Drains	$ 375.00 $ ~~250.00~~	$ 12.50	30.00	$ 375.00
508	26.00 ~~290~~	LF	*QI-D Notification #1, TBR Pending* Removal and Replacement of Existing Fence	$ 1,300.00 $ ~~14,500.00~~	$ 50.00	26.00	$ 1,300.00
*509-1	0 ~~5~~	EA	*QI-D Notification #1, TBR Pending* Cut and Repair Existing Reinforced Concrete Pipe in Existing Drainage Structures	$ - $ ~~312.50~~	$ 62.50		$ -
514	133.00 ~~440~~	HRS	*QI-D Notification #1, TBR Pending* Furnish Self-Propelled Street Sweeper Complete With Operator	$ 14,630.00 $ ~~12,100.00~~	$ 110.00	133.00	$ 14,630.00
516-4	40.00 ~~36~~	EA	*QI-D Notification #1, TBR Pending* Furnish and Install New Catch Basin Castings - 4 inch Curb Height	$ 50,000.00 $ ~~45,000.00~~	$ 1,250.00	40.00	$ 50,000.00
529	29.50 ~~68~~	CF	*QI-D Notification #1, TBR Pending* Modify or Reconstruct Masonry Pillar	$ 737.50 $ ~~1,700.00~~	$ 25.00	29.50	$ 737.50
530	0 ~~2~~	EA	*QI-D Notification #1, TBR Pending* Relocate Light Fixtures, Complete Various Types and Sizes	$ - $ ~~75.00~~	$ 37.50		$ -
*531	0 ~~2~~	EA	*QI-D Notification #1, TBR Pending* Furnish and Install Window Well	$ - $ ~~870.00~~	$ 435.00		$ -

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533	2 ~~42~~	EA	*QI-D Notification #1, TBR Pending* Remove and Reinstall Wood Posts, Pilings, Steel Bollards and Other Upright Structures	$ *150.00* $ ~~900.00~~	$ 75.00	2.00	$ 150.00
534	0 ~~2~~	EA	*QI-D Notification #1, TBR Pending* Relocate and/or Adjust Existing Hydrants	$ - $ ~~10,000.00~~	$ 5,000.00		$ -
*535	1 ~~6~~	EA	*QI-D Notification #1, TBR Pending* Grinding Existing Tree Stumps	$ *425.00* $ ~~2,550.00~~	$ 425.00	1.00	$ 425.00
*538	1	EA	Adjust Leaders and Downspouts	$ 40.00	$ 40.00	1.00	$ 40.00
*539	0 ~~400~~	SF	*QI-D Notification #1, TBR Pending* Remove, Replace and/or Modify and Reinstall House Siding	$ - $ ~~40,000.00~~	$ 400.00		$ -
*548	0 ~~2~~	EA	*QI-D Notification #1, TBR Pending* Relocate and Change Elevation of Sanitary Sewer Cleanout	$ - $ ~~1,000.00~~	$ 500.00		$ -
569	0 ~~6~~	EA	*QI-D Notification #1, TBR Pending* Remove and Relocate Existing Light Pole	$ - $ ~~2,250.00~~	$ 375.00		$ -
570	4,421.36 ~~3,000~~	SF	*QI-D Notification #1, TBR Pending* Brick, Block, Precast Decorative or Cast-in-Place Decorative Driveways and Sidewalks	$ *88,427.20* $ ~~60,000.00~~	$ 20.00	4,421.36	$ 88,427.20
572	360.00 ~~400~~	LF	*QI-D Notification #1, TBR Pending* Silt Fence for Sediment Control	$ *3,600.00* $ ~~4,000.00~~	$ 10.00	360.00	$ 3,600.00
573	0 ~~300~~	LF	*QI-D Notification #1, TBR Pending* Hay Bales / Straw Bales	$ - $ ~~1,500.00~~	$ 5.00		$ -
574	65 ~~74~~	EA	*QI-D Notification #1, TBR Pending* Silt Protection for Surface Inlet Drainage Structures	$ *11,375.00* $ ~~12,425.00~~	$ 175.00	65.00	$ 11,375.00

TOWN OF OYSTER BAY

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DEPARTMENT OF PUBLIC WORKS

150 Miller Place Syosset, New York 11791

Contractor: THE LAND TEK GROUP, INC

Address: 235 COUNTY LINE ROAD
AMITYVILLE, NY 11701

Project Name: CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 025-14

Engineer: SIDNEY B. BOWNE & SON, LLP

TOB Contract No.: H12-076

Address: 235 E. JERICHO TURNPIKE
P.O. BOX 109
MINEOLA, N.Y. 11501

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY		Description	Total Bid Price	Work Performed To Date		
					Unit Price	Quantity	Amount
576-15	21 ~~52~~	EA	*QI-D Notification #1, TBR Pending* Catch Basin Outlet Pipe Oil / Sediment / Debris Hoods -15" Dia	$ *12,600.00* $ ~~31,200.00~~	$ 600.00	21.00	$ 12,600.00
576-18	10	EA	Catch Basin Outlet Pipe Oil / Sediment / Debris Hoods -18" Dia	$ 7,500.00	$ 750.00	10.00	$ 7,500.00
578-8	12 ~~46~~	EA	*QI-D Notification #1, TBR Pending* Furnish and Install 8" Rubber In-Line Check Valve	$ *18,000.00* $ ~~24,000.00~~	$ 1,500.00	12.00	$ 18,000.00
578-15	3	EA	Furnish and Install 15" Rubber In-Line Check Valve	$ 12,000.00	$ 4,000.00	3.00	$ 12,000.00
578-24	1	EA	Furnish and Install 24" Rubber In-Line Check Valve	$ 5,500.00	$ 5,500.00	1.00	$ 5,500.00
578-30	1	EA	Furnish and Install 30" Rubber In-Line Check Valve	$ 9,500.00	$ 9,500.00	1.00	$ 9,500.00
600	0.265398	Job	*QI-D Notification #1, TBR Pending* Unforseen Restoration Work	$ *6,634.95* $ ~~25,000.00~~	$ 25,000.00	0.265398	$ 6,634.95
			Total Amount Bid:	$ 3,466,652.50	SubTotal (Items Compl.):		$ 3,194,965.99
			Total As Revised by Notification #1:	$ 3,194,965.99			
Change Order No. 1 (TBR Pending):							
			Time Related Disruptions due to Underground Utility Conflics				$ 35,655.16
			Time Delay for Rescheduling Milling and grading Operation				$ 13,385.64
			Labor and Materials Costs to re-Adjust Drainage Castings				$ 1,212.56
			Material cost for Yard Drains Supplied but not installed				$ 7,245.00
			Material cost for Catch Basin Debris Hoods Supplied but not installed				$ 12,196.80
			SubTotal, Change Order No 1, (TBR Pending) :				$ 69,695.16

TOWN OF OYSTER BAY

Engineer's Certificate

DATE: 1-Apr-16

DEPARTMENT OF PUBLIC WORKS

150 Miller Place Syosset, New York 11791

Contractor: THE LAND TEK GROUP, INC

Address: 235 COUNTY LINE ROAD
AMITYVILLE, NY 11701

Project Name:
CONSTRUCTION OF HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA LOCATED IN MASSAPEQUA, NY Bid No. PW 026-14

Engineer: SIDNEY B. BOWNE & SON, LLP

TOB Contract No.: H12-076

Address: 235 E. JERICHO TURNPIKE
P.O. BOX 109
MINEOLA, N.Y. 11501

Estimate No.: 14 FINAL -Rev

Item No.	CONTRACT QUANTITY	Description	Total Bid Price	Work Performed To Date		
				Unit Price	Quantity	Amount

		Total Contract Sum:	$ 3,466,652.50
		Net Change By CO $ Incr/Decr:	
		Notif #1 : (DECREASE):	$ (271,686.51)
Directed Starting Date	10/09/14	Change Order No. 1: (INCREASE)	$ 69,695.16
Actual Starting Date	10/09/14	Total Contract Sum To Date:	$ 3,264,661.15
Directed Completion Date	08/04/15	Grand Total (completed and Stored to Date):	$ 3,264,661.15
Extended Completion Date	12/31/15	Less 0 % Retained:	$ -
Actual Completion Date	12/31/15	Balance:	$ 3,264,661.15
The work covered by this estimate was		Less Previous Claims:	$ 2,565,444.18
performed prior to	12/31/15	Amount Of This Claim:	$ 699,216.97

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor: THE LAND TEK GROUP, INC.

Title: Office Manager

State of: New York County of: Suffolk

Subscribed and sworn to before me this 1st day of June, 2016.

Notary Public: Stephanie Repman

My commission expires: 6/20/18

STEPHANIE REPMAN
Notary Public, State of New York
No. 4934811
Qualified in Suffolk County
Commission Expires June 20 2018

This is to certify that the work covered by this estimate has been performed in accordance with the contract drawings and construction specifications and payment is being made in accordance with the terms and conditions of this contract.

Recommended for payment by Engineer:

Date: 7/1/16

SIDNEY B. BOWNE & SON, LLP

Title: ENGINEER IN CHARGE

Town of Oyster Bay
Inter-Departmental Memo

TO : Richard T. Betz, Commissioner
Department of Public Works
Attention: Elizabeth L. Maccarone, Deputy Commissioner

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : June 2, 2016

SUBJECT: FINAL ACCEPTANCE
Highway Improvements for the Stillwater Avenue Area
Massapequa, New York
Contract No. H12-076

In reply to your memorandum dated May 26, 2016, kindly be advised that the records of this office disclose no pending litigation or other obstacles which would prevent final acceptance of the above referenced Contract. In addition hereto, we approve Maintenance Bond No. BCY1028025 as to form and further advise you to proceed with your Docket Memorandum.

LEONARD GENOVA
TOWN ATTORNEY

Frank M. Scalera
Chief Deputy Town Attorney

FMS:esk

cc: Comptroller
Town Clerk

S:\attorney\admin\ay\Maccarone.Stillwater Ave.5.27.16

TOWN OF OYSTER BAY

Inter-Departmental Memo

JUNE 7, 2016

To: RICHARD T. BETZ, COMMISSIONER OF PUBLIC WORKS

From: ROBERT J. McEVOY, COMPTROLLER

Subject: FINAL ACCEPTANCE
HIGHWAY IMPROVEMENTS FOR THE STILLWATER AVENUE AREA
MASSAPEQUA, NEW YORK
CONTRACT NO. H12-076

In response to your memo dated May 26, 2016, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

ROBERT J. McEVOY
COMPTROLLER

by
Leonard G. Kunzig
Deputy Comptroller

Enclosure

RJM:LGK:mr

cc: Town Attorney w/enclosure
Accounts Payable Division (2)
Reading File

Danny Neary

Town of Oyster Bay

Inter-Departmental Memo

May 24, 2016

TO: Richard T Betz, Commissioner Department of Public Works

ATT: Elizabeth L. Maccarone, Deputy Commissioner Department of Public Works

FROM: Salvatore R. Cecere, Highway Maintenance Supervisor I

THROUGH: Kevin M. Hanifan, Commissioner Department Of Highways

SUBJECT: Final Acceptance – Highway Improvements Stillwater Avenue
Contract No. H12-076

The Highway Department has inspected the area and recommends that this project be accepted as complete.

Salvatore R. Cecere
Highway Maintenance Supervisor I

Kevin M. Hanifan
Commissioner
Department Of Highways

WHEREAS, Resolution No. 751-2015, adopted on December 15, 2015, authorized John A. Grillo, Architect, P.C., to provide on-call engineering services, in connection with Contract No. PWC 09-16, On-Call Engineering Services Relative to Site Development; 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 July 1, 2016, request Town Board authorization that John A. Grillo, Architect, P.C., proceed under Contract No. PWC 09-16, On-Call Engineering Services Relative to Site Development, for Design and Construction Inspection Services for the John J. Burns Park Athletic Field Replacement, Project Id No. 1402 PKSA-04, and further request that the Comptroller issue an encumbrance order in an amount of $42,875.00, with funds available in Account No. PKS H 7197 20000 000 1402 001. These funds are utilized from remaining balances of the 2014 Capital Budget,

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 $42,875.00 for Contract No. PWC 09-16, with funds to be drawn from Account No. PKS H 7197 20000 000 1402 001.

-#-

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	Abstain
Councilwoman Alesia	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
Parks

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JUNE 27, 2016

TO: MEMORANDUM DOCKET

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC09-16
SITE DEVELOPMENT
JOHN J. BURNS PARK SOCCER FIELD TURF REPLACEMENT
SUPPLEMENTAL MEMO TO FOLLOW

The Division of Engineering is compiling the necessary paperwork to request an authorization for John A. Grillo Architect, P.C. under Contract No. PWC09-16, On-Call Engineering Services relative to Site Development. Additional information will be provided by supplemental memorandum docket.

It is therefore requested that a space be reserved on the Town Board calendar of July 12, 2016 for the Town Board to take action on this item.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dz

Attachment

cc: Office of the Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathy Stefanich, Administrative Division/DPW
Frank Nocerino, Commissioner/Parks

PWC09-16 JAG DOCKET BURNS FIELD RESERVE

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

JULY 1, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 29
DOCKET OF JUNE 28, 2016
ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NO. PWC09-16
SITE DEVELOPMENT
ACCOUNT NO.: PKS H 7197 20000 000 1402 001
PROJECT ID NO. 1402 PKSA- 04

In furtherance to Item No. 29 of the docket of June 28, 2016, the consultant, John. A Grillo Architect, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC09-16 by Resolution No. 751-2015 for the subject project. Funds have been made available by the Director of Finance.

At the request of the Department of Parks, attached is a letter dated June 9, 2016 from John A. Grillo Architect, P.C. regarding the scope of work to be performed in an amount not to exceed $42,875.00. Services to be performed include design and construction inspection services for the John J. Burns Park Athletic Field Replacement.

Attached is an availability of funds in the amount of $42,875.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1402 001. These funds are utilized from remaining balances of the 2014 Capital Budget.

It is hereby requested that the Town Board authorize by Resolution John A. Grillo Architect, P.C. under Contract No. PWC09-16, On-Call Engineering Services Relative to Site Development and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ MR/BK/dm

Attachment

cc: Office of the Town Attorney (w/19 copies)
Robert J. McEvoy, Comptroller
Kathy Stefanich, Administrative Division/DPW
Frank Nocerino, Commissioner/Parks

PWC09-16 DOCKET JAG 42875

TOWN OF OYSTER BAY
Inter-Departmental Memo

June 28, 2016

To: ROBERT S. DARIENZO, ASSISTANT
DIRECTOR OF FINANCE

From: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Subject: REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO PWC 09-16
JOHN A. GRILLO, ARCHITECT, P.C.
SITE DEVELOPMENT

Attached please find the original On-Call Consultant Service/Requirements Contract Request for Availability of Funds and Town of Oyster Bay Work Order signed by both the requesting department and the Commissioner of Public Works.

If there are any questions, please contact Diane Marx at ext. 5779.

Elizabeth L Maccarone

ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/dm
Attachments

PWC 22-16 [illegible]5,500.00 WILKE MR.[illegible]

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

June 23, 2016

TO : FRANK NOCERINO, COMMISSIONER
DEPARTMENT OF PARKS

FROM: ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT : REQUEST FOR AVAILABILITY OF FUNDS
CONTRACT NO. PWC09-16
ON-CALL SITE DEVELOPMENT
JOHN A. GRILLO ARCHITECT, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of $42,875.00.

Funds are required for design and construction inspection services for the John J. Burns Park Athletic Field Replacement , as per the attached letter from John A. Grillo Architect, P.C., dated June 9, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $42,875.00 and Resolution No. 751-2015 authorizing John A. Grillo Architect, P.C. for on-call services.

If you have any questions, please contact Brian Kunzig, Division of Engineering, at extension 5741.

Elizabeth L. Maccarone
ELIZABETH L. MACCARONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Diane I. Marx
DIANE I. MARX
ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS

RTB:ELM:MR:BK/dz
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC-09-16 AVAIL 42875 JAG

ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT
REQUEST FOR AVAILABILITY OF FUNDS

Requesting Division/Department: Parks

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number: PWC09-16

Contract Period: January 1, 2016 through December 31, 2017

Consultant/Contractor: John A Grillo Architect, P.C.

Discipline: Site Development

Total Authorization: $42,875.00

Resolution No. 751-2015 Date 12/15/2015

Funded To Date: $0.00

Amount Requested: $42,875.00

Account To Be Used: PKS H7197 20000 000 140.1001 - 140.2 PKSA-04

If Capital Account, State The Related Contract Number:

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

Funds are required for design and construction inspection services for the John J. Burns Park Athletic Field Replacement.

Work To Be Completed In Contract Period: Yes [x] No [ ]

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes [x] No [ ]

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes [ ] No [ ] N/A [x]

Amount of Bond $

Requesting Division/Department	DPW Approval Only To Be Executed By The Commissioner
Signature	Signature
Title: Commissioner	Title: Commissioner of Public Works
Date: 6-24-16	Date: 6/27/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 42,875.00

Unemcumbered Balance: 618,409.83

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes [X] No [ ]

Signature Date 6/28/16

TOWN OF OYSTER BAY

WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2016

Contract No. PWC09-16 Contract End 12/31/2017

Commencement Date _____

No claim shall be paid for work performed prior to the Commencement Date

Vendor Name and Address

John A. Grillo Architect, P.C.

1213 Main Street

Port Jefferson, NY 11777

Requesting Town Department Parks

Contact Brian Kunzig Phone 677-5741

Description of Work to be Performed (Attach Detail If Necessary)

Funds are required for design and construction inspection services for the

John J. Burns Park Athletic Field Replacement.

This work order shall not exceed $ 42,875.00

Please notify the above mentioned contact person 48 hours prior to commencing any work.

Requesting Division/Department

Signature

Title Commissioner

Date 6-24-16

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date 6/27/16

Reviewed By
Office of Town Attorney

Meeting of December 15, 2015 Resolution No.751 -2015

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 December 1, 2015, request and recommend that LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Nelson & Pope Engineers & Land Surveyor, PLLC, Lockwood, Kessler and Bartlett, Inc., D & B Engineers and Architects, P.C., John A. Grillo Architect, PC., Cameron Engineering & Associates, LLP, Lucchesi Engineering, PC, Angelo Francis Corva Associates, Architects, O'Connor-Petito, LLP and Schneider Engineering, PLLC be authorized to provide on-call engineering services in connection with Contract No. PWC09-16, On-Call Engineering Services Relative to Site Development for a two (2) year contract term from January 1, 2016 through December 31, 2017; and

WHEREAS, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Nelson & Pope Engineers & Land Surveyor, PLLC, Lockwood, Kessler and Bartlett, Inc., D & B Engineers and Architects, P.C., John A. Grillo Architect, PC., Cameron Engineering & Associates, LLP, Lucchesi Engineering, PC, Angelo Francis Corva Associates, Architects, O'Connor-Petito, LLP and Schneider Engineering, PLLC have an open-ended service agreement with the Town under which the services will be provided,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved and LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Nelson & Pope Engineers & Land Surveyor, PLLC, Lockwood, Kessler and Bartlett, Inc., D & B Engineers and Architects, P.C., John A. Grillo Architect, PC., Cameron Engineering & Associates, LLP, Lucchesi Engineering, PC, Angelo Francis Corva Associates, Architects, O'Connor-Petito, LLP and Schneider Engineering, PLLC are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC09-16, On-Call Engineering Services Relative to Site Development for a two (2) year contract term from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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

JAG ARCHITECT

JOHN A. GRILLO
ARCHITECT, P.C.
1213 MAIN STREET
PORT JEFFERSON, NY 11777

TEL: (631) 476-2161 FAX: (631) 476-9846

June 9, 2016

Mr. Richard T.Betz
Commissioner of Department of Highway
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

RE: Town of Oyster Bay
John Burns Park – Athletic Field Replacement
PWC 09-16 Site Development

Dear Mr. Betz:

Based on the estimated construction costs, the following engineering fees will be associated with this project:

PHASE 1 – DESIGN	HOURS
* Field Work & Initial Coordination Meetings	14
* Design & Construction Documents	58
* Final Pre-bid Coordination & Meetings	10
* Clerical/ Specifications	9
Total Hours – Phase 1	**91**

Total Engineering Fees – Phase 1 (not to exceed)$15,925.00

PHASE 2

* Bid Opening & Bid Results Review	4
* Submittal Review	10
* Contractor Installation/ Supervision	120
* Progress/ Job Meetings	20
Total Hours – Phase 2	**154**

Total Engineering Fees – Phase 2 (not to exceed) $26,950.00

TOTAL FEES – PHASES 1 & 2 (not to exceed) $42,875.00

If additional information is required, or should you have any questions, please advise.

Very truly yours,

JOHN M. GRILLO
Architect

JMG/sf
c/c: L. Maccarone
M. Russo
J. Tassone

Meeting of July 12, 2016 Resolution No. 390-2016

Reviewed By
Office of Town Attorney

WHEREAS, Janet Muller, Co-Chair, Hicksville Chamber of Commerce, P.O. Box 7, Hicksville, NY 11802, by letter dated June 20, 2016, has requested the use of Municipal Parking Fields H-5 and H-6 in Hicksville, Town of Oyster Bay, New York, on Sunday, July 17, 2016 from 8:00 A.M. until 8:00 P.M., for the Hicksville Chamber of Commerce's 14th Annual Hicksville Summer Street Fair, as well as ten (10) complete barricades and fifteen (15) yellow SORT pails, to be delivered on Friday, July 15, 2016 and picked up Monday, July 18, 2016; and

WHEREAS, the Hicksville Chamber of Commerce, Inc., has contacted Shila Shah-Gavnoudias, P.E., Commissioner of the Nassau County Department of Public Works, to grant permission for the closing of Jerusalem Avenue, a County road; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and John Bishop, Highway Department Administration, by memoranda dated June 23, 2016 and June 29, 2016, have advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing same to the Hicksville Chamber of Commerce, 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 request as hereinabove set forth is hereby approved, and the Department of Public Works, and the Highway Department, are hereby authorized to provide the use of Municipal Parking Fields H-5 and H-6 in Hicksville on Sunday, July 17, 2016 from 8:00 A.M. until 8:00 P.M., for the Hicksville Chamber of Commerce's 14th Annual Hicksville Summer Street Fair, as well as ten (10) complete barricades and fifteen (15) yellow SORT pails, to be delivered on Friday, July 15, 2016 and picked up Monday, July 18, 2016, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Highway Department or his duly authorized representative;

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment and in the conduct of the aforementioned activity; and

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of $1,000,000 each occurrence, and $2,000,000 general aggregate, naming the Town of Oyster Bay and the County of Nassau as additional insureds, in connection with the aforementioned activity.

-#-

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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Highway

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TOWN OF OYSTER BAY
Inter-Departmental Memo

June 23, 2016

RECEIVED

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, HIGHWAY DEPARTMENT

SUBJECT: HICKSVILLE CHAMBER OF COMMERCE
14TH ANNUAL SUMMER STREET FAIR
TO BE HELD JULY 17TH 2016
SUPPLEMENTAL TO FOLLOW

The Highway Department will be submitting the required information for the Hicksville Chamber of Commerce 14th Annual Summer Street Fair to be held on July 17th 2016

JOHN P. BISHOP
HIGHWAY DEPARTMENT
JPB/taw

C: Town Attorney (19) copies

·39P

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TOWN OF OYSTER BAY

Inter-Departmental Memo

June 29, 2016

TO: MEMORANDUM DOCKET

FROM: JOHN BISHOP, HIGHWAY DEPARTMENT

SUBJECT: HICKSVILLE CHAMBER OF COMMERCE
14TH ANNUAL SUMMER STREET FAIR
TO BE HELD JULY 17TH 2016 SUPPLEMENTAL MEMO OF DOCKET
ON 6/28/16 ITEM #26

Enclosed please find a copy of the letter from Janet Muller, Co-Chairman of Fair Committee, requesting our assistance on behalf of the Hicksville Chamber of Commerce in conducting their 14th Annual Summer Street Fair on July 17th 2016.

The Highway Department has no objection to the Organization utilizing Municipal Parking Fields H-5 and H-6 on Sunday, July 17th 2016 from 8:00 A.M. until 8:00 P.M. for the Fair and they would appreciate the posting of temporary "No Parking" signs in these Lots for July 17th. In addition, the Highway Department can readily supply Ten (10) Complete Barricades, and Fifteen (15) Yellow SORT Pails from Friday, July 15th through Monday, July 18th, 2016 for this affair.

Further, the Hicksville Chamber of Commerce, Inc. has also requested the closure of Jerusalem Avenue at the junction of Broadway south to West John Street on July 17th, 2016 from 8:00 A.M. until 8:00 P.M. for the Fair. Since Jerusalem Avenue is a County roadway, attached is a letter from Hicksville Chamber of Commerce contact Shila Shah-Gavnoudias, P.E., Commissioner of Nassau County Department of Public Works obtaining permission for the road to be closed during the Street Fair.

Also attached are a Certificate of Insurance, Endorsement Sheet and Hold Harmless Agreement to cover the affair. Therefore, Town Board approval is requested.

John Bishop By Richard T. Botz

JOHN BISHOP
HIGHWAY DEPARTMENT

JB/taw

C: Town Attorney (19) copies
Doug Robalino, General Foreman 005
Rich Buckley – 006
Steve Kelly, Sign Bureau Supervisor
Justin McCaffrey, Commissioner, Dept. of Public Safety

HICKSVILLE CHAMBER OF COMMERCE

June 20, 2016

Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, New York 11791

ATT: Terry Wulforst- Public Parking Bureau

RE: Hicksville Chamber of Commerce 14th Annual Summer Street Fair- July 17, 2016
Temporary closing of Jerusalem Ave. from West John Street to Herzog Place

Dear Terry,

We are looking to secure our annual request for the 15 garbage pails and 10 barricades for our 14th Annual Street Fair at the above location (Kennedy Memorial Park) from 8:00 am to 8:00 pm in parking lot #H6- the west side of Broadway and south of Kennedy Park and Lot #H5 which is immediately west of Lot H6 across Jerusalem Avenue. We will be responsible for the equipment from July 15, 2016 through July 18, 2016.

Please advise as soon as possible should any additional information be required to facilitate your approval.

Respectfully,

JANET MULLER-Co-chair

PO Box 7, Hicksville, NY 11802 Tel: 516-931-7170 Fax: 516-931-8546
info@hicksvillechamber.com www.hicksvillechamber.com

February 24, 2016

Commissioner of Public Works
1194 Prospect Avenue
Westbury, New York 11790

ATT: Commissioner Shila Shah-Gavnoudias

RE: Hicksville Chamber of Commerce 14th Annual Summer Street Fair- July 17th, 2016
Temporary closing of Jerusalem Avenue from West John Street to Herzog Place

Dear Commissioner;

We are looking to secure our annual request for permits for our 14th Annual Street Fair at the above location (Kennedy Memorial Park) from 8:00 am to 8:00 pm in parking lot # H 6- the west side of Broadway and south of Kennedy Memorial Park and Lot # H 5 which is immediately west of Lot H 6 across Jerusalem Avenue and obtain approval for the temporary closing of the above mentioned streets for the above mentioned dates.

Please advise as soon as possible should additional information be required to facilitate your approval.

Respectfully,

Janet Muller-Co-chair

Cc: Honorable Rose Walker- Legislator 17th LD
Thomas Dale- Nassau County Police
Kenneth Arnold- Assistant to Commission of Public Works
Kim Zervos- Town of Oyster Bay Public Works
Shila Shah-Gavnoudias- PE- Commissioner of Public Works
Melanie Williams- Special Events Coordinator- Nassau County Dept. of Health

PO Box 7, Hicksville, NY 11802 Tel: 516-931-7170 Fax: 516-931-8546
info@hicksvillechamber.com www.hicksvillechamber.com

EDWARD P. MANGANO
COUNTY EXECUTIVE

SHILA SHAH-GAVNOUDIAS, P.E.
COMMISSIONER

COUNTY OF NASSAU
DEPARTMENT OF PUBLIC WORKS
1194 PROSPECT AVENUE
WESTBURY, NEW YORK 11590-2723

June 27, 2016

Janet Muller Co-Chair, Fair Committee
Hicksville Chamber of Commerce
P.O. Box 7
Hicksville, New York 11802

Re: Annual Summer Street Fair – Temporary Closing of Jerusalem Avenue from West John Street to Herzog Place on July 17, 2016 from 8:00 AM to 8:00 PM

Dear Ms. Muller:

The Department is in receipt of your letter requesting temporary closing of Jerusalem Avenue (a County road) at the above referenced location, date, and time.

It will be necessary for the Chamber to coordinate the temporary closing of Jerusalem Avenue with the Nassau County Police Department's Second Precinct, the Hicksville Fire Department, the Town of Oyster Bay, and the New York State Department of Transportation to insure an orderly temporary diversion of vehicular and pedestrian traffic as well as the passage of emergency vehicles.

It is the Department's understanding that northbound traffic on Jerusalem Avenue will be temporarily diverted at Herzog Place to Broadway (New York State Route 107) and then north on Broadway. With regard to southbound traffic on Jerusalem Avenue, it is again the Department's understanding that the traffic will be temporarily diverted to Broadway and then south on Broadway to Herzog Place and back to Jerusalem Avenue.

It is suggested, in this matter, that the Chamber contact the Nassau Inter-County Express (NICE) Bus with regard to the temporary diversion of southbound bus traffic on Jerusalem Avenue on the day of the Summer Street Festival. NICE can be reached at 296-4112 and your call should be directed to Jason Mazzara, Director of Transportation.

The Certificate of Insurance submitted to the Department to indemnify the County against any and all claims arising from the temporary closing of Jerusalem Avenue on July 17, 2016, has been found to be satisfactory.

K:\Support Staff\Author\Davis, Daniel\2016 Hicksville Chamber Street Fair.dd.doc

Re: Hicksville Summer Street Fair – Temporary Closing of Jerusalem Avenue from West John Street to Herzog Place on July 17, 2016, from 8:00 AM to 8:00 PM

As such, the Department herein approves the temporary closing of Jerusalem Avenue at the above referenced location, date, and time and wish you well with the Chamber's Hicksville Annual Summer Street Fair.

If we may be of further assistance, please contact Daniel Davis, a member of my staff, at 571-6885.

Very truly yours,

Shila Shah-Gavnoudias, P.E.
Commissioner of Public Works

SSG:KGA:pl
AIM W.O. #16-148516
c: Honorable Rose Marie Walker, Legislator, 17th L.D.
Richard R. Walker, Chief Deputy County Executive
Thomas Krumpter, Acting Commissioner, Nassau County Police Department
Kenneth G. Arnold, Assistant to Commissioner of Public Works
Concetta Petrucci, Director, Office of Legislative Affairs
Mary Studdert, DPW Press Secretary
Michael Pasano, Unit Head, Road Maintenance Unit
Jeff Lindgren, Traffic Engineer II
Kimberly Zervos, Town of Oyster Bay Department of Public Works
Jason Mazzara, NICE, 700 Commercial Avenue, Garden City, New York 11530
Joseph Brown, NYSDOT, State Office Building,
250 Veterans Memorial Highway, Hauppauge, New York 11788
Daniel Davis, Project Manager ✓

HICKS-1 OP ID: BA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 06/13/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Montana Agency Inc.
118 North Broadway
Hicksville, NY 11801
Montana Agency Inc.

CONTACT NAME: Montana Agency Inc.
PHONE (A/C, No, Ext): 516-938-3600 FAX (A/C, No): 516-935-3535
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: PHILADELPHIA INS CO	23850
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Hicksville Chamber Of Commerce
P O Box 7
Hicksville, NY 11802

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR	X		EV04149	07/18/2018	07/18/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 0
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 3,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 3,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

SPECIAL EVENT 07-17-2018
CERTIFICATE HOLDER IS INCLUDED AS ADDITIONAL INSURED - PER ENDORSEMENT PIA5010 ATTACHED.

CERTIFICATE HOLDER

TOWN OF OYSTER BAY
54 AUDREY AVENUE
OYSTER BAY, NY 11771

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Barbara Abbondanza

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Reviewed By
Office of Town Attorney

INSURED : HICKSVILLE CHAMBER OF COMMERCE - POLICY #EV04149

ADDITIONAL INSUREDS: COUNTY OF NASSAU
TOWN OF OYSTER BAY

PI-AB-010 (04/04)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

ADDITIONAL INSURED: OWNERS AND / OR LESSORS OF PREMISES, LESSORS OF LEASED EQUIPMENT, SPONSORS OR CO-PROMOTERS

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

This policy is amended to include as an additional insured any person or organization of the types designated below, but only with respect to liability arising out of your operations:

1. Owners and / or lessors of the premises leased, rented or loaned to you, subject to the following additional exclusions:

   a. This insurance applies only to an "occurrence" which takes place while you are a tenant in the premises.

   b. This insurance does not apply to "bodily injury" or "property damage" resulting from structural alterations, new construction or demolition operations performed by or on behalf of the owner and / or lessor of the premises.

   c. This insurance does not apply to liability of the owners and / or lessors for "bodily injury" or "property damage" arising out of any design defect or structural maintenance of the premises or loss caused by a premises defect.

   With respect to any additional insured included under this policy, this insurance does not apply to the sole negligence of such additional insured.

2. Lessor of Leased Equipment, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person(s) or organization(s) subject to the following additional exclusions:

   a. This insurance does not apply to any "occurrence" which takes place after the equipment lease expires.

3. Sponsors

4. Co-Promoters

Reviewed By
Office of Town Attorney
Walter V. Alunno

Hold Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 10th day of June 2016, by The Hicksville Chamber of Commerce (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Jerusalem Ave. from West John Street to Hertzog Place Hicksville, New York as well as 15 sort pails and 10 barricades from July 15, 2016 through July 18, 2016. Lots H-5 and H-6 also.

For the event described as 14th Annual Summer Street Fair.
The property/equipment is need from July 15 2016 to July 18, 2016.
The event for which the property and/or equipment is requested (__) is (X) is not a not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for loss and/or expense or suits for damage to persons or property, including its property, arising from its use of Town property and/or equipment.

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of $1,000,000 each occurrence, $2,000,000 general aggregate and, where appropriate, $2,000,000 products, naming the Town as additional insured. All certificated of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization:

Hicksville Chamber of Commerce

Address of Organization:
P.O. Box 7
Hicksville NY 11802

By: [signature]
Authorized Representative

Title: President

Telephone Number: 516-931-7170

Reviewed By
Office of Town Attorney
[signature]

DATE: 3/14/16

TO: **HIGHWAY OPERATIONS**

SUBJECT: Hicksville CC 14th Annual Summer Street Fair

PLEASE DELIVER TO:	**DATE OF EVENT:**	7/17/16
The Gazebo at Kennedy Memorial Park. On Jerusalem Avenue and 107 in Hicksville	**BARRICADES:**	10
	CONES:	
	SORT PAILS:	15
CONTACT: **Janet Muller** Co-Chair 516-931-7170	**DELIVER ON:**	7/15/16
	PICKUP ON:	7/18/16
	SIGNATURE:	_____
	PRINT NAME:	_____
RETURNED ON:	**CONES:**	
BARRICADES:	**MISC. ITEMS:**	
SNOW FENCE:	**FOREMAN:**	
	FOREMAN AREA	_____

SWEEPING BEFORE AFFAIR IS NEEDED: **YES** ☐ **NO** ☐

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

KEVEY M. HANIFAN
COMMISSIONER OF HIGHWAYS

KMH/taw

C: Doug Robalino, General Foreman
Vinny Caggiano, Regional Foreman
Greg Marchese, Area Foreman
Rich Buckley

Edward Gioelli, DPW Admin
John Guardino, SORT Supervisor
Jeff Van Nostrand
Public Safety Division

Meeting of July 12, 2016 Resolution No. 391-2016

WHEREAS, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board of the Town of Oyster Bay, by Resolution No. 241-2016, adopted on May 10, 2016, directed the Town Clerk to advertise notice of the application of ROSEMARIE PADAVAN, in connection with a certain premises located at 145 Ocean Court, Massapequa, New York 11758 and designated as Section 65, Block 213, Lot 26, on the Nassau County Land and Tax Map, in compliance with Section 241-33; and

WHEREAS, pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division has reviewed the captioned site plan application; and

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated November 18, 2015, has advised that the Division has reviewed the relevant environmental factors affected by the uses proposed in the subject application, and has determined that said application warrants a Negative Declaration, thus having no significant impact on the environment, in accordance with the Environmental Conservation Law of the State of New York, and the applicable regulations thereof; and

Reviewed By
Office of Town Attorney

WHEREAS, more than 28 days have elapsed since said Public Notice was given; and

WHEREAS, Carol Ann Strafford, Director of Legislative Affairs, by memorandum dated June 27, 2016, requests a calendar date of July 12, 2016, for Town Board action, in connection with the aforementioned application,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby determine that the aforementioned dock application will not have a significant impact on the environment, that the proposed action in said application constitutes a Negative Declaration in accordance with the New York State Environmental Conservation Law and the applicable regulations thereof, and that the Town Board hereby adopts the Town of Oyster Bay Environmental Quality Review Division Report, dated November 18, 2015; and be it further

RESOLVED, That the application of ROSEMARIE PADAVAN, to erect, maintain, alter or improve a dock, float, pier, bulkhead or other mooring, at 145 Ocean Court, Massapequa, New York 11758 and designated as Section 65, Block 213, Lot 26, on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

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

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TOWN OF OYSTER

INTER-DEPARTMENTAL MEMO

DATE: June 27, 2016

TO: MEMORANDUM DOCKET

FROM: CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS
THRU: LEONARD GENOVA, TOWN ATTORNEY

SUBJECT: APPLICATION OF Rosemarie Padavan, 145 Ocean Court, MASSAPEQUA, NEW YORK - TO ERECT, MAINTAIN, IMPROVE, ALTER OR REPAIR A DOCK, FLOAT, BULKHEAD OR OTHER MOORINGS
FILE # D-3-2015
SECTION 65 BLOCK 213 LOT 26

I hereby request that the Town Board set a calendar date to render a decision on the above referenced application for July 12, 2016 in compliance with the 30 day notification period to Town Board.

LEONARD GENOVA
TOWN ATTORNEY

CAROL ANN STRAFFORD
DIRECTOR-LEGISLATIVE AFFAIRS

CAS:dr
+19

RECEIVED
LEGISLATIVE AFFAIRS

Meeting of July 12, 2016 Resolution No. 392-2016

WHEREAS, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board of the Town of Oyster Bay, by Resolution No. 242-2016, adopted on May 10, 2016, directed the Town Clerk to advertise notice of the application of JULIE YIM, in connection with a certain premises located at 27 Ocean Avenue, Massapequa, New York 11758, and designated as Section 65, Block 213, Lot 44, on the Nassau County Land and Tax Map, in compliance with Section 241-33; and

WHEREAS, pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division has reviewed the captioned site plan application; and

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated January 25, 2016, has advised that the Division has reviewed the relevant environmental factors affected by the uses proposed in the subject application, and has determined that said application warrants a Negative Declaration, thus having no significant impact on the environment, in accordance with the Environmental Conservation Law of the State of New York, and the applicable regulations thereof; and

Reviewed By
Office of Town Attorney

WHEREAS, more than 28 days have elapsed since said Public Notice was given; and

WHEREAS, Carol Ann Strafford, Director of Legislative Affairs, by memorandum dated June 27, 2016, requests a calendar date of July 12, 2016, for Town Board action, in connection with the aforementioned application,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby determine that the aforementioned dock application will not have a significant impact on the environment, that the proposed action in said application constitutes a Negative Declaration in accordance with the New York State Environmental Conservation Law and the applicable regulations thereof, and that the Town Board hereby adopts the Town of Oyster Bay Environmental Quality Review Division Report, dated January 25, 2016; and be it further

RESOLVED, That the application of JULIE YIM, to erect, maintain, alter or improve a dock, float, pier, bulkhead or other mooring, at 27 Ocean Avenue, Massapequa, New York 11758, designated as Section 65, Block 213, Lot 44 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

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

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TOWN OF OYSTER

INTER-DEPARTMENTAL MEMO

DATE: June 27, 2016

TO: MEMORANDUM DOCKET

FROM: CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS

THRU: LEONARD GENOVA, TOWN ATTORNEY

SUBJECT: APPLICATION OF Julie Yim, 27 Ocean Avenue, MASSAPEQUA, NEW YORK - TO ERECT, MAINTAIN, IMPROVE, ALTER OR REPAIR A DOCK, FLOAT, BULKHEAD OR OTHER MOORINGS
FILE # D-1-2016
SECTION 65 BLOCK 213 LOT 44

I hereby request that the Town Board set a calendar date to render a decision on the above referenced application for July 12, 2016 in compliance with the 30 day notification period to Town Board.

LEONARD GENOVA
TOWN ATTORNEY

CAROL ANN STRAFFORD
DIRECTOR-LEGISLATIVE AFFAIRS

CAS:dr
+19

Frank A. Nocerino
Commissioner

George Baptista, Jr.
Deputy Commissioner
Michael J. Schwalje
Deputy Commissioner

Town of Oyster Bay
Department of Parks
Inter-Departmental Memo

DRAFT

TO: Memorandum Docket

FROM: Frank A. Nocerino, Commissioner
Department of Parks

DATE: July 6, 2016

SUBJECT: Proposed Town of Oyster Bay Pool Fee Schedule

On June 21, 2016, Town Board Resolution Number 313-2016 was adopted establishing a fee schedule for the Town of Oyster Bay Community Pools and Tappen Pool.

In recognition of the contribution to our communities, and to encourage the attendance of trained and experienced emergency personnel at our pools, the Parks Department respectfully requests the aforementioned fee schedule be amended to include reduced family and individual pool memberships for volunteer firefighters.

Consistent with the provisions of Chapter 168-3 Payment of Charges, once adopted, the attached noted fees shall remain unchanged until revised or amended by the Town Board.

All other fees remain unchanged from the fee schedule adopted on June 21, 2016.

Frank A. Nocerino
Commissioner

FAN:GB:ca
Attachment
cc: Town Attorney (original with 19 copies)
William Zang, Office Service Supervisor, Department of Parks
Daniel Mendelson, Finance, Department of Parks
Richard Principe, Internal Audit Division, Office of the Comptroller

Meeting of July 12, 2016 Resolution No. 393-2016

WHEREAS, by Resolution No. 313-2016, adopted on June 21, 2016, the Department of Parks implemented the 2016 Town of Oyster Bay Pool Fee schedule; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated July 6, 2016, requests Town Board authorization to amend the aforementioned fee schedule to include reduced family and individual pool memberships for volunteer firefighters,

NOW, THEREFORE, BE IT RESOLVED, That the request as set forth hereinabove is hereby accepted and approved, and the Department of Parks is hereby authorized to implement the attached amended 2016 Town of Oyster Bay Pool Fee schedule.

-#-

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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

Town of Oyster Bay Pool Fee Schedule

Community Park Pool Fees

Swim Lessons

Swim lessons (administrative fees) - $50.00, per swimmer, for the first swimming session and $25.00, per swimmer, for each additional session. Lessons are for members only, age 5 years or older.

Membership Fees

Town of Oyster Bay Residents Residing in the Park District

Group District Resident Access Membership	$500.00
Family Membership	$200.00
Family Membership (Volunteer Firefighter)	$130.00
Individual Membership	$100.00
Individual Membership (Volunteer Firefighter)	$ 65.00
Senior Citizen Couple (60 and over)	$ 85.00
Senior Individual	$ 50.00
Handicapped Individual (with Social Security Medicare ID Card)	$ 50.00

Town of Oyster Bay Residents Residing Outside the Park District

Group Non-District Resident Access Membership	$650.00
Family Membership	$235.00
Family Membership (Volunteer Firefighter)	$160.00
Individual Membership	$125.00
Individual Membership (Volunteer Firefighter)	$ 85.00
Senior Citizen Couple (60 and over)	$100.00
Senior Individual	$ 60.00
Handicapped Individual (with Social Security Medicare ID Card)	$ 60.00

Note: For the above mentioned items a family member is defined as mother(s) and/or father(s) and all unmarried children residing at the same address.

Group Access Membership permits groups of unrelated persons (district and non-district residents) access to a community pool in conjunction with the issuance of a permit for facility

use after submission of an application and review through a process determined and administered by the Commissioner of Parks

A person must be 16 years of age or older to join as an individual member.

Nanny Membership Fees for Non-Residents

Nanny Individual	$125.00

Nanny Fee – Individual must provide a written statement from an adult member of a family pass holder that he/she provides day care for child members of the family pass holder either in the pass holder's home or nanny's home.

Daily Admission

Child (3-15 years old)	$ 5.00
Adult (16 years and older)	$ 7.00
Senior Citizen (60 and over)	$ 4.00
Volunteer Firemen (park district residents)	$ 5.00

Family memberships will be permitted ten guests and individual memberships will be permitted 5 guests to bring to the pool for that day. Guests must accompany pool member and pool member must purchase the daily admission. Guest will be charged the adult, child or senior rate as appropriate.

Membership photo passes

Photo pass for each member	$ 5.00
Replacement photo	$ 5.00
Athletic Instruction Facility Access Fee	$250.00

Athletic Instruction Facility Access Fee - Groups or individuals that offer training and guidance in athletic activities for which a fee is charged either by the instructor or the sponsoring sports/athletic organization to the training participants shall obtain a permit for the facility use after submission of an application and review through a process determined and administered by the Commissioner of Parks

Refund/Revocation of Pool Membership

All requests for pool membership refunds must be in writing accompanied by original passes. The request must be addressed to: Commissioner of Parks, 977 Hicksville Road, Massapequa, New York 11758.

All requests for refunds are subject to approval by the Commissioner of Parks or his designee. If approved a 20% administration fee will be charged. No refunds on photo fees.

Violation of any of the rules and regulations governing the park and pool shall constitute grounds for revocation of pool membership as determined by the Commissioner of Parks or his designee.

Harry Tappen Beach and Marina - Pool Fee Schedule

	TOB Resident	Non-TOB Resident
Individual	$ 90.00	$180.00
Individual (volunteer firefighter)	$ 65.00	$130.00
Family	$175.00	$350.00
Family (volunteer firefighter)	$130.00	$260.00
Senior Citizen (individual)	$ 40.00	$ 80.00
Senior Citizen (married couple)	$ 60.00	$120.00
Handicapped Individual (with Social Security Medicare ID Card)	$ 40.00	$ 80.00

Membership Photo Passes

Photo pass for each member	$ 5.00
Replacement photo	$ 5.00

Daily Tappen Pool Admission

	TOB Resident	Non-TOB Resident
Child (3 to 15 years old)	$ 6.00	$ 12.00
Adult (16 & older)	$ 8.00	$ 16.00
Senior Citizen (60 & older)	$ 5.00	$ 10.00
Volunteer Firemen	$ 6.00	$ 10.00

The resident daily fee applies to all volunteer firefighters that live within the TOB. The non-resident daily fee applies to any non-resident, New York State volunteer firefighter.

Senior Citizen

Senior citizens must show proof of age (60 and over). Senior citizen married couple, only one spouse must be 60 or over.

Revised as of July 6, 2016

Meeting of June 21, 2016 Resolution No. 313 -2016

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and George Baptista, Deputy Commissioner, Department of Parks, by memorandum dated May 27, 2016, request Town Board authorization to implement the attached 2016 Town of Oyster Bay Pool Fee schedule,

NOW, THEREFORE, BE IT RESOLVED, That the request as set forth hereinabove is hereby accepted and approved, and the Department of Parks is hereby authorized to implement the attached 2016 Town of Oyster Bay Pool Fee schedule.

-#-

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

Town of Oyster Bay Pool Fee Schedule

Community Park Pool Fees

Swim Lessons

Swim lessons (administrative fees) - $50.00, per swimmer, for the first swimming session and $25.00, per swimmer, for each additional session. Lessons are for members only, age 5 years or older.

Membership Fees

Town of Oyster Bay Residents Residing in the Park District

Group District Resident Access Membership	$500.00
Family Membership	$200.00
Individual Membership	$100.00
Senior Citizen Couple (60 and over)	$ 85.00
Senior Individual	$ 50.00
Handicapped Individual (with Social Security Medicare ID Card)	$ 50.00

Town of Oyster Bay Residents Residing Outside the Park District

Group Non-District Resident Access Membership	$650.00
Family Membership	$235.00
Individual Membership	$125.00
Senior Citizen Couple (60 and over)	$100.00
Senior Individual	$ 60.00
Handicapped Individual (with Social Security Medicare ID Card)	$ 60.00

Note: For the above mentioned items a family member is defined as mother(s) and/or father(s) and all unmarried children residing at the same address.

Group Access Membership permits groups of unrelated persons (district and non-district residents) access to a community pool in conjunction with the issuance of a permit for facility use after submission of an application and review through a process determined and administered by the Commissioner of Parks

A person must be 16 years of age or older to join as an individual member.

Nanny Membership Fees for Non-Residents

Nanny Individual	$125.00

Nanny Fee – Individual must provide a written statement from an adult member of a family pass holder that he/she provides day care for child members of the family pass holder either in the pass holder's home or nanny's home.

Daily Admission

Child (3-15 years old)	$ 5.00
Adult (16 years and older)	$ 7.00
Senior Citizen (60 and over)	$ 4.00
Volunteer Firemen (park district residents)	$ 5.00

Family memberships will be permitted ten guests and individual memberships will be permitted 5 guests to bring to the pool for that day. Guests must accompany pool member and pool member must purchase the daily admission. Guest will be charged the adult, child or senior rate as appropriate.

Membership photo passes

Photo pass for each member	$ 5.00
Replacement photo	$ 5.00
Athletic Instruction Facility Access Fee	$250.00

Athletic Instruction Facility Access Fee - Groups or individuals that offer training and guidance in athletic activities for which a fee is charged either by the instructor or the sponsoring sports/athletic organization to the training participants shall obtain a permit for the facility use after submission of an application and review through a process determined and administered by the Commissioner of Parks

Refund/Revocation of Pool Membership

All requests for pool membership refunds must be in writing accompanied by original passes. The request must be addressed to: Commissioner of Parks, 977 Hicksville Road, Massapequa, New York 11758.

All requests for refunds are subject to approval by the Commissioner of Parks or his designee. If approved a 20% administration fee will be charged. No refunds on photo fees.

Violation of any of the rules and regulations governing the park and pool shall constitute grounds for revocation of pool membership as determined by the Commissioner of Parks or his designee.

Harry Tappen Beach and Marina - Pool Fee Schedule

	TOB Resident	Non-TOB Resident
Individual	$ 90.00	$ 180.00
Family	$175.00	$350.00
Senior Citizen (individual)	$ 40.00	$ 80.00
Senior Citizen (married couple)	$ 60.00	$120.00
Handicapped Individual (with Social Security Medicare ID Card)	$ 40.00	$ 80.00

Membership Photo Passes

Photo pass for each member	$ 5.00
Replacement photo	$ 5.00

Daily Tappen Pool Admission

	TOB Resident	Non-TOB Resident
Child (3 to 15 years old)	$ 6.00	$ 12.00
Adult (16 & older)	$ 8.00	$ 16.00
Senior Citizen (60 & older)	$ 5.00	$ 10.00
Volunteer Firemen	$ 6.00	$ 10.00

The resident daily fee applies to all volunteer firefighters that live within the TOB. The non-resident daily fee applies to any non-resident, New York State volunteer firefighter.

Senior Citizen

Senior citizens must show proof of age (60 and over). Senior citizen married couple, only one spouse must be 60 or over.

Reviewed By
Office of Town Attorney

Meeting of July 12, 2016 Resolution No.394-2016

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 205, STREETS AND SIDEWALKS"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on July 12, 2016, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated July 11, 2016, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 20, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that such Local Law to amend the Code of the Town of Oyster Bay is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 20; and be it further

RESOLVED, That said Local Law 3 -2016, entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 205, STREETS AND SIDEWALKS", is hereby adopted without change and shall take effect immediately upon filing with the Secretary of State; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State.

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	Absent
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Highway

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. 3 **of the year** 2016

A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 205, STREETS AND SIDEWALKS."

Be it enacted by the Town Board **of the**
(Name of Legislative Body)

Town of Oyster Bay as follows:

Section 1. Amend CHAPTER 205 – STREETS AND SIDEWALKS, of the Code of the Town of Oyster Bay, so as to modify the provisions relating to the maintenance and repair of sidewalks within the jurisdiction of the Town of Oyster Bay, to read as follows:

CHAPTER 205, STREETS AND SIDEWALKS.
ARTICLE II: Sidewalks, Curbs and Gutters

§ 205-2. Duty to Repair, Maintain, and Keep Sidewalks Clear; Liability.

A. Each owner and occupant of any house or other building, and any owner or person entitled to possession of any vacant lot, and any person having charge of any church or any public building in the Town shall keep the sidewalk in front of the lot or house or building free from obstruction by snow or ice and icy conditions, and shall at all times keep the sidewalk in good and safe repair and maintain it in a clean condition and free from filth, dirt, weeds or other obstructions or encumbrances. Snow and ice shall be removed within six (6) hours after snow has ceased to fall. The period between 9:00 p.m. and 7:00 a.m. shall not be included in the time requirements.

B. Such owner or occupant and each of them shall be liable for any injury or damage by reason of omission, failure or negligence to make, maintain or repair such sidewalk or for a violation or nonobservance of the ordinances relating to making, maintaining and repairing sidewalks, curbstones and gutters.

§ 205-3. Prohibited Obstructions; exceptions.

A. No person or entity who is the owner, occupant or lessee of any premises abutting on any street, road, highway or parkway in the unincorporated area of the Town shall place, keep, permit or suffer to be placed or kept on any sidewalk in front of, adjoining or adjacent to his/her/its premises any goods, wares, merchandise, boxes, barrels, display signs or material things of any kind or description, nor shall he/she/it in any manner obstruct any sidewalk or in any manner obstruct or interfere with the use of any sidewalk, but nothing contained in this section shall prevent persons or entities from placing goods, wares, merchandise or household furniture on a sidewalk temporarily while loading or unloading it, if it is done without unnecessary delay and if such goods, wares or merchandise are not allowed or permitted to remain on the sidewalk for a period longer than one hour.

B. No person or entity who is the owner, occupant or lessee of any premises abutting on any street, road, highway or parkway in the unincorporated area of the Town shall place, keep, permit or suffer to be placed or kept in the curb, gutter or street, in front of, adjoining or adjacent to his/her/its premises any item, including but not limited to basketball hoops, or traffic cones or barricades of any kind or description, nor shall he/she/it in any manner obstruct any curb, gutter or street or in any manner obstruct or interfere with the use of any curb, gutter or street, but nothing contained in this section shall prevent persons or entities from placing a traffic cone or marker in the street temporarily to note the existence of a defect in said street.

§ 205-4. Plantings.

Any planting on a public right-of-way between curb and sidewalk by the adjacent owner or lawful occupant of the premises thereof shall require a permit and approval of such plantings, and said owner or occupant shall be responsible for the maintenance of such plantings.

§ 205-5. Town Board Order to Construct or Repair.

The Town Board may from time to time, by resolution, require the construction or repair of sidewalks or curbs along streets, roads, highways and parkways in the Town, as well as the construction of sidewalks along state highways within the Town, and the repair of sidewalks constructed by the state along state highways in the Town, at the expense of the abutting owners, upon such notice and pursuant to the authority of the requirements of § 130, Subdivision 4, and § 200-a of the New York State Town Law.

A. Whenever the Town Board adopts an order or orders directing the abutting owners of the respective lots or parcels of land in front of which it is desired that sidewalks or curbs be built, relaid, or repaired, or to construct them in accordance with this chapter, the Commissioner of Highways or his/her designee shall specify the place, manner and time within which the construction or repair shall be done.

B. The Town Clerk shall publish a notice of the Town Board's orders, pursuant to Subsection A of this Section, in a newspaper to be designated by the Town Board, at least twice, the first publication of which shall be at least 15 days before the time specified for the completion of the work, and he/she shall serve, within two business days from the issuance of the order, a copy of the notice upon the owner or owners, occupant or occupants of the land in front of which it is desired that such construction or repair shall be done.

§ 205-6. Compliance Required.
All sidewalks, curbs, gutters or driveways constructed on any privately owned street, highway or parkway of a new development shall be subject to these regulations and comply in all respects with the regulations covering streets, the title to which is vested in the Town. Failure to comply with these regulations shall constitute sufficient cause for the Town to reject any preferred dedication of such a street.

§ 205-6.1. Waiver of Installation.

A. Anyone who has requested a waiver of sidewalk installation and has received such authorization from the Commissioner of Highways shall pay or be billed on the basis of four-by-four foot flags, identical to the rate used to calculate the cost of sidewalk construction.
B. Failure to pay the billing within 90 days shall result in an assessment resolution by the Town Board against the subject property.

§ 205-7. Work by Town Upon Noncompliance.

A. Whenever a notice to construct or repair a sidewalk or curb, pursuant to an order of the Town Board, has been served upon an owner or occupant of a lot or parcel of land in front of which it is desired that sidewalks or curbs be built, relaid or repaired, and the owner or occupant shall not cause the construction or repair to be made to the sidewalk or curb as required by the notice, the Commissioner of Highways is hereby authorized and directed to cause the construction and repair to be made as required by notice.
B. The Commissioner of Highways is hereby authorized to perform such work or repair with his/her own forces or cause a contract to be let therefor, and to pay for the work out of the funds to be appropriated by the Town Board for such purposes.
C. If work is performed by the Town of Oyster Bay under this Section, the Town shall be reimbursed for the actual and complete cost of such work within 60 days of the completion of said work. In the event that the property owner does not fully satisfy said costs, the Town shall be reimbursed therefor by an assessment resolution by the Town Board as provided for and in the manner prescribed in Section 205-9 of this article.

§ 205-8. Appropriate Permits and Bonds Required.

A. Whenever the owner or occupant of property in front of which the Town Board, pursuant to this Chapter, has ordered a sidewalk or curb constructed or repaired, shall build, relay or repair the sidewalk or curb called for by the notice, he/she/it shall obtain a permit therefor as required by this Chapter.
B. If the location where the construction or repair is to be made shall be upon a state highway where the sidewalks or curbs have been constructed by the state, the permit shall be obtained from the appropriate office of the New York State Department of Transportation in accordance with the rules and regulations of that Department.
C. The Commissioner of Highways may require such bonds or deposits and issue the permit subject to such terms and conditions as he/she may consider necessary for the protection of the Town property.

§ 205-9. Reimbursement of Town.

A. The Town shall be reimbursed for the cost of building, relaying or repairing any sidewalk or curb, when made by the Commissioner of Highways pursuant to this Article, by the owner or occupant of the respective lot or parcel of land in front of which the construction or repair was made, by assessment upon and collection from the lot or parcel

of land termed benefited by the construction or repair; so much of the actual and complete cost upon and from each lot as shall be in just proportion to the amount of the benefit which the improvement shall confer upon the property, and collected in the same manner and at the time as other ad valorem Town charges.

B. In the event that a property owner fails to fully satisfy any bill or invoice for work performed by the Town under this Chapter within 60 days of billing or invoicing, the Town shall be reimbursed for the full cost of the work performed or the services rendered, as hereinabove provided, by assessment against the collection from the lots or parcels of land where such work was performed or services rendered for so much of the actual and complete cost as incurred upon and from each lot or lots, in the manner provided for the assessment of the cost of public improvements by Article 4, § 64, of the New York State Town Law, as amended

§ 205-9.1. Replacement of Sidewalk Flags.
In the event that the Highway Department informs the owner or occupant of a property that the Town has determined that a sidewalk hazard exists at the property, the owner or occupant shall replace the sidewalk through use of a private contractor, in which event the owner or occupant must complete said replacement no later than 90 days from the date of the notice of defect from the Highway Department. In the event that the owner or occupant has failed to correct the defect within 90 days from the date of the notice of defect, the Highway Department may elect to remedy the defect upon written notice to the owner or occupant, and shall bill the owner or occupant for the cost of said work. Until such time as the sidewalk replacement is complete, the owner and/or occupant shall remain liable for the sidewalk condition. If additional time is required to replace the defective sidewalk due to weather restrictions during the winter months, the owner or occupant shall submit to the Highway Department, in writing, a request for such additional time. In the event the owner or occupant chooses to use a private contractor to replace the defective sidewalk, a permit will be required for work on the Town right-of-way.

§ 205-10. Conformance with Specifications.
No sidewalk, curb or gutter shall be constructed or permitted to be constructed or repaired along any street, road or highway or parkway in the Town unless such construction shall conform to the lines, grades and specifications furnished by the Commissioner of Highways and in conformity with all of the specifications and requirements established by rules and regulations of the Town Board.

§ 205-11. Application and Issuance of Permit.
No sidewalk, curb or gutter shall be constructed or repaired, or work thereon commenced, until the owner of the premises in front of which the sidewalk, curb or gutter is to be constructed or repaired, or the authorized agent of the owner, shall have obtained a permit therefor. Applications for the permit required by this Section shall be made, in writing, to the Commissioner of Highways in such form as may be required by the Highway Department. No permit required by this Section shall be issued without the approval of the Commissioner of Highways endorsed on the application therefor, unless so directed by resolution of the Town Board.

§ 205-12. Permit to be in Addition to other Requirements.
The permit required by this Chapter shall be in addition to the permit required for street openings and obstructions, and shall be in addition to any permit required for any excavation or curb cut permit, if any is required.

§ 205-13. Permit Specifications.
A permit issued pursuant to this Chapter shall specify the lines or grades of the sidewalk, curb or gutter to be constructed or repaired, and such other directions as the circumstances may require.

§ 205-14. Insurance.
Each applicant for a permit required by this Chapter must file an insurance policy or certificate with the Commissioner of Highways insuring the Town in the sum $1,000,000/$1,000,000 for personal injury liability and $500,000 for property damages, unless in the opinion of the Commissioner of Highways higher limits are necessary.

§ 205-15. Performance Bond.
The applicant for a permit required by this Chapter must file a performance bond with the Commissioner of Highways in at least the amount of the cost of the work to be performed under the permit, except that no performance bond need be filed by any water district for a job to be performed under a permit obtained by the water district.

§ 205-16. Permit Fees.

A. Fees established.

1. By order of the Town Board, except where otherwise provided by law or where permits required by this Chapter are granted for work done at the directon of the Commissioner of Highways or his or her designee, each application for a permit which is granted by the Commissioner of Highways or his or her designee for a street opening or excavation in any street, highway or sidewalk in the Town for any purpose shall be accompanied by a fee in an amount as shall be established by the Commissioner of Highways.
2. Any permit shall expire 60 days from the date such permit is issued unless work is in progress at the end of such period and the Commissioner of Highways or his or her designee extends such permit.

B. Public utility companies servicing the Town will pay fees in the same amounts as listed above. However, such companies need not submit payment with each application. Each public utility will be billed monthly by the Town for each permit issued to it during the previous month.

C. Water districts shall be exempt from the above permit fees.

§ 205-17. Waivers.
The Commissioner of Highways may waive the requirements of **§ 205-14** and **§ 205-15** when such construction or repair work is being performed in conjunction with the tree removal service provided for or by the Town of Oyster Bay and when the permit applicant can produce a homeowners' liability insurance policy which, by its terms, provides at least 10 days' notice to the Town of Oyster Bay of any cancellation and which, in the opinion of the Commissioner of Highways adequately protects the applicant and the Town during the period of the construction, and has a limit of liability of not less than $50,000 for each occurrence.

Section 2. Effective Date. This Local Law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout that which is not applicable).

1. (Final adoption by local legislative body only).

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2016 of the (Town) of Oyster Bay was duly passed by the Town Board on July 12 2016, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 20 , and was (approved) (not approved) (repassed after
(Name of Legislative Body)
disapproval) by the _____ and was deemed duly adopted on _____ 20 ,

(Elective Chief Executive Officer)*

in accordance with the applicable provisions of law.

3. (Final adoption by referendum).

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 20 , and was (approved) (not approved) (repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 20 . Such local law was submitted

(Elective Chief Executive Officer)*

to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20 , in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum).

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 20 , and was (approved) (not approved) (repassed after
(Name of Legislative Body)
disapproval) by the _____ on _____ 20 . Such local law was subject to

(Elective Chief Executive Officer)*

permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 , in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition).

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 , became operative.

6. (County local law concerning adoption of Charter).

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 , pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

If any other authorized form of final adoption has been followed, please provide an appropriate certification).

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Clerk of the Town of Oyster Bay

(Seal) Date: July 12 , 2016

(Certification to be executed by Town Attorney or other authorized attorney of locality).

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Leonard Genova
Signature

Town Attorney

Town of Oyster Bay

Date: July 12 2016

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