

Meeting of February 7, 2023

Resolution No. TF-1-2023

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

ITEM NO.	DEPT.	AMOUNT	FROM
001-23	SAN	\$ 270.00	SAN SR05 8160 46300 000 0000
			TO
		\$ 270.00	SAN SR05 8160 46410 000 0000
002-23	IGA	\$10,000.00	INCREASE
			IGA CD 0001 02170 000 CD22
			INCREASE
		\$10,000.00	IGA CD 8662 28800 727 CD22
003-22	ROT	\$ 975.45	FROM
			ROT A 1330 41300 000 0000
			TO
		\$ 975.45	ROT A 1330 46410 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

2A

1-24-23

Town of Oyster Bay

Inter-Departmental Memo

January 18, 2023

TO: Memorandum Docket

FROM: Daniel M. Pearl, Commissioner/Sanitation Department

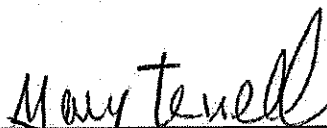
SUBJECT: Transfer of Funds

The Department of Sanitation requests Town Board authorization to transfer the following funds:

From: **SAN SR05 8160 46300 000 0000 Building & Property Maintenance \$270.00**

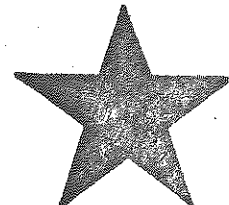
To: **SAN SR05 8160 46410 000 0000 IT Maintenance \$270.00**

This transfer is necessary to cover the additional cost of a project required for the day to day operations of the Solid Waste Disposal Facility.


Mary Tenell DEPUTY COMM.
Daniel M. Pearl
Commissioner
Sanitation Department

DMP/tml
cc:
Steven Ballas, Comptroller

Docket memo transfer of funds for SWDF IT Maintenance January 2023 .doc



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

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: January 20, 2023

SUBJECT: 2022 Increase Budget/Transfer of Funds

Increase


IGA CD 0001 02170 000 CD22 \$ 10,000.00
(Community Development Income General)

Increase

IGA CD 8662 28800 727 CD22 \$ 10,000.00
(Public Facility Improvements-ADA)

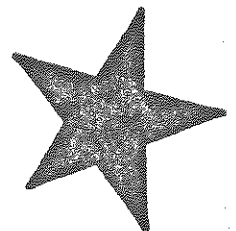
JUSTIFICATION

The above increase is respectfully requested in order to expend funds received from the Deferred Loan Program. These funds are to be utilized within the Community Development Block Grant Program. These particular funds will be utilized for a chairlift installation at the Marine Corp. League in Massapequa.



Frank V. Sammartano
Commissioner

FVS/PA



**TOWN OF OYSTER BAY****Office of the Receiver of Taxes****INTER-DEPARTMENTAL MEMO**

TO: MEMORANDUM DOCKET

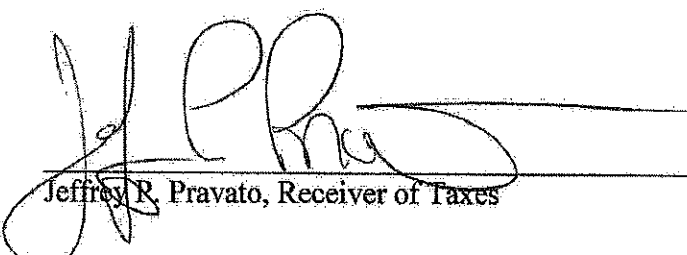
FROM: JEFFREY P. PRAVATO, RECEIVER OF TAXES

RE: TRANSFER OF FUNDS

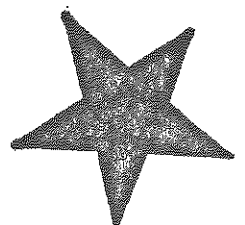
DATE: January 26, 2023

The below transfer of funds is hereby requested so that the Receiver of Taxes has sufficient funds available to cover the increased costs of the annual software maintenance/service contracts.

FROM:	ROT A 1330 41300 000 0000 OFFICE SUPPLIES	\$975.45
TO:	ROT A 1330 46410 000 0000 IT MAINTENANCE	\$975.45



Jeffrey P. Pravato, Receiver of Taxes



John Canning
COMMISSIONER OF FINANCE AND REVENUE
APPROVED

Meeting of February 7, 2023

RESOLUTION P-4-2023

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

Reviewed By
Office of Town Attorney
Monica Wolfe

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 12, 2023, requested Town Board authorization to present the annual 2023 Spring Festival to be held on Saturday, April 22, 2023, from 1:00 p.m. to 4:00 p.m., at Syosset-Woodbury Community Park, Woodbury, with the event to be held outdoors, weather permitting, and free to the public, including crafts, games, inflatables, refreshments, pony rides a petting zoo and additional spring activities at a total cost not to exceed \$10,000, with funds available for payment in Account Nos. CYA A 7020 41800 000 0000, and CYS A 7020 45100 000 0000; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that refreshments will be supplemented by Friends of the Community Service Department, Inc.; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the carnival equipment for this event will be procured through the Purchasing Division, and the vendor, Dynamic Events, Inc., has been vetted by the Purchasing Division and the Inspector General is satisfied the Town's Procurement Policy requirements have been met,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Department of Community and Youth Services to hold the 2022 Spring Festival on Saturday, April 22, 2023, from 1:00 p.m. to 4:00 p.m., at Syosset-Woodbury Community Park, Woodbury, as described above, at a total cost not to exceed \$10,000; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit and that the funds for said payment are to be drawn from Account Nos. CYS A 7020 41800 000 0000 and CYS A 7020 45100 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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

January 12, 2023

TO: Memorandum Docket

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

SUBJECT: 2023 Spring Festival

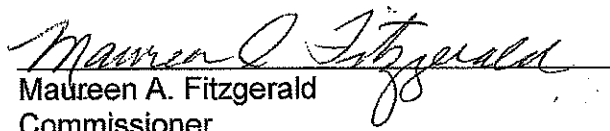
The Department of Community and Youth Services is requesting Town Board authorization to present the annual 2023 Spring Festival. The Festival is scheduled to be held on Saturday, April 22, 2023 from 1:00 PM to 4:00 PM at Syosset-Woodbury Community Park, Jericho Turnpike in Woodbury. This event will be held outdoors, weather permitting.

If approved, this event will be free to the public and will include crafts, games, inflatables, refreshments and additional spring activities. Pony rides and a petting zoo will be provided by Dynamic Events, Inc. The petting zoo will be in a controlled and fenced-in area under the direct supervision of the vendor.

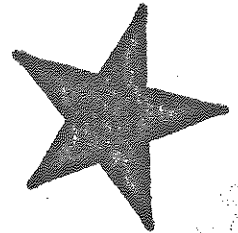
The carnival equipment for the event will be procured through the Purchasing Division. The carnival equipment vendor, Dynamic Events, has been vetted through the Exiger System by the Purchasing Division and the Inspector General is satisfied that the Town's procurement policy requirements have been met.

The Town's responsibility for the cost of this event will not exceed \$10,000. Funding is available in account CYS A 7020 41800 000 0000, Recreational Supplies and CYS A 7020 45100 000 0000, Equipment Rental. Refreshments will be supplemented by *Friends of the Community Service Department, Inc.*

Therefore, it is respectfully requested that the Town Board authorize the Department to present the Spring Festival.


Maureen A. Fitzgerald
Commissioner

MAF:kf



Meeting of February 7, 2023

Resolution No. 84-2023

Reviewed By
Office of Town Attorney

America Walpe

WHEREAS, Maureen Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 12, 2023, requested Town Board authorization to sponsor enrichment workshops and to retain the professional services of the instructors listed on the attached chart for the locations, services and fees set forth therein, for the Spring 2023 Enrichment Program Workshops, and by said memorandum Commissioner Fitzgerald advised that the registration fees for the Adult Workshops will range from \$20.00 to \$85.00 for residents and \$35.00 to \$125.00 for non-residents, and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 0000; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Department of Community and Youth Services be granted Town Board authorization to cancel workshops, issue refunds, and make changes to the date, time and location of the workshops as needed; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the funds for the instructional fees are available in Account No. CYS A 7020 47660 000 0000 Special Events, and will not exceed \$7,460.00; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that in accordance with Guideline 5 of the Town's Procurement Policy, these instructors are exempt from the solicitation, written proposal or quotation requirements of the policy; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the Office of the Inspector General has reviewed the proposed vendors' disclosure questionnaires 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 approved, and the Department of Community and Youth Services, is hereby authorized to retain the professional services of the instructors listed on the chart attached hereto and made a part hereof, for the locations, services and fees set forth therein, for the Spring 2023 Enrichment Program Workshops; and be it further

RESOLVED, That the registration fees for the Adult Workshops will be range from \$20.00 to \$85.00 for residents and \$35.00 to \$125.00 for non-residents, and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 0000, and be it further

RESOLVED, That the Department of Community and Youth Services is hereby authorized to cancel workshops, issue refunds and make changes to the date, time and location as needed and the Comptroller is hereby authorized to process refunds for resident and non-resident fees, upon presentation 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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

January 12, 2022

TO: Memorandum Docket

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

SUBJECT: Spring 2023 Workshop Enrichment Program – Instructional Services


The Department of Community & Youth Services is requesting Town Board authorization to sponsor enrichment workshops and to retain the professional services of Instructors to conduct those workshops.

The workshop type, location, Instructor and fee for each workshop are listed on the attached chart. The funds for the instructional fees will be paid from Account CYS A 7020 47660 000 0000, *Special Events*, and will not exceed \$7,460.00. Registration fees for the workshops will range from \$20.00 to \$85.00 for residents and \$35.00 to \$125.00 for non-residents. The registration fees collected from the workshops shall be deposited in Account CYS A 0001 02001 511 0000.

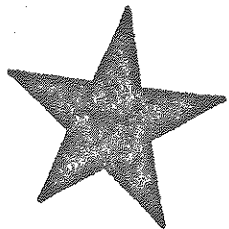
The workshops are in accordance with Guideline 5, Section b. of the Town's Procurement Policy therefore, no solicitation, written proposal or quotation is required. These Vendors have been vetted through the Exiger System and the Inspector General is satisfied that the requirements of the Town's Procurement Policy has been fulfilled.

The Department also requests authorization for the Commissioner to cancel workshops, issue refunds and make changes to the date, time and location of the workshops as needed. Said refunds will be issued by the Town Comptroller's Office after audit.

Therefore, it is respectfully requested that the Town Board authorize the Agreements and further authorize the Supervisor and/or his designee and/or the Commissioner of the Department to execute said agreements.

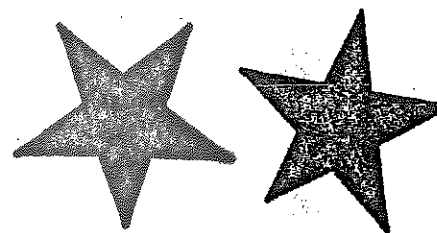

(Maureen A. Fitzgerald)
Commissioner

MAF:kh
Attachments



2023 Spring Instructional Services	Check Payable to:	Community Centers	Fee per Session x Amount of Sessions	Amount Not to Exceed
<u>Oil Painting</u> One (1) Adult Workshop. Ten (10) sessions for each workshop.	<u>Jock Anderson</u> [REDACTED]	Syosset- Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
<u>Drawing Fundamentals</u> One (1) Adult Workshop. Ten (10) sessions.	<u>Jock Anderson</u> [REDACTED]	Syosset- Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
<u>Figure Drawing</u> One (1) Adult Workshop. Six (6) sessions.	<u>Jock Anderson</u> [REDACTED]	Syosset- Woodbury	\$100 per session x six (6) sessions	\$600
<u>Painting with Acrylics</u> One (1) Adult Workshop. Ten (10) sessions.	<u>Kevin Larkin</u> [REDACTED]	Syosset- Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
<u>Sumi-E Painting</u> One (1) Adult Workshop Ten (10) Sessions	<u>Gladys Stewart</u> [REDACTED]	Syosset - Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
<u>Watercolor Painting I</u> <u>Watercolor Painting II</u> Two (2) Adult Workshops. Ten (10) sessions for each workshop. Twenty (20) sessions total.	<u>Rita Broughton</u> [REDACTED]	Syosset- Woodbury	\$100 per session x twenty (20) sessions	\$2,000.00
<u>DIY Chunky Hand Knit Blanket</u> Two (2) Adult Workshops. One (1) Session for each workshop.	<u>Laura Escobar</u> [REDACTED]	North Massapequa	\$160 per session x two (2) sessions	\$320.00
<u>Paint in the Park</u> One (1) Adult Workshop One (1) Session	<u>Paige Citarella</u> [REDACTED]	Theodore Roosevelt Memorial Park	Amount not to exceed \$540 per session x (1) session	\$540.00

TOTAL: \$7,460.00



Meeting of February 7, 2023

Resolution No. 85-2023

WHEREAS, DANIEL BASSEY has applied for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 35 Alhambra Road, Massapequa, New York 11758, known and designated as Section 65, Block 97, Lot 557, on the Nassau County Land and Tax Map; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, and Timothy R. Zike, Deputy Commissioner, Department of Planning and Development, by memorandum dated January 9, 2023, stated that Chapter 241 of the Code of the Town of Oyster Bay ("Code") requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and requested a calendar date of February 7, 2023, for Town Board action, in connection with the aforementioned application; and

WHEREAS, pursuant to the Code, Chapter 241, "Waterways", Section 241-9, "Applications", Commissioner Maccarone, and Deputy Commissioner Zike, by said memorandum directed DANIEL BASSEY, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code; and

WHEREAS, more than 14 days have elapsed since said Affidavit of Mailing Notice was provided; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated December 13, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board declares that the aforementioned dock application is a Type II Action pursuant to the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c) (12) Type II Actions List; and be it further

RESOLVED, That the application of DANIEL BASSEY, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 35 Alhambra Road, Massapequa, New York 11758, known and designated as Section 65, Block 97, Lot 557 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

SAF

7

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

85

TO: MEMORANDUM DOCKET

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

DATE: JANUARY 9, 2023

SUBJECT: WATERWAYS REVIEW
DANIEL BASSEY
35 ALHAMBRA RD
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 97, LOT(S) 557
DOCK BUILDING PERMIT APPLICATION # 22110127

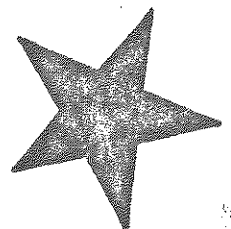
We have received a request from Daniel Bassey to "install 20' x 6' float and a 6' x 5' access platform in a regulated NYS tidal wetlands." An email from the Department of the Army, New York District, Corps of Engineers classifying this project as a Nationwide Permit No. 2 dated October 31, 2022 and a warning letter from the New York State Department of Environmental Conservation dated September 28, 2022. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 22110127; an email from the Department of the Army, New York District, Corps of Engineers classifying this project as a Nationwide Permit No. 2 dated October 31, 2022, a warning letter from the New York State Department of Environmental Conservation dated September 28, 2022 and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated December 8, 2022. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated December 13, 2022, classifying the project as a TYPE II ACTION under SEQRA.

The relevant documents are attached for your review.

The proposed work at the subject premises would, in the Department's opinion, be compatible with the surrounding area.

Pursuant to Section §241-9(E)(3) of the Code of the Town of Oyster Bay, all persons, local governments, other agencies or corporations having any property or operating any facilities on the two properties on both sides of the premises for which the permit is sought (four properties in total), and any properties which have any frontage on a waterway and are directly opposite from the subject premises shall be notified at least 14 days in advance, in writing, of the appearance of such matter for Town Board action. It is



HONORABLE MEMBERS OF THE TOWN BOARD
WATERWAYS REVIEW
DANIEL BASSEY
35 ALHAMBRA RD
MASSAPEQUA, NY 11758
SECTION 65, BLOCK 97, LOT(S) 557
DOCK BUILDING PERMIT APPLICATION # 22110127

Page 2

the responsibility of the applicant to issue said notices and the applicant shall bear the cost of same. Therefore, I respectfully request that this application be put on the agenda for the February 07, 2023 Town Board calendar to provide the applicant ample time to comply with this requirement.

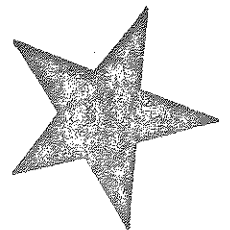
Elizabeth L. MacCarone
ELIZABETH L. MACCARONE
COMMISSIONER

BY *Timothy R. Zike*
TIMOTHY R. ZIKE
Deputy Commissioner

ELM/dh *dh*
Encls.

cc: Legislative Affairs (2 copies w/ attachments)
cc: Town Attorney's Office, Attn: Dennis Sheehan

dm





TOWN OF OYSTER BAY
DEPARTMENT OF PLANNING & DEVELOPMENT
DIVISION OF BUILDING
Town Hall
Oyster Bay, New York 11771

22110127

APPLICATION FOR PERMIT TO BUILD OR INSTALL

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

PROPERTY OWNER: David Bussan 35 Alhambra Rd. Massapequa NY 11758 516-607-5003
LESSEE: _____
TENANT: _____
APPLICANT: Same
ARCHITECT: Rob Stephenson 41 Shaw Ave. Babylon NY 11702 516-607-5003
CONTRACTOR: John H. H. 35 Alhambra Rd. Massapequa NY 11758 516-607-5003
PLUMBER: _____
ELECTRICIAN: _____

ADDRESS OF CONSTRUCTION:
IF DIFFERENT FROM ABOVE NO. & STREET POST OFFICE ZIP CODE

LOCATION OF PROPERTY: N.E.S.W. SIDE OF _____ FEET
OR
N.E.S.W. OF _____ corner of _____ and _____
(STREET) (STREET) (POST OFFICE) (POST OFFICE)

A. TYPE OF IMPROVEMENT
EXISTING ☒ PROPOSED _____
1. NEW BUILDING/STRUCTURE _____
2. ADDITION/EXTENSION _____
3. ALTERATION (i.e. Garage/Conv.) _____
4. DECK _____
5. AWNING/ROOF-OVER _____
6. CELLAR ENTRANCE _____
7. REISSUE # _____
8. OTHER Deck

B. PROPOSED USE
EXISTING ☒ PROPOSED _____
1. ONE FAMILY _____
2. TWO FAMILY _____
3. PARENT CHILD _____
4. GARAGE _____
5. BUSINESS _____
6. INDUSTRIAL _____
7. RESTAURANT _____
8. PUBLIC ASSEMBLY _____
9. OTHER Deck

DESCRIBE THE WORK IN DETAIL (Size and Dimensions of Structure(s))

Get permit for pre-existing floating deck and ramp

A Disclosure Affidavit needs to be filed with the Application if there is a potential conflict of interest between a property owner, applicant, contractor or other involved party to an application and any employees or other relationships to the Town of Oyster Bay.

HAVE BOTH AFFIDAVITS NOTARIZED

THE OWNER OF THE BUILDING & THE UNDERSIGNED AGREE TO CONFORM TO ALL APPLICABLE LAWS OF THE TOWN OF OYSTER BAY, COUNTY OF NASSAU & STATE OF NEW YORK

APPLICANT

STATE OF NEW YORK
COUNTY OF NASSAU

David Bussan being duly sworn, deposes and says: That he/she resides at 35 Alhambra Rd. Massapequa NY in the hamlet of Massapequa in the State of NY and that he/she is authorized by the Owner who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponent's own knowledge.

Address: 35 Alhambra Rd. Massapequa NY
Phone: 516-607-5003
(Sign here) _____
Sworn to before me this 20 day of September 2022

Annamarie Ramondo
NOTARY PUBLIC

ANNAMARIE RAMONDO
Notary Public - State of New York
NO. 01966240053
Qualified in Suffolk County
My Commission Expires Apr 25, 2023

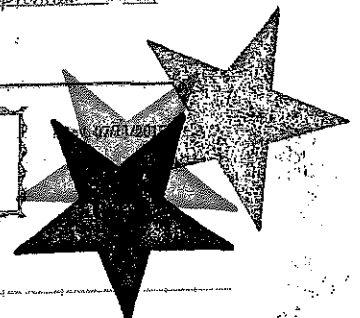
STATE OF NEW YORK
COUNTY OF NASSAU

David Bussan being duly sworn, deposes and says: That he/she resides at 35 Alhambra Rd. Massapequa NY in the hamlet of Massapequa in the State of NY and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.

(Sign here) _____ (owner)
Sworn to before me this 20 day of September 2022

Annamarie Ramondo
NOTARY PUBLIC

ANNAMARIE RAMONDO
Notary Public - State of New York
NO. 01966240053
Qualified in Suffolk County
My Commission Expires Apr 25, 2023



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish, Wildlife & Marine Resources, Bureau of Marine Habitat Protection, Region 1
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790
P: (631) 444-0295 | F: (631) 444-0297
www.dec.ny.gov

WARNING LETTER

September 28, 2022

Daniel Bassey
35 Alhambra Road
Massapequa, NY 11758

Re: 35 Alhambra Road, Massapequa (Nassau)
Nassau Tax Map ID: 65 - 97 - 469

Dear Sir/Madam;

During a recent inspection, Department staff noted a potential violation at 35 Alhambra Road, Massapequa (Nassau County). Specifically, installation of a 20' x 8' float and a 6' x 5' access platform in a regulated NYS tidal wetland, without the benefit of a NYSDEC permit to do so. These are regulated activities within the Department's Tidal Wetland jurisdiction and therefore, require a permit from the Department.

Conducting regulated activities without the required NYSDEC permits is a violation of Article 25 of the State's Environmental Conservation Law. Such violations may be subject to a maximum penalty of \$10,000 per day per violation.

At this time, the Department is issuing this warning letter in lieu of further enforcement action against you. We now consider this violation resolved. You are reminded, however, that any future regulated activity will require the appropriate permits.

Thank you for your cooperation in this matter.

Sincerely,

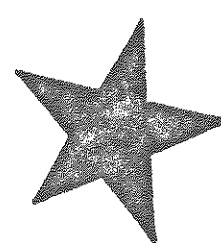


Andrew Walker
Regional Manager
Bureau of Marine Habitat Protection
Region One- Stony Brook

cc: W22DD06



Department of
Environmental
Conservation



Dawn Hauner

From: [REDACTED]
Sent: Friday, December 16, 2022 12:14 PM
To: Dawn Hauner
Subject: Fwd: [Non-DoD Source] Request to submit "Letter of Permission" From Daniel
Bassey-35 Alhambra Rd Massapequa

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!

-----Original Message-----

From: Walker, Andrew C (DEC) <andrew.walker@dec.ny.gov>
To: Orzel, Brian A CIV USARMY CENAN (USA) <Brian.A.Orzel@usace.army.mil>; Dan Trim Man <dba2648977@aol.com>
Sent: Mon, Oct 31, 2022 10:02 pm
Subject: Re: [Non-DoD Source] Request to submit "Letter of Permission"

Brian - Thanks for the e-mail.

Mr. Bassey - Hopefully, I can address your next steps to resolve any issue(s) with NYSDEC. From the information below, am I correct in presuming that the questions you have relate to the bulkhead and/or platform/ramp/floats? Additionally, you may have to reach out to the Town regarding these structures as well. Can you forward me the "letter from the NYSDEC dated September 28, 2022," in addition to any other relevant documents, photos, etc.? Hopefully we can address your issue in short order.

Sincerely,

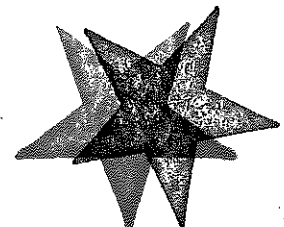
Andrew C. Walker
Regional Manager, Bureau of Marine Habitat Protection, Region 1

New York State Department of Environmental Conservation
50 Circle Road, Stony Brook, NY 11790-3409
P: (631) 444-0295 | F: (631) 444-0297 | Andrew.Walker@dec.ny.gov
www.dec.ny.gov | | | |

From: Orzel, Brian A CIV USARMY CENAN (USA) <Brian.A.Orzel@usace.army.mil>
Sent: Monday, October 31, 2022 5:52 PM
To: [REDACTED]
Cc: Walker, Andrew C (DEC) <andrew.walker@dec.ny.gov>
Subject: RE: [Non-DoD Source] Request to submit "Letter of Permission"

You don't often get email from brian.a.orzel@usace.army.mil. [Learn why this is important](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.



Mr. Bassey,

There are a class of permits called nationwide general permits that are for different, relatively minor projects. NWP 2, as listed in the attached public notice dated February 11, 2022, is for Structures in Artificial Canals. Your property at 35 Alhambra Road in Massapequa includes waterfront along Alhambra Channel.

I went to NYS Department of State's web site at: <https://dos.nys.gov/using-coastal-act-is-gis-gateway>. Within the mapping program, I was able to confirm that Alhambra Channel is categorized by NYSDOS as an artificial canal, so structures within Alhambra Channel are eligible for consideration under NWP 2. Please read the attached public notice, including the listing for NWP 2, the general conditions and the regional conditions. You will likely find that the construction of marine structures within Alhambra Channel are covered by NWP 2, without the need to have applied for a written, project specific permit letter from this office. As long as the work complies with the terms and conditions of NWP 2, the general conditions and the regional conditions, and notification is not required, your compliance with the NWP conditions is your permit.

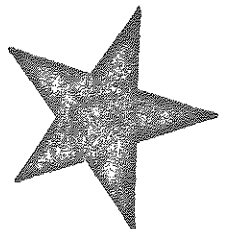
Also attached is our latest applicant information guide for your information.

It should be noted that any permit that you might qualify for from the Corps of Engineers does not obviate the need for other local, state or federal permits that you might need.

Your recent submittal to this office included a letter from the NYSDEC dated September 28, 2022, in which they appear to state that you need a permit from NYSDEC. The above discussion does not apply to any requirements you might need to satisfy in order to receive a permit from NYSDEC. It is suggested that you work with NYSDEC to meet their qualifications for your work.

Brian

Brian A. Orzel
Senior Regulatory Project Manager, Civil Engineer
NY District US Army Corps of Engineers
Regulatory Branch
26 Federal Plaza, Room 16-406
New York, New York 10278-0090



STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR
ROBERT J. RODRIGUEZ
SECRETARY OF STATE

December 8, 2022

Daniel Bassey
35 Alhambra Road
Massapequa, New York 11758
Email: [REDACTED]

Re: F-2022-0930
U.S. Army Corps of Engineers/New York District
Permit Application -- Daniel Bassey
Installation of a 20' x 6' float and a 6' x 5' access
platform.
35 Alhambra Road (Alhambra Channel)
Town of Oyster Bay, Nassau County
No Review Necessary

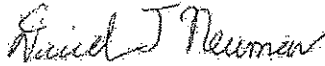
Dear Daniel Bassey:

The Department of State received your Federal Consistency Assessment Form and supporting information on 12/1/2022. From the information provided, it appears that the proposed action may be authorized by the Army Corps of Engineers under a Nationwide Permit that the Department of State has already concurred with, and as such further review by the Department of State is not required.

Should the Army Corps determine that the proposed project may not be conducted under the Nationwide Permit program or if the project is modified, please contact the Department of State to determine if further review is required.

This is without prejudice to and does not obviate the need to obtain all other applicable license, permits, other forms of authorizations or approvals that may be required pursuant to existing New York State statutes.

Sincerely,



David J. Newman
Supervisor, Consistency Review Unit
Office of Planning, Development and
Community Infrastructure

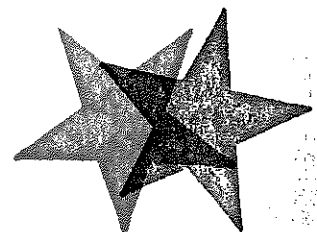
DJN/dc

cc:

COE/New York District -- Arlene.Tirado@usace.army.mil
DEC Region 1 -- [dec.sm.dep.r1](#)



Department
of State



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

December 13, 2022

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

FROM: GEORGE BAPTISTA, JR., DEPUTY COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT;
REVIEW OF WATERWAY APPLICATION NUMBER 22110127;
DANIEL BASSEY

LOCATION: 35 ALHAMBRA ROAD, MASSAPEQUA, NY 11758
SECTION 65, BLOCK 97, LOT(S) 557

Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQR, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay Town Code), the Department of Environmental Resources has reviewed the above-captioned application.

Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, §B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances."

Actions or classes of actions identified in the above-referenced sections of SEQR/TEQR have been pre-determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8.

Inasmuch as the proposed action is on SEQR's pre-determined Type II Actions list and the TEQR Law Type II Actions List, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.


GEORGE BAPTISTA, JR.
DEPUTY COMMISSIONER

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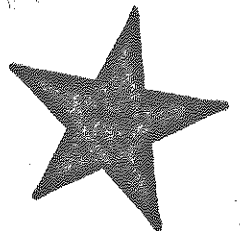
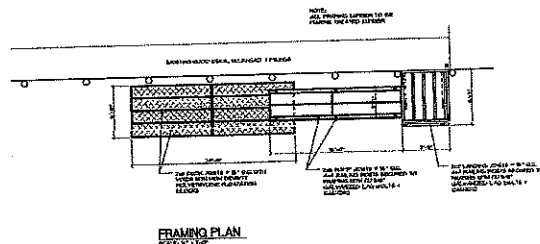
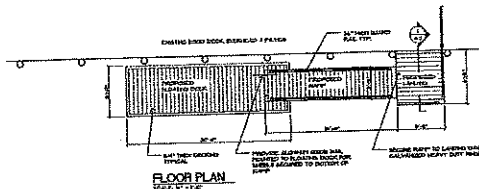
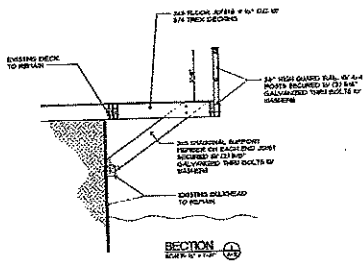


TABLE 1: CLIMATE AND GEOGRAPHIC DESIGN CRITERIA											
PARAMETER	UNIT	VALUE	REFERENCE	PARAMETER	UNIT	VALUE	REFERENCE	PARAMETER	UNIT	VALUE	REFERENCE
Design Temp	°F	100	ASCE 7-05	Design Wind Speed	mph	120	ASCE 7-05	Design Rainfall	in	4.0	ASCE 7-05
Ground Temp	°F	60	ASCE 7-05	Design Snow Load	psf	30	ASCE 7-05	Design Flood	ft	10	ASCE 7-05
Max Wind Speed	mph	140	ASCE 7-05	Design Ice Load	psf	0	ASCE 7-05	Design Seismicity	Zone	4	ASCE 7-05
Min Wind Speed	mph	10	ASCE 7-05	Design Hail Load	psf	0	ASCE 7-05	Design Earthquake	Zone	4	ASCE 7-05

Table 2: Material Schedule		
ITEM DESCRIPTION	Quantity	Unit
1. 4" x 8" x 16' Joist (12' span)	12	Linear Feet
2. 2" x 8" x 16' Joist (12' span)	12	Linear Feet
3. 1" x 8" x 16' Joist (12' span)	12	Linear Feet
4. 2" x 6" x 16' Joist (12' span)	12	Linear Feet
5. 1" x 6" x 16' Joist (12' span)	12	Linear Feet
6. 2" x 4" x 16' Joist (12' span)	12	Linear Feet
7. 1" x 4" x 16' Joist (12' span)	12	Linear Feet
8. 2" x 2" x 16' Joist (12' span)	12	Linear Feet
9. 1" x 2" x 16' Joist (12' span)	12	Linear Feet
10. 2" x 1" x 16' Joist (12' span)	12	Linear Feet
11. 1" x 1" x 16' Joist (12' span)	12	Linear Feet
12. 2" x 1" x 8' Joist (8' span)	12	Linear Feet
13. 1" x 1" x 8' Joist (8' span)	12	Linear Feet
14. 2" x 1" x 4' Joist (4' span)	12	Linear Feet
15. 1" x 1" x 4' Joist (4' span)	12	Linear Feet
16. 2" x 1" x 2' Joist (2' span)	12	Linear Feet
17. 1" x 1" x 2' Joist (2' span)	12	Linear Feet
18. 2" x 1" x 1' Joist (1' span)	12	Linear Feet
19. 1" x 1" x 1' Joist (1' span)	12	Linear Feet
20. 2" x 1" x 6" Joist (6" span)	12	Linear Feet
21. 1" x 1" x 6" Joist (6" span)	12	Linear Feet
22. 2" x 1" x 3" Joist (3" span)	12	Linear Feet
23. 1" x 1" x 3" Joist (3" span)	12	Linear Feet
24. 2" x 1" x 1 1/2" Joist (1 1/2" span)	12	Linear Feet
25. 1" x 1" x 1 1/2" Joist (1 1/2" span)	12	Linear Feet
26. 2" x 1" x 3/4" Joist (3/4" span)	12	Linear Feet
27. 1" x 1" x 3/4" Joist (3/4" span)	12	Linear Feet
28. 2" x 1" x 1/2" Joist (1/2" span)	12	Linear Feet
29. 1" x 1" x 1/2" Joist (1/2" span)	12	Linear Feet
30. 2" x 1" x 1/4" Joist (1/4" span)	12	Linear Feet
31. 1" x 1" x 1/4" Joist (1/4" span)	12	Linear Feet
32. 2" x 1" x 1/8" Joist (1/8" span)	12	Linear Feet
33. 1" x 1" x 1/8" Joist (1/8" span)	12	Linear Feet
34. 2" x 1" x 1/16" Joist (1/16" span)	12	Linear Feet
35. 1" x 1" x 1/16" Joist (1/16" span)	12	Linear Feet

SYMBOLS

1. 4" x 8" x 16' Joist	2. 2" x 8" x 16' Joist	3. 1" x 8" x 16' Joist	4. 2" x 6" x 16' Joist	5. 1" x 6" x 16' Joist	6. 2" x 4" x 16' Joist	7. 1" x 4" x 16' Joist	8. 2" x 2" x 16' Joist	9. 1" x 2" x 16' Joist	10. 2" x 1" x 16' Joist	11. 1" x 1" x 16' Joist	12. 2" x 1" x 8' Joist	13. 1" x 1" x 8' Joist	14. 2" x 1" x 4' Joist	15. 1" x 1" x 4' Joist	16. 2" x 1" x 2' Joist	17. 1" x 1" x 2' Joist	18. 2" x 1" x 1' Joist	19. 1" x 1" x 1' Joist	20. 2" x 1" x 6" Joist	21. 1" x 1" x 6" Joist	22. 2" x 1" x 3" Joist	23. 1" x 1" x 3" Joist	24. 2" x 1" x 1 1/2" Joist	25. 1" x 1" x 1 1/2" Joist	26. 2" x 1" x 3/4" Joist	27. 1" x 1" x 3/4" Joist	28. 2" x 1" x 1/2" Joist	29. 1" x 1" x 1/2" Joist	30. 2" x 1" x 1/4" Joist	31. 1" x 1" x 1/4" Joist	32. 2" x 1" x 1/8" Joist	33. 1" x 1" x 1/8" Joist	34. 2" x 1" x 1/16" Joist	35. 1" x 1" x 1/16" Joist	36. 2" x 1" x 1/32" Joist	37. 1" x 1" x 1/32" Joist	38. 2" x 1" x 1/64" Joist	39. 1" x 1" x 1/64" Joist	40. 2" x 1" x 1/128" Joist	41. 1" x 1" x 1/128" Joist	42. 2" x 1" x 1/256" Joist	43. 1" x 1" x 1/256" Joist	44. 2" x 1" x 1/512" Joist	45. 1" x 1" x 1/512" Joist	46. 2" x 1" x 1/1024" Joist	47. 1" x 1" x 1/1024" Joist	48. 2" x 1" x 1/2048" Joist	49. 1" x 1" x 1/2048" Joist	50. 2" x 1" x 1/4096" Joist	51. 1" x 1" x 1/4096" Joist	52. 2" x 1" x 1/8192" Joist	53. 1" x 1" x 1/8192" Joist	54. 2" x 1" x 1/16384" Joist	55. 1" x 1" x 1/16384" Joist	56. 2" x 1" x 1/32768" Joist	57. 1" x 1" x 1/32768" Joist	58. 2" x 1" x 1/65536" Joist	59. 1" x 1" x 1/65536" Joist	60. 2" x 1" x 1/131072" Joist	61. 1" x 1" x 1/131072" Joist	62. 2" x 1" x 1/262144" Joist	63. 1" x 1" x 1/262144" Joist	64. 2" x 1" x 1/524288" Joist	65. 1" x 1" x 1/524288" Joist	66. 2" x 1" x 1/1048576" Joist	67. 1" x 1" x 1/1048576" Joist	68. 2" x 1" x 1/2097152" Joist	69. 1" x 1" x 1/2097152" Joist	70. 2" x 1" x 1/4194304" Joist	71. 1" x 1" x 1/4194304" Joist	72. 2" x 1" x 1/8388608" Joist	73. 1" x 1" x 1/8388608" Joist	74. 2" x 1" x 1/16777216" Joist	75. 1" x 1" x 1/16777216" Joist	76. 2" 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1/19807040628566084398385987584" Joist	215. 1" x 1" x 1/19807040628566084398385987584" Joist	216. 2" x 1" x 1/39614081257132168796771975168" Joist	217. 1" x 1" x 1/39614081257132168796771975168" Joist	218. 2" x 1" x 1/79228162514264337593543950336" Joist	219. 1" x 1" x 1/79228162514264337593543950336" Joist	220. 2" x 1" x 1/158456325028528675187087900672" Joist	221. 1" x 1" x 1/158456325028528675187087900672" Joist	222. 2" x 1" x 1/316912650057057350374175801344" Joist	223. 1" x 1" x 1/316912650057057350374175801344" Joist	224. 2" x 1" x 1/633825300114114700748351602688" Joist	225. 1" x 1" x 1/633825300114114700748351602688" Joist	226. 2" x 1" x 1/1267650600228229401496703205376" Joist	227. 1" x 1" x 1/1267650600228229401496703205376" Joist	228. 2" x 1" x 1/2535301200456458802993406410752" Joist	229. 1" x 1" x 1/2535301200456458802993406410752" Joist	230. 2" x 1" x 1/5070602400912917605986812821504" Joist	231. 1" x 1" x 1/5070602400912917605986812821504" Joist	232. 2" x 1" x 1/10141204801825835211973625643008" Joist	233. 1" x 1" x 1/10141204801825835211973625643008" Joist	234. 2" x 1" x 1/20282409603651670423947251286016" Joist	235. 1" x 1" x 1/20282409603651670423947251286016" Joist	236. 2" x 1" x 1/40564819207303340847894502572032" Joist	237. 1" x 1" x 1/40564819207303340847894502572032" Joist	238. 2" x 1" x 1/81129638414606681695789005144064" Joist	239. 1" x 1" x 1/81129638414606681695789005144064" Joist	240. 2" x 1" x 1/162259276829213363391578010288128" Joist	241. 1" x 1" x 1/162259276829213363391578010288128" Joist	242. 2" x 1" x 1/324518553658426726783156020576256" Joist	243. 1" x 1" x 1/324518553658426726783156020576256" Joist	244. 2" x 1" x 1/649037107316853453566312041152512" Joist	245. 1" x 1" x 1/649037107316853453566312041152512" Joist	246. 2" x 1" x 1/1298074214633706907132624082305024" Joist	247. 1" x 1" x 1/1298074214633706907132624082305024" Joist	248. 2" x 1" x 1/2596148429267413814265248164610048" Joist	249. 1" x 1" x 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EXISTING TO MAINTAIN FLOATING DOCK
BASSETT RESERVE
1000 N. MAIN ROAD
MASSAQUETUA, NY 11758

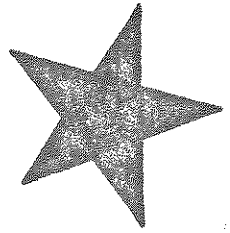
Robert A. Stephenson
Architect
PLC

41 West Lough
 Babylon, New York 11702
 Telephone: (516) 661-1111
 Fax: (516) 661-1112

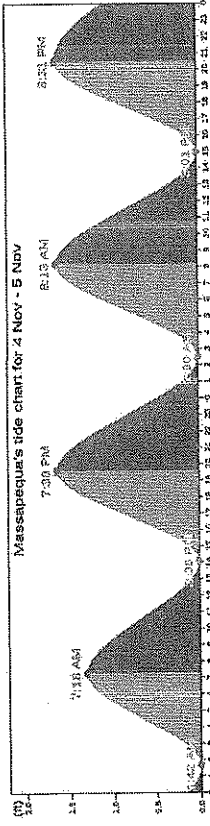
MASSACHUSETTS PLANNING BOARD
REGISTERED ARCHITECT
NO. 11758
MASSACHUSETTS, NY 11758

DATE: 1/1/00
 DRAWN: RAS
 CHECKED: RAS
 SCALE: 1/4" = 1'-0"

B5-A-2



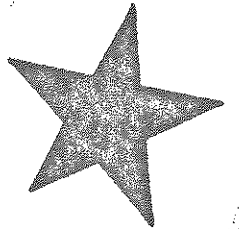
Massapequa tide charts for today, tomorrow and this week



Friday 4 November 2022, 12:51PM EDT (GMT -0400). The tide is currently falling in Massapequa. As you can see on the tide chart, the highest tide of 1.54ft will be at 7:38pm and the lowest tide of 0ft was at 1:42am.



Next low tide is at
2:09pm

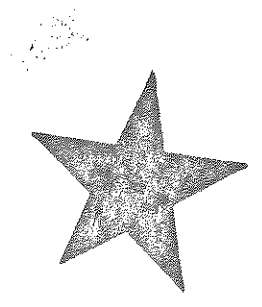


	12:00 AM	06:00 AM	12:00 PM	06:00 PM	12:00 PM
Fri 4	8:02am 7:0 ft	7:16am 4:13 ft	2:05pm 7:0 ft	7:30pm 4:14 ft	8:47pm 7:0 ft
Sat 5	8:10am 7:0 ft	6:13am 4:16 ft	3:03pm 7:0 ft	8:31pm 4:14 ft	8:46pm 7:0 ft
Sun 6	8:18am 7:0 ft	6:01am 4:14 ft	3:38pm 7:0 ft	8:19pm 4:14 ft	8:45pm 7:0 ft
Mon 7	8:58am 7:0 ft	5:44am 4:14 ft	4:23pm 7:0 ft	10:04pm 4:14 ft	8:43pm 7:0 ft
Tue 8	4:11am 7:0 ft	10:24am 4:14 ft	5:23pm 7:0 ft	10:45pm 4:14 ft	8:42pm 7:0 ft
Wed 9	5:21am 7:0 ft	11:03am 4:14 ft	6:45pm 7:0 ft	11:28pm 4:13 ft	8:41pm 7:0 ft
Thu 10	6:10am 7:0 ft	11:41am 4:14 ft	8:47pm 7:0 ft	6:35am 7:0 ft	8:40pm 7:0 ft

Tide table for Massapequa this week

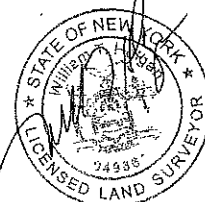
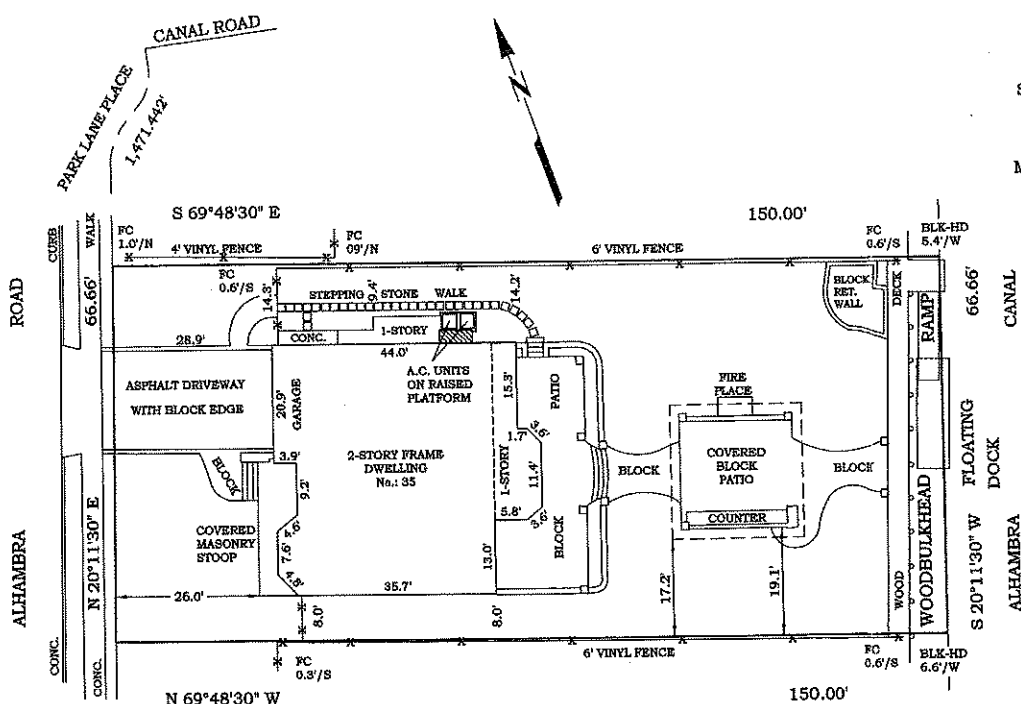
Best fishing times for Massapequa today Today is an average fishing day

Opposing Lunar (Moon down)
From 3:12pm to 5:12pm
Lunar Transit (moon up)

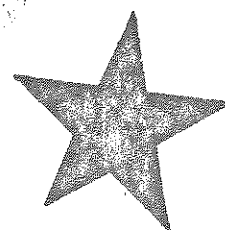


JOB No.: 5280-22-N

SURVEY OF LOTS 314 THRU 316 INCL.
AND A PORTION OF LOT 313
"MAP OF BILTMORE SHORES, SEC. 1"
SITUATED IN
MASSAPEQUA TOWN OF OYSTER BAY
NASSAU Co. NEW YORK
N.C.T.M. No.: SEC: 65 BLK 97 LOT 557



WILLIAM T. HOGAN
LICENSED LAND SURVEYOR, PC
41 SMITH STREET
BABYLON, NEW YORK 11702
631-321-4732
SCALE: 1"=20'
DATE: 07/26/2022



R1-7

Section: 65
Block: 97



LEGEND

PARCEL LINE

-LOT LINE

—ZONING DISTRICT LINE

LOT NUMBER

PARCELINE LENGTH

ADDRESS NUMBER.

NOTE: PAGES 31 NEED
THAT IT IS ON,

THAT IT IS ON,

Radius Map

35 Alhambra Road

Massadewa, NY 11758

tion: 65

ck: 97

557

Dr. J. B. Dwyer

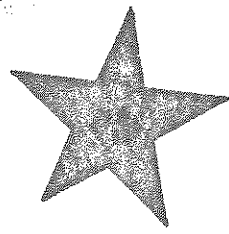
Long Island Expeditors

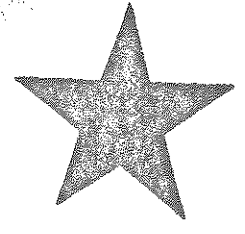
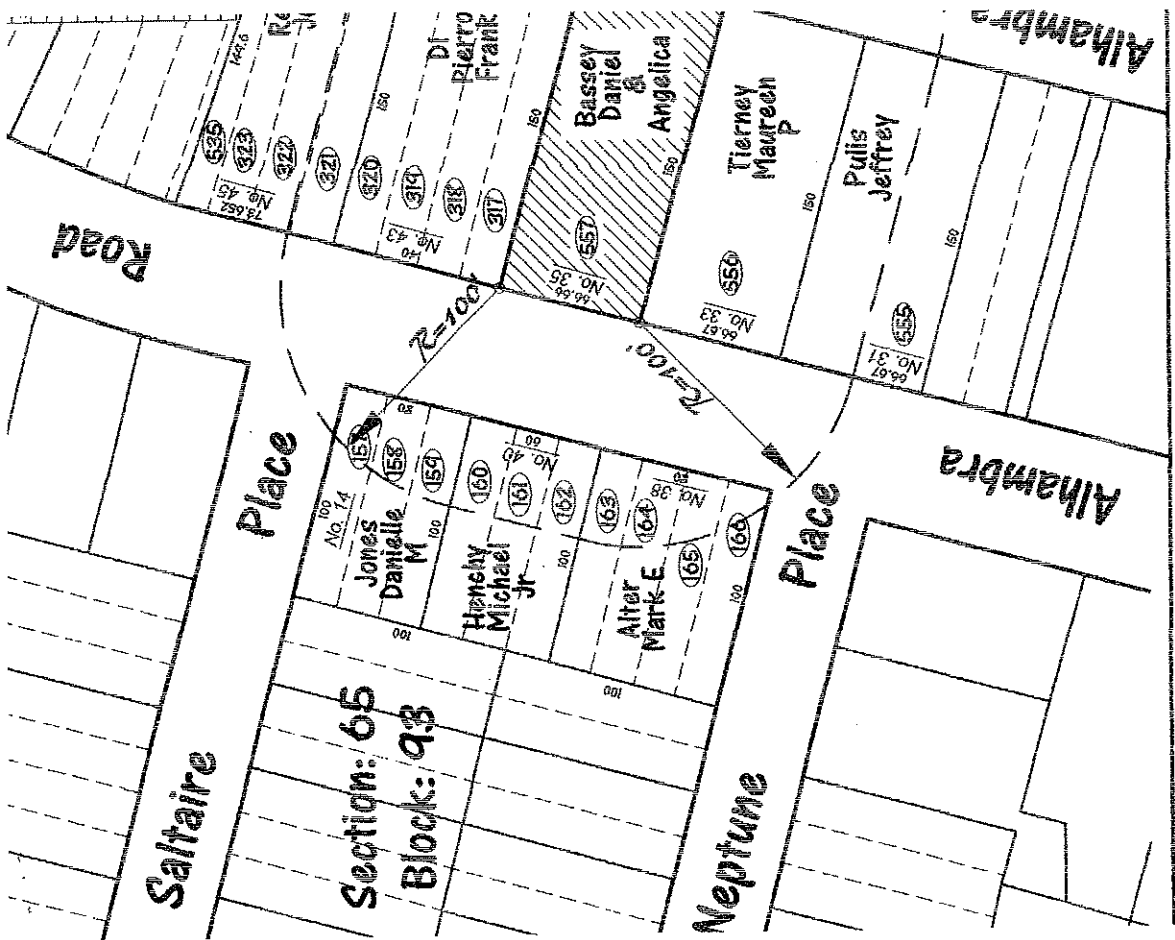
121 Newbridge Road

Hicksville, NY 11801

5000-869-915 ext 994
5000-869-915

DATE: October 18, 2023





Meeting of February 7, 2023

Resolution No. 86-2023

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 1, 2022, authorized the Highway Department to clean the premises located at 951 Oyster Bay Road, East Norwich, New York 11732, also known as Section 27, Block E, Lot 485 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 \$2,139.45, 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 \$2,139.45 may be assessed by the Legislature of the County of Nassau against the parcel known as 951 Oyster Bay Road, East Norwich, New York 11732 also known as Section 27, Block E, Lot 485 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

Frank M. Scalera
Ralph P. Healey

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: January 11, 2023

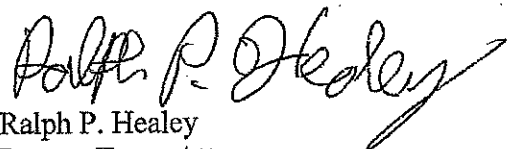
SUBJECT: Property Cleanup Assessment
951 Oyster Bay Road, East Norwich, New York 11732
Section 27, Block E, Lot 485

The Department of Planning and Development, by memorandum dated September 1, 2022, directed the Highway Department to clean the premises located at 951 Oyster Bay Road, East Norwich, New York 11732, also known as Section 27, Block E, Lot 485 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 11, 2022. The cost incurred by the Town of Oyster Bay was \$2,139.45.

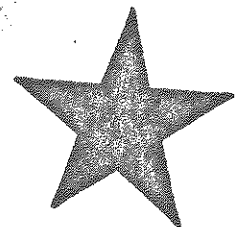
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments



2022-8867

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 1, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 951 Oyster Bay Road, East Norwich, New York, 11732
SBL: 27-E-485

Notice of Violation number 08497 was issued to the owner of the above-referenced premises on 08/25/2022 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:

- Remove all vegetation and trim bushes obstructing sidewalk.

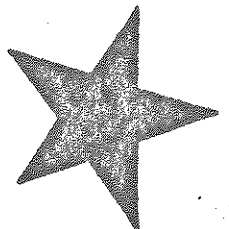
Pursuant to the provisions of Chapter 135, Section 54 (C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

BLM: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

September 1, 2022

Shirley Reed
951 Oyster Bay Road
East Norwich, NY 11732

RE: PREMISES: 951 Oyster Bay Road, East Norwich, NY 11732
SECTION 27 BLOCK E LOT 485

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 garbage, debris, litter and outdoor storage on the property.

Please be advised that Notice of Violation Number 08497 (copy attached) has been served on 08/25/2022. 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 Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

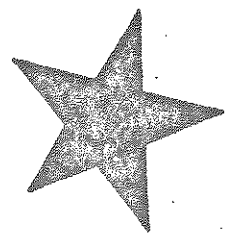
Further, the premises will be inspected every ten (10) days thereafter. If the premises continues not to be maintained and the conditions are found to violate the provisions of the code, the Highway Department will be directed to perform subsequent maintenance with no further notice to you concerning the violations, nor additional time to correct such violations.

Very truly yours,

ELIZABETH L. MACCARONE
COMMISSIONER


Michael Esposito
Code Enforcement Bureau


BLM: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 21, 2022

SUBJECT: 951 OYSTER BAY ROAD, EAST NORWICH, NEW YORK 11732
SECTION 27, BLOCK E, LOT(S) 485

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: \$ 2,139.45

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 2,139.45 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.

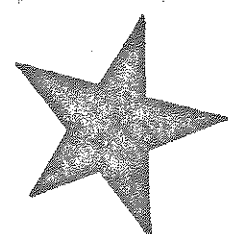
Thank you for your attention to this matter. If you have any questions, kindly contact Code Enforcement, Margie Lippolt, at extension 6190.

REC'D TOWN ATTORNEY
'22 OCT 24 PM 1:48

Elizabeth L. MacCarone

ELIZABETH L. MACCARONE
COMMISSIONER

ME:ml
Enclosure



**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: 951 OYSTER BAY ROAD, EAST NORWICH
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 \$2,139.45.

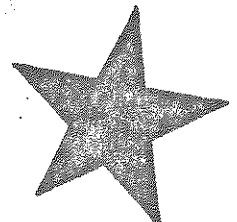
If you have any questions pertaining to the above subject, please feel free to contact this office.



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-E-485) 951 OYSTER BAY RD EAST NORWICH 11732

Date Oct 11, 2022

Work Order # 98206

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ERIC GOLDEN	General Maintenance	03:00	\$40.38	00:00	0	\$121.14
PAUL LIZARDOS	General Maintenance	03:00	\$26.44	00:00	0	\$79.32
ALFRED A STAAB, III	General Maintenance	03:00	\$29.33	00:00	0	\$87.99
Total Labor						\$288.45

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD737	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T-155)	\$105.00	03:00	\$315.00
TD747	2019 INT. 7300 6 WHEELER YW	\$131.00	03:00	\$393.00
TD759	6 WHEELER 2019 INTL HV507 YW	\$131.00	03:00	\$393.00
Total Equipment				\$1101.00


Materials

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

Grand Total \$2139.45

Description of Work:

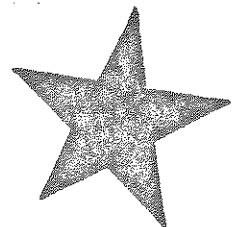
CLEAN UP 951 OYSTER BAY ROAD EAST NORWICH

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 14, 2022



Meeting of February 7, 2023

Resolution No. 87-2023

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 17, 2023, requested Town Board authorization for the Department to reimburse Mr. Joseph Kolodinsky, Greenskeeper, Hon. Joseph Colby Town of Oyster Bay Golf Course, Woodbury, the sum of \$250.00, for his 2023 annual membership dues in the Long Island Golf Course Superintendents Association (L.I.G.C.S.A.),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized to reimburse Mr. Joseph Kolodinsky, Greenskeeper, Joseph Colby Town of Oyster Bay Golf Course, Woodbury, the sum of \$250.00, for his 2023 annual membership dues in the Long Island Golf Course Superintendents Association (L.I.G.C.S.A.); and be it further

RESOLVED, That the funds for said payments are available, and shall be drawn from, Account No. PKS A 7110 44900 000 0000; and be it further

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

-#-

Reviewed By
Office of Town Attorney
Danica Walpe

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
DEPARTMENT OF PARKS

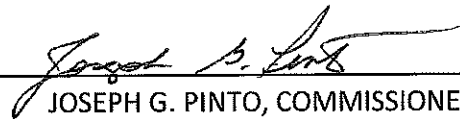
DATE: JANUARY 17, 2023

SUBJECT: 2023 ANNUAL DUES FOR L. I. G. C. S. A. MEMBERSHIP:
LONG ISLAND GOLF COURSE SUPERINTENDENTS ASSOCIATION

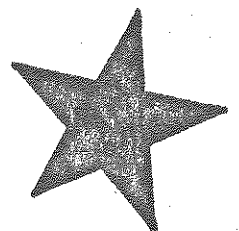
The Long Island Golf Course Superintendents Association offers members a host of benefits and services to help them excel professionally, while enhancing the game of golf and all it contributes to the economic, social and environmental well-being of our region. The L. I. G. C. S. A. serves as a platform for members to come together and share information among themselves and establish networks of support and advice.

Greg Kolodinsky, Greenskeeper of the Honorable Joseph Colby Town of Oyster Bay Golf Course has been a member of L. I. G. C. S. A. for many years. The knowledge he has gained from this organization has been a tremendous guide for him to follow while maintaining the golf course.

The Parks Department respectfully requests that the Town Board authorize a reimbursement to Mr. Kolodinsky for the L. I. G. C. S. A. 2023 dues of two hundred and fifty dollars (\$250.00). Funds are available in account PKS A 7110 44900 000 0000.



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS



LIGCSA Inc
P.O. Box 84
Wading River, NY 11792
631-886-2434
ligcsa@aol.com
www.ligcsa.com



INVOICE

BILL TO
GREG KOLODINSKY
Town of Oyster Bay Golf Course
1 Southwoods Road
Woodbury, NY 11707

INVOICE # 23-043
DATE 01/13/2023
DUE DATE 02/12/2023
TERMS Net 30

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
01/01/2023	2023 CLASS A ANNUAL DUES	2023 CLASS A ANNUAL DUES	1	250.00	250.00

BALANCE DUE

\$250.00

GREGORY KOLODINSKY

Date 1-17-23

Pay to the order of

LIGCSA

\$250.00

Two hundred fifty & 00/100

Dollars



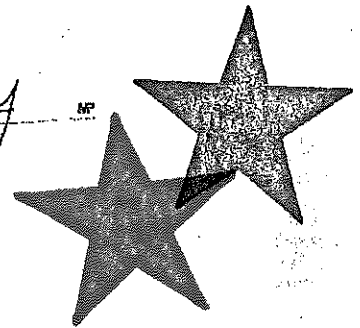
Security Features
Include
Oval on Back

CITIBANK, N.A.

Memo 2023 DUES

G. Kolodinsky

MP



Reviewed By
Office of Town Attorney
America Walsh

Meeting of February 7, 2023

Resolution No. 88-2023

WHEREAS, Harold B. Mayer, Jr., Esq., Commissioner, Department of Planning and Development, by memorandum dated January 18, 2023, recommended that the Town Board authorize payment of a refund in the amount of \$9,937.00 to Yu Jin Kim, 62 Lewis Lane, Syosset, NY 11791, for the fee paid for Building Permit No. R22001409, dated April 6, 2022, for construction of a one-family dwelling on an existing foundation at 62 Lewis Lane, Syosset, NY 11791 as that Building Permit was voided, replaced and superseded by Building Permit Application No. 22070373, submitted on July 25, 2022, for construction of a one-family dwelling on a new foundation at 62 Lewis Lane, Syosset, NY 11791,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund in the amount of \$9,937.00 to Yu Jin Kim, 62 Lewis Lane, Syosset, NY 11791, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Office of the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 0001 02555 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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 18, 2023

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

SUBJECT: RESIDENT REFUND - YU JIN KIM

Pursuant to the Code of the Town of Oyster Bay, this Department issued Building Permit Number R22001409, dated April 6, 2022, for construction at 62 Lewis Lane, Syosset, New York 11791. The property owner, Yu Jin Kim, obtained Building Permit Number R22001409 to construct a dwelling on the existing concrete foundation. During construction, a full demolition occurred. The property owner subsequently submitted an application to construct a one family dwelling on a new foundation. Building Permit Application Number 22070373 was submitted on July 25, 2022. This Building Permit Application replaced and superseded Building Permit R22001409, which was voided.

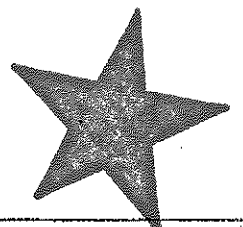
Therefore, in light of the aforementioned facts, a nine thousand, nine hundred, thirty seven dollar (\$9,937.00) refund for the issuance of Building Permit Number R22001409 should be refunded to Yu Jin Kim, 62 Lewis Lane, Syosset, New York 11791 under account number PAD B 0001 02555 000 0000. Kindly note that this is minus the \$100.00 non-refundable application fee.

The Office of the Comptroller has reviewed all pertinent information relating to this request and recommends that the Town Board approve this refund. Town Board approval of the aforementioned refund is requested.



HAROLD B. MAYER, JR.
COMMISSIONER

HBM:km



TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY # ☒

[REDACTED]

CLAIMANT'S NAME

YUJIN KIM

CONTRACT #

ORDER #

CLAIMANT'S ADDRESS

62 Lewis Lane, Syosset, NY 11791

CONTRACT NAME

TOWN DEPARTMENT

Department of Planning & Development

CLAIMANT INVOICE #

RESO #

FOLLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AND INVOICES TO DEPARTMENT RECEIVING MATERIALS OR SERVICES

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

[illegible]

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

I HEREBY CERTIFY the above articles were sold and delivered and/or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there stated in the amount of no part thereof has been paid except as stated therein and that the balance there in stated in the amount of \$0.00.

\$9,937.00

Is actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom.

CLAIMANT FURTHER CERTIFIES that the unit prices charged herein are not higher than those charged to any governmental or commercial consumer for like deliveries.

TOTAL AMOUNT

9.931.66

CASH DISCOUNT %	
-----------------	--

0.02

NET AMOUNT

9.937.56

Signature

Tide

Print or type name

YUJIN KIM

Name of Company

Date 10/03/2001

I HEREBY APPROVE this claim form for the sum of _____ for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

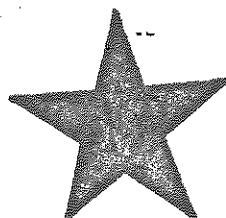
Signature _____

Title

Date _____

Department: PLANNING AND DEVELOPMENT

Account PAD B 0001 02555 000 0000



KENNY LEE ARCHITECT

ARCHITECTURE & CONSTRUCTION MANAGEMENT

202-18 45 AVE. 2FL

BAYSIDE, N.Y 11361

TEL: (718) 463-2406 FAX: (718) 463-2301

12/15/2022

To: Elizabeth L. Maccarone / Commissioner
Town of Oyster Bay
Department of Planning & Development
74 Audrey Avenue, Town Hall,
Oyster Bay, NY 11771

RE: **FILING FEE REFUND REQUEST**
Premise: 62 Lewis Lane, Syosset, NY 11791
SBL: 15 - 57 - 27
Application # 21040166

Dear Elizabeth L. Maccarone,

Regarding building permit application # 21040166

The application was filed and building permit was issued for extension of house, but the full demolition was occurred accidentally during construction, then new dwelling house was filed with maintaining demolition.

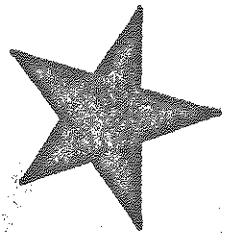
Application # 22070373(New Dwelling House) and # 22080048(Demolition Work) were filed to substitute the job # 21040166.

The owner of house, Yu Jin Kim, requests for refund the filing fee for the previous permit application # 21040166 which does not continue.

Sincerely,



Kenny Lee, R.A.



TOWN OF OYSTER BAY

ITEM 9 OF 9

\$100 CREDIT RECEIPT

RECEIPT # : 01000481777

PRINT DATE : 12/19/2022

RECEIPT DATE : 04/06/2022

PRINT TIME : 15:09:07

OPERATOR : sgerber

COPY # : 1

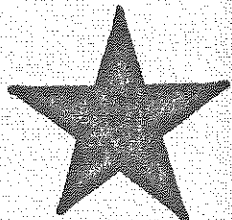
RECEIVED BY : SG

CASH DRAWER: 01

REC'D, FROM : YU J KIM

CUSTOMER ID	ITEM	PAYMENT
1.000	\$100.00 \$100 CREDIT	-100.00
TOTAL		-100.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	9,937.00	152
TOTAL RECEIPT :	9,937.00	



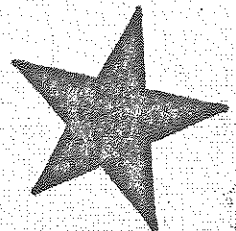
TOWN OF OYSTER BAY

8 ITEMS OF 9

PERMIT RECEIPT

OPERATOR: sgerber
COPY # : 1Sec:15 Twp:Oyster B Rng: Sub: Blk:57 Lot:27
SBL: 15-57-27DATE ISSUED.....: 04/06/2022
RECEIPT #.....: 01000481777
REFERENCE ID #: 21040166Permit Num: R22001409
SITE ADDRESS: 62 LEWIS LN
SUBDIVISION:
CITY: SYOSSET
IMPACT AREAOWNER: YU JIN KIM
ADDRESS: 62 LEWIS LN
CITY/STATE/ZIP: SYOSSET, NY 11791RECEIVED FROM: YU J KIM
CONTRACTOR: KORMAN DESIGN & BUILD CORP./KE LIC # C08073
COMPANY: KORMAN DESIGN & BUILD CORP./KE
ADDRESS: 202-18 45TH AVE
CITY/STATE/ZIP: BAYSIDE, NY 11361
TELEPHONE: 718-463-2406

FEE ID	UNIT	QUANTITY	AMOUNT	PD-TO-DT	THIS REC	NEW BAL
B-A/C RES	PER UNIT	9.00	900.00	0.00	900.00	0.00
B-BLDG FEE	VALUATION	563,336.00	6856.00	0.00	6856.00	0.00
B-CA	FIXTURES	22.00	95.00	0.00	95.00	0.00
B-CC		1.00	35.00	0.00	35.00	0.00
B-CO	VALUATION	563,336.00	1161.00	0.00	1161.00	0.00
B-DRYWELL	PER UNIT	6.00	450.00	0.00	450.00	0.00
B-GAS		3.00	300.00	0.00	300.00	0.00
B-PLMB FEE	FIXTURES	19.00	240.00	0.00	240.00	0.00
TOTAL PERMIT :			10037.00	0.00	10037.00	0.00



Building Permit

822001409

Town of Oyster Bay
Department of Planning and Development
Phone 516-624-6200



74 Audrey Avenue
Town Hall, Oyster Bay, NY 11771
Fax 516-624-6240

School District: Syosset Section/Block/Lot: 15-57-27 Zone: R1-7 Application No: 21040166 ZBA Number: 21-546 ZBA Date: 12-02-2021 Receipt No: 01000481777

Permittee	KENNY LEE 202-18 45TH AVE BAYSIDE NY 11361	Contractor	KORMAN DESIGN & BUILD CORP./KE 202-18 45TH AVE BAYSIDE, NY 11361 718-463-2406
Property Owner	YU JIN KIM 62 LEWIS LN SYOSSET NY, NY 11791	Plumber	PHD SERVICES CORP. 2427 GRAND AVENUE BALDWIN NY 11510 516-813-8819
		Electrician	ASXO ELECTRICAL CONSTRUCTION S. 46 PARK WEST NEW HYDE PARK NY 11040 917-339-6515

Address of Actual Construction

62 LEWIS LN SYOSSET, NY	Tenant
Permission Granted for the	CONSTRUCTION OF
Estimated Cost of Construction	\$563336

THE CONSTRUCTION OF A 47'-2" X 34'-0" (1288 SQ. FT.) DWELLING OF (TYPE VB) CONSTRUCTION ON A PARTIAL EXISTING CONCRETE FOUNDATION AND PARTIAL NEWLY POURED CONCRETE FOUNDATION, WITH NON-HABITABLE STORAGE SPACE, BATHROOM, MECHANICALS AND LAUNDRY SPACE BELOW, ONE (1) EGRESS WINDOW WELL, ONE (1) 5'-0" WIDE SLIDING GLASS DOOR, THREE (3) EXTERIOR AC CONDENSING UNITS, SIX (6) WALL-MOUNTED SPLIT-AC UNITS, ONE (1) WOOD BURNING FIRE PLACE, A 40'-3" X 10'-0" (403 SQ. FT.) WOOD DECK, A 6'-0" X 6'-0" (36 SQ. FT.) WOOD LANDING, A 29'-3" X 4'-0" (117 SQ. FT.) ROOFED-OVER FRONT PORCH, AN 18'-0" X 12'-0" (216 SQ. FT.) DETACHED (1-CAR) GARAGE AS PER PLANS PROVIDED BY KENNY LEE, R.A. 7/22/21 PLUMBING: THE INSTALLATION OF NINETEEN (19) FIXTURES: (1-LAV, 1-WC, 1-SHWR, 1-MOP SINK, 1-WM IN THE BASEMENT), (1-KS, 1-DW, 1-LAV, 1-WC, 1-BT, 1-NEG SINK ON THE 1ST FLOOR) AND (2-BT, 1-SHWR, 1-WC, 1-LAV ON THE 2ND FLOOR) AS PER CODE. GAS: THE INSTALLATION OF THREE (3) FIXTURES: (1-BOILER IN BASEMENT, (1-DRYER, 1-HWH, 1-BOILER) AS PER CODE. THE INSTALLATION OF FIVE (5) 6'-0" DIAMETER DRYWELLS, ONE (1) 5'-0" WIDE DRYWELL AS PER CODE. *MUST COMPLY WITH TCB SITE ENGINEERING DATED 2/8/22 *MUST OBTAIN PERMIT FROM NASSAU COUNTY DPW AND T.O.B. FOR SANITARY SEWER CONNECTION *NOTICE OF TRUSS/ENGINEERED WOOD MUST BE SUBMITTED PRIOR TO ISSUANCE OF C.O. *MUST COMPLY WITH NYS ENERGY STAR LABELED HOME PROGRAM AS PER T.O.B. LOCAL LAW 23-21 *MUST PROVIDE NOTICE OF TRUSS TYPE, PRE-ENG. WOOD, AND/OR TIMBER CONSTRUCTION PRIOR TO ISSUANCE OF CO *MUST COMPLY WITH N110LS FOR ENERGY *MUST COMPLY WITH R301.2.1.2 FOR WIND BORN DEBRIS REGION *PRELIMINARY PROJECTED HERS RATING DOCUMENTATION SUBMITTED, FINAL RESULTS MUST BE SUBMITTED PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY.

ALL WORK TO COMPLY WITH T.O.B. APPROVED PLAN DATED 3/8/2022.

ZONING REVIEW: MUST COMPLY WITH ZONING BOARD OF APPEALS DECISION Z1-546 DATED 12/2/2021. THE BUILDING DIVISION REQUIRES AN ORIGINAL UPDATED SURVEY OF THE PROPERTY, STAMPED AND SEALED BY A LICENSED SURVEYOR

THE Permit has been issued specifically for the construction or maintenance of the improvement listed herein. The issuance of this Permit shall not be deemed to be an acknowledgement by the Town of Oyster Bay as to the quality or any other improvements to the subject premises. It is specifically understood that the issuance of a Certificate of Occupancy by the Town of Oyster Bay for the improvement listed herein shall be conditioned upon the issuance of a Building Permit and Certificate of Occupancy for any and all other improvements to the subject premises.

A certificate from an approved Electrical Inspector Co. is to be placed on file prior to issuance of a Certificate of Occupancy/Approval/Completion.

Located On	Side Of	Feet	Of	Post Office
		0.00		SYOSSET
DESCRIPTION	FREE	PAID	BALANCE	
APP. FEE	100.00	100.00	0.00	
BUILD	7,756.00	7,756.00	0.00	
CA	65.00	65.00	0.00	
CC	35.00	35.00	0.00	
CO	1,161.00	1,161.00	0.00	
CORTWELL	450.00	450.00	0.00	
PLUMBING	540.00	540.00	0.00	
TOTAL FEE TOTALS	10,147.00	10,147.00	0.00	
TOTAL PAID AFTER APPLICATION FEE APPLIED: \$9,957.00				
<p>Occupancy of this new building or addition or alteration prior to the issuance of a Certificate of Occupancy will be considered a violation of the Code of the Town of Oyster Bay. Prompt notification by the various contractors for inspection of their various parts of the work will avoid delay in the issuance of the Certificate of Occupancy. Permit and approved plans must be posted on the job site, visible to public inspectors, until completion of the work and inspection.</p> <p>Changes regardless of size from the stamped approval plans must be submitted to the Department of Planning and Development and approved before changes are made. Approved plans must be retained on the job and available to inspection at all times.</p>				

INSPECTIONS

There are numerous inspection requirements that vary according to the type of structure built or maintained. Some but not all of the required inspections follow:

BUILDING INSPECTIONS:

- *Demolition inspection - Check with Building Division.
- *Concrete Certifications.
- *Soil Conditions - before footings and foundations are poured.
- *Footing footings, keyways and foundations including rebar.
- *Waterproofing, membranes and insulating.
- *Foundations and/or slabs.
- *Framing - wind or steel before mechanical.
- *Framing after mechanical and before insulating.
- *Insulation inspection - before closing.
- *Rough enclosed.
- *Final inspection(s).

PLUMBING INSPECTIONS

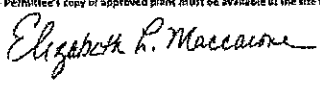
- *Underground plumbing - before backfilling.
- *Rough plumbing - before closed up and ready for test.
- *Final inspection when all fixtures are set.
- *Sewer connection - upon tie-in.
- *Sanitary systems (Excavation/Construction).
- *Installation or replacement of burners, tall, gas, electric).
- *All Tanks - underground or above. (Check with Building Division for required testing and in testing and inspection)
- *Pressure tests are required for any natural or propane gas installation, Alteration or replacement.
- *Hydrostatic pressure testing must be witnessed by a plumbing inspector.
- *For all fire sprinkler systems.

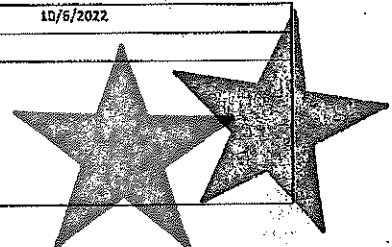
DRAINAGE, SITE WORK, & RETAINING WALLS:

Contact Planning and Development site engineer.

ALL PERMITS ISSUED IN CONJUNCTION WITH SITE PLAN REVIEW

Please be advised that a Certificate of Occupancy will not be issued for this project until all of the required landscaping has been installed and inspected, or a performance bond in the amount of \$_____ has been posted with the Town of Oyster Bay

Date Issued:	04/06/2022	Work Must Start By:	10/6/2022
CO must be issued by 04/07/2023 or permit will expire unless renewed prior to expiration.			
Permittee's copy of approved plans must be available at the site for all inspections			
			
Commissioner, Department of Planning and Development			



TOWN OF OYSTER BAY - Building Division

S 15 B 57 L 27

APPLICATION # 22070373

9/15/24

Flood Zone _____ Checked By _____

SBL Folder _____

Checked By _____

ZONING REVIEW

ONE FAMILY DWELLING ONLY

Checked by: 725-12

PERMISSION GRANTED FOR THE

CONSTRUCTION

OF:

A 34.2' X 47.1' (OA) 2640 SF TWO (2) STORY ONE (1) FAMILY DWELLING OF TYPE 5B CONSTRUCTION 1269 SF OF FINISHED BASEMENT WITH ONE (1) ESCAPE WELL A 29.2' X 4' (OA) 116 SF OPEN PORCH A 12' X 16' (OA) 216 SF DETACHED ONE (1) CAR GARAGE A 40.2' X 18.5' (OA) 452 SF DECK ONE (1) 6 FT WIDE HINGED DOOR ONE (1) 5 FT WIDE SWING GATE DOOR ONE (1) MASONRY FIREPLACE WITH CHIMNEY FIVE (5) DRYWELLS INSTALL AT PER CODE. THREE (3) AC UNITS INSTALL AS PER CODE FOUR (4) GAS-FIRED BURNERS (ASMT: 1 BU, 1 HWT, 1 DRYER) (1st FLR: 1 RANGE) INSTALL AT PER CODE. NINETEEN (19) PLUMBING FIXTURES (ASMT: 1 WC, 1 LAV, 1 SHA, 1 SINK) (1st FLR: 1 WC, 1 LAV, 1 SHA, 1 K5, 2 DW, 1 URG sink) (2nd FLR: 1 WC, 3 LAV, 2 SHA, 1 BT) INSTALL AT PER CODE. AS PER DRAWINGS PREPARED BY KERRY LEE R-A DATED 7/26/24.

- Must provide notice of truss type, pre-engineered wood and/or timber construction prior to CO.
- Floor systems must comply with sections R302.11 for fireblocking, and R302.13 for fire protection.
- Engineered floor systems must be installed as per manufacturer's specifications.
- Truss drawings, signed and sealed by NYS licensed architect or engineer, must be submitted prior to installation of trusses.
- An ACH 50 is required as per NYS Technical Bulletin dated 10/3/16 19NYCRR 1220-1240. Test results must be submitted prior to CO.
- Must comply with TOS site engineering dated: 7/26/24
MUST OBTAIN PERMIT FROM NCDPW AND TO B FOR SANITARY SEWER CONNECTION
MUST COMPLY TO N.Y. STATE ENERGY STAR HOME PROGRAM PER THE LOCAL LAW

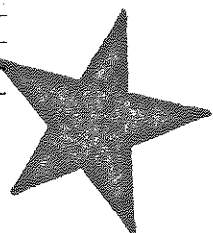
ALL WORK TO COMPLY WITH T.O.B. APPROVED PLAN DATED 9/13/24

EXAMINER JIM R.

ESTIMATED COST OF CONSTRUCTION 626,954

2640 X 136.95 = 361,548 X 1.15 = 451,935
1269 X 33 = 41877 X 1.15 = 52,346
ESCAP WEL 2,000
POUR 116 X 85.1 = 9971 X 1.15 = 12,412
GARAGE 22565 X 1.15 = 28,206
DECK 452 X 35 = 15,820
6' DOOR 2563
5' DOOR 2563
FR 8382 X 1.15 = 10,477
4 FURN RM 4 X 11166 = 48,664
626,954

FEE FOR	AMOUNT
Construction	7612.00
Plumbing (19)	240.00
Burner (4)	400.00
AC Unit (3)	300.00
Tank	
Sanitary	
Dry Wells (5)	375.00
Cert. Of Occupancy	1207.00
Cert. Of Completion	35.00
Cert. Of Approval (23)	95.00
Other	
Sub-Total	
Maintain Existing	
Total	10377
Less Filing Fee	-100.00
Balance Due:	10277






BANK OF AMERICA 

Eugene checking - 9384 : Account Activity

Transaction details

Posting date	Apr 6, 2022
Description	Check
Type	Check
Status	Cleared
Check #	152
Amount	-\$9,937.00
Description	Check
Merchant name	Check
Transaction category	Cash, Checks & Misc: Checks

Bank of America	
YU J KIM 62 LEWIS LN SYOSSET NY 11791 516 [REDACTED]	21040166 THN 3/29/2022 Date
152 1-32/210 NY 19641	
Pay to the order of <u>Town of Oysterbay Dept of Planning & Develop</u> \$ <u>9,937.00</u>	
<u>NINE Thousand Nine hundred Thirty Seven</u> dollars 	
Bank of America 	
ACH R/T 021000322 Application # 21040166	
Memo Sec 15 Block 57 Lot 27	
[REDACTED] [REDACTED] 110152	



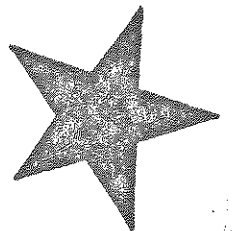
For Deposit Only
Town of Oyster Bay

AM 01/27/24 200
22150 12 4411003

[REDACTED]
CAPITAL ONE, NA

[REDACTED]
RICHMOND, VA 072 22

Deposit [REDACTED]



Meeting of February 7, 2023

Resolution No. 89-2023

WHEREAS, by Resolution No. 432-2022, adopted on June 14, 2022, the Town Board authorized the following law firms to provide labor counsel services to the Town of Oyster Bay, for a period of one (1) year, from January 1, 2022 through December 31, 2022, nunc pro tunc, with two (2) one (1) year extension options, and in an amount not to exceed \$80,000.00:

Jackson Lewis, P.C., 58 South Service Road, Suite 250, Melville, New York 11747

Guercio & Guercio, LLP, 77 Conklin Street, Farmingdale, New York 11735

Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Suite 200, Mineola, New York 11501

Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf and Carone, LLP, 81 Main Street, Suite 306, White Plains, New York 10601; and

WHEREAS, John W. Canning, Esq., Commissioner, Department of Human Resources, by memorandum dated January 17, 2023, requested that the Town Board exercise the first one (1) year extension option of the agreements with the aforementioned law firms, for said firms to provide labor counsel services to the Town of Oyster Bay, for a period of one (1) year, from January 1, 2023 through December 31, 2023, nunc pro tunc, in an amount not to exceed \$80,000.00, for the contract term; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that the Town Board hereby exercises the first one (1) year extension option of the agreements with the aforementioned law firms, to provide labor counsel services to the Town of Oyster Bay, for a period of one (1) year, from January 1, 2023 through December 31, 2023, nunc pro tunc, in an amount not to exceed \$80,000.00, for the contract term; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. TWN AMW 9040 84040 000 0000 000; 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

Reviewed By
Office of Town Attorney

Town of Oyster Bay
Inter-Departmental Memo

To: Memorandum Docket
From: John Canning, Commissioner
Department of Human Resources
Date: January 17, 2023
Subject: Labor Counsel Services

Pursuant to the Town of Oyster Bay Procurement Policy and by Resolution No. 432-2022, adopted on June 14, 2022, the Town Board authorized entering into agreements with the following firms for the period of January 1, 2022 through December 31, 2022:

- Jackson Lewis P.C.,
- Guercio & Guercio, LLP
- Bee Ready Fishbein Hatter & Donovan, LLP (B R F H & D)
- Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf and Carone, LLP

Said agreement provided for a renewal option for 2023 and 2024. The Department of Human Resources is in receipt of the attached letters from each of the above firms indicating that they would like to continue providing services by exercising the first option to renew, as provided for in the contract.

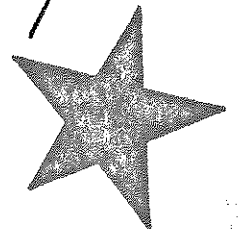
In accordance with Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, the Department of Human Resources is requesting that the Town Board exercise the option to renew the agreements between the Town of Oyster Bay and the above listed firms to provide Labor Counsel Services nunc pro tunc for the period of January 1, 2023 through December 31, 2023 at an amount not to exceed \$80,000.00 from account number TWN AMW 9040 84040 000 0000 000.

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

Sincerely,


John Canning, Commissioner
Department of Human Resources

JC/jbw
Attach



MY DIRECT DIAL IS: (631) 247-4671
MY EMAIL ADDRESS IS: BRIAN.SHENKER@JACKSONLEWIS.COM

January 26, 2023

VIA EMAIL – jcanning@oysterbay-ny.gov

Mr. John Canning
Commissioner
Town of Oyster Bay
29 Spring Street
Oyster Bay, New York 11771

Re: Letter of Intent to Extend Agreement
for Services – Jackson Lewis P.C.

Dear John:

Pursuant to Paragraph 8 of the Agreement for Services (“Agreement”) between Jackson Lewis P.C. and the Town of Oyster Bay executed in June 2022, we hereby submit this letter of intent to extend the Agreement for the period of January 1, 2023 through December 31, 2023. It is our understanding that, if extended, the fees and rates set forth in the Agreement shall remain in effect.

We look forward to continuing our relationship with the Town through 2023 and beyond. As always, if there is anything else you need, please contact me.

Very truly yours,

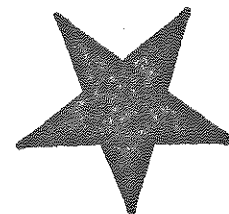
JACKSON LEWIS P.C.

Brian J. Shenker

Brian J. Shenker

BJS/nml

4879-4398-3949, v. 1





JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

54 Audrey Avenue
Oyster Bay, NY 11771
(516) 624-6425 Fax (516) 624-6489
www.oysterbaytown.com

JOHN CANNING
COMMISSIONER

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: Jackson Lewis P.C.

Alternate Company Name(s):

Corporate Registration Number:

Tax ID: [REDACTED]

FEIN:

Type of Organization: Law Firm

Contact Name: Brian Shenker

Telephone Number: 631-247-4671

E-Mail: brian.shenker@jacksonlewis.com

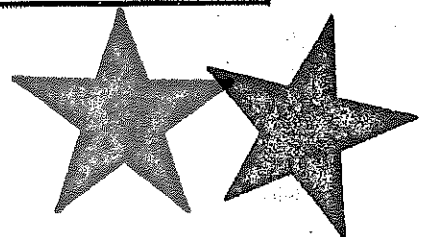
Address: 58 South Service Road, Suite 250

City: Melville State: NY Zip Code: 11747

Country(ies) of Doing Business: Suffolk

Country of Incorporation U.S.A.

Website: www.jacksonlewis.com





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/21/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Crystal IBC LLC 32 Old Slip New York NY 10005	CONTACT NAME: James Biernat PHONE (A/C, No, Ext): 415-946-7500 FAX (A/C, No): E-MAIL ADDRESS: james.biernat@alliant.com
INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Great Northern Insurance Compa	20303
INSURER B: Federal Insurance Company	20281
INSURER C: Vigilant Insurance Company	20397
INSURER D:	
INSURER E:	
INSURER F:	

License#: 0C36861
JACKLE2

INSURED
Jackson Lewis P.C.
1133 Westchester Avenue, Suite S125
West Harrison NY 10604

COVERAGES

CERTIFICATE NUMBER: 625719337

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: \$20,000,000 max	Y	Y	35899827	5/1/2022	5/1/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$INCLUDED \$
B	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	Y	Y	73557142	5/1/2022	5/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> DED <input type="checkbox"/> RETENTION \$10,000	Y	Y	79874639	5/1/2022	5/1/2023	EACH OCCURRENCE \$25,000,000 AGGREGATE \$25,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	71738355	5/1/2022	5/1/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

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

COVERAGE APPLIES AS REQUIRED BY WRITTEN CONTRACT

As required by written contract -

58/68 S. SERVICE ROAD SPE LLC, RXR CO. PROPERTY MANAGEMENT LLC, RXR PARTNERS LLC, ITS AFFILIATES AND/OR SUBSIDIARY COMPANIES AS EXIST NOW OR MAY EXIST IN THE FUTURE ARE INCLUDED AS ADDITIONAL INSURED AS RESPECTS THE LEASED PREMISES AT 58 SOUTH SERVICE ROAD, MELVILLE, NY. WAIVER OF SUBROGATION AND 30 DAYS NOTICE OF CANCELLATION INCLUDED. EVIDENCE OF COVERAGE ONLY WITH RESPECT TO WORKERS COMPENSATION/EMPLOYERS LIABILITY.

CERTIFICATE HOLDER

CANCELLATION

58/68 S. Service Road SPE LLC
Attn: Property Management
625 RXR Plaza
Uniondale NY 11556

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Guercio & Guercio LLP
ATTORNEYS AT LAW

Gregory A. Gillen
Partner
77 Conklin Street
Farmingdale, New York 11735
(516) 694-3000 x229

January 17, 2023

Mr. John Canning
Commissioner of Human Resources
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, New York 11771

Re: Letter of Intent – Guercio & Guercio, LLP

Dear Mr. Canning:

We hereby respectfully request that the Town of Oyster Bay renew our contract as Labor Counsel for the period of January 1, 2023 through December 31, 2023, at the rate of \$235.00 per hour.

Respectfully submitted,

Gregory A. Gillen

Gregory A. Gillen

GG/spr
VIA EMAIL

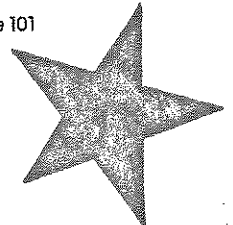
c: Thomas M. Sabellico
Special Counsel

Westchester
777 Westchester Avenue, Suite 101
White Plains, NY 10604
(914) 303-9500

Long Island
77 Conklin Street
Farmingdale, NY 11735
(516) 694-3000

www.guerciolaw.com

Capital Region
24 Century Hill Drive, Suite 101
Latham, NY 11210
(518) 690-7000





JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

54 Audrey Avenue
Oyster Bay, NY 11771
(516) 624-6425 Fax (516) 624-6489
www.oysterbaytown.com

JOHN CANNING
COMMISSIONER

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: Guercio & Guercio, LLP

Alternate Company Name(s): N/A

Corporate Registration Number: N/A

Tax ID: [REDACTED]

FEIN: [REDACTED]

Type of Organization: Law Firm

Contact Name: Gregory A. Gillen

Telephone Number: 516-694-3000

E-Mail: ggillen@guerciolaw.com

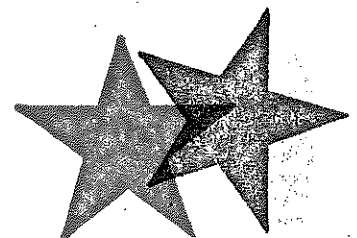
Address: 77 Conklin Street

City: Farmingdale State: New York Zip Code: 11735

Country(ies) of Doing Business: United States

Country of Incorporation: United States

Website: www.guerciolaw.com





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/07/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER AssuredPartners Northeast, LLC. 100 Baylis Road Suite 300 Melville NY 11747		CONTACT NAME: Melissa Ahlers PHONE (A/C, No, Ext): (831) 465-4000 FAX (A/C, No): (831) 465-4005 E-MAIL ADDRESS: melissa.ahlers@assuredpartners.com	
INSURED Guercio & Guercio LLP 77 Conklin Street Farmingdale NY 11735		INSURER(S) AFFORDING COVERAGE INSURER A: Allied World Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 22730	

COVERAGES

CERTIFICATE NUMBER: CL22102098823

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY		03131121	10/17/2022	10/17/2023	EACH OCCURRENCE \$ 5,000,000
	<input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR	DAMAGE TO RENTED PREMISES (Ea occurrence) \$				
	<input checked="" type="checkbox"/> Profi Liability	MED EXP (Any one person) \$				
	GEN'L AGGREGATE LIMIT APPLIES PER:	PERSONAL & ADV INJURY \$				
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					GENERAL AGGREGATE \$ 5,000,000
	OTHER:					PRODUCTS - COMPIOP AGG \$
	AUTOMOBILE LIABILITY					DED \$ 15,000
	ANY AUTO					COMBINED SINGLE LIMIT (Ea accident) \$
	OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per person) \$
	HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY				BODILY INJURY (Per accident) \$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				PROPERTY DAMAGE (Per accident) \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				\$
	DED	RETENTION \$				EACH OCCURRENCE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N				AGGREGATE \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> N/A				PER STATUTE <input type="checkbox"/> OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

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

CERTIFICATE HOLDER

CANCELLATION

Town of Oyster Bay 54 Audrey Avenue Oyster Bay NY 11771	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---

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PETER A. BEK*
RICHARD P. READY
PETER M. FISHBEIN †
JAMES R. HATTER
KENNETH A. GRAY
WILLIAM C. DeWITT
ANDREW K. PRESTON**

OF COUNSEL

EDWARD P. RA

* ALSO ADMITTED IN FL
** ALSO ADMITTED IN NJ
† DECEASED

BEE READY FISHBEIN HATTER & DONOVAN, LLP

B R F H & D
ATTORNEYS-AT-LAW

SENIOR ASSOCIATES

**STEPHEN L. MARTIR
DEANNA D. PANICO

ASSOCIATES

PETER OLIVERI, JR.
RHODA Y. ANDORS
THEODORE GORALSKI
MORGAN A. CLINE
JASON P. BERTUNA
**CHRISTOPHER J. NEUMANN
ANTHONY C. VASSALLO

November 30, 2022

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

Attn.: Frank M. Scalera, Town Attorney

Re: Renewal of Existing Contracts for the 2023 Calendar Year

Dear Mr. Scalera:

This correspondence serves to confirm that our firm seeks to renew all existing contracts with the Town of Oyster Bay at the rates as are set forth and described in our various RFP submissions.

As requested, enclosed please find an updated Certificate of Insurance together with the completed Company Information form.

Thank you. Should you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,


Andrew K. Preston

AKP:mgf
Enclosure

cc: Julie Wass, Administrative Officer
Town of Oyster Bay
Dept. of Human Resources
(Via Electronic Mail Only jwass@oysterbay-ny.gov)



BEEREAD-01

RAJASRAM

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/30/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
NFP Property & Casualty Services, Inc.
45 Executive Drive
Plainview, NY 11803

CONTACT NAME: Amie Wright
PHONE (A/C, No, Ext): (802) 521-1975 FAX (A/C, No): (802) 888-5278
E-MAIL ADDRESS: amie.wright@nfp.com

INSURER(S) AFFORDING COVERAGE NAIC #

INSURER A: Fireman's Fund Insurance Company 21873

INSURED

Bee Ready Fishbein Hatter & Donovan, LLP
170 Old Country Road
Mineola, NY 11501

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE \$
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
							GENERAL AGGREGATE \$
							PRODUCTS - COMP/OP AGG \$
							\$
	GEN'L AGGREGATE LIMIT APPLIES PER:						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOG						BODILY INJURY (Per person) \$
	OTHER:						BODILY INJURY (Per accident) \$
	AUTOMOBILE LIABILITY						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> ANY AUTO						\$
	<input type="checkbox"/> OWNED AUTOS ONLY						<input type="checkbox"/> SCHEDULED AUTOS
	<input type="checkbox"/> HIRED AUTOS ONLY						<input type="checkbox"/> NON-OWNED AUTOS ONLY
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						\$
	DED RETENTION \$						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						E.L. EACH ACCIDENT \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT \$
A	E&O/Professional Lia			USF00562222	12/7/2022	12/7/2023	Aggregate 5,000,000

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

CERTIFICATE HOLDER

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

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

54 Audrey Avenue
Oyster Bay, NY 11771
(516) 624-6425 Fax (516) 624-6489
www.oysterbaytown.com

JOHN CANNING
COMMISSIONER

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: Bee Ready Fishbein Hatter & Donovan, LLP

Alternate Company Name(s):

Corporate Registration Number:

Tax ID:

FEIN:

Type of Organization: Law Firm

Contact Name: Andrew K. Preston, Esq.

Telephone Number: 516-746-5599

E-Mail: apreston@beereadylaw.com

Address: 170 Old Country Road, Ste. 200

City: Mineola

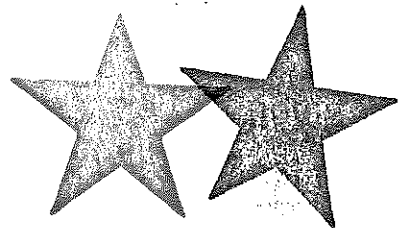
State: NY

Zip Code: 11501

Country(ies) of Doing Business:

Country of Incorporation

Website: www.beereadylaw.com





Long Island
3 Dakota Drive, Suite 300
Lake Success, NY 11042
516.328.2300 | P
info@abramslaw.com | E

Long Island • Brooklyn • White Plains • Rochester • Albany

ROBERT A. SPOLZINO
Executive Partner
rspolzino@abramslaw.com
Direct: 914-607-7102

By Email (jwass@oysterbay-ny.gov)

December 22, 2022

Ms. Julie Wass
Administrative Officer
Department of Human Resources
54 Audrey Avenue, 3rd Floor
Oyster Bay, NY 11771

Re: *2023 Contract Extension*

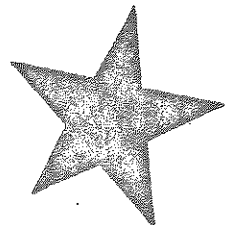
Dear Ms. Wass:

Please consider this letter to be an expression of Abrams Fensterman's desire to exercise the first option to renew our contract with the Town for the 2023 calendar year.

Thank you for your courtesy.

Very truly yours,


Robert A. Spolzino





JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

54 Audrey Avenue
Oyster Bay, NY 11771
(516) 624-6425 Fax (516) 624-6489
www.oysterbaytown.com

JOHN CANNING
COMMISSIONER

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: Abrams Fensterman, LLP

Alternate Company Name(s): _____

Corporate Registration Number: _____

Tax ID: _____

FEIN: [REDACTED]

Type of Organization: Law Firm

Contact Name: _____

Telephone Number: 914-607-7010

E-Mail: rspolzino@abramslaw.com

Address: 81 main street, suite 400

city: White plains

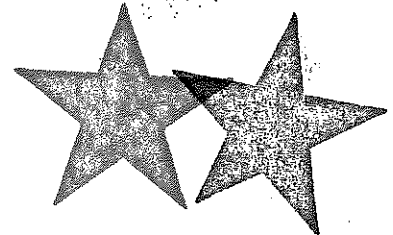
State: NY

Zip Code: 10601

Country(ies) of Doing Business: USA

Country of Incorporation USA

Website: Abramslaw.com



Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Abrams, Fensterman LLP	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions. 3 Dakota Drive, Suite 300	Requester's name and address (optional)
6 City, state, and ZIP code Lake Success, NY 11042	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Date ► 1/10/22
-----------	--	-----------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (Interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/21/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AC Risk Management, Inc 1800 Walt Whitman Road Melville, NY 11747 INSURED Abrams Fensterman, LLP 3 Dakota Drive Suite 300 Lake Success, NY 11042	(516) 277-4480 (516) 801-5921	CONTACT NAME: Thomas Batista PHONE (A/C No. Ex): (516) 277-4480 FAX (A/C No): (516) 801-5921 E-MAIL ADDRESS: Tbatista@acriskmanagement.com
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Valley Forge Insurance Company		20508
INSURER B: Continental Casualty Company		20443
INSURER C: Allmerica Financial Benefit Insurance Company		41840
INSURER D: StarStone National Insurance Company		25496
INSURER E: Allied World Assurance Company		19489
INSURER F: Greenwich Insurance Company		22322

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		B 6024689635	03/02/2022	03/02/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000 Employee Benefit \$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY		B 6024689635	03/02/2022	03/02/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB CLAIMS-MADE DED RETENTION \$		B 7012275730	03/02/2022	03/02/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	W2Y-H476927-01	02/01/2022	02/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Excess Layer II		84451B224ALI	03/02/2022	03/02/2023	Occ/Agg \$5,000,000
E	Lawyers Prof Liab.		0311-2070	03/02/2022	03/02/2023	Occ/Agg \$10,000,000
F	Excess LPL - Layer I		LPE904061102	03/02/2022	03/02/2023	Occ/Agg \$5,000,000

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

CERTIFICATE HOLDER

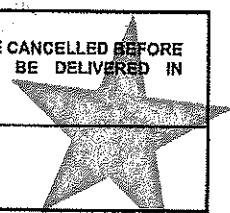
Town of Oyster Bay
54 Audrey Avenue, 3rd Floor
Oyster Bay, NY 11771

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Matthew Avellino



AGENCY CUSTOMER ID: _____
LOG #: _____



ADDITIONAL REMARKS SCHEDULE

Page 2 of 2

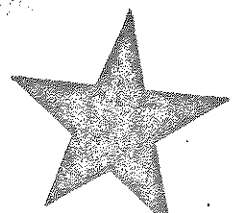
AGENCY AC Risk Management, Inc		NAMED INSURED Abrams Fensterman, LLP	
POLICY NUMBER		3 Dakota Drive Suite 300	
CARRIER	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: _____ FORM TITLE: _____

Insurer: G - QBE Insurance Corporation - Excess LPL Layer II - Policy #: 100045111
- Term: 03/02/2022-03/02/2023 - Limit: \$5,000,000

Insurer: H - Ironshore Indemnity Inc. - Excess LPL Layer III - Policy #: LPL6NAB7PUH002
- Term: 03/02/2022-03/02/2023 - Limit: \$5,000,000



Meeting of June 14, 2022

Resolution No 432-2022

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated June 2, 2022 advised that a Request for Proposals was issued for law firms to provide Labor Counsel Services to the Town of Oyster Bay for a one (1) year contract with the option for two (2) extensions each being one (1) year in length; and

WHEREAS, the Requests for Proposals was distributed and posted on the Town's website and four (4) responses were timely received; and

WHEREAS, Commissioner Canning, upon completion of the review and rating of the four (4) responding law firms and based on compliance with Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, by said memorandum, recommended that the Town of Oyster Bay retain the following firms to provide Labor Counsel services for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with an option for two (2) one (1) year extensions, in an amount not to exceed \$80,000.00:

Jackson Lewis P.C., 58 South Service Road, Suite 250, Melville, NY 11747
Guercio & Guercio, LLP, 77 Conklin Street, Farmingdale, NY 11735
Bee Ready Fishbein Hatter & Donovan, LLP, 170 Old Country Road, Suite 200, Mineola, 11501
Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf and Carone, LLP, 81 Main Street, Suite 306, White Plains, NY 10601

WHEREAS, Commissioner Canning, by said memorandum, requested that the Town Board authorize the Town Supervisor to enter into an agreement with the above listed law firms to provide Labor Counsel Services to the Town as per the terms set forth above; and

WHEREAS, the Inspector General has reviewed the proposed vendors' disclosures, and is satisfied that the Procurement Policy has been satisfied,

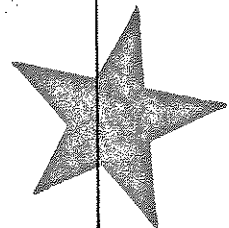
NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted, and the Town Board authorizes the Town Supervisor to enter into an agreement with the above listed law firms to provide Labor Counsel services for the period of January 1, 2022 through December 31, 2022, *nunc pro tunc*, with an option for two (2) one (1) year extensions, in an amount not to exceed \$80,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. TWN AMW 9040 84040 000 0000 000, 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



Reviewed By
Office of Town Attorney
Monica Waite

Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

WHEREAS, pursuant to public notice, a public hearing was held on January 24, 2023 at 7:00 o'clock p.m., prevailing time, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, at which hearing all parties interested were given an opportunity to be heard upon the question of the proposed contract between the Town of Oyster Bay, acting on behalf of the Plainview Fire Protection District, and the Plainview Water District, for the period January 1, 2023 through December 31, 2024, nunc pro tunc, for the rental of one thousand one hundred forty-seven (1,147) hydrants located within the Town's boundaries, which hydrants are owned and maintained by the Water District, at an agreed per annum rental fee not to exceed \$114,700.00; and

WHEREAS, following due deliberation, it was determined to be in the best interests of the residents of the Plainview Fire Protection District to enter into an Agreement with the Plainview Water District, for the rental of fire hydrants for the period January 1, 2023 through December 31, 2024,

NOW, THEREFORE, BE IT RESOLVED, That the Supervisor or his designee is authorized to enter into an Agreement between the Town of Oyster Bay, acting on behalf of the Plainview Fire Protection District, and the Plainview Water District for the rental of fire hydrants at an agreed per annum rental fee not to exceed \$114,700.00, for the period January 1, 2023 through December 31, 2024, nunc pro tunc, and payments pursuant to the terms and conditions thereof are hereby authorized upon presentation of a duly certified claim therefor, after audit by the Comptroller, with funds to be drawn from Account No. TWN SF 09 3410 45300 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 February 7, 2023

Resolution No. 91-2023

Frank
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 28, 2022, authorized the Highway Department to clean up the premises located at 64 Devon Road, Bethpage, New York 11714, also known as Section 46, Block 420, Lot 17 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 \$1,311.59, 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 \$1,311.59 may be assessed by the Legislature of the County of Nassau against the parcel known as 64 Devon Road, Bethpage, New York 11714, also known as Section 46, Block 420, Lot 17 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
64 Devon Road, Bethpage, New York 11714
Section 46, Block 420, Lot 17

The Department of Planning and Development, by memorandum dated September 28, 2022, directed the Highway Department to clean the premises located at 64 Devon Road, Bethpage, New York 11714, also known as Section 46, Block 420, Lot 17 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 \$1,311.59.

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.

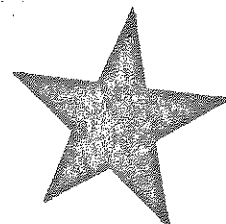
FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

amlS:\Atty\RESOS 2022\MD 64 Devon Rd 1.11.2023.doc



2022-8877

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 28, 2022

To: RICHARD LENZ; COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO; CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE; COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 64 DEVON ROAD, BETHPAGE, NEW YORK 11714
SBL: 46-420-17

Notice of Violation number 08731 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 and trim overgrown trees, bushes and vegetation on premises.

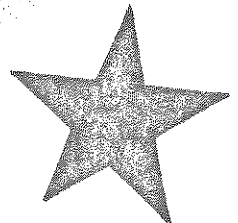
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

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. ZIKE
DEPUTY COMMISSIONER

JAMES McCARTREY
DEPUTY COMMISSIONER

September 28, 2022

Masta Estate
64 Devon Road
Bethpage, NY 11714

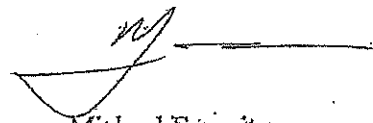
RE: PREMISES: 64 Devon Road, Bethpage, New York 11714
SECTION 46 BLOCK 420 LOT 17

Dear Property Owner:

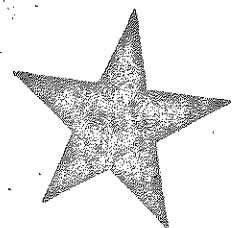
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation Number 08731 (copy attached) has been served on 09/22/2022. 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 21, 2022

SUBJECT: 64 DEVON ROAD, BETHPAGE, NEW YORK 11714
SECTION 46, BLOCK 420, LOT(S) 17


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: \$ 1,311.59

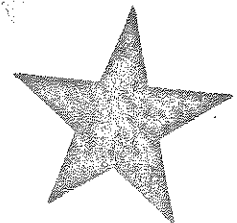
It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$ 1,311.59 to be added to the subject property tax bill in order to be reimbursed for the Town's work to clean-up the subject property.

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 1:48


ELIZABETH L. MACCARONE
COMMISSIONER

ME:ml
Enclosure



THIS INDENTURE, made the 2nd day of September, in the year, 2009

BETWEEN

[REDACTED], as surviving tenant by the entirety, residing at 64 Devon Road, Old Bethpage, NY 11714
party of the first part, and

[REDACTED], as surviving tenant by the entirety, residing at 64 Devon Road, Old Bethpage, NY 11714
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 part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Bethpage, Town of Oyster Bay, County of Nassau and State of New York, known and designated as plot 17 in Block 420 on a certain map entitled "Village Garden Homes, Section 7 situated at Bethpage, Town of Oyster Bay, Nassau County, New York, October 1951, Bartlett, Ludlam & Dill, 189 Montague Street, Brooklyn, New York" and filed in the Office of the Clerk of the County of Nassau on December 3, 1951 as Map No. 5362 bounded and described according to said map as follows:

416 BEGINNING at a point on the southerly side of Devon Road distant 56.57 feet westerly when measured along the southerly side of Devon Road from the westerly side of a curve having a radius of 20 feet which curve connects the southerly side of Devon Road and the westerly side of Essex Road and from said point of beginning;

Block 420 RUNNING THENCE south 13 degrees 13 minutes 32 seconds east 100 feet to other land of Stuart-Hicksville Corp.;

61 THENCE westerly along the last mentioned land along an arc of a curve having a radius of 486.38 feet a distance along the arc of said curve 66.92 feet;

7 THENCE north 10 degrees 20 minutes 32 seconds west 100 feet to the southerly side of Devon Road; and

THENCE RUNNING easterly along the southerly side of Devon Road along an arc of a curve having a radius of 386.38 feet a distance along the arc of said curve of 53.16 feet to the point of place of BEGINNING.

SAID premises are known and designated on the Land and Tax Map of the County of Nassau as Section 46 Block 420 Lot 17, and also known 64 Devon Road, Old Bethpage, NY 11714

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above-described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, 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.

AND the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same, that the party of the second part shall quietly enjoy the said premises; that the said premises are free from encumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and that said party of the first part will forever warrant the title to said premises.

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:

[REDACTED]

**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: 64 DEVON ROAD, BETHPAGE
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 \$1,311.59.

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 (46-420-17) 64 DEVON RD BETHPAGE 11714

Date Oct 11, 2022

Work Order # 99010

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:00	\$37.26	00:00	0	\$37.26
VINCENT PADAVANO	General Maintenance	01:00	\$53.61	00:00	0	\$53.61
PETER K SELL	General Maintenance	01:00	\$27.16	00:00	0	\$27.16
JOHN MURRAY	General Maintenance	01:00	\$23.56	00:00	0	\$23.56
Total Labor						\$141.59

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU472	2020 FORD F250 PICK UP YELLOW	\$79.00	01:00	\$79.00
TD704	TRUCK DUMP 2011 FORD F350 YELLO (T145 / T-145) - Power Wagons	\$105.00	01:00	\$105.00
TD732	TRUCK DUMP 2016 INTL 7300 YW (T141) 6 WHEELER	\$131.00	01:00	\$131.00
TR204	TRAILER 2017 FELLI FT30 BL	\$105.00	01:00	\$105.00
Total Equipment				\$420.00

Materials

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

Grand Total \$1311.59

Description of Work:

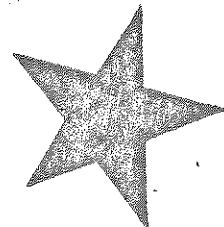
CLEAN UP 64 DEVON ROAD BETHPAGE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 13, 2022



Meeting of February 7, 2023

Resolution No. 92-2023

Office of Town Attorney
Reviewed By
Elizabeth A. Faughnan

WHEREAS, by Resolution No. 845-2022, adopted on November 15, 2022, the Town Board authorized the Department of Public Works to enter into Contract No. PWC07-22 with John A. Grillo Architect, P.C., to provide On-Call Engineering Services related to Site Development, for a two (2) year term, commencing on January 1, 2023 through December 31, 2024; and

WHEREAS, John A. Grillo Architect, P.C., Consulting Engineers, provided such services regarding construction design in connection with Contract No. DP23-244, Centre Island Beach Synthetic Turf Field Replacement; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated January 18, 2023, stated that the design for Contract No. DP23-244 has been completed, and that the Department of Public Works/Highway has approved the plans and specifications, with an estimated construction time for completion of 30 days; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of General Services, Division of Purchasing, to proceed with setting a bid date for receiving bids for the contract, and requested further, that the Department of General Services, Division of Purchasing, contact the Department of Public Works/Highway, Division of Engineering, to establish a bid date,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of General Services, Division of Purchasing is authorized and directed to proceed with the bidding phase for Contract No. DP23-244, and to proceed with setting a bid date for receiving bids.

-#-

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

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92

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

January 18, 2023

TO: MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASE
CENTRE ISLAND BEACH SYNTHETIC TURF FIELD REPLACEMENT
CONTRACT NO. DP23-244

Town Board Resolution No.845-2022 authorized John A. Grillo, Architects, to perform engineering services relative to the above-mentioned contract.

The design has been completed and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 30 calendar days.

It is hereby requested that the Town Board authorize by Resolution that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.



RICHARD W. LENZ, P.E.

COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/CC/sb

cc: Steven C. Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
Joseph G. Pinto, Commissioner/Parks

Meeting of November 15, 2022

Resolution No.845-2022

WHEREAS, by Resolution No. 741-2021, adopted on December 7, 2021, the Town Board authorized John A. Grillo Architect, P.C., to provide On-Call Engineering Services in connection with Contract No. PWC09-22, Site Development, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, John M. Grillo, Architect, John A. Grillo Architect, P.C, by letter dated October 19, 2022, described the scope of work to be performed under Contract No. PWC09-22, including engineering services related to the replacement of the existing turf field at Centre Island Beach, Bayville; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated November 3, 2022, requested Town Board authorization for John A. Grillo Architect, P.C., to provide the aforesaid On-Call Engineering Services under Contract No. PWC09-22, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$41,825.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2202 001, Project ID No. 2202PKSA-03; and

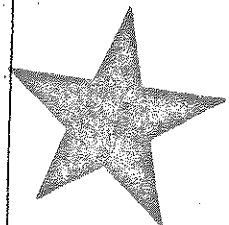
WHEREAS, the Office of the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and John A. Grillo Architect, P.C., is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC09-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$41,825.00 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2202 001, Project ID No. 2202PKSA-03.

-#-

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. DeLong

Meeting of February 7, 2023

Resolution No. 93-2023

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated January 20, 2023, requested Town Board authorization to enter into an Agreement with the New York State Department of Labor ("NYS DOL") to initiate the New York Systems Change and Inclusive Opportunities Network ("SCION"), whose mission is to improve the participation of individuals with intellectual and developmental disabilities in the workforce and improve their employment outcomes via a sustainable, job-driven, inclusive model that involves businesses and workforce demand; and

WHEREAS, Commissioner Sammartano, by said memorandum, advised that the Local Workforce Development Board of the Town of Oyster Bay, the Town of North Hempstead and the City of Glen Cove was awarded up to \$300,000.00 to administer this new three-year statewide initiative; and that as the pass-through entity of the WIOA funds to the local area, NYS DOL must execute a Subrecipient Agreement incorporating all administrative, fiscal and operational aspects of the SCION grant; and

WHEREAS, Commissioner Sammartano, by said memorandum, further advised that funding in the amount of \$92,132.13, for the first year (2023), has been approved and is available, starting January 1, 2023, nunc pro tunc, through December 31, 2023, and further requested that the Supervisor be authorized to execute the Subrecipient Agreement on behalf of the Town, with funds for this purpose available in Account No. IGA CD 6293 48080 000 CW 21,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor is hereby authorized to enter into a Subrecipient Agreement incorporating all administrative, fiscal and operational aspects of the SCION grant, for the period of January 1, 2023, nunc pro tunc, through December 31, 2023, with funds for this purpose available in Account No. IGA-CD-6293-48080-000-CW-21.

-#-

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

January 20, 2023

TO: MEMORANDUM DOCKET

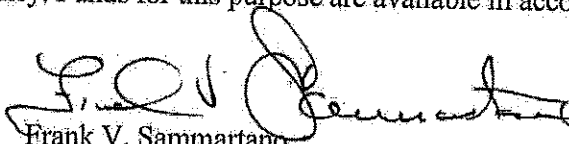
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

SUBJECT: NEW YORK SYSTEMS CHANGE AND INCLUSIVE OPPORTUNITIES
NETWORK (SCION)

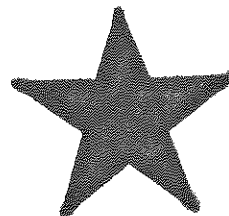
The Department of Intergovernmental Affairs' Division of Employment and Training would like to enter into an Agreement with New York State Department of Labor (NYSDOL) piloting the SCION program. The Mission of the SCION program is to improve the participation of individuals with intellectual and developmental disabilities in the workforce and improve their employment outcomes via a sustainable, job-driven, inclusive model that involves businesses and workforce demand.

The Local Workforce Development Board of the Town of Oyster Bay, Town of North Hempstead and City of Glen Cove was awarded up to \$300,000 to administer this new three-year statewide initiative. As the pass-through entity of the WIOA funds to local area, NYSDOL is required to execute a Subrecipient Agreement incorporating all administrative, fiscal and operational aspects of the SCION grant.

Funding in the amount of \$92,132.13, for the second year (2023), has been approved and is available starting January 1st 2023 through December 31st 2023. Therefore, it is respectfully requested that the Town Board grant authorization for the Supervisor to sign the Subrecipient agreement, which has been forwarded to the Office of the Town Attorney. Funds for this purpose are available in account IGA CD 6293 48080 000 CW 21.


Frank V. Sammartano
Commissioner

FVS: PF



WE ARE YOUR DOL



Department
of Labor

Kathy Hochul, Governor
Robert A. Reardon, Commissioner

January 6, 2023

Mr. Joseph S. Saladino
Town Supervisor
Town of Oyster Bay
54 Audrey Avenue
3rd Floor
Oyster Bay, New York 11771

JAN 19 PM 2:37
SUPERVISOR'S OFFICE

Dear Mr. Saladino:

Congratulations. Your area was awarded up to \$300,000.00 to administer a new three-year statewide initiative known as the New York Systems Change and Inclusive Opportunities Network (NY SCION). Funds for year 1 were issued on March 31, 2022 in the amount of \$87,368.80.

Based on the budget you submitted, your second-year allocation is in the amount of \$92,132.13. Year 2 funds are approved for the period January 1, 2023 to December 31, 2023.

As the pass-through entity of WIOA funds to your local area, NYSDOL is required to execute the attached Subrecipient Agreement incorporating all administrative, fiscal, and operational aspects of the grant and includes the following sections:

1. Subrecipient Cover Page
2. Notice of Obligational Authority (NOA) document
3. PeopleSoft Account Codes
4. Subrecipient Implementation Plan and Budget
5. USDOL Notice of Obligational Authority (NOO) and Agreement
6. Technical Advisory 21-06: The New York Systems Change and Inclusive Opportunities Network (NY SCION) Disability Resource Coordinator (DRC) Pilot Program
7. Updated Frequently Asked Questions (FAQs)
8. Subrecipient Attestation

Allowable program activities under the NY SCION grant are outlined in the incorporated proposal and budget, and include wages, fringe, DRC training, travel, assistive technology, general and administrative expenditures. Administrative expenditures should not exceed 10% of the final award spending.

All expenditures, accruals, and obligations allowable under the NY SCION grant must be reported monthly in PeopleSoft under Program Code **345** for Program Year 2021 (PY21). Please note, funds remaining unexpended at the end of this project will be de-obligated and will no longer be available for use by your Local Workforce Development Area (LWDA).

Please review the attached Subrecipient Agreement and complete and return the attestation document (Section 8) by **COB, Friday, January 20, 2023**. The attestation requires signature by the Chief Elected Official (CEO) or an authorized signatory.

Any questions concerning this information should be directed to Ms. Sin Ting So, State Representative at 212-775-3349.

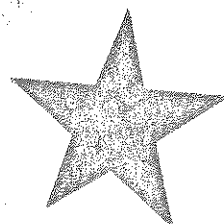
Sincerely,



Russell Oliver
Director
Division of Employment and Workforce Solutions

Attachment(s)

cc: Mr. John Sarcone
Mr. Dennis Palmieri
Ms. Sin Ting So
Ms. Jing Lu
Ms. Elizabeth Dovell





NEW YORK
STATE OF
OPPORTUNITY™

**Department
of Labor**

Subrecipient Agreement

The New York Systems Change and Inclusive Opportunities Network (NY SCION)

Grant # AA-36336-21-55-A-36

Russell Oliver
Director, Division of Employment and Workforce
Solutions

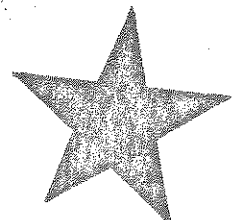




Table of Contents

Section 1 – Subrecipient Cover Page

Section 2 – Notice of Obligational Authority (NOA)

Section 3 – PeopleSoft Account Codes

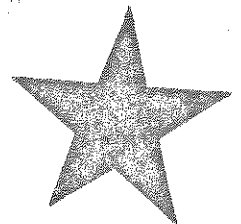
Section 4 – Subrecipient Implementation Plan and Budget

Section 5 – USDOL Notification of Obligation (NOO) and Agreement

Section 6 – Technical Advisory 21-06 The New York Systems Change and Inclusive Opportunities Network (NY SCION) Disability Resource Coordinator (DRC) Pilot Program

Section 7 – Frequently Asked Questions (FAQs)

Section 8 – Subrecipient Attestation

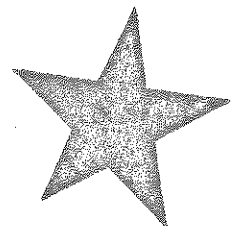




Department
of Labor

SECTION 1

SUBRECIPIENT COVER PAGE



NYS Department of Labor Division of Employment & Workforce Solutions	Subrecipient Agreement Notification of Award/Obligation: PY21 New York Systems Change and Inclusive Opportunities Network (NY SCION) Year 2
	Federal Award Identification Number: [REDACTED]
	[REDACTED]
	Federal Award Date: 7/1/2021

Under the authority of the Workforce Innovation and Opportunity Act, this grant or agreement is entered into between the above named Grantor Agency and the following named Subrecipient Awardee, for a project entitled – NY SCION

Subrecipient:	Joseph Saladino Town of Oyster Bay Supervisor
UEI Number:	[REDACTED]
Project Description:	NY SCION - Program Year 2021 Year 2 Funding
Subaward Period of Performance:	January 1, 2023 to December 31, 2023
Total Funds Committed to Subrecipient (unless otherwise amended):	\$92,132.13
Indirect Cost Rate:	To Be Determined
R&D Grant:	Not applicable

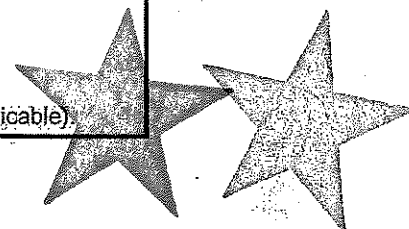
Payments to subrecipients will be made via the Notice of Obligation Authority process with subrecipients reporting expenditures, accruals, and obligations via the PeopleSoft Financial application.

In performing its responsibilities under this subrecipient agreement, the subrecipient assures that it will fully comply with all applicable state and federal rules and regulations including but not limited to the following NYSDOL Technical Advisories, federal regulations, and federal cost principles, including any subsequent amendment:

NYS Department of Labor Technical Advisories:

- 1) TA #21-4 "Monitoring – New York State Department of Labor (NYSDOL) Workforce Innovation and Opportunity Act (WIOA) Monitoring/Oversight of and Provision of Technical Assistance to Local Workforce Development Boards (LWDBs) and LWDB Responsibilities Relating to NYSDOL's Monitoring Process"
<https://dol.ny.gov/system/files/documents/2021/06/ta-21-04-qa-monitoring-06-25-2021.pdf>
- 2) TA #21-5 "Monitoring - Remote and/or Onsite Subrecipient Oversight and Monitoring Responsibilities for Chief Elected Officials (CEOs) and Local Workforce Development Boards (LWDBs)"
<https://dol.ny.gov/system/files/documents/2021/06/ta-21-05-subrecipient-monitoring-06-25-2021.pdf>
- 3) TA #11-2.4 "Financial Reporting and Cash Draw-down Policy and Procedures for WIOA, Trade Adjustment Act and Other Federal Funding"
<https://dol.ny.gov/system/files/documents/2021/03/ta-11-02.4.pdf>
- 4) TA #17-4 "Final Fiscal Closeout of Expiring Federal Funds"
<https://dol.ny.gov/system/files/documents/2021/03/ta-17-04.pdf>
- 5) TA #16-2 "Retention of Records by Local Workforce Development Boards"
<https://dol.ny.gov/system/files/documents/2021/03/ta-16-02.pdf>

USDOL Grant Agreement / Notification of Award / Obligation
Includes Uniform Administrative Requirements, Cost Principles, and Other Requirements (as applicable)

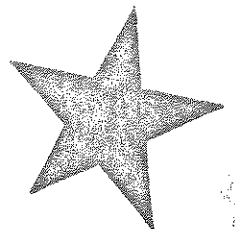




Department
of Labor

SECTION 2

NOTICE OF OBLIGATIONAL AUTHORITY (NOA)



NYS Department of Labor
Division of Employment & Workforce Solutions

NOTICE OF OBLIGATIONAL AUTHORITY (NOA)

Authorizing Program Year 2021 Workforce Innovation & Opportunity Act (WIOA)
Title 1-B Funding

Funding for the first year of the NY SCION Grant is authorized for the period 01/01/2022 through
12/31/2022. (PY20)

Funding for the second year of the NY SCION Grant is authorized for the period 01/01/2023 through
12/31/2023. (PY21)

Funding for the third year of the NY SCION Grant will be authorized for the period 01/01/2024 through
12/31/2024. (PY22)

Program: WIOA Program Year 2021

NOA Number: RR SCION PY20-2

Grantor: Governor of New York through the NYS Department of Labor

Local Workforce Development Area (LWDA) Subrecipient Information

LWDA Name: Oyster Bay

LWDA Assigned Number: 74

Subrecipient Contact: Joseph Saladino

Subrecipient Contact Title: Town of Oyster Bay Supervisor

WIOA Title 1-B

Program	CFDA #	Prior Approved Level	Change (per this NOA)	New Level
NY SCION - Year 1 (PY20)	17.278	\$87,368.80	\$0.00	\$87,368.80
NY SCION - Year 2 (PY21)	17.278	\$0.00	\$92,132.13	\$92,132.13
NY SCION - Year 3 (PY22)	17.278	\$0.00	\$0.00	\$0.00
Total		\$87,368.80	\$92,132.13	\$179,500.93

NYSDOL Contact Information

Representative Name: Sin Ting So

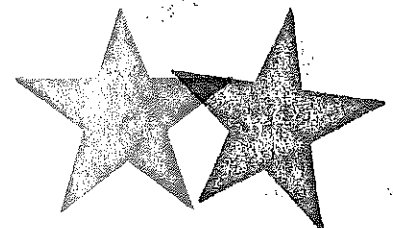
Phone Number: (212) 775-3346

Approval Signature: _____

Russell Oliver
Director

Division of Employment and Workforce Solutions

1/6/2023

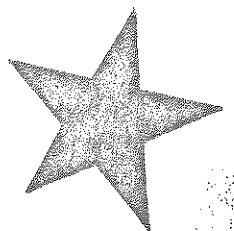




Department
of Labor

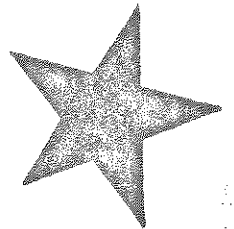
SECTION 3

PEOPLESOFT ACCOUNT CODES



PeopleSoft Codes Used for NY SCION Grant

Account	Description in PS	Corresponds to:
511000	General	Non-personnel Costs (e.g. rent, phones, utilities, etc.)
513100	Training - General	DRC Training
516000	Administration	Administration
516100	Wages	DRC Wages
516101	Fringe	DRC Fringe
516102	Technology	Assistive Technology Purchase
516103	Travel	DRC Travel
551000	Accrued General	Accrued Non-personnel Costs (e.g. rent, phones, utilities, etc.)
553100	Accrued Training - General	Accrued DRC Training
556000	Accrued Administration	Accrued Admin
556100	Accrued Wages	Accrued DRC Wages
556101	Accrued Fringe	Accrued DRC Fringe
556102	Accrued Technology	Accrued Assistive Technology Purchase
556103	Accrued Travel	Accrued DRC Travel
591000	Obligated General	Obligated Non-personnel Costs (e.g. rent, phones, utilities, etc.)
593100	Obligated Training - General	Obligated Training Services
596000	Obligated Administration	Obligated Admin
596100	Obligated Wages	Obligated DRC Wages
596101	Obligated Fringe	Obligated DRC Fringe
596102	Obligated Technology	Obligated Assistive Technology Purchase
596103	Obligated Travel	Obligated DRC Travel

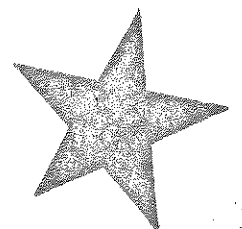




Department
of Labor

SECTION 4

SUBRECIPIENT IMPLEMENTATION PLAN AND BUDGET



NEW YORK SYSTEMS CHANGE AND INCLUSIVE OPPORTUNITIES NETWORK (NY SCION) IMPLEMENTATION PLAN

Introduction

The New York State Department of Labor (NYSDOL) is piloting the New York Systems Change and Inclusive Opportunities Network (NY SCION).

The mission of NY SCION is to improve the participation of individuals with disabilities, including individuals with intellectual and developmental disabilities, in workforce systems and improve their employment outcomes via a sustainable, job-driven, inclusive model that involves businesses and workforce demand.

The specific goals of the pilot are to:

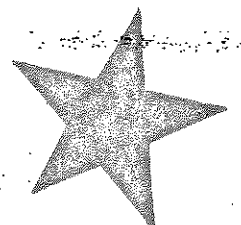
1. Improve employment outcomes for individuals with disabilities, ages 18 and older, using existing training, career pathways, Integrated Resource Teams (IRTs), Ticket to Work (TTW), asset development, and other promising and proven interventions;
2. Expand available career services provided in the New York State (NYS) Career Center network to job seekers with disabilities;
3. Support and expand partnerships, collaboration, service coordination, and service delivery across multiple education, workforce, and disability systems; and
4. Support evaluation, sustainability planning, and implementation strategies including partnership development, business and funder outreach, and revenue identification.

Up to \$100,000 in available funds will hire and support a new, or designate an existing, Disability Resource Coordinator (DRC) position. The DRC role is described in greater detail in Attachment B: Disability Resource Coordinator (DRC) Job Description and Recommended Minimum Qualifications.

Local Workforce Development Boards (LWDBs) are being asked to demonstrate their **current** capacity to serve individuals with disabilities, as well as the gaps in strategy a DRC will help to address, through responses to the implementation and sustainability questions below. This Implementation Plan must be submitted to SpecialPopulations@labor.ny.gov by **November 30, 2021**.

Program Delivery Description

1. Describe current efforts to enroll individuals with disabilities ages 18 and older into career services that support career exploration, career advancement, and resource



2. Describe current service delivery strategies targeted to individuals with disabilities and any recent efforts to improve their employment outcomes.

Highlight strengths of the current strategy.

Current services available for individuals with disabilities include a full range of Core, Intensive and Training services at the WNYCC's located in Hicksville and Massapequa. Individual options and levels of service for each job seeker are based upon an individual assessment and determination of need. Available services include:

- Virtual workshops: Building a Resume, Interviewing Strategies, Job Searching, and more
- Virtual employer presentations and job recruitment events
- Career Guidance
- Free career and online training services to participate in existing career pathways programs
- Remote work experience for developing skills in a professional setting
- Online job search assistance and direct access to companies that provide integrated

The WNYCC's has adaptive PC Computer technology for the Blind. The WNYCC's also have equipment with a TTY, which is used by Deaf and Hard of Hearing customers who receive services from Mill Neck Services for the Deaf. The Center's accessibility is in compliance with ADA specifications.

Highlight the gaps in the current strategy and how a DRC in your local area will address those gaps. If your area already has a DRC, or if you intend on designating a pre-existing staff to serve in role, please advise how this individual will now be able to address those gaps.

Currently the Hicksville and Massapequa WNYCC's do not have a designated staff member specifically designated to work with disabled individuals. All staff members are not trained on adaptive technology but can be. The WNYCC would hire a DRC to specifically work with persons with disabilities. The full-time DRC will organize and may conduct regularly scheduled staff development and training for Career Center, partner and community staff. If DRC sees ANY job seeker, it should be job seekers who are collecting SSA Benefits (SSI, SSDI) to provide benefits advisement while the rest of the staff assist them in their job search efforts. The DRC can also see individuals via a collaborative effort to serve with partners.

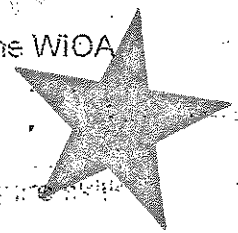
3. Describe current collaborations and/or partnerships with employment service providers to effectively meet the needs of businesses.

Highlight strengths of the current strategy.

The WNYCC's offer many services through the WIOA Program.

These services include:

Individual Rose



Highlight strengths of the current strategy.

Linkage to community supports are our current strategy.

Highlight the gaps in the current strategy and how a DRC in your local area will address those gaps. If your area already has a DRC, or if you intend on designating a pre-existing staff to serve in role, please advise how this individual will now be able to address those gaps.

Currently the Hicksville and Massapequa WNYCC's do not have a designated staff member specifically designated to work with disabled individuals. All staff members are not trained on adaptive technology. We intend on hiring a full-time DRC to organize and conduct regularly scheduled staff development and training for Career Center, partner and community staff. Potential outreach strategies that will take place will be within VR trade schools, high school education programs, colleges and community organizations. Create and utilize assessment tools and strategies. Work closely with the Business Services staff to educate employers about the valuable resources represented by individuals with disabilities. The full-time DRC will make presentations and provide brochures of available services and employment opportunities. Some avenues that will be targeted are the local vocational trade schools, high school special education programs, colleges and community organizations such as ACCESS-VR, FREE and case management. A list of providers of agencies that work with specialized populations will be updated regularly and shared with staff. The DRC will create a list of providers of agencies that work with specialized populations and this list will be updated regularly and shared with staff. Outreach will commence during the first month this of the pilot of the SCION program and will continue on an ongoing need bases.

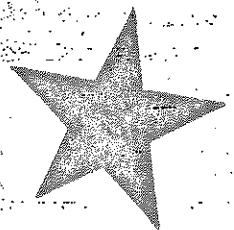
5. Describe current efforts to recruit and serve Social Security Administration (SSA) beneficiaries (e.g., recipients of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI)) under the TTW Program in your capacity as a participating Employment Network under the New York Employment Services System (NYESS) Administrative Employment Network (AEN).

Please note: Under NY SCION, we strongly encourage every LWDB to be registered as an Employment Network (EN) under the NYESS AEN. If your area is not a participating EN – whether under the NYESS AEN, a separate AEN, or your own EN – please also answer question 6 below.

Highlight strengths of the current strategy.

Currently, there is no outreach strategy to recruit SSA beneficiaries. Outreach efforts will include flyers and mailers to be sent to those disabled along with conversations with community providers currently serving those disabled. Flyers that will be created will be informative for the individual in need of service in order to be able to create the desired partnerships.

and how a DRC in your local area will address those gaps.



IMPLEMENTATION PLAN

are being asked demonstrate capacity to expand services for individuals with disabilities ages 18 and older to the Project Implementation Plan.

OBJECTIVE #1

BUSINESS EDUCATION, OUTREACH, AND ENGAGEMENT STRATEGY

Describe any education and outreach that will be used to promote the value of recruiting, hiring, training, and retaining people with disabilities.

Outreach to serve the designated population will not be limited to Independent Living Centers, outreach will also include Vocational Rehabilitation and Disability Service Agencies in our area including but not limited to FREE (Family Residences and Essential Enterprises), Mental Health facilities. A flyer will be created as an informative measure to outline the services provided. Flyers will be sent to qualifying individuals on an ongoing basis along with the community in order to inform the intended population. Outreach will not be limited to flyers, however outreach will commence with telephonic communications, zoom meetings, presentations to various organizations in the community on an as needed basis in order to reach the intended population and hold value.

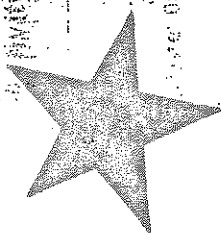
Describe any strategy(ies) that will be used to develop relationships with businesses in in-demand, growth areas to increase work-based learning and job placement opportunities for individuals with disabilities ages 18 and older.

Using the Department of Labor's statistics for businesses in high demand, we will be able to coordinate with businesses in need of employees and train and develop plans in order to retain those with disabilities. We will educate businesses regarding funding in which Ticket to Work is able to provide along with on the job training.

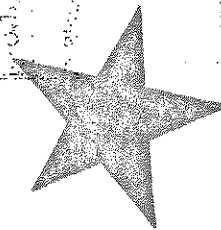
Describe any plans to adapt and modify policies and procedures to support business education, outreach, and engagement strategies.

The DRC plans to focus on training and awareness. As with any workplace, training and support are key to better support people with disabilities in your organization. Creating a training program that includes communication with employees who have disabilities and anti-discrimination policies, and make sure these are delivered regularly. The DRC will actively ensure existing training resources in partnership with community providers through a collaborative effort with VR entities

<p>Local staff and partners will be trained to execute programmatic accessibility requirements which includes providing reasonable accommodations for individuals with disabilities, making reasonable modifications to policies, practices, and procedures, administering programs in the most integrated setting appropriate, communicating with persons with disabilities as effectively as with others, and providing appropriate auxiliary aids or services, including assistive technology devices and services, where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of the program or activity.</p> <p>Describe any plans to adapt and modify policies and procedures to support disability awareness and program accessibility training.</p> <p>Our plan is to create a team in order to bring awareness to all businesses and personal to support all disabilities and accessibility training. This will include informative meetings with Independent Living Centers and Vocational Rehabilitation Centers in which can help bring awareness to issues needing to be addressed.</p> <p>Describe any training that will support evaluation and sustainability planning and implementation.</p> <p>Evaluation and sustainability planning will continue throughout the adaptation of the DRC's role. The DRC will create an evaluation standard in order to be used on each individual who enters into the program to ensure program accessibility and awareness. Along with properly documenting in the Social Security Ticket-to-Work (TTW) data base. Quarterly meetings will be held with each stakeholder to address any ongoing issues and need and how to address all needs.</p>			
<p>Target Date</p>	<p>Resources Required</p>	<p>Lead Person/ Organization</p>	<p>Anticipated Product or Result</p>



Activity	Target Date	Resources Required	Lead Person/ Organization	Anticipated Product or Result
Development	April 2022		DRC Designee	
Retention	April 2022		DRC Designee	
Peer Pathway Training Strategy	April 2022		DRC Designee	



Change (Y/N):

ACTION PLAN				
Activity	Target Date	Resources Required	Lead Person/ Organization	Anticipated Product or Result
Coordination	April 2022		DRC Designee	

CONCERN #5

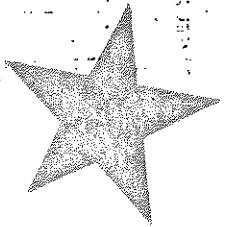
SERVICE STRATEGY EVALUATION AND SUSTAINABILITY

- Describe the LDWB's service approach and implementation including products that will be managed and facilitated by the DRC.

The DRC will lead partner meetings to encourage activities to coordinate employment services such as career exploration, training, and benefits advisement with other systems providers such as the Office of Mental Health. Initial meetings will be held, with not only the workforce, but also all other partnerships to discuss the new initiative will commence, as we feel it is important to discuss this initiative to have no limit on how many meetings will be held. This will include but not limited to hosting job fairs, including "Meet the Employer" sessions where those with disabilities are able to explore career pathways in an advanced setting. LBWD will participate in mock interviews and resume assistance to further prepare those with disabilities into the work force. Current relationship with NYS Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) referrals will continue to be made to further provide career readiness and literacy training.

assessment and program referral; supportive services; career planning and counseling; financial literacy and capability
vocational skills training; on-the-job training; internships and work experiences

Activity	Target Date	Resources Required	Lead Person/ Organization	Anticipated Product or Result
Evaluation	April 2022		DRC Designee	
Sustainability	April 2022		DRC Designee	



The New York Systems Change and Inclusive Opportunities Network (NY SCION)

Disability Resource Coordinator Pilot Program

BUDGET SUMMARY FOR ALL THREE YEARS

From: 1/0/1900

To: 1/0/1900

NOTE: Amounts on this page are formula driven. No entry needed except for areas highlighted in yellow below.

LWDA #:	74
LWDA Name:	Oyster Bay - Glen Cove - North Hempstead

		YEAR ONE		YEAR TWO		YEAR THREE		GRAND TOTAL
		1/0/1900	1/0/1900	1/0/1900	1/0/1900	1/0/1900	1/0/1900	
Disability Resource Coordinator Staff	FROM:							
	TO:							
	SALARY \$	50,003.20	\$	53,002.92	\$	55,502.88	\$	158,509.00
	FRINGE \$	26,912.70	\$	28,200.00	\$	29,883.60	\$	84,996.30
	TRAINING \$	540.00	\$	540.00	\$	540.00	\$	1,620.00
	TRAVEL \$	540.00	\$	540.00	\$	540.00	\$	1,620.00
	A. TECH \$	540.00	\$	540.00	\$	540.00	\$	1,620.00
	GENERAL \$	96.00	\$	96.00	\$	96.00	\$	288.00
	ADMIN \$	8,736.88	\$	9,213.21	\$	9,678.05	\$	27,628.15
	TOTAL \$	87,368.80	\$	92,132.13	\$	96,780.53	\$	276,281.47

THE ABOVE BUDGET IS AN ACCURATE REPRESENTATION OF THE FUNDING REQUIRED TO OPERATE THE NEW YORK SYSTEMS CHANGE AND INCLUSIVE OPPORTUNITIES NETWORK FOR THE THREE-YEAR PERIOD. MODIFICATIONS TO THIS BUDGET WILL BE PROVIDED, IF NECESSARY.

COMPLETED BY:

TITLE:

EMAIL:

PHONE:

DATE:

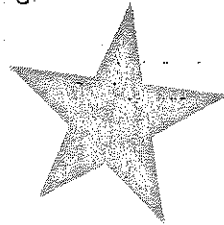
John Sarcone

Director

jsarcone@oysterbay-ny.gov

516-797-7973

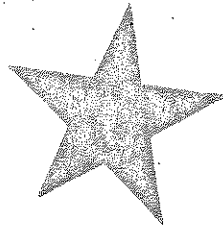
1/27/2022



Budget Year One

1. The 'month one' should be the first month in which you expect to incur NY SCION programme expenses.

TOTAL BUDGET FOR YEAR 1 \$ 87,368.80



The New York Systems Change and Inclusive Opportunities Network (NY SCION)

Disability Resource Coordinator Pilot Program

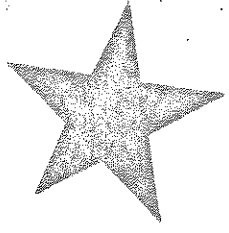
Budget Year Two

NOTE: COMPLETE ONLY THOSE BOXES HIGHLIGHTED IN YELLOW.

LWDA #:	74
LWDA Name:	Oyster Bay - Glen Cove - North Hempstead

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	TOTAL
Disability Resource Coordinator Staff													
SALARY \$	4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 4,416.91	\$ 53,002.92
FRINGE \$	2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 28,200.00
FARMING \$	45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 540.00
TRAVEL \$	45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 540.00
A. TECH \$	45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 540.00
GENERAL \$	8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 96.00
ADMIN \$	767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 767.77	\$ 9,213.21
TOTAL \$	7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 7,677.68	\$ 92,132.13

TOTAL BUDGET FOR YEAR 2 \$ 92,132.13



The New York Systems Change and Inclusive Opportunities Network (NY SCION)

Disability Resource Coordinator Pilot Program

Budget Year Three

PLEASE COMPLETE ONLY THOSE BOXES HIGHLIGHTED IN YELLOW.

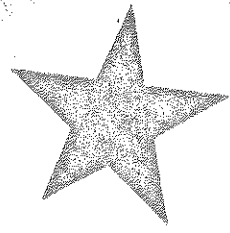
AWA #:	74
LWDA Name:	Oyster Bay - Glen Cove - North Hempstead

Not Reimbursed from

Disability Resource Coordinator Staff

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	TOTAL
SALARY	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 4,625.24	\$ 55,502.88
FRINGE	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 2,490.30	\$ 29,883.60
TRAVEL	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 540.00
A. TECH	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 45.00	\$ 540.00
A. TECH	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00	\$ 96.00
ADMIN	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 806.50	\$ 9,678.05
TOTAL	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 8,065.04	\$ 96,780.53

TOTAL BUDGET FOR YEAR 3 \$ 96,780.53

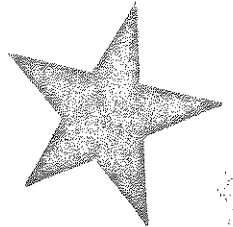




Department
of Labor

SECTION 5

USDOL GRANT NOTIFICATION OF OBLIGATION (NOO) AND AGREEMENT



U.S. DEPARTMENT OF LABOR / EMPLOYMENT AND TRAINING ADMINISTRATION

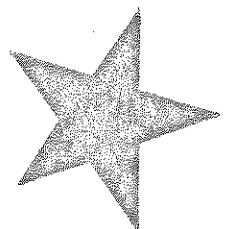
Action:

YEAR / CFDA PROGRAM ACCOUNT ID	Mod 0 CURRENT LEVEL	Mod 1 MODIFICATION	NEW LEVEL	PMS DOC #
FY 21 / 17.259 WIOA YOUTH FORMULA GRANTS - STATES 21-1430-2021-0591742122BD202101740005215EYF000A0000ACW100ACW100-A90200-410023-ETA-DEFAULT TASK-	\$56,398,871.00	\$0.00	\$56,398,871.00	AA36336E10
FY 21 / 17.258 WIOA ADULT ACTIVITIES - STATES 21-1830-2021-0561742122BD202101740001215AD010A0000ACW100ACW100-A90200-410023-ETA-DEFAULT TASK-	\$0.00	\$9,864,341.00	\$9,864,341.00	AA36336D90
FY 21 / 17.278 WIOA DISLOCATED WORKERS - FORMULA - STATES 21-1830-2021-0301742122BD202101740003215AD020A0000ACW100ACW100-A90200-410023-ETA-DEFAULT TASK-	\$0.00	\$12,466,191.00	\$12,466,191.00	AA36336DQ0
TOTAL FUND AVAILABILITY	\$56,398,871.00	\$22,142,532.00	\$78,541,203.00	

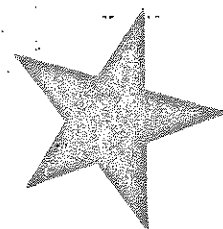
Approved
by

SERENA BOYD

Grant Officer



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<i>Attachment A: SF-424</i>	



4. Administrative Law Judge Removal of Award

By drawing down funds, your organization as the award recipient agrees to the provisions of 20 CFR 683.820(b)(6), which states:

"Any organization selected and/or funded under WIOA Title I, Subtitle D, is subject to having its award removed if an Administrative Law Judge (ALJ) decision so orders. As part of this process, the Grant Officer will provide instructions on transition and closeout to both the newly selected grantee and to the grantee whose position is affected or which is being removed."

5. Federal Project Officer

The DOL/ETA Federal Project Officer (FPO) for this award is:

Name: Danielle Worthen-Ramos

Telephone: 617- 788-0314

E-mail: WorthenRamos.Danielle@dol.gov

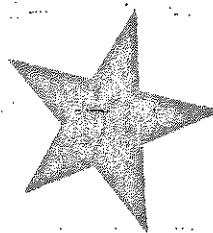
The FPO is not authorized to change any of the terms or conditions of the award, or approve prior approval requests. Any changes to the terms or conditions or prior approvals must be approved by the Grant Officer through the use of a formally executed award modification process.

6. Approved Budget

The grant award recipient's budget documents are attached in this NOA. The documents are: 1) the SF-424, included as Attachment A. As the grant award recipient, the grantee must confirm that all costs are allowable before creating any expenses. Pursuant to 2 CFR 2900.1, the approval of the budget as awarded does not constitute prior approval of those items specified in 2 CFR part 200 or as a part of the grant award as requiring prior approval. The Grant Officer is the only official with the authority to provide such approval.

Any changes to the budget that impact the Statement of Work (SOW) and agreed upon outcomes or deliverables will require a request for modification and prior approval from the Grant Officer.

If the period of performance will include multiple budget periods, subsequent budget periods are subject to the availability of funds, program authority, satisfactory performance, and compliance terms and conditions of the Federal award.



d. Single Audit Submission Deadline Extension Related to COVID-19

In OMB Memorandum M-20-17, OMB offered an extension of Single Audit submission deadlines for fiscal years ending June 30, 2020 to allow recipients and subrecipients a responsible transition to normal operations. This flexibility was extended through December 31, 2020 by GMB Memorandum 20-26.

In OMB Memorandum M-21-20, Appendix 3, Item IX, OMB has offered an additional extension of Single Audit submission deadlines for fiscal years ending June 30, 2021. Award recipients and subrecipients that have not yet filed their single audits with the Federal Audit Clearinghouse as of March 19, 2021 that have fiscal year-ends through June 30, 2021 may delay the completion and submission of the Single Audit reporting package, as required under 2 CFR § 200.501 (Audit Requirements), to six (6) months beyond the normal due date. This extension does not require individual recipients and subrecipients to seek approval for the extension by the cognizant or oversight agency for audit; however, recipients and subrecipients should maintain documentation of the reason for the delayed filing.

e. Budget Flexibility

Federal recipients are not permitted to make transfers that would cause any funds to be used for purposes other than those consistent with this Federal program. Any budget changes that impact the SOW and agreed upon outcomes or deliverables require a request for modification and approval from the Grant Officer.

As directed in 2 CFR 200.308(e), for programs where the Federal share is over the Simplified Acquisition Threshold (SAT) (currently \$250,000), the transfer of funds among direct cost categories or programs, functions, and activities is restricted such that if the cumulative amount of such transfers exceeds or is expected to exceed 10% of the total budget as last approved by the Federal awarding agency, the recipient must receive prior approval from the Grant Officer. Any changes within a specific cost category on the SF424(a) do not require a grant modification unless the change results in a cumulative transfer among direct cost categories exceeding 10% of total budget. It is recommended that the assigned FPO review any within-line changes to the grant award recipient's budget prior to implementation to ensure they do not require a modification.

For programs where the Federal share of the project is below the SAT of \$250,000, recipients are not required to obtain the Grant Officer's approval when transferring funds among direct cost categories.

f. Consultants

For the purposes of this grant award, the ETA's Grant Officer has determined that fees paid to a consultant who provides services under a program shall be limited to \$750.00 a day (representing an eight-hour workday). Such costs must be reasonable, allocable and allowable to the program. Any fees paid in excess of this amount cannot be paid without prior approval from the Grant Office.

With the exception of Native American programs established under WIOA, Section 166 all One-Stop partner programs including all programs that are funded under Title I of WIOA are required to contribute to the infrastructure costs and certain additional costs of the One-Stop delivery system in proportion to their use and relative benefits received, per 20 CFR 678.700 and 678.760. While Native American programs are not required to contribute to infrastructure costs per WIOA Section 121(h)(2)(D)(iv), they are strongly encouraged to contribute as stated in TEGL No. 17-16. The sharing and allocation of infrastructure costs between One-Stop partners is governed by WIOA Section 121(h), WIOA's implementing regulations, and the Federal Cost Principles contained in the Uniform Guidance at 2 CFR part 200 and DOL's exceptions at 2 CFR part 2900. The Federal Cost Principles state that a partner's contribution is an allowable, reasonable, necessary, and allocable cost to the program and is consistent with other legal requirements.

10. Administrative Requirements

a. SF-424, Application for Federal Assistance, and SF-424B, Assurances and Certifications

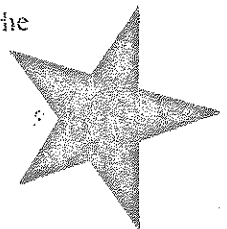
The signed SF-424, Application for Federal Assistance, has been included as an attachment to this grant award. The individual that signed the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the grant award recipient is in compliance with the Assurances and Certifications form SF-424B (available at <http://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>). *The grant award recipient does not need to submit the SF-424B form separately.*

b. Audits

Organization-wide or program-specific audits must be performed in accordance with Subpart F, the Audit Requirements of the Uniform Guidance. DOL awards recipients that expend \$750,000 or more in a year from any Federal awards must have an audit conducted for that year in accordance with the requirements contained in 2 CFR 200.501. OMB's approved exception at 2 CFR 2900.2 expands the definition of 'non-Federal entity' to include for-profit entities and foreign entities. As such, for-profit and foreign entities that are recipients/subrecipients of a DOL award must adhere to the Uniform Guidance at 2 CFR 200, including Subpart F. Audits of direct award recipients that are for-profit and foreign entities must be submitted directly to: USDOL ETA-OGM, Attn: Audit Resolution, 200 Constitution Ave NW, Room N4716, Washington, DC 20210. All other audit reports are submitted through the Federal Audit Clearinghouse.

c. Revisions to the Uniform Guidance

The Office of Management and Budget issued revisions to 2 CFR parts 25, 170, 183, and 200 (the Uniform Guidance) on August 13, 2020. These revisions became effective November 12, 2020, except for the amendments to §§ 200.216 and 200.340, which were immediately effective on August 13, 2020. The grant award recipient must operate in compliance with these revisions. ~~Recipients should note that the section numbering in the~~



equals or exceeds \$30,000 in Federal funds for a subaward to an non-Federal entity or Federal agency (see definitions in paragraph [5.] of this award term).

II. *Where and when to report.*

I. The Federal entity or Federal agency must report each obligating action described in paragraph [1.i.] of this award term to <https://www.fsrs.gov>.

II. For subaward information, the recipient must report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

III. *What to report.* The grant award recipient must report the information about each obligating action that the submission instructions posted at <https://www.fsrs.gov> specify.

2. Reporting total compensation of recipient executives for non-Federal entities.

I. *Applicability and what to report.* The grant award recipient must report total compensation for each of their five most highly compensated executives for the preceding completed fiscal year, if—

I. the total Federal funding authorized to date under this Federal award is equals or exceeds \$30,000 as defined in 2 CFR 170.320;

II. in the preceding fiscal year, the grantee received—

(A) 80% or more of the annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

III. The public does not have access to information on the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission (SEC) total compensation filings at <https://www.sec.gov/answers/execomp.htm>.)

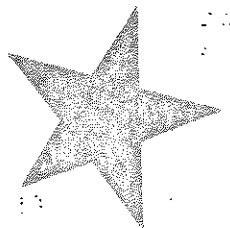
II. *Where and when to report.* The grant award recipient must report executive total compensation described in paragraph [2.a.] of this award term:

a. As part of your registration profile at <http://www.sam.gov>.

b. By the end of the month following the month in which this award is made, and annually thereafter.

3. Reporting of Total Compensation of Subrecipient Executives.

I. *Applicability and what to report.* Unless the grantee is exempt as provided in paragraph [4.] of this award term, for each first-tier non-Federal entity subrecipient under this award, the grant award recipient shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—



- II. The term does not include the grant award recipient procurement of property and services needed to carry out the project or program (for further explanation, see [2 CFR 200.330]).
- III. A subaward may be provided through any legal agreement, including an agreement that the grantee or a subrecipient considers a contract.

e. *Subrecipient* means a non-Federal entity or Federal agency that:

- I. Receives a subaward from the grant award recipient under this award; and
- II. Is accountable to the grantee for the use of the Federal funds provided by the subaward.

f. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 47 CFR 229.402(c)(2)):

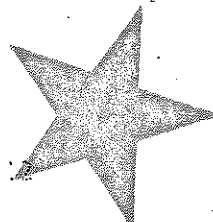
- I. *Salary and bonus.*
- II. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- III. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- IV. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
- V. *Above-market earnings on deferred compensation which is not tax-qualified.*
- VI. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

h. **Personally Identifiable Information**

The grant award recipient(s) must recognize and safeguard Personally Identifiable Information (PII) except where disclosure is allowed by prior written approval of the Grant Officer or by court order. Award recipients must meet the requirements in TEGL No. 39-11, Guidance on the Handling and Protection of PII, can be found at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7872.

i. **Pre-Award**

All costs incurred by the award recipient prior to the start date specified in the grant award issued by the Department are *incurred at the recipient's own expense*.



monetary fine or penalty of \$5,000 or more or a reimbursement, restitution, or damages in excess of \$100,000; or

IV. Any other criminal, civil, or administrative proceeding if:

(A) It could have led to an outcome described in Paragraph 2.c.I, II, or III of this award term;

(B) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the grantee's part; and

(C) The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting procedures. Enter in SAM, Entity Management area (formerly CCR), or any successor system, the FAPHS information that SAM requires about each proceeding described in Paragraph 2. of this award term. The grant award recipient does not need to submit the information a second time under assistance awards that were received if the recipient already provided the information through SAM (formerly CCR) because the recipient was required to do so under Federal procurement contracts that the recipient was awarded.

4. Reporting frequency. During any period of time when the grant award recipient is a subject to the requirement in paragraph 1. of this award term, the grantee must report FAPHS information through SAM no less frequently than semiannually following the initial report of any proceedings for the most recent 5-year period, either to report new information about any proceeding(s) that the grantee has not reported previously or affirm that there is no new information to report.

5. Definitions. For purposes of this award term:

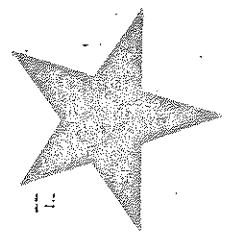
a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., SEC Administrative proceedings; Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently-active grants, cooperative agreements, and procurement contracts includes —

I. Only the Federal share of the funding under any award with a recipient cost share or match; and

II. The value of all options, even if not yet exercised.



p. Supportive Services & Participant Support Costs

When supportive services are expressly authorized by a program statute, regulation, or FOA, this award waives the prior approval requirement for participant support costs as described in 2 CFR 200.456. Costs must still meet the basic considerations at 2 CFR 200.402– 200.411. Questions regarding supportive services and participant support costs should be directed to the FPO who is assigned to the grant.

q. System for Award Management (SAM)

SAM is the official federal system that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of contract awards, grants, and electronic payment processes. A SAM registration is required for an entity to be able to apply for federal grants, to request modifications to existing grants, and to enable them to closeout expiring grants. See Training and Employment Notice 18-17 for additional guidance.

Unless the grant award recipient is exempt from this requirement under 2 CFR 25.110, the grantee must maintain current its information in the SAM. This includes information on the recipient's immediate and highest level owner and subsidiaries, as well as on all of the recipient's predecessors that have been awarded a Federal contract or Federal financial assistance within the last three years, if applicable, until the grantee submits the final financial report required under this Federal award or receive the final payment, whichever is later. This requires that the grantee review and update the information at least annually after the initial registration, and more frequently if required by changes in its information or another Federal award term.

1. Unique Entity Identifier Requirements

If the grant award recipient is authorized to make subawards under this award, then the grantee:

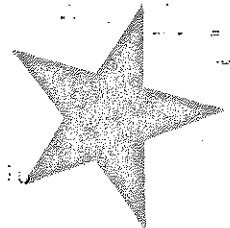
- i. Must notify potential subrecipients that no entity (see definitions below) may receive a subaward from the grant award recipient until the entity has provided its unique entity identifier to the grantee.
- ii. May not make a subaward to an entity unless the entity has provided its Unique Entity Identifier to the grantee. Subrecipients are not required to obtain an active SAM registration, but must obtain a Unique Entity Identifier.

NOTE: At some point, the DUNS Number will be replaced by a new, non-proprietary identifier requested in and assigned by SAM.gov. This new identifier is being called the Unique Entity Identifier (UEI), or the Entity ID. Users should continue using the DUNS Number in UEI fields until further notice. To learn more about SAM's rollout of the UEI, please visit gsa.gov/entityid.

2. Definitions

For purposes of this term:

• SAM is the Federal repository where the grant award recipients must provide information required for the conduct of business as recipients. Additional



4. Validation

ETA routinely checks the validity of a grant recipient's SAM registration and verifies that the recipient isn't included on the excluded parties list before making a grant award, or approving a modification to an existing award. Failure to have an active SAM registration can delay grant recipients from receiving their initial award or requested modifications to their existing awards.

r. Vendor/Contractor

The term "contractor," sometimes referred to as a vendor, is a dealer, distributor, merchant or other seller providing goods or services that are required to implement a Federal program (see 2 CFR 200.1). These goods or services may be for an organization's own use or for the use of the beneficiaries of the Federal program. Additional guidance on distinguishing between a subrecipient and a contractor (vendor) is provided in 2 CFR 200.331. When procuring contractors for goods and services, DOL/ETA recipients and subrecipients, must follow the procurement requirements found at 2 CFR 200.319, except states, pursuant to 2 CFR 200.317, which calls for free and open competition.

s. Whistleblower Protection

This grant award and employees working on this grant award are subject to the whistleblower rights and remedies established at 41 U.S.C. 4712. The grant award recipient shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712, as described in section 3.908 of the Federal Acquisition Regulation (48 CFR 3.908; note that for the purpose of this term and condition, use of the term "contract," "contractor," "subcontract," or "subcontractor" in section 3.908 should be read as "grant," "grantee," "subgrant," or "subgrantee"). The recipient shall insert the substance of this clause in all subgrants and contracts over the Simplified Acquisition Threshold.

t. Telecommunications

Title 2 CFR §200.216 Prohibition on certain telecommunications and video surveillance services or equipment. (Effective August 13, 2020)

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to: (1) Procure or obtain; (2) Extend or renew a contract to procure or obtain; or (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

The following language must be on all workforce products developed in whole or in part with grant funds:

"This workforce product was funded by a grant awarded by the U.S. Department of Labor (DOL)'s Employment and Training Administration (ETA). The product was created by the recipient and does not necessarily reflect the official position of DOL/ETA. DOL/ETA makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it."

v. Domestic Preferences for Procurements

As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of 2 CFR Part 200.322 must be included in all subawards including all contracts and purchase orders for work or products under this award.

w. Funding for Pay-For-Performance Contract Strategies

If any subrecipients (Local Workforce Development Boards (LWDBs)) of the grant recipient elect to set aside funds for pay-for-performance (PFP) contract strategies under 20 CFR 683.520, a separate grant agreement must be created to administer these funds. The grant recipient must provide sufficient notice to the Grant Officer, through its FPO, of any LWDB's decision to reserve up to 10% of its total local Adult/Dislocated Worker or Youth allotment for PFP contract strategies so that a new grant agreement can be issued to cover those funds. The grant recipient should inform its FPO as soon as an amount to be reserved under this provision has been finalized.

11. Program Requirements

Training and Employment Guidance Letter (TEGL) No. 19-20 contains the program requirements for this award.

12. FY 2021 Federal Appropriations Requirements

a. Requirement to Provide Certain Information in Public Communications

Pursuant to P.L. 116-260, Division H, Title V, Section 505, when issuing statements, press releases, requests for proposals, solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds

applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and (C) the term 'affiliate' means a company that, by reason of ownership or control of 25% or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company."

c. Health Benefits Coverage for Contraceptives

Federal funds may not be used to enter into or renew a contract which includes a provision for prescription drug coverage unless the contract also includes a provision for contraceptive coverage. This requirement does not apply to contracts with 1) the religious plans Personal Care's HMO and OSF HealthPlans, Inc. and 2) any existing or future plan if the carrier for the plan objects to such coverage on the basis of religious beliefs.

In implementing this section, any plan that enters into or renews a contract may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individuals' religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion related services.

d. Privacy Act

No funds can be used in contravention of 5 U.S.C. 552a (the Privacy Act) or regulations implementing the Privacy Act.

e. Prohibition on Contracting with Corporations with Felony Criminal Convictions

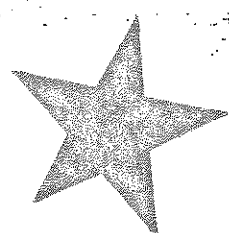
The recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

f. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

The grant award recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

g. Prohibition on Procuring Goods Obtained Through Child Labor

Pursuant to P.L. 116-260, Division H, Title I, Section 103, no funds may be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries



by an agency or officer of a state, local or tribal government in policymaking and administrative processes within the executive branch of that government.

m. Publicity

Pursuant to P.L. 116-260, Division H, Title V, Section 503, the grant award recipient is not authorized to use any funds provided under this grant award—other than for normal and recognized executive-legislative relationships—for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation, designed to support or defeat legislation pending before the Congress or any state or local legislature or legislative body; except in presentation to the Congress or any state or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any state or local government, except in presentation to the executive branch of any state or local government itself.

n. Restriction on the Promotion of Drug Legalization

Pursuant to P.L. 116-260, Division H, Title V, Section 509, no Federal funds shall be used for any activity that promotes the legalization of any drug or other substance included in Schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications or where there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

o. Restriction on Purchase of Sterile Needles or Syringes

Pursuant to P.L. 116-260, Division H, Title V, Section 527, no Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug.

p. Salary and Bonus Limitations

Pursuant to P.L. 116-260, Division H, Title I, Section 105, recipients and subrecipients shall not use funds to pay the salary and bonuses of an individual, either as direct costs or as indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>). The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.331. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including ETA programs. See TEGL 5-06 for further clarification, available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.

13513: Pursuant to EO 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, the grant award recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or government-owned vehicles (GOV), or while driving privately-owned vehicles (POV) when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

14005: Pursuant to EO 14005, Ensuring the Future Is Made in All of America by All of America's Workers, the grant award recipient agrees to comply with all applicable Made in America Laws (as defined in the EO), including the Buy American Act at 41 USC sections 8301-8305. For the purposes of this award, the grant recipient is required to maximize the use of goods, products, and materials produced in, and services offered in, the United States, in accordance with the Made in America Laws. No funds may be made available to any person or entity (including as a contractor or subrecipient of the grant recipient) that has been found to be in violation of any Made in America Laws.

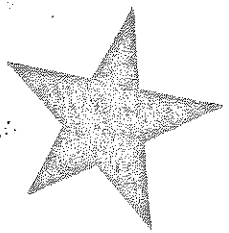
"Made in America Laws" means all statutes, regulations, rules, and Executive Orders relating to Federal financial assistance awards or Federal procurement, including those that refer to "Buy America" or "Buy American," that require, or provide a preference for, the purchase or acquisition of goods, products, or materials produced in the United States, including iron, steel, and manufactured goods offered in the United States. Made in America Laws include laws requiring domestic preference for maritime transport, including the Merchant Marine Act of 1920 (Public Law 66-261), also known as the Jones Act.

d. Flood Insurance

The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 *et seq.*, provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in communities in the United States identified as flood-prone, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for the DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.

e. Hotel-Motel Fire Safety

Pursuant to 15 U.S.C. 2225a, the recipient must ensure that all space for conferences, and, conventions or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <https://apps.usfa.fema.gov/hotel/> to see if a property is in compliance, or to find other information about the Act.



(A). Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

(B). Is in addition to all other remedies for noncompliance that are available to DOL/ETA under this grant award.

III. The grant award recipient must include the requirements of paragraph a.1 of this grant award term in any subaward the grantee make to a private entity.

d. *Definitions.* For purposes of this award term:

I. "Employee" means either:

(A). An individual employed by the grant award recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

(B). Another person engaged in the performance of the project or program under this grant award and not compensated by the grantee including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

II. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

III. "Private entity":

(A). Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

(B). Includes:

i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

ii. A for-profit organization.

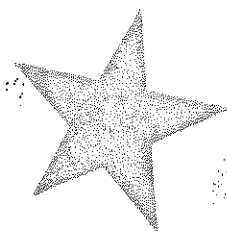
IV. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

g. *Veterans' Priority Provisions*

The Jobs for Veterans Act (Public Law 107-288) requires grant award recipients to provide priority service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the DOL. The regulations implementing this priority of service can be found at 20 CFR Part 1010. In circumstances where a grant award recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant award recipient give a veteran or eligible spouse priority of service by first providing



Attachment A: SF-424



Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Employment and Training Administration

11. Catalog of Federal Domestic Assistance Number:

17.259

CFDA Title:

WIOA Youth Activities

* 12. Funding Opportunity Number:

ETA-TEGL-19-20-YOUTH

* Title:

Workforce Innovation and Opportunity Act (WIOA) Youth Activities Program Allotments for Program Year (PY) 2021

13. Competition Identification Number:

ETA-TEGL-19-20-YOUTH

Title:

Workforce Innovation and Opportunity Act (WIOA) Youth Activities Program Allotments for Program Year (PY) 2021

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

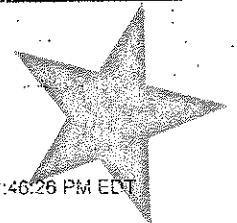
New York's PY 2021 WIOA Allotment for Youth Activities

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

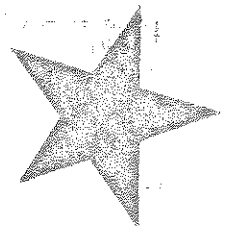




Department
of Labor

SECTION 6

TECHNICAL ADVISORY 21-06 THE NEW YORK SYSTEMS CHANGE AND INCLUSIVE OPPORTUNITIES NETWORK (NY SCION) DISABILITY RESOURCE COORDINATOR (DRC) PILOT PROGRAM



New York State Department of Labor
W. Averell Harriman State Office Campus
Building 12, Room 440, Albany, NY 12240
www.labor.ny.gov

**Workforce Development System
Technical Advisory # 21-06
November 17, 2021**

TO: Workforce Development Community

SUBJECT: The New York Systems Change and Inclusive Opportunities Network (NY SCION) Disability Resource Coordinator (DRC) Pilot Program

PURPOSE

Notify Local Workforce Development Boards (LWDBs) of a three-year New York State (NYS) pilot program to fund the expansion of the DRC position to each Local Workforce Development Area (LWDA), and provide guidance to LWDBs on implementing the NY SCION program.

POLICY

Each LWDA must have at least one DRC on staff to build capacity within the workforce development system in serving individuals with disabilities, including individuals with developmental and/or intellectual disabilities, ages 18 and older.

The DRC position will be filled through the hiring of a new, or designation of an existing, full-time local staff person who will be required to develop a model of sustainability for the position beyond the three-year pilot period.

To assist with implementation, each LWDB will receive up to \$100,000 annually for three consecutive years, from January 1, 2022-December 31, 2024. New York City will receive up to \$500,000 annually for a DRC for each borough.

Each DRC must develop a process to convene Integrated Resource Teams (IRTs) in the LWDA to advance individuals with disabilities in their chosen education, employment, training, and/or career pathways goal(s).

To coordinate and streamline funding across NYS to better serve individuals with disabilities, each LWDB not currently registered under the New York Employment Services System (NYESS) Administrative Employment Network (AEN) is strongly encouraged to do so. If not registering with the NYESS AEN, each LWDB must be registered with an AEN or be their own Employment Network.

ACTION

- A. Prior to the release of funding through the Notice of Obligational Authority (NOA) process, LWDBs must provide the NYS Department of Labor (NYSDOL) with an implementation plan that outlines the core requirements of the DRC position within the LWDA, which may include, but will not be limited to:
1. Increasing the capacity of the Career Center and surrounding career pathway programs to serve individuals with disabilities;
 2. Identifying and leveraging multiple disability-related resources and partners including, but not limited to, the NYS Education Department's (NYSED) Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES-VR) and the Office of Children and Family Services/NYS Commission for the Blind (OCFS/NYSCB), to support collaboration around a job seeker's employment and/or training goal(s);
 3. Advising the workforce development system on how to effectively promote the participation of individuals with disabilities in existing career pathways systems and programs;
 4. Assisting and training the LWDB, Career Center staff, businesses, community colleges, and other training providers on topics including, but not limited to, rights under the Americans with Disabilities Act (ADA), Ticket to Work (TTW), accommodations, assistive technology, and assessments; and
 5. Developing a plan for evaluation and sustainability of the NY SCION program in the local area beyond the initial three-year period of funding. A sample Sustainability Plan is available on the NYSDOL [website](#).

NYSDOL created a template for the implementation plan, included in this Workforce Development System Technical Advisory (WDS TA) as **Attachment A: New York Systems Change and Inclusive Opportunities Network (NY SCION) Implementation Plan**. This plan must be submitted to SpecialPopulations@labor.ny.gov by November 30, 2021.

- B. The DRC must be hired or designated by January 14, 2022. A full description of the DRC position and its recommended minimum qualifications is included in **Attachment B: Disability Resource Coordinator (DRC) Job Description and Recommended Minimum Qualifications**. Once hiring or designation takes place, the following will be required:
1. By April 1, 2022, the DRC must convene LWDA workforce development system stakeholders to develop, or join existing, IRTs to maximize collaboration and minimize the duplication of services to individuals with disabilities.

IRTs should be comprised of stakeholders within the disability services community including, but not limited to, Vocational Rehabilitation Counselors, VR service providers, Integrated Employment Specialists, Independent Living Center

WE ARE YOUR DOL



11-17-2021

staff, job coaches, Business Services Representatives, businesses, and/or Veteran Services staff.

The purpose of this group will be to advance individuals with disabilities in their chosen education, employment, training, and/or career pathways goal(s). In areas where an appropriate workgroup or IRT already exists, this requirement can be satisfied by the DRC joining one or more of these groups and working with membership on the interventions and best practices described in **Attachment B**.

More information on IRTs can be found on the NYSDOL [website](#).

2. By April 1, 2022, each LWDB must be registered with the NYESS AEN, a separate AEN, or be their own Employment Network. Full details on NYESS AEN registration are posted on the NYSDOL [website](#).
3. Timely One-Stop Operating System (OSOS) data entry to ensure required performance outcomes are met, both quantitative and qualitative, for individuals with disabilities and individuals receiving Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI).
 - a. Required quantitative performance measures for both groups of individuals will include, but not be limited to:
 - The six Workforce Innovation and Opportunity Act (WIOA) primary indicators of performance as detailed in WDS TA #18-6.2;
 - Total participants entering and completing career pathways training;
 - Total participants entering and completing a work experience;
 - Total participants receiving an industry-recognized/post-secondary certificate or credential; and
 - Total participants entering unsubsidized employment.
 - b. Required quantitative performance measures for individuals receiving SSI or SSDI will include, but not be limited to:
 - Tickets assigned to the LWDB;
 - Milestones achieved;
 - Outcomes achieved; and
 - TTW revenue generated.
 - c. Required qualitative performance outcomes and success stories will be submitted by the DRC as a quarterly report. NYSDOL developed a template for this report, included in this WDS TA as **Attachment C: New York**

Systems Change and Inclusive Opportunities Network (NY SCION) Disability Resource Coordinator (DRC) Quarterly Report.

Additional information on OSOS data entry and performance-related NY SCION requirements can be found on the NYSDOL [website](#).

- C. LWDBs and DRCs must comply with NYSDOL's remote and/or onsite monitoring of the NY SCION program in accordance with the requirements of WDS TA #21-04: Monitoring – New York State Department of Labor (NYSDOL) Workforce Innovation and Opportunity Act (WIOA) Monitoring/Oversight of and Provision of Technical Assistance to Local Workforce Development Boards (LWDBs) and LWDB Responsibilities Relating to NYSDOL's Monitoring Process.

Additional information on monitoring and available monitoring guides can be found on the NYSDOL [website](#).

BACKGROUND

The United States Department of Labor Employment and Training Administration (USDOL ETA) previously awarded NYSDOL four rounds of Disability Employment Initiative (DEI) funding to support DRCs in selected LWDBs in NYS. These funds were used to implement activities targeted at improving education, training, and employment outcomes for individuals with disabilities who were unemployed, underemployed, and/or receiving Social Security disability benefits.

The purpose of the DEI was to expand the capacity of Career Centers to provide services to individual with disabilities and to promote the use of existing career pathways to serve:

- Adults (ages 18 and older) with visible, non-visible, and significant disabilities, including those who have acquired disabilities in adulthood; and
- Youth (ages 14-24) with visible, non-visible, and significant disabilities, including those who have chronic health conditions.

DEI projects focused on improvements needed to make existing career pathways systems fully inclusive of, and accessible to, individuals with disabilities. Examples of success stories from these DEI projects are available on the NYSDOL [website](#).

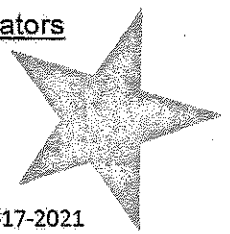
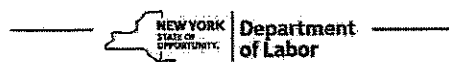
REFERENCES

United States Department of Labor (USDOL) WorkforceGPS [DEI DRC Job Description](#)

USDOL WorkforceGPS [DEI Front Line Resources for Disability Resource Coordinators](#)

[Minnesota DEI Project](#)

WE ARE YOUR DOL



Training and Employment Notice (TEN) No. 24-18: Updated Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide

WDS TA #18-6.2: Primary Indicators of Performance for Titles I and III under the Workforce Innovation and Opportunity Act (WIOA)

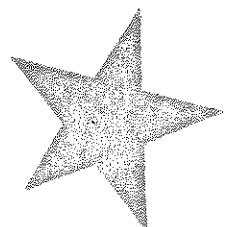
WDS TA #21-04: Monitoring – New York State Department of Labor (NYSDOL) Workforce Innovation and Opportunity Act (WIOA) Monitoring/Oversight of and Provision of Technical Assistance to Local Workforce Development Boards (LWDBs) and LWDB Responsibilities Relating to NYSDOL's Monitoring Process

INQUIRIES

Please direct all questions regarding this WDS to SpecialPopulations@labor.ny.gov.

ATTACHMENTS

- A. New York Systems Change and Inclusive Opportunities Network (NY SCION) Implementation Plan
- B. Disability Resource Coordinator (DRC) Job Description and Recommended Minimum Qualifications
- C. New York Systems Change and Inclusive Opportunities Network (NY SCION) Disability Resource Coordinator (DRC) Quarterly Report

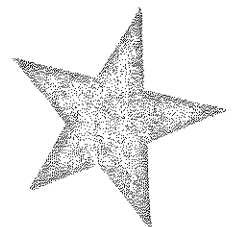




Department
of Labor

SECTION 7

FREQUENTLY ASKED QUESTIONS (FAQs)



New York State Department of Labor (NYSDOL)
New York Systems Change and Inclusive Opportunities Network (NY SCION)

DRC Questions and Answers

(Updated 11/18/2022). Updated Q&A's will be sent out periodically and can be re-sent upon request. New questions will be included after each revision date listed below.)

New Questions as of 09/01/2022 start below:

Q #1) Am I only supposed to be seeing Social Security Beneficiaries (SSA) and/or Ticket-to-Work (TTW) customers?

A #1) No. DRCs can directly serve any customer with a disability.

Please note: The DRC should prioritize seeing SSA Beneficiaries/TTW customers in their capacity as a benefits advisor and work incentive counselor first – but they can see any customer with a disability as appropriate.

Remember that the focus of NY SCION is systems change. The DRC is a facilitator, agent, and champion of systems change and that goal will be undermined if the DRC is seeing customers all day, every day. Whenever possible, the DRC should encourage Career Center staff to see individuals with disabilities, including SSA beneficiaries and TTW customers. As stated above, DRCs should prioritize seeing these customers in their capacity as a benefits advisor and work incentive counselor and allow Career Center staff to provide all other Career Center services (e.g., resumes, job referrals, interview coaching, even topics related to disability) as appropriate.

The DRC, among other responsibilities:

- Advises the public workforce system on how to effectively promote the participation of people with disabilities in workforce systems and existing career pathways systems and programs;
- Assists Career Center staff, community colleges, businesses, and other partner training providers on such topics as Ticket to Work, accommodations, assistive technology, discovery process, or assessments;
- Engages businesses to support work experiences and employment placements and also increases awareness about the low cost of accommodations, and make the business case for hiring individuals with disabilities; and
- Ensures local Career Centers are programmatically and physically accessible for persons with disabilities.

Q #2) Who should have access to the One-Stop Operating System (OSOS) NY SCION custom tab?

A #4) No. The final round of DEI funding received by NYSDOL ended in October of 2021. All DEI custom tabs will soon be phased out and the NY SCION custom tab will replace them.

Q #5) Can you please clarify what the Job Information Tab is, versus the Work History Tab?

A #5) The easy way to think about the two tabs is that any work that would be read on a resume should be listed on the Work History Tab, whereas new employment should be listed on the Jobs Info Tab.

Having said that, the Jobs Info Tab is not required to be completed. It is helpful to have the report that is generated in the WINR application to show you which customers on your case load have become employed. If you would like, you can put the current job information for a customer under the Jobs Info Tab.

Q# 6) Can you please give me a better idea as to what Career Pathways are?

A #6) Think of a Career Pathway as non-specific Career Ladder. An Accounting Career Pathway might start with a high school degree, which might qualify a person to get a job as a billing or posting clerk. With another year of education, they might be able to become a bookkeeping clerk or a payroll clerk. After four years, they might be able to become an accountant or auditor. With still more education, they finally might become a financial manager. Career pathways approaches to workforce development offer education and training steps between occupations in an industry sector, combined with support services, to enable individuals with disabilities to enter and exit at various levels and to advance over time to higher skills, recognized credentials, and better jobs with higher pay.

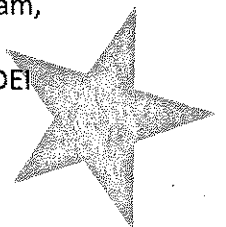
On the NY SCION Tab, you should only fill these sections out if the training in which your participant is enrolled applies to the above. You will have to enter the specific employment field – or career that the individual is pursuing.

In general, if a customer has been provided training to improve skills to achieve better employment opportunities and/or advancement, you should consider enrolling them into Career Pathways training. The date that should be entered should be the first day of said training.

Q #7) What are examples of products or resources?

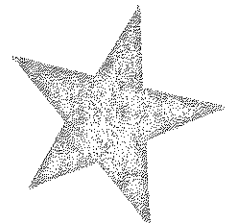
A #7) Resources or products may include toolkits, fact sheets, how-to guides, workshop curriculum, LWDB web page sub-directories, list-servs, disability resource guide, community asset maps.

An example from prior rounds of DEI funding would include the "Your Dream, Your Team" website intended for statewide and national use (<https://www.cdoworkforce.org/toolkit>). This Toolkit was created under DEI



Those job seekers should be advised that they will not be penalized for disclosing a disability or any other barrier, and that disclosing a disability will help to identify what services the person might be eligible for.

There is also disability information in the OSOS NY SCION Custom Tab. While we know that the Eligibility Tab and NY SCION Custom tab include redundant fields, both are still required to be entered. They are for different purposes, including federal reporting, and funding is attached to both.



Note: A work experience should be related to the participant's long-term employment goal. A work experience is not intended for long-term skill building within the occupation but rather as an entry step for the participant to explore the occupation, develop their skills, gain work history, and develop references.

Q #15) What are Individualized Learning Plans (ILP) / Individualized Employment Plans (IEP) versus an Individualized Work Plan (IWP)?

A#15) ILPs and IEPs are the foundational tool for engaging participants in individualized career services and case management.

- ILPs/IEPs should be jointly development in partnership with the participant.
- ILPs/IEPs should reflect the unique goals and needs of an individual participant.
- ILPs/IEPs should be used in an ongoing process to monitor and re-evaluate progress towards goals.

An Individual Work Plan (IWP) is an agreement between a beneficiary and an Employment Network (EN) that outlines the specific employment services, vocational rehabilitation services, and other support services that the two parties determine are necessary to achieve the beneficiary's stated employment goal and should be used to document strategies and activities as they occur, including documentation of referrals.

Q #16) Is an Integrated Resource Team (IRT) supposed to be jobseeker driven or agency driven?

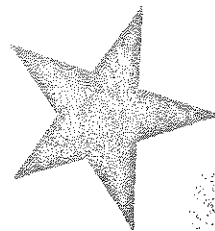
A #16) An IRT is an informal, customer-centered partnership between an individual jobseeker with a disability and representatives from diverse service systems (e.g., ACCES-VR, Commission for the Blind, Mental Health, etc.). The goal of an IRT is to coordinate services and leverage funding to give the job-seeker comprehensive, wrap-around services tailored to their unique needs and employment goals. The jobseeker need not be the one who facilitates how the team operates, but they should be the one making all the final decisions.

Q#17) I keep hearing people use the term Employment Resource Team (ERT). What is an ERT and how is it different from an IRT?

A#17) An ERT or Community Employment Team (CET) are teams comprised of local representatives from NYSDOL, ACCES-VR, NYSCB, Independent Living Centers, and others. Their purpose is to educate businesses about various incentives and supports for hiring youth and adults with disabilities such on-the-job training, work try-outs, and/or transitional work experiences. The ERT is also used to distribute information about local training, available work experiences, and employment opportunities.

An IRT is convened by the customer and includes specific agencies who have been brought together to identify resources and funding to support a customer's employment goal.

Q#18) What is a (Disability) Standing Committee?



outcomes for job seekers as a result of those services; show increases in customer enrollments in those services; and emphasize the impact of the position in the context of systems change, including policy and practice.

In nearly all cases, sustainability should be regional. SPT is exploring regional models in the context of the Governor's ten Economic Development Council Regions. Regional models will look different across the state so DRC and partner input will be valuable here.

In addition to identifying potential funding sources, effective sustainability will require business and partner engagement.

NYSDOL Central Office and New York Employment Services System (NYESS) staff have both advised DRCs that **Ticket to Work cannot be the only funding source for sustainability.**

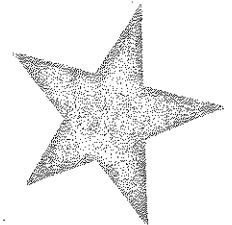
As a reminder the goals of the NY SCION pilot project are below. Achieving and even surpassing these goals will go a long way towards demonstrating the efficacy of the DRC position.

- Serve 45,000 people with disabilities in New York State via career center services and workforce systems by December 2024.
- Increase enrollment of customers in Career Center services.
- Increase the assignment of quality tickets under the Ticket to Work Program.
- Increase the number of positive employment outcomes (e.g., employment placements) per WIOA requirements.

Q #21) Does Special Populations Team support DRCs serving in a mentoring and technical assistance role for other DRCs?

A #21) SPT fully supports DRCs connecting for support, technical assistance, mentoring, and coaching; it is a practice that worked well under every round of Disability Employment Initiative (DEI) funding. However – we want to offer the following cautions:

- A DRCs first priority should be the systems change needs and activities in their designated Local Workforce Development Area (LWDA). Because of our growing network and our growing number of DRCs, one person – or even a few – cannot be taxed with an abundance of technical assistance requests that take away from their systems change efforts on a **local level**.
- One of the roles of the NYSDOL SPT is to respond to and triage those technical assistance and resource requests, and DRCs are encouraged to reach out to us first with those requests as often as possible.
- While DRCs are hired on a local level, NY SCION DRCs are funded under the Governor's Statewide Activity Funds (see Q#19 above). As such, DRCs represent NYSDOL, and should be cautious about conducting activities outside of their LWDA without first consulting with NYSDOL SPT.
- DRCs are prohibited from any form of lobbying.



Layout

- Align text blocks to the left with a ragged right edge.
- Avoid the use of columns and full justification. While full justification may appeal aesthetically for its uniform flush edges, this style makes the spacing between letters and words in every row of text different, making it more difficult to read.
- Present text in a clean format without visual clutter. Use white or blank space around the text to minimize clutter and group-related content.
- Use readable spacing between words and individual letters. Default settings for word and character spacing on standard word processors are generally accessible. For reference, kerning, or the spacing between characters of text should be around 35 percent of the average letter width. Spacing between words should be 3.5 times the inter-letter spacing. Leading, or space between vertical lines of text, should be proportional to inter-word spacing; 1.5x/150 percent is preferable.

Printing

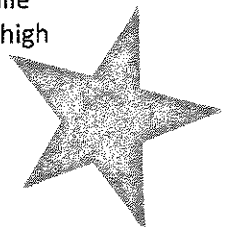
- Use a high color contrast between text and background, with a recommended minimum of 70 percent contrast. Select a paper stock, background colors, and type colors with contrast in mind. A [free downloadable color contrast analyzer](#) for Mac or Windows is available. The analyzer features an eyedropper tool that allows you to select and compare color samples from text and background.
- Do not use color alone to convey important information, as not everyone can perceive color. Use text labels, underlining, icons, patterns, and other means in addition to color to convey information.
- Use matte paper stock to reduce glare.
- Ensure folded brochures are easy to fold and unfold.

Alternative Formats

Large Print

Like so many accessible formats and accommodations, large print can have benefits for all audiences, not just those with low vision. Creating a large-print document is more than just enlarging an existing document or publication, but it is a straightforward process using basic word processing software:

- Use a sixteen-to-twenty-point sans serif font (Arial, Helvetica, and Tahoma are good commonly available options).
- Set spacing between lines at 1.5 at least, with double spacing between paragraphs.
- Left-justify text (for languages that read left to right).
- Use a matte finish paper that is no less than a twenty-pound bond, to reduce glare and prevent bleed-through.
- Use a high color contrast between text and background, with a recommended minimum of 70 percent contrast. Some people with low vision prefer dark text on a light background, while others prefer light text on a dark background. Pastel, cream, or off-white paper provides high contrast with dark color inks while creating less glare than bright white paper.

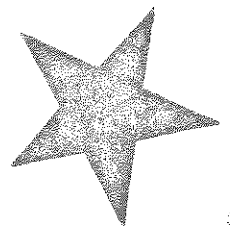


Note: Adobe offers an Accessibility Checker tool for PDFs, which can help flag common accessibility issues. Adobe's OCR tool, short for Optical Character Recognition, can extract text from a scanned document or image, making it readable by a screen reader. Adobe offers additional training and tools for improving PDF accessibility on its website.

Website Accessibility

Websites are among the most important public-facing communication tools for service providers, businesses, and other entities and they should be accessible to people with disabilities. But for many people, thinking about web accessibility can seem daunting, especially when there is not an easy "one-size-fits-all" solution.

For guidance, the best place to start is the Web Content Accessibility Guidelines (WCAG) published by the Web Accessibility Initiative of the World Wide Web Consortium (WC3).

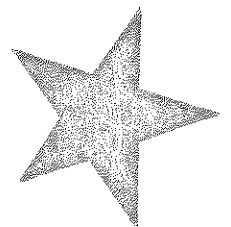




Department
of Labor

SECTION 8

SUBRECIPIENT ATTESTATION



NY Systems Change and Inclusive Opportunities Network (NY SCION) Subrecipient Attestation, Year 2, PY21

I, _____ [NAME], in my capacity as
_____ [TITLE] and on behalf of
_____ [SUBRECIPIENT NAME], hereinafter referred to as "Subrecipient":

- ☐ Affirm and assert that the Subrecipient has received and reviewed Notice of Award/Obligation Subrecipient Agreement and associated attachments, hereinafter collectively referred to as the "Agreement", for the NY Systems Change and Inclusive Opportunities Network (NY SCION);
- ☐ Affirm that the Subrecipient possesses the capacity to fulfill all responsibilities identified in the Agreement and assume liability for funds received; and
- ☐ Agree to comply with all applicable federal and state statutes, regulations, and award terms and conditions as reflected in the Agreement.

Signature of Chief Elected Official (CEO) or authorized signatory for the Local Workforce Development Area for fiscal reporting to NYS Department of Labor is required below.

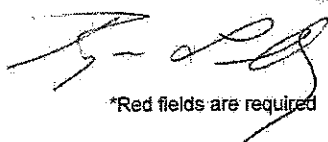
Date:	Signature:	
Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Other <input type="checkbox"/>	Typed Name of Signatory:	
Title:		
Address 1:		
Address 2:		
City:		
State:		Zip:
Phone:	E-mail:	

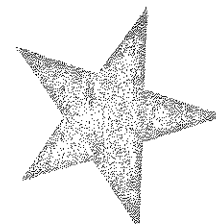
Submittal directions: An original signature is not required for this attestation. Electronic signatures are acceptable. Please complete and save with digital signature (or print and scan). Email the Portable Document Format (PDF) to: Dews.aers-taa@labor.ny.gov or Sharie.FitzGibbon@labor.ny.gov

If you prefer to mail the attestation with an original signature, please mail to:

NYS Department of Labor
Division of Employment & Workforce Solutions
Office of Workforce Investments
Gov. Harriman State Office Campus
Building 12, Room 436
Albany, NY 12240

REVIEWED BY
OFFICE OF TOWN ATTORNEY


*Red fields are required



Meeting of February 7, 2023

Resolution No. 94-2023

Reviewed By
Office of Town Attorney
Theresa C. Heneveld

WHEREAS, by Resolution No. 514-96, the Town Board authorized the Department of Public Works to enter into Contract No. DPW91-560A, Syosset Landfill Remediation, with Lockwood, Kessler & Bartlett, Inc. ("LKB") and authorized LKB to proceed with Engineering Services relative to the construction phase of said contract; and

WHEREAS, Theresa C. Heneveld, P.E., Vice President of Environmental Engineering, LKB, by letter dated November 29, 2022, set forth the scope of work to be performed in 2023 under Contract No. DPW91-560A, with regard to the Town's Consent Decree No. CV-90-4183, including gas and groundwater monitoring and the inspection of the landfill cap and drainage system of the Syosset landfill site, in an amount not to exceed \$114,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated January 23, 2023, requested Town Board authorization for LKB to provide the aforesaid services, and requested that the Comptroller encumber the sum of \$114,000.00 for this purpose, and be authorized to make payment of said engineering costs in an amount not to exceed \$114,000.00, with funds available in Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-03; 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 requests as hereinabove set forth are approved, and Lockwood, Kessler & Bartlett, Inc. is hereby authorized to proceed with the aforementioned services in connection with Contract No. DPW91-560A, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$114,000.00, with funds to be drawn from Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-03; 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.

-#-

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 23, 2023

TO : MEMORANDUM DOCKET

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

SUBJECT: CONTINUATION OF ENGINEERING SERVICES
SYOSSET LANDFILL REMEDIATION
CONTRACT NO. DPW91-560A
ACCOUNT NO. HWY H 5197 20000 000 2103 008
PROJECT ID NO. 2103HWYDB-03


Town Board Resolution No. 514-96 authorized Lockwood, Kessler & Bartlett, Inc. to proceed with Engineering Services relative to the Construction Phase for the above-mentioned contract.

Attached is a letter from Lockwood, Kessler & Bartlett, Inc. dated November 29, 2022, concerning a funding authorization request in the amount of \$114,000.00. As explained by the consultant, services to be performed include gas monitoring, groundwater monitoring, and inspection of the landfill cap and drainage system, reporting to the United States Environmental Protection Agency and New York State Department of Environmental Conservation, as necessary, and oversight of any repairs and improvements necessary on or near the site, in accordance with the Town's Consent Decree No. CV-90-4183. The fees described in the attached letter will provide for services performed in the 2023 calendar year.

Funds are available for this purpose in Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-03.

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

It is hereby requested that the Town Board approve, by Resolution, the above-noted authorization for the continuation of engineering services in the amount of \$114,000.00 relative to Syosset Landfill Remediation, Contract No. DPW91-560A, and that the Office the Comptroller issue a new encumbrance for this purpose.

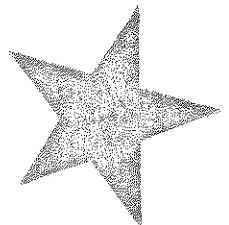

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/lk

Attachments

cc: Steven Ballas, Comptroller
John Tassone, Chief Deputy Commissioner

DPW91-560A DOCKET 2023 FEES





ENGINEERING
EXCELLENCE
SINCE 1889

Lockwood, Kessler & Bartlett, Inc.
One Aerial Way • Syosset, NY 11791
516.938.0600 www.lkbinc.com

November 29, 2022
LKB No. 01296.LK.00

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

Attn: Matthew Russo, P.E., Deputy Commissioner
Division of Engineering

Re: Syosset Landfill Remediation
Contract No. DPW 91-560A

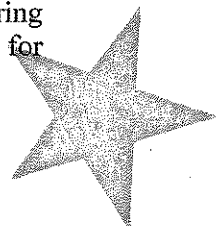
Dear Commissioner Lenz,

In accordance with previous conversations with the Department of Public Works (DPW), Lockwood, Kessler and Bartlett, Inc. (LKB) has prepared this letter to report on the Town's continued obligations required by the Syosset Landfill Consent Decree No. CV-90-4183 with the United States Environmental Protection Agency (USEPA) and to provide a fee estimate for the engineering services necessary to assist the Town in fulfilling these obligations in 2023.

The site's Consent Decree requires that the Town continue to perform the tasks identified under the Post-Closure Monitoring and Maintenance Operations Manual which was approved by the USEPA. The current USEPA and NYSDEC approved frequency for performing post-closure closure inspection and monitoring at the site requires inspection of the final cover and stormwater drainage systems semi-annually, and after major rainfall events, inspection and monitoring of the perimeter and property line passive gas vent wells semiannually, and inspection and monitoring of the on-site and off-site post-closure groundwater monitoring well network once every five quarters so that monitoring will be performed once every season/quarter in a five-year review period. The Town is also required to participate in the USEPA five-year review on-site inspections, but since the last inspection occurred in 2021 one is not required in 2023.

The effort for performing the 2023 semi-annual inspection and monitoring events (including after a major rainfall event, if necessary) for the landfill cover system, stormwater drainage system and landfill gas venting system, evaluating data and preparing summary documentation is estimated to be \$22,000. The next groundwater monitoring event will be performed during the first quarter of 2023 in accordance with the post-closure monitoring schedule (i.e., once every five quarters). LKB will perform the sampling work and will continue to use the certified laboratory, data validator and subcontractor (to collect/dispose of off-site well purge water) previously authorized by the Town. LKB estimates the fee necessary to complete the 2023 groundwater monitoring program to be \$55,000. Following the completion of these tasks, LKB will prepare the Annual 2023 Summary Report (including Volume 2, Groundwater Monitoring Program Report) summarizing the monitoring and maintenance activities performed. LKB will also prepare the electronic data deliverables for

AN EQUAL OPPORTUNITY EMPLOYER



sampling and monitoring results and submit them to the NYSDEC. LKB estimates the fee for preparing the Annual Summary Report to be \$17,000.

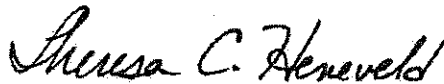
In addition, LKB will continue to assist the Town with other issues related to the Town's obligations under the Consent Decree, review of various USEPA and NYSDEC correspondence and site documentation generated, the review of periodic USEPA oversight bills which the Town is required to pay in accordance with the requirements of the Consent Decree, as well as other ongoing issues related to site uses. LKB estimates the fee to provide services of this nature at \$20,000.

In summary, LKB estimates our fee to perform the above-referenced engineering services related to the 2023 post-closure year to be \$114,000. LKB therefore respectfully requests the Town consider an increase to our previous authorization under Town Board Resolution No. 236-2022 for Contract No. DPW 91-560A in the amount of \$114,000 to perform the above-referenced tasks. LKB will perform this work under our existing agreement for engineering services related to the Syosset Landfill Remediation.

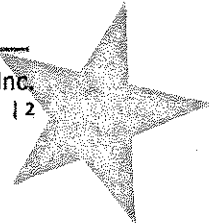
We appreciate the opportunity to serve the Town on this project. Please contact our office if you need any further information.

Very truly yours,

LOCKWOOD, KESSLER & BARTLETT, INC.



Theresa C. Heneveld, P.E.
Vice President of Environmental Engineering



Meeting of February 7, 2023

Resolution No. 95-2023

2AF
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 248-2019, adopted on April 16, 2019, the Town Board authorized the Town Supervisor, or his duly appointed designee, to execute an agreement between the Town of Oyster Bay and the firm of Lockwood, Kessler & Bartlett, Inc., One Aerial Way Syosset, New York 11791, Consulting Engineers, for said firm to provide the Town with engineering services relative to Contract No. H19-198, Highway Improvements to the Southwood Circle Area, Syosset, and to complete a preliminary design report for the project area, for the performance of a survey, site investigation, preliminary design, project phasing and cost estimation, for a total fee of \$365,000.00, with the final Design, Bid and Construction Phases of said Contract to be performed at costs to be negotiated and approved by the Town Board, by future Town Board action; and

WHEREAS, by Resolution No. 320-2021, adopted on June 15, 2021, the Town Board authorized the firm of Lockwood, Kessler & Bartlett, Inc., Consulting Engineers, to provide engineering services relative to the final design for Phase 2 of Contract No. H19-198, with said engineering services to include preparing a topographic survey base map, design curb and roadway grading, the design of storm water drainage improvements, and the estimating and preparing of construction documents suitable for contract bidding, with said services to be performed at a cost not to exceed \$190,000.00, and authorized further, said firm to retain GdB Geospatial, Inc., 88 Duryea Road, Melville, New York 11747, as a sub-consultant, for survey mapping services; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated January 23, 2023, advised that the Design Phase for Contract No. H19-198-PH2 has been completed, and the Department of Public Works has approved the plans and specifications, with an estimated construction time for completion of one hundred fifty (150) calendar days; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Division of Purchasing, Department of General Services to proceed with setting a bid date for receiving bids for Contract No. H19-198-PH2, and requested further, that the Division of Purchasing, Department of General Services contact the Division of Engineering, Department of Public Works, in order to establish a bid date; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Division of Purchasing, Department of General Services is hereby authorized and directed to proceed with setting a bid date for receiving bids for Contract No. H19-198-PH2; and be it further

RESOLVED, That the Division of Purchasing, Department of General Services is hereby further authorized and directed to contact the Division of Engineering, Department of Public Works, in order to establish a bid date for Contract No. H19-198-PH2.

-#-

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 23, 2023

TO: MEMORANDUM DOCKET

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

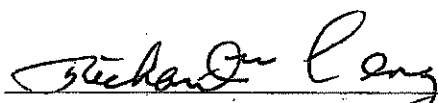
SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASE
HIGHWAY IMPROVEMENTS TO SOUTHWOOD CIRCLE AREA –
PHASE 2, SYOSSET
CONTRACT NO. H19-198-PH2

Town Board Resolution No.320-2021 authorized Lockwood, Kessler & Bartlett, Inc., to perform engineering services relative to the above-mentioned contract.

The design has been completed and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 150 calendar days.

The Office of the Inspector General has reviewed the contract and 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 that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.



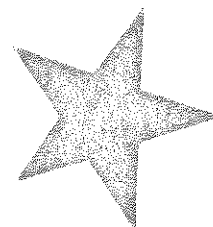
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/*MR*/sb

Attachment

c: John Tassone, Chief Deputy Commissioner/DPW-Highway

H19-198-PH2 DOCKET PERMISSION TO BID



Meeting of June 15, 2021

Resolution No. 320-2021

WHEREAS, pursuant to Resolution No. 248-2019, adopted on April 16, 2019, the Town procured the engineering services of Lockwood, Kessler & Bartlett, Inc., One Aerial Way, Syosset, New York 11791, to provide preliminary engineering services relative to Highway Improvements to the Southwood Circle Area in Syosset, Contract No. H19-198;

WHEREAS, Bart A. Marino, P.E., of Lockwood, Kessler & Bartlett, Inc., by letter dated May 13, 2021, advised that the preliminary design of the project has been completed and requested authorization to proceed with the final design for the Phase 2 portion of the project area, which primarily includes preparing a topographic survey base map, design of curb and roadway grading, design of stormwater drainage improvements, estimating, and preparation of construction documents suitable for contract bidding at a cost of \$190,000.00. Ms. Marino, by said memorandum, further requested that the Town authorize the use of GdB Geospatial, 88 Duryea Road, Melville, NY 11747, as sub-consultant for survey mapping services; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated May 21, 2021, requested that the Town authorize Lockwood, Kessler & Bartlett, Inc., to proceed with the final design phase of the Southwood Circle Area project for a total negotiated contracted fee of \$190,000.00, and authorize Lockwood, Kessler & Bartlett, Inc. to retain the services of GdB Geospatial, as sub-consultant, for survey mapping services, and further advised that the Office of the Inspector General has reviewed the contract and the proposed vendor's disclosure questionnaire in accordance with the Town Procurement Policy; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that funds to satisfy the aforesaid engineering services for this project are available in Account No. HWY H 5197 20000 000 2103 008,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and that Lockwood, Kessler & Bartlett, Inc., is hereby authorized to provide the above-referenced engineering services relative to the final design for Phase 2 for the Southwood Circle Area project, Syosset, New York, in an amount not to exceed \$190,000.00, and is authorized to use GdB Geospatial as a sub-consultant for survey mapping services; and it is further

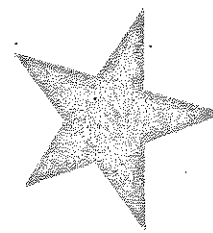
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. HWY H 5197 20000 000 2103 008.

-#-

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



Meeting of April 16, 2019

Resolution No. 248-2019

Reviewed By
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works/Highways, by memorandum dated April 1, 2019, advised that a request for proposals was issued to eight (8) firms in accordance with the Town's procurement policy, and was advertised on the Town of Oyster Bay website, to procure engineering services relative to highway improvements to the Southwood Circle Area, Syosset, Contract No. H19-198, and the Division of Engineering received nine (9) responses; and

WHEREAS, following a review and evaluation of said nine (9) responses by a selection committee, based on the technical merits of said responses, and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz by said memorandum, requested and recommended that the Town Board authorize Lockwood, Kessler & Bartlett, Inc., One Aerial Way, Syosset, New York 11791, to first complete a preliminary design report for the project area for which it will perform surveying, site investigation, preliminary design, project phasing, and cost estimating, for a total fee of \$365,000.00, with performance of the final Design, Bid and Construction phases at costs to be negotiated and approved by the Town Board by future Board action; and

WHEREAS, Bart A. Marino, P.E., of Lockwood, Kessler & Bartlett, Inc., by letter dated March 27, 2019, requested the use of Gayron deBruin Land Surveying & Engineering, P.C. as sub-consultant, for surveying services; and

WHEREAS, the requested services to be provided by Lockwood, Kessler & Bartlett, Inc., including the use of the above sub-consultant, are to be for a total amount not to exceed \$365,000.00, with funds for said payment available from Account No. HWY H 5197 20000 000 1903 008,

RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and that Lockwood, Kessler & Bartlett, Inc., is hereby authorized to provide the above-referenced engineering services relative to highway improvements to the Southwood Circle Area, Syosset, Contract No. H19-198, and to use Gayron deBruin, Land Surveying & Engineering, P.C., as a sub-consultant for surveying services, in a total amount not to exceed \$365,000.00, and the Supervisor or his designee is authorized to execute an agreement for same, and be it further

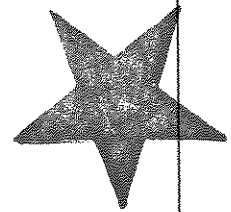
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. HWY H 5197 20000 000 1903 008.

-#-

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works



Meeting of February 7, 2023

Resolution No. 96-2023

Reviewed By
Office of Town Attorney
Monica Wolfe

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 25, 2023, requested Town Board authorization to issue a refund in the amount of \$675.00 to Town of Oyster Bay resident Dr. Equasia Yard-Jean to reimburse her for fees paid for her son to attend the 2022 Town of Oyster Bay Summer Recreation Program at Marjorie R. Post Community Park, Massapequa, as her son was unable to participate as planned; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that Dr. Yard-Jean is eligible for a full refund of the \$675.00 registration fee with the administrative fee waived,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$675.00 to Dr. Equasia Yard-Jean; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02001 510 0000; 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

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TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 1/25/2023

SUBJECT: Equasia Yard-Jean- Marjorie Post Park 2022 Summer Recreation Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$675.00 (six hundred and seventy-five dollars and 00/100 cents) to the Town of Oyster Bay resident Equasia Yard-Jean. Dr. Yard-Jean's son was unable to participate in the Marjorie Post Park 2022 Summer Recreation Program.

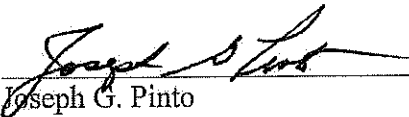
Equasia Yard-Jean is eligible to receive the refund as follows:

Marjorie Post Park 2022 Summer Recreation \$675.00
10% Administrative Fee Waived

TOTAL REFUND \$675.00

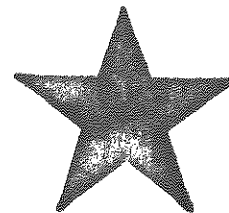
The Office of the Comptroller has reviewed all pertinent information relating to this request and recommends that the Town Board approve this refund. Therefore, Town Board approval of the aforementioned refund is requested.

Kindly debit the following account: **PKS A 000102001 510 0000**



Joseph G. Pinto
COMMISSIONER

JGP/nh



WHEREAS, by Resolution No. 476-2022, adopted on June 28, 2022, the Town Board awarded on Contract No. DP22-230, Francis M. Gaynor Park Synthetic Turf Field Installation, Glen Head, New York, to The LandTek Group, and

WHEREAS, the Town's Consulting Engineer, Cameron Engineering & Associates, LLP, by letter dated January 11, 2023, advised that it is necessary and essential to authorize Change Order No. 1, to Contract No. DP22-230, in order to provide for the work mentioned therein regarding hauling and legally disposing of historic landfill encountered and excavated at the worksite, at a total net increase of \$234,709.14, and

WHEREAS, The LandTek Group, by letter dated January 26, 2023, requested an extension of time for this project, from the original completion date of December 17, 2022, as a result of construction delays related to weather conditions, excessive moisture encountered, the aforesaid change order, and additional work requested by the Town. Cameron Engineering & Associates, LLP, by the aforesaid letter, recommended an extension of 153 days to May 19, 2023; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated January 23, 2023 and January 30, 2023, advised that funds for Change Order No. 1, are available from the \$108,905.00 that was reserved for potential quantity increase in the authorizing resolution, and from Account No. PKS H 7197 20000 000 2102 001, Project ID No. 2102PKSA-03 in the combined amount of the total net increase of \$234,709.14; and

WHEREAS, Commissioner Lenz, in the aforesaid memoranda, requested that the above-described Change Order No. 1, and the requested extension of time, be authorized;

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and the Town Supervisor, or his duly authorized designee, is hereby authorized to sign and execute Change Order No. 1 to Contract No. DP22-230, at a total net increase of \$234,709.14, and the completion date for Contract No. DP22-230 is hereby extended to May 19, 2023; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to make payment for same, upon presentation 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

Reviewed By
Office of Town Attorney

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 30, 2023

TO: MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL MEMO TO ITEM NO. 19
DOCKET OF JANUARY 24, 2023
CHANGE ORDER NO. 1 AND EXTENSION OF TIME
FRANCIS M. GAYNOR PARK SYNTHETIC TURF FIELD INSTALLATION
GLEN HEAD, NEW YORK
CONTRACT NO.: DP22-230
ACCOUNT NO.: PKS-H-7197-20000-000-2102-001, ID: 2102PKSA-03

In furtherance to Item No. 19 of the docket of January 24, 2023, attached is a letter from Cameron Engineering & Associates, LLP dated January 11, 2023 concerning Change Order No. 1 for a total net increase in the amount of \$234,709.14.


The above subject Change Order No. 1 is for the completed operation of hauling and legally disposing of historic fill encountered and excavated at the site during the course of construction. This is explained in the attached letter from Cameron Engineering & Associates, LLP. Funding for this increase is available in the amount reserved Potential Quantity Increases in the amount of \$ 108,905.00, and from Account No. PKS-H-7197-20000-000-2102-001, Project ID 2102PKSA-03 in the amount of \$138,182.45.

Also attached is a letter from The LandTek Group dated January 26, 2023 requesting an extension of time for this project at no additional construction cost to the Town of Oyster Bay. The completion date was December 17, 2022, but work was delayed due to weather related delays, excessive moisture, change order and additional work requested by the Town of Oyster Bay during construction and lead time for materials as the contractor references in his letter.

In addition, attached is a letter from Cameron Engineering & Associates, LLP dated January 11, 2023 recommending an extension of time for 153 calendar days beyond the current completion date of December 17, 2022. The new completion date will be May 19, 2023.

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

Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 for a total net increase in the amount of \$234,709.14 and extension of time relative to the Construction of Francis M. Gaynor Park Synthetic Turf Field Installation project, Contract No. DP22-230

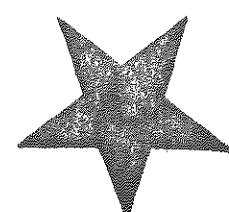

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/SC/lk

Attachments

cc: Steven C. Ballas, Town Comptroller
Joseph Pinto, Commissioner/Parks

DP22-230_Gaynor Park_CO#1&Extension_supp



Meeting of June 28, 2022

Resolution No 476-2022

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on June 15, 2022, for Contract No. DP22-230, Francis M. Gaynor Park Synthetic Turf Field Installation, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated June 10, 2022 and June 17, 2022, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. DP22-230 were reviewed by the Consulting Engineer, Cameron Engineering & Associates, LLP; and

WHEREAS, by letter dated June 16, 2022, Cameron Engineering & Associates, LLP, recommended the award of Contract No. DP22-230 to LandTek Group, Inc., the lowest responsive and responsible bidder among three (3) bids received, in the amount of \$2,178,100.00; and

WHEREAS, as per Town policy, \$108,905.00 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$2,287,005.00; and

WHEREAS, Commissioner Lenz, by said memoranda, concurred with the recommendation of Cameron Engineering & Associates, LLP, and recommended the award of Contract No. DP22-230, to LandTek Group, Inc., the lowest responsive and responsible bidder, in the amount of \$2,178,100.00, and \$108,905.00 for potential quantity increases, for a total bid encumbrance of \$2,287,005.00; and

WHEREAS, the estimated construction time for completion of the contract is ninety-five (95) calendar days, with funds to be drawn from Accounts No. PKS H 7197 200000 000 2202 001 Project ID 2202PKSA-11 (\$2,000,000.00) and PKS H 7197 20000 000 2202 001 Project ID 2202PKSA-03 (\$287,005.00); 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 recommendation as hereinabove set forth is accepted, and Contract No. DP22-230 is awarded to LandTek Group, Inc., in an amount not to exceed \$2,287,005.00, 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 Nos. PKS H 7197 200000 000 2202 001 Project ID 2202PKSA-11 (\$2,000,000.00) and PKS H 7197 20000 000 2202 001 Project ID 2202PKSA-03 (\$287,005.00); and be it further

RESOLVED, that the Town Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$2,287,005.00, upon presentation of a duly certified claim, after audit.

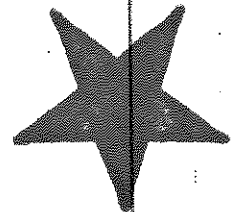
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The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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

Aye
Aye
Aye
Absent
Aye
Aye
Aye

Reviewed By
Office of Town Attorney



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 23, 2023

TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER #1 & EXTENSION OF TIME
FRANCIS M. GAYNOR PARK SYNTHETIC TURF FIELD INSTALLATION
GLEN HEAD, NEW YORK
CONTRACT NO. DP22-230
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 February 7, 2023 to take action on the Change Order #1 and Extension of Time of the Francis M. Gaynor Park Synthetic Turf Field Installation.

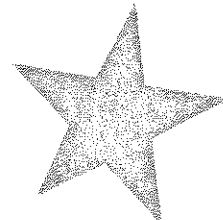


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


RWL/MR/SC/sb

cc: Joseph Pinto, Commissioner/Parks

DP22-230 _Gaynor Park_save a space_exten&CO#1



Meeting of February 7, 2023

Resolution No. 98-2023

WHEREAS, by Resolution No. 238-2022, adopted on March 29, 2022, the Town Board awarded Contract No. H21-220, Concrete Replacement at Various Locations Throughout the Town of Oyster Bay to Valente Contracting Corp.; and

WHEREAS, Russell Z. Scott, P.E., Partner, Nelson & Pope, Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated January 25, 2023, advised that it is necessary and essential to authorize Change Order No.1 in the amount of \$107,105.75, due to the inclusion of items such as sod, concrete gutters and warning tiles, that were not included in the original contract; and

WHEREAS, Nelson & Pope, Engineering, Architecture & Land Surveying, PLLC, Consulting, Engineers, by said letter, and Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated January 23, 2023 and January 30, 2023, advised that, with respect to quantity Increase/Decrease No.1, there was an overall item net increase in the amount of materials used in the amount of \$115,209.55; and

WHEREAS, Commissioner Lenz, by the aforesaid memoranda, requested and recommended that Change Order No.1, and Quantity Increase/Decrease No.1, to Contract No. H21-220, be accepted, and that payment be made to the contractor, Valente Contracting Corp., in the total amount of \$222,315.30, with funds available for payment in Account No. HWY H5197 20000 000 2103 008, Project ID No. 2103HWYDB-07,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth is approved, and in connection with Contract No. H21-220, Change Order No.1, and Quantity Increase/Decrease Order No. 1, are hereby accepted for a total net increase of \$222,315.30, and that payment shall be made, in said amount, to the contractor, Valente Contracting Corp., after the customary review of the engineer's certificate; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. HWY H5197 20000 000 2103 008, Project ID No. 2103HWYDB-07; 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

Reviewed By
Office of Town Attorney
Elizabeth A. Trautman

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 30, 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 24, 2023
QUANTITY INCREASE/DECREASE, CHANGE ORDER NO.1
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. H21-220


In furtherance to Item No. 20 of the docket of January 24, 2023, attached is a letter from Nelson & Pope Engineers, Architecture and Land Surveying, PLLC dated January 25, 2023, which details the necessary adjustment in quantities to various contract items. Said quantity increase and decrease adjustment No. 1 result in a net increase in the amount of \$115,209.55.

Also attached is a letter from Nelson & Pope Engineers, Architecture and Land Surveying, PLLC dated January 25, 2023 concerning Change Order No. 1 for a total net increase in the amount of \$107,105.75. The Change Order No.1 involves Items that were not in the original contract as explained in the attached letter from Nelson & Pope Engineers, Architecture and Land Surveying, PLLC.

The net result of the Quantity Increase/Decrease and Change Order NO. 1 is an increase in the amount of \$222,315.30. Funds are available for this purpose in Account No. HWY H5197 20000 000 2103 008, Project I.D. No. 2103HWYDB-07.

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.

It is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 in the amount of \$107,105.75 and said Increase/Decrease for a total net increase in the amount of \$115,209.55 for a total increase amount of \$222,315.30 relative to the Concrete Replacement at Various locations throughout the Town of Oyster Bay.

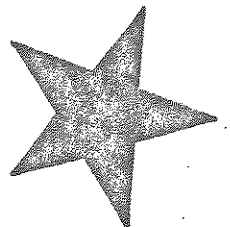


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/TLS/lk
Attachments

C: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
John C. Tassone, Chief Deputy Commissioner/Highway

H21-220 final acceptance valente docket1r



Meeting of March 29, 2022

Resolution No. 238-2022

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on February 14, 2022, for Contract No. H21-220, Concrete Replacement at Various Locations Throughout the Town of Oyster Bay, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 10, 2022, advised, that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. H21-220, were reviewed, the Division of Engineering recommended the award of Contract No. H21-220, to Valente Contracting Corp., which submitted the lowest responsive bid amongst the five (5) bids received, in the amount of \$952,695.00; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that construction time for the completion of the contract is 120 calendar days and that funds for the aforementioned construction work are available for payment in Account No. HWY H 5197 20000 2203 008, Project ID 2203HWYDB-05; and

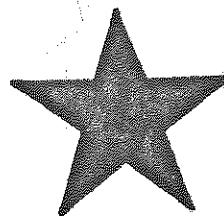
WHEREAS, Commissioner Lenz, by said memorandum, advised further, that the Office of the Inspector General reviewed the Contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. H21-220 is awarded to Valente Contracting Corp., in an amount not to exceed \$952,695.00, and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. HWY H 5197 20000 2203 008, Project ID 2203HWYDB-05; and be it further

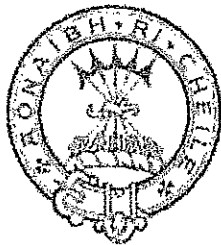
RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in a total amount not to exceed \$952,695.00, upon presentation of a duly certified claim, after audit.

-#-



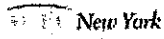

The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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



CAMERON ENGINEERING & ASSOCIATES, L.L.P.

1411 Broadway, Suite 618 New York, NY 10018 (212) 324-6000
177 Crossways Park Drive Woodbury, NY 11797 (516) 827-4900
303 Old Tarrytown Road, 1st Floor White Plains, NY 10603 (914) 721-8300

Active Member of  New York 

Managing Partner
John H. Cameron, Jr., P.E.

Senior Partner
Joseph R. Amato, P.E.

Partners / Principals

Mark Wagner, P.E.
Louise Lipina, P.E., AIA, LEED AP
Michael A. Karsch, P.E.
Michael J. Hirsch, P.E.
Andrew J. Nason, P.E., CEM
Richard J. Caraballo, P.E.

Associate Partner
Stephen H. Edwards, P.E., LEED AP

Senior Associates
Charles A. Sweeney, P.E., CEM
Michael A. DeGasper, P.E., AIA

Associate
Suzanne P.E.

January 11, 2023

Town of Oyster Bay, Division of Engineering
Sunita Chakraborti, Project Manager
150 Miller Place
Syosset, NY, 11791

Re: Proposed Change Order No. 1
Legal Removal and Disposal of Historic Fill
& Extension of Time
Gaynor Park – Proposed Athletic Field Improvements
Glen Head, New York
Contract No. DP22-230
Bid No. PW034-22
CE3179-001

Dear Mrs. Chakraborti;

This correspondence is in regards to the proposed change order, provided by the contractor, The Landtek Group, Inc. This proposed change order is for the completed operation of hauling and legally disposing of historic fill encounter and excavated at the site during the course of construction.

The total value of the proposed change order is \$291,809.14, the total proposed change to the contract value is \$234,709.14, which is the total sum of the proposed change order, less \$55,100 in established contingency funds included in the contract and a \$2,000 credit for a modification of the detail used to anchor the synthetic turf at the little league field arc.

Cameron Engineering & Associates, LLP has reviewed the quantity of historic fill removed from the site between 11/4/2022 and 11/23/2022, it was confirmed that 2,828.1 tons of material was removed in review of the provided scale tickets from the receiving facility, which is correctly reflected in the proposed change order.

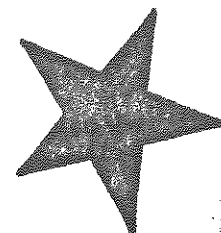
Our office has reviewed the proposed change order and the quantities listed in the proposal and have confirmed that they are consistent with the work that was completed.

Accordingly, this office recommends the adjustment of the contract value to be increased in the amount of \$234,709.14.

Additionally, the contractor has requested an extension of time for the 95-day contract period, which began on September 14 2022 and terminated on December 17, 2022. The extension of time is due to limited production days, related to excessive precipitation and moisture conditions at the site. Change orders, requested by the Town of Oyster Bay. As well as extended lead times for materials during the course of construction.

"Celebrating Over 35 Years of Excellence in Planning and Engineering"

www.cameronengineering.com



CAMERON ENGINEERING

*Sunita Chakraborti, Project Manager
Inc. Village of Garden City*

*October 12, 2022
Page 2 of 2*

Accordingly, the contractor has requested that the contract duration be extended by 153 days, with a new contract termination date of May 19, 2023. This extension of time will ensure the contractor will have favorable conditions for the installation of new sod, included in the base scope of work.

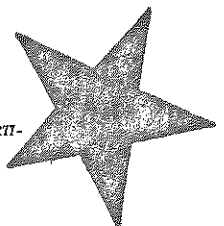
Should you have any questions, or require additional information, please do not hesitate to contact me directly at (516) 224-5245.

Very truly yours,



Walter Sieber
Director of Site Development

WCS/kj





235 COUNTY LINE ROAD, AMITYVILLE, NY 11701
OFFICE (631) 691-2381 • FAX (631) 598-8280

January 26, 2023

Cameron Engineering
177 Crossways Park Drive
Woodbury, NY 11797
Attn: Walter Sieber

Re: Francis M. Gaynor Park Synthetic Turf Field Installation
Contract No. DP22-230
Extension of Time Request

Dear Mr. Sieber,

As previously mentioned on the progress meetings, there are unforeseen issues that are beyond Landtek's control that do not allow us to complete the project within the contract time frame. The LandTek Group hereby requests an extension of time from the current contract completion date until May 19, 2023 (weather permitting). We are requesting the extension for the following reasons.

- Weather related delays, excessive moisture
- Change orders requested by the Town of Oyster Bay
- Lead time for materials

If you have any questions, feel free to contact us directly.

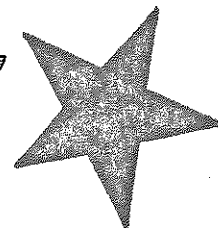
Respectfully,

A handwritten signature in black ink, appearing to read "Paul P. Lehmueller", with a stylized flourish at the end.

Paul Lehmueller
Project Manager
plehmuller@landtekgroup.com

"Building Champions from the Ground Up"

www.landtekgroup.com



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

Construction of

Contract No.

CHANGE ORDER NO. 1

To: The Landtek Group
105 SWEENEYDALE AVE
BAY SHORE, NY 11706

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

Item No. 1

Hauling and disposal of 2,828.1 tons of historic fill in compliance with NYSDEC regulations, and provide daily supervision by an OSHA HAZMAT manager.

TOTAL COST OF ITEM NO. 1: + \$291,809.14

Item No. 2

Modification of synthetic turf termination nailer at outfield transition.

TOTAL COST OF ITEM NO. 2: - \$2,000.00

Item No. 3

DELETE Contract Item No. 2, Cut Stockpile, Load and Legal Disposal of Excavated Fill Material from the Site -- Suitable for Reuse.

TOTAL COST OF ITEM NO. 3: - \$1,300.00

Item No. 4

DELETE Contract Item No. 3, Cut Stockpile, Load and Legal Disposal of Excavated Fill Material from the Site -- Unsuitable for Reuse.

TOTAL COST OF ITEM NO. 4: - \$3,800.00

Item No. 5

DELETE Contract Item No. 4, Site Allowance.

TOTAL COST OF ITEM NO. 5: - \$50,000.00

TOTAL COST OF CHANGE ORDER NO. 1:

\$234,709.14

The original Contract sum was:	\$ 2,178,100.00
Net Change by previously authorized Change Orders:	\$ 0.00
Total Contract sum prior to this Change Order:	\$ 2,178,100.00
Change Order No. 1:	\$ 234,709.14
New Contract sum including CHANGE ORDER NO. 1:	\$ 2,412,809.14

The above work is to be performed in accordance with the letter from Cameron Engineering & Associates, LLP, dated January 11, 2023 and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of \$234,709.14.

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

Recommended by:
Cameron Engineering & Associates, LLP

by: 

Date: 1/23/2023

Sufficient funding for this Change Order is available within the amount reserved for PQI (\$108,905.00) and from Account No. PKS-H-7197-200000-000-2102-001, ID:2102PKSA-03: (\$138,182.45)

by: 

Robert Dariento, Director of Finance

by: 

Steven Ballas, Comptroller

The above Change Order is hereby accepted:
Land Tek Group, Inc.

by: 

Date: 1-23-23

The vendor's disclosure questionnaire has been reviewed and the Town Procurement Policy has been fulfilled.

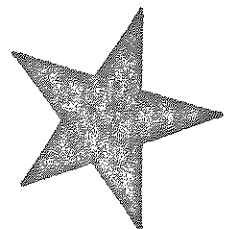
by: 

Brian Noone, Inspector General

The above Change Order is hereby accepted by the Town.

Joseph S. Saladino, Town Supervisor

Dated: _____





January 25, 2023

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

Re: Town of Oyster Bay Concrete Replacement at Various Locations
Contract No. H21-220 / PW 036-21
Nelson + Pope No. 21190

Dear Commissioner Lenz:

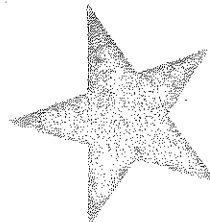
Submitted, herewith, is Change Order No. 1 for the above referenced project. Nelson + Pope has reviewed the quantity prices provided by Valente Contracting Corp. and has found no irregularities. The change order is for items utilized which were not included in the original contract. A summary of the prices for these items to be paid for based on field measurements at the completion of construction is as follows:

Item	Unit	Price	Quantity	Total
26B – Belgium Block Curb	LF	\$55.00	216.00	\$11,880.00
26BG – Belgium Block Curb & Gutter	LF	\$60.00	953.00	\$57,180.00
27DW – ADA Detectable Warning Tiles	SF	\$50.00	270.00	\$13,500.00
49-C – 12" Concrete Gutter	LF	\$30.00	64.00	\$1,920.00
49-E – Concrete Valley Gutter	SY	\$325.00	67.43	\$21,914.75
396 – Planting Sod	SY	\$45.00	15.80	\$711.00
Change Order Total:				\$107,105.75

It is our recommendation that this Change Order be accepted by the Town. We trust this information will be sufficient for your needs. If you should have any questions, please do not hesitate to contact this office.

Respectfully submitted,

Russell Z. Scott, PE
Nelson + Pope



Valente Contracting Corp.
77 Jackson Ave.
Mineola, N.Y. 11501
Phone (516) 746-7933
Fax (516) 248-3746

Nelson & Pope
70 Maxess Road
Melville, N.Y. 11747

Attn: Mr. Russell Scott, P.E., Senior Partner

November 1st, 2022

Re: Town of Oyster Bay, Concrete Replacement at Various Locations, Contract No.
H21-220/PW036-21

Dear Mr. Scott,

Valente Contracting Corp is requesting the following change order unit pricing
for the following items used to date which are not in the original contract.

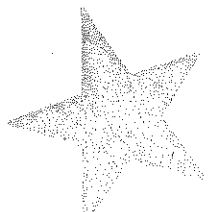
Item 26B2, Belgium Block Curb at \$55.00 per LF.
Item 26BG, Belgium Block Curb & Gutter at \$60.00 per LF
Item 27DW, ADA Detectable Warning Tiles at \$50.00 per SF
Item 49-C, 12" Concrete Gutter at \$30.00 per LF
Item 49-E Concrete Valley Gutter at \$325.00 per SY

Should any additional information be necessary please feel free to contact me.

Sincerely,

John C. Valente

John C. Valente
Vice President
Valente Contracting Corp.





January 25, 2023

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

Re: Concrete Replacement at Various locations throughout the Town of Oyster Bay
Contract: H21-220
Nelson + Pope No. 21190

Dear Commissioner Lenz:

Submitted herewith is a list of contract items that require an increase or a decrease in quantity for the above referenced project. A summary of the increases and decreases is as follows:

DECREASED ITEMS:

Item 2X – Unclassified Excavation

Original Bid Quantity = 500 CY
Unit Bid Price = \$60.00
Bid Total = \$30,000.00

Quantity Used (Update) = 136.04 CY
Decrease (Update) = 363.96 CY
Decrease Cost (Update) = \$21,837.60
Final Cost = \$8,162.40

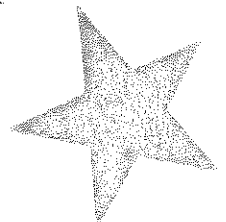
Reason for Decrease: Quantity needed was less than estimated.

Item 4C – Cement Concrete Sawcut

Original Bid Quantity = 3,360 LF
Unit Bid Price = \$5.00
Bid Total = \$16,800.00

Quantity Used (Update) = 527 LF
Decrease (Update) = 2,833 LFSF
Decrease Cost (Update) = \$14,165.00
Final Cost = \$2,635.00

Reason for Decrease: Quantity needed was less than estimated.



Item 55X – Select Borrow Fill

Original Bid Quantity = 784 CY
Unit Bid Price = \$1.00
Bid Total = \$784.00

Quantity Used (Update) = 0 CY
Decrease (Update) = 784 CY
Decrease Cost (Update) = \$784.00
Final Cost = \$0

Reason for Decrease: Item was not required for this project.

Item 16CB-7 – Reconstruct Catch Basin Top Slab

Original Bid Quantity = 2 CY
Unit Bid Price = \$1,200.00
Bid Total = \$2,400.00

Quantity Used (Update) = 1.2 CY
Decrease (Update) = 0.8 CY
Decrease Cost (Update) = \$960.00
Final Cost = \$1,440.00

Reason for Decrease: Quantity needed was less than estimated.

Item 26FX – Face Form Curb

Original Bid Quantity = 250 LF
Unit Bid Price = \$50.00
Bid Total = \$12,500.00

Quantity Used (Update) = 0 LF
Decrease (Update) = 250 LF
Decrease Cost (Update) = \$12,500.00
Final Cost = \$0

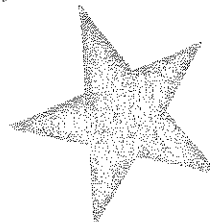
Reason for Decrease: Item was not required for this project.

Item 27X – Cement Concrete Sidewalk, Ramps & Slabs (5" Thick)

Original Bid Quantity = 5,150 SF
Unit Bid Price = \$14.00
Bid Total = \$72,100.00

Quantity Used (Update) = 1,962.55 SF
Decrease (Update) = 3,187.45 SF
Decrease Cost (Update) = \$44,624.30
Final Cost = \$27,475.70

Reason for Decrease: Quantity needed was less than estimated.



Item 28AX – Bituminous Sidewalks, Driveways, and Driveway Aprons

Original Bid Quantity = 750 SF

Unit Bid Price = \$10.00

Bid Total = \$7,500.00

Quantity Used (Update) = 111 SF

Decrease (Update) = 639 SF

Decrease Cost (Update) = \$6,390.00

Final Cost = \$1,110.00

Reason for Decrease: Quantity needed was less than estimated.

Item 28B – Loose Stone Sidewalks, Driveways, and Driveway Aprons

Original Bid Quantity = 200 SF

Unit Bid Price = \$1.00

Bid Total = \$200.00

Quantity Used (Update) = 0 SF

Decrease (Update) = 200 SF

Decrease Cost (Update) = \$200.00

Final Cost = \$0

Reason for Decrease: Item was not required for this project.

Item 76X – Topsoil and Seeding

Original Bid Quantity = 6,775 SY

Unit Bid Price = \$4.50

Bid Total = \$30,487.50

Quantity Used (Update) = 2,367.76 SY

Decrease (Update) = 4,407.24 SY

Decrease Cost (Update) = \$19,832.58

Final Cost = \$10,654.92

Reason for Decrease: Quantity needed was less than estimated.

Item 398X – Dense Aggregate Base Course

Original Bid Quantity = 341 CY

Unit Bid Price = \$25.00

Bid Total = \$8,525.00

Quantity Used (Update) = 293.08 CY

Decrease (Update) = 47.92 CY

Decrease Cost (Update) = \$1,198.00

Final Cost = \$7,327.00



Reason for Decrease: Quantity needed was less than estimated.

Item 502 – Furnish and Install 1" Inside Diameter PVC Electrical Conduit

Original Bid Quantity = 300 LF

Unit Bid Price = \$6.00

Bid Total = \$1,800.00

Quantity Used (Update) = 296 LF

Decrease (Update) = 4 LF

Decrease Cost (Update) = \$24.00

Final Cost = -\$1,776.00

Reason for Decrease: Quantity needed was less than estimated.

Item 602 – Brick Walkways

Original Bid Quantity = 100 SF

Unit Bid Price = \$1.00

Bid Total = \$100.00

Quantity Used (Update) = 0 SF

Decrease (Update) = 100 SF

Decrease Cost (Update) = \$100.00

Final Cost = -\$0

Reason for Decrease: Item was not required for this project.

TOTAL DECREASE: (\$122,615.48)

INCREASED ITEMS:

Item 4D – Asphalt Concrete Sawcut

Original Bid Quantity = 5,995 LF

Unit Bid Price = \$5.00

Bid Total = \$29,975.00

New Quantity (Update) = 9,164 LF

Increase (Update) = 3,169 LF

Increase Cost (Update) = \$15,845.00

Final Cost = \$45,820.00

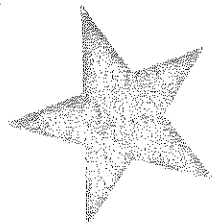
Reason for Increase: Quantity needed was more than estimated.

Item 26X – Cement Concrete Curb

Original Bid Quantity = 5,360 LF

Unit Bid Price = \$50.00

Bid Total = \$268,000.00



New Quantity (Update) = 6,173 LF
Increase (Update) = 813 LF
Increase Cost (Update) = \$40,650.00
Final Cost= \$308,650.00

Reason for Increase: Quantity needed was more than estimated.

Item 26CG – Integral Cement Concrete Curb and Gutter

Original Bid Quantity = 4,000 LF
Unit Bid Price = \$55.00
Bid Total = \$220,000.00

New Quantity (Update) = 4,340.50 LF
Increase (Update) = 340.50 LF
Increase Cost (Update) = \$18,727.50
Final Cost= \$238,727.50

Reason for Increase: Quantity needed was more than estimated.

Item 28CX – Reinforced Cement Concrete Driveways, Aprons & Slabs (7" Thick)

Original Bid Quantity = 4,850 SF
Unit Bid Price = \$20.00
Bid Total = \$97,000.00

New Quantity (Update) = 9,484.24 SF
Increase (Update) = 4,634.24 SF
Increase Cost (Update) = \$92,684.80
Final Cost= \$189,684.80

Reason for Increase: Quantity needed was more than estimated.

Item 36-2AX – Asphalt Concrete Pavement (Various Thicknesses)

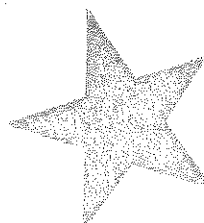
Original Bid Quantity = 318.50 Tons
Unit Bid Price = \$350.00
Bid Total = \$111,475.00

Quantity Used (Update) = 487.35 Tons
Increase (Update) = 168.85 Tons
Increase Cost (Update) = \$59,097.50
Final Cost= \$170,572.50

Reason for Increase: Quantity needed was more than estimated.

Item 74AX – Replace or Construct Loose Flagstone, Brick, Block, or Similar Walkways

Original Bid Quantity = 100 SF
Unit Bid Price = \$1.00



Bid Total = \$100.00

New Quantity (Update) = 151.75 SF
Increase (Update) = 51.75 SF
Increase Cost (Update) = \$51.75
Final Cost= \$151.75

Reason for Increase: Quantity needed was more than estimated.

Item 601 – Furnish and Install Wire Mesh Reinforcement (6"× 6" W2.9 × W2.9)
Original Bid Quantity = 4,100 SF
Unit Bid Price = \$2.00
Bid Total = \$8,200.00

New Quantity (Update) = 9,484.24 SF
Increase (Update) = 5,384.24 SF
Increase Cost (Update) = \$10,768.48
Final Cost= \$18,968.48

Reason for Increase: Quantity needed was more than estimated.

TOTAL INCREASE: (\$237,825.03)

SUMMARY:

TOTAL CONTRACT:	\$952,946.50
TOTAL INCREASE:	\$237,825.03
TOTAL DECREASE:	<u>-\$122,615.48</u>
NET CHANGE:	<u>+\$115,209.55</u>



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
NASSAU, NEW YORK
CONTRACT NO. H21-220

CHANGE ORDER NO. 1

To: Valente Contracting Corp.
77 Jackson Avenue
Mineola, New York 11501

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:

ITEM 1

26B2 - Belgium Block Curb, Quantity: 216lf, Unit Price: \$55.00lf, Total Cost: \$11,800.00

ITEM 2

26BG - Belgium Block Curb and Gutter, Quantity: 953lf, Unit Price: \$60.00, Total Cost: \$57,180.00

ITEM 3

27DW - ADA Tile, Quantity: 270sf, Unit Price: \$50.00sf, Total Cost: \$13,500.00

ITEM 4

49-C - Concrete Gutter, Quantity: 64lf, Unit Price: \$30.00lf, Total Cost: \$1,920.00

ITEM 5

49-E - Concrete Valley Gutter, Quantity: 67.43sy, Unit Price: \$325.00, Total Cost: \$21,914.75

ITEM 6

396 - Planting Sod, Quantity: 15.80sy, Unit Price: \$45.00sy, Total Cost: \$711.00

TOTAL OF CHANGE ORDER NO. 1: \$107,105.75

The original Contract sum was:	\$ 952,946.50
Net Change by previously authorized Change Orders:	\$ 0.00
Total Contract sum prior to this Change Order:	\$ 952,946.50
Change Order No. 1:	\$ 107,105.75
New Contract sum including CHANGE ORDER NO. 1:	\$ 1,060,052.25

The above work is to be performed in accordance with the letter from Nelson & Pope Engineering, Architecture and Land Surveying, PLLC, dated _____, and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of One Hundred Seven Thousand, One Hundred Five Dollars, and Seventy-Five Cents

Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: [Signature]
Dated: 1.26.2023

Accepted by:
Valente Contracting Corp.

by: [Signature]
Dated: 1/26/2023

Sufficient funding for this Change Order is available
within Account No:

HWY H5197 20000 000 2103 008,
Project ID No. 2103HWYDB-07

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 1/27/23
Steven Ballas, Comptroller

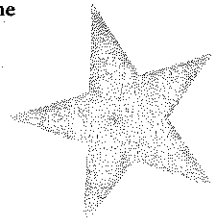
The vendors' disclosure questionnaire has been reviewed
and the Procurement Policy has been fulfilled.

by: [Signature]
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
NASSAU, NEW YORK
CONTRACT NO. H21-220
CHANGE ORDER NO. 1

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ITEM 6

396 - Planting Sod, Quantity: 15.80sy, Unit Price: \$45.00sy, Total Cost: \$711.00

TOTAL OF CHANGE ORDER NO. 1: \$107,105.75

The original Contract sum was:	\$ 952,946.50
Net Change by previously authorized Change Orders:	\$ 0.00
Total Contract sum prior to this Change Order:	\$ 952,946.50
Change Order No. 1:	\$ 107,105.75
New Contract sum including CHANGE ORDER NO. 1:	\$ 1,060,052.25

The above work is to be performed in accordance with the letter from Nelson & Pope Engineering, Architecture and Land Surveying, PLLC, dated _____, and the memorandum of the Department of Public Works, dated _____, at a cost to the Town in the amount of **One Hundred Seven Thousand, One Hundred Five Dollars, and Seventy-Five Cents**

Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: *Russell Z. Scott*
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: *Joseph S. Saladino*
Dated: 1/26/2023

Sufficient funding for this Change Order is available
within Account No:

HWY H5197 20000 000 2103 008,
Project ID No. 2103HWYDB-07

by: *Robert Darienzo*
Robert Darienzo, Director of Finance

by: *Steven Ballas* 1/27/23
Steven Ballas, Comptroller

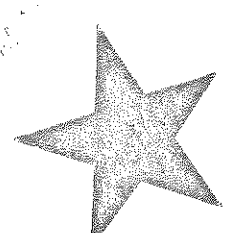
The vendors' disclosure questionnaire has been reviewed
and the Procurement Policy has been fulfilled.

by: *Brian Noone*
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
NASSAU, NEW YORK
CONTRACT NO. H21-220

CHANGE ORDER NO. 1

To: Valente Contracting Corp.
77 Jackson Avenue
Mineola, New York 11501

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:

ITEM 1

26B2 - Belgium Block Curb, Quantity: 216lf, Unit Price: \$55.00lf, Total Cost: \$11,800.00

ITEM 2

26BG - Belgium Block Curb and Gutter, Quantity: 953lf, Unit Price: \$60.00, Total Cost: \$57,180.00

ITEM 3

27DW - ADA Tile, Quantity: 270sf, Unit Price: \$50.00sf, Total Cost: \$13,500.00

ITEM 4

49-C - Concrete Gutter, Quantity: 64lf, Unit Price: \$30.00lf, Total Cost: \$1,920.00

ITEM 5

49-E - Concrete Valley Gutter, Quantity: 67.43sy, Unit Price: \$325.00, Total Cost: \$21,914.75

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Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: *Russell Z. Scott*
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: *Valente Contracting Corp.*
Dated: 1/26/23

Sufficient funding for this Change Order is available
within Account No:

HWY H5197 20000 000 2103 008,
Project ID No. 2103HWYDB-07

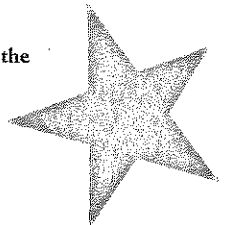
by: *Robert D'Amico*
Robert D'Amico, Director of Finance
by: *Steven Ballas*
Steven Ballas, Comptroller

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

by: *Brian Noone*
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor
Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
NASSAU, NEW YORK
CONTRACT NO. H21-220

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Mineola, New York 11501

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Nelson + Pope
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Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: *Russell Z. Scott*
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: *James W. C. to*
Dated: 1/26/2023

Sufficient funding for this Change Order is available
within Account No:

HWY H5197 20000 000 2103 008,
Project ID No. 2103HWYDB-07

by: *Robert Darienzo*
Robert Darienzo, Director of Finance

by: *Steven Ballas* 1/27/23
Steven Ballas, Comptroller

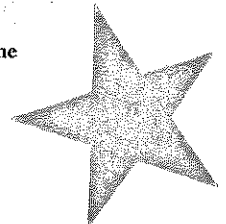
The vendors' disclosure questionnaire has been reviewed
and the Procurement Policy has been fulfilled.

by: *Brian Noone*
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
NASSAU, NEW YORK
CONTRACT NO. H21-220

CHANGE ORDER NO. 1

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Mineola, New York 11501

From: Russell Z. Scott, PE
Nelson + Pope
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Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: [Signature]
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: [Signature]
Dated: 1/26/2023

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within Account No:

HWY H5197 20000 000 2103 008,
Project ID No. 2103HWYDB-07

by: [Signature]
Robert Darienzo, Director of Finance

by: [Signature] 1/27/23
Steven Ballas, Comptroller

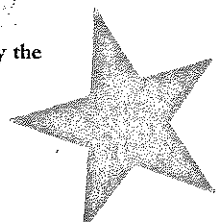
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and the Procurement Policy has been fulfilled.

by: [Signature]
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
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NASSAU, NEW YORK
CONTRACT NO. H21-220

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Recommended by:
Nelson & Pope Engineering, Architecture
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by: [Signature]
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: [Signature]
Dated: 1/26/2023

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HWY H5197 20000 000 2103 008,
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Robert Dariceno, Director of Finance

by: [Signature] 1/27/23
Steven Ballas, Comptroller

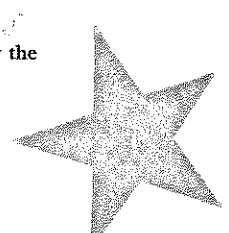
The vendors' disclosure questionnaire has been reviewed
and the Procurement Policy has been fulfilled.

by: [Signature]
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
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NASSAU, NEW YORK
CONTRACT NO. H21-220

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Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: *Russell Z. Scott*
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: *for W.C.G.*
Dated: 1/26/2023

Sufficient funding for this Change Order is available
within Account No:

HWY H5197 20000 000 2103 008,
Project ID No. 2103HWYDB-07

by: *Robert Darienzo*
Robert Darienzo, Director of Finance

by: *Steven Ballas* 1/27/23
Steven Ballas, Comptroller

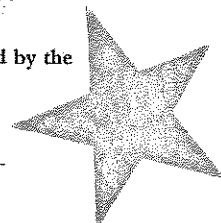
The vendors' disclosure questionnaire has been reviewed
and the Procurement Policy has been fulfilled.

by: *Brian Noone*
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
NASSAU, NEW YORK
CONTRACT NO. H21-220

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Recommended by:
Nelson & Pope Engineering, Architecture
and Land Surveying, PLLC

by: *[Signature]*
Dated: 1.26.23

Accepted by:
Valente Contracting Corp.

by: *[Signature]*
Dated: _____

Sufficient funding for this Change Order is available
within Account No:

HWY H5197 20000 000 2103 008,
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by: *[Signature]*
Robert Darienzo, Director of Finance

by: *[Signature]* 1/27/23
Steven Ballas, Comptroller

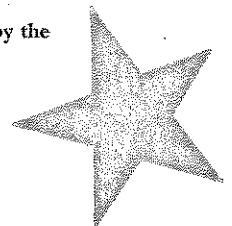
The vendors' disclosure questionnaire has been reviewed
and the Procurement Policy has been fulfilled.

by: *[Signature]*
Brian Noone, Inspector General

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

Joseph S. Saladino, Town Supervisor

Dated: _____



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

January 23, 2023

TO: MEMORANDUM DOCKET

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

SUBJECT: QUANTITY INCREASE/DECREASE, CHANGE ORDER NO. 1
ACCEPTANCE AND FINAL PAYMENT
CONTRACT NO. H21-220
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
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 February 7, 2023 to take action on the final acceptance, quantity increase/decrease, and change order # 1.

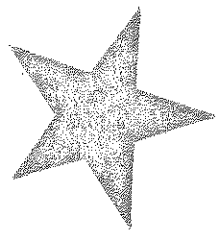


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


RWL/MR/TLS/sb

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

H21-220 concrete replacement save a space



Meeting of February 7, 2023

Resolution No. 99-2023

7MS
Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

WHEREAS, pursuant to public notice, a public hearing was held on January 24, 2023 at 7:00 o'clock p.m., prevailing time, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, at which hearing all parties interested were given an opportunity to be heard upon the question of the proposed contract between the Town of Oyster Bay, acting on behalf of the Oyster Bay Fire Protection District, and the Oyster Bay Water District, for the period January 1, 2023 through December 31, 2023, nunc pro tunc, for the rental of two hundred twenty-five (225) hydrants located within the Town's boundaries, which hydrants are owned and maintained by the Water District, at a rental of Ninety (\$90.00) Dollars per hydrant, not to exceed \$20,250.00; and

WHEREAS, following due deliberation, it was determined to be in the best interests of the residents of the Oyster Bay Fire Protection District to enter into an Agreement with the Oyster Bay Water District, for the rental of fire hydrants for the year 2023,

NOW, THEREFORE, BE IT RESOLVED, That the Supervisor or his designee are authorized to enter into an Agreement between the Town of Oyster Bay, acting on behalf of the Oyster Bay Fire Protection District, and the Oyster Bay Water District for the rental of fire hydrants for the year 2023, nunc pro tunc, upon the terms set forth hereinabove and payments pursuant to the terms and conditions thereof are hereby authorized upon presentation of a duly certified claim therefor, after audit by the Comptroller, with funds to be drawn from Account No. TWN SF 08 3410 45300 000 0000, said Agreement to be approved and ratified 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	Aye

Meeting of February 7, 2023

Resolution No. 100-2023


Reviewed By
Office of Town Attorney
Elizabeth A. Laughnan

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts for fire protection for the 2023 Calendar Year, nunc pro tunc, with the Incorporated Village of Farmingdale, the Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., the Plainview Volunteer Fire Department, Inc., and the Wantagh Fire District; as well as the East Norwich Volunteer Fire Company No. 1, for calendar years 2023-2025, said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, February 28, 2023, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the

newspaper of general circulation in the Town of Oyster Bay, pursuant to the provisions of law.

-#-

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

7/24
Reviewed By
Office of Town Attorney
Elizabeth A. Ferguson

PUBLIC NOTICE

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on February 28, 2023, at 10:00 o'clock a.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 A.M. and 4:45 P.M., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the following Fire Companies shall provide in general for the furnishing of fire protection during the following Calendar Years, nunc pro tunc, to the listed Fire Protection Districts at the agreed per annum charge set forth, all subject to taxation in said Districts, as shown on the last completed Town Assessment Roll:

CALENDAR YEAR 2023

<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM AMOUNT NOT TO EXCEED</u>
1. Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc.	Glenwood-Glen Head	\$ 857,900.00
3. Inc. Village of Farmingdale for the Farmingdale Fire Department	North East Farmingdale	\$ 133,747.00
4. Plainview Volunteer Fire Department, Inc.	Plainview	\$ 5,190,236.00
5. East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 406,788.00

CALENDAR YEAR 2024

1. East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 419,895.00
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CALENDAR YEAR 2025

1. East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 433,527.00
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The contract with the following Fire District shall provide in general for the furnishing of fire protection during the 2023 Calendar Year for the listed areas at the agreed per annum charge set forth:

1. Wantagh Fire District for the Town-owned property known as TOBAY Beach, the agreed per annum charge in an amount not to exceed \$8,000.00.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY.
JOSEPH SALADINO, Supervisor. RICHARD LaMARCA, Town Clerk.
Dated: February 7, 2023, Oyster Bay, New York.

100

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

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : February 2, 2023
SUBJECT: 2023 Fire Protection Agreements

The Incorporated Village of Farmingdale, the Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., the Plainview Volunteer Fire Department, Inc., and the Wantagh Fire District, have all provided this office with the necessary information regarding the 2023 fire protection contracts for the pertinent Fire Protection Districts, and the East Norwich Volunteer Fire Company No. 1, has provided this office with the necessary information regarding its 2023 - 2025 fire protection contract for the East Norwich Fire Protection District. Please reserve a space at the next Town Board meeting on Tuesday, February 7, 2023, regarding our request that the Town Clerk be authorized to advertise a Notice of Hearing to be held on Tuesday, February 28, 2023, at 10 a.m., for these Fire Protection Agreements.

Please note that this Office is still working with the Bayville Fire Company No. 1, Inc., the Roslyn Highlands Hook & Ladder, Engine & Hose Company Inc., and the Rescue Company Hook and Ladder Company No. 1 (aka Roslyn Rescue), regarding their budget requests for 2023. It should also be noted that the Town Board previously authorized a contract with the Oyster Bay Fire Department, Inc., and the Atlantic Steamer Fire Company No. 1, for the years 2022 - 2025.

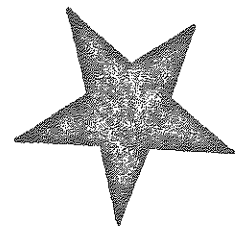
Kindly suspend the rules and include this matter on the February 7, 2023, Town Board action calendar for action. The draft resolution and Public Notice accompany this memo.


FRANK M. SCALERA
OFFICE OF THE TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

EAF:ba
Attachment
2016-5219

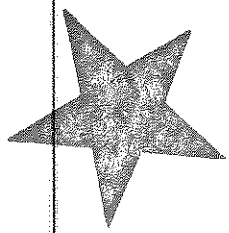
S:\Attorney\RESOS 2023\MD & RESO\2023 Fire Protection Contracts - Auth Pub Notice - eaf.docx




Reviewed By
Office of Town Attorney
Elizabeth A. Jaughan

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts for fire protection for the 2023 Calendar Year, nunc pro tunc, with the Incorporated Village of Farmingdale, the Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc., the Plainview Volunteer Fire Department, Inc., and the Wantagh Fire District; as well as the East Norwich Volunteer Fire Company No. 1, for calendar years 2023-2025, said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, February 28, 2023, at 10:00 o'clock a.m., prevailing time, said Notice to be advertised in the

newspaper of general circulation in the Town of Oyster Bay, pursuant to the provisions of law,
-#-



Not
Reviewed By
Office of Town Attorney
Elizabeth A. Laughon

PUBLIC NOTICE

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on February 28, 2023, at 10:00 o'clock a.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 A.M. and 4:45 P.M., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the following Fire Companies shall provide in general for the furnishing of fire protection during the following Calendar Years, nunc pro tunc, to the listed Fire Protection Districts at the agreed per annum charge set forth, all subject to taxation in said Districts, as shown on the last completed Town Assessment Roll:

CALENDAR YEAR 2023

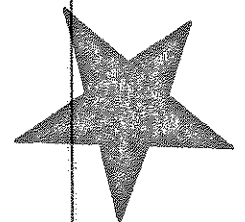
<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM AMOUNT NOT TO EXCEED</u>
1. Glenwood Hook & Ladder Engine and Hose Co. No. 1, Inc.	Glenwood-Glen Head	\$ 857,900.00
3. Inc. Village of Farmingdale for the Farmingdale Fire Department	North East Farmingdale	\$ 133,747.00
4. Plainview Volunteer Fire Department, Inc.	Plainview	\$ 5,190,236.00
5. East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 401,538.00

CALENDAR YEAR 2024

1. East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 414,645.00
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CALENDAR YEAR 2025

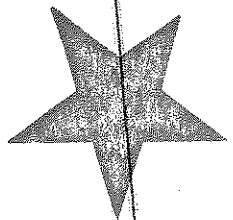
1. East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 428,277.00
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The contract with the following Fire District shall provide in general for the furnishing of fire protection during the 2023 Calendar Year for the listed areas at the agreed per annum charge set forth:

1. Wantagh Fire District for the Town-owned property known as TOBAY Beach, the agreed per annum charge in an amount not to exceed \$8,000.00.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY.
JOSEPH SALADINO, Supervisor. RICHARD LaMARCA, Town Clerk.
Dated: , 2023, Oyster Bay, New York.



Meeting of February 7, 2023

Resolution No.101-2023

DRS
Reviewed By
Office of Town Attorney
John McH...

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 28th day of February, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of BOLLA EM REALTY, LLC, lessee, and BLUE HILLS FUELS, LLC, fee owner, for a Special Use Permit and Site Plan Approval, and modification of any restrictive covenants of record, to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 285 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block B, Lot 180 on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order are in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com; and be it further

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

-#-

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

OKJ
Reviewed By
Office of Town Attorney
Thom M. Johnson

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, February 28, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from BOLLA EM REALTY, LLC, lessee, and BLUE HILLS FUELS, LLC, fee owner, for a Special Use Permit and Site Plan Approval, and modification of any restrictive covenants of record, to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 285 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block B, Lot 180 on the Land and Tax Map of Nassau County.

If meeting restrictions are imposed by New York State, to be in effect on the date of the meeting, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. Comments may be submitted by email to publiccomment@oysterbay-ny.gov, or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771,

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

13

101

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : January 30, 2023

SUBJECT: Bolla EM Realty, LLC, lessee
Blue Hills Fuels, LLC, fee owner
Special Use Permit and Site Plan Approval
Premises: 285 North Broadway, Hicksville, New York
Section 12, Block B, Lot 180

It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on February 28, 2023, at 10:00 am, in connection with the above referenced matter.

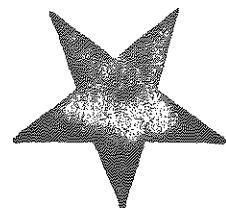
Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be considered at the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY

T. Sabellico
Thomas M. Sabellico
Special Counsel

by [signature]

TMS:nb
Enclosure
2021-8074



Meeting of February 7, 2023

Resolution No.102-2023

202
Reviewed By
Office of Town Attorney
[Signature]

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 170 MICHAEL DRIVE LLC, fee owner, and C.A.P. PLAYHOUSE L.L.C. d/b/a CULTURAL ARTS PLAYHOUSE, lessee, for granting of a Special Use Permit to allow for a 9,220 square foot portion of existing building to be used for the operation of a theatre workshop, academy, and playhouse for the training and instruction of actors, with performances to the general public, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

PUBLIC NOTICE

Not
Reviewed By
Office of Town Attorney
Thomas M. Hella

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 170 MICHAEL DRIVE LLC, fee owner, and C.A.P. PLAYHOUSE L.L.C. d/b/a CULTURAL ARTS PLAYHOUSE, lessee, for granting of a Special Use Permit to allow for a 9,220 square foot portion of existing building to be used for the operation of a theatre workshop, academy, and playhouse for the training and instruction of actors, with performances to the general public, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

102

Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

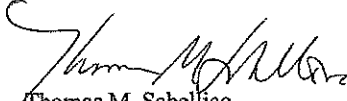
DATE : January 30, 2023

SUBJECT: 170 MICHAEL DRIVE LLC, fee owner
C.A.P. PLAYHOUSE L.L.C., lessee
Special Use Permit
Premises: 170 Michael Drive, Syosset, New York
Section 15, Block 157, Lot 45

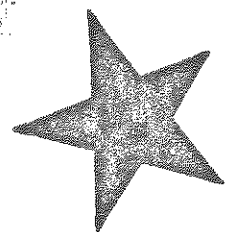
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 7, 2023 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8087



Meeting of February 7, 2023

Resolution No.103-2023

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 170 MICHAEL DRIVE LLC, fee owner, and KAYO FITNESS LLC d/b/a TITLE BOXING CLUB, lessee, for granting of a Special Use Permit to allow for a 4,061 square foot portion of existing building to be used for the operation of a boxing-themed fitness facility for boxing training and fitness programs, including the use of boxing training equipment and, on an ancillary basis, for the retail sale of training and apparel, nonalcoholic beverages, nutritional supplements, fitness snacks, and the sale of memberships, at premises located in a Light Industrial ("LP") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

John P. [Signature]

Reviewed By
Office of Town Attorney

John M. Miller

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 170 MICHAEL DRIVE LLC, fee owner, and KAYO FITNESS LLC d/b/a TITLE BOXING CLUB, lessee, for granting of a Special Use Permit to allow for a 4,061 square foot portion of existing building to be used for the operation of a boxing-themed fitness facility for boxing training and fitness programs, including the use of boxing training equipment and, on an ancillary basis, for the retail sale of training and apparel, nonalcoholic beverages, nutritional supplements, fitness snacks, and the sale of memberships, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

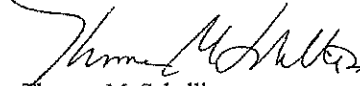
Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : January 30, 2023
SUBJECT: 170 MICHAEL DRIVE LLC, fee owner
KAYO FITNESS LLC, lessee
Special Use Permit
Premises: 170 Michael Drive, Syosset, New York
Section 15, Block 157, Lot 45

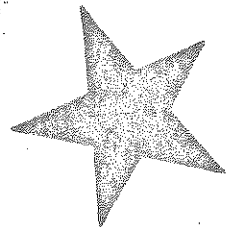
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 7, 2023 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8088



Reviewed By
Office of Town Attorney
John M. Miller

PUBLIC NOTICE

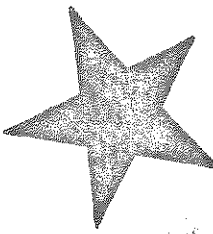
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 170 MICHAEL DRIVE LLC, fee owner, and KAYO FITNESS LLC d/b/a TITLE BOXING CLUB, lessee, for granting of a Special Use Permit to allow for a 4,061 square foot portion of existing building to be used for the operation of a boxing-themed fitness facility for boxing training and fitness programs, including the use of boxing training equipment and, on an ancillary basis, for the retail sale of training and apparel, nonalcoholic beverages, nutritional supplements, fitness snacks, and the sale of memberships, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.



768
Reviewed By
Office of Town Attorney

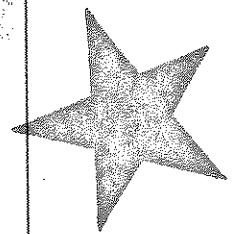
Thom M. H. H.

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 170 MICHAEL DRIVE LLC, fee owner, and KAYO FITNESS LLC d/b/a TITLE BOXING CLUB, lessee, for granting of a Special Use Permit to allow for a 4,061 square foot portion of existing building to be used for the operation of a boxing-themed fitness facility for boxing training and fitness programs, including the use of boxing training equipment and, on an ancillary basis, for the retail sale of training and apparel, nonalcoholic beverages, nutritional supplements, fitness snacks, and the sale of memberships, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-



Meeting of February 7, 2023

Resolution No.104-2023

Not
Reviewed By
Office of Town Attorney
John McHale

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 170 MICHAEL DRIVE LLC, fee owner, and LONG ISLAND SWIM ACADEMY LLC, lessee, for granting of a Special Use Permit to allow for a 13,528 square foot portion of existing building to be used for the operation of a swim academy for swim and water safety instruction, recreational and competitive swimming and therapeutic swimming, swim lessons, and, on an ancillary basis, for the retail sale of swim apparel and other swimming equipment related to the operation of the swim academy, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

Feb
Reviewed By
Office of Town Attorney
John M. H. H.

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 170 MICHAEL DRIVE LLC, fee owner, and LONG ISLAND SWIM ACADEMY LLC, lessee, for granting of a Special Use Permit to allow for a 13,528 square foot portion of existing building to be used for the operation of a swim academy for swim and water safety instruction, recreational and competitive swimming and therapeutic swimming, swim lessons, and, on an ancillary basis, for the retail sale of swim apparel and other swimming equipment related to the operation of the swim academy, at premises located in a Light Industrial ("LP") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.


Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : January 30, 2023
SUBJECT: 170 MICHAEL DRIVE LLC, fee owner
LONG ISLAND SWIM ACADEMY LLC, lessee
Special Use Permit
Premises: 170 Michael Drive, Syosset, New York
Section 15, Block 157, Lot 45

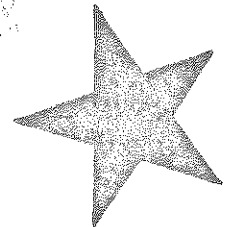
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 7, 2023 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8086



Just
Reviewed By
Office of Town Attorney
John M. H. H.

PUBLIC NOTICE

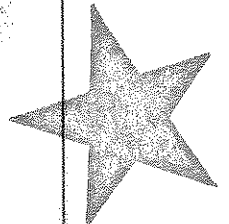
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 170 MICHAEL DRIVE LLC, fee owner, and LONG ISLAND SWIM ACADEMY LLC, lessee, for granting of a Special Use Permit to allow for a 13,528 square foot portion of existing building to be used for the operation of a swim academy for swim and water safety instruction, recreational and competitive swimming and therapeutic swimming, swim lessons, and, on an ancillary basis, for the retail sale of swim apparel and other swimming equipment related to the operation of the swim academy, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.



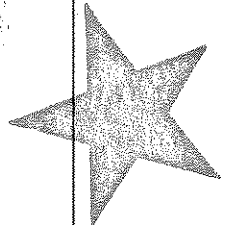
Not
Reviewed By
Office of Town Attorney
John McHale

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 170 MICHAEL DRIVE LLC, fee owner, and LONG ISLAND SWIM ACADEMY LLC, lessee, for granting of a Special Use Permit to allow for a 13,528 square foot portion of existing building to be used for the operation of a swim academy for swim and water safety instruction, recreational and competitive swimming and therapeutic swimming, swim lessons, and, on an ancillary basis, for the retail sale of swim apparel and other swimming equipment related to the operation of the swim academy, at premises located in a Light Industrial ("LI") zone, at 170 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 45, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-



Meeting of February 7, 2023

Resolution No.105-2023

Reviewed By
Office of Town Attorney

John M. McEllen

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 180 MICHAEL DRIVE LLC, fee owner, and ESCAPE VENTURES LLC d/b/a PUZZLE BREAK LONG ISLAND, lessee, for granting of a Special Use Permit to allow for a 4,100 square foot portion of existing building to be used for active recreational use whereby customers participate in games using teamwork and logic to solve puzzles, mental exercises, and escape-the-room experiences, at premises located in a Light Industrial ("LP") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

7/28
Reviewed By
Office of Town Attorney

Thomas M. McManus

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 180 MICHAEL DRIVE LLC, fee owner, and ESCAPE VENTURES LLC d/b/a PUZZLE BREAK LONG ISLAND, lessee, for granting of a Special Use Permit to allow for a 4,100 square foot portion of existing building to be used for active recreational use whereby customers participate in games using teamwork and logic to solve puzzles, mental exercises, and escape-the-room experiences, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

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

TO : MEMORANDUM DOCKET

FROM : OFFICE OF THE TOWN ATTORNEY

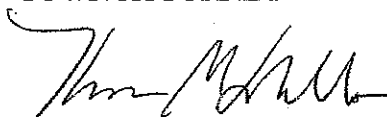
DATE : January 30, 2023

SUBJECT: 180 MICHAEL DRIVE LLC, fee owner
ESCAPE VENTURES LLC
Special Use Permit
Premises: 180 Michael Drive, Syosset, New York
Section 15, Block 157, Lot 44

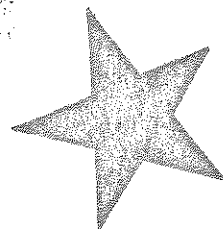
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 7, 2023 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8155



gls
Reviewed By
Office of Town Attorney
Thomas M. Saladino

PUBLIC NOTICE

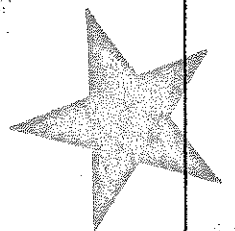
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 180 MICHAEL DRIVE LLC, fee owner, and ESCAPE VENTURES LLC d/b/a PUZZLE BREAK LONG ISLAND, lessee, for granting of a Special Use Permit to allow for a 4,100 square foot portion of existing building to be used for active recreational use whereby customers participate in games using teamwork and logic to solve puzzles, mental exercises, and escape-the-room experiences, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

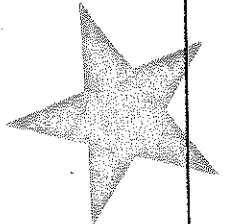


W
Reviewed By
Office of Town Attorney
Thomas McShane

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 180 MICHAEL DRIVE LLC, fee owner, and ESCAPE VENTURES LLC d/b/a PUZZLE BREAK LONG ISLAND, lessee, for granting of a Special Use Permit to allow for a 4,100 square foot portion of existing building to be used for active recreational use whereby customers participate in games using teamwork and logic to solve puzzles, mental exercises, and escape-the-room experiences, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County; and be it further

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

-#-



Meeting of February 7, 2023

Resolution No.106-2023

JK
Reviewed By
Office of Town Attorney
Theresa M. Johnson

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 180 MICHAEL DRIVE LLC, fee owner, and CROSSFIT SYOSSET ACADEMY, lessee, for granting of a Special Use Permit to allow for a 4,000 square foot portion of existing building to be used for the operation of a Crossfit fitness training center in excess of 1,500 square feet and, on an ancillary basis, for the retail sale of Crossfit apparel and related merchandise, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

70X
Reviewed By
Office of Town Attorney

Thomas M. Saladino

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 180 MICHAEL DRIVE LLC, fee owner, and CROSSFIT SYOSSET ACADEMY, lessee, for granting of a Special Use Permit to allow for a 4,000 square foot portion of existing building to be used for the operation of a Crossfit fitness training center in excess of 1,500 square feet and, on an ancillary basis, for the retail sale of Crossfit apparel and related merchandise, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

106


Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : January 30, 2023
SUBJECT: 180 MICHAEL DRIVE LLC, fee owner
CROSSFIT SYOSSET ACADEMY, LLC
Special Use Permit
Premises: 180 Michael Drive, Syosset, New York
Section 15, Block 157, Lot 44

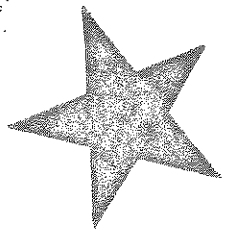
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 7, 2023 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8152



708
Reviewed By
Office of Town Attorney

Thom McShane

PUBLIC NOTICE

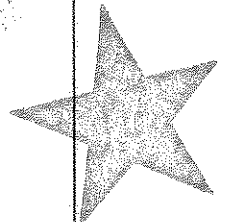
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 180 MICHAEL DRIVE LLC, fee owner, and CROSSFIT SYOSSET ACADEMY, lessee, for granting of a Special Use Permit to allow for a 4,000 square foot portion of existing building to be used for the operation of a Crossfit fitness training center in excess of 1,500 square feet and, on an ancillary basis, for the retail sale of Crossfit apparel and related merchandise, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.



70X
Reviewed By
Office of Town Attorney

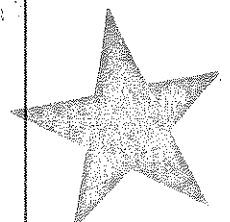
Thom M. H. [Signature]

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 180 MICHAEL DRIVE LLC, fee owner, and CROSSFIT SYOSSET ACADEMY, lessee, for granting of a Special Use Permit to allow for a 4,000 square foot portion of existing building to be used for the operation of a Crossfit fitness training center in excess of 1,500 square feet and, on an ancillary basis, for the retail sale of Crossfit apparel and related merchandise, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-



Meeting of February 7, 2023

Resolution No.107-2023

Reviewed By
Office of Town Attorney

Thomas M. O'Neil

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 180 MICHAEL DRIVE LLC, fee owner, and JOHN ONDRUSH GOLF & FITNESS CENTER LLC, lessee, for granting of a Special Use Permit to allow for a 9,166 square foot portion of existing building to be used for active recreational use as a golf instruction and training facility, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in

newspapers of general circulation within the Town of Oyster Bay.

-#-

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

File
Reviewed By
Office of Town Attorney

John McAllen

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 180 MICHAEL DRIVE LLC, fee owner, and JOHN ONDRUSH GOLF & FITNESS CENTER LLC, lessee, for granting of a Special Use Permit to allow for a 9,166 square foot portion of existing building to be used for active recreational use as a golf instruction and training facility, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

107

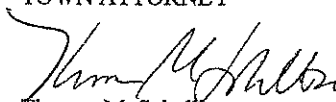
Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : January 30, 2023
SUBJECT: 180 MICHAEL DRIVE LLC, fee owner
JOHN ONDRUSH GOLF & FITNESS CENTER LLC
Special Use Permit
Premises: 180 Michael Drive, Syosset, New York
Section 15, Block 157, Lot 44

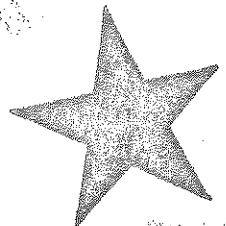
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on March 7, 2023 at 10:00 a.m., in connection with the above referenced matter.

Kindly suspend the rules and place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the February 7, 2023 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure
2021-8153



Handwritten: Reviewed By
Office of Town Attorney

Handwritten signature: Thomas McFadden

PUBLIC NOTICE

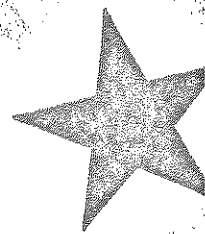
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, March 7, 2023, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from 180 MICHAEL DRIVE LLC, fee owner, and JOHN ONDRUSH GOLF & FITNESS CENTER LLC, lessee, for granting of a Special Use Permit to allow for a 9,166 square foot portion of existing building to be used for active recreational use as a golf instruction and training facility, at premises located in a Light Industrial ("LI") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.



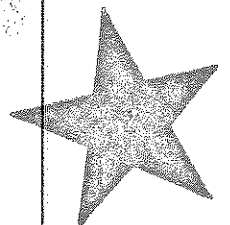
22X
Reviewed By
Office of Town Attorney

Thomas M. Schell

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 7th day of March, 2023, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of 180 MICHAEL DRIVE LLC, fee owner, and JOHN ONDRUSH GOLF & FITNESS CENTER LLC, lessee, for granting of a Special Use Permit to allow for a 9,166 square foot portion of existing building to be used for active recreational use as a golf instruction and training facility, at premises located in a Light Industrial ("LP") zone, at 180 Michael Drive, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 157, Lot 44, on the Land and Tax Map of Nassau County; and be it further

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

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Meeting of February 7, 2023

Resolution No.108-2023

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated January 30, 2023, advised that the Department of Public Works issued a Request for Proposals ("RFP") for the purpose of securing engineering services in connection with the *Hicksville Downtown Revitalization Initiative: Walkability, Beautification and Sense of Place* project; and

WHEREAS, following direct solicitation to sixty-nine (69) firms in accordance with the approved procurement procedure, which included direct solicitations to firms whose qualifications are on file, and firms which responded to an advertisement of the availability of the documents through the Town website, a Newsday advertisement and the New York State Contract Reporter, eight (8) responses were timely received by the Division of Engineering, which were reviewed and evaluated by a selection committee based on the technical merits of the responses; and


WHEREAS, Commissioner Lenz, by said memorandum, after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, requested that Lockwood, Kessler & Bartlett, Inc. to perform engineering services relative to Contract No. DPW22-241 and further requested authorization for the Supervisor, or his designee, to enter into and execute an agreement for a term commencing January 1, 2023 through December 31, 2024, at a cost of \$642,000.00, with funds to be drawn from Account No. IGA CD 8689 27000 549 CDRI; and

WHEREAS, Lockwood, Kessler & Bartlett, Inc. by letter dated December 28, 2022, requested Town Board authorization to use as sub-consultants, GdB Geospatial LS, P.C. for survey services and CSM Engineering, P.C. for construction inspection services; and

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

WHEREAS, the Office of the Town Attorney has reviewed the circumstances regarding the solicitation of the receipt of the proposal and has determined that an adequate attempt was made to obtain the required number of proposals, and the RFP is in compliance with Guideline 9 of the Town's Procurement Policy, and;

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and the Supervisor, or his designee, is hereby authorized to enter into and execute an agreement with Lockwood, Kessler & Bartlett, Inc., for Contract No. DPW22-241 for a term commencing January 1, 2023 through December 31, 2024, at a cost of \$642,000.00, with funds to be drawn from Account No. IGA CD 8689 27000 549 CDRI, and be it further

DPS
Reviewed By
Office of Town Attorney


RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same to Lockwood, Kessler & Bartlett, in an amount not to exceed \$642,000.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from Account No. IGA CD 8689 27000 549 CDRI.

-#-

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 30, 2023

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSULTANT CONTRACT
HICKSVILLE DOWNTOWN REVITALIZATION INITIATIVE –
WALKABILITY, BEAUTIFICATION AND SENSE OF PLACE
CONTRACT NO. DPW22-241
ACCOUNT NO. IGA CD 8689 27000 549 CDRI
SUSPEND THE RULES

The Town of Oyster Bay was awarded a grant for downtown Hicksville from New York State through the Downtown Revitalization Initiative (DRI) Program, whose goal is to transform "downtown neighborhoods into vibrant centers that offer a high quality of life and are magnets for redevelopment, business, job creation, and economic and housing diversity. This project has been selected for implementation by the Hicksville Local Planning Committee from the *Hicksville Downtown Revitalization Initiative - Strategic Investment Plan*.

On September 26, 2022 the Department of Public Works issued "Requests for Proposals" to sixty-nine (69) firms in accordance with the approved procurement procedure, which included direct solicitations to firms whose qualifications are on file, and firms which responded to an advertisement of the availability of the documents through the Town website, *Newsday*, and the New York State Contract Reporter. On October 20, 2022 the Division of Engineering had received eight (8) responses which were reviewed and evaluated by a selection committee based on the technical merits of the responses. Related support documentation is on file in the Division of Engineering.

The Commissioner of Public Works, after review of the Division's preliminary recommendations and in conjunction with the current workload, has selected Lockwood, Kessler & Bartlett, Inc. to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy.

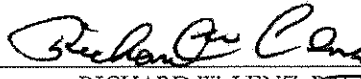
The total fee for engineering services, as negotiated and based upon the scope of work as detailed in the RFP document, is \$642,000.00, as stated in the attached letter from consultant, dated December 28, 2022. A contract-specific Consultant Agreement has been prepared by the Office of the Town Attorney, attached, which details the terms of service and State-required contractual clauses.

Funds are available to satisfy these engineering services in Account No. IGA CD 8689 27000 549 CDRI.

Further, the office of firm requests the use, as sub-consultants, GdB Geospatial LS, P.C. for survey services, and CSM Engineering, P.C. for construction inspection services.

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

It is hereby requested that the Town Board suspend the rules to take action at the Town Board meeting of February 7, 2023, to authorize, by resolution, Lockwood, Kessler & Bartlett, Inc. to perform engineering services relative to Contract No. DPW22-241, that the Supervisor, or his designee be authorized to execute the project Consultant Agreement, that GdB Geospatial LS, P.C. and CSM Engineering, P.C. be approved as sub-consultants, and that the Office of the Comptroller issue an Encumbrance Order for this purpose.



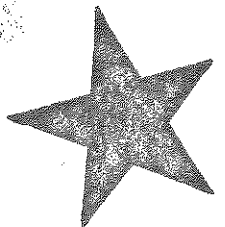
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/sb

Attachments

cc: Steven C. Ballas, Comptroller
Colin Bell, Office of the Supervisor

DPW22-241 DOCKET AWARD ENGINEERING SERVICES





Lockwood, Kessler & Bartlett, Inc.
One Aerial Way - Syosset, NY 11791
516.938.0600 www.lkbinc.com

December 28, 2022

Matthew Russo, PE
Town of Oyster Bay Department of Public Works
Division of Engineering
150 Miller Place
Syosset, NY 11791

Attention: Matthew Russo, PE, Deputy Commissioner - Division of Engineering

RE: **Hicksville Downtown Revitalization Initiative: Walkability Beautification & Sense of Place
Solicitation No. 2022-03**

Mr. Russo:

Lockwood, Kessler & Bartlett, Inc. (LKB) appreciates the Town providing this opportunity to submit a proposal to provide engineering services for the above referenced project.

LKB has successfully completed numerous streetscape beautification, pedestrian safety, and traffic improvement projects throughout Long Island and the NY metropolitan area. We have the unsurpassed qualifications and commitment to successfully assist the Town on this project.

We have assembled an excellent team that will be led by our Project Manager, Mr. Christopher Prunty, PE. Mr. Prunty is a civil engineer with over 17 years of design and construction inspection experience. He is familiar with the Town's policies and procedures, having performed as a civil engineer for several Town roadway projects including Southwood Circle Area, Syosset Highway Improvements, and Flood Diversion and Control Projects for Massapequa & Massapequa Park, Project 5: Philadelphia Avenue Area. Mr. Prunty is therefore well prepared to oversee the assignment so that it progresses in accordance with the contract requirements and remains on track for completion on schedule and within budget. He will be responsible for managing the project from inception to completion, coordinating the team's efforts to perform the work efficiently, and focusing on clear communication between all parties, in order to meet and exceed the Town's project goals.

LKB is prepared to dedicate our highly skilled staff to complete this assignment in a timely and cost-effective manner, consistent with the Town's requirements. To assist us in the effort, we have teamed with GdB Geospatial LS, P.C. (D/WBE) to perform survey services as well as CSM Engineering P.C. (D/M/WBE) to assist LKB with inspection during construction.

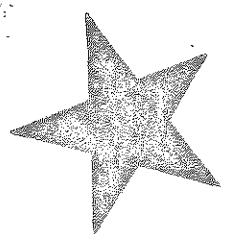
We look forward to the opportunity to work with the Town of Oyster Bay on this project. If you have any questions or need any additional information, please do not hesitate to contact me at 516.210.8963 or rgizzi@lkbinc.com.

Sincerely,

LOCKWOOD, KESSLER & BARTLETT, INC.

Robert Gizzi, Principal-In-Charge
President

AN EQUAL OPPORTUNITY EMPLOYER



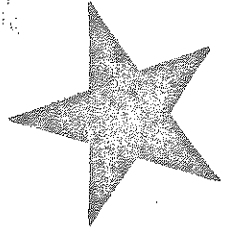
HICKSVILLE DOWNTOWN REVITALIZATION INITIATIVE

LOCKWOOD, KESSLER & BARTLETT, INC.									
STAFF TITLE	ASCE (A) NCET (N)	GRADE	% OF TIME SPENT	TASK 1 MEETINGS, SCHEMATIC DESIGN	TASK 2 SURVEY PRELIM & FINAL DESIGNS	Total	Total	Hours	ESTIMATED FEE
LKB			70.2%						
PROJECT MANAGER	V (A)		5.0%	28	142	170	16	40	\$39,650.00
PROJ. ENGR./SR. ENGR.	V (A)		4.2%	33	124	157	8	24	\$33,075.00
SR. ENGINEER	V (A)		5.7%	41	174	215	0	40	\$44,625.00
ENGINEER	IV (A)		3.9%	0	128	128	8	40	\$26,051.52
ASSOCIATE ENGINEER	II (A)		5.8%	8	344	352	8	80	\$42,517.20
SR. LANDSCAPE ARCHITECT	IV (A)		4.7%	48	124	172	0	40	\$37,100.00
LANDSCAPE ARCHITECT	III (A)		11.0%	96	320	416	0	80	\$63,463.20
ELECTRICAL ENGINEER	II (A)		1.7%	10	60	70	0	8	\$9,980.10
SR. DRAFTER/CADD/TECH	IV (N)		3.9%	60	106	166	0	8	\$26,149.96
DRAFTER/CADD/TECH	II (N)		2.7%	20	100	120	0	0	\$9,241.20
CONSTR. INSPECTOR 4	IV (N)		2.8%	0	0	0	0	124	\$21,700.00
CONSTR. INSPECTOR 3	III (N)		14.9%	0	0	0	0	670	\$94,831.80
GIB GEOSPATIAL			12.7%						
SURVEY MGR.	IV (A)		0.7%	0	32	32	0	0	\$5,600.00
SR. CAD/DIG SPEC.	IV (A)		4.3%	0	192	192	0	192	\$26,686.08
CAD/DIG SPEC.	III (N)		1.9%	0	84	84	0	84	\$9,324.00
PARTY CHIEF 2	II (N)		2.9%	0	132	132	0	132	\$17,950.88
INSTRUMENT 2	II (N)		2.9%	0	132	132	0	132	\$13,860.00
CSM			17.1%						
CONST. INSP. 3	III (N)		17.1%	0	0	0	0	770	\$121,275.00
TOTALS				344	2194	2538	40	1924	\$641,980.74
				\$50,798.34	\$295,951.28	\$346,749.62	\$6,157.20	\$289,073.92	\$641,980.74
									ROUNDED \$642,000.00

~ PROPOSAL ASSUMES CONTRACTOR PERFORMS STAKEOUT

SUB-TOTALS	% \$ SHARING
\$447,284.98	LKB 70%
\$73,420.76	GdB 11%
\$121,275.00	CSM 19%
	30%

MANPOWER SUMMARY



CONSULTING AGREEMENT FOR
CONSULTANT SERVICES

DATED: February __, 2023

PARTIES: TOWN OF OYSTER BAY, a municipal corporation of the State of New York, having its principal office at Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, and hereinafter referred to as the "TOWN," and

LOCKWOOD, KESSLER & BARTLETT, INC., having its principal place of business at One Aerial Way, Syosset, New York 11791, and hereinafter referred to as the "CONSULTANT."

WITNESSETH

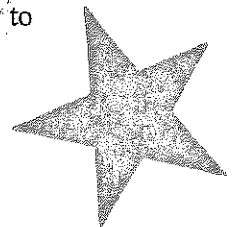
WHEREAS, it is the general intent and purpose of this Consulting Agreement for Consultant Services ("Agreement") to retain the services of the CONSULTANT in connection with design and construction of streetscape and pedestrian walkways as part of the Hicksville Downtown Revitalization Initiative, as further detailed in the Scope of Services, attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, in recognition of the Town's need for consultant services, the TOWN procured the professional services of CONSULTANT, pursuant to Town Board Resolution _____,

NOW, THEREFORE, in consideration of the promises and representations contained herein, it is mutually agreed by and between the parties hereto as follows:

SCOPE OF WORK AND PARTIES' OBLIGATIONS

1. CONSULTANT agrees to perform to the TOWN's sole satisfaction the consultant services set forth in the Scope of Services as provided in Exhibit "A", in accordance with industry standards of care and skill customarily provided for performance of such services, and CONSULTANT further agrees to devote such amount of time as may be reasonably necessary to

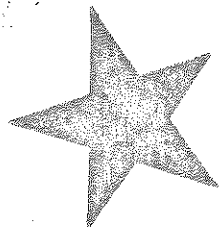


complete such services and tasks. CONSULTANT agrees to provide its services on a timely basis without unreasonable or unnecessary delay. In the event that the CONSULTANT anticipates any delay in the delivery of its services, the CONSULTANT shall immediately provide written notice to the TOWN of any such anticipated delays. It is further expressly agreed to and understood by the parties that execution of this Agreement does not guarantee a minimum number of hours to be assigned and/or compensation to the CONSULTANT or to any of CONSULTANT's employees for design and construction of design and construction of streetscapes and pedestrian walkways as part of the Hicksville Downtown Revitalization Initiative.

CONFIDENTIAL AND PROPRIETARY INFORMATION

2. In connection with this Agreement, each party (as the "**Disclosing Party**") may disclose or make available Confidential Information to the other party (as the "**Receiving Party**"). "**Confidential Information**" means information in any form or medium (oral, written, electronic or otherwise) that the Disclosing Party considers confidential or proprietary, including but not limited to information consisting of or relating to the Disclosing Party's technology, trade secrets, know-how, business operations, plans, strategies, customers, pricing and information with respect to which the Disclosing Party has contractual or other confidentiality obligations, in each case whether or not marked, designated or otherwise identified as "confidential".

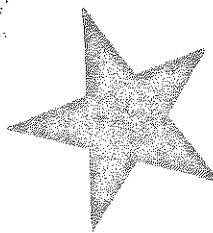
3. Confidential Information does not include information that: (a) the Receiving Party can demonstrate by written or other documentary records was rightfully known by the Receiving Party without restriction on use or disclosure prior to such information being disclosed or made available to the Receiving Party in connection with this Agreement; (b) was or becomes generally known by the public other than by the Receiving Party or any of its representatives noncompliance with this Agreement; (c) was or is received by the Receiving Party on a non-confidential basis.



from a third party that was not or is not, at the time of such receipt, under any obligation to maintain the confidentiality of said information; or (d) the Receiving Party can demonstrate by written or other documentary records was or is independently developed by the Receiving Party without reference to or use of any Confidential Information.

4. As a condition to being provided with any disclosure of or access to Confidential Information, the Receiving Party shall, for a period of three (3) years from the date of disclosure (or indefinitely in the case of Disclosing Party's trade secrets or any Town information not subject to disclosure):

- a. not access or use Confidential Information other than as necessary to exercise its rights or perform its obligations under and in accordance with this Agreement;
- b. except as may be permitted by and subject to its compliance with Paragraph 5, not disclose or permit access to Confidential Information other than to its Representatives who: (i) need to know such Confidential Information for purposes of the Receiving Party's exercise of its rights or performance of its obligations under and in accordance with this Agreement; (ii) have been informed of the confidential nature of the Confidential Information and the Receiving Party's obligations under this Agreement; and (iii) are bound by confidentiality and restricted use obligations at least as protective of the Confidential Information as the terms set forth in herein;
- c. safeguard the Confidential Information from unauthorized use, access or disclosure using at least the degree of care it uses to protect its similarly sensitive information and in no event less than a reasonable degree of care; and



- d. ensure its Representatives' compliance with, and be responsible and liable for any of its Representatives' non-compliance with, the terms of this Agreement.

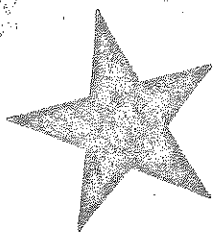
5. If the Receiving Party or any of its Representatives are compelled by applicable law to disclose any Confidential Information then, to the extent permitted by applicable law, the Receiving Party shall: (a) promptly, and prior to such disclosure, notify the Disclosing Party in writing of such requirement so that the Disclosing Party can seek a protective order or other remedy or waive its rights under this Agreement; and (b) provide reasonable assistance to the Disclosing Party in opposing such disclosure or seeking a protective order or other limitations on disclosure. If the Disclosing Party waives compliance or, after providing the notice and assistance required under this Agreement, the Receiving Party remains required by Law to disclose any Confidential Information, the Receiving Party shall disclose only that portion of the Confidential Information that the Receiving Party is legally required to disclose and, on the Disclosing Party's request, shall use commercially reasonable efforts to obtain assurances from the applicable court or other presiding authority that such Confidential Information will be afforded confidential treatment.

PAYMENTS

6. For any and all services provided by the CONSULTANT in accordance with the Scope of Services, the TOWN agrees to pay CONSULTANT an amount not to exceed a total of SIX HUNDRED FOURTY TWO THOUSAND and 00/100 (\$642,000.00) DOLLARS, inclusive of all costs, expenses, and taxes, during the term of this Agreement. Payment shall be due to the CONSULTANT within thirty (30) days of the TOWN'S receipt of CONSULTANT's invoice.

TRANSFER OR ASSIGNMENT

7. The CONSULTANT may not assign, or otherwise transfer, all or any part of its interest in this Agreement or otherwise cause a change in control in the CONSULTANT's

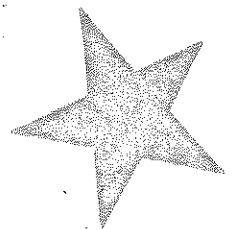


ownership without the prior written consent of the Town of Oyster Bay Town Board ("TOWN BOARD"), which consent shall not be unreasonably withheld. The term "assign" shall mean the transfer or setting over of a right or interest. The term "change in control" shall mean any change in ownership equal to the percentage of votes or membership interests required to exercise decision-making authority.

8. In the event that the TOWN BOARD consents to the assignment or transfer of this Agreement or the change in control in the CONSULTANT's ownership, the assignee, transferee, or new owner shall provide and render video production services in a fashion substantially similar to the CONSULTANT's operation and in strict conformance with the terms, conditions and requirements of this Agreement. The assignee, transferee, or new owner shall be liable for any and all obligations owed to the TOWN by the CONSULTANT from the date of this Agreement to the date of the assignment and/or transfer of this Agreement to the assignee, transferee or new owner.

INSURANCE AND WORKERS' COMPENSATION

9. The CONSULTANT agrees to obtain, at its expense, from an insurance company authorized to do business in the State of New York, and to keep in force during the term of this Agreement, a policy of comprehensive general liability on which the CONSULTANT and the TOWN are each named insured, including, but not limited to, for the torts and negligence of the CONSULTANT's personnel, with a combined single limit of \$2,000,000.00 per occurrence for bodily injury and property damage and a Professional Liability policy in an amount not less than \$1,000,000.00 insuring the CONSULTANT against, among other things, the CONSULTANT's errors and omissions. On or before the commencement date of this Agreement, the CONSULTANT shall provide the Town of Oyster Bay Town Attorney's Office ("TOWN



ATTORNEY") with a certificate of insurance and copy of the policy evidencing its procurement of the insurance required under this Paragraph.

10. The CONSULTANT shall comply with all provisions of New York State Workers' Compensation Law and shall furnish (i) a certificate of insurance providing evidence of current coverage (ii) an endorsement page providing evidence of current coverage prior to execution of this Agreement.

11. All insurance coverage required under this Agreement shall be subject to the approval of the TOWN ATTORNEY.

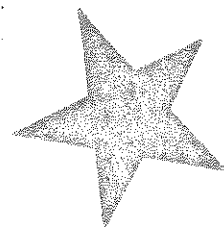
12. All policies shall be issued in the name of the CONSULTANT, and the TOWN shall be listed as a named insured. The insurance policies required by this Paragraph shall not be canceled without thirty (30) days prior written notice to the TOWN. If the CONSULTANT fails to maintain such insurance policies and to obtain such policies and furnish certificates evidencing such coverage within thirty (30) days of the receipt of notice by the TOWN regarding this deficiency, the TOWN shall have the right to terminate this Agreement.

TERM

13. The term of this Agreement shall be for the period beginning January 1, 2023 through and including December 31, 2024.

INDEMNIFICATION

14. The CONSULTANT hereby agrees to defend, indemnify and hold harmless the TOWN and its agents, representatives, successors and assigns (the "Indemnified Parties") from any and all demands, claims, actions, causes of action, proceedings, liabilities, fines, penalties, damages, losses, judgments and expenses, (including, without limitation, reasonable attorney's fees) of whatsoever kind and nature, imposed upon, incurred by, or asserted against any of the



Indemnified Parties directly or indirectly arising out of or resulting from: (i) the CONSULTANT's performance under this agreement and/or (ii) the CONSULTANT's failure to comply with or perform any of the terms, covenants or conditions of this Agreement.

MODIFICATION

15. This Agreement may be modified only by a writing duly executed by the TOWN and the CONSULTANT, and no modification of this Agreement shall be effective until the modification has been agreed to in writing and duly executed by the Town Supervisor or his duly designated representative after approval by the TOWN BOARD.

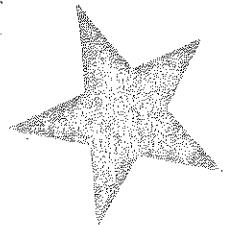
INDEPENDENT CONTRACTOR

16. The CONSULTANT agrees that it is, and shall at all times be deemed to be, an independent contractor, and it shall not, in any manner whatsoever, by its actions or deeds, commit the TOWN to any obligation irrespective of the nature thereof, and it shall not, at any time or for any purpose, be deemed an employee of the TOWN. It is further understood and agreed that no agent, servant, or employee of the CONSULTANT shall, at any time or under any circumstances, be deemed to be an agent, servant, or employee of the TOWN.

17. Any and all agents, servants and/or employees of the CONSULTANT shall be subject to background checks prior to commencement of the Scope of Services under this Agreement.

TERMINATION OF AGREEMENT

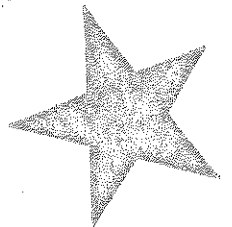
18. The TOWN has the right to terminate this Agreement for any reason or no reason, at the sole election of the TOWN. In the event of termination of this Agreement by the TOWN, the TOWN shall provide written notice of said termination by certified mail, return receipt requested, to the CONSULTANT.



NOTICES

19. Any notices hereunder shall be in writing and shall be given upon delivery by: (i) hand delivery, (ii) delivery by a reputable, recognized national overnight courier service, or (iii) the United States Postal Service when sent by Priority Mail Express, in each instance, addressed to each party at its address set forth above. Any such notice, request or other communication shall be considered given or delivered, as the case may be, on the date of delivery or the date that delivery is refused as evidenced by the records of the courier or delivery service or the United States Postal Service, as applicable. Rejection or other refusal to accept or inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice, request or other communication. By giving at least five (5) business days prior notice thereof, any party may from time to time at any time change its mailing address hereunder.

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If to the CONSULTANT:

Lockwood, Kessler & Bartlett, Inc.
Attn: Robert Gizzi, Principal-In-Charge
One Aerial Way
Syosset, New York 11791
Phone: 516-938-0600
Email: rgizzi@lkbinc.com

If to the TOWN:

Office of the Town Supervisor
Town Hall North
54 Audrey Avenue
Oyster Bay, New York 11771
Phone: (516) 624-6350

Office of the Town Attorney
Town Hall North
54 Audrey Avenue
Oyster Bay, New York 11771
Phone: (516) 624-6150
Fax: (516) 624-6196

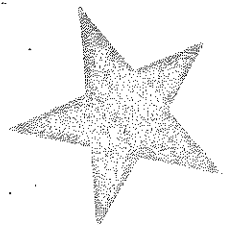
-and-

Brian J. Noone, Inspector General
Town Hall North
54 Audrey Avenue
Oyster Bay, New York 11771
Phone: (516) 624-6811

MISCELLANEOUS

20. The CONSULTANT's response to the TOWN's Request for Proposal is made part of this Agreement as "Exhibit B" and incorporated herein.

21. In addition to the terms and conditions of this Agreement, the CONSULTANT shall abide by all terms and conditions as provided in the State of New York Master Contract for Grants ("Master Contract"), attached hereto as "Exhibit C" and incorporated herein.



22. In addition to the terms and conditions of this Agreement and the Master Contract, the CONSULTANT shall abide by all terms and conditions as provided in "Exhibit D" entitled Subcontractor/Third Party Agreements – Additional Requirements ("Additional Requirements"), attached hereto and incorporated herein.

23. In the event that any of the terms and conditions of this Agreement shall conflict with any of the terms and conditions provided in the Master Contract and/or Additional Requirements, those terms and conditions that are most restrictive shall prevail.

24. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any dispute arising hereunder shall be commenced and tried in the Supreme Court of the State of New York, County of Nassau.

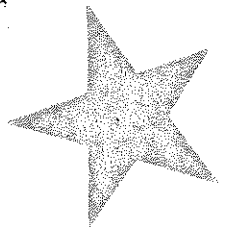
25. This Agreement is subject to the reasonable rules and regulation set by the TOWN as may be amended from time to time.

26. If any term or provision of this Agreement or the application thereof to any party or circumstances shall to any extent be invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to parties or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

27. Wherever herein the singular number is used, the same shall include the plural and the masculine gender shall include the feminine gender.

28. The terms, covenants and conditions herein contained shall be binding only upon and inure to the benefit of the respective parties and their authorized successors and assigns, if any.

29. The article, section and margin headings herein are intended solely for the convenience of any individual in locating subject matter, and such headings are not to be used in



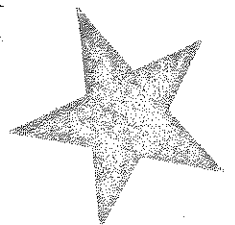
determining the intent of the parties to this Agreement, the interpretation of this Agreement, or for any other substantive purpose other than as set forth in this Paragraph.

30. This Agreement contains the entire understanding and agreement by and between the parties, and all prior and contemporaneous understandings, agreements and negotiations are herein merged. This Agreement shall not be modified or terminated (except as expressly provided in this Agreement), nor shall any provision waived except by a writing that is signed by the CONSULTANT and the TOWN.

31. Each and every provision of law required to be inserted in this Agreement shall be and is inserted herein. Every such provision is to be deemed to be inserted herein, and if, through mistake or otherwise, any such provision is not inserted, or is not inserted in correct form, then this Agreement shall, forthwith upon the application of either party, be amended by such insertion so as to comply strictly with the law and without prejudice to the rights of either party hereunder.

32. The execution of this Agreement by the Town of Oyster Bay Supervisor, or his designee, has been authorized by Town Board Resolution No. _____, adopted by the TOWN BOARD on January 10, 2023.

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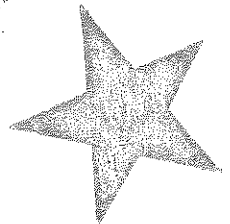
IN WITNESS WHEREOF, CONSULTANT and TOWN have respectively executed and delivered this Agreement as of the date first written above.

TOWN OF OYSTER BAY

By:
Title: Town of Oyster Bay Supervisor/Designee

LOCKWOOD, KESSLER & BARTLETT, INC.

By: Robert Gizzi
Title: Principal-In-Charge



**ACKNOWLEDGEMENTS
CONSULTANT SERVICES AGREEMENT**

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

On the ____ day of _____ in the year 2023, before me personally came _____ to me personally known, who, being by me duly sworn, did depose and say that he has a principal place of business in Oyster Bay, New York; that he is Town Supervisor of the TOWN OF OYSTER BAY, the municipal corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto pursuant to authorization of the Town Board of the Town of Oyster Bay.

NOTARY PUBLIC

STATE OF _____)
) ss.:
COUNTY OF _____)

On the ____ day of _____, in the year 2023, before me personally came _____ to me personally known, who, being by me duly sworn, did depose and say that he is the _____ of _____, the corporation described herein and which executed the above instrument and that he signed his name pursuant to the authority as the _____ of Lockwood, Kessler & Bartlett, Inc.

NOTARY PUBLIC

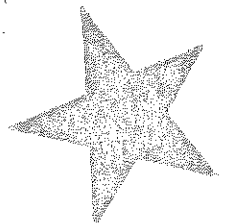


EXHIBIT "A"

SCOPE OF SERVICES

Broadway Complete Street

Incorporation of streetscape and pedestrian safety improvements along Broadway from Old Country Road to the south, to James Street just north of the Long Island Railroad Tracks. Design components shall include upgraded lighting along the sidewalks, street trees and upgraded amenities such as planters, benches and waste receptacles. The median shall be upgraded with decorative pavement and include safety fencing and landscaping. At the intersection landscaping and decorative crosswalks shall be utilized.

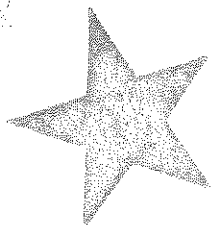
Newbridge Road Crossing

Installation of a wide crosswalk across Newbridge Road (NYS Route 106) to allow for safe pedestrian movement between the LIRR Hicksville Station and the proposed Festival Plaza & Underline components.

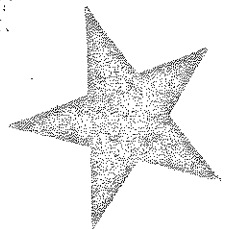
Design services to be performed will include the development of preliminary design concepts for review and approval of the Town. Upon given final direction of the Town on the concept to be advanced, prepare final contract documents in preparation of bid. This shall include, but is not limited to, surveying, utility mark-out, and test holes and borings. The CONSULTANT shall apply for and obtain any necessary permits and approvals, which may include approvals from Nassau County, New York State Department of Transportation, Metropolitan Transportation Agency – Long Island Railroad, Hicksville Water District and Hicksville Fire District. The CONSULTANT shall also develop a Stormwater Pollution Prevention Plan, if required.

Bid services will include providing assistance in responding to inquiries by respective bidders, providing plans and specifications and qualification statements, (to be included in bid specifications), reviewing the bid proposals submitted, checking contractor references, review of qualifications statements, and making a recommendation to the Commissioner of Public Works for award to the lowest responsive and responsible bidder.

Construction services performed by the CONSULTANT are to ensure the work of the contractor conforms to the provisions of the contract documents, permits, and Stormwater Pollution Prevention Plan. Services to be performed shall include construction administration, materials testing, detailed inspection, and items of work as is customary and as more fully described under applicable provisions in the AGREEMENT.



Also included will be the rendering of engineering services on an on-call basis to provide any consultation/inspection and recommendation of warranted action during the one-year maintenance and guarantee period, the preparation of reproducible as-built drawings, two (2) as-built prints to the Department of Public Works/Division of Engineering and the forwarding of all as-built GIS information in a form that is compatible with the Town of Oyster Bay GIS.



Meeting of February 7, 2023

Resolution No. 109-2023

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 28th day of February, 2023, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XIX, BUREAU OF ADMINISTRATIVE ADJUDICATION"; and be it further

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

#-

Reviewed By
Office of Town Attorney
Thomas M. Adlers

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

PUBLIC NOTICE

Reviewed By
Office of Town Attorney
John M. McGowan

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 28th day of February, 2023, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XIX, BUREAU OF ADMINISTRATIVE ADJUDICATION" The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : January 30, 2023

SUBJECT: Proposed Local Law to Amend the Code of the Town of Oyster Bay, New York, Chapter 4 - Administration of Government, to add Article XIX - Bureau of Administrative Adjudication


The Town seeks to amend Chapter 4 - Administration of Government, of the Code of the Town of Oyster Bay, by adding Article XIX - Bureau of Administrative Adjudication.

This office has prepared the following items necessary to establish a new local law referenced above:

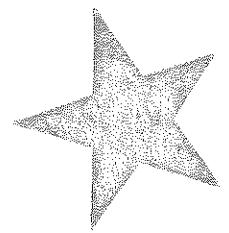
1. Resolution calling for a Public Hearing to be held on February 28, 2023 at 10:00 am;
2. Public Notice; and
3. Proposed legislation.

Kindly suspend the rules and place this matter on the February 7, 2023 Town Board action calendar for consideration of the attached Resolution.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS/nb
Attachment



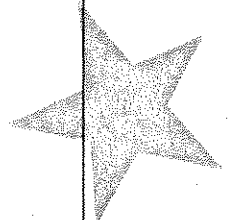
Reviewed By
Office of Town Attorney
John McGovern

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 28th day of February, 2023, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XIX, BUREAU OF ADMINISTRATIVE ADJUDICATION" The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

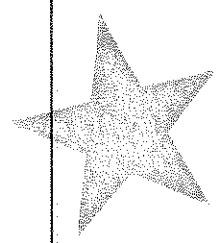
Dated: February 7, 2023, Oyster Bay, New York.



ADS
Reviewed By
Office of Town Attorney
Thomas M. Miller

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 28th day of February, 2023, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XIX, BUREAU OF ADMINISTRATIVE ADJUDICATION"; and be it further

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



Local Law Filing

Town of Oyster Bay _____

Local Law No. _____ **of the year 2023**

A local law entitled “A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, CHAPTER 4 ADMINISTRATION OF GOVERNMENT, TO ADD ARTICLE XIX, BUREAU OF ADMINISTRATIVE ADJUDICATION”

Be it enacted by the Town Board of the Town of Oyster Bay as follows

SECTION 1. Amend Chapter 4 (Administration of Government), by adding Article XIX, Bureau of Administrative Adjudication, as follows:

ARTICLE XIX, Bureau of Administrative Adjudication

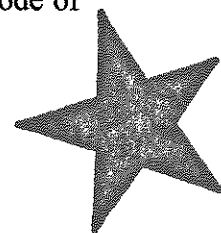
§ 4-204. Title.

This article shall be known as “Town of Oyster Bay Bureau of Administrative Adjudication Law”.

§ 4-205. Definitions, word usage.

- A. Whenever used in this article, words used in the singular include the plural and vice versa.
- B. All words used in the present tense include the past and the future tense. Words used in the masculine gender include the feminine and neuter, and vice-versa, unless the natural construction of the wording indicates otherwise.
- C. As used in this article, the following terms shall have the meanings indicated:

DIRECTOR - The chief executive officer of the Bureau shall be the Director who shall be the Chief Administrative Law Judge of the Bureau and shall have all the powers of an administrative law judge pursuant to New York State General Municipal Law Section 381, and whose duties, powers, and responsibilities are set forth in Chapter 14 of the Code of the Town of Oyster Bay.



ADMINISTRATIVE LAW JUDGES – The three Administrative Law Judges, appointed by the Director, who shall have the duties, powers and responsibilities as detailed and set forth in Chapter 14 of the Code of the Town of Oyster Bay.

BUREAU - The Town of Oyster Bay Bureau of Administrative Adjudication, which shall perform all of the functions as detailed and set forth in Chapter 14 of the Code of the Town of Oyster Bay.

SUPERVISOR -- Supervisor of the Town of Oyster Bay.

§ 4-206. Establishment; department head; salary; qualifications.

There shall be in the Town of Oyster Bay a Bureau of Administrative Adjudication. The principal executive officer and administrative head of said Bureau shall be the Director of the Bureau, who shall be appointed by the Town Supervisor with the advice and consent of the Town Board, for a term of five (5) years, at such salary as may from time to time be fixed by the Town Board. The Director shall be appointed by the Town Supervisor for a term of five (5) years, with the advice and consent of the Town Board. The Director shall be removable only for neglect of duty or misfeasance in office after notice and an opportunity for a hearing. Once appointed and confirmed the Director shall serve until his or her term expires and until his or her successor has been appointed and confirmed. The Director shall devote his or her entire work time to the duties of the office. The Director shall be an attorney in good standing, admitted to practice for at least five years in the State of New York, and shall be knowledgeable on the subject of administrative law and procedure. The Director shall have the power and authority to appoint and remove officers and employees under his or her jurisdiction in accordance with the Civil Service Law and other applicable laws.

§ 4-207. Administrative Law Judges.

The Director is empowered herein to appoint least three (3) administrative law judges who shall be attorneys in good standing admitted to practice in the State of New York for at least three years, and who shall have such other qualifications and serve terms as prescribed by the Director, and who shall generally act for and in his or her behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this article, Chapter 14 of the Code of the Town of Oyster Bay, and by statute or by other lawful authority.

§ 4-208. Organization.

The Director shall have such powers as shall be necessary for the proper administration of the Bureau consistent with applicable provisions of law.

§ 4-209. Performance of other duties; delegation of powers.

- A. The Director, acting by and through any of the existing or hereafter created divisions, shall be empowered to perform such other duties and functions that are prescribed to be performed by him or her in any law, ordinance or resolution of the Town Board or lawful directive of the Supervisor. The Director may delegate his or her authority to or direct any of his or her duties to be performed to an administrative law judge of the Bureau.

- B. The Director is hereby authorized and empowered, subject to the prior approval of the Town Board, except that such prior approval will not be required in cases of emergency, to retain and employ such professional service providers (such as court reporters, stenographers, information technology professionals), for the purposes of performing such services as the Director may deem necessary in the administration of the Bureau.

§ 4-210. Powers of Supervisor.

Nothing herein contained shall be construed to delegate or transfer any power of the Town Supervisor contained in §§ 29, 52 and 125 of the Town Law of the State of New York or any other powers, which may be lawfully exercised by said Supervisor.

§ 4-211. Fees.

The Director may establish a schedule of fees to be collected by him for the filing in the Bureau of any motion or other document required to be so filed; the preparation of any written instrument; for certifying any such written instrument; and for any other service rendered in connection with the work of the Bureau and for which he or she deems it necessary to charge and to collect a fee therefore.

SECTION 2. SEQR 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 3. 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.

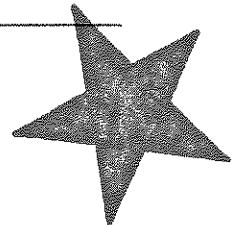
SECTION 4. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

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.

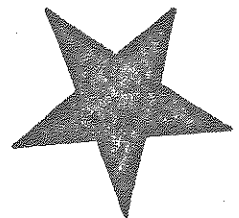
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2023



Reviewed By
Office of Town Attorney
John M. Maier

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 28th day of February, 2023, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, TO SET FORTH PENALTIES ALLOWED TO BE ASSESSED BY THE BUREAU OF ADMINISTRATIVE ADJUDICATION, AMENDING CHAPTER 30 – ETHICS, CHAPTER 82 – ALCOHOLIC BEVERAGES, CHAPTER 95 – COLLECTION BINS, CHAPTER 103 – ANIMALS, CHAPTER 107 – ELECTRICAL, CHAPTER 118 – FILMING AND PHOTOGRAPHY, CHAPTER 126 – GAMES OF CHANCE, CHAPTER 128 – GRAFFITI ABATEMENT, CHAPTER 130 – HANDBILLS, COMMERCIAL, CHAPTER 135 – HOUSING STANDARDS, CHAPTER 139 – JUNK AND JUNK DEALERS, CHAPTER 143 – LANDMARKS PRESERVATION, CHAPTER 145 – LANDSCAPING, CHAPTER 156 – NOISE, CHAPTER 164 – OIL, STORAGE AND HANDLING OF, CHAPTER 168 – PARKS AND RECREATION, CHAPTER 173 – PEDDLING AND SOLICITATION, CHAPTER 180 – PLUMBING, CHAPTER 182 – PROPERTY MAINTENANCE, INDUSTRIAL AND COMMERCIAL, CHAPTER 184 – PUBLIC NUISANCES, CHAPTER 192 – SECONDHAND DEALERS, CHAPTER 201 – SOLID WASTE, CHAPTER 205 – STREETS AND SIDEWALKS, CHAPTER 221 – TOWING, CHAPTER 236 – VEHICLES FOR HIRE, AND CHAPTER 246 - ZONING."; and be it further

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

-#-

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
Thomas M. Saladino

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 28th day of February, 2023, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, TO SET FORTH PENALTIES ALLOWED TO BE ASSESSED BY THE BUREAU OF ADMINISTRATIVE ADJUDICATION, AMENDING CHAPTER 30 – ETHICS, CHAPTER 82 – ALCOHOLIC BEVERAGES, CHAPTER 95 – COLLECTION BINS, CHAPTER 103 – ANIMALS, CHAPTER 107 – ELECTRICAL, CHAPTER 118 – FILMING AND PHOTOGRAPHY, CHAPTER 126 – GAMES OF CHANCE, CHAPTER 128 – GRAFFITI ABATEMENT, CHAPTER 130 – HANDBILLS, COMMERCIAL, CHAPTER 135 – HOUSING STANDARDS, CHAPTER 139 – JUNK AND JUNK DEALERS, CHAPTER 143 – LANDMARKS PRESERVATION, CHAPTER 145 – LANDSCAPING, CHAPTER 156 – NOISE, CHAPTER 164 – OIL, STORAGE AND HANDLING OF, CHAPTER 168 – PARKS AND RECREATION, CHAPTER 173 – PEDDLING AND SOLICITATION, CHAPTER 180 – PLUMBING, CHAPTER 182 – PROPERTY MAINTENANCE, INDUSTRIAL AND COMMERCIAL, CHAPTER 184 – PUBLIC NUISANCES, CHAPTER 192 – SECONDHAND DEALERS, CHAPTER 201 – SOLID WASTE, CHAPTER 205 – STREETS AND SIDEWALKS, CHAPTER 221 – TOWING, CHAPTER 236 – VEHICLES FOR HIRE, AND CHAPTER 246 - ZONING."

The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.

Dated: February 7, 2023, Oyster Bay, New York.

Local Law Filing

Town of Oyster Bay _____

Local Law No. _____ **of the year 2023**

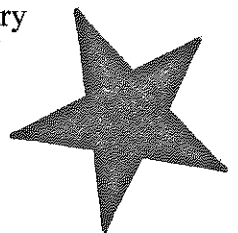
A local law entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF OYSTER BAY, NEW YORK, TO SET FORTH PENALTIES ALLOWED TO BE ASSESSED BY THE BUREAU OF ADMINISTRATIVE ADJUDICATION, AMENDING CHAPTER 30 – ETHICS, CHAPTER 82 – ALCOHOLIC BEVERAGES, CHAPTER 95 – COLLECTION BINS, CHAPTER 103 – ANIMALS, CHAPTER 107 – ELECTRICAL, CHAPTER 118 – FILMING AND PHOTOGRAPHY, CHAPTER 126 – GAMES OF CHANCE, CHAPTER 128 – GRAFFITI ABATEMENT, CHAPTER 130 – HANDBILLS, COMMERCIAL, CHAPTER 135 – HOUSING STANDARDS, CHAPTER 139 – JUNK AND JUNK DEALERS, CHAPTER 143 – LANDMARKS PRESERVATION, CHAPTER 145 – LANDSCAPING, CHAPTER 156 – NOISE, CHAPTER 164 – OIL, STORAGE AND HANDLING OF, CHAPTER 168 – PARKS AND RECREATION, CHAPTER 173 – PEDDLING AND SOLICITATION, CHAPTER 180 – PLUMBING, CHAPTER 182 – PROPERTY MAINTENANCE, INDUSTRIAL AND COMMERCIAL, CHAPTER 184 – PUBLIC NUISANCES, CHAPTER 192 – SECONDHAND DEALERS, CHAPTER 201 – SOLID WASTE, CHAPTER 205 – STREETS AND SIDEWALKS, CHAPTER 221 – TOWING, CHAPTER 236 – VEHICLES FOR HIRE, AND CHAPTER 246 - ZONING."

Be it enacted by the Town Board of the Town of Oyster Bay as follows

SECTION 1. Amend Chapter 82 – Alcoholic Beverages, as follows:

§ 82-6. Penalties for offenses.

- A. For a first offense under this chapter, a fine of not less than \$25 nor more than \$250 or by imprisonment for not more than 10 days, or by both such fine and imprisonment.
- B. For a second or subsequent offense under this chapter within a period of three years, a fine of not less than \$100 nor more than \$250 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.
- C. Any person or entity found by the Bureau of Administrative Adjudication to have violated any provision of this chapter is likewise subject to a monetary penalty within the range of fines authorized in this section.



SECTION 2. Amend Chapter 95 – Collection Bins, as follows:

§ 95-5. Enforcement; penalties for offenses; injunctions.

- A. The owner, lessee, or other person or legal entity in control of the property where a collection bin has been placed or is being maintained in violation of this chapter or in violation of the permit issued by the Department of Planning and Development, and the rules applicable to such permit, and the person or entity which owns, maintains, or operates a collection bin in violation of this chapter shall be jointly and severally liable therefor.
- B. Code Enforcement Officers of the Department of Planning and Development and the Nassau County Police Department are hereby authorized to issue summonses or appearance tickets, returnable in the District Court of Nassau County, or notices of violation returnable before the Bureau of Administrative Adjudication, for any violations of this chapter.
- C. Any such violation shall be categorized as a petty offense, punishable by a fine of up to \$250 per violation, per day. Each day that the offense(s) shall continue shall be considered a separate violation.
- D. Any person or entity found by the Bureau of Administrative Adjudication to have violated any provision of this chapter is likewise subject to a monetary penalty within the range of fines authorized in this section.
- E. Additionally, the Town Attorney may, in an appropriate case, institute an injunction action in the name of the Town to assure compliance with the terms of this chapter, including the removal of a collection bin.

SECTION 3. Amend Chapter 103 - Animals, as follows:

ARTICLE I ANIMAL PROTECTION AND CONTROL

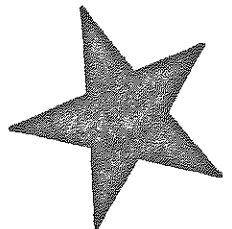
§ 103-8.2. Penalties for offenses.

In addition to any other remedy for an offense against this article, for each offense committed against this Article or any provision or section thereof, the person committing such offense shall be guilty of a violation punishable by a fine of not less than \$100 nor more than \$250, for the first offense, and not less than \$250 nor more than \$1,000 for the second and any subsequent offense committed within two years of the first offense, or imprisonment not exceeding 15 days, or both such fine and imprisonment.

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article is likewise subject to a monetary penalty within the range of fines authorized in this section.

ARTICLE II DANGEROUS ANIMALS

§ 103-12. Penalties for offenses.



- A. A violation of any provision in this Article shall constitute an offense. Each day that such violation exists shall constitute a separate offense. Such an offense shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article is likewise subject to a monetary penalty within the range of fines authorized in this section.
- B. The imposition of the penalties in this section shall not preclude the Town Attorney from instituting any appropriate action or proceeding to prevent a violation of this Article or to correct or abate a violation of this Article.

ARTICLE III DANGEROUS DOGS

§ 103-16. Penalties for offenses.

- A. The owner of a dog who, through any act or omission, negligently permits his or her dog to bite a domestic animal causing physical injury shall be subject to a civil penalty not to exceed \$400 in addition to any other applicable penalties.
- B. The owner of a dog who, through any act or omission, negligently permits his or her dog to bite a domestic animal causing serious physical injury shall be subject to a civil penalty not to exceed \$800 in addition to any other applicable penalties.
- C. The owner of a dog who, through any act or omission, negligently permits his or her dog, which had previously been determined to be dangerous pursuant to state or local law, to bite a domestic animal causing serious physical injury, shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000, or by a period of imprisonment not to exceed 90 days, or by both such fine and imprisonment in addition to any other applicable penalties.
- D. If any dog, which had previously been determined by a judge or justice to be a dangerous dog as defined in § 103-14 of this article, shall, without justification, kill or cause the death of any domestic animal, who is peaceably conducting itself in any place where it may lawfully be present, regardless of whether such dog escaped without fault of the owner, the owner shall be guilty of a Class A misdemeanor in addition to any other penalties.
- E. The owner shall not be liable pursuant to Subsection A, B, C, or D of this section if the dog was coming to the aid or defense of a person during the commission or attempted commission of a murder, robbery, burglary, arson, rape in the first degree as defined in § 130.35(1) or (2) of the New York Penal Law, sodomy in the first degree as defined in § 130.50(1) or (2) of the New York Penal Law, or kidnapping within the dwelling or upon the real property of the owner of the dog.
- F. i. Any person found by the Bureau of Administrative Adjudication to have

violated the provisions of Section 103-16(A) is likewise subject to a monetary penalty not to exceed \$400.

ii. Any person found by the Bureau of Administrative Adjudication to have violated the provisions of Section 103-16(B) is likewise subject to a monetary penalty not to exceed \$800.

iii. Any person found by the Bureau of Administrative Adjudication to have violated the provisions of Section 103-16(C) is likewise subject to a monetary penalty not to exceed \$400.

ARTICLE IV FOWL

§ 103-21. Penalties for offenses.

A violation of this article shall be punishable by a fine of not less than \$100, nor more than \$500. Any subsequent violation occurring within five years of the date of such first violation shall be punishable by a fine of not less than \$250, nor more than \$750. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, pursuant to §103-21.

ARTICLE V LICENSING AND IDENTIFICATION OF DOGS

§ 103-31. Penalties for offenses.

In addition to any other remedy for an offense against this article, for each offense committed against this article or any provision or section thereof, the person committing such offense shall be guilty of a violation punishable by a fine not to exceed \$250 or imprisonment not exceeding 15 days, or both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, pursuant to §103-31.

SECTION 4. Amend Chapter 107 – Electrical Standards, as follows:

§ 107-15. Penalties for offenses.

In addition to any other remedy for an offense against this chapter, any person committing an offense against any of the provisions of this chapter or of any rule or regulation made pursuant thereto shall be guilty of a violation punishable by a fine of not less than \$350 nor more than \$500 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of three years, punishable by a fine not less than \$500 nor more than \$750 or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offenses, all of which were committed within a period of five years, punishable by a fine not less than \$1000 nor more than \$2,000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of

conferring jurisdiction upon courts and judicial officers generally, violations of this chapter or of such ordinance or regulation shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

§ 107-15.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner of the Department of Planning and Development or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$1000 or imprisonment for a period not to exceed 15 days, or both.

§107-15.2. Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized hereinabove.

SECTION 5. Amend Chapter 30 – Ethics, as follows:

§ 30-3 Applicability.

- A. This chapter applies to all officers and employees of the Town of Oyster Bay, whether paid or unpaid, including the members of any Town department, agency, board or commission, and all administrative law judges employed by the Bureau of Administrative Adjudication.
- B.

SECTION 6. Amend Chapter 118 – Filming and Photography, as follows:

§ 118-8.1 Penalties for Violations.

- A. Any person, entity or production company committing an offense against any provision of this Chapter shall, upon conviction thereof, be subject to a fine of not less than Two Hundred Fifty (\$250) dollars and not exceeding One Thousand (\$1,000.00) dollars or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuation of a violation of the provisions of this Chapter shall constitute, for each day the violation is continued, a separate and distinct offense punishable in like manner. Any production company found by the Bureau of Administrative Adjudication to have violated any provision of this Chapter shall likewise be subject to a monetary penalty within the range of fines authorized herein for offenses or continuing offenses.
- B. The criminal and civil penalties set forth herein are in addition to the right of the Town Clerk to revoke the permit of any person or entity found to have violated any of the provisions of this chapter, with forfeiture of fees paid, deny

future permit applications, and pursue civil and equitable relief in the name of the Town in a court of competent jurisdiction, including but not limited to compensatory actions, including an action to compel compliance with or to restrain by injunction the violation of this Chapter; and other remedies which in the opinion of the Town Attorney may seem necessary and proper.

SECTION 7. Amend Chapter 126 – Games of Chance, as follows:

§ 126-6. Penalties for offenses.

Any person committing an offense against this article or any provision or section thereof is guilty of a Class A misdemeanor punishable by a fine not exceeding \$1,000 or imprisonment for a period not exceeding one year for each such offense, or by both such fine and imprisonment.

§ 126-6.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

§126-6.2. Adjudication by the Bureau of Administrative Adjudication.

Any person or entity found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized herein.

§126-6.3. Forfeiture.

In addition, any person, association, corporation or organization found guilty of violating the provisions of this article by a court of competent jurisdiction, or found by the Bureau of Administrative Adjudication to have violated any provision of this article shall forfeit any license issued pursuant to this article and shall be barred and ineligible to apply for such a license pursuant to this article for at least a period of five years from the date of forfeiture.

SECTION 8. Amend Chapter 128 – Graffiti Abatement, as follows:

§ 128-9. Penalties for offenses.

- A. Any violation of any section of this chapter except as otherwise specifically set forth shall be a Class A misdemeanor punishable by one year imprisonment and/or a fine of not less than \$500 nor more than \$1,000, in addition to mandatory community service hours. There shall also be imposed a mandatory \$100 surcharge for the Town of Oyster Bay Anti-Graffiti Program.
- B. Any person convicted of a violation of §128-2 or 128-3A, in addition to the

penalties listed above and where the violation was committed by a person under the age of 18 years, shall perform not less than 10 hours of community service during a time other than during his or her school attendance requirement. One parent or guardian shall be present at the site of the community service for at least 1/2 of the hours of community service required under this section, unless attendance by the parent or guardian is deemed by the court to be inappropriate or potentially detrimental to the child.

§ 128-9.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

§128-9.1.1. Adjudication by the Bureau of Administrative Adjudication.

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 9. Amend Chapter 130 – Handbills, Commercial, as follows:

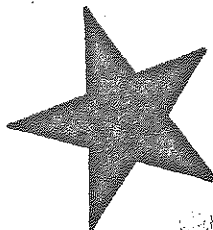
§ 130-4. Penalties for offenses.

Any violation of this chapter shall be punishable by the imposition of a fine not to exceed \$250 or a maximum of 15 days imprisonment, or both. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 10. Amend Chapter 135 – Housing Standards, as follows:

§ 135-55. Penalties for offenses.

Pursuant to §268 of the Town Law of the State of New York, as amended, any person who shall violate any ordinance herein or regulation thereon or fail to comply therewith or with any of the requirements thereof or who shall build or alter or use any building, structure or land in violation of any statement or plan submitted and approved thereunder shall be guilty of an offense punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial



offices, generally, violations of this chapter or of such ordinance or regulation shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation. Any fine imposed under this section shall be exclusive of costs to be charged to the owner of the property under §135-54.

§ 135-55.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

§135-55.2. Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, pursuant to §135-55, and shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 11. Amend Chapter 139 – Junk and Junk Dealers, as follows:

JUNK AND JUNK DEALERS

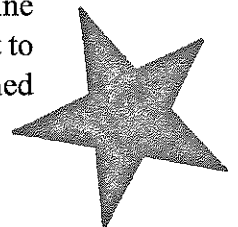
§ 139-12 Penalties of offenses.

Offenses against this chapter are punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter is likewise subject to a monetary penalty within the range of fines authorized in this section.

SECTION 12. Amend Chapter 143 – Landmarks Preservation, as follows:

§ 143-13. Penalties for offenses.

- A. A violation of this chapter is hereby declared to be an offense, punishable by a fine not to exceed \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense committed within a period of five years, the punishment shall be a fine of not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense committed within a period of five years, the punishment shall be a fine of not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. Violations of this chapter shall be deemed



misdemeanors and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

- B. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, and shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 13. Amend Chapter 145 – Landscaping, as follows:

§ 145-9 Penalties for offenses.

Each and every violation of any provision of this chapter or of any of the rules and regulations promulgated hereunder shall be punishable by a mandatory minimum fine of not less than \$100 and/or imprisonment for a period not to exceed 15 days, for each and every separate offense relating to a violation of this chapter. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

§ 145-10 Revocation and suspension of license.

In addition to the penalties set forth in § 145-9 of this chapter, the Town may revoke or suspend any license issued pursuant to this chapter after notice to the licensee.

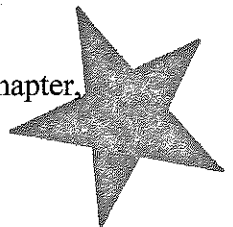
SECTION 14. Amend Chapter 156 – Noise, as follows:

§ 156-8. Penalties for offenses.

Any person who shall violate any portion of the chapter herein or regulation thereon or fail to comply therewith or with any of the requirements thereof shall be guilty of an offense punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter or of such regulation shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

§ 156-8.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter,



any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

§156-8.2. Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, pursuant to §156-8 herein and shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 15. Amend Chapter 164 – Oil, Storage and Handling Of, as follows:

§ 164-25. Penalties for offenses.

Failure to comply with any of the provisions of this chapter shall constitute a misdemeanor, punishable by a fine up to \$1,000 or imprisonment not exceeding 15 days, or both such fine and imprisonment for each violation.

§ 164-25.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

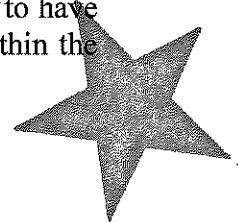
§164-25.2. Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 16. Amend Chapter 168 – Parks and Recreation, as follows:

§ 168-27.1. Penalties for offenses.

Any person committing an offense against this article or any provision or section thereof shall be guilty of a violation punishable by a fine not to exceed \$250 or imprisonment not to exceed five days for each such offense, or by both such fine and imprisonment, for a first conviction and upon conviction of a second or subsequent offense within five years of a conviction of a previous offense herein shall be guilty of a violation punishable by a fine not less than \$250 or imprisonment not to exceed 15 days, or by both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized herein.



§ 168-32. Penalties for offenses.

Any person committing an offense against this article or any provision or section thereof shall be guilty of a violation punishable by a fine not to exceed \$250 or imprisonment not to exceed five days for each such offense, or by both such fine and imprisonment, for a first conviction and upon conviction of a second or subsequent offense within five years of a conviction of a previous offense herein shall be guilty of a violation punishable by a fine not less than \$250 or imprisonment not to exceed 15 days, or by both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 17. Amend Chapter 173 – Peddling and Solicitation, as follows:

§ 173-9 RESERVED.

§ 173-36 Penalties for offenses.

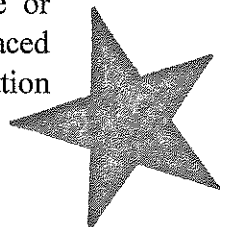
A person who violates or aids and abides a person in violating any provision of this chapter shall be guilty of an offense punishable by the court as follows:

- A. For the first violation, a fine of not less than \$100 nor more than \$200;
- B. For the second violation, if issued within a period of three years of the date of issuance or conviction of a first violation, a fine of not less than \$200 nor more than \$300;
- C. For the third violation, if issued within a period of three years of the date of issuance or conviction of a second violation, a fine of not less than \$300 nor more than \$400;
- D. For any subsequent violation issued within a period of three years of the date of issuance or conviction of a prior violation, a fine of not more than \$600.
- E. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 18. Amend Chapter 180 – Plumbing, as follows:

§ 180-20 Penalties for offenses.

- A. Each person who shall violate any provision of this chapter or regulations adopted thereunder shall be guilty of a violation punishable by a fine of not more than \$350 or by imprisonment of not more than 15 days, or by both such fine and imprisonment for each such offense. The owner of a building, structure or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, building contractor, agent, person or corporation



employed in connection therewith and who may have assisted in the commission of such violation shall each be guilty of a separate offense, and, upon conviction thereof, shall be punished as provided in this section.

- B. The imposition of the penalties prescribed for a violation of this chapter shall not preclude the Town Attorney from instituting any appropriate action or proceeding to prevent an unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to restrain, correct or abate a violation, or to prevent an illegal act, conduct, business or use in or about any premises.

§180-20.1. Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 19. Amend Chapter 182 – Property Maintenance, Industrial and Commercial, as follows:

§ 182-12. Penalties for offenses.

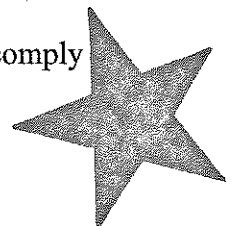
Pursuant to § 268 of the Town Law of the State of New York, as amended, any person, firm, company, partnership or corporation, who shall violate any ordinance or regulation thereon, or fail to comply therewith or with any of the requirements thereof, shall be guilty of an offense punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial offices, generally, violations of this article or of such ordinance or regulation shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

§182-12.1 Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, pursuant to §182-12 herein and shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

§ 182-23. Penalties for offenses.

Any person who shall violate any ordinance herein or regulation thereon or fail to comply



therewith or with any of the requirements thereof shall be guilty of an offense punishable by a fine not exceeding \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial offices, generally, violations of this article or of such ordinance or regulation shall be deemed misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation. Any fine imposed under this section shall be exclusive of costs to be charged to the owner of the property under § 182-22C.

§ 182-23.1. Violation of directives.

In addition to and notwithstanding any other remedy for an offense against this chapter, any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

§182-23.2 Adjudication by the Bureau of Administrative Adjudication

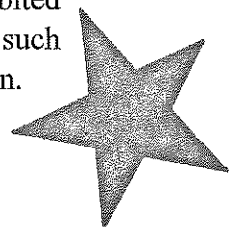
Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. A third or subsequent violation of this chapter within a period of six (6) months shall be deemed a misdemeanor, pursuant to §182-23 herein and shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 20. Amend Chapter 184 – Public Nuisances, as follows:

§ 184-4.1 Rebuttable Presumption.

It shall be a rebuttable presumption that a public nuisance exists at any location where:

- A. There have been one or more arrests for a predicate offense (as defined herein) on two or more occasions within the past three years;
- B. An owner or occupant has been found liable by the Bureau of Administrative Adjudication or found guilty by the Nassau County District Court or other court of competent jurisdiction as a result of engaging in prohibited conduct on two or more occasions within the past three years; or
- C. Notice has been given in accordance with §184-4 to the owner at the last address shown on the current assessment roll of the County Assessor, that prohibited conduct has occurred at the location and, within three years of the date of such notice, there is an additional occurrence of prohibited conduct at the location.



§ 184-6 Penalties for offenses.

- A. Any violation of this section is punishable by a fine of not less than \$500.00, nor more than \$1,000 for each offense and/or imprisonment, for not more than 15 days, and for the purpose of prosecution, the violation of § 184-2 hereof shall be deemed to have been committed at the time of the second occurrence of prohibited conduct at that location.
- B. It shall be a misdemeanor, punishable by a fine of not less than \$500.00, nor more than \$1,000 and/or imprisonment for not more than six months, for any person to enter upon any building or structure which has been posted and secured pursuant to the provisions of this chapter except upon written permission of the Commissioner of the Department of Planning and Development, and it shall be a violation punishable by a fine of not more than \$250 and/or imprisonment for not more than 15 days for any person to remove or deface any notice posted pursuant to the provisions of this chapter.
- C. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein. Any conduct deemed to be a misdemeanor shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 21. Amend Chapter 192 – Second Hand Dealers, as follows:

§ 192-15. Penalties for offenses.

- A. A failure to comply with the provisions of § 192-8A and B, hereof entitled "Licenses," shall constitute a Class A misdemeanor, punishable by a fine not exceeding \$1,000 or imprisonment for a period not exceeding one year, or by both such fine and imprisonment.
- B. A failure to comply with any other section or sections of this chapter shall constitute a violation and shall be punishable by a fine not exceeding \$250 or imprisonment for a period not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense shall constitute a separate and distinct violation hereunder for each day the offense is continued.
- C. In addition to the penalties provided above, any offense against the provisions of this chapter shall subject the person committing the offense to a civil penalty in the amount of \$1,000 for each day that the offense shall continue, collectible by and in the name of the Town of Oyster Bay.
- D. Conviction of any person or persons for any offense against the provisions of this chapter shall constitute and effect an immediate forfeiture of any and all licenses issued pursuant to this chapter to said person or persons.

- E. In addition to the above-provided penalties and punishment, the Town Board also may maintain an action or proceeding in the name of the Town of Oyster Bay in a court of competent jurisdiction to compel compliance with the provisions of this chapter or to restrain by injunction an offense against this chapter.

§ 192-15.1. Violation of directives.

In addition to and notwithstanding any other remedy for any offense against this chapter, any person violating a directive issued by the Commissioner or his/her duly authorized representative, made pursuant to the provisions of this chapter, shall be guilty of a violation punishable by a fine not exceeding \$900 or imprisonment for a period not to exceed 15 days, or both.

§ 192-15.2. Adjudication by the Bureau of Administrative Adjudication.

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized by this article.

SECTION 22. Amend Chapter 201 – Solid Waste, as follows:

§ 201-16 Penalties for offenses.

In addition to any other remedy for an offense against this article, any person committing an offense against this article or any provision or section thereof shall be guilty of a violation punishable by a fine not to exceed \$500 or imprisonment not to exceed 15 days for each such offense, or by both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized by this article.

§ 201-17.3 Penalties for offenses.

Any person violating any of the provisions of this article shall be deemed guilty of an offense against this article and, upon conviction thereof, shall be fined in an amount not exceeding \$1,000 or be imprisoned for not more than 15 days, or both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized by this article.

§ 201-35 Penalties for offenses.

A. In addition to subjecting a permit issued pursuant to this article, to suspension or revocation, a violation of this article, except a violation of §201-32 shall be deemed an offense and shall be punishable by a fine not exceeding \$500 or imprisonment for not more than 15 days, or both such fine and imprisonment.

B. In addition to subjecting a permit issued pursuant to this article, to suspension or revocation, any person violating §201-32 shall be deemed guilty of an offense against said section and upon conviction thereof shall be fined in an amount not exceeding \$750 or imprisonment for not more than 15 days, or both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

C Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized by this article.

§ 201-50 Penalties for offenses.

In addition to subjecting a permit issued pursuant to this Part 1 to a suspension or revocation, any person committing an offense against this article shall be guilty of a violation. Such an offense shall be punishable by a fine not exceeding \$1,000 or imprisonment for not more than 15 days, or both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized by this article.

§ 201-65 Penalties for receptacle offenses.

A violation of any provision in §§201-63 and 201-64 shall constitute an offense. Each day that such violation exists shall constitute a separate offense. Such an offense shall be punishable by a fine in accordance with the following schedule:

- A. Upon conviction for a first offense under §§ 201-63 and 201-64, a fine of not less than \$25, but not greater than \$100.
- B. Upon conviction for a second offense under §§ 201-63 and 201-64, a fine of not less than \$100, but not greater than \$250.
- C. Upon conviction for a third or subsequent offense under §§ 201-63 and 201-64, a fine of not less than \$500, but not greater than \$750.
- D. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized by this article.

§ 201-74 Penalties for offenses.

- A. In the event that a recycling participant fails to separate and prepare recyclable materials for collection in accordance with the provisions of this article after being given reasonable notice of these requirements, collection of all solid waste from such dwelling may be suspended until such time as the owner or occupant can demonstrate compliance with the provisions of this article. Such compliance can be demonstrated by placing properly source-separated and prepared recyclable materials at the curb in one or more designated recycling containers on the next scheduled collection date for such recyclable materials.

B. In addition to the provisions of Subsection A above, any person committing an offense against this article or any provision or section thereof shall be guilty of a violation. Each day that such violation exists shall constitute a separate offense. Such an offense shall be punishable by a fine in accordance with the following schedule:

1. Upon conviction for a first offense under this article, a fine not exceeding \$100 or imprisonment for not more than 15 days, or both such fine and imprisonment.
2. Upon conviction for a second offense under this article with five years of a previous conviction for a like offense, a fine of not less than \$50 nor more than \$150 or by imprisonment not to exceed 15 days, or by both such fine and imprisonment.
3. Upon conviction for a third offense or subsequent offense under this article within five years of two previous convictions for a like offense, a fine of not less than \$100 nor more than \$250 or by imprisonment not to exceed 15 days, or by both such fine and imprisonment.

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this article shall be subject to a monetary penalty within the range of fines authorized by this article.

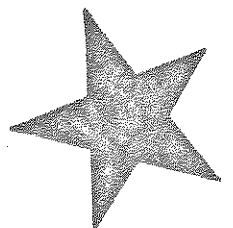
§ 201-81 Penalties for offenses.

Any person who violates this Part 2 shall be guilty of an offense and subject to a fine of not more than \$500 and/or imprisonment for not more than 15 days and/or suspension or revocation of collecting, receiving, transporting and/or disposing privileges in conjunction with solid waste within the Town of Oyster Bay. Each and every act committed, which is prohibited by §201-79 hereof, or any rule or regulation promulgated pursuant thereto shall constitute a separate violation of this Part 2. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized by this article.

SECTION 23. Amend Chapter 205 – Streets and Sidewalks, as follows:

§ 205-30 Penalties for offenses.

A violation against this chapter shall be punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized by this article.



SECTION 24. Amend Chapter 221 – Towing, as follows:

§ 221-55. Penalties of offenses.

Any offense against any provisions of this chapter shall be a violation of this chapter which shall be punishable by a fine of not more than \$250 or imprisonment for a period not exceeding 15 days for each such offense, or by both such fine and imprisonment.

§221-55.1. Adjudication by the Bureau of Administrative Adjudication

Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein for the first and second violations of same. Any conduct deemed to be a misdemeanor, pursuant to §221-55, shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 25. Amend Chapter 236 – Vehicles for Hire, as follows:

§ 236-8 Penalties for offenses.

In addition to any other remedy for a violation of this chapter, an offense committed against this chapter or any provision or section thereof shall be deemed a violation punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or by both such fine and imprisonment. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein.

SECTION 26. Amend Chapter 246 – Zoning Code, as follows:

§246-14.7. Violations and penalties.

246.14.7.1. Penalties for offenses. Pursuant to § 268 of the New York State Town Law, as amended, a violation of this chapter or failure to comply with any requirement instituted pursuant thereto, or the use or alteration of any *building, structure* or land in violation of any statement or plan submitted and approved thereunder, is hereby declared to be an offense, punishable by a fine not to exceed \$350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense committed within a period of five years, the punishment shall be a fine of not less than \$350 nor more than \$700 or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense committed within a period of five years, the punishment shall be a fine of not less than \$700 nor more than \$1,000 or imprisonment for a period not to exceed six months, or both. Violations of this chapter may be deemed misdemeanors and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

246.14.7.2. Violation of directives. In addition to, and notwithstanding any other remedy for an offense pursuant to the requirements of this chapter, any *person* violating a directive issued by the Commissioner of Planning and Development, or his or her duly authorized representative, which directive is duly issued pursuant to the provisions of this

chapter or any approval or permit granted in relation thereto, shall be guilty of a violation punishable by a fine not to exceed \$900 or imprisonment for a period not to exceed 15 days, or both.

246.14.7.3 Violation of restrictive covenants. Whenever an application, including any plans related thereto, which is submitted to the Town Board, the Zoning Board of Appeals, the Planning Advisory Board or other Town agency, results in the imposition of conditions, covenants or other type of restrictions, whether by deed, by stipulation or by agreement, the owner, tenant and any other involved party shall be responsible for performing, fully and completely, all obligations created thereby. Failure to comply with the approved application, and with any and all conditions, covenants or restrictions, required by the approving agency in connection therewith, shall be deemed a violation of this chapter, subject to the penalties as provided above.

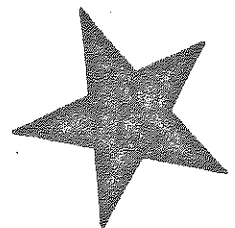
246.14.7.4 Injunctive relief. Pursuant to New York State Town Law, including, without limitation, §§ 65, 135 and 268, as amended, the Town of Oyster Bay hereby reserves the right to seek injunctive relief to enforce compliance with any provision of this chapter or of any permit or approval issued pursuant thereto.

246.14.7.5 Adjudication by the Bureau of Administrative Adjudication. Any person found by the Bureau of Administrative Adjudication to have violated any provision of this chapter shall be subject to a monetary penalty within the range of fines authorized herein. Any conduct deemed to be a misdemeanor, pursuant to §246.14.7.1, shall be within the jurisdiction of the District Court of Nassau County or other court of competent jurisdiction.

SECTION 27. SEQR 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 28. 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 29. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.



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.

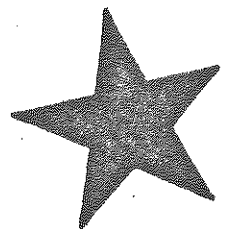
Signature

Town Attorney

Title

Town of Oyster Bay

Date: _____ 2023



29

110

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET

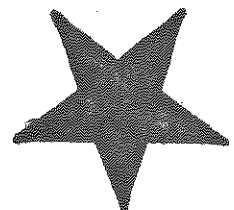
FROM : Office of the Town Attorney

DATE : January 30, 2023

SUBJECT: Proposed Local Law to Amend the Code of the Town of Oyster Bay, New York, To Set Forth Penalties Allowed to be Assessed by the Bureau of Administrative Adjudication, amending Chapter 30 – Ethics, Chapter 82 – Alcoholic Beverages, Chapter 95 – Collection Bins, Chapter 103 – Animals, Chapter 107 – Electrical, Chapter 118 – Filming and Photography, Chapter 126 – Games of Chance, Chapter 128 – Graffiti Abatement, Chapter 130 – Handbills, Commercial, Chapter 135 – Housing Standards, Chapter 139 – Junk and Junk Dealers, Chapter 143 – Landmarks Preservation, Chapter 145 – Landscaping, Chapter 156 – Noise, Chapter 164 – Oil, Storage and Handling of, Chapter 168 – Parks and Recreation, Chapter 173 – Peddling and Solicitation, Chapter 180 – Plumbing, Chapter 182 – Property Maintenance, Industrial and Commercial, Chapter 184 – Public Nuisances, Chapter 192 – Secondhand Dealers, Chapter 201 – Solid Waste, Chapter 205 – Streets and Sidewalks, Chapter 221 – Towing, Chapter 236 – Vehicles for Hire, and Chapter 246 - Zoning

The Town seeks to amend the following Chapters of the Code of the Town of Oyster Bay, to set forth penalties authorized to be assessed by the Bureau of Administrative Adjudication:

Chapter 30 – Ethics, Chapter 82 – Alcoholic Beverages, Chapter 95 – Collection Bins, Chapter 103 – Animals, Chapter 107 – Electrical, Chapter 118 – Filming and Photography, Chapter 126 – Games of Chance, Chapter 128 – Graffiti Abatement, Chapter 130 – Handbills, Commercial, Chapter 135 – Housing Standards, Chapter 139 – Junk and Junk Dealers, Chapter 143 – Landmarks Preservation, Chapter 145 – Landscaping, Chapter 156 – Noise, Chapter 164 – Oil, Storage and Handling of, Chapter 168 – Parks and Recreation, Chapter 173 – Peddling and Solicitation, Chapter 180 – Plumbing, Chapter 182 – Property Maintenance, Industrial and Commercial, Chapter 184 – Public Nuisances, Chapter 192 – Secondhand Dealers, Chapter 201 – Solid Waste, Chapter 205 – Streets and Sidewalks, Chapter 221 – Towing, Chapter 236 – Vehicles for Hire, and Chapter 246 - Zoning




This office has prepared the following items necessary to establish a new local law referenced above:

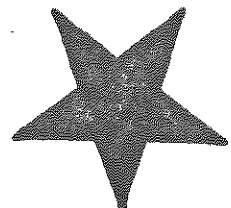
1. Resolution calling for a Public Hearing to be held on February 28, 2023 at 10:00 am;
2. Public Notice; and
3. Proposed legislation.

Kindly suspend the rules and place this matter on the February 7, 2023 Town Board action calendar for consideration of the attached Resolution.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS/nb
Attachment



Meeting of February 7, 2023

Resolution No. 111-2023

Reviewed By
Office of Town Attorney

WHEREAS, Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530, by Resolution No. 579-2022, adopted August 9, 2022, was retained as special counsel to represent the Town of Oyster Bay and protect its interests in connection with certain litigation; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 30, 2023, requested authorization to pay Rosenberg, Calica & Birney, LLP, the sum of \$32,419.99, in order to satisfy the outstanding fees, disbursements, and expenses for 2022 invoices,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Comptroller is authorized to pay Rosenberg, Calica & Birney, LLP, the sum of \$32,419.99 for 2022 legal fees, costs and disbursements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly certified claim, after approval by the Town Attorney, and after audit, with funds available in 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

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Town of Oyster Bay Inter-Departmental Memo

TO : Memorandum Docket

FROM : Office of the Town Attorney

DATE : January 30, 2023


SUBJECT: Outside Counsel to the Town of Oyster Bay
Rosenberg Calica & Birney LLP

By Resolution No. 579-2022, adopted on August 9, 2022, the law firm of Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530 was retained to represent and provide legal services to the Town of Oyster Bay in connection with certain litigation.

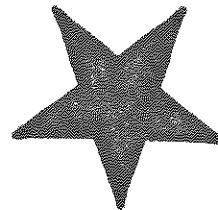
This Office requests that the Town Board amend Resolution No. 579-2022 to authorize additional funds in order to satisfy the outstanding fees, disbursements, and expenses for 2022 invoices in the amount of \$32,419.99. Funds are available in Account No. OTA A 1420 44110 000 0000.

Accordingly, kindly suspend the rules and include this item on the February 7, 2023 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JL:jl
Attachment



Reviewed By
Office of Town Attorney

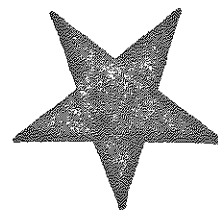
WHEREAS, Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530, by Resolution No. 579-2022, adopted August 9, 2022, was retained as special counsel to represent the Town of Oyster Bay and protect its interests in connection with certain litigation; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 30, 2023, requested authorization to pay Rosenberg, Calica & Birney, LLP, the sum of \$32,419.99, in order to satisfy the outstanding fees, disbursements, and expenses for 2022 invoices,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Comptroller is authorized to pay Rosenberg, Calica & Birney, LLP, the sum of \$32,419.99 for 2022 legal fees, costs and disbursements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly certified claim, after approval by the Town Attorney, and after audit, with funds available in Account No. OTA A 1420 44110 000 0000.

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Meeting of August 9, 2022

Resolution No 579-2022

WHEREAS, a Notice of Claim of B&B Maintenance Services, Inc. was served upon the Town alleging contractual damages emanating from street sweeping removal services at the Old Bethpage Solid Waste Complex; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated August 4, 2022, have advised that a Request for Proposals ("RFP") was issued by the Office of the Town Attorney to two (2) law firms having experience in the relevant areas of law and was posted to the Town of Oyster Bay website, which resulted in the receipt of five (5) responses prior to the deadline established by the RFP; and

WHEREAS, following review of the responses in accordance with all of the terms of the Town's Procurement Policy, and in compliance with Guideline 9 of the Procurement Policy, the Office of the Town Attorney recommended that the Town Board authorize the retention of Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530, to serve as special counsel to the Office of the Town Attorney in connection with the aforementioned matter; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Office of the Town Attorney is hereby authorized to retain Rosenberg, Calica & Birney, LLP to represent the Town in connection with the civil matter of B&B Maintenance Services, Inc., at the agreed upon hourly rates as set forth in the proposal in an amount not to exceed \$18,000.00, with funds available in Account No. OTA A 1420 44110 000 0000; and be it further

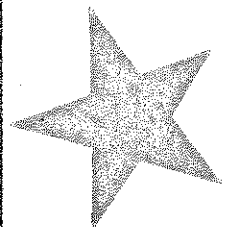
RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$18,000.00, for expenses and disbursements incurred in connection with the legal services to be rendered under the terms of the RFP, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, 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	Absent

Reviewed By
Office of Town Attorney



Reviewed By
Office of Town Attorney
Elizabeth A. Fayman

WHEREAS, Pursuant to the Town of Oyster Bay Procurement Policy, Guideline 6, and to Town Board Resolution No. 207-2022, adopted March 15, 2022, the Town Board authorized entering into an agreement with CorVel Corporation, 2010 Main Street, Suite 600, Irvine, California 92614, to provide Third Party Administrator (TPA) services for the Town of Oyster Bay Self-Insured Workers' Compensation program, to the Town for a one (1) year term, January 1, 2022 through and including December 31, 2022, with two (2), one-year extension options, if mutually agreeable; and

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated February 2, 2023, advised that CorVel Corporation had contacted the Department of Human Resources, indicating their desire to exercise the first renewal option, and to continue providing TPA services for the Town of Oyster Bay Self-Insured Workers' Compensation program, to the Town for the one (1) year term, January 1, 2023 through and including December 31, 2023; and

WHEREAS, Commissioner Canning, by said memorandum, advised that the Office of the Inspector General is satisfied the Town's Procurement Policy has been fulfilled with respect to the exercise of said renewal option; and

WHEREAS, Commissioner Canning, by said memorandum, requested that the Town Board authorize the exercise of the first renewal option with CorVel Corporation to provide TPA services for the Town of Oyster Bay Self-Insured Workers' Compensation program, nunc pro tunc, for the one (1) year term, January 1, 2023 through and including December 31, 2023, with one (1) remaining one-year extension options, if mutually agreeable, and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, is hereby authorized and directed to execute a renewal of the Services Agreement with CorVel Corporation, to provide Third Party Administrator (TPA) services for the Town of Oyster Bay Self-Insured Workers' Compensation program, to the Town for a one (1) year term, nunc pro tunc, commencing January 1, 2023 through and including December 31, 2023, with one (1), one-year extension options, if mutually agreeable; and it be further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to CorVel Corporation from Account No. TWN AMW 9040 84030 0000 000, or other appropriate account, at an amount not to exceed \$300,000 per year, 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

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: John Canning
Commissioner of Human Resources

DATE: February 2, 2023

SUBJECT: Town of Oyster Bay Self-Insured Worker's Compensation Program Third-Party Administrative Services

Pursuant to the Town of Oyster Bay Procurement Policy, Guideline 6, and by Resolution 207-2022 adopted March 15, 2022, the Town Board authorized entering into an agreement with CorVel Corporation, for a period of January 1, 2022 through December 31, 2022 with two (2), one (1) year extension options.

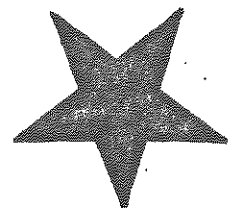
This department is in receipt of the attached information from CorVel Corporation indicating that they would like to continue providing third-party administration services for the Town of Oyster Bay worker's compensation program for the first of two extensions. This extension will be effective nunc pro tunc from January 1, 2023 through December 31, 2023, with an option to continue for a third year, for 2024. In addition, the Inspector General is satisfied that the Procurement Policy has been fulfilled.

It is requested that the rules be suspended and that this matter be placed on the action calendar for the Town Board meeting to be held on February 7, 2023.

It is further requested that the Town Board authorize the Comptroller to make payment to CorVel Corporation from account number TWN AMW 9040 84030 000 0000 000 at an amount not to exceed \$300,000 per year.

Respectfully,


JOHN CANNING
COMMISSIONER



Meeting of March 15, 2022

Resolution No.207-2022

Reviewed By
Office of Town Attorney
Elizabeth A. Jauchman

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated March 8, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was placed on the Town of Oyster Bay website and was sent to five (5) firms, seeking proposals from firms interested in providing Third Party Administrator (TPA) services for the Town of Oyster Bay Self-Insured Workers' Compensation program, to the Town for a one (1) year term, *nunc pro tunc*, commencing January 1, 2022 through and including December 31, 2022, with two (2), one-year extension options, if mutually agreeable; and

WHEREAS, the Department of Human Resources received five (5) responses by the response due date; and

WHEREAS, the evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy and an RFP review committee was formed with three (3) employees from the Department of Human Resources to review and rate each of the five (5) responses received; and

WHEREAS, following a review and evaluation of the five (5) responses, CorVel Corporation, 2010 Main Street, Suite 600, Irvine, California 92614, was determined to be the best qualified, and Commissioner Canning, by said memorandum, requested that the Town Board authorize the Supervisor, or his designee, to execute the Services Agreement with CorVel Corporation to provide Third Party Administrator (TPA) services for the Town of Oyster Bay Self-Insured Workers' Compensation program, for a one (1) year term, *nunc pro tunc*, commencing January 1, 2022 through and including December 31, 2022, with two (2), one-year extension options, if mutually agreeable; and

WHEREAS, pursuant to Guideline 9 of the Town of Oyster Bay Procurement Policy, the Office of the Inspector General is satisfied the Town's Procurement Policy has been fulfilled,

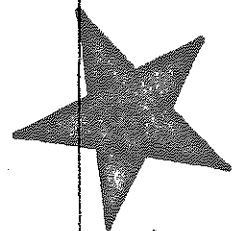
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, is hereby authorized and directed to execute the Services Agreement with CorVel Corporation, to provide Third Party Administrator (TPA) services for the Town of Oyster Bay Self-Insured Workers' Compensation program, to the Town for a one (1) year term, *nunc pro tunc*, commencing January 1, 2022 through and including December 31, 2022, with two (2), one-year extension options, if mutually agreeable; and it be further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to CorVel Corporation from Account No. TWN AMW 9040 84030 0000 000, or other appropriate account, at an amount not to exceed \$300,000 per year, 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





January 12, 2023

Town of Oyster Bay
Attn: Vicki Spinelli
Department of Human Resources
54 Audrey Avenue, 3rd Floor
Oyster Bay, NY 11771

Dear Vicki,

Please see the attached proposed pricing per the terms of the contract of January 1, 2022. We are interested in continuing our partnership for the second year of the term of the contract, effective January 1, 2023.

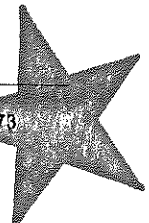
We truly appreciate the business relationship with The Town of Oyster Bay and look forward to building on the successful workers' compensation program.

Please submit the proposed pricing for final approval for this second year of the term of the contract.

Sincerely,

David Price

David D. Price
District Vice President, New York and New Jersey
CorVel Corporation
T 315 413-7965 C 315 569-2409
david_price@corvel.com





CorVel's Cost Proposal

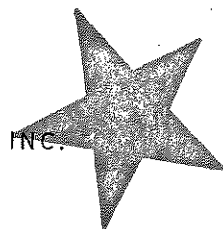
Town of Oyster Bay

Workers' Compensation Claims Administration

January 6, 2023



KELSEY WILK, ACCOUNT EXECUTIVE | CORVEL ENTERPRISE COMP, INC.
KELSEY_WILK@CORVEL.COM T 315-200-2911



Workers' Compensation Claims Administration

Description	Pricing
Life of Contract Flat Annual Fee Up to 105 new Medical Only and 110 new Indemnity claims/year Continued management of all Open Claims	\$147,735

Per Claims Fee After Maximum Number of New Claims Per Year:

- Medical Only - \$173 per claim
- Indemnity - \$997

Program Management

Description	Pricing
Administration Fee - Per Annum State Filing Requirements 15-8 Filing and Recovery Two in Person Claims Reviews per Year Annual Stewardship Report and Presentation Access to OSHA Reporting Module Ad-Hoc and Standard Reporting Physical & Electronic Storage for Open Claims	\$5,705
CareMC Access - Per Annum ¹ First 5 Full Access Users	Included

¹ Includes Executive Dashboard, Claim Details, Claims Summary Screen & Claims Reporting

*Each additional user over first 5 is \$250 / year /user

Account Management and Technical Support

Description	Pricing
Account Management Staff	Included
Training – Onsite and Online	Included
Technical Support	Included
State EDI Files	Included
Monthly Reporting	Included
Ad hoc Report Programming - Per Hour	\$200
Communication Materials/Posters	Pass through printing
Annual Banking Fees ¹	One account included

¹ Each additional bank account requested is \$1,000

Intake and Immediate Intervention Services

Description	Pricing
Claim Intake - Per Intake	Waived
Incident Only Reporting - Per Incident ²	Waived
Advocacy 24/7 - Per Call	Waived
Telehealth Services	Fee Schedule or U&C value by CPT code

Allocated Loss Adjustment Expenses

Legal Services

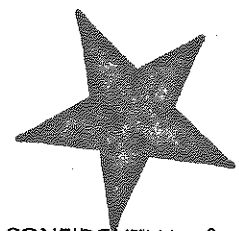
Description	Pricing
3 rd Party Subrogation and Loss Transfer	25% of Recoveries
Legal Bill Auditing ¹	2.5% of gross legal charges reviewed
Indexing and OFAC Compliance - Per Index	\$15.75

¹ Fees will never exceed the savings generated

Medical Bill Review Services

Description	Pricing
Bill Review ¹	
+ Network Solutions Includes: ¹	8% of Savings
Standard Fee Schedule and UCR, Professional Review, Implant Review, Enhanced Bill Review, Negotiations, PPO Network Access, Substantive Denials, Technical Evaluation	
Minimum Transaction Fee ¹	\$5.95
State EDI, Scanning/OCR, Initial 1099 Provider Notification Letter, Clearinghouse Services	Included

¹ Minimum transaction fee (MTF) per bill transaction. Applied per transaction if all other applicable fees do not meet the minimum transaction fee. Applies to all transactions, including but not limited to, Specialty Bills, Duplicate Bills and bills sent for Re-consideration or Re-evaluation. There is a maximum bill review transaction fee of \$15,000.



COST PROPOSAL

Patient Management

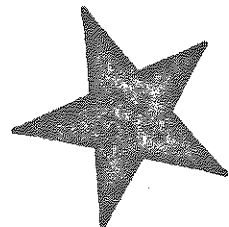
Description	Pricing
Telephonic Case Management, Field Case Management and Return to Work Coordinator - Per Hour	\$110
Vocational Case Management - Per Hour	\$110
Specialty Services (Catastrophic, Life Care Plan, Medicare Conditional Payments, Medicare Set Asides, Bilingual) - Per Hour	\$205
Utilization Review (MG-2 / Variance/PAR) - Per Review	\$155 + Peer Review Fees
Peer Review (C-4 Auth or Complex MG-2/PAR) - Per Review	\$285
Care Advocate - Per Claim	\$52

Prevailing IRS Mileage Rate applies.

Each Invoice for Case Management Services shall have an additional professional service fee of \$39.00 billed to Customer.

Pharmacy Solutions

Description	Pricing
Retail Pharmacies	
Brand	AWP -13% + \$3.75 dispensing fee
Generic	AWP -21% + \$3.75 dispensing fee
Mail Order	
Brand	AWP -14% + \$2.75 dispensing fee
Generic	AWP -23% + \$2.75 dispensing fee
Clinical Modeling	
Integration of Pharmacy Data	Included
Dynamic Calculation/Display in Care ^{MC}	Included
Pharmacy Interventions	
Certified Pharmacy Technician	Included
Rx Nurse - Per Hour	\$106
Nurse Management	Case Management hourly rate
Pharmacy Review - Per Review	\$375
Cognitive Behavioral Therapy - Per Hour	\$250
Medication Review - Per Hour	\$250



Ancillary Benefit Management Services (New York Rates)

Description	Pricing
Diagnostic Imaging Services	
MRI No contrast	
MRI with contrast	\$525
MRI w/&w/out contrast	\$625
CT No contrast	\$800
CT with contrast	\$300
CT w/&w/out contrast	\$350
All Other Diagnostic Services	\$450
	100% of allowable reimbursement
Durable Medical Equipment	
Transportation	5% below FS or U&C
Ambulatory/Sedan	
Wheelchair	\$3.66/mile
Translation	\$5.19/mile + \$75 load fee
All Other Jurisdictions	Varies by Service Level
	Fee Quoted at time of Service

Medicare Agent Reporting

Description	Pricing
Set up and engagement	Included
Monthly Maintenance	Included
Quarterly Reporting	Included

The above pricing per claim is based on handling of all claims that occur and are reported during the agreement period. In life of contract pricing, claims will be handled until closed or until the end of the agreement period, whichever comes first. Proposed pricing is valid for first year of the contract. At the end of the first year and each year thereafter, all fees outlined on the claims and managed care pricing sheet shall increase the greater of CPI or three and a half percent (3.5%). Any service not identified in this proposal will be provided at a later time.

