

John Canning
APPROVED
COMMISSIONER OF HUMAN RESOURCES

Meeting of January 24, 2023

RESOLUTION P-3-2023

WHEREAS, The 2023 Budget, adopted October 25, 2022 established the titles and salaries of officers and employees of the Town of Oyster Bay pursuant to Section 27 of Town Law, and other Local Laws relating to the establishment of Town Departments, and Rules and Regulations governing appointments, etc., of employees; and

WHEREAS, The adoption of said 2023 Budget, on October 25, 2022, was by a Resolution of the Town Board; and

WHEREAS, Resolution #P1063, dated December 12, 1972, provides a procedure for the amendment of the Resolution establishing grades, salaries and titles as required and requested by Department Heads,

NOW, THEREFORE, BE IT RESOLVED, That the Budget as adopted be and hereby is amended to reflect the approved additions and deletions as indicated by the attached.

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Meeting of January 24, 2023

Resolution No.55-2023

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated December 23, 2022, requested that the Town Board authorize the Department, to use the Workforce Innovation Opportunity Act, (WIOA) grant funds for Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) meeting expenses, for the period commencing on January 1, 2023, nunc pro tunc, and concluding on December 31, 2023, in an amount not to exceed \$3,000.00, said funds being a WIOA expense, and thus, at no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Town Board authorizes the Department of Intergovernmental Affairs to use WIOA grant funds for WDB meeting expenses, for the period commencing on January 1, 2023, nunc pro tunc, and concluding on December 31, 2023, in an amount not to exceed \$3,000.00, said funds being a WIOA expense, and therefore, at no cost to the Town; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. IGA CD 6293 47900 000 CW22; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim, after audit.

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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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

OPS
Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

**TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO**

December 23, 2022

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

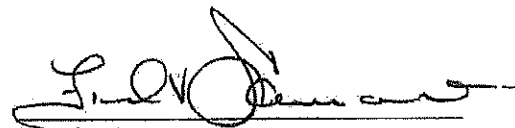
SUBJECT: WORKFORCE DEVELOPMENT BOARD MEETING EXPENSES

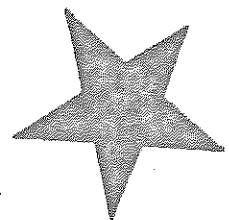
The Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) will host and participate in meetings throughout 2023, to discuss workforce development and economic development in the aforementioned municipalities.

Every effort is made to minimize expenses associated with having these required meetings and are often done at no cost to the Workforce Innovation and Opportunity Act grant received by the Town of Oyster Bay. However, on occasion, room rental, speaker fees and other associated grant eligible expenses are incurred.

~~It is respectfully requested that the Town Board pass a resolution authorizing the~~
use of WIOA grant funds for WDB meeting expenses not to exceed \$3,000 for a period of January 1, 2023 to December 31, 2023. Funds for this purpose are available in IGA CD 6293 47900 000 CW22. This is a WIOA expense, and therefore, of no cost to the Town.

Thank you for your attention to this matter.


Frank V. Sammartano
Commissioner



Meeting of January 24, 2023

Resolution No.56-2023

WHEREAS, Richard LaMarca, Town Clerk, by memorandum dated December 28, 2022, requested Town Board authorization to renew the Town of Oyster Bay's membership in The Association of Towns of the State of New York for the period of January 1, 2023 through December 31, 2023, *nunc pro tunc*, at an annual membership not to exceed \$1,950.00;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and Richard LaMarca, Town Clerk, is hereby authorized to renew the Town of Oyster Bay's membership in The Association of Towns of the State of New York for the period of January 1, 2023 through December 31, 2023, *nunc pro tunc*, at an annual membership not to exceed \$1,950.00; 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 payments are to be drawn from Account No. OTC A 1410 47900 000 0000.

-#-

2AS
Reviewed By
Office of Town Attorney
Domenica Wolfe

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET
FROM: RICHARD LaMARCA, TOWN CLERK
DATE: DECEMBER 28, 2022
SUBJECT: RENEWAL OF TOWN MEMBERSHIP

Through the Office of the Town Clerk, the Town has maintained memberships in various municipal government associations. Information received through these associations has often proved helpful to the Town Clerk's office and the Town Administration in general.

Therefore, I request authorization to renew membership in the following association for the period January 1, 2023 through December 31, 2023, *nunc pro tunc*:

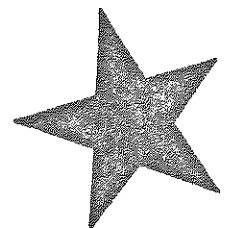
The Association of Towns of the State of New York: \$1,950.00.

Sufficient funds are budgeted in Account Number OTC A 1410 47900 000 0000 for these memberships.



RICHARD LaMARCA
TOWN CLERK

RL:rja
Attachment





**THE ASSOCIATION OF TOWNS
of the State of New York**

150 State Street, Albany, New York 12207

"Service and Representation for the 932 Town Governments of New York"

Gerry K. Geist, Executive Director - PHONE: [518] 465-7933 - FAX: [518] 465-0724
Website and e-mail: WWW.NYTOWNS.ORG

November 1, 2022

**Town of Oyster Bay
County Of Nassau**

Annual Town Association Membership Dues for the year beginning
January 1, 2023 as authorized by Article 8 of the Town Law.

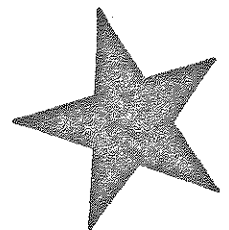
Dues: \$1,950.00

These dues are computed from the latest complete information of your
town's "Total Town Revenue" as reported to the Office of the State
Comptroller.

Claimant's Certification

I certify that the above bill is just, true and correct; that no part thereof has been paid except
as stated and that the balance is actually due and owing, and that taxes from which the
municipality is exempt are not included.

GERRY K. GEIST
Executive Director



Meeting of January 24, 2023

Resolution No.57-2023

WHEREAS, by Resolution No. 745-2021, adopted on December 7, 2021, the Town Board authorized N&P Engineering, Architecture and Land Surveying, PLLC to provide On-Call Engineering Services in connection with Contract No. PWC15-22, Site Development, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Russell Z. Scott, PE, Senior Partner, N&P Engineering, Architecture and Land Surveying, PLLC, by letter dated December 21, 2021, described the scope of work to be performed under Contract No. PWC15-22, engineering services related to traffic studies, including sign warrants, speed studies and pedestrian safety studies within the Town of Oyster Bay as required by the Department of Public Works; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 27, 2022, requested Town Board authorization for N&P Engineering, Architecture and Land Surveying, PLLC, to provide the aforesaid On-Call Engineering Services under Contract No. PWC15-22, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$28,500.00 for this purpose, with funds available for payment in Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-10; and

WHEREAS, the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and N&P Engineering, Architecture and Land Surveying, PLLC is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC15-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$28,500.00 for this purpose, with funds available for payment in Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-10.

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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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

DECEMBER 27, 2022

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST
RELATIVE TO TRANSPORTATION ENGINEERING
CONTRACT NO.: PWC15-22
ACCOUNT NO.: HWY H 5197 20000 000 2103 008
PROJECT ID NO. 2103HWYDB-10


The consultant, N&P Engineering, Architecture & Land Surveying, PLLC, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC15-22 by Resolution No. 745-2021 for the subject project.

Attached is a letter dated December 21, 2022 from N&P Engineering, Architecture & Land Surveying, PLLC regarding the scope of work to be performed in an amount not to exceed \$28,500.00. Services to be performed include traffic studies (sign warrants, speed studies, pedestrian safety studies, etc.) as required for the Department of Public Works.

Attached is an availability of funds in the amount of \$28,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 2103 008, Project ID NO. 2103HWYDB-10.

The Office of the Inspector General has reviewed the proposed vendors' disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution, N&P Engineering, Architecture & Land Surveying, PLLC under Contract No. PWC15-22, On-Call Engineering Services Relative to Transportation Engineering, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.



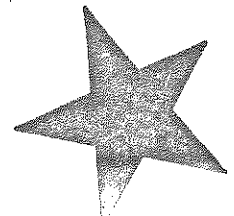
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/sb

Attachment

cc: Steve C. Ballas, Comptroller
John Tassone, Chief Deputy Commissioner/DPW-Highway

PWC15-22 N&P DOCKET TRAFFIC STUDIES FUNDS





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 PWC15-22

Contract Period JANUARY 1, 2022 - DECEMBER 31, 2023

Consultant/Contractor N&P ENGINEERING, ARCHITECTURE & LAND SURVEYING, PLLC

Discipline TRANSPORTATION ENGINEERING

Total Authorization \$28,500.00

Resolution No. 745-2021 Date 12/7/2021

Funded To Date \$0.00

Amount Requested \$28,500.00

Account To Be Used HWY H519 7 20000 000 2103 008 - 2103 HWY DB-10

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.

TRAFFIC STUDIES AT VARIOUS LOCATIONS

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$ _____

Requesting Division/Department

Signature [Signature]

Title CHIEF DEPUTY COMMISSIONER

DEPARTMENT OF PUBLIC WORKS

Date 12-22-22

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 12/29/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

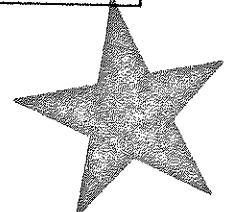
Amount Requested 28,500.00

Unencumbered Balance 93,034.63

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature]

Date 12/22/22





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 1/1/2022

Contract No. PWC15-22

Contract End 12/31/2023

Commencement Date 1-Jan-22

No claim shall be paid for work performed prior to the Commencement Date

Vendor Name and Address

N&P ENGINEERING, ARCHITECTURE & LAND SURVEYING, PLLC

70 MAXXESS ROAD

MELVILLE, NEW YORK 11747

Requesting Town Department HIGHWAY

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

Description of Work to be Performed (Attach Detail If Necessary)

TRAFFIC STUDIES AT VARIOUS LOCATIONS

This work order shall not exceed \$ \$28,500.00

Please notify the above mentioned contact person 48 hours prior to commencing any work.

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

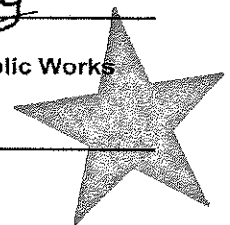
Signature [Signature]

**CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS**

Commissioner of Public Works

Date 12-22-22

Date 12/28/22





NELSON + POPE

engineers • architects • surveyors

December 21, 2022

Richard W. Lenz, P.E.
Commissioner of Public Works/Highway
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

Attention: Matthew Russo, P.E., Deputy Commissioner

Re: Scope & Fee for Professional Services for
Mini Traffic Studies Throughout the Town
PWC 15-22 - "On-Call" Transportation Engineering

Dear Mr. Russo:

In response to your request for a proposal to provide engineering services for the above referenced project, Nelson + Pope is pleased to provide the following scope of services and related cost breakdown. Our firm's commitment to quality along with our staff's professionalism will ensure the completed work product measures up to the Town's standards. For your ease of reference, the proposal is formatted as follows:

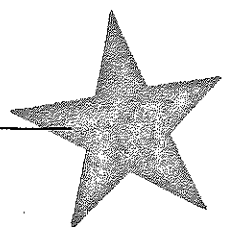
- Project Description
- Project Organization
- Project Rate Schedule
- Scope of Services

We would like to take this opportunity to express our gratitude for your consideration and add that our technical ability will ensure a successful project. If you have any questions or would like to discuss the proposal, please do not hesitate to contact me.

Respectfully submitted,

NELSON + POPE

Russell Z. Scott, PE
Senior Partner



Project Description

The Town of Oyster Bay is soliciting proposals from consulting firms to prepare various assessment and studies at locations throughout the Town. Typical requests may include Stop Sign Warrants, Speed Studies, pedestrian safety studies, etc. The scope of work as understood and described above is the basis of this proposal.

Project Organization

Osman Barrie, PE, PTOE will serve as the Project Manager for Nelson + Pope, with necessary oversight and quality assurance provided by Russell Z. Scott, PE.

Project Rate Schedule

The consultant fee for the services provided under this proposal will be billed at time rates based on Nelson + Pope's latest billing rate schedule per our On-Call Transportation Engineering Contract (PWC 15-22) with the Town of Oyster Bay.

Scope of Services and Fees:

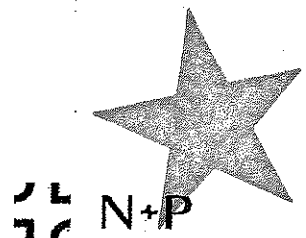
It is our understanding that the Town of Oyster Bay receives numerous requests to initiate minor traffic studies along Town roadways. These requests may include but are not limited to all-way stop sign warrant studies, sight distance analyses, speed studies, review of roadway signs, guide rails, pavement markings and pedestrian amenities. In order to investigate the various traffic issues at the proposed study locations, the following tasks will be undertaken:

- Review resident(s) complaints received by Town;
- Review available information provided from the Town for the study location;
- Detailed field observations will be conducted at the study location to identify any potential issues. It is understood that Oyster Bay staff may attend the field visits with N+P;
- Collect additional data that may be needed to perform the required study (for example data required for an all-way study, sight distance analyses etc.);
- Utilizing the data obtained and field observations, prepare and complete the required study which will identify the existing conditions as well as measures to improve the identified issues and prepare a memo summarizing the findings of the study.

Fee: Time Rates

Budget: \$28,500*

*It is understood that 10 cases can be completed



Meeting of December 7, 2021

Resolution No. 745-2021

DP
Reviewed By
Office of Town Attorney
Domenica Walte

WHEREAS Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2021, advised that a request for Proposals for On-Call Engineering Services relative to Transportation Engineering, in the Town of Oyster Bay, Nassau County New York, in accordance with specifications contained in Contract No. PWC15-22, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, The Division of Engineering, Department of Public Works/Highway received timely, eleven (11) responses; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department has selected, Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, NV5 New York-Engineers, Architects, Landscape Architects & Surveyors, and LiRo Engineers, Inc.; and

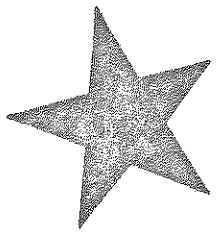
WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of Public Works to enter into agreements with Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, NV5 New York-Engineers, Architects, Landscape Architects & Surveyors, and LiRo Engineers, Inc., to provide the Town of Oyster Bay with on-call Engineering services relative to Transportation, in accordance with the terms and specifications contained in Contract No. PWC15-22, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No PWC15-22 with Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, NV5 New York-Engineers, Architects, Landscape Architects & Surveyors, and LiRo Engineers, Inc., in accordance with the terms and provisions thereunder, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023.

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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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Absent



Meeting of January 24, 2023

Resolution No.58-2023

WHEREAS, Pat Muller has requested to donate a memorial plaque to be placed on a new bench at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of Robert Blankenhorn; and

WHEREAS, the value of the plaque for a new bench is estimated to be \$1,325.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 9, 2023, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$1,325.00 from Pat Muller for a memorial plaque to be placed on a new bench at Theodore Roosevelt Memorial Park and Beach, Oyster Bay, in memory of Robert Blankenhorn.

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APS
Reviewed By
Office of Town Attorney
Domenica Wolfe

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**Town of Oyster Bay
Inter-Departmental Memo**

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Bench
DATE: January 9, 2023

The Department of Parks has received a request from Pat Muller (letter attached) requesting a memorial plaque on a new bench at Theodore Roosevelt Memorial Park and Beach in memory of Robert Blankenhorn.

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

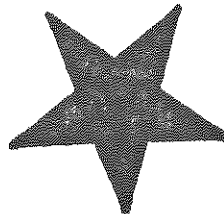
In accordance with Town Board Resolution 760-2022, adopted October 25, 2022, the Department of Parks respectfully requests Town Board Approval to accept a donation of \$1325.00 from Pat Muller.

Monies from this donation will be deposited into account no. PKS-A-0001-02705-000-0000.



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/dc



January 8, 2023

Atten: Diann Codispodo

Diann,

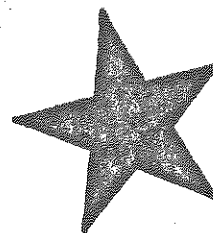
My name is Pat Muller and I would like to donate a memorial plaque and new bench to be placed at Teddy Roosevelt Park in honor of Robert (Bobby) Blankenhorn.

I will work on the wording for the plaque and get back to you.

Thank you for your assistance in this matter.

Sincerely,

Pat Muller



Reviewed By
Office of Town Attorney
America Walker

Meeting of October 25, 2022

Resolution No. 760-2022

WHEREAS, Joseph G. Pinto, Commissioner of Parks, by memorandum dated October 7, 2022, requested that the Town Board approve the following 2022/2023 fees for memorial plaques and benches as follows:

FEES FOR A MEMORIAL PLAQUE:

8" x 4" plaque is \$400.00 -- includes 4 lines top to bottom
8" x 6" plaque is \$500.00 -- includes 5 lines top to bottom

FEES FOR A MEMORIAL PLAQUE AND A NEW BENCH:

8" x 4" plaque and a new bench is \$1,225.00
8" x 6" plaque and a new bench is \$1,325.00

FEES FOR A MEMORIAL PLAQUE PLACED ON AN EXISTING BENCH:

8" x 4" plaque placed on an existing bench is \$750.00
8" x 6" plaque placed on an existing bench is \$850.00

FEES FOR A MEMORIAL PLAQUE PLACED UNDER AN EXISTING TREE:

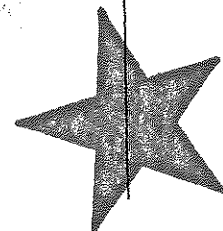
8" x 4" plaque placed under an existing tree is \$450.00
8" x 6" plaque placed under an existing tree is \$550.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby approves the fees as specified hereinabove to be collected in Account PKS A 0001 02705 000 0000.

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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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



Meeting of January 24, 2023

Resolution No.59-2023

WHEREAS, Linda Maltaghati-Slocumb has requested to donate a memorial plaque to be placed on an existing bench at Alhambra Park, Massapequa, in memory of her mother, Rose Maltaghati; and

WHEREAS, the value of the plaque and existing bench is estimated to be \$750.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 5, 2023, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$750.00 from Linda Maltaghati-Slocumb for a memorial plaque to be placed on an existing bench at Alhambra Park, Massapequa, in memory of her mother, Rose Maltaghati.

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Reviewed By
Office of Town Attorney
Domenica Warfe

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**Town of Oyster Bay
Inter-Departmental Memo**

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Existing Bench
DATE: January 5, 2023

The Department of Parks has received a request from Linda Maltaghati-Slocumb (letter attached) requesting a memorial plaque on an existing bench at Alhambra Park in memory of her mother, Rose Maltaghati.

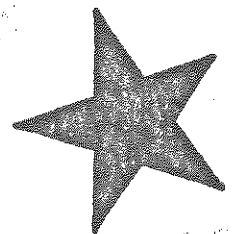
The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

In accordance with Town Board Resolution 760-2022, adopted October 25, 2022, the Department of Parks respectfully requests Town Board Approval to accept a donation of \$750.00 from Linda Maltaghati-Slocumb.

Monies from this donation will be deposited into account no. PKS-A-0001-02705-000-0000.


JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/dc

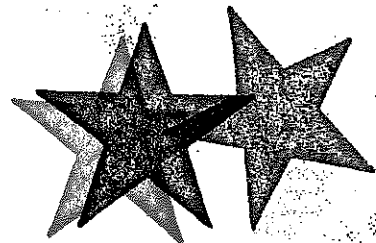


Diann Codispodo

From: [REDACTED]
Sent: Tuesday, November 8, 2022 9:26 AM
To: Diann Codispodo, [REDACTED]
Subject: memorial plaque at Alhambra Beach/park

CAUTION: This email originated from outside of our organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

Diane.....Good morning....In reference to our telephone conversation....This is our request to place a 8 x 4 plaque on an existing bench at Alhambra Beach/park for \$750.00. We would like the plaque to read Rose Maltaghati (first Line) The love we had together (second line) Love always Rico (third Line)... The Honoree is my mom Rose Maltaghati .She passed away last year in Feb 14 2021..Her and my dad Enrico Maltaghati(Rico) would go to Alhambra beach every day ...They would sit in the car and drink coffee , read the paper while watching the water and the sea gulls fly by.....My dad is 92 and wishes to buy a bench in her honorThank you for your help....Sincerely Linda Maltaghati Slocumb [REDACTED]



Reviewed By
Office of Town Attorney
America Walsh

Meeting of October 25, 2022

Resolution No.760-2022

WHEREAS, Joseph G. Pinto, Commissioner of Parks, by memorandum dated October 7, 2022, requested that the Town Board approve the following 2022/2023 fees for memorial plaques and benches as follows:

FEES FOR A MEMORIAL PLAQUE:

8" x 4" plaque is \$400.00 – includes 4 lines top to bottom

8" x 6" plaque is \$500.00 – includes 5 lines top to bottom

FEES FOR A MEMORIAL PLAQUE AND A NEW BENCH:

8" x 4" plaque and a new bench is \$1,225.00

8" x 6" plaque and a new bench is \$1,325.00

FEES FOR A MEMORIAL PLAQUE PLACED ON AN EXISTING BENCH:

8" x 4" plaque placed on an existing bench is \$750.00

8" x 6" plaque placed on an existing bench is \$850.00

FEES FOR A MEMORIAL PLAQUE PLACED UNDER AN EXISTING TREE:

8" x 4" plaque placed under an existing tree is \$450.00

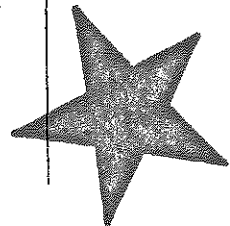
8" x 6" plaque placed under an existing tree is \$550.00

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby approves the fees as specified hereinabove to be collected in Account PKS A 0001 02705 000 0000.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



Meeting of January 24, 2023

Resolution No.60-2023

Reviewed By
Office of Town Attorney
Ralph P. Deady

WHEREAS, Joseph Rodgers, Town of Oyster Bay Constable No. 215, and Ex-Chief, Bayville Fire Company No. 1, 258 Bayville Avenue, Bayville, New York 11709-9801, by undated letter, requested a boat slip for the berthing of the Company's 32' fire/rescue – 50 ml boat, at Theodore Roosevelt Marina, Oyster Bay, from December 30, 2022, through May 9, 2023, nunc pro tunc, with no fees; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 6, 2022, recommended Town Board approval of the abovementioned request, and that Bayville Fire Co. No. 1 be granted a boat slip for the berthing of the Company's fire/rescue – 50 ml boat, at Theodore Roosevelt Marina, from December 30, 2022 through May 9, 2023 at Theodore Roosevelt Marina, nunc pro tunc, with no fees,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and the Town Board authorizes the Department of Parks to grant the Bayville Fire Co No. 1, a boat slip for the berthing of the Company's fire/rescue – 50 ml boat, at the Theodore Roosevelt Marina, Oyster Bay, from December 30, 2022 through May 9, 2023, nunc pro tunc, with no fees.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO**

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: JANUARY 6, 2023

SUBJECT: BAYVILLE FIRE COMPANY
TEMPORARY BERTHING OF FIRE/RESCUE VESSEL
AT THEODORE ROOSEVELT MARINA

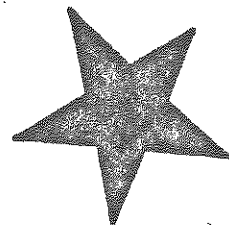
The Department of Parks respectfully requests Town Board approval for the temporary berthing of Bayville Fire Company's, 32' fire/rescue - 50 ml boat, at Theodore Roosevelt Marina from December 30, 2022 through May 9, 2023, with no fee.

Please see the attached request letter from Mr. Joseph Rodgers, Ex-Chief of the Bayville Fire Company.

Therefore, this department respectfully recommends approval of this request. The Bayville Fire Company's vessel is an essential first responder for the Town of Oyster Bay and all Oyster Bay Villages on the North Shore.



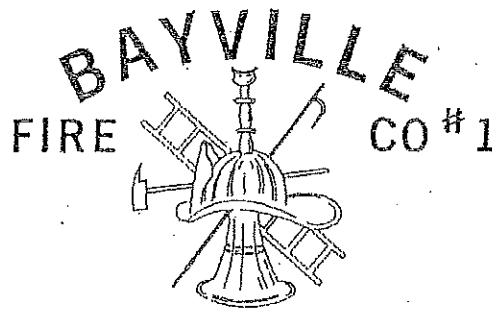
JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT



1922

Marc L. Bilbrey, *Chief*
John T. Doyle, *1st Assistant Chief*
Dwight C. McKinney, *2nd Assistant Chief*

Trustees:
Henry Encarnacion, *Chairman*
Pasquale Natale
Michael Parente
Louis Jokinsky
George Baker



2022

Ryan M.T. Roethel, *President*
Jerry Flower Jr., *Vice President*
Brian Tedaldi, *Corresponding Secretary*
Rashad Abdelkader, *Financial Secretary*
Kevin Placilla, *Treasurer*
Brendan Roethel, *Recording Secretary*

Good Afternoon Commissioner Joseph Pinto

Bayville Fire Company is requesting the ability to dock their 32ft fire/rescue boat (50m1) at Roosevelt Marina in Oyster Bay. Due to the current construction project on the Bayville Bridge by Nassau County all marine traffic is going to be halted in and out of Mill Neck Creek. Bayville FD currently keeps their 32 foot rescue vessel (50m1) docked in Mill Neck Creek. 50m1 is an essential first responder vessel for the Town of Oyster Bay villages including but not limited to Bayville, Mill Neck, Centre Island and all the Oyster Bay Villages on the north shore. 50m1 is also the main source of firefighting water supply to many areas without hydrants in Town of Oyster Bay as well responds to numerous water emergencies and fire suppression activities though out the western sound. Therefore we require the boat to be readily accessible and in the water year round. Bayville FC is requesting to dock 50m1 at Roosevelt marina during the construction on the Bayville Bridge. At this time Bayville FC requires dockage December 30, 2022 thru May 9, 2023 or until marine traffic is reopened into and out of Mill Neck Creek. I have secured a dock spot with cooperation from Town Of Oyster Bay Bay constables in the Northeast area of Roosevelt marina next to the Nassau County PD boat and TOB Bay constable Boat If I can be of any assistance or you need any more information and/or documentation please don't hesitate to give me a Call or email at your convenience.

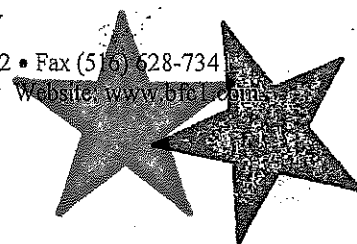
Thank You

Ex-Chief Bayville Fire Company
Town Of Oyster Bay Constable 215
Joseph Rodgers



Protecting Our Community

258 Bayville Ave. • Bayville, New York 11709-9801 • Tel. (516) 628-1922 • Fax (516) 628-734
E-Mail: 500@bfc1.net chief500@bfc1.net trustees@bfc1.net EMS@bfc1.net Website: www.bfc1.org
FIRE & RESCUE: (516) 742-3300



Meeting of January 24, 2023

Resolution No.61-2023

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 3, 2023, requested that the Town Board amend Resolution No. 923-2022, adopted on December 13, 2022, and approve EventPower LI, as event sponsor for the 2023 Town of Oyster Bay Triathlon & Tri-Relay, to be held on Sunday, August 27, 2023, from 7:00 a.m. to 3:00 p.m., and the Junior TOBAY Triathlon for Children, to be held on Saturday, August 26, 2023, from 7:00 a.m. to 3:00 p.m., in place of the Greater Long Island Running Club, the originally named sponsor; and

WHEREAS, the Inspector General has reviewed the new sponsor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby amends Resolution No. 923-2022, and approves EventPower LI, as event sponsor for the 2023 Town of Oyster Bay Triathlon & Tri-Relay, to be held on Sunday, August 27, 2023, from 7:00 a.m. to 3:00 p.m., and the Junior TOBAY Triathlon for Children, to be held on Saturday, August 26, 2023, from 7:00 a.m. to 3:00 p.m., in place of the Greater Long Island Running Club, the originally named sponsor.

-#-

EL
Reviewed By
Office of Town Attorney
Elizabeth A. Fayman

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO**

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: JANUARY 3, 2023

SUBJECT: AMEND RESOLUTION #923-2022
TOWN BOARD MEETING OF DECEMBER 13, 2022

The Department of Parks requested and received approval, pursuant to resolution #923-2022, presented at the Town Board meeting on December 13, 2022, to authorize the Greater Long Island Running Club (GLIRC) to conduct the Runner's Edge TOBAY Triathlon & Tri-Relay on Sunday, August 27, 2023 from 7:00 am until 3:00 pm and the Junior TOBAY Triathlon for Children on Saturday, August 26, 2023 from 7:00 am until 3:00 pm.

On January 2, 2023, Mindy Davidson, Vice President of the Greater Long Island Running Club, via email attached, requested the substitution of GLIRC to Event Power L. I. as the 2023 race sponsors for the above noted events. Event Power L. I. is an industry leading, multi-sport event management company.

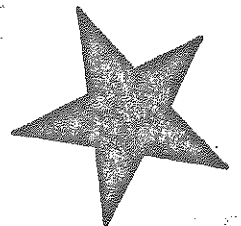
The Office of the Inspector General has reviewed the organization's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

The Department of Parks respectfully requests the Town Board amend resolution #923-2022 and approve the substitution of the Greater Long Island Running Club (GLIRC) to Event Power L. I. as event sponsors for the 2023 Town of Oyster Bay Triathlon & Tri-Relay and the Junior TOBAY Triathlon for Children.

Therefore, Town Board approval is respectfully requested.


JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/km
Att.





GREATER LONG ISLAND RUNNING CLUB

101 Dupont Street • Suite 24 • Plainview, New York 11803 • Email: info@glirc.com • www.glirc.org
Phone: 516.349.7646 • Fax: 516.349.7647 • Marcum Workplace Challenge: 516.349.7649

President

Carl Grossbard

Vice President

Mindy Davidson

Treasurer

Frank Capone

Secretary

Tracey Epstein

President Emeritus

Mike Polansky

General Manager

Suzanne Nelson

Executive Board

Alan Baisch

Eva Casale

Barbara Davis

Paul Fetscher

Glenn Morse

Thaddeus Nelson

Robert Toffin

January 2, 2023

Dear Commissioner Pinto,

First and foremost, I'd like to wish you and your family and staff a very Happy and Healthy New Year.

We wanted to let the Town know that based on several factors, we would like EventPower LI to produce the triathlon for one more year-2023.

We pride ourselves on putting on quality events that we all can be proud of and we felt that one more year would put us in a much better position to do that.

We are tremendously grateful for the support of you, Supervisor Saladino and the Town for the many events that we host and produce in the Town of Oyster Bay.

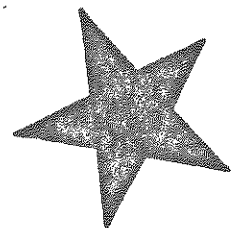
I will follow this up with a phone call on Tuesday or Wednesday. You can also feel free to call me.

Cordially,

Mindy Davidson

Mindy Davidson

Vice President



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated November 28, 2022, requested and recommended Town Board authorization to co-sponsor the following events with the Greater Long Island Running Club (GLIRC), under the following terms and conditions:

1. The races will be conducted as follows:

ASPIRE 10K Race	Saturday, April 29, 2023
Tobay Junior Triathlon for Children	Saturday, August 26, 2023
Runner's Edge Tobay Triathlon & Tri-Relay	Sunday, August 27, 2023
Supervisor's Annual 5K Run	Saturday, October 14, 2023

2. All races will be sanctioned by USA Track & Field (USATF) provided by the GLIRC.
3. All courses will be certified and registered with USATF by the GLIRC.
4. USATF will provide all runners with insurance through GLIRC in a timely manner before each race. GLIRC will provide the Town with said certificate of insurance before each event.
5. The races will be administered by GLIRC.
6. Refreshments for the courses as well as those needed during the race will be provided by GLIRC.
7. All fees will be collected and accounted for by GLIRC, as follows:

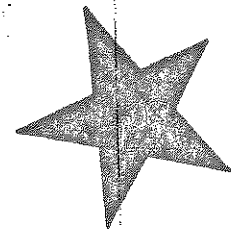
A) **ASPIRE 10K Race:**
Pre-register \$35.00
Day of Race \$45.00

B) **Runner's Edge Tobay Triathlon & Tri-Relay:**
Non-resident Individuals:

\$80.00 postmarked by 7/9/22
\$95.00 postmarked by 7/10/22 - 7/30/22
\$115.00 postmarked by 7/31/22 - 8/20/22
\$130.00 postmarked by 8/21/22 - 8/26/22
\$140.00 postmarked by 8/27/22 - 8/28/22

Town of Oyster Bay residents deduct \$15.00 from these fees.

Reviewed By
Office of Town Attorney
[Signature]



Entire Team Relay: \$125.00 postmarked by 7/9/22
\$145.00 postmarked by 7/10/22 - 7/30/22
\$165.00 postmarked by 7/31/22 - 8/20/22
\$185.00 postmarked by 8/21/22 - 8/26/22
\$200.00 postmarked by 8/27/22-8/28/22

Town of Oyster Bay residents deduct \$6.00 per team member from the above fees.

C) Tobay Junior Triathlon for Children:

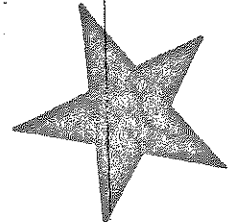
Pre-register \$25.00
Day of Race \$35.00

D) Supervisor's 5K Run

Non-resident \$45.00
Town Resident \$35.00
Day of Race \$45.00

8. Sponsors to enhance the event may be added by GLIRC, upon the approval of the Commissioner of the Department of Parks.
9. Camera ready artwork for applications and results books will be provided by GLIRC, printed on by the Town of Oyster Bay, all on recycled paper, except for the Triathlon results book.
10. The Town will provide awards for the Supervisor's 5K Race. The Department of Parks will provide partial payment for T-shirts for the Triathlon -- not to exceed \$3,000.00, not to include travel or housing expenses. Payment, not to exceed \$2,000.00, will be provided for the cost of printing the Runner's Edge Tobay Triathlon results book. The cost will be charged to Account No. PKS A 7110 44900 000 0000 or any other appropriate account.
11. The Town will provide use of Showmobile, portable lights, traffic cones, barricades, and portable bleachers with fees waived.
12. All personnel necessary to conduct race registration for each race must be provided by GLIRC.
13. Numbers for runners must be provided by GLIRC, and logos on same must be approved by the Commissioner of the Department of Parks.
14. The awards ceremony immediately following each event must be conducted by GLIRC. Awards, as listed, must bear the Town logo.

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are granted, and the Department of Parks is hereby authorized to co-sponsor the



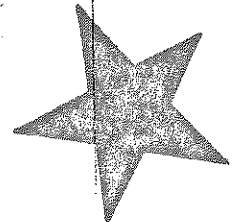
abovementioned events with the Greater Long Island Running Club, under the above stated conditions; and be it further

RESOLVED, That the Department of Parks is further authorized to provide partial payment for clothing items for the Triathlon in an amount not to exceed \$3,000.00, not including travel or housing expenses, and payment for the cost of printing the Runner's Edge Tobay Triathlon results book in an amount not to exceed \$2,000.00, and 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 the costs for the printing and the partial payment for the timing services to be drawn from Account No. PKS A 7110 44900 000 0000 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 Saladino	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Absent
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



Meeting of January 24, 2023

Resolution No.62-2023

DR
Reviewed By
Office of Town Attorney
Nicholas A. Laughton

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated January 4, 2023, requested that the Town Board authorize the Town Clerk to publish a Public Notice regarding the Forty-Ninth Community Development Program Year 2023-2024 in the Nassau County edition of Newsday, no later than January 27, 2023, to announce that a public hearing will be held on February 7, 2023, at 10:00 a.m., prevailing time, at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758, to provide for public participation in the programming of Community Development funding,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the publication of the aforesaid Public Notice in Newsday by the Town Clerk no later than January 27, 2023, is hereby approved, and the Town 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. IGA CD 8686 44100 000 CD 23.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**Town of Oyster Bay
Inter-Departmental Memorandum**

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: January 4, 2023

SUBJECT: Community Development
Notice for Public Hearing
49th Program Year 2023-2024

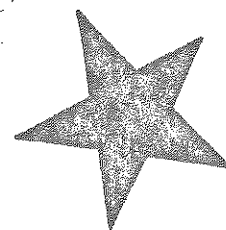
To announce the Town's Community Development Forty Ninth Program Year and provide for public participation in the programming of Community Development funding, a public hearing must be held.

This notice is required to be in a newspaper of general town wide circulation. In this regard, it is recommended that Newsday be utilized to announce that the public hearing will be held on February 7, 2023 at 10:00 am at Town Hall South. The public notice has been reviewed by the Town Attorney's Office and is attached. The public notice will be forwarded to the Town Clerk for publication in the Nassau edition of Newsday no later than January 27, 2023.

It is therefore, respectfully requested that the Town Board authorize said publication in Newsday no later than January 27, 2023. Funds for this purpose are available within account number IGA CD 8686 44100 000 CD 23.

Thank you for your attention to this matter.


Frank V. Sammartano
Commissioner



LEGAL NOTICE
COMMUNITY DEVELOPMENT
TOWN OF OYSTER BAY

The Town of Oyster Bay, as a member of the Nassau County Community Development Consortium, is anticipating an allocation of funding for the 2023-2024 Community Development Program year. The Town anticipates submitting its recommended Community Development Program application to Nassau County on March 17, 2023. Two public hearings will be held for public input and review.

Hearing Dates

The first public hearing will be held by the Town of Oyster Bay on February 7, 2023 at 10 AM at Town Hall South, 977 Hicksville Road Massapequa, NY. The hearing will explain program guidelines, review past activities and offer an opportunity for proposals from the public.

The second public hearing will be held by Nassau County. The date, time and location will be announced by Nassau County at a future date.

The purpose of the Town of Oyster Bay hearing is to allow public comment on the Town's statement of proposed activities. The Town of Oyster Bay's Community Development Office will be available to provide assistance and answer questions from February 7 to March 7, 2023.

Utilization of Community Development funds must primarily benefit low/moderate income persons in the Town or provide for the removal of blight. To accomplish this, a wide range of eligible activities are established by the federal government, including: Public Facilities and Improvement (which include Removal of Architectural Barriers); Residential Rehabilitation, Public Housing Rehabilitation, Commercial Rehabilitation; Downtown Revitalization; Historic Preservation; Economic Development; Provision of Public Services by Non-Profit Organizations; Planning and Administration.

Specific ineligible activities include: General Improvements of government buildings (with the exception of removal of architectural barriers) schools, stadiums, cultural and art centers; purchase of equipment and furnishings other than those eligible in OMB 87 - A; income payments and industrial park development.

Prior year Community Development activities are comprised of following components: Residential Rehabilitation, Public Housing Rehabilitation, Public



Facilities and Improvement within eligible census tracts and block groups (except in the case of the Removal of Architectural Barriers), and funding for Not-for-profit agencies on a Town wide basis.

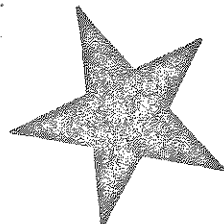
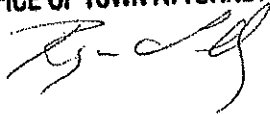
For Further Information

Questions regarding the Town's Community Development Program may be answered at any time by contacting the Town's Department of Intergovernmental Affairs, Division of Community Development at 516 624-6182.

BY ORDER OF THE TOWN BOARD OF OYSTER BAY, JOSEPH S. SALADINO, SUPERVISOR, and RICHARD La MARCA, TOWN CLERK.

DATED: _____

**REVIEWED BY
OFFICE OF TOWN ATTORNEY**



Reviewed By
Office of Town Attorney
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 27, 2022, authorized the Highway Department to clean up the premises located at 9 Warren Lane, Jericho, New York 11753, also known as Section 11, Block 437, Lot 23 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 11, 2022, in the total amount of \$1,189.01, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$1,189.01 may be assessed by the Legislature of the County of Nassau against the parcel known as 9 Warren Lane, Jericho, New York 11753, also known as Section 11, Block 437, Lot 23 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**Town of Oyster Bay
Inter-Departmental Memo**

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

SUBJECT: Property Cleanup Assessment
9 Warren Lane, Jericho, New York 11753
Section 11, Block 437, Lot 23

The Department of Planning and Development, by memorandum dated September 27, 2022, directed the Highway Department to clean the premises located at 9 Warren Lane, Jericho, New York 11753, also known as Section 11, Block 437, Lot 23 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 13, 2022, advised that the property was cleaned by a crew from the Highway Department on October 11, 2022. The cost incurred by the Town of Oyster Bay was \$1,189.01.

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.

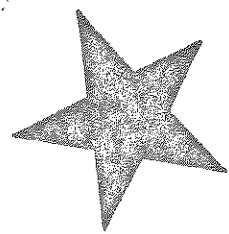
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



2022-8869

TOWN OF OYSTER BAY

Inter-Departmental Memo

SEPTEMBER 27, 2022

To: RICHARD LENZ: COMMISSIONER/DPW
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 9 WARREN LANE, JERICHO, NEW YORK 11753
SBL: 11-437-23

Notice of Violation number 08546 was issued to the owner of the above-referenced premises on 09/20/2022 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

- Cut all grass and vegetation on premises.

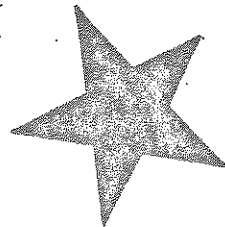
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ELM:ME:ml

cc: Frank Scalera, Town Attorney





Town of Oyster Bay
Department of Planning and Development
Town Hall - 74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6200
FAX (516) 624-6240
www.oysterbaytown.com

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKÉ
DEPUTY COMMISSIONER

JAMES McCaffrey
DEPUTY COMMISSIONER

September 27, 2022

June Development Corp.
9 Warren Lane
Jericho, NY 11753

RE: PREMISES: 9 Warren Lane, Jericho, New York 11753
SECTION 11 BLOCK 437 LOT 23

Dear Property Owner:

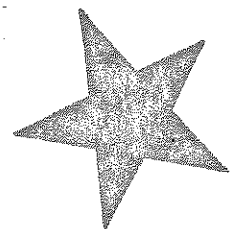
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation Number 08546 (copy attached) has been served on 09/20/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Department of Public Works-Highway Division to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER

Michael Esposito
Code Enforcement Bureau

ELM:ME: ml
Enclosure



AL

**Town of Oyster Bay
Inter-Departmental Memo**

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 20, 2022

SUBJECT: 9 WARREN LANE, JERICHO, NEW YORK 11753
SECTION 11, BLOCK 437, LOT(S) 23

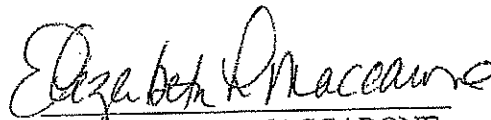
The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,189.01

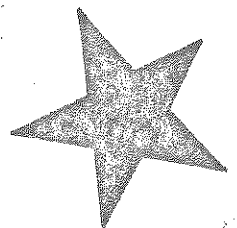
It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,189.01 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

REC'D TOWN ATTORNEY
'22 OCT 24 PM 1:43


ELIZABETH L. MACCARONE
COMMISSIONER

ME:ml
Enclosure



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

Delivered on 20th day of December in the year 2019
THIS INDENTURE made the
BETWEEN

[REDACTED], residing at
9 Warren Lane, Jericho, New York 11753

party of the first part and

JUNE DEVELOPMENT CORP., 1 Chemung Place, Jericho, New York 11753

AND

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, place or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the
At Jericho, Town of Oyster Bay, County of Nassau and State of New York, and more fully
described on Schedule "A" attached hereto and made a part hereof.

SAID PREMISES known as 9 Warren Lane, Jericho, New York.

BEING AND INTENDED to be the same premises conveyed to the party of the first part
by deed dated September 26, 2011 and recorded October 5, 2011 in Liber 12764 page 299.

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.

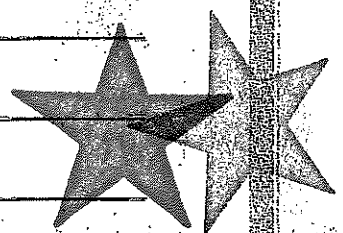
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

[Signature]

[REDACTED]
[REDACTED], as Trustee



**Town of Oyster Bay
Inter- Departmental Memo**

October 13, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 9 WARREN LANE, JERICHO
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 division be reimbursed in the total amount of \$1,189.01.

If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet

**Town of Oyster Bay
Inter- Departmental Memo**

October 13, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 9 WARREN LANE, JERICHO
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 \$1,189.01.

If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (11-437-23) 9 WARREN LN JERICHO 11753

Date Oct 11, 2022

Work Order # 99008

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
VINCENT PADAVANO	General Maintenance	01:00	\$53.61	00:00	0	\$53.61
MICHAEL HERRON	General Maintenance	01:00	\$25.72	00:00	0	\$25.72
JESSE VITERI	General Maintenance	01:00	\$23.56	00:00	0	\$23.56
ANTHONY GRASSO	General Maintenance	01:00	\$23.56	00:00	0	\$23.56
CHARLES R MURPHY	General Maintenance	01:00	\$23.56	00:00	0	\$23.56

Total Labor \$150.01

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU472	2020 FORD F250 PICK UP YELLOW	\$79.00	01:00	\$79.00
TD739	2019 FORD F450 WY POWER WAGON	\$105.00	01:00	\$105.00
TR212	2019 TRAILER YW	\$105.00	01:00	\$105.00

Total Equipment \$289.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00

Total Materials \$750.00

Grand Total \$1189.01

Description of Work:

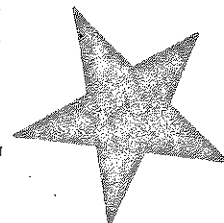
CLEAN UP 9 WARREN LANE JERICHO

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 13, 2022



Meeting of January 24, 2023

Resolution No.64-2023

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 13, 2022, authorized the Highway Department to clean the premises located at 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 20, 2022, in the total amount of \$1,362.42, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$1,362.42 may be assessed by the Legislature of the County of Nassau against the parcel known as 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney
Ralph P. Healey

**Town of Oyster Bay
Inter-Departmental Memo**

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

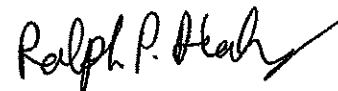
SUBJECT: Property Cleanup Assessment
35 Buckram Road, Locust Valley, New York 11560
Section 30, Block 24, Lot 118

The Department of Planning and Development, by memorandum dated September 13, 2022, directed the Highway Department to clean the premises located at 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated September 26, 2022, advised that the property was cleaned by a crew from the Highway Department on September 20, 2022. The cost incurred by the Town of Oyster Bay was \$1,362.42.

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.

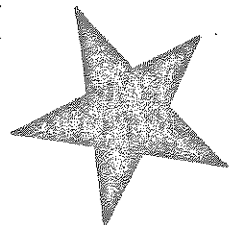
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

amlS:\Attorney\RESOS 2022\MD 35 Buckram Rd 1.11.2023.doc



ms
Reviewed By
Office of Town Attorney

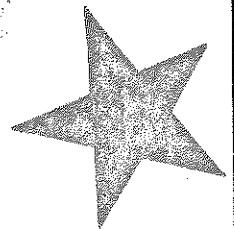
Ralph P. Healey

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 13, 2022, authorized the Highway Department to clean the premises located at 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 20, 2022, in the total amount of \$1,362.42, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$1,362.42 may be assessed by the Legislature of the County of Nassau against the parcel known as 35 Buckram Road, Locust Valley, New York 11560, also known as Section 30, Block 24, Lot 118 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2022-8859

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 13, 2022

To: RICHARD LENZ: COMMISSIONER/DPW
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 35 Buckram Road, Locust Valley, New York 11560
SBL: 30-24-118

Notice of Violation number 08606 was issued to the owner of the above-referenced premises on 09/02/2022 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

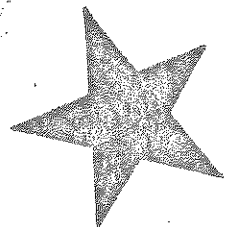
- **Cut lawn and vegetation on premises.**

Pursuant to the provisions of Chapter 135, Section 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.

ELIZABETH L. MACCARONE
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

12/
ELM:ME:ml
cc: Frank Scalera, Town Attorney





Town of Oyster Bay
Department of Planning and Development
Town Hall - 74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6200
FAX (516) 624-6240
www.oysterbaytown.com

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCaffrey
DEPUTY COMMISSIONER

September 13, 2022

Estate of Eva Brant
35 Buckram Rd.
Locust Valley, New York 11560


RE: PREMISES: 35 Buckram Road, Locust Valley, NY 11560
SECTION 30 BLOCK 24 LOT 118

Dear Property Owner:

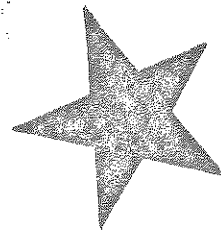
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation Number 08606 (copy attached) has been served on 09/02/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Department of Public Works-Highway Division to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER


Michael Esposito
Code Enforcement Bureau

12
ELM:ME:ml
Enclosure



AL

**Town of Oyster Bay
Inter-Departmental Memo**

TO: FRANK M. SCALERA, TOWN ATTORNEY

**FROM: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT**

DATE: SEPTEMBER 29, 2022

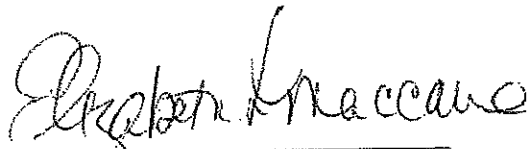
**SUBJECT: 35 BUCKRAM ROAD, LOCUST VALLEY, NEW YORK 11560
SECTION 30, BLOCK 24, LOT(S) 118**

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

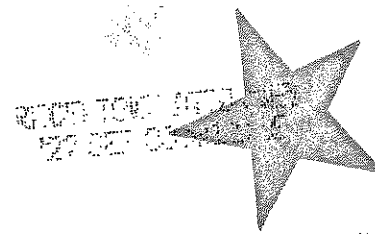
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,362.42

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,362.42 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.


ELIZABETH L. MACCARONE
COMMISSIONER

ME:ml
Enclosure



BARGAIN AND SALE DEED

THIS INDENTURE, made as of February 4, 2008, between EVA BRANT surviving tenant-by-the-entireties of EVA BRANT and [REDACTED], having an address at 35 Buckram Road, Locust Valley, NY 11560 ("Grantor"), and EVA BRANT, having an address at 35 Buckram Road, Locust Valley, NY 11560 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which hereby are acknowledged, does hereby grant and release unto Grantee and the heirs, executors, administrators, legal representatives, successors and assigns of Grantee forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in, the County of Nassau and the State of New York, being more particularly described in Exhibit A attached hereto and made a part hereof,

BEING AND INTENDED TO BE the same premises as the premises described in the deed to the Grantor herein dated March 23, 1966 and recorded March 23, 1966 in the Office of the Clerk of the County of Nassau in Liber 7497 page 71.

SAID premises being known as Sec. 30, Blk. 24; Lot 118 on the Nassau County Land and Tax Map.

SAID premises being also known as and by the street address 35 Buckram Road, Locust Valley, NY 11560.

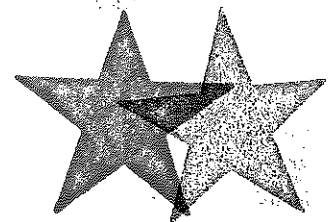
THE Grantor herein is the same person named as the Grantee in deed dated March 23, 1966 and recorded March 23, 1966 in the Office of the Clerk of the County of Nassau in Liber 7497 page 71.

TOGETHER with all right, title and interest, if any, of Grantor 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 Grantor in and to said premises,

SUBJECT TO all laws, ordinances and regulations of governmental authorities affecting said premises; the state of facts a current survey of said premises would show; and all matters of record.

TO HAVE AND TO HOLD the premises herein granted unto Grantee and the heirs, executors, administrators, legal representatives, successors and assigns of Grantee forever.



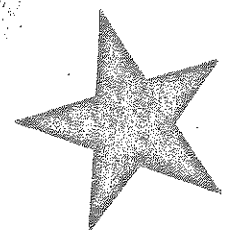
Grantor is the owner of said premises. Said premises is not located in an agricultural district.

Grantor covenants that Grantor has not done or suffered anything whereby said premises have been encumbered in any way whatever, except as set forth herein.

Grantor, in compliance with Section 13 of the Lien Law, covenants that 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 the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF Grantor has duly executed this deed as of the date first above written.

Eva Brant
EVA BRANT



**Town of Oyster Bay
Inter- Departmental Memo**

September 26, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 35 BUCKRAM ROAD, LOCUST VALLEY
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 division be reimbursed in the total amount of \$1,362.42.

If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (30-24-118) 35 BUCKRAM RD LOCUST VALLEY 11560

Date Sep 20, 2022

Work Order # 98583

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	02:00	\$52.16	00:00	0	\$104.32
JOSEPH LOIODICE	General Maintenance	02:00	\$31.49	00:00	0	\$62.98
JACOB T JOHNSON	General Maintenance	02:00	\$15.00	00:00	0	\$30.00
LUKE F WHITTING	General Maintenance	02:00	\$23.56	00:00	0	\$47.12
Total Labor						\$244.42

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU455	2019 FORD F350 YW	\$79.00	02:00	\$158.00
TD764	2021 FORD F 450 POWER WAGON YW	\$105.00	02:00	\$210.00
Total Equipment				\$368.00


Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Total Materials			\$750.00

Grand Total \$1362.42

Description of Work:

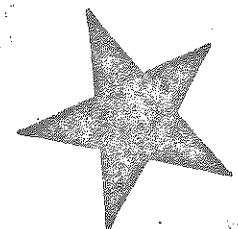
CLEAN UP 35 BUCKRAM ROAD LOCUST VALLEY

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Sep 22, 2022



Reviewed By
Office of Town Attorney
Ralph P. Healey

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 its emergency powers, authorized the Highway Department to board up the premises located at, 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 29, 2022, in the amount of \$1,250.28, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$1,250.28 may be assessed by the Legislature of the County of Nassau against the parcel known as 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**Town of Oyster Bay
Inter-Departmental Memo**

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

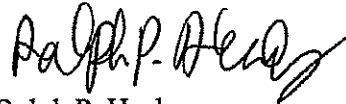
SUBJECT: Property Cleanup Assessment
37 Garfield Avenue, Glen Head, New York 11545
Section 20, Block 6, Lot 218

By the emergency powers granted to the Department of Planning and Development, the Highway Department, boarded up the premises located at 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 11, 2022, advised that the property was secured by a crew from the Highway Department on September 29, 2022. The cost incurred by the Town of Oyster Bay was \$1,250.28.

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.

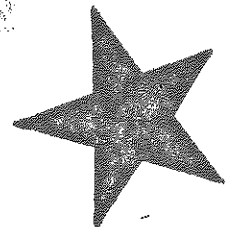
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



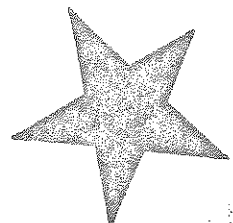
Flax
Reviewed By
Office of Town Attorney
Ralph P. Healey

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 its emergency powers, authorized the Highway Department to board up the premises located at, 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 29, 2022, in the amount of \$1,250.28, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$1,250.28 may be assessed by the Legislature of the County of Nassau against the parcel known as 37 Garfield Avenue, Glen Head, New York 11545, also known as Section 20, Block 6, Lot 218 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



2022-8870

Daniel Kornfeld

From: Richard Lenz
Sent: Thursday, September 29, 2022 12:04 PM
To: John Tassone; Daniel Kornfeld; Peter Brown
Subject: Fwd: 37 Garfield Avenue, Glen Head - Dangerous Building

Sent from my iPhone

Begin forwarded message:

9/29 -
4 Hours
4 Hours to Lock

From: "Timothy R. Zike" <tzike@oysterbay-ny.gov>
Date: September 29, 2022 at 11:48:01 AM EDT
To: Richard Lenz <rlenzen@oysterbay-ny.gov>, John Tassone <jtassone@oysterbay-ny.gov>
Cc: Leslie Maccarone <lmaccarone@oysterbay-ny.gov>, Gregory Carman <gcarman@oysterbay-ny.gov>, Frank Scalera <fscalera@oysterbay-ny.gov>, Michael Esposito <mesposito@oysterbay-ny.gov>, Justin McCaffrey <jmccaffrey2@oysterbay-ny.gov>, Kevin Conway <kconway@oysterbay-ny.gov>, Hal Mayer <hmayer@oysterbay-ny.gov>
Subject: 37 Garfield Avenue, Glen Head - Dangerous Building

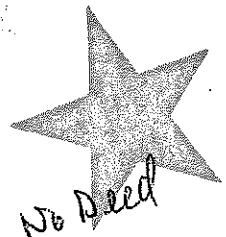
Rich and John,

Pursuant to Chapter 96 (Dangerous and Abandoned Buildings), Section 20 (Emergencies) of the Code of the Town of Oyster Bay, this Department has declared that the dwelling located at 37 Garfield Avenue, Glen Head, New York (Section 20, Block 6, Lot 218) is a "Dangerous Building" and therefore it is to be vacated and secured.

It is respectfully requested that the Town of Oyster Bay's Department of Public Works - Highway Division have personnel immediately lock and secure all doors and windows on the dwelling.

If you have any questions, please contact me at extension 6267.

Timothy R. Zike
Deputy Commissioner
Town of Oyster Bay
Department of Planning and Development
(516) 624-6267



AL

**Town of Oyster Bay
Inter-Departmental Memo**

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 20, 2022

SUBJECT: 37 GARFIELD AVE., GLEN HEAD, NEW YORK 11545
SECTION 20, BLOCK 6, LOT(S) 218

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,250.28

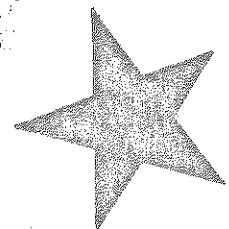
It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,250.28 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

REC'D TOWN ATTORNEY
22 OCT 24 PM 1:49

Elizabeth L. MacCarone
ELIZABETH L. MACCARONE
COMMISSIONER

ME:ml
Enclosure



**Town of Oyster Bay
Inter- Departmental Memo**

October 11, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

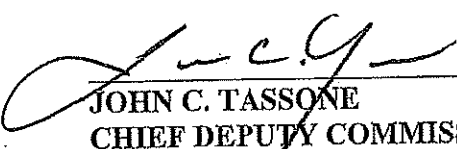
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 37 GARFIELD AVENUE, GLEN HEAD
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 \$1,250.28.

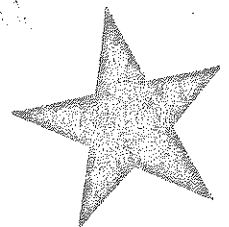
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (20-6-218) 37 GARFIELD AVE GLEN HEAD 11545

Date Sep 29, 2022

Work Order # 99139

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ALBERT MAZLIAH	General Maintenance	04:00	\$26.44	00:00	0	\$105.76
Total Labor						\$105.76

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	04:00	\$316.00
Total Equipment				\$316.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Hasps	\$7.24	4	\$28.96
Locks	\$12.39	4	\$49.56
Total Materials			\$828.52

Grand Total \$1250.28

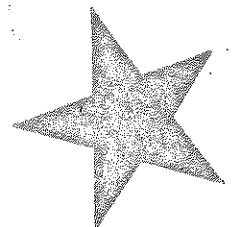
Description of Work:
BOARD UP 37 GARFIELD AVENUE

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 5, 2022



Meeting of January 24, 2023

Resolution No.66-2023

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 29, 2022, authorized the Highway Department to clean up the premises located at 46 Maxwell Avenue, Oyster Bay, New York 11771, also known as Section 27, Block 5, Lot 141 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 13, 2022, in the total amount of \$4,891.40, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$4,891.40 may be assessed by the Legislature of the County of Nassau against the parcel known as 46 Maxwell Avenue, Oyster Bay, New York 11771, also known as Section 27, Block 5, Lot 141 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney
Ralph P. Healey

66

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

SUBJECT: Property Cleanup Assessment
46 Maxwell Avenue, Oyster Bay, New York 11771
Section 27, Block 5, Lot 141

The Department of Planning and Development, by memorandum dated September 29, 2022, directed the Highway Department to clean the premises located at 46 Maxwell Avenue, Oyster Bay, New York 11771, also known as Section 27, Block 5, Lot 141 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 14, 2022, advised that the property was cleaned by a crew from the Highway Department on October 13, 2022. The cost incurred by the Town of Oyster Bay was \$4,891.40.

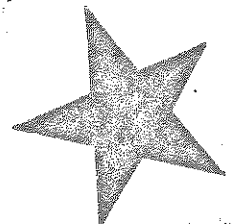
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey
Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



2022-8879

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 29, 2022

To: RICHARD LENZ: COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 46 MAXWELL AVENUE, OYSTER BAY, NEW YORK 11771
SBL: 27-5-141

Notice of Violation number 06948 was issued to the owner of the above-referenced premises on 09/22/2022 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

- Cut lawn and vegetation on premises.
- Remove litter and debris from premises.

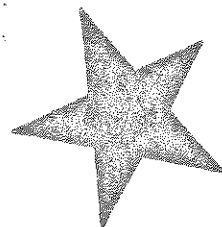
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ELM:MB:ml

cc: Frank Scalera, Town Attorney



AC

**Town of Oyster Bay
Inter-Departmental Memo**

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 24, 2022

SUBJECT: 46 MAXWELL AVENUE, OYSTER BAY, NEW YORK 11771
SECTION 27, BLOCK 5, LOT(S) 141

REC'D TOWN ATTORNEY
22 OCT 25 AM 11:38

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

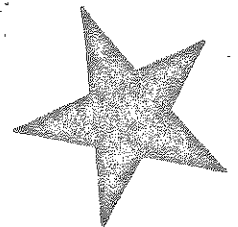
- 1) T.O.B. Highway Department Clean-Up Costs: \$ 4,891.40

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 4,891.40 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.


ELIZABETH L. MACCARONE
COMMISSIONER

ME:ml
Enclosure



THIS INDENTURE, made the 23rd day of March 2022

BETWEEN

CEMMA Property LLC of 129 Birch Hill Road, Locust Valley, NY 11550

party of the first part, and

as [REDACTED] CHIT, NY 11579

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 assigns 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

Being and intended to be the same premises conveyed to the party of the first part by deed in Liber 14219 ep 744.

See legal description of the real property annexed hereto Exhibit "A" and made a part hereof.

TOGETHER with all right, title and interest of any of the party of the first part, in and to any articles and records attesting 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 whatsoever, except as aforesaid.

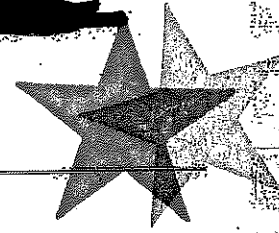
AND the party of the first part in compliance with Section 43 of the Lien Law, covenants that the party first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement or for any other 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 WITNESS WHEREOF

[REDACTED]



**Town of Oyster Bay
Inter- Departmental Memo**

October 14, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 46 MAXWELL AVENUE, OYSTER BAY
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 division be reimbursed in the total amount of \$4,891.40.

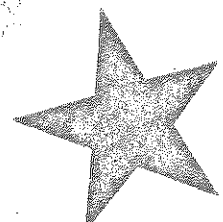
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (27-5-141) 46 MAXWELL AVE OYSTER BAY 11771

Date Oct 13, 2022

Work Order # 99140

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
NICHOLAS BENETOS	General Maintenance	04:00	\$45.91	00:00	0	\$183.64
ERIC GOLDEN	General Maintenance	04:00	\$40.38	00:00	0	\$161.52
PAUL LIZARDOS	General Maintenance	04:00	\$26.44	00:00	0	\$105.76
DORIAN COVEN	General Maintenance	04:00	\$30.05	00:00	0	\$120.20
ROBERT HULTIN	General Maintenance	04:00	\$32.21	00:00	0	\$128.84
ALFRED A'STAAB, III	General Maintenance	04:00	\$29.33	00:00	0	\$117.32
DARIN S RIEFBERG	General Maintenance	04:00	\$23.03	00:00	0	\$92.12
Total Labor						\$909.40

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PL073	PAYLOADER 2001 KRAM 118 YW (HT-9)	\$168.00	04:00	\$672.00
PL083	PAYLOADER 2010 KOMAT WA380 YW (HT-12)	\$168.00	04:00	\$672.00
TD705	TRUCK DUMP 2011 FORD F350 YELLO (T-135) - Power Wagons	\$105.00	04:00	\$420.00
TD713	TRUCK DUMP 2012 INTER 7300 YW (T-131)- 6 Wheeler	\$131.00	04:00	\$524.00
TD737	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T-155)	\$105.00	04:00	\$420.00
TD747	2019 INT. 7300 6 WHEELER YW	\$131.00	04:00	\$524.00
Total Equipment				\$3232.00


Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Total Materials			\$750.00

Grand Total \$4891.40

Description of Work:

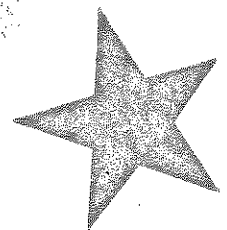
CLEAN UP 46 MAXWELL AVENUE OYSTER BAY

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 14, 2022



Meeting of January 24, 2023

Resolution No.67-2023

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 16, 2022, authorized the Highway Department to clean the premises located at 153 Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 37, Lots 45 to 47 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 29, 2022, in the total amount of \$2,399.26, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$2,399.26 may be assessed by the Legislature of the County of Nassau against the parcel known as 153 Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 37, Lots 45 to 47 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Noted By
Chief of Town Attorney
Ralph P. Healey

**Town of Oyster Bay
Inter-Departmental Memo**

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

SUBJECT: Property Cleanup Assessment
153 Ocean Avenue, Massapequa, New York 11758
Section 65, Block 37, Lots 45 to 47

The Department of Planning and Development, by memorandum dated September 16, 2022, directed the Highway Department to clean the premises located at 153 Ocean Avenue, Massapequa, New York 11758, also known as Section 65, Block 37, Lots 45 to 47 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 5, 2022, advised that the property was cleaned by a crew from the Highway Department on September 29, 2022. The cost incurred by the Town of Oyster Bay was \$2,399.26.

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.

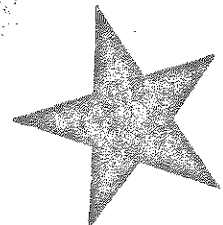
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



2022-8857

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 16, 2022

To: RICHARD LENZ: COMMISSIONER/DPW
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 153 OCEAN AVENUE, MASSAPEQUA, NEW YORK 11758
SBL: 65-37-45 to 47

Notice of Violation number 08657 was issued to the owner of the above-referenced premises on 09/02/2022 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

- Cut lawn and vegetation on premises.

Pursuant to the provisions of Chapter 135, Section 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.

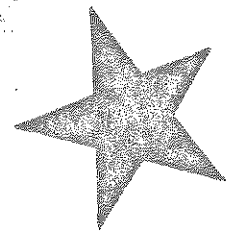
ELIZABETH L. MACCARONE
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

RLM:ME:ml

cc: Frank Scalera, Town Attorney

cc: Andrew Preston, Esq., BRFH&D Attorneys-at-Law





Town of Oyster Bay
Department of Planning and Development
Town Hall - 74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6200
FAX (516) 624-6240
www.oysterbaytown.com

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

September 16, 2022

South Street Marks Corp.
144-42 Jewel Avenue
Flushing, NY 11367

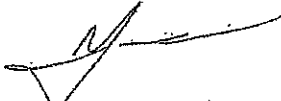
RE: PREMISES: 153 Ocean Avenue, Massapequa, New York 11758
SECTION 65 BLOCK 37 LOT 45

Dear Property Owner:

Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation Number 08657 (copy attached) has been served on 09/02/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Department of Public Works-Highway Division to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

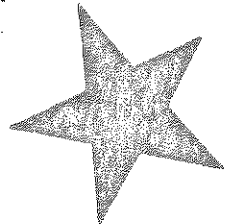
Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER


Michael Esposito
Code Enforcement Bureau


BLM:ME:ml

Enclosure

cc: Andrew Preston, Esq., BRFH&D Attorneys-at-Law



AL

**Town of Oyster Bay
Inter-Departmental Memo**

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 12, 2022

SUBJECT: 153 OCEAN AVENUE, MASSAPEQUA, NEW YORK 11758
SECTION 65, BLOCK 37, LOT(S) 45

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 2,399.26

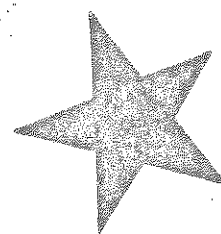
It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 2,399.26 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.


ELIZABETH L. MACCARONE
COMMISSIONER

REC'D TOWN ATTORNEY
'22 OCT 17 AM 9:40

ME:ml
Encls.
cc: Andrew Preston, Esq., BRFH&D Attorneys-at-law



THIS INDENTURE, made on 12 day of June, Two Thousand Eighteen
BETWEEN

party of the first part, and South
St. Marks Corp., having offices at 3121 Harrison Street, Baltimore, NY
11710

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) dollars,

lawful money of the United States, 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

SCHEDULE (A) ATTACHED HERETO AND MADE A PART HEREOF (the
"Premises")

REVERSIONARY RIGHT AND RESTRICTION RUNNING WITH THE LAND. Grantee or
Grantor's
heirs, distributees, legal representatives, successors and assigns
(collectively, the "Owner") shall obtain a duly issued final certificate
of occupancy, or a duly issued certificate of completion, as applicable,
from the local building department with jurisdiction covering the
alterations and/or building (s), as applicable and all other
improvements located on the Premises authorizing their use as a
residential dwelling (the "Final Certificate of Occupancy") within one
(1) year from the date of closing, indicating that all redevelopment of
the premises is consistent with local use and zoning regulations and
floodplain development and design requirements set forth in the New York
State Building Code and any local codes. Within fifteen (15) days of
the Owner's receipt of the Final Certificate of Occupancy, the owner
must submit the Final Certificate of Occupancy to the Grantor for the
Grantor's approval in order to release the Grantor's reversionary
interest in the Premises. Owner further acknowledges that failure to
obtain and present Grantor with a Final Certificate of Occupancy that is
satisfactory to Grantor within one (1) year of the date of closing will
result in the automatic reversion of the Premises to the Grantor. If at
the time of the automatic reversion there are liens and/or encumbrances
on the Premises, the Owner will be responsible for satisfying and
extinguishing such liens and encumbrances. If Owner has not satisfied
and extinguished the liens and encumbrances at the time of automatic
reversion, Owner shall indemnify and defend Grantor against any costs,
claims and expenses, including reasonable attorney's fees, arising out
of Owner's failure to satisfy and/or extinguish such liens and
encumbrances. The Grantor reserves the right, at its sole discretion,
to grant the Owner additional time to meet the condition or release the
Grantor's reversionary interest upon written request by the Owner to the
Grantor within one (1) year of the date of closing ("Request for
Extension"), showing Owner's good faith efforts to satisfy the
condition. If the Premises is non-conforming and therefore require a
variance in order to obtain a Final Certificate of Occupancy, upon
Owner's submission to Grantor of a variance application for the Premises

that has been approved by the applicable municipality, Owner's time to obtain a Final Certificate of Occupancy will be two (2) years from the date of closing. An Owner wishing to combine a purchased Premises with an adjacently owned property may submit a written request to the Grantor to waive this restriction once the purchased Premises and the adjacent property have been merged. Such a request must include documentation filed with the relevant clerk's office that the plots have been merged prior to the request for waiver. Grantor may conduct biannual monitoring on the progress of the redevelopment of the premises and Owner shall cooperate with the Grantor and Grantor's agents and provide Grantor with such information and documentation as may be reasonably requested by Grantor in connection with the redevelopment of the Premises. Owner appoints and delegates Grantor to review the construction progress. Upon Owner's satisfaction of the above-referenced requirements, the Grantor's reversionary interest will be released and full title will vest in the Owner. The Final Certificate of Occupancy or any Request for Extension must be set to acquisitionauctions@stormrecovery.ny.gov or to Housing Trust Fund Corporation, Attn: New York Rising Acquisition Auction Monitoring and Compliance, 500 Bi-County Boulevard, Suite 118, Farmingdale, NY 11735 or to 25 Beaver Street, 5th Floor, New York, NY 10004 or such other address as Grantor may designate upon notice to Owner.

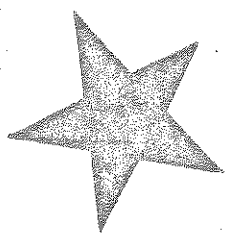
COVENANT AS TO FLOOD INSURANCE RUNNING WITH THE LAND. If the Premises is located in a Special Flood Hazard Area under Federal Emergency Management Agency (FEMA) Flood Maps or within the Special Flood Hazard Area under the advisory Base Flood Elevations issued by FEMA, at the time of any conveyance, any dwelling on any part of the Premises shall be insured under the 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 Grantee or subsequent owners/transferees shall fail to maintain flood insurance, Grantee or Owner may not be eligible for federal disaster relief assistance for repair, replacement, or restoration of damage due to flooding as provided in 42 U.S.C. 5154a. Grantee 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 Premises 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.

This conveyance is made pursuant to Section 45-a7(e) of the Private Housing Finance Law of the State of New York.

Being an intended to be the same premises as conveyed to Grantor herein by deed 4/17/2017 and recorded on 5/3/2017 in Liber 13503 Page 962 in the office of the Clerk of Nassau County.

SAID premises being known as 153 South Ocean Avenue, Massapequa, NY 11758

Section: 65 Block: 937 Lots: 45-47



ACKNOWLEDGMENT IN NEW YORK STATE (RPL 369-a)

State of New York, County of NASSAU ss:
On 6/13/18 before me, the undersigned,
personally appeared Patrick McEvoy

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.

RICHARD SMALKIN
Notary Public - State of New York
No. 015M4337063
Qualified in Nassau County
My Comm. Expires Oct. 18, 2021
[Signature]

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 369-b)

State of _____ County of _____ ss:
On _____ 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

(insert city or political subdivision and state or country or other place of acknowledgment herein)

(signature and office of individual taking acknowledgment)

Bargain and Sale Deed

WITH COVENANT AGAINST TRANSFER'S ACTS

Title No. S02234

Patrick McEvoy

TO

St. Marks Corp.

ACKNOWLEDGMENT BY SUBSCRIBING WITNESS(ES)

State of _____ } ss:
County of _____ }
On _____ before me, the undersigned,
personally appeared _____

the subscribing witness(es) of the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in _____ if the place of residence is in a city, include the street and street number, if any, thereof;

that he/she/they know(s)

to be the individual(s) described in and who executed the foregoing instrument; that said subscribing witness(es) was (were) present and saw said

execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness(es) thereto.

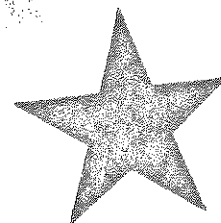
☐ If taken outside New York State, insert city or political subdivision and state or country or other place acknowledgment taken And that said subscribing witness(es) made such appearance before the undersigned in

(signature and office of individual taking acknowledgment)

SECTION 65
BLOCK 037
LOT 45-47
COUNTY OR TOWN Nassau

RETURN BY MAIL TO:

Robert O'Brien, Esq.
877 N Corona Avenue
N Valley Stream, NY 11580



**Town of Oyster Bay
Inter- Departmental Memo**

October 5, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 153 SO. OCEAN AVENUE, MASSAPEQUA
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 division be reimbursed in the total amount of \$2,399.26.

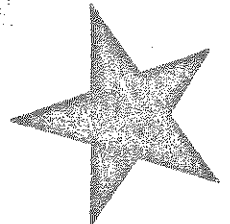
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (65-37-45) 153 SO OCEAN AVE MASSAPEQUA 11758

Date Sep 29, 2022

Work Order # 98771

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK ORLANDO	General Maintenance	02:00	\$46.88	00:00	0	\$93.76
MICHAEL MCGEEVER	General Maintenance	02:00	\$30.77	00:00	0	\$61.54
NICOLAS CAMMARANO	General Maintenance	02:00	\$28.61	00:00	0	\$57.22
ERIC PETERS	General Maintenance	02:00	\$33.65	00:00	0	\$67.30
SCOTT KELLY	General Maintenance	02:00	\$15.00	00:00	0	\$30.00
DANIEL MCQUAID	General Maintenance	02:00	\$23.56	00:00	0	\$47.12
CHRISTOPHER CASTILLO	General Maintenance	02:00	\$27.16	00:00	0	\$54.32
NICHOLAS M ABATEMARC	General Maintenance	02:00	\$15.00	00:00	0	\$30.00
Total Labor						\$441.26

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD627	PICK-UP TRUCK 2008 FORD F-250 YW (HP911)	\$79.00	02:00	\$158.00
TD642	TRUCK DUMP 2008 INTER 7300 YW (T-192)- 6 Wheeler	\$131.00	02:00	\$262.00
TD690	TRUCK DUMP 2010 INTER 7300 YW (T-241)- 6 Wheeler	\$131.00	02:00	\$262.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	02:00	\$210.00
TO093	TRACTOR 2000 NEHO TN65 BLUE (LT-11 / LT11)	\$158.00	02:00	\$316.00
Total Equipment				\$1208.00

Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Total Materials			\$750.00

Grand Total \$2399.26

Description of Work:

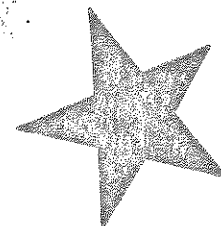
CLEAN UP 153 OCEAN AVENUE MS

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 4, 2022



Meeting of January 24, 2023

Resolution No.68-2023

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 21, 2022, authorized the Highway Department to clean up the premises located at Melrose Avenue, Massapequa, New York 11758, also known as Section 53, Block C, Lot 277 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated January 11, 2023, 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 27, 2022, in the total amount of \$1,386.37, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated January 11, 2023, 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 \$1,386.37 may be assessed by the Legislature of the County of Nassau against the parcel known as Melrose Avenue, Massapequa, New York 11758, also known as Section 53, Block C, Lot 277 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By
Office of Town Attorney
Ralph P. Healey

**Town of Oyster Bay
Inter-Departmental Memo**

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

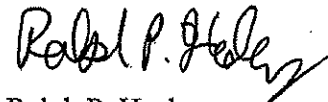
SUBJECT: Property Cleanup Assessment
Melrose Avenue, Massapequa, New York 11758
Section 53, Block C, Lot 277

The Department of Planning and Development, by memorandum dated October 21, 2022, directed the Highway Department to clean the premises located at Melrose Avenue, Massapequa, New York 11758, also known as Section 53, Block C, Lot 277 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated November 3, 2022, advised that the property was cleaned by a crew from the Highway Department on October 27, 2022. The cost incurred by the Town of Oyster Bay was \$1,386.37.

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.

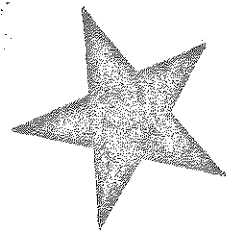
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



TOWN OF OYSTER BAY

Inter-Departmental Memo

OCTOBER 21, 2022

To: RICHARD LENZ: COMMISSIONER/DPW
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: MELROSE AVENUE, MASSAPEQUA, NEW YORK 11758
SBL: 53-C-277

Notice of Violation number 08674 was issued to the owner of the above-referenced premises on 09/28/2022 for property non-maintenance, in violation of Chapter 135, Section 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 Chapter 135, Section 54, I am directing that:

- Cut vegetation on premises.

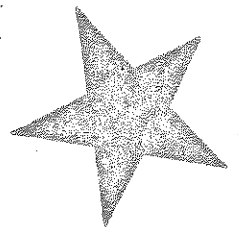
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

EDM:ME:ml
cc: Frank Scalera, Town Attorney

No Deed





Town of Oyster Bay
Department of Planning and Development
Town Hall - 74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6200
FAX (516) 624-6240
www.oysterbaytown.com

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCARTREY
DEPUTY COMMISSIONER

October 21, 2022

Mary Vosper
152 County Line Road
Amityville, NY 11701

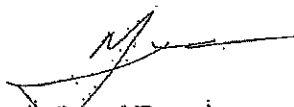
RE: PREMISES: Melrose Avenue, Massapequa, NY 11758
SECTION 53 BLOCK C LOT 277

Dear Property Owner:

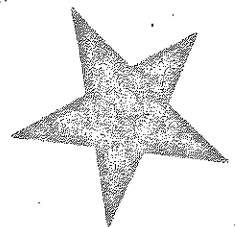
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation Number 08674 (copy attached) has been served on 09/28/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Department of Public Works-Highway Division to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,
ELIZABETH L. MACCARONE
COMMISSIONER


Michael Esposito
Code Enforcement Bureau

BLM:ME:ml
Enclosure



AL

Town of Oyster Bay
Inter-Departmental Memo

311.11
Empty property
Residential

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: NOVEMBER 9, 2022

SUBJECT: MELROSE AVENUE, MASSAPEQUA, NEW YORK 11758
SECTION 53, BLOCK C, LOT(S) 277

The above referenced property was cleaned-up by the Town of Oyster Bay, following the procedures of Chapter 135 (Housing Standards), Article VI (Residential Property Maintenance) of the Code of the Town of Oyster Bay. According to Chapter 135, Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the clean-up costs by approving an assessment to the subject property's tax bill. Enclosed are copies of the supporting documentation and costs relating to the clean-up of the subject property. The costs for the subject property's clean-up are as follows:

- 1) T.O.B. Highway Department Clean-Up Costs: \$ 1,386.37

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,386.37 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

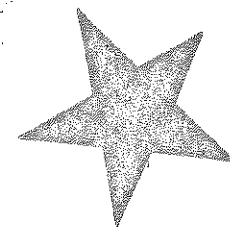
Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

Elizabeth L. MacCarone

ELIZABETH L. MACCARONE
COMMISSIONER

REC'D TOWN ATTORNEY
22 NOV 14 AM 11:46

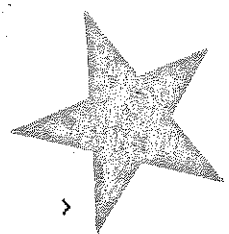
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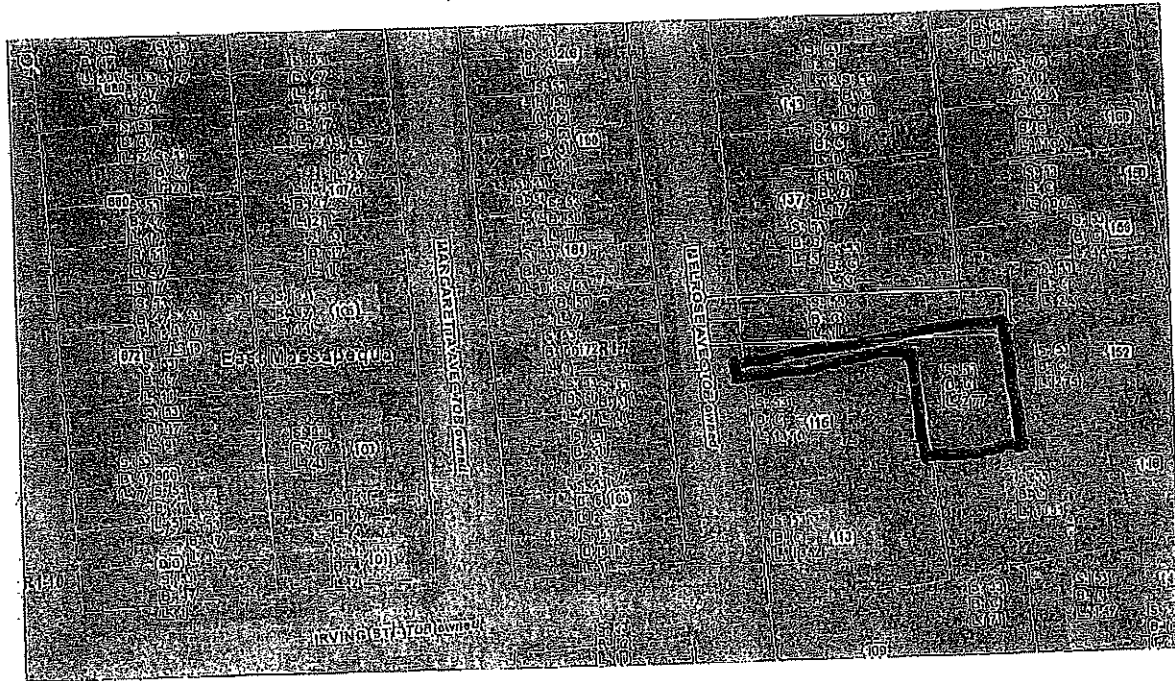




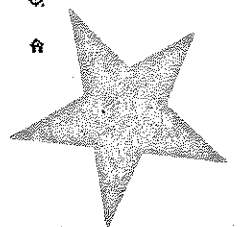
277 Melrose Ave.

-73.426 40.677 Degrees
0 10 20ft





0 30 60ft



**Town of Oyster Bay
Inter- Departmental Memo**

November 3, 2022

TO: ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT


FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: MELROSE AVENUE, AMITYVILLE
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. 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 division be reimbursed in the total amount of \$1,386.37.

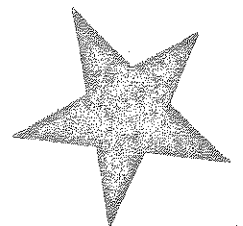
If you have any questions pertaining to the above subject, please feel free to contact this office.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-C-277) MELROSE AVE AMITYVILLE 11701

Date Oct 27, 2022

Work Order # 99716

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	00:45	\$35.82	00:00	0	\$26.87
DONALD CHANDLER	General Maintenance	00:45	\$49.28	00:00	0	\$36.96
KEITH GALEOTTI	General Maintenance	00:45	\$32.21	00:00	0	\$24.16
ANTHONY ORLOWSKI	General Maintenance	00:45	\$23.78	00:00	0	\$17.84
PABLO BAEZ	General Maintenance	00:45	\$23.56	00:00	0	\$17.67
CHRISTOPHER CASTILLO	General Maintenance	00:45	\$27.16	00:00	0	\$20.37
Total Labor						\$143.87

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU471	2020 FORD F 250 PICK UP YW	\$79.00	00:45	\$59.25
TD642	TRUCK DUMP 2008 INTER 7300 YW (T-192)- 6 Wheeler	\$131.00	00:45	\$98.25
TD729	6 WHEELER 2015 LIC AM8735	\$131.00	00:45	\$98.25
TD774	2022 FORD F450 POWER WAGON	\$105.00	00:45	\$78.75
TO108	Tractor 2011 New Holland T4020 BL (LT-12)	\$158.00	01:00	\$158.00
Total Equipment				\$492.50


Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Total Materials			\$750.00

Grand Total \$1386.37

Description of Work:

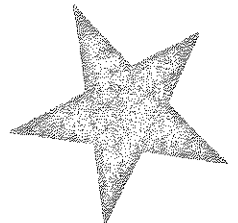
CLEAN UP MELROSE AVENUE MASSAPEQUA

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Nov 1, 2022



Meeting of January 24, 2023

Resolution No. 69-2023

Reviewed By
Office of Town Attorney
Elizabeth O. Jayman

WHEREAS, by Resolution No. 739-2021, adopted on December 7, 2021, the Town Board authorized the Department of Public Works to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with LiRo Engineers, Inc., 235 East Jericho Turnpike, Mineola, New York 11530, for a two (2) year contract term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, Peter Gerbasi, P.E., DBIA, Senior Vice – President, LiRo Engineers, Inc., by letter dated December 27, 2022, requested approval to use either EMSL Analytical, Inc., 528 Mineola Avenue, Carle Place, New York 11514, and Amerisci Laboratories, Inc., 117 East 30th Street, New York, NY 10016, as sub-consultants, in relation to Contract No. PWC07-22, Pre-Demolition Inspection of Abandoned Homes, for laboratory analytical services, with respect to the inspection and detection of the presence of asbestos building materials; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works by memorandum dated April 30, 2020, requested Town Board authorization for LiRo Engineers, Inc., to use EMSL Analytical, Inc., and Amerisci Laboratories, Inc., as sub-consultants, in relation to Contract No. PWC07-22, Pre-Demolition Inspection of Abandoned Homes, for laboratory analytical services, with respect to the inspection and detection of the presence of asbestos building materials; and

WHEREAS, Commissioner Lenz, by said memorandum, requested further, that the Town Board authorize and direct the Town Comptroller to issue an encumbrance order, in the amount of \$34,500.00, to pay for work to be done by LiRo Engineers, Inc., and/or its sub-consultants, in connection with the aforesaid project; and

WHEREAS, the Inspector General has reviewed the proposed vendor's and sub-consultants' disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and LiRo Engineers, Inc., are hereby authorized to use EMSL Analytical, Inc., and Amerisci Laboratories, Inc., as sub-consultants, for laboratory analytical services, with respect to the inspection and detection of the presence of asbestos building materials; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of \$34,500.00, to pay for work to be done by LiRo Engineers, Inc., and/or its sub-consultants, in connection with the aforesaid project, and be it further

Resolution No. 69-2023

RESOLVED, That the funds for said payment shall be drawn from Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-10, in the amount of \$24,500.00, and Account No. HWY H 5197 200000 000 2003 008, Project ID No. 2003HWYDB-11 in the amount of \$10,000.00; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to make payment for same, upon the 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 9, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO
CIVIL ENGINEERING, AND USE OF SUB-CONSULTANT
CONTRACT NO.: PWC 07-22
ACCOUNT NO'S.: HWY H 5197 20000 000 2103 008
HWY H 5197 20000 000 2003 008
PROJECT ID NO. 2103HWYDB-10 & 2003HWYDB-11

The consultant, LiRo Engineers, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC 07-22 by Resolution No. 739-2021 for the subject project.

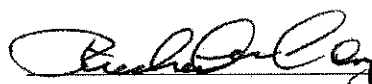
Attached is a letter dated December 27, 2022 from LiRo Engineers, Inc. regarding the scope of work to be performed in an amount not to exceed \$34,500.00. Services to be performed include pre-demolition inspection of abandoned homes for the presence of asbestos-containing materials. An initial budget is provided for the inspection of ten (10) homes.

Attached is an availability of funds in the amount of \$34,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-10 in the amount of \$24,500.00 and Account No. HWY H 5197 20000 000 2003 008, Project ID No. 2003HWYDB-11 in the amount of \$10,000.00

Further, the office of LiRo Engineers, Inc. requests to utilize, as sub-consultants, EMSL Analytical, Inc. and Amerisci Laboratories, Inc. for laboratory services.

The Office of the Inspector General has reviewed the proposed vendor's and sub-consultant's disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution, LiRo Engineers, Inc. under Contract No. PWC 07-22, On-Call Engineering Services Relative to title and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and that EMSL Analytical, Inc. and Amerisci Laboratories, Inc. be authorized as sub-consultants.

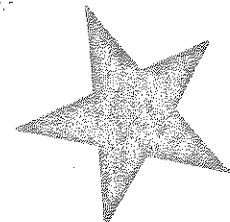


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/sb

Attachment

cc: Steve C. Ballas, Comptroller
John Tassone, Chief Deputy Commissioner/DPW-Highway





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 PWC07-22

Contract Period JANUARY 1, 2022 - DECEMBER 31, 2023

Consultant/Contractor LIRO ENGINEERS, INC.

Discipline CIVIL ENGINEERING

Total Authorization \$826,229.00

Resolution No. 739-2021 Date 12/7/2021

Funded To Date \$791,729.00

Amount Requested \$34,500.00

Account To Be Used HWY H 5197 20000000 2103 008 - 2103 Hwy DB-10 \$24,500
HWY H 5197 20000000 2003 008 - 2003 Hwy DB-11 \$10,000.

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.

PRE-DEMOLITION INSPECTION OF ABANDONED HOMES

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$ _____

Requesting Division/Department

Signature [Signature]

Title CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Date 1-5-2023

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 1/6/23

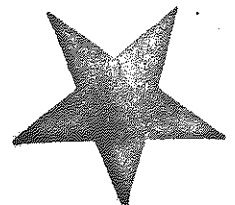
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 24,500.00 / 10,000.00

Unencumbered Balance 93,034.63 / 203,334.18

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature] Date 1/6/23





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 1/1/2022

Contract No. PWC07-22

Contract End 12/31/2023

Commencement Date JANUARY 1, 2022

No claim shall be paid for work performed prior to the Commencement Date

Vendor Name and Address

LIRO ENGINEERS, INC.

235 EAST JERICHO TURNPIKE

MINEOLA, NEW YORK 11501

Requesting Town Department HIGHWAY

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

Description of Work to be Performed (Attach Detail If Necessary)

PRE-DEMOLITION INSPECTION OF ABANDONED HOMES

This work order shall not exceed \$ \$34,500.00

Please notify the above mentioned contact person 48 hours prior to commencing any work.

Requesting Division/Department

Department Of Public Works Approval

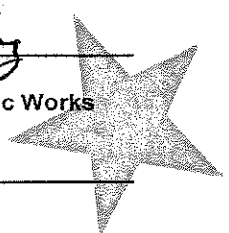
Only To Be Executed By The Commissioner

Signature [Signature]
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

Signature [Signature]
Commissioner of Public Works

Date 1-5-2023

Date 1/6/23





LiRo Engineers, Inc.

A LiRo Group Company

235 East Jericho Tpke, Mineola, NY 11501 Telephone 516.746.2350 Facsimile 516.747.1396 www.liro.com

December 27, 2022

Mr. Richard W. Lenz, P.E.
Commissioner, Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, NY 11791

Re: Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering
Pre-Demolition Inspection of Abandoned Homes

Dear Commissioner Lenz:

LiRo Engineers, Inc. (LiRo) is pleased to submit to the Town of Oyster Bay Department of Public Works (TOBDPW) this funding proposal for asbestos inspection, material testing, and reporting services required under Part 56 of Title 12 of the Official Compilation of Codes Rules and Regulation of the State of New York (ICR 56). Inspections of individual abandoned residential structures will be performed by professionals possessing the New York State Department of Labor Asbestos Inspection certification. Testing of materials associated with the inspection to determine the presence of asbestos building materials will be performed using the appropriate methodology, by a laboratory accredited by the New York State Department of Health (LiRo will utilize either EMSL Analytical in Carle Place, or Amerisci Laboratories, Inc. in Manhattan). Reporting of findings will be consistent with the requirements of the aforementioned ICR 56 as well as U.S. Environmental Protection Agency requirements under 40 CFR 763.

With the understanding that the structures targeted by our inspection work are fated for demolition, the results of the inspection work will focus on three outcomes:

1. A determination that there are no asbestos containing materials (ACM meaning greater than 1% asbestos as per the referenced regulations) which would allow all demolition debris to be disposed of a non-regulated solid waste at a municipal landfill;
2. Only non-friable ACM are present (e.g. resilient flooring, caulking, roofing) which will require demolition to be performed as an Asbestos Project under ICR 56-11.5 but all waste may be disposed of at a local landfill permitted to receive non-friable asbestos waste;
3. Friable ACM is present which yields the following options:
 - a. Abatement of Friable ACM (if the structure can be entered safely) followed by implementation of #1 or #2 above;
 - b. Demolition of the structure as an Asbestos Abatement Project with all waste disposed of at a permitted asbestos landfill.

Proposed Fees for Services

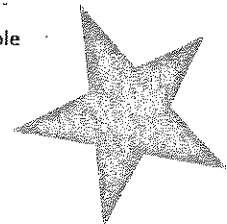
- 1) Field Inspection and Reporting \$ 2,450.00 per structure
- 2) Laboratory Testing of Friable and Non-Friable Material Sample \$ 1,000.00 per structure**

** Approximate Fee based on the estimated number of material samples that require analysis according to the following unit prices:

Friable Material Samples Using Method 198.1/2198.6 Polarized Light Microscopy - \$15.00 per sample

Non-Friable Samples Using Method 198.4 Transmission Electron Microscopy - \$40.00 per sample

Integrated Construction, Design, and Technology Solutions

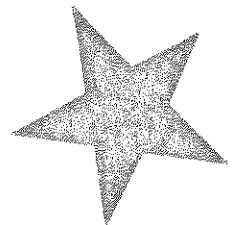




Please review and feel free to contact me at gerbasip@liro.com (516) 938-5476 with any questions or comments. We look forward to supporting the Town and appreciate your consideration of LiRo for this opportunity.

Very truly yours,

Peter Gerbasi, PE, DBIA
Senior Vice President



Meeting of December 7, 2021

Resolution No. 739-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services Relative to Civil Engineering was issued in accordance with the specifications contained in Contract No. PWC07-22, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, in response to the aforementioned Request for Proposals, eighteen (18) responses were received by the Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 6 and 9 of the Town of Oyster Bay Procurement Policy and in conjunction with the current workload, the Department has selected N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

WHEREAS, the Office of the Inspector General has reviewed the Request for Proposals and the proposed vendors' disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled,

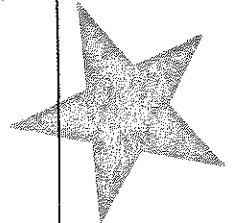
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., D & B Engineers and Architects, DPC, Nassau Suffolk Engineering & Architecture, PLLC, Hirani Engineering & Land Surveying, P.C., AECOM USA, Inc., de Bruin Engineering, P.C. and H2M Engineers & Architects, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023.

#

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Absent

Reviewed By
Office of Town Attorney



ops
Reviewed By
Office of Town Attorney
Elizabeth A. Laughman

WHEREAS, by Resolution No. 162-2018, adopted on March 13, 2018, the Town Board awarded Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal Throughout the Town of Oyster Bay, Nassau County, New York, to Looks Great Services, Inc., 7 Lawrence Hill Road, Huntington, New York 11743, to provide the Town of Oyster Bay with tree trimming and tree removal services, for a one (1) year period, with four (4) one (1) year extension options; and

WHEREAS, by Resolution No. 244-2022, adopted on March 29, 2022, the Town Board authorized the Department of Public Works to exercise the fourth one (1) year extension option of its agreement with Looks Great Services, Inc. for said firm to provide the Town with tree trimming and tree removal services, for a period of one (1) year, commencing on March 13, 2022 through March 12, 2023, nunc pro tunc, upon the same prices conditions and terms as provided for in the original Contract, with the Town Board authorizing the use of \$1,000,000.00 for said requirements contract, with the funds available through Resolution No. 627A-2021, adopted on October 26, 2021; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated January 5, 2023, requested an increase in authorization in the amount of \$625,000.00 for Contract No. HTR17-163; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that the Office of the Inspector General has reviewed the vendor's disclosure questionnaire, and is satisfied that the Town of Oyster Bay's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby approved, and the Town Board hereby grants an increase in authorization of Contract No. HTR17-163 in the amount of \$625,000.00.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO**

January 5, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


SUBJECT: LOOKS GREAT SERVICES, INC.
REQUIREMENTS CONTRACT FOR TREE TRIMMING AND TREE
REMOVAL AT VARIOUS LOCATIONS THROUGHOUT THE
TOWN OF OYSTER BAY
CONTRACT NUMBER HTR17-163

The Department of Public Works has reviewed the work performed by Looks Great Services, Inc., with respect to the above-mentioned contract. Town Board Resolution No. 244-2022 authorized an extension of said contract through March 12, 2023.

At this time, the Department of Public Works respectfully requests an increase in authorization of \$625,000.00 for Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal throughout the Town of Oyster Bay.

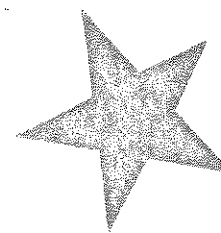
The Office of the Inspector General has reviewed the vendors' disclosure questionnaire and is satisfied that the Procurement policy has been fulfilled.

Therefore, Town Board approval is requested as noted above.


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/lb

C Grace Santamaria, Highway Administration



OPS
Reviewed By
Office of Town Attorney
Ralph P. Deady

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated January 3, 2023, requested that the Town Board authorize the Town Comptroller to issue a refund to Julia Schneider of the Department of Environmental Resources, Town Environmental Quality Review ("TEQR") Division, to reimburse her for funds expended by her to EnviroCert International, Inc., for Certified Professional in Erosion & Sediment Control ("CPESC") certification training, in the amount of \$174.75, to the American Institute of Certified Planners ("AICP"), for AICP certification, in the amount of \$648.00, and to 360Training, for Hazardous Waste Operations And Emergency Response ("HAZWOPER") training, in the amount of \$53.22, for a total reimbursement of \$875.97,

NOW, THEREFORE, BE IT RESOLVED, that the abovementioned request is hereby approved, and the Town Comptroller is hereby authorized and directed to reimburse Julia Schneider of the Department of Environmental Resources, TEQR Division, for funds expended by her to reimburse her for funds expended by her to EnviroCert International, Inc., for Certified Professional in Erosion & Sediment Control ("CPESC") certification training, in the amount of \$174.75, to the American Institute of Certified Planners ("AICP"), for AICP certification, in the amount of \$648.00, and to 360Training, for Hazardous Waste Operations And Emergency Response ("HAZWOPER") training, in the amount of \$53.22, for a total reimbursement of \$875.97; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. DER A 8090 44500 000 000; and be it further

RESOLVED, that the Town Comptroller is hereby further authorized and directed to make payment for same, upon the submission of a duly certified claim therfor, after audit.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: Memorandum Docket

FROM: George Baptista, Jr., Deputy Commissioner
Department of Environmental Resources

Date: January 3, 2023

SUBJECT: Certified Professional in Erosion & Sediment Control (CPESC) certification renewal; American Institute of Certified Planners Certification renewal; Hazardous Waste Operations and Emergency Response (HAZWOPER) training fee reimbursement

New York's **State Environmental Quality Review Act (SEQR)** requires all state and local government agencies to consider environmental impacts during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to consider the environmental impacts when deciding to approve or undertake an "Action." It is imperative that the Town has qualified professionals certified by nationally recognized organization to perform the technical review of applications.

The American Institute of Certified Planners (AICP) certification is the only nationwide, independent verification of a planners' qualifications. AICP credentials are indicative of a planner's academic qualifications, relevant work experience, and mastery of essential skills required to effectively serve a community. AICP members pledge to uphold high standards of practice, adhere to *The AICP Code of Ethics and Professional Conduct*, and to keep their skills sharp and up to date by continuously pursuing advanced professional education through the Certification Maintenance program. In order to maintain their AICP Certification members must pursue continuing education programs. Julia Schneider has maintained her AICP certification since 2008 by completing a series of continuing education requirements in the practices of ethics, law and planning as required. AICP certification is rooted in a solid foundation that represents knowledge, experience, ethics, and leadership. It serves as an important tool to help planners make an impact in their work.

The Certified Professional in Erosion & Sediment Control (CPESC) certification represents many disciplines and specialties that work to produce site-specific plans and designs that comprehensively address current and potential erosion and sedimentation issues with practices and measures that are cost effective, understandable and that meet environmental and regulatory requirements. Julia Schneider has maintained her CPESC certification since 2009 through a series of required professional develop hours as required and was one of the first women on Long Island to earn this respected accreditation.



Julia Schneider of the Department of Environmental Resources – TEQR Division has CPESC and AICP certifications and has met all of the continuing education requirements by successfully completing the CPESC training and obtaining the certification which demonstrates a unique skill set in order to effectively perform her job function. These certifications serve the specific interests of the Department of Environmental Resources and in general the Town of Oyster Bay. The possession of these certifications provide the Town of Oyster Bay with a highly qualified staff member that can perform high level, complicated reviews without resorting to outside technical consultants resulting in significant savings to the Town.

HAZWOPER - Hazardous Waste Operations and Emergency Response is a set of guidelines produced and maintained by the Occupational Safety and Health Administration which regulates hazardous waste operations and emergency services in the United States and its territories. HAZWOPER training is required for access to remediation sites. Ms. Schneider has over 18 years of direct experience in a variety of multi-disciplinary environmental planning and remediation projects and has previously received the necessary HAZWOPER training for her extensive remediation experience at other contaminated sites in the Town of Oyster Bay, however; OSHA requirements mandate the 8-hour training refresher course based on successful completion of mandated training, and Permissible Exposure Limits (PEL). The certification is necessary in order to perform her job function as it pertains to site meetings/inspections with regulatory agencies, environmental review processes, and active involvement of remediation sites pertaining to measures contained in technical environmental documents.

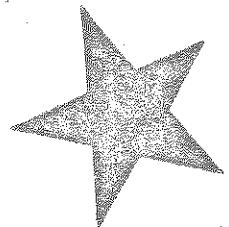
It is requested that the Town Board approve the reimbursement of funds paid by Julia Schneider to EnviroCert International, Inc. for CPESC certification in the amount of \$174.75, funds paid to American Planning Association for AICP certification in the amount of \$648.00, and funds paid to 360Training for HAZWOPER training in the amount of \$53.22. The total reimbursement amount is \$875.97. Funds for this payment are available in Account No. DER A 8090 44500 000 0000.


George Baptista, Jr.
Deputy Commissioner

GB:ca

Attachments

cc: Steven C. Ballas, Comptroller



JULIA K SCHNEIDER

Important Changes to Your Account Terms

The following is a summary of changes being made to your account terms. These changes will take effect on 10/05/2022. For more information, please see "Details About the Changes" below.

Revised Terms, as of 10/05/2022

Late Payment Fee	Up to \$41
Returned Payment Fee	Up to \$41

Details About the Changes:

The following paragraphs replace the corresponding paragraphs in your Card Agreement.

Late Fee: Up to \$41. We have the right to charge you a late fee if you don't pay at least an amount equal to the Minimum Payment Due minus any Overlimit Amount by the payment due date. The late fee is \$30 and, if you make another Late Payment within the next 6 Billing Periods the late fee will be \$41. The amount of your late fee will never be higher than your Minimum Payment Due.

Returned Payment Fee: Up to \$41. We have the right to charge you a Returned Payment fee of \$30 if your bank doesn't honor your payment. If that happens, we'll resubmit the payment request. If your bank doesn't honor another payment within 6 consecutive Billing Periods, the Returned Payment fee will go up to \$41.

This amends your Card Agreement. Please keep this information for future reference.

Account Summary

Trans. date	Post date	Description	Amount
Payments, Credits and Adjustments			
07/26		AUTOPAY 0000000000099871RAUTOPAY AUTO-PMT	-\$1,869.16

Standard Purchases

07/10	07/10	ENVIROCERT INTERNATIONAL 279-8886911 CA	\$174.75
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thankyou
from citi

Member ID: 8910231367169516

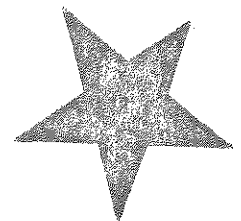
ThankYou Points Earned This Period

2X at Restaurants	0
2X on Live Entertainment	0
2X on Cable and Popular Streaming	0
1X on All Other Purchases	1,899

Total Earned This Period 1,899

» Visit thankyou.com to redeem points or see full rewards details.

Bonus Points may take one to two billing cycles to appear on your statement. Please refer to the specific terms and conditions pertaining to the promotion for further details.



EnviroCert Certification Portal Store

Thank you for your order!
Please print out this page as a receipt.

Order # 60041

Transaction # 63808913637

Status

July 10th 2022 18:15: New
Order successfully submitted

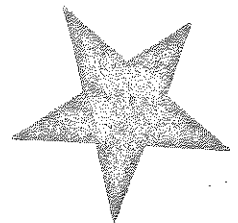
Contact

Julia Schneider
23 North Street Glen
Cove
NY
11542
United States

Paid

22-Jul-10 18:15 Credit cards - \$174.75
Balance = \$0.00

Please click here to return to your portal dashboard (<https://envirocertintl.useclarus.com>)



JULIA K SCHNEIDER

Account Summary

Trans. date	Post. date	Description	Amount
Payments, Credits and Adjustments			
03/26		AUTOPAY 000000000099871RAUTOPAY AUTO-PMT	-\$1,112.96

Standard Purchases

thankyou
from citi

Member ID: 8910231367169516

ThankYou Points Earned This Period

2X at Restaurants	0
2X on Live Entertainment	0
2X on Cable and Popular Streaming	0
1X on All Other Purchases	2,424
Total Earned This Period	2,424

» Visit thankyou.com to redeem
points or see full rewards details.Bonus Points may take one to two billing
cycles to appear on your statement. Please
refer to the specific terms and conditions
pertaining to the promotion for further details.

04/01	04/01	AMERICAN PLANNING A	3124318100	IL	\$648.00
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Fees charged

Total fees charged in this billing period	\$0.00
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Interest charged

Total interest charged in this billing period	\$0.00
---	--------

2022 totals year-to-date

Total fees charged in 2022	\$0.00
Total interest charged in 2022	\$0.00

Interest charge calculation

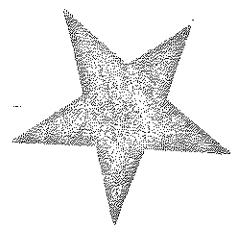
Days in billing cycle: 33

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance type	Annual percentage rate (APR)	Balance subject to interest rate	Interest charge
PURCHASES			
Standard Purch	14.49% (V)	\$0.00 (D)	\$0.00
ADVANCES			
Standard Adv	25.49% (V)	\$0.00 (D)	\$0.00

Your Annual Percentage Rate (APR) is the annual interest rate on your account. APRs followed by
(V) may vary. Balances followed by (D) are determined by the daily balance method (including
current transactions).

Account messages

Remember, any charges above your revolving credit limit MUST BE PAID IN
FULL by your statement's payment due date.©2022 Citibank, N.A.
Citi, Citi and Arc Design and other marks used herein are service marks of
Citigroup Inc. or its affiliates, used and registered throughout the world.Update or confirm your account information today. Help us evaluate your
account for future credit limit increases by providing or confirming your most
recent income and housing information. Securely log in to your account at
citi.com/updateincome, or call us toll-free at 1-855-209-8556 TTY: Use 711 or
other Relay Service



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Check Out

Would You Like to Donate to the APA Foundation?

162408 | Julia Schneider, AICP | APA ID: #162408

Item	Price	Quantity	Total	
New York Metro Chapter	\$79.00	1.00	\$79.00	Remove
AICP Membership	\$175.00	1.00	\$175.00	Remove
APA Professional Membership	\$394.00	1.00	\$394.00	Remove
			Total: \$648.00	



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Receipt for Order #3286647

Thank you for your order!

ORDER PLACED: 03/31/2022

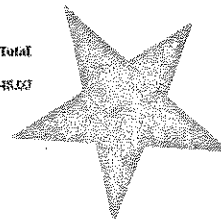
162408 | Julia Schneider, AICP | APA ID: #162408

Items	Price	Qty	Total
AICP Membership	\$175.00	1.00	\$175.00
APA Professional Membership	\$394.00	1.00	\$394.00
New York Metro Chapter	\$79.00	1.00	\$79.00
Total Purchased:			\$-648.00

PAYMENT:

CC

Total
\$648.00



OSHA.COM Online OSHA Training

Dear Julia Schneider,

OSHA.com would like to thank you for your online purchase of course(s) at: OSHA.com

Our customer support team is available to assist you and we are happy to offer the following choices when contacting us:

- Call us toll free at 877-881-2235.
- [Click here to Email us.](#)

Order Details

Order Number: 15996870

Order date: December 2, 2022

Account Information

To access your course(s):

HAZWOPER 8 hr Annual Refresher

Use the following login information:

Login: [Click here to begin your courses](#)

Username: juliaearth

Forgot Password: [Click here to reset your password](#)

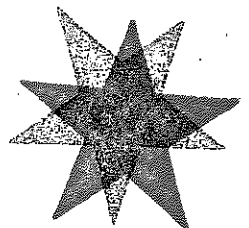
Email: JuliaKSchneider@gmail.com

Phone: [REDACTED]

Address: [REDACTED]

United States 11542

Product



HAZWOPER 8 hr Annual Refresher

SKU: 1253257704897292599155512241201e43363ae226c45c79916318155c4d4ee

Order Total: \$53.22

Billing Information

Billing Address:

Julia Schneider

[REDACTED]

[REDACTED]

United States 11542

(631) 672-7045

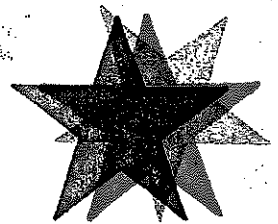
Julia.Schneider@gmail.com

Billing Method:

Master Card

Amount: \$53.22

Copyright 360training, 2022.



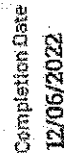
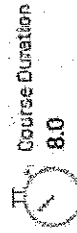


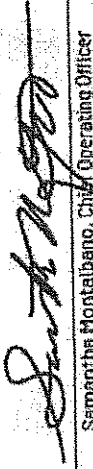
CERTIFICATE OF COMPLETION

This certifies that

Julia Schneider

has successfully completed the course
HAZWOPER 8 hr Annual Refresher




Samantha Montalbano, Chief Operating Officer

Good Morning, JULIA

Last sign on: Aug. 23, 2022 (3:23 PM ET) from computer.

ACCOUNT OVERVIEW

Citi Summary

CREDIT CARDS

Citi ThankYou® Preferred™

-\$690

Available Credit \$15,000.00

\$0.00

Current Balance

Make a Payment >



You have 1 Alert

RECOMMENDED OFFER

Save w/ CD rates over 4.00% APY



Get Started

Explore Products & Offers



Credit Cards



Banking



Lending



Investing

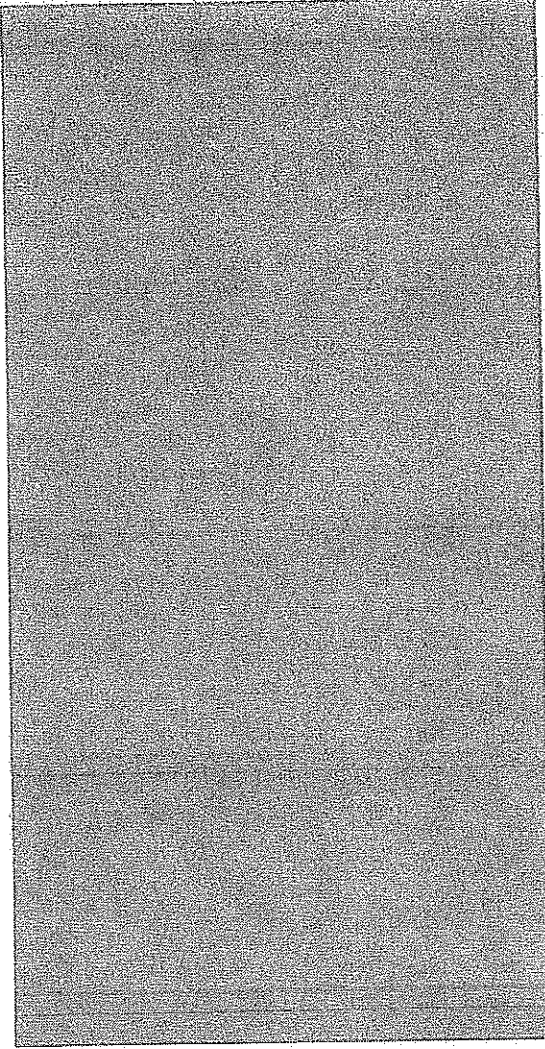
View All Citi Offers for You >

Posted Total ① -\$1,556.60

+ Dec 14, 2022 PAYMENT THANK YOU

-\$2,093.60

N/A



— Dec 02, 2022 360TRAINING.COM INC 8778812235 TX

\$53.22

53 points

Purchased On Dec 02, 2022

Posted On Dec 03, 2022

Cardmember Name Julia K Schneider

Spend Category Organizations - Misc Schools / Educational Services

Merchant Country United States

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO : LOUIS SAVINETTI, Commissioner
Department of Environmental Resources

THROUGH: GEORGE BAPTISTA, JR., Deputy Commissioner
Department of Environmental Resources

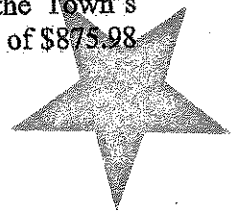
FROM : OFFICE OF THE TOWN ATTORNEY

DATE : December 28, 2022

SUBJECT: Request for Declaration of Sole Source Vendor
American Institute of Certified Planners ("AICP")
EnviroCert International, Inc.
360Training

We are in receipt of your memorandum, dated December 14, 2022, requesting the opinion of this office as to compliance with the Town's Procurement Policy, as to allow the reimbursement to Julia Schneider for amounts paid to the above referenced entities for providing the training and certification necessary to insure compliance with NYS SEQR requirements. Based upon our review of said memorandum, and related documents, it is the opinion of our office that:

1. AICP is the only entity who can provide certification which is accepted nationwide as independent verification of a planner's qualification, and as such shall be deemed a sole source vendor, so that the payment of funds in the amount of \$648.00 to Julia Schneider as reimbursement for fees paid to AICP for certification to Julia Schneider, of the Department of Environmental Resources shall be allowed under the Town's Procurement Policy, without the need to seek any alternative proposals;
2. EnviroCert International, Inc. possesses the unique skill set contemplated by the Town's Procurement Policy, so that the payment of funds in the amount of \$174.75 to Julia Schneider as reimbursement for fees paid to EnviroCert International, Inc. for Certified Professional in Erosion and Sediment Control (CPESC) certification shall be allowed under the Town's Procurement Policy, without the need to seek any alternative proposals; and
3. 360Training possesses the unique skill set contemplated by the Town's Procurement Policy, so that the payment of funds in the amount of \$875.98



to Julia Schneider as reimbursement for fees paid to 360Training for HAZWOPER (Hazardous Waste Operations and Emergency Response) training shall be allowed under the Town's Procurement Policy, without the need to seek any alternative proposals.

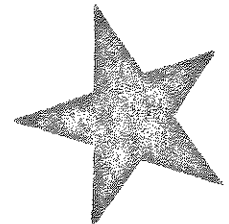
Office of the Town Attorney

Thomas M. Sabellico

Thomas M. Sabellico
Special Counsel

TMS/nb

cc: Brian Noone, Inspector General
Frank M. Scalera, Town Attorney



Meeting of January 24, 2023

Resolution No.72-2023

DRS
Reviewed By
Office of Town Attorney
Elizabeth A. Jaughan

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memoranda dated January 9, 2023, and January 13, 2023, requested Town Board authorization for the Town to proceed with the installation of a motorized wheelchair lift at the Sunrise Detachment Marine Corps League, 99 New York Avenue, Massapequa, to be funded in full with federal Community Development Block Grant ("CDBG") funding; and

WHEREAS, Commissioner Sammartano, by said memoranda, reported that the Town receives an annual appropriation of federal CDBG funding which may be applied to projects which eliminate architectural barriers for the purpose of improving handicap accessibility at public facilities, and that this request has been reviewed against CDBG eligibility criteria and has been determined as an eligible use of CDBG funding; and

WHEREAS, Commissioner Sammartano, by said memoranda, reported that Department of Public Works solicited quotes for the project, and the lowest-responsible quote was submitted by Patriot Mobility in the amount of \$9,465.00; and that the aforementioned vendor has been vetted through the Town's Exiger System, and that the Office of the Inspector General has reviewed the vendor's disclosure questionnaire, and is satisfied that the requirements of the Town's Procurement Policy have been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Town to proceed with the installation of a motorized wheelchair lift at the Sunrise Detachment Marine Corps League, 99 New York Avenue, Massapequa, to be funded in full with federal Community Development Block Grant ("CDBG") funding, in an amount not to exceed nine thousand four hundred sixty-five dollars (\$9,465.00); and be it further

RESOLVED, That the Comptroller is hereby authorized to make payment for same, upon presentation of a duly certified claim, after audit, with funds for said payment to be drawn from Account No. IGA CD 8662 28800 727 CD22.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JANUARY 13, 2023

SUBJECT: SUPPLEMENTAL MEMORANDUM TO MD 1/10/23; ITEM # 12
SUNRISE DETACHMENT MARINE CORPS LEAGUE: INSTALLATION OF
WHEELCHAIR LIFT

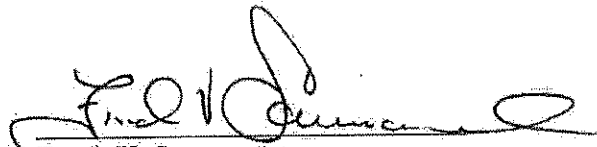
The Town of Oyster Bay (Town) receives an annual appropriation of federal Community Development Block Grant (CDBG) funding which may be applied to projects which eliminate architectural barriers for the purpose of improving handicap accessibility at public facilities.

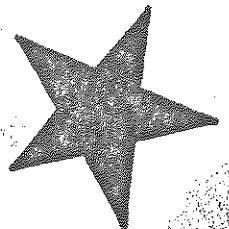
The Town's Department of Intergovernmental Affairs has received a request from the Sunrise Detachment Marine Corps League to assist with the replacement of a motorized wheelchair lift at their facility located at 99 New York Avenue, Massapequa, NY. This request has been reviewed against CDBG eligibility criteria and has been determined as an eligible use of CDBG funding.

The Department of Public Works has solicited quotes for the completion of this project. The lowest-responsible quote received (enclosed) is in the amount of \$9,465.00 as submitted by Patriot Mobility. An electronic due diligence and verification review of Patriot Mobility has been completed and the Office of the Inspector General has approved advancing this matter to the Town Board.

This project shall be funded in full with use of CDBG funding, and is at no cost to the Town of Oyster Bay. Further, upon the completion of the project, the Town shall have no future responsibilities in connection with this project.

It is, therefore, respectfully requested that the Town Board adopt an authorizing Resolution permitting the Town to proceed with the installation of a motorized wheelchair lift at the Sunrise Detachment Marine Corps League, 99 New York Avenue, Massapequa, to be funded in full with federal Community Development Block Grant funding.


Frank V. Sammartano,
Commissioner



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO


TO: MEMORANDUM DOCKET

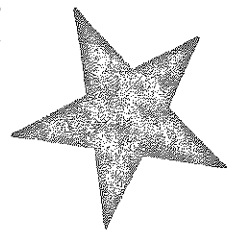
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: JANUARY 9, 2023

SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT
MARINE CORPS LEAGUE OF MASSAPEQUA: INSTALLATION OF WHEELCHAIR LIFT

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of January 24, 2023. Details will follow by supplemental memorandum.


Frank V. Sammartano,
Commissioner



Meeting of January 24, 2023

Resolution No.73 -2023

Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated January 6, 2023 and January 13, 2023, advised that John A. Grillo, Architect, P.C. ("Grillo"), by letter dated November 10, 2022, informed the Department that it made a final inspection of the work performed pursuant to Contract No. DP21-221, Marjorie R. Post Community Center Upgrades, and the Contractor, Crossroads Construction Corp. ("Crossroads"), has complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, Commissioner Lenz, by said memoranda, advised further, that Grillo informed the Department, by said letter, of additional work required that had not been previously identified in the original scope of work, resulting in an increase/decrease in quantities, designated as Change Order No. 1, relative to the Construction Phase of Contract No. DP21-221, for a total net increase in the amount of \$6,624.52; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the increase/decrease in quantities relative to the Change Order No. 1 for Contract No. DP21-221; for a total net increase in the amount of \$6,624.52, with funds to be drawn from Account No. CYS H 1997 20000 000 1401 001, Project ID 1401TWNA-07;

WHEREAS, final construction costs were in the amount of \$269,124.52; and

WHEREAS, work under this Contract was to be completed by June 9, 2022. Grillo, by the aforesaid letter, advised that Crossroads encountered delays in the delivery of materials necessary for the work, and advised that an extension of time to July 5, 2022 was necessary. Actual construction was completed on July 5, 2022; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the Grillo that the extension of the contract completion date to July 5, 2022 was necessary, nunc pro tunc, and that the contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, the Office of the Inspector General has reviewed the contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled; and

WHEREAS, the Office of the Town Comptroller and the Office of the Town Attorney, by memoranda dated January 5, 2023 and January 6, 2023, respectively, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 12, 2023, concurred with the recommendation of final acceptance of this project,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, that Change Order No. 1, reflecting an increase/decrease in quantities relative to Contract No. DP21-221, resulting in a net increase of \$6,624.52, and, thereafter, that Contract No. DP21-221, be accepted as being complete, at a final construction cost of \$269,124.52, are hereby accepted and approved and the requested extension of time to July 5, 2022, is granted, nunc pro tunc, and the Office of the Comptroller is hereby authorized and directed to make final payment for same to Crossroads Construction Corp, in accordance with the applicable terms and provisions of the Contract, after the customary review of the engineer's certificate, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CYS H 1997 20000 000 1401 001, project ID No. 1401TWNA-07.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 13, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 20
DOCKET OF JANUARY 10, 2023
CHANGE ORDER NO. 1, EXTENSION OF TIME, AND
ACCEPTANCE AND FINAL PAYMENT
MARJORIE R. POST COMMUNITY CENTER UPGRADES
CONTRACT NO. DP21-221

In furtherance to Item No. 20 of the docket of January 10, 2023, work on this project was to be completed by June 9, 2022. Due to delays in the delivery of materials necessary for the work, additional time was required to complete the project. As described in the attached letter from John A. Grillo Architect, P.C. dated November 10, 2022, an extension of time to July 5, 2022 is necessary. The Division of Engineering has no objections to this request.

Further, as described in the November 10, 2022 from John A. Grillo Architect, P.C., during construction additional work was required that had not been previously identified in the original scope of work. Negotiations with the Contractor, Crossroads Construction Corp., resulted in Change Order No. 1 at an agreed upon total increase to the project of \$6,624.52. Funding for Change Order No. 1 is available with funds reserved for Potential Quantity Increases, utilizing Account No. CYS H 1997 20000 000 1401 001, Project ID 1401TWNA-07.


Also attached herewith is:

1. A letter dated November 10, 2022 from John A. Grillo Architect, P.C. recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for Crossroads Construction Corp. dated November 23, 2022.
3. A statement from the Town Attorney's office indicating there are no legal hindrances.
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.
5. A statement from the Department of Community and Youth Services concurring with final acceptance.

Work under this contract was directed to proceed as of May 10, 2022 to be completed within 30 calendar days on June 9, 2022. In accordance with the above-reference request, the extended completion date is July 5, 2022. Actual work was completed on July 5, 2022. Final construction costs amount to \$269,124.52.

The Office of The Inspector General has reviewed the Contract and proposed vendors disclosure questionnaire and is satisfied that the procurement Policy has been fulfilled.

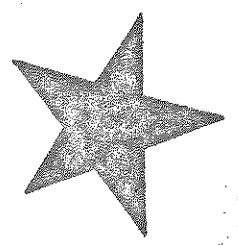
We hereby concur with John A. Grillo Architect, P.C. that the extension of time be granted, nunc pro tunc, that Change Order No. 1 be accepted, and that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

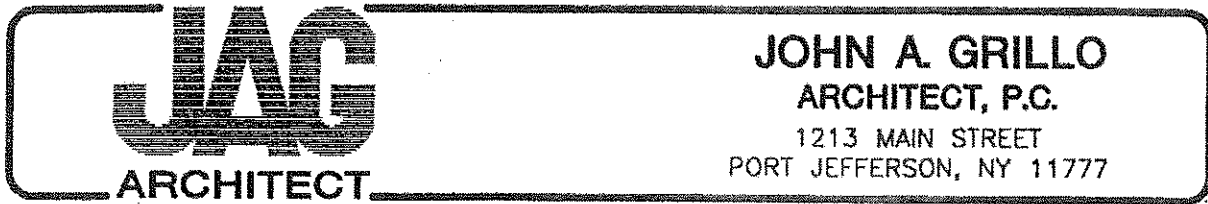

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/lk

Attachments

C: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
Maureen Fitzgerald, Commissioner/Community & Youth Services





TEL: (631) 476-2161

FAX: (631) 476-9846

November 10, 2022

Mr. Richard Lenz, P.E., Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791

RE: Town of Oyster Bay
Marjorie Post Park Community Center
Contract No. DP21-221
Change Order No. 1 - Final Acceptance

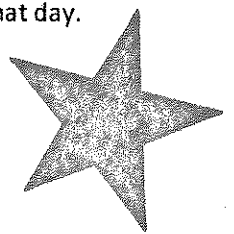
Dear Commissioner Lenz:

During the course of the construction of this project, actual measured quantities differed from those in the original contract. To reflect those changes, we have prepared Notification No. 1 Quantity Increase and Decrease indicating a net increase of \$6,624.52, for your consideration and Town Board Resolution.

Actual field conditions encountered required additional work and the deletion of work not anticipated during the design of this contract. These items have been addressed and are being submitted for your review as Change Order No. 1 for an increase of \$6,624.52 and Town Board Resolution. We, therefore, recommend the following changes for your approval.

John A. Grillo Architect, PC has performed a final inspection of the Community Center including all ancillary items required under the contract and all additional work as required by TOB or required as per existing field conditions.

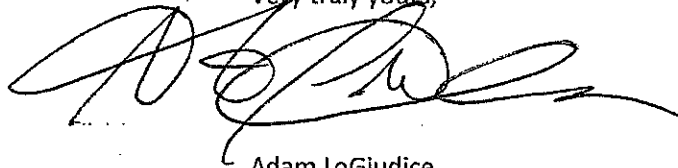
The contract included 30 calendar days to complete the work. The construction was scheduled on May 10, 2022. The final completion date of this contract was set as June 9, 2022. The revised completion date is July 5, 2022 for various material delays. A walk-through took place with substantial completion of work occurring July 5, 2022. The building was opened to the Marjorie Post Community Center staff that day.



The original bid amount for this contract was \$262,500.00. The final contract value, including Change Order 1 and Notification 1 recommended for approval is \$269,124.52. Therefore, this office recommends that the Town of Oyster Bay accept this job as final.

If you have any questions regarding this matter, please do not hesitate to call.

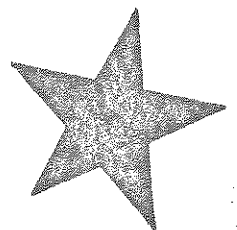
Very truly yours,

A handwritten signature in black ink, appearing to read 'Adam LoGiudice', with a long horizontal flourish extending to the right.

Adam LoGiudice
Architect

AL:wk

TOB - Crossroads - CO 1 - Explanation Letter



APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE 1 OF 2 Pages

TO OWNER:

Town of Oyster Bay
150 Miller Pl. Syosset NY 11791
FROM CONTRACTOR:
Crossroads Construction Corp
646 Middle Country Road, Suite #6
St James, NY 11780

PROJECT:

Marjorie Post Park Community Center
451 Unqua Rd. Massapequa Park NY 11762
VIA ARCHITECT:
John A Grillo Architect PC
1213 Main Street
Port Jefferson NY 11777

AIA # 3

APPLICATION NO: 462
Contract: DP 21-221
Work Thru: 9/15/2022

Distribution to	Owner
X	Architect
X	CM

CONTRACT FOR: Phase 2 Bond Projects

Contract Date: 5/2/2022

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM
2. Net change by Change Orders
3. CONTRACT SUM TO DATE (Line 1 + 2)
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)
5. RETAINAGE:
 - a. % of Completed Work (Column D + E on G703)
 - b. % of Completed Work (Column F on G703)

\$	262,500.00
\$	6,624.52
\$	269,124.52
\$	269,124.52

\$0.00

State-of: New York
County of: Suffolk
Subscribe and sworn to before me this 7 day of NOV.

DATE: 11/7/22

Notary Public: *Deborah M. Huntington*
My Commission expires:

DEBORAH M. HUNTINGTON
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 011HU6055886
Qualified in Suffolk County Comm. Exp. March 12, 2023

6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATE FOR PAYMENT (Line 6 prior Certificate)
8. CURRENT PAYMENT DUE
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)

\$	269,124.52
\$	228,686.38
\$	40,438.14
\$	-

ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Construction Manager and Architect certifies to the Owner that to the best of their knowledge, information and belief the Work has progressed as indicated, the quality of work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED\$

40,438.14

(Attach explanation if amount certified differs from the amount applied, initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified)

CHANGE ORDER SUMMARY	ADDITIONS	DELETIONS
Total changes approved in previous months by Owner	\$	
Total approved this month	\$ 6,624.52	
TOTALS	\$ 6,624.52	
NET CHANGES by Change Order	\$ 6,624.52	

By:

Date:

ARCHITECT:

Date:

By:

Date: 11/23/2022

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: MATTHEW RUSSO, P.E.
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

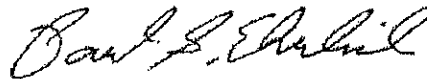
DATE: JANUARY 6, 2023

SUBJECT: FINAL ACCEPTANCE
MARJORIE R. POST PARK COMMUNITY CENTER UPGRADES
CONTRACT NO. DP21-221

In reply to your memorandum of January 5, 2023, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

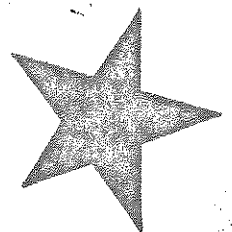
By copy of this memorandum, the contractor, Crossroads Construction Corp's Maintenance Bond 602-136071-1 is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY



By: _____
Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)



MR

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: RICHARD W. LENZ, P.E. COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: JANUARY 5, 2023

SUBJECT: FINAL ACCEPTANCE – MARJORIE R. POST PARK COMMUNITY
CENTER UPGRADES
CONTRACT NO. DP21-221

In response to your memo dated January 5, 2023, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

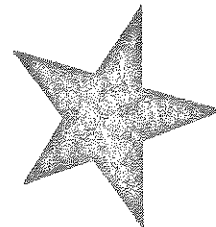


STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/dim:mj

cc: Town Attorney w/enclosure
Accounts Payable Division
Reading File



TOWN OF OYSTER BAY

Inter-Departmental Memorandum

January 12, 2023

TO: Richard Lenz, Commissioner
Department of Public Works

ATTN: Matthew Russo, Deputy Commissioner
Department of Public Works

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

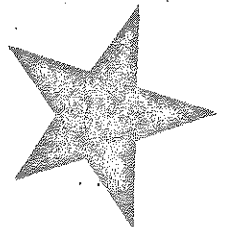
SUBJECT: Marjorie R. Post Community Center

The Department of Community & Youth Services concurs with the recommendation for final acceptance of the renovation work at Marjorie R. Post Community Center by Crossroads Construction.

Thank you for your assistance with this project.


Maureen A. Fitzgerald
Commissioner

MAF:sb



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
CHANGE ORDER NO. 1

To: Crossroads Construction Corp.

From: John A. Grillo, Architect PC

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

ITEM 1:

Furnish and install additional upper cabinet storage within Kitchenette location, as directed by Owner. The cost of this item is partially offset through the use of the contingency line item in the contract.

TOTAL OF ITEM 1: \$2,471.33

ITEM 2:

Provide additional fire alarm devices, as required by Fire Marshal on final fire alarm inspection.

TOTAL OF ITEM 2: \$4,153.19

TOTAL OF CHANGE ORDER NO. 1: \$6,624.52

The original Contract sum was:	\$262,500.00
Net Change by previously authorized Change Orders:	\$0.00
Total Contract sum prior to this Change Order:	\$262,500.00
Change Order No. 1:	\$6,624.52
New Contract sum including CHANGE ORDER NO. 1:	\$269,124.52

The above work is to be performed in accordance with the letter from John A. Grillo, Architect PC, dated Nov. 10, 2022, and the memorandum of the Department of Public Works, dated JAN. 12, 2023, at a cost to the Town in the amount of SIX THOUSAND SIX HUNDRED AND TWENTY-FOUR DOLLARS AND FIFTY-TWO CENTS (\$6,624.52).

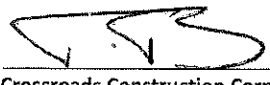
The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:

by: 
John M. Grillo, Architect

Dated: 11/10/2022


Accepted by:

by: 
Crossroads Construction Corp.

Dated: 11-16-2022

Sufficient funding for this Change Order is available within the funds reserved for Potential Quantity Increases within

Account No.: CYS H 1997 20000 000 1401 001
PROJECT ID No. 1401 TWNA-07

by: 
Robert Darienzo, Director of Finance

by: 
Steven Ballas, Comptroller

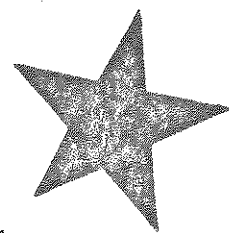
The vendors' disclosure questionnaire has been reviewed and the Procurement Policy has been fulfilled.

by: 
Brian Noone, Inspector General

The above Change Order is hereby accepted:
Town of Oyster Bay

by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
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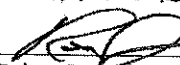
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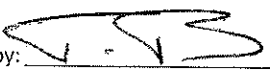
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Robert Darlenzo, Director of Finance

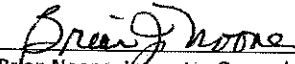
Dated: 11/10/2022

by:  12/25/22
Steven Ballas, Comptroller

Accepted by:

The vendors' disclosure questionnaire has been reviewed and the Procurement Policy has been fulfilled.

by: 
Crossroads Construction Corp.

by: 
Brian Noone, Inspector General

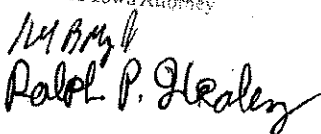
Dated: 11-16-2022

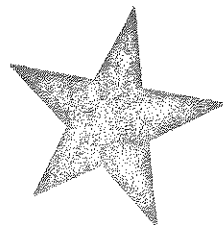
The above Change Order is hereby accepted:
Town of Oyster Bay

by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____

Reviewed By
Office of Town Attorney


Ralph P. Healey



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
CHANGE ORDER NO. 1

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From: John A. Grillo, Architect PC

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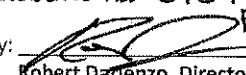
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Robert Darienzo, Director of Finance

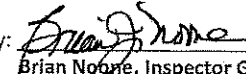
Dated: 11/10/2022

by: 
Steven Ballas, Comptroller

Accepted by:

The vendors' disclosure questionnaire has been reviewed and the Procurement Policy has been fulfilled.

by: 
Crossroads Construction Corp.

by: 
Brian Noone, Inspector General

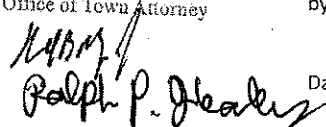
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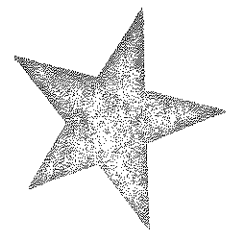
The above Change Order is hereby accepted:
Town of Oyster Bay

Reviewed By
Office of Town Attorney

by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____


Ralph P. Healey



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
CHANGE ORDER NO. 1

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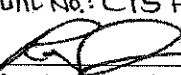
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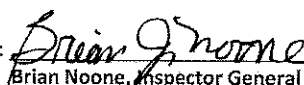
Dated: 11/10/2022

by: 
Steven Ballas, Comptroller

Accepted by:

The vendors' disclosure questionnaire has been reviewed and the Procurement Policy has been fulfilled.

by: 
Crossroads Construction Corp.

by: 
Brian Noone, Inspector General

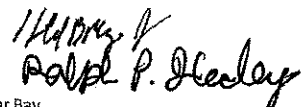
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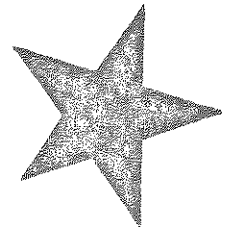
by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____

Reviewed by
Office of Town Attorney


Ralph P. Deady

Town of Oyster Bay
Crossroads Construction Corp.



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
CHANGE ORDER NO. 1

To: Crossroads Construction Corp.

From: John A. Grillo, Architect PC

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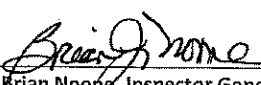
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PROJECT ID No. 1401 TWNA-07

by: 
Robert D'Amico, Director of Finance

by: 
Steven Ballas, Comptroller

The vendors' disclosure questionnaire has been reviewed and the Procurement Policy has been fulfilled.

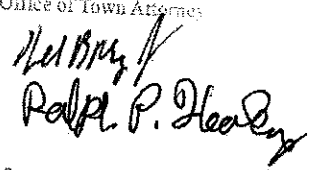
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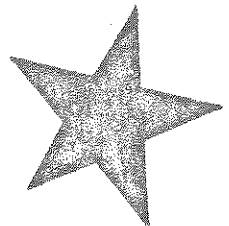
The above Change Order is hereby accepted:
Town of Oyster Bay

by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____

Reviewed By
Office of Town Attorneys


Ralph P. Healy



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
CHANGE ORDER NO. 1

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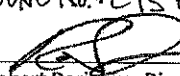
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by: 
Robert Darienzo, Director of Finance

Dated: 11/10/2022

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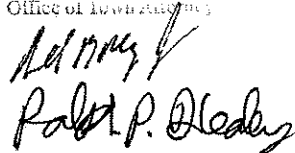
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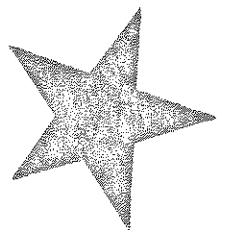
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Town of Oyster Bay

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Joseph S. Saladino, Town Supervisor

Dated: _____

Town of Oyster Bay
Office of Town Engineer


Robert P. DiStefano



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
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CHANGE ORDER NO. 1

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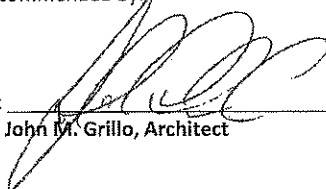
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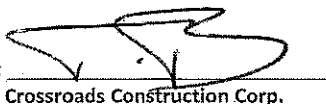
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Dated: 11-16-2022

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Account No.: CYS H 1997 20000 000 1401 001
PROJECT ID No. 1401 TWNA-07

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Robert D'Amico, Director of Finance

by: 
Steven Ballas, Comptroller

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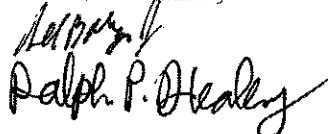
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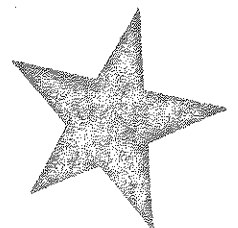
The above Change Order is hereby accepted:
Town of Oyster Bay

by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____

Reviewed By
Office of Town Attorney


Ralph P. Healey



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
Interior Reconstruction of Marjorie Post Community Center
Contract No. DP21-221
CHANGE ORDER NO. 1

To: Crossroads Construction Corp.

From: John A. Grillo, Architect PC

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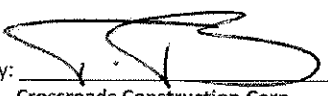
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by: 
Steven Ballas, Comptroller

The vendors' disclosure questionnaire has been reviewed and the Procurement Policy has been fulfilled.

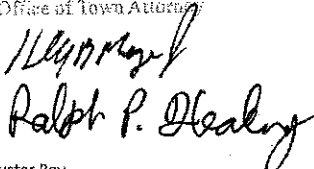
by: 
Brian Noone, Inspector General

The above Change Order is hereby accepted:
Town of Oyster Bay

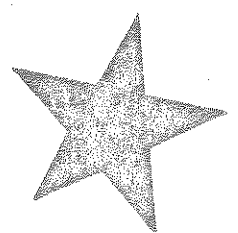
by: _____
Joseph S. Saladino, Town Supervisor

Dated: _____

Reviewed By
Office of Town Attorney


Ralph P. Deady

Town of Oyster Bay
Crossroads Construction Corp.



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 6, 2023


TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: CHANGE ORDER NO. 1, EXTENSION OF TIME, AND
ACCEPTANCE AND FINAL PAYMENT
MARJORIE R. POST COMMUNITY CENTER UPGRADES
CONTRACT NO. DP21-221
SUPPLEMENTAL MEMO TO FOLLOW

The Division of Engineering is preparing the necessary documentation to support a recommendation for Change Order No. 1, Extension of Time, and Acceptance and Final Payment relative to Marjorie R. Post Community Center Upgrades, Contract No. DP21-221. A formal recommendation will be submitted by Supplemental Memorandum Docket.

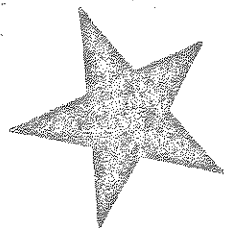
It is therefore requested that a space be reserved at the Town Board meeting of January 24, 2023 for the Town Board to take action on this item.


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/^{MM}MR/sb

c: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
Maureen Fitzgerald, Commissioner/Community & Youth Services

DP21-221 DOCKET FINAL, CO1, EXT RESERVE



WPS
Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated January 13, 2023, advised that N & P Engineering, Architecture and Land Surveying, PLLC, Consulting Engineers ("N&P"), by letter dated January 9, 2023, advised the Town that, as a result of differing site conditions for multiple locations throughout the project area relating to excessive subsurface water, the Contractor, Pioneer Landscaping & Asphalt Paving Inc. ("Pioneer"), has incurred additional costs in connection with Contract No. H18-171-P3, Massapequa Flood Diversion and Control Project #3 Brockmeyer/Clearwater/Iroquois (Outfalls 31, 114 & 129), Massapequa, New York, 109 (Seneca Place), and recommended the approval of Change Order #2, for a total increase in the amount of \$510,597.78, an amount that N&P found to be fair and reasonable. N&P, by the aforesaid letter, also advised the Town regarding quantity increases and decreases in connection with this Contract, and advised that the reduction of contract items has resulted in a corresponding net decrease in the Contract of \$431,604.90. The net result of the increase in Change Order No. 2 and the decrease of the quantity adjustments, is an overall net increase to the final contract amount of \$78,992.88. Commissioner Lenz advised the Board that funds for said increase are available in Account No. IGA CD 8689 27000 556; and

WHEREAS, N&P, by additional letter, dated January 12, 2023, further advised that delays in delivery of materials, along with the aforementioned subsurface water conditions, have delayed completion of the project and N&P recommended that an extension of time of an additional 126 days be approved in order to provide Pioneer with enough time to complete any remaining punchlist and/or minor contract items to fulfill and close out Pioneer's field work and obligations under this contract;

WHEREAS, work under this Contract was previously extended to October 28, 2022, and Pioneer requests, by letter dated January 12, 2023, and N&P recommends, that this contract now be extended an additional 128 days to March 3, 2023; at no additional contract cost to the Town; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the recommendations of N&P and requested Town Board authorization for the aforesaid increase/decrease in quantities relative to the Construction Phase of Contract No. H18-171-P3, and the approval of Change Order No. 2, for a total net increase in the amount of \$78,992.88, and recommended approval of the additional extension of the contract, nunc pro tunc, to March 3, 2023; and

WHEREAS, the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

Resolution No.74 -2023

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are approved, and Pioneer Landscaping & Asphalt Paving Inc.'s time to complete work under Contract No. H18-171-P3 is hereby extended, nunc pro tunc, to March 3, 2023, Change Order No. 2 is approved, and the Quantity decrease set forth in Pioneer Landscaping & Asphalt Paving Inc.'s letter dated January 9, 2023 is approved, resulting in an overall net increase the amount of Contract No. H18-171-P3 of \$78,992.88; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. IGA CD 8689 27000 556; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to make payment for same, 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO**

January 13, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER, DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 21.
DOCKET OF JANUARY 10, 2023
EXTENSION OF TIME, CHANGE ORDER NO. 2 AND QUANTITY INCREASE/DECREASE NO. 2
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #3
BROCKMEYER/CLEARWATER/IROQUOIS (OUTFALLS 31, 114 & 129)
MASSAPEQUA, NEW YORK
CONTRACT NO. H18-171-P3

In furtherance to Item No. 21 of the docket of January 10, 2023, attached is a copy of a letter dated January 12, 2023, from Pioneer Landscaping & Asphalt Paving, Inc. requesting an extension of time for the above noted project at no additional construction cost to the Town of Oyster Bay. The previously extended completion date was October 28, 2022. Work was delayed due to delays in materials held up and for site conditions which greatly affected the ability of the contractor to perform the work in a timely fashion. Also attached is a letter from N&P Engineering, Architecture and Land Surveying, PLLC dated January 12, 2023 recommending an additional extension of time for 126 calendar days beyond the current completion date of October 28, 2022. This extension is requested to provide enough time to complete any remaining punch list and/or minor contract items for construction related field work to fulfill the contract for closeout. The new completion date will be March 3, 2023. The Division of Engineering recommends the request be granted the above-indicated extension of time.

Also attached is a letter from N & P Engineering; Architecture and Land Surveying, PLLC, dated January 9, 2023, concerning Change Order No. 2 for a total increase in the amount of \$510,597.78. Change Order No.2 is due to the additional cost due to differing site conditions for multiple locations throughout the Massapequa project areas under this contract. These differing site conditions relating to excessive subsurface water beyond what was previously specified on the contract documents and field supported inventory from 2018. These site conditions resulted in a greatly decreased production of work which has led to the described project delays.


The Contractor, Pioneer Landscaping & Asphalt Paving, Inc., has submitted his price quote for the proposed work and the consultant, N & P Engineering, Architecture and Land Surveying, PLLC, reviewed the contractor's price and finds the price of \$510,597.78 for additional work to be fair and reasonable.

Also attached is a letter with backup, from N & P Engineering, Architecture and Land Surveying, PLLC, dated January 9, 2023 concerning Quantity Increases/Decreases for the above subject project. The total of these items results in a net decrease of \$431,604.90. The resulting overall decrease to the contract is attributed to a reduction of the contract items.

The net result of Change Order No. 2 and the quantity adjustments detailed in Quantity Increase/Decrease No. 2 is an overall net increase to the final contract amount by \$78,992.88. Funding for this increase is available in Account No. IGA CD 8689 27000 556.

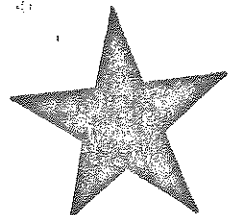
The office of the Inspector General has reviewed both of the proposed vendors' disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

We hereby concur with N & P Engineering, Architecture and Land Surveying, PLLC. that the described Extension of Time, Change Order No. 2 and Quantity Increase/Decrease 2 be accepted.


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/DDM/ik

cc: Steven C. Ballas, Comptroller
Colin Bell, Office of the Supervisor
H18-171-P3 DOCKET EXT TIME 3 CO2 Q1 QD 2





Landscaping & Asphalt Paving, Inc.

168 Townline Rd., Kings Park, NY 11754 • Tel: (631) 269-4300 • Fax: (631) 528-0030

January 12, 2023

Russell Z. Scott, PE
Nelson & Pope
70 Maxess Road
Melville, NY 11747

RE: Contract Time Extension Request
Massapequa Flood Diversion & Control Project #3
H18-171-P3

Dear Mr. Scott,

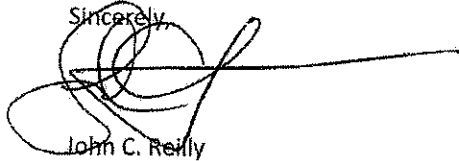
Pursuant to Article 18 of the General Specifications, Pioneer Landscaping & Asphalt Paving, Inc. respectfully requests an extension of time on the above referenced contract. The requested extension of time is to March 3, 2023.

Contract Notice to Proceed: 3/3/2021
Original Contract Duration: 240 Days

Extension Request: 490 Days
Anticipated Contract End Date: 3/3/2023

Due to these unprecedented global conditions, we ask that the extension be granted without the implementation of liquidated damages and/or engineering or inspection fees. It is anticipated that all contract and punch list work will be completed prior to 2/3/2023.

Sincerely,

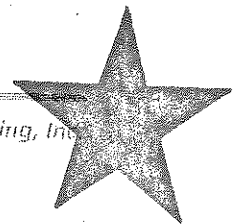


John C. Reilly

Pioneer Landscaping & Asphalt Paving, Inc.

CC: K. Cox – Pioneer Landscaping & Asphalt Paving, Inc.
J. Trovato – Pioneer Landscaping & Asphalt Paving, Inc.
J. DeLuca – Nelson & Pope, PLLC
D. Midgette – Town of Oyster Bay

Pioneer Landscaping & Asphalt Paving, Inc.





January 12, 2023

Richard Lenz, PE, Commissioner
Town of Oyster Bay
Dept. of Public Works
150 Miller Place
Syosset, New York 11791

Attention: Dan Midgette

Re: Massapequa Flood Diversion and Control / Project No. 3
Brockmeyer/Clearwater/Iroquois (Outfalls 31, 114 & 129)
No Cost Time Extension Review
Contract No. H18-171-P3
Nelson & Pope No. 18180

Dear Mr. Midgette:

Nelson + Pope has reviewed the request from Pioneer Landscaping & Asphalt Paving's with reference for a no cost time extension from the original contract. The following dates should be noted:

Notice to Proceed: 3/3/2021

Discontinuance: 3/22/2021

Orig. Contract Duration: 240 Days

Remobilization: 6/28/2021

Original End Date: 10/28/2021

Previously Adjusted

End Dates: 2/02/2022

6/29/2022

10/28/2022

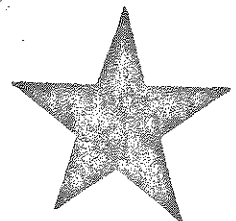
Total Contract Extension: 490 Days

New Adjusted End Date: 3/3/2023

New Contract Extension Request: March 3, 2023 (Add'l 126 Days)

The extension request was made for an additional 126 days, extending the contract from the previous *Adjusted End Date* of October 28, 2022 to on or about March 3, 2023. This extension request is to provide enough time to complete any remaining punchlist and minor contract items, along with providing documentation and invoicing for project closeout.

N&P Engineering, Architecture and Land Surveying, PLLC
70 Maxess Road, Melville, NY 11747 • 631.427.5665 • nelsonpope.com

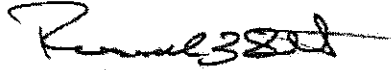


Nelson + Pope has reviewed the letter and agrees with the request to complete and close out this project. It is N+P's recommendation to approve the request for extension.

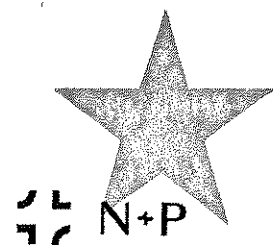
If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Respectfully submitted,
NELSON & POPE



Russell Scott, P.E
Partner





January 9, 2023

Richard Lenz, PE, Commissioner
Town of Oyster Bay
Dept. of Public Works
150 Miller Place
Syosset, New York 11791

Attn: Dan Midgette

Re: Change Order No. 2 – Increase / Decrease 2
Massapequa Flood Diversion and Control / Project No. 3
Brockmeyer/Clearwater/Iroquois (Outfalls 31, 114 & 129)
Contract No. H18-171-P3
Nelson & Pope No. 18180

Dear Mr. Midgette:

Submitted herewith is Change Order No. 2 for the above reference project. The change order details quantity increases and decreases for contract items based on substantial completion for this contract. Although the project is considered substantially completed, there are minor punchlist items that need to be addressed, thus leaving a contingent value remaining for future decrease during project closeout.

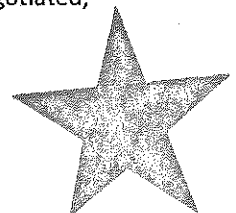
Based on the base contract item quantities and previously approved change order item quantities, the following represents the increases and decreases to the contract amount:

- Item 1: Differing Site Condition Increase of \$510,597.78;
 - Item 2: Contract Item Qty Cost Increase of \$138,482.39;
 - Item 3: Contract Item Qty Cost Decrease of (\$570,087.29);
- Net Increase of \$78,992.88 for Change Order 2.

ITEM 1: Differing Site Conditions

The request is for additional compensation for extra cost incurred due to differing site conditions for multiple locations throughout the Massapequa projects under this contract. These differing site conditions relating to excessive subsurface water, in addition to what was previously specified on the contract documents and field supported inventory from 2018. The additional two-feet (2-feet) of sub surface water encountered added to daily delays in construction, dewatering of the excavated areas, extensive time delay for excavated material removal and overall contract extensions to complete the intended scope of work.

The cost associated with this work amounts to \$510,597.78. Our office has reviewed the request, along with the backup provided, and have performed an intern review where prices have been negotiated, finding the request to be reasonable.



ITEM 2: Contract Item Quantity Increases

As part of the project close-out, the following Contract items and quantities are to be decreased:

Item 4C – Cement Concrete Sawcut

Qty: 233LF

Unit Price: \$6.00/LF

Cost: \$1,398.00

Item 4D – Bituminous Concrete Sawcut

Qty: 1,583.50LF

Unit Price: \$3.00/LF

Cost: \$4,750.50

Item 12BX-24X – Furnish and Install 24" Diameter, Class IV RCP

Qty: 11LF

Unit Price: \$113.00/LF

Cost: \$1,243.00

Item 12BX-30X – Furnish and Install 30" Diameter, Class IV RCP

Qty: 22.76LF

Unit Price: \$135.00/LF

Cost: \$3,072.60

Item 13-B – Catch Basin Nassau County Type B

Qty: 3.02VF

Unit Price: \$1,600.00/VF

Cost: \$4,832.00

Item 15-3A – Manholes, Type 3 Alternative 4' Diameter

Qty: 6.88VF

Unit Price: \$1,450.00/VF

Cost: \$9,976.00

Item 26BGX

Qty: 1,081.30

Unit Price: \$45.00/LF

Cost: \$48,658.50

Item 28X – Reinforced Cement Concrete Driveway Apron

Qty: 294.50SF

Unit Price: \$16.00/SF

Cost: \$6,184.50



Item 36-2A-1W – Bituminous Macadam Plant Mix Type 2A Wearing Course

Qty: 139.56 TONS
Unit Price: \$103.00
Cost: \$14,374.68

Item 394 – Temporary Asphalt Pavement

Qty: 356.25 TONS
Unit Price: \$32.00/TON
Cost: \$11,400.00

Item 501 – Milling Asphalt Pavement

Qty: 2,171.94SY
Unit Price: \$6.50/SY
Cost: \$14,117.61

Item 506-12 – Inline Check Valve – 12" Diameter

Qty: 3EA
Unit Price: \$5,500.00/EA
Cost: \$16,500.00

Item 12P-8 – Polyethylene Corrugated Pipe – 8" Diameter

Qty: 20LF
Unit Price: \$98.75/LF
Cost: \$1,975.00

Total Increased Quantity Cost due of contract quantities amounts to **\$138,482.39**

ITEM 3: Additional Contract Item Quantity Decreases

As part of the project close-out, the following Contract items and quantities are to be decreased:

Item 2X - Unclassified Excavation

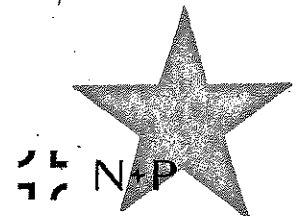
Qty: 119.45CY
Unit Price: \$68.00/CY
Anticipated Cost: \$8,122.60

Item 4A – Cement Concrete Pavement and Gutter Removal

Qty: 164.58CY
Unit Price: \$88.00/CY
Anticipated Cost: \$14,483.04

Item 4BX – Cement Concrete Structure Removal

Qty: 128.24CY
Unit Price: \$80.00/CY
Anticipated Cost: \$10,259.20



Item 5SX – Select Borrow Fill

Qty: 35CY
Unit Price: \$91.00/CY
Cost: \$3,185.00

Item 10AX – Temporary Sheeting and Bracing

Qty: 14,310SF
Unit Price: \$1.10/SF
Cost: \$15,741.00

Item 12BX-12X – Furnish and Install 12" Diameter, Class IV RCP

Qty: 117.50LF
Unit Price: \$73.00/LF
Cost: \$8,577.50

Item 12BX-15X – Furnish and Install 15" Diameter, Class IV RCP

Qty: 121.75
Unit Price: \$60.00/LF
Cost: \$7,305.00

Item 12BX-18X – Furnish and Install 18" Diameter, Class IV RCP

Qty: 71.34
Unit Price: \$70.00
Cost: \$4,993.80

Item 12BX-48X – Furnish & Install 48" Diameter, Class IV RCP

Qty: 402.5LF
Unit Price: \$203.00/LF
Cost: \$81,707.50

Item 12BX-19X30 – Furnish & Install 19" x 30" Diameter, Class IV RCP

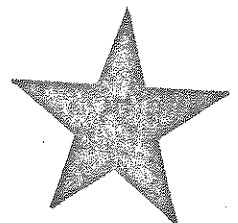
Qty: 121.26LF
Unit Price: \$122.00/LF
Cost: \$14,793.72

Item 13-13 – Catch Basin Nassau County Type 13

Qty: 1.25VF
Unit Price: \$2,000.00/VF
Cost: \$2,500.00

Item 15-3B – Manholes, Type 3 Alternative 5' Diameter

Qty: 4.18VF
Unit Price: \$1,600.00/LF
Cost: \$6,688.00



Item 15-3C -- Manholes, Type 3 Alternative 6' Diameter

Qty: 10.86VF
Unit Price: \$1,100.00/VF
Cost: \$11,946.00

Item 15-4 -- Manholes, Type 4

Qty: 1.24VF
Unit Price: \$2,300.00/VF
Cost: \$2,852.00

Item 15-5 -- Manholes, Type 5

Qty: 3.65VF
Unit Price: \$2,200.00/VF
Cost: \$8,030.00

Item 15-6 -- Manholes, Type 6

Qty: 2.84VF
Unit Price: \$2,800.00/VF
Cost: \$7,952.00

Item 26X -- Cement Concrete Curb

Qty: 48.62LF
Unit Price: \$55.00/LF
Cost: \$2,674.10

Item 26CG -- Integral Cement Concrete Curb and Gutter

Qty: 925LF
Unit Price: \$54.00/LF
Cost: \$49,950.00

Item 27X -- Cement Concrete Sidewalk and Ramps

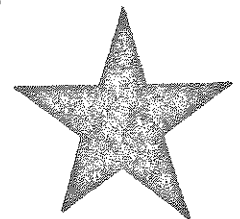
Qty: 602.96SF
Unit Price: \$12.00/SF
Cost: \$7,235.52

Item 36-2A-1B -- Bituminous Macadam Plant Mix Type 2A, Binder Course

Qty: 72.88TON
Unit Price: \$225.00/TON
Cost: \$16,398.00

Item 61SX -- Change Elevation of Sanitary Sewer House Connections

Qty: 301LF
Unit Price: \$63.00/LF
Cost: \$18,963.00



Item 74AX – Replace and Construct Loose Flagstone, Brick, Block or similar Sidewalks, Driveways or Driveway Aprons

Qty: 1,877.00/SF
Unit Price: \$29.00/SF
Cost: \$54,433.00

Item 361-A – Furnish & Install Trees 2" – 2.5" Caliper

Qty: 5EA
Unit Price: \$1,000.00
Cost: \$5,000.00

Item 393X – Test Holes

Qty: 4.00EA
Unit Price: \$528.00/EA
Cost: \$2,112.00

Item 398X – Dense Graded Aggregate Base Course

Qty: 79.31CY
Unit Price: \$63.00/CY
Cost: \$4,996.53

Item 502 – Temporary Sediment Filter Bags for Drainage Structures

Qty: 50EA
Unit Price: \$82.00/EA
Cost: \$4,100.00

Item 503 – Silt Fence - Temporary

Qty: 305LF
Unit Price: \$6.00/LF
Cost: \$1,830.00

Item 504 – Remove and Replace or Relocate Sprinkler System

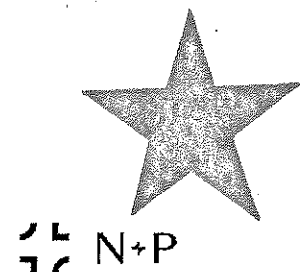
Qty: 254LF
Unit Price: \$16.00/LF
Cost: \$4,064.00

Item 512 – Plug Pipe

Qty: 8EA
Unit Price: \$330.00/EA
Cost: \$2,640.00

Item 514 – Stone Filling (Light)

Qty: 10CY
Unit Price: \$165.00/CY
Cost: \$1,650.00



Item 516 – Concrete Collar

Qty: 13EA

Unit Price: \$750.00/EA

Cost: \$9,750.00

Item 900 – Tree Removal, Greater Than 12" and Up to 24" Diameter

Qty: 12EA

Unit Price: \$275.00/EA

Cost: \$3,300.00

Item 20 – Broken Stone, Loose Measure

Qty: 95CY

Unit Price: \$125.00/CY

Cost: \$11,875.00

Item 158B – Soil Stabilization Fabric

Qty: 3,306.00SY

Unit Price: \$6.00/SY

Cost: \$19,836.00

Item 12BX-36 – Furnish & Install 36" Diameter, Class IV RCP

Qty: 245.83LF

Unit Price: \$312.69/LF

Cost: \$76,868.58

Item 12DIP-6 – Furnish & Install 6" Diameter, Ductile Iron Pipe (Sewer)

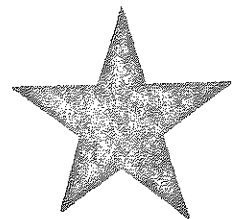
Qty: 160LF

Unit Price: \$395.47/LF

Cost: \$63,275.20

Total Decrease Cost due to anticipated removals of contract quantities amounting to **(\$570,087.29)**

The *net total increase* of this change order will amount to **\$78,992.88**. All prices have been negotiated with the Contractor. Our office has reviewed these prices and find them to be reasonable. It is our recommendation that Change Order No. 1 be accepted by the Town. We trust this information is sufficient for your records.

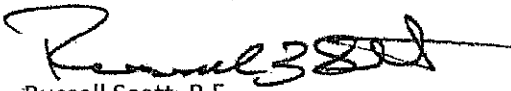


It is our recommendation that this partial decrease contract amount for change order No. 2 be accepted by the Town. We trust this information is sufficient for your records.

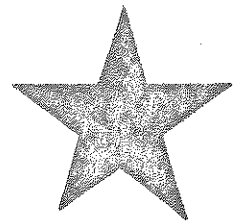
If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Respectfully submitted,
NELSON + POPE



Russell Scott, P.E.
Partner



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #3 (BROCKMEYER, CLEARWATER, IROQUOIS)
Contract No. H18 -171-P3
CHANGE ORDER NO. 2

To: Pioneer Landscaping & Asphalt Paving, Inc.
168 Townline Road
Kings Park
New York, 11754

From: Russell Z. Scott, PE
Nelson + Pope
70 Maxess Road
Melville, New York 11747

You are hereby directed to incorporate the following changes in your proposal to the Town of Oyster Bay covering the above-referenced contract:

Change Order

ITEM 1: Differing Site Conditions

The request is for additional compensation for extra cost incurred due to differing site conditions for multiple locations throughout the Massapequa projects under this contract. These differing site conditions relating to excessive subsurface water, in addition to what was previously specified on the contract documents and field supported inventory from 2018. The additional two-feet (2-feet) of sub surface water encountered added to daily delays in construction, dewatering of the excavated areas, extensive time delay for excavated material removal and overall contract extensions to complete the intended scope of work.

TOTAL OF CHANGE ORDER NO. 2: \$510,597.78

The original Contract sum was:	\$ 3,319,501.00
Net Change by previously authorized Change Orders:	\$ 701,094.44
Total Contract Sum prior to this Change Order:	\$ 4,020,595.44
Change Order No. 2:	\$ 510,597.78
New Contract sum including CHANGE ORDER NO. 2:	\$ 4,531,193.22

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The above Change Order is hereby accepted by the Town of Oyster Bay.

Recommended by:
Nelson + Pope

by: *Kevin Cox*
Title: Partner

Dated: 1/10/23

Sufficient funding for this Change Order is available within the Contract encumbrance/account No.

by: *Robert D'Amico*
Robert D'Amico, Director of Finance

by: *Steven Ballas* 1/19/23
Steven Ballas, Comptroller

by: *Brian Noone* 1/13/23
Brian Noone, Inspector General

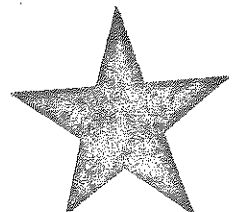
Pioneer Landscaping & Asphalt Paving, Inc.

by: *Kevin Cox*
Title: VP
Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #3 (BROCKMEYER, CLEARWATER, IROQUOIS)
Contract No. H18 -171-P3
CHANGE ORDER NO. 2

To: Pioneer Landscaping & Asphalt Paving, Inc.
168 Townline Road
Kings Park
New York, 11754

From: Russell Z. Scott, PE
Nelson + Pope
70 Maxess Road
Melville, New York 11747

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by: Russell Scott

Title: Partner

Dated: 1/10/23

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by: Robert Darienzo

Robert Darienzo, Director of Finance

by: Steven Ballas

Steven Ballas, Comptroller

by: Brian Noone

Brian Noone, Inspector General

Pioneer Landscaping & Asphalt Paving, Inc.

by: Kevin Cox

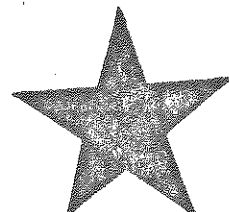
Title: VP

Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____



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Recommended by:
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by: Russell Scott
Title: Partner

Dated: 1/10/23

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by: Robert Darlenzo
Robert Darlenzo, Director of Finance

by: Steven Balles 1/13/23
Steven Balles, Comptroller

by: Brian Noone 1/13/23
Brian Noone, Inspector General

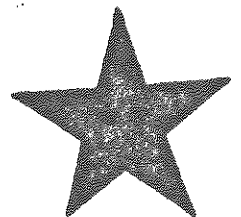
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by: Kevin Cox
Title: VP
Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____



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by: *Russell Z. Scott*
Title: Partner

Dated: 1/10/23

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by: *[Signature]*
Robert Darenzo, Director of Finance

by: *[Signature]* 1/13/23
Steven Ballas, Comptroller

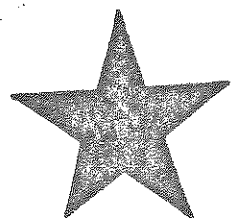
by: *[Signature]* 1/13/23
Brian Noone, Inspector General

Pioneer Landscaping & Asphalt Paving, Inc.

by: *[Signature]*
Title: VP KEVIN COX
Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor
Dated: _____



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Dated: 1/10/23

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Robert Darienzo, Director of Finance

by: Steven Ballas 1/13/23
Steven Ballas, Comptroller

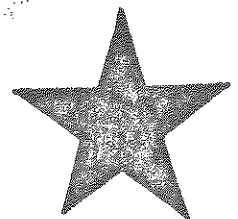
by: Brian Noone 1/13/23
Brian Noone, Inspector General

Pioneer Landscaping & Asphalt Paving, Inc.

by: Kevin Cox
Title: VP
Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor
Dated: _____



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Robert Darienzo, Director of Finance

by: [Signature] 1/13/23
Steven Ballas, Comptroller

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Brian Noone, Inspector General

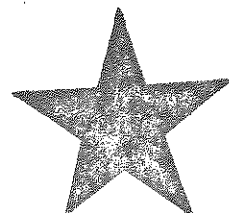
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Title: VP Kevin Cox
Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

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by: Steven Ballas 1/17/23
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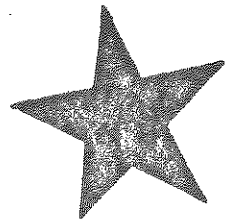
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Joseph S. Saladino, Town Supervisor
Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS
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by: Steven Ballas 1/13/23
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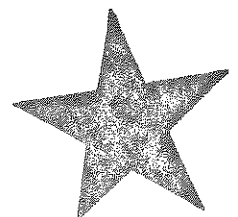
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by: Kevin Cox
Title: VP Kevin Cox
Dated: 1/10/23

Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 9, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: EXTENSION OF TIME 3
CHANGE ORDER NO. 2
QUANTITY INCREASE/DECREASE 2
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #3
BROCKMEYER/CLEARWATER/IROQUOIS (OUTFALLS 31, 114 & 129)
MASSAPEQUA, NEW YORK
CONTRACT NO. H18-171-P3
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on January 24, 2023 for the Extension of Time 3, Change Order No. 2, Quantity Increase/Decrease 2 relative to Contract H18-171-P3 Massapequa Flood Diversion And Control Project #3 Brockmeyer/Clearwater/Iroquois (Outfalls 31; 114 & 129) Massapequa, New York

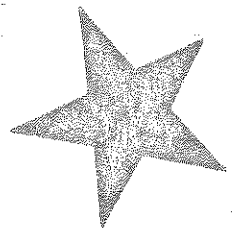


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/DDM/sb

cc: John C. Tassone, Chief Deputy Commissioner/Highway

H18-171-P3 EXT 3CO2 QIQD2 SAVE SPACE



Meeting of January 24, 2023

Resolution No.75-2023

DRS
Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

WHEREAS, Richard W. Lenz, P.E. Commissioner, Department of Public Works, by memoranda dated January 9, 2023 and January 13, 2023, advised that Hirani Engineering & Land Surveying, P.C. ("Hirani"), by letter dated November 22, 2022, made a final review of the work performed under Contract No. DP21-222, Relocation of Centre Island Beach Fireman's Arch, and has certified that the Contractor, Galvin Bros, Inc./Madhue Contracting, Inc., a Joint Venture, has complied with all of the requirements of the Contract, and Commissioner Lenz concurs with Hirani that this Contract be accepted as having been completed, and that final payment be made to the Contractor; and

WHEREAS, final construction costs were in the amount of \$878,329.44; and

WHEREAS, work under this Contract was to be completed by May 3, 2022, but the Contractor requested that the completion date be extended to June 17, 2022 due to delays in material delivery, coordination with PSEG-LI, and additional work that was incorporated into the contract, and actual work was completed on June 16, 2022; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with Hirani's recommendation that the requested extension of time be granted, nunc pro tunc, starting May 3, 2022 through June 17, 2022; and

WHEREAS, the Office of the Town Attorney and the Office of the Comptroller, by memoranda dated December 28, 2022 have stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of final acceptance of this Contract; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 5, 2023, concurred with the recommendation of final acceptance of this project; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the Contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, that Contract No. DP21-222, be accepted as being complete, at a final construction cost of \$878,329.44, are hereby accepted and approved and the requested extension of time is granted, nunc pro tunc, starting May 3, 2022 through June 17, 2022, and the Office of the Comptroller is hereby authorized and directed to make final payment for same to Galvin Bros, Inc./Madhue Contracting, Inc., a Joint Venture in accordance with the applicable terms and provisions of the Contract, after the customary review of the engineer's certificate, 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 13, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 22
DOCKET OF JANUARY 10, 2023
EXTENSION OF TIME & ACCEPTANCE AND FINAL PAYMENT
RELOCATION OF CENTRE ISLAND BEACH FIREMAN'S ARCH
CONTRACT NO. DP21-222

In furtherance to Item No. 22 of the docket of January 10, 2023, work on this project was to be completed by May 3, 2022. In accordance with the attached letter from Galvin Bros., Inc./Madhue Contracting, Inc., a Joint Venture dated June 7, 2022, additional time to complete the work was necessary due to delays in materials delivery, coordination with PSE&G, and additional work that was incorporated into the contract. These issues required the Contractor to request an extension of time to June 17, 2022. The Division of Engineering has no objections to this request.


Also attached herewith is:

1. A letter dated November 22, 2022 from Hirani Engineering & Land Surveying, P.C. recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for Galvin Bros., Inc./Madhue Contracting, Inc., a Joint Venture dated January 10, 2023.
3. A statement from the Town Attorney's office indicating there are no legal hindrances.
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.
5. A statement from the Department of Parks concurring with final acceptance.

Work under this contract was directed to proceed as of March 4, 2022 to be completed within 60 calendar days on May 3, 2022, extended to June 17, 2022 in accordance with the above-referenced request. Actual work was completed on June 16, 2022. Final construction costs amount to \$878,329.44.

The Office of The Inspector General has reviewed the Contract and proposed vendors disclosure questionnaire and is satisfied that the procurement Policy has been fulfilled.

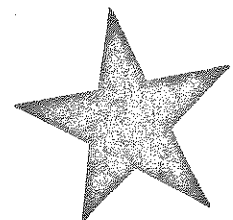
We hereby concur with Hirani Engineering & Land Surveying, P.C. that the requested extension of time be granted, nunc pro tunc and that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/lk

Attachments

C: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
Joseph Pinto, Commissioner/Parks



Galvin Bros., Inc./Madhue Contracting, Inc., a JV

149 Steamboat Road
Great Neck, NY 11024

PH (516) 466-3785

Fax (516) 466-3607

Town of Oyster Bay DPW

Date: 6/7/22

150 Miller Place

Syosset, New York 11791

Attn: John Tassone,

Deputy Commissioner

Re: Extension of Contract Time

Contract/Project Description: Relocate Existing Centre Island Fireman's Arch

Contract Number: PW026-22

Original Contract Start and Completion date: 03/4/22 to 5/24/22

Previous Time Extensions Granted: N/A

Extension of Time being requested: June 17th, 2022

We hereby request an extension of contract time for the above contract.

FROM: Galvin Brothers

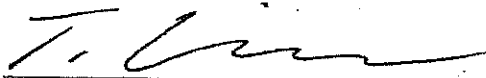
TO: Town of Oyster Bay

This application for an extension of time is based on the following:

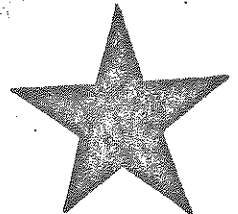
1. INCREASE IN SCOPE,
 - a. Additional change orders for drainage, and electrical work.
 - b. Changes in field conditions
2. SUPPLY CHAIN DELAY ISSUES
 - a. Availability of various supplies, mainly steel electrical parts and steel mesh.
3. COORDINATION WITH OUTSIDE ENTITIES
 - a. E.g PSEG

This contract time extension shall be at no additional cost to the Town.

Sincerely,



Trevor Ciampo PM





Hirani Group

Hirani Engineering & Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

November 22, 2022

Mr. Richard W. Lenz, P.E.
Commissioner of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

RE: LETTER OF COMPLETION
RELOCATION OF CENTRE ISLAND FIREMAN'S ARCH
CONTRACT NO. DP21-222

Dear Mr. Lenz,

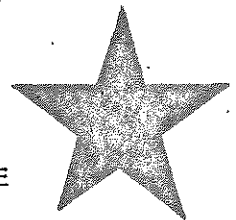
This is to certify that all work related to the Relocation of the Centre Island Fireman's Arch has been successfully completed as per the Contract Drawings and Specifications along with all additional work enumerated in the change order/s approved by TOB.

Should you have any questions or concerns, please feel free to contact our office.

Sincerely

Thomas R. Wendel

Thomas Wendel, P.E.
Hirani Engineering & Land Surveying, P.C.



APPLICATION AND CERTIFICATE FOR PAYMENT

TO (OWNER) Town of Oyster Bay 54 Audrey Avenue Oyster Bay, NY 11771 516-677-5935	PROJECT: ENGINEER	RELOCATION OF EXISTING CENTRE ISLAND FIREMAN'S ARCH Contract No. DP21-222 HIRANI ENGINEERING 120 West John Street Hicksville, NY 11801 Daniel Loscalzo P.E. 516-510-8476 dloscalzo@hiranigroup.com John Tassone <tassone@oysterbay-ny.gov> Sean Jordan <sjordan@oysterbay-ny.gov>	REQUISITION #4 (Retainage) PERIOD TO: December 19, 2022	Distribution to: OWNER ENGINEER CONTRACTOR
FROM (CONTRACTOR) Galvin Bros/Madhue Contracting-JV 149 Steamboat Road Great Neck, NY 11024		PROJECT NO: DP21-222	CONTRACT DATE March 4, 2022	
CONTRACT FOR:				

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY			
Change orders approved in previous months by owner	ADDITIONS	DEDUCTIONS	
TOTAL	\$64,096.41	\$0.00	
Approved this Month			
Number	Date Approved		
C01		\$21,551.40	\$58,418.37
Totals		\$21,551.40	\$58,418.37
Net Change by Change Order	\$65,647.81		\$58,418.37

Application is made for payment, as shown below, in connection with the contract, Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	\$851,100.00
2. NET CHANGE BY CHANGE ORDERS	\$27,229.44
3. CONTRACT SUM TO DATE	\$878,329.44
4. TOTAL COMPLETED & STORED TO DATE	\$878,329.44
5. RETAINAGE:	
a. 0% of Completed Work	\$0.00
b. 5% of Stored Material	
Total Retainage	\$0.00
6. TOTAL EARNED LESS RETAINAGE	\$878,329.44
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$834,412.97
8. CURRENT PAYMENT DUE	\$43,916.47
9. BALANCE TO FINISH, PLUS RETAINAGE	\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for payment has been completed in accordance with the contract documents, that all amounts have been paid by the Contractor for work for which previous Certificate for payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: Robert P. Galvin Date: 12/19/2022

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the data comprising the above application, the architect certifies to the owner that to the best of architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the contract documents, and the contractor is entitled to payment of the amount certified.

ENGINEER

AMOUNT CERTIFIED

\$43916.47

By: Thomas K. Wender Date: 01-10-2023

This Certificate is not negotiable. The amount certified is payable only to the contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the owner or contractor under this contract.

State of New York
Subscribed and sworn to before me this 19th day of December, 2022
NOTARY PUBLIC
Maureen T. Confortin
MAUREEN T. CONFORTIN
Notary Public, State of New York
No. 01CO4850086
Qualified in Suffolk County
Commission Expires January 20, 2024

My Commission Expires on January 20, 2026

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: MATTHEW RUSSO, P.E.
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

DATE: DECEMBER 28, 2022

SUBJECT: FINAL ACCEPTANCE
RELOCATION OF CENTRE ISLAND FIREMAN'S ARCH
CONTRACT NO. DP21-222

In reply to your memorandum of November 30, 2022, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

By copy of this memorandum, the contractor, Galvin Bros/Madhue Contracting Joint Venture's Maintenance Bond 015216296M is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

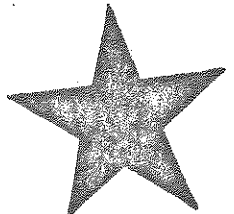
FRANK M. SCALERA, ESQ.
TOWN ATTORNEY



By: _____

Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)



MR

TOWN OF OYSTER BAY
Inter-Departmental Memo

TO: RICHARD W. LENZ, P.E. COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: DECEMBER 28, 2022

SUBJECT: FINAL ACCEPTANCE – RELOCATION OF CENTRE ISLAND
FIREMAN'S ARCH
BAYVILLE, NEW YORK
CONTRACT NO. DP21-222

In response to your memo dated November 30, 2022, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

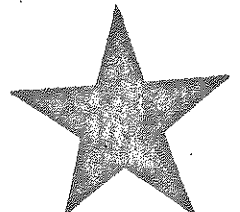


STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/dim:mj

cc: Town Attorney w/enclosure
Accounts Payable Division
Reading File



**TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO**

TO: MATTHEW RUSSO, P. E., DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

DATE: JANUARY 5, 2023

SUBJECT: FINAL ACCEPTANCE
RELOCATION OF CENTRE ISLAND FIREMAN'S ARCH
BAYVILLE, NY
CONTRACT NO. DP21-222

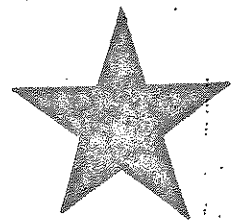
The Parks Department is in receipt of your memo regarding final acceptance on behalf of the relocation of the Centre Island Fireman's Arch.

The Parks Department concurs with the Department of Public Works regarding this recommendation.



JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT

JGP/km



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 9, 2023


TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: EXTENSION OF TIME & ACCEPTANCE AND FINAL PAYMENT
RELOCATION OF CENTRE ISLAND BEACH FIREMAN'S ARCH
CONTRACT NO. DP21-222
SUPPLEMENTAL MEMO TO FOLLOW

The Division of Engineering is preparing the necessary documentation to support a recommendation for the Extension of Time and Acceptance & Final Payment relative to Relocation of Centre Island Beach Fireman's Arch, Contract No. DP21-222. A formal recommendation will be submitted by Supplemental Memorandum Docket.

It is therefore requested that a space be reserved at the Town Board meeting of January 24, 2023 for the Town Board to take action on this item.

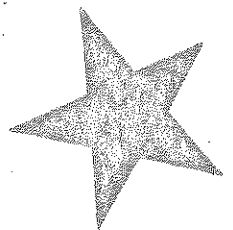

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/lk

Attachments

C: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
Joseph Pinto, Commissioner/Parks

DP21-222 DOCKET FINAL & EXT RESERVE



Meeting of January 24, 2023

Resolution No.76 -2023

cc: [unclear]
Reviewed By
Office of Town Attorney
Ralph P. Healey

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on January 11, 2023, for Contract No. DP22-246, Marino Park Baseball Field Replacement, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated January 10, 2023 and January 13, 2023, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. DP22-246 were reviewed by N & P Engineering, Architecture & Land Surveying, PLLC; and

WHEREAS, by letter dated January 12, 2023, N & P Engineering, Architecture & Land Surveying, PLLC, recommended the award of Contract No. DP22-246 to The LandTek Group, Inc., the lowest responsive and responsible bidder among three (3) bids received, in the amount of \$984,350.00; and

WHEREAS, as per Town policy, \$49,217.50 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$1,033,567.50; and

WHEREAS, Commissioner Lenz, by said memoranda, concurred with the recommendation of N & P Engineering, Architecture & Land Surveying, PLLC, and recommended the award of Contract No. DP22-246, to The LandTek Group, Inc., the lowest responsive and responsible bidder, in the amount of \$984,350.00, and \$49,217.50 for potential quantity increases, for a total bid encumbrance of \$1,033,567.50; and

WHEREAS, the estimated construction time for completion of the contract is sixty (60) calendar days, with funds to be drawn from Account No. PKS H 7197 20000 000 2202 001, Project ID No. 2202PKSA-03 in the amount of \$627,175.00 and Account No. PKS H 7197 20000 000 2002 001, Project ID No. 2002PKSA-03 in the amount of \$406,392.50; and

WHEREAS, Commissioner Lenz, by said memoranda, further advised that the Office of the Inspector General has reviewed the contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and Contract No. DP22-246 is awarded to The LandTek Group, Inc., in an amount not to exceed \$1,033,567.50, in accordance with the provisions herein, and the Supervisor, or his designee, is hereby authorized and directed to execute documents accordingly; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS H 7197 20000 000 2202 001, Project ID No. 2202PKSA-03 in the amount of \$627,175.00 and Account No. PKS H 7197 20000 000 2002 001, Project ID No. 2002PKSA-03 in the amount of \$406,392.50; and be it further

Resolution No.76 -2023

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$1,033,567.50, 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 13, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: SUPPLEMENTAL DOCKET MEMO. TO ITEM NO. 27
DOCKET OF JANUARY 10, 2023
AWARD OF CONSTRUCTION CONTRACT
MARINO PARK BASEBALL FIELD REPLACEMENT
CONTRACT NO. DP22-246
ACCOUNT NO. PKS-H-7197-20000-000-2202-001
PROJ ID. 2202PKSA-03
ACCOUNT NO. PKS-H-7197-20000-000-2002-001
PROJ ID. 2002PKSA-03

In furtherance to Item No. 27 of the docket of January 10, 2023, on January 11, 2023, the Division of Purchasing received three (3) bids for the subject project. The LandTek Group, Inc. of 105 Sweeneydale Ave, Bay Shore NY, 11706, Federal Tax ID: 11-2945683, submitted the lowest bid in the amount of \$984,350.00.


Attached is a letter dated January 12, 2023 from the office of N & P Engineering, Architecture & Land Surveying, PLLC recommending the award of this contract to The LandTek Group for the amount of \$984,350.00. In accordance with Town policy, an additional \$49,217.50 shall be encumbered for potential quantity increases, for a total bid encumbrance amount of \$1,033,567.50.

The estimated construction time for completion of the subject contract is 90 calendar days.

Funds are available for the subject contract work in Account No. PKS-H-7197-20000-000-2202-001, Proj. ID. 2202PKSA-03 the amount of \$627,175.00 and Account No. PKS-H-7197-20000-000-2002-001, Proj. ID. 2002PKSA-03 in the amount of \$406,392.50 for a total of \$1,033,567.50.

The Office of the Inspector General has reviewed the contract and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

We concur with the recommendation of N & P Engineering, Architecture & Land Surveying, PLLC and request that Contract No. DP22-246 be awarded to The LandTek Group, Inc. in the bid amount of \$984,350.00, and that \$49,217.50 be reserved for potential quantity increases, for a total bid encumbrance amount of \$1,033,567.50, and that the Office of the Comptroller be directed to issue an encumbrance order for this purpose.

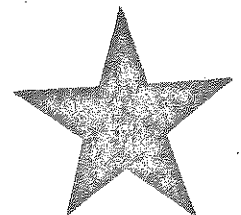

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/SC/lk

Attachments

c: Steven C. Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
Joseph G. Pinto, Commissioner/Parks

DP22-246 Marino Park_AWARDSUPP





January 12, 2023

Richard Lenz, PE, Commissioner
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791

Attention: Sunita Chakraborti

Re: Marino Park Baseball Field Replacement
Bid No. PW 028-23 / DP22-246
Nelson & Pope No. 22275

Dear Ms. Charkraborti:

On January 11, 2023 the Town of Oyster Bay opened bids for the above referenced Project. The Town received a total of three (3) bids for BID NO. PW 028-23. A brief summary is noted below, and a full analysis is attached.

Contractor	Base Bid
The Landtek Group, Inc.	\$984,350.00
Laser Industries, Inc.	\$1,214,220.00
Applied Landscape Technologies	\$1,395,355.00

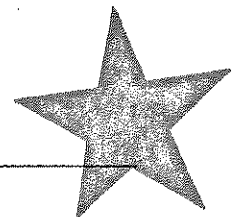
The lowest bidder, The Landtek Group, Inc. has provided the Bid Bond, Disclosure Questionnaire, Apprenticeship Programs and other Town required documentation.

Based on our review it is Nelson + Pope's opinion that the contract for Bid No. PW 028-23 be awarded to **The Landtek Group, Inc.**

If you have any questions or require additional information, kindly contact this office.

Very truly yours,

Russell Scott, P.E.
Partner



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 10, 2023

TO: MEMORANDUM DOCKET

FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: MARINO PARK BASEBALL FIELD REPLACEMENT
OYSTER BAY, NEW YORK
CONTRACT NO.: DP22-246
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on January 24, 2023 to take action on the award of the Marino Park Baseball Field Replacement.

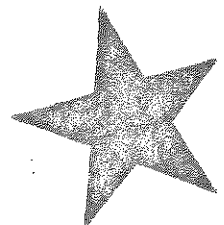


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/SC/lk

cc: Joseph G. Pinto, Commissioner/Parks

DP22-246_Marino Park_save a space



77A-2023 reso

10604814.268 (1000179864)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, on January 24, 2023, at 7:00 P.M., Prevailing Time.

Reviewed By
Office of Town Attorney

PRESENT:

Joseph Saladino

Supervisor

Michele Johnson

Councilperson

Louis Imbroto

Councilperson

Thomas Hand

Councilperson

Steve Labriola

Councilperson

Laura Maier

Councilperson

Vicki Walsh

Councilperson

In the Matter of the Increase and Improvement
of the Facilities of All Park Districts
in the Town of
Oyster Bay, Nassau County, New York.

Resolution No. 77A-2023

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has had under consideration the joint increase and improvement of the facilities of all Park Districts in said Town (in the aggregate, the "Park Districts", each, a "Park District"), consisting of the refurbishing and improvement of facilities in all Park Districts, including incidental expenses in connection therewith; and

WHEREAS, the estimated maximum cost to said Park Districts of such joint increase and improvement of facilities is determined to be \$930,000; and

WHEREAS, such cost shall be annually apportioned among such Park Districts by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within each said Park District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement of the facilities of all Park Districts, for the particular improvements that have been identified, and it has been determined that such increase and improvement of the facilities of all Park Districts and use will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on January 10, 2023, an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of all Park Districts in said Town, at an estimated maximum cost of \$930,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, on January 24, 2023, at 7:00 P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of all Park Districts in said Town, consisting of the refurbishing and improvement of facilities in all Park

Districts, including incidental expenses in connection therewith, at an estimated maximum cost of \$930,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

_Supervisor Saladino _____	VOTING ___AYE_____
_Councilwoman Johnson _____	VOTING ___AYE_____
_Councilman Imbroto _____	VOTING ___AYE_____
_Councilman Hand _____	VOTING ___AYE_____
_Councilman Labriola _____	VOTING ___AYE_____
_Councilwoman Maier _____	VOTING ___AYE_____
_Councilwoman Walsh _____	VOTING ___AYE_____

The order was thereupon declared duly adopted.

* * *

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on January 24, 2023, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspaper and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

Various publications within the Town
Of Oyster Bay

January 20, 2023

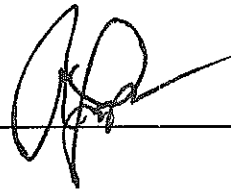
I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice
Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY

Date of Posting
January 20, 2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on January 25, 2023.

(SEAL)



Town Clerk

778-2023 reso

10604814.268 (1000179864)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, on January 24, 2023, at 7:00 P.M., Prevailing Time.

The meeting was called to order by Supervisor Saladino, and upon roll being called, the following were

PRESENT: Supervisor Saladino

Councilwoman Johnson

Councilman Imbroto

Councilman Hand

Councilman Labriola

Councilwoman Maier

Councilwoman Walsh

ABSENT: no one

The following resolution was offered by Councilperson Johnson who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 24, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$930,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF ALL PARK DISTRICTS IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 24, 2023, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town") has determined it to be in the public interest to increase and improve the facilities of all Park Districts in the Town (in the aggregate, the "Park Districts"; each, a "Park District"), at an estimated maximum cost of \$930,000; and


WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town as follows:

Section 1. For the class of objects or purposes of paying the cost of the joint increase and improvement of the facilities of all Park Districts in said Town, consisting of the refurbishing and improvement of facilities in all Park Districts, including incidental expenses in connection therewith, there are hereby authorized to be issued \$930,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$930,000 and that the plan for the financing thereof is by the issuance of the \$930,000 bonds of said Town authorized to be issued pursuant to this resolution, and, further, that no original capital improvement shall be financed as part of the aforesaid class of objects or purposes where the estimated maximum cost thereof shall be \$2,000,000 or more.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision nineteen of

Reviewed By
Office of Town Attorney


paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned among such Park Districts by said Town Board, and the amounts so apportioned shall be levied and collected upon the several lots and parcels of land within in each Park District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the

Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
 - (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_Supervisor Saladino _____ VOTING __AYE_____
_Councilwoman Johnson _____ VOTING __AYE_____
_Councilman Imbroto _____ VOTING __AYE_____
_Councilman Hand _____ VOTING __AYE_____
_Councilman Labriola _____ VOTING __AYE_____
_Councilwoman Maier _____ VOTING __AYE_____
_Councilwoman Walsh _____ VOTING __AYE_____

The resolution was thereupon declared duly adopted.

* * *

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on January 24, 2023, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspaper and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

Various publications within the Town
Of Oyster Bay

January 20, 2023

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices

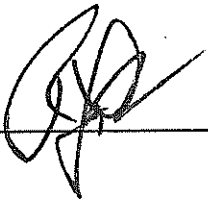
Date of Posting

Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY

January 20, 2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on January 25, 2023.

(SEAL)



Town Clerk

78A-2023 reso

10604814.269 (1000179864)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, on January 24, 2023, at 7:00 P.M., Prevailing Time.

PRESENT:

Joseph Saladino
Supervisor

Michele Johnson
Councilperson

Louis Imbroto
Councilperson

Thomas Hand
Councilperson

Steve Labriola
Councilperson

Laura Maier
Councilperson

Vicki Walsh
Councilperson

Reviewed By
Office of Town Attorney

In the Matter of the Increase and Improvement
of the Facilities of the Town of Oyster Bay
Public Lighting District in the Town of
Oyster Bay, Nassau County, New York

Resolution No. 78A-2023

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has had under consideration the increase and improvement of the facilities of the Town of Oyster Bay Public Lighting District (the "Public Lighting District") in said Town, consisting of the refurbishing and improvement of facilities in such Public Lighting District, including incidental expenses in connection therewith; and

WHEREAS, the estimated maximum cost to such Public Lighting District of such increase and improvement of facilities is determined to be \$310,000; and

WHEREAS, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Public Lighting District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement and it has been determined that such increase and improvement will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on January 10, 2023, an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of the Public Lighting District in said Town at an estimated maximum cost of \$310,000 and to hear all persons interested in the subject thereof concerning the same at Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, on January 24, 2023, at 7:00 P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improvement of the facilities of the Public Lighting District in said Town, consisting of the refurbishing and improvement of facilities in

such Public Lighting District, including incidental expenses in connection therewith, at an estimated maximum cost of \$310,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

__ Supervisor Saladino _____	VOTING __ AYE _____
__ Councilwoman Johnson _____	VOTING __ AYE _____
__ Councilman Imbroto _____	VOTING __ AYE _____
__ Councilman Hand _____	VOTING __ AYE _____
__ Councilman Labriola _____	VOTING __ AYE _____
__ Councilwoman Maier _____	VOTING __ AYE _____
__ Councilwoman Walsh _____	VOTING __ AYE _____

The order was thereupon declared duly adopted.

* * *

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on January 24, 2023, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspaper and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

Various publications within the Town

January 20, 2023

Of Oyster Bay


I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice
Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY

Date of Posting
January 20, 2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on January 25, 2023.

(SEAL)



Town Clerk

78B-2023 reso

10604814.269 (1000179864)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, on January 24, 2023, at 7:00 P.M., Prevailing Time.

The meeting was called to order by Supervisor Saladino, and upon roll being called, the following were

PRESENT: Supervisor Saladino

Councilwoman Johnson

Councilman Imbroto

Councilman Hand

Councilman Labriola

Councilwoman Maier

Councilwoman Walsh

ABSENT: no one

The following resolution was offered by Councilperson Johnson, who moved its adoption, seconded by Councilperson Imbroto, to-wit:

BOND RESOLUTION DATED JANUARY 24, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF OYSTER BAY PUBLIC LIGHTING DISTRICT IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 24, 2023, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town") has determined it to be in the public interest to increase and improve the facilities of the Town of Oyster Bay Public Lighting District (the "Public Lighting District") in the Town at an estimated maximum cost of \$310,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town as follows:

Section 1. For the class of objects or purposes of paying the cost of the increase and improvement of the facilities of the Public Lighting District in said Town, consisting of the refurbishing and improvement of facilities in such Public Lighting District, including incidental expenses in connection therewith, there are hereby authorized to be issued \$310,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$310,000 and that the plan for the financing thereof is by the issuance of the \$310,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision five of paragraph a of

Reviewed By
Office of Town Attorney

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Public Lighting District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the

Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_Supervisor Saladino _____ VOTING __AYE_____
_Councilwoman Johnson _____ VOTING __AYE_____
_Councilman Imbroto _____ VOTING __AYE_____
_Councilman Hand _____ VOTING __AYE_____
_Councilman Labriola _____ VOTING __AYE_____
_Councilwoman Maier _____ VOTING __AYE_____
_Councilwoman Walsh _____ VOTING __AYE_____

The resolution was thereupon declared duly adopted.

* * *

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on January 24, 2023, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspaper and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

Various publications within the Town
Of Oyster Bay

January 20, 2023


I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice
Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY

Date of Posting
January 20, 2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on January 25, 2023.

(SEAL)



Town Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), on January 24, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A summary of the aforesaid resolution is set forth below. The resolution provides as follows: that the faith and credit of the Town are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution including renewals of such notes, is delegated to the Supervisor; that all other matters, except as provided in such resolution relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Supervisor; and that this LEGAL NOTICE shall be published.

The summary of the resolution follows:

BOND RESOLUTION DATED JANUARY 24, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF OYSTER BAY PUBLIC LIGHTING DISTRICT IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

The period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision five of paragraph a of Section 11.00 of the Local Finance Law.

THE FULL TEXT OF THIS BOND RESOLUTION IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TOWN CLERK LOCATED AT 54 AUDREY AVENUE, OYSTER BAY, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: Oyster Bay, New York
January 24, 2023

Richard LaMarca
Town Clerk

Reviewed By
Office of Town Attorney

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed amendment to the Code of the Town of Oyster Bay, Chapter 246, Zoning, by adopting a new Local Law, entitled, "A LOCAL LAW TO AMEND CHAPTER 246 - ZONING, SECTION 246-2.4 DEFINITIONS, SECTION 246-5.5.5, APARTMENTS OVER STORES OR OFFICES, AND SECTION 246-5.2 SCHEDULE OF USE REGULATIONS - NONRESIDENCE DISTRICTS, OF THE CODE OF THE TOWN OF OYSTER BAY"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on July 12, 2022, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated September 22, 2022, recommended a Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 26, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration; and

WHEREAS, the Nassau County Planning Commission ("Commission"), by Resolution No. 10492-22, adopted on July 14, 2022, recommended that the Town take action as it deems necessary and appropriate with respect to the component of the proposed Local Law regarding the amendment of Section 246-2.4 - DEFINITIONS, of the Code of the Town of Oyster Bay, the Commission having no suggested modifications; and

WHEREAS, the Nassau Planning Commission, by Resolution No. 10494-22, adopted on July 14, 2022, recommended disapproval of the component of the proposed Local Law to amend Section 246-5.5.5 - APARTMENTS OVER STORES AND OFFICES, and Section 246-5.2 - SCHEDULE OF USE REGULATIONS, stating:

- a. The elimination of apartments over storefronts in commercial districts as a permitted use is contrary to the goals and objectives of downtown revitalization, sustainability, smart growth and transit-oriented development, all of which have gained traction in recent years.
- b. The elimination of apartments over storefronts will potentially reduce the number of persons residing in commercial centers and downtowns which will have a negative impact on economic activity and vitality in these areas.
- c. The elimination of apartments over storefronts places limitations on housing options in commercial hubs and central business districts that are proximate to rail stations. Such an action under the current climate of a housing shortage limits the availability of housing option for a large segment of the population, particularly for those who wish to reside in commercial districts and downtowns close to transit hubs; and

Filed
Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, New York State General Municipal Law Sec. 239-m provides that if a county planning agency, such as the Commission, recommends modification or disapproval of a proposed action, the referring body, in this case the Town Board, may act contrary to the recommendation provided that the resolution authorizing such action is approved by a super-majority (five of seven voting members), and sets forth the Town Board's reasons for overriding the Commission's recommendation; and

WHEREAS, it is the position of the Town Board as follows:

- a. Findings "a" and "c" of the Commission are basically the same, commenting on the Town's alleged elimination of apartments over storefronts in "commercial hubs and central business districts that are proximate to rail stations." However, these comments fail to consider that the Town's adoption of the Hicksville Downtown Districts, and the Local Law which created them, which provides that in both Hicksville Downtown I and in Hicksville Downtown II, Apartments over Restaurants or personal services and Apartments over Stores or Offices are Permitted Principal Uses;
- b. The Commission's Finding "b" discusses a potential reduction in the number of persons residing in commercial centers and downtowns. This is without any basis in fact. The proposed Local Law does not seek to eliminate or reduce any uses currently in existence or limit the number of such existing uses, or the number of people residing in those existing uses; and
- c. All of the Commission's Findings speak of the elimination of the apartments over stores use. In addition to those Districts where such use is a Permitted Principal Use (Hicksville Downtown), such use may still be allowed if a Special Use Permit is granted, and through the Special Use Permit application process, the Town will have an opportunity to receive input from the community and seek covenants to insure the creation of residential units beneficial to the health and welfare of Town residents,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that such Local Law to amend the Code of the Town of Oyster Bay is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 26; and be it further

RESOLVED, That said Local Law 1 -2023, entitled "A LOCAL LAW TO AMEND CHAPTER 246 - ZONING, SECTION 246-2.4 DEFINITIONS, SECTION 246-5.5.5, APARTMENTS OVER STORES OR OFFICES, AND SECTION 246-5.2 SCHEDULE OF USE REGULATIONS - NONRESIDENCE DISTRICTS, OF THE CODE OF THE TOWN OF OYSTER BAY", is hereby adopted and shall take effect immediately upon filing with the Secretary of State; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Local Law Filing

Town of OYSTER BAY

Local Law No. _____ of the year 2023

A LOCAL LAW TO AMEND CHAPTER 246 – ZONING, SECTION 246-2.4 DEFINITIONS, SECTION 246-5.5.5, APARTMENTS OVER STORES OR OFFICES, AND SECTION 246-5.2 SCHEDULE OF USE REGULATIONS – NONRESIDENCE DISTRICTS, OF THE CODE OF THE TOWN OF OYSTER BAY

Be it enacted by the TOWN BOARD of THE TOWN OF OYSTER BAY as follows:

Section 1. Amend Chapter 246-ZONING, Section 246-2.4, Definitions as follows:

Delete the definition of “FLOOR AREA, GROSS (residential)” in its entirety and replace as follows:

FLOOR AREA, GROSS (residential) - The sum of the horizontal areas of all floors of all *buildings*, on a *lot*, measured from the exterior faces of the walls of each floor. *Gross floor area* includes the area of all structures on the premises including garages, roofed-over balconies, decks, [except for decks not more than 3 feet above grade], or porches [except for unenclosed roofed-over porches up to six feet in width which face a *street* or extend continuously from the *street* side to the *side yard* (wrap-around porch)], attic space and loft floor space, if any. The *floor area* of any basement having a headroom of seven feet or more (measured from the floor of the basement to the lowest point of the floor framing above) (including conversions of all basements to finished storage and/or habitable space) shall also be counted in all residential zoning districts except R1-20, R1-1A, R1-2A and R1-5A. The *floor area* of any space which exceeds 10 feet in height, excluding garages and excluding second *story* floor space where the extra ceiling height is within what would otherwise be attic space, shall be counted at 1.5 times their actual *floor area*. The area of any detached garage shall be included if it exceeds 400 square feet in area.

Section 2. Amend Chapter 246 – ZONING, Section 246-5.5.5, to read as follows:

Section 246-5.5.5 – (RESERVED)

Section 3. Delete Chapter 246 – ZONING, Section 246-5.5.5.1 through Section 246-5.5.5.2, inclusive.

Section 4. Amend Chapter 246 – ZONING, Section 246-5.2, Schedule of Use Regulation – Nonresidence Districts, to remove “Apartments over stores or offices (Sec. 246-5.5.5).”

Section 5. **SEQRA Determination.** It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

Section 6. **Severability.** If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 7. **Effective Date.** This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

Certification:

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2023 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2023, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2023

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

Town of _____ Oyster Bay

Date: _____ 2023

Meeting of January 24, 2023

Resolution No.80-2023

Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 136-2020, adopted on February 11, 2020, the Town Board authorized the execution of an engagement agreement with Ankura Consulting Group, LLC ("Ankura"), as independent consultant to review the Town's policies, procedures, and internal controls regarding its disclosures for securities offerings, and authorizing payment to Ankura with respect to resulting fees incurred by Ankura, which were approved by the United States District Court, Eastern District of New York; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 12, 2023, requested and recommended that the Town Board authorize an increase of \$60,321.50, in order to satisfy outstanding fees, disbursements, and expenses of Ankura through October 2022,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation hereinabove set forth is accepted and approved, and the Town Board hereby authorizes an increase in fees payable to Ankura Consulting Group, LLC, 485 Lexington Avenue, 10th Floor, New York, NY 10017, in an amount not to exceed \$60,321.50; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. OTA A 1420 44110 000 0000; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same; 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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

**Town of Oyster Bay
Inter-Departmental Memo**

TO: Memorandum Docket
FROM: Office of the Town Attorney
DATE: January 12, 2023
SUBJECT: Payment for Court Ordered Fees for Independent Consultant

Pursuant to Town Board Resolution No. 136-2020, adopted on February 11, 2020, the Town Board authorized the execution of an engagement agreement with Ankura Consulting Group, LLC, ("Ankura") as independent consultant with municipal finance experience to review the Town's policies, procedures, and internal controls regarding its disclosures for securities offerings, and authorizing payment to Ankura of resulting fees incurred by Ankura, which were approved by the United States District Court, Eastern District of New York.

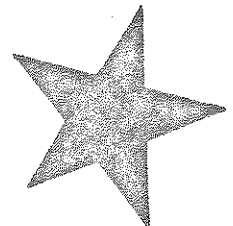
The Federal Court has approved payment of Ankura's fees, disbursements, and expenses through October 2022. Additional funds are required for payment of these invoices through October 2022. Therefore, it is recommended and requested that the Town Board authorize such increase in the amount of \$60,321.50 in order to satisfy these outstanding invoices. These fees should be the final fees, disbursements and expenses for Ankura's engagement. The aforementioned amount shall be paid with funds drawn from Account No. OTA A 1420 44110 000 0000.

Kindly suspend the rules and place this matter on the January 24, 2023 Town Board action calendar. Submitted herewith is a proposed resolution for the foregoing request.

FRANK M. SCALERA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JAL:jl
Attachment



WPS
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 136-2020, adopted on February 11, 2020, the Town Board authorized the execution of an engagement agreement with Ankura Consulting Group, LLC ("Ankura"), as independent consultant to review the Town's policies, procedures, and internal controls regarding its disclosures for securities offerings, and authorizing payment to Ankura with respect to resulting fees incurred by Ankura, which were approved by the United States District Court, Eastern District of New York; and

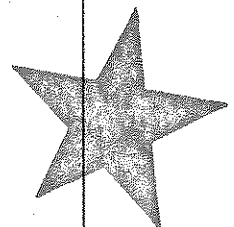
WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 12, 2023, requested and recommended that the Town Board authorize an increase of \$60,321.50, in order to satisfy outstanding fees, disbursements, and expenses of Ankura through October 2022,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation hereinabove set forth is accepted and approved, and the Town Board hereby authorizes an increase in fees payable to Ankura Consulting Group, LLC, 485 Lexington Avenue, 10th Floor, New York, NY 10017, in an amount not to exceed \$60,321.50; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. OTA A 1420 44110 000 0000; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same; upon submission of a duly certified claim, after audit.

-#-



Reviewed By
Office of the Town Attorney
[Signature]

WHEREAS, Matthew M. Rozea, Deputy Town Attorney, by memorandum dated February 11, 2020, advised that pursuant to a Consent Judgment entered into with the United States Securities and Exchange Commission (the "Commission") in connection with the Commission's litigation against the Town, the Town agreed to retain an independent consultant with municipal finance experience to review the Town's policies, procedures, and internal controls regarding its disclosures for securities offerings; and

WHEREAS, on January 27, 2020, the District Court Judge entered an Order "appoint[ing] Marc-Phillip Ferzan, of Ankura, as the Independent Consultant pursuant to the Final Judgment;" and

WHEREAS, subsequent to the Court's appointment of Ankura Consulting Group, LLC, 2000 K Street, NW, 12th Floor, Washington, DC 20006, the Office of the Town Attorney negotiated an engagement agreement with Ankura specifying the terms, conditions, and obligations of the Town and Ankura; and

WHEREAS, the Office of the Town Attorney recommends and requests by memorandum dated February 11, 2020, that the Town Board ratify the execution of the engagement agreement with Ankura and further authorize payment to Ankura in an amount not to exceed \$275,000.00 with funds to be drawn from Account No. OTA A 1420 44110 000 0000,

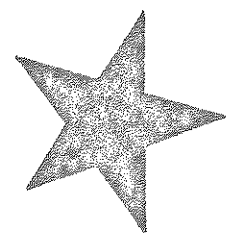
NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request hereinabove set forth are accepted and approved, and the Town Board hereby ratifies the execution of the engagement agreement with Ankura Consulting Group, LLC, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to Ankura Consulting Group, LLC, 2000 K Street, NW, 12th Floor, Washington, DC 20006, in an amount not to exceed \$275,000.00 upon submission of a duly certified claim, after audit, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

-#-

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



Meeting of January 24, 2023

Resolution No.81-2023

WHEREAS, by memorandum dated January 17, 2023, Frank M. Scalera, Town Attorney and Ralph P. Healey, Deputy Town Attorney, recommended that pursuant to New York State Town Law Sections 25 and 116, and the New York State Public Officers Law Section 11, the Town Board procure insurance in lieu of the undertaking requirement for Town elected officers and employees; and

WHEREAS, pursuant to the Town's Procurement Policy, the Office of the Town Attorney issued a Request for Proposals to eleven insurance brokers for quotes for premiums for Public Officials & Employees Liability Insurance, and posted the RFP on the Town's website, and received inquiries from multiple brokers and a proposal from one broker with responses from twelve (12) insurance carriers; and

WHEREAS, the Office of the Town Attorney reviewed the proposals received, and Frank M. Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by said memorandum, recommended that based on compliance with the Town's Procurement Policy, Greenwich (AXA XL), through Salerno Brokerage Corp., be selected, at a premium of \$201,829.00, for the period January 28, 2023 to January 28, 2024, with funds to be drawn from Account No. TWN AMS 1910 43010 603 0000 000; and

WHEREAS, the Inspector General has reviewed the RFP and the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and that the Office of the Town Attorney is hereby authorized to secure the Town's Public Officials & Employees Liability Insurance coverage from Greenwich (AXA XL), through Salerno Brokerage Corp., at a premium of \$201,829.00, for the period January 28, 2023 to January 28, 2024, with the funds for said payment funds to be drawn from Account No. TWN AMS 1910 43010 603 0000 000; and be it further

RESOLVED, That the Office of the Town Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim therefor, after audit.

-#-

Reviewed By
Office of Town Attorney
Ralph P. Healey

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

Supervisor Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

16

81

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 17, 2023

SUBJECT: 2023-2024 - Public Officials & Employees Liability Insurance Policy

Pursuant to New York State Town Law Sections 25 and 116, and the New York State Public Officers Law Section 11, the Town Board may procure insurance in lieu of the undertaking requirement for Town elected officers and employees.

On December 8, 2022, the Town issued a Request for Proposals ("RFP") seeking quotes for the Town's Public Officials & Employees Liability Insurance policy, in accordance with the requirements of the Town's Procurement Policy. Requests were sent to eleven (11) insurance brokers, to obtain quotes/proposals from insurance carriers and the RFP was posted on the Town's website.

Multiple brokers requested additional information. The sole broker to submit quotes, Salerno Brokerage Corp., advised the Office of the Town Attorney that it had forwarded the Town's Request for Proposals to multiple insurance carriers and received responses from twelve (12) insurance carriers: AIG, Berkley, Chubb, Greenwich (AXA XL), HCC, Hudson Insurance, Kinsdale Insurance, Lexington, Liberty Mutual, Munich Re, RSUI, and Trident.

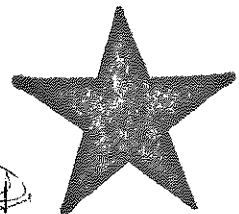
The quotes were reviewed and evaluated by the Office of the Town Attorney. Following such review and evaluation, the Office of the Town Attorney has determined that based upon the terms and coverage afforded, the claim history of the Town, and the cost of the defense of such claims, that the proposal of Greenwich (AXA XL) be selected. Based on compliance with Guideline 7 of the Town's Procurement Policy, it is recommended that Greenwich (AXA XL), through Salerno Brokerage Corp., be selected, at the renewal premium of \$201,829.00, for the period January 28, 2023 to January 28, 2024, with funds to be drawn from Account No. TWN AMS 1910 43010 603 0000 000.

The Inspector General has reviewed the RFP and the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled.

Accordingly, kindly suspend the rules and include this item on the January 24, 2023 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY

Ralph P. Healey
Ralph P. Healey
Deputy Town Attorney



RPH:rph



SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4625 • 516-364-4044 • Fax: 516-364-5901
www.salernoins.com

January 10, 2023

Mr. Ralph Healey, Esq.
Mr. Paul Ehrlich, Esq.
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY

Re: Public Officials Liability renewal policy effective 1/28/2023

Dear Mr. Healey and Mr. Ehrlich:

In advance of the January 28th renewal date, and in advance of the January 12, 2023 deadline, we approached the following carriers to obtain quotations for the Town's Public Officials Liability renewal:

- Greenwich (AXA XL) – Proposal attached and discussed in balance of this letter
- Munich Re- declined to write monoline public officials policy
- Berkley- declined as they prefer not to write monoline policies
- HCC- declined as they don't write monoline policies
- Chubb- declined due to claims; would have requested an SIR as high as \$150,000.
- Liberty Mutual declined as not a market for standalone public officials liability
- Trident- declined as not able to write a standalone professional liability policy
- Hudson – would decline if the 5-year claim history is not great
- Kinsdale – declined
- RSUI – RSUI's policy includes a Third-Party Discrimination exclusion
- AIG – National Union is not targeting towns, cities, villages and the like, for monoline accounts. Their focus in public sector at this time is limited to special districts.
- Lexington- declined

2023-2024 Premium and Retentions:

Greenwich:

\$5,000,000 Limit

\$50,000 Retention per claim with exception of \$75,000 per claim for EPLI

\$201,829 Premium (Expiring was \$194,628.)

We await your renewal instructions on the Public Officials including Employment Practices Liability for the 1/28/2023 renewal.

Cordially,

Maryann K. Aiello

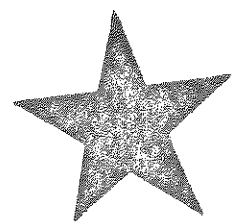
Maryann K. Aiello

Nicole L. Morton

Nicole L. Morton

MKA/NLM:nm

Enc.





P&G Brokers

A Division of Professional Governmental Underwriters, LLC
4870 Sadler Road, Suite 102
Glen Allen, Virginia 23060
Toll Free (800) 586-6502
www.pgbins.com

Public Officials Management & Employment Practices Liability

Date: 12/12/2022

To: Maryann Aiello
Salerno Brokerage Corp. - Syossett
Email: maiello@salernoins.com

From: Shawn Llewellyn
Phone: 804-272-9211
Email: shawnllewellyn@pgbins.com

Proposed Insured: Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771

Application #: POL0955684-REN

Thank you very much for your submission. Based upon the information received and subject to the limitations outlined below, we are pleased to offer the following:

QUOTATION

Coverage: See coverage form PGU POL 2001 (04/2017) for terms, conditions and limitations

Form: Claims Made

Retro Date: None - Full Prior Acts

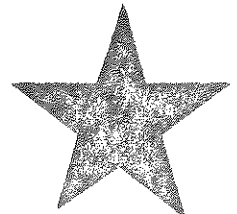
Insurer Information: Greenwich Insurance Company
A member of the AXA XL Group of Companies
Best Rating: A XV
Admitted Insurer

Filings / Taxes: Not Applicable

Commission: 12.00%

Quotation / Indication valid until: 1/28/2023

If we are offering coverage on a surplus lines basis, the agent is responsible for handling of filings unless we note otherwise on this quotation. If we have provided terms using bid specifications or an application other than ours, the quote is subject to change pending review of a completed and signed PGU application.

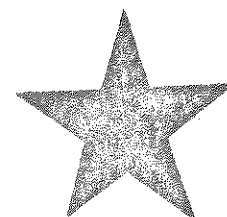


Public Officials Management & Employment Practices Liability

Page 2

Proposed Insured: Town of Oyster Bay

Terms	Limits	Retentions each claim Including LAE	Premium
Public Officials Management	\$1,000,000	\$50,000	\$127,313.00
Employment Practices Liability	\$1,000,000	\$75,000	Included
Policy Aggregate	\$1,000,000		
Non-Monetary Coverage - Defense Only	\$100,000	\$50,000	Included
Non-Monetary Coverage - Defense Only Aggregate	\$200,000		
Crisis Management	\$25,000	\$5,000	Included
Features/Enhancements			
Punitive Damages		N/A	N/A
Personal Injury		See Retentions Above	Included
Third Party Wrongful Acts		See Retentions Above	Included
Back Pay / Front Pay		See Retentions Above	Included
Loss of Earnings		See Retentions Above	Included
FLSA / Wage and Hour Coverage	(SubLimit) \$50,000	See Retentions Above	Included
Fiduciary Coverage	(SubLimit) \$50,000	See Retentions Above	Included
Optional Increased Limits			
	2,000,000 CSL		\$39,609.00
	3,000,000 CSL		\$19,804.00
	4,000,000 CSL		\$9,902.00
	5,000,000 CSL		\$4,951.00
Premium, Fees and Taxes			
	Total Premium:		\$201,579.00
	Policy Fee :		\$250.00
	Total Cost:		\$201,829.00
Comments: By purchasing this coverage, you will have the opportunity to register for our PGU Employer Resource Center that provides unlimited, specific, documented, and confidential advice from employment law attorneys. It also provides on-line training courses, including sexual harassment prevention, available for both supervisors and employees. As well as, on-line tools; a state-specific employee handbook builder, forms, posters, news, and more.			



Proposed Insured: Town of Oyster Bay

SUBJECTIVITIES - WE MUST BE PROVIDED WITH THESE ITEMS BEFORE COVERAGE CAN BE BOUND:

Please note: The Insured can register for our free PGU Employer Resource Center. You will receive the PGU ERC document with the bound policy which will provide instructions for registration.

Deadly Weapon Protection Insurance is available through Professional Governmental Underwriters, Inc. Please contact your underwriter if you are interested in additional information about this new product.

Reminders:

A written request is required to bind coverage.

Backdating of coverage is not allowed.

See attached Coverage Features attachment for additional information.

Limits, retentions, terms and conditions quoted do not necessarily match those requested.

This proposal contains a brief outline of coverages to be included in any policy that may be issued in the future.

This is only a summary and the Terms and Conditions of any policy will take precedence over any proposal.

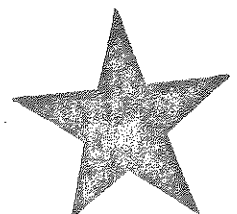
Minimum Earned Premium is the GREATER of \$1,500 or 25% of annual premium.

We will not cancel flat after inception date.

Engineering Fee is non-refundable.

Applicable Forms: (Other forms may apply. Consult Underwriter for details.)

PGU POL 2000 08 19	Public Officials and Employment Practices Liability Declarations
IL MP 9104 0314 GIC 03 14	In Witness
PGU 2002 04 17	Schedule of Policy Forms and Endorsements
PGU POL 2001 04 17	Public Officials and Employment Practices Liability Insurance Policy
PGU POL 1094 NY 04 17	New York State Amendatory
PGU 1052 (POL) 04 17	Minimum Earned Premium Upon Cancellation
PGU POL 1102 04 17	FLSA / Wage and Hour Coverage
PGU POL 1105 04 17	Fiduciary Coverage, Subject to Sublimit
PGU POL 1114 04 17	Defense Expenses Outside Limits of Liability - Capped Amount
PGU 1132 09 21	Pre-Approved Counsel with Capped Rates
PGU 1138 (POL) 04 17	Defense Only Reimbursement Coverage for Breach of Contract
MANU 119 11 19	Eminent Domain Exclusion - Revised Sub-limit
PGU 1170 NY 04 17	New York Regulation 121 - Addendum to Declaration and Application
PGU 1171 NY 04 17	New York Changes - Transfer of Duties When a Limit of Insurance is Used Up
PGU 1133 01 22	US Professional Indemnity - Cyber Exclusion
PN CW 01 01 22	Notice to Policyholders - Fraud Notice
PN CW 02 01 19	Notice to Policyholders - Privacy Policy
PN CW 05 05 19	Notice to Policyholders - U.S. Treasury Department's Office of Foreign Assets Control ("OFAC")





**Professional
Governmental
Underwriters, LLC**

The Authority.

**PGU is The Authority® on
Public Officials Management & Employment Practices Liability**

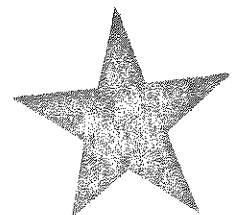
Coverage Features:

Defense in Addition to the Limit <i>(unless otherwise endorsed)</i>	✓
D&O/E&Q/EPL coverage form	✓
Sublimit for Defense for Non-Monetary Claims	✓
Modified Consent to Settle (soft hammer) Clause with only 40% co-insurance requirement for insured	✓
Intentional/Criminal Acts Exclusion to include defense reimbursement until final favorable adjudication	✓
Business Invitee (Third Party) Liability covering Emotional Distress, Sexual Harassment, Discrimination and other allegations	✓
Broad definition of Loss including Back & Front Pay and Punitive Damages with a most favorable venue up to policy limit	✓
Broad definition of Wrongful Act including Personal Injury	✓
Broad definition of Claim including coverage for regulatory proceedings, arbitration hearings and EEOC hearings <i>(subject to exclusions)</i>	✓
Eminent Domain and Inverse Condemnation defense carve-back sublimit	✓
75-day mini-tail at no cost	✓
BI-Lateral ERP options of 1, 2 and 3 years	✓
Sub-Limit for Crisis Management	✓
Sub-limit for Wage & Hour (FLSA)	Available by Endorsement
Sub-Limit for Fiduciary Liability	Available by Endorsement
Defense Only Reimbursement Coverage for Breach of Contract	Available by Endorsement
24/7 Toll-free and on-line access to Employer HELPLINE for employment law and HR support	✓

This document is intended to summarize key coverage features generally available. It does not summarize your quotation/indication. Please review the entire quotation/indication, policy form and endorsements for specific details.

Professional Governmental Underwriters | 4870 Sadler Road, Suite 102, Glen Allen, VA 23060

Toll Free: 800-586-6502 | www.pgu1.com



ENDORSEMENT NO. _____

US PROFESSIONAL INDEMNITY - CYBER EXCLUSION

(Cyber Act, Cyber Incident and Data Breach exclusion)

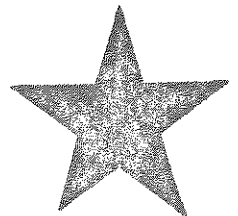
This Endorsement, effective at 12:01 a.m. on _____, forms part of

Policy No.
Issued to
Issued by

In consideration of the premium charged:

1. This Policy shall not apply to any Claim based upon, arising out of, directly or indirectly resulting from, in consequence of, or in any way involving a:
 - a. **Cyber Act;**
 - b. **Cyber Incident;** or
 - c. **Data Breach.**
2. For the purposes of this endorsement, the following terms shall have the meanings set forth below:
 - a. **"Computer System"** means any computer, hardware, software, communications system, electronic device (including, but not limited to, smart phone, laptop, tablet, wearable device), server, cloud or microcontroller including any similar system or any configuration of the aforementioned and including any associated input, output, data storage device, networking equipment or back up facility, owned or operated by the Insured or any other party.
 - b. **"Cyber Act"** means an unauthorized, malicious or criminal act or series of related unauthorized, malicious or criminal acts, regardless of time and place, or the threat or hoax thereof involving access to, processing of, use of or operation of any **Computer System**.
 - c. **"Cyber Incident"** means:
 - i. any error or omission or series of related errors or omissions involving access to, processing of, use of or operation of any **Computer System**; or
 - ii. any partial or total unavailability or failure or series of related partial or total unavailability or failures to access, process, use or operate any **Computer System**.
 - d. **"Data Breach"** means:
 - i. the theft, loss, access to, acquisition of, or unauthorized or unlawful use or disclosure of any person's or organization's confidential or personal information, including patents, trade secrets, processing methods, customer lists, financial information, credit or payment card information, health information, biometric data or any other type of non-public information, involving access to, processing of, use of or operation of any **Computer System**; or
 - ii. the violation of any statute, regulation, common-law, or any other law regulating or protecting access to collection, use or disclosure of, or failure to protect any non-public confidential or personal information in the form of **Electronic Data**.

PGU 1133 0122

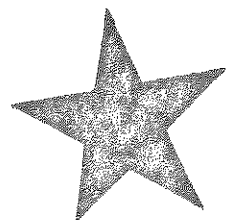


- e. "Electronic Data" means information, facts or programs stored as or on, created or used on, or transmitted to or from computer software, including systems and applications software, hard or floppy disks, CD-ROMs, tapes, drives, cells, data processing devices or any other media which are used with electronically controlled equipment.

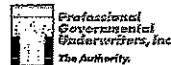
All other terms, conditions and limitations of this Policy shall remain unchanged.

Authorized Representative

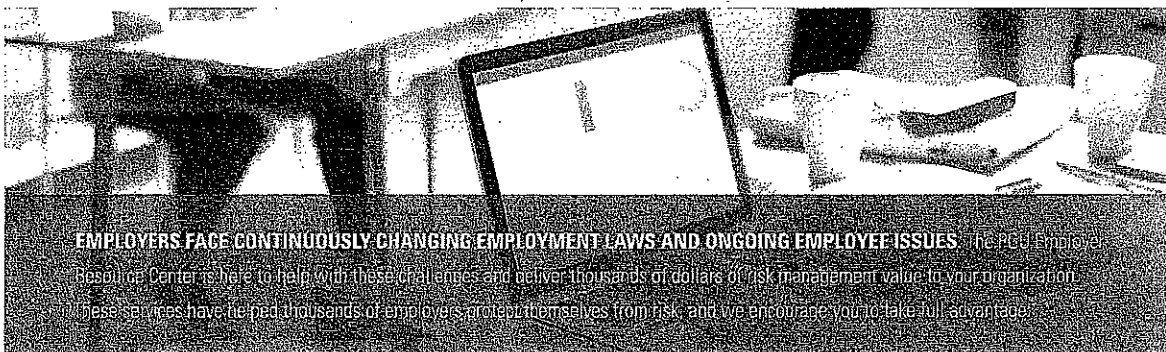
PGU 1133 0122



PGU EMPLOYER RESOURCE CENTER



enquiron
Questions become answers.



EMPLOYERS FACE CONTINUOUSLY CHANGING EMPLOYMENT LAWS AND ONGOING EMPLOYEE ISSUES The PGU Employer Resource Center is here to help with these challenges and deliver thousands of dollars of risk management value to your organization. These services have helped thousands of employers protect themselves from risk, and we encourage you to take full advantage.

Unlimited, specific,
documented, and
confidential advice
from employment law
attorneys



Online training
courses, including
sexual harassment
prevention, available
for both supervisors
and employees









Online tools: a state-
specific employee
handbook builder,
forms, posters, news,
and more

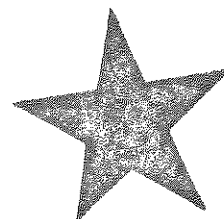
= THOUSANDS OF DOLLARS

IN ANNUAL EMPLOYER VALUE

HOW DOES THE PGU EMPLOYER RESOURCE CENTER WORK?

Employers are provided valuable services and will be personally introduced to the following:

-  Direct access to employment law attorneys to receive confidential, documented responses to your organization's specific questions
-  Resources that address over 50 different employment law and HR/risk management issues
-  Live and recorded topical webinars, many with CE credits for HR personnel
-  A state-specific employee handbook and policy building tool and online training courses
-  Proactive regulatory updates based on each user's selected preferences
-  Dedicated relationship managers that can help you take full advantage of these benefits

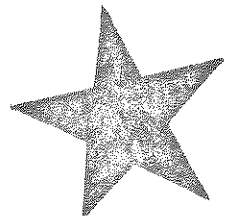


This Transaction Involves CLAIMS MADE Insurance

It would be beneficial to discuss the nature of *claims made* insurance with the insured. The discussion could include, and perhaps not limited to, a review of these policy provisions or concepts:

- Insuring Agreement
- Definition of Claim
- Insured's Duty in the Event of a claim as defined by the policy
- Insured's right (if any) to report situations or circumstances (as they arise) which might reasonably give rise to a future claim as defined by the policy
- Representations on the application are the basis for an insurer to issue a policy for insurance and that incorrect responses can void policy benefits for otherwise covered claims.
- Does any Insured person have knowledge of an act, error, or omission which might reasonably give rise to a claim for which this policy may apply which has not already been reported to the current insurer?
- Retroactive Date if any and that full prior acts coverage does NOT mean full prior claim or full prior situations/circumstances coverage
- The possibility of claims being denied relative to timing of notice, expiration dates, change of carriers, etc
- The terms claim, loss, and wrongful act are not interchangeable as each is distinctly defined
- No policy benefit is available to the Insured if claims are not reported in accordance with provisions of the policy
- A claim is generally considered made when the Insured becomes aware of a claim as defined by the policy
- A claim is typically considered reported on the date the Insured reports it to the insurance company in accordance with claim reporting requirements in the policy
- Other policy provisions or coverage insurance concepts as necessary

This notice is provided as a courtesy only. It is not specific to any Insurer's policy and is intended as an informational alert only. We do not express or imply coverage of any claim or the suitability of any policy or insurer.



Meeting of January 24, 2023

Resolution No.82-2023

WHEREAS, the Town Board of the Town of Oyster Bay must authorize and approve the settlement of any property damage claims brought by the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

WHEREAS, Frank M. Scalera, Town Attorney, and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated January 12, 2023, stated that there was an occurrence on May 16, 2022, whereby the Town owned street sweeper caught fire and was a total loss; and

WHEREAS, after extensive settlement negotiations, this case can be settled by the Town accepting \$91,282.00 for the total loss to the Town's sweeper; and

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as hereinabove set forth, acceptance of the sum of \$91,282.00, is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as a settlement of the Town's sweeper total loss by Crawford & Company, an independent insurance adjusting company representing AGCS Marine Insurance Company of Chicago, Illinois, is hereby authorized and directed to accept payment therefor, with the monies to be deposited into Account No. TWN AMS 00001 02680 000 0000 000.

-#-

3A.
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 Saladino	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: January 12, 2023
SUBJECT: Settlement of Property Damage Claim
Fire Damage to 2013 Elgin Street Sweeper SW187

A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

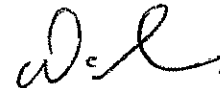
The above referenced claim arose as a result of fire damage which totaled the Town's 2013 Elgin Street Sweeper SW187 on May 16, 2022. Thereafter, a claim was filed with the Town's first-party insurance company, ACGS Marine Insurance Company of Chicago, Illinois.

After extensive settlement negotiations, this matter can be settled for \$91,282.00 with Crawford & Company an independent insurance adjusting company representing AGCS Marine Insurance Company of Chicago, Illinois, to fully settle the property damage to the Town's sweeper, with the monies to be deposited into Account No. TWN AMS 00001 02680 000 0000 000, paying the Town of Oyster Bay the abovementioned amount.

Accordingly, we have attached a resolution authorizing the acceptance of the \$91,282.00 payment from Crawford & Company, to fully settle the property damage to the Town's sweeper.

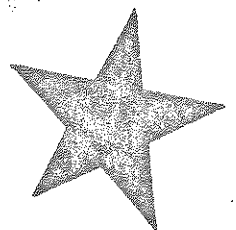
Accordingly, kindly suspend the rules and include this item on the January 24, 2022 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Dennis P. Sheehan
Deputy Town Attorney

DPS:ds
Attachment



Our File No.: [REDACTED]
Amount of Policy: \$50,000,000
Issued: 03-01-2022
Expires: 03-01-2023

SWORN STATEMENT
in
FINAL PROOF OF LOSS

Claim No.: [REDACTED]
Policy Number: MXI93047640
Agency Name:
Salerno Brokerage Corp.

To the AGCS Marine Insurance Company of Chicago, IL.

By the above indicated policy of insurance Town of Oyster Bay is insured against loss by all risk perils, except where excluded upon the property described, according to the terms and conditions of the said policy and all forms, endorsements, transfers and assignments attached thereto.

1. Time and Origin: A loss was discovered on the 16th day of May 2022. The cause and origin of the said loss was FIRE at 150 Miller Place, Syosset New York.

2. Risk: 2013 Isuzu NRR / Elgin Street Sweeper, VIN: JALE5W168D7301091, Unit: SW187

3. Title and Interest: When this policy was acquired and at the time of the loss the interest of your insured in the property described therein was sole and unconditional ownership, and no other person or persons had any interest therein or encumbrance thereon. (State exceptions, if any.) _____

4. Changes: Since the said policy was acquired there has been no assignment thereof, or change of ownership, use, occupancy, possession, location, or exposure of the property described, or of your insured's interest therein. (State exceptions, if any). _____

5. Total Insurance: The total amount of insurance upon the property described by this policy was, at the time of loss, \$194,317 as more particularly specified in the apportionment attached under Schedule, besides which there was no policy or other contract of insurance, written or oral, valid or invalid.

6. The Whole Loss and Damage	\$ 116,282.00
7. Less Deductible	(\$ 25,000.00)
8. Net Loss	\$ 91,282.00
9. Less Prior Payments	(\$ 0.00)
10. Balance -- This Final Proof of Loss	\$ 91,282.00

The said loss did not originate by any act, design or procurement on the part of your insured, or this affiant; nothing has been done by or with the privity or consent of your insured or this affiant, to violate the conditions of the policy, or render it void; no articles are mentioned herein or in annexed schedules but such as were in the building damaged or destroyed, and belonging to, and in possession of the said insured at the time of said loss; no property saved has in any manner been concealed, and no attempt to deceive the said company, as to the extent of said loss, has in any manner been made. Any other information that may be required will be furnished and considered a part of this proof.

The furnishing of this blank or the preparation of proof by a representative of the above insurance company is not a waiver of any of its rights.

Any person who knowingly presents a false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.

State of _____ x _____
Insured

County of _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20____, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____ (Seal)

