

213

File
Reviewed by
Office of Town Attorney

WHEREAS, by Resolution No. 717-2013, adopted on October 15, 2013, the Town entered into a Host Site Agreement with the New York Power Authority for the installation of electric vehicle charging stations at the Town of Oyster Bay Hicksville Parking Facility, 55 Duffy Avenue, Hicksville, New York 11801; and

WHEREAS, the Host Site Agreement allowing resident use of charging stations requires an additional network service subscription from EV Connect, 615 North Nash Street, Suite 203, El Segundo, CA 90245, and the subscription grants the Town a subscriber license to recover costs associated with providing the vehicle charging service to its residents; and

WHEREAS, Kevin M. Hanifan, Commissioner, Department of Highways, and Daniel Midgette, Engineering Bureau, Department of Highways, by memorandum dated April 12, 2016, request and recommend that the Town Board authorize the Supervisor to enter into the Network Services Agreement with EV Connect, allowing the Town to procure a subscriber license relative to the electric vehicle charging stations at the Town of Oyster Bay Hicksville Parking Facility, 55 Duffy Avenue, Hicksville, New York 11801; and

WHEREAS, Leonard Genova, Town Attorney, and Anthony C. Curcio, Assistant Town Attorney, by memorandum dated December 22, 2015, have reviewed the EV Connect Network Services Subscription, and have no objections to the documents in their current form,

NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and the Supervisor is hereby authorized to enter into a Network Services Agreement with EV Connect, allowing the Town to procure a subscriber license relative to the electric vehicle charging stations at the Town of Oyster Bay Hicksville Parking Facility, 55 Duffy Avenue, Hicksville, New York 11801

24

Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Sharon A. Betz, Assistant Director of Community Relations, Department of Community and Youth Services, by memorandum dated April 14, 2016, request Town Board approval to employ the services of the following art adjudicator, for the date, location and fee below noted:

Mr. Bart DeCeglie
81 Holland Avenue
Floral Park, NY 11001
"Suburban Art League Annual Open Show" for the Town of Oyster Bay Awards
Syosset-Woodbury Community Center
Friday, June 17, 2016, from 7:00 p.m. to 9:00 p.m.
Fee: \$100.00

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the request hereinabove set forth for the art adjudicator, location and fee as above noted; 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 A7020 47660 000 0000, or any other appropriate account.

draft

215

Reviewed by
Office of Town Attorney

WHEREAS, the Town of Oyster Bay has been working with the Federal Emergency Management Agency (FEMA) and the New York State Division of Homeland Security and Emergency Services (NYS DHSES) in pursuit of FEMA Public Assistance (PA) funding relative to Superstorm Sandy; and

WHEREAS, FEMA PA reimbursement requests are made through Project Worksheets (PWs) submitted by the applicant to the NYS DHSES and FEMA, which agencies will approve reimbursements requested by applicants through PWs based on estimated response/recovery costs with the understanding that PWs will be subject to a closeout process at a later date, and during the closeout process estimated costs and actual costs are reconciled relative to each specific PW, and in an instance where the applicant has previously received too much FEMA PA funding, it will be required to make a payment back to NYS DHSES; and

WHEREAS, the Town is currently working with FEMA and NYS DHSES to complete the closeout process relative to PWs, and while the Town is due to receive more FEMA PA funding through the closeout process than it will have to pay back, there will be certain PWs for which the Town has received more FEMA PA funding than should have been provided; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Colin Bell, Department of Intergovernmental Affairs, by memoranda dated April 26, 2016 and May 2, 2016, have requested the Town Board to authorize the Office of the Comptroller to process payments to NYS DHSES for instances in which the Town must refund FEMA PA funding relative to Superstorm Sandy, and that the total return of FEMA PA funding made by the Town to the NYS DHSES shall not exceed \$30,000.00, with funds to be drawn from Account No. TWN H 0001 04097 000 1305 000,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, the Comptroller is hereby authorized and directed to process payments to NYS DHSES for instances in which the Town must refund FEMA PA funding relative to Superstorm Sandy, and that the total return of FEMA PA funding made by the Town to the NYS DHSES shall not exceed \$30,000.00, with funds to be drawn from Account No. TWN H 0001 04097 000 1305 000, or any other appropriate account.

214

WHEREAS, Kevin M. Hanifan, Commissioner of the Highway Department, by memoranda dated April 25, 2016 and May 2, 2016, and Cashin, Spinelli & Ferretti, LLC, in their report of May, 2016, have recommended the following Amendments to the time restrictions in Hicksville Parking Lot H-15:

1. Change the six (6) two hour spaces, six (6) four hour spaces and four (4) six hour spaces in the northern row of parking in the northerly portion of Lot H-15 (adjacent to West Marine Street) to sixteen (16) Town permit/no time limit spaces;
2. Change the fifteen (15) four hour spaces in the middle row of parking in the northerly portion of Lot H-15 to fifteen (15) Town permit/no time limit spaces;
3. Change the seventeen (17) four hour spaces in the southern row of parking in the northerly portion of Lot H-15 (adjacent to the school building) to seventeen Town permit/no time limit spaces;
4. Change the thirteen (13) southernmost two hour spaces in the western row of parking in the southerly portion of Lot H-15 (adjacent to Jerusalem Avenue) to thirteen (13) Town permit/no time limit spaces; and
5. Change the twenty-two (22) four hour spaces on the westerly side of the central double row of parking in the southerly portion of Lot H-15 to twenty-two (22) Town permit/no time limit spaces; and

WHEREAS, the remaining forty-six (46) parking spaces will retain the restrictions that are presently in place,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are approved, and Town Board hereby authorizes that the aforementioned Amendments to the time restrictions in Hicksville Parking Lot H-15 be put into effect.

Myra
Reviewed By
Office of Town Attorney
Winter L. Caloggero

217


Reviewed By
Office of Town Attorney


WHEREAS, James J. Stefanich, Receiver of Taxes, and Maura Fahey, Deputy Receiver of Taxes, by memorandum dated April 19, 2016, request Town Board authorization to renew the membership of the following employees in the New York State Association of Tax Receivers and Collectors for 2016, at an annual fee of \$25.00 per person, for a total amount not to exceed \$75.00:

James J. Stefanich, Receiver of Taxes
Maura Fahey, Deputy Receiver of Taxes
Laura A. Vianello, Deputy Receiver of Taxes

NOW, THEREFORE, BE IT RESOLVED, That the request hereinabove set forth is granted and approved, and James J. Stefanich, Receiver of Taxes, is hereby authorized to renew the membership of the abovementioned employees in the New York State Association of Tax Receivers and Collectors for 2016, at an annual fee of \$25.00 per person, for a total amount not to exceed \$75.00; and be it further

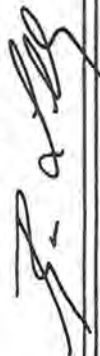
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. ROT A 1330 47900 000 0000 or any other appropriate account.

draft

2/8

Full

Reviewed By
Office of Town Attorney



WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Sharon A. Betz, Assistant Director of Community Relations, Department of Community and Youth Services, by memorandum dated April 19, 2016, have requested Town Board authorization to provide the services of one staff member, an "in kind" contribution of less than \$200.00, to the Town of Oyster Bay Arts Council for their Art Exhibition and Fine Arts and Crafts Sale, to be held at the Woodbury Jewish Center, 200 South Woods Road, Woodbury, N.Y. 11797, on Sunday, May 16, 2016, between the hours of 1:00 p.m. and 4:00 p.m.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and authorization is hereby granted to provide the Town of Oyster Bay Arts Council with the services of a Town of Oyster Bay Staff member to the Town of Oyster Bay Arts Council for their Art Exhibition and Fine Arts and Crafts Sale, to be held at the Woodbury Jewish Center, 200 South Woods Road, Woodbury, New York, on Sunday, May 16, 2016, between the hours of 1:00 p.m. and 4:00 p.m.

draft

219

WHEREAS, there are presently ad valorem tax assessment cases against the Town of Oyster Bay pending in Supreme Court, Nassau County; and

WHEREAS, by Resolution No. 124-2000, adopted on March 7, 2000, the law firm of Anthony J. LaMarca, P.C., was authorized to succeed Marino, Bernstein & LaMarca, Esqs., as special counsel; and

WHEREAS, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated April 13, 2016, have requested that an amount not to exceed \$45,000.00 be authorized for continuing the special counsel services of Anthony J. LaMarca, P.C., in the defense of the Town of Oyster Bay, in the ad valorem tax assessment cases,

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 124-2000, as amended, is further amended to provide for an additional amount, not to exceed \$45,000.00, to be utilized for the abovementioned special counsel services, and payment for said services, together with disbursements and expenses, is hereby authorized to be made in accordance with the previously submitted schedules provided, upon submission of a duly certified claim therefor, after approval by the Office of the Town Attorney, and audit by the Comptroller; and be it further

RESOLVED, That funds for said increase are available from Account No. OTA A1420 44110 000 0000, or any other appropriate account.

Reviewed By
Office of Town Attorney
MRS
Matthew M. Rozea

DRAFT

220

Reviewed By
Office of Town Attorney
Mark V. Calagna

WHEREAS, pursuant to public notice, bids were duly and regularly received for the Installation of Syosset Fire Department Traffic Signals in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. DP 15-129, and said bids were publicly opened and read on March 30, 2016; and

WHEREAS, the lowest acceptable bid submitted was that of Welsbach Electric Corp. of L.I., 300 Newton Road, Plainview, New York 11803, with a bid in the amount of \$162,200.00; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated April 22, 2016, and Cashin, Spinelli & Ferretti, LLC, by letter dated April 12, 2016, recommend that the abovementioned bid be accepted,

NOW, THEREFORE, BE IT RESOLVED, That upon the abovementioned recommendations, the Supervisor is hereby authorized to enter into Contract No. DP 15-129 with Welsbach Electric Corp. of L.I., in the amount of \$162,200.00, in accordance with the provisions thereunder, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That in accordance with Town policy, the amount of \$8,110.00 shall be encumbered for potential quantity increases, for a total bid encumbrance in the amount of \$170,310.00, with funds to be drawn from Account No. PKS H 7197 20000 000 1209 001, or any other appropriate account.

draft

221

DMS
Reviewed By
Office of Town Attorney

WHEREAS, New York Naval Militia, by letter dated December 9, 2015 from D. K. McKnight, Commander, requests permission to dock its 25 foot patrol vessel at John J. Burns Park boat ramp for the 2016 boating season in support of the New York State Military Emergency Boat Service; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Brian A. Vander Veer, Assistant Superintendent of Beaches, Department of Parks, by memorandum dated April 19, 2016, request and recommend Town Board authorization to allow the New York Naval Militia to dock its 25 foot patrol vessel at John J. Burns Park boat ramp for the 2016 boating season,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request and recommendation is hereby granted, and the Department of Parks is hereby authorized to allow the New York Naval Militia to dock its 25 foot patrol vessel at John J. Burns Park boat ramp for the 2016 boating season, subject to the following conditions:

1. The use of all Town property 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 of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforescribed activity; and
3. The said organization shall file with the Town evidence of self-retention status for liability purposes.

222

Michael
Reviewed By
Office of Legal Affairs

WHEREAS, Resolution No. 753-2015, adopted on December 15, 2015, authorized LiRo Engineers, Inc., to provide engineering services under 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, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memoranda dated April 26, 2016 and May 3, 2016, request that LiRo Engineers, Inc. be authorized to provide engineering services in connection with Contract No. PWC 07-16, for planning and design services for replacement of the Ships Point Lane Bulkhead in Oyster Bay, Project ID No. 1503-HWYDB-03, and further request that the Comptroller issue an encumbrance order in an amount not to exceed \$16,579.53 under Contract No. PWC 07-16 in connection with the above Project, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, LiRo Engineers, Inc. is hereby authorized to proceed with the abovementioned Project, the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$16,579.53 for Contract No. PWC 07-16 in connection with the abovementioned Project with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, or any other appropriate account.

draft

203

Reviewed By
Office of Town Attorney

WHEREAS, Vasily Makarov, Senior Counselor & CAO of the Permanent Mission of the Russian Federation to the United Nations, by letter dated April 4, 2016, has requested permission for the diplomats of said Mission to visit the beaches of the Town of Oyster Bay during the summer season of 2016; and

WHEREAS, Frank A. Nocerino, Commissioner of the Department of Parks, and Brian A. Vander Veer, Assistant Superintendent of Beaches, Department of Parks, by memorandum dated April 14, 2016, request Town Board authorization for diplomats of the Permanent Mission of the Russian Federation to the United Nation to utilize all Town Beaches during the 2016 summer season and to waive the fees,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Town Board hereby grants permission for the diplomats of the Permanent Mission of the Russian Federation to the United Nations to utilize all Town Beaches, with all fees being waived, during the 2016 summer season.

224
Reviewed By
Office of Town Attorney
Dante D. Wilson

WHEREAS, Francis X. DeBobes, Jr., Chief of the Bethpage Fire Department, and Michael R. Giordano, Parade Committee Chairman, Bethpage Fire Department, by letter dated March 5, 2016, have requested the use of Municipal Parking Fields B-5 and B-4 from July 6, 2016 through July 10, 2016 and Municipal Parking Fields B-1 and B-6 from July 8, 2016 through July 10, 2016, fifty (50) complete barricades, fifty (50) sort pails, a street sweeper and a highway packer to be manned by volunteers from the Highway Department, and the closing, beginning at 3:00 p.m., on July 9, 2016, until the conclusion of the parade, of Spruce Avenue, from Cherry Avenue to Cypress Avenue, Kunen Avenue, from Cherry Avenue to Evergreen Avenue, Silber Avenue, from Cherry Avenue to Evergreen Avenue and Caffrey Avenue, from Cherry Avenue to Evergreen Avenue, as well as intersections along Broadway from Cherry Avenue to Central Avenue, in the hamlet of Bethpage, for the Bethpage Fire Department's hosting of the 2016 Nassau County Fireman Drill and Parade from July 7, 2016 through July 9, 2016; and

WHEREAS, Francis X. DeBobes, Jr., Chief of the Bethpage Fire Department, and Michael Giordano, Parade Committee Chairman, further request that the Town Board waive the following provisions of the Town Code: Section 82-3, prohibiting public consumption of alcoholic beverages, Section 168-22, the Open Container Law, Section 168-24 prohibiting the Sale of Alcohol and Section 168-20, prohibiting the solicitation of alms on July 7, 2016 through July 9, 2016; and

WHEREAS, Kevin M. Hanifan, Commissioner of the Department of Highways, by memorandum dated April 12, 2016, has advised that the abovementioned property and equipment will not be required for use by the Town at the times requested, and that he has no objection to providing the Bethpage Fire Department with the use of Municipal Parking Fields B-5 and B-4, from July 6, 2016 through July 10, 2016, as well as fifty (50) complete barricades, fifty (50) sort pails, a street sweeper and highway packer to be manned by volunteers, and no objection to the closing, beginning at 3:00 p.m., July 9, 2016, until the conclusion of the parade, of Spruce Avenue, from Cherry Avenue to Cypress Avenue, Kunan Avenue, from Cherry Avenue to Evergreen Avenue, Silber Avenue, from Cherry Avenue to Evergreen Avenue, and Caffrey Avenue, from Cherry Avenue to Evergreen Avenue, as well as intersections along Broadway from Cherry Avenue to Central Avenue, subject to the approval of Nassau County Department of Public Works for county roads, in the hamlet of Bethpage, for the 2016 Nassau County Fireman Drill and Parade, to be held on July 7, 2016 through July 9, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Highways is hereby authorized to provide use of Municipal Parking Fields B-5 and B-4 from July 6, 2016 through July 10, 2016, and Municipal Parking Fields B-1 and B-6 from July 8, 2016 through July 10, 2016, fifty (50) complete barricades, fifty (50) sort pails, a street sweeper and highway packer to be manned by volunteers from the Department of Highways, as well as the closing, beginning at 3:00 p.m. on July 9, 2016, until the conclusion of the parade, of Spruce Avenue, from Cherry Avenue to Cypress Avenue, Kunan Avenue, from Cherry Avenue to Evergreen Avenue, Silber Avenue, from Cherry Avenue to Cypress Avenue and Caffrey Avenue, from Cherry Avenue to Evergreen Avenue, as well as intersections along Broadway from Cherry Avenue to Central Avenue, subject to the approval of Nassau County Department of Public Works for county roads, in the hamlet of Bethpage, for the 2016 Nassau County Fireman Drill and Parade, to be held on July 7, 2016 through July 9, 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 Highways or his duly authorized designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay except those waived in Paragraph 4, both in its use of Town property and equipment and in the conduct of the aforescribed activity;
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amounts of \$1,000,000 with a general aggregate of \$2,000,000, and naming the Town as an additional insured, in connection with the aforescribed activity; and
4. The following sections of the Town Code are hereby waived in connection with the aforesaid event: Section 82-3 prohibiting public consumption of alcoholic beverages, Section 168-22, the Open Container Law, Section 168-24, prohibiting the Sale of Alcohol and Section 168-20, Solicitation of Alms.

225

WHEREAS, Michelle Browner, Cruise Night Committee Chairperson of the Oyster Bay Chamber of Commerce, Inc., P.O. Box 21, Oyster Bay, New York 11771, has requested, by letter dated March 18, 2016, the use of fourteen (14) complete barricades and thirty (30) orange traffic stations, the closure of Audrey Avenue from South Street past Spring Street down lower Audrey Avenue to the Railroad Museum, the closure of Spring Street from West Main Street north to lower Audrey Avenue and then along the southerly edge of the Gazebo triangle to its western corner, and the use of Municipal Parking Field 0-8 on the east side of lower Audrey Avenue just north of Audrey Avenue, for its Classic Car Cruise Nights, to be held every Tuesday evening between the hours of 5:30 p.m. through 10:00 p.m., from May 31, 2016 through September 27, 2016; and

WHEREAS, Kevin M. Hanifan, Commissioner of the Highway Department, by memorandum dated April 12, 2016, has advised that the Highway Department is able to, and will, provide twelve (12) complete barricades, twelve (12) orange stations, and twenty-four (24) traffic cones to the Chamber of Commerce, for the evenings requested; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Highways is hereby authorized to provide twelve (12) complete barricades, twelve (12) orange stations and twenty four (24) traffic cones, the closure of Audrey Avenue from South Street past Spring Street down lower Audrey Avenue to the Railroad Museum, the closure of Spring Street from West Main Street north to lower Audrey Avenue, and then along the southern edge of the Gazebo triangle to its western corner, and the use of Municipal Parking Field 0-8 on the east side of lower Audrey Avenue just north of Audrey Avenue, to the Oyster Bay chamber of Commerce, Inc., for its Classic Car Cruise Nights, to be held every Tuesday evening at 5:30 p.m. through 10:00 p.m., from May 31, 2016 through September 27, 2016, subject to the following conditions:

1. The Oyster Bay Chamber of Commerce, Inc. will itself supply the "No Parking" signs required for this event;
2. The use of all Town property for these activities shall in each and every case be in conformance with the direction of the Commissioner of the Department of Highways, or his duly authorized representative;
3. The said organization will comply with all ordinances of the Town of Oyster Bay, both in the conduct of the aforescribed activities and its use of Town property; and

Reviewed By
Office of Town Attorney
Michelle Browner

4. The said organization shall file with the Town Clerk a Certificate of Insurance indicating said organization is covered by General Liability Insurance in the amounts of \$1,000,000 with a general agreement of \$2,000,000, and naming the Town as an additional insured in connection with the aforescribed activities.

draft

224

WHEREAS, Erin Jackman, of the Brooke Jackman Foundation, by letter dated March 31, 2016, has requested the use of one hundred (100) traffic cones and twenty-two (22) barricades for the Foundation's Eleventh Annual Brooke Jackman Race for Literacy at the Theodore Roosevelt Elementary School, Oyster Bay, New York, on May 14, 2016, with delivery of said equipment on May 13, 2016 and pickup of same on May 16, 2016; and

WHEREAS, Kevin M. Hanifan, Commissioner of Highways, by memorandum dated April 12, 2016, has advised that the abovementioned equipment will not be required for use by the Town at that time, and that the Department of Highways has no objection to providing the abovementioned equipment; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Highways is hereby authorized to provide one hundred (100) traffic cones and twenty-two (22) barricades to the Brooke Jackman Foundation for its Eleventh Annual Brooke Jackman Race for Literacy at the Theodore Roosevelt Elementary School, Oyster Bay, New York on May 14, 2016, with delivery of said equipment on May 13, 2016 and pickup of same on May 16, 2016, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of Highways or his 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 aforescribed activity; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating that said organization maintain general liability insurance, in the amount of \$1,000,000 with a general aggregate of \$2,000,000, and naming the Town as an additional insured, in connection with the aforescribed activity.

MA
Reviewed By
Office of Town Attorney
Monty V. Calvo

227

DN
Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Sharon A. Betz, Assistant Director of Community Relations, Department of Community and Youth Services, by memorandum dated April 26, 2016, request Town Board approval to provide a \$500.00 grant to the Massapequa Chamber of Commerce, for the 2016 Massapequa Chamber of Commerce Street Fair to support entertainment services,

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request is hereby granted, the Department of Community and Youth Services is hereby authorized to provide a \$500.00 grant to the Massapequa Chamber of Commerce for the 2016 Massapequa Chamber of Commerce Street Fair to support entertainment services; 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 or any other appropriate account.

draft

228

WHEREAS, the Town of Oyster Bay has completed the structural elevation of a private residence located at 51 Leewater Avenue, Massapequa (Project), and the Project was funded in part with the Hazard Mitigation Grant Program (HMGP) funding awarded to the Town by the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, the Design/Construction associated with this Project was funded in full between a 75% HMGP grant award to the Town and a 25% contribution of \$68,826.50 previously made by the property owner, the Baillie family, to the Town, and as a result of cost underruns during the facilitation of this Project this contribution exceeds the Baillie family's required 25% share by \$4,209.93 and must be reimbursed; and

WHEREAS, the Baillie family has incurred 100% of the fees incurred in recording an amendment to the deed of their home as required per HMGP conditions, and these expenses, totaling \$600.00, are eligible for a 75% reimbursement through HMGP in an amount of \$450.00, and the Town has pursued and received a \$450.00 HMGP reimbursement relative to these expenses on the Baillie family's behalf; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Colin Bell, Department of Intergovernmental Affairs, by memorandum dated April 26, 2016, request that the Town reimburse the Baillie family for their \$4,209.93 over-contribution to the Projects Design/Construction and their \$450.00 in additional expenses, for a total amount of \$4,659.93,

NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and reimbursement in the amount of \$4,659.93 is authorized for the Baillie family, for their over-contribution to the Projects Design/Construction and their additional expense incurred; 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 the funds for said payments are to be drawn from Account No. IGA H 1997 20000 1303 00, or any other appropriate account.

Reviewed By
Office of Town Attorney

229

WHEREAS, by Resolution No. 1215-90, adopted on December 18, 1990, this Town Board adopted Local Law No. 1-1990, entitled "A Local Law Amending the Town of Oyster Bay Code of Ethics to Reflect Recent Changes in State Law and to Add Annual Financial Disclosure Requirements"; and

WHEREAS, in accordance with said Local Law and regulations promulgated thereunder, the Town Board must make an annual determination regarding which elected officials, officers and employees must file a financial disclosure form for that year, and such determination must be filed with the Town of Oyster Bay Board of Ethics; and

WHEREAS, Leonard Genova, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated April 22, 2016, request that the Town Board consider the following list of individuals for the 2015 Calendar Year:

Reviewed By
Office of Town Attorney

BOARD OF ETHICS

John Nagy
Frank De Stefano
James Preston

OFFICE OF THE TOWN ATTORNEY

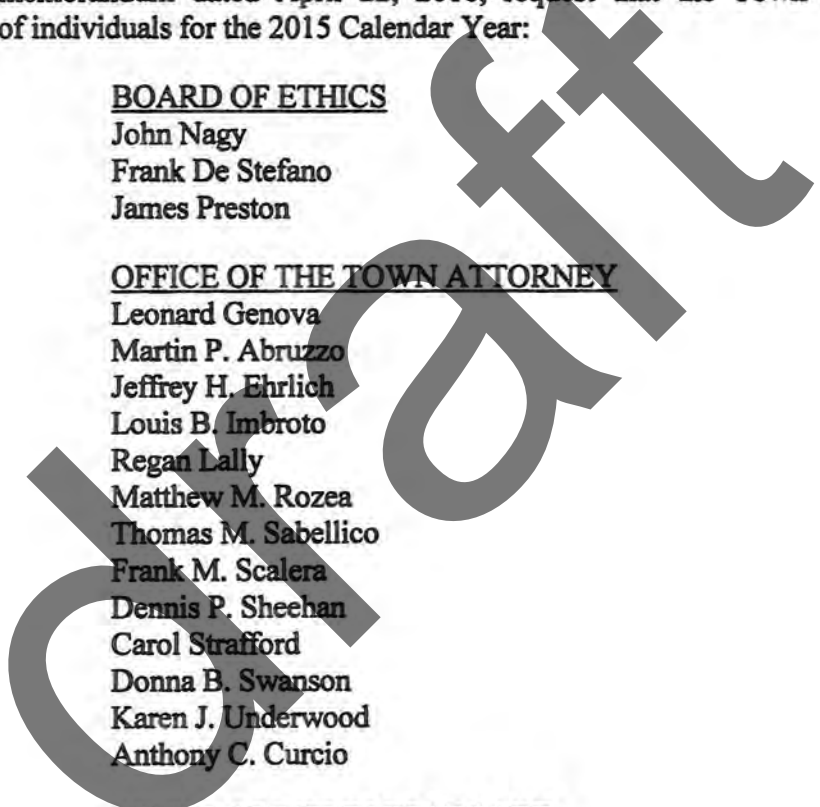
Leonard Genova
Martin P. Abruzzo
Jeffrey H. Ehrlich
Louis B. Imbroto
Regan Lally
Matthew M. Rozea
Thomas M. Sabellico
Frank M. Scalera
Dennis P. Sheehan
Carol Strafford
Donna B. Swanson
Karen J. Underwood
Anthony C. Curcio

OFFICE OF THE TOWN BOARD

Rebecca M. Alesia
Chris J. Coschignano
Josef P. Helfenbein
Michele M. Johnson
Anthony D. Macagnone
Steven J. Marx
Joseph D. Muscarella
Joseph G. Pinto
Brian P. DeVine
Michael Schwalje

OFFICE OF THE TOWN CLERK

James Altadonna, Jr.
Ralph J. Raymond



TOWN CLERK
(Cont'd)

Lois A. Tripodo
Keith Wilson
Raymond T. Spagnuolo

DEPARTMENT OF COMMUNITY AND YOUTH SERVICES

Maureen A. Fitzgerald
Patricia A. Beckerle
Sharon Betz
Iris Williams
Mary T. Ryan

OFFICE OF THE COMPTROLLER

Robert J. McEvoy
John J. Bellock
Joseph E. Carbone
Robert Darienzo
Joanne Huether
Leonard G. Kunzig
Richard P. Principe
Madalena Sabatino
Christine M. Wiss

DEPARTMENT OF ECONOMIC DEVELOPMENT

Linda F. Bianculli
Ralph P. Healey
James M. McCaffrey

DEPARTMENT OF ENVIRONMENTAL RESOURCES

Neil O. Bergin
Christopher Geary
Thomas Licata
James M. Moriarty
Daniel Pearl
Thomas Ryan
Laurie Scarpa
Gary Terrell

DEPARTMENT OF GENERAL SERVICES

Eric Tuman
Thomas Bradke
Brian Brown
Jaime Conologue
Susan Cowley
Frank Frost
Frank Gatto
Lori Golden
Francene Iaizzo
June Mascia
Robert Scarpa

HIGHWAY DEPARTMENT

Kevin M. Hanifan
John P. Bishop
Salvatore Cecere
Donald Pascucci

DEPARTMENT OF HUMAN RESOURCES

John Canning
Lauren Artus
Richard LaMarca
Denise Olivieri-Rosner
Vicki Spinelli
Julie Wass

DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

Frank Sammartano
Peter Aiello
Colin Bell
Steven Delligatti
Gail Parainfo

DEPARTMENT OF PARKS

Frank Nocerino
George Baptista, Jr.
John Raymond
Cory Comerford
Anthony Curcio
Stephen Matuza
James Panciroli
Diane Ramos
Gregory Skupinski
Brian Vander Veer
Ernest Weber
William Zang

DEPARTMENT OF PLANNING AND DEVELOPMENT

Diana Aquiar
Timothy R. Zike
Jill Gartmayer
Michael Fabrizio
James Spano
Thomas Bailey, Sr.
Thomas Blacharski
Keith Brigandi
Albert J. Bruns

**PLANNING &
DEVELOPMENT
(Cont'd)**

Rita Byrne
Clifford P. Chabina
Susan Cloninger
Elisabetta Coschignano
Anthony DiLeonardo
Barry Konchinski
Kathleen Mulligan
Lois Schmitt
Michael Silvestri
Angelo Stanco
Arlene Van Loan
John Viteritti
Lewis J. Yevoli
Michael Spinelli
Brian Quinn
Louis C. Warner

DEPARTMENT OF PUBLIC SAFETY

Justin McCaffrey
John Antetomaso
Barry Bree

DEPARTMENT OF PUBLIC WORKS

Richard T. Betz
Michael Cipriano
John Collins
John Guarino
John Jordan III
Ronald Kaufman
Frank Lewis
Elizabeth Maccarone
Robert Mangano
Frank Melillo III
Eliot Melman
Richard Porcelli
Matthew Russo
Raymond Swierkowski
Leonard Symons
John Tassone
Robert Spinelli
Daniel Midgette

RECEIVER OF TAXES

James J. Stefanich
Maura Fahey
Laura A. Vianello

OFFICE OF THE SUPERVISOR

John Venditto

Enrico R. Fiumara

Kyle Meegan

Michael Moriarty

Debra R. Regenbogen

Andrew S. Rothstein

Ronald J. Scaglia

Marta Kane

NOW, THEREFORE, BE IT RESOLVED, That this Town Board does hereby determine that all individuals contained in the abovementioned list shall complete a Statement of Financial Disclosure for the 2015 calendar year, and file same with the Town of Oyster Bay Board of Ethics on or before June 15, 2016; and be it further

RESOLVED, That the Department of Human Resources is hereby directed to supply the title, social security number, and office address for each individual in the abovementioned list, and forward the completed list to the Town of Oyster Bay Board of Ethics.

230

WHEREAS, Resolution No. 753-2015, adopted on December 15, 2015, authorized de Bruin Engineering, P.C., to provide engineering services under 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, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated April 25, 2016, request that de Bruin Engineering, P.C. be authorized to provide engineering services in connection with Contract No. PWC 07-16, Project I.D. No. 0902 TWNA-8, for the design and permitting phases of the South Oyster Bay canal mouths dredging, and further request that the Comptroller issue an encumbrance order in an amount not to exceed \$75,000.00 under Contract No. PWC 07-16 in connection with the above Project, with funds to be drawn from Account No. PKS H 7197 20000 000 0902 001,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$75,000.00 for Contract No. PWC 07-16 in connection with the abovementioned Project with funds to be drawn from Account No. PKS H 7197 20000 000 0902 001, or any other appropriate account.

FAX
Reviewed By
Office of Town Attorney
Frankie H. Caluso

draft

231

Reviewed By
Office of Town Attorney

WHEREAS, James Altadonna Jr., Town Clerk, by memorandum dated April 18, 2016, recommends that a refund in the amount of \$80.00 be authorized for Mr. John Cherpock, 3 Woodvale Drive, Laurel Hollow, New York, 11791, due to an error in issuing two Incorporated Village Parking Permits when only one Senior Incorporated Village Parking Permit was required and the second permit has been returned,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Clerk is hereby authorized to refund the amount of \$80.00 to Mr. John Cherpock, 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. HWY ST 0001 01721 000 0000, or any other appropriate account.

draft

232

WHEREAS, Carmine Serravalli, Business Manager, Our Lady of Mercy Church, 500 South Oyster Bay Road, Hicksville, New York 11801, by letter dated March 15, 2016, has requested the use of two (2) roll-off containers, for its Annual Summer Fair, with said roll-off containers to be delivered on July 25, 2016 and collected on August 2, 2016; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and John T. Collins, Division Head, Division of Sanitation, Department of Public Works, by memorandum dated April 26, 2016, have advised that the abovementioned Town 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 Our Lady of Mercy Church with the use of two (2) roll off containers, for its Annual Summer Fair, with said roll-off containers to be delivered on July 25, 2016 and collected on August 2, 2016, and that since the Annual Summer Fair is a profit making event, it is hereby requested that the Town Board approve the use of said roll-off containers with a charge of \$250.00 for each container load dumped, for a total amount of \$500.00; and

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

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Department of Public Works is hereby authorized and directed to provide Our Lady of Mercy Church with the use of two (2) roll-off containers, for its Annual Summer Fair, with a charge of \$250.00 for each container load dumped, for a total amount of \$500.00, said roll-off containers to be delivered on July 25, 2016 and collected on August 2, 2016, subject to the following conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Public Works, or his duly designated representative.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the aforesaid activity.
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance in the amounts of \$1,000,000 with a general aggregate of \$2,000,000, and naming the Town of Oyster Bay as an additional insured in connection with the aforesaid activity.

Reviewed By
Office of Town Attorney
Matthew A. Caloggero

Adt

233

7/16/16
Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary T. Ryan, Director, Senior Citizen Services, Department of Community and Youth Services, by memorandum dated April 26, 2016, request Town Board approval to employ the services of the following musicians for the dates, locations and fees below noted:

Walter Lazauskas d/d/a John Walters
3983 Darby Lane
Seaford, N.Y. 11783
Performance at Glen Head Community Center for six (6) performances
Senior Summer Program
Wednesday, July 6, 13, 20 and 27, 2016, August 3 and 10, 2016
Fee: \$900.00

Vic Vincent
21 Wilton Street
New Hyde Park, N.Y. 11040
Performance at Glen Head Community Center
Special Entertainment Senior Summer Program
Wednesday, July 13, 2016
Fee: \$300.00

Walter Lazauskas d/d/a John Walters
3983 Darby Lane
Seaford, N.Y. 11783
Performance at Glen Head Community Center with four (4) musicians
Special Entertainment Senior Summer Program
Wednesday, July 27, 2016
Fee: \$420.00

Vincent Roccaro
Chicklettes, Inc.
58 Clearwater Avenue
Massapequa, N.Y. 11758
Performance at Glen Head Community Center
Special Entertainment Senior Summer Program
Wednesday, August 10, 2016
Fee: \$300.00

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the hereinabove request, for the musicians, dates, locations and fees as above noted; and be it further

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

draft

234

WHEREAS, Leonard Genova, Town Attorney, and Carol Ann Strafford, Director, Legislative Affairs, by memorandum dated April 21, 2016, recommend that Resolution No. 620-2015, adopted on November 10, 2015, be amended to reflect the following revised 2016 Town Board meeting,

2016 Meeting Schedule

January 5	10:00 a.m.
January 19	10:00 a.m.
February 2	10:00 a.m.
February 23	10:00 a.m.
March 8	10:00 a.m.
March 15	10:00 a.m.*
March 22	8:00 p.m.*
April 5	10:00 a.m.
April 19	10:00 a.m.
May 10	10:00 a.m.
May 24	10:00 a.m.
June 7	10:00 a.m.
June 21	8:00 p.m.*
July 12	10:00 a.m.
July 26	10:00 a.m.
August 9	10:00 a.m.
September 6	10:00 a.m.
September 27	10:00 a.m.
October 18	10:00 a.m. and 7:00 p.m.
November 15	10:00 a.m.
November 29	10:00 a.m.
December 13	10:00 a.m.

(*changes to Resolution 620-2015)

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and Resolution No. 620-2015 is hereby amended to reflect the aforementioned revised 2016 Town Board meeting.

Reviewed By
 Office of Town Attorney



draft

235

Reviewed By
Office of Town Attorney

WHEREAS, James Altadonna Jr., Town Clerk, by memorandum dated April 25, 2016, requests that a refund in the amount of \$20.00 be authorized for Mrs. Roberta Edelson, 35 East Iroquois Street, Massapequa, New York 11758 due to a duplicate parking permit for the same vehicle which was issued in error,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Town Clerk is hereby authorized to refund the amount of \$20.00, to Mrs. Roberta Edelson 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. HWY ST 0001 01721 000 0000, or any other appropriate account.

draft

17
RESO
234

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 the:

draft

Cc: Supervisor
Town Attorney
Comptroller (2)
DPW
HWY
Traffic Safety Division
DER

237

WHEREAS, Michelle Russo, Marketing Assistant, Broadway Mall, Hicksville, New York by letter dated March 16, 2016, has requested the use of Town trucks and operators for the Touch-a-Truck event at the Hicksville Broadway Mall, to be held on June 25, 2016; and

WHEREAS, Kevin M. Hanifan, Commissioner of the Highway Department, by memorandum dated April 21, 2016, has advised that the abovementioned equipment will not be required for use by the Town at that time, and that the Highway Department has no objection to providing the abovementioned equipment, provided that said trucks are manned by volunteers from within the Highway Department; and

WHEREAS, the 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 Oyster Bay; and

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Highway Department is hereby authorized to provide the use of Town trucks and operators for the Touch-a-Truck event at the Hicksville Broadway Mall, on June 25, 2016, provided that said trucks are manned by volunteers from within the Highway Department, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Highway Department, or his duly designated representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment, and in the conduct of the aforescribed activity; and
3. The said organization shall file a Certificate of Insurance and Declaration Page(s) with the Office of the Town Clerk, indicating said organization maintains a policy of comprehensive general liability and products liability insurance, with a Commercial Liability limit of \$1,000,000 per occurrence for bodily injury and property damage and \$2,000,000 aggregate per year and naming the Town of Oyster Bay as an additional insured, in connection with the aforescribed activity.

Reviewed By

Office of Town Attorney

[Handwritten signature]

238

Reviewed By
Office of Town Attorney
Thom McHale

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, Audrey Avenue, Oyster Bay, New York on the _____ day of June, 2016, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of C & B REALTY #3 LLC, fee owner, 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 Town Clerk shall publish notice of such hearing in newspapers of general circulation within the Town of Oyster Bay.

draft

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 7, 2016, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from C & B REALTY #3 LLC, fee owner, 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. The abovementioned Petition and maps which accompany it are 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 at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated. TOWN BOARD OF TOWN OF OYSTER BAY. JOHN VENDITTO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: May 10, 2016, Oyster Bay, New York.

Reviewed By
Office of Town Attorney

John M. Johnson

draft

239

Reviewed By
Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner of the Department of Community and Youth Services, and Mary T. Ryan, Director of Senior Citizen Services, Department of Community and Youth Services, by memorandum dated April 26, 2016, request that the Town Board authorize the Department of Community and Youth Services to provide aquatic classes for Senior Citizens from July 5, 2016 through September 2, 2016; and

WHEREAS, the Senior Citizens would pay for a seasonal pool pass or daily admission fee from the Town's Parks Department to participate in the program, with the aquatic schedule as follows:

<u>Day/Date</u>	<u>Facility</u>
Tuesdays at 11:15 a.m. July 5, 12, 19 & 26 August 2, 9, 16, 23 & 30	Bethpage Community Pool
Tuesdays at 3:00 p.m. July 5, 12, 19 & 26 August 2, 9, 16, 23 & 30	Marjorie R. Post Park Community Pool
Thursdays at 11:15 a.m. July 7, 14, 21 & 28 August 4, 11, 18 & 25 September 1	Plainview-Old Bethpage Park Community Pool
Thursdays at 2:45 p.m. July 7, 14, 21 & 28 August 4, 11, 18 & 25 September 1	Syosset-Woodbury Park Community Pool
Fridays at 11:15 a.m. July 8, 15, 22 & 29 August 5, 12, 19 & 26 September 2	Bethpage Community Pool

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the abovementioned Senior Citizen aquatic classes from July 5, 2016 through September 2, 2016 are hereby authorized.

240

WHEREAS, the Town of Oyster Bay has completed the structural elevation of a private residence located at 20 Pirates Cove, Massapequa (Project), and the Project was funded in part with the Hazard Mitigation Grant Program (HMGP) funding awarded to the Town by the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, the Design/Construction associated with this Project was funded in full between a 75% HMGP grant award to the Town and a 25% contribution of \$50,250.00 previously made by the property owner, the Howard family, to the Town, and as a result of cost underruns during the facilitation of this Project this contribution exceeds the Howard family's required 25% share by \$2,067.51; and must be reimbursed; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Colin Bell, Department of Intergovernmental Affairs, by memorandum dated April 26, 2016, request that the Town reimburse the Howard family for their \$2,067.51 over-contribution to the Projects Design/Construction;

NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and reimbursement in the amount of \$2,067.51 is authorized for the Howard family, for their over-contribution to the Projects Design/Construction; 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, from Account No. IGA H 1997 20000 000 1303 001, or any other appropriate account.

Reviewed By
Office of Town Attorney

draft

241

RESOLVED, That the Town Clerk is hereby directed to advertise a notice of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring, by **ROSEMARIE PADAVAN**, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications".

AK
Reviewed By
Office of Town Attorney
Walter D. A. Lupp

draft

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board is in receipt of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring in the waterways within the jurisdiction of the Town. Said application is described as follows: **ROSEMARIE PADAVAN**, for a permit to erect, maintain, alter or improve a dock, pier, bulkhead, float or other mooring. **Specification:** Reconstruct bulkhead in place, 18 inches above current elevation. Install new pier, ramp and floating dock. The subject property is located at Section 65, Block 213, Lot 26 on the Nassau County Land and Tax Map, also known as 145 Ocean Court, Massapequa, New York 11758. The petition filed in connection with the abovementioned application, together with all maps and documents which accompany it, are 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 Offices of the Town Clerk, in Oyster Bay and Massapequa. Any person interested in the subject matter of said application must submit any written comments to the Town Board for its review prior to the determination of such application. Kindly address any such communication to the Office of the Town Clerk, Town Clerk, Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, on or before _____, 2016. **TOWN BOARD OF THE TOWN OF OYSTER BAY, JOHN VENDITTO**, Town Supervisor, **JAMES ALTADONNA JR.**, Town Clerk. Dated: _____, 2016, Oyster Bay, New York.

AM
Reviewed By
Office of Town Attorney

Walter D. Caloggero

draft

242

RESOLVED, That the Town Clerk is hereby directed to advertise a notice of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring, by **JULIE YIM**, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications".

Flt
Reviewed By
Office of Town Attorney
Walter V. Alsup

draft

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board is in receipt of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring in the waterways within the jurisdiction of the Town. Said application is described as follows: **JULIE YIM**, for a permit to erect, maintain, alter or improve a dock, pier, bulkhead, float or other mooring. **Specification:** Remove and replace, in place, 93 linear foot of existing seawall with 93 linear feet of navy style bulkhead in place, 18 inches higher. Construct two 6 foot returns. Place 25 cubic yards of clean fill as back fill. Remove 9 foot by 20 foot concrete boat ramp and existing concrete stairs. Remove and replace 6 foot by 100 foot pier, in place 18 inches higher. Install 12 foot by 12 foot boat lift with 4 piles. Install 2 mooring piles. Install 30 inch by 5 foot pedestrian crossover stairs. The subject property is located at Section 65, Block 213, Lot 44 on the Nassau County Land and Tax Map, also known as 27 Ocean Avenue, Massapequa, New York 11758. The petition filed in connection with the abovementioned application, together with all maps and documents which accompany it, are 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 Offices of the Town Clerk, in Oyster Bay and Massapequa. Any person interested in the subject matter of said application must submit any written comments to the Town Board for its review prior to the determination of such application. Kindly address any such communication to the Office of the Town Clerk, Town Clerk, Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, on or before _____, 2016. **TOWN BOARD OF THE TOWN OF OYSTER BAY, JOHN VENDITTO**, Town Supervisor, **JAMES ALTADONNA JR.**, Town Clerk.
Dated: _____, 2016, Oyster Bay, New York.

Max
Reviewed By
Office of Town Attorney

Matthew V. Cappo

243

RESOLVED, That the Town Clerk is hereby directed to advertise a notice of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring, by **JEFFREY TANEN**, pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications".

draft

JTB
Reviewed By
Office of Town Attorney

Martin K. Alvaro

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that pursuant to the Code of the Town of Oyster Bay, Chapter 241, "Waterways", Section 241-33, "Processing of Applications", the Town Board is in receipt of an application for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or other mooring in the waterways within the jurisdiction of the Town. Said application is described as follows: **JEFFREY TANEN**, for a permit to erect, maintain, alter or improve a dock, pier, bulkhead, float or other mooring. Specification: Construct one 60-foot long by 4-foot wide fixed timber pier with one 12-foot long by 3-foot wide ramp leading to one 20-foot long by 6-foot wide float in an "L" configuration. The subject property is located at Section 65, Block 1601, Lot 658 on the Nassau County Land and Tax Map, also known as 22 Brockmeyer Drive, Massapequa, New York 11758. The petition filed in connection with the abovementioned application, together with all maps and documents which accompany it, are 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 Offices of the Town Clerk, in Oyster Bay and Massapequa. Any person interested in the subject matter of said application must submit any written comments to the Town Board for its review prior to the determination of such application. Kindly address any such communication to the Office of the Town Clerk, Town Clerk, Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, on or before _____, 2016. **TOWN BOARD OF THE TOWN OF OYSTER BAY**, **JOHN VENDITTO**, Town Supervisor, **JAMES ALTADONNA JR.**, Town Clerk. Dated: _____, 2016, Oyster Bay, New York.

John
Reviewed By
Office of Town Attorney
Walter D. Caloggero

draft

244

SMC
Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated May 2, 2016, have advised that the Town of Oyster Bay has been involved in litigation with the County of Nassau in connection with a dispute concerning monies due to the Town from the County as a result of the Town's initial payment of tax refunds to various utility entities that were subject to improper tax assessment by the County; and

WHEREAS, in the course of that litigation, the Town secured certain judgments against the County, obligating the County to reimburse the Town for the amounts first paid by the Town to those utility entities, which judgments the County refused to satisfy; and

WHEREAS, in an effort to make the Town whole, the Town restrained approximately \$44,000,000.00 in tax proceeds from the County in order to secure the reimbursement duly owed to the Town by the County; and

WHEREAS, after negotiations by and between the Town and the County, the County has agreed to reimburse the Town \$26,778,770.37 in full satisfaction of all judgments and pending actions by the Town against the County, in exchange for the Town releasing the tax proceeds; and

WHEREAS, given certain time constraints, the Office of the Town Attorney executed a settlement agreement and release so that the County Legislature could vote on the settlement, which settlement was approved by the County Legislature on or about April 25, 2016; and

WHEREAS, in light of the vagaries of litigation and other attendant circumstances, the Town Board finds that it is in the best interest of the Town to settle and resolve the aforementioned disputes as outlined above,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby ratifies and approves the execution of the settlement agreement by the Office of the Town Attorney and further authorizes the Town Attorney or his designee to execute any other documents necessary to effectuate settlement of these matters.

245

Reviewed By
Office of Town Attorney
M. [Signature]

WHEREAS, Leonard Genova, Town Attorney, and Matthew M. Rozea, Assistant Town Attorney, by memorandum dated April 28, 2016, indicated a need to obtain an insurance policy for excess general and automobile liability as a protection against exposure greater than the Town's self-insured limit; and

WHEREAS, the Office of the Town Attorney solicited competitive proposals from insurance firms; and

WHEREAS, the brokerage firm of Salerno Brokerage Corp., 117 Oak Drive, Syosset, New York, submitted a proposal from Allied Public Risk in the amount of \$182,192 for \$10,000,000 in coverage, with a \$1,000,000 self-insurance retention; and

WHEREAS, the Office of the Town Attorney, by the abovementioned memorandum, recommends acceptance of the proposal as being in the best interest of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That upon the abovementioned recommendation, the Town Board hereby authorizes the acceptance of an excess general and automobile liability insurance policy for a one year term with Allied Public Risk, nunc pro tunc from May 1, 2016 through April 30, 2017, at an annual premium of \$182,192; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for said policy, upon submission of a duly certified claim, after audit, said funds to be drawn from Account No. TWN AMS 1910 43010 602 0000 000, or any other appropriate account.

draft

296

Received By
Office of Town Attorney



RESOLVED, That 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 7th day of June, 2016, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

draft

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 7th day of June, 2016, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following PROPOSED LOCAL LAW, entitled "A LOCAL LAW CREATING A BUILDING PERMIT AMNESTY PROGRAM FOR RESIDENTIAL HOMEOWNERS WITHIN THE TOWN OF OYSTER BAY." 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.

Reviewed by
Office of Town Attorney

draft

2/11/16

Reviewed By
Office of Town Attorney
[Signature]

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall, Audrey Avenue, Oyster Bay, New York on the _____ day of June, 2016, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, 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 be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in newspapers of general circulation within the Town of Oyster Bay.

draft

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 7, 2016, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from STEVEN BAKER, fee owner, and 388 REALTY LTD., tenant, 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. The abovementioned Petition and maps which accompany it are 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 at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated. TOWN BOARD OF TOWN OF OYSTER BAY. JOHN VENDITTO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: May 10, 2016, Oyster Bay, New York.

248

WHEREAS, Resolution No. 754-2015, adopted on December 15, 2015, authorized John A. Grillo Architect, P.C., to provide engineering services under Contract No. PWC 06-16, On-Call Engineering Services Relative to Contract Administration; and

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memoranda dated April 26, 2016 and May 3, 2016, request that John A. Grillo Architect, P.C., be authorized to provide engineering services in connection with Contract No. PWC 06-16, including contract administration for electrical requirements contracts for the Department of Parks, Project ID. No. 1102 PKSA-27, and further request that the Comptroller issue an encumbrance order in an amount not to exceed \$30,000.00 under Contract No. PWC 06-16, in connection with said Project, with funds to be drawn from Account No. PKS H7197 20000 000 1102 001,

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, John A. Grillo Architect, P.C., is hereby authorized to proceed with the abovementioned Project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$30,000.00, for Contract No. PWC 06-16, in connection with the above referenced Project, with the funds for same to be drawn from Account No. PKS H7197 20000 000 1102 001, or any other appropriate account.

[Handwritten Signature]
Reviewed By
Office of Town Attorney

draft

249

7MS
Office of Public Works

WHEREAS, PACE Analytical Services, Inc., by Resolution Nos. 734-2015 and 744-2015; BBS Architects, Landscape Architects & Engineers, P.C., by Resolution No. 739-2015; FST Engineers, Inc., by Resolution Nos. 741-2015 and 746-2015; and Gayron de Bruin Land Surveying & Engineering, P.C., by Resolution No. 747-2015, all of which resolutions were adopted on December 15, 2015, were authorized to provide various on-call engineering services and technical assistance to the Department of Public Works; and

WHEREAS, Richard T. Betz, Commissioner, Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner, Department of Public Works, by memorandum dated April 19, 2016, request that the Town Board authorize the Supervisor, or his designee, to execute a Standard Consultant Agreement, in the form annexed hereto, with:

- PACE Analytical Services, Inc.,
- BBS Architects, Landscape Architects & Engineers, P.C.,
- FST Engineers, Inc., and
- Gayron de Bruin Land Surveying & Engineering, P.C.

NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and the Supervisor is hereby authorized to execute a Standard Consultant Agreement with the firms hereinabove set forth.

draft