

**TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
September 6, 2016  
10:00 A.M.**

**NOTE:**

ANYONE WISHING TO ADDRESS THE TOWN BOARD ON ANY PUBLIC HEARING IS REQUIRED TO FILL OUT A "PERSON'S INTENDING TO SPEAK" FORM, WHICH MAY BE OBTAINED FROM THE TOWN CLERK. PLEASE RETURN COMPLETED FORM TO THE TOWN CLERK.

AT THE CONCLUSION OF THE PUBLIC HEARINGS, THE TOWN BOARD WILL CONSIDER THE ACTION CALENDAR.

AT THE CONCLUSION OF THE ACTION CALENDAR, ANYONE MAY ADDRESS THE TOWN BOARD RELATED TO ANY MATTER UPON FILLING OUT A "PERSON'S INTENDING TO SPEAK" FORM, WHICH MAY BE OBTAINED FROM THE TOWN CLERK. PLEASE RETURN COMPLETED FORM TO THE TOWN CLERK AND YOU WILL BE CALLED AT THE APPROPRIATE TIME.

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**HEARING - P-7-16**

To consider the application of Sunrise Promenade Associates and Massapequa Restaurant Joint Venture for a Modification of Special Use Permit and Modification of Declaration of Covenants and Restrictions for premises located at 5204 Sunrise Highway, Massapequa, NY. Hearing continued from July 26, 2016. (M.D. 5/24/16 #14).

**HEARING - LOCAL LAW**

To consider a Local Law entitled " A Local Law to Amend the Code of the Town of Oyster Bay, New York, Chapter 246, Zoning, Section 246-11.6.1.3 (M.D. 7/19/16 #8).

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**PERSONNEL RESOLUTION NOS. P -16 to P -16 and PA -16 to PA -16**

Resolutions related to personnel of various departments within the Town of Oyster Bay.

**TRANSFER OF FUNDS RESOLUTION NO. TF 15-16**

Resolution relating to Transfer of Funds within various departments accounts for the Year 2016.

**TRANSFER OF CAPITAL FUNDS RESOLUTION NO. CF -16**

Resolution relating to Transfer of Capital Funds within various departments accounts for the Year 2016.

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**RESOLUTION NO. 439 - 2016**

Resolution authorizing the Department of Community and Youth Services to hold its annual "9/11 Memorial Ceremony" at the memorial site located at TOBAY Beach (bay side) on September 7, 2016 and to employ the services of a vocalist to perform at the event. Account No. CYS A 7020 47660 000 0000. (M.D. 8/2/16 #4).

**RESOLUTION NO. 440 - 2016**

Resolution authorizing the issuance of a pro-rated refund of the difference in the length of boat fee to L. Zeppieri, for a boat slip at Harry Tappen Marina. Account No. PKS A 0001 02025 526 0000. (M.D. 8/9/16 #4).

**RESOLUTION NO. 441 - 2016**

Resolution granting request from Janice A. Dannebaum to donate a plaque for an existing bench at Theodore Roosevelt Memorial Park and Beach in memory of William and Anne Dannebaum. (M.D. 8/9/16 #5).

**RESOLUTION NO. 442 - 2016**

Resolution authorizing the reappointment of Peter Morra to the Board of Commissioners of the Town of Oyster Bay Housing Authority for a term expiring August 31, 2021. (M.D. 8/9/16 #11).

**RESOLUTION NO. 443 - 2016**

Resolution authorizing the appointment of Iris Williams to the Board of Commissioners of the Town of Oyster Bay Housing Authority for a term expiring August 31, 2018, to complete the term vacated by Joseph Jablonsky. (M.D. 8/9/16 #12).

**RESOLUTION NO. 444 - 2016**

Resolution authorizing the election of Joseph Parrella and Patricia Witrock, as Tenant Commissioners for the Town of Oyster Bay Housing Authority effective July 1, 2016 with a term expiring June 30, 2018. (M.D. 8/9/16 #13).

**RESOLUTION NO. 445 - 2016**

Resolution pertaining to legal costs in connection with the Town's Self-Insurance Program. Account Nos. TWN AMS 1910 43010 602 0000 000 and TWN AMS 1910 43020 602 0000 000. (M.D. 8/9/16 #19).

**RESOLUTION NO. 446 - 2016**

Resolution granting request from the Holy Trinity Greek Orthodox Church, for Town assistance in conducting their annual Grecian Festival on September 9, 10 & 11, 2016 and to use various Town equipment and for the posting of temporary "No Parking" signs for various area streets. (M.D. 8/9/16 #20).

**RESOLUTION NO. 447 - 2016**

Resolution pertaining to an access agreement between the Town of Oyster Bay and Syosset Park Development, LLC. (M.D. 8/9/16 #21).

**RESOLUTION NO. 448 - 2016**

Resolution authorizing the property cleanup assessment of 40 Brightwater Place, Massapequa, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/9/16 #14).

**RESOLUTION NO. 449 - 2016**

Resolution authorizing the property board up assessment of 19 Terrace View Road, Farmingdale, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/9/16 #15).

**RESOLUTION NO. 450 - 2016**

Resolution authorizing the property cleanup assessment of 14 Matthew Street, Farmingdale, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/9/16 #16).

**RESOLUTION NO. 451 - 2016**

Resolution authorizing the property board up and re-board up assessment of 132 Gardner Avenue, Hicksville, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/9/16 #17).

**RESOLUTION NO. 452 - 2016**

Resolution pertaining to schedule changes for the tipping fee for regular municipal solid wastes delivered to the OBSWDC to correspond with the second five-year term of the Town's solid waste transfer, haul and disposal contract. (M.D. 8/16/16 #15).

**RESOLUTION NO. 453 - 2016**

Resolution authorizing the issuance of a refund of the fee for a building permit to Total Permits LLC, due to the withdrawal of the permit by the property owner. Account No. PAD B 3620 02555 000 0000. (M.D. 8/16/16 #5).

**RESOLUTION NO. 454 - 2016**

Resolution authorizing the property board up assessment of 477 Clocks Boulevard, Massapequa, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/16/16 #10).

**RESOLUTION NO. 455 - 2016**

Resolution authorizing the property board up assessment of 104 Plainview Road, Woodbury, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/16/16 #11).

**RESOLUTION NO. 456 - 2016**

Resolution authorizing the property board up assessment of 104 Fairwater Avenue, Massapequa, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/16/16 #12).

**RESOLUTION NO. 457 - 2016**

Resolution authorizing the property board up assessment of 540 Old Country Road, Plainview, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/16/16 #13).

**RESOLUTION NO. 458 - 2016**

Resolution authorizing the property board up assessment of 119 Boston Avenue, Massapequa, NY, be referred to the County of Nassau for placement on the Nassau County Tax assessment rolls. (M.D. 8/16/16 #14).

**RESOLUTION NO. 459 - 2016**

Resolution authorizing the sixth one year extension of time for the application of Woodbury Realty Holdings Corp., Woodbury Villas, 884 Jericho Turnpike, Woodbury, NY. (M.D. 8/16/16 #6).

**RESOLUTION NO. 460 - 2016**

Resolution authorizing the issuance of a refund of a Seasonal Beach Parking Permit fee to B. Rebold. Account No. PKS A 0001 02025 523 0000. M.D. 8/23/16 #4).

**RESOLUTION NO. 461 - 2016**

Resolution authorizing the issuance of a refund of the registration fee in the TOB Summer Recreation program at Theodore Roosevelt Memorial Park to S. Player. Account No. PKS A 0001 02001 510 0000. (M.D. 8/23/16 #5).

**RESOLUTION NO. 462 - 2016**

Resolution authorizing the issuance of a refund of a Kayak Rack rental fee at Harry Tappen Beach and Marina to B. Ponzo. Account No. PKS A 0001 02025 526 0000. M.D. 8/23/16 #6).

**RESOLUTION NO. 463 - 2016**

Resolution authorizing the issuance of a refund of the registration fee in the Women's golf league at the Honorable Joseph Colby Town of Oyster Bay Golf Course to S. Wells. Account No. PKS A 0001 02025 523 0000. M.D. 8/23/16 #7).

**RESOLUTION NO. 464 - 2016**

Resolution authorizing the Supervisor or his designee, to execute all forms necessary in the pursuit of the New York State Department of Environmental Conservation's Electronic Waste Assistance Program. (M.D. 8/23/16/ #21).

**RESOLUTION NO. 465 - 2016**

Resolution pertaining to special counsel services to the Town Attorney relative to employee representation. Account No. OTA A 1420 44110 000 0000. (M.D. 8/23/16/ #22).

**RESOLUTION NO. 466 - 2016**

Resolution authorizing the rejection of bids and the rebid of Contract No. DP15-128, Syosset Fire Department Memorial Park. (M.D. 8/23/16/ #28).

**RESOLUTION NO. 467 - 2016**

Resolution pertaining to Contract No. PWC-29-16, On-Call Engineering services relative to Oversight of the Groundwater Treatment Facility. Account No. DER SR05 8160 44800 000 0000. (M.D. 8/23/16/ #29).

**RESOLUTION NO. 468 - 2016**

Resolution granting request from the Syosset Fire District to use two roll off containers for their Annual Fire Prevention Day "Open House" from October 7 through October 10, 2016. (M.D. 8/23/16 #31).

**RESOLUTION NO. 469 - 2016**

Resolution authorizing the issuance of a refund for Season Golf Course Membership plus Tee Time fee at the Honorable Joseph Colby Town of Oyster Bay Golf Course to J. Cauciella. Account No. PKS A 0001 02025 523 0000. (M.D. 8/23/16 #8).

**RESOLUTION NO. 470 - 2016**

Resolution authorizing the issuance of a refund of the registration fee for the TOB summer recreation program at Marjorie R. Post Community Park to M. & E. Vogel; Account No. PKS A 0001 02001 510 0000. (M.D. 8/23/16 #9).

**RESOLUTION NO. 471 - 2016**

Resolution authorizing the issuance of a refund for a Seasonal Boat Basin Permit fee at the Joseph J. Saladino Memorial Marina at Tobay to N. Conway; Account No. PKS A 0001 02025 526 0000. (M.D. 8/23/16 #10).

**RESOLUTION NO. 472 - 2016**

Resolution authorizing the issuance of a refund for a family pool registration fee at the Syosset-Woodbury Community Park Pool to K. Kilpatrick. Account No. PKS SP11 0001 02025 528 0000. (M.D. 8/23/16 #11).

**RESOLUTION NO. 473 - 2016**

Resolution authorizing the issuance of a refund for a Seasonal beach permit fee to C. Chimon. Account No. PKS A 0001 02025 523 0000. (M.D. 8/23/16 #12).

**RESOLUTION NO. 474 - 2016**

Resolution authorizing the issuance of a refund to S. Gandhi for being overcharged on a Beach Daily Parking Entrance Fee at the Harry Tappen Beach and Marina. Account No. PKS A 0001 02025 523 0000. (M.D. 8/23/16 #13).

**RESOLUTION NO. 475 - 2016**

Resolution authorizing the Youth Arts and Crafts Program for Toddlers Ages 2-4 from October 3, 2016 thru December 28, 2016 at the Town of Oyster Bay Ice Skating Center at Bethpage. (M.D. 8/23/16 #14).

**RESOLUTION NO. 476 - 2016**

Resolution authorizing the commencement of legal proceedings against Grella & Son Contracting Corp. (M.D. 8/23/16 #23).

**RESOLUTION NO. 477 - 2016**

Resolution pertaining to Contract No. HTR12-993, Requirements Contract for Tree Removal at various locations throughout the Town of Oyster Bay. (M.D. 8/23/16 #33).

**RESOLUTION NO. 478 - 2016**

Resolution pertaining to Contract No. HTT11-051, Requirements Contract for Tree Trimming at various locations throughout the Town of Oyster Bay. (M.D. 8/23/16 #34).

**RESOLUTION NO. 479 - 2016**

Resolution granting request from the Afghan Hindu Association, Inc., for Town assistance in conducting their Annual Fair on September 25, 2016 in Hicksville, to use and posting of temporary "No Parking" signs in Municipal Parking Field H-11 as well as the use of Town equipment for the event. (M.D. 8/23/16 #35).

**RESOLUTION NO. 480 - 2016**

Resolution granting request from the Kiwanis International, Kiwanis Club of Massapequa, for Town assistance in conducting their annual Kiwanis Bocce Tournament at John J. Burns Park on September 17, 2016 and to use various Town equipment for the event. (M.D. 8/23/16 #36).

**RESOLUTION NO. 481 - 2016**

Resolution granting request from the Bethpage Chamber of Commerce, Inc., for Town assistance in conducting their Summer Festival held on August 11-13, 2016, to utilize Municipal Parking Fields B-1, B-3 and B-4 in Bethpage and to use various Town equipment for the event. (M.D. 8/23/16 #37).

**RESOLUTION NO. 482 - 2016**

Resolution granting request from the Rotary Club of Locust Valley, for Town assistance in conducting their Annual Oktoberfest on October 1, 2016 at Thomas Park in Locust Valley and to use various Town equipment for the event. (M.D. 8/23/16 #38).

**RESOLUTION NO. 483 - 2016**

Resolution granting request from Syosset-Woodbury Chamber of Commerce for Town assistance in conducting their Annual Street Fair on September 18, 2016 and to use various Town equipment for the event. (M.D. 8/23/16 #39).

**RESOLUTION NO. 484 - 2016**

Resolution granting request from the Bayville Fire Company #1, for Town assistance in hosting a Charity Drill on September 10, 2016, to utilize the west area of Centre Island Beach and to use various Town equipment for the event. (M.D. 8/23/16 #44).

**RESOLUTION NO. 485 - 2016**

Resolution authorizing the Department of Environmental Resources to cosponsor the Annual Fall Oyster Bay Harbor and Beach Cleanup in conjunction with the North Oyster Bay Baymen's Association, the Friends of the Bay and the public on September 24, 2016. (M.D. 8/23/16 #47).

**RESOLUTION NO. 486 - 2016**

Resolution pertaining to special counsel for condemnation matters relative to the application of the Town of Oyster Bay to acquire title to certain real property located at the Liberty Industrial Finishing Site, Farmingdale. Account No. OTA A 1420 44110 000 0000. (M.D. 8/23/16 #48).

**RESOLUTION NO. 487 - 2016**

Resolution granting request from the, Grace-full Harvest Fair Committee, for Town assistance, on behalf of Grace Episcopal Church and Day School, in conducting their annual Grace-full Harvest Fair on September 24, 2016 and for the use of various Town equipment. (M.D. 8/23/16 #40).

**RESOLUTION NO. 488 - 2016**

Resolution granting request from the Plainview-Old Bethpage Chamber of Commerce, for Town assistance in conducting their Fifth Annual Craft and Gift Fair on October 1, 2016 and for the use of various Town equipment. (M.D. 8/23/16 #41).

**RESOLUTION NO. 489 - 2016**

Resolution granting request from the North Syosset Civic Association, for Town assistance in conducting their 2016 Block Party on September 17, 2016 and for the use of various Town equipment. (M.D. 8/23/16 #42)

**RESOLUTION NO. 490 - 2016**

Resolution authorizing the Supervisor, or his designee, to sign deed restrictions for the Old Bethpage Landfill as required by the New York State Environmental Conservation, and authorize the filing of said restrictions with the County of Nassau. (M.D. 8/23/16 #30).

**RESOLUTION NO. 491 - 2016**

Resolution granting request from Columbus Lodge #2143, Order Sons of Italy in America, 21<sup>st</sup> Annual Columbus Lodge Italian Feast and Festival, North Massapequa, on September 25, 2016, for Town assistance, the use various Town equipment and to have Town Ordinance Chapter 82-3 waived for the event. (M.D. 8/23/16 #43 & 8/30/15 #18).

**RESOLUTION NO. 492 - 2016**

Resolution pertaining to award of Contract No. H16-138, Roadway and Drainage Improvements at The Knolls & Maples. Account No. HWY H 5197 20000 000 1503. (M.D. 8/23/16 #24 & 8/30/16 #17).

**RESOLUTION NO. 493 - 2016**

Resolution pertaining to the decision on the dock application of William E. Allison, 310 Bay Drive, Massapequa, to erect, maintain, improve, alter or repair a dock, float, bulkhead or other moorings. (M.D. 8/9/16 #10).

**RESOLUTION NO. 494 - 2016**

Resolution pertaining to Contract No. PWC10-16 On-Call Engineering Services for Construction Management for Construction of the Syosset Fire Department Memorial Park. Account No. PKS H 7197 20000 000 1209 001. (M.D. 8/23/16 #26 & 8/30/16 #14).

**RESOLUTION NO. 495 - 2016**

Resolution pertaining to an extension of time for Contract No. H15-125, Highway Improvements to the Division Avenue area. (M.D. 8/23/16 #27 & 8/30/16 #16).

**RESOLUTION NO. 496 - 2016**

Resolution pertaining to award of Contract No. DP16-141. John J. Burns Park Soccer Field Turf Replacement. Account No. PKS H 7197 20000 000 1402 001. (M.D. 8/23/16 #32 & 8/30/16 #15).

**RESOLUTION NO. 497 - 2016**

Resolution pertaining to a correction for the Voluntary Defined Contribution Plan for R. Spagnuolo. (M.D. 8/23/16 #15 & 8/30/16 #20).

**RESOLUTION NO. 498 - 2016**

Resolution authorizing the Comptroller to refund premium contributions in the Flexible Spending Plan to certain employees. (M.D. 8/23/16 #16 & 8/30/16 #19).

**RESOLUTION NO. 499 - 2016**

Resolution relating to the recommendation of the Department of Environmental Resources concerning the SEQRA determination on the application of Joan III, Joe III, and BSL NY Development LLC for a Special Use Permit and Site Plan Approval for Assisted Living Facility (Benchmark at Woodbury). (M.D. 8/23/16 #50 & 8/30/16 #12).

**RESOLUTION NO. 500 - 2016**

Resolution authorizing the publication of a legal notice pertaining to the 2016-2017 School Tax. Account No. ROT A 1330 44100 000 0000. (M.D. 8/23/16 #17).

**RESOLUTION NO. 501 - 2016**

Resolution directing the Town Clerk to publish a notice of hearing to consider a proposed local law entitled "A Local Law to Amend Chapter 209 - Taxation, to add Article X - Override of Real Property Tax Levy to the Code of the Town of Oyster Bay, New York to Override the Tax Levy Limit Established in General Municipal Law Section 3-C." Hearing Date: September 27, 2016. (M.D. 8/23/16 #49).

**RESOLUTION NO. 502 - 2016**

Resolution pertaining to the decision on the Local Law entitled " A Local Law to Amend the Code of the Town of Oyster Bay, New York, Chapter 246, Zoning, Section 246-11.6.1.3 Hearing held: September 6, 2016. (M.D. 7/19/16 #8).



**SUSPEND THE RULES AND ADD THE FOLLOWING:**

**RESOLUTION NO. 503-2016**

Resolution authorizing the appointment of John Venditto, Town Supervisor, as a marriage officer to perform a wedding ceremony on September 17, 2016.  
(M.D. 8/30/16 #22)