

**TOWN OF OYSTER BAY  
TOWN BOARD  
REGULAR MEETING  
September 27, 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 - LOCAL LAW**

To consider a 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." (M.D. 8/23/16 #49).

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**PERSONNEL RESOLUTION NOS. P 11-16 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 16-16**

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. 504 - 2016**

Resolution authorizing the employment of the services of various performers for various performance dates and locations for entertainment for GAP Program participants. Account No. CYS A 7020 47660 000 0000. (M.D. 8/30/16 #4).

**RESOLUTION NO. 505 - 2016**

Resolution authorizing the issuance of a refund of a Seasonal Beach Permit to K. McGuigan. Account No. PKS A 0001 02025 523 0000. (M.D. 8/30/16 #7).

**RESOLUTION NO. 506 - 2016**

Resolution granting an extension of time to obtain site plan approval, building permit and a certificate of occupancy for premises located at 180 R Laumans Lane, Hicksville, NY. (M.D. 8/30/16 #9).

**RESOLUTION NO. 507 - 2016**

Resolution authorizing the cost of the property board-up and reboard-up of 19 Nevada Street, Hicksville, be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls. (M.D. 8/30/16 #13).

**RESOLUTION NO. 508 - 2016**

Resolution authorizing payment of the Town's share of dues for the Oyster Bay/Cold Spring Harbor Protection Committee for the period of June 1, 2016 through May 31, 2017. Account No. DER A 8090 44900 000 0000. (M.D. 8/30/16 #21).

**RESOLUTION NO. 509 - 2016**

Resolution authorizing the renewal of a contract with the Long Island Developmental Disabilities Regional Office for a Program for Family Support Services for the period covering January 1, 2017 through December 31, 2017. (M.D. 8/30/16 #5).

**RESOLUTION NO. 510 - 2016**

Resolution authorizing the renewal of a contract with the Long Island Developmental Disabilities Regional Office for a Program for Children with Autism for the period covering January 1, 2017 through December 31, 2017. (M.D. 8/30/16 #6).

**RESOLUTION NO. 511 - 2016**

Resolution authorizing payment for required Workers Compensation Insurance for the youth enrolled in the Division of Employment and Training's Summer Youth Employment Program. Account No. IGA CD 6293 47900 000 CW15. M.D. 9/6/16 #6).

**RESOLUTION NO. 512 - 2016**

Resolution authorizing the Town Attorney or his designee to enter into an agreement for the retention of Pro Bono Counsel. (M.D. 9/6/16 #9).

**RESOLUTION NO. 513 - 2016**

Resolution pertaining to On-Call Housing Consultants to the Office of the Town Attorney. Account No. OTA A 1420 44110 000 0000. (M.D. 9/6/16 #10).

**RESOLUTION NO. 514 - 2016**

Resolution granting request from the Syosset Fire District, for Town assistance in conducting their annual Fire Prevention Open House at their Department headquarters on Cold Spring Road on October 9, 2016, to utilize the northeast portion of Municipal Parking Field S-1 in Syosset and to post temporary "No Parking" signs from October 7-11, 2016 and to use various Town equipment for the event. (M.D. 9/6/16 #11).

**RESOLUTION NO. 515 - 2016**

Resolution authorizing the employment of the services of various performers for various performance dates and locations for 2016-2017 Distinguished Artists Concert Series. Account No. CYS A 7020 47660 000 0000. (M.D. 9/13/16 #4).

**RESOLUTION NO. 516 - 2016**

Resolution authorizing the Town-wide Senior Trips for October, November and December 2016 and to authorize the Commissioner of the Department of Community and Youth Services to make any adjustments or necessary refunds. (M.D. 9/13/16 #5).

**RESOLUTION NO. 517 - 2016**

Resolution granting request from Oak Neck Athletic Council Inc., for the use of Centre Island Beach to hold a three-day Fall Homecoming Festival from October 7-9, 2016, to use various Town equipment and to have Town Ordinance 168-20 waived for the event. (M.D. 9/13/16 #6 & 28).

**RESOLUTION NO. 518 - 2016**

Resolution granting request from the New York Marine Trades Association to use the parking lot at Tobay Beach and Joseph J. Saladino Memorial Marina at Tobay for their 40<sup>th</sup> Annual In-Water Boat Show and to use the boat basin and parking lot during September 27-29, 2016 and September 30 - October 2, 2016. (M.D. 9/13/16 #17 & 9/20/16 #23).

**RESOLUTION NO. 519 - 2016**

Resolution amending Resolution No. 155-2016 pertaining to authorization for additional Planning Advisory Board meetings for the remaining 2016 calendar year. Account No. PAD B 8020 4480 000 0000. (M.D. 9/13/16 #22).

**RESOLUTION NO. 520 - 2016**

Resolution granting request from the Oyster Festival Committee on behalf of the Oyster Bay Rotary Club, Oyster Bay Charitable Fund and its Oyster Festival Committee, for Town assistance in conducting the 2016 Oyster Festival on October 15 and 16, 2016, to use Theodore Roosevelt Memorial Park and Beach, Beekman Beach, Centre Island Beach and the Western Waterfront, the use of Municipal Parking Field O-6 from October 11-17, as well as the posting of temporary "No Parking" signs on various area streets, the use of various Town equipment and to have Section 168-19 of the Town Code waived for the event. (M.D. 9/13/16 #29).

**RESOLUTION NO. 521 - 2016**

Resolution pertaining to the decision on the docket application of Glenn J. Adkins, to erect, maintain, improve and/or repair a dock, float, bulkhead or other mooring at 139 Forest Avenue, Massapequa, NY. (M.D. 8/30/16 #11).

**RESOLUTION NO. 522 - 2016**

Resolution granting request from Darlene Casagrande to donate a plaque to be placed on an existing bench in Marjorie R. Post Community Park in memory of Frances Ann Abruzzo-Nantista. (M.D. 9/13/16 #15).

**RESOLUTION NO. 523 - 2016**

Resolution authorizing the use of a sub-consultant for Contract No. H16-142, soils investigation service relative to Highway Improvements to the Smith Street Area, Glen Head, NY. (M.D. 9/13/16 #24).

**RESOLUTION NO. 524 - 2016**

Resolution authorizing additional legal costs for outside counsel to the Town in connection with various housing issues in the Town of Oyster Bay. (M.D. 9/13/16 #33).

**RESOLUTION NO. 525 - 2016**

Resolution authorizing the issuance of a refund of a non-resident Senior Individual Pool Membership at Harry Tappen Beach and Marina to M. DiSalvio. Account No. PKS A 0001 02025 523 0000. (M.D. 9/13/16 #8).

**RESOLUTION NO. 526 - 2016**

Resolution authorizing the issuance of a refund of a resident individual Pool Membership at Marjorie R. Post Community Park to D. Lynch. Account No. PKS SP07 0001 02025 528 0000. (M.D. 9/13/16 #9).

**RESOLUTION NO. 527 - 2016**

Resolution authorizing the issuance of a refund of the registration fee for two children in the Town's swimming lesson program at Syosset-Woodbury Community Park to L. Macpherson. Account No. PKS A 0001 02001 510 0000. (M.D. 9/13/16 #10).

**RESOLUTION NO. 528 - 2016**

Resolution authorizing the issuance of a refund of the registration fee for one child in the Town's summer recreation program at Marjorie R. Post Community Park to Mr. and Mrs. S. Burgess. Account No. PKS A 0001 02001 510 0000. (M.D. 9/13/16 #11).

**RESOLUTION NO. 529 - 2016**

Resolution authorizing the issuance of a refund for a picnic permit fee at Theodore Roosevelt Memorial Park to B. Groff. Account No. PKS A 0001 02025 523 0000. (M.D. 9/13/16 #12).

**RESOLUTION NO. 530 - 2016**

Resolution authorizing the issuance of a refund of a seasonal beach permit fee to N. Borg. Account No. PKS A 0001 02025 523 0000. (M.D. 9/13/16 #13).

**RESOLUTION NO. 531 - 2016**

Resolution authorizing the issuance of a refund of the registration fee for one child in the Town's swimming lesson program at Syosset-Woodbury Community Park to E. Larson. Account No. PKS A 0001 02001 510 0000. (M.D. 9/13/16 #14).

**RESOLUTION NO. 532 - 2016**

Resolution authorizing a stipulation agreement between New York State of Environmental Conservation and the Town for the Transfer of remedial action responsibilities for Claremont Polychemical Site. (M.D. 9/13/16 #23 & 9/20/16 #21).

**RESOLUTION NO. 533 - 2016**

Resolution pertaining to Contract No. PWC 10-16, On-Call Engineering Services relative to Construction Management. Account No. HWY H 5197 20000 000 1503 008. (M.D. 9/13/16 #31 & 9/20/16 #19).

**RESOLUTION NO. 534 - 2016**

Resolution pertaining to the decision for the application of KRE Broadway Owner, LLC (Starbucks) for a special use permit to operate a fast food restaurant with a drive-thru window, and KRE Broadway Owner, LLC (Round 1), for a special use permit to permit an active recreation use with game room, Hicksville, NY. Hearing held: June 21, 2016. (M.D. 6/21/16 #6 & 7).

**RESOLUTION NO. 535 - 2016**

Resolution granting request from Jericho Fire District Headquarters to use one roll-off container for their annual fire prevention day from October 7-10, 2016. (M.D. 9/13/16 #34).

**RESOLUTION NO. 536 - 2016**

Resolution granting request from Lisa Marbit to donate a plaque and bench to be placed in Ellsworth W. Allen Park in memory of Joseph Philip Hoehn. (M.D. 9/13/16 #16).

**RESOLUTION NO. 537 - 2016**

Resolution granting request from the Grenville Baker Boys & Girls Club to use one roll-off container for their organizational clean-up from October 3-7, 2016. (M.D. 9/13/16 #25).

**RESOLUTION NO. 538 - 2016**

Resolution authorizing the Town Attorney or his designee to enter into a stipulation of settlement and discontinuance of litigation in connection with Town of Oyster Bay v. Smuggler Jack's Inc., et ano. (M.D. 9/13/16 #30)

**RESOLUTION NO. 539 - 2016**

Resolution adopting the preliminary Budget of the Town of Oyster Bay for the Year 2017 and directing the Town Clerk to advertise a Notice of Hearing. Hearing date: October 18, 2016 at 10:00 a.m. and 7:00 p.m. (M.D. 9/13/16 #35).

**RESOLUTION NO. 540 - 2016**

Resolution directing the Town Clerk to advertise a Notice of application in connection with the dock application of Michael Barney to erect, maintain, improve and/or repair a dock, float, bulkhead or other mooring at 190 East Shore Drive, Massapequa, NY. (M.D. 9/6/16 #7).

**RESOLUTION NO. 541 - 2016**

Resolution pertaining to the decision on the docket application of Angela Rinaldo and Nicholas Montefusco, to erect, maintain, improve and/or repair a dock, float, bulkhead or other mooring at 25 Anchor Drive, Massapequa, NY. (M.D. 9/6/16 #8).

**RESOLUTION NO. 542 - 2016**

Resolution pertaining to the decision on the application of Bolla EM Realty, LLC, fee owner and Bolla Operating L.I. Corp., lessee, for Site Plan Approval and a Special Use Permit to operate a convenience store at an existing gasoline station at 620 Old Country Road, Hicksville, New York. Hearing held: February 2, 2016. (M.D. 2/2/16 #4).

**RESOLUTION NO. 543 - 2016**

Resolution pertaining to the decision on the application of Hicksville Road LLC, fee owner, for a Special Use Permit to add additional related retail space to an existing gasoline station on premises located at 975 Hicksville Road, Massapequa, NY. Hearing Held January 19, 2016. (M.D. 1/19/16 #5).