Reviewed By
Office of Town Attorney

Meeting of October 18, 2016 Resolution No. TF17-2016

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

ITEM NO.	DEPT.		FROM
046-16	CYS	$ 19,500.00	CYS A 7020 12000 000 0000
			TO
		19,500.00	CYS A 7020 13000 000 0000
			FROM
047-16	EXE	300,000.00	TWN AMW 9040 84020 000 0000 000
			TO
		300,000.00	TWN AMW 9040 84010 000 0000 000
			FROM
048-16	HWY	5,065.00	HWY SL 5182 42200 000 0000
			TO
		5,065.00	HWY SL 5182 14000 000 0000
			FROM
		1,400.00	HWY SL 5182 42200 000 0000
			TO
		1,400.00	HWY SL 5182 47100 000 0000

			DECREASE	
049-16	DPW	18,000.00	DPW A	1640 41200 000 0000
			INCREASE	
		18,000.00	DPW A	1640 46100 000 0000
			DECREASE	
		75,000.00	DPW A	1640 41200 000 0000
			INCREASE	
		75,000.00	DPW A	1640 46420 000 0000
			DECREASE	
		50,000.00	DPW A	1640 41200 000 0000
			INCREASE	
		50,000.00	DPW A	1640 41230 000 0000
			DECREASE	
		100,000.00	DPW A	1640 41210 000 0000
			INCREASE	
		100,000.00	DPW A	1640 41230 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	Aye
Councilwoman Johnson	Aye

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

September 23, 2016

TO: Memorandum Docket

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

SUBJECT: Transfer of Funds

The Department of Community and Youth Services requests Town Board authorization to transfer the following funds:

From:	CYS A 7020 12000 000 0000	Salaries-Part Time	$19,500.00
To:	CYS A 7020 13000 000 0000	Salaries-Overtime	$19,500.00

The transfer will accommodate the cost of staff overtime for special events for the remainder of the year. The special events are the Fall Festival, Distinguished Artists Concert Series and four Holiday Concerts.

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

MAF:law
cc: Town Attorney (+19 copies)

Town of Oyster Bay

Inter-Departmental Memo

October 5, 2016

To: Memorandum Docket

From: Robert Darienzo, Director of Finance

Subject: Transfer of Funds

In order to provide funds for Indemnity in the Worker's Compensation Self-Insurance Fund, the following transfer of funds is hereby requested:

Transfer from:								
TWN	AMW	9040	84020	000	0000	000	Worker's Comp-Medical	300,000.00
Transfer to:								
TWN	AMW	9040	84010	000	0000	000	Worker's Comp-Indemnity	300,000.00

Thank you.

Robert Darienzo
Director of Finance

RD/rd
cc: Town Attorney (with 19 copies)
Word/Documents/Docket/TOF 2016 AMW

2B

TOWN OF OYSTER BAY
Inter-Departmental Memo

October 5, 2016

TO: **MEMORANDUM DOCKET**

FROM: **JOHN P. BISHOP, HIGHWAY DEPARTMENT**

SUBJECT: TRANSFER OF FUNDS

Town Board authorization is requested to transfer the following funds:

	Account No.	Object Description	Amount
From:	HWY SL 5182 42200 000 0000	LIGHT, POWER & WATER	$5,065.00
From:	HWY SL 5182 42200 000 0000	LIGHT, POWER & WATER	$1,400.00
To:	HWY SL 5182 14000 000 0000	SALARIES-SHIFT DIFF	$5,065.00
To:	HWY SL 5182 47100 000 0000	MTA PAYROLL TAX	$1,400.00

This transfer is necessary to provide funds for Salaries-Shift Differential and MTA Payroll Tax.

John P. Bishop
Highway Department

JPB/dp

C: Town Attorney (19)
Comptroller's Office
Joseph G. Pinto

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

October 7, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER DPW

SUBJECT: **AMENDMENT TO 2016 OPERATING BUDGET**

Kindly arrange to transfer funds to C.V.M. Division as follows:

ACCOUNT NO.	OBJECT DESCRIPTION	AMOUNT
INCREASE:		
DPW A 1640 46100 000 0000	EQUIPMENT MAINTENANCE	$18,000.00
DPW A 1640 46420 000 0000	OUTSIDE REPAIRS	$75,000.00
DPW A 1640 41230 000 0000	PARTS	$150,000.00
DECREASE:		
DPW A 1640 41200 000 0000	GASOLINE	$143,000.00
DPW A 1640 41210 000 0000	DIESEL	$100,000.00

These transfers are necessary to provide sufficient funds in order to maintain and purchase parts and pay for needed repairs.

Richard T. Betz
Commissioner

RTB/MC/jjh

cc: Town attorney – Original and 19 copies
Raymond Swierkowski, Warehouse Supervisor

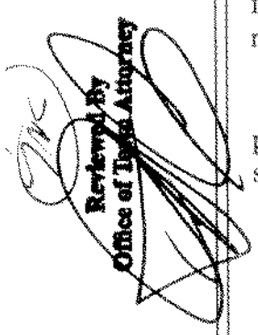
Amendbud10-7-2016

Meeting of October 18, 2016 Resolution No. 548-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, by memorandum dated September 15, 2016, requested Town Board approval to employ the services of the following art adjudicator, for the location, date and fee below noted:

Ms. Karen Albert
16 Russell Drive, F24
Mineola, New York 11501
Independent Art Society Exhibit
Town of Oyster Bay Awards
Plainview-Old Bethpage Library
Thursday, October 6, 2016 at 10:00 a.m.
Fee: $100.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved for the art adjudicator, location, date and fee as above noted nunc pro tunc from October 6, 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, and that the funds for said payment are to be drawn from Account No. CYS A 7020 47660 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	Aye
Councilwoman Johnson	Aye

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

548

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

September 15, 2016

TO: Memorandum Docket

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

SUBJECT: Adjudicate Independent Art Society Exhibit

The Department of Community & Youth Services requests Town Board authorization to employ the services of:

Ms. Karen Albert
16 Russell Drive, F24
Mineola, NY 11501
[redacted]

to adjudicate the Independent Art Society Exhibit for the "Town of Oyster Bay Awards" scheduled to be held on date and location noted below:

Plainview-Old Bethpage Library
Thursday, October 6, 2016
10:00 AM
Fee: $100.00

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, this adjudication is exempt from solicitation, written proposal or requirements policy.

Maureen A. Fitzgerald
Maureen A. Fitzgerald
Commissioner

MAF:sab
cc: Town Attorney (+19 copies)

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 104 Fairwater Avenue, Massapequa, New York 11758, also known as Section 66, Block 79, Lots 7 and 8 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 September 14, 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 August 17, 2015, in the amount of $448.70, 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 September 14, 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 $448.70 may be assessed by the Legislature of the County of Nassau against the parcel known as 104 Fairwater Avenue, Massapequa, New York 11758, also known as Section 66, Block 79, Lots 7 and 8 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

5-19

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 2016

SUBJECT: Property Cleanup Assessment
104 Fairwater Avenue, Massapequa, New York 11758
Section 66, Block 79, Lots 7 and 8

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 104 Fairwater Avenue, Massapequa, New York 11758, also known as Section 66, Block 79, Lots 7 and 8 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 14, 2015, advised that the property was boarded-up by a crew from the Highway Department on August 17, 2015. The cost incurred by the Town of Oyster Bay was $448.70.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 104 Fairwater Ave Bd Up 9 7 16

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 104 Fairwater Avenue, Massapequa, New York 11758, also known as Section 66, Block 79, Lots 7 and 8 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 September 14, 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 August 17, 2015, in the amount of $448.70, 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 September 14, 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 $448.70 may be assessed by the Legislature of the County of Nassau against the parcel known as 104 Fairwater Avenue, Massapequa, New York 11758, also known as Section 66, Block 79, Lots 7 and 8 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

Have Deed
2016-5299 S 1/16

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. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

OFFICE OF THE COMMISSIONER

August 17, 2015

Hand Delivered and Via Certified Mail, RRR

RE: Premises: 104 Fairwater Avenue Massapequa, NY 11758

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

12-83520 104 Fairwater Ave

NC CLERK

— 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 12 day of July, in the year 2012

1580 BETWEEN JOSEPH DiMARCO, residing at 104 Fairwater Avenue, Massapequa, New York 11758

party of the first part, and JUSTIN COCCHI and CATHERINE DANIELOWICH, residing at 3670 Somerset Drive, Seaford, New York 11783 as joint tenants with rights of survivorship

party of the second part,

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

395,000 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

SEE ATTACHED "SCHEDULE A"

The grantor herein being the same party as the grantee(s) and the premises same as deed recorded in Liber 11853 page 509.

Premises also being known as 104 Fairwater Avenue, Massapequa, New York 11758

Section: 66; Block 79, Lots 7 and 8

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:

Elizabeth L. Williams

JOSEPH DiMARCO

NC CLERK

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 07-17-2012
Recorded Time: 9:01:38 a

Liber Book: D 12847
Pages From: 612
To: 615

Record and Return To:
ALBERT RODRIGUES ESQ
3 SURREY LANE
SUITE 100
HEMPSTEAD, NY 11550

Control
Number: 21
Ref #: RE 018618
Doc Type: D01 DEED

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0066	00079-00	00007	
OYSTER BAY (2824)	0066	00079-00	00008	

Consideration Amount: 395,000.00

Taxes Total	1,580.00
Recording Totals	265.00
Total Payment	1,845.00

IJC001

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

201207170002l

66-79-7 AC

Town of Oyster Bay
Inter- Departmental Memo

September 14, 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: **104 FAIRWATER AVENUE, 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 **$448.70**.

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 -6 A 10:36

BOARD-UP 104 FAIRWATER AVENUE, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

WO#17366

LOCATION: BUILDING MAINTENANCE
104 Fairwater Ave, Mass.

DATE: 08/17/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
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
					$	0.00
				Subtotal A	$	106.65

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	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	$	448.70

DESCRIPTION OF WORK:
Boarded up house using 7 sheets of 1/2" plywood.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 08/18/15

3 AFFIDAVIT OF SERVICE

Premises: 104 Fairwater Ave Massapequa NY
Sec 66 Block 79 Lot 7

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

Kevin Conway, being duly sworn, deposes and says:

1. I am over 18 years of age, and not a party to this action.
2. On 8/14/15 (Date of Service), I served TOWN OF OYSTER BAY
   ☐ SUMMONS NUMBER _____ ☒ NOTICE OF VIOLATION 15072
   TO: Catherine Danielewicz known to me to be the
   ☒ Owner of the above-referenced premises
   ☐ _____ (Title) of the _____ (business entity) BY
   ☐ PERSONAL SERVICE by delivering the said document to the person named above at
   _____, the description of the individual served is:

Sex: _____	Color of Skin: _____	Color of Hair: _____
Approximate: Age_____	Weight_____	Height_____

☒ SERVICE BY POSTING by attaching a copy of said document to the above-referenced premises.

Kevin Conway

Sworn to before me this
15 day of August, 2015

James J. Suozzi
NOTARY PUBLIC

JAMES T SUOZZI
Notary Public, State Of New York
No. 01SU6232511
Qualified In Nassau County
Commission Expires 12/13/20[illegible]

0000000000000000

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

_____, being duly sworn, deposes and says, I am not a party to this action, am over 18 years of age, and reside in _____, New York.

On the _____ day of _____, _____, I served the within DOCUMENT upon _____ at _____ by depositing a true copy of the same, enclosed in a postpaid properly addressed envelope, in an official depository under the exclusive care and custody of the United States Post Office, by ☐ certified mail, return receipt requested ☐ first class mail, within the State of New York.

_____

Sworn to before me this

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 remove litter and debris and board-up the premises located at 477 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 122, Lot 31 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 September 14, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of removing litter and debris and boarding-up the premises on July 22, 2015, in the amount of $696.80 and $1,353.99 respectively, for a total amount of $2,050.79, 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 September 14, 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 $2,050.79 may be assessed by the Legislature of the County of Nassau against the parcel known as 477 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 122, Lot 31 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 2016

SUBJECT: Property Cleanup Assessment
477 Clocks Boulevard, Massapequa, New York 11758
Section 66, Block 122, Lot 31

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to remove litter and debris and board-up the premises located at 477 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 122, Lot 31 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The costs incurred by the Town of Oyster Bay were $696.80 and $1,353.99, respectively, for a total cost of $2,050.79.

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 477 Clocks Blvd Bd Up 9 7 16

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 remove litter and debris and board-up the premises located at 477 Clocks Boulevard, Massapequa, New York 11758, also known as Section 66, Block 122, Lot 31 on the Land and Tax Map of the County of Nassau; and

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- # -

Reviewed By
Office of Town Attorney

2016-5492 S
✓ Need ltr

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. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 477 Clocks Boulevard
Massapequa, NY 11758
Section 66, Block 122, Lot 31

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: July 22, 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

STG ASSOCIATES, INC
N2000354 Sect: 66
Blk: 122
Lot: 31

FORM 26/33
BSD (8/95) PAGE 1 OF 2
Bargain and Sale Deed with Covenant 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 April, 2000, BETWEEN

PAUL R. HABEKOST and KAREN HABEKOST, his wife, both residing at 159 Ocean Avenue, Massapequa, New York, 11758, party of the first part, and

ANTHONY NUZZO, residing at 191 Liberty Street, Deer Park, New York, 11729, 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 SCHEDULE "A" ANNEXED HERETO

PREMISES ALSO KNOWN AS 477 Clocks Boulevard, Massapequa, New York, 11758.

BEING AND INTENDED TO BE THE SAME PREMISES as those conveyed to the party of the first part by deed dated 4/4/90, and recorded 2/01/91 in Liber 10115, page 53.

PREMISES KNOWN AS Section 66 Block 122 Lot 31 as shown on the Nassau County Land and Tax Map.

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 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.

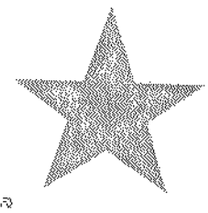
IN PRESENCE OF:

Paul R Habekost

PAUL R. HABEKOST

Karen Habekost BY Paul R Habekost

KAREN HABEKOST By PAUL R. HABEKOST Her Atty-in-Fact By Power of Attorney to Be Recorded Simultaneously Herewith



FOR MICROFILM

[redacted]

NASSAU COUNTY CLERKS OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 04-26-2000
Recorded Time: 2:44:26 p

Record and Return To:

Liber Book: D 11197
Pages From: 674
To: 677

Control Number: 2013
Reference Number: RE 022484
Doc Type: D01 Deed

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0066	00122-00	00031	

Consideration Amount: 266,000.00

Taxes Total	1,064.00
Recording Totals	62.00
Total Payment	1,126.00

TMS001

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

20000426020013

NASSAU COUNTY STATE OF NEW YORK

DBS

Town of Oyster Bay
Inter- Departmental Memo

September 8, 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: **477 CLOCKS BLVD, 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 **$2,050.79**.

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 477 CLOCKS BLVD, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

WO# 15972

LOCATION: BUILDING MAINTENANCE 477 Clocks Blvd, Massapequa DATE: 07/22/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Antonucci, Anthony	Laborer II	4.75		38.99	$	185.20
Hayward, Michael	Equip Oper II	4.75		41.80	$	198.55
Van Nostrand, Jeff	MaintCarpenter	4.75		42.66	$	202.64
					$	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	$	586.39

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	4.75	$	375.25
					$	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	$	375.25

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$			$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	19.00	$	392.35
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	392.35
			Total of A+B+C	$	1,353.99

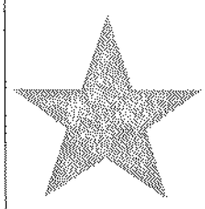
DESCRIPTION OF WORK:
Boarded up house using 19 sheets of 1/2" plywood, 1 lock and 1 hasp.

Signature: R Buckley

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 07/23/15



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

W.O.# 15972

LOCATION: BUILDING MAINTENANCE 477 Clocks Blvd, East Mass DATE: 07/22/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Antonucci, Anthony	Laborer II	2.50		38.99	$	97.48
Chandler, Donald	Equip Oper II	2.50		41.80	$	104.50
Hayward, Michael	Equip Oper II	2.50		41.80	$	104.50
Schlosser, Mark	Equip Oper II	2.50		40.53	$	101.33
					$	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	$	407.80

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Power Wagon	T245	TD728	105.00	1.00	$	105.00
Pickup	022	TD667	79.00	1.00	$	79.00
Power Wagon	T225	TD683	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		$	0.00
WHITE PAINT (GALLONS)	$ 11.30		$	0.00
MAINTENANCE AND PROTECTION OF			$	
OF TRAFFIC				
		Subtotal C	$	0.00
		Total of A+B+C	$	696.80

DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using 3 lawn mowers, 2 weedwackers, 2 backpack blowers and 1 chainsaw. Debris removed and dumped.

Signature: _____

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 07/23/15

AFFIDAVIT OF SERVICE

Premises: 477 Clocks Blvd Massapequa NY 11758
Sec 66 Block 122 Lot 31

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

Kevin Conway, being duly sworn, deposes and says:

1. I am over 18 years of age, and not a party to this action.
2. On 7/9/15 (Date of Service), I served TOWN OF OYSTER BAY
   ☐ SUMMONS NUMBER ____ ☑ NOTICE OF VIOLATION 14941
   TO: Anthony Iuzzo known to me to be the
   ☑ Owner of the above-referenced premises
   ☐ ____ (Title) of the ____ (business entity) BY
   ☐ PERSONAL SERVICE by delivering the said document to the person named above at
   ____, the description of the individual served is:

Sex: ____	Color of Skin: ____	Color of Hair: ____
Approximate: Age____	Weight____	Height____

☑ SERVICE BY POSTING by attaching a copy of said document to the above-referenced premises.

Kevin Conway

Sworn to before me this
9 day of July 2015

James T Suozzi
NOTARY PUBLIC

JAMES T SUOZZI
Notary Public, State Of New York
No. 01SU6232511
Qualified in Nassau County
Commission Expires 12/13/20 15

◊◊◊◊◊◊◊◊◊◊◊◊◊◊◊

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

James T. Suozzi, being duly sworn, deposes and says, I am not a party to this action, am over 18 years of age, and reside in Island Park, New York.

On the 9 day of July, 2015 I served the within DOCUMENT upon Anthony Iuzzo at 477 Clocks Blvd. Massapequa, by depositing a true copy of the same, enclosed in a postpaid properly addressed envelope, in an official depository under the exclusive care and custody of the United States Post Office, by ☑ certified mail, return receipt requested ☐ first class mail, within the State of New York.

James T Suozzi

Sworn to before me this
13th day of July 2015

NOTARY PUBLIC

DEBRA G. JAN
Notary Public, State of New York
No. 01JA6229816
Qualified in Nassau County
Commission Expires 10/25/18

Meeting of October 18, 2016 Resolution No. 551-2016

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 20, 2015, authorized the Highway Department to clean up the premises located at 121 Arlyn Drive West, Massapequa, New York 11758, also known as Section 53, Block 145, Lot 11 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 September 14, 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 December 4, 2015, in the amount of $479.81, 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 September 14, 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 $479.81 may be assessed by the Legislature of the County of Nassau against the parcel known as 121 Arlyn Drive West, Massapequa, New York 11758 , also known as Section 53, Block 145, Lot 11 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

551

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 2016

SUBJECT: Property Cleanup Assessment
121 Arlyn Drive West, Massapequa, New York 11758
Section 53, Block 145, Lot 11

The Department of Planning and Development, by memorandum dated November 20, 2015, directed the Highway Department to clean the premises located at 121 Arlyn Drive West, Massapequa, New York 11758, also known as Section 53, Block 145, Lot 11 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated January 4, 2016, advised that the property was cleaned by a crew from the Highway Department on December 4, 2015. The cost incurred by the Town of Oyster Bay was $479.81.

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&Reso\MD 121 Arlyn Dr 9.14.16.doc

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 20, 2015, authorized the Highway Department to clean up the premises located at 121 Arlyn Drive West, Massapequa, New York 11758, also known as Section 53, Block 145, Lot 11 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 September 14, 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 December 4, 2015, in the amount of $479.81, 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 September 14, 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 $479.81 may be assessed by the Legislature of the County of Nassau against the parcel known as 121 Arlyn Drive West, Massapequa, New York 11758 , also known as Section 53, Block 145, Lot 11 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

2016-5376 S
Need Ltr.

TOWN OF OYSTER BAY

Inter-Departmental Memo

November 20, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **121 Arlyn Drive W. Massapequa, NY 11758**
SBL: 53-145-11

Notice of Violation (No.15346) was issued to the owner of the above-referenced premises 11/10/15 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 (JJ)
MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

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

(#041062

121 Arlyn Dr.

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

THIS INDENTURE, made the 4th day of February , 2004

BETWEEN

SCOTT LYNCH, residing at 121 Arlyn Drive West, Massapequa, New York 11758

party of the first part, and

EDWIN CHING, residing at 703 Willow Road, Franklin Square, New York 11010

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

at Massapequa, Town of Oyster Bay, Nassau County and State of New York, known and designated as and by the Lot Number 11 in Block 145 on a certain map entitled, "Map of Arlyn Oaks, Section No. 53 situated at Massapequa, Town of Oyster Bay, Nassau County, New York" and filed in the office of the Clerk of the County of Nassau on July 11, 1951 as Map No. 5257, which said lot is more particularly bounded and described as follows:

Sec. 53
Blk 145
Lot 11

BEGINNING at a point on the westerly side of Arlyn Drive West distant 671.84 feet northerly from the extreme northerly end of an arc of a curve connecting the westerly side of Arlyn Drive West with the northerly side of Merrick Road;

RUNNING THENCE South 87 degrees 58 minutes 34 seconds West 97.64 feet;

THENCE North 0 degrees 58 minutes 25 seconds West 86.35 feet;

THENCE South 88 degrees 47 minutes 18 seconds East 98.30 feet to the westerly side of Arlyn Drive West;

THENCE southerly along the westerly side of Arlyn Drive West on the arc of a curve having a radius of 1,077.07 feet a distance of 60.82 feet to the point or place of BEGINNING.

SAID PREMISES being the same as conveyed to Grantor by deed dated 02/29/00 and recorded 03/03/00 in Liber 11177 Page 821.

SAID PREMISES being known as 121 Arlyn Drive West, 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" 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:

Kathleen D. Sciandra

Scott Lynch

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

✓ D85

Town of Oyster Bay
Inter- Departmental Memo

January 4, 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: **121 ARLYN DRIVE, 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 **$479.81**.

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

CLEAN-UP 121 ARLYN DRIVE, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-145-11) 121 ARLYN DR MASSAPEQUA 11758

Date Dec 4, 2015

Work Order # 21087

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	01:00	$28.56	00:00	0	$28.56
JOSEPH CARECCIA	General Maintenance	01:00	$51.48	00:00	0	$51.48
DONALD CHANDLER	General Maintenance	01:00	$41.80	00:00	0	$41.80
MARK SCHLOSSER	General Maintenance	01:00	$40.53	00:00	0	$40.53
JOHN CRIADO	General Maintenance	01:00	$28.44	00:00	0	$28.44
					Total Labor	$190.81

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	$0.00	01:00	$0.00
TD635	TRUCK DUMP 2008 FORD F350 YW (T275 / T-275) - Power Wagons	$105.00	01:00	$105.00
TD667	PICK-UP TRUCK 2009 FORD F-250 YW (22 / 022)	$79.00	01:00	$79.00
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	$105.00	01:00	$105.00
			Total Equipment	$289.00

Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total **$479.81**

Description of Work:

clean up 121 Arlyn Drive W., Massapequa to Doug

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Dec 7, 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 July 7, 2015, authorized the Highway Department to clean up the premises located at 58 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lots 42 and 77 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 September 14, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 13, 2015, in the amount of $504.93, 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 September 14, 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 $504.93 may be assessed by the Legislature of the County of Nassau against the parcel known as 58 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lots 42 and 77 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 2016

SUBJECT: Property Cleanup Assessment
58 Park Lane, Massapequa, New York 11758
Section 48, Block 223, Lots 42 and 77

The Department of Planning and Development, by memorandum dated July 7, 2015, directed the Highway Department to clean the premises located at 58 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lots 42 and 77 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 8, 2015, advised that the property was cleaned by a crew from the Highway Department on July 13, 2015. The cost incurred by the Town of Oyster Bay was $504.93.

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:\Attys\DBS\Cleanup MD&Reso\MD 58 Park Ln 9.14.16.doc

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated July 7, 2015, authorized the Highway Department to clean up the premises located at 58 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lots 42 and 77 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 September 14, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on July 13, 2015, in the amount of $504.93, 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 September 14, 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 $504.93 may be assessed by the Legislature of the County of Nassau against the parcel known as 58 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lots 42 and 77 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

2016-5485 9

TOWN OF OYSTER BAY

Inter-Departmental Memo

July 7, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **58 Park Lane Massapequa, NY 11758**
SBL: 48-223-42

Notice of Violation (No.14855) was issued to the owner of the above-referenced premises 06/29/15 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.**

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

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

L14193 58 Park Lane

THIS INDENTURE, made the 19 day of May , 2003

BETWEEN

YURI SHIF and MARGARITA SHIF, his wife
58 Park Lane, Massapequa, New York

party of the first part, and

JOHN NEUMANN and NANCY NEUMANN, his wife
10 Abbey Court, Brooklyn, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS ($10.00)
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

Said premises being further known as:
58 Park Lane, Massapequa, New York

That the grantor(s) herein are the same person(s) as the grantee(s) in deed dated 3/27/01 and recorded 6/8/01 in Reel 11341 page 712.

548
B223
L 42,77

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:

Yuri Shif
YURI SHIF

Margarita Shif
MARGARITA SHIF

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

48-223-42 CG closed DBS

Town of Oyster Bay
Inter- Departmental Memo

September 8, 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: **58 PARK LANE, 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 **$504.93**.

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

2015 APR 20 A 11:39

Clean up 58 PARK LANE, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

WO# 15716

LOCATION: BUILDING MAINTENANCE 58 Park Lane, Mass DATE: 07/13/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Antonucci, Anthony	Laborer II	1.00		38.99	$	38.99
Chandler, Donald	Equip Oper II	1.00		41.80	$	41.80
Criado, John	Equip Oper I	1.00		28.44	$	28.44
Schlosser, Mark	Equip Oper II	1.00		40.53	$	40.53
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	149.76

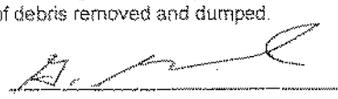
EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Power Wagon	T245	TD728	105.00	1.00	$	105.00
Pickup	022	TD667	79.00	1.00	$	79.00
Packer	PP931	PK388	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
				Subtotal B	$	289.00

MATERIALS

Materials Used (Sand, Etc.)	Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$ 80.70	0.82	$	66.17
WHITE PAINT (GALLONS)	$ 11.30		$	0.00
MAINTENANCE AND PROTECTION OF			$	
OF TRAFFIC				
		Subtotal C	$	66.17
		Total of A+B+C	$	504.93

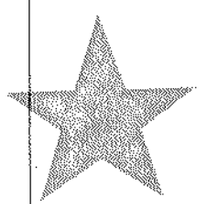
DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using 3 lawn mowers, 2 weedwackers, 2 backpack blowers and 1 chainsaw. Two truckloads of debris removed and dumped.

Signature: 

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 07/21/15



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 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 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 September 14, 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 13, 2015, in the amount of $312.90, 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 September 14, 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 $312.90 may be assessed by the Legislature of the County of Nassau against the parcel known as 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

553

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 2016

SUBJECT: Property Cleanup Assessment
28 High Street, Farmingdale, New York 11735
Section 49, Block 21, Lot 142

The Department of Planning and Development, by memorandum dated November 6, 2015, directed the Highway Department to clean the premises located at 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 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 cleaned by a crew from the Highway Department on November 13, 2015. The cost incurred by the Town of Oyster Bay was $312.90.

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&Reso\MD 28 High St 9.14.16.doc

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 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 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 September 14, 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 13, 2015, in the amount of $312.90, 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 September 14, 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 $312.90 may be assessed by the Legislature of the County of Nassau against the parcel known as 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 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

Need DOC
2016-5488 S

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: **28 High Street Farmingdale, NY 11735**
SBL: 49-21-142

Notice of Violation (No.15334) 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.**

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

28 High St

NY 005 - Bargain and Sale Deed with Covenant against Grantor's Acts Individual or Corporation (Single Sheet) (NYBTU 8002)

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

THIS INDENTURE, made the 17th day of December, in the year 2004

BETWEEN

Humera Rahman and Ghoureen Rahman, as to an undivided one-half interest, residing at 28 High Street, Farmingdale, New York 11735

party of the first part, and

Andrew Koppie, residing at 26 Bernard Street, Farmingdale, New York 11735

Sec: 49
Blk: 21
Lot: 142

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 Schedule A attached hereto and made a part hereof.

BEING AND INTENDED TO BE, the same premises conveyed by deed from Ateeq Rahman and Humera Rahman to Humera Rahman and Ghoureen Rahman dated 12/4/97 and recorded on 1/12/98 in Liber 10866 Page 0092 in the Nassau County Clerk's Office.

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 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 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:

Humera Rahman by Ateeq Rahman attorney in fact
Humera Rahman

Ghoureen Rahman by Ateeq Rahman attorney in fact
Ghoureen Rahman

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: **28 HIGH 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 **$312.90**.

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 APR 20 A 11:39

Clean up 28 HIGH STREET, FARMINGDALE to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-21-142) 28 HIGH ST FARMINGDALE 11735

Date 11/13/15

Work Order # 20630

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
JOSEPH CARECCIA	General Maintenance	01:00	$51.48	00:00	0	$51.48
CHRISTOPHER MOORE	General Maintenance	01:00	$24.04	00:00	0	$24.04
JAMES ROMANO	General Maintenance	01:00	$27.38	00:00	0	$27.38
					Total Labor	$102.90

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU444	PICK UP 2012 FORD F350 YELLO (21 / 021)	$79.00	01:00	$79.00
TD572	TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler	$131.00	01:00	$131.00
			Total Equipment	$210.00

Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total $312.90

Description of Work:

clean up 28 High Street Farmingdale to Doug

Signature: _____

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: Nov 17, 2015

Meeting of October 18, 2016 Resolution No. 554-2016

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 August 18, 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 September 14, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 20, 2015, in the amount of $849.52, 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 September 14, 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 $849.52 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.

- # -

Reviewed By
Office of Town Attorney

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

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

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

554

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 14, 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 August 18, 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 September 14, 2015, advised that the property was cleaned by a crew from the Highway Department on August 20, 2015. The cost incurred by the Town of Oyster Bay was $849.52.

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&Reso\MD 2 Robin Ct. 9.14.16.doc

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 18, 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 September 14, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 20, 2015, in the amount of $849.52, 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 September 14, 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 $849.52 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.

- # -

Reviewed By
Office of Town Attorney

Need ltr
2016-5303 1/16 S

TOWN OF OYSTER BAY

Inter-Departmental Memo
August 18, 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.15051) was issued to the owner of the above-referenced premises 07/28/15 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.**

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

Standard N.Y.B.T.U. Form 8010 Executor's Deed—Individual or Corporation.
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

SBAP 18173N ✓ 2 Robert Ct.

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 RASKA, RESIDING AT 212 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 in 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,

SEC. 48
BK. 553
LOT 4

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

78-3334 K

Town of Oyster Bay
Inter- Departmental Memo

September 14, 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 **$849.52**.

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

Work 17425

LOCATION: BUILDING MAINTENANCE 2 Robin Ct, Farmingdale

DATE: 08/20/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Hayward, Michael	Equip Oper II	2.00		41.80	$	83.60
Martin, Michale	Equip Oper I	2.00		24.04	$	48.08
Pietrosante, John	Labor Supv I	2.00		43.92	$	87.84
					$	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	$	219.52

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
6 Wheeler	T243	TD572	131.00	2.00	$	262.00
Power Wagon	T245	TD728	105.00	2.00	$	210.00
Pickup	024	TD633	79.00	2.00	$	158.00
					$	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	$	630.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	80.70		$	0.00
WHITE PAINT (GALLONS)	$	11.30		$	0.00
MAINTENANCE AND PROTECTION OF				$	
OF TRAFFIC					
			Subtotal C	$	0.00
			Total of A+B+C	$	849.52

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

Signature: _____

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 08/25/15

Meeting of October 18, 2016 Resolution No. 555-2016

WHEREAS, Len Margolis, President, Locust Valley Chamber of Commerce, by letter dated September 6, 2016, has requested the closure of Municipal Parking Fields LV-1 and LV-2 in Locust Valley, on October 22, 2016 from 11:00 a.m. until 4:00 p.m. and the use of twelve (12) complete barricades, for their 11th Annual Harvest Festival; and

WHEREAS, John P. Bishop, Administration, Highway Department, by memorandum dated September 15, 2016, has advised that Municipal Parking Fields LV-1 and LV-2 in Locust Valley, will not be required by the Town and that the Highway Department has no objection to providing use of said parking fields on October 22, 2016 from 11:00 a.m. until 4:00 p.m., and that the Highway Department has no objection to providing twelve (12) complete barricades to the Locust Valley Chamber of Commerce, to be delivered on October 21, 2016 and picked up on October 24, 2016; and

WHEREAS, this Town Board deems this event to be an appropriate and worthwhile endeavor,

Reviewed By Office of Town Attorney

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 Municipal Parking Fields LV-1 and LV-2 in Locust Valley to the Locust Valley Chamber of Commerce, for the Chamber's 11th Annual Harvest Festival on October 22, 2016 from 11:00 a.m. until 4:00 p.m., and twelve (12) complete barricades to be delivered on October 21, 2016 and picked up on October 24, 2016, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Highway Department or a duly authorized designee;

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

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of $1,000,000 per occurrence $2,000,000 general aggregate per year, and naming the Town of Oyster Bay 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	Aye
Councilwoman Johnson	Aye

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 15, 2016

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, HIGHWAY DEPARTMENT

SUBJECT: LOCUST VALLEY CHAMBER OF COMMERCE
11th ANNUAL HARVEST FESTIVAL
OCTOBER 22nd, 2016.

Enclosed please find a copy of the letter from Len Margolis, President, requesting our assistance on behalf of the Locust Valley Chamber of Commerce in conducting their 11th Annual Harvest Festival on Saturday, October 22nd, 2016.

The Highway Department has no objection to the Locust Valley Chamber of Commerce using Lot LV-2 near the Railroad Crossing (between Forest Ave and Elm St), and Lot LV-1 in Locust Valley, on Saturday, October 22nd , 2016, from 11:00 A.M. until 4:00 P.M. for their Annual Harvest Festival.

In addition, the Highway Department will be pleased to provide Twelve (12) Complete Barricades for the event, from October 21, 2016 through October 24, 2016.

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

JOHN P. BISHOP
HIGHWAY DEPARTMENT

JPB/taw

C: Town Attorney (19) copies
Doug Robalino, General Foreman
Justin McCaffrey, Commissioner, Public Safety Department

Locust Valley Chamber of Commerce
P.O. Box 178
Locust Valley, New York 11560
www.locustvalleychamber.com

September, 6th, 2016

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

Dear Commissioner Hanifan,

The Locust Valley Chamber of Commerce (LVCC) will be holding its 11th annual Harvest Festival, on Saturday October 22, 2016, from 11:00 am until 4:00 pm. We are hoping that this will help bring potential customers to the area to promote commerce in the area for this event.

We would like to request the use of 12 barricades to close off the parking area near the Railroad Crossing (between Forest Ave & Elm Street) and parking field LV-1.

The requisite insurances will be provided to the Town of Oyster Bay and Nassau County for this event and would very much appreciate your assistance in arranging for a permit for approval for the use of this area.

Should you have any questions or require any further information please do not hesitate to contact me.

Thank you for your cooperation in this matter.

Yours Truly,

Len Margolis, President

LOCUS-4 OP ID: MC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/09/2016

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
BADGE AGENCY, INC.
500 North Broadway, Suite 231
Jericho, NY 11753
REARDON RAPLEE LINDNER

CONTACT NAME: REARDON RAPLEE LINDNER
PHONE (A/C, No, Ext): 516-676-0670 FAX (A/C, No): 516-676-0258
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: NAUTILUS INSURANCE CO. 17370	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED: Locust Valley Chamber of Commerce
P O Box 178
Locust Valley, NY 11560

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 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		NN631243	05/04/2016	05/04/2017	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ INCLUDED
	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)

event: Harvest Festival/Car show

Town of Oyster Bay Highway Dept, is additional insured

CERTIFICATE HOLDER

TOBHHVS

TOWN OF OYSTER BAY
HIGHWAY DEPT
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

Michael Kanter

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Reviewed By
Office of Town Attorney

POLICY NUMBER: NN631243

COMMERCIAL GENERAL LIABILITY
CG 20 26 07 04

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
Town of Oyster Bay Highway Dept. 150 Miller Place Syosset, NY 11791 Premium: $ 100
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", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

Reviewed By
Office of Town Attorney

© ISO Properties, Inc., 2004

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

This Agreement is made this 6th day of Sept 2016, by Locust Valley Chamber of Commerce (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 11th Annual Harvest festival Oct 22nd 11:00 - 3:00pm
1 Barricade To close off the Parking Area Between Forest Ave & Elm St. on Birch Hill Road

for the event described as 11th Annual Harvest Festival
The property/equipment is needed from Oct. 21st 2016 to Oct 24th 2016
The event for which the property and/or equipment is requested (___) is (✓) is 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 certificates 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
Locust Valley Chamber of Commerce

Address of Organization
P.O. Box 178
Locust Valley NY

By: _____
Authorized Representative

Title: President

Telephone Number: [redacted]

Reviewed By
Office of Town Attorney
Victor A. Alfonso

DATE: 9/9/16

TO: **HIGHWAY OPERATIONS**

SUBJECT: Locust Valley Chamber of Commerce 11th Annual Harvest Festival

PLEASE DELIVER TO:

LV-1 & 2
Locust Valley

CONTACT: Lee Margitis [redacted]

DATE OF EVENT: 10/22/16

SNOW FENCE:

BARRICADES: **12**

CONES:

SORT PAILS:

PORTABLE LIGHTS:

GENERATOR:

PACKER:

DELIVER ON: **10/21/16**

PICKUP ON: **10/24/16**

		XX
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.

JOHN P. BISHOP
HIGHWAY DEPARTMENT

JPB/taw

CC: Doug Robalino, General Foreman 005
Peter Brown, Regional Foreman 014
Jim Ajamian, Area Foreman 013
Jeff VanNostrand
Public Safety Division

WHEREAS, Ms. Mary Reddy has requested to replace a donated plaque for an existing tree to the Town of Oyster Bay, at Marjorie R. Post Community Park, Massapequa, New York, which plaque will be in honor of her husband, Thomas Reddy, and her son, James Reddy; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated September 23, 2016, has recommended that the Town accept said donation; and

WHEREAS, the value of the plaque is estimated to be $325.00,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts from Ms. Mary Reddy the donation of a plaque for an existing tree to the Town of Oyster Bay, at Marjorie R. Post Community Park, Massapequa, New York, which will honor her husband, Thomas Reddy, and her son, James Reddy.

-#-

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)
Parks

5 556

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: FRANK A. NOCERINO, COMMISSIONER OF PARKS

DATE: SEPTEMBER 23, 2016

SUBJECT: MEMORIAL

The Department of Parks has received a request from Mary Reddy (letter attached) to replace a donated plaque for an existing tree to the Town of Oyster Bay. The original plaque was in memory of her son James. She is requesting permission for a new plaque which will now include her husband Tom and her son James. The plaque will be placed in Marjorie R. Post Community Park.

The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

The plaque will be purchased by Mary Reddy and donated to the Parks Department. The value of plaque is estimated to be $325 .00. Town Board approval is requested on behalf of Mary Reddy.

FRANK A. NOCERINO
COMMISSIONER OF PARKS

FAN/dl
C: TOWN ATTORNEY (original +19 copies)
ATTACHMENT

175 Manhattan Ave.
Massapequa, NY 11758

Mr. Frank Nocerino, Commissioner
Town of Oyster Bay
Department of Parks
977 Hicksville Rd.
Massapequa, NY 11758

Dear Mr. Nocerino,

In 1965 I donated a memorial tree with an accompanying plaque to be placed in Marjorie R. Post Park in memory of my son James. My husband Tom suddenly passed away this summer, I am writing to you because I would like to replace the original plaque to now include my husband. It would be a perfect tribute to both of them and would bring my family some peace in knowing we can go to the park in remembrance of two wonderful men.

Thank you so much for your time.

Sincerely,
Mary Reddy
Mary Reddy

DEBBIE L

Meeting of October 18, 2016 Resolution No. 557-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, by memorandum dated September 26, 2016, has requested Town Board authorization to present the "Family Fall & Halloween Festival", scheduled to be held on Saturday, October 22, 2016 at Marjorie R. Post Community Park, Unqua Road, Massapequa, New York, from 1:00 p.m. to 4:00 p.m., this event is free to the public and will include Halloween crafts, games and refreshments, at a total cost not to exceed $8,000.00 including carnival equipment provided by Dynamic Entertainment; and

WHEREAS, this Town Board deems this events to be 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 recommendation as hereinabove set forth is accepted, and authorization is given, to the Department of Community & Youth Services to present the "Family Fall & Halloween Festival", scheduled to be held on Saturday, October 22, 2016 at Marjorie R. Post Community Park, Unqua Road, Massapequa, New York, from 1:00 p.m. to 4:00 p.m., this event is free to the public and will include Halloween crafts, games and refreshments, at a total cost not to exceed $8,000.00 including carnival equipment provided by Dynamic Entertainment; and be it further

Reviewed By Office of Town Attorney

RESOLVED, That 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. CYS A 7020 47660 000 0000-Special Events.

-#-

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

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

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

6 55 7

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

September 26, 2016

TO: Memorandum Docket

FROM: Maureen A. Fitzgerald, Commissioner
The Department of Community & Youth Services

SUBJECT: 2016 Annual Family Fall & Halloween Festival

The Department of Community and Youth Services is requesting Town Board authorization to present the "Family Fall & Halloween Festival". The Festival is scheduled to be held on Saturday, October 22, 2016 at Marjorie R. Post Community Park, Unqua Road, Massapequa, from 1:00 PM to 4:00 PM.

This event is free to the public and will include Halloween crafts, games, refreshments, cotton candy, prizes, a pumpkin patch, pumpkin decorating, inflatables, a hay ride and a hay maze. The carnival equipment will be provided by Dynamic Entertainment.

Costs for the event will not exceed $8,000 and the necessary products and services will be procured through the Purchasing Division. Funding will be available from account CYS A 7020 47660 000 0000, Special Events.

Maureen A. Fitzgerald
Commissioner

MAF:sab
cc: Town Attorney (+ 19 copies)

Meeting of October 18, 2016 Resolution No. 558-2016

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 8, 2015, authorized the Highway Department to clean up the premises located at 216 North Oak Street, Massapequa, New York 11758, also known as Section 52, Block 109, Lots 28 and 29 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 September 21, 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 October 14, 2015, in the amount of $351.30, 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 September 21, 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 $351.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 216 North Oak Street, Massapequa, New York 11758 , also known as Section 52, Block 109, Lots 28 and 29 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	Aye
Councilwoman Johnson	Aye

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 21, 2016

SUBJECT: Property Cleanup Assessment
216 North Oak Street, Massapequa, New York 11758
Section 52, Block 109, Lots 28 and 29

The Department of Planning and Development, by memorandum dated October 8, 2015, directed the Highway Department to clean the premises located at 216 North Oak Street, Massapequa, New York 11758, also known as Section 52, Block 109, Lots 28 and 29 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 16, 2015, advised that the property was cleaned by a crew from the Highway Department on October 14, 2015. The cost incurred by the Town of Oyster Bay was $351.30.

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&Reso\MD 216 N Oak St 9.21.16.doc

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 8, 2015, authorized the Highway Department to clean up the premises located at 216 North Oak Street, Massapequa, New York 11758, also known as Section 52, Block 109, Lots 28 and 29 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 September 21, 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 October 14, 2015, in the amount of $351.30, 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 September 21, 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 $351.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 216 North Oak Street, Massapequa, New York 11758 , also known as Section 52, Block 109, Lots 28 and 29 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

2016-5504 S
✓ [illegible]

TOWN OF OYSTER BAY

Inter-Departmental Memo
October 8, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **216 N. Oak Street Massapequa, NY 11758**
SBL: 52-109-28

Notice of Violation (No.15185) was issued to the owner of the above-referenced premises 09/29/15 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 board up the unlocked windows.**

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

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

THIS INDENTURE, made the 20th day of October, 2003

BETWEEN

PETER H. KORSCH and GERALDINE C. KORSH,
222 No. Oak Street, No. Massapequa, NY

party of the first part, and

DIANE M. MROCZEK,
216 No. Oak Street, No. Massapequa, NY

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN and no/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 Town of Massapequa, (an unincorporated Village), Township of Oyster Bay, County of Nassau and State of New York, known and designated as and by Lot Numbers 28 and 29 in Block 22 only, on a certain map entitled, "Map of Property of Beauville Realty Corp., formerly part of Sarah Dexter property, Massapequa, Long Island, New York", surveyed January 1926 by Smith and Malcomson, Inc., C.E., Freeport, L.I., and filed in the Office of the Clerk of the County of Nassau, on October 29, 1926 under File No.: 376.

Said premises being also known as 216 No. Oak Street, No. Massapequa, NY. AND BEING THE SAME PREMISES CONVEYED TO THE GRANTORS HEREIN BY DEED DATED JULY 25 1955, RECORDED AUGUST 19 1955, IN LIBER 9660, PAGE 792.

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.

SEE SCHEDULE "A" ATTACHED.

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

IN PRESENCE OF:

Geraldine C. Korsh

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

DBS

Town of Oyster Bay
Inter- Departmental Memo

November 16, 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: **216 OAK 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 **$351.30**.

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

TOWN ATTORNEY'S OFFICE
TOWN OF OYSTER BAY

2015 APR -3 A 11:04

Clean up 216 OAK STREET, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-109-28) 216 OAK ST MASSAPEQUA 11758

Work Order # 19158

Date 10/14/15

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
MICHAEL MARTIN	General Maintenance	01:00	$24.04	00:00	$0.00	$24.04
JOSE NUNEZ	General Maintenance	01:00	$37.86	00:00	$0.00	$37.86
MARK SCHLOSSER	General Maintenance	01:00	$40.53	00:00	$0.00	$40.53
DERRICK SCOTT	General Maintenance	01:00	$38.87	00:00	$0.00	$38.87
					Total Labor	$141.30

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	$105.00	01:00	$105.00
TD728	POWER WAGON 2015 T-245	$105.00	01:00	$105.00
			Total Equipment	$210.00

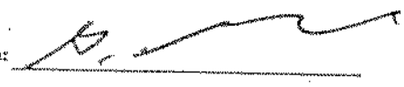
Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total **$351.30**

Description of Work:

CLEAN UP 216 N. OAK STREET MS TO DOUG

Signature: 

Name: GIACOMO GRANDINE

Title: HWY CONST SUPV

Date: 11/12/15

Meeting of October 18, 2016 Resolution No. 559-2016

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 reattach the tarp on the roof and lock the garage door on the house at the premises located at 74 Myers Avenue, Hicksville, New York 11801, also known as Section 11, Block 367, Lots 13 and 14 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 September 21, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 22, 2015, in the amount of $217.81, 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 September 21, 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 $217.81 may be assessed by the Legislature of the County of Nassau against the parcel known as 74 Myers Avenue, Hicksville, New York 11801, also known as Section 11, Block 367, Lots 13 and 14 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 21, 2016

SUBJECT: Property Cleanup Assessment
74 Myers Avenue, Hicksville, New York 11801
Section 11, Block 367, Lots 13 and 14

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to reattach the tarp on the roof and lock the garage door on the house at the premises located at 74 Myers Avenue, Hicksville, New York 11801, also known as Section 11, Block 367, Lots 13 and 14 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 17, 2015, advised that the property was secured by a crew from the Highway Department on October 22, 2015. The cost incurred by the Town of Oyster Bay was $217.81.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 74 Myers Ave Bd Up 9.16.16

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 reattach the tarp on the roof and lock the garage door on the house at the premises located at 74 Myers Avenue, Hicksville, New York 11801, also known as Section 11, Block 367, Lots 13 and 14 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 September 21, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 22, 2015, in the amount of $217.81, 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 September 21, 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 $217.81 may be assessed by the Legislature of the County of Nassau against the parcel known as 74 Myers Avenue, Hicksville, New York 11801, also known as Section 11, Block 367, Lots 13 and 14 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

✓ 2016-5487 S
Need Ltr

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. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 74 Myers Avenue
Hicksville, NY 11801
Section 11, Block 367, Lot 13

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: October 22, 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

3 AFFIDAVIT OF SERVICE

Premises: 74 Myers Hicksville NY 11801
Sec 11 Block 367 Lot 13

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

Christopher Gioia, being duly sworn, deposes and says:

1. I am over 18 years of age, and not a party to this action.
2. On 10/22/15 (Date of Service), I served TOWN OF OYSTER BAY

☐ SUMMONS NUMBER _____ ☐NOTICE OF VIOLATION _____ Boardup 4

TO: _____ known to me to be the

☐ Owner of the above-referenced premises

☐ _____ (Title) of the _____ (business entity) BY

☐ PERSONAL SERVICE by delivering the said document to the person named above at _____, the description of the individual served is:

Sex: _____	Color of Skin: _____	Color of Hair: _____
Approximate: Age_____	Weight_____	Height_____

X ☐ SERVICE BY POSTING by attaching a copy of said document to the above-referenced premises.

Christopher Gioia

Sworn to before me this
22 day of Oct., 2015

James T. Suozzi
NOTARY PUBLIC

JAMES T SUOZZI
Notary Public, State Of New York
No. 01SU6232511
Qualified In Nassau County
Commission Expires 12/13/20 18

0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

_____, being duly sworn, deposes and says, I am not a party to this action, am over 18 years of age, and reside in _____, New York.

On the _____day of _____, _____, I served the within DOCUMENT upon _____at _____,by depositing a true copy of the same, enclosed in a postpaid properly addressed envelope, in an official depository under the exclusive care and custody of the United States Post Office, by ☐ certified mail, return receipt requested ☐ first class mail, within the State of New York.

_____

Sworn to before me this

_____ day of _____,

_____
NOTARY PUBLIC

74 Myers Ave

N:2010 — Executor's Deed—Individual or Corporation (single sheet)

THIS INDENTURE, made the 27 day of March, in the year 2002

BETWEEN

LINDA WEBER

residing at 41 Normandy Drive, Northport, New York 11768

as executrix of Joan Weith a/k/a Joan F. Weith, the last will and testament of 74 Myers Avenue, Hicksville, New York 11801, late of , deceased,

party of the first part, and

KENJI ADZUMA and JIAN-NONG FENG, his wife, residing at 66 Elm Avenue, Coram, New York 11727 and 500 East 63rd Street, New York City, New York 10021, respectively

party of the second part,

WITNESSETH, that the party of the first part, to whom letters testamentary were issued by the Surrogate's Court of the State of New York for the County of Nassau on Jan. 11, 2002 and by virtue of the power and authority given in and by said last will and testament, and in consideration of 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 at Hicksville, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by Lots 13 and 14, Block 21, on a certain map entitled, "Map No. 1 of property belonging to the New York Exchange and Investment Company at Hicksville, Queens Co., L.I., made by William C. Hawkhurst, Surveyor, dated November 30, 1891," and filed in the Queens County Clerk's Office on March 5, 1892 under File No. 41, Nassau File No. 21, which said Lots, when taken together, are, according to said map, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the Easterly side of Myers with the Southerly side of 8th Street; running thence Easterly along the Southerly side of 8th Street, 100 feet; running thence Southerly parallel with the Easterly side of Myers Avenue, 50 feet; running thence Westerly and parallel with the Southerly side of 8th Street, 100 feet, to the Easterly side of Myers Avenue; running thence Northerly along the Easterly side of Myers Avenue, 50 feet, to the corner, the point or place of BEGINNING.

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:

Linda Weber

LINDA WEBER, As Executrix of the Estate of Joan Weith a/k/a Joan F. Weith

085

Town of Oyster Bay
Inter- Departmental Memo

November 17, 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: **74 Myers Avenue, Hicksville**
RE-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 **$217.81**.

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 APR 20 A 11:39

RE-Board-up 74 Myers Avenue, Hicksville to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 74 Myers Ave, Hicksville DATE: 10/22/15

LABOR COSTS

WO#

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	3.00	$	61.95
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	61.95
			Total of A+B+C	$	217.81

DESCRIPTION OF WORK:
Reattached tarp on roof and locked garage door using 1 lock and 1 hasp.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 10/29/15

Meeting of October 18, 2016 Resolution No. 560-2016

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 demolish and remove the entire house located at 6 Edgewood Avenue, Glen Head, New York 11545, also known as Section 21, Block 35, Lot 18 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 September 21, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of demolish and remove the entire house on July 22, 2015 and July 23, 2015, in the amount of $8,029.99 and $12,773.28 respectively, for a total amount of $20,803.27, 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 September 21, 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 $20,803.27 may be assessed by the Legislature of the County of Nassau against the parcel known as 6 Edgewood Avenue, Glen Head, New York 11545, also known as Section 21, Block 35, Lot 18 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	Aye
Councilwoman Johnson	Aye

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 21, 2016

SUBJECT: Property Cleanup Assessment
6 Edgewood Avenue, Glen Head, New York 11545
Section 21, Block 35, Lot 18

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to demolish and remove the entire house located at 6 Edgewood Avenue, Glen Head, New York 11545, also known as Section 21, Block 35, Lot 18 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The costs incurred by the Town of Oyster Bay were $8,029.99 and $12,773.28, respectively, for a total cost of $20,803.27.

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 6 Edgewoode Ave Demo 9.15.16

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 demolish and remove the entire house located at 6 Edgewood Avenue, Glen Head, New York 11545, also known as Section 21, Block 35, Lot 18 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 September 21, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of demolish and remove the entire house on July 22, 2015 and July 23, 2015, in the amount of $8,029.99 and $12,773.28 respectively, for a total amount of $20,803.27, 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 September 21, 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 $20,803.27 may be assessed by the Legislature of the County of Nassau against the parcel known as 6 Edgewood Avenue, Glen Head, New York 11545, also known as Section 21, Block 35, Lot 18 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

2016-5632

DEPARTMENT OF PLANNING AND DEVELOPMENT

TOWN HALL WEST, 74 AUDREY AVENUE, OYSTER BAY, NY 11771
TEL. 516-624-6200 FAX 516-624-6240

CODE ENFORCEMENT DIVISION

FREDERICK P. IPPOLITO
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

July 1, 2015

Edwin Meers
6 Edgewood Avenue
Glen Head, NY 11545

Re: PREMISES: 6 Edgewood Avenue, Glen Head NY 11545
Section 21, Block 35, Lot 18

Dear Mr. Meers,

Based upon an inspection conducted at the premises on March 18, 2015, I have determined that the building located at 6 Edgewood Avenue, Glen Head, NY 11545, also known as Section 21, Block 35, Lot 18 of the Tax Map of Nassau County, is a dangerous building which poses an imminent danger to the life, health, safety and welfare of the surrounding residents unless the building is immediately demolished pursuant to Section 96-20 of the Code of the Town of Oyster Bay.

The Town of Oyster Bay has scheduled an emergency demolition of the building at 6 Edgewood Avenue, Glen Head, NY 11545 (Section 21 Block 35 Lot 18 on the Tax Map of Nassau County) for Thursday July 9, 2015.

BY ORDER OF:

Frederick P. Ippolito
Commissioner

FPI:kr

TOWN OF OYSTER BAY

AFFIDAVIT OF SERVICE

Premises: 6 Edgewood Avenue Garden Head NY
Sec 21 Block 35 Lot 18

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

Joseph Gambra, being duly sworn, deposes and says:

1. I am over 18 years of age, and not a party to this action.
2. On 7/1/15 (Date of Service), I served TOWN OF OYSTER BAY

☐ SUMMONS NUMBER _____ ☐ NOTICE OF VIOLATION _____ BOARD UP X

TO: Edwin Moers known to me to be the

☒ Owner of the above-referenced premises

☐ _____ (Title) of the _____ (business entity) BY

☐ PERSONAL SERVICE by delivering the said document to the person named above at

_____, the description of the individual served is:

Sex: _____	Color of Skin: _____	Color of Hair: _____
Approximate: Age_____	Weight_____	Height_____

☒ SERVICE BY POSTING by attaching a copy of said document to the above-referenced premises.

[signature]

Sworn to before me this
1 day of July, 2015

[signature]
NOTARY PUBLIC

No. 01SU6232511
Qualified in Nassau County

0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

JAMES T SUOZZI
Notary Public, State Of New York
No. 01SU6232511
Qualified In Nassau County
Commission Expires 12/13/2015

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

James Suozzi, being duly sworn, deposes and says, I am not a party to this action, am over 18 years of age, and reside in Garden, New York.

On the 1 day of July, 2015 I served the within DOCUMENT upon Edwin Moers at 6 Edgewood Avenue Garden by depositing a true copy of the same, enclosed in a postpaid properly addressed envelope, in an official depository under the exclusive care and custody of the United States Post Office, by ☒ certified mail, return receipt requested ☐ first class mail, within the State of New York.

[signature]

Sworn to before me this
16 day of Sept, 2016

[signature]
NOTARY PUBLIC

Notary Public
County of Nassau
Jill Gartmayer
01GA4952723
Expiration 08 26 2019

T 691

Standard N.Y.B.T.U. Form 8002: Bargain & sale deed, with covenant against grantor's acts—Ind. or Corp.: single sheet

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS

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

THIS INDENTURE, made the 27th day of June , nineteen hundred and ninety-six

BETWEEN

EDWIN F. MEERS, TRUSTEE, Trustee of the NELLIE FARRELL MEERS Living Trust dated March 1, 1996, having an address at 6 Edgewood Avenue, Glen Head, New York 11545-1007

party of the first part, and

EDWIN F. MEERS, residing at 6 Edgewood Avenue, Glen Head, New York 11545-1007.

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 ~~XXXXX~~ at Glenwood Landing, in the Town of Oyster Bay (not in an incorporated village), County of Nassau, State of New York.

PREMISES further described on SCHEDULE "A" attached hereto and made a part hereof.

SAID PREMISES also known as 6 Edgewood Avenue, Glen Head, New York 11545-1007.

Parcel One:
BEING AND INTENDED to be the same premises conveyed to Edwin M. Meers and Nellie Farrell Meers by Andrew H. Larsen and Louise R. Larsen by deed dated August 6, 1938, and recorded in the Office of the Clerk of Nassau County on August 15, 1938 in Liber 1995, Page 317.

Parcel Two:
BEING AND INTENDED to be the same premises conveyed to Edwin M. Meers and Nellie Farrell Meers by Andrew H. Larsen and Louise R. Larsen by deed dated February 8, 1941, and recorded in the Office of the Clerk of Nassau County on August 20, 1943 in Liber 2629, Page 418.
Edwin M. Meers then conveyed his interest in both parcels one and two to Nellie Farrell Meers by Quitclaim deed dated August 2, 1966, recorded in the office of the Clerk of Nassau County on August 5, 1966 in Liber 7556, Page 159. Nellie Farrell Meers then conveyed her interest in both parcels to Nellie Farrell Meers, Trustee and Edwin F. Meers, Trustee, Trustees of the NELLIE FARRELL MEERS Living Trust dated March 1, 1996 by deed dated March 1, 1996, recorded in the Office of the Clerk of Nassau County on March 4, 1996, in Liber 10631, Page 984. NELLIE FARRELL MEERS died on May 25, 1996, leaving Edwin F. Meers as sole trustee of the NELLIE FARRELL MEERS Living Trust dated March 1, 1996, the party of the first part herein.

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:

Edwin F. Meers, TRUSTEE

EDWIN F. MEERS, TRUSTEE,
Trustee of the NELLIE FARRELL MEERS LIVING TRUST
dated March 1, 1996

STATE OF NEW YORK, COUNTY OF SUFFOLK ss:

On the 27th day of June 19 96 , before me personally came

EDWIN F. MEERS, TRUSTEE, Trustee of the NELLIE FARRELL MEERS LIVING TRUST dated March 1, 1996

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

Christine M. Imbasciani

Notary Public
CHRISTINE M. IMBASCIANI
Notary Public, State of New York
No. 01IM4844874
Qualified in Dutchess County
Commission Expires 06/31/97

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.

EDWIN F. MEERS, TRUSTEE, Trustee of the
NELLIE FARRELL MEERS Living Trust dated March 1, 1996

TO

EDWIN F. MEERS

SECTION	21
BLOCK	35
LOTS	18, 116
COUNTY OR TOWN	Town of Oyster Bay County of Nassau

RETURN BY MAIL TO:

Joseph Imbasciani, Esq.
Attorney-at-law
35 Pinelawn Road, Suite 200W
Melville, New York
Zip No. 11747

Reserve this space for use of Recording Office.

SCHEDULE "A"

Property Description

All that certain lot, piece or parcel of land situate lying and being at Glenwood Landing, in the Town of Oyster Bay (not in an incorporated village), County of Nassau, State of New York, is a part of a parcel designated as parcel "16", on a certain map entitled "Map of Glenwood Estates, Section Two, Property of Andrew H. Larsen, situated at Glenwood Landing, Nassau County, New York, dated Nov. 18, 1929, Jukes & Goodale", and filed in the office of the Clerk of Nassau County, on December 2nd, 1929, under File Map No. 692, and said lot, piece or parcel of land is according to said map bounded and described as follows:

Parcel One: BEGINNING at a point on the northerly side of Edgewood Avenue, distant three hundred and nine and ninety-five one hundredths feet (309.95') westerly from a point formed by the intersection of the northerly side line of Edgewood Avenue and the westerly side line of Williams Street, running thence from said point of beginning north thirteen degrees (13) one minute (1) west one hundred (100) feet; thence north seventy-six (76) degrees fifty-nine (59) minutes east sixty (60) feet and parallel with the northerly side line of said Edgewood Avenue; thence south thirteen (13) degrees one (1) minute east one hundred (100) feet and parallel with the first mentioned course and at right angles to the northerly side line of said Edgewood Avenue: thence south seventy-six (76) degrees fifty-nine (59) minutes west sixty (60) feet to the point or place of beginning along the northerly side line of Edgewood Avenue.

Parcel Two: BEGINNING at a point on the northerly sideline of Edgewood Avenue, distant two hundred forty-nine and ninety-five one hundredths (249.95) feet westerly from a point formed by the intersection of the northerly sideline of Edgewood Avenue, and the westerly sideline of Williams Street, running thence from said point of beginning, N. thirteen (13) degrees, one (1) minute W. one hundred (100) feet along the easterly boundary line of the lands now or lately of Meers; thence S. seventy-six (76) degrees, fifty-nine (59) minutes W. sixty (60) feet along the northerly boundary line of the lands now or lately of Meers; thence N. thirteen (13) degrees, one (1) minute W. twenty-five (25) feet; thence N. seventy-six (76) degrees, fifty-nine (59) minutes E. eighty (80) feet; thence S. thirteen degrees (13), one (1) minute E. one hundred twenty-five (125) feet, parallel with the first mentioned course, along the westerly boundary line of the lands now or lately of Coughlan, to the northerly sideline of Edgewood Avenue; thence westerly along the northerly sideline of Edgewood Avenue twenty (20) feet to the point or place of BEGINNING.

Parcel One are the same premises which were conveyed to Edwin M. Meers and Nellie Farrell Meers by Andrew H. Larsen and Louise R. Larsen, by deed dated August 6, 1938, and recorded in the Office of the clerk of Nassau County on August 15, 1938 in Liber 1995 Page 317 of deeds. Parcel Two are the same premises conveyed to Edwin M. Meers and Nellie Farrell Meers by Andrew H. Larsen and Louise R. Larsen by deed dated February 8, 1941, and recorded in the Office of the Clerk of Nassau County on August 20, 1943 in Liber 2629 Page 418 of deeds.

[redacted]

Nassau County Clerk
RECORDS OFFICE
RECORDING PAGE

Deed Number (RETT):
01RETT025592

Type of Instrument: Deed

Control No: 199607250721

UST
NELLIE FARRELL MEERS LIVING TR

EDWIN F
MEERS

Recorded: 7/25/1996
At: 11:05:49 AM
In Liber: 10674
Of: Deed Book
From Page: 0868
Through Page: 0871

Refers to Liber: 00000
Of:
Page: 0000

Location:	Section:	Block:	Lot:	Unit:
Oyster Bay (2824)	00000021	00035-00	00018	

EXAMINED AND CHARGED AS FOLLOWS:

Consider Amt $ .00

Received The Following Fees For Above Instrument

			Exempt				Exempt
Recording	$	27.00	NO	State Fee	$	4.75	NO
Equal/Cty	$	5.00	NO	St.Fee/Cty	$	.25	NO
Gains Tax	$	1.00	NO	Trans Tax			
Surchg/NYS	$	22.00	NO				
Surchg/Cty	$	3.00	NO				

Fees Paid: $ 63.00

Deed Number (RETT): 01RETT025592

THIS PAGE IS A PART OF THE INSTRUMENT

Karen V. Murphy
County Clerk, Nassau County

GJS001

199607250721

NASSAU COUNTY CLERK STATE OF NEW YORK

21-35-18 VC

Town of Oyster Bay
Inter- Departmental Memo

September 8, 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: **6 EDGEWOOD AVENUE, GLEN HEAD**
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 **$20,803.27**.

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

RECEIVED
TOWN ATTORNEY'S OFFICE
OYSTER BAY, N.Y.
2015 SEP 12 A 10:01

Clean up 6 EDGEWOOD AVENUE, GLEN HEAD to P & D

40 16874

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING DEMOLITION 6 Edgewood Ave, Glen Head DATE: 07/22/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Buckley, Rich	HwyConstSupv	5.00		51.51	$	257.55
Freiberg, Kevin	Equip Oper III	5.00		33.66	$	168.30
Higgins, Bryan	Equip Oper II	5.00		34.81	$	174.05
Kozikowski, Joe	Equip Oper III	5.00		43.24	$	216.20
Olson, Tim	Equip Oper II	5.00		38.34	$	191.70
Wallace, Tom	Laborer I	5.00		26.41	$	132.05
Ward, Doug	Equip Oper II	5.00		41.80	$	209.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	1,348.85

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Equinox	006	BR113	79.00	5.00	$	395.00
Roll-Off	T618	RO025	166.00	5.00	$	830.00
10 Wheeler	T149	TD672	93.00	5.00	$	465.00
Backhoe	BH2	BH014	168.00	5.00	$	840.00
10 Wheeler	T259	TD708	93.00	5.00	$	465.00
Roll-Off	PT942	RO026	166.00	5.00	$	830.00
10 Wheeler	T109	TD709	93.00	5.00	$	465.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	4,290.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	80.70	29.63	$	2,391.14
WHITE PAINT (GALLONS)	$	11.30		$	0.00
MAINTENANCE AND PROTECTION OF OF TRAFFIC				$	
			Subtotal C	$	2,391.14
			Total of A+B+C	$	8,029.99

DESCRIPTION OF WORK:
Demolished and removed whole house.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 07/28/15

WO # 14077

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING DEMOLITION 6 Edgewood Ave, Glen Head DATE: 07/23/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Buckley, Rich	HwyConstSupv	7.00		51.51	$	360.57
Lozikowski, Joe	Equip Oper III	7.00		43.24	$	302.68
Labozetta, Joe	Equip Oper II	7.00		41.80	$	292.60
Nelsen, Jeff	Equip Oper II	7.00		41.80	$	292.60
Olson, Tim	Equip Oper II	7.00		38.34	$	268.38
Wallace, Tom	Laborer I	7.00		26.41	$	184.87
Ward, Doug	Equip Oper II	7.00		41.80	$	292.60
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	1,994.30

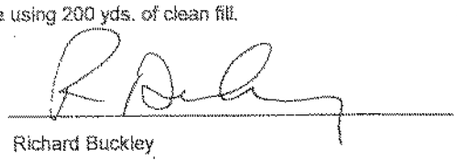
EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Equinox	006	BR113	79.00	7.00	$	553.00
Backhoe	BH2	BH014	168.00	7.00	$	1,176.00
10 Wheeler	T149	TD672	93.00	7.00	$	651.00
10 Wheeler	T109	TD709	93.00	7.00	$	651.00
Roll-Off	T618	RO025	166.00	7.00	$	1,162.00
10 Wheeler	T189	TD687	93.00	7.00	$	651.00
Roll-Off	PT942	RO026	166.00	7.00	$	1,162.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	6,006.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	80.70	21.97	$	1,772.98
CLEAN FILL (yards)	$	15.00	200.00	$	3,000.00
MAINTENANCE AND PROTECTION OF				$	
OF TRAFFIC					
			Subtotal C	$	4,772.98
			Total of A+B+C	$	12,773.28

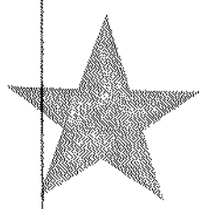
DESCRIPTION OF WORK:
Demolished and removed whole house. Restored site using 200 yds. of clean fill.

Signature: 

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 07/28/15



Meeting of October 18, 2016 Resolution No. 561-2016

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 re-board up the back door of the house located at 108 William Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 604 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 September 21, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 2, 2015, in the amount of $155.86, 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 September 21, 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 $155.86 may be assessed by the Legislature of the County of Nassau against the parcel known as 108 William Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 604 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

23
561

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 21, 2016

SUBJECT: Property Cleanup Assessment
108 William Street, Hicksville, New York 11801
Section 11, Block D, Lot 604

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to re-board up the back door of the house at the premises located at 108 William Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 604 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 secured by a crew from the Highway Department on October 2, 2015. The cost incurred by the Town of Oyster Bay was $155.86.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 08 William St Bd Up 9.21.16

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 re-board up the back door of the house located at 108 William Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 604 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 September 21, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 2, 2015, in the amount of $155.86, 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 September 21, 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 $155.86 may be assessed by the Legislature of the County of Nassau against the parcel known as 108 William Street, Hicksville, New York 11801, also known as Section 11, Block D, Lot 604 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

- # -

✓ newsday 2016-5467 S

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. ZIKE
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 108 William Street
Hicksville, NY 11801
Section 11, Block D, Lot 604

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: October 1, 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

3 AFFIDAVIT OF SERVICE

Premises: 108 William St Hicksville NY 1180
Sec 11 Block D Lot 604

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

Kevin Conway, being duly sworn, deposes and says:

1. I am over 18 years of age, and not a party to this action.
2. On 10/1/15 (Date of Service), I served TOWN OF OYSTER BAY
☐ SUMMONS NUMBER _____ ☐NOTICE OF VIOLATION _____ Board up ✓
TO: Gene Lutz known to me to be the
☑ Owner of the above-referenced premises
☐ _____ (Title) of the _____ (business entity) BY
☐ PERSONAL SERVICE by delivering the said document to the person named above at _____, the description of the individual served is:

Sex: _____ Color of Skin: _____ Color of Hair: _____
Approximate: Age _____ Weight _____ Height _____

☑ SERVICE BY POSTING by attaching a copy of said document to the above-referenced premises.

Sworn to before me this
1 day of October 2015

JAMES T SUOZZI
Notary Public, State Of New York
No. 01SU6232511
Qualified In Nassau County
Commission Expires 12/13/20 15

NOTARY PUBLIC

◊◊◊◊◊◊◊◊◊◊◊◊◊◊◊

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

_____, being duly sworn, deposes and says, I am not a party to this action, am over 18 years of age, and reside in _____, New York.

On the _____ day of _____, _____, I served the within DOCUMENT upon _____ at _____, by depositing a true copy of the same, enclosed in a postpaid properly addressed envelope, in an official depository under the exclusive care and custody of the United States Post Office, by ☐ certified mail, return receipt requested ☐ first class mail, within the State of New York.

_____

Sworn to before me this

_____ day of _____,

_____
NOTARY PUBLIC

NC CLERK

1400

BARGAIN AND SALE DEED
(without covenants against Grantor's acts)

108 William St. Hvsa

THIS INDENTURE, made on this 11th day of September 2012.

BETWEEN

KENNETH A. LUER, as to his 50% interest
9401 Wilshire Boulevard, 9th Floor, Beverly Hills, California 90212

the party of the first part for her interest, and,

G. ROY LUER
17 Hillcrest Terrace, Lincoln Park, New Jersey 07035

the party of the second part,

W I T N E S S E T H that the party of the first part, in consideration of $141,000 00 (ONE HUNDRED FORTY ONE THOUSAND 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;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Hicksville, Town of Oyster Bay, County of Nassau and State of New York, as more particularly described in SCHEDULE "A" attached hereto and made a part hereof;

BEING and intended to be the same premises conveyed to the party of the first part by Parcel 1 Deed dated October 23, 2008 identifying the property as Section 11, Block D, Lot 604 in the County of Nassau, and, recorded on November 13, 2008 in Liber 12453, Page 14, and by Parcel 2 Deed dated October 23, 2008 identifying the property as Section 11, Block D, Lot 1359 in the County of Nassau, and, recorded on November 14, 2008 in Liber 12453, Page 828;

SAID PREMISES known as and by the street address 108 William Street, Hicksville, New York 11801;

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;

SUBJECT TO any state of facts an accurate survey would show;

SUBJECT TO any mortgages, liens, encumbrances, easements and/or other encroachments as may exist on the property as of the present date;

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 fully executed this deed the day and year first above written.

IN PRESENCE OF:

_____ (Witness)

Kenneth A. Luer
Kenneth A. Luer

D35

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: **108 William 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 **$155.86**.

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

TOWN OF OYSTER BAY
PLANNING OFFICE
2015 APR 14 P 2:23

WO# 18875
(2)

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (11-O-604) 108 WILLIAM ST HICKSVILLE NY 11801

Date 10/2/15

Labor Costs

Employee's Name	Title	Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
RUBEN FOURNIER	General Maintenance	01:00	$34.20	00:00	$0.00	$34.20
JEFFREY VAN NOSTRAND	General Maintenance	01:00	$42.66	00:00	$0.00	$42.66
					Total Labor	$76.86

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	$79.00	01:00	$79.00
			Total Equipment	$79.00

Materials

Material	Cost Per Unit	Units	Line Cost
		Total Materials	

Grand Total **$155.86**

Description of Work:

RE BOARD UP BACK DOOR AT 108 WILLIAM STREET HV TO RICH

Signature: R Buckley

Name: Richard Buckley

Title: CONST SUPV

Date: 10/8/15

WHEREAS, Cristina Harrison, Administrator, First Presbyterian Church, 60 East Main Street, Oyster Bay, New York 11771, by letter dated September 20, 2016, has requested the use of one (1) roll-off container for its fall cleanup, from November 15, 2016 through November 22, 2016; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated September 26, 2016, has advised that the abovementioned equipment will not be required for use by the Town at that time, and that the Department of Public Works has no objection to providing one (1) roll-off container to the First Presbyterian Church, without charge, as the cleanup is not a profit-making event as defined in the Code of the Town of Oyster Bay, Chapter 201, "Solid Waste", Section 17; and

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

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby approved, and the Department of Public Works, is hereby authorized to provide one (1) roll-off container to the First Presbyterian Church, for its fall cleanup, November 15, 2016 through November 22, 2016, without charge, subject to the following conditions:

1. The use of all Town equipment shall be in conformance with the direction of the Commissioner of the Department of Public Works, 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 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 comprehensive general liability insurance, with a commercial liability limit of $1,000,000 per occurrence $2,000,000 general aggregate per year, and naming the Town of Oyster Bay as an additional insured in connection with the aforedescribed 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 26, 2016

TO: Memorandum Docket

FROM: Richard T. Betz, Commissioner of Department of Public Works

SUBJECT: Request: ONE ROLL OFF CONTAINER
First Presbyterian Church
60 East Main Street
Oyster Bay, New York 11771

Attached please find a copy of a letter received in this office from Cristina Harrison requesting one roll off container for their Fall Clean-Up. The container will be placed at First Presbyterian Church on Tuesday, November 15, 2016 and will be collected on Tuesday, November 22, 2016.

An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay and have requested the use of a Town roll off container in connection with a profit-making or fundraising event, shall be charged two hundred fifty dollars ($250.00) for each container load dumped."

It is our opinion that the Fall Clean-Up does not constitute a profit-making or a fundraising event. Therefore, we hereby request the Honorable Town Board to approve this worthwhile organization the use of Town equipment without a charge.

Attached please find their certificate of insurance, endorsement and Hold Harmless Agreement for the use of Town of Oyster Bay equipment by the First Presbyterian Church from Tuesday, November 15, 2016 through Tuesday, November 22, 2016.

Richard T. Betz, Commissioner
Department of Public Works

RTB:JTC:ew
Attachments
cc: Town Attorney (19 copies)
Christine Wiss, Deputy Comptroller
Councilman Joseph Pinto

FIRST PRESBYTERIAN CHURCH
OYSTER BAY, NEW YORK
THE REV. DR. JEFFREY D. PREY, PASTOR

September 20, 2016

Town of Oyster Bay
Department of Public Works
Sanitation Division
150 Miller Place
Syosset, NY 11791
Attention: Eileen Walsh

Received By
L.I.B.
Date

Dear Eileen:

We are requesting the use of one roll-off container from November 15th, 2016 – November 22nd, 2016. Please find enclosed our application, Certificate of Insurance, endorsement and Hold Harmless Agreement.

If you have any questions, please call me at 922-5477. Thank you.

Sincerely,

Cristina Harrison

Cristina Harrison
Administrator

:cjh
Enclosure

60 EAST MAIN STREET ❖ OYSTER BAY, NEW YORK 11771-2411 ❖ 516-922-5477 ❖ 516-922-5496 (FAX)

(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)

PLEASE TYPE OR PRINT CLEARLY

Name of Organization: First Presbyterian Church

Billing Address: 60 EAST MAIN STREET

OYSTER BAY, NY 11771

Phone Number (Days): (516) 922-5477

Number of Container(s) Requested: 1

Address Where Container(s) Would Be Placed: Same

Dates Container(s) Needed: From 11/15/16 To 11/22/16

Describe The Event For Which Container(s) Is/Are Requested: Fall clean-Up

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? No

I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of $250.00 for each container load dumped may be assessed for which I agree to assume responsibility.

Signature: Cristina Herman Date: 9/20/16

Title: Administrator

Signature : Date Received:

Signature: Date Picked Up:

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:

Approved By Resolution No.: $250 Charge Applies: YES NO ✓

To Be Completed By Scale House:

Disposal Authorization Ticket No.:

Load Ticket No.:

Date:

Signature:

Scalehouse to return copy to Comptroller
White Copy - Sanitation Driver (to be given to Scalehouse)
Yellow Copy - Sanitation Files
Green Copy - Scale House Files

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

This Agreement is made this 26 day of September 2016, by First Presbyterian Church (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as 60 EAST Main STREET, OYSTER BAY, NY 11771 Roll off

for the event described as Fall clean-up

The property/equipment is needed from November 15, 2016 to November 22, 2016.

The event for which the property and/or equipment is requested (___) is (✓) is 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 certificates 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
First Presbyterian Church

Address of Organization
60 EAST MAIN STREET
OYSTER BAY, NY 11771

By: Cristina Harrison
Authorized Representative

Title: Administrator

Telephone Number: (516) 922-5477

Reviewed By
Office of Town Attorney

ACORD

CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 1

DATE (MM/DD/YYYY) 09/16/2016

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
Willis of Ohio, Inc.
c/o 26 Century Blvd.
P. O. Box 305141
Nashville, TN 37230-5141

CONTACT NAME:
PHONE (A/C, No, Ext): 877-945-7378 FAX (A/C, No): 866-217-7737
E-MAIL ADDRESS: certificates@willis.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Lexington Insurance Company	19437-068
INSURER B: National Union Fire Ins. Co. of Pittsburg	19445-021
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
(0000005384) First Presbyterian Church
60 E Main St.
Oyster Bay, NY 11771

COVERAGES CERTIFICATE NUMBER: 24653123 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:	Y		11449743 & 046409888	1/1/2015	1/1/2017	EACH OCCURRENCE $ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) $ 500,000 MED EXP (Any one person) $ 10,000 PERSONAL & ADV INJURY $ 2,000,000 GENERAL AGGREGATE $ 4,000,000 PRODUCTS - COMP/OP AGG $ 4,000,000 $
	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) $ $
B	UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $			3666086	1/1/2015	1/1/2017	EACH OCCURRENCE $ 1,000,000 AGGREGATE $ 1,000,000 $
	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 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)

Please contact your Insurance Board Agent, WILLIAM A SMITH AND SON, INC.; at (845) 561-1706 x271, for questions regarding your Certificate of Insurance. If you would like to speak to someone at the Insurance Board, please call 800-437-9830

The Town of Oyster Bay Sanitation Dept. is an Additional Insured with respects to General Liability as required by written contract for 11/15/15 thru 11/22/16.

CERTIFICATE HOLDER

Town of Oyster Bay Sanitation Dept
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

Coll:4961804 Tpl:2022041 Cert:24653123 © 1988-2014 ACORD CORPORATION. All rights reserved.

ACORD 25 (2014/01) The ACORD name and logo are registered marks of ACORD

Reviewed By
Office of Town Attorney

This endorsement, effective: 1/1/2016
Forms a part of Policy No.: 11449743 & 048409888
Issued to: The United Church Purchasing Group of Colorado
By: Lexington Insurance Company

ADDITIONAL INSURED REQUIRED BY WRITTEN CONTRACT ENDORSEMENT

A. **Section II – Who is an Insured** is amended to include any person or organization you are required to include as an additional insured on this policy by a written contract or written agreement in effect during this policy period and executed prior to the "occurrence" of the "bodily injury" or "property damage".

B. The insurance provided to the above described additional insured under this endorsement is limited as follows:

1. This insurance provides coverage with regard to COVERAGE A BODILY INJURY AND PROPERTY DAMAGE (Section I – coverages only.)

2. The person or organization is only an additional insured with respect to liability arising out of "your work", "your product", or your operations.

3. In the event that the Limits of Insurance provided by this policy exceed the Limits of Insurance required by the written contract or written agreement, the insurance provided by this endorsement shall be limited to the Limits of Insurance required by the written contract or written agreement. This endorsement shall not increase the Limits of Insurance shown in the Declarations pertaining to the coverage provided herein.

4. This insurance does not apply to "bodily injury" or "property damage" arising out of "your work", "your product", or your operations included in the "product-completed operations hazard" unless you are required to provide such coverage by written contract or written agreement and then only for the period of time required by the written contract or written agreement and in no event beyond the expiration date of the policy.

5. Any coverage provided by this endorsement to an additional insured shall be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis, unless the written contract or written agreement with additional insured specifically requires that this insurance be primary and non-contributory with any other insurance carried by the additional insured. In such case, this insurance shall be primary and non-contributory with any other insurance carried by the additional insured.

C. In accordance with the terms and conditions of the policy and as more fully explained in the policy, as soon as practicable, each additional insured must give us prompt notice of any "occurrence" which may result in a claim, forward all legal papers to us, cooperate in the defense of any actions, and otherwise comply with all of the policy's terms and conditions. Failure to comply with this provision may, at our options, result in the claim or "suit" be denied.

All other terms and conditions of the policy remain the same.

Authorized Representative

Reviewed By
Office of Town Attorney

Meeting of October 18, 2016 Resolution No. 563 -2016

Reviewed By
Office of Town Attorney

List of Delinquent Water Rentals of the following WATER Districts were presented to the Town Board:

BETHPAGE
HICKSVILLE
JERICHO
LOCUST VALLEY
MASSAPEQUA
OYSTER BAY
SOUTH FARMINGDALE
NORTHEAST FARMINGDALE
PLAINVIEW

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

RESOLVED, That the Town Attorney be authorized and directed to send certified copies of Delinquent Water Rentals received from the various Water Districts to the County Departments of Assessment, the County Legislature, and the Town Comptroller.

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)

THIS IS TO CERTIFY THAT THE DELINQUENT WATER RENTS OF THE VARIOUS WATER DISTRICTS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, ARE AS FOLLOWS:

BETHPAGE	$ 82,742.53
HICKSVILLE	$ 151,187.41
JERICHO	$ 305,537.58
LOCUST VALLEY	$ 34,323.46
MASSAPEQUA	$ 137,990.76
NORTHEAST FARMINGDALE	$ 9,270.72
OYSTER BAY	$ 33,991.04
PLAINVIEW	$ 153,428.94
SOUTH FARMINGDALE	$ 275,805.11

CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS
TOWN OF OYSTER BAY, NASSAU COUNTY
NEW YORK

DATED: October 18, 2016
Oyster Bay, New York

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563

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

September 26, 2016

TO: MEMORANDUM DOCKET

FROM: CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS

THRU: LEONARD GENOVA, TOWN ATTORNEY

SUBJECT: DELINQUENT WATER RENTALS

The attached resolution relates to Delinquent Water Rentals for 2016 for the various Water Districts in the Town of Oyster Bay.

Pursuant to Town Law, these lists are prepared by the Water Districts each year and submitted to this office for presentation to the Town Board.

After adoption, the Town Attorney is directed to notify the Town Comptroller, the Nassau County Legislature and the Nassau County Department of Assessment who will include these unpaid items on the Tax Roll for Collection for 2017.

CAROL ANN STRAFFORD
DIRECTOR - LEGISLATIVE AFFAIRS

CAS
Attachment
cc: Town Attorney +19

List of Delinquent Water Rentals of the following WATER Districts were presented to the Town Board:

BETHPAGE
HICKSVILLE
JERICHO
LOCUST VALLEY
MASSAPEQUA
OYSTER BAY
SOUTH FARMINGDALE
NORTHEAST FARMINGDALE
PLAINVIEW

The following resolution was offered by Councilman _____, seconded by Councilman _____.

RESOLVED, That the Town Attorney be authorized and directed to send certified copies of Delinquent Water Rentals received from the various Water Districts to the County Departments of Assessment, the County Legislature, and the Town Comptroller.

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#17

THIS IS TO CERTIFY THAT THE DELINQUENT WATER RENTS OF THE VARIOUS WATER DISTRICTS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, ARE AS FOLLOWS:

BETHPAGE	$ 82,742.53
HICKSVILLE	$ 151,187.41
JERICHO	$ 305,537.58
LOCUST VALLEY	$ 34,323.46
MASSAPEQUA	$ 137,990.76
NORTHEAST FARMINGDALE	$ 9,270.72
OYSTER BAY	$ 33,991.04
PLAINVIEW	$ 153,428.94
SOUTH FARMINGDALE	$ 275,805.11

CAROL ANN STRAFFORD, DIRECTOR
LEGISLATIVE AFFAIRS
TOWN OF OYSTER BAY, NASSAU COUNTY
NEW YORK

DATED: October 18, 2016
Oyster Bay, New York

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Meeting of October 18, 2016 Resolution No. 564-2016

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, by memorandum dated October 3, 2016, requested Town Board approval to employ the services of the following art adjudicator, for the location, date and fee below noted:

Mr. Edward McEvoy
21 Meriden Place
Melville, New York 11747
Town of Oyster Bay 2017 Rotational Art Exhibit Preview
Syosset-Woodbury Community Center
Sunday, November 6, 2016 from 11:00 a.m. to 12:00 p.m.
Fee: $100.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved for the art adjudicator, location, date and fee as above; and be it further

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

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

564

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

October 3, 2016

TO: Memorandum Docket

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

SUBJECT: Adjudication of 2017 Rotational Art Exhibit Preview

The Department of Community & Youth Services requests Town Board authorization, to employ the services of Mr. Edward McEvoy to adjudicate the Town of Oyster Bay 2017 Rotational Art Exhibit Preview.

Mr. Edward McEvoy
21 Meriden Place
Melville, NY 11747
[redacted]

The adjudication is scheduled to be held on date, time and location noted below:

Sunday, November 6, 2016
11:00 AM – 12:00 PM
Syosset-Woodbury-Community Center

The fee is $100.00. 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. This adjudication is exempt from solicitation, written proposal or requirements policy.

Maureen A. Fitzgerald
Commissioner

MAF:sab
cc: Town Attorney (+19 copies)

Meeting of October 18, 2016 Resolution No. 565-2016

WHEREAS, Dan Fishkind, Autocross Chairman, Metro New York Region Porsche Club of America, 31 Inverness Road, Holbrook, New York 11741, by letter dated September 15, 2016, has requested the use of the parking lot at TOBAY Beach, for its Autocross Program, to be held on Sunday, October 23, 2016, Sunday, November 6, 2016, and Sunday, November 13, 2016; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated October 3, 2016, has advised that the abovementioned property will not be required for use by the Town on those dates and times, and that the Department of Parks has no objection to providing the use of the parking lot at TOBAY Beach to the Metro New York Region Porsche Club of America, for its Autocross Program, to be held on Sunday, October 23, 2016, Sunday, November 6, 2016, and Sunday, November 13, 2016, and recommends that the Town Board accept the donation of the Metro New York Region Porsche Club of America in the amount of $2,000.00 to defray the cost of employee services; and

Reviewed By
Office of Town Attorney

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 abovementioned request is hereby accepted and approved, and the Department of Parks is hereby authorized to provide the Metro New York Region Porsche Club of America the use of the parking lot at TOBAY Beach, for its Autocross Program, to be held on Sunday, October 23, 2016, Sunday, November 6, 2016, and Sunday, November 13, 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 Department of Parks, or his duly designated representative;

2. The said organization shall comply with all ordinances, rules and regulations established by either the Town Board or the Commissioner of the Department of Parks, or his duly authorized representative, both in its use of Town property and equipment, and in the conduct of the abovementioned activity;

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of $1,000,000 per occurrence, $2,000,000 general aggregate per year, and naming the Town of Oyster Bay as an additional insured in connection with the aforedescribed activity;

4. The said organization shall not impede access to or egress from the boat basin, by residents or guests, during the aforementioned event; and be it further

RESOLVED, That the Town accepts the donation of $2,000.00 from the Metro New York Region Porsche Club of America.

-#-

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

5

565

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Frank A. Nocerino, Commissioner of Parks

DATE: October 3, 2016

SUBJECT: Metro New York Region of the Porsche Club of America
Request for use of the parking lot at Tobay Beach

Town Board authorization is requested for the Metro New York Region of the Porsche Club of America by their letter dated September 15, 2016 (attached), use of the parking lot at Tobay Beach for their autocross program. Specifically, they have requested use of the parking lot on Sunday, October 23, 2016, Sunday, November 6, 2016, and Sunday, November 13, 2016.

This department recommends approval of this request, with the following provisions:

1) The Porsche Club has provided the Town with Certificate of Insurance and Endorsements as required, along with Hold Harmless agreements.

2) The Porsche Club will abide by all rules and regulations as established by the Town Board and the Commissioner of Parks.

3) The Porsche Club will not impede access or egress to the Joseph J. Saladino Memorial Marina by residents or guests during their event.

4) The Porsche Club has delivered a check in the amount of $2,000.00 to defray the cost of employee services. Therefore, we recommend Town Board to accept the donation.

Frank A. Nocerino
Commissioner of Parks

FAN:bav
Cc:Town Attorney (+19 copies)
w/ attachments

Metro New York Region
Porsche Club of America

Dan Fishkind
Autocross Chairman

31 Inverness Rd
Holbrook, NY 11741
(631) 748-2727
autocrosschair@gmail.com

Club Officers for 2016

Marc Campisi
President
mcampisi11725@yahoo.com

Dan Fishkind
Vice President
metronyvp@gmail.com

Rich Smith
Treasurer
tycoony@aol.com

Larry Goldberg
Secretary
goldgar[illegible]

Metro New York PCA website
www.MetroNYPCA.org

September 15, 2016

Commissioner Frank A. Nocerino
Commissioner of Parks
Town of Oyster Bay
Town Hall South
977 Hicksville Road
Massapequa, NY 11758

Dear Commissioner Nocerino,

I'd like to thank you once again for your continued support of the Metro New York Region of the Porsche Club of America. Tobay Beach still remains our favorite facility at which we have our events and we hold the surrounding community and the visitors to the beach in very high regard. I will continue to run our events in the same professional, considerate and non-intrusive manner as we have done in the past. I will work to insure the same level of operation while we are there. Our long standing positive track record is one that I am proud of and don't intend to tarnish.

That being said, I am writing to request the use of the Tobay parking lot on the following dates:

Sunday, October, 23rd
Sunday, November, 6th
Sunday, November, 13th

Please find enclosed the required Certificates of Insurance **and** the Letters of Endorsement from the National PCA office as well as the Hold Harmless Agreements.

Please do not hesitate to contact me with any questions. I can be reached at (631) 748-2727 or if more convenient by email, at autocrosschair@gmail.com.

Respectfully,

Dan Fishkind
Autocross Chairman
Metro NY PCA

PORSCHECLU

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/23/2016

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
Commercial Lines - 888-705-2379 (CA DOI # 0G13561)
Safehold Special Risk, Inc.
24 Greenway Plaza, Suite 1100
Houston, TX 77046-2401

CONTACT NAME: Commercial Lines
PHONE (A/C, No, Ext): 713-507-4700 FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A :	ACE American Insurance Company	22667
INSURER B :	ACE Property and Casualty Ins. Co.	20699
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

INSURED
Porsche Club of America, Inc.
PO Box 6400

Columbia, MD 21045

COVERAGES CERTIFICATE NUMBER: 10877606 REVISION NUMBER: See below

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			OGLGZ7299003	02/01/2016	02/01/2017	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
							MED EXP (Any one person)	$ EXCLUDED
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 5,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 5,000,000
	X OTHER: PER EVENT						Participant Legal Liability	$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
B	UMBRELLA LIAB X OCCUR			M00810319	02/01/2016	02/01/2017	EACH OCCURRENCE	$ 9,000,000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 9,000,000
	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	$
A	Participant Accident			N00255853A PCA	02/01/2016	02/01/2017	AD&D $25,000 Excess Medical $1,000,000 Wkly Indemnity $100	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder and the entities listed below are included as additional insureds, but only to the extent that liability arises out of the operations or premises of the named insured for the following event(s):
10/23/15, 11/6/16 and 11/13/16, Autocross
Tobay Beach, Massapequa, NY
Town of Oyster Bay

CERTIFICATE HOLDER

PCA Metro New York
Dan Fishkind
777 Larkfield Road, Suite 111
Commack, NY 11725

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

The ACORD name and logo are registered marks of ACORD © 1988-2015 ACORD CORPORATION. All rights reserved.

ACORD 25 (2016/03)

This certificate replaces certificate# 10864227 issued on 9/21/2016.

Reviewed By
Office of Town Attorney

POLICY NUMBER: **OGLG27299003**

COMMERCIAL GENERAL LIABILITY
CG 20 26 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):
Town of Oyster Bay, its officers, employees and agents. 2016 Event Dates Additional Dates: October 23; November 6; and November 13.
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 your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By
Office of Town Attorney

© Insurance Services Office, Inc., 2012

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

This Agreement is made this 21 day of September 2016, by Metro NY PCA (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Tobay Parking Lot

for the event described as Autocross

The property/equipment is needed from October 23, 2016 to Oct. 23, 2016.

The event for which the property and/or equipment is requested (___) is (✓) is 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 certificates 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

Metro NY PCA

Address of Organization

31 Inverness Rd
Holbrook NY 11741

By: Dan Fischer
Authorized Representative

Title: Autocross Chairman

Telephone Number: 631-248-2727

S:\ATTORNEY\LFH\LFH\FINALAPPLICATIONFORUSETOWNPROPTYEUP.DOCX

Reviewed By
Office of Town Attorney
Martin R. Alvarez

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

This Agreement is made this 14 day of September 2016, by Metro NY Porsche Club (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Tobay Beach parking lot

for the event described as Autocross

The property/equipment is needed from November 6, 2016 to November 6, 2016

The event for which the property and/or equipment is requested (___) is (✓) is 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, [illegible] 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 certificates of insurance must be accompanied by an endorsement.

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

Name of Organization

Metro NY Porsche Club of America

Address of Organization

31 Inverness Rd
Holbrook NY 11741

By: Dan Fishkind / Dan Fishkind
Authorized Representative

Title: Autocross Chairman

Telephone Number: 631-748-2727

Reviewed By
Office of Town Attorney
Martin V. Alvarez

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

This Agreement is made this 14 day of September 2016, by Metro NY Porsche Club (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Tobay Beach parking lot

for the event described as Autocross.
The property/equipment is needed from November 13, 2016 to November 13, 2016.
The event for which the property and/or equipment is requested (___) is (✓) is 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 certificates 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
Metro NY Porsche Club of America

Address of Organization
31 Inverness Rd
Holbrook NY 11741

By: Dan Fishkind / Dan Fishkind
Authorized Representative

Title: Autocross Chairman

Telephone Number: 631-748-2727

Reviewed By
Office of Town Attorney
Martin V. Alvarez

S:\ATTORNEY\LAW\LAW\RULAPPLICATION\FOR USE TOWN PROPTYEUP.DOCX

RECEIVED FROM BRIAN VANDERVEER
ON 09/21/16 @ 12:56 pm... RW

Metropolitan New York
Porsche Club Of America
15 Canterbury Blvd
East Setauket, New York 11733
www.metronypca.org

CITIBANK, N.A.
480 PARK AVENUE AT 57TH STREET
NEW YORK, NY 10022
01-008/210

10630

9/12/2016

PAY TO THE ORDER OF Oyster Bay

$ **2,000.00

Two Thousand and 00/100********** DOLLARS

Town of Oyster Bay

[redacted]

Reviewed By
Office of Town Attorney

WHEREAS, Anthony Bamonte, has offered to donate a bench and plaque to the Town of Oyster Bay to be placed at Ransom Beach in Bayville, New York, in memory of his friend, Jerry Camera and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated September 28, 2016, recommends that the Town accept said donation, estimated to be worth $700.00; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is approved, and the Town Board hereby accepts the donation of a bench and plaque from Anthony Bamonte to be placed at Ransom Beach, Bayville New York, in memory of his friend and prominent business man Jerry Camera.

-#-

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

566

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: FRANK A. NOCERINO, COMMISSIONER OF PARKS

DATE: SEPTEMBER 28, 2016

SUBJECT: MEMORIAL BENCH

The Department of Parks has received a request from Anthony Bamonte (letter attached) to donate a plaque and bench to the Town of Oyster Bay in memory of Jerry Camera to be placed at Ransom Beach in Bayville.

The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

The bench with accompanying plaque will be purchased by Anthony Bamonte and donated to the Parks Department. The value of plaque and bench is estimated to be $700.00. Town Board approval is requested on behalf of Anthony Bamonte.

FRANK A. NOCERINO
COMMISSIONER OF PARKS

FAN/dl
C: TOWN ATTORNEY (original +19 copies)
ATTACHMENT

Anthony Bamonte
86 Linden Blvd.
Hicksville, NY. 11801-5935
H: 516.935.1969
C: 516.672.8158
anthonyb1959@gmail.com

Commissioner Nocerino
Department of Parks
Town of Oyster Bay
977 Hicksville Road
Massapequa, New York 11758

Re: Memorial Plaque for Jerry Camera

Dear Commissioner Nocerino:

On August 20, 2016, the town of Bayville lost a prominent businessman and one of its longtime residents, Jerry Camera. Aside from being a personal friend, Jerry was a part of any resident's childhood memories in Bayville.

Jerry was the second generation proprietor of Ralph's Pizzeria in Bayville. Located directly across from Ransom Beach, the pizzeria Jerry's parents started in in 1961, quickly became a neighborhood gathering place.

It is with great hope that I respectfully request the placement of a bench and plaque in the park at Ranson Beach. Adhering to all local ordinances, rules and regulations, once the Town Board has approved this project, I will submit for approval of the requested wording for said plaque.

Please accept this letter as the formal request required for the first phase of this memorial project. Should you need additional information or have questions, please do not hesitate to contact me.

Respectfully,

Anthony Bamonte

DEBBIE L

Meeting of October 18, 2016 Resolution No. 567-2016

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated September 29, 2016, recommends that a refund in the amount of $57.00 (after applying an administrative fee of $3.00), be authorized for Ms. Eleanor Pramberger, 247 Hicksville Road, Apt 2H, Bethpage N.Y. 11714 for her full price seasonal beach sticker, because she is entitled to a Senior Citizen Beach Permit,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms. Eleanor Pramberger, in the amount of $57.00, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 525 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

567

Town of Oyster Bay

Inter-Departmental Memo

To: Memorandum Docket

From: Frank A. Nocerino, Commissioner
Department of Parks

Date: September 29, 2016

Subject: Refund of a Resident Special Permit – Ms. Pramberger, Eleanor

The Department of Parks is in receipt of correspondence, dated July 5, 2016, from Ms. Eleanor Pramberger regarding a request for a refund of the Resident Special Permit.

Ms. Eleanor Pramberger mistakenly purchased a Resident Special Permit No. 234, attached, in the amount of sixty dollars ($60.00), at Phillip B. Healey Beach at Florence Avenue even though she possessed a Town of Oyster Bay, Senior Identification Card No. 31421. which entitles her to a free beach permit.

Resident Special Permit	$60.00
5% Administrative fee	- 3.00
Total Refund	$57.00

It is respectfully requested that the Town Board authorize a refund in the amount of fifty-seven dollars ($57.00), which includes a five percent (5%) administrative fee. Funds are available in account PKS A 0001 02025 525 0000.

Frank A. Nocerino
Commissioner

FAN:CA
Attachments
cc: Office of the Town Attorney (with 19 copies)

July 5th, 2016

Dear Commissioner Nocenno,

I purchased a seasonal beach sticker although I have a TOB Senior ID card. I unfortunately did not realize that I was entitled to a free sticker until after I purchased a full price sticker. I am regesting a refund of $60.00.

Thank You,
Elenore Pramberger
718 353-7007
Elenore Pramberger

TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
DAILY OPERATIONS REPORT
PHILLIP HEALEY BEACH

NO. 195

DATE 7/5/16

			NUMBER	RATE	AMOUNT
1 Resident Daily Auto Fee	No. 20777	Thru —	0	$20.00	$00.00
2 Resident Season Permit	No. 3338	Thru 3341	4	$60.00	$240.00
3 Resident Special Permit	No. 234	Thru 234	1	$60.00	$00.00
4 Aux. Pol/ Vol. Fire/USGA	No. 435	Thru —	0	$30.00	$00.00
5 TOTAL must agree with line 12				X	$300.00
6 Senior Citizen	No. 8724	Thru 8734	11	NO FEE	$00.00
7 Disability/S.S.A.	No. 478	Thru 478	1	NO FEE	$00.00
8 Replacement	No. 232	Thru —	0	NO FEE	$00.00
9 Hybrid	No. 153	Thru —	0	NO FEE	$00.00
10		Group Total Closing		200,267.00	
11		Group Total Opening		199,967.00	
12 TOTAL (must agree with line 5)				300.00	

REGISTER CLOSED 4:00 PM

Remarks cash - $240.00
charge - $60.00

* 1 senior sticker not rung in.

Cashier [signature] Facility Manager Greg Mangino

Copy Distribution: White, Yellow, Pink – Main Office
Goldenrod - Facility

8043 (COPY)
DEPOSIT TICKET
DEPOSIT RECORD COPY

HSBC

	DOLLARS	CENTS
CURRENCY	240	00
COIN		
LIST EACH CHECK		
1		
2		
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17		

240 00

1-108-210

TOTAL ITEMS

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

PLEASE ENTER TOTAL

$ 240 00

7/5/16

Cash:
Check/Account:
Check/Account:
DEPOSIT

USD240.00
USD240.00
XXXXXXXX

TOWN OF OYSTER BAY
74 AUDREY AVE
OYSTER BAY, NY 11771-1592

DOR 195
Healy Beach
CB

⑆021001088⑆ 945040482⑈ 5

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

CASH COUNT - FOR OFFICE USE ONLY	
SPLIT DEPOSIT	
CHECKS	
LESS DEPOSIT	
CASH RETURNED	

Large			
	X 100		
	X 50		
	X 20		
	X 10		
	X 5		
		#103	TOTAL
		DEPOSIT X	
		Credit Account X	
		Credit Amount	
		CASH	

XXXXX0402
USD240.00
USD240.00

03Jul2018 Br:023 E692 Ref:C003-00052

TOWN OF OYSTER BAY

SPECIAL BEACH PERMIT APPLICATION

(516) 797-4110
DEPARTMENT OF PARKS
977 HICKSVILLE ROAD
MASSAPEQUA, NEW YORK 11758

ALL INFORMATION MUST BE COMPLETED

DATE 5-11-16

PLEASE TYPE OR PRINT CLEARLY

NAME OF APPLICANT: ELEANOR PRAMBERGER	NAME ON MOTOR VEHICLE REGISTRATION: ELEANOR PRAMBERGER
STREET ADDRESS OF APPLICANT'S LEGAL ADDRESS: 247 HICKSVILLE ROAD APT 2 H	STREET ADDRESS ON REGISTRATION: 247 Hicksville Road Apt 2 H
POST OFFICE: BETHPAGE NY ZIP CODE: 11714	POST OFFICE: Bethpage NY ZIP CODE: 11714
RESIDENCE OF APPLICANT IN THE TOWN OF OYSTER BAY: BETHPAGE NY 11714	LENGTH OF TIME IN THIS RESIDENCE: NY VEHICLE LICENSE PLATE NO.: DHR 1155
POST OFFICE: BETHPAGE POST OFFICE ZIP CODE: 11714	TYPE OF RESIDENCY (Indicate with an "X"): ☐ LESSEE ☒ OWNER ☐ OTHER (Explain Below)

REMARKS:

I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT

Kathy Skyrew
APPROVED BY

APPROVED

APPLICANT'S SIGNATURE

PERMIT NO.	DATE ISSUED
234	7/5/16

RSCP

TC-BPA REV. 3/07

TOWN
OF
OYSTER BAY

No. 31421

ELEANOR PRAMBERGER

SENIOR CITIZEN
BEACH PERMIT
LIFETIME

James Altadonna Jr.
Town Clerk

WHEREAS, the Community Revitalization Program allows for Nassau County Legislators to initiate capital projects in their district in partnership with a local municipality, and Legislator Donald N. MacKenzie has proposed an Inter-Municipal Agreement between the County of Nassau and the Town of Oyster Bay to allow for the disbursement of $43,655.00 in Community Revitalization Program funds to the Syosset Fire Department to provide for the procurement and/or installation of airbags for heavy duty rescue trucks as well as portable radios used to communicate during emergencies,

Reviewed By
Office of Town Attorney

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, by memorandum dated September 29, 2016, recommends that the Supervisor and Colin Bell as the Supervisor's designated appointee, be authorized to enter into an Inter-Municipal Agreement with the County of Nassau, to allow for the disbursement of $43,655.00 in Community Revitalization Program funds to the Syosset Fire Department in order to provide for the procurement and/or installation of airbags for heavy duty rescue trucks as well as portable radios used to communicate during emergencies,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the Supervisor is hereby authorized to enter into an Inter-Municipal Agreement with the County of Nassau, for the abovementioned purpose, and Colin Bell, as the Supervisor's designated appointee is hereby authorized to execute all forms in connection therewith; and be it further

RESOLVED, That the Comptroller is hereby authorized to receive a disbursement in an amount not to exceed $43,655.00, in connection thereto, in accordance with the applicable terms and provisions of said agreement, with the funds to be deposited in Account No. TWN-A-0000-00631-000-0000.

-#-

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	Abstain
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs

568

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, DEPUTY COMMISSIONER OF INTERGOVERNMENTAL AFFAIRS

DATE: SEPTEMBER 29, 2016

SUBJECT: NASSAU COUNTY COMMUNITY REVITALIZATION PROGRAM: LEGISLATOR MACKENZIE SYOSSET FIRE DEPARTMENT EQUIPMENT

The Community Revitalization Program (CRP) allows for Nassau County (County) Legislators to initiate capital projects in their districts in partnership with a local municipality. The Town of Oyster Bay (Town) has been contacted by Legislator Donald MacKenzie who proposed an Inter-Municipal Agreement (IMA) between the County and the Town allowing for the disbursement of $43,655.00 in CRP funding from the County to the Town. These funds are earmarked for reimbursement to the Syosset Fire Department for the procurement and/or installation of airbags for heavy duty rescue trucks as well as portable radios used to communicate during emergencies.

We therefore respectfully request a Town Board resolution authorizing the Supervisor and Colin Bell as the Supervisor's authorized designee to enter into an IMA with the County relative to this project and sign all other documents relative to this project. This Resolution must also authorize the Comptroller to allow for the receipt of up to $43,655.00 in CRP funding from the County relative to this project and to make payment in an amount not to exceed $43,655.00 to the Syosset Fire Department, to reimburse said organization for its approved expenditures in connection with this project. For accounting purposes, the account is TWN-A-0000-00631-000-0000.

Frank V. Sammartano,
Deputy Commissioner

By Colin Bell

cc: Town Attorney w/19 copies

CRP Syosset FD-APP-Dckt

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, by memorandum dated October 3, 2016, has requested Town Board authorization for the Supervisor to enter into a contract with the Board of Cooperative Educational Services of Nassau County (BOCES) for youth employment and training services for out-of-school youth aged 16-24, under the Workforce Innovation and Opportunity Act, from November 7, 2016 through September 30, 2017, for the total amount of $100,000; and

WHEREAS, this is an eligible Workforce Innovation and Opportunity Act expense, and is therefore at no expense to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor is hereby authorized to enter into a contract with the Board of Cooperative Educational Services of Nassau County (BOCES), under the Workforce Innovation and Opportunity Act, from November 7, 2016 through September 30, 2017, for the total amount of $100,000; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. IGA CD 6293 48050 000 CW 16.

-#-

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)
Intergovernmental Affairs

TOWN OF OYSTER BAY

509

Inter-Departmental Memo

October 3, 2016

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, DEPUTY COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

SUBJECT: YOUTH PROGRAM CONTRACT UNDER THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

Resolution No. 410-2016 dated July 26, 2016 authorized publication of a legal notice in Newsday in connection with a Request for Proposals for the delivery of youth employment and training services for out of school youth aged 16-24. Funding for the provision of these services is made available through the Workforce Innovation and Opportunity Act (WIOA) and requires no additional cash contribution from the Town of Oyster Bay (Town). A total of two (2) proposals were received in response to the Request for Proposals:

1. Board of Cooperative Educational Services of Nassau County
2. Nassau County Department of Social Services

A good faith effort was made to publicize the availability of funding, and to solicit proposals in this regard. Documentation regarding the attempt to obtain proposals was forwarded to the Town Attorney in accordance with Guideline 7 of the Town's Procurement Policy. As noted in the attached letter, the Office of the Town Attorney has determined that the procurement is in compliance with the Procurement Policy.

Proposals were reviewed in compliance with the Town's procurement policy and with review criteria established by Town and WIOA guidelines. The review of these proposals was conducted first by a Youth Proposal Review Committee, and subsequently by the full Workforce Development Board. The proposal from Board of Cooperative Educational Services of Nassau County achieved the highest score and is recommended for funding for the period November 7, 2016 through September 30, 2017, as listed below.

Applicant	Grant Award
Board of Cooperative Educational Services of Nassau County	$100,000

Funds for this purpose are available in account IGA CD 6293 48050 000 CW 16. It is respectfully requested that the Town Board grant authorization for the Supervisor to sign the subject contract, which has been forwarded under separate cover to the Office of the Town Attorney for review.

Frank V. Sammartano
Deputy Commissioner

FVS:sd
cc: Town Attorney (w/19 copies)
Attachment

Meeting of July 26, 2016

Resolution No. 410-2016

Reviewed by
Office of Town Attorney

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, by memorandum dated July 11, 2016, request that the Town Board authorize and direct the Town Clerk to publish a public notice of a Request for Proposals under the Workforce Investment Act for youth employment and training services in a newspaper of general circulation no later than August 3, 2016; and

WHEREAS, youth employment and training services will be funded through the Workforce Investment Act in an approximate amount of $100,000 for the period beginning on October 1, 2016 through September 30, 2017.

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to publish a public notice of a Request for Proposals under the Workforce Investment Act for youth employment and training services in a newspaper of general circulation no later than August 3, 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, and that the funds for said payment are to be drawn from Account No. IGA CD 6293 48240 000 CW15.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs
Town Clerk

Town of Oyster Bay
Inter-Departmental Memo

TO : Frank V. Sammartano, Deputy Commissioner
Department of Intergovernmental Affairs

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : October 3, 2016

SUBJECT: Procurement of Youth Services for the Workforce Innovation and Opportunity Act (WIOA) Program

---

The Office of the Town Attorney has reviewed your memorandum dated September 26, 2016, together with attached information, regarding your Department's efforts to obtain the required number of proposals for "Youth Services for the Workforce Innovation and Opportunity Act (WIOA) Program."

In accordance with Guideline 7 of the Town's Procurement Policy, this memorandum shall serve as our office's determination that the Department of Intergovernmental Affairs has complied with the Procurement Policy.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st

WHEREAS, Resolution No. 1045-2009, adopted on December 1, 2009, a contract for a replacement customized tax payment processing system application software was awarded to RP Solutions, Inc. 2415 North Triphammer Road, Ithaca, New York; and

WHEREAS, in order to properly process property tax payments, the current digital check scanners must be replaced with the TS240 Digital Check Scanners, and these scanners must be customized for use with the proprietary NCR WISE IP and RP Solutions, Inc. payment processing software, and this equipment is only served through a licensed Value Added Reseller (VAR), such as RP Solutions, Inc.; and

WHEREAS, James J. Stefanich, Receiver of Taxes, by memorandum dated September 30, 2016, has requested Town Board authorization to task RP Solutions, Inc. to provide the TS240 Digital check scanners, customized software, and installation to allow for tax payment processing, in an amount to not exceed $17,663.00; and

WHEREAS, Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated September 29, 2016, have determined RP Solutions, Inc. to be a sole source vendor for this purchase,

Reviewed By Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, the Receiver of Taxes is hereby authorized to task RP Solutions, Inc. to provide the TS240 Digital check scanners, customized software, and installation to allow for tax payment processing, in an amount to not exceed $17,663.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. ROT-H-1997-26000-000-1509-001.

-#-

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)
Receiver of Taxes

570

TOWN OF OYSTER BAY

Office of the Receiver of Taxes

INTER-DEPARTMENTAL MEMORANDUM

TO: **MEMORANDUM DOCKET**

FROM: **JAMES J. STEFANICH, RECEIVER OF TAXES**

RE: **TAX PAYMENT DIGITAL CHECK SCANNERS**

DATE: **September 30, 2016**

The Office of the Receiver of Taxes, with approval from the Town Attorney and Purchasing Department, conducted a request for proposal for a customized tax payment processing system. This contract was awarded to RP Solutions, Inc., 2415 North Triphammer Road, Ithaca, New York, the current licensing system maintenance service vendor (Resolution No. 1045-2009).

Our current NCR TS215 Digital check scanners are no longer being serviced and are obsolete. In order to properly process property tax payments, they must be replaced with the TS240 Digital Check scanners. These scanners must be customized for use with the proprietary NCR WISE IP and RP Solutions, Inc. payment processing software. NCR only sells this equipment through a licensed Value Added Reseller (VAR), such as RP Solutions, Inc. If the scanners were purchased separately they would be incompatible with our tax payment system.

The Town Attorney has determined RP Solutions, Inc. to be a sole source vendor for this purchase (see attached memo).

Town Board authorization is hereby requested for James J. Stefanich, Receiver of Taxes, to task RP Solutions, Inc. to provide the TS240 Digital check scanners, customized software, and installation to allow for tax payment processing.

Funds to be utilized for this purpose have been authorized as part of Project 1509ROTA-04, Account number ROT-H-1997-26000-000-1509-001, in an amount to not exceed $17,663.00.

James J. Stefanich, Receiver of Taxes

Attachment: Town Board Resolution No. 1045-2009
RP Solutions, Inc. Quote
Town Attorney Memo

Town Attorney (Original +19 copies)

JJS/mf

RESOLUTION NO. 1045-2009

Reviewed By
Office of Town Attorney

Meeting of December 1, 2009

WHEREAS, James J. Stefanich, Receiver of Taxes, by memorandum dated November 23, 2009, requests Town Board authorization to purchase replacement customized tax payment processing system application software from RP Solutions, Inc., 2415 North Triphammer Road, Ithaca, New York 14850, in an amount not to exceed $62,239.00,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and James J. Stefanich, Receiver of Taxes, is hereby authorized to purchase replacement customized tax payment processing system application software from RP Solutions, Inc., 2415 North Triphammer Road, Ithaca, New York 14850, in an amount not to exceed $62,239.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment shall be drawn from Account Nos. H 7045.2002 ($28,132.02) and H 7045.2003 ($34,106.98), or any other appropriate account.

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

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilwoman Walker	Aye
Councilwoman Faughnan	Aye
Councilman Pinto	Aye

cc: Supervisor (2)
Town Attorney
Comptroller (2)
Rec. of Taxes

Solution Quote

RP Solutions, Inc.
Your Experts In Payment Processing Solutions

Solution Summary	S&M 20164364 TOB System Upgrade
Quote Number	20164364
Date	05/12/2016
Valid Until	11/11/2016

Thad Paris

RP Solutions, Inc.
2415 North Triphammer Road
Suite 2
Ithaca, NY 14850
(877) 777-6588 Phone
(607) 257-7779 Fax
www.RPSolutions.com

Presented To:	Deliver To:
James Stefanich Town of Oyster Bay 74 Audry Lane Oyster Bay, NY 11771 516-624-6421 jstefanich@oysterbay-ny.gov	James Stefanich Town of Oyster Bay 74 Audry Lane Oyster Bay, NY 11771 516-624-6421 jstefanich@oysterbay-ny.gov

This proposal will include: hardware, software, and services required to upgrade ExpertRPS & ExpertCashier applications to the latest versions and replace the existing cashiering scanners with TS-240-50 scanners. Optional hardware and software listed below are required to upgrade existing iTRAN controller PC to Windows 7 64bit. ExpertRPS/ ICE/ CASHIER software prices have been discounted 100% under your current Software License and Support Agreement.

Hardware

Qty	Part Number	Product	Description	Unit Price	Extended Price	Annual Maint.	Est. Ship
6	7728-2451-9090	Digital Check TS240 - 50 (Endorser)	Digital Check TS240 check scanner - 50 Documents per minute - w/rear endorser (requires WiseIP)	$900.00	$5,400.00	$0.00	$330.00
1	NCR 9810-K211	NCR Add-on - RIAB Controller	NCR RIAB Controller Required for iTran Installation (PCIe Architecture)	$900.00	$900.00	$0.00	$33.00
			Subtotal: Hardware		$6,300.00	$0.00	$363.00

RP Solutions Software

Qty	Part Number	Product	Description	Unit Price	Extended Price	Annual Maint.	Est. Ship
1		ExpertRPS < 5,000 Trans/day	ExpertRPS image-based solution for remittance processing, volume based license	$0.00	$0.00	$0.00	$0.00
1		ExpertICE - Server (15 Concurrent Users)	Archive Concurrent Server Users	$0.00	$0.00	$0.00	$0.00
		ExpertCASHIER - 10 units	Cashiering solution for over-the-counter payments License based on number of cashier workstations. Requires ExpertRPS Base Volume Core OB License	$0.00	$0.00	$0.00	$0.00
			Subtotal: RP Solutions Software		$0.00	$0.00	$0.00

3rd Party Software

Qty	Part Number	Product	Description	Unit Price	Extended Price	Annual Maint.	Est. Ship

Solution Quote

RP Solutions, Inc.
Your Experts In Payment Processing Solutions

Solution Summary	S&M 20164364 TOB System Upgrade
Quote Number	20164364
Date	05/12/2016
Valid Until	11/11/2016

1		ABBYY Full Page OCR 1,000 pages/day	Recognition Software Runtime License Fee	$0.00	$0.00	$0.00	$0.00
1	G625-9822-T000	NCR WiseIP for iTRAN 180e	64-bit Transport Interface Software	$2,000.00	$2,000.00	$0.00	$0.00
			Subtotal: 3rd Party Software		$2,000.00	$0.00	$0.00

Professional Services

Qty	Part Number	Product	Description	Unit Price	Extended Price	Annual Maint.	Est. Ship
4		Project Management	Project Management / Regular Meetings / Reports (quoted in hours)	$150.00	$600.00	$0.00	$0.00
4		Software Configuration	Software Configuration (quoted in hours)	$150.00	$600.00	$0.00	$0.00
8		Data Migration or Conversion	Import previous system data into new system. (quoted in hours)	$150.00	$1,200.00	$0.00	$0.00
40		Installation (Onsite)	Onsite System Installation and Training (quoted in hours). Scanner unpacking and setup. software upgrade support	$150.00	$6,000.00	$0.00	$0.00
4		Installation/ Configuration (iTRAN PC)	Remote System Installation and Configuration of iTRAN capture PC (quoted in hours)	$150.00	$600.00	$0.00	$0.00
			Subtotal: Professional Services		$9,000.00	$0.00	$0.00

	Extended Price	Annual Maint.	Est. Ship
Grand Total	**$17,300.00**	**$0.00**	**$363.00**

Solution Quote

RP Solutions, Inc.
Your Experts In Payment Processing Solutions

Solution Summary	S&M 20164364 TOB System Upgrade
Quote Number	20164364
Date	05/12/2016
Valid Until	11/11/2016

Standard Terms and Conditions

HARDWARE
- Payment Terms: 50% upon signing, 50% upon delivery from the manufacturer
- Lead times from hardware manufacturers vary greatly and cannot be guaranteed.
- Annual Hardware Maintenance is available from the manufacturer and is the customer's responsibility to purchase.
- Shipping Costs are estimates and will be billed at actual cost.
- Pricing assumes all Servers, PCs, operating software, SQL database, LAN and WAN wiring, network switching, data backup, virus protection, and UPS power protection will be provided by the customer.

SOFTWARE & SERVICES
- Payment Terms: 50% at signing, 40% at installation, 10% at system acceptance
- Annual Software Maintenance is provided by RP Solutions and will commence 30 days after system acceptance.
- Additional services are available on a Time & Material basis. Out of scope items may require additional Professional Services.

PRICING DOES NOT INCLUDE
- Any applicable state or local taxes
- Travel expenses for on-site visits

Comments

-- New Server environment is recommended for parallel upgrade functionality. Required server hardware has not been included in this proposal.

-- Upgrading to the correct version of WiseIP that supports WIN 7 64 bit will cost $ 2,000.00, if you are on WiseIP software maintenance. Otherwise, WiseIP will need to be re-licensed. This line item can be avoided if using a 32-bit PC.

-- A PC with full-height PCIe expansion slot is required --64-bit, Windows 7 PC will be provided by TOB IT department

-- Purchase of OPEX Falcon scanner would eliminate $3500 required for iTRAN controller upgrade ($2000 WiseIP, $900 RIAB Controller, $600 Installation time)

-- Digital Check Scanners include 1 year factory warranty. After one year, devices will require additional hardware maintenance contract.

-- Existing NCR software maintenance contract should be maintained in order to ensure access to future software updates provided by NCR for WiseIP software.

Customer's Approval

JAMES J. STEFANICH, Bd. of Trustees	
x	x
Date 7/8/16	Authorized Signature
	x
	Company Name

Town of Oyster Bay
Inter-Departmental Memo

TO : James J. Stefanich, Receiver of Taxes

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : September 29, 2016

SUBJECT: Procurement of Digital Check Scanners, NCR and RP Solutions Software and Professional Services

---

We are in receipt of your memorandum of July 25, 2016, in connection with Procurement of Digital Check Scanners, NCR and RP Solutions Software and Professional Services.

Based upon our review of said memorandum and Solution Quote attached, we hereby agree that RP Solutions, Inc. is a sole source vendor for the Procurement of Digital Check Scanners, NCR and RP Solutions Software and Professional Services.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st
Enclosure

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated August 29, 2016, recommends that a refund in the amount of $20.00 be authorized for Ms. Denise Milito, 35 Walter Avenue, N. Massapequa N.Y. 11758, for her overpayment of a daily parking fee at the Tobay Beach and Marina,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms Denise Milito. in the amount of $20.00, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02025 523 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

571

Town of Oyster Bay

Inter-Departmental Memo

To: Memorandum Docket

From: Frank A. Nocerino, Commissioner
Department of Parks

Date: September 29, 2016

Subject: Refund of Resident Daily Auto Fee – Ms. Milito, D.

The Department of Parks is in receipt of correspondence, dated July 20, 2016, from Ms. Denise Milito regarding a request for a refund for a Resident Daily Auto Fee at Tobay Beach.

Ms. Denise Milito mistakenly purchased a Resident Daily Auto Fee, Receipt No. 14274, attached, on July 12, 2016, in the amount of twenty dollars ($20.00). She immediately attempted to reconcile the error in the type of permit that she purchased; however, the transaction was completed. Ms. Milito's intention was to purchase a Resident Seasonal Beach Permit, which she did a few days later on Sunday, July 17, 2016.

Resident Daily Auto Fee	$20.00
5% Administrative fee	0.00
Total Refund	$20.00

It is respectfully requested that the Town Board authorize a refund of twenty dollars ($20.00) and to waive the five percent (5%) administrative fee to Ms. Denise Milito. Funds are available in account PKS A 0001 02025 523 0000.

Frank A. Nocerino
Commissioner

FAN:CA
Attachments
cc: Office of the Town Attorney (with 19 copies)

To whom it May Concern.

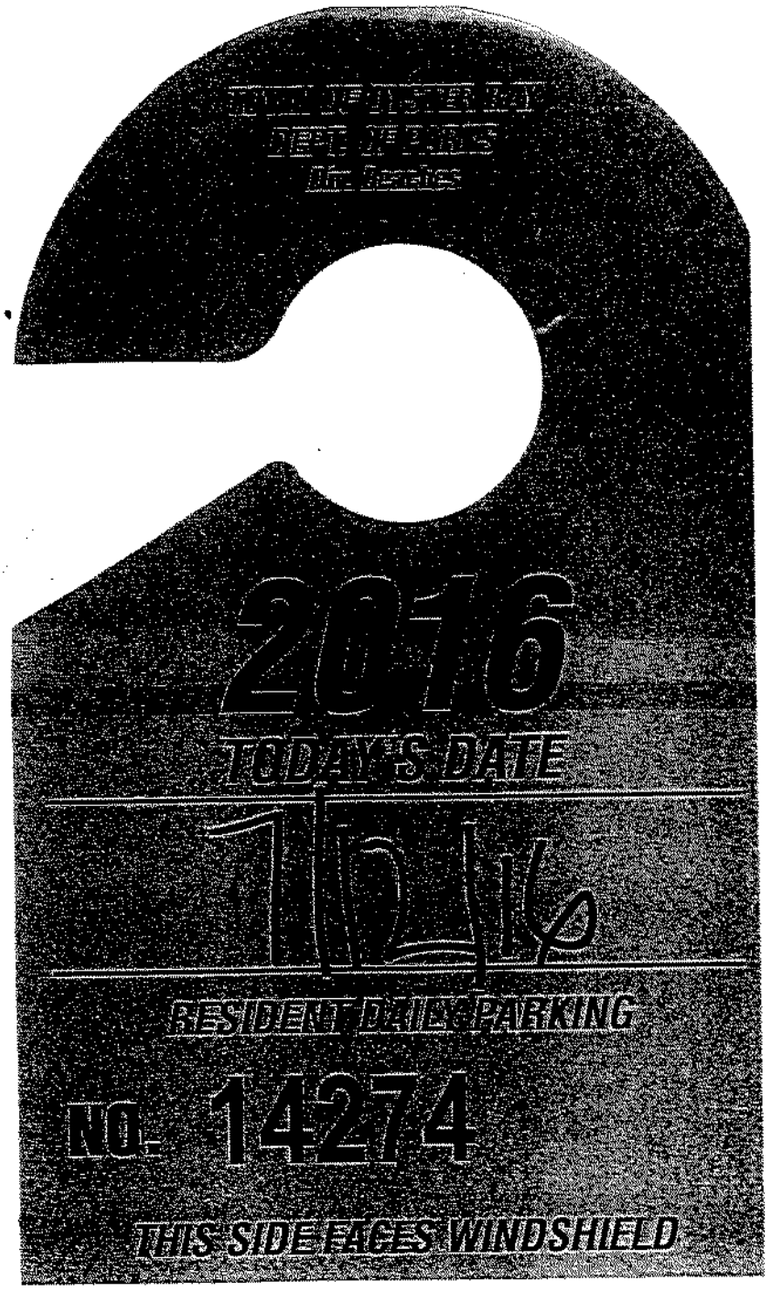
I arrived at the Beach late in day. asked for the day pass and then changed my mind - she said it was too late the money was already in the drawer. I did in fact purchase a season pass - Attached Receipts

Looking for a $ 20 reimbur if possible -

Thank You

Denise Milito
35 Walker Ave
N. Massapequa, NY 11758

516-732-0260 cell
516-799-6900 work


2016
TODAY'S DATE
RESIDENT DAILY PARKING
NO. 14274
THIS SIDE FACES WINDSHIELD

HANSON BEACH
BAYVILLE AVE
BAYVILLE, NY 11709
(516) 797 7876

Bank ID: 6001
Merchant ID: 000015519953
Term ID: 002

Sale

XXXXXXXXXXXX4985
MASTERCARD
Entry Method: Swiped

Total: $ 60.00

07/17/16 09:14:59
Inv #: 000009
Appr Code: 045198
Apprvd: Online
Batch#: 199001
Retrieval Ref.#: 00251350

Customer Copy

HAVE A NICE DAY

HANSON BEACH
BAYVILLE AVE
BAYVILLE, NY 11709
(516) 797 7876

Bank ID: 6001
Merchant ID: 000015519953
Term ID: 002

Sale

XXXXXXXXXXXX4985
MASTERCARD
Entry Method: Swiped

Total: $ 60.00

07/17/16 09:14:59
Inv #: 000009
Appr Code: 045198
Apprvd: Online
Batch#: 199001
Retrieval Ref.#: 00251350

I agree to pay above total amount
according to card issuer agreement
(Merchant agreement if credit voucher)

X________________________________

MILITO/DENISE A

Merchant Copy

HAVE A NICE DAY

HANSON BEACH
BAYVILLE AVE
BAYVILLE, NY 11709
(516) 797 7876

07/17/16 13:42:33

Term ID: 002
Merchant ID: 000015519953
Bank ID: 6001

BATCH INQUIRY REPORT

Sales :	25	$	1,220.00
Refunds :	0	$	0.00
Total :	25	$	1,220.00

Grand Totals

Sale Total	25	$	1,220.00
Refund Totals	0	$	0.00
Total:	25	$	1,220.00

Tobay © DOR # 208
PKS161162

HANSON BEACH
BAYVILLE AVE
BAYVILLE, NY 11709
(516) 797 7876

Term ID: 002

07/17/16 13:42:44

SETTLEMENT REPORT

Batch Num: 199001
Host Name: VNTV
Merchant: 1

Sales	25	$	1,220.00
Refunds	0	$	0.00
Total	25	$	1,220.00

Settlement Successful

RECEIVED

TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
DAILY OPERATIONS REPORT
TOBAY BEACH

NO. TOB C 203

DATE 7/12/16

PK 7/6/16

			NUMBER	RATE	AMOUNT
1 Resident Daily Auto Fee	No. 14191	Thru 14298	108	$20.00	2160
2 Resident Season Permit	No. 8001	Thru 9600 8029	111	$60.00	6660
3 Resident Special Permit	No. 71	Thru —	0	$60.00	0
4 Non-Resident M-F	No. 428	Thru 438	11	$50.00	550
5 Aux. Pol/ Vol. Fire/USGA/VET	No. 254	Thru 257	4	$30.00	120
6 Wantagh Fire Department	No. —	Thru —		~~$60.00~~	—
7 TOTAL must agree with line 14				X	9490
8 Senior Citizen	No. 3537	Thru 3574	38	NO FEE	
9 Disability/S.S.A.	No. 211	Thru —	0	NO FEE	
10 Replacement	No. 119	Thru 120	2	NO FEE	
11 Hybrid	No. 98	Thru —	0	NO FEE	
12		Group Total Closing			19527.00
13		Group Total Opening			18037.00
14 TOTAL (must agree with line 7)					1490.00

REGISTER CLOSED 6 PM

CASH 6760

CREDIT/CHK 2610/120

Remarks 1 res rang as special
1 non res rang as aux

Cashier Karen Mottola Facility Manager

Copy Distribution: White, Yellow, Pink – Main Office
Goldenrod - Facility

81107021962 DEPOSIT TICKET

TOWN OF OYSTER BAY
74 AUDREY AVENUE
OYSTER BAY, NY 11771

TD Bank
America's Most Convenient Bank®

DATE	DOLLARS	CENTS
CURRENCY	6752	00
COIN	8	00
CHECKS (List each separately)		
1 5164	60	00
2 5191	60	00
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
TOTAL FROM OTHER SIDE		
PLEASE RE-ENTER TOTAL HERE	6880	00

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL
A HOLD FOR UNCOLLECTED FUNDS MAY BE PLACED ON FUND
DEPOSITED BY CHECK OR SIMILAR INSTRUMENTS. THIS COU
DELAY YOUR ABILITY TO WITHDRAW SUCH FUNDS. THE DELAY
ANY WOULD NOT EXCEED THE PERIOD OF TIME PERMITTED BY LA

Tobey Grate C
DOR # 203
7/11/16
6880 00
PKS161162

IMPORTANT: IF USING MULTIPLE PARTS, SEPARATE BEFORE WRITING

ADDITIONAL CHECK LISTING

CHECKS	DOLLARS	CENTS
30		
31		
32		
33		
34		
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TOTAL (LINES 30-50) FORWARD TO OTHER SIDE		

PK5161162

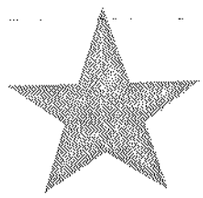
CURRENCY AND COIN

FOR OFFICE USE ONLY

CURRENCY QUANTITY	VALUE	DOLLARS	CENTS
	X 100		
	X 50		
	X 20		
	X 10		
	X 5		
	X 2		
	X 1		
TOTAL CURRENCY FORWARD TO OTHER SIDE			

COIN QUANTITY	VALUE	DOLLARS	CENTS
	X 1.00		
	X .50		
	X .25		
	X .10		
	X .05		
	X .01		
TOTAL COIN FORWARD TO OTHER SIDE			

Tobay @ DOR # 203



Reviewed By
Office of Town Attorney

Meeting of October 18, 2016 Resolution No. 572-2016

WHEREAS, C & B REALTY #3 LLC, fee owner, has petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the construction of a restaurant, with a seating capacity in excess of 76 seats, within the shopping center located in a Neighborhood Business ("NB") Zone, on premises located on the southeast corner of the intersection of Woodbury Road and South Oyster Bay Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 342, Lot 18 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 September 29, 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 C & B REALTY #3 LLC, fee owners, for a Special Use Permit to permit the construction of a restaurant, with a seating capacity in excess of 76 seats, within the shopping center located in a Neighborhood Business ("NB") Zone, on premises located on the southeast corner of the intersection of Woodbury Road and South Oyster Bay Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 342, Lot 18 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 Declarations 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources

572

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: October 3, 2016

SUBJECT: Petition of C & B Realty #3 LLC, Fee Owner
for Special Use Permit for a Restaurant with a capacity of
more than 76 seats in a Neighborhood Business Zone
Premises: Woodbury Road, Plainview, New York
Section 12, Block 342, Lot 18

The Office of the Town Attorney requests that the Town Board adopt the recommendation of the Department of Environmental Resources, dated September 29, 2016, with respect to the SEQRA determination in connection with the above referenced applications.

Kindly place this matter on the Town Board action calendar for the meeting of October 18, 2016.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st

Reviewed By
Office of Town Attorney

WHEREAS, C & B REALTY #3 LLC, fee owner, has petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the construction of a restaurant, with a seating capacity in excess of 76 seats, within the shopping center located in a Neighborhood Business ("NB") Zone, on premises located on the southeast corner of the intersection of Woodbury Road and South Oyster Bay Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 342, Lot 18 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 September 29, 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 C & B REALTY #3 LLC, fee owners, for a Special Use Permit to permit the construction of a restaurant, with a seating capacity in excess of 76 seats, within the shopping center located in a Neighborhood Business ("NB") Zone, on premises located on the southeast corner of the intersection of Woodbury Road and South Oyster Bay Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 342, Lot 18 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 Declarations in accordance with the requirements of the New York State Environmental Quality Review Act ("SEQRA").

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 29, 2016

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

FROM: NEIL BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: APPLICATION C&B REALTY #3 LLC (CALEXICO RESTAURANT) FOR SPECIAL USE PERMIT AND SITE PLAN APPROVAL, WOODBURY PLAZA, 401-447 SOUTH OYSTER BAY ROAD, PLAINVIEW; SECTION 12, BLOCK 342, LOT 18

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

c: File - Plainview / Calexico Restaurant

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

September 29, 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:** C&B Realty #3 LLC

- **Title of Project:** Calexico Restaurant

- **Description of Proposed Action:** Application to the **Town Board** for a **Special Use Permit** and **Site Plan Approval** to allow 3,843 square feet of existing floor space to be used for a 118-seat full-service restaurant with bar in a 111,929-square foot, one-story shopping center with partial second floor on an approximately 9.3-acre property (Woodbury Plaza). A Special Use Permit is required because the proposed restaurant has a capacity exceeding 75 seats. Information provided by the applicant indicates that the proposed restaurant will be open from 11:30 a.m. to midnight (or earlier) seven days per week. The facility design includes storefront windows that can be opened during fair weather, but no outdoor seating is proposed.

  The minimum required parking capacity under the Town of Oyster Bay Zoning Code is 594 spaces. The proposed site plan retains the 568 parking spaces on the subject property, considering prior approvals which have not yet been constructed, a 26-space (4.3 percent) shortfall, thereby necessitating the issuance of a zoning variance. The information submitted by the applicant does not indicate that any other variances are needed in connection with the proposed action.

- **Other Possible Approvals Required:**
  Nassau County Health Department – food service permit

- **Location of Proposed Action:** Woodbury Plaza, 401-447 South Oyster Bay Road, Plainview, Town of Oyster Bay, State of New York, and further identified as Section 12, Block 342, Lot 18 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
  150 Miller Place
  Syosset, NY 11791
  Attention: John Ellsworth; telephone: (516) 677-5824

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- **Documents Reviewed**:
  - New York State Short Environmental Assessment Form (EAF) Part 1, dated 3/24/2015;
  - Town of Oyster Bay Addendum to the Short EAF, dated 4/23/2015;
  - Petition, prepared by Anthony J. Cincotta, Esq., dated 3/17/2015;
  - Application for Site Plan Approval, dated 3/24/2015;
  - *300' Radius Map*, prepared by Jean Kennedy, dated 4/1/2015;
  - *Overall Site Plan* (Sheet C-1), prepared by Civil Insites and T.J. Filazzola, P.E., as amended 1/12/2015;
  - *Parking Re-Striping Plan*, prepared Barrett, Bonacci, Hyman & [illegible] Weele, P.C., as revised 8/4/1997;
  - *Cellar, First Floor Plan, and Exterior Elevation* (Drawing [illegible]00.00), prepared by Joseph Pilewski, Architect, as amended 12/23/2014; and
  - *Parking Report*, prepared by VHB Engineering, Surveying and Landscape Architecture, P.C., dated 8/27/2012.

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 on June 7, 2016. The only substantive issue raised in the discussion during the hearing pertained to site access at South Oyster Bay Road, which is discussed in the section below titled "Traffic".

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 shopping center and is located in a Neighborhood Business (NB) zoning district. The proposed restaurant will occupy existing floor area in the shopping center which previously contained a retail use. A restaurant with more than 75 seats is a permitted use in the NB district, subject to the issuance of a Special Use Permit by the Town Board.

The subject property is located in a commercial area occupying all four corners of the intersection of South Oyster Bay Road and Woodbury Road. Residential uses adjoin the proposed project site on two sides. The land use setting in this area is summarized as follows:

- single-family residences to the immediate east and south, in an R1-7 One-Family Residence zoning district;

- a neighborhood shopping center and separate national chain pharmacy in an NB district and a bank in a General Business (GB) district to the west, across South Oyster Bay Road;

- a gasoline service station to the northwest, across the South Oyster Bay Road-Woodbury Road intersection, in an NB district; and mixed commercial uses further to the northwest, in an NB district; and

- a restaurant (on a property previously occupied by a gasoline service station) in a GB district and a neighborhood shopping center in an NB district to the north, across Woodbury 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 – Woodbury Plaza fronts on South Oyster Bay Road to the west and Woodbury Road to the north. The proposed site plan provides for the two existing driveways on each of these roadways to be maintained without modification. This includes two access points to the main parking area on South Oyster Bay Road (at the southwest corner and west-central area of the site), one access point to the main parking area in the north-central area of the Woodbury Road frontage, and access from Woodbury Road at the northeast corner of the site connecting to the service driveway behind the shopping center building.

Based on empirical data in the 9th Edition of the *Trip Generation Manual* published by the Institute of Transportation Engineers (ITE), it is estimated that the proposed new restaurant will generate a net increase of 33 two-way (entering and exiting) trips during the weekday afternoon peak traffic hour and 42 trips during the Saturday mid-day peak traffic hour. This calculation is based on ITE Land Use Code #932 (High-Turnover, Sit-Down Restaurant), and includes a deduction to account for traffic generated by the prior retail space in the footprint area of the new restaurant based on ITE Land Use Code #820 (Shopping Center). However, no further deduction is applied to account for combined trips for patrons of the new restaurant who will also visit other establishments in the shopping center during a single visit.

As noted previously, the only substantive issue raised during the Town Board hearing on the subject application pertained to vehicular access at South Oyster Bay Road. In consideration of this issue, the Town explored the feasibility of installing a new traffic signal at the existing un-signalized driveway at the southwest corner of the site. In seeking to advance this concept, it was recognized that an existing driveway for the shopping center on the west side of South Oyster Bay Road should also be tied into the new traffic signal. However, the neighboring driveway is slightly offset to the south of the subject property. Nassau County Department of Public Works (NCDPW), which owns South Oyster Bay Road and would have approval authority over the proposed traffic signal, indicated that the two driveways should be directly aligned, in accordance with good traffic engineering design. Pursuant to this directive from NCDPW, outreach occurred to determine whether the owner of the neighboring shopping center would be amenable to adjusting its driveway location. Ultimately, such consent could not be obtained, and it became clear that action on the proposed traffic signal would not proceed at this time. Since the concerns which prompted investigation of the feasibility of a new traffic signal on the South Oyster Bay frontage of the subject property relate predominantly to existing conditions, rather than any anticipated effects of the pending restaurant application, this issue does not represent a potentially significant impact with respect to the proposed action.

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

Parking – As indicated previously, the proposed site plan provides 568 parking spaces on the subject property, which is 26 spaces (4.3 percent) less than the 594-space minimum requirement under the Town of Oyster Bay Zoning Code.

A *Parking Report* for the subject premises, dated August 2012, was prepared by the applicant's transportation engineering consultant. The investigation included field observations of existing

parking utilization recorded between 9 a.m. and 6 p.m. on a Friday and between 9 a.m. and 6 p.m. on a Saturday, and used ITE standards to estimate additional parking demand to be generated by proposed facilities and vacant floor space in Woodbury Plaza. The proposed facilities which were accounted for in that analysis included the instant restaurant application (at 120 seats, instead of the currently proposed 118 seats), as well as a new stand-alone building in the southwest corner of the site (which has been approved, but not yet constructed). On the basis of that analysis, the total peak parking demand was estimated at 472 stalls, or 83.1 percent of the 568 stalls that will be provided on the site under the proposed action.

Soils and Topography – As the proposed action is limited to interior alterations and does not entail physical disturbance of the subject property, soils and topography will not be impacted.

Flora and Fauna – The subject property is fully developed and is mostly covered with impervious surfaces, and does not possess significant ecological resource value. Furthermore, the proposed action does not entail physical alteration of the site.

Surface Waters – The subject property does not contain nor lie in close proximity to surface water resources. As the proposed action does not entail an increase in impervious surface coverage on the site, which already is essentially fully paved, it will not increase the amount of stormwater runoff generated at this location.

Groundwater – Sanitary wastes generated on the subject property will continue to be discharged into the existing Nassau County sewer line at the site, thereby avoiding potential groundwater quality impacts that may be associated with the use of subsurface sewage disposal systems. The proposed restaurant use does not typically involve the kinds of activities that normally are associated with a significant potential for contaminating groundwater resources.

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

Air Quality, Odors, Noise, and Lighting – The proposed restaurant does not entail the types of activities that normally are associated with significant noise impacts, particularly given that the facility will be entirely indoors and located within existing floor space in the shopping center. Potential air emissions/odors from cooking equipment will be addressed by standard exhaust equipment.

Any exterior lighting that is installed as part of the proposed facility will be required to be of shielded design, so as to minimize illumination impacts to neighboring properties.

Water Usage and Sewage Generation – The EAF indicates that the proposed restaurant will consume water at a rate of about 3,000 gallons per day, based upon a standard flow rate of 30 gallons per seat per day.

Solid Waste Generation – The proposed action involves the conversion of existing retail floor space in Woodbury Plaza to restaurant use, and is not expected to significantly increase solid waste generation at the subject location. Recycling is required in accordance with the provisions of the Town of Oyster Bay Code (including cardboard and other paper, metal, glass and plastic containers, etc.).

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Other Community Services – The proposed action will not place additional service demand on the Plainview-Old Bethpage School District. Any additional demand created with respect to other community services (e.g., police and fire protection) is expected to be minimal.

Aesthetic Resources – The proposed action does not involve any change to the footprint of the subject shopping center. Any exterior modifications for the new restaurant (e.g., signage, façade enhancements, etc.) will be consistent with the existing building.

Historic and Archaeological Resources – The subject property does not contain historically significant resources and lacks the characteristics which would suggest the potential presence of significant archaeological resources. Furthermore, except for interior alterations for the proposed restaurant, the site will not be disturbed under the proposed action.

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

Energy – The subject property is connected to utility services (e.g., electric and gas), and it is not expected that the proposed conversion of existing retail floor space to restaurant use will place a significant burden on these services.

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

Community Growth and Character – The proposed restaurant will not prompt community growth and is consistent with the existing character of Woodbury Plaza.

DRAFT

Reviewed By
Office of Town Attorney

Meeting of October 18, 2016 Resolution No. 573-2016

WHEREAS, FORE IMPROVEMENT CORP., fee owner, and K&K VENTURES, INC. d/b/a C&B ARCHERY, tenant, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the operation of an archery center with an accessory retail store located in a Light Industrial ("LI") Zone, on premises located at 11 Commercial Street, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block Q, Lot 235 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 September 23, 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 FORE IMPROVEMENT CORP., fee owner, and K&K VENTURES, INC. d/b/a C&B ARCHERY, tenant, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the operation of an archery center with an accessory retail store located in a Light Industrial ("LI") Zone, on premises located at 11 Commercial Street, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block Q, Lot 235 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 Declarations 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources

573

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: October 3, 2016

SUBJECT: Petition of Fore Improvement Corp., Fee Owner, and K&K Ventures, Inc., d/b/a C&B Archery, Tenant for Special Use Permit to operate an archery center with accessory retail store in a Light Industrial Zone
Premises: 11 Commercial Street, Hicksville, New York
Section 46, Block Q, Lot 235

The Office of the Town Attorney requests that the Town Board adopt the recommendation of the Department of Environmental Resources, dated September 23, 2016, with respect to the SEQRA determination in connection with the above referenced applications.

Kindly place this matter on the Town Board action calendar for the meeting of October 18, 2016.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st

Reviewed By
Office of Town Attorney

WHEREAS, FORE IMPROVEMENT CORP., fee owner, and K&K VENTURES, INC. d/b/a C&B ARCHERY, tenant, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the operation of an archery center with an accessory retail store located in a Light Industrial ("LI") Zone, on premises located at 11 Commercial Street, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block Q, Lot 235 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 September 23, 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 FORE IMPROVEMENT CORP., fee owner, and K&K VENTURES, INC. d/b/a C&B ARCHERY, tenant, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the operation of an archery center with an accessory retail store located in a Light Industrial ("LI") Zone, on premises located at 11 Commercial Street, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 46, Block Q, Lot 235 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 Declarations in accordance with the requirements of the New York State Environmental Quality Review Act ("SEQRA").

-#-

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 23, 2016

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

FROM: NEIL BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: APPLICATION OF FORE IMPROVEMENT CORP. AND K&K VENTURES, INC. (D/B/A C&B ARCHERY) FOR SPECIAL USE PERMIT AND SITE PLAN APPROVAL FOR AN INDOOR ARCHERY FACILITY, 11 COMMERCIAL STREET, HICKSVILLE; SECTION 46, BLOCK Q, LOT 235

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

c: FILE – Hicksville / C&B Archery

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

September 23, 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 o3f Oyster Bay has reviewed the following action:

- **Applicant:** Fore Improvement Corp. and K&K Ventures, Inc.

- **Title of Project:** C&B Archery

- **Description of Proposed Action:** Application to the Town Board for **Special Use Permit** to allow an existing 12,650-square foot, one-story building in a Light Industrial (LI) zoning district to be used for an archery center, with an archery range, offices space, accessory retail store (pro shop), and storage areas. The proposed action also includes resurfacing and re-striping the parking lot and installation of two landscaping islands at the front of the subject building. The overall property on which the existing/proposed facility is located is 1.94 acres in size and contains two separate buildings, with the subject facility occupying the westerly building; the easterly building is also one-story in height and contains 20,313 square feet of floor area.

  The proposed hours of operation for the proposed archery center are: noon to 9 p.m. on Tuesday, Wednesday and Thursday; 2 p.m. to 7 p.m. on Friday; 10 a.m. to 6 p.m. on Saturday; and 10 a.m. to 4 p.m. on Sunday. The intent is for the proposed facility to be closed on Monday, but the applicant has requested to have the option for operations to occur on this day in the future. The facility is staffed by two full-time employees, with at least one person on-site being first aid-certified at all times. The clientele primarily consists of youth groups (e.g., boy scouts, day camps, etc.).

  The proposed *Site Plan* provides 71 on-site parking spaces to serve both buildings on the subject property. It is indicated that the parking requirement under the Zoning Code is 70 spaces, based on the square footage and uses of the two on-site buildings (i.e., 28 spaces required for the subject archery facility and 48 spaces required for the adjacent 20,313-square foot building). According to the applicant's submissions to the Town, no variances are required in connection with the proposed action.

- **Other Possible Approvals Required:**
  - none identified

- **Location of Proposed Action:** 11 Commercial Street, Hicksville, Town of Oyster Bay, State of New York; and further identified as Section 46, Block Q, Lot 235 on the Land and Tax Map of Nassau County.

- **SEQRA Classification:** Unlisted

DRAFT

- **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:**
  - Application for Site Plan Approval, dated December 11, 2007;
  - Environmental Assessment Form (EAF) Part I, dated August [illegible], 2008;
  - *Verified Petition*, dated October 23, 2008;
  - *Survey*, prepared by Patsy J. Maccarone, Land Surveyor, dated Septem[illegible]3, 1960;
  - *300 Ft. Radius Map*, prepared by Vito Valenti, undated;
  - Site Plan drawings, prepared by Core Group Architects, LLP, as amended 4/[illegible]2010, including
    - *Title Sheet & Site Plan* (Drawing A-1),
    - *Lighting Plan & Details* (Drawing A-1A),
    - *Plans & Elevations* (Drawing A-2), and
    - *Site Details* (Drawing A-3); and
  - *Preliminary Environmental Site Assessment*, prepared by [illegible]rel Environmental Associates, Ltd., dated January 7, 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 on July 26, 2016. The Board did not raise any substantive issues and no members of the public addressed the Board concerning the subject application during the hearing.

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 overall property on which the proposed facility is located is 1.94 acres in area and contains two separate buildings, with the subject application pertaining to the westerly building.

The proposed action seeks to legalize an existing archery center and accessory retail store, which are permitted uses in the Light Industrial (LI) district in which the site is located, subject to the issuance of a special use permit by the Town Board.

The subject property is surrounded by industrial/commercial uses in a large LI district to the northwest, north, northeast, east and southeast. The Long Island Rail Road (LIRR) right-of-way is located to the immediate southwest; additional industrial uses are located in an LI district further to the southwest, on the opposite side of the LIRR right-of-way. A residential subdivision in an R1-6

One-Family Residence district is located to the west of the site, also on the opposite side of the LIRR right-of-way.

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 property is located at the terminus of a cul-de-sac (Commercial Street) which extends westward from New South Road.

Based on empirical information in the 7th Edition of the Institute of Transportation Engineers' *Trip Generation* (using office, warehouse and public assembly land use codes), the applicant's traffic engineering consultant estimates that all of the existing/proposed uses in the subject building generate 56 two-way vehicle trips during the peak hour (i.e., approximately one vehicle each minute).

As noted previously, the proposed *Site Plan* provides [illegible] on-site parking spaces to serve both buildings on the site, which is one space more than the parking requirement 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 contains Urban land soils, which do not have significant limitations for the type of redevelopment activities that are proposed. Essentially the entire site currently is occupied by impervious surfaces (i.e., buildings and pavement) and the site has minimal topographic relief. Erosion potential during construction is low, due to the soil types and gentle slopes present on the site, as well as the minimal area that will be disturbed under the proposed action (to install a small amount of landscaping to replace existing pavement).

A *Preliminary Environmental Site Assessment* was completed for the subject property, key findings of which are summarized as follows:

- two 4,000-gallon underground storage tanks, one for gasoline and one for diesel, were removed from the subject property in 1999 under the supervision of the New York State Department of Environmental Conservation (NYSDEC);
- there are no active NYSDEC-listed spills for the subject property;
- a NYSDEC spill case was opened when a former business on the site abandoned an unknown quantity of non-leaking drums, which subsequently were removed and the spill case was closed; and
- the current and proposed uses in the subject building do not present a significant potential for environmental contamination.

Based on the findings summarized above, the *Preliminary Environmental Site Assessment* does not recommend any further action on the subject property.

Flora and Fauna – Essentially the entire area of the subject property is covered by impervious surfaces (i.e., buildings and pavement) and, therefore, does not have significant ecological value.

As part of the proposed action, small areas of vegetation are proposed, in two landscaping islands, totaling approximately 1,000 square feet. This additional landscaping may have a minor benefit with respect to fauna (especially birds).

DRAFT

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

As the proposed action will not increase the area of impervious surfaces on the subject property – and, actually, will provide a small area of new landscaping – the amount of stormwater runoff generated on the site will not increase. The *Site Plan* shows that the site contains a number of existing drywells, which help to mitigate potential flooding of adjacent roadways and neighboring properties.

Groundwater – The existing/proposed facilities discharge sewage to the 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. The existing/proposed archery center does not entail activities that typically are associated with a significant potential for causing groundwater contamination.

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

Air Quality, Odors, Noise, and Lighting – The proposed archery center does not involve activities that typically generate excessive noise, air emissions or odors and, thereby, is not expected to have any impact with respect to these environmental parameters. Any new exterior lighting is required to be of shielded design so as to minimize potential impacts on neighboring uses.

Water Usage and Sewage Generation – The EAF indicates water use in the subject building of 5,000 gallons per day, based on Nassau County Sewage Generation rates.

Sanitary wastewater generated by the existing/proposed facilities is discharged to the Nassau County sewer connection which serves the site. This sewage is 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, at approximately 5,000 gallons per day.

Solid Waste Generation – The proposed action will legalize an existing facility, approval of which will not increase solid waste generation or the demand on solid waste management services. A private carter will continue to collect site-generated solid wastes, and recycling is required in accordance with the Town of Oyster Bay Code.

Other Community Services – The proposed project involves approval of an archery center, with accessory retail store, which generates school taxes, without placing any additional service demand on the Hicksville School District. The demand for other community services by the existing/proposed facility is not expected to be significant and is be offset by tax revenues generated for the respective taxing districts.

Aesthetic Resources – The proposed action includes resurfacing and re-striping of the parking lot and the installation of two new landscaping islands at the front of the subject building, as well as a new fence along the southwesterly property line (adjacent to the railroad right-of-way), which will enhance the aesthetic appearance of the site.

DRAFT

The subject building is not proposed for exterior modifications, and will retain an appearance consistent with other industrial/commercial buildings in the surrounding area.

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 commercially developed parcel, which does not comprise public open space and is not used for public recreation. The existing/proposed archery center provides opportunities for private recreational activities.

Energy – The site is connected to and utilizes existing utilities. As the proposed action involves legalization of the existing facilities, no increase in energy use will occur in connection with same.

Public Health and Safety – The existing/proposed facilities at the subject location do not entail the storage or use of hazardous materials, and do not otherwise involve activities that pose a significant threat to public health and safety.

Community Growth and Character – The existing/proposed facilities do not involve population growth and are in character with the existing development in the surrounding area.

DRAFT

Meeting of October 18, 2016 Resolution No. 574-2016

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated August 18, 2016, recommends that the Town Board authorize a refund in the amount of $261.25 (after applying an administrative fee of $13.75), to Mr. and Mrs. Anthony Kobets, 1 Darley Road, Plainview, New York 11803, for her daughter's registration in the Summer Program at Marjorie Post Park, because she is not attending the program,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Mr. and Mrs. Anthony Kobets, 1 Darley Road, Plainview, New York 11803, in the amount of $261.25, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02001 510 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

574

Town of Oyster Bay

Inter-Departmental Memo

To: Memorandum Docket

From: Frank A. Nocerino, Commissioner
Department of Parks

Date: September 29, 2016

Subject: Refund of Summer Recreation Registration Fee – Ms. Kobets, J.

The Department of Parks is in receipt of correspondence, dated July 15, 2016, from Ms. Jessica Kobets regarding a refund for her daughter's registration fee to the Town of Oyster Bay's Summer Recreation Program located at Plainview-Old Bethpage Community Park.

Ms. Kobets enrolled her daughter, Ella Kobets, in the Town's Recreation Program, Receipt No. 056, attached, in the amount of two hundred seventy-five dollars ($275.00) for 2016 Summer Season. Ella had attended the first four days of the program, Tuesday, July 5th through Friday, July 8th. After reviewing the event calendar, Ms. Kobets realized that this type of program would not accommodate their schedule. She requests a refund of the registration fee.

Registration fee, one child	$275.00
5% Administrative fee	- 13.75
Total Refund	$261.25

It is respectfully requested that the Town Board authorize a refund in the amount of two hundred sixty-one dollars and twenty five cents ($261.25), which includes a five percent (5%) administrative fee, to Ms. Jessica Kobets. Funds are available in account PKS A 0001 02001 510 0000.

Frank A. Nocerino
Commissioner

FAN:CA
Attachments
cc: Office of the Town Attorney (with 19 copies)

7/15/16

Commissioner of Parks
Town of Oyster Bay Parks Department
Attn: Summer Recreation
977 Hicksville Road
Massapequa, NY 11758

Dear Mr. Frank A. Nocerino:

We are writing this letter to you regarding our 4-year old daughter's, Ella Kobets, enrollment in the 2016 Summer Recreation program at the Plainview-Old Bethpage Community Park location.

She began the program on Tuesday, July 5th but only attended through Friday, July 8th. This was our first time enrolling our child in the program and we were unfamiliar with the daily schedule and routines, besides the one hour pick up from 11:45-12:45. Both my husband and I work full time so we are in need of care for our child during the day and we were going to try to make it work by picking our daughter up during our lunch hour.

However, once we received the calendar for the 6 weeks of the program on July 6th, my husband and I reviewed it and realized that there would be quite a few days where we would either not have care during one of the am or pm sessions or have a shorter amount of care due to the shortened time period for a special program (i.e. White Post trip 10:30-2). Further, on the days of the trip we would have to try and make arrangements to drop her off and pick her up at the trip location at the designated times or forego the day. This would be extremely difficult for us to make work logistically.

For the reasons mentioned above, we decided to unenroll our daughter after the first week of the program. We are respectfully requesting a refund of the program fee of $275 or a prorated amount since she did attend the first week of the program.

Thank you for your help and consideration,

Jessica and Anthony Kobets

917-482-1047

ok
7/22/16
- Fee

Town of Oyster Bay
Department of Parks
977 Hicksville Road
Massapequa, New York 11758-1281

Summer Recreation

GENERAL RECREATION RECEIPT

No. 056

Last Name Kobets First Name Ella M. I.

Address 1 Darley Road Town Plainview

Age 4 Phone 433-1409 Pass No.

Groups

Facility POB

Amount $275.00 Check ( ) No. 998

Addl. Names

Jackie 3/14/16
Received By Date

Daniel Mould 9/16/16
Sign

White - Office
Canary - Accounting
Pink - Registrant
Goldenrod - Instructor

This Administrative Fee is Not Refundable

CHASE

Deposit cash or checks at a
Chase DepositFriendly(SM) ATM.
An image of your check can
be printed on your receipt.

My Transaction Summary

****

Transaction #127
Account Number Ending In: 0206
Checking Deposit $4,575.00

Further review may result in delayed
availability of this deposit

JPMorgan Chase Bank, N.A.
E Garden City, Branch 003840
1-800-935-9935
Member FDIC, Equal Housing Lender
Please keep your receipt
03/28/2016 11:21

Business Date 03/28/2016
Session #57

Thank you - IMADE
Cashbox #03

DOR #126
PKS161055

PROCUCT 100045
DEPOSIT RECORD COPY
1-2/210

TOWN OF OYSTER BAY

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

DATE 3/28/16
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWA
LIST CHECKS SINGLY OR ATTACH LIS

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECK ID		
0361	275	
2380		
998		
2277		
590		
708		
308	275	
209	375	
121		
4385	375	
606	475	
599	475	
450	575	
$	4575	

PLEASE ENTER TOTAL HERE

Checks and other items are received for deposit subject to the provisions of the Uniform Commercial Code or any applicable collection agreement.

POB

⑆580201028⑆ 8578202061⑈

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated August 28, 2016, recommends that the Town Board authorize a refund in the amount of $261.25 (after applying an administrative fee of $13.75), to Ms. Cathy Pantelias, 212 N. Wyoming Avenue, North Massapequa, N.Y. 11758, for her son's registration in the Summer Program at Plainview-Old Bethpage Community Park, because he did not attend the program,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms. Cathy Pantelias, in the amount of $261.25, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02001 510 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

575

Town of Oyster Bay

Inter-Departmental Memo

To: Memorandum Docket

From: Frank A. Nocerino, Commissioner
Department of Parks

Date: September 28, 2016

Subject: Refund of Summer Recreation Registration Fee – Ms. Pantelias, C.

The Department of Parks is in receipt of correspondence, dated July 7, 2016, from Ms. Cathy Pantelias regarding a refund for her son's registration fee to the Town of Oyster Bay's Summer Recreation Program located at Ellsworth W. Allen Park.

Ms. Cathy Pantelias enrolled her son, George Pantelias, in the Town's Recreation Program, Receipt No. 264, in the amount of two hundred seventy-five dollars ($275.00) for 2016 Summer Season. Unfortunately, Ms. Pantelias's work schedule had changed preventing her from being able to participate in the required pick-up and drop off times.

Registration fee, one child	$275.00
5% Administrative fee	- 13.75
Total Refund	$261.25

It is respectfully requested that the Town Board authorize a refund in the amount of two hundred sixty-one dollars and twenty five cents ($261.25), which includes a five percent (5%) administrative fee, to Ms. Cathy Pantelias. Funds are available in account PKS A 0001 02001 510 0000.

Frank A. Nocerino
Commissioner

FAN:DM:ca
Attachments
cc: Office of the Town Attorney (with 19 copies)

July 7, 2016

Dear Frank Noccrino,

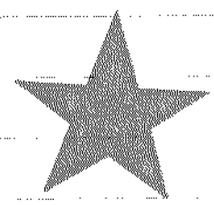
Re: George Pantelias

I registered my son George for the Summer Recreation program. Unfortunately I had a shift change and am unable to bring him, pick him up or even get him for lunch. I am requesting a refund at this time. Please feel free to contact me if necessary.

Thank You

Cathy Pantelias

JUL 13 2016
COMMISSIONER OF PARKS
OFFICE OF
RECEIVED



ok
- Admin Fee

Town of Oyster Bay
Department of Parks
977 Hicksville Road
Massapequa, New York 11758-1281

Summer Recreation

GENERAL RECREATION RECEIPT

No. 264

Last Name Pantelias First Name George M. I.

Address 212 N. Wyoming Avenue Town N. Massapequa

Age 6 Phone 516-420-1931 Pass No.

Groups

Facility Allen

Amount $275.00 Check ( ) No. 218

Addl. Names

Jackie 6/1/16
Received By Date

David Pantelias 9/16/16
Sign

White - Office
Canary - Accounting
Pink - Registrant
Goldenrod - Instructor

This Administrative Fee is Not Refundable

Summer Recreation
Allen

161097

Deposit cash or checks at a
Chase DepositFriendly(SM) ATM.
An image of your check can
be printed on your receipt.

My Transaction Summary

****

Transaction #188
Account Number Ending In: 0206
Checking Deposit $3,275.00

Further review may result in delayed
availability of this deposit

****

JPMorgan Chase Bank, N.A.
North Massapequa, Branch 000200
1-800-935-9935
Member FDIC, Equal Housing Lender
Please keep your receipt
06/03/2016 11:54

Business Date 06/03/2016
Session #74

Thank you - Maureen
Cashbox #08

PRODUCT 100045
DEPOSIT RECORD COPY
1-2-210

TOWN OF OYSTER BAY

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

DATE 6/3/16
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL
LIST CHECKS SINGLY OR ATTACH LIST

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECK I.D.		
3194	100	
3996	275	
218		
726	275	
2181	375	
1400		
476		
4492		
2008	375	
1454	475	
$	3275	

PLEASE ENTER TOTAL HERE

Checks and other items are received for depo
subject to the provisions of the Uniform Commerc
Code or any applicable collection agreeme

Allen ②
161097
$3275 -

Summer Recreation
Allen

161097

Deposit cash or checks at a
Chase DepositFriendly(SM) ATM.
An image of your check can
be printed on your receipt.

My Transaction Summary

****

Transaction #188
Account Number Ending In: 0206
Checking Deposit $3,275.00

Further review may result in delayed
availability of this deposit

****

JPMorgan Chase Bank, N.A.
North Massapequa, Branch 000200
1-800-935-9935
Member FDIC, Equal Housing Lender
Please keep your receipt
06/03/2016 11:54

Business Date 06/03/2016
Session #74

Thank you - Maureen
Cashbox #09

PRODUCT 100045
DEPOSIT RECORD COPY
1-2-210

TOWN OF OYSTER BAY

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

DATE 6/3/16
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAW
LIST CHECKS SINGLY OR ATTACH LIS

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECK I.D.		
3194	100	
3996	275	
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726	275	
2181	375	
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4492		
2008	375	
1454	475	
$	3275	-

PLEASE ENTER TOTAL HERE

Checks and other items are received for depo
subject to the provisions of the Uniform Commerc
Code or any applicable collection agreemen

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2
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857820206

Meeting of October 18, 2016

Resolution No. 576-2016

WHEREAS, by Resolution No. 770-2014, adopted on November 18, 2014, the Supervisor was authorized to enter into a contract for Data Management Computer Support Services with DM Cordes Consulting, Inc., for a period from November 1, 2014 through December 31, 2015, with a maximum of two (2) extensions of this contract, each for a period of not more than one year; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, by memorandum dated October 3, 2016, requests Town Board authorization for the Supervisor to enter into an extension and modification contract with DM Cordes Consulting, Inc., under the Workforce Innovation and Opportunity Act, in connection with Data Management Computer Support Services, for the period from January 1, 2017 through December 31, 2017,and further requests that the Comptroller issue an encumbrance order in an amount not to exceed $40,000, with funds available in Account No. IGA CD 6293 48080 000 CW 16; and

WHEREAS, this is an eligible Workforce Innovation and opportunity Act expense, and is therefore at no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Supervisor is hereby authorized to enter into an extension and modification contract with DM Cordes Consulting, Inc., under the Workforce Innovation and Opportunity Act, in connection with Data Management Computer Support Services, for the period from January 1, 2017 through December 31, 2017, in an amount not to exceed $40,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. IGA CD 6293 48080 000 CW 16.

-#-

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)
Intergovernmental Affairs

576

TOWN OF OYSTER BAY

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, DEPUTY COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: OCTOBER 3, 2016

SUBJECT: AUTHORIZATION FOR THE EXTENSION OF AND MODIFICATION TO THE DATA MANAGEMENT COMPUTER SUPPORT SERVICES CONTRACT WITH DM CORDES CONSULTING

Town Board Resolution No. 770-2014, dated November 18, 2014 authorized the Supervisor to enter into an Agreement with DM Cordes Consulting Inc. for the provision of data management computer support services for the period November 1, 2014 through December 31, 2015 with a maximum of two (2) one year contract modifications and extensions. Town Board Resolution No. 622-2015, dated November 10, 2015 authorized the extension of the agreement for the period January 1, 2016 through December 31, 2016.

The Division of Employment and Training is now seeking authorization to extend and modify the contract for the second year based on successful program performance and the availability of funds.

The total amount of the required services is not to exceed $ 40,000.00 for the period January 1, 2017 through December 31, 2017. Services will be funded by the Workforce Innovation and Opportunity Act at no cost to the Town of Oyster Bay. Funds are available in account IGA CD 6293 48080 000 CW16. The Extension of and Modification to the Computer Support Services Agreement has been forwarded under separate cover to the Town Attorney for review.

Therefore, it is respectfully requested that the Town Board authorize the Supervisor to sign the subject contract effective January 1, 2017.

Frank V. Sammartano
Deputy Commissioner

FVS:ls
Attachment
cc: Town Attorney (w/19 copies)

RESOLUTION NO. 770-2014

Meeting of November 18, 2014

WHEREAS, by Resolution No. 890-2013, adopted on December 17, 2013 authorized the Supervisor to enter into a contract for data management computer support services with DM Cordes Consulting, Inc., for a period from January 1, 2014 to December 31, 2014, which contract was terminated effective October 31, 2014 due to a change in the scope of required services; and

Reviewed by Office of Town Attorney

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Gail Paraninfo, Director of Employment and Training, Department of Intergovernmental Affairs, by memorandum dated October 31, 2014, request Town Board authorization for the Supervisor to enter into a contract with DM Cordes Consulting, Inc., under the Workforce Investment Act, in connection with the Computer Support Services, nunc pro tunc from November 1, 2014 through December 31, 2015, in accordance with guidelines for funding in the amount of $50,000.00, with funds available in WIA account IGA CD 6293 48080, or any other appropriate account,

NOW, THEREFORE, BE IT RESOLVED, That the above mentioned request is hereby accepted and approved, and the Supervisor is hereby authorized to enter into a contract with DM Cordes Consulting, Inc., under the Workforce Investment Act, in connection with computer support services, from November 1, 2014 through December 31, 2015.

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)
IGA

WHEREAS, by Resolution No. 770-2014, adopted on November 18, 2014, the Supervisor was authorized to enter into a contract for data management computer support services with DM Cordes Consulting, Inc., for a period from November 1, 2014 through December 31, 2015, with a maximum of two (2) extensions of this contract, each for a period of not more than one year, based on performance and funding availability; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Gail Paraninfo, Director of Employment and Training, Department of Intergovernmental Affairs, by memorandum dated October 15, 2015, request Town Board authorization for the Supervisor to enter into a one year extension contract with DM Cordes Consulting, Inc., under the Workforce Innovation and Opportunity Act, in connection with the Computer Support Services, from January 1, 2016 through December 31, 2016, in accordance with guidelines for funding in the amount of $50,000.00, with funds available in Account No. IGA CD 6293 48080 000 CW15, or any other appropriate account,

NOW, THEREFORE, BE IT RESOLVED, That the above mentioned request is hereby accepted and approved, and the Supervisor is hereby authorized to enter into a one year extension contract with DM Cordes Consulting, Inc., under the Workforce Innovation and Opportunity Act, in connection with computer support services, from January 1, 2016 through December 31, 2016, in the amount of $50,000.00, with the funds for said payment to be drawn from Account No. IGA CD 6293 48080 000 CW15, or any other appropriate account; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly 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 Alvesta	Aye
Councilwoman Johnson	Absent

cc: Supervisor
Town Attorney
Comptroller (2)
IGA

WHEREAS, the Cornell Cooperative Extension of Nassau County (CCE-NC) has contacted the Town of Oyster Bay in regard to the Asian Long-Horned Beetle Reforestation Project, and the CCE-NC is offering to purchase and plant trees on Town property to replace trees which were removed due to an Asian Long-Horned Beetle Infestation in the Massapequa area; and

WHEREAS, in order for the Town to participate in this project, the CCE-NC is requiring that the Town sign a Tree Maintenance Plan to ensure that measures are taken to keep trees planted through this Project alive and healthy, and the Town will also require that the CCE-NC execute a "Hold Harmless Agreement for Use of Town Property and/or Equipment" in which CCE-NC 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 this Project; and

WHEREAS, Frank A. Sammartano, Deputy Commissioner, Department of General Services, by memorandum dated October 3, 2016, has requested the Town Board authorize the Supervisor and Frank A. Nocerino, Commissioner of the Department of Parks, as the Supervisor's authorized designee, to execute a Tree Maintenance Plan relative to this Project, and authorize the Cornell Cooperative Extension of Nassau County to perform work on Town property relative to this Project contingent upon their having executed a "Hold Harmless Agreement for Use of Town Property and/or Equipment",

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board hereby authorizes the Supervisor and Frank A. Nocerino, Commissioner of the Department of Parks, as the Supervisor's authorized designee, to execute a Tree Maintenance Plan relative to this Project, and hereby authorizes the Cornell Cooperative Extension of Nassau County to perform work on Town property relative to this Project contingent upon their having executed a "Hold Harmless Agreement for Use of Town Property and/or Equipment."

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs

577

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, DEPUTY COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: OCTOBER 3, 2016

SUBJECT: CORNELL COOPERATIVE EXTENSION OF NASSAU COUNTY:
ASIAN LONG-HORNED BEETLE REFORESTATION PROJECT

The Cornell Cooperative Extension of Nassau County (CCE-NC) has contacted the Town of Oyster Bay (Town) in regards to the Asian Long-Horned Beetle Reforestation Project (Project). Through this Project, the CCE-NC is offering to purchase and plant trees on Town property in replacement of trees which were once removed due to an Asian Long-Horned Beetle infestation in the Massapequa area.

Per CCE-NC Project condtions, trees provided through this Project must be planted within ¼ mile radius of where the original tree was removed and must be maintained per CCE-NC's guidelines. The Town will have the ability to work with the CCE-NC to determine specifically where trees may be replanted and choose trees from a list of approved non-host tree species. In order for the Town to partipcate in this project, the CCE-NC is requiring that the Town sign a Tree Maintenance Plan to ensure that measures are taken to keep trees planted through this Project alive and healthy. The Town will also require that the CCE-NC execute a 'Hold Harmless Agreement for Use of Town Property and/or Equipment' in which CCE-NC 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 Project.

We therefore respectfully request a Town Board resolution authorizing the Supervisor and Commissioner Frank Nocerrino as the Supervisor's authorized designee to execute the a Tree Maintenance Plan relative to this Project. This resolution must also authorize the Cornell Cooperative Extension of Nassau County to perform work on Town property relative to this Project contingent upon their having executed a 'Hold Harmless Agreement for Use of Town Property and/or Equipment'.

Frank V. Sammartano,
Deputy Commissioner

FVS:CB:jv
cc: Town Attorney w/19 copies

Meeting of October 18, 2016 Resolution No. 578-2016

WHEREAS, Bryan D. Blomquist, President, Long Island Sled Hockey, Inc., 33 Harding Avenue, Lynbrook, New York 11563, by letter dated June of 2016, requests the use of the Ice Skating Center at Bethpage Community Park, with a waiver of fees, for its sled hockey program for the physically and mentally challenged athletes, on Saturdays, from 9:15 a.m. to 10:30 a.m., from October 22, 2016 through May 13, 2017; Tuesdays, from 5:30 p.m. to 6:30 p.m., from October 18, 2016 through May 9, 2017; and ice time to run the "Bill Schwarz Memorial Sled Hockey Invitational" tournament on Friday May 5, 2017, Saturday May 6, 2017, and Sunday May 7, 2017; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated September 30, 2016, recommends approval of the events as hereinabove set forth, which will necessitate the cancelling of public skating sessions scheduled for the dates and times set forth hereinabove; and

WHEREAS, this Town Board deems these programs to be worthwhile endeavors, 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 Parks, is hereby authorized, to provide the use of the Ice Skating Center at Bethpage Community Park, with a waiver of fees, to Long Island Sled Hockey, Inc., for its sled hockey program for physically and mentally challenged athletes, on Saturdays, from 9:15 a.m. to 10:30 a.m., from October 22, 2016 through May 13, 2017; Tuesdays, from 5:30 p.m. to 6:30 p.m., from October 18, 2016 through May 9, 2017; and ice time to run the "Bill Schwarz Memorial Sled Hockey Invitational" tournament on Friday May 5, 2017, Saturday May 6, 2017, and Sunday May 7, 2017; which will necessitate the cancelling of public skating sessions on Friday May 5, 2017, Saturday May 6, 2017, and Sunday May 7, 2017.

-#-

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)
Parks

48

598

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMORANDUM

TO: **MEMORANDUM DOCKET**

FROM: **FRANK NOCERINO, COMMISSIONER OF PARKS**

DATE: **September 30, 2016**

SUBJECT: **Waiver of Fees for Long Island Sled Hockey, Inc.**

Long Island Sled Hockey, Inc., requests that the Town of Oyster Bay waive the ice rental fees on Saturdays, from 9:15 am to 10:30 am from October 22, 2016 through May 13, 2017, and Tuesdays from 5:30 pm to 6:30 pm beginning October 18, 2016 through May 9, 2017 at the Town of Oyster Bay Ice Skating Center at Bethpage.

Additional ice time is requested, with fees waived, for the Bill Schwarz Memorial Sled Hockey Invitational tournament to be held on May 5th, 6th and 7th, 2017. Public skating scheduled for these dates and times will be canceled to accommodate this tournament. This proposed tournament is to be held at the Town of Oyster Bay Ice Skating Center at Bethpage.

Town Board approval is respectfully requested for the waiver of applicable fees for the ice time and cancellation of public sessions to accommodate the league play of Long Island Sled Hockey, Inc., and Bill Schwarz Memorial Sled Hockey Invitational.

Frank Nocerino
Commissioner of Parks

FAN:lc
c: Town Attorney (Original + 19 Copies)
Anthony Archipolo, Manager, TOB Ice Skating Center
Chris Nocella, Assistant Manager, TOB Ice Skating Center

Enclosure

Long Island Sled Hockey, Inc.

FOR THE DIFFERENTLY-ABLED ATHLETE

33 Harding Avenue, Lynbrook, New York 11563 • 516-509-2406 • www.LISLEDHOCKEY.org

LETTER OF REQUEST

June 2016

Supervisor John Venditto & Town Board
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, New York 11771

Dear John & All Our Friends in the Town of Oyster Bay,

After another incredible season, the Long Island Sled Hockey RoughRiders saw their tournament history display an amazing 15 championships, 5 Silver Medals and 8 Bronze Medals, all in just 34 tournaments. From a team roster of just 16 athletes in 2003, this program has grown to 51 athletes and within those ranks, four Wounded Warriors, disabled in Afghanistan or Iraq, and four individuals whom the RoughRiders family is extremely proud.

That said, I respectfully submit this Letter of Request. I ask that our ice time for the 2016-2017 season once again be donated by the Town of Oyster Bay. As our Board continues to seek out new venues and tournaments in which our athletes can have the opportunity to compete against their peers, witness new places and make new lasting friendships, we continue to find that these venues do exist, but come at quite a cost. Three travel tournaments this year, in London and Ottawa, Canada, as well as Westfield, Massachusetts, cost our program over $95,000. With a new 12-game Northeast League starting this October, our season travel expenses will total over $150,000! We also spend another $25-30,000 per season in equipment and still maintain a policy whereby our athletes pay nothing for any equipment, uniforms, sleds, airfare, travel, lodging, meals, etc. When we incorporated in 2003 our Board held that tenet at our inception. That will remain in place as long as I head this program.

We remain the only program of its kind, enjoining both physically and mentally challenged athletes in the same venue. Your commitment to and compassion for our "kids" is THE reason the Town of Oyster Bay Ice Skating Center is the Home of Long Island Sled Hockey. The help of Andy Rothstein and Liz Carroll has been invaluable to our program.

I would like to tweak the schedule for next season a bit and ask for: Tuesdays from 5:30-6:30 pm and Saturdays from 9:15-10:30 am, beginning Saturday, October 1st and run through Saturday, May 13th; hoping that the earlier finish will attract more teams to our home tournament, the Bill Schwarz Memorial Sled Hockey Invitational, tentatively May 5th-7th, 2017. I will, of course, accept whatever schedule you deem fitting.

Again, on behalf of the athletes, coaches, staff and families of Long Island Sled Hockey, Inc. I thank you and remain politically incorrect – God bless you.

Respectfully Submitted,

Bryan D. Blomquist
Long Island Sled Hockey, Inc.
President, Coach, Fundraiser & Proud Father of a Special Athlete

6/10/16

We are a registered 501(c)(3) not-for-profit organization

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 16 2008

LONG ISLAND SLED HOCKEY INC
33 HARDING AVE
LYNBROOK, NY 11563-2304

Employer Identification Number:
[redacted]
DLN:
17053152705028
Contact Person:
SHAMEKA KREBS ID# 11072
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated April 2004, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

SCOTTSDALE INSURANCE COMPANY®

ENDORSEMENT NO. ____

ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.
KRS00065335-00	09/20/16	USA HOCKEY INC.AND ITS MEMBER LEAGUES AND TEAMS	

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSUREDS OWNERS AND/OR LESSORS OF PREMISES, SPONSORS OR CO-PROMOTERS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The policy is amended to include as an additional Insured any person or organization of the types indicated by an "X" in any boxes shown below, but only with respect to liability arising out of your operations:

[X] 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 any negligence of such additional insured.

[ ] Sponsors

[ ] Co-Promoters

[X] Any individual person(s) or organization(s) listed below:

Town of Oyster Bay

977 Hicksville Road

Massapequa, NY 11758

Scott Rudnick

AUTHORIZED REPRESENTATIVE

DATE

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

This Agreement is made this 31st day of September 2016, by Long Island Sled Hockey, Inc. (Hereinafter "CONCESSIONAIRE"). Whereas, the CONCESSIONAIRE has entered into a contract to provide certain services and products at various Town locations, as designated in the contract between the TOWN and the CONCESSIONAIRE for the contract period 10/18/16 through 5/13/17.

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 the 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, $1,000,000 products, naming the Town as additional insured. All certificates 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.

Reviewed By
Office of Town Attorney

Name of Organization:
Long Island Sled Hockey, Inc.

Address of Organization:
33 Harding Avenue
Lynbrook NY 11563

By: Bryan P. Blomquist
Authorized Representative

Title: President

Telephone Number: 516 509-2406

TMORALES

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 8/22/16

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	K & K Insurance Group, Inc. P.O. Box 2338 Fort Wayne, In 46801	CONTACT NAME:	
		PHONE (A/C, No, Ext): 000-000-0000	FAX (A/C, No): 000-000-0000
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: SCOTTSDALE INSURANCE COMPANY	41297
INSURED	USA HOCKEY INC. AND ITS MEMBER LEAGUES, AND TEAMS 1775 BOB JOHNSON DRIVE COLORADO SPRINGS, CO 80906	INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 1866304 **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 [ ] OCCUR [X] Owners & Contractors GEN'L AGGREGATE LIMIT APPLIES PER: POLICY [ ] PROJECT [ ] LOC OTHER:	Y		KRS0006533500	12:01AM 9/01/16	12:01AM 9/01/17	EACH OCCURRENCE	2000000
							DAMAGE TO RENTED PREMISES (Ea occurrence	300000
							MED EXP (Any one person)	5000
							PERSONAL & ADV INJURY	2000000
							GENERAL AGGREGATE	[redacted]
							PRODUCTS-COMP/OP AGG	2000000
							Part Lgl Liab	2000000
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY [ ] SCHEDULED AUTOS HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						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 Y/N ANY PROPRIETOR/PARTNER/ EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER-STATUE [ ] OTHER	
							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, may be attached if more space is required)

CLUB: LONG ISLAND SLED HOCKEY, INC. DATES: 10/1/16-9/27/17
LOCATION: VARIOUS LOCATIONS *CERTIFICATE HOLDER IS AN
ADDITIONAL INSURED AS RESPECTS TO THE LIABILITY ARISING FROM THE NAMED INSURED

Reviewed By
Office of Town Attorney

CERTIFICATE HOLDER

TOWN OF OYSTERS BAY
977 HICKSVILLE ROAD
MASSAPEQUA, NY 11758

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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Meeting of October 18, 2016 Resolution No. 579-2016

WHEREAS, Resolution No. 746-2015, adopted on December 15, 2015, authorized Nelson & Pope Engineers & Land Surveyor, PLLC, to provide on-call engineering services, in connection with Contract No. PWC 15-16, On-Call Engineering Services Request for Traffic Engineering; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated October 3, 2016, requests Town Board authorization for Nelson & Pope Engineers & Land Surveyor, PLLC, to proceed under Contract No. PWC 15-16, On-Call Engineering Services Request for Traffic Engineering, for Vehicular Circulation Analysis for Proposed Town Parking Field Preferred Parking Areas, and further requests that the Comptroller issue an encumbrance order in an amount of $5,000.00, with funds available in Account No. HWY H 5197 20000 000 1503 008, Project ID No. 1503 HWYDB 20;

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Nelson & Pope Engineers & Land Surveyor, PLLC, is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of $5,000.00for Contract No. PWC 15-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, Project ID No. 1503 HWYDB 20.

-#-

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

579

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

OCTOBER 3, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL ENGINEERING SERVICES REQUEST FOR
TRAFFIC ENGINEERING
CONTRACT NO. PWC15-16
ACCOUNT NO.: HWY H 5197 20000 000 1503 008
PROJECT ID NO. 1503 HWYDB 20

The consultant, Nelson & Pope Engineers & Land Surveyor, PLLC, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC15-16 by Resolution No. 746-2015 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated September 27, 2016 from Nelson & Pope Engineers & Land Surveyor, PLLC, regarding the scope of work to be performed in an amount not to exceed $5,000.00. Services to be performed include traffic circulation analyses at the proposed preferred parking lots throughout the Town of Oyster Bay.

Attached is an availability of funds in the amount of $5,000.00 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.

It is hereby requested that the Town Board authorize by Resolution Nelson & Pope Engineers & Land Surveyor, PLLC, under Contract No. PWC15-16, On-Call Engineering Services Relative to Traffic Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/BK/dm

Attachment

cc: Office of the Town Attorney (w/19 copies)
Christine Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
Joseph Pinto, Councilman

PWC15-16 DOCKET N&P PARKING 5000

TOWN OF OYSTER BAY
Inter-Departmental Memo

September 29, 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 15-16
NELSON & POPE ENGINEERS & LAND SURVEYOR, PLLC
TRAFFIC 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 Diane Marx at ext. 5779.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/dm
Attachments

PWC 15-16 $5,000.00 N&P MR.DOCX

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

SEPTEMBER 28, 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. PWC15-16
ON-CALL TRAFFIC ENGINEERING
NELSON & POPE ENGINEERS & LAND SURVEYOR, PLLC

As per your attached request dated December 17, 2015, the Department of Public Works requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of $5,000.00.

Funds are required to perform vehicular circulation analyses for the proposed preferred parking areas at Town parking facilities, as per the attached letter from Nelson & Pope Engineers & Land Surveyor, PLLC, dated September 27, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $5,000.00. Nelson & Pope Engineers & Land Surveyor, PLLC has been approved for on-call services by Resolution 746-2015.

If you have any questions, please contact Brian Kunzig, Division of Engineering, at extension 5741.

E. Maccarone by Matthew Rosso.
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:dm
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC15-16 N&P HIGHWAY PREFERRED PARKING ANALYSIS

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

Requesting Division/Department: HIGHWAY

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

Contract Number: PWC 15-16

Contract Period: 1/1/2016 - 12/31/2017

Consultant/Contractor: NELSON & POPE ENGINEERS & LAND SURVEYOR, PLLC

Discipline: TRAFFIC ENGINEERING

Total Authorization: $20,000.00

Resolution No.: 746-2015 Date: 12/15/2015

Funded To Date: $15,000.00

Amount Requested: $5,000.00

Account To Be Used: HWY H 5197 20000 000 1503 008 / ID# 1503HWYDB 20

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.

VEHICULAR CIRCULATION ANALYSIS FOR PROPOSED TOWN PARKING FIELD PREFERRED PARKING AREAS

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

Signature: John P. Bishop

Title: Highway Department

Date: 9-28-16

DPW Approval

Only To Be Executed By The Commissioner

Signature:

Title: Commissioner of Public Works

Date: 9/29/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 5,000.00

Unemcumbered Balance: 639,209.09

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

Signature:

Date: 9/29/16

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. PWC15-16 Contract End 12/31/2017

Commencement Date 18-Oct-16

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

Vendor Name and Address

NELSON & POPE ENGINEERS & LAND SURVEYOR, PLLC

572 WALT WHITMAN ROAD

MELVILLE, NEW YORK 11747

Requesting Town Department HIGHWAY

Contact BRIAN KUNZIG Phone 516-677-5741

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

VEHICULAR CIRCULATION ANALYSIS FOR PROPOSED

TOWN PARKING FIELD PREFERRED PARKING AREAS

This work order shall not exceed $ $5,000.00

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

Requesting Division/Department

Signature John P Bielus

Title Highway Department

Date 9-28-16

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 10/4/16

NELSON & POPE
ENGINEERS & SURVEYORS

VICTOR BERT, P.E. • JOSEPH R. EPIFANIA, P.E. • ROBERT G. NELSON JR., P.E. • THOMAS F. LENGO, P.E.
GARY G. BECKER, P.E. • GREGORY D. PETERMAN, P.L.S. • ERIC J. MATTSSON, P.E. • THOMAS C. DIXON, P.E.

572 WALT WHITMAN ROAD, MELVILLE NY 11747-2188
(631) 427-5665 • FAX (631)427-5620 • NELSONPOPE.COM

September 27, 2016

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

Re: Proposal for Engineering Services
Town of Oyster Bay Preferred Parking Vehicular Circulation Analysis

Dear Commissioner Betz:

Nelson & Pope is pleased to submit this proposal to provide Professional Engineering services for the analysis of the preferred parking vehicular circulation.

The proposed Scope of Services and Manpower Table are attached as **Exhibit A** and **Exhibit B**, respectively. The estimated budget for project is $5,000.00.

I look forward to further discussion of how we can assist the Town in moving forward with project. Thank you for the opportunity to submit this proposal, and please contact me to discuss this submission at your convenience.

Sincerely,
Nelson & Pope

Joseph R. Epifania, PE
Partner

EXHIBIT A
SCOPE OF SERVICES

Preparation of a Letter Report

Nelson & Pope will review the recommendations made by the Town for the implementation of 'Preferred Parking' at the Hicksville Commuter Lot, Hicksville Parking Garage and the Bethpage, Massapequa, Syosset Parking lots. The review will consist of the feasibility of the proposed preferred parking areas and analysis of vehicle circulation in the parking lots. Nelson and Pope will provide a letter report to the Town describing their findings.

MANPOWER TABLE

TOWN OF OYSTER BAY

Preferred Parking Review

EXHIBIT B

NELSON & POPE							
TASKS	Partner	Assoc.	Senior Engineer Tech.	Engineer Tech.	Senior Admin. Assistant	TOTAL HOURS	COST
	$175.00	$175.00	$129.00	$82.00	$95.00		
TASK							
Preparation of Letter Report	2	14	10	8	3	37	$5,031.00

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Mascarone, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, request that Nelson & Pope Engineers & Land Surveyor, PLLC, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, FST Engineers, Inc., and Schneider Engineering, PLLC, be authorized to provide on-call engineering services, in connection with Contract No. PWC15-16, On-Call Engineering Services Relative to Traffic Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, Nelson & Pope Engineers & Land Surveyor, PLLC, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, FST Engineers, Inc., and Schneider Engineering, PLLC have an open-ended service agreement with the Town under which the services will be provided,

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, Nelson & Pope Engineers & Land Surveyor, PLLC, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, FST Engineers, Inc., and Schneider Engineering, PLLC are hereby authorized and directed to provide on-call engineering services, in connection with Contract No. PWC15-16, On-Call Engineering Services Relative to Traffic Engineering, 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 Alexia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

Meeting of October 18, 2016 Resolution No. 580-2016

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated September 29, 2016, has advised that the following individuals have offered donations to the Town of Oyster Bay's Animal Shelter:

Jacqueline Nenchin in honor of Victoria Nenchin's Birthday—total donation of $25.00
George A. Gelish and Terri L. Hass—total donation of $50.00
Carol Ilasi and Nicholas Ilasi—total donation of $25.00

WHEREAS, Neil O. Bergin, Commissioner of the Department of Environmental Resources, by memorandum dated September 29, 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Environmental Resources

45

580

TOWN OF OYSTER BAY
Inter-Departmental Memo

September 29, 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:

$25.00 donated by Jacqueline Nenchin in honor of Victoria Nenchin's birthday

$50.00 donated by George A. Gelish and Terri L. Haas

$25.00 donated by Carol Ilasi and Nicholas Ilasi

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 By Daniel M. Penna

NEIL O. BERGIN
Commissioner of Environmental Resources

NOB/bp
Attachments
Copy: Town Attorney - w/ 19 copies
Christine Wiss, Deputy Comptroller
Der file no. G500

50-8080/2214 1365

JACQUELINE NENCHIN
121 COMMONWEALTH AVE
MASSAPEQUA, NY 11758-4141

DATE 6/1/16

PAY TO THE ORDER OF [illegible] Shelters $ [illegible]

Twenty-five and 00/100 DOLLARS

NEFCU
1600 Corporate Drive • Westbury, NY 11590
www.nefcu.org

MEMO donation for Victoria Nenchina's birthday

Jacqueline Nenchin

[redacted]

GEORGE A. GELISH
TERRI L. HAAS
144 OLD COUNTRY RD.
MELVILLE, NY 117472013

1-145/210 99258 6752

Date 8/19/16

Pay to the order of To Oyster Bay Animal Shelter $ 50.00/100

Fifty 00/100 Dollars

citibank

CITIBANK, N.A. BR. #99258
300 WALT WHITMAN ROAD
HUNTINGTON STATION, NY 11746

Memo donation

Terri L. Haas

[redacted]

CAROL ILASI
NICHOLAS ILASI
29 STYMUS AVE
BETHPAGE, NY 117143208

1-8/210 584 214

Date 9-9-16

Pay to the order of To Oyster Bay Animal Shelter $ 25 00/100

Twenty-five 00/100 Dollars

CITIBANK, N.A. BR. #584
1107 BROADWAY
NEW YORK, NY 10010

[redacted]

Meeting of October 18, 2016 Resolution No. 581-2016

WHEREAS, Columbus Lodge #2143, Order Sons of Italy in America, 2143 Boundary Avenue, South Farmingdale, New York 11735, on Sunday, September 25, 2016, held its Twenty-First Annual Columbus Lodge Italian Feast and Festival; and

WHEREAS, Anthony Musarra, President, Columbus Lodge #2143, Order Sons of Italy in America, 2143 Boundary Avenue, South Farmingdale, New York 11735, by letter dated September 29, 2016, has offered to make a donation in the amount of $2,000.00 to the Town of Oyster Bay to help defray the costs for its assistance in the Twenty-First Annual Columbus Lodge Italian Feast and Festival

WHEREAS, Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated October 3, 2016, recommend and request that the Town accept this donation to defray the costs of services provided by the Town for the Columbus Lodge #2143, Order Sons of Italy in America's Twenty-First Annual Columbus Lodge Italian Feast and Festival which was held on Sunday, September 25, 2016; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth are hereby accepted and approved, and the donation in the amount of $2,000.00 from the Order Sons of Italy in America is accepted, and said donation shall be deposited in Account No. TWN A 001 02705 000 0000.

-#-

Reviewed By
Office of Town Attorney

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

5881

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : October 3, 2016

SUBJECT: Order of Sons of Italy Columbus Lodge
Annual Feast & Festival

The Office of the Town Attorney is in receipt of correspondence dated September 29, 2016 from Columbus Lodge #2143, together with their check in the amount of $2,000.00 payable to Town of Oyster Bay.

The Columbus Lodge is offering this amount as a donation to defray the costs of services provided by the Town for the Lodge's Annual Feast & Festival, which took place on September 25, 2016. We recommend and request that the Town Board accept this donation, and that said donation be deposited in Account No. TWN A 001 02705 000 0000.

LEONARD GENOVA
TOWN ATTORNEY

Thomas M. Sabellico
Special Counsel

TMS:st
cc: Town Attorney w/19 copies

COLUMBUS LODGE #2143

ORDER SONS OF ITALY IN AMERICA
2143 BOUNDARY AVENUE, SOUTH FARMINGDALE N.Y. 11735
516-293-8545
ON THE WEB AT: CL2143.ORG

President
Anthony Musarra
516-279-9201

September 29, 2016

Supervisor John Venditto:

On Behalf of the members of the Order Sons of Italy Columbus Lodge 2143 please accept this donation in the amount of $2,000 for the Town of Oyster Bay assistance in the 21st Annual Feast & Festival on Broadway in N Massapequa.

We appreciate the continued cooperation of our community and the Town Of Oyster Bay.
Again we Thank You!

Sincerely,

Anthony Musarra
President

Reviewed By
Office of Town Attorney

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated August 28, 2016, recommends that the Town Board authorize a refund in the amount of $95.00 (after applying an administrative fee of $5.00), to Ms. Kristin Seely, 13 Jefferson Road, Farmingdale, N.Y. 11735, for her son's registration in the Summer Program at Ellsworth W. Allen Park, because he could not attend the program due to a fractured arm,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund to Ms. Kristin Seely, in the amount of $95.00, and payment of said refund is to be made upon presentation of a duly certified claim therefor, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PKS A 0001 02001 510 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	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Parks

582

Town of Oyster Bay

Inter-Departmental Memo

To: Memorandum Docket

From: Frank A. Nocerino, Commissioner
Department of Parks

Date: September 28, 2016

Subject: Refund of Summer Recreation Registration Fee – Ms. Seely, K.

The Department of Parks is in receipt of correspondence, dated July 18, 2016, from Ms. Kristin Seely regarding a refund for her son's registration fee to the Town of Oyster Bay's Summer Recreation Program located at Ellsworth W. Allen Park.

Ms. Kristin Seely enrolled her two children, Christopher and Isabella Seely, in the Town's Recreation Program, Receipt No. 228, in the amount of three hundred seventy-five dollars ($375.00) for 2016 Summer Season. Unfortunately, her son, Christopher, broke his arm and was advised by their doctor to refrain from attending the recreation program while wearing a cast on his arm.

Registration fee, second child	$100.00
5% Administrative fee	- 5.00
Total Refund	$95.00

It is respectfully requested that the Town Board authorize a refund for the registration fee for the second child, less a five percent (5%) administrative fee, in the amount of ninety-five dollars ($95.00) to Ms. Seely. Funds are available in account PKS A 0001 02001 510 0000.

Frank A. Nocerino
Commissioner

FAN:DM:ca
Attachments
cc: Office of the Town Attorney (with 19 copies)

Diane Ramos

From: Kristin Seely <kk.seely@yahoo.com>
Sent: Monday, July 18, 2016 4:14 PM
To: Diane Ramos
Subject: Christopher Seely refund ?
Attachments: IMG_1935.JPG; ATT00001.txt

Hi Diane,

I just wanted to follow up on a previous email I had sent you about my son breaking his arm the day before camp started in hopes that he'd attend eventually.

However, his doctor has advised against it altogether and also extended the time he'll be in a cast. Shoot! I'm so bummed for him because his sister is having the time of her life there with the other four-year olds and his summer is a wash.

What is the policy on refunds if a sibling is unable to attend any part of the camp schedule?

Regards,

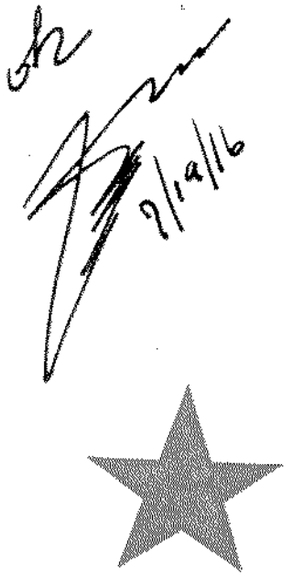
Kristin

Kristin Seely
13 Jefferson Rd.
Farmingdale, NY 11735

Home #: 420-1696

Cell #: 917.922-1918

Child's name is Christopher



Town of Oyster Bay
Department of Parks
977 Hicksville Road
Massapequa, New York 11758-1281

Summer Recreation

GENERAL RECREATION RECEIPT

No. 228

Last Name Seely First Name Christopher M. I.

Address 13 Jefferson Road Town Farmingdale

Age 4 Phone 420-1696 Pass No.

Groups 1

Facility Allen Park

Amount $ 375.00 Check ( ) No. #811

Addl. Names Isabella

Michele 5/6/16
Received By Date

Sign

White - Office
Canary - Accounting
Pink - Registrant
Goldenrod - Instructor

This Administrative Fee is Not Refundable

NO. 030

DATE 5/14/16

PKS161074

TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
DAILY OPERATIONS REPORT

PARK: Allen

SUMMER RECREATION PROGRAM

	NUMBER	RATE	AMOUNT
1. Child	4	275.00	1100
2. Children (2 or more)	5	375.00	1875
3. Add-on (each additional child after 2)	0	100.00	0
TOTAL	9		2975

*one child $275 each additional child $100

General Receipt Opening # 225 Closing # 233

REMARKS:

DAMMES
Recreation Leader-Print

Recreation Leader-Sign 5/14/16 Date

Recreation Supervisor-Print

Recreation Supervisor-Sign Date

White-Comptroller
Canary-Finance
Pink-Accounting
Goldenrod-Rec. Supervisor

CHASE CHASE CHASE CHASE

Deposit cash or checks at a
Chase DepositFriendly(SM) ATM.
An image of your check can
be printed on your receipt.

My Transaction Summary

****

Transaction #248
Account Number Ending In: 0206
Checking Deposit $2,975.00

Further review may result in delayed
availability of this deposit

JPMorgan Chase Bank, N.A.
OCEANSIDE, Branch 000204
1-800-935-9935
Member FDIC, Equal Housing Lender
Please keep your receipt
05/16/2016 15:30

Business Date 05/16/2016
Session #99

Thank you - Carla
Cashbox #03

PKS161074
POR #30

PRODUCT 100045 SD106 (COPY)

DEPOSIT RECORD COPY

1-2-210

TOWN OF OYSTER BAY

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

DATE 5/16/16

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

LIST CHECKS SINGLY OR ATTACH LIST

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECK I.D.		
288	275	
888		
206		
206	275	
477	375	
534		
671		
1463		
1811	375	
$	2975	-

Allen

$ 2975 -

PLEASE ENTER TOTAL HERE

Checks and other items are received for deposit subject to the provisions of the Uniform Commercial Code or any applicable collection agreement

⑆580201028⑆ 8578202068⑈

Meeting of October 18, 2016 Resolution No. 583-2016

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, by memorandum dated September 29, 2016, requested and recommended Town Board approval of the following ice hockey programs with non-refundable fees:

Town of Oyster Bay Ice Skating Center at Bethpage
Spring Youth Ice Hockey Clinic - April through June

This is an instructional ice hockey program to introduce and enhance the fundamentals for beginners as well as more advanced levels of youth ice hockey for Town of Oyster Bay residents.

Division:	Dynamites and Mini-mites (ages 3-7)
Dates:	April 2017 to June 2017
Times:	Not to exceed ten, one hour sessions for each age group
Place:	Town of Oyster Bay Ice Skating Center
Fee:	$200.00 one child, $150.00 for each additional child within the immediate family

Division:	Mites, Squirts and Pee-wees (ages 8 -13)
Dates:	April 2017 to June 2017
Times:	Not to exceed twenty, one hour sessions for each age group
Place:	Town of Oyster Bay Ice Skating Center
Fee:	$300.00 one child, $250.00 for each additional child within the immediate family

Reviewed By
Office of Town Attorney

Town of Oyster Bay Ice Skating Center
Summer Youth Ice Hockey Clinic - July through August

This program will be in a recreation game format. The Town of Oyster Bay Ice Hockey coaching staff will be conducting the evaluations, practices, and coaching of the team(s)

Division:	Dynamites and Mini-mites (ages 3-7)
Dates:	July 2017 to August 2017
Times:	Not to exceed ten, one hour sessions for each age group (clinic schedule)
Place:	Town of Oyster Bay Ice Skating Center
Fee:	$200.00 one child, $150.00 for each additional child within the immediate family

Division:	Mites, Squirts and Pee-wees (ages 8-13)
Dates:	July 2017 to August 2017
Times:	Not to exceed twenty, one hour sessions for each age group
Place:	Town of Oyster Bay Ice Skating Center
Fee:	$300.00 one child, $250.00 for each additional child within the immediate family

Town of Oyster Bay Ice Skating Center at Bethpage
Fall Youth Ice Hockey Clinic - September through October

Resolution No. 583-2016

This program is offered as a "tune up" of skills as a precursor to the Fall/ Winter Youth Ice Hockey Program.

Division:	Mites, Squirts and Pee-wees (ages 8 -13)
Dates:	September 2017 to October 2017
Times:	Not to exceed ten, one hour sessions for each age group
Place:	Town of Oyster Bay Ice Skating Center
Fee:	$200.00 one child, $150.00 for each additional child within the immediate family

Town of Oyster Bay Ice Skating Center at Bethpage, Marjorie Post Park and Syosset/Woodbury Ice Rink Fall/Winter Youth Ice Hockey - November through March

This program is designed to provide a meaningful, worthwhile hockey experience. This program will include, but not be limited to, the teaching of balance, stance, stride, start, crossing over, agility movements, stick handling, passing/receiving, shooting, goaltending, offense and defense. For practical application of these skills, the Parks Department will conduct league games for the Mites, Squirts and Pee-wees. The Mini-mite division, will participate in "controlled scrimmage games." The Dynamites division will be a grass roots instructional program.

Division:	Dynamites (ages 3-5)
Dates:	November 2016 to March 2017
Times:	Not to exceed ten, one hour sessions for each age group (clinic schedule)
Place:	Town of Oyster Bay Ice Skating Center, Marjorie Post Park and Syosset/Woodbury Ice Rink
Fee:	$200.00 one child, $150.00 for each additional child within the immediate family

Division:	Mini-mites, Mites, Squirts and Pee-wees (ages 6 -13)
Dates:	November 2016 to March 2017
Times:	Not to exceed twenty, one hour sessions for reach age group
Place:	Town of Oyster Bay Ice Skating Center, Marjorie Post Park and Syosset/Woodbury Ice Rink
Fee:	$325.00 one child, $250.00 for each additional child within the immediate family

Funds will be available for the following expenditures in Account No. TWN-TA-000-00085-444-0000, as follows during the 2016-2017 hockey season:

- $8,000.00 to purchase awards for all participants in the program to be given out at Family Skate Night.
- $12,000.00 to purchase hockey related equipment to include but not limited to: goalie pads, chest protectors, goalie sticks, pinnies, pucks, etc.
- $30.00 per enrolled player for the cost of a hockey jersey.

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Department of Parks, is hereby authorized to implement the above outlined ice hockey programs with non-refundable fees therein.

-#-

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

583

12

Town of Oyster
Inter-Departmental Memo

TO: Memorandum Docket

FROM: Frank A. Nocerino, Commissioner
Department of Parks

DATE: September 29, 2016

SUBJECT: Youth Ice Hockey Program

The Department of Parks requests Town Board approval for the Town of Oyster Bay sponsored Youth Ice Hockey Programs, as outlined below. The following programs are being offered to Town of Oyster Bay residents. The total number of sessions is subject to change, when approved by the commissioner, based upon the enrollment and available ice time. All fees shall be in effect until amended or revised by the Town Board upon the recommendation by the commissioner of the Department of Parks. In addition, funds collected from this program will be deposited in account PKS-A-0001-02001-510-0000.

Town of Oyster Bay Ice Skating Center at Bethpage

Spring Youth Ice Hockey Clinic – April to June

This is an instructional ice hockey program to introduce and enhance the fundamentals for beginners as well as more advanced levels of youth ice hockey.

Division	Sessions	Fees	
Dynamites and Mini-Mites (ages 3 - 7)	Not to exceed ten, one hour sessions for each age group	One child Each additional child (within the immediate family)	$200.00 $150.00
Mites, Squirts and Pee-wees (ages 8 – 13)	Not to exceed twenty, one hour sessions for each age group	One child Each additional child (within the immediate family)	$300.00 $250.00

Town of Oyster Bay Ice Skating Center at Bethpage (continued)

Summer Youth Ice Hockey League – July through August

This program will be in a recreational game format. The Town of Oyster Bay Ice Hockey coaching staff will be conducting the evaluations, practices, and coaching of the team(s).

Division	Sessions	Fees
Dynamites and Mini-Mites (ages 3 – 7)	Not to exceed ten, one hour sessions for each age group (clinic schedule)	One child $200.00 Each additional child $150.00 (within the immediate family)
Mites, Squirts and Pee-wees (ages 8 – 13)	Not to exceed twenty, one hour sessions for each age group	One child $300.00 Each additional child $250.00 (within the immediate family)

Fall Youth Ice Hockey Tune Up Clinic – September through October

This program is offered as a "tune up" of skills for the Mite, Squirt and Pee-wee divisions as a precursor to the Fall/Winter Youth Ice Hockey Program.

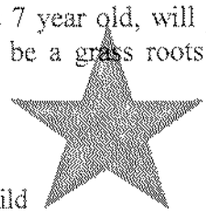
Division	Sessions	Fees
Mites, Squirts and Pee-wees (ages 8 – 13)	Not to exceed ten, one hour sessions for each age group	One child $200.00 Each additional child $150.00 (within the immediate family)

Town of Oyster Bay Ice Skating Center at Bethpage
Marjorie R. Post and Syosset/Woodbury Community Parks/Ice Rinks

Fall/Winter Youth Ice Hockey Program – November through March

This program is designed to provide a meaningful, worthwhile hockey experience for player's ages 3 – 13 years old according to yearly age standards.

The program will include, but not be limited to, the teaching of balance, stance, stride, start, crossing over, agility movements, stick handling, passing/receiving, shooting, goaltending, offense and defense. For practical application of these skills, the Parks Department will conduct league games for the Mites, Squirts and Pee-wees divisions, ages 8 – 13 years old. The Mini-mite division, 6 & 7 year old, will participate in "controlled scrimmage games." The Dynamites division, ages 3 – 5, will be a grass roots instructional program.



Division	Sessions	Fees
Dynamites (ages 3 – 5)	Not to exceed ten, one hour Sessions for each age group (clinic schedule)	One child $200.00 Each additional child $150.00 (within the immediate family)

Fall/Winter Youth Ice Hockey Program – November through March (continued)

Division	Sessions	Fees	
Mini-Mites, Mites, Squirts and Pee-wees (ages 6 – 13)	Not to exceed twenty, one hour sessions for each age group	One child Each additional child (within the immediate family)	$325.00 $250.00

Funds will be available for the following expenditures in account TWN-TA-000-00085-444-0000 during the hockey season:

- $8,000 to purchase awards for all participants in the program to be given out at Family Skate Night
- $12,000 to purchase hockey related equipment, to include, but not limited to: goalie pads, chest protector, nets, goalie sticks, pinnies, pucks, etc.
- $30.00 per enrolled player for the cost of a hockey jersey

If a resident is registering more than one child and the children fall into both the Dynamites Division and one of the other four divisions (Mini-Mites, Mites, Squirts, Pee-Wees), the discount for the second child will apply to the Dynamites fees.

Please note that the fees for each of the four programs have been raised accordingly as to be comparable with similar ice hockey programs currently offered to the community. The new fee structure will be in effect for the Fall/Winter program beginning in November 2016.

Frank A. Nocerino
Commissioner

FAN:EW
cc: Town Attorney (+19 Copies)
Andrew S. Rothstein, Director of Operations, Office of the Executive

Meeting of October 18, 2016 Resolution No. 584-2016

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 re-board up the house using two (2) locks and existing plywood at the premises located at 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 2, 2015, in the amount of $146.38, 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 September 29, 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 $146.38 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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	Aye
Councilwoman Johnson	Aye

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

584

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

SUBJECT: Property Cleanup Assessment
20 Robert Avenue, Massapequa, New York 11758
Section 53, Block 159, Lot 9

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to re-board up the house using 2 locks and existing plywood at the premises located at 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 on the Land and Tax Map of the County of Nassau. (See attached Notice of Pendency). The Highway Department has, by memorandum dated September 14, 2015, advised that the property was secured by a crew from the Highway Department on September 2, 2015. The cost incurred by the Town of Oyster Bay was $146.38.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 20 Robert Ave Bd Up 9.28.16

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 re-board up the house using two (2) locks and existing plywood at the premises located at 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 2, 2015, in the amount of $146.38, 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 September 29, 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 $146.38 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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

✓ Have Deed 2016-5364 SD 85 Lt.

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. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 20 Robert Avenue
Massapequa, NY 11758
Section 53, Block 159, Lot 9

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
- ☑ 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 §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

2016 FEB -9 P 2:59

Dated: September 2, 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

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

INDEX NO 15-005766

OCWEN LOAN SERVICING LLC,

Plaintiff,

Against

NOTICE OF PENDENCY OF ACTION

ESTATE OF RALPH E. CUEVAS; RICHARD P. CUEVAS, HEIR TO THE ESTATE OF RALPH E CUEVAS; ERIK J CUEVAS, HEIR TO THE ESTATE OF RALPH E CUEVAS; NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE; THE PEOPLE OF THE STATE OF NEW YORK; UNITED STATES OF AMERICA-INTERNAL REVENUE SERVICE,

"JOHN DOE #1" through "JOHN DOE #12," the last twelve names being fictitious and unknown to plaintiff, the persons or parties intended being the tenants, occupants, persons or corporations, if any, having or claiming an interest in or lien upon the premises, described in the complaint,

Defendants.

NOTICE IS HEREBY GIVEN, that an action has been commenced and is pending in this Court upon a complaint of the above-named plaintiff against the above-named defendants for the foreclosure of a mortgage bearing date June 26, 2009 executed by RALPH E. CUEVAS to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR QUICKEN LOANS INC. to secure the sum of $236,025.00. The subject mortgage was recorded on August 10, 2009, in Official Records Book M34037 at Page 952, of the Public Records of NASSAU County, New York. Said mortgage was assigned to Plaintiff by assignment of mortgage duly executed on a date prior to the filing of the complaint

AND NOTICE IS FURTHER GIVEN, that the mortgaged premises affected by the said foreclosure action, were, at the time of the commencement of said action, and at the time of the filing of this notice bounded and described as follows:

See Schedule A – "Legal Description" annexed hereto and made a part hereof. Said premises being known as 20 ROBERT AVENUE, MASSAPEQUA, NEW YORK 11758 and by Section 53, Block 159, Lot 9.

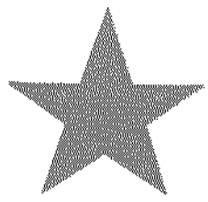
TOGETHER with all fixtures and articles of personal property now or hereafter attached to, or used in connection with mortgaged premises, all as is more fully set forth in said mortgage.

The Clerk of the County of NASSAU is directed to index this notice to the names of all the above defendants except the defendant "JOHN DOE #1" to "JOHN DOE #12", inclusive.

Dated: 6/17/2015

RAS Boriskin, LLC
Attorney for Plaintiff

BY: _____
[ ] ANTHONY CELLUCCI, ESQ
[ ] LISA SOAVE, ESQ
[ ] SARA BORISKIN, ESQ
[ ] MATTHEW N. MALTESE, ESQ
900 Merchants Concourse, Suite LL-S
Westbury, NY 11590
(516) 280-7675



SCHEDULE A – LEGAL DESCRIPTION

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE TOWN OF OYSTER BAY, COUNY OF NASSAU AND STATE OF NEW YORK, KNOWN AND DESIGNATED AS AND BY THE PLOT NUMBERED 9, IN BLOCK 159, ON A CERTAIN MAP ENTITLED, "MAP OF LAWN ESTATE, SITUATED AT NORTH AMITYVILLE, NASSAU COUNTY, NEW YORK, SURVEYED JANUARY 1952 BY B J BOLENDER, LAND SURVEYOR LINDENHURST, NEW YORK, " AND FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF NASSAU ON NOVEMEBER 28, 1952 AS MAP NO. 5631, WHICH SAID PLOT IS BOUNDED AND DESCRIBED ACCORDING TO SAID MAP AS FOLLOWS

BEGINNING AT A POINT ON THE EASTERLY SIDE OF ROBERT AVENUE, DISTANT 115 FEET NORTHERLY FROM THE EXTREME NORTHERLY END OF THE ARC OF THE CURVE CONNECTING THE NORTHERLY SIDE OF PLYMOUTH DRIVE AND THE EASTERLY SIDE OF ROBERT AVENUE; RUNNING THENCE NORTHERLY AND NORTHEASTERLY ALONG THE EASTERLY AND SOUTHEASTELY SIDE OF ROBERT AVENUE ON THE ARC OF A CURVE HAVING A RADIUS OF 102.24, A DISTANCE OF 97 50 FEET; THENCE SOUTH 26 DEGREES 24 MINUTES 07 SECONDS EAST, 127.92 FEET, AND RUNNING THENCE NORTH 67 DEGREES 05 MINUTES WEST 140.06 FEET TO THE EASTERLY SIDE OF ROBERT AVENUE, THE POINT OR PLACE OF BEGINNING

Index Number
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

OCWEN LOAN SERVICING LLC,
Plaintiff,

-against-

ESTATE OF RALPH E. CUEVAS; RICHARD P. CUEVAS, HEIR TO THE ESTATE OF RALPH E. CUEVAS; ERIK J. CUEVAS, HEIR TO THE ESTATE OF RALPH E. CUEVAS, NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE; THE PEOPLE OF THE STATE OF NEW YORK; UNITED STATES OF AMERICA-INTERNAL REVENUE SERVICE,

"JOHN DOE #1" through "JOHN DOE #12," the last twelve names being fictitious and unknown to plaintiff, the persons or parties intended being the tenants, occupants, persons or corporations, if any, having or claiming an interest in or lien upon the premises, described in the complaint,

Defendants.

NOTICE OF PENDENCY

RAS Boriskin, LLC
Attorneys for Plaintiff
900 Merchants Concourse, Suite LL-5
Westbury, NY 11590
Telephone: (516) 280-7675

Compliance with Rule 130-1.1a

[X] ANTHONY CELLUCCI, ESQ.
[ ] LISA SOAVE, ESQ.
[ ] SARA BORISKIN, ESQ.
[ ] MATTHEW N. MALTESE, ESQ

INDEX NO.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

OCWEN LOAN SERVICING LLC,
PLAINTIFF
VS.

ESTATE OF RALPH E. CUEVAS; et. al.

DEFENDANT(S).

NOTICE OF PENDENCY OF ACTION

RAS BORISKIN, LLC
Attorneys for Plaintiff
900 Merchants Concourse, Suite LL-5
Westbury, NY 11590
Phone: (516-280-7675
Fax: (516) 280-7674

NASSAU INDEX #
FILED
JUN 29 2015
NASSAU COUNTY
COUNTY CLERK'S OFFICE

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 06-23-2015
Recorded Time: 11:19:41 a

Record and Return To:

Liber Book: L 2078
Pages From: 130
To: 135

Control Number: 796
Ref #: 15--005766
Doc Type: X10 LIS PENDENS

Plnt: OCWEN LOAN SERVICING LLC
Dfnd: CUEVAS, RALPH E
Dfnd: CUEVAS, RICHARD P

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0053	00159-00	00009	

Taxes Total	.00
Recording Totals	195.00
Total Payment	195.00

BMP001

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

20150623007796

53159-9 KC ✓ DBB

Town of Oyster Bay
Inter- Departmental Memo

September 14, 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: **20 ROBERTS AVENUE, 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 **$146.38**.

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

2014 FEB 19 P 2:59

BOARD-UP 20 ROBERTS AVENUE, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

WO #18014

LOCATION: BUILDING MAINTENANCE
20 Robert Avenue, Mass.

DATE: 09/02/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Palacios, Robert	Equip Oper I	1.00		24.72	$	24.72
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	$	67.38

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		$	0.00
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	0.00
			Total of A+B+C	$	146.38

DESCRIPTION OF WORK:
Re-boarded up house using 2 locks and existing plywood.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 09/02/15

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 re-board up the side door of the house at 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 September 28, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 9, 2015, in the amount of $633.90, 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 September 28, 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 $633.90 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	Aye
Councilwoman Johnson	Aye

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

585

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 28, 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 house at 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 November 12, 2015, advised that the property was secured by a crew from the Highway Department on October 9, 2015. The cost incurred by the Town of Oyster Bay was $633.90.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 889 Main St Bd Up 9.28.16

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 re-board up the side door of the house at 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 September 28, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 9, 2015, in the amount of $633.90, 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 September 28, 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 $633.90 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

2016-5334 sDBS

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. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 889 Main Street
Farmingdale, NY 11735
Section 49, Block 278, Lot 2

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 garage of the premises. No entry into the garage 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

2015 FEB 11 A 8

Dated: October 9, 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

889 Main St

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made as of 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,

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

2016-5334

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: **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 **$633.90**.

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 889 MAIN STREET, Farmingdale to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE
889 Main St, Farmingdale

DATE: 10/09/15

WO# 19188

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Lang, Martin	Equip Supv	3.25		47.97	$	155.90
Van Nostrand, Jeff	MaintCarpenter	3.25		42.66	$	138.65
					$	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
					$	0.00
				Subtotal A	$	294.55

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	3.25	$	256.75
					$	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	$	256.75

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$			$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	4.00	$	82.60
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	82.60
			Total of A+B+C	$	633.90

DESCRIPTION OF WORK:
Boarded up house using existing plywood and an additional 4 sheets of 1/2" plywood. Also, boarded up inside of windows and back door.

Signature: R Buckley

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 10/29/15

WHEREAS, by Resolution No. 557-2015, adopted on September 29, 2015, this Town Board approved the filing of a direct assessment with the Nassau County Legislature against the parcel known as 60 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 57 to 61 on the Land and Tax Map of the County of Nassau, for property cleanup costs; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated September 28, 2016, request and recommend that a refund in the amount of $956.22 be granted to Ms. Malgorzata Bialek, 34 Knoll Street, Lindenhurst, New York 11757, in order to settle potential litigation.

Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Ms. Malgorzata Bialek is hereby granted a refund in the amount of $956.22, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. TWN-A-0001-01001-000-0000.

- # -

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	Aye
Councilwoman Johnson	Aye

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

5886

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 28, 2016

SUBJECT: Ms. Malgorzata Bialek
Miscellaneous Highway Clean-up Costs
60 West Shore Drive, Massapequa, New York 11758
Section 66, Block 21, Lots 57 to 61

By Resolution No. 557-2015, adopted on September 29, 2015, this Town Board approved the filing of a direct assessment with the Nassau County Legislature against the parcel known as 60 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 57 to 61 on the Land and Tax Map of the County of Nassau, for property cleanup costs, which assessment of $956.22 was paid by Ms. Malgorzata Bialek, 34 Knoll Street, Lindenhurst, New York 11757, owner of the premises, in her 2016 General Taxes.

Ms. Bialek is claiming improper service. In order to settle potential litigation, it is hereby requested, and recommended, that a refund in the amount of $956.22 be granted to Ms. Bialek.

Attached hereto is a resolution authorizing same.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
File: GS963
Attachments
Town Attorney (w/19 Copies)

S:\Any\RESOS 2016\MD & RESOs\refundBialekoverpaymentaxes DBS docx

WHEREAS, by Resolution No. 557-2015, adopted on September 29, 2015, this Town Board approved the filing of a direct assessment with the Nassau County Legislature against the parcel known as 60 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 57 to 61 on the Land and Tax Map of the County of Nassau, for property cleanup costs; and

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated September 28, 2016, request and recommend that a refund in the amount of $956.22 be granted to Ms. Malgorzata Bialek, 34 Knoll Street, Lindenhurst, New York 11757, in order to settle potential litigation.

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Ms. Malgorzata Bialek is hereby granted a refund in the amount of $956.22, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. TWN-A-0001-01001-000-0000.

- # -

Reviewed By
Office of Town Attorney

Grounds, buildings and structures shall be maintained free of insect, vermin and rodent harborage and infestation. Methods used for exterminating insects, vermin and rodents shall conform to generally accepted practice as used in the exterminating trade.

B. Where the potential for rodent or vermin infestation exists, windows and other openings in basements and cellars shall be appropriately screened with wire mesh or other suitable materials.

§ 135-52 Garbage and refuse; height or vegetation.

A. Adequate sanitary facilities and methods shall be used for the collection, storage, handling and disposal of garbage and refuse.

B. In multiple dwellings, it shall be prohibited to store or accumulate garbage or refuse in public halls and stairways.

C. It shall be unlawful for any owner of real property within the Town or the agent of such owner and/or any person, firm or corporation occupying any real property within the Town to permit:

(1) Lawns, weeds, grass, brush and growth of vegetation of any kind to obtain a height in excess of eight inches.

(2) Garbage, litter, refuse, rubbish or rubble to accumulate thereon.

§ 135-53 Notice of violation.

The Commissioner of the Department of Planning and Development or his/her designee is hereby authorized and empowered to notify the owner and/or person in control of any property found not to be in conformance with the provisions of § 135-52 of said violation, by service of a notice of violation. Service of a copy of said notice of violation shall be served upon such owner, agent of such owner and/or any person, firm or corporation lawfully occupying or controlling said property, by personal service or by first-class and certified mail, postage paid, return receipt requested, and addressed to such person's last known address; and, if by certified mail, a copy of said notice shall be posted on the premises. If the owner of said premises does not reside in the County of Nassau, said notice mailed to such owner, addressed to his last known address, shall be sufficient service thereof.

§ 135-54 Compliance with notice; assessment of costs.

A. The person served with a notice of violation shall be permitted five days from such service to eliminate the accumulation of garbage, litter, refuse, rubbish or rubble and/or excessive height of lawns, weeds, grass, brush or vegetation of any kind.

B. Action upon noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to properly cure the violation, within five days after issuance of written notice provided for in § 135-53 above, the Commissioner, or his/her designee, may direct the Department of Public Works, the Highway Department and/or the Department of Parks to remove and dispose of such garbage, litter, refuse, rubbish or rubble and/or to cut the lawn, weeds, grass, brush or vegetation to a height in compliance with § 135-52.
[Amended 4-27-2010 by L.L. No. 2-2010]

C. The Town shall be reimbursed for the 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 Town Law of the State of New York, as amended.

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 09-09-2011
Recorded Time: 11:51:02 a

Liber Book: D 12755
Pages From: 757
To: 760

Control Number: 833
Ref #: RE 002233
Doc Type: D01 DEED

Record and Return To:
BERNARD J ZIMNOCH ESQ
1909 GREAT NECK ROAD
COPIAGUE, NY 11726

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0066	00021-00	00057	
OYSTER BAY (2824)	0066	00021-00	00058	
OYSTER BAY (2824)	0066	00021-00	00059	
OYSTER BAY (2824)	0066	00021-00	00060	
OYSTER BAY (2824)	0066	00021-00	00061	

Consideration Amount: 325,000.00

Taxes Total	1,300.00
Recording Totals	265.00
Total Payment	1,565.00

KAV001

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

20110909000833

FNT NO. 11-82636-N

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 1st day of September , in the year 2011

BETWEEN

JOSEPH McCALLION
60 West Shore Drive
Massapequa, New York 11758

party of the first part, and

MALGORZATA BIALEK, (fee interest); and MIECZYSLAW BIALEK and IRENA BIALEK, life estate tenants, all residing at 34 Knoll Street, Lindenhurst, New York 11757

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" attached

Premises being known as 60 West Shore Drive, Massapequa, New York 11758.

Being the same premises as conveyed to the party of the first part by deed dated July 10, 1972 and recorded July 14, 1972 in Liber 8410, page 136.

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 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 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 constructed 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 McCallion by Annabelle Grant his Agent
JOSEPH McCALLION
BY ANNABELLE
GRANT AN AGENT

General Levy: 01/01/16 - 12/31/16

School District: 23 - Massapequa UFSD. **Village:**
Section: 66 **Block:** 21 **Lot:** 57 **Condo-Bldg:** **Condo-Unit:**
Grouping: 57-61
Property Address: 60 W SHORE DR MASSAPEQUA NY 11758
Receipt Mailing Address: 34 KNOLL ST
LINDENHURST, NY 11757
Third Party Notify Address: **Name:**
Owner's Name: MALGORZATA BIALEK **Owner's Address:** 34 KNOLL ST LINDENHURST NY 11757

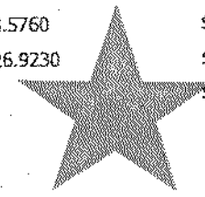
for previous owner address in 2015

BillNumber: Z301529901
Market Value: $332,400.00
Property Size: 0.2916 ACRES
Property Class: 311.11
TSO:
Bank Name:
Tax Payer Code:
Account:
SWIS Code: 282489
Ratio: 0.00250
Land Assessment: $831.00
Unadjusted Tax: $3,243.53

Owner's Address: 34 KNOLL ST LINDENHURST NY 11757
1st Half Tax: $2,099.88 **Due Date:** 02/10/16
Penalty: $0.00 **Overpayment :**
2nd Half Tax: $2,099.88 **Paid Date:**
Penalty: $0.00 **Overpayment :**
Discount: $0.00
Total Tax: $4,199.76
Previous Tax: $3,154.50
Reduction Amt: $0.00
Zoning: R1-10
Total Assessment: $831.00

Exempt Description	Code	Rate	Value
NON-EXEMPT	626	390.317	$831.00

Levy Description	Code	Taxable Value	Tax Rate	Tax Amount
COUNTY GENERAL PURPOSES	31C	$831.00	17.0660	$141.82
NASSAU COMMUNITY COLLEGE	31N	$831.00	10.3430	$85.95
COUNTY POLICE	33	$831.00	82.4230	$684.94
COUNTY POLICE HEADQUARTERS	31P	$831.00	72.9250	$606.01
FIRE PREVENTION	31F	$831.00	3.3010	$27.43
SEWER COLL & DISPOSAL ZONE OF ASSESSMENT	3204	$831.00	20.9540	$174.13
STORM WATER RESOURCES ZONE OF ASSESSMENT	31W	$831.00	2.9780	$24.75
GENERAL FUND-TOWN	31T	$831.00	32.1280	$266.98
TOWN HIGHWAY	32H	$831.00	54.2760	$451.03
SOLID WASTE DISPOSAL DIST	355	$831.00	19.0290	$158.13
TOWN LIGHTING DIST	323	$831.00	3.9560	$32.87
PUBLIC PARKING - UNINCORPORATED AREA	3A	$831.00	6.5450	$54.39
BLDG ZONING PLANNING MEM DAY	32T	$831.00	6.4930	$53.96
PARKS - MASSAPEQUA	359	$831.00	27.4010	$227.70
UNINCORP DRAINAGE DIST 1	3D	$831.00	3.5760	$29.72
FIRE - MASSAPEQUA	336	$831.00	26.9230	$223.73
DIR ASMT: LITTER RMVL OYSTER BAY	R3			$956.22



March 10, 2016

Malgorzata Bialek
34 Knoll Street
Lindenhurst, NY 11757

Town of Oyster Bay
Office of the Town Attorney
Town Hall East
54 Audrey Avenue
Oyster Bay, NY 11771

Subject: Direct Assessment

REF: 60 West Shore Drive, Massapequa NY 11758
Section 66 Block 21 Lot 57

To Whom It May Concern:

I am writing in regards to the recent special assessment I received on my tax bill. Reference attached copy of the statement of taxes. Please note that I disagree with the additional charges given that I was not provided proper notice. My current mailing address is 34 Knoll Street, Lindenhurst NY 11757, which is my legal mailing address on file for this property. All correspondence from the town including my statement of taxes has been mailed to my mailing address, except for the litter removal notice. I did not receive any correspondence including certified mail or official notice; had I been properly notified, I would have addressed the issue.

As such, I hereby request that the additional assessment charge of $956.22 be removed from my tax liability for last year taxes. Additionally, after speaking with Michael Esposito of the Code Compliance division, it was brought to my attention that there is another assessment forthcoming in the amount of approximately $860 for September 2015. I also request that this charge be removed as well.

Lastly, please note that this property is currently vacant but plans and an application to build a new dwelling have been submitted to the town multiple times and as recently as this February. I have been actively trying to obtain approval to build over the last several years, with frequent rejections. I am committed to moving forward with the latest set of plans and hope to begin construction this spring.

Thank you,

Malgorzata Bialek

TOWN ATTORNEY'S OFFICE
TOWN OF OYSTER BAY
2016 MAR 14 A 11:16

Meeting of October 18, 2016

Resolution No. 587-2016

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 back basement door at 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on December 8, 2015, in the amount of $172.72, 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 September 29, 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 $172.72 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.

- # -

Reviewed By
Office of Town Attorney

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

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

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

587

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

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

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board up the back basement door of the house at 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 10, 2015, advised that the property was secured by a crew from the Highway Department on December 8, 2015. The cost incurred by the Town of Oyster Bay was $172.72.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 2 Robin Ct Bd Up 9.29.16

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 back basement door at 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on December 8, 2015, in the amount of $172.72, 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 September 29, 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 $172.72 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.

- # -

Reviewed By
Office of Town Attorney

Need to 2016-5301 S/16

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. ZIKE
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 2 Robin Court
Farmingdale, NY 11735
Section 48, Block 553, Lot 4

NOTICE

Pursuant to the New York State Building Code, and Section 96.20 of the Code of the Town of Oyster Bay, this PREMISES IS ORDERED SECURED. The Town of Oyster Bay shall board up all 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.

Note: This is not a full board up, property was vandalized and needs to be secured accordingly.

These premises are deemed unsafe because of the following conditions:

☑ UNSAFE CONDITIONS

By Order of Town of Oyster Bay
Department of Planning & Development

Frederick P. Ippolito
Commissioner

Dated: December 7. 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

SBAP 18/73N

2 ~~Robin Ct~~
2 Robin Ct.

Standard N.Y.B.T.U. Form 8010 Executor's Deed—Individual or Corporation.
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

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 RASKA, RESIDING AT 212 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 in 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,

C. 48
K. 553
T. 4

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~XXXXX~~ 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 Baldwin& 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.

✓ abs

Town of Oyster Bay
Inter- Departmental Memo

December 10, 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**
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 **$172.72**.

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 -8 P 3:13

BOARD-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 Dec 8, 2015

Work Order # 21715

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime Hours	Overtime Rate	Line Cost
JEFFREY VAN NOSTRAND	General Maintenance	01:15	$42.66	00:00	0	$53.32
					Total Labor	$53.32

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	$79.00	01:15	$98.75
			Total Equipment	$98.75

Materials

Material	Cost Per Unit	Units	Line Cost
Plywood 4'X8'X1/2"	$20.65	1	$20.65
		Total Materials	$20.65

Grand Total **$172.72**

Description of Work:
BOARD UP 2 ROBIN COURT FM TO RICH

Signature:
Name: Richard Buckley
Title: Highway Construction Supervisor
Date: Dec 10, 2015

Meeting of October 18, 2016

Resolution No. 588-2016

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 21, 2015, authorized the Highway Department to clean up the premises located at 68 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 50 and 51 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 September 28, 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 29, 2015, in the amount of $921.83, 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 September 28, 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 $921.83 may be assessed by the Legislature of the County of Nassau against the parcel known as 68 West Shore Drive, Massapequa, New York 11758 , also known as Section 66, Block 21, Lots 50 and 51 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

588

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 28, 2016

SUBJECT: Property Cleanup Assessment
68 West Shore Drive, Massapequa, New York 11758
Section 66, Block 21, Lots 50 and 51

The Department of Planning and Development, by memorandum dated April 21, 2015, directed the Highway Department to clean the premises located at 68 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 50 and 51 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated May 13, 2015, advised that the property was cleaned by a crew from the Highway Department on April 29, 2015. The cost incurred by the Town of Oyster Bay was $921.83.

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&Reso\MD 68 W Shore Dr 9.22.16.doc

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 21, 2015, authorized the Highway Department to clean up the premises located at 68 West Shore Drive, Massapequa, New York 11758, also known as Section 66, Block 21, Lots 50 and 51 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 September 28, 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 29, 2015, in the amount of $921.83, 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 September 28, 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 $921.83 may be assessed by the Legislature of the County of Nassau against the parcel known as 68 West Shore Drive, Massapequa, New York 11758 , also known as Section 66, Block 21, Lots 50 and 51 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

Have Rec'd

2016-5328

TOWN OF OYSTER BAY

Inter-Departmental Memo
April 21, 2015

KMH / TPS

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: 68 West Shore Drive Massapequa, NY 11758
SBL: 66-21-50

Notice of Violation (No.14709) was issued to the owner of the above-referenced premises 04/08/15 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

68 W. Shore Rd

[redacted]

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 07-31-2002
Recorded Time: 11:23:19 a

Liber Book: D 11507
Pages From: 529
To: 531

Control Number: 2411
Ref #: RE 031132
Doc Type: D01 DEED

Record and Return To:
KURZBERG & KURTZBERG
IRA KURTXBERG ESQ
20 BROAD HOLLOW RD
MELVILLE, NY 11747

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0066	00021-00	00050	
OYSTER BAY (2824)	0066	00021-00	00051	

Consideration Amount: 380,000.00

Taxes Total	1,520.00
Recording Totals	74.00
Total Payment	1,594.00

GCB001

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

200207310241l

NASSAU COUNTY STATE OF NEW YORK

220452

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

THIS INDENTURE, made the 8th day of July , 2002

BETWEEN DONALD F. FORENZA as surviving spouse residing at 100 Cambridge Ave Garden City NY

party of the first part, and LISA LUCAS residing at 100 Cambridge Avenue, Garden City, New York 11530

party of the second part,

WITNESSETH, that the party of the first part, in consideration of 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~~ at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lots 50 and 51 in Block 221 on a certain plan of lots called "Nassau Shores Sec. 2, situated in the County of Nassau, surveyed by Chester R. Nichols, May 1926" and filed in the Office of the Clerk of the County of Nassau on May 22, 1926, as Map No. 605, more particularly bounded and described as follows: BEGINNING at a point on the easterly side of West Shore Drive distant 162.05 feet northerly from the northerly end of the curve connecting the easterly side of West Shore Drive and the northerly side of Nassau Road, which said point of beginning is also at the division line between Lots 49 and 50 in Block 221, on the aforesaid map and from said point of beginning; RUNNING THENCE northerly along the easterly side of West Shore Drive along the arc of a curve bearing to the right having a radius of 588.18 feet a distance of 40.46 feet; THENCE south 74 degrees 15 minutes east, 153.71 feet; THENCE south 15 degrees 45 minutes west, 40 feet to the aforesaid division line between Lots 49 and 50 in Block 221; THENCE RUNNING north 74 degrees 15 minutes west along said division line 159.73 feet to the easterly side of West Shore Drive at the point or place of BEGINNING.

SAID PREMISES being known as and by street number 68 West Shore Drive, Massapequa, New York 11758.

BEING AND INTENDED TO BE the same premises as heretofore conveyed to the grantor herein by deed dated August 31, 1966 and recorded in the Office of the Clerk of the County of Nassau on September 8, 1966 in Liber 7573 at Page 71.

S 66
B 21
L 50-51

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:

Donald F Forenza
DONALD FORENZA
F.

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of Nassau ss:

On the 8 day of July in the year 2002 before me, the undersigned, personally appeared DONALD FORENZA personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Margaret Buonsignore
(signature and office of individual taking acknowledgment)

State of New York, County of ss:

On the day of in the year before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

MARGARET BUONSIGNORE
Notary Public, State of New York
No. 01BU5012043
Qualified in Nassau County
Commission Expires March 22, 2003

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of ss:

On the day of in the year before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

in

(insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

LEGIBILITY POOR FOR MICROFILM

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. TS-2201452

DONALD FORENZA

TO

LISA LUCAS

SECTION 66
BLOCK 21
LOT 50-51
COUNTY OR TOWN Nassau
STREET ADDRESS 68 West Shore Drive
Massapequa, NY 11758

Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

Kurtzberg & Kurtzberg
Ira Kurtzberg, Esq.
20 Broad Hollow Road
Melville, NY 11747

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

Commonwealth
A LANDAMERICA COMPANY
COMMONWEALTH LAND TITLE INSURANCE COMPANY

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Town of Oyster Bay
Inter- Departmental Memo

May 13, 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: **66 West Shore Drive, 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 **$921.83**.

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 66 West Shore Drive, Massapequa to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 68 W Shore Dr, Massapequa DATE: 04/29/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Antonucci, Anthony	Equip Oper III	2.00		38.24	$	76.48
Chandler, Donald	Equip Oper II	2.00		41.00	$	82.00
Peters, Michael	Equip Oper II	2.00		40.88	$	81.76
Schlosser, Mark	Equip Oper II	2.00		38.67	$	77.34
					$	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	$	317.58

EQUIPMENT

Type of Vehicle	TOB Number	Compuler Number	Rate Per Hour	Hours Used		TOTAL
Packer	PP935	PK348	105.00	2.00	$	210.00
Pickup	022	TD667	79.00	2.00	$	158.00
					$	0.00
Power Wagon	T225	TD683	105.00	2.00	$	210.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	578.00

MATERIALS

Materials Used (Sand, Etc.)	Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$ 75.00	0.35	$	26.25
WHITE PAINT (GALLONS)	$ 11.30		$	0.00
MAINTENANCE AND PROTECTION OF			$	
OF TRAFFIC				
		Subtotal C	$	26.25
		Total of A+B+C	$	921.83

DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using 1 lawn mower, 2 weedwackers, 2 backpack blowers, 1 hedge clipper and 1 chainsaw. Two truckloads of debris removed.

Signature:

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 05/04/15

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 May 27, 2015, authorized the Highway Department to clean up the premises located at 68 Schoolhouse Road, Old Bethpage, New York 11804, also known as Section 47, Block 131, Lot 11 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 September 29, 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 June 5, 2015, in the amount of $2,720.30, 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 September 29, 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 $2,720.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 68 Schoolhouse Road, Old Bethpage, New York 11804, also known as Section 47, Block 131, Lot 11 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

589

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

SUBJECT: Property Cleanup Assessment
68 Schoolhouse Road, Old Bethpage, New York 11804
Section 47, Block 131, Lot 11

The Department of Planning and Development, by memorandum dated May 27, 2015, directed the Highway Department to clean the premises located at 68 Schoolhouse Road, Old Bethpage, New York 11804, also known as Section 47, Block 131, Lot 11 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated June 24, 2015, advised that the property was cleaned by a crew from the Highway Department on June 5, 2015. The cost incurred by the Town of Oyster Bay was $2,720.30.

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&Reso\MD 68 Schoolhouse Rd 9.29.16.doc

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 May 27, 2015, authorized the Highway Department to clean up the premises located at 68 Schoolhouse Road, Old Bethpage, New York 11804, also known as Section 47, Block 131, Lot 11 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 September 29, 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 June 5, 2015, in the amount of $2,720.30, 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 September 29, 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 $2,720.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 68 Schoolhouse Road, Old Bethpage, New York 11804, also known as Section 47, Block 131, Lot 11 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

2016-0111

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 27, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **68 Schoolhouse Rd. Old Bethpage, NY 11804**
SBL: 47-131 11

Notice of Violation (No.14723) was issued to the owner of the above-referenced premises 05/11/15 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 (JL)
MICHAEL ESPOSITO
BUREAU CHIEF/CODE ENFORCEMENT

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

Posted by Title Co. for recording only. Not liable for defects in title or regularity or sufficiency of execution.

SF 25 6/67 Standard N.Y.B.T.U. Form 2002 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 27th day of February, nineteen hundred and sixty-eight,

BETWEEN HELEN WALSH residing at No. 68 Schoolhouse Road, Old Bethpage, New York,

party of the first part, and

FRANK BRONSKI and LEOKADJA BRONSKI, his wife, both of whom reside at No. 3214 41st Street, Astoria, 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 Old Bethpage, Town of Oyster Bay, County of Nassau and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Schoolhouse Road (Claremont Road) distant 745.04 feet westerly from the corner formed by the intersection of the northerly side of Schoolhouse Road (Claremont Road) and the westerly side of Round Swamp Road, and from said point of beginning;

RUNNING THENCE along the northerly side of Schoolhouse Road (Claremont Road) north 75 degrees 19 minutes 17 seconds west 73.90 feet;

RUNNING THENCE north 14 degrees 40 minutes 43 seconds east 125 feet;

RUNNING THENCE south 75 degrees 19 minutes 17 seconds east 99.31 feet;

RUNNING THENCE south 26 degrees 10 minutes 10 seconds west 127.56 feet to the northerly side of Schoolhouse Road (Claremont Road) at the point or place of BEGINNING.

Said premises being known by the Post Office address of No. 68 Schoolhouse Road, Old Bethpage, New York.

Being and intended to be the same premises conveyed to the party of the first part by deed dated 2-11-64 and recorded 2-18-64 in the Nassau County Clerk's Office in Liber 7251 [illegible],

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:

Helen Walsh

Helen Walsh

DEED 7706 PAGE 465

STATE OF NEW YORK, COUNTY OF SUFFOLK ss.:

On the 27th day of February 1968, before me personally came

HELEN WALSH

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

James F. Kelly

JAMES F. KELLY
Notary Public, State of New York
No. 52-7086925
Qualified in Suffolk County
Term Expires March 30, 1969

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

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

JAMES F KELLY
SUFFOLK COUNTY
2/30/68

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; the 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. 2666 #725

25236

HELEN WALSH

TO

FRANK BRONSKI & LEOKADIA BRONSKI, his wife

SECTION 17

BLOCK

LOT 5

COUNTY OR TOWN

Recorded At Request of
INTER COUNTY Title Guaranty and Mortgage Company

RETURN BY MAIL TO

WILOWSKI & WILOWSKI, Esqs.
90-50 PARSONS BLVD.
JAMAICA, N.Y. 11432

Zip No.

FEB 28 1968

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by
INTER-COUNTY TITLE GUARANTY and MORTGAGE COMPANY
CHARTERED 1927 IN NEW YORK

DO NOT USE THIS SPACE FOR USE OF RECORDING OFFICE

RECORDED
Feb 28 3 14 PM '68
HAROLD W. ROSENWELL
COUNTY CLERK
NASSAU COUNTY

RECORDING FEE $ 3.00
T. T. & CO. TAX $

LIBER 7786 PAGE 466

dbs
✓ 1/6

Town of Oyster Bay
Inter- Departmental Memo

June 24, 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: **68 Schoolhouse Lane, Old Bethpage**
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 **$2,720.30**.

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
68 Schoolhouse Rd, Old Bpge

DATE: 06/05/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Carter, Jeff	Equip Oper II	5.00		36.58	$	182.90
Dileo, Sal	Const Insp I	5.00		33.76	$	168.80
Jackson, Tyrone	Laborer II	5.00		31.82	$	159.10
Solomon, Mike	Laborer II	5.00		21.90	$	109.50
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	620.30

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Packer	PP937	PK357	105.00	5.00	$	525.00
Pickup	025	PU443	79.00	5.00	$	395.00
6 Wheeler	T251	TD714	131.00	5.00	$	655.00
Power Wagon	T255	TD693	105.00	5.00	$	525.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	2,100.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	75.00		$	0.00
WHITE PAINT (GALLONS)	$	11.30		$	0.00
MAINTENANCE AND PROTECTION OF OF TRAFFIC				$	
			Subtotal C	$	0.00
			Total of A+B+C	$	2,720.30

DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using Zero-turn mower, 2 lawn mowers, 3 weedwackers, 2 backpack blowers and 2 hedge trimmers. Debris removed and dumped.

Signature:
Name: Douglas Robalino
Title: Storeyard Supervisor
Date: 06/24/15

Meeting of October 18, 2016 Resolution No. 590-2016

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 back basement door at the premises located at 6 Radnor Court, Hicksville, New York 11801, also known as Section 45, Block 514, Lot 28 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on August 6, 2015, in the amount of $231.71, 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 September 29, 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 $231.71 may be assessed by the Legislature of the County of Nassau against the parcel known as 6 Radnor Court, Hicksville, New York 11801, also known as Section 45, Block 514, Lot 28 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	Aye
Councilwoman Johnson	Aye

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

590

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

SUBJECT: Property Cleanup Assessment
6 Radnor Court, Hicksville, New York 11801
Section 45, Block 514, Lot 28

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board up the back basement door of the house at the premises located at 6 Radnor Court, Hicksville, New York 11801, also known as Section 45, Block 514, Lot 28 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 14, 2015, advised that the property was secured by a crew from the Highway Department on August 6, 2015. The cost incurred by the Town of Oyster Bay was $231.71.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 6 Radnor Ct Bd Up 9.29.16

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 back basement door at the premises located at 6 Radnor Court, Hicksville, New York 11801, also known as Section 45, Block 514, Lot 28 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on August 6, 2015, in the amount of $231.71, 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 September 29, 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 $231.71 may be assessed by the Legislature of the County of Nassau against the parcel known as 6 Radnor Court, Hicksville, New York 11801, also known as Section 45, Block 514, Lot 28 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

DEPARTMENT OF PLANNING AND DEVELOPMENT
TOWN HALL WEST, 74 AUDREY AVENUE, OYSTER BAY, NY 11771
TEL. 516-624-6200 FAX 516-624-6240

2016-5323

FREDERICK P. IPPOLITO
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

OFFICE OF THE COMMISSIONER

DANGEROUS CONDITIONS

PREMISES: 6 Radnor Court
Hicksville, NY 11801
Section 45, Block 514, Lot 28

NOTICE

Pursuant to the New York State Building Code, and Section 96.20 of the Code of the Town of Oyster Bay, this PREMISES IS ORDERED SECURED. The Town of Oyster Bay shall board up all 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:

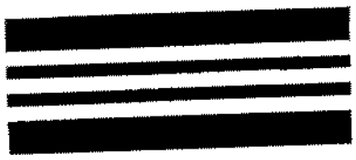
☑ UNSAFE CONDITIONS
☑ NON-MAINTENANCE

By Order of Town of Oyster Bay
Department of Planning & Development

Frederick P. Ippolito
Commissioner

Dated: July 31, 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 OYSTEP



NASSAU COUNTY CLERKS OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 04-04-2001
Recorded Time: 11:14:24 a

Liber Book: D 11320
Pages From: 856
To: 858

Control Number: 624
Ref #: RE 019119
Doc Type: D01 Deed

Record and Return To:
DONNER HARITAN & BERKA LLP
ATTN JERRY G BERKA ESQ
2115 UNION BLVD
BAY SHORE, NY 11706

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0045	00514-00	00028	

Consideration Amount: 260,000.00

Taxes Total	1,040.00
Recording Totals	59.00
Total Payment	1,099.00

GJS001

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

2001040400624

6 Radnor Court
Hicksville

NY005 - Bargain and Sale Deed with Covenant against Grantor's Acts Individual or Corporation (Single Sheet) (NYBTU 8002)

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

THIS INDENTURE, made the 16th day of March , in the year two thousand one,

BETWEEN

JOSEPH MUSACCHIO
46 Park Avenue East
Merrick, New York 11566

Owner's Address
123 Grehmore Lane
Plainview

party of the first part, and

SAM SHMUELOV and MATTY SHMUELOV , His Wife
728 Spruce Avenue
West Islip, New York 11795

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 Hicksville, Town of Oyster Bay, County of Nassau and State of New York, known and designated as Lot 28 in Block 514 on a certian map entitled, "Map of Glenbrook Homes, Section No. 3, situated at Hicksville, Nassau County, N.Y., dated November 1952, and made by Nelson and Baldwin, Westbury, New York," and filed in the Office of the Clerk of the County of Nassau on February 27, 1953 as Map No. 5727 and being more particularly bounded and described accoridng to said map as follows:

Tax Map Designation
Dist.
Sec. 45
Blk. 514
Lot(s) 28

BEGINNING at a point on the southerly side of Radnor Court, distant 130.18 feet easterly as measured along said southerly side of Radnor Court as it curves from the corner formed by the intersection of the southerly side of Radnor Court with the easterly side of Wildwood Road;

RUNNING THENCE easterly along the southerly side of Radnor Court o a curve to the left having a radius of 485.99 feet the arc length of 60.01 feet;

THENCE South 2 degrees 20 minutes 55 seconds West 97.06 feet;

THENCE North 82 degrees 00 minutes 01 seconds West 71.84 feet;

THENCE North 9 degrees 25 minutes 25 seconds East 94.40 feet to the southerly side of Radnor Court, the point or place of BEGINNING.

SAID PREMISES being and intended to be the same premises conveyed to the Grantor herein by Deed dated 2/4/99 and recorded 4/6/99 in Liber 11039 at Page 189.

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 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.

SAID PREMISES BEING KNOWN AS 6 RADNOR COURT, HICKSVILLE, NEW YORK.

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:

FOR INC.

JOSEPH MUSACCHIO 3/16/01

45-514-28
KC

Town of Oyster Bay
Inter- Departmental Memo

September 14, 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: **6 RADNOR COURT, 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 **$231.71**.

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

WO# 16698

LOCATION: BUILDING MAINTENANCE
2 Radnor Court, Hicksville
6

DATE: 08/06/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Caggiano Jr., Vincent	Equip Oper I	0.50		23.38	$	11.69
Harabedian, Paul	Laborer I	0.50		22.97	$	11.49
Marchese, Gregory	Equip Supv	0.50		46.75	$	23.38
Palacios, Robert	Equip Oper I	0.50		24.72	$	12.36
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	58.91

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Power Wagon	T125	TD706	105.00	0.50	$	52.50
					$	0.00
Pickup	12	PU414	79.00	0.50	$	39.50
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
				Subtotal B	$	131.50

MATERIALS

Materials Used (Sand, Etc.)	Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$		$	0.00
PLYWOOD SHEETS 1/2"	$ 20.65	2.00	$	41.30
PLYWOOD SHEETS 3/4"	$ 30.06		$	0.00
LUMBER 2x4x8	$ 3.20		$	0.00
		Subtotal C	$	41.30
		Total of A+B+C	$	231.71

DESCRIPTION OF WORK:
Boarded up back basement door of house using 2 sheet of 1/2" plywood and 25 1 1/4" screws.

Signature: R Buckley

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 08/12/15

Meeting of October 18, 2016 Resolution No. 591-2016

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated December 9, 2015, authorized the Highway Department to clean up the premises located at 5220 Merrick Road, Massapequa, New York 11758 also known as Section 66, Block 2, Lot 102 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 September 28, 2016, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on 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 September 28, 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 5220 Merrick Road, Massapequa, New York 11758, also known as Section 66, Block 2, Lot 102 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-

Reviewed By
Office of Town Attorney

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

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

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

591

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 28, 2016

SUBJECT: Property Cleanup Assessment
5220 Merrick Road, Massapequa, New York 11758
Section 66, Block 2, Lot 102

The Department of Planning and Development by memorandum dated December 9, 2015, directed the Highway Department to clean the premises located at 5220 Merrick Road, Massapequa, New York 11758, also known as Section 66, Block 2, Lot 102 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 20, 2016, advised that the property cleaned by a crew from the Highway Department on January 11, 2016. The total cost incurred by the Town of Oyster Bay was $1,084.63.

Pursuant to Section 182-22(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
Attachment

Town Attorney (w/19 copies)

S:\DBS\Cleanup MD & Reso\MD 5220 Merrick Rd.Commercial 9.28.16.doc

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated December 9, 2015, authorized the Highway Department to clean up the premises located at 5220 Merrick Road, Massapequa, New York 11758 also known as Section 66, Block 2, Lot 102 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 September 28, 2016, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on 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 September 28, 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 5220 Merrick Road, Massapequa, New York 11758, also known as Section 66, Block 2, Lot 102 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

✓ 2016-5318 D

TOWN OF OYSTER BAY

Inter-Departmental Memo

December 9, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **5220 Merrick Rd. Massapequa NY 1175**
SBL: 66-2-102

182-22

Notice of Violation (No.15367) was issued to the owner of the above-referenced premises 11/12/15 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.

182-22

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.**

182-22

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

3019-606133

Form 8002 (3/00) - 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 2nd day of December, 2013

BETWEEN

FRONTSEAT LLC, a New York Limited Liability Company with offices at 23 Front Street, Suite 1P, Hempstead, NY 11550

party of the first part, and

5220 MERRICK LLC, 556 Central Avenue, Bethpage, NY 11714

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN and 00/000 ($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 TOWN OF OYSTER BAY, COUNTY OF NASSAU AND STATE OF NEW YORK, KNOWN AND DESIGNATED AS PART OF LOTS 1 TO 8 IN BLOCK 202 ON A CERTAIN PLAN OF LOTS CALLED "NASSAU SHORES SECTION NO. 1", SITUATED IN NASSAU COUNTY, AND FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF NASSAU ON MAY 8, 1926, AS MAP NO. 603, AND WHICH PARTS OF SAID LOTS WHEN TAKEN TOGETHER AS ONE PARCEL ARE MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

District:

Section: 66

Block: 2

Lot: 102

BEGINNING AT A POINT ON THE NEW SOUTHERLY SIDE OF MERRICK ROAD AT THE NORTHEASTERLY END OF THE DIAGONAL CONNECTING THE SAID NEW SOUTHERLY SIDE OF MERRICK ROAD WITH THE EASTERLY SIDE OF WEST SHORE DRIVE;

RUNNING THENCE EASTERLY ALONG THE NEW SOUTHERLY SIDE OF MERRICK ROAD THE FOLLOWING TWO COURSES AND DISTANCES:

(1) ALONG A CURVE BEARING TO THE LEFT HAVING A RADIUS OF 2,006.69 FEET AN ARC LENGTH OF 88.15 FEET;

(2) NORTH 80° 44' EAST, 72.96 FEET ACTUAL (72.29 FEET ACQUISITION MAP);

THENCE SOUTH 9° 16' EAST, 94.90 FEET;

THENCE SOUTH 80° 44' WEST, 174.19 FEET TO THE EASTERLY SIDE OF WEST SHORE DRIVE;

THENCE NORTH 4° 20' EAST 92.92 FEET ALONG THE EASTERLY SIDE OF WEST SHORE DRIVE TO THE SOUTHWESTERLY END OF THE DIAGONAL FIRST ABOVE MENTIONED; AND

THENCE NORTH 53° 40' 23" EAST ALONG SAID DIAGONAL, 12.63 FEET ACTUAL (12.92 FEET ACQUISITION MAP) TO THE SAID NEW SOUTHERLY SIDE OF MERRICK ROAD, AT THE POINT OR PLACE OF BEGINNING.

GRANTOR ACQUIRED TITLE FROM BEAUMONT A. JEFFERSON, AS ACTING TREASURER OF THE COUNTY OF NASSAU BY DEED DATED 01/23/2012 AND RECORDED 01/23/2012 IN (AS) LIBER 12795 Cp 792.

SAID PREMISES ALSO KNOWN BY STREET ADDRESS 5220 MERRICK ROAD, MASSAPEQUA, NEW YORK 11758.

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 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:

FRONTSEAT ~~LLC~~

BY: Sammy Habibian, a.k.a Samuel Habibian, mbr.

(2)

Town of Oyster Bay
Inter- Departmental Memo

September 20, 2016

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

FROM: JOHN P. BISHOP
HIGHWAY DEPARTMENT

SUBJECT: **5220 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 **$1,084.63**.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

JOHN P. BISHOP
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN-UP 5220 MERRICK ROAD, MASSAPEQUA TO P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Date Jan 11, 2016

Location (66-2-10Z) 5220 MERRICK RD MASSAPEQUA 11758

Work Order # 21746

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Ovetime 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
TD633	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 5220 MERRICK ROAD, MASSAPEQUA TO DOUG

Signature:
Name: Douglas Robalino
Title: Storeyard Supervisor
Date: Sep 19, 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 and secure the premises located at 80 Sycamore Street, Massapequa, New York 11758, also known as Section 57, Block 193, Lots 92 and 93 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 September 28, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on June 10, 2015, in the amount of $442.63, 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 September 28, 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 $442.63 may be assessed by the Legislature of the County of Nassau against the parcel known as 80 Sycamore Street, Massapequa, New York 11758, also known as Section 57, Block 193, Lots 92 and 93 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

Town of Oyster Bay
Inter-Departmental Memo

592

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 28, 2016

SUBJECT: Property Cleanup Assessment
80 Sycamore Street, Massapequa, New York 11758
Section 57, Block 193, Lots 92 and 93

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 80 Sycamore Street, Massapequa, New York 11758, also known as Section 57, Block 193, Lots 92 and 93 on the Land and Tax Map of the County of Nassau. (See attached Lis Pendens). The Highway Department has, by memorandum dated June 12, 2015, advised that the property was boarded-up by a crew from the Highway Department on June 10, 2015. The cost incurred by the Town of Oyster Bay was $442.63.

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

S:\Attys\DBS\Cleanup MD&Reso\MD 80SycamoreSt Bd Up 9.28.16doc

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 and secure the premises located at 80 Sycamore Street, Massapequa, New York 11758, also known as Section 57, Block 193, Lots 92 and 93 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 September 28, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on June 10, 2015, in the amount of $442.63, 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 September 28, 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 $442.63 may be assessed by the Legislature of the County of Nassau against the parcel known as 80 Sycamore Street, Massapequa, New York 11758, also known as Section 57, Block 193, Lots 92 and 93 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

2015-5156 Hand Filed

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. ZIKE
DEPUTY COMMISSIONER

DIANA S. AQUIAR
DEPUTY COMMISSIONER

DANGEROUS BUILDING

PREMISES: 80 Sycamore Street
Massapequa, NY 11758
Section 57, Block 193, Lot 92

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 basement of the premises. No entry into the basement 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 10, 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

80 Sycamore St

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 12-31-2014
Recorded Time: 11:17:53 a

Record and Return To:

Liber Book: L 2025
Pages From: 153
To: 158

Control Number: 737
Ref #: 14--012258
Doc Type: X10 LIS PENDENS

Plnt: CHRISTIANA TRUST
Plnt: WILMINGTON SAVINGS FUND SOCIETY FSB
Dfnd: PODLOFSKY, STANLEY
Dfnd: PEOPLE OF THE STATE OF NEW YORK OFFICE OF THE MEDICAID INSPECTOR GENE

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0057	00193-00	00092	
OYSTER BAY (2824)	0057	00193-00	00093	

Taxes Total	.00
Recording Totals	195.00
Total Payment	195.00

MEM001

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

20141231100737

STATE OF NEW YORK
SUPREME COURT COUNTY OF NASSAU

CHRISTIANA TRUST, A DIVISION OF WILMINGTON SAVINGS FUND SOCIETY FSB, as Trustee of Knoxville 2012 Trust, by 21st MORTGAGE CORPORATION, as Servicing Agent for Knoxville 2012 Trust,

Plaintiff,

- against -

STANLEY PODLOFSKY; THE PEOPLE OF THE STATE OF NEW YORK OFFICE OF THE MEDICAID INSPECTOR GENERAL/HEALTH MANAGEMENT SYSTEMS, INC.; NASSAU COUNTY DEPARTMENT OF SOCIAL SERVICES; and "JOHN/JANE DOE 1" through "JOHN/JANE DOE 10" (said last five names being fictitious, it being the intention of plaintiff to designate any and all other tenants, occupants or other persons or entities having or claiming an interest in the real property which is the subject of this action, whose identity is not presently known to plaintiff),

Defendants.

NOTICE OF PENDENCY OF ACTION
Index No. 14-012858
Date Filed: 12-31-14

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 defendants for the foreclosure of a mortgage bearing the date of August 31, 2006, given to GreenPoint Mortgage Funding, Inc., and executed by Stanley Podlofsky, in the sum of THREE HUNDRED SEVENTY TWO THOUSAND and 00/100 dollars ($372,000.00), and recorded in Book M31199 of Mortgages at page 516 in the office of the Clerk of the County of Nassau on November 13, 2006. Said Mortgage was

✓ DBS

Town of Oyster Bay
Inter- Departmental Memo

June 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: **80 Sycamore Street, 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 **$442.63**.

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

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 80 Sycamore St, Massapequa DATE: 06/10/15

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	3.00	$	61.95
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	61.95
			Total of A+B+C	$	442.63

DESCRIPTION OF WORK:
Boarded up house using 3 sheets of 1/2" plywood, 2 locks and 2 hasps.

Signature: R Buckley

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 06/11/15

Meeting of October 18, 2016

Resolution No. 593-2016

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 re-board up the side door of the house at the premises located at 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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 September 28, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 14, 2015, in the amount of $142.31, 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 September 28, 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 $142.31 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

Reviewed By
Office of Town Attorney

- # -

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

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

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

2015-5156

593

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 28, 2016

SUBJECT: Property Cleanup Assessment
20 Robert Avenue, Massapequa, New York 11758
Section 53, Block 159, Lot 9

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to re-board up the side door of the house at the premises located at 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 on the Land and Tax Map of the County of Nassau. (See attached Deed). The Highway Department has, by memorandum dated September 18, 2015, advised that the property was secured by a crew from the Highway Department on September 14, 2015. The cost incurred by the Town of Oyster Bay was $142.31.

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 (w/19 copies)

S:\Anys\DBS\Cleanup MD&Reso\MD 20 Robert Ave Bd Up 9.28.16

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 re-board up the side door of the house at the premises located at 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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 September 28, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on September 14, 2015, in the amount of $142.31, 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 September 28, 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 $142.31 may be assessed by the Legislature of the County of Nassau against the parcel known as 20 Robert Avenue, Massapequa, New York 11758, also known as Section 53, Block 159, Lot 9 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

2016-5491

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

September 14, 2015

Estate of Ralph Cuevas
20 Robert Avenue
Massapequa, NY 11758

RE: Premises: 20 Robert Avenue, Massapequa NY 11758
Section 53, Block 159, Lot 9

NOTICE OF DANGEROUS PREMISES
Pursuant to Chapter 96 of the Code of the Town of Oyster Bay

Dear Sirs,

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 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 Premises are ordered to be secured, boarded, fenced, sealed or otherwise made safe.

No entry into 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 a licensed architect or engineer, who must prepare the site plan and application for approval.

BY ORDER OF:

_____

Frederick P. Ippolito
Commissioner

FPI:kr

Cc: **Justin McCaffrey, Commissioner**
Department of Public Safety

Richard Betz, Commissioner
Department of Public Works

Kevin Hanifan, Commissioner
Department of Highways

373-178148-203 (Old)
373-222185-203 (New)

Bargain and Sale Deed - New York

THIS INDENTURE, Made the 22nd day of June, 19 73, between JAMES T. LYNN, Secretary of Housing and Urban Development, of Washington, D. C., acting by and through the Federal Housing Commissioner, 811 Vermont Avenue, N. W., Washington, D. C., party of the first part, and [illegible] Cuevas and Theresa Cuevas, his wife
20 Robert Avenue
Massapequa, New York
party(ies) of the second part.

WITNESSETH: That the party of the first part, in consideration of the sum of ONE DOLLAR ($1.00) lawful money of the United States, and other good and valuable considerations paid by the party(ies) of the second part, does hereby grant and release unto the party(ies) of the second part, and to the heirs, distributees and assigns of said party(ies) of the second part, forever

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the [illegible] numbered 9, in Block 159, on a certain map entitled, "Map of Lawn Estates, situated at North Amityville, Nassau County, New York, surveyed January 1952 by B. J. Bolender, Land Surveyor, Lindenhurst, New York," and filed in the Office of the Clerk of the County of Nassau on November 28, 1952 as Map No. 5631, which said plot is bounded and described according to said map as follows:

BEGINNING at a point on the easterly side of Robert Avenue, distant 115 feet northerly from the extreme northerly end of the arc of the Curve connecting the northerly side of Plymouth Drive and the easterly side of Robert Avenue;

RUNNING thence Northerly and northeasterly along the easterly and southeasterly side of Robert Avenue on the arc of a curve having a radius of 102.24 feet, a distance of 97.50 feet;

THENCE south 26 degrees 24 minutes 07 seconds East, 127.92 feet; and

RUNNING thence North 67 degrees 05 minutes West, 140.08 feet to the easterly side of Robert Avenue, the point or place of BEGINNING.

Said premises being known as 20 Robert Avenue, Massapequa, New York

BEING the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et seq.) and the Department of Housing and Urban Development Act (79 Stat.667).

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(ies) of the second part, and to the heirs, distributees and assigns of said party(ies) of the second part, forever.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

AND THE party of the first part covenants that he has not done or suffered anything whereby the said premises have been incumbered in any way whatsoever.

209131 P Rev. 1/65 OFFICIAL RECORD 8554 PAGE 301 HUD-Wash., D. C. FHA FORM NO. 1859 Rev. 1/68

THE PARTY of the first part covenants that if any improvements, repairs or alterations to the premises have been commenced and have not been completed at least four months before the recording of this deed, the Grantor 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 improvement, and that said Grantor will apply the same first to the payment of the cost of improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF the undersigned has set his hand and seal as Field Office Acting Chief, Housing Management Div., FHA Field Office, Hempstead, New York, for and on behalf of the said Secretary of Housing and Urban Development, under authority and by virtue of the Code of Federal Regulations, Title 24, Chapter II, Part 200, Subpart D.

In presence of:

JAMES T. LYNN
Secretary of Housing and Urban Development

By: Federal Housing Commissioner

By Roger B. Whitehouse (SEAL)
Roger B. Whitehouse,
Field Office Acting Chief, Housing Management Div.,
FHA Field Office Hempstead, New York

STATE OF NEW YORK
COUNTY OF NASSAU ; ss

On this 22nd day of June, 1973, before me personally came ROGER B. WHITEHOUSE having his official station in Hempstead New York, and the person described in and who executed the foregoing instrument bearing date June 22, 1973, by virtue of the authority vested in him by the Code of Federal Regulations, Title 24, Chapter II, Part 200, Subpart D and acknowledged the same to be his free act and deed as Field Office Acting Chief, Housing Management Div., FHA Field Office, Hempstead, New York, for and on behalf of JAMES T. LYNN, Secretary of Housing and Urban Development.

Frederick J. Roth
Notary Public

FREDERICK J. ROTH
NOTARY PUBLIC, State of New York
No. [illegible]
Qualified in Queens County
Cert. filed in Queens County
Commission Expires March 30, 1974

FREDERICK J. ROTH

JUN 29 1973

RECORDED

JUN 29 3 45 PM '73

HAROLD W. McCONNELL
COUNTY CLERK
NASSAU COUNTY

5 50
2 -
31 90

702

26296

Sec 53 - Blk 159
Lot 9

R & R

R. Cuevas
20 Robert Ave
Massapequa N.Y.

NASSAU COUNTY

1 3 0 2 7 2

REAL ESTATE TRANSFER TAX
STATE OF NEW YORK
Dept of Taxation & Finance
31 90

RECORD and RETURN TO:

53-159-9 ✓ JJ DBS

Town of Oyster Bay
Inter- Departmental Memo

September 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: **20 ROBERTS AVENUE, 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 **$142.31**.

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

TOWN ATTORNEY'S OFFICE
TOWN OF OYSTER BAY

2015 APR 26 A 11:37

BOARD-UP 20 ROBERTS AVENUE, MASSAPEQUA to P & D W/O 18287

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE 20 Robert Avenue, Mass.

DATE: 09/14/15

WO # 18287

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
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
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	42.66

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	$	142.31

DESCRIPTION OF WORK:
Re-boarded up side door of house using 1 additional sheet of 1/2" plywood.

Signature:

Name: FOR Richard Buckley

Title: Highway Construction Supervisor

Date: 09/15/15

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 26, 2015, authorized the Highway Department to clean up the premises located at 3 Forest Avenue, Massapequa, New York 11758, also known as Section 65, Block 135, Lots 169 and 170 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 September 29, 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 9, 2015, in the amount of $3,674.76, 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 September 29, 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 $3,674.76 may be assessed by the Legislature of the County of Nassau against the parcel known as 3 Forest Avenue, Massapequa, New York 11758, also known as Section 65, Block 135, Lots 169 and 170 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	Aye
Councilwoman Johnson	Aye

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

Town of Oyster Bay

594

Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

SUBJECT: Property Cleanup Assessment
3 Forest Avenue, Massapequa, New York 11758
Section 65, Block 135, Lots 169 and 170

The Department of Planning and Development, by memorandum dated August 26, 2015, directed the Highway Department to clean the premises located at 3 Forest Avenue, Massapequa, New York 11758, also known as Section 65, Block 135, Lots 169 and 170 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 28, 2015, advised that the property was cleaned by a crew from the Highway Department on September 9, 2015. The cost incurred by the Town of Oyster Bay was $3,674.76.

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&Reso\MD 3 Forest Ave 9.29.16.doc

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 26, 2015, authorized the Highway Department to clean up the premises located at 3 Forest Avenue, Massapequa, New York 11758, also known as Section 65, Block 135, Lots 169 and 170 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 September 29, 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 9, 2015, in the amount of $3,674.76, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, as set forth in their memorandum dated September 29, 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 $3,674.76 may be assessed by the Legislature of the County of Nassau against the parcel known as 3 Forest Avenue, Massapequa, New York 11758, also known as Section 65, Block 135, Lots 169 and 170 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

2016-5261

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 26, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **3 Forest Avenue Massapequa, NY 11758**
SBL: 65-135-169

Notice of Violation (No.15074) was issued to the owner of the above-referenced premises 08/14/15 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
Maureen OConnell
County Clerk
Mineola, NY 11501

60 2015 00020126

Instrument Number: 2015- 00020126
As
Recorded On: November 02, 201
DSS - Deed - No fees
Parties: EDWARD ULIP ADM
Num Of Pages: 8
To
HOUSING TRUST FUND CORPORATION
Recorded By: MGM GOTHAN ABST
Comment:

** Examined and Charged as Follows: **

DSS - Deed - No fees	0.00	Blocks - Exempt	0.00	RP5217 Residential No Chg	0.00
Tax Affidavit TP 584 No Chg	0.00				
Recording Charge:	0.00				

	Amount	Consideration Amount	RS#/CS#				
Tax-Transfer	0.00	595,677.60	RE 6568	Basic	0.00	Spec ADDL SONYMA	0.00
OYSTER BAY				Local NY CITY	0.00	Spec ASST	0.00
EXEMPT				Additional MTA	0.00	Transfer	0.00
Tax Charge:	0.00						

Property Description:

Line	Section	Block	Lot	Unit	Town Name
1	65	135	169		OYSTER BAY
1	65	135	170		OYSTER BAY

** THIS PAGE IS PART OF THE INSTRUMENT **

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Nassau County, NY

File Information:
Document Number: 2015- 00020126
Receipt Number: 29664
Recorded Date/Time: November 02, 2015 09:37:38A
Book-Vol/Pg: Bk-D Vl-13279 Pg-342
Cashier / Station: 0 DAC / NCCL-75BDDP1

Record and Return To:
SUSAN HOLMES ESQ
HOUSING TRUST FUND CORPORATION
38-40 STATE ST
ALBANY NY 12207

NASSAU COUNTY · STATE OF NEW YORK ·

Maureen O'Connell

County Clerk Maureen O'Connell

DOI
7
595477.60
EAST

NY 005 - Bargain and Sale Deed with Covenant against Grantor's Acts-Individual or Corporation (Single Sheet) (NYBTU 8002)

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

THIS INDENTURE, made the 2nd day of September, in the year 2015
BETWEEN

EDWARD ULIP AND RUTH GUSTAFSON, AS CO-ADMINISTRATORS OF THE ESTATE OF INGEBORG SANDVIK, with an address at 3 Forest Avenue, Massepequa, NY 11758

party of the first part, and the HOUSING TRUST FUND CORPORATION, a public benefit corporation created and existing as a subsidiary of the New York State Housing Finance Agency, with an address at c/o New York State Division of Housing and Community Renewal, 38-40 State Street, Albany, New York 12207 ("Purchaser")

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 Town of HOyster Bay, Nassau County, State of New York, and as more particularly described on Schedule "A" attached hereto and made a part hereof (the "Property").

65
135
169 to 170

This is intended to convey the same premises granted to Grantor herein pursuant to a Decree Granting Administration in Index No. 2015-383559/A filed on 6/25/2015. File was previously vested in Ingeborg Sandvik dated April 29, 1999 and recorded April 30, 1999 in the Nassau County Register's/Clerk's Office in Liber/Reel 11049, Page 393.

COVENANT AS TO FLOOD INSURANCE RUNNING WITH THE LAND. If the Property is located in a Special Flood Hazard Area under Federal Emergency Management Agency (FEMA) Flood Maps or within the Special Flood Hazard Area under the Advisory Base Flood Elevations issued by FEMA, at the time of any conveyance, any dwelling on any part of the Property shall be insured under a policy of flood insurance in the amount equal to the lesser of (a) the full insurable value, as determined by the Property insurer secured by the transferee; or (b) the maximum amount of flood insurance coverage available under the National Flood Insurance Program to the extent coverage can be obtained under the National Flood Insurance Program. In the event the Purchaser shall fail to maintain flood insurance, Purchaser may not be eligible for federal disaster relief assistance for repair, replacement, or restoration of damage due to flooding as provided for in 42 U.S.C. §5154a. Purchaser must notify subsequent transferees of the requirement to maintain flood insurance by including this covenant to secure flood insurance notification language in all subsequent written conveyance instruments. This covenant as to flood insurance shall run with the Property in perpetuity or, alternatively, for the maximum period permitted by law, and may be enforced by any transferor, any of transferor's successors in interest or by FEMA, the United States Department of Housing and Urban Development or any other authorized government entity.

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 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 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:

Edward Ulip
EDWARD ULIP

Ruth Gustafson
RUTH GUSTAFSON

✓ D85

Town of Oyster Bay
Inter- Departmental Memo

September 28, 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: **3 FOREST AVENUE, 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 **$3,674.76**.

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

Clean up 3 FOREST AVENUE, MASSAPEQUA to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE
3 Forest Ave, Massapequa

DATE: 09/09/15

WO #: 17874

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Antonucci, Anthony	Laborer II	4.00		38.99	$	155.96
Chadwick, James	Equip Oper III	4.00		43.36	$	173.44
Diakogiannis, Steve	Equip Oper II	4.00		37.86	$	151.44
Lambert, Dan	Labor Supv I	4.00		41.05	$	164.20
Moore, Chris	Equip Oper I	4.00		24.04	$	96.16
Nunez, Joe	Equip Oper II	4.00		37.86	$	151.44
Robertazzi, James	Seas Laborer	4.00		12.00	$	48.00
Schlosser, Mark	Equip Oper II	4.00		40.53	$	162.12
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal A	$	1,102.76

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Pickup	020	TD647	79.00	4.00	$	316.00
Payloader	HT14	PL090	168.00	4.00	$	672.00
10 Wheeler	T229	TD695	93.00	4.00	$	372.00
10 Wheeler	T219	TD686	93.00	4.00	$	372.00
Power Wagon	T195	TD703	105.00	4.00	$	420.00
Power Wagon	T225	TD683	105.00	4.00	$	420.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
					$	0.00
				Subtotal B	$	2,572.00

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	80.70		$	0.00
WHITE PAINT (GALLONS)	$	11.30		$	0.00
MAINTENANCE AND PROTECTION OF				$	
OF TRAFFIC					
			Subtotal C	$	0.00
			Total of A+B+C	$	3,674.76

DESCRIPTION OF WORK:
Removed litter and debris; cut lawn, weeds, grass, brush & vegetation using 1 lawn mower, 2 weedwackers, 2 backpack blowers, 1 hedge clipper and 1 chainsaw. Debris removed and dumped. Removed and reinstalled safety fence. Property secured.

Signature: _____

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 09/11/15

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 back basement door at the premises located at 131 Dean Street, Hicksville, New York 11801, also known as Section 46, Block 377, Lot 36 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on July 24, 2015, in the amount of $193.38, 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 September 29, 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 $193.38 may be assessed by the Legislature of the County of Nassau against the parcel known as 131 Dean Street, Hicksville, New York 11801, also known as Section 46, Block 377, Lot 36 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney

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

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

SUBJECT: Property Cleanup Assessment
131 Dean Street, Hicksville, New York 11801
Section 46, Block 377, Lot 36

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to board up the house at the premises located at 131 Dean Street, Hicksville, New York 11801, also known as Section 46, Block 377, Lot 36 on the Land and Tax Map of the County of Nassau. (See attached Notice of Pendency). The Highway Department has, by memorandum dated September 14, 2015, advised that the property was secured by a crew from the Highway Department on July 24, 2015. The cost incurred by the Town of Oyster Bay was $193.38.

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 (w/19 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 131 Dean St. Bd Up 9.29.16

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 back basement door at the premises located at 131 Dean Street, Hicksville, New York 11801, also known as Section 46, Block 377, Lot 36 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 September 29, 2016, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on July 24, 2015, in the amount of $193.38, 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 September 29, 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 $193.38 may be assessed by the Legislature of the County of Nassau against the parcel known as 131 Dean Street, Hicksville, New York 11801, also known as Section 46, Block 377, Lot 36 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

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

July 24, 2015

Hand Delivered and Via Certified Mail, RRR

Gloria Gorcey
131 Dean Street
Hicksville, NY 11801

RE: Premises: 131 Dean Street, Hicksville NY 11801
Section 46, Block 377, Lot 36

NOTICE OF DANGEROUS PREMISES
Pursuant to Chapter 96 of the Code of the Town of Oyster Bay

Dear Ms. Gorcey,

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 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 Premises are ordered to be secured, boarded, fenced, sealed or otherwise made safe.

No entry into 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 a licensed architect or engineer, who must prepare the site plan and application for approval.

BY ORDER OF:

Frederick P. Ippolito
Commissioner

FPI:kr

Cc: **Justin McCaffrey, Commissioner**
Department of Public Safety

Richard Betz, Commissioner
Department of Public Works

Kevin Hanifan, Commissioner
Department of Highways

NASSAU COUNTY CLERK'S OFFICE
ENDORSEMENT COVER PAGE

Recorded Date: 07-09-2015
Recorded Time: 12:00:31 p

Record and Return To:

Liber Book: L 2082
Pages From: 47
To: 51

Control Number: 899
Ref #: 15--006249
Doc Type: X10 LIS PENDENS

Plnt: DEUTSCHE BANK NATIONAL TRUST CO
Dfnd: MILGRIM, ERIC P
Dfnd: GORCEY, GLORIA R

Location:	Section	Block	Lot	Unit
OYSTER BAY (2824)	0046	00377-00	00036	

Taxes Total	.00
Recording Totals	195.00
Total Payment	195.00

TMR001

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

201507070008 99

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

ORIGINAL

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SAXON ASSET SECURITIES TRUST 2006-2 MORTGAGE LOAN ASSET BACKED CERTIFICATES, SERIES 2006-2,

INDEX NO.: 15-006249
Date Filed:

Plaintiff(s),

-against-

NOTICE OF PENDENCY OF ACTION

ERIC P. MILGRIM, PUBLIC ADMINSTARTOR OF NASSAU COUNTY, AS THE ADMINISTRATOR OF THE ESTATE OF GLORIA R GORCEY, NEW YORK SATE DEPARTMENT OF TAXATION AND FINANCE, THE UNITED SATES OF AMERICA, DEPARTMENT OF TREASURY-INTERNAL REVENUE SERVICE, NEW YORK ANESTHESIA ASSOCIATES, DCM SERVICES LLC,

"JOHN DOE #1" through "JOHN DOE #12," the last twelve names being fictitious and unknown to plaintiff, the persons or parties intended being the tenants, occupants, persons or corporations, if any, having or claiming an interest in or lien upon the premises, described in the complaint,

Defendant(s).

NOTICE IS HEREBY GIVEN, that an action has been commenced and is pending in this Court upon a complaint of the above named plaintiff against the above named defendants for the foreclosure of a mortgage dated May 1, 2006, executed by GLORIA R GORCEY to SMI HOME MORTGAGE to secure the sum of $265,000.00 and recorded in Liber M 30501 of Mortgages at page 1, in the Office of the CLERK of the County of NASSAU on May 17, 2006, Said mortgage was later assigned to DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR THE REGISTERED HOLDERS OF SAXON ASSET SECURITIES TRUST 2006-2 MORTGAGE LOAN ASSET BACKED CERTIFICATES, SERIES 2006-2 A/K/A DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR SAXON ASSET SECURITIES TRUST 2006-2 MORTGAGE LOAN ASSET BACKED CERTIFICATES, SERIES 2006-2by assignment of mortgage which is dated January 3, 2012.

46-377-36
KC
2016-5291
DBS

Town of Oyster Bay
Inter- Departmental Memo

September 14, 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: **131 DEAN STREET, HICKSVILLE**
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 **$193.38**.

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

Clean up 131 DEAN STREET, HICKSVILLE to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

LOCATION: BUILDING MAINTENANCE
131 Dean St, Hicksville

WO# 16459

DATE: 07/24/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Van Nostrand, Jeff	MaintCarpenter	1.25		42.66	$	53.33
					$	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
					$	0.00
				Subtotal A	$	53.33

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
Utility Truck	RR911	TU052	79.00	1.25	$	98.75
					$	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	$	98.75

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$			$	0.00
PLYWOOD SHEETS 1/2"	$	20.65	2.00	$	41.30
PLYWOOD SHEETS 3/4"	$	30.06		$	0.00
LUMBER 2x4x8	$	3.20		$	0.00
			Subtotal C	$	41.30
			Total of A+B+C	$	193.38

DESCRIPTION OF WORK:
Boarded up house using 2 sheets of 1/2" plywood.

Signature:

Name: Richard Buckley

Title: Highway Construction Supervisor

Date: 07/28/15

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 18, 2015, authorized the Highway Department to clean up the premises located at 70 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lot 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 September 29, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 19, 2015, in the amount of $1,103.20, 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 September 29, 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 $1,103.20 may be assessed by the Legislature of the County of Nassau against the parcel known as 70 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lot 39 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	Aye
Councilwoman Johnson	Aye

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

Town of Oyster Bay
Inter-Departmental Memo

596

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: September 29, 2016

SUBJECT: Property Cleanup Assessment
70 Park Lane, Massapequa, New York 11758
Section 48, Block 223, Lot 39

The Department of Planning and Development, by memorandum dated August 18, 2015, directed the Highway Department to clean the premises located at 70 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lot 39 on the Land and Tax Map of the County of Nassau. (See attached property card). The Highway Department has, by memorandum dated September 14, 2015, advised that the property was cleaned by a crew from the Highway Department on August 19, 2015. The cost incurred by the Town of Oyster Bay was $1,103.20.

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:\Artys\DBS\Cleanup MD&Reso\MD 70 Park Ln 9.29.16.doc

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Commissioner of the Department of Planning and Development, by memorandum dated August 18, 2015, authorized the Highway Department to clean up the premises located at 70 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lot 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 September 29, 2016, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on August 19, 2015, in the amount of $1,103.20, 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 September 29, 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 $1,103.20 may be assessed by the Legislature of the County of Nassau against the parcel known as 70 Park Lane, Massapequa, New York 11758, also known as Section 48, Block 223, Lot 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

VC: Needed 2016-5468 S

TOWN OF OYSTER BAY

Inter-Departmental Memo
August 18, 2015

To: **KEVIN HANIFAN, COMMISSIONER HIGHWAY**

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

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

Subject: **70 Park Lane Massapequa, NY 11758**
SBL: 48-223-39

Notice of Violation (No.14894) was issued to the owner of the above-referenced premises 08/14/15 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

CARD TYPE | SECTION NUMBER | BLOCK NUMBER | LOT NUMBER

#3

TRANSFERRED TO FROM	SEC.	BLOCK	LOT	DATE	SECTION	BLOCK	LOT NUMBER
					48	223	39

GRANTOR OR MORTGAGOR	GRANTEE OR MORTGAGEE	KIND OF INSTRUMENT	DATED	DATE RECORDED	LIBER	PAGE	REMARKS
Augustine Occhino et al	Grazia Occhino	D	10/11/79	MAR 17 1980	9258	712	
Grazia Occhino	Thomas R. Lippman Denise " ux	D	3/3/80	do	9258	708	
Thomas R. Lippman Denise "	MARSCHALL ASSOCIATES, INC.	M	do	do	10175	692	
MARSCHALL ASSOCIATES, INC.	INSTITUTIONAL SECURITIES CORP.	ASS'T MTGE.	10/5/81	MAR 5 1982	10398	348	asst 10175 mtg 692
INSTITUTIONAL SECURITIES CORP.	Center Federal SAVINGS BANK	asst	1/30/86	AUG 4 1986	11611	912	asst do

UNIT PROPERTY CARD

OVER

6/15/16
70 PARK LN
KEVIN

48-223-39 ME
DBS

Town of Oyster Bay
Inter- Departmental Memo

September 14, 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: **70 PARK LANE, MASSAPEQUA PARK**
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 **$1,103.20**.

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

TOWN ATTORNEY OFFICE
2015 APR 14 P 2:23

CLEAN-UP 70 PARK LANE, MASSAPEQUA PARK to P & D

MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

WO#17367

LOCATION: BUILDING MAINTENANCE
70 Park Ln, Mass Park

DATE: 08/19/15

LABOR COSTS

EMPLOYEE'S NAME		REGULAR WORK HOURS	OVERTIME	HOURLY SALARY		TOTAL
Hayward, Michael	Equip Oper II	2.50		41.80	$	104.50
Jacobowski, John	Seas Laborer	2.50		12.00	$	30.00
Peters, Patrick	Laborer II	2.50		28.56	$	71.40
Pietrosante, John	Labor Supv I	2.50		43.92	$	109.80
					$	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	$	315.70

EQUIPMENT

Type of Vehicle	TOB Number	Computer Number	Rate Per Hour	Hours Used		TOTAL
6 Wheeler	T242	TD690	131.00	2.50	$	327.50
Power Wagon	T245	TD728	105.00	2.50	$	262.50
Pickup	024	TD633	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
				Subtotal B	$	787.50

MATERIALS

Materials Used (Sand, Etc.)		Cost Per Unit	Number of Units		TOTAL
TIPPING FEE	$	80.70		$	0.00
WHITE PAINT (GALLONS)	$	11.30		$	0.00
MAINTENANCE AND PROTECTION OF				$	
OF TRAFFIC					
			Subtotal C	$	0.00
			Total of A+B+C	$	1,103.20

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

Signature: G. Grandine

Name: Giacomo Grandine

Title: Highway Construction Supervisor

Date: 08/25/15

Meeting of October 18, 2016 Resolution No. 597-2016

WHEREAS, the voters of the unincorporated portion of the Town of Oyster Bay approved a proposition to establish a Length of Service Award Program for the Glenwood Hook & Ladder, Engine & Hose Co., Inc., effective on or about April 23, 1991, in accordance with Article 11-A of the New York State General Municipal Law; and

WHEREAS, by Resolution No. 507-1991, adopted on June 4, 1991, this Town Board accepted and approved the special election results of the aforementioned election; and

WHEREAS, Article 11-A authorizes the Town Board to seek voter approval of amendments to the Length of Service Award Program; and

WHEREAS, a proposed amendment to the Length of Service Award Program arises from, and is intended to resolve, the action pending in the United States District Court for the Eastern District of New York, entitled *In the Matter of the Claims of the Equal Employment Opportunity Commission v. Glenwood Hook & Ladder, Engine and Hose Company, Inc., (a/k/a Glenwood Landing Fire Department) et al. 15 CV-05592*; and

WHEREAS, the above referenced litigation involves a cause of action based upon age discrimination as it relates to the Glenwood-Glen Head Fire Protection District Length of Service Award Program, brought by the Equal Employment Opportunity Commission, on behalf of individual members of the Glenwood Hook & Ladder, Engine & Hose Co., Inc., against the Town of Oyster Bay and the Town of North Hempstead and Incorporated Villages of Old Brookville and Roslyn Harbor, who receive services from said fire company under the Glenwood-Glen Head Fire Protection District; and

WHEREAS, the proposed amendment to the Length of Service Award Program will permit eligible Length of Service Award Program participants that continue in active service to participate in the Length of Service Award Program after reaching Entitlement Age, and accordingly, to continue to accrue additional Length of Service Award Program benefits, where eligible; and

WHEREAS, the Town of Oyster Bay's share of the current cost of the Length of Service Award Program, for the year 2016, is approximately $105,000.00; and

WHEREAS, the Town of Oyster Bay's share of the amended cost of the Length of Service Award Program is approximately $138,000.00; and

WHEREAS, Leonard Genova, Town Attorney and Karen J. Underwood, Deputy Town Attorney, by memoranda dated October 3, 2016 and October 6, 2016, recommend that the Town of Oyster Bay implement the necessary steps to hold a referendum on November 29, 2016, between the hours of 12:00 noon and 9:00 p.m. at the Glen Head Community Center, 200 Glen Head Road, Glen Head, New York, to amend the aforementioned Length of Service Award Program; and

Reviewed By
Office of Town Attorney

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memoranda, further recommend Town Board approval for the Supervisor, or his authorized representative, to sign a Consent Decree with the Equal Employment Opportunity Commission to resolve the above referenced litigation; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memoranda, further recommend Town Board approval for the Supervisor, or his authorized representative, to sign an Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., in connection with the formation of a Joint Sponsoring Board for the Town of Oyster Bay's joint sponsorship of the Length of Service Award Program, effective January 1, 2017; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memoranda, further recommend Town Board approval for the Supervisor, or his authorized representative, to sign a 10-year Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., outlining the terms of the proposed amendments to the Glenwood-Glen Head Fire Protection District Length of Service Award Program and related matters associated with the Fire Protection District, including an agreed upon three-year contract for fire protection services; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memorandum, further recommend that the Town Board authorize the appointment of Frank M. Scalera, Chief Deputy Town Attorney, to the Joint Sponsoring Board, wherein Mr. Scalera will have voting authority for matters pertaining to the Glenwood-Glen Head Fire Protection District Length of Service Award Program, and will serve in said capacity without remuneration,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendations are hereby accepted and approved, and the Town Board hereby authorizes the holding of a referendum relating to the proposed amendment to the Length of Service Award Program for the Glenwood Hook & Ladder, Engine & Hose, Co., Inc., for the unincorporated portion of the Glenwood-Glen Head Fire Protection District; and be it further

RESOLVED, That payment for the various costs of conducting such referendum is to be made by the Town of Oyster Bay, each and all payments to be made upon the submission of a duly certified claim and after audit by the Comptroller; and be it further

RESOLVED, That the Supervisor, or his duly authorized representative, is hereby authorized and directed to execute any and all documents or agreements essential to carry out the subject referendum; and be it further

RESOLVED, That the Town Clerk is hereby authorized and directed to cause a notice of said referendum to be published in Newsday, Glen Cove Record Pilot and Gold Coast Gazette, and posted in the manner provided by law; and be it further

RESOLVED, That the Supervisor, or his authorized representative, is hereby authorized to sign a Consent Decree with the EEOC to resolve the above referenced litigation; and be it further

RESOLVED, That the Supervisor, or his authorized representative, is hereby authorized to sign an Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., in connection with the formation of a Joint Sponsoring Board and the Town of Oyster Bay's joint sponsorship of the Length of Service Award Program going forward; and be it further

RESOLVED, That the Supervisor, or his authorized representative, is hereby authorized to sign a 10-year Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., outlining the terms of the proposed amendments to the Glenwood-Glen Head Fire Protection District Length of Service Award Program and related matters associated with the Fire Protection District, including an agreed upon three-year contract for fire protection services; and be it further

RESOLVED, That Frank M. Scalera, Chief Deputy Town Attorney, is hereby appointed as the Town of Oyster Bay representative to the Joint Sponsoring Board for the Glenwood – Glen Head Fire Protection District Length of Service Award Program.

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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)

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597

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: October 6, 2016

SUBJECT: *In the Matter of the Claims of the Equal Employment Opportunity Commission v. Glenwood Hook & Ladder, Engine and Hose Company, Inc., (a/k/a Glenwood Landing Fire Department) et al.*
15 CV-05592-JMA-AYS
Supplemental Memorandum to Docket Item #41 (October 4, 2016)

In conjunction with the Town Board authorization requested to hold a referendum relating to the proposed amendment of the Length of Service Award Program for the Glenwood-Glen Head Fire Protection District and the Town of Oyster Bay's joint sponsorship of same, pursuant to the provisions of Article 11-A of the General Municipal Law of the State of New York, attached hereto is the Public Notice for a Special Election of the Glenwood-Glen Head Fire Protection District for November 29, 2016. Also attached is the Resolution associated with the amendment and resolution of the above referenced litigation matter. Lastly, it is further recommended that the Town Board authorize the appointment of Frank M. Scalera, Chief Deputy Town Attorney, to the Joint Sponsoring Board, wherein Mr. Scalera will have voting authority for matters pertaining to the Glenwood-Glen Head Fire Protection District Length of Service Award Program.

LEONARD GENOVA
TOWN ATTORNEY

Karen J. Underwood
Deputy Town Attorney

KJU:aml
Attachment
File No. 2015-5154

Town Attorney (w/19 copies)

WHEREAS, the voters of the unincorporated portion of the Town of Oyster Bay approved a proposition to establish a Length of Service Award Program for the Glenwood Hook & Ladder, Engine & Hose Co., Inc., effective on or about April 23, 1991, in accordance with Article 11-A of the New York State General Municipal Law; and

WHEREAS, by Resolution No. 507-1991, adopted on June 4, 1991, this Town Board accepted and approved the special election results of the aforementioned election; and

WHEREAS, Article 11-A authorizes the Town Board to seek voter approval of amendments to the Length of Service Award Program; and

WHEREAS, a proposed amendment to the Length of Service Award Program arises from, and is intended to resolve, the action pending in the United States District Court for the Eastern District of New York, entitled *In the Matter of the Claims of the Equal Employment Opportunity Commission v. Glenwood Hook & Ladder, Engine and Hose Company, Inc., (a/k/a Glenwood Landing Fire Department) et al. 15 CV-05592*; and

Reviewed By
Office of Town Attorney

WHEREAS, the above referenced litigation involves a cause of action based upon age discrimination as it relates to the Glenwood-Glen Head Fire Protection District Length of Service Award Program, brought by the Equal Employment Opportunity Commission, on behalf of individual members of the Glenwood Hook & Ladder, Engine & Hose Co., Inc., against the Town of Oyster Bay and the Town of North Hempstead and Incorporated Villages of Old Brookville and Roslyn Harbor, who receive services from said fire company under the Glenwood-Glen Head Fire Protection District; and

WHEREAS, the proposed amendment to the Length of Service Award Program will permit eligible Length of Service Award Program participants that continue in active service to participate in the Length of Service Award Program after reaching Entitlement Age, and accordingly, to continue to accrue additional Length of Service Award Program benefits, where eligible; and

WHEREAS, the Town of Oyster Bay's share of the current cost of the Length of Service Award Program, for the year 2016, is approximately $105,000.00; and

WHEREAS, the Town of Oyster Bay's share of the amended cost of the Length of Service Award Program is approximately $138,000.00; and

WHEREAS, Leonard Genova, Town Attorney and Karen J. Underwood, Deputy Town Attorney, by memoranda dated October 3, 2016 and October 6, 2016, recommend that the Town of Oyster Bay implement the necessary steps to hold a referendum on November 29, 2016, between the hours of 12:00 noon and 9:00 p.m. at the Glen Head Community Center, 200 Glen Head Road, Glen Head, New York, to amend the aforementioned Length of Service Award Program; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memoranda, further recommend Town Board approval for the Supervisor, or his authorized representative, to sign a Consent Decree with the Equal Employment Opportunity Commission to resolve the above referenced litigation; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memoranda, further recommend Town Board approval for the Supervisor, or his authorized representative, to sign an Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., in connection with the formation of a Joint Sponsoring Board for the Town of Oyster Bay's joint sponsorship of the Length of Service Award Program, effective January 1, 2017; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memoranda, further recommend Town Board approval for the Supervisor, or his authorized representative, to sign a 10-year Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., outlining the terms of the proposed amendments to the Glenwood-Glen Head Fire Protection District Length of Service Award Program and related matters associated with the Fire Protection District, including an agreed upon three-year contract for fire protection services; and

WHEREAS, Leonard Genova, Town Attorney, and Karen J. Underwood, Deputy Town Attorney, in the abovementioned memorandum, further recommend that the Town Board authorize the appointment of Frank M. Scalera, Chief Deputy Town Attorney, to the Joint Sponsoring Board, wherein Mr. Scalera will have voting authority for matters pertaining to the Glenwood-Glen Head Fire Protection District Length of Service Award Program, and will serve in said capacity without remuneration,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendations are hereby accepted and approved, and the Town Board hereby authorizes the holding of a referendum relating to the proposed amendment to the Length of Service Award Program for the Glenwood Hook & Ladder, Engine & Hose, Co., Inc., for the unincorporated portion of the Glenwood-Glen Head Fire Protection District; and be it further

RESOLVED, That payment for the various costs of conducting such referendum is to be made by the Town of Oyster Bay, each and all payments to be made upon the submission of a duly certified claim and after audit by the Comptroller; and be it further

RESOLVED, That the Supervisor, or his duly authorized representative, is hereby authorized and directed to execute any and all documents or agreements essential to carry out the subject referendum; and be it further

RESOLVED, That the Town Clerk is hereby authorized and directed to cause a notice of said referendum to be published in Newsday, Glen Cove Record Pilot and Gold Coast Gazette, and posted in the manner provided by law; and be it further

RESOLVED, That the Supervisor, or his authorized representative, is hereby authorized to sign a Consent Decree with the EEOC to resolve the above referenced litigation; and be it further

RESOLVED, That the Supervisor, or his authorized representative, is hereby authorized to sign an Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., in connection with the formation of a Joint Sponsoring Board and the Town of Oyster Bay's joint sponsorship of the Length of Service Award Program going forward; and be it further

RESOLVED, That the Supervisor, or his authorized representative, is hereby authorized to sign a 10-year Inter-Municipal Agreement between the Town of Oyster Bay and the aforementioned municipal entities and Glenwood Hook & Ladder, Engine & Hose Co., Inc., outlining the terms of the proposed amendments to the Glenwood-Glen Head Fire Protection District Length of Service Award Program and related matters associated with the Fire Protection District, including an agreed upon three-year contract for fire protection services; and be it further

RESOLVED, That Frank M. Scalera, Chief Deputy Town Attorney, is hereby appointed as the Town of Oyster Bay representative to the Joint Sponsoring Board for the Glenwood – Glen Head Fire Protection District Length of Service Award Program.

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Reviewed By
Office of Town Attorney

PUBLIC NOTICE
SPECIAL ELECTION OF THE GLENWOOD-GLEN HEAD
FIRE PROTECTION DISTRICT
NOVEMBER 29, 2016

NOTICE is hereby given pursuant to the General Municipal Law of the State of New York that a Special Election of the Glenwood-Glen Head Fire Protection District will take place on November 29, 2016, between the hours of 12:00 o'clock noon and 9:00 o'clock p.m., prevailing time, at the Glen Head Community Center, 200 Glen Head Road, Glen Head, New York, for the purpose of voting on the following propositions.

All residents of the unincorporated portion of the Glenwood-Glen Head Fire Protection District who were duly registered to vote with the Nassau County Board of Elections on or before October 29, 2016, shall be entitled to vote on this election.

PROPOSITION #1

Shall the Length of Service Award Program for the Glenwood Landing Hook & Fire, Engine and Hose Co. Inc., be amended, effective January 1, 2017?

AMENDMENT OF LENGTH OF SERVICE AWARD PROGRAM FOR THE VOLUNTEER FIREFIGHTERS OF GLENWOOD LANDING HOOK & FIRE, ENGINE & HOSE CO. INC., WILL ALLOW ELIGIBLE PROGRAM PARTICIPANTS TO CONTINUE IN ACTIVE SERVICE AFTER REACHING ENTITLEMENT AGE, AND TO ACCRUE PROGRAM POINTS AND RECEIVE A PROGRAM CONTRIBUTION, TO THE MAXIMUM EXTENT PERMITTED BY LAW, I.E., FOR A PERIOD NOT TO EXCEED THIRTY-SEVEN YEARS; AND SAID AMENDMENT SHALL INCREASE THE ESTIMATED ANNUAL COST TO BE $300,000.00, AND THEREBY INCREASE THE PRO RATA SHARE PAID BY THE UNINCORPORATED PORTION OF THE GLENWOOD FIRE PROTECTION DISTRICT TO APPROXIMATELY $138,000.00 FROM THE CURRENT APPROXIMATE ANNUAL COST OF $105,000.00.

and

PROPOSITION #2

Shall the resolution of the Town Board of the Town of Oyster Bay, adopted on October 18, 2016, pursuant to Article 11-A of the General Municipal Law of the State of New York, to jointly sponsor the defined benefit Length of Service Award Program for participating members of the Glenwood Hook & Ladder, Engine & Hose Co. Inc., effective January 1, 2017, be approved?

THE JOINT SPONSORING BOARD WILL ADMINISTER THE LENGTH OF SERVICE AWARD PROGRAM, AS OF JANUARY 1, 2017, WHICH PROVIDES THAT ELIGIBLE PROGRAM PARTICIPANTS SHALL BE PAID, GENERALLY BEGINNING AT AGE FIFTY-FIVE (55), MONTHLY SERVICE AWARD PAYMENTS OF $20 FOR EACH YEAR OF CREDITED GLENWOOD HOOK & LADDER, ENGINE & HOSE CO., INC. FIRE DEPARTMENT VOLUNTEER FIREFIGHTER SERVICE, NOT TO EXCEED THIRTY-SEVEN (37) YEARS; AND THAT THE MAXIMUM MONTHLY SERVICE AWARD PAYMENT IS $740. IMPLEMENTATION OF THE JOINT SPONSORING BOARD WILL NOT CHANGE PROGRAM COSTS.

Dated: , 2017. Oyster Bay, New York. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY, JOHN VENDITTO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Meeting of June 4, 1991 RESOLUTION NO. 507-91

WHEREAS, Resolution No. 410-91, adopted April 23, 1991, authorized the Office of the Town Attorney to hold a referendum on behalf of the Glenwood Hook and Ladder, Engine Hose Co., Inc., in connection with the Length of Service Awards Program, which referendum was held at Fire Department Headquarter, Grove Street, Glenwood Landing, New York, on May 7, 1991, between the hours of 12 Noon and 8 p.m.; and

WHEREAS, the final results were 214 votes Yes, in favor of the program, and 4 votes No, against the program; and

WHEREAS, John Venditto, Town Attorney, by memorandum dated May 10, 1991, requests and recommends that the Town Board accept and approve the above mentioned results,

NOW, THEREFORE, BE IT RESOLVED, That the above mentioned recommendations are hereby accepted and approved, and in connection with special election held on May 7, 1991, the final election results as shown on the attached Canvass of Results are hereby accepted and approved.

Approved as to Form
Deputy Town Attorney

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

Supervisor Delligatti	Absent
Councilman Bogan	Aye
Councilman Clark	Aye
Councilman Hynes	Absent
Councilman Ocker	Aye
Councilman Symons	Aye
Councilman Kunzig	Aye

cc: Supervisor
Town Attorney
Comptroller (2) 6-6-91
Dir. of Finance

597

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: October 3, 2016

SUBJECT: *In the Matter of the Claims of the Equal Employment Opportunity Commission v. Glenwood Hook & Ladder, Engine and Hose Company, Inc., (a/k/a Glenwood Landing Fire Department) et al.*
15 CV-05592-JMA-AYS

The above referenced litigation was brought by the Equal Employment Opportunity Commission (EEOC) on behalf of individual members of the Glenwood Hook and Ladder, Engine and Hose Company, Inc. (Glenwood Fire Company), against the Town and the following municipal entities: Town of North Hempstead and the Incorporated Villages of Old Brookville and Roslyn Harbor, which constitute the Glenwood-Glen Head Fire Protection District. The Town and the aforementioned municipal entities contribute to a Length of Service Award Program (LOSAP) which sets aside benefits for volunteer firefighters pursuant to New York State General Municipal Law requirements. It is alleged in the cause of action that individual firefighters are discriminated against on account of their age with regard to eligibility to earn credits past entitlement age while still actively serving the fire company.

Settlement of the litigation rests upon amendment of the Glenwood-Glen Head Fire Protection District LOSAP (Glenwood LOSAP) to correct the age discrimination. In addition, there exists other necessary matters pertinent to effectuating this amendment and required by the provisions of New York State General Municipal Law, such as the formation of a Joint Sponsoring Board for administration of Glenwood LOSAP and the holding of a special election by each municipal entity, by separate referenda, to enact these amendments to the Glenwood LOSAP. Town Board authorization is requested to effectuate the foregoing.

In addition, Town Board authorization is also requested for the execution of the following: a ten-year Inter-Municipal Agreement (IMA) outlining the terms of the proposed amendments to the Glenwood-Glen Head Fire Protection District LOSAP and related matters associated with the Fire Protection District, an IMA authorizing the Town of Oyster Bay's joint sponsorship of the Glenwood LOSAP with the aforementioned municipal entities, and a Consent Decree with the EEOC required to resolve the above referenced litigation, by providing for the amendment of the LOSAP to remove the discriminatory effect on the individual members of the fire company.

Lastly Town Board authorization is requested for the designation of an individual by the Town Board to serve on the Joint Sponsoring Board to represent the Town without compensation.

The referendum is scheduled to take place on December 13, 2016, so that the amendments can take place as of January 1, 2017.

A supplemental memorandum will follow, attaching a resolution and all documents relevant to the holding of the special election, as well as the name of the individual designated to serve on the Joint Sponsoring Board on behalf of the Town.

LEONARD GENOVA
TOWN ATTORNEY

Karen J. Underwood
Deputy Town Attorney

KJU:aml
File No. 2015-5154

Town Attorney (w/19 copies)

WHEREAS, Resolution No. 915-2013, adopted on December 17, 2013, and Resolution No. 742-2015, adopted on December 15, 2015, authorized Sidney B. Bowne & Son LLP, to provide on-call engineering services, in connection with Contract Nos. PWC 19-14 and PWC 19-16, On-Call Engineering Services Relative to Structural Engineering; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memoranda dated October 3, 2016 and October 7, 2016, requests Town Board authorization for Sidney B. Bowne & Son LLP, to proceed under Contract Nos. PWC 19-14 and PWC 19-16, On-Call Engineering Services Relative to Structural Engineering, for maintenance and improvements to the Hicksville Parking Garage, and further requests that the Comptroller issue an encumbrance order in an amount of $177,000.00, with funds available in Account No. HWY H 5197 20000 000 1503 008, Project ID No. 1503 HWYDB-03;

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Sidney B. Bowne & Son LLP, is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of $177,000.00 for Contract Nos. PWC 19-14 and PWC 19-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, Project ID No. 1503 HWYDB-03.

-#-

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

598

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

OCTOBER 3, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL ENGINEERING SERVICES REQUEST FOR
STRUCTURAL ENGINEERING
CONTRACT NOS. PWC19-14 & PWC19-16
SUPPLEMENTAL MEMO TO FOLLOW

The consultant, Sidney B. Bowne & Son, LLP, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC19-14 by Resolution No. 915-2013, and On-Call Contract No. PWC19-16 by Resolution No. 742-2015 for the subject project. Funds have been made available by the Director of Finance.

At the request of the Department of Highways, the office of Sidney B. Bowne & Son, LLP has submitted the attached letter dated September 28, 2016 regarding the scope of work performed in the amount of $12,000.00 for services provided in 2015 under Contract No. PWC19-14, and services that have and will be provided in the amount of $165,000.00 beginning January 1, 2016 under Contract No. PWC19-16. These services include studies and design services for maintenance, repairs, and improvements to the Hicksville Parking Garage.

Availability of funds in the amounts of $12,000.00 under Contract No. PWC19-14 and $165,000.00 under Contract No. PWC19-16 from the Office of the Director of Finance will be provided by supplemental memorandum docket.

It is hereby requested that the Town Board authorize by resolution, Sidney B. Bowne & Son, LLP under Contract Nos. PWC19-14 and PWC19-16, On-Call Engineering Services Relative to Structural Engineering, and requests that the Comptroller be directed to issue encumbrance orders for this purpose.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/EM/MR/dm
Attachment
cc: Office of the Town Attorney (w/19 copies)
Christine Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
John Bishop, Department of Highways
Joseph Pinto, Councilman

PWC19-14 & PWC19-16 SBB DOCKET HIX GARAGE FUNDS 2

BOWNE A/E&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

September 28, 2016

Richard Betz, Commissioner
Town of Oyster Bay DPW
150 Miller Place
Syosset, NY 11791

Re: Engineering Services Proposal
Maintenance Improvements
Hicksville Parking Garage

Dear Commissioner Betz,

In mid-October, 2015, we were contacted by then Commissioner Kevin Hanifan, concerning various maintenance issues at the garage. We met on-site with TOB personnel to view the various concerns and were directed by Commissioner Hanifan to study the various issues pursuant to our On Call Engineering Services Agreement PWC-19-14. We issued a report in October, 2015 discussing the results of our inspection and making recommendations for remediation.

In February, 2016, we were again contacted by the Town concerning cracks in the grade level and the first lower level decks. We again met on-site to view TOB concerns and were directed by Commissioner Hanifan to study the cracking issue and recommend the appropriate remediation. This work was to be done under On Call Engineering Services Agreement PWC-19-16.

Since that time we have visited the garage on numerous occasions to inspect cracking and to study water leakage issues. We also met with contractors to discuss possible remedial work and attended meetings with TOB staff to discuss our findings. We then structurally analyzed the cracked slabs; studied water/condensation issues; and, developed various alternative repair schemes. Next we prepared preliminary drawings, construction procedures, technical specifications and construction cost estimates for the alternate schemes. Finally, we met again with TOB staff to present the various repair alternatives, to gain Town input and to select the preferred alternative, you asked that we prepare this proposal to finalize contract drawings and technical specifications for maintenance improvements at the Hicksville Parking Facility. Our proposal follows.

Proposed Scope of Additional Engineering Services

1. Finalize contract drawings, to include:
   - Preparing additional sections and details, indicating control/expansion joint locations and finalizing construction procedures.
   - Develop drawings for the Maintenance and Protection of Traffic. (MPT)
   - Develop additional drawings and specifications for the installation of traffic membrane in areas of repair.
   - Finalize technical specifications for the repair work.
2. Study the moisture/high humidity problem with respect to the intake/exhaust fans and prepare recommendations for the appropriate remediation.
3. Determine if a fan can be installed in the elevator shaft.
4. Determine if the stairwells can be vented to control moisture/humidity in these areas.
5. Study and make recommendations for upgrading the CO detectors.
6. Provide construction support services to include: shop drawing review, response to contractor questions, attendance at four half day meetings (assumed).
7. Prepare a final construction cost estimate.

Proposed Fees for Engineering Services

The lump sum charges for work completed for the period from mid-October 2015 to September 28, 2016 are **$125,000**. The charges are distributed as follows:

- **PWC-19-14: $12,000**
- **PWC-19-16: $113,000**

Our proposed fees for the the Additional Engineering Services, Items 1 through 7 listed above, is **$52,000.**

For Bid Phase Services, (attend bid opening, tabulate bids, prepare award recommendation) we propose a fee of **$3,500**.

For Construction Inspection and Office Support services as needed based on Contractor's operations, (assume 12 work stages, 8 hours per stage), we propose a maximum fee of **$20,000**.

For these additional services, we propose a fee based on the actual hours of work multiplied by the hourly wage rate of involved personnel times a multiplier of 3.0.

Reimbursable project expenses, such as reproductions and deliveries, are not included in the above fee and will be billed at cost. .

Acceptance

Your signature below, or that of your authorized representative, will constitute a binding agreement for the proposed work.

We appreciate the opportunity to continue work for you on this project. Please contact us if you have any questions or if we may otherwise, be of assistance. Thank you.

Sincerely,

Frank Antetomaso, PE
Partner

Thomas R Wendel

Thomas Wendel, P.E.
Structural Engineer

Authorization

Richard Betz
Commissioner

Date

cc: Deputy Commissioner John Bishop, TOB Highway
Janet Hofgren Accounting

598

1

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

OCTOBER 7, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL MEMO TO ITEM NO. 42
DOCKET OF OCTOBER 4, 2016
ON-CALL CONSULTANT SERVICE REQUEST
CONTRACT NOS. PWC19-14 & PWC19-16
STRUCTURAL ENGINEERING
ACCOUNT NO.: HWY H 5197 20000 000 1503 008
PROJECT ID NO. 1503 HWYDB-03

In furtherance to Item No. 42 of the docket of October 4, 2016, the consultant, Sidney B. Bowne & Son, LLP, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC19-14 by Resolution No. 915-2013, and On-Call Contract No. PWC19-16 by Resolution No. 742-2015 for the subject project. Funds have been made available by the Director of Finance.

At the request of the Department of Highways, the office of Sidney B. Bowne & Son, LLP has submitted the attached letter dated September 28, 2016 regarding the scope of work performed in the amount of $12,000.00 for services provided in 2015 under Contract No. PWC19-14, and services that have and will be provided in the amount of $165,000.00 beginning January 1, 2016 under Contract No. PWC19-16. These services include studies, design, contract document preparation, and construction management services for maintenance, repairs, and improvements to the Hicksville Parking Garage.

Attached are availability of funds in the amounts of $12,000.00 under Contract No. PWC19-14 and $165,000.00 under Contract No. PWC19-16 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. This funding is provide by remaining balances of the 2015 Highway Department capital budget.

It is hereby requested that the Town Board authorize by Resolution Sidney B. Bowne & Son, LLP under Contract Nos. PWC19-14 and PWC19-16, On-Call Engineering Services Relative to Structural Engineering, and requests that the Comptroller be directed to issue encumbrance orders for this purpose.

Richard T. Betz

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dm
Attachment
cc: Office of the Town Attorney (w/19 copies)
Christine Wiss, Deputy Comptroller
Kathy Stefanich, Administrative Division/DPW
John Bishop, Department of Highways
Joseph Pinto, Councilman

PWC19-14 & PWC19-16 SBB DOCKET HIX GARAGE FUNDS SUPP 2

TOWN OF OYSTER BAY
Inter-Departmental Memo

October 6, 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 19-16
SIDNEY B. BOWNE & SON, LLP
STRUCTURAL 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
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/dm
Attachments

PWC 19-16 $165,000.00 Bowne MR.DOCX

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

Requesting Division/Department: HIGHWAY

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

Contract Number: PWC 19-16

Contract Period: JANUARY 1, 2016 THROUGH DECEMBER 31, 2017

Consultant/Contractor: SIDNEY B. BOWNE & SON, LLP

Discipline: STRUCTURAL ENGINEERING

Total Authorization: $165,000.00

Resolution No.: 742-2015 Date: 12/15/2015

Funded To Date: 0

Amount Requested: $165,000.00

Account To Be Used: HWY H 5197 20000 000 1503 008 / Proj ID# 1503 HWY DB 03

If Capital Account, State The Related Contract Number: H16-144

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.

MAINTENANCE AND IMPROVEMENTS TO THE HICKSVILLE PARKING GARAGE

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

Signature: John P Bishop

Title: Highway Department

Date: 10/6/16

DPW Approval

Only To Be Executed By The Commissioner

Signature: _____

Title: Commissioner of Public Works

Date: 10/6/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 165,000.00

Unencumbered Balance: 745,436.89

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

Signature: _____ Date: 10/6/16

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 1/1/2015

Contract No. PWC19-16 Contract End 12/31/2016

Commencement Date 1-Jan-16

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

P.O. BOX 109

MINEOLA, NEW YORK 11501

Requesting Town Department HIGHWAY

Contact DANIEL MIDGETTE Phone 516-677-5836

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

MAINTENANCE AND IMPROVEMENTS TO THE HICKSVILLE PARKING GARAGE

This work order shall not exceed $ $165,000.00

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

Requesting Division/Department

Signature John L Bishop

Title Highway Department

Date 10/6/16

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 10/6/16

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

SEPTEMBER 30, 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. PWC19-16
ON-CALL STRUCTURAL ENGINEERING
SIDNEY B. BOWNE & SON, LLP

At the request of your department, 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 $165,000.00.

Funds are required for studies, engineering services, and preparation of contract documents relative to maintenance and improvements to the Hicksville Parking Garage, as per the attached letter from Sidney B. Bowne & Son, LLP, dated September 28, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $165,000.00 and Resolution No. 742-2015 authorizing Sidney B. Bowne & Son, LLP for on-call services.

If you have any questions, please contact Matthew Russo, P.E., Division of Engineering, at extension 5719.

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
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC19-16 SBB HIGHWAY HIX GARAGE 165K FUNDS

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 Lockwood, Kessler, and Bartlett, Inc., Sidney B. Bowne & Son, LLP, Gannett Fleming Engineers & Architects, P.C., John A. Grillo Architect, P.C., and LiRo Engineers, Inc., be authorized to provide on-call engineering services in connection with Contract No. PWC19-16, On-Call Engineering Services Relative to Structural Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, Lockwood, Kessler, and Bartlett, Inc., Sidney B. Bowne & Son, LLP, Gannett Fleming Engineers & Architects, P.C., John A. Grillo Architect, P.C., 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 Lockwood, Kessler, and Bartlett, Inc., Sidney B. Bowne & Son, LLP, Gannett Fleming Engineers & Architects, P.C., John A. Grillo Architect, P.C., and LiRo Engineers, Inc., are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC19-16, On-Call Engineering Services Relative to Structural Engineering, 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
Councilwomen Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works

BOWNE AE&T GROUP
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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

September 28, 2016

Richard Betz, Commissioner
Town of Oyster Bay DPW
150 Miller Place
Syosset, NY 11791

Re: Engineering Services Proposal
Maintenance Improvements
Hicksville Parking Garage

Dear Commissioner Betz,

In mid-October, 2015, we were contacted by then Commissioner Kevin Hanifan, concerning various maintenance issues at the garage. We met on-site with TOB personnel to view the various concerns and were directed by Commissioner Hanifan to study the various issues pursuant to our On Call Engineering Services Agreement PWC-19-14. We issued a report in October, 2015 discussing the results of our inspection and making recommendations for remediation.

In February, 2016, we were again contacted by the Town concerning cracks in the grade level and the first lower level decks. We again met on-site to view TOB concerns and were directed by Commissioner Hanifan to study the cracking issue and recommend the appropriate remediation. This work was to be done under On Call Engineering Services Agreement PWC-19-16.

Since that time we have visited the garage on numerous occasions to inspect cracking and to study water leakage issues. We also met with contractors to discuss possible remedial work and attended meetings with TOB staff to discuss our findings. We then structurally analyzed the cracked slabs; studied water/condensation issues; and, developed various alternative repair schemes. Next we prepared preliminary drawings, construction procedures, technical specifications and construction cost estimates for the alternate schemes. Finally, we met again with TOB staff to present the various repair alternatives, to gain Town input and to select the preferred alternative, you asked that we prepare this proposal to finalize contract drawings and technical specifications for maintenance improvements at the Hicksville Parking Facility. Our proposal follows.

Proposed Scope of Additional Engineering Services

1. Finalize contract drawings, to include:
   - Preparing additional sections and details, indicating control/expansion joint locations and finalizing construction procedures.
   - Develop drawings for the Maintenance and Protection of Traffic. (MPT)
   - Develop additional drawings and specifications for the installation of traffic membrane in areas of repair.
   - Finalize technical specifications for the repair work.
2. Study the moisture/high humidity problem with respect to the intake/exhaust fans and prepare recommendations for the appropriate remediation.
3. Determine if a fan can be installed in the elevator shaft.
4. Determine if the stairwells can be vented to control moisture/humidity in these areas.
5. Study and make recommendations for upgrading the CO detectors.
6. Provide construction support services to include: shop drawing review, response to contractor questions, attendance at four half day meetings (assumed).
7. Prepare a final construction cost estimate.

Proposed Fees for Engineering Services

The lump sum charges for work completed for the period from mid-October 2015 to September 28, 2016 are **$125,000**. The charges are distributed as follows:

- **PWC-19-14: $12,000**
- **PWC-19-16: $113,000**

Our proposed fees for the the Additional Engineering Services, Items 1 through 7 listed above, is **$52,000**.

For Bid Phase Services, (attend bid opening, tabulate bids, prepare award recommendation) we propose a fee of **$3,500**.

For Construction Inspection and Office Support services as needed based on Contractor's operations, (assume 12 work stages, 8 hours per stage), we propose a maximum fee of **$20,000**.

For these additional services, we propose a fee based on the actual hours of work multiplied by the hourly wage rate of involved personnel times a multiplier of 3.0.

Reimbursable project expenses, such as reproductions and deliveries, are not included in the above fee and will be billed at cost.

Acceptance

Your signature below, or that of your authorized representative, will constitute a binding agreement for the proposed work.

We appreciate the opportunity to continue work for you on this project. Please contact us if you have any questions or if we may otherwise, be of assistance. Thank you.

Sincerely,

Frank Antetomaso, PE
Partner

Thomas R Wendel

Thomas Wendel, P.E.
Structural Engineer

Authorization

_____ _____
Richard Betz Date
Commissioner

cc: Deputy Commissioner John Bishop, TOB Highway
Janet Hofgren Accounting

TOWN OF OYSTER BAY
Inter-Departmental Memo

October 6, 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 19-14
SIDNEY B. BOWNE & SON, LLP
STRUCTURAL 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/dm
Attachments

PWC 19-14 $12,000.00 Bowne MR.DOCX

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

Requesting Division/Department: HIGHWAY

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

Contract Number: PWC 19-14

Contract Period: JANUARY 1, 2014 THROUGH DECEMBER 31, 2015

Consultant/Contractor: SIDNEY B. BOWNE & SON, LLP

Discipline: STRUCTURAL ENGINEERING

Total Authorization: $ 12,000.00

Resolution No.: 915-2013 Date: 12/17/2013

Funded To Date: 0

Amount Requested: $12,000.00

Account To Be Used: HW4 H 5197 20000 000 1503 008 / Proj ID # 1503 HW4DB 03

If Capital Account, State The Related Contract Number: H16-144

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.

MAINTENANCE AND IMPROVEMENTS TO THE HICKSVILLE PARKING GARAGE

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

Signature: John P. Burke

Title: Highway Department

Date: 10/6/16

DPW Approval

Only To Be Executed By The Commissioner

Signature: [signature]

Title: Commissioner of Public Works

Date: 10/6/16

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested: 12,000.00

Unemcumbered Balance: 795,436.89

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

Signature: [signature] Date: 10/6/16

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 1/1/2014

Contract No. PWC19-14 Contract End 12/31/2015

Commencement Date 1-Oct-15

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

P.O. BOX 109

MINEOLA, NEW YORK 11501

Requesting Town Department HIGHWAY

Contact DANIEL MIDGETTE Phone 516-677-5836

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

MAINTENANCE AND IMPROVEMENTS TO THE HICKSVILLE PARKING GARAGE

This work order shall not exceed $ $12,000.00

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

Requesting Division/Department

Signature _____

Title Highway Department

Date 10/6/16

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature _____

Commissioner of Public Works

Date 10/6/16

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

SEPTEMBER 30, 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. PWC19-14
ON-CALL STRUCTURAL ENGINEERING
SIDNEY B. BOWNE & SON, LLP

At the request of your department, 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 $12,000.00.

Funds are required for studies and engineering services relative to maintenance and improvements to the Hicksville Parking Garage, as per the attached letter from Sidney B. Bowne & Son, LLP, dated September 28, 2016.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of $12,000.00 and Resolution No. 915-2013 authorizing Sidney B. Bowne & Son, LLP for on-call services.

If you have any questions, please contact Matthew Russo, P.E., Division of Engineering, at extension 5719.

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
Attachments

C: Kathleen Stefanich, Administration/DPW

PWC19-14 SBB HIGHWAY HIX GARAGE 12K FUNDS 2

RESOLUTION NO. 915-2013

Meeting of December 17, 2013

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 November 22, 2013, request and recommend that Sidney B. Bowne & Son, LLP, Gannett Fleming, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc. and John A. Grillo Architect, PC be authorized to provide on-call engineering services in connection with Contract No. PWC19-14, On-Call Engineering Services Relative to Structural Engineering, for a two (2) year contract term, from January 1, 2014 through December 31, 2015; and

Reviewed as to Form Office of Town Attorney

WHEREAS, Sidney B. Bowne & Son, LLP, Gannett Fleming, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc. and John A. Grillo Architect, PC have an executed 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 in connection with Contract No. PWC19-14, Sidney B. Bowne & Son, LLP, Gannett Fleming, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc. and John A. Grillo Architect, PC are hereby authorized and directed to provide on-call engineering services, from January 1, 2014 through December 31, 2015; 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)
DPW

BOWNE AE&T GROUP
Where Experience Empowers Vision

Sidney B. Bowne & Son, LLP
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501
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Fax: 516-747-1396
www.bownegroup.com

September 28, 2016

Richard Betz, Commissioner
Town of Oyster Bay DPW
150 Miller Place
Syosset, NY 11791

Re: Engineering Services Proposal
Maintenance Improvements
Hicksville Parking Garage

Dear Commissioner Betz,

In mid-October, 2015, we were contacted by then Commissioner Kevin Hanifan, concerning various maintenance issues at the garage. We met on-site with TOB personnel to view the various concerns and were directed by Commissioner Hanifan to study the various issues pursuant to our On Call Engineering Services Agreement PWC-19-14. We issued a report in October, 2015 discussing the results of our inspection and making recommendations for remediation.

In February, 2016, we were again contacted by the Town concerning cracks in the grade level and the first lower level decks. We again met on-site to view TOB concerns and were directed by Commissioner Hanifan to study the cracking issue and recommend the appropriate remediation. This work was to be done under On Call Engineering Services Agreement PWC-19-16.

Since that time we have visited the garage on numerous occasions to inspect cracking and to study water leakage issues. We also met with contractors to discuss possible remedial work and attended meetings with TOB staff to discuss our findings. We then structurally analyzed the cracked slabs; studied water/condensation issues; and, developed various alternative repair schemes. Next we prepared preliminary drawings, construction procedures, technical specifications and construction cost estimates for the alternate schemes. Finally, we met again with TOB staff to present the various repair alternatives, to gain Town input and to select the preferred alternative, you asked that we prepare this proposal to finalize contract drawings and technical specifications for maintenance improvements at the Hicksville Parking Facility. Our proposal follows.

Proposed Scope of Additional Engineering Services

1. Finalize contract drawings, to include:
    - Preparing additional sections and details, indicating control/expansion joint locations and finalizing construction procedures.
    - Develop drawings for the Maintenance and Protection of Traffic. (MPT)
    - Develop additional drawings and specifications for the installation of traffic membrane in areas of repair.
    - Finalize technical specifications for the repair work.
2. Study the moisture/high humidity problem with respect to the intake/exhaust fans and prepare recommendations for the appropriate remediation.
3. Determine if a fan can be installed in the elevator shaft.
4. Determine if the stairwells can be vented to control moisture/humidity in these areas.
5. Study and make recommendations for upgrading the CO detectors.
6. Provide construction support services to include: shop drawing review, response to contractor questions, attendance at four half day meetings (assumed).
7. Prepare a final construction cost estimate.

Proposed Fees for Engineering Services

The lump sum charges for work completed for the period from mid-October 2015 to September 28, 2016 are **$125,000**. The charges are distributed as follows:

- **PWC-19-14: $12,000**
- **PWC-19-16: $113,000**

Our proposed fees for the the Additional Engineering Services, Items 1 through 7 listed above, is **$52,000.**

For Bid Phase Services, (attend bid opening, tabulate bids, prepare award recommendation) we propose a fee of **$3,500**.

For Construction Inspection and Office Support services as needed based on Contractor's operations, (assume 12 work stages, 8 hours per stage), we propose a maximum fee of **$20,000**.

For these additional services, we propose a fee based on the actual hours of work multiplied by the hourly wage rate of involved personnel times a multiplier of 3.0.

Reimbursable project expenses, such as reproductions and deliveries, are not included in the above fee and will be billed at cost. .

Acceptance

Your signature below, or that of your authorized representative, will constitute a binding agreement for the proposed work.

We appreciate the opportunity to continue work for you on this project. Please contact us if you have any questions or if we may otherwise, be of assistance. Thank you.

Sincerely,

Frank Antetomaso, PE
Partner

Thomas R Wendel

Thomas Wendel, P.E.
Structural Engineer

Authorization

Richard Betz
Commissioner

Date

cc: Deputy Commissioner John Bishop, TOB Highway
Janet Hofgren Accounting

Meeting of October 18, 2016

Resolution No. 599-2016

WHEREAS, by Town Board Resolution No. 425-2016, adopted on August 9, 2016, Nelson & Pope Engineers and Land Surveyors PLLC, was approved to provide On-Call Engineering Services Relative to Civil Engineering for the preparation of Contract No. H16-146, Concrete Replacement Throughout the Town Of Oyster Bay; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, has approved the specifications and recommends that the Division of Engineering be authorized and directed to proceed with the bidding phase and construction phase for Contract No. H16-146; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memoranda dated October 3, 2016 and October 7, 2016, requests that the Town Board authorize the Division of Purchasing to proceed with setting a date for receiving bids for this contract by contacting the Division of Engineering to establish the bid date,

NOW, THEREFORE, BE IT RESOLVED, that the Division of Engineering is hereby authorized and directed to proceed with the bidding phase and construction phase for Contract No. H16-146, and the Division of Purchasing shall proceed with setting a bid date for receiving bids for Contract No. H16-146 by contacting the Division of Engineering to establish the bid date.

-#-

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
General Services

599

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

OCTOBER 3, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
CONCRETE REPLACEMENT THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. H16-146
SUPPLEMENTAL MEMO TO FOLLOW

Town Board Resolution No. 425-2016 authorized Nelson & Pope Engineers & Land Surveyors, PLLC to perform engineering services relative to the above-mentioned contract. The purpose of this contract is for the replacement of residential concrete within the Town's Right-of-Way for which requests had been perceived prior to the termination of the Sidewalk Replacement Program. This contract will be specific to these requests.

The consultant has submitted a draft contract document for this project which is currently under review by the Division of Engineering. A formal request to authorize the Bid and Construction Phases will be provided by supplemental memorandum docket.

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.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dm

Attachment

cc: Office of the Town Attorney (w/19 copies)
Christine Wiss, Deputy Comptroller
Eric Tuman, Commissioner/General Services
John Bishop, Department of Highways
Joseph Pinto, Councilman

Reviewed By
Office of Town Attorney

WHEREAS, Resolution No. 753-2015, adopted on December 15, 2015, authorized Nelson & Pope Engineers & Land Surveyors, PLLC, to provide on-call engineering services, in connection with Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated July 25, 2016, requested Town Board authorization that Nelson & Pope Engineers & Land Surveyors, PLLC, proceed under Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering, for Preparation of Bid for Sidewalk Replacement Contract within the Town of Oyster Bay, Project Id No. 1503HWYDB-03, and further request that the Comptroller issue an encumbrance order in an amount of $11,500.00, with funds available in Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, Nelson & Pope Engineers & Land Surveyors, PLLC, is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount of $11,500.00 for Contract No. PWC 07-16, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008.

-#-

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

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

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

8

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

OCTOBER 7, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL MEMO TO ITEM NO. 43
DOCKET OF OCTOBER 4, 2016
REQUEST TO ENTER BID & CONSTRUCTION PHASES
CONCRETE REPLACEMENT THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. H16-146

In furtherance to Item No. 43 of the docket of October 4, 2016, Town Board Resolution No. 425-2016 authorized Nelson & Pope Engineers & Land Surveyors, PLLC to perform engineering services relative to the above-mentioned contract. The purpose of this contract is for the replacement of residential concrete within the Town's Right-of-Way for which requests had been received prior to the termination of the Sidewalk Replacement Program. This contract will be specific to these requests.

The Commissioner of Public Works has approved the contract documents prepared by Nelson & Pope Engineers & Land Surveyors, PLLC. The estimated construction duration is 365 calendar 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.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dm

cc: Office of the Town Attorney (w/19 copies)
Christine Wiss, Deputy Comptroller
Eric Tuman, Commissioner/General Services
John Bishop, Department of Highways
Joseph Pinto, Councilman

H16-146 DOCKET PERMISSION TO BID

Meeting of October 18, 2016 Resolution No. 600-2016

WHEREAS, Timothy R. Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated September 14, 2016, recommends adoption of the following Zoning Board of Appeals Meeting Schedule for 2017,

2017 Meeting Schedule:

Thursday,	January 12, 2017	7:00 p.m.
Thursday,	January 26, 2017	7:00 p.m.
Thursday,	February 16, 2017	7:00 p.m.
Thursday,	March 9, 2017	7:00 p.m.
Thursday,	March 23, 2017	7:00 p.m.
Thursday,	April 6, 2017	7:00 p.m.
Thursday,	April 20, 2017	7:00 p.m.
Thursday,	May 4, 2017	7:00 p.m.
Thursday,	May 18, 2017	7:00 p.m.
Thursday,	June 1, 2017	7:00 p.m.
Thursday,	June 15, 2017	7:00 p.m.
Thursday,	June 29, 2017	7:00 p.m.
Thursday,	July 13, 2017	7:00 p.m.
Thursday,	July 27, 2017	7:00 p.m.
Thursday,	August 10, 2017	7:00 p.m.
Thursday,	August 24, 2017	7:00 p.m.
Thursday,	September 7, 2017	7:00 p.m.
Thursday,	September 21, 2017	7:00 p.m.
Thursday,	October 5, 2017	7:00 p.m.
Thursday,	October 19, 2017	7:00 p.m.
Thursday,	November 2, 2017	7:00 p.m.
Thursday,	November 16, 2017	7:00 p.m.
Thursday,	November 30, 2017	7:00 p.m.
Thursday,	December 14, 2017	7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the abovementioned Zoning Board of Appeals Meeting Schedule for 2017 is hereby adopted.

-#-

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)
P & D
Public Info.

600

Town of Oyster Bay
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: TIMOTHY R. ZIKE, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: SEPTEMBER 14, 2016

SUBJECT: 2017 MEETING SCHEDULE
ZONING BOARD OF APPEALS

Please be advised that the following is the schedule for meetings of the Zoning Board of Appeals for the year 2017 submitted for your approval.

Thursday,	January 12, 2017	7:00 pm
Thursday,	January 26, 2017	7:00 pm
Thursday,	February 16, 2017	7:00 pm
Thursday,	March 9, 2017	7:00 pm
Thursday,	March 23, 2017	7:00 pm
Thursday,	April 6, 2017	7:00 pm
Thursday,	April 20, 2017	7:00 pm
Thursday,	May 4, 2017	7:00 pm
Thursday,	May 18, 2017	7:00 pm
Thursday,	June 1, 2017	7:00 pm
Thursday,	June 15, 2017	7:00 pm
Thursday,	June 29, 2017	7:00 pm
Thursday,	July 13, 2017	7:00 pm
Thursday,	July 27, 2017	7:00 pm
Thursday,	August 10, 2017	7:00 pm
Thursday,	August 24, 2017	7:00 pm
Thursday,	September 7, 2017	7:00 pm
Thursday,	September 21, 2017	7:00 pm
Thursday,	October 5, 2017	7:00 pm
Thursday,	October 19, 2017	7:00 pm
Thursday,	November 2, 2017	7:00 pm
Thursday,	November 16, 2017	7:00 pm
Thursday,	November 30, 2017	7:00 pm
Thursday,	December 14, 2017	7:00 pm

Timothy R. Zike
TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

TRZ:jf
cc. Town Attorney, 19 copies

Meeting of October 18, 2016 Resolution No. 601 -2016

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, by memorandum dated October 7, 2016, recommended that the Town Board approve the plans, specifications and construction cost estimates for Contract No. H16-144, Maintenance, Repairs, & Improvements to the Hicksville Parking Garage, and that the Division of Purchasing, Department of General Services, proceed with setting a date for receiving bids for said Contract, and the Division of Engineering, Department of Public Works, be authorized and directed to proceed with the Bid and Construction Phases of the above said Contract,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendations are hereby accepted and approved, and the Division of Purchasing, Department of General Services is hereby authorized and directed to proceed with setting a date for receiving bids for Contract No. H16-144, 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. H16-144.

-#-

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
General Services

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

OCTOBER 7, 2016

TO: MEMORANDUM DOCKET

FROM: RICHARD T. BETZ, COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASES
MAINTENANCE, REPAIRS & IMPROVEMENTS TO THE HICKSVILLE PARKING GARAGE
CONTRACT NO. H16-144

Town Board Resolution No. 742-2015 authorized Sidney B. Bowne & Son, LLP to perform engineering services relative to the above-mentioned contract.

The office of Sidney B. Bowne & Son, LLP is in the process of completing the contract documents for this project. Upon the final approval of the Commissioner of Public Works, these documents will be released for competitive bid. The estimated construction time for completion of this subject contract is 60 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.

RICHARD T. BETZ
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RTB/ELM/MR/dm

Attachment

cc: Office of the Town Attorney (w/19 copies)
Christine Wiss, Deputy Comptroller
Eric Tuman, Commissioner/General Services
John Bishop, Department of Highways
Joseph Pinto, Councilman

H16-144 DOCKET PERMISSION TO BID

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 Lockwood, Kessler, and Bartlett, Inc., Sidney B. Bowne & Son, LLP, Gannett Fleming Engineers & Architects, P.C., John A. Grillo Architect, P.C., and LiRo Engineers, Inc., be authorized to provide on-call engineering services in connection with Contract No. PWC19-16, On-Call Engineering Services Relative to Structural Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, Lockwood, Kessler, and Bartlett, Inc., Sidney B. Bowne & Son, LLP, Gannett Fleming Engineers & Architects, P.C., John A. Grillo Architect, P.C., 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 Lockwood, Kessler, and Bartlett, Inc., Sidney B. Bowne & Son, LLP, Gannett Fleming Engineers & Architects, P.C., John A. Grillo Architect, P.C., and LiRo Engineers, Inc., are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC19-16, On-Call Engineering Services Relative to Structural Engineering, 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, the Office of the Town Attorney, working with Salerno Brokerage Corp., has been able to secure flood insurance on thirty-eight (38) Town Buildings from the National Flood Insurance Program (NFIP) through Wright National Flood Insurance Services, LLC; and

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

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

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated October 6, 2016, recommend that flood insurance be secured at a cost of $209,171.00 for a one-year period from September 18, 2016 through September 17, 2017, with funds to be drawn from Account No. TWN AMS 1910 43010 603 0000 000,

Reviewed by Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted, and the Office of the Town Attorney is hereby authorized to secure flood insurance on thirty-eight (38) Town Buildings, from the National Flood Insurance Program, nunc pro tunc from September 18, 2016, through Wright Flood Insurance Services, LLC, in the amount of $209,171.00 for a one-year period from September 18, 2016 through September 17, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same to Salerno Brokerage Corp., upon the submission of a duly certified claim therefor, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

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1002

Town of Oyster Bay
Inter-Departmental Memo

TO: Memorandum Docket

FROM: Office of the Town Attorney

DATE: October 6, 2016

SUBJECT: 2016/2017 National Flood Insurance Program Renewal

This office, working with Salerno Brokerage Corp., has been able to secure flood insurance on thirty-eight (38) of our Town Buildings through the National Flood Insurance Program (NFIP). Our other Town Buildings are already covered under our insurance policy with the Star Surplus Lines Insurance Company.

The cost of covering the Town's thirty-eight (38) buildings for a one-year period from September 18, 2016 through September 17, 2017 is $209,171.00. Funds are available in Account No. TWN AMS 1910 43010 603 0000 000. This office recommends that flood insurance be secured from the National Flood Insurance Program, nunc pro tunc from September 18, 2016, through Wright National Flood Insurance Services, LLC. Payment for same is to be made to Salerno Brokerage Corp.

LEONARD GENOVA
TOWN ATTORNEY

Donna B. Swanson
Deputy Town Attorney

DBS:aml
Enclosure
File: GS 3381

Town Attorney (w/19 copies)

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WHEREAS, the Office of the Town Attorney, working with Salerno Brokerage Corp., has been able to secure flood insurance on thirty-eight (38) Town Buildings from the National Flood Insurance Program (NFIP) through Wright National Flood Insurance Services, LLC; and

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

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

WHEREAS, Leonard Genova, Town Attorney, and Donna B. Swanson, Deputy Town Attorney, by memorandum dated October 6, 2016, recommend that flood insurance be secured at a cost of $209,171.00 for a one-year period from September 18, 2016 through September 17, 2017, with funds to be drawn from Account No. TWN AMS 1910 43010 603 0000 000,

Reviewed By Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendation is hereby accepted, and the Office of the Town Attorney is hereby authorized to secure flood insurance on thirty-eight (38) Town Buildings, from the National Flood Insurance Program, nunc pro tunc from September 18, 2016, through Wright Flood Insurance Services, LLC, in the amount of $209,171.00 for a one-year period from September 18, 2016 through September 17, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same to Salerno Brokerage Corp., upon the submission of a duly certified claim therefor, after audit.

-#-

TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER
FEDERAL ID # ☐ SOCIAL SECURITY # ☐

CLAIMANT'S NAME	CONTRACT #	ORDER #
Salerno Brokerage Corp.		
CLAIMANT'S ADDRESS	**CONTRACT NAME**	
117 Oak Drive, Syosset, NY 11791		
TOWN DEPARTMENT	**CLAIMANT INVOICE #**	**RESO #**
Town Attorney		

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
8/22/16	Binder - 38 Locations		
	9/18/16-17 NFIP Wright National Flood Insurance Renewal		$209,171.00
	Policies - Option A - Limits same as expiring		

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

TOTAL AMOUNT	$209,171.00
CASH DISCOUNT %	
NET AMOUNT	

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

Two-hundred nine thousand one-hundred seventy-one dollars and 00/100 ----------

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 Nicole L Morton Title Insurance Rep. Date 8/22/16

Print or type name Nicole L. Morton Name of Company Salerno Brokerage Corp.

I HEREBY 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 Town Attorney Account _____

Meeting of October 18, 2016 Resolution No. 603-2016

RESOLVED, that the Town Clerk be and hereby is directed to advertise a Notice of Hearing on the proposed Amendments to the Code of the TOWN OF OYSTER BAY, New York, amending Chapter 233 of the said Code pertaining to parking, stopping, crossing, loading zones, thru traffic, trucking operations and other traffic regulations; and be it further

RESOLVED, that said hearing be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, November 15 2016 at 10:00 a.m. o'clock prevailing time; and that the same be advertised in the: Bethpage Newsgram, Hicksville Ill. News, Massapequa Post and Syosset Advance.

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)
DPW
HWY
Traffic Safety Division
DER

603

Meeting of

RESOLVED, that the Town Clerk be and hereby is directed to advertise a Notice of Hearing on the proposed Amendments to the Code of the TOWN OF OYSTER BAY, New York, amending Chapter 233 of the said Code pertaining to parking, stopping, crossing, loading zones, thru traffic, trucking operations and other traffic regulations; and be it further

RESOLVED, that said hearing be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, at a.m. o'clock prevailing time; and that the same be advertised in the:

Cc: Supervisor
Town Attorney
Comptroller (2)
DPW
HWY
Traffic Safety Division
DER

Reviewed By
Office of Town Attorney

Meeting of October 18, 2016 Resolution No. 604-2016

WHEREAS, STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, petitioned the Town Board for a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone, for premises located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on June 7, 2015, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Town Environmental Quality Review Commission, did, by Resolution No. 427-16, adopted on August 9, 2016, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by letter dated August 29, 2016, recommended local determination of said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Timothy Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated June 2, 2016, has advised that the Department of Planning and Development has reviewed the following two (2) plans prepared by Michael J. Palomba, R.A.:

SHEET NO.	TITLE		DATE
A-1	SITE PLAN, FLOOR PLAN & REFLECTIVE CEILING PLAN	Michael J. Palomba, R.A.	11/15/13
S-1	SITE PLAN	Michael J. Palomba, R.A.	11/15/13

WHEREAS, all of the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, petitioned the Town Board for a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone, for premises

located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, in the Town of Oyster Bay, County of Nassau and State of New York, known as and by Lot 5 and part of Lot 6 in Block 294 as shown and designated on a certain map entitled "Map of Hill View Farms Section No. 1 at Hicksville, Town of Oyster Bay, Nassau County, N.Y., November 1948, Alfred J. Hicks, Licensed Land Surveyor, Lic. No. 18262, School House Road, N.Y." and filed in the Nassau County Clerk's Office on December 7, 1949 under file #4834, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of South Oyster Bay Road distant 84.65 feet northerly from the extreme northerly end of the arc connecting the westerly side of South Oyster Bay Road with the northerly side of Meran Place;

RUNNING THENCE along the westerly side of South Oyster Bay Road north 06 degrees 29 minutes east 72.01 feet;

THENCE north 83 degrees 51 minutes west 125.98 (Deed) 121.22 (Actual) feet;

THENCE south 06 degrees 09 minutes west 72 feet;

THENCE south 83 degrees 51 minutes east 125.56 (Deed) 120.81 (Actual) feet to the westerly side of South Oyster Bay Road, at the point or place of BEGINNING.

SAID premises are known and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of the County of Nassau.

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioner, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Timothy Zike, Deputy Commissioner of the Department of Planning and Development, dated June 2, 2016, the two (2) plans described herein are 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	Aye
Councilwoman Johnson	Aye

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

DRAFT

604

Reviewed By
Office of Town Attorney

WHEREAS, STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, petitioned the Town Board for a Change of Zone from a Residential R1-7 Zone to an R-O Residence Office District Zone, for premises located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on June 7, 2015, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Town Environmental Quality Review Commission, did, by Resolution No. 427-16, adopted on August 9, 2016, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by letter dated August 29, 2016, recommended local determination of said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Timothy Zike, Deputy Commissioner of the Department of Planning and Development, by memorandum dated June 2, 2016, has advised that the Department of Planning and Development has reviewed the following two (2) plans prepared by Michael J. Palomba, R.A.:

SHEET NO.	TITLE		DATE
A-1	SITE PLAN, FLOOR PLAN & REFLECTIVE CEILING PLAN	Michael J. Palomba, R.A.	11/15/13
S-1	SITE PLAN	Michael J. Palomba, R.A.	11/15/13

WHEREAS, all of the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, petitioned the Town Board for a Change of

DRAFT

located at 388 South Oyster Bay Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, in the Town of Oyster Bay, County of Nassau and State of New York, known as and by Lot 5 and part of Lot 6 in Block 294 as shown and designated on a certain map entitled "Map of Hill View Farms Section No. 1 at Hicksville, Town of Oyster Bay, Nassau County, N.Y., November 1948, Alfred J. Hicks, Licensed Land Surveyor, Lic. No. 18262, School House Road, N.Y." and filed in the Nassau County Clerk's Office on December 7, 1949 under file #4834, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly side of South Oyster Bay Road distant 84.65 feet northerly from the extreme northerly end of the arc connecting the westerly side of South Oyster Bay Road with the northerly side of Meran Place;

RUNNING THENCE along the westerly side of South Oyster Bay Road north 06 degrees 29 minutes east 72.01 feet;

THENCE north 83 degrees 51 minutes west 125.98 (Deed) 121.22 (Actual) feet;

THENCE south 06 degrees 09 minutes west 72 feet;

THENCE south 83 degrees 51 minutes east 125.56 (Deed) 120.81 (Actual) feet to the westerly side of South Oyster Bay Road, at the point or place of BEGINNING.

SAID premises are known and described as Section 12, Block 294, Lot 45 on the Land and Tax Map of the County of Nassau.

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioner, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Timothy Zike, Deputy Commissioner of the Department of Planning and Development, dated June 2, 2016, the two (2) plans described herein are hereby approved.

WHEREAS, JOAN III, LLC, and JOE III, LLC, fee owners, and BSL NY DEVELOPMENT LLC, contract vendee, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the development of an assisted living facility and Site Plan Approval to permit the construction of a 73,955 square foot two-story assisted living facility in a Neighborhood Business ("NB") Zone, on premises located at 900 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 527, Lot 24 on the Land and Tax Map of Nassau County; and

Reviewed by Office of Town Attorney

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on March 22, 2016, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Town Environmental Quality Review Commission, did, by Resolution No. 499-16, adopted on September 6, 2016, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10116-16, adopted on September 29, 2016, recommended local determination of said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Frederick P. Ippolito, Commissioner of the Department of Planning and Development, by memorandum dated December 7, 2015, has advised that the Department of Planning and Development has reviewed the following four (4) plans prepared by Steven Hermann Ruiz, R.A., Moseley Architects, Springfield, Virginia, and the following seventeen (17) plans prepared by Christopher W. Robinson, P.E., RMS Engineering, Huntington, NY:

SHEET NO.	TITLE		DATE
A2.0.1	OVERALL FIRST FLOOR PLAN	Steven Hermann Ruiz, R.A.	04/17/15
A2.0.2	OVERALL SECOND FLOOR PLAN	Steven Hermann Ruiz, R.A	04/17/15
A4.1.1	BUILDING ELEVATIONS	Steven Hermann Ruiz, R.A.	04/17/15
A4.1.2	BUILDING ELEVATIONS	Steven Hermann Ruiz, R.A.	04/17/15
SP-1	COVER SHEET	Christopher Robinson, P.E.	08/14/15
SP-2	SITE ALIGNMENT PLAN	Christopher Robinson, P.E.	08/14/15
SP-3	GRADING & DRAINAGE PLAN	Christopher Robinson, P.E.	08/14/15
SP-4	UTILITY PLAN	Christopher Robinson, P.E.	08/14/15

SP-5	DEMOLITION &SWPPP PLAN	Christopher Robinson, P.E.	08/14/15
SP-6	LANDSCAPE PLAN	Christopher Robinson, P.E.	08/14/15
SP-7	IRRIGATION PLAN	Christopher Robinson, P.E.	08/14/15
SP-8	CONSTRUCTION DETAILS	Christopher Robinson, P.E.	08/14/15
SP-9	CONSTRUCTION DETAILS	Christopher Robinson, P.E.	08/14/15
SP-10	DRAINAGE & UTILITY DETAILS	Christopher Robinson, P.E.	08/14/15
SP-11	SANITARY DETAILS	Christopher Robinson, P.E.	04/17/15
SP-12	WATER SERVICE DETAILS	Christopher Robinson, P.E.	08/14/15
SP-13	SWPPP DETAILS	Christopher Robinson, P.E.	08/14/15
EX-1	EXISTING CONDITIONS PLAN	Christopher Robinson, P.E.	08/14/15
PH-1	PHOTOMETRIC PLAN	Christopher Robinson, P.E.	08/14/15
Exhibit A	PHASED PARKING EXHIBIT	Christopher Robinson, P.E.	08/18/15
Exhibit B	LANDSCAPE/PARKING EXHIBIT	Christopher Robinson, P.E.	08/18/15

WHEREAS, all of the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of JOAN III, LLC, and JOE III, LLC, fee owners, and BSL NY DEVELOPMENT LLC, contract vendee, for a Special Use Permit to permit the development of an assisted living facility and Site Plan Approval to permit the construction of a 73,955 square foot two-story assisted living facility in a Neighborhood Business ("NB") Zone, on premises located at 900 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block 527, Lot 24 on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Woodbury, Town of Oyster Bay, County of Nassau and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the Southeasterly side of Woodbury Road (as widened) distant 100.00 feet Southwesterly from the extreme Westerly end of an arc of a curve connecting the Southwesterly side of Wren Drive and the Southeasterly side of Woodbury Road (as widened);

RUNNING THENCE South 29 degrees 51 minutes 10 seconds East, a distance of 479.76 feet;

THENCE South 60 degrees 08 minutes 50 seconds West, a distance of 241.46 feet;

THENCE North 83 degrees 07 minutes 50 seconds West, a distance of 159.29 feet;

THENCE North 29 degrees 51 minutes 10 seconds West, a distance of 344.91 feet to the Southeasterly side of Woodbury Road (as widened); and

THENCE along the Southeasterly side of Woodbury Road (as widened), North 54 degrees 01 minutes 21 seconds East, a distance of 371.26 feet to the point or place of BEGINNING.

SAID premises are known and described as Section 12, Block 527, Lot 24 on the Land and Tax Map of the County of Nassau.

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioner, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Frederick P. Ippolito, Commissioner of the Department of Planning and Development, dated December 7, 2015, the twenty-one (21) plans described herein are hereby approved.

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

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

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

Reviewed By
Office of Town Attorney

DECLARATION OF RESTRICTIVE COVENANTS

JOAN III, LLC, fee owner, with a business address of 30 Rolling Drive, Brookville, New York 11545, and JOE III, LLC, fee owner, with a business address of Herricks Lane, P.O. Box 645, Jamesport, New York 11947, and BSL NY DEVELOPMENT LLC, contract vendee, with a business address of 40 William Street, Suite 350, Wellesley, Massachusetts 02481, by this declaration, dated October 18, 2016, declare as follows:

WHEREAS, JOAN III, LLC and JOE III, LLC, fee owners, and BSL NY DEVELOPMENT LLC, contract vendee, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit to permit the development of an assisted living facility and Site Plan Approval to permit the construction of a 73,955 square foot two-story assisted living facility in a Neighborhood Business ("NB") Zone, on premises located at 900 Woodbury Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block 527, Lot 24 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on March 22, 2016, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 605-2016, dated October 18, 2016, approved said application subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, do hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as being located at located at 900 Woodbury Road, Woodbury, Town of Oyster Bay, New York, which will run with the land and be binding upon said Declarants, their successors and/or assigns,

NOW, THEREFORE, said Declarants, do hereby covenant and declare as follows:

1. That there shall be no direct access between the subject premises and Lark Drive, except for emergency vehicle access if such access is required by an agency having jurisdiction in regard to same.

2. That Declarants shall investigate the on-site soil in the area beneath the existing commercial building after demolition, and that any such soil that exceeds applicable criteria of the New York State Department of Environmental Conservation ("NYSDEC") shall be excavated and properly disposed in accordance with procedures set forth in the Site Management Plan ("SMP") which has been prepared for and submitted to NYSDEC.

3. That a sub-slab vapor barrier shall be installed for the subject assisted living building.

4. That the subsurface components of a sub-slab depressurization system ("SSDS") shall be installed at the time of construction of the subject assisted living building.

5. That indoor vapor testing shall be undertaken in the subject assisted living building upon the completion of the construction of said building in accordance with standard protocols for such testing.

6. That the above-grade components of the SSDS shall be promptly installed and activated if required by NYSDEC, based on the results of the aforementioned indoor vapor testing.

7. That quarterly testing of the groundwater monitoring wells on the subject property shall continue, as required by NYSDEC.

8. That appropriate measures shall be implemented to protect the monitoring wells on the subject premises in order to ensure that said wells are accessible and functional if testing continues during construction or operation of the subject assisted living facility.

9. That the on-site monitoring wells shall be decommissioned in accordance with NYSDEC requirements at such time as NYSDEC determines that groundwater testing at the subject premises is no longer necessary.

10. That annual inspections shall be undertaken on the subject premises to evaluate the effectiveness of SMP implementation, as required by NYSDEC.

11. That there shall be strict compliance with the provisions of the environmental easement, dated May 13, 2016, executed with NYSDEC.

12. That Declarants shall assign a person to serve as the point of contact for neighboring residents in order to promptly and effectively address any issues that the community may raise in the future with respect to the proposed facility.

13. That Declarants shall implement effective measures – including, but not limited to, designated staff parking areas and valet parking as needed – to ensure that no facility-related parking occurs on adjacent neighborhood streets.

14. That Declarants shall cooperate with the Town and neighboring residents to adjust the starting and ending times of staff shifts as necessary to minimize facility-related traffic impacts on the surrounding community.

15. That Declarants shall consult with the Nassau County Department of Public Works to ascertain whether conditions at the access driveway on Woodbury Road for the subject assisted living facility warrant the installation of a new traffic signal, and shall report back to the Town regarding same.

16. That Declarants, in consultation with the Nassau County Department of Public Works, shall investigate whether an eastbound deceleration lane for right-turning vehicles is warranted at the Woodbury Road access driveway for the subject assisted living facility, and shall report back to the Town regarding same.

17. That all driveway and parking areas on the subject premises shall be paved and maintained in good repair at all times and shall be provided with proper stormwater drainage.

18. That the subject premises shall be continually policed and maintained as to be free of all papers, trash, debris or other discarded materials.

19. That all shrubs, trees and landscaping on the subject premises shall be continually maintained in good and healthy condition and replaced when necessary.

20. That any and all signs that are to be erected and maintained on the subject premises are to comply with all applicable provisions of present laws or ordinances of the Town of Oyster Bay.

21. That there shall be installed and properly maintained a fully automatic sprinkler system on the subject premises to quell fires, satisfactory to and approved by the Fire Marshal of Nassau County. Adherence to all applicable laws shall satisfy this condition.

22. That the exterior of all structures, parking areas and all other installations on the subject premises visible to the public shall be continually maintained in neat and good repair.

23. That all garbage, refuse and rubbish on the subject premises shall be placed and kept in suitable containers and disposed in accordance with applicable statutes, ordinances, and laws.

24. That all exterior lighting shall be directed onto the subject premises and no lighting is to be directed onto adjacent properties or roadways.

25. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with four (4) plans prepared by Steven Hermann Ruiz, R.A., Moseley Architects, Springfield, Virginia, and seventeen (17) plans prepared by Christopher W. Robinson, P.E., RMS Engineering, Huntington, NY, which plans were reviewed in accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, and recommended for acceptance by Frederick P. Ippolito, Commissioner of the Department of Planning and Development, by memorandum dated December 7, 2015, and approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. In the event Declarants seek permission to make a change to the subject structures or property after the date of the granting resolution, the Department of Planning and Development shall determine whether the proposed change is a major or minor modification. If a proposed modification is deemed

minor, the Department of Planning and Development shall have final approval of same. Any major modifications to said plans shall require Town Board approval. The plans approved by the granting resolution are as follows:

SHEET NO.	TITLE		DATE
A2.0.1	OVERALL FIRST FLOOR PLAN	Steven Hermann Ruiz, R.A.	04/17/15
A2.0.2	OVERALL SECOND FLOOR PLAN	Steven Hermann Ruiz, R.A	04/17/15
A4.1.1	BUILDING ELEVATIONS	Steven Hermann Ruiz, R.A.	04/17/15
A4.1.2	BUILDING ELEVATIONS	Steven Hermann Ruiz, R.A.	04/17/15
SP-1	COVER SHEET	Christopher Robinson, P.E.	08/14/15
SP-2	SITE ALIGNMENT PLAN	Christopher Robinson, P.E.	08/14/15
SP-3	GRADING & DRAINAGE PLAN	Christopher Robinson, P.E.	08/14/15
SP-4	UTILITY PLAN	Christopher Robinson, P.E.	08/14/15
SP-5	DEMOLITION & SWPPP PLAN	Christopher Robinson, P.E.	08/14/15
SP-6	LANDSCAPE PLAN	Christopher Robinson, P.E.	08/14/15
SP-7	IRRIGATION PLAN	Christopher Robinson, P.E.	08/14/15
SP-8	CONSTRUCTION DETAILS	Christopher Robinson, P.E.	08/14/15
SP-9	CONSTRUCTION DETAILS	Christopher Robinson, P.E.	08/14/15
SP-10	DRAINAGE & UTILITY DETAILS	Christopher Robinson, P.E.	08/14/15
SP-11	SANITARY DETAILS	Christopher Robinson, P.E.	04/17/15
SP-12	WATER SERVICE DETAILS	Christopher Robinson, P.E.	08/14/15
SP-13	SWPPP DETAILS	Christopher Robinson, P.E.	08/14/15
EX-1	EXISTING CONDITIONS PLAN	Christopher Robinson, P.E.	08/14/15
PH-1	PHOTOMETRIC PLAN	Christopher Robinson, P.E.	08/14/15
Exhibit A	PHASED PARKING EXHIBIT	Christopher Robinson, P.E.	08/18/15
Exhibit B	LANDSCAPE/PARKING EXHIBIT	Christopher Robinson, P.E.	08/18/15

26. That there shall be strict compliance with any and all ordinances, laws, regulations and directives of the Town of Oyster Bay, the Nassau County Fire Marshal's Office, the Nassau County Department of Health and any and all other agencies or departments of the Town of Oyster Bay, the County of Nassau, the State of New York and/or the United States of America.

27. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

28. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered

or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Woodbury, Town of Oyster Bay, County of Nassau and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the Southeasterly side of Woodbury Road (as widened) distant 100.00 feet Southwesterly from the extreme Westerly end of an arc of a curve connecting the Southwesterly side of Wren Drive and the Southeasterly side of Woodbury Road (as widened);

RUNNING THENCE South 29 degrees 51 minutes 10 seconds East, a distance of 479.76 feet;

THENCE South 60 degrees 08 minutes 50 seconds West, a distance of 241.46 feet;

THENCE North 83 degrees 07 minutes 50 seconds West, a distance of 159.29 feet;

THENCE North 29 degrees 51 minutes 10 seconds West, a distance of 344.91 feet to the Southeasterly side of Woodbury Road (as widened); and

THENCE along the Southeasterly side of Woodbury Road (as widened), North 54 degrees 01 minutes 21 seconds East, a distance of 371.26 feet to the point or place of BEGINNING.

SAID premises are known and described as Section 12, Block 527, Lot 24 on the Land and Tax Map of the County of Nassau.

IN WITNESS WHEREOF, the Declarants have hereunto set its hand and seal the day and year first above written.

JOAN III, LLC, Fee Owner

BY:_____
Joan A. D'Auria, Sole Member

STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:

On the day of in the year 2016 before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

JOE III, LLC, Fee Owner

BY:_____
Joseph P. Lebkuecher, Jr., Sole Member

STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:

On the day of in the year 2016 before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

BSL NY DEVELOPMENT LLC, Contract Vendee

BY:_____

Title:_____

STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:

On the day of in the year 2016 before me, the undersigned, personally appeared , personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the Town Code, Town employees are entitled to defense and indemnity by counsel in proceedings involving that employee's work duties, with the associated costs to be borne by the Town; and

WHEREAS, Frank M. Scalera, Chief Deputy Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated October 11, 2016, have advised that pursuant to the Town's Procurement Policy, law firms were solicited law firms to represent a certain Town employee, who was identified to the Town Board in executive session, in connection with a civil action that was brought in the State of Connecticut and, by the same memorandum, recommend that Brenner, Saltzman & Wallman, LLP, 271 Whitney Avenue, New Haven, Connecticut, be retained in order to assist the Office of the Town Attorney with respect to said litigation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned law firm is hereby authorized to assist the Office of the Town Attorney with respect to commercial litigation that was commenced in the State of Connecticut in an amount not to exceed $10,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, or any other appropriate account, upon submission of a duly certified claim, after audit.

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

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

cc: Supervisor
Town Attorney
Comptroller (2)

600

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : October 11, 2016

SUBJECT : Request for Proposals
Special Counsel to the Town for Litigation

Pursuant to Town Code, Town employees are entitled to defense and indemnity by counsel in proceedings involving that employee's work duties, with the associated costs to be borne by the Town. In accordance with the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney recently solicited law firms to represent a certain Town employee, who was identified to the Town Board in executive session, in connection with a civil action that was brought in the State of Connecticut. Because none of the attorneys of the Office of the Town Attorney are admitted in Connecticut, it is necessary to retain counsel that is admitted in Connecticut.

This Office received three (3) responses to the Request for Proposals, which responses included a synopsis of the firms' qualifications, experience, and references.

After a thorough investigation, and a review of the qualifications, this Office now recommends Brenner, Saltzman & Wallman, LLP, 271 Whitney Avenue, New Haven, Connecticut be retained to assist the Office of the Town Attorney with respect to the foregoing.

Accordingly, attached hereto for Town Board consideration is a proposed resolution appointing the above referenced firm as special counsel to the Town of Oyster Bay for purposes of representing a certain Town employee in connection with commercial litigation in Connecticut, in an amount not to exceed $10,000.00 with funds to be drawn from Account No. OTA A 1420 44110 000 0000. The firm's rate sheet is attached hereto.

Frank M. Scalera
Chief Deputy Town Attorney

Matthew M. Rozea
Assistant Town Attorney

MMR:mmr
Attachment

Brenner, Saltzman & Wallman LLP

Rates for Professional Services

NAME	POSITION	RATE/HOURLY
David R. Schaefer	Partner	$475.00
Carolyn W. Kone	Partner	$375.00
Sean M. Fisher	Partner	$300.00
Michael T. Cretella	Associate	$240.00
Johanna L. Rivera	Litigation Paralegal	$160.00

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the Town Code, Town employees are entitled to defense and indemnity by counsel in proceedings involving that employee's work duties, with the associated costs to be borne by the Town; and

WHEREAS, Frank M. Scalera, Chief Deputy Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated October 11, 2016, have advised that pursuant to the Town's Procurement Policy, law firms were solicited law firms to represent a certain Town employee, who was identified to the Town Board in executive session, in connection with a civil action that was brought in the State of Connecticut and, by the same memorandum, recommend that Brenner, Saltzman & Wallman, LLP, 271 Whitney Avenue, New Haven, Connecticut, be retained in order to assist the Office of the Town Attorney with respect to said litigation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned law firm is hereby authorized to assist the Office of the Town Attorney with respect to commercial litigation that was commenced in the State of Connecticut in an amount not to exceed $10,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, or any other appropriate account, upon submission of a duly certified claim, after audit.

Meeting of October 18, 2016 Resolution No. 607-2016

Reviewed By
Office of Town Attorney

BE IT RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room located at Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 15th day of November, 2016, at 10:00 a.m. prevailing time, or as soon thereafter as may be practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new 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"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in Newsday

a newspaper of general circulation in the Town of Oyster Bay pursuant to the governing provisions of law.

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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)
Receiver of Taxes

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : October 18, 2016

SUBJECT: 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"

At its October 18, 2016 meeting, the Town Board closed a previously scheduled and duly noticed public hearing relative to the above-referenced proposed local law. However, at the same meeting, the Board adopted Resolution 607-2016 that authorized the Town Clerk to publish legal notice for a new public hearing to be held on November 15, 2016 relative to the same subject matter.

Accordingly, this office has prepared the following items necessary to establish a new local law as referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

LEONARD GENOVA
TOWN ATTORNEY

Matthew M. Rozea
Assistant Town Attorney

MMR:mmr
Enclosure

S:\Attorney\LOCAL LAWS\2016 Tax Levy Cap\MD.doc

Meeting of October 18, 2016

Resolution No. 607-2016

Reviewed By
Office of Town Attorney

BE IT RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room located at Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 15th day of November, 2016, at 10:00 a.m. prevailing time, or as soon thereafter as may be practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new 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"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in Newsday

a newspaper of general circulation in the Town of Oyster Bay pursuant to the governing provisions of law.

-#-

Reviewed By
Office of Town Attorney

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 15th day of November, 2016, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "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". Said Hearing may be adjourned from time to time as necessary. The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein. TOWN BOARD OF TOWN OF OYSTER BAY. JOHN VENDITTO, Supervisor. JAMES ALTADONNA, JR., Town Clerk. Dated: October 18, 2016, Oyster Bay, New York.

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.

XXXXXX
XXXX
Town of Oyster Bay
XXXXXXX

Local Law No. _____ **of the year** 2016

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"

Be it enacted by the Town Board
of the
(Name of Legislative Body)

XXXXXX
XXXX
Town of Oyster Bay as follows:
XXXXXXX

Section 1. 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.

CHAPER 209 – Taxation.

ADD:

ARTICLE X, Override of Real Property Tax Levy.

§ 209-47. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Oyster Bay, County of Nassau, State of New York pursuant to General Municipal Law § 3-c, and to allow the Town of Oyster Bay to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

§ 209-48. Statutory Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

§ 209-49. Tax Levy Limit Override.

The Town Board of the Town of Oyster Bay is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

§ 209-50. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 2. Effective Date.

This Local Law shall be operative upon adoption by the Town Board of the Town of Oyster Bay and shall take effect immediately upon its 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. _____ of 20 of the XXXXXXXX XXXXXX (Town) XXXXXXXXX of Oyster Bay was duly passed by the Town Board on _____ 20 , 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: _____, 2016

(Certification to be executed by XXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXX Town AttorneyXXXXXXXXXXXXXXXXXX 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.

_____
Signature
Town Attorney
Title
XXXXXX
XXXX of Oyster Bay
Town
XXXXXXX
Date: _____,2016