

TOWN OF OYSTER BAY
TOWN BOARD
REGULAR MEETING
November 19, 2019
10:00 A.M.

NOTE:

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

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

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

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HEARING - FINANCE

To consider the application of the Plainview Water District to issue bonds to pay the cost of improvements to said district. (M.D. 10/15/19 #25).

HEARING -P-9-19

To consider the application of 27 Carmans Inc. for a Special Use Permit for premises located at 25-27 Carmans Road, Massapequa, New York. (M.D. 10/8/19 #23).

HEARING - P-10-19

To consider the application of 62 South Street Tower, Inc. for a Special Use Permit for premises located at 62 South Street, Oyster Bay, New York. (M.D. 10/8/19 #22).

HEARING - P-11-19

To consider the application of Beechwood PV Retail LLC, fee owner and CR Fitness Venture, Inc., lessee, for a Special Use Permit for premises located at Old Country Road and Round Swamp Road, Plainview, New York. (M.D. 10/15/19 #16).

PERSONNEL RESOLUTION NO. P-16-19

Resolution pertaining to personnel of various departments within the Town of Oyster Bay.

TRANSFER OF FUNDS RESOLUTION NO. TF-19-19

Resolution pertaining to Transfer of Funds within various departments' accounts for the Year 2019.

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RESOLUTION NO. 676 - 2019

Resolution granting request from the Nassau County Police Marine Bureau to berth one marine enforcement boat at both Harry Tappen Marina and Theodore Roosevelt Marina for the 2019-2020 winter season with fees waived. (M.D. 10/22/19 #5).

RESOLUTION NO. 677 - 2019

Resolution authorizing implementation of the Harry Tappen/Theodore Roosevelt Marinas Spring, Summer and Fall fee schedule for the 2020 season. (M.D. 10/22/19 #6).

RESOLUTION NO. 678 - 2019

Resolution authorizing the Comptroller to refund premium contributions in connection with the Flexible Spending Plan. Account No. TWN TA 0000 00020 400 0000. (M.D. 10/22/19 #9).

RESOLUTION NO. 679 - 2019

Resolution authorizing award of Construction Contract No. DP 19-200, Littauer Estate Roof Replacement located in Syosset. Account No. DGS H 1997 20000 000 1401 001. (M.D. 10/22/19 #13).

RESOLUTION NO. 680 - 2019

Resolution authorizing rejection of bids and permission to rebid, Contract No. DPW19-185, Lake Avenue C.V.M. Building Extension, because the bid price was beyond the budgeted amount. (M.D. 10/22/19 #15).

RESOLUTION NO. 681 - 2019

Resolution authorizing an Inter-Municipal Agreement with the Incorporated Village of Farmingdale to maintain the street lighting system for the period December 1, 2019 through November 30, 2021. (M.D. 10/22/19 #17).

RESOLUTION NO. 682 - 2019

Resolution amending Resolution Nos. 183-2019 and 410-2019 in connection with Hicksville Athletic Facility Instructor fees. Account No. PKS A 7110 47660 000 0000. (M.D. 10/29/19 #5).

RESOLUTION NO. 683 - 2019

Resolution to establish fees for the Town of Oyster Bay sponsored Co-Ed Adult Sports and Fitness Programs and to allow the Commissioner of Parks to adjust the fees of the program at their discretion if needed. (M.D. 10/29/19 #8).

RESOLUTION NO. 684 - 2019

Resolution authorizing issuance of a refund of a building permit fee to V. Keehner. Account No. PAD B 0001 02555 000 0000. (M.D. 10/29/19 #13).

RESOLUTION NO. 685 - 2019

Resolution authorizing extension for Contract No. HVR 17-156, Cleaning and Inspection of Storm Drainage Systems, for the period November 14, 2019 through November 13, 2020. (M.D. 10/29/19 #15)

RESOLUTION NO. 686 - 2019

Resolution pertaining to the Dock Application of Michael Starito, 331 Sunset Boulevard, Massapequa, NY. (M.D. 10/29/19 #20).

RESOLUTION NO. 687 - 2019

Resolution pertaining to the Dock Application of Donald Signorelli, 101 West Shore Drive, Massapequa, NY. (M.D. 10/29/19 #21).

RESOLUTION NO. 688 - 2019

Resolution authorizing employment of services of various performers for the 2019-2020 Distinguished Artists Concert Series and authorizing the Supervisor, his designee or the Commissioner of Community and Youth Services to execute agreements for these events. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #4).

RESOLUTION NO. 689 - 2019

Resolution authorizing an agreement for professional lighting equipment and services used during the *Music Under the Stars* concerts and various other special events for the period January 1, 2020 through December 31, 2020, and for the Supervisor, his designee or the Commissioner of Community and Youth Services to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #5).

RESOLUTION NO. 690 - 2019

Resolution authorizing an agreement for professional sound equipment and services used during the *Music Under the Stars* concerts and various other special events for the period January 1, 2020 through December 31, 2020, and for the Supervisor, his designee or the Commissioner of Community and Youth Services to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #6).

RESOLUTION NO. 691 - 2019

Resolution authorizing an agreement for an art instructor for the Senior Citizens Services Program for the period January 1, 2020 through December 31, 2020, and for the Supervisor, his designee or the Commissioner of Community and Youth Services to execute said agreement. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #7).

RESOLUTION NO. 692 - 2019

Resolution authorizing renewal of a performance license with American Society of Composers, Authors and Publishers to cover all Town sponsored performances and events for the period January 1, 2020 through December 31, 2020. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #8).

RESOLUTION NO. 693 - 2019

Resolution authorizing renewal of a performance license with Society of European Stage Authors & Composers, Inc. to cover all Town sponsored performances and events for the period January 1, 2020 through December 31, 2020. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #9).

RESOLUTION NO. 694 - 2019

Resolution authorizing renewal of a performance license with Broadcast Music, Incorporated to cover all Town sponsored performances and events for the

period December 1, 2019 through November 30, 2020. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #10).

RESOLUTION NO. 695 - 2019

Resolution authorizing videotaping, editing and purchase of DVD's for the Department's special events for the period covering January 1, 2020 through December 31, 2020. Account No. CYS A 7020 47660 000 0000. (M.D. 11/5/19 #11).

RESOLUTION NO. 696 - 2019

Resolution granting request of Dori Yakuel to donate a memorial plaque and bench to be placed in Merry Lane Park (J2) in memory of Shlomo Grand. (M.D. 11/5/19 #12).

RESOLUTION NO. 697 - 2019

Resolution authorizing Colin Bell, Deputy Commissioner, Intergovernmental Affairs to grant permission to Locust Valley Fire District to utilize the DUNS Number assigned to "Town of Oyster Bay, Doing Business as Locust Valley Fire District" for the purpose of LVFD to create a federal System for Award Management account in order for LVFD to apply for federal funding through the FEMA Assistance to Firefighters Grant Program. (M.D. 11/5/19 #14).

RESOLUTION NO. 698 - 2019

Resolution authorizing issuance of a refund of a building permit extension of time fee to M. Falcetta. Account No. PAD B 0001 02555 000 0000. (M.D. 11/5/19 #17).

RESOLUTION NO. 699 - 2019

Resolution pertaining to amended site plan and amended Landscape Plan approval for 900 Woodbury Road, Woodbury, New York. (M.D. 11/5/19 #19).

RESOLUTION NO. 700 - 2019

Resolution pertaining to amended site plan approval for Meadow Brook Country Club, 500 Cedar Swamp Road, Jericho, New York. (M.D. 11/5/19 #20).

RESOLUTION NO. 701 - 2019

Resolution authorizing renewal of the Town of Oyster Bay Dental Plan agreement for the period January 1, 2020 through December 31, 2020 and for the Comptroller to issue payment. Account No. TWN AMM 9060 80000 000 0000 000. (M.D. 11/5/19 #21).

RESOLUTION NO. 702 - 2019

Resolution directing the Town Clerk to advertise a Notice of Hearing in connection with the application of Joel and Randy Sporn, for a Special Use Permit for the conversion of commercial space to allow the operation of an auxiliary automobile center for premises located at 299 Duffy Avenue, Hicksville, New York. Hearing Date: December 10, 2019. (M.D. 11/5/19 #29).

RESOLUTION NO. 703 - 2019

Resolution directing the Town Clerk to advertise a Notice of Hearing in connection with the application of Massapequa Plaza Associates, Owner and

Massapequa FBBC, LLC d/b/a Fit Body Boot Camp, Tenant, for a Special Use Permit to allow the operation of a fitness facility for premises located at 5117-5167 Merrick Road, Massapequa, New York. Hearing Date: December 10, 2019. (M.D. 11/5/19 #30).

RESOLUTION NO. 704 - 2019

Resolution to schedule a presentation of the Town of Oyster Bay Solid Waste Disposal District at the Town Board meeting of December 10, 2019 and to direct the Town Clerk to publish a public notice for this purpose. (M.D. 11/5/19 #34).

RESOLUTION NO. 705 - 2019

Resolution granting request from the Locust Valley Chamber of Commerce, for Town assistance in conducting their Annual Tree Lighting Ceremony on December 3, 2019, and use various Town equipment for the event. (M.D. 11/5/19 #36).

RESOLUTION NO. 706 - 2019

Resolution pertaining to payment of a Satisfaction of Judgement. Account No. OTA A 1420 44110 000 0000. (M.D. 11/5/19 #39).

RESOLUTION NO. 707 - 2019

Resolution authorizing the Supervisor to execute a License Agreement with the American Red Cross to use and occupy a 2,250 square foot portion of land at the Department of Public Works facility located at 150 Miller Place, Syosset for the storage of three trailers and two trucks. (M.D. 11/5/19 #41).

RESOLUTION NO. 708 - 2019

Resolution authorizing an agreement for the provision of Staff Support/Leasing Services for the period January 1, 2020 through December 31, 2020 and authorizing the Supervisor or his designee to execute said agreement. Account Nos. IGA CD 6293 480880 000 CW 19, IGA CD 6293 48080 000 CW20, IGA CD 6293 47850 000 CW20 and CMP A 1315 48080 000 0000. (M.D. 11/5/19 #15 & 11/12/19 #10).

RESOLUTION NO. 709 - 2019

Resolution authorizing payment to satisfy final outstanding Workers Compensation Insurance balance for the 2018 Summer Youth Employment and Training Program funded through the Workforce Innovation and Opportunity Act at no expense to the Town of Oyster Bay. Account No. IGA CD 6293 43000 000 CW19. (M.D. 11/5/19 #16 & 11/12/19 #9).

RESOLUTION NO. 710 - 2019

Resolution pertaining to amended site plan approval for Nassau Candy, 300 Duffy Avenue, Hicksville, New York (M.D. 11/5/19 #18 & 11/12/19 #16).

RESOLUTION NO. 711 - 2019

Resolution authorizing an engagement for Workers Compensation Liability Actuarial Consultant Services from December 1, 2019 through November 30, 2020, with the provision of two (2) one-year extension options and authorizing the Supervisor or his designee and/or the Comptroller to execute

said engagement. Account No. CMP A 1315 44800 000 0000 (M.D. 11/5/19 #22 & 11/12/19 #20).

RESOLUTION NO. 712 - 2019

Resolution authorizing an engagement for Other Post Employment Benefit Actuarial Consultant Services from December 1, 2019 through November 30, 2020 with the provision of two (2) one-year extension options and authorizing the Supervisor or his designee and/or the Comptroller to execute said engagement. Account No. CMP A 1315 44800 000 0000. (M.D. 11/5/19 #23 & 11/12/19 #21).

RESOLUTION NO. 713 - 2019

Resolution authorizing an engagement for Professional Auditing Services from December 1, 2019 through November 30, 2020, with the provision of two (2) one-year extension options and authorizing the Supervisor or his designee and/or the Comptroller to execute said engagement. Account No. TWN A 1989 44810 000 0000. (M.D. 11/5/19 #24 & 11/12/19 #22).

RESOLUTION NO. 714 - 2019

Resolution authorizing an engagement for On-Call Accounting Services from December 1, 2019 through November 30, 2020, with the provision of two (2) one-year extension options and authorizing the Supervisor or his designee and/or the Comptroller to execute said engagement. Account No. CMP A 1315 44800 000 0000. (M.D. 11/5/19 #25 & 11/12/19 #23).

RESOLUTION NO. 715 - 2019

Resolution to schedule the Town Board Meeting dates for 2020. (M.D. 11/5/19 #26 & 11/12/19 #24).

RESOLUTION NO. 716 - 2019

Resolution authorizing payment of Independent Medical Examination in connection with Serpe v. Town of Oyster Bay. (M.D. 11/5/19 #27 & 11/12/19 #34).

RESOLUTION NO. 717 - 2019

Resolution pertaining to On-Call Technical Assistance for Contract No. PWC31-18 relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex. (LKB) Account No. DER SR05 8160 44800 000 0000. (M.D. 11/5/19 #31 & 11/12/19 #28).

RESOLUTION NO. 718 - 2019

Resolution pertaining to On-Call Engineering Services for Contract No. PWC31-18 relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex and use of sub-consultant services for legal assistance with solid waste issues relative to the development of the solid waste RFP. (CA) Account No. DER SR05 8160 44800 000 0000. (M.D. 11/5/19 #32 & 11/12/19 #26).

RESOLUTION NO. 719 - 2019

Resolution pertaining to Quantity Increase/Decrease & Extension of Time for Contract No. DP17-167-PH2, Expansion of Ellsworth W. Allen Town Park - Phase 2. (M.D. 11/5/19 #33 & 11/12/19 #25).

RESOLUTION NO. 720 - 2019

Resolution granting request from Nassau Shores Civic Association for Town assistance in conducting their Annual Tree Lighting Event to be held November 29, 2019, to use various equipment and to have Town Ordinance Chapter 82-3, waived for the event. (M.D. 11/5/19 #37 & 11/12/19 #31).

RESOLUTION NO. 721 - 2019

Resolution amending Resolution No. 24-2019 in connection with Sports and Family Event Programs additional unscheduled Town sponsored events within 2019 and for additional community event expenses related to the Town of Oyster Bay Waterfront Festival and Marine Expo held on September 14, 2019 at TOBAY Beach Marina. (M.D. 11/5/19 #38 & 11/12/19 #6).

RESOLUTION NO. 722 - 2019

Resolution pertaining to an increase for Resolution No. 481-2018, additional Planning Services in order to complete the draft code modifications for presentation to the Town Board. Account No. PAD B 8020 44800 000 0000. (M.D. 11/5/19 #40 & 11/12/19 #14).

RESOLUTION NO. 723 - 2019

Resolution pertaining to Contract No. PWC31-18, On-Call Engineering Services relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex. Account No. DER SR05 8160 44800 000 0000. (M.D. 11/5/19 #35 and 11/12/19 #27).

RESOLUTION NO. 724 - 2019

Resolution pertaining to the decision on the application of KRE Broadway Owner, LLC, for a Special Use Permit to permit the construction and operation of a motor vehicle rental facility, on premises known as the Broadway Mall Shopping Center, located on the west side of Broadway, Hicksville, New York. Hearing held: September 17, 2019. (M.D. 9/17/19 #6).

RESOLUTION NO. 725 - 2019

Resolution pertaining to the decision on the application of KRE Broadway Owner, LLC, for a Special Use Permit to permit the expansion of an active recreation use with game room, on premises known as the Broadway Mall Shopping Center, located on the west side of Broadway, Hicksville, New York. Hearing held: September 17, 2019 (M.D. 9/17/19 #7).

RESOLUTION NO. 726 - 2019

Resolution pertaining to the decision on the application of KRE Broadway Owner, LLC, for a Special Use Permit to permit the construction and operation of a fitness center on premises known as the Broadway Mall Shopping Center, located on the west side of Broadway, Hicksville, New York. Hearing held: September 17, 2019 (M.D. 9/17/19 #8).

SUSPEND THE RULES AND ADD THE FOLLOWING:

RESOLUTION NO. 727 - 2019

Resolution authorizing Colin Bell, Deputy Commissioner, Department of Intergovernmental Affairs, to execute a New York State Department of Transportation Equitable Business Opportunity System User Agreement and to serve as the Town's Primary Log-In Holder to the New York State Department of Transportation's Equitable Opportunities System. (M.D. 11/12/19 #11).

RESOLUTION NO. 728 - 2019

Resolution authorizing a No Cost Time Extension of Local/Miscellaneous Contract relative to the Syosset Streetscape and Walkability Enhancement Project through December 2024 and for the Supervisor and/or his designee to execute said extension. (M.D. 11/12/19 #12).

RESOLUTION NO. 729 - 2019

Resolution pertaining to funds for Nassau County Contract General Requirements Contract No. H66302V, in connection with the replacement of the back softball artificial turf at John J. Burns Park. Account No. PKS H 7197 20000 000 1902 001. (M.D. 11/12/19 #32).

RESOLUTION NO. 730 - 2019

Resolution directing the Town Clerk to publish a notice of hearing to consider a Local Law entitled "A Local Law to Amend Chapter 4, Administration of Government, Adding Article XIX Information Technology, of the Town Code of the Town of Oyster Bay." Hearing date: December 10, 2019. (M.D. 11/12/19 #35).

RESOLUTION NO. 731 - 2019

Resolution amending Resolution No. 69-2016 to provide an additional amount to satisfy 2018 invoices in connection with labor counsel services. Account No. TWN AMW 9040 84040 000 0000 000. (M.D. 11/12/19 #36).

RESOLUTION NO. 732 - 2019

Resolution authorizing an Inter-Municipal Agreement with the Incorporated Village of Mill Neck under which the Town will provide sand and salt to said Village, effective November 19, 2019 through April 30, 2020. (M.D. 11/12/19 #37).