

DRAFT

Meeting of January 23, 2024

RESOLUTION P-3-2024

WHEREAS, The 2024 Budget, adopted October 24, 2023 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 2024 Budget, on October 24, 2023, 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.

John Canning

COMMISSIONER OF HUMAN RESOURCES

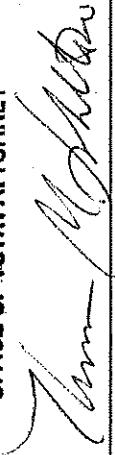
APPROVED

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
004-24	EXE	\$110,000.00	TWN AMS 1910 43010 602 0000 000
			TO
		\$110,000.00	TWN AMS 1910 43030 601 0000 000
005-24	DER		FROM
		\$ 60,000.00	DER A 8090 46350 000 0000
			TO
		\$ 60,000.00	DER A 8090 23000 000 0000

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY



DRAFT

Town of Oyster Bay Inter-Departmental Memo

January 8, 2024

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: Transfer of Funds

In order to provide funds in the Town's self insurance fund for liability, the following transfer of funds is hereby requested:

Transfer From:									
TWN	AMS	1910	43010	602	0000	000	General Liability		110,000.00
Transfer To:									
TWN	AMS	1910	43030	601	0000	000	Property (B&C) Loss		110,000.00

Thank you.


Rob Darienzo
Director of Finance



TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: LOUIS G. SAVINETTI, COMMISSIONER
ENVIRONMENTAL RESOURCES

DATE: JANUARY 12, 2024

SUBJECT: TRANSFER OF FUNDS

Town Board authorization is requested to complete the following transfer of funds:

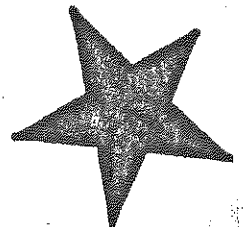
<u>Account No.</u>	<u>Object Description:</u>	<u>Amount:</u>
From: DER A 8090 46350 000 0000	Bay Management	\$ 60,000.00
To: DER A 8090 23000 000 0000	Other Equipment	\$ 60,000.00

This transfer of funds is necessary to purchase equipment needed for the Department of Environmental Resources' shellfish hatchery/conservation operations. Machinery and equipment are needed to sort shellfish by size, as well as spawn/condition shellfish seed for shellfish habitat restoration purposes.

Louis G. Savinetti

 Louis G. Savinetti
 Commissioner
 By Colin Bell

LGS:CB/ds
 cc: Town Attorney
 Steven Ballas, Comptroller



DRAFT

57

AW
REVIEWED BY
OFFICE OF TOWN ATTORNEY
America Wolfe

WHEREAS, Debra LoGuidice, by letter dated November 16, 2023, requested to donate a memorial plaque to be placed on a new bench at Bayfront Park (M34), Massapequa, in memory of Mary Hurst; and

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated December 26, 2023, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$1,350.00 from Debra LoGuidice for a memorial plaque to be placed on a new bench at Bayfront Park (M34), Massapequa, in memory of Mary Hurst.

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

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Bench
DATE: December 26, 2023

The Department of Parks has received a request from Debra LoGuidice (letter attached) requesting a memorial plaque on a new bench at Bayfront Park, M34 in memory of Mary Hurst.

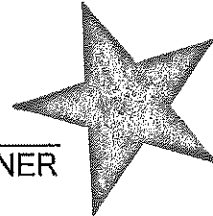
The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

In accordance with Town Board Resolution 760-2022, adopted October 25, 2022, the Department of Parks respectfully requests Town Board Approval to accept a donation of \$1,325.00 from Debra LoGuidice.

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



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS



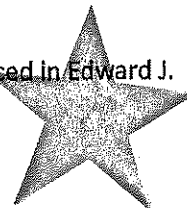
JGP/dc

Diann Codispodo

From: Debra LoGiudice
Sent: Thursday, November 16, 2023 2:04 PM
To: Diann Codispodo
Subject: Memorial Bench for Mary Hurst

Diann,

The friends of Mary Hurst would like to donate a new bench with accompanying plaque to be placed in Edward J. Kennedy Memorial Park in memory of Mary. The park is located at the very end of East Shore Drive in Massapequa.



Thank you for your help.

Debbie LoGiudice

Reviewed By
Office of Town Attorney
America Wolfe

Meeting of October 25, 2022

Resolution No. 760-2022

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

FEES FOR A MEMORIAL PLAQUE:

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

FEES FOR A MEMORIAL PLAQUE AND A NEW BENCH:

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

FEES FOR A MEMORIAL PLAQUE PLACED ON AN EXISTING BENCH:

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

FEES FOR A MEMORIAL PLAQUE PLACED UNDER AN EXISTING TREE:

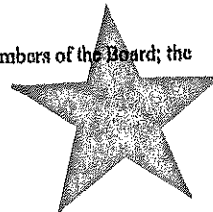
8" x 4" plaque placed under an existing tree is \$450.00
8" x 6" plaque placed under an existing tree is \$550.00

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

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

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



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DRAFT

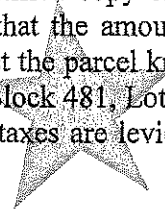
WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 19, 2023, authorized the Highway Department to clean up the premises located at 2 Kenneth Street, Plainview, New York 11803, also known as Section 12, Block 481, Lot 1 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 December 20, 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 10, 2023, in the total amount of \$1,200.55, 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 December 20, 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 \$1,200.55 may be assessed by the Legislature of the County of Nassau against the parcel known as 2 Kenneth Street, Plainview, New York 11803 also known as Section 12, Block 481, Lot 1 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

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RF
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Kery



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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 20, 2023

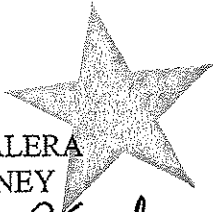
SUBJECT: Property Cleanup Assessment
2 Kenneth Street, Plainview, New York 11803
Section 12, Block 481, Lot 1

The Department of Planning and Development, by memorandum dated September 19, 2023, directed the Highway Department to clean the premises located at 2 Kenneth Street, Plainview, New York 11803, also known as Section 12, Block 481, Lot 1 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 17, 2023, advised that the property was cleaned by a crew from the Highway Department on October 10, 2023. The cost incurred by the Town of Oyster Bay was \$1,200.55.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey

Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

2023-9338

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 19, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 2 KENNETH STREET, PLAINVIEW, NEW YORK 11803
SBL: 12-481-1

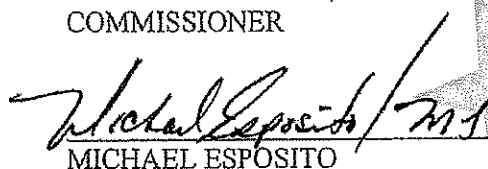
Notice of Violation number V255-2397095211 was issued to the owner of the above-referenced premises on 09/07/2023 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.


In accordance with the provisions of Chapter 135, Section 54, I am directing that:

- **Lawn and vegetation to be cut on the subject property.**

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 this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU



HBM:ME:sf
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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 19, 2023

Inderpal Singh
2 Kenneth Street
Plainview, N.Y. 11803

RE: 2 KENNETH STREET, PLAINVIEW, NEW YORK 11803
SECTION 12 BLOCK 481 LOT 1
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Inderpal Singh,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V 255-2397095211 dated 09/07/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner

HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf

cc: Office of the Town Attorney

Enclosure

AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 19, 2023

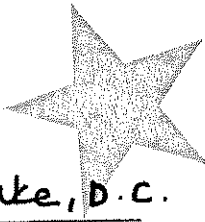
SUBJECT: 2 KENNETH STREET, PLAINVIEW, NEW YORK 11803
SECTION 12, BLOCK 481, LOT(S) 1

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: \$ 1,200.55

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,200.55 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.


Harold B. Mayer Jr., D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.

This Instrument was drafted by:
Harsharan Sethi
2 Kenneth Street
Plainview, NY 11803

After Recording Mail To:
Harsharan Sethi
2 Kenneth Street
Plainview, NY 11803

TAX MAP DESIGNATION
Dist: 19 Sec: 0012
Blk: 00481-00 Lot(s): 00001
Town of: Oyster Bay
County of: Nassau
Tax Account No.: 12-481-1

QUITCLAIM DEED
TITLE OF DOCUMENT

THIS INDENTURE, made the 1 day of November, 2008 BETWEEN Harsharan Sethi and Kavita Sethi, party of the first part, whose address is 2 Kenneth Street, Plainview, New York 11803, and Inderpal Singh, M.D. as trustee of The NORTHFORK IRREVOCABLE TRUST dated November 1, 2008, as to a one-half (1/2) undivided interest and Inderpal Singh, M.D., as trustee of The SOUTHFORK IRREVOCABLE TRUST dated November 1, 2008, as to a one-half (1/2) undivided interest, party of the second part, maintaining a mailing address at 2 Kenneth Street, Plainview, New York 11803.

WITNESSETH, that the party of the first part, FOR A GOOD AND VALUABLE CONSIDERATION, paid by the party of the second part does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

BEING also known as: 2 Kenneth Street, Plainview, New York 11803.
Site County & State: Nassau County, New York.

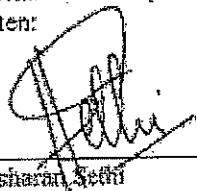
Being the same property conveyed to Harsharan Sethi and Kavita Sethi by Deed from The Nirbhan Irrevocable Trust and The Nirvair Irrevocable Trust of record in Book D12395, Pages 666-669, said County Clerk's Office.

Tax Account No.: 12-481-1


Subject To: Covenants, conditions, reservations, limitations, easements and agreements of record, if any, and to all applicable zoning ordinances and/or governmental restrictions, if any.

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.

In witness thereof, the party of the first part has duly executed this deed the day and year first above written:



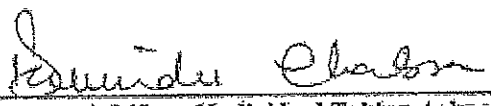
Harsharan Sethi
Member



Kavita Sethi
Member

STATE OF NEW YORK)
COUNTY OF Suffolk) ss:

On the 1st day of Nov, in the year 2008, before me, the under signed, a Notary Public in and for said State, personally appeared Harsharan Sethi and Kavita Sethi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.
NOTARY STAMP/SEAL



Signature and Office of Individual Taking Acknowledgement

My Commission Expires: 09/09/2010

DAVINDER CHABRA
Notary Public, State of New York
No. 01CH5060449
Qualified in Nassau County
Commission Expires September 9, _____



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

October 17, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

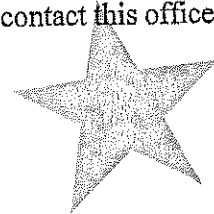
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


SUBJECT: 2 KENNETH STREET, PLAINVIEW
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,200.55.

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 (12-481-1) 2 KENNETH ST PLAINVIEW 11803

Date Oct 10, 2023

Work Order # 109012

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ANDREW HOUGHTON	General Maintenance	01:00	\$31.73	00:00	0	\$31.73
GREGORY MARCHESE	General Maintenance	01:00	\$52.88	00:00	0	\$52.88
TIMUR YILMAZ	General Maintenance	01:00	\$39.90	00:00	0	\$39.90
THOMAS CORBETT	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
JOHN MURRAY	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
Total Labor						\$173.55

Tools/Vehicle


Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU470	2020 FORD F 350 YW PICK UP	\$79.00	01:00	\$79.00
TD594	2006 FORD F 350 POWER WAGON YW	\$105.00	01:00	\$105.00
TD757	10 WHEEL DUMP 2020 INTL HV607 YW	\$93.00	01:00	\$93.00
Total Equipment				\$277.00

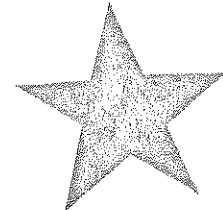
Materials

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

Grand Total \$1200.55

Description of Work:
CLEAN UP 2 KENNETH STREET PLAINVIEW

Signature: 
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Oct 11, 2023



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DRAFT

REVIEWED BY
OFFICE OF TOWN ATTORNEY

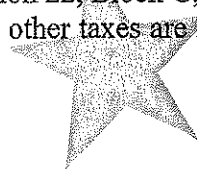
Ralph P. Healey

WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to board-up and secure the premises located at 10 High Farms Road, Glen Head, New York 11545, also known as Section 22, Block C, Lot 212 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 December 20, 2023, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on October 17, 2023, in the amount of \$895.66, 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 December 20, 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 \$895.66 may be assessed by the Legislature of the County of Nassau against the parcel known as 10 High Farms Road, Glen Head, New York 11545, also known as Section 22, Block C, Lot 212 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 20, 2023

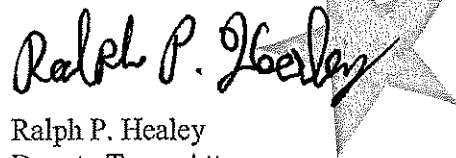
SUBJECT: Property Cleanup Assessment
10 High Farms Road, Glen Head, New York 11545
Section 22, Block C, Lot 212

By the emergency powers granted to the Department of Planning and Development, the Highway Department boarded-up and secured the premises of the house located at 10 High Farms Road, Glen Head, New York 11545, also known as Section 22, Block C, Lot 212 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 19, 2023, advised that the property was secured by a crew from the Highway Department on October 17, 2023. The cost incurred by the Town of Oyster Bay was \$895.66.

Pursuant to Section 96-19 of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachments

2023-9333

Daniel Kornfeld

From: Margaret Lippolt
Sent: Tuesday, October 17, 2023 10:32 AM
To: Richard Lenz; John Tassone; Ken Bishop; Daniel Kornfeld; Peter Brown
Cc: Hal Mayer; Timothy R. Zike; Scott Byrne; Michael Esposito
Subject: 10 High Farms Rd., GH 22-C-212

Good Morning,
Inspector Conway has just inspected the property. The garage door lock has been broken, can you please re-secure the door?

Thank you,
Margie Lippolt for Michael Esposito
Code Compliance Bureau
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, New York 11771
516-624-6190
mlippolt@oysterbay-ny.gov




No Deed

AL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: TIMOTHY R. ZIKE, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 23, 2023

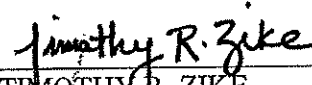
SUBJECT: 10 HIGH FARMS ROAD, GLEN HEAD, NEW YORK 11545
SECTION 22, BLOCK C, LOT(S) 212

The above referenced property was boarded-up by the Town of Oyster Bay, following the procedures of Chapter 96 (Dangerous and Abandoned Buildings), Section 20 (Emergencies) of the Code of the Town of Oyster Bay. According to Chapter 96, Section 19 (Reimbursements for work performed) of the Code of the Town of Oyster Bay, the Town can be reimbursed for the board-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 board-up of the subject property. The costs for the subject property's board-up are as follows:

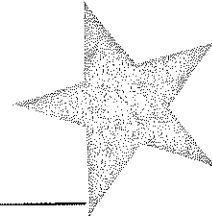
- 1) T.O.B. Highway Department Board-Up Costs: \$ 895.66

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$895.66 to be added to the subject property tax bill in order to be reimbursed for the Town's work to board-up the subject property.

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



TIMOTHY R. ZIKE
Deputy Commissioner



ME:ml
Encls.

2023 OCT 23 10 58 AM
TOWN OF OYSTER BAY

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

October 19, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

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


SUBJECT: 10 HIGH FARMS ROAD, GLEN HEAD
BOARD-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 \$895.66.

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 (22-C-212) 10 HIGH FARMS RD

Date Oct 17, 2023

Work Order # 109525

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
ALBERT MAZLIAH	General Maintenance	01:00	\$27.40	00:00	0	\$27.40
Total Labor						\$27.40

Tools/Vehicle

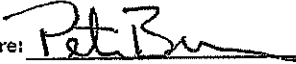
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$79.00

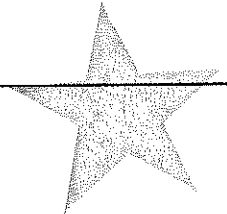
Materials

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Hasps	\$7.24	2	\$14.48
Locks	\$12.39	2	\$24.78
Total Materials			\$789.26

Grand Total \$895.66

Description of Work:
BOARD UP 10 HIGH FARMS ROAD GH

Signature: 
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Oct 18, 2023



579

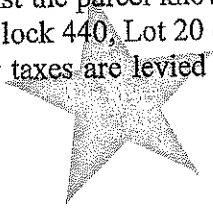
DRAFT

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 26, 2023, authorized the Highway Department to clean up the premises located at 16 Sutton Terrace, Jericho, New York 11753, also known as Section 11, Block 440, Lot 20 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 20, 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 4, 2023, in the total amount of \$3,183.33, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 20, 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 \$3,183.33 may be assessed by the Legislature of the County of Nassau against the parcel known as 16 Sutton Terrace, Jericho, New York 11753, also known as Section 11, Block 440, Lot 20 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -



Frank Scalera
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 20, 2023

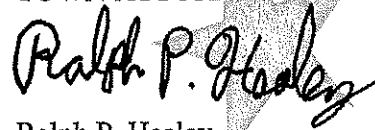
SUBJECT: Property Cleanup Assessment
16 Sutton Terrace, Jericho, New York 11753
Section 11, Block 440, Lot 20

The Department of Planning and Development, by memorandum dated September 26, 2023, directed the Highway Department to clean the premises located at 16 Sutton Terrace, Jericho, New York 11753, also known as Section 11, Block 440, Lot 20 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 11, 2023, advised that the property was cleaned by a crew from the Highway Department on October 4, 2023. The cost incurred by the Town of Oyster Bay was \$3,183.33.

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

2023-9341

TOWN OF OYSTER BAY

Inter-Departmental Memo

September 26, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW

From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 16 SUTTON TERRACE, JERICHO, NEW YORK 11753
SBL: 11-440-20

Notice of Violation number 005671 was issued to the owner of the above-referenced premises on 09/19/2023 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:

- Lawn and vegetation to be cut on the subject property.
- Removal of all litter and debris.

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 this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU



HBM:ME:sf
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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

September 26, 2023

Scott Newman
16 Sutton Terrace
Jericho, New York 11753

RE: 16 SUTTON TERRACE, JERICHO, NEW YORK 11753
SECTION 11 BLOCK 440 LOT 20
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Scott Newman,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number 005671 dated 09/19/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height and the removal of all litter and debris. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of the Town Attorney
Enclosure

AL

Town of Oyster Bay
Inter-Departmental Memo

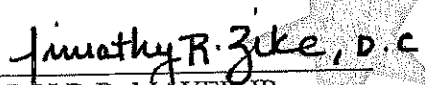
TO: FRANK M. SCALERA, TOWN ATTORNEY
FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
DATE: OCTOBER 19, 2023
SUBJECT: 16 SUTTON TERRACE, JERICHO, NEW YORK 11753
SECTION 11, BLOCK 440, LOT(S) 20

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: \$ 3,183.33

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$3,183.33 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.


HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.

THIS INDENTURE, made the 10th day of July, 2002.

BETWEEN

DIANA ROSENSWEET and SONDRÁ KASSIMIR
16 Sutton Terrace, Jericho, New York

executrices
as executor of THE ESTATE OF FAY STAUB

the last will and testament of
, late of
, deceased,

party of the first part, and

SCOTT NEWMAN and LESLIE NEWMAN, HIS WIFE
107-40 Forest Hills, New York

party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of

\$492,000.00 dollars,

paid by the party of the second part, does hereby grant and

release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

at Jericho, Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by Lot No. 20 in Block No. 440 on a certain map entitled, "Map of Birchwood at Jericho, Section No. 14, Jericho, Town of Oyster Bay, Nassau County, N.Y. surveyed by Teas and Steinbremer, Lic. Land Surveyors," and filed in the Nassau County Clerk's Office on June 25, 1939 as Map No. 7183.

OR MICROFILM

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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

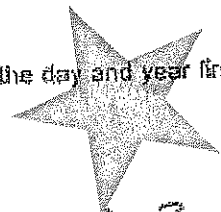
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

[Signature]

Diana Rosensweet, Executrix
DIANA ROSENSWEET, Executrix

Sondra Kassimir, Executrix
SONDRA KASSIMIR, Executrix



Handwritten notes and signatures on the left margin, including a large '3' and a signature.

Handwritten notes on the left margin: 11/4/02 and 20.

LEGIBILITY POOR
FOR MICROFILM

EXECUTOR'S DEED

Title No. 02-3706-5538N

TO

SECTION 11
BLOCK 440
LOT 20
COUNTY OR TOWN Nassau
STREET ADDRESS

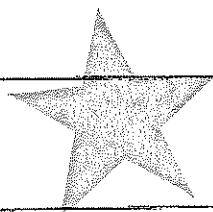
16 Sutton Terrace
Jericho, New York

Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMP/

RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE INSURANCE CO.
FIDELITY NATIONAL TITLE
INSURANCE CO. OF N.Y.
TWO PARK AVENUE 3rd FLOOR
NEW YORK, N.Y. 10016
1-212-481-5858

Scott Newman, Esq.
Fried Frank et al
One New York Plaza
New York, New York 10004



OFFICE

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

October 11, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

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

SUBJECT: 16 SUTTON TERRACE, JERICHO
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$3,183.33.

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



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

JCT/kjb

Enc. T & M sheet



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (11-440-20) SUTTON TER JERICO 11753

Date Oct 4, 2023

Work Order # 109093

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
THOMAS KRAEMER	General Maintenance	03:30	\$52.88	00:00	0	\$185.08
TIMUR YILMAZ	General Maintenance	03:30	\$39.90	00:00	0	\$139.65
JEFFREY MOODY, JR.	General Maintenance	03:30	\$20.00	00:00	0	\$70.00
JESSE VITERI	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
THOMAS CORBETT	General Maintenance	03:30	\$24.52	00:00	0	\$85.82
JOHN MURRAY	General Maintenance	03:30	\$24.52	00:00	0	\$85.82
ANTHONY GRASSO	General Maintenance	01:00	\$24.52	00:00	0	\$24.52
KEVIN C KENNEY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
Total Labor						\$630.41

Tools/Vehicle


Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK438	2016 INTERNATIONAL PACKER YW	\$105.00	01:00	\$105.00
PU459	PICK UP TRUCK 2020 FORD F350 YW	\$79.00	03:30	\$276.50
PU489	2022 FORD F250 YELLOW	\$79.00	03:30	\$276.50
TD594	2006 FORD F 350 POWER WAGON YW	\$105.00	03:30	\$367.50
TD739	2019 FORD F450 WY POWER WAGON	\$105.00	03:30	\$367.50
Total Equipment				\$1393.00

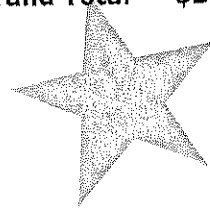
Materials:

Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Tipping Fee (per ton)	\$88.92	4.61	\$409.92
Total Materials			\$1159.92

Grand Total \$3183.33

Description of Work:
CLEAN UP 16 SUTTON TERRACE JERICO

Signature: 
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Oct 6, 2023



DRAFT

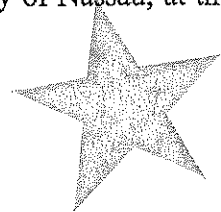
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WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 3, 2023, authorized the Highway Department to clean up the premises located at 295 Old Country Road, SW Corner East Avenue, Hicksville, New York 11801, also known as Section 45, Block 55, Lot 254, on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, by memorandum dated December 20, 2023, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 11, 2023. In the total amount of \$1,374.82, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank Scalera, Town Attorney, and Ralph P. Healey, Deputy Town Attorney, as set forth in their memorandum dated December 20, 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 \$1,374.82 may be assessed by the Legislature of the County of Nassau against the parcel known as 295 Old Country Road, SW Corner East Avenue, Hicksville, New York 11801, also known as Section 45, Block 55, Lot 254 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-



REVIEWED BY
OFFICE OF TOWN ATTORNEY

Ralph P. Healey

Frank Scalera

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 20, 2023

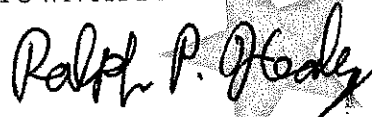
SUBJECT: Property Cleanup Assessment
295 Old Country Road, SW Corner East Avenue, Hicksville,
New York 11801
Section 45, Block 55, Lot 254

The Department of Planning and Development by memorandum dated October 3, 2023, directed the Highway Department to clean the premises located at 295 Old Country Road, Hicksville, New York 11801, also known as Section 45, Block 55, Lot 254 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 17, 2023, advised that the property was cleaned by a crew from the Highway Department on October 11, 2023. The cost incurred by the Town of Oyster Bay was \$1,374.82.

Pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachment

Commercial
2023-9340

TOWN OF OYSTER BAY

Inter-Departmental Memo

October 03, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 295 OLD COUNTRY ROAD, HICKSVILLE, NEW YORK 11801
SBL: 45-55-254

Notice of Violation number V257-23925084407 was issued to the owner of the above-referenced premises on 09/25/2023 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:

- Lawn and vegetation to be cut on the subject property.

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 this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

HBM:ME:sf
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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

October 03, 2023

295 Old Country Road Associates
89 Peninsula Blvd.
Hempstead, N.Y. 11550

RE: 295 OLD COUNTRY ROAD., HICKSVILLE, NEW YORK 11801
SECTION 45 BLOCK 55 LOT 254
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

295 Old Country Rd. Associates:

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V257-23925084407 dated 09/25/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have not complied with the above-mentioned Directive.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of Town Attorney
Enclosure

FL

Town of Oyster Bay
Inter-Departmental Memo

TO: FRANK M. SCALERA, TOWN ATTORNEY

FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: OCTOBER 19, 2023


SUBJECT: 295 OLD COUNTRY ROAD, HICKSVILLE, NEW YORK 11801
SECTION 45, BLOCK 55, LOT(S) 254

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: \$ 1,374.82

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,374.82 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.


Timothy R. Zike, D.C.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.

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

October 17, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

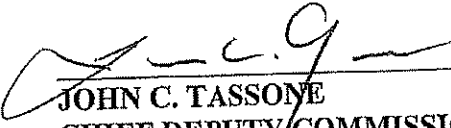
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: 295 OLD COUNTRY ROAD, HICKSVILLE
CLEAN-UP

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,374.82.

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 (45-55-254) OLD COUNTRY RD HICKSVILLE 11801

Date Oct 11, 2023

Work Order # 109273

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL HERRON	General Maintenance	02:00	\$28.85	00:00	0	\$57.70
JESSE VITERI	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
ANTHONY GRASSO	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
CHARLES R. MURPHY	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
Total Labor						\$264.82

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD739	2019 FORD F450 WY POWER WAGON	\$105.00	02:00	\$210.00
TR212	2019 TRAILER YW	\$105.00	02:00	\$210.00
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 \$1374.82

Description of Work:

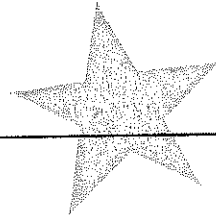
CLEAN UP 295 OLD COUNTRY ROAD HV

Signature: _____

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 16, 2023



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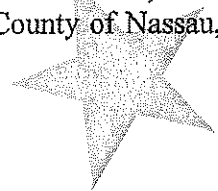
DRAFT

WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 3, 2023, authorized the Highway Department to clean up the premises located at the corner of Old Country Road and East Avenue, Hicksville, New York 11801, also known as Section 45, Block 66, Lot 292 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 December 20, 2023, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 11, 2023, in the total amount of \$1,374.82, 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 December 20, 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 \$1,374.82 may be assessed by the Legislature of the County of Nassau against the parcel known as Old Country Road and East Avenue, Hicksville, New York 11801, also known as Section 45, Block 66, Lot 292 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-



REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: December 20, 2023

SUBJECT: Property Cleanup Assessment
Old Country Road and East Avenue, Hicksville, New York 11801
Section 45, Block 66, Lot 292

The Department of Planning and Development by memorandum dated October 3, 2023, directed the Highway Department to clean the premises located at the corner of Old Country Road and East Avenue, Hicksville, New York 11801, also known as Section 45, Block 66, Lot 292, on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 17, 2023, advised that the property was cleaned by a crew from the Highway Department on October 11, 2023. The cost incurred by the Town of Oyster Bay was \$1,374.82.

Pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA
TOWN ATTORNEY




Ralph P. Healey
Deputy Town Attorney

RPH:aml
Attachment

Commercial
2023-9337

TOWN OF OYSTER BAY

Inter-Departmental Memo

October 03, 2023

To: RICHARD W. LENZ, PE: COMMISSIONER/DPW
From: HAROLD B. MAYER, JR: COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: OLD COUNTRY ROAD, HICKSVILLE, NEW YORK 11801
SBL: 45-66-292

Notice of Violation number V257-23925083449 was issued to the owner of the above-referenced premises on 09/25/2023 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.

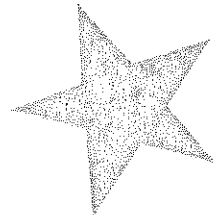
In accordance with the provisions of Chapter 135, Section 54, I am directing that:

- **Lawn and vegetation to be cut on the subject property.**

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 this Department by e-mail, the date and time the cleanup is completed. Please proceed accordingly.

HAROLD B. MAYER, JR
COMMISSIONER


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU



HBM:ME:sf
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

HAROLD B. MAYER, JR.
COMMISSIONER

ANGELO A. DELLIGATTI, ESQ.
SPECIAL COUNSEL

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

SCOTT L. BYRNE
DEPUTY COMMISSIONER

October 03, 2023

Mr. Peter Pekich
139 Oakland Ave.
W. Hempstead, N.Y. 11552

RE: OLD COUNTRY ROAD., HICKSVILLE, NEW YORK 11801
SECTION 45 BLOCK 66 LOT 292
FAILURE TO MAINTAIN RESIDENTIAL PROPERTY

Peter Pekich,

Pursuant to Chapter 135 (Housing Standards), Section 53 (Notice of Violation) of the Code of the Town of Oyster Bay, please be advised that this Department has conducted an inspection of the above referenced property and issued Notice of Violation, Number V257-23925083449 dated 09/25/2023, which gave you five (5) days to clean-up the subject property. As of the date of this letter, you have failed to comply.

According to Chapter 135 (Housing Standards), Section 54 (Compliance with Notice; Assessment of Costs) of the Code of the Town of Oyster Bay, as the Commissioner of the Department of Planning and Development, I am empowered to direct the Town to clean-up the subject property, which includes the maintenance of lawn and vegetation to be under 8 inches in height. Additionally, Chapter 135, Section 54 of the Code of the Town of Oyster Bay, allows the Town to be reimbursed for the cost of the work to maintain the subject property by approving an assessment to the subject property's tax bill. Pursuant to the above-mentioned Code provisions, I, as Commissioner, am directing the Town to clean-up the subject property.

Interference with this order is considered a VIOLATION of Chapter 135 (Housing Standards), Section 55.1 (Violation of Directives) of the Code of the Town of Oyster Bay and may be subject to further Code Enforcement action and/or penal actions taken by other law enforcement agencies. If you have any questions regarding this matter, kindly contact this Department's Code Enforcement Bureau at (516) 624-6215.

Very truly yours,

Timothy R. Zike, Deputy Commissioner
HAROLD B. MAYER, JR.
COMMISSIONER

ME:sf
cc: Office of Town Attorney
Enclosure

AL

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

TO: FRANK M. SCALERA, TOWN ATTORNEY
FROM: HAROLD B. MAYER JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
DATE: OCTOBER 19, 2023
SUBJECT: OLD COUNTRY ROAD, HICKSVILLE, NEW YORK 11801
SECTION 45, BLOCK 66, LOT(S) 292

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: \$ 1,374.82

It is respectfully requested that your Office take the necessary steps in order to obtain an approval for an assessment of \$1,374.82 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.



Harold B. Mayer Jr.
HAROLD B. MAYER JR.
COMMISSIONER

ME:ml
Encls.

This Indenture, made this 19th day of APRIL in the year

two thousand 1928
Between STEVEN D. CONKLING, as Treasurer of the County of Nassau, State of New York, party of the first part, and Peter A. Patrick d/b/a Madocor Holdings residing at 139 Oakland Ave., West Hempstead NY 11552, party of the second part.

Witnesseth that Whereas, by and under the provisions of Chapter 272 of the Laws of 1939 of the State of New York and all amendments thereto, the Treasurer of the County of Nassau is authorized and required to advertise and sell real estate upon which taxes, together with interest, penalties and charges as therein prescribed remain unpaid, and

Whereas, default was so made in the payment of such taxes, interest and charges on sundry parcels of land within Nassau County, and the said Treasurer of the said County of Nassau did cause a list of said lands charged with such taxes, interest and other charges, with the notice required by Chapter 272 of the Laws of 1939 and all amendments thereto, to be published as required by said article, and

Whereas, pursuant to said notice and law, the said County Treasurer did, on the 19th day of February, 2008 sell at public auction each of said parcels of land for an amount sufficient to pay such taxes, interest and charges thereon, and

Whereas, the party of the second part purchased at said sale for unpaid taxes of the year(s) 06-07 school district and 2007 general both full or has acquired by assignment the purchase rights from such sale in the property hereinafter described, and

Whereas, the said party of the second part has served notice of election to accept a deed of conveyance of such property as prescribed by Chapter 272 of the Laws of 1939, including all amendments thereto, of the State of New York, and

Whereas, the said party of the second part has filed due proof of the services of each and every notice by said law required, and

Whereas, the said piece or parcel of land has not been redeemed within the time prescribed by law for the redemption thereof, and

Whereas, the said party of the second part has assumed all outstanding prior tax liens upon said premises held by the County of Nassau,

Now, Therefore, in consideration of the premises and the sum of Twenty-Five dollars paid into the Treasury of said County by the said party of the second part, the receipt whereof is hereby acknowledged, the said party of the first part has granted, released and conveyed and doth hereby grant, release and convey unto the said party of the second part, heirs and assigns forever, all that lot, piece or parcel of land situate in the Town/City of Oyster Bay County of Nassau, and State of New York, described as follows:

School District 17
Section 45 (Cert. # 489/07)
Block 66 ✓
Lot 292 as shown on the Nassau County Land and Tax Map.

including the right, title and interest of New Realty Corp et al in said premises, being the owner thereof so far as appears on the record, together with the hereditaments, and appurtenances thereunto belonging.

Subject to any claims for taxes or for other liens or encumbrances and to any right, title or interest of the County of Nassau founded upon a tax or other lien or encumbrance,

Subject to the provisions of the Federal and State Soldiers and Sailors Civil Relief Acts.

To Have and to Hold the same unto the said party of the second part its heirs and assigns forever.

[Signature]
In the Presence of

In Witness Whereof, I have hereunto subscribed my name and affixed my official seal, at Mineola, N. Y., the day and year first above written.

[Signature]
STEVEN D. CONKLING,
As Treasurer of Nassau County, New York.

[Small stamp]
NASSAU COUNTY CLERK
MINEOLA, N.Y.
11501

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

October 17, 2023

TO: HAROLD B. MAYER, JR., COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT

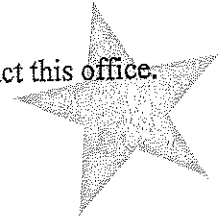
FROM: JOHN C. TASSONE, CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS


**SUBJECT: OLD COUNTRY ROAD, HICKSVILLE
CLEAN-UP**

Attached please see "Miscellaneous Highway Cleanup Costs" incurred by the Highway Division. These charges are for the services provided, to rectify the violation by the property owner of the address listed above.

In accordance with the rectification of this violation it is asked that this division be reimbursed in the total amount of \$1,374.82.

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 (45-66-292) OLD COUNTRY RD

Date Oct 11, 2023

Work Order # 109274

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
MICHAEL HERRON	General Maintenance	02:00	\$28.85	00:00	0	\$57.70
JESSE VITERI	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
ANTHONY GRASSO	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
CHARLES R MURPHY	General Maintenance	02:00	\$24.52	00:00	0	\$49.04
Total Labor						\$204.82

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD739	2019 FORD F450 WY POWER WAGON	\$105.00	02:00	\$210.00
TR212	2019 TRAILER YW	\$105.00	02:00	\$210.00
Total Equipment				\$420.00


Materials

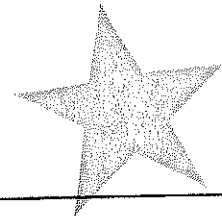
Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Total Materials			\$750.00

Grand Total \$1374.82

Description of Work:

CLEAN UP OLD COUNTRY ROAD HV

Signature: 
Name: PETER BROWN
Title: DIRECTOR OF HIGHWAY OPERATIONS
Date: Oct 16, 2023



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DRAFT

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 28, 2024, advised that Nelson & Pope, Engineering, Architecture and Land Surveying, PLLC, Consulting Engineers, by letter dated December 18, 2023, informed the Department that it made a final inspection of the work performed pursuant to Contract No. DP23-250, John J. Burns Majors Field and Practice Area Turf Replacement, and certified that the contractor, LandTek Group, Inc. complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, advised further, that final construction costs were in the amount of \$170,668.80; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the Consulting Engineers that the Contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, work under this Contract was directed to proceed as of July 17, 2023, and to be completed within sixty (60) calendar days, on September 15 2023, with work completed, actually, on September 15 2023; and

WHEREAS, the Office of the Town Comptroller and the Office of the Town Attorney, by memoranda dated December 18, 2023 and December 21, 2023, respectively, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated December 18, 2023, concurred with the recommendation of final acceptance of this project,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendations as hereinabove set forth, Contract No. DP23-250, is hereby accepted as being complete, at a final construction cost of \$170,668.80, and final payment is to be made in accordance with the applicable terms and conditions of the Contract, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim, after audit.

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708
Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

December 28, 2023

TO: MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE AND FINAL PAYMENT
JOHN J. BURNS PARK MAJORS FIELD AND PRACTICE AREA
TURF REPLACEMENT
CONTRACT NO. DP23-250

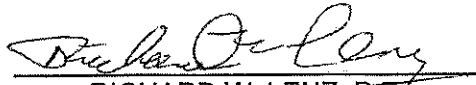
Attached herewith :

1. A letter dated December 14, 2023 from N&P Engineering, Architecture and Land Surveying, PLLC, recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for LandTek Group, Inc., dated September 18, 2023.
3. A statement from the Town Attorney's office indicating there are no legal hindrances.
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.
5. A statement from the Parks Department concurring with final acceptance.

Work under this contract was directed to proceed as of July 17, 2023 to be completed within 60 calendar days on September 15, 2023. Actual work was completed on September 15, 2023.

Final construction costs amount to \$170,668.80. Note that the Department of Parks opted to remove the replacement of the Majors Field synthetic turf from the project.

We hereby concur with N&P Engineering, Architecture and Land Surveying, PLLC that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.


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

RWL/MR/TLS/IK
Attachments

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

DP23-250 John J. Burns Park Majors Field and Practice Area Turf Replacement Acceptance & Final Payment



December 14, 2023

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

Attention: Matthew Russo, PE

Re: Burns Park Majors Field & Practice Area Turf Replacement – DP23-250 / PW36-23
Project Close-Out and Acceptance
Nelson & Pope No. 07030

Dear Mr. Russo:

This letter serves as Nelson + Pope's Construction Close-Out and Acceptance Letter for the referenced project.

The referenced Contract duration was 60 calendar days. A Pre-Construction Meeting was held May 15, 2023, construction began on July 17, 2023 with a Contract Completion date of September 30, 2023.

A final walk-thru was held on September 15, 2023, a punch list was issued and addressed this same day.

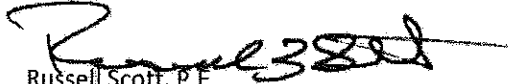
The original contract value was \$452,645.00. The Town of Oyster Bay Parks Department elected to not refurbish Majors Field under this Contract resulting in a decrease in the scope of work of the Contract. Nelson + Pope prepared a list summarizing the contract items that required a quantity decrease which resulted in a Net Contract Decrease of \$281,976.20, and a final contract value of \$170,668.80. Nelson + Pope has reviewed all of the final Contract quantities, and is in concurrence, and has submitted our recommendation for the Contractors final payment.

N+P provided Construction Inspection and Oversight services throughout the construction duration and agrees that all work has been completed and is in general conformance with the contract documents and recommend that the Town of Oyster Bay accepts this project as final.

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

Very truly yours,

Respectfully submitted,
NELSON + POPE


Russell Scott, P.E.
Partner

Application for Payment

AIA DOCUMENT G732

OWNER: Oyster Bay, Town of 54 Audrey Ave Oyster Bay, NY 11771
 PROJECT: John J. Burns Park Majors Field/Practice Area 4980 Merrick Rd. Massapequa Park, NY 11762
 APPLICATION NO: 2 - Final 9/30/23
 PERIOD TO: 9/30/23
 SED #: DP23-250
 CONTRACT DATE: 5/10/2023
 LANDTEK JOB NO. 50-2508, 30-1639, 33-3082 & 37-1288
 LANDTEK CUSTOMER NO OYST02

Distribution to:
 x OWNER
 x ARCHITECT
 x CONTRACTOR
 x CON. MGR

CONTRACTOR: The LandTek Group, Inc. 105 Sweeneydale Ave. Bay Shore, NY 11706
 Architect: Nelson & Pope 70 Maxess Rd. Melville, NY 11747

FOR: Turf Replacement

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM	\$452,645.00
2. Net Change by Change Orders	\$0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$452,645.00
4. TOTAL COMPLETED & STORED TO DATE	\$170,668.80
5. RETAINAGE:	
a. 0% of Completed Work (Columns D/E on G703)	\$0.00
b. ___% of Stored Material (Column F on G703)	\$0.00
Total Retainage (Line 5a + 5b)	\$0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$170,668.80
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 From Prior Certificate)	\$158,791.36
8. CURRENT PAYMENT DUE	\$11,877.44
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 Less Line 6)	\$281,976.20

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner and that current payment shown herein is now due.

CONTRACTOR: The LandTek Group, Inc.

By: *Christine Whalen*

State of New York
 County of Suffolk
 Subscribed and sworn to before me this 12th day of October 2023

[Signature]

Notary Public:

DOREEN PALMA

My Commission Expires: NOTARY PUBLIC-STATE OF NEW YORK

No. 01PA5069036

Qualified in Suffolk County

My Commission Expires November 12, 2028

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED. \$ 11,877.44
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified)

CHANGE ORDER STATUS	ADDITIONS	DELETIONS
Total changes approved in previous months by Owners	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGE by Change Order	\$0.00	\$0.00

CONSTRUCTION MANAGER:

By: *[Signature]* Date: 10.18.23

(NOTE: If Multiple Prime Contractors are responsible for performing portions of this Project, the Architect's Certification is not required.)

ARCHITECT CERTIFIED BY: *[Signature]*

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

TOWN OF OYSTER BAY
Inter-Departmental Memo

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

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

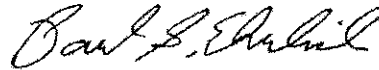
DATE: DECEMBER 21, 2023

SUBJECT: FINAL ACCEPTANCE
JOHN J. BURNS PARK MAJORS FIELD AND PRACTICE FIELD TURF REPLACEMENT
CONTRACT NO. DP23-250

In reply to your memorandum of December 14, 2023, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

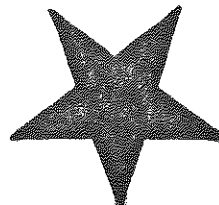
By copy of this memorandum, the contractor, The LandTek Group, Inc.'s Maintenance Bond No. BCY1102079 is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY



By: _____
Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)



MR

TOWN OF OYSTER BAY
Inter-Departmental Memo

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

FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: DECEMBER 18, 2023

SUBJECT: FINAL ACCEPTANCE – JOHN J. BURNS PARK MAJORS FIELD AND
PRACTICE AREA TURF REPLACEMENT
CONTRACT NO.: DP23-250

In response to your memo dated December 14, 2023, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.



STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/dim:bk

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

MR

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

December 18, 2023

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

ATTENTION: MATTHEW RUSSO, P.E., DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

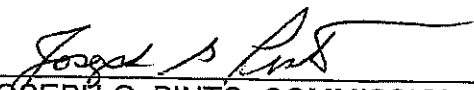
FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

SUBJECT: FINAL ACCEPTANCE
JOHN J. BURNS PARK MAJORS FIELD AND
PRACTICE AREA TURF REPLACEMENT
CONTRACT NO. DP23-250

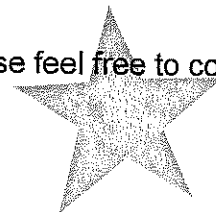
The Department of Parks is in receipt of the above noted subject.

The Department of Parks concurs with the final acceptance of the *John J. Burns Park Practice Area Turf Replacement, Contract No. DP23-250* therefore, there are no further recommendations.

If you should have any further inquiries regarding the above, please feel free to contact our office at extension 4142.



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS



JGP/km

63

DRAFT

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 4, 2024, requested Town Board authorization to provide a Senior Trip to the Argyle Theatre, 34 West Main Street Babylon, New York, to see "A Chorus Line", on Wednesday, February 21st, 2024, at the cost of \$63.00 per attendee, with said cost to include admission, and Town or School Bus Transportation, from select Town locations, if needed; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested Town Board authorization, for the Commissioner of the Department of Community and Youth Services, or her designee, to make changes, as necessary, to the date, and time of the event; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, has advised that the Department of Community and Youth Services will collect funds as an administrative convenience, and that the event shall be conducted pursuant to the Department of Community and Youth Services procedures for self-sustaining accounts,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Community and Youth Services is hereby authorized to provide a Senior Trip to the Argyle Theatre, 34 West Main Street Babylon, New York, to see "A Chorus Line", on Wednesday, February 21st, 2024, at the cost of \$63.00 per attendee, with said cost to include admission and Town or School Bus Transportation, from select Town locations, if needed; and be it further

RESOLVED, That, the Commissioner of the Department of Community and Youth Services, or her designee, is hereby authorized to make changes, as necessary, to the date and time of the event; and be it further

RESOLVED, That the Department of Community and Youth Services will collect funds as an administrative convenience, and that the event shall be conducted pursuant to the Department of Community and Youth Services procedures for self-sustaining accounts.

#

[Handwritten signature]
REVIEWED BY
OFFICE OF TOWN ATTORNEY
[Handwritten signature]

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

January 4, 2024

TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: Senior Trip to the Argyle Theatre

The Department of Community & Youth Services is requesting Town Board authorization to provide a Senior Trip to the Argyle Theatre, 34 W. Main St, Babylon NY to see "A Chorus Line". The event is scheduled to take place on Wednesday, February 21st 2024 and will include a ticket to the show and Town or School Bus transportation from select Town locations, if needed.

The cost for the trip will be \$63.00 per attendee. The Department will collect funds for the event as an Administrative Convenience and the event will be conducted pursuant to the Department of Community and Youth Services' procedures for self-sustaining accounts.

The Department also requests authorization for the Commissioner of The Department and/or her designee to make changes, as necessary, to the date and time of the events.

Therefore, it is respectfully requested that the Town Board authorize the Department of Community and Youth Services to proceed with this trip as presented.


Maureen A. Fitzgerald
Commissioner



MAF:sab

DRAFT

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 4, 2024, requested Town Board authorization to present the annual 2024 Spring Festival, on Saturday, April 20, 2024, at Syosset-Woodbury Community Park, from 1:00 p.m. through 4:00 p.m., with said event to be held outdoors (weather permitting), to be free to the public, and to feature crafts, games, inflatables, refreshments, pony rides, a petting zoo and additional spring activities, for a total cost not to exceed \$10,000.00; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that sufficient funds for said payment are available in Account Nos. CYS A 7020 41800 000 0000, and CYS A 7020 45100 000 0000; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further 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 of the Department of General Services, and;

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the aforementioned pony rides and petting zoo to be featured at said event shall be provided by Dynamic Events, Inc., and that said vendor shall at all times, directly supervise all the animals contained in the petting zoo within a controlled, fenced-in area; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the Town has reviewed the proposed vendor's questionnaire, and has determined that the requirements of the Town of Oyster Bay Procurement Policy have been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Board hereby authorizes the Department of Community and Youth Services to present the annual 2024 Spring Festival, on Saturday, April 20, 2024, at Syosset-Woodbury Community Park, from 1:00 p.m. through 4:00 p.m., with said event to be held outdoors (weather permitting), to be free to the public, and to feature crafts, games, inflatables, refreshments, pony rides, a petting zoo and additional spring activities, for a total cost not to exceed \$10,000.00; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account Nos. CYS A 7020 41800 000 0000, and CYS A 7020 45100 000 0000; 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.

#

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REVIEWED BY
OFFICE OF TOWN ATTORNEY

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

January 4, 2024

TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: 2024 Annual Spring Festival


The Department of Community and Youth Services is requesting Town Board authorization to present the 2024 Spring Festival. The Festival is scheduled to be held on Saturday, April 20, 2024 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.

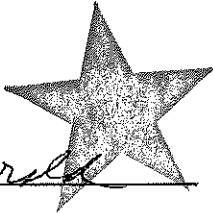
If approved, this event will be free to the public and will include crafts, inflatables, spring themed games and prizes. Pony rides and a petting zoo will be provided by Dynamic Events, Inc. The petting zoo will be in a controlled and fenced-in area under the direct supervision of the vendor.

The carnival equipment for the event will be procured through the Purchasing Division. The proposed vendors Disclosure Questionnaire has been reviewed and satisfies the Town's Procurement Policy.

The Town's responsibility for the cost of this event will not exceed \$15,000. 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 2024 Spring Festival.


Maureen A. Fitzgerald
Commissioner



MAF:kf

DRAFT

65

RAK

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Elizabeth A. Taughman

WHEREAS, Brian Keena by letter, dated January 4, 2024, requested to donate a memorial plaque to be placed on an existing bench at Ellsworth Allen Park, Farmingdale, in memory of Betsy and Larry Van Derlofske; and

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 5, 2024, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$750.00 from Brian Keena for a memorial plaque to be placed on an existing bench at Ellsworth Allen Park, Farmingdale, in memory of Betsy and Larry Van Derlofske.

-#-

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

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

SUBJECT: Memorial Plaque and Existing Bench

DATE: January 5, 2024

The Department of Parks has received a request from Brian Keena (letter attached) requesting a memorial plaque on an existing bench at Ellsworth Allen Park in memory of Betsy and Larry Van Derlofske.

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

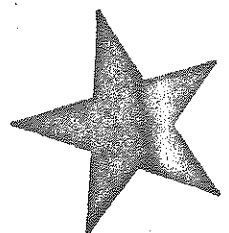
In accordance with Town Board Resolution 760-2022, adopted October 25, 2022, the Department of Parks respectfully requests Town Board Approval to accept a donation of \$750.00 from Brian Keena.

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



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/dc



Diann Codispodo

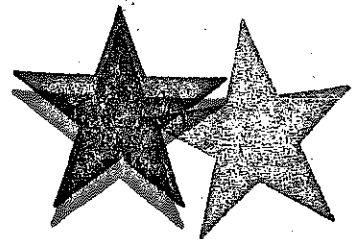
From: Brian Keena <[REDACTED]>
Sent: Thursday, January 4, 2024 3:50 PM
To: Diann Codispodo
Subject: bench dedication/donation

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!

Hi Diann,

As discussed, I would like to have an existing bench with a plaque in Allen Park dedicated to Betsy and Larry Van Derlofske. Thanks for your help with this - I am looking forward to seeing this in the park! Please let me know if you need anything additional to proceed.

Brian Keena
[REDACTED]



Reviewed By
Office of Town Attorney
Domenica Wolfe

Meeting of October 25, 2022

Resolution No. 760-2022

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

FEES FOR A MEMORIAL PLAQUE:

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

FEES FOR A MEMORIAL PLAQUE AND A NEW BENCH:

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

FEES FOR A MEMORIAL PLAQUE PLACED ON AN EXISTING BENCH:

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

FEES FOR A MEMORIAL PLAQUE PLACED UNDER AN EXISTING TREE:

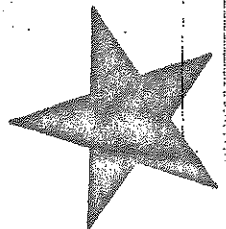
8" x 4" plaque placed under an existing tree is \$450.00
8" x 6" plaque placed under an existing tree is \$550.00

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

-#-

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

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



669

DRAFT

WHEREAS, Judy Mazzio by letter dated January 4, 2024, requested to donate a memorial plaque to be placed on an existing bench at John J. Burns Park, Massapequa, in memory of Michael O'Dwyer; and

WHEREAS, the value of the plaque is estimated to be \$850.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 5, 2024, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$850.00 from Judy Mazzio for a memorial plaque to be placed on an existing bench at John J. Burns Park, Massapequa, in memory of Michael O'Dwyer.

-#-

[Handwritten mark]

REVIEWED BY
OFFICE OF TOWN ATTORNEY

Elizabeth A. Jaegerman

Town of Oyster Bay
Inter-Departmental Memo

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Existing Bench
DATE: January 4, 2024

The Department of Parks has received a request from Judy Mazzio (letter attached) requesting a memorial plaque on an existing bench at John J. Burns Park in memory of Michael O'Dwyer.

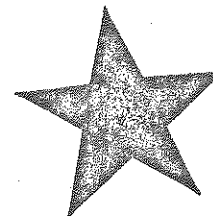
The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

In accordance with Town Board Resolution 760-2022, adopted October 25, 2022, the Department of Parks respectfully requests Town Board Approval to accept a donation of \$850.00 from Judy Mazzio.

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



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS



JGP/dc

Diann Codispodo

From: Judy Mazzio <[REDACTED]>
Sent: Wednesday, November 15, 2023 1:47 PM
To: Diann Codispodo
Subject: Re: Memorial Prices and Guidelines

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!

On Wed, Nov 15, 2023 at 11:44 AM Judy Mazzio <johnnydaisymae1@gmail.com> wrote:

----- Forwarded message -----

From: Judy Mazzio <[REDACTED]>
Date: Thu, Nov 9, 2023 at 10:48 AM
Subject: Re: Memorial Prices and Guidelines
To: Judy Mazzio <[REDACTED]>

Hello Diann,

Sorry it took me so long to get back to you.

I would like to request a plaque to honor my Dad who passed in June, MICHAEL F ODWYER

Park: John J Burns

8x6 plaque to be placed on an existing bench.

\$850.00

It is the first bench by the soccer field closest to Merrick Rd.

I believe there is another bench closer to Merrick Rd. It is right at the soccer field.

Thank you for all of your help.

Judy Mazzio
<[REDACTED]>

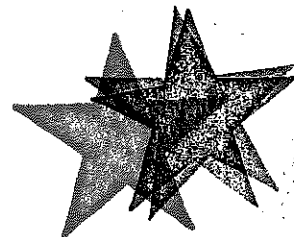
On Wed, Oct 18, 2023 at 11:18 AM Judy Mazzio <[REDACTED]> wrote:

----- Forwarded message -----

From: Diann Codispodo <dcodispodo@oysterbay-ny.gov>
Date: Tue, Sep 26, 2023 at 11:15 AM
Subject: Memorial Prices and Guidelines
To: <[REDACTED]>

Hi Judy

I'm sorry for the loss of your dad. It's never easy.



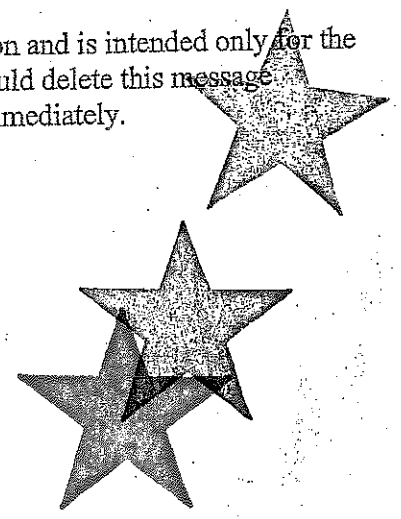
Attached are the prices and the guidelines for the memorial's. I will pass your name and number along to Tommy and after you meet with him you can email me your request letter.

If you have a anymore questions just give me a call [REDACTED]

Have a great day,

Diann©

This message (including any attachments) may contain confidential information and is intended only for the individual or individuals named. If you are not the intended recipient, you should delete this message immediately. If you received this message in error, please notify the sender immediately.



Reviewed By
Office of Town Attorney
America Wolfe

Meeting of October 25, 2022

Resolution No.760-2022

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

FEES FOR A MEMORIAL PLAQUE:

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

FEES FOR A MEMORIAL PLAQUE AND A NEW BENCH:

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

FEES FOR A MEMORIAL PLAQUE PLACED ON AN EXISTING BENCH:

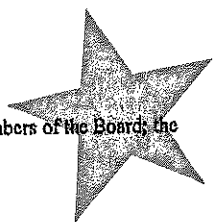
8" x 4" plaque placed on an existing bench is \$750.00
8" x 6" plaque placed on an existing bench is \$850.00

FEES FOR A MEMORIAL PLAQUE PLACED UNDER AN EXISTING TREE:

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

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

-#-



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

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

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DRAFT

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 4, 2024, reported that all Town of Oyster Bay lifeguards, rink guards, and summer recreation counselors are required under New York State law to possess an American Red Cross certification, of which there are three (3) types: the CPR AED for Professional Rescuers with First Aid certification, which is available at a cost of \$38, the CPR AED for Professional Rescuers with First Aid and AEO certification, which is available at a cost of \$40, and the CPR AED for Professional Rescuers and Responding to Emergencies First Aid certification, which is available at a cost of \$38, which costs are the fees charged by the American National Red Cross d/b/a American Red Cross per employee for each certification; and

WHEREAS, Commissioner Pinto, by said memorandum, further reported that the use of the American National Red Cross d/b/a American Red Cross to provide the training and certifications outlined hereinabove, is in accordance with Guideline 5, Section b, of the Town's Procurement Policy, and therefore, no solicitation, written proposal or quotation is required under the Policy, as detailed in the July 25, 2023 memorandum of Thomas M. Sabellico, Special Counsel, Office of the Town Attorney, regarding same;

WHEREAS, Commissioner Pinto, by said memorandum, further detailed that the certification classes would be held, from January 7, 2024 through December 31, 2024, and requested Town Board authorization, *nunc pro tunc*, for the employees of the Town of Oyster Bay's Parks Department serving as lifeguards, rink guards, and summer recreation counselors, to take the required certification training courses outlined hereinabove, and further direct the Comptroller to issue an encumbrance order in an amount not to exceed \$14,000.00 to the American National Red Cross d/b/a American Red Cross, with said funds available in Account No. PKS A 7110 44900 000 0000, for such certifications,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the employees of the Town of Oyster Bay's Parks Department serving as lifeguards, rink guards, and summer recreation counselors, are hereby authorized, to attend the required certification training courses from January 7, 2024 through December 31, 2024, *nunc pro tunc* as outlined hereinabove; and be it further

RESOLVED, That the funds for said payment 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, upon the submission of a duly certified claim, after audit.

-#-


REVIEWED BY
OFFICE OF TOWN ATTORNEY
Elizabeth A. Jaughan

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET
FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS
DATE: JANUARY 4, 2024
SUBJECT: AMERICAN RED CROSS CPR AED FOR PROFESSIONAL RESCUERS WITH FIRST AID
CERTIFICATION COURSE
ACCOUNT NO. PKS A 7110 44900 000 0000

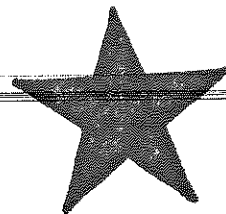
All Town of Oyster Bay lifeguards, rink guards, and summer recreation counselors are required, per New York State, to possess one American Red Cross certification. The CPR AED for Professional Rescuers with First Aid certification (\$38), CPR AED for professional rescuers with first aid and AEO (\$40), or the CPR AED for professional rescuers and responding to emergencies first aid certification (\$38). The American National Red Cross d/b/a American Red Cross charges a fee per employee for said certifications. The certifications are in accordance with Guideline 5, Section b. of the Towns Procurement Policy therefore, no solicitation, written proposal, or quotation is required. Attached is a memo from the Town Attorney's office indicating same.

The classes will be effective January 7, 2024 through December 31, 2024. It is hereby requested that the Town Board authorize, by resolution, nunc pro tunc, the Town of Oyster Bay Parks employees to take the required certification training courses referenced above, and to direct the Office of the Comptroller to issue an encumbrance order in an amount not to exceed \$14,000.00 to the American National Red Cross d/b/a American Red Cross, account PKS A 7110 44900 000 0000 for such certification.



Joseph G. Pinto
Commissioner of Parks

JGP/JM/BR
Att.



TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO : JOSEPH G. PINTO, Commissioner
Department of Parks

FROM : OFFICE OF THE TOWN ATTORNEY

DATE : July 25, 2023

SUBJECT: Request for Declaration of Sole Source Vendor
American Red Cross

We are in receipt of a request for the opinion of this office as to sole source designation of the American Red Cross with respect to providing Town lifeguards with the necessary coursework and certifications required.

Based upon our review of the facts, it is the opinion of our office that the American Red Cross is a sole source vendor to provide this training, and therefore, the Department may proceed to procure the services of the American Red Cross with respect to providing Town lifeguards with the necessary course and certification, as a sole source provider, without the solicitations, written proposals or quotations normally required under the Town's procurement policy.

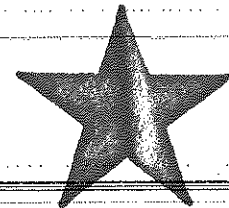
Office of the Town Attorney

Thomas M. Sabellico

Thomas M. Sabellico
Special Counsel

TMS/nb

cc: Frank M. Scalera, Town Attorney
Gregory W. Carman, Jr., Deputy Supervisor
Daniel Mendelson, Comptroller's Office
Bryan Rhoads, Aquatics



DRAFT

WJ

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 4, 2024, requested Town Board authorization to issue a refund in the amount of \$1,487.50 to Albert Markopoulos, 241 N. Beech Street, Massapequa, New York 11758, to reimburse him for fee paid for an ice rink rental at Bethpage Ice Skating Center as the rental was incorrectly chartered and in potential conflict with the rink concessionaire at the Ice Skating Center,

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 \$1,487.50 to Albert Markopoulos; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02414 000 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.

-#-

WJ
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Monica Wolfe

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

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TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 1/4/2024

SUBJECT: Albert Markopoulos- Bethpage Rink Rental Refund

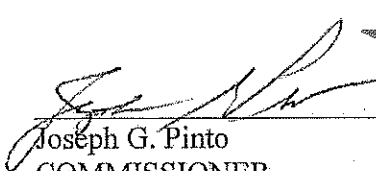
The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$1,487.50 to the Town of Oyster Bay resident Albert Markopoulos, 241 N. Beech Street Massapequa, NY 11758. It has come to our attention that the Ice Rental was incorrectly chartered and in potential conflict with the rink concessionaire currently in place at the Ice Skating Center. As a result, the following dates of December 28th, 29th, 30th and 31st have been cancelled by the department.

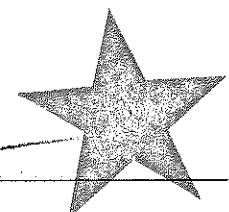
Based on the 2024 Town of Oyster Bay refund policy, Albert Markopoulos is eligible to receive the refund as follows:

Bethpage Rink Rental \$1,487.50
5% Administrative Fee Waived

TOTAL REFUND PKS A 0001 02025 523 0000

The Office of the Comptroller has reviewed the department back-up documentation and verified funds are available for this requested refund.


Joseph G. Pinto
COMMISSIONER



JGP/nh

DRAFT

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WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, and Michael Cipriano, Division Head, Central Vehicle Maintenance, by memorandum dated January 2, 2024, recommended that the Town-owned vehicles and equipment on the attached list be declared surplus, and that the necessary steps be taken to secure bids on said vehicles and equipment; and

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REVIEWED BY
OFFICE OF TOWN ATTORNEY

WHEREAS, Ralph J. Raymond, Commissioner, Department of General Services, by memorandum dated January 8, 2024, requested that the Town Board declare that the Town-owned vehicles and equipment on the attached list be declared surplus, and that he be authorized to prepare and advertise said vehicles and equipment for competitive bid sale or public auction; and

WHEREAS, the aforementioned memoranda are in conformance with the requirements of the Town's Surplus Equipment Policy specified in Resolution No. 415-2018, adopted on June 12, 2018,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendations hereinabove set forth are accepted and approved, that the Town-owned vehicles and equipment on the attached list are hereby declared surplus, and that the Commissioner of the Department of General Services is hereby authorized to prepare and advertise said vehicles and equipment for competitive bid sale or public auction.

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Town of Oyster Bay
Inter-Departmental Memo

To: MEMORANDUM DOCKET

From: RALPH J. RAYMOND, COMMISSIONER
GENERAL SERVICES DEPARTMENT


Date: JANUARY 8, 2024

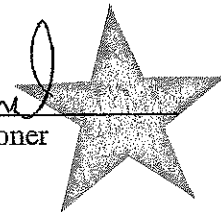
Subject: SURPLUS EQUIPMENT – TOWN EQUIPMENT

The undersigned, in accordance with the requirement of the Town of Oyster Bay Surplus Policy, as set forth in Town Board Resolution No. 415-2018, has declared the equipment set forth on the attached list as surplus property.

As required by this Resolution, this Department requests and recommends Town Board authorization to prepare the items set forth on the attached list for public auction including advertising the items that are valued at \$10,000 or more.

Please place this matter on the calendar for the Town Board Meeting of January 23, 2024.


Ralph J. Raymond, Commissioner
General Services Department



RJR/sc
Attachments

cc: Comptrollers/Accounts Payable
Comptrollers/Accounts Receivable
Department of Public Works
Central Vehicle Maintenance

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

January 2, 2024

TO: RALPH J. RAYMOND, COMMISSIONER DEPT. OF GENERAL SERVICES

FROM: MICHAEL CIPRIANO, DIVISION HEAD, C.V.M.

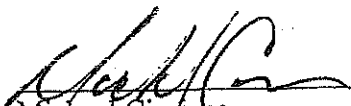
THRU: RICHARD W. LENZ, P.E., COMMISSIONER DEPARTMENT OF PUBLIC WORKS

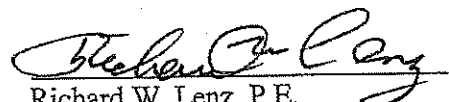
SUBJECT: SURPLUS EQUIPMENT BID
RESOLUTION NO. 415-2018


The attached paperwork shows sixty three (63) Town owned pieces of equipment that is now surplus. Included is the Vehicle Master Inquiry and Fixed Asset Inventory Inquiry. The attached spread sheet shows the item number, computer number / asset number, year, make, model, department, color, condition, Vin#'s, and estimated value.

Please begin the necessary procedure to secure bids on this equipment.

If you should have any questions, please contact Kenneth Hamel at ext. 5749


Michael Cipriano
Division head C.V.M.


Richard W. Lenz, P.E.
Commissioner Department of Public Works



MC/RWL/kh

CC: Kenneth Hamel, C.V.M.
File

REC'D PUBLIC WORKS
JAN 2 12:08:26

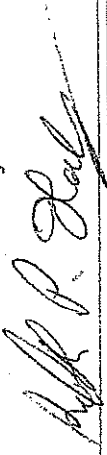
2024 SURPLUS EQUIPMENT
POWER EQUIPMENT VEHICLES

Item #	COMPUTER #	Year	Make	Model	Department	Color	Condition/Description	Mileage	VIN #	VALUE
1	SP008	2004	MEYER	ST-75	PARKS	YELLOW	POOR	N/A	TOB0275	\$50.00
2	SP024	2004	GLEDHILL	11TBR	HIGHWAY	YW/BK	FAIR	N/A	75147	\$500.00
3	SP026	2004	GLEDHILL	11TBR	HIGHWAY	YW/BK	FAIR	N/A	75181	\$500.00
4	SP029	2004	GLEDHILL	11TBR	HIGHWAY	YW/BK	FAIR	N/A	75183	\$500.00
5	SP194	2008	GLEDHILL	11SBP	HIGHWAY	YW/BK	FAIR	N/A	78443	\$500.00
6	SP218	2009	MEYER	C-7.5	PARKS	YELLOW	POOR	N/A	439209240	\$50.00
7	SP273	2010	WAUSAU	2656	HIGHWAY	SL/BK	FAIR	N/A	113612-1	\$500.00
8	SP300	2011	WAUSAU	2565	HIGHWAY	SL/BK	FAIR	N/A	17302-4	\$500.00
9	SP310	2011	GLEDHILL	11TBR	HIGHWAY	BK/SL	FAIR	N/A	80305	\$500.00
10	SP324	2012	GLEDHILL	11SBR	HIGHWAY	BK/YW	FAIR	N/A	80821	\$500.00
11	SP329	2012	GLEDHILL	11TBR	HIGHWAY	BK/YW	FAIR	N/A	880974	\$500.00
12	SP729	1994	SCHMIDT	3256M	HIGHWAY	SL/BK	FAIR	N/A	60700-8	\$300.00
13	SP732	1994	SCHMIDT	3050M	HIGHWAY	SL/BK	FAIR	N/A	60826-1	\$300.00
14	SP785	1996	WAUSAU	TB305	HIGHWAY	BK/SL	FAIR	N/A	64341-5	\$300.00
15	SP856	1998	MEYER	C-8	HIGHWAY	YW/BK	FAIR	N/A	TOB-0189	\$50.00
16	SP870		MEYER				NO INVENTORY			\$50.00
17	AH024	2005	SPAULDING	4RMV	HIGHWAY	YW	FAIR	N/A	T4D-05-2309-346	\$800.00
18	BR138	2010	FORD	EXPLORER	CVM	WHITE	TRANSMISSION/FAIR	119,658	1FMFU7DE9AUA61362	\$1,500.00
19	CP038	1993	ATLAS COPCO	S90JD	HIGHWAY	YELLOW	POOR	N/A	HOL600347	\$150.00
20	CP041	1996	ATLAS COPCO	XAS90	HIGHWAY	YELLOW	FAIR	N/A	603065	\$300.00
21	PC386	2004	CHEVY	IMPALA	CVM	GRAY	FAIR	74,263	2G1WF52E049421560	\$2,500.00
22	PC423	2008	FORD	FOCUS	P&D	GRAY	FAIR	135,497	1FAHP34N88W235220	\$1,500.00
23	PC450	2010	TOYOTA	PRIUS	P&D	WHITE	NEEDS MAIN BATTERY/BRAKES	113,258	JTDKN3DU7A1269827	\$1,000.00
24	PU385	2008	FORD	RANGER	PARKS	WHITE	POOR / MOTOR	51,935	1FTYR10D28PA85122	\$500.00
25	PU386	2008	FORD	RANGER	PARKS	WHITE	POOR / INOPERABLE	N/A	1FTYR10D48PA85123	\$500.00
26	TD571	2005	FORD	F350	HIGHWAY	YELLOW	FAIR	85,559	1FDWF37Y25EB27182	\$3,000.00
27	TD609	2007	FORD	F250	HIGHWAY	YELLOW	FAIR	92,616	1FDWF37Y97EA83412	\$2,500.00
28	TD627	2008	FORD	F250	HIGHWAY	YELLOW	FAIR	80,506	1FTNF215448EC28365	\$3,500.00
29	TD631	2008	FORD	F350	HIGHWAY	YELLOW	FAIR	74,997	1FDWF37Y78FC36337	\$3,500.00
30	TD634	2008	FORD	F350	HIGHWAY	YELLOW	FAIR	80366	1FDWF37408EC36339	\$3,500.00
31	TD635	2008	FORD	F350	HIGHWAY	YELLOW	FAIR	85,420	1FDWF37498EC36338	\$3,500.00
32	TD647	2009	FORD	F250	HIGHWAY	YELLOW	POOR / MOTOR	174,258	1FTNF2158EA03948	\$1,500.00
33	TD649	2009	FORD	F250	HIGHWAY	YELLOW	POOR / MOTOR	95,508	1FTNF21569EA03950	\$1,500.00

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Reviewed By
Office of Town Attorney



WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, and John Sarcone, Deputy Commissioner, Department of Intergovernmental Affairs, by memorandum dated January 3, 2024, advised, that the Town of Oyster Bay was awarded \$75,000.00, through the New York State Community Resiliency, Economic Sustainability and Technology ("CREST") Program, for partial reimbursement of the cost of the construction of a Pickleball Court located at Plainview-Old Bethpage Community Park, in Plainview; and

WHEREAS, Commissioner Sammartano, and Deputy Commissioner Sarcone, by said memorandum, further advised, that the receipt of said funding is contingent upon the Town's execution of a Grant Disbursement Agreement, as well as other required documents, with the Dormitory Authority of the State of New York; and

WHEREAS, Commissioner Sammartano, and Deputy Commissioner Sarcone, by said memorandum, further advised, that the total cost for the installation of said Pickleball Court shall be \$100,000, for which the Town of Oyster Bay shall be responsible for \$25,000.00; and

WHEREAS, Commissioner Sammartano, and Deputy Commissioner Sarcone, by said memorandum, requested Town Board authorization for the Town Supervisor, or his designee, to execute a Grant Disbursement agreement, as well as all other required documents, with the Dormitory Authority of the State of New York, as approved by the Office of the Town Attorney, in connection with the New York State "CREST" Program, for partial reimbursement of the cost of the construction of a Pickleball Court located at Plainview-Old Bethpage Community Park, in Plainview,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor or his designee is hereby authorized to execute a Grant Disbursement agreement, as well as all other required documents, with the Dormitory Authority of the State of New York, as approved by the Office of the Town Attorney, in connection with the New York State "CREST" Program, for partial reimbursement of the cost of the construction of a Pickleball Court located at Plainview-Old Bethpage Community Park, in Plainview.

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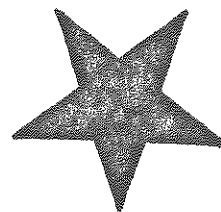
TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS
DATE: JANUARY 03, 2024
SUBJECT: COMMUNITY RESILIENCY, ECONOMIC SUSTAINABILITY AND
TECHNOLOGY PROGRAM:
CONSTRUCTION OF A PICKLEBALL COURT AT THE PLAINVIEW-OLD
BETHPAGE COMMUNITY PARK

The Town of Oyster Bay (Town) has been awarded \$75,000 through the New York State and Community Resiliency, Economic Sustainability, and Technology (CREST) Program. It is for partial reimbursement for the construction of a Pickleball Court located Plainview-Old Bethpage Community Park in Plainview, New York. Receipt of this grant funding is contingent upon the Town's execution of a Grant Disbursement Agreement with the Dormitory Authority of the State of New York and other documentation as required by the Dormitory Authority of the State of New York. The Town of Oyster Bay (Town) is responsible for a cost of \$25,000, which brings the total cost of installation to \$100,000

We respectfully request a Town Board Resolution authorizing the Supervisor or his authorized designee and the Supervisor's additional authorized designee to execute all documents, as approved by the Office of the Town Attorney, in connection with the New York State and Community Resiliency, Economic Sustainability, and Technology (CREST) Program for the Pickleball Court located, Plainview-Old Bethpage Community Park in Plainview, New York.

J. P. [Signature] For Frank V. Sammartano
Deputy Commissioner Frank V. Sammartano,
Commissioner, Intergovernmental Affairs



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DRAFT

WHEREAS, by Resolution No. 777-2021, adopted on December 7, 2021, the Town Board authorized the Town Supervisor, or his duly appointed designee, to enter into, and to execute, an agreement with Enterprise Training Solutions (ETS), 120 Bloomingdale Road, 3rd Floor, Suite # 302, White Plains, New York 10605, to provide the Town of Oyster Bay with online compliance and non-compliance training for all Town employees, for a one (1) year term, commencing on January 1, 2022 through December 31, 2022, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 935-2022, adopted on December 13, 2022, the Town Board exercised the first renewal option, extending the contract with ETS for the term from January 1, 2023 through December 31, 2023, on the same terms and conditions as in the original agreement; and

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated December 21, 2023, requested that the Town Board exercise the second one (1) year extension option of the Agreement with Enterprise Training Solutions (ETS), to provide the Town of Oyster Bay with online compliance and non-compliance training for all Town employees, commencing on January 1, 2024 through December 31, 2024, *nunc pro tunc*, for an amount not to exceed \$33,100.00; and

WHEREAS, Commissioner Canning, by said memorandum, advised that the vendor's disclosure questionnaire has been reviewed and found to have satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby exercises, the second one (1) year extension option of the Agreement with Enterprise Training Solutions (ETS), to provide the Town of Oyster Bay with online compliance and non-compliance training for all Town employees, commencing on January 1, 2024 through December 31, 2024, *nunc pro tunc*, for an amount not to exceed \$33,100.00; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. TWN-A-1989-47900-000-0000; 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.

-#-

Reviewed By
Office of Town Attorney

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Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: John Canning, Commissioner
Department of Human Resources

DATE: December 21, 2023- corrected memo

SUBJECT: Enterprise Training Solutions: Employee Online Training

Pursuant to the Town of Oyster Bay Procurement Policy, Guidelines 6 and by Resolution No. 777-2021, adopted on December 7, 2021, the Town Board authorized entering into an agreement with Enterprise Training Solutions, 120 Bloomingdale Road, 3rd Floor, White Plains, New York, 10605, to provide Online Compliance and Non-Compliance Training services for all Town employees, for a one (1) year contract with two (2) extensions, each being one (1) year in length.

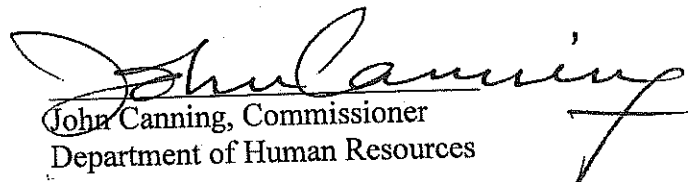
Resolution No. 935-2022, adopted on December 13, 2022, authorized the exercise of the first extension option for the period commencing January 1, 2023 through December 31, 2023.

The department is in receipt of the attached information from Enterprise Training Solutions, which was dated October 3, 2023 indicating that they would like to continue providing online compliance and non-compliance training for the town employees for the 2024 calendar year.

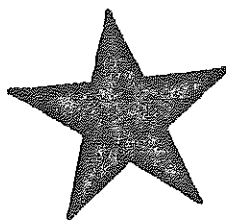
The Department of Human Resources is requesting that the Town Board exercise the second and final option to renew this contract between the Town and Enterprise Training Solutions. This extension will be effective **nunc pro tunc** January 1, 2024 through December 31, 2024 at an amount not to exceed \$33,100 per annum, to be paid from account number TWN-A-1989-47900-000-0000.

The vendor's disclosure questionnaire was reviewed and found to be in accordance with the Town's current procurement policy.

Sincerely,


John Canning, Commissioner
Department of Human Resources

JC/jbw
Attach.





Enterprise Training Solutions™

VENDOR (Enterprise Training Solutions) and CLIENT (Town of Oyster Bay) Deliverables:

- Vendor to provide an implementation specialist responsible for program set up, configuration, roll-out and customer administrator training (see Support Service)
- Vendor to provide technical support to users and administrators
- Client to identify an internal program administrator who will attend administrator training and be responsible for online learning administrative tasks concerning employee/user maintenance and course enrollment
- Client to provide accurate user data in vendor supplied user profile form

Learning Management System (LMS) (N/C Inclusion):

The self-paced courses reside in the LMS which is hosted and maintained by the vendor, on vendor servers. The LMS provides the following capabilities:

- House and maintain employee/user profiles to include name, email and up to 6 data points
- Employee course assignment and due date configuration
- Employee course progress tracking and reporting (on demand and scheduled)

Support Service (N/C Inclusion):

An implementation support specialist will be assigned to the customer account and is responsible for the following:

- Program planning and set-up
- Compliance Module
- LMS configuration including employee data management, assignments and course completion status reports
- Customer administrator training
- Oversee regular program review meetings to manage program success (3 and 6 month marks annually)
- Technical support (phone, email, chat)

By signing below the VENDOR agrees on providing the deliverables in this SOW/Quote and the CLIENT makes a payment commitment for the items within this SOW/Quote.

VENDOR – Enterprise Training Solutions

CLIENT – Town of Oyster Bay

Representative: Jonathan Richardson

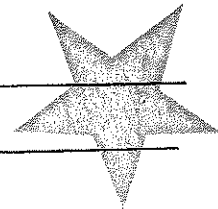
Representative: _____

Signature: Jonathan Richardson

Signature: _____

Date: 03OCT23

Date: _____





Enterprise Training Solutions™

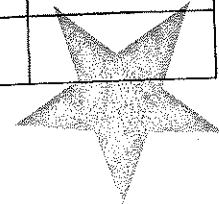
Statement of Work (SOW) - Quote

03OCT23

Customer:	Vendor:
Town of Oyster Bay	Enterprise Training Solutions
54 Audrey Ave.	120 Bloomingdale Road
Oyster Bay, NY 11771	White Plains, New York 10605
Phone: 516.624.6226	Phone: 914.682.4331
Point of Contact: Vicki Spinelli	Point of Contact: Jonathan Richardson

Online Training Solution	12 Month Subscription	Number of Users/Subscriptions	Total
Anti-Harassment, Workplace Violence & Ethics eLearning Program Two NYS specific workplace harassment prevention courses (Manager & Non-manger versions) One off-the-shelf Workplace Violence course. One off-the-shelf Government Ethics course	\$9.90 Per user	2,000	\$19,800.00
PESH, Hazmat, Hazcom/Right to Know & Blood borne Pathogens Access our entire E, S, H & T catalog of courses	\$16.00 Per user	300	\$4,800.00
Supervisor Training Access to our entire Supervisor, Management, Leadership and Professional Development catalog	\$85.00	100	\$8,500.00
Total			\$33,100.00
Refer to: NYS OGS Contract # PM69719	Payment Terms: Net30		

* Start/Stop Dates: TBD





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/21/2023

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).

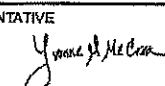
PRODUCER Marshall & Sterling, Inc. 110 Main Street Poughkeepsle NY 12601		CONTACT NAME: Trista Maloney PHONE (A/C, No, Ext): (845) 454-0800 FAX (A/C, No): (845) 454-0880 E-MAIL ADDRESS: tmaloney@marshallsterling.com	
INSURED Enterprise Training Solutions, Inc. 120 Bloomingdale Rd Ste 302 White Plains NY 10605		INSURER(S) AFFORDING COVERAGE INSURER A: Sentinel Insurance Co INSURER B: Hanover Insurance INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 11000	

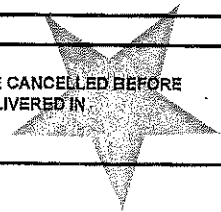
COVERAGES **CERTIFICATE NUMBER:** CL2311250539 **REVISION NUMBER:**

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 checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	16SBAPK7797	10/04/2023	10/04/2024	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 \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/>		16SBAPK7797	10/04/2023	10/04/2024	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 DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		16SBAPK7797	10/04/2023	10/04/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Professional Liability		LHSH56116203	03/18/2023	03/18/2024	Each claim 2,000,000 Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Town of Oyster Bay is an additional insured on a primary and non contributory basis if required by written contract, per endorsement number SS 00 08 04 05.

CERTIFICATE HOLDER The 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 



Meeting of December 13, 2022

Resolution No. 935-2022

Ext 2023

WHEREAS, by Resolution No. 777-2021, adopted on December 7, 2021, the Town Board authorized the Town Supervisor, or his duly appointed designee, to enter into, and to execute, an agreement with Enterprise Training Solutions (ETS), 120 Bloomingdale Road, 3rd Floor, Suite # 302, White Plains, New York 10605, to provide the Town of Oyster Bay with online compliance and non-compliance training for all Town employees, for a one (1) year term, commencing on January 1, 2022 through December 31, 2022, with two (2) one (1) year extension options, for an amount not to exceed \$75,000.00 per annum; and

Reviewed By
Office of Town Attorney
Ralph P. Steady

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memoranda dated November 28, 2022, and December 5, 2022, requested that the Town Board exercise the first one (1) year extension option of the Agreement with Enterprise Training Solutions (ETS), to provide the Town of Oyster Bay with online compliance and non-compliance training for all Town employees, commencing on January 1, 2023 through December 31, 2023, for an amount not to exceed \$75,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is hereby approved, and the Town Board hereby exercises the first one (1) year extension option of the Agreement with Enterprise Training Solutions (ETS), to provide the Town of Oyster Bay with online compliance and non-compliance training for all Town employees, commencing on January 1, 2023 through December 31, 2023, for an amount not to exceed \$75,000.00; and be it further

Ext
2023

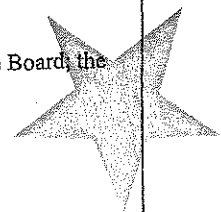
RESOLVED, That the funds for said payment shall be drawn from Account No. TWN-A-1989-47900-000-0000; and be it further

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



Meeting of December 7, 2021

Resolution No. 777-2021

RFP

REVIEWED BY
OFFICE OF TOWN ATTORNEY

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memoranda dated November 22, 2021 and November 30, 2021, advised that, pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was issued and placed on the Town of Oyster Bay website, and letters and criteria were sent to ten (10) businesses, for Online Compliance and Non-Compliance Training for all Town employees, for a one (1) year term commencing on January 1, 2022 through December 31, 2022, with a one (1) year term commencing on January 1, 2022 through December 31, 2022 with two (2), one (1) year extension options; and

WHEREAS, the Department of Human Resources received seven (7) responses by the response date; and

WHEREAS, following a review and evaluation of the seven (7) responses, Enterprise Training Solutions (ETS) was determined to be the best qualified, and Commissioner Canning, by said memoranda, requested that the Town Board authorize the Town to enter into a contract with Enterprise Training Solutions, to provide Online Compliance and Non-Compliance Training for all Town employees for a one (1) year term commencing on January 1, 2022 through December 31, 2022 with two (2) one (1) year extension options; 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,

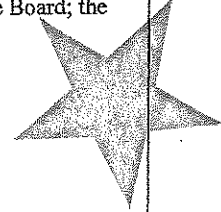
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town is hereby authorized to enter into a contract with Enterprise Training Solutions (ETS), to provide Online Compliance and Non-Compliance Training for all Town employees for a one (1) year term commencing on January 1, 2022 through December 31, 2022, with two (2), one (1) year extension options at an amount not to exceed \$75,000 per annum; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$75,000.00, with funds to be drawn from Account No. TWN-A-1989-47900-000-0000, 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	Absent



T2

DRAFT

WHEREAS, the Town offers participation in a Section 125 Flexible Spending Plan for all full-time, permanent employees, which Plan is managed and administered by a Third-Party Administrator, and

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated January 3, 2024, advised that the Department of Human Resources received a proposal from The Preferred Group Plans, Inc., 19 British American Boulevard, West Latham, New York 11203, to remain as Third-Party Administrator for the Town's Flexible Spending Plan, at a rate of \$4.50 per employee per month, for the calendar year commencing on January 1, 2024 through December 31, 2024; and

WHEREAS, Commissioner Canning, Department of Human Resources, by said memorandum, further advised that the services to be provided by this vendor are in compliance with Guideline 6(c) of the Town of Oyster Bay Procurement Policy and requested that The Preferred Group Plans, Inc., be authorized to remain as the Third-Party Administrator of the Town's Flexible Spending Plan, at a rate of \$4.50 per employee per month, in an amount not to exceed \$5,000.00, for the calendar year commencing on January 1, 2024 through December 31, 2024, *nunc pro tunc*; and

WHEREAS, the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and The Preferred Group Plans, Inc., 19 British American Boulevard, West Latham, New York 11203, be authorized to provide third party administrative services relative to the Town's Flexible Spending Plan from January 1, 2024 through December 31, 2024, *nunc pro tunc*, at a rate of \$4.00 per employee per month in an amount not to exceed \$5,000.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, the funds for said payment to be drawn from Account No. TWN AMM 9060 80040 000 0000 000.

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Reviewed By
Office of Town Attorney

Town of Oyster Bay
Inter-Departmental Memo

TO: Memorandum Docket

FROM: John Canning
Commissioner of Human Resources

DATE: January 3, 2024

SUBJECT: **Flexible Spending Third-Party Administrator 2024**


The Town of Oyster Bay offers participation in a Section 125 Flexible Spending Plan for all full-time, permanent employees. The Flexible Spending Plan is managed and administered by a Third-Party Administrator (TPA).

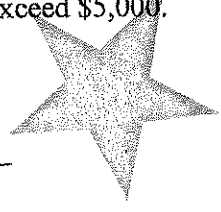
The Department of Human Resources received a letter of intent from The Preferred Group Plans, Inc. to remain as the TPA for the 2024 calendar year. The Town currently has 82 employees enrolled in the Flexible Spending Plan for 2024 at a rate of \$4.50 per person, per month for the 2024 calendar year. In accordance with the Town of Oyster Bay's Procurement Policy Guideline 6(c) if the value of the services to be provided in this particular area of service will not exceed \$5,000, only one qualified proposal needs to be obtained.

It is the recommendation of the Department of Human Resources that the Town enter into an agreement with The Preferred Group, Inc., 19 British American Blvd West, Latham, NY 12203. The agreement between the Town of Oyster Bay and The Preferred Group Plan, Inc. will be effective **nunc pro tunc** from January 1, 2024 through and including December 31, 2024.

It is further requested that the Town Board authorize and direct the Town Comptroller to make payment to the above mentioned firm from Account No. TWN AMM 9060-80040-000-0000-000 upon receipt of a duly certified claim form and after audit thereof, at an amount not to exceed \$5,000.

Respectfully,


John Canning
Commissioner



JC/jbw
Attachment



The Preferred Group

PO Box 15136
Albany, New York 12212
(518) 641-0321 • (800) 573-7474
Fax (518) 641-0325
www.thepreferredgroup.com

BENEFITS ADMINISTRATION

- Section 125 / Flex Spending Plans
- HRA's
- Self-Insured Dental
- Health & Welfare Funds
- Commuter Reimbursement
- COBRA

GROUP INSURANCE

- Health, Dental, Vision
- Group Life
- Disability, LTC
- NYSUT Benefits
- Supplemental Policies

SERVICE BUREAU

- Lockbox / Remittance Processing
- Data Entry

Vicky Spinelli
Deputy Commissioner of Human Resources
Town of Oyster Bay
Department of Human Resources
54 Audrey Avenue
Oyster Bay, NY 11771

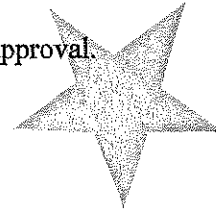
Dear Ms. Spinelli;

The Preferred Group is requesting a one year extension to the current Flexible Benefits Plan Administration Agreement. We would propose to extend the current rate of \$4.50 pm/pm, a \$.50 increase over the current rate through the January 1, 2024 – December 31, 2024 plan year.

At your convenience, please advise us if this meets with your approval.

Sincerely,

Thomas Collins
President





JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

JOHN CANNING
COMMISSIONER

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

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: Preferred Group Plans Inc.

Alternate Company Name(s): The Preferred Group

Corporate Registration Number: 22-2962394

Tax ID: [REDACTED]

FEIN: [REDACTED]

Type of Organization: Third Party Administration

Contact Name: Thomas P Collins Jr

Telephone Number: 518-591-4950

E-Mail: tcollins@tpgplans.com

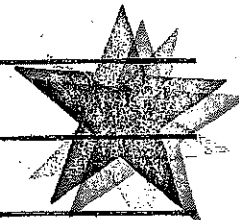
Address: PO Box 15136

City: Albany State: NY Zip Code: 12212

Country(ies) of Doing Business: USA Only

Country of Incorporation USA

Website: www.mylpgplan.com



13

DRAFT

Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

WHEREAS, pursuant to Resolution No. 680-2021, adopted on November 16, 2021, the Town Board authorized the Supervisor or his designee to execute an agreement with City Medical of Upper East Side, PLLC (CityMD), 1345 Avenue of the America's, 8th Floor, New York, NY 10105, for the medical provider to perform tests including examinations regarding hepatitis-B, rabies vaccinations, basic and urine drug testing, and for pre-employment, promotional, pulmonary function, return to work, and emergency response physical examinations for the period of November 17, 2021 through and including December 31, 2022, for an amount not to exceed \$14,000.00 per year, with two (2) one-year extension options; and

WHEREAS, pursuant to Resolution No. 933-2022, adopted on December 13, 2022, the Town Board authorized the Supervisor or his designee to exercise the first one-year extension option of the agreement with CityMD, for the period of January 1, 2023 through and including December 31, 2023, with one (1) one-year extension option remaining; and

WHEREAS, by letter dated November 14, 2023, CityMD advised that the medical provider wishes to exercise the second and final one-year extension of the agreement for the period of January 1, 2024 to December 31, 2024, for an amount not to exceed \$14,000.00, pursuant to the terms of the aforementioned agreement; and

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated January 3, 2024, requested that the Town Board approve the request for a one-year extension of the agreement and has advised that the vendor's questionnaire was reviewed and found to be in accordance with the Town's current Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby exercises the second one-year extension option with CityMD, 1345 Avenue of the America's, 8th Floor, New York, NY 10105, for the period of January 1, 2024 to December 31, 2024, *nunc pro tunc*, for the medical provider to perform tests including for examinations regarding hepatitis-B, rabies vaccinations, basic and urine drug testing, and for pre-employment, promotional, pulmonary function, return to work and emergency response physical examinations pursuant to the terms of the agreement ratified pursuant to Resolution No. 680-2021 and Resolution No. 933-2022; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. DHR A 1430 44130 000 0000, in an amount not to exceed \$14,000.00 per year, upon submission of a duly certified claim, after audit.

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Town of Oyster Bay
Inter-Departmental Memo

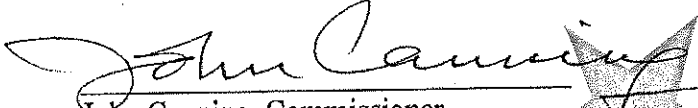
To: Memorandum Docket
From: John Canning, Commissioner
Department of Human Resources
Date: January 3, 2024
Subject: Employee Physical Examination Program;
Pre-Employment/Promotional/Emergency Response

Pursuant to the Town of Oyster Bay Procurement Policy and by Resolution No. 680-2021 adopted on November 16, 2021 the Town Board authorized entering into an agreement with City Medical of Upper East Side, LLC (City MD) for the period of November 17, 2021 through December 31, 2022. Said agreement provided for a renewal option for 2023 and 2024. The Department of Human Resources is in receipt of the attached letter from City MD, current provider of our Employee Physical Examination Program, Rabies Vaccinations and Hepatitis B Vaccinations, indicating that they would like to continue providing services by exercising the second option to renew, as provided for in the contract.

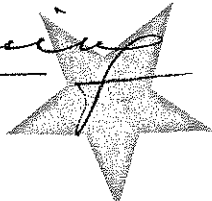
In accordance with Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, the Department of Human Resources is requesting that the Town Board exercise the option to renew the agreement between the Town and City MD, to provide the Employee Physical Examination Program, Rabies Vaccinations and Hepatitis B Vaccines according to the attached fee schedule, **nunc pro tunc** for the period of January 1, 2024 through December 31, 2024 at an amount not to exceed \$14,000 from account number DHR A1430.44130.000.0000.

The vendor's disclosure questionnaire was reviewed and found to be in accordance with the Town's current policy.

Sincerely,



John Canning, Commissioner
Department of Human Resources



JC/jbw
Attach



**Letter of Intent
Town of Oyster Bay Occupational Health Services**

Point of Contact:
Melanie Agalotis
Senior Account Manager, Occupational Medicine
1345 Avenue of the Americas, 8th Floor
New York, NY 10105
magalotis@summithealth.com
646.689.6900



1345 Avenue of the Americas, 8th Floor, New York, NY 10105
summithealth.com
citymd.com



Melanie Agaliotis
Senior Account Manager, Occupational Medicine
1345 Avenue of the Americas, 8th Floor
New York, NY 10105
magaliotis@summithealth.com
646.689.6900

November 14, 2023

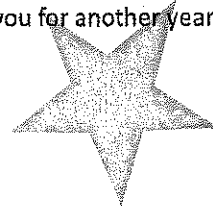
Town of Oyster Bay
Department of Human Resources
Attn: Julie Wass
54 Audrey Avenue, 3rd Floor
Oyster Bay, NY 11771

Town of Oyster Bay,

CityMD is delighted to state our intent to renew our agreement with the Town of Oyster Bay for Occupational Health Services for the 2024 calendar year. Attached to this letter please find the completed Company Information form, our W9, as well as our updated fee schedule for 2024.

Please let us know the next steps to continue working together into 2024. Should you have any questions, please don't hesitate to reach out. I look forward to working with you for another year.

Thank you,



Melanie Agaliotis
Senior Account Manager, Occupational Medicine
CityMD Urgent Care



Occupational Medicine Services

CityMD (City Medical of Upper East Side PLLC and Summit Medical Group PA) is excited to be the provider of occupational health services to your employees (the "Services"). Your use of CityMD for the Services constitutes your acceptance of the Service fees listed below, and your acceptance of the terms and conditions on the reverse hereof. Please note that CityMD reserves the right to adjust the Service fees in accordance with the then prevailing market conditions.

Company Name: Town of Oyster Bay

TYPE	SERVICES	FEE
Physical Exam	Physical Exam (includes Vision, Whisper, BMI)	\$ 85.00
Bundled Exams	DOT / CDL Physical <ul style="list-style-type: none"> Physical Exam Health History Review Vision Test Hearing Test Blood Pressure and Pulse Urinalysis 	\$ 110.00
	19A Physical	\$ 95.00
Respiratory Evaluation Exams	OSHA Questionnaire	\$ 50.00
	Fit Testing	\$ 30.00
	Chest X-Ray	\$ 40.00
	Pulmonary Function Testing (PFT)	\$ 30.00
COVID-19	PCR Nasal Swab Test	\$ 120.00
	IgG Antibody Serology Test*	\$ 45.00
	Rapid Test	\$ 125.00
Procedures	Saliva Alcohol Testing	\$ 30.00
	Audiometry	\$ 50.00
	Breath Alcohol Testing (BAT)	\$ 30.00
	EKG	\$ 50.00
	PPD	\$ 40.00
	Rapid Flu	\$ 50.00
	Rapid Glucose	\$ 25.00
	Rapid HIV	\$ 100.00
	Urinalysis	\$ 25.00
	Vision Acuity	\$ 25.00
	Ishihara (Color Blindness)	\$ 25.00
Urine Drug Screen	Urine Drug Screen Collection	\$ 30.00
	eReader Rapid Drug Screen (NJ Only)	\$ 13.45
	Federal Drug Screen Panel (5000)	\$ 15.45
	5 Panel Standard (1200)	\$ 13.45
	5 Panel w/o THC (1385)	\$ 13.45
	7 Panel Standard (1203)	\$ 13.45
	10 Panel Standard (1204)	\$ 14.45
	10 Panel w/o THC (1790)	\$ 14.45
	10 Panel plus Alcohol (1377)	\$ 18.95
	11 Panel (6585)	\$ 18.95
13 Panel (1624)	\$ 19.95	

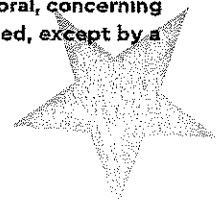
TYPE	SERVICES	FEE	
Vaccine	Administration Fee (applicable if vaccine is only service)	\$ 45.00	
	Flu	\$ 30.00	
	Hepatitis A	\$ 100.00	
	Hepatitis B	\$ 70.00	
	Meningitis (Menactra)	\$ 150.00	
	MMR	\$ 85.00	
	Rabies (Imovax)	\$ 394.00	
	Shingles (Shingrix)	\$ 205.00	
	TDAP	\$ 50.00	
	Tetanus	\$ 30.00	
	Varicella (Chicken Pox)	\$ 140.00	
	Blood Work	Venipuncture*	\$ 30.00
		Arsenic	\$ 15.00
Cadmium		\$ 25.00	
CBC/DIFF/PLT		\$ 6.00	
Complete Metabolic Panel		\$ 8.00	
Copper		\$ 15.00	
Ferritin		\$ 20.00	
HbA1c		\$ 5.00	
Hepatitis A IgM		\$ 6.00	
Hepatitis A Total		\$ 6.00	
Hepatitis B Surface AG		\$ 6.00	
Hepatitis B Core		\$ 13.00	
Hepatitis B Surface AB		\$ 6.00	
Hepatitis C Antibody		\$ 15.00	
Iron		\$ 2.00	
Lead Screening		\$ 10.00	
Lipid Panel		\$ 5.00	
Mercury		\$ 15.00	
MMR Titers (Measles, Mumps, Rubella)		\$ 18.00	
MMR+V Titers (Measles, Mumps, Rubella, Varicella)		\$ 24.00	
PSA	\$ 10.00		
Quantiferon Gold	\$ 32.00		
TIBC	\$ 3.82		
TSH	\$ 12.00		
Varicella Titer	\$ 6.00		
Zinc Protoporphyrin	\$ 10.00		

* Venipuncture fee is applied to all blood work.

Terms and Conditions

These Terms and Conditions govern the relationship between your organization (the "Company") and City Medical of Upper East Side PLLC and Summit Medical Group, P.A. ("CityMD") for the provision of certain occupational health services at "CityMD" branded urgent care locations (the "Services"). By using CityMD for the Services, you consent to the Terms and Conditions set forth herein.

1. **Professional Services.** Company hereby contracts with CityMD for CityMD to be a preferred provider of the Services described on the Fee Schedule to which these Terms and Conditions are a part. CityMD reserves the right to adjust the Fee Schedule for the Services in accordance with the then prevailing market conditions.
2. **Compensation.** CityMD will invoice Company each month by the 15th day of the month for Services rendered during the prior month by CityMD. Company acknowledges and agrees that CityMD shall have the right to bill Company for Services that are initiated by CityMD but not completed as a result of a Service recipient's actions or inactions. By way of example, CityMD shall have the right to bill Company for Services that are initiated by CityMD but not completed as a result of: (i) a Service recipient's departure from a CityMD location; and/or (ii) a Service recipient's failure to comply with Service requirements, such as a Service recipient's failure to provide a drug test urine specimen within the required temperature range. Payment is due within thirty (30) days of Company's receipt of an invoice. Late invoices shall be subject to interest at a rate of 1.5% per month or the maximum extent permitted by law.
3. **Confidentiality.** Company acknowledges that CityMD's invoices, including its fee schedules and services schedules, reports, audits, patient surveys, employee surveys, operating policies, quality assurance materials, and other such materials or records of a proprietary nature (collectively, the "Confidential Information") are valuable, special and unique assets of CityMD. Company agrees that it will not, after the date hereof and for so long as any such Confidential Information may remain confidential, secret, or otherwise wholly or partially protectable: (i) use the Confidential Information or (ii) divulge any such Confidential Information to any third party (other than Company's attorney, or accountant on a need to know basis) for any reason or purpose whatsoever, unless CityMD gives its prior written consent to such use or divulgence. The terms of this Section shall survive the termination of CityMD's provision of the Services.
4. **Protected Health Information.** In accordance with the requirements under the Health Insurance Portability and Accountability Act of 1996, and its related "Privacy Rule" and "Security Rule", all as amended by the Health Information Technology for Economic and Clinical Health Act, and any regulations promulgated thereunder (collectively, HIPAA), CityMD is required to obtain a HIPAA authorization prior to disclosing a recipient of the Services' Protected Health Information (as such term is defined by HIPAA) ("PHI") to Company. CityMD will make efforts to obtain an executed HIPAA authorization from each individual who presents for Services. CityMD will not release or disclose a recipient of the Services' PHI to Company unless the recipient of the Services executes a HIPAA authorization.
5. **Independent Contractor.** CityMD and Company each hereby acknowledges that it is an independent contractor of the other and, CityMD's provision of the Services hereunder shall not be construed to create any employment, partnership, landlord/tenant, or other such association between CityMD and Company.
6. **Notice.** All notices, requests, demands and other communications required or permitted to be given hereunder shall be in writing, and shall be deemed duly given if delivered by receipted overnight courier to a party at its address set forth on the Fee Schedule to which these Terms and Conditions are a part or to such other address as may be designated by written notice complying as to delivery with the terms of this Section.
7. **Entire Agreement.** The Fee Schedule and these Terms and Conditions are the entire agreement among CityMD and the Company concerning the subject matter hereof and supersedes all prior agreements, whether written or oral, concerning such subject matter. Except as otherwise set forth herein, these Terms and Conditions shall not be changed, except by a writing signed by both of the parties hereto.



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. City Medical of Upper East Side PLLC	
2 Business name/disregarded entity name, if different from above CityMD; Summit Health	
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 type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ C <small>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.</small> <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. PO Box 27757	Requester's name and address (optional)
6 City, state, and ZIP code Belfast ME 04915-2029	
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																					
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Part II Certification

Under penalties of perjury, I certify that:

- 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
- 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
- I am a U.S. citizen or other U.S. person (defined below); and
- 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 ▶ 01/03/2023

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.





JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

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

JOHN CANNING
COMMISSIONER

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: CityMD Urgent Care

Alternate Company Name(s): City Medical Of Upper East Side PLLC dba CityMD; Summit Health

Corporate Registration Number:

Tax ID: ██████████

FEIN:

Type of Organization: Healthcare

Contact Name: Melanie Agaliotis

Telephone Number: 646-689-6900

E-Mail: magaliotis@summithealth.com

Address: 1345 Avenue of the Americas, 8th Floor

City: New York

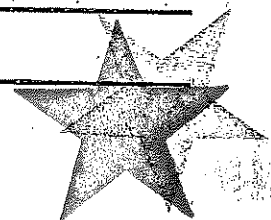
State: NY

Zip Code: 10105

Country(ies) of Doing Business: United States

Country of Incorporation: United States

Website: www.citymd.com



74

DRAFT

WHEREAS, pursuant to 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, pursuant to Resolution No. 112-2023, adopted February 7, 2023, the Town Board authorized a one (1) year extension of the 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 the one (1) year term, January 1, 2023 through and including December 31, 2023, leaving one (1), one-year extension option, if mutually agreeable; and

WHEREAS, John Canning, Commissioner, Department of Human Resources, by memorandum dated January 3, 2024, advised that CorVel Corporation had contacted the Department of Human Resources, indicating their desire to exercise the second and final 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, 2024 through and including December 31, 2024; and

WHEREAS, Commissioner Canning, by said memorandum, advised that the vendor's disclosure questionnaire was reviewed and found to be in accordance with the Town's Procurement Policy; and

WHEREAS, Commissioner Canning, by said memorandum, requested that the Town Board authorize the exercise of the second renewal option with CorVel Corporation to provide TPA services for the Town of Oyster Bay Self-Insured Workers' Compensation program, for the one (1) year term, January 1, 2024 through and including December 31, 2024, *nunc pro tunc*, at an amount not to exceed \$300,000, to be paid from Account No. TWN AMW 9040 84030 000 0000, 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, commencing January 1, 2024 through and including December 31, 2024, *nunc pro tunc*; 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.

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY

[Handwritten signature]

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: John Canning, Commissioner
Department of Human Resources
DATE: January 3, 2024
SUBJECT: CorVel Corporation:
Worker's Compensation TPA

Pursuant to the Town of Oyster Bay Procurement Policy, Guidelines 6 and by Resolution No. 207-2022, adopted on 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, for a one (1) year period with two (2) extensions, each being one (1) year in length.

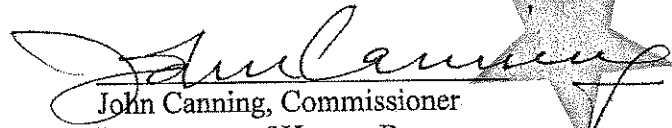
Resolution No. 112-2023, adopted on February 7, 2023, authorized the exercise of the first extension option for the period commencing January 1, 2023 through December 31, 2023.

The department is in receipt of the attached information from CorVel Corporation, which was dated November 26, 2023 indicating that they would like to continue providing Worker's Compensation TPA services for the town for the 2024 calendar year.

The Department of Human Resources is requesting that the Town Board exercise the second and final option to renew this contract between the Town and CorVel Corporation. This extension will be effective **nunc pro tunc** January 1, 2024 through December 31, 2024 at an amount not to exceed \$300,000 per year, to be paid from account number TWN-AMW-9040-84030-000-0000.

The vendor's disclosure questionnaire was reviewed and found to be in accordance with the Town's current procurement policy.

Sincerely,


John Canning, Commissioner
Department of Human Resources

JC/jbw
Attach.

AMENDMENT #2

This Amendment is entered into and made effective this 1st day of January, 2024 by and between CorVel Enterprise Comp, Inc. ("CorVel") and Town of Oyster Bay, NY ("Customer").

WHEREAS, CorVel and Customer entered into the Enterprise Comp Services Agreement with an Effective Date of January 1, 2024, as amended (the "Agreement") pursuant to which CorVel agreed to provide Customer certain third party claims administration and bundled managed care services.

WHEREAS, CorVel and Customer each desire to amend the Services Agreement to revise the parties' contractual arrangement; and

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree to:

- As pursuant to Section 8A Term of the Agreement whereby Customer has agreed to renew the Agreement for an additional one (1) year Renewal Term for the second of two optional one (1) year renewal terms that are available under the Agreement effective January 1, 2024 through December 31, 2024.
- Remove and replace in its entirety Exhibit B ("Fees") of the Agreement whereby the pricing as described hereunder as Exhibit A to this Amendment shall become effective as of January 1, 2024.
- Amend the Agreement by modifying the following Description of Services to the Agreement in the attached hereunder Exhibit B to this Amendment.

All other terms and conditions of the Services Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, CorVel and Customer have caused this Amendment to be executed by the persons authorized to act in their respective names.

TOWN OF OYSTER BAY, NY

By: _____

Print Name: _____

Title: _____

Date Signed: _____

CORVEL ENTERPRISE COMP, INC.

By: Brandon O'Brien
0BEC3DBC84084FF

Print Name: Brandon O'Brien

Title: CFO

Date Signed: 11/26/2023

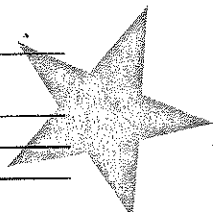
CORVEL HEALTHCARE CORPORATION

By: Brandon O'Brien
0BEC3DBC84084FF...

Print Name: Brandon O'Brien

Title: CFO

Date: 11/26/2023



This document contains confidential and proprietary information of the Parties and may not be disclosed or duplicated without the prior written consent of the Parties.

**Exhibit A
FEES**

1) Fees during Renewal Term Effective January 1, 2024 as follows:

Workers' Compensation Claims Administration

Description	Pricing
Life of Contract Flat Annual Fee Up to 105 new Medical Only and 110 new Indemnity claims/year	\$145,625.00
Continued management of all Open Claims Per Claims Fee After Maximum Number of New Claims Per Year. Medical Only Indemnity	\$180.00 per claim \$1,032.00 per claim

Program Management

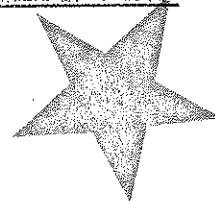
Description	Pricing
Administration Fee - Per Annum State Filing Requirements 15-8 Filing and Recovery Two in Person Claims Reviews per Year Annual Stewardship Report and Presentation Access to OSHA Reporting Module Ad-Hoc and Standard Reporting Physical & Electronic Storage for Open Claims	\$5,905
CareMC 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 \$250.00 / 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	\$200.00
Communication Materials/Posters	Pass through printing cost
Annual Banking Fees ¹	One account included

¹ Each additional bank account requested is \$1,000.00



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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

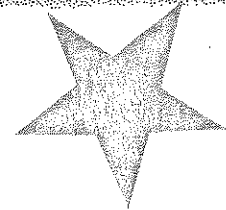
Description	Pricing
3 rd Party Subrogation and Loss Transfer	25% of Recoveries
Legal Bill Auditing ¹	2.5% of gross legal charges reviewed
Indexing and OFAC Compliance - Per Index pass through	\$21.00

¹ Fees will never exceed the savings generated

Medical Bill Review Services

Description	Pricing
Bill Review ¹ + Network Solutions Includes: ¹ Standard Fee Schedule and UCR, Professional Review, Implant Review, Enhanced Bill Review, Negotiations, PPO Network Access, Substantive Denials, Technical Evaluation	8.3% of Savings
Minimum Transaction Fee ¹	\$6.95
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 \$15,000.00.



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Patient Management

Description	Pricing
Telephonic Case Management, Field Case Management and Return to Work Coordinator - Per Hour	\$ 110.00
Vocational Case Management - Per Hour	\$ 110.00
Specialty Services (Catastrophic , Life Care Plan, Medicare Conditional Payments, Medicare Set Asides, Bilingual) - Per Hour	\$217.00
Nurse Utilization Review – Per Review	\$165.00
Physician Utilization Review – Per Review	\$300.00
Care Advocate - Per Claim	\$54.00

*Prevailing IRS Mileage Rate applies
Each invoice for Case Management Services shall have an additional professional service fee of \$39.00*

Pharmacy Solutions

Description	Pricing
Retail Pharmacies	
Brand	AWP -12% + \$3.00 dispensing fee
Generic	AWP -35% + \$3.00 dispensing fee
Mail Order	
Brand	AWP -13% + \$1.50 dispensing fee
Generic	AWP -45% + \$1.50 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	\$111.00
Nurse Management	Case Management hourly rate
Pharmacy Review - Per Review	\$390.00
Cognitive Behavioral Therapy - Per	\$260.00
Medication Review - Per Hour	\$260.00

Ancillary Benefit Management

Description	Pricing
Diagnostic Imaging Services (New York)	
MRI No contrast	\$525.00
MRI with contrast	\$625.00
MRI w/&w/out contrast CT	\$800.00
No contrast	\$300.00
CT with contrast	\$350.00
CT w/&w/out contrast	\$450.00
All Other Diagnostic Services	100% of allowable reimbursement
Medical Imaging Services (All Other States)	Varies by State and Service
Durable Medical Equipment	5% below Fee Schedule

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Ancillary Benefit Management continued

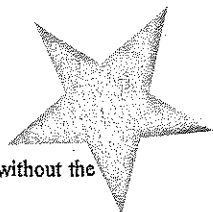
Description	Pricing
Durable Medical Equipment (All Other States)	Varies by State and Service
Transportation (New York) Ambulatory/Sedan Wheelchair	\$3.66/mile \$5.19/mile + \$75.00 load fee
Transportation (All Other States)	Varies by State and Service
Translation (All States)	Varies by State and Service
Physical and Occupational Therapy (All States)	Varies by State and 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.



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JOSEPH SALADINO
TOWN SUPERVISOR

DEPARTMENT OF HUMAN RESOURCES

JOHN CANNING
COMMISSIONER

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

VICKI SPINELLI
DEPUTY COMMISSIONER

COMPANY INFORMATION

Company Name: **CORVEL ENTERPRISE COMP, INC.**

Alternate Company Name(s): **N/A**

Corporate Registration Number: **N/A**

Tax ID: [REDACTED]

FEIN: [REDACTED]

Type of Organization: **corporation**

Contact Name: **Legal Department**

Telephone Number: **949-851-1473**

E-Mail: **Corporate_Legal@corvel.com**

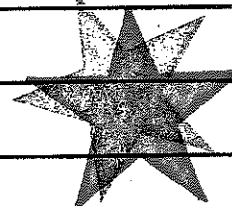
Address: **1920 Main Street Suite 900**

City: **Irvine** State: **CA** Zip Code: **92614**

Country(ies) of Doing Business: **United States based and operated**

Country of Incorporation **State of Delaware**

US Website: **www.corvel.com**



Reviewed By
Office of Town Attorney
Elizabeth A. Jaughman

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

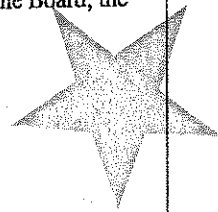
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, is hereby authorized and directed to execute a renewal of the Services Agreement with CorVel Corporation, to provide Third Party Administrator (TPA) services for the Town of Oyster 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.

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

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



Meeting of March 15, 2022

Resolution No.207-2022

Reviewed By
Office of Town Attorney
Elizabeth A. Saughan

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,

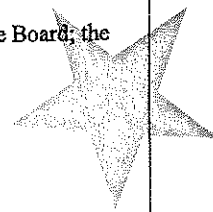
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, is hereby authorized and directed to execute the Services Agreement with CorVel Corporation, to provide Third Party Administrator (TPA) services for the Town of Oyster Bay Self-insured 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



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DRAFT

REVIEWED BY
OFFICE OF TOWN ATTORNEY
America Wolfe

WHEREAS, Richard LaMarca, Town Clerk, by memorandum dated January 4, 2024, requested Town Board authorization to renew the Town of Oyster Bay's membership in the Nassau-Suffolk Town Clerk's Association, which provides helpful information to the Town Clerk's Office and Town Administration in general, with annual membership dues of \$50.00 for the period of July 1, 2023 through June 30, 2024, *nunc pro tunc*;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and Richard LaMarca, Town Clerk, is hereby authorized to renew the Town of Oyster Bay's membership in the Nassau-Suffolk Town Clerk's Association, with annual membership dues of \$50.00 for the period of July 1, 2023 through June 30, 2024, *nunc pro tunc*; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payments are to be drawn from Account No. OTC A 1410 47900 000 0000.

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: RICHARD LaMARCA, TOWN CLERK

DATE: JANUARY 4, 2024

SUBJECT: RENEWAL OF MEMBERSHIP IN THE NASSAU-SUFFOLK
TOWN CLERKS' ASSOCIATION

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

Therefore, it is respectfully requested that the Town Board authorize the Town Clerk to renew membership in the Nassau-Suffolk Town Clerks' Association, at the annual dues of \$50.00, for the period July 1, 2023 through June 30, 2024, *nunc pro tunc*.

This annual membership fee for 2023-2024 is the same as it was for 2022-2023.

Sufficient funds are budgeted in Account Number OTC A 1410 47900 000 0000 for this membership.


RICHARD LaMARCA
TOWN CLERK



RL:rja
Attachment



NASSAU-SUFFOLK
TOWN CLERKS' ASSOCIATION

*President, Geraldine Compitello, Town of Babylon
Vice President Andrew Rala, Town of Huntington
Secretary/Treasurer Lauren Thoden, Town of Brookhaven*

January 4, 2024

Richard LaMarca, Town Clerk
Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, New York 11771

Re: 2023-2024 Membership Dues

Dear Town Clerk LaMarca,

It is time to renew your 2023-2024 membership dues with the Nassau Suffolk Town Clerks' Association. The dues for the fiscal year 2023-2024 (July 1, 2023 through June 30, 2024) are \$50.00 (fifty dollars).

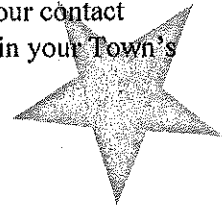
Please send your dues check payable to Nassau/Suffolk Town Clerks' Association to Deputy Town Clerk Lauren Thoden at 1 Independence Hill, Farmingville, New York 11738. Please be note, membership dues are payable per Town. Please include any updates to your contact information and the name of all Deputy Town Clerks you wish to be included in your Town's membership.

Sincerely,



Lauren E. Thoden

Lauren E. Thoden, Esq.
Secretary/Treasurer, Nassau Suffolk Town Clerks' Association



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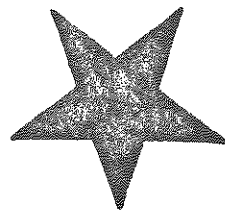
PK
Reviewed By
Office of Town Attorney
Ralph P. Healey

WHEREAS, Frank M. Scalera, Town Attorney, by memorandum, dated January 12, 2024, requested and recommended that the Town Board re-appoint George Pombar, of Glen Head, and Richard Arena, of Glenwood Landing, to serve as members of the Board of Directors for the Water Authority of the North Shore, each for a term of two (2) years, with said terms to commence on February 1, 2024 and expire on January 31, 2026,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby accepted and approved, and the Town Board hereby re-appoints George Pombar, of Glen Head, and Richard Arena, of Glenwood Landing, to serve as members of the Board of Directors for the Water Authority of the North Shore, each for a term of two (2) years, with said terms to commence on February 1, 2024 and to expire on January 31, 2026; and be it further

RESOLVED, That pursuant to New York State Legislation, the Town Supervisor shall file Certificates of Appointment with the New York State Secretary of State within thirty (30) days of the date of the appointment(s) of the aforementioned individuals.

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Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE TOWN ATTORNEY
DATE: January 12, 2024
SUBJECT: Town Re-Appointments to the Water Authority of the North Shore

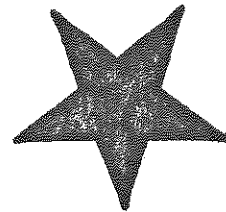
The Office of the Town Attorney recommends and requests that the Town Board re-appoint George Pombar, of Glen Head, and Richard Arena, of Glenwood Landing, to serve as members of the Board of Directors for the Water Authority of the North Shore, for terms of two (2) years each. Said terms shall commence on February 1, 2024 and shall expire on January 31, 2026. Pursuant to Chapter 577 of the New York State Session Laws of 2021, otherwise known as the "Water Authority of the North Shore Act", the Town Supervisor must file Certificates of Appointment with the New York State Secretary of State within thirty (30) days of the date that the Town Board approves the abovementioned appointments.

Kindly place this matter upon the Town Board Action Calendar for Tuesday, January 23, 2024.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey
Deputy Town Attorney

RPH:ba
Attachments



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DRAFT

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated January 8, 2024, advised that Nelson & Pope, Engineering, Architecture and Land Surveying, PLLC, Consulting Engineers, by letter dated October 4, 2003, informed the Department that it made a final inspection of the work performed pursuant to Contract No. H18-171-P1, Massapequa Flood Diversion and Control Project No. 1 Outfalls 126 & 67 (Harbor Place/Cabot Road West) Massapequa, New York, and certified that the contractor, Roadwork Ahead, Inc., complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that said Consulting Engineers informed the Department, by said letter dated October 9, 2023, of an increase/decrease in quantities in connection with Contract No. H18-171-P1, for a total net decrease in the amount of \$172,166.70; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the increase/decrease in quantities in connection with Contract No. H18-171-P1, for a total net decrease in the amount of \$172,166.70;

WHEREAS, Commissioner Lenz, by said memorandum, further advised that final construction costs were in the amount of \$2,545,298.41; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the Consulting Engineers that the Contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that work under this Contract was directed to proceed as of March 4, 2021, and to be completed within two hundred forty (240) calendar days, on October 30, 2021, with a revised completion date of October 28, 2022 pursuant to Resolution No. 727-2022, with work completed, actually, on October 28, 2022; and

WHEREAS, the Office of the Town Attorney and the Office of the Town Comptroller, by memoranda dated December 19, 2023, stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, John C. Tassone, Chief Deputy Commissioner, Department of Public Works, Highways Division, by memorandum dated December 7, 2023, concurred with the recommendation of final acceptance of this project,

Reviewed By
Office of Town Attorney

DRAFT

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as hereinabove set forth, the Town Board hereby authorizes an increase/decrease in quantities, relative to the Construction Phase of Contract No. H18-171-P1, for a net decrease, in the amount of \$172,166.70; and be it further

RESOLVED, That upon the recommendation as hereinabove set forth, Contract No. H18-171-P1, is hereby accepted as being complete, at a final construction cost of \$2,545,298.41, and final payment is to be made in accordance with the applicable terms and conditions of the Contract, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim, after audit.

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

January 8, 2024

TO: MEMORANDUM DOCKET

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

SUBJECT: QUANTITY INCREASE-QUANTITY DECREASE, ACCEPTANCE AND FINAL PAYMENT
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #1
OUTFALLS 126 & 67 (HARBOR PLACE/CABOT ROAD WEST)
MASSAPEQUA, NEW YORK
CONTRACT NO.H18-171-P1

Attached is a letter, with backup, from N & P Engineering, Architecture and Land Surveying, PLLC, dated November 16, 2023 concerning increases/decreases in quantities with a total net decrease in the amount of \$172,166.70. Said quantity adjustments reflect final quantities of work performed, as explained by the consultant in said correspondence.

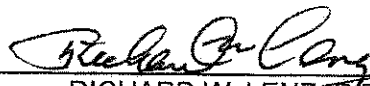
Also attached herewith is as follows:

1. A letter dated October 9, 2023 from N & P Engineering, Architecture and Land Surveying, PLLC recommending final acceptance by the Town of Oyster Bay;
2. The consultant's final engineer's certificate for Roadwork Ahead, Inc. dated October 4, 2023;
3. A statement from the Town Attorney's office indicating there are no legal hindrances;
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract;
5. A statement from the Highway Division concurring final acceptance.

Work under this contract was directed to proceed as of March 4, 2021 to be completed within 240 calendar days on October 30, 2021. The project was extended to October 28, 2022 and completed in accordance with the extension of time granted by Resolution No. 727-2022. Work was completed on October 28, 2022.

Final construction costs amount to \$2,545,298.41.

The Department of Public Works concurs with the recommendations of N & P Engineering, Architecture and Land Surveying, PLLC and request that the Town Board authorize, by Resolution, the above-described request having a net result of a decrease in the amount of \$172,166.70, and that this project be accepted as completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.


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

RWL/MR/DDM/ik
Attachments

cc: Steven C. Ballas, Town Comptroller
Colin Bell, Deputy Commissioner DER

H18-171-P1 Project 1 Q12 QD2 + Accept & Final payment



November 16, 2023

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

Re: Town's Final Contract Increase/Decrease
Massapequa Flood Diversion and Control / Project No. 1
Cabot Road / Harbor Place
Contract No. H18-171-P1
Nelson & Pope No. 18178

Dear Commissioner Lenz:

Submitted herewith is the Final Contract Increase/Decrease for the above referenced project. The increase/decrease change order details quantity changes for itemized contract closeout based on completion of the contract. Nelson + Pope has reviewed the price data provided by the Contractor, Roadwork Ahead Inc., for these items of work and has found no irregularities.

Submitted herewith is Change Order No. 2 for the above referenced project.

- Remaining Contract Item Quantity Increases in the amount of **\$238,849.19**
- Remaining Contract Item Quantity Decreases in the amount of **(\$411,015.89)**
Net Decrease of (\$172,166.70)

Contract Item Quantity Increases

The following contract items and quantities are to be increased based on field conditions:

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

Bid Qty: 410LF

Unit Price: \$92.00/LF

Bid Cost: \$37,720.00

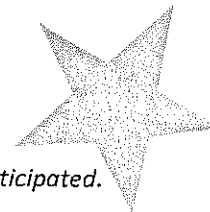
Total Qty Used: 518.36LF

Add'l Qty: 108.36LF

Unit Price: \$92.00/LF

Add'l Cost: \$9,969.12

Reason: Additional drainage pipe was required during construction than anticipated.



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

*Bid Qty: 155LF
Unit Price: \$140.00/LF
Bid Cost: \$21,700.00
Total Qty Used: 361.42LF*

*Add'l Qty: 206.42LF
Unit Price: \$140.00/LF
Add'l Cost: \$28,898.80
Reason: Additional drainage pipe was required during construction than anticipated.*

Item 13-2 – Catch Basin Nassau County Type 2

*Bid Qty: 55VF
Unit Price: \$900.00/VF
Bid Cost: \$49,500.00
Total Qty Used: 66.14VF*

*Add'l Qty: 11.14VF
Unit Price: \$900.00/VF
Add'l Cost: \$10,026.00
Reason: Additional drainage depth was required during construction than anticipated.*

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

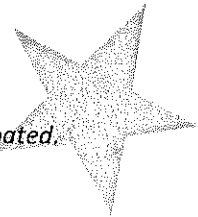
*Bid Qty: 20VF
Unit Price: \$900.00/VF
Bid Cost: \$18,000.00
Total Qty Used: 34.61VF*

*Add'l Qty: 14.61VF
Unit Price: \$900.00/VF
Add'l Cost: \$13,149.00
Reason: Additional drainage depth was required during construction than anticipated.*

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

*Bid Qty: 20VF
Unit Price: \$900.00/VF
Bid Cost: \$18,000.00
Total Qty Used: 25.50VF*

*Add'l Qty: 5.50VF
Unit Price: \$900.00/VF
Add'l Cost: \$4,950.00
Reason: Additional drainage depth was required during construction than anticipated.*



Item 15-4 – Manholes, Type 4

*Bid Qty: 65VF
Unit Price: \$4,500.00/VF
Bid Cost: \$292,500.00
Total Qty Used: 72.01VF*

*Add'l Qty: 7.01VF
Unit Price: \$4,500.00/VF
Add'l Cost: \$31,545.00
Reason: Additional drainage depth was required during construction than anticipated.*

Item 15-6 – Manholes, Type 6

*Bid Qty: 10VF
Unit Price: \$7,500.00/VF
Bid Cost: \$75,000.00
Total Qty Used: 10.99VF*

*Add'l Qty: 0.99VF
Unit Price: \$7,500.00/VF
Add'l Cost: \$7,425.00
Reason: Additional drainage depth was required during construction than anticipated.*

Item 16 – Change Elevations of Manhole and Catchbasins

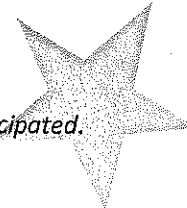
*Bid Qty: 4EA
Unit Price: \$800.00/EA
Bid Cost: \$3,200.00
Total Qty Used: 5EA*

*Add'l Qty: 1EA
Unit Price: \$800.00/EA
Add'l Cost: \$800.00
Reason: Additional elevation changes was required during construction than anticipated.*

Item 26CG – Integral Cement Concrete Curb and Gutter

*Bid Qty: 275LF
Unit Price: \$32.00/LF
Bid Cost: \$8,800.00
Total Qty Used: 284.00LF*

*Add'l Qty: 9.00LF
Unit Price: \$32.00/EA
Add'l Cost: \$288.00
Reason: Additional curb and gutter was required during construction than anticipated.*



Item 28AX – Bituminous Driveway & Driveway Aprons

*Bid Qty: 175SY
Unit Price: \$81.00/SY
Bid Cost: \$14,175.00
Total Qty Used: 284.47SY*

*Add'l Qty: 109.47SY
Unit Price: \$81.00/SY
Add'l Cost: \$8,867.00*

Reason: Additional driveway restoration was required during construction than anticipated.

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

*Bid Qty: 1,040TONS
Unit Price: \$100.00/TON
Bid Cost: \$104,000.00
Total Qty Used: 1,550.73TONS*

*Add'l Qty: 510.73TONS
Unit Price: \$100.00/TON
Add'l Cost: \$51,073.00*

Reason: Additional asphalt was required during construction than anticipated.

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

*Bid Qty: 380TONS
Unit Price: \$100.00/TON
Bid Cost: \$38,000.00
Total Qty Used: 453.06TONS*

*Add'l Qty: 73.06TONS
Unit Price: \$100.00/TON
Add'l Cost: \$7,306.00*

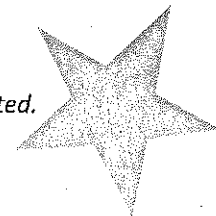
Reason: Additional asphalt was required during construction than anticipated.

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

*Bid Qty: 80SF
Unit Price: \$20.00/SF
Bid Cost: \$1,600.00
Total Qty Used: 138.00SF*

*Add'l Qty: 58.00SF
Unit Price: \$20.00/SF
Add'l Cost: \$1,160.00*

Reason: Additional restoration was required during construction than anticipated.



Item 76X – Topsoil and Seeding

*Bid Qty: 295SY
Unit Price: \$20.00/SY
Bid Cost: \$5,900.00
Total Qty Used: 2,496.56SY*

*Increase Qty: 2,201.56SY
Unit Price: \$20.00/SY
Increase Cost: \$44,031.20*

Reason: The triangle island at Harbor Place needed full restoration for topsoil and seed based the construction work that was provided for underground drainage.

Item 501 – Milling Asphalt Pavement

*Bid Qty: 11,210.00SY
Unit Price: \$5.00/SY
Bid Cost: \$56,060.00
Total Qty Used: 11,794.20*

*Add'l Qty: 584.20SY
Unit Price: \$5.00/SY
Add'l Cost: \$2,921.00*

Reason: Additional milling was required during construction than anticipated.

Item 516 – Concrete Collar

*Bid Qty: 25EA
Unit Price: \$400.00/EA
Bid Cost: \$10,000.00
Total Qty Used: 32EA*

*Add'l Qty: 7EA
Unit Price: \$400.00
Add'l Cost: \$2,800.00*

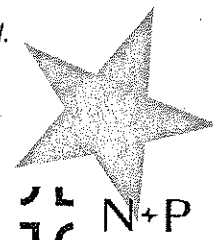
Reason: Additional concrete collars were required during construction than anticipated.

Item 901 – Tree Removal, Greater than 12" and up to 24" Diameter

*Bid Qty: 4EA
Unit Price: \$1,800.00/EA
Bid Cost: \$7,200.00
Total Qty Used: 6EA*

*Add'l Qty: 2EA
Unit Price: \$1,800.00
Add'l Cost: \$3,600.00*

Reason: Additional tree removals were required during construction than anticipated.



Item 513 – Furnish and Install Post Mounted Signs

*Bid Qty: 2EA
Unit Price: \$1,500.00/EA
Bid Cost: \$3,000.00/EA
Total Qty Used: 4EA*

*Add'l Qty: 2EA
Unit Price: \$1,500.00
Add'l Cost: \$3,000.00
Reason: Additional sign replacements were required during construction than anticipated.*

Item 12P-8 – Furnish & Install HDPE 8" Dia. Pipe (CO 1 Item)

*CO1 Qty: 200LF
Unit Price: \$160.00/LF
CO1 Cost: \$32,000.00
Total Qty Used: 244.00LF*

*Add'l Qty: 44LF
Unit Price: \$160.00/LF
Add'l Cost: \$7,040.00
Reason: Additional plastic pipe was required during construction than anticipated.*

Cost of Item Increases: \$238,849.19

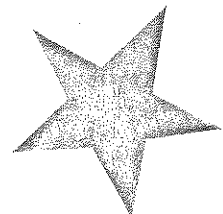
Contract Item Quantity Decreases

The following contract items and quantities are to be decreased based on field conditions:

Item 2X - Unclassified Excavation

*Bid Qty: 2,545CY
Unit Price: \$60.00/CY
Bid Cost: \$152,700.00
Total Qty Used: 1,433.77CY*

*Decrease Qty: 711.23CY
Unit Price: \$60.00/CY
Decrease Cost: \$42,673.80
Reason: Less excavation was required than anticipated during construction.*



Item 4A – Cement Concrete Pavement and Gutter Removal

*Bid Qty: 110CY
Unit Price: \$60.00/CY
Bid Cost: \$6,600.00
Total Qty Used: 0.00CY*

*Decrease Qty: 110CY
Unit Price: \$60.00/CY
Decrease Cost: \$6,600.00
Reason: Less removal was required than anticipated during construction.*

Item 4BX – Cement Concrete Structure Removal

*Bid Qty: 125CY
Unit Price: \$60.00/CY
Bid Cost: \$7,500.00
Total Qty Used: 7.80CY*

*Decrease Qty: 117.20CY
Unit Price: \$60.00/CY
Decrease Cost: \$7,032.00
Reason: Less removal was required than anticipated during construction.*

Item 4C – Cement Concrete Sawcut

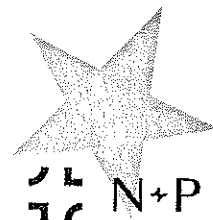
*Bid Qty: 85LF
Unit Price: \$3.00/LF
Bid Cost: \$255.00
Total Qty Used: 12.00LF*

*Decrease Qty: 73LF
Unit Price: \$3.00/LF
Decrease Cost: \$219.00
Reason: Less sawcut was required than anticipated during construction.*

Item 4D – Bituminous Concrete Sawcut

*Bid Qty: 5,415LF
Unit Price: \$3.00/LF
Bid Cost: \$16,245.00
Total Qty Used: 3,791.97LF*

*Decrease Qty: 1,623.03LF
Unit Price: \$3.00/LF
Decrease Cost: \$4,869.09
Reason: Less sawcut was required than anticipated during construction.*



Item 5SX – Select Borrow Fill

*Bid Qty: 55CY
Unit Price: \$70.00/CY
Bid Cost: \$3,850.00
Total Qty Used: 40.00CY*

*Decrease Qty: 15CY
Unit Price: \$70.00/CY
Decrease Cost: \$1,050.00
Reason: Less fill was required than anticipated during construction.*

Item 10AX – Temporary Sheeting and Bracing

*Bid Qty: 6,890SF
Unit Price: \$10.00/SF
Bid Cost: \$68,900.00
Total Qty Used: 937.80SF*

*Decrease Qty: 5,952.20SF
Unit Price: \$10.00/SF
Decrease Cost: \$59,522.00
Reason: No additional sheeting was required than anticipated during construction.*

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

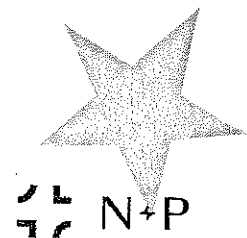
*Bid Qty: 285LF
Unit Price: \$90.00/LF
Bid Cost: \$25,650.00
Total Qty Used: 205.07LF*

*Decrease Qty: 79.93LF
Unit Price: \$90.00/LF
Decrease Cost: \$7,193.70
Reason: Less drainage pipe was required than anticipated during construction.*

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

*Bid Qty: 65LF
Unit Price: \$100.00/LF
Bid Cost: \$6,500.00
Total Qty Used: 26.99LF*

*Decrease Qty: 38.01LF
Unit Price: \$100.00/LF
Decrease Cost: \$3,801.00
Reason: Less drainage pipe was required than anticipated during construction.*



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

*Bid Qty: 15LF
Unit Price: \$190.00/LF
Bid Cost: \$2,850.00
Total Qty Used: 0.00LF*

*Decrease Qty: 15LF
Unit Price: \$190.00/LF
Decrease Cost: \$2,850.00*

Reason: Less drainage pipe was required than anticipated during construction.

Item 12BX-34x53X – Furnish and Install 34"x53" Diameter, Class IV RCP

*Bid Qty: 925LF
Unit Price: \$200.00/LF
Bid Cost: \$185,000.00
Total Qty Used: 827.00LF*

*Decrease Qty: 98LF
Unit Price: \$200.00/LF
Decrease Cost: \$19,600.00*

Reason: Less drainage pipe was required than anticipated during construction.

Item 12BX-38x60X – Furnish and Install 38"x60" Diameter, Class IV RCP

*Bid Qty: 990LF
Unit Price: \$240.00/LF
Bid Cost: \$23,600.00
Total Qty Used: 778.40LF*

*Decrease Qty: 211.60LF
Unit Price: \$240.00/LF
Decrease Cost: \$50,784.00*

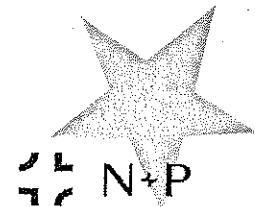
Reason: Less drainage pipe was required than anticipated during construction.

Item 13-13 – Catch Basin Nassau County Type 13

*Bid Qty: 35VF
Unit Price: \$940.00/VF
Bid Cost: \$32,900.00
Total Qty Used: 34.94F*

*Decrease Qty: 0.06VF
Unit Price: \$940.00/VF
Decrease Cost: \$56.40*

Reason: Less drainage depth was required than anticipated during construction.



Item 13-B – Catch Basin Nassau County Type B

*Bid Qty: 10VF
Unit Price: \$950.00/VF
Bid Cost: \$9,500.00
Total Qty Used: 7.90VF*

*Decrease Qty: 2.10VF
Unit Price: \$950.00/VF
Decrease Cost: \$1,995.00
Reason: Less drainage depth was required than anticipated during construction.*

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

*Bid Qty: 30VF
Unit Price: \$1,400.00/VF
Bid Cost: \$42,000.00
Total Qty Used: 24.12VF*

*Decrease Qty: 5.88VF
Unit Price: \$1,400.00/VF
Decrease Cost: \$8,232.00
Reason: Less drainage depth was required than anticipated during construction.*

Item 15-5 – Manholes, Type 5

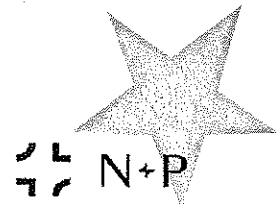
*Bid Qty: 10VF
Unit Price: \$6,500.00/VF
Bid Cost: \$65,000.00
Total Qty Used: 5.16VF*

*Decrease Qty: 4.84VF
Unit Price: \$6,500.00/VF
Decrease Cost: \$31,460.00
Reason: Less drainage depth was required than anticipated during construction.*

Item 15-7 – Manholes, Type 7

*Bid Qty: 15VF
Unit Price: \$8,000.00/VF
Bid Cost: \$120,000.00
Total Qty Used: 12.16VF*

*Decrease Qty: 2.84VF
Unit Price: \$8,000.00/VF
Decrease Cost: \$22,720.00
Reason: Less drainage depth was required than anticipated during construction.*



Item 26B – Remove and Replace Block, Brick, or Similar Mortared Curbs

Bid Qty: 25LF
Unit Price: \$20.00/LF
Bid Cost: \$500.00
Total Qty Used: 4.00LF

Decrease Qty: 21.00LF
Unit Price: \$20.00/LF
Decrease Cost: \$420.00
Reason: Less curb was required than anticipated during construction.

Item 26BGX – Stone, Block, Brick Curb & Reinforced Cement Concrete Gutter

Bid Qty: 790LF
Unit Price: \$32.00/LF
Bid Cost: \$25,280.00
Total Qty Used: 726.58LF

Decrease Qty: 63.42LF
Unit Price: \$32.00/LF
Decrease Cost: \$2,029.44
Reason: Less curb was required than anticipated during construction.

Item 27X – Cement Concrete Sidewalk and Ramps

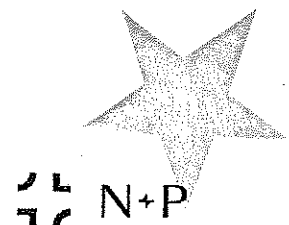
Bid Qty: 470SF
Unit Price: \$9.00/SF
Bid Cost: \$4,230.00
Total Qty Used: 178.00SF

Decrease Qty: 292.00LF
Unit Price: \$9.00/LF
Decrease Cost: \$2,628.00
Reason: Less sidewalk restoration was required than anticipated during construction.

Item 28X – Reinforced Cement Concrete Driveway & Aprons (7" Thick)

Bid Qty: 630SF
Unit Price: \$11.00/SF
Bid Cost: \$6,930.00
Total Qty Used: 177.70SF

Decrease Qty: 452.30SF
Unit Price: \$11.00/SF
Decrease Cost: \$4,975.30
Reason: Less driveway restoration was required than anticipated during construction.



Item 61X – Change Elevation of House Service Connections to Water Main

*Bid Qty: 145LF
Unit Price: \$90.00/LF
Bid Cost: \$13,050.00
Total Qty Used: 62.00LF*

*Decrease Qty: 83.00LF
Unit Price: \$90.00/LF
Decrease Cost: \$7,470.00
Reason: Less house service alterations were required than anticipated during construction.*

Item 615X – Change Elevation of Sanitary Sewer House Connections

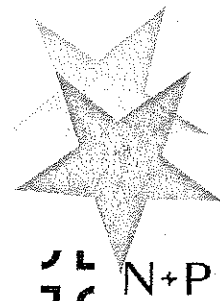
*Bid Qty: 325LF
Unit Price: \$90.00/LF
Bid Cost: \$29,250.00
Total Qty Used: 56.00LF*

*Decrease Qty: 269LF
Unit Price: \$90.00/LF
Decrease Cost: \$24,210.00
Reason: Less sanitary services alterations were required than anticipated during construction.*

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

*Bid Qty: 25EA
Unit Price: \$2,000.00/EA
Bid Cost: \$50,000/00
Total Qty Used: 0.00EA*

*Decrease Qty: 10EA
Unit Price: \$2,000.00
Decrease Cost: \$20,000.00
Reason: No tree installations were required than anticipated during construction.*



Item 366T – Thermoplastic ReflectORIZED Pavement Markings

*Bid Qty: 2,210LF
Unit Price: \$3.00/LF
Bid Cost: \$6,630.00
Total Qty Used: 2,048.02LF*

*Decrease Qty: 161.98LF
Unit Price: \$3.00/LF
Decrease Cost: \$485.94*

Reason: Less pavement markings were required than anticipated during construction.

Item 393X – Test Holes

*Bid Qty: 95.00EA
Unit Price: \$100.00/LF
Bid Cost: \$9,500.00
Total Qty Used: 49.00EA*

*Decrease Qty: 46.00EA
Unit Price: \$100.00/EA
Decrease Cost: \$4,600.00*

Reason: Less test holes were required than anticipated during construction.

Item 394 – Temporary Asphalt Pavement

*Bid Qty: 65TONS
Unit Price: \$100.00/TON
Bid Cost: \$6,500.00
Total Qty Used: 59.94TONS*

*Decrease Qty: 5.06TONS
Unit Price: \$100.00/TONS
Decrease Cost: \$506.00*

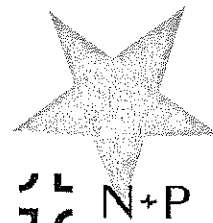
Reason: Less temp asphalt was required than anticipated during construction.

Item 398X – Dense Graded Aggregate Base Course

*Bid Qty: 540CY
Unit Price: \$60.00/CY
Bid Cost: \$32,400.00
Total Qty Used: 193.64CY*

*Decrease Qty: 346.36CY
Unit Price: \$60.00/CY
Decrease Cost: \$20,781.60*

Reason: Less RCA was required than anticipated during construction.



Item 500 – Clean Existing Drainage System

*Bid Qty: 1,170LF
Unit Price: \$6.00/LF
Bid Cost: \$7,020.00
Total Qty Used: 939.73LF*

*Decrease Qty: 230.27LF
Unit Price: \$6.00/LF
Decrease Cost: \$1,381.62
Reason: Less existing drainage cleaning was required than anticipated during construction.*

Item 502 – Temporary Sediment Filter Bags for Drainage Structures

*Bid Qty: 45EA
Unit Price: \$300.00/EA
Bid Cost: \$13,500.00
Total Qty Used: 0EA*

*Decrease Qty: 45EA
Unit Price: \$300.00/EA
Decrease Cost: \$13,500.00
Reason: No Temp sediment bags were used during construction.*

Item 503 – Silt Fence - Temporary

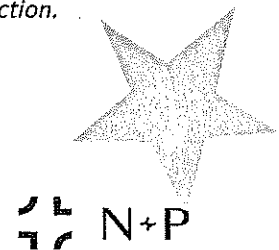
*Bid Qty: 1,310LF
Unit Price: \$20.00/LF
Bid Cost: \$26,200.00
Total Qty Used: 824.00LF*

*Decrease Qty: 486LF
Unit Price: \$20.00/LF
Decrease Cost: \$9,720.00
Reason: Less silt fence was required than anticipated during construction.*

Item 504 – Remove and Replace or Relocate Sprinkler System

*Bid Qty: 250LF
Unit Price: \$15.00/LF
Bid Cost: \$3,750.00
Total Qty Used: 0.00LF*

*Decrease Qty: 250LF
Unit Price: \$15.00/LF
Decrease Cost: \$3,750.00
Reason: No payable sprinkler repairs were required than anticipated during construction.*



Item 512 – Plug Pipe

*Bid Qty: 8EA
Unit Price: \$400.00/EA
Bid Cost: \$3,200.00
Total Qty Used: 6EA*

*Decrease Qty: 2EA
Unit Price: \$400.00/EA
Decrease Cost: \$800.00
Reason: Less pipe plugs were required during construction than anticipated.*

Item 514 – Stone Filling (Light)

*Bid Qty: 10.00CY
Unit Price: \$90.00/CY
Bid Cost: \$900.00
Total Qty Used: 0.00CY*

*Decrease Qty: 10.00CY
Unit Price: \$90.00/CY
Decrease Cost: \$900.00
Reason: Less stone fill was required during construction than anticipated.*

Item 900 – Tree Removal, 3” Up to and Including 12” Diameter

*Bid Qty: 11EA
Unit Price: \$1,200.00/EA
Bid Cost: \$13,200.00
Total Qty Used: 5EA*

*Decrease Qty: 6EA
Unit Price: \$1,200.00
Decrease Cost: \$7,200.00
Reason: Less tree removals were required during construction than anticipated.*

Item 902 – Tree Removal, Greater than 24” and up to 36” Diameter

*Bid Qty: 10EA
Unit Price: \$2,500.00/EA
Bid Cost: \$25,000.00
Total Qty Used: 0EA*

*Decrease Qty: 6.00EA
Unit Price: \$2,500.00
Decrease Cost: \$15,000.00
Reason: Less tree removals were required during construction than anticipated.*

TOTAL COST OF ITEM 3: (\$411,015.89)



Net Total Decrease for Change Order 2 is **(\$172,166.70)**


The *net total Decrease* of this change order will amount to **(\$172,166.70)**. All prices have been negotiated with the Contractor. Our office has reviewed these prices and find them to be reasonable. It is our recommendation that Change Order No. 1 be accepted by the Town. We trust this information is sufficient for your records.

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

Very truly yours,

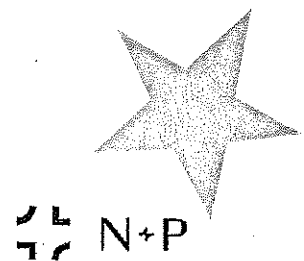
Respectfully submitted,

NELSON + POPE



Russell Scott, P.E.

Partner





October 9, 2023

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

Attention: Dan Midgette

Re: Massapequa Flood Diversion and Control / Project No. 1 – Harbor Pl. & Cabot Road
(Outfall Nos 126 & 67)
Contract No. H18-171-P1
Claim No. 7 Review & Approval
Nelson & Pope No. 18178

Dear Mr. Midgette:

Submitted herewith is Roadwork Ahead Inc.'s Final Claim No. 7 for the above referenced project. The enclosed Claim is for **\$184,199.56** which also includes the release of remaining retainage.

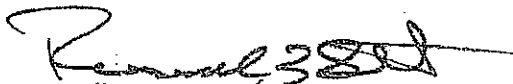
Our office and construction supervision staff have reviewed this Claim and concur with the total quantities and therefore are recommending this claim payment and closeout of the contract.

Also included is a Maintenance Bond in the amount of \$2,545,298. ~~##~~

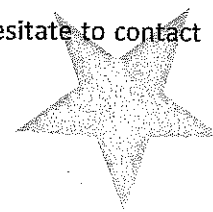
If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Respectfully submitted,
NELSON + POPE



Russell Scott, P.E.
Partner



H18-171-B1 MASSAPEQUA FLOOD DIVERSION PROJECT 1- HARBOR PL / CABOT ROAD W (OUTFALLS 126 & 67)
 TOWN OF OYSTER BAY
 150 MILLER PLACE
 SYOSSET, NY 11791

CONTRACTOR: ROADWORK AHEAD
 CLAIM NO.: 7 Revised
 WORK PERIOD: Closeout - Retainage

N.P.#: 16176

ITEM NO	ITEM DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT UNIT PRICE	CONTRACT TOTAL COST	QUANTITY		AMOUNT	
						THIS ESTIMATE	TO DATE	THIS ESTIMATE	TO DATE
1X	CLEARING AND GRUBBING	LS	1	\$5,000.00	\$5,000.00		1.00	\$0.00	\$5,000.00
1M	MOBILIZATION	LS	1	\$5,000.00	\$5,000.00		1.00	\$0.00	\$5,000.00
2X	UNCLASSIFIED EXCAVATION	CY	2,545	\$60.00	\$152,700.00		1,493.77	\$0.00	\$86,026.20
4A	CEMENT CONCRETE PAVEMENT AND GUTTER REMOVAL	CY	110	\$60.00	\$6,600.00		0.00	\$0.00	\$0.00
4BX	CEMENT CONCRETE STRUCTURE REMOVAL	CY	125	\$60.00	\$7,500.00		7.80	\$0.00	\$468.00
4C	CEMENT CONCRETE SAWCUT	LF	85	\$3.00	\$255.00		12.00	\$0.00	\$36.00
4D	BITUMINOUS CONCRETE SAWCUT	LF	5,415	\$3.00	\$16,245.00		3,791.97	\$0.00	\$11,375.91
55X	SELECT BORROW FILL	CY	55	\$70.00	\$3,850.00		40.00	\$0.00	\$2,800.00
10AX	TEMPORARY SHEETING AND BRACING	SF	6,890	\$10.00	\$68,900.00		937.80	\$0.00	\$9,378.00
12BX-15X	FURNISH AND INSTALL 15" DIAMETER, CLASS IV RCP	LF	285	\$90.00	\$25,650.00		205.07	\$0.00	\$18,456.30
12BX-18X	FURNISH AND INSTALL 18" DIAMETER, CLASS IV RCP	LF	410	\$92.00	\$37,720.00		518.36	\$0.00	\$47,689.12
12BX-24X	FURNISH AND INSTALL 24" DIAMETER, CLASS IV RCP	LF	65	\$100.00	\$6,500.00		26.99	\$0.00	\$2,699.00
12BX-30X	FURNISH AND INSTALL 30" DIAMETER, CLASS IV RCP	LF	155	\$140.00	\$21,700.00		361.42	\$0.00	\$50,998.80
12BX-36X	FURNISH AND INSTALL 36" DIAMETER, CLASS IV RCP	LF	35	\$190.00	\$6,650.00		0.00	\$0.00	\$0.00
12BX-34X53	FURNISH AND LAY 34"x53" HORIZONTAL ELLIPTICAL, CLASS IV RCP	LF	923	\$200.00	\$184,600.00		827.00	\$0.00	\$165,400.00
12BX-38X60	FURNISH AND LAY 38"x60" HORIZONTAL ELLIPTICAL, CLASS IV RCP	LF	980	\$240.00	\$235,200.00		778.40	\$0.00	\$186,816.00
13-2	CATCH BASIN NASSAU COUNTY TYPE 2	VF	55	\$900.00	\$49,500.00		66.14	\$0.00	\$59,526.00
13-13	CATCH BASIN NASSAU COUNTY TYPE 13	VF	35	\$940.00	\$32,900.00		34.54	\$0.00	\$32,843.60
13-B	CATCH BASIN NASSAU COUNTY TYPE B	VF	10	\$950.00	\$9,500.00		7.30	\$0.00	\$7,505.00
15-3A	MANHOLES, TYPE 3 ALTERNATIVE 4' DIAMETER	VF	20	\$900.00	\$18,000.00		34.61	\$0.00	\$31,149.00
15-3B	MANHOLES, TYPE 3 ALTERNATIVE 5' DIAMETER	VF	20	\$900.00	\$18,000.00		25.50	\$0.00	\$22,950.00
15-3C	MANHOLES, TYPE 3 ALTERNATIVE 6' DIAMETER	VF	30	\$1,400.00	\$42,000.00		24.12	\$0.00	\$33,768.00
15-4	MANHOLES, TYPE 4	VF	65	\$4,500.00	\$292,500.00		72.01	\$0.00	\$324,045.00
15-5	MANHOLES, TYPE 5	VF	10	\$6,500.00	\$65,000.00		5.16	\$0.00	\$33,540.00
15-6	MANHOLES, TYPE 6	VF	10	\$7,500.00	\$75,000.00		10.99	\$0.00	\$82,425.00
15-7	MANHOLES, TYPE 7	VF	15	\$8,000.00	\$120,000.00		12.16	\$0.00	\$87,280.00
16	CHANGE ELEVATIONS OF MANHOLE AND CATCHBASINS	EA	4	\$600.00	\$2,400.00		5.00	\$0.00	\$4,000.00
26B	REMOVE AND REPLACE BLOCK, BRICK OR SIMILAR MORTARED CURBS	LF	25	\$20.00	\$500.00		4.00	\$0.00	\$80.00
26B6X	STONE, BLOCK, BRICK CURB & REINFORCED CEMENT CONCRETE GUTTER	LF	750	\$32.00	\$24,000.00		726.58	\$0.00	\$23,260.56
26CG	INTEGRAL CEMENT CONCRETE CURB AND GUTTER	LF	275	\$32.00	\$8,800.00		284.00	\$0.00	\$9,088.00
27X	CEMENT CONCRETE SIDEWALK AND RAMPS	SF	470	\$9.00	\$4,230.00		178.00	\$0.00	\$1,602.00
28X	REINFORCED CEMENT CONCRETE DRIVEWAY & APRONS (7" THICK)	SF	680	\$11.00	\$7,480.00		177.70	\$0.00	\$1,954.70
28AX	BITUMINOUS DRIVEWAY & DRIVEWAY APRON	SY	175	\$81.00	\$14,175.00		284.47	\$0.00	\$23,042.07
34	MISCELLANEOUS METALS	LB	750	\$3.00	\$2,250.00		1,262.00	\$0.00	\$3,786.00
36-2A-1W	BITUMINOUS MACADAM PLANT MIX TYPE 2A WEARING COURSE	TONS	1,040	\$100.00	\$104,000.00		1,550.73	\$0.00	\$155,073.00
36-2A-1B	BITUMINOUS MACADAM PLANT MIX TYPE 2A, BINDER COURSE	TONS	380	\$100.00	\$38,000.00		453.06	\$0.00	\$45,306.00
61X	CHANGE ELEVATION OF HOUSE SERVICE CONNECTIONS TO WATER MAINS	LF	145	\$90.00	\$13,050.00		62.00	\$0.00	\$5,580.00
615X	CHANGE ELEVATION OF SANITARY SEWER HOUSE CONNECTIONS	LF	325	\$90.00	\$29,250.00		56.00	\$0.00	\$5,040.00
74AK	REPLACE AND CONSTRUCT LOOSE FLAGSTONE, BRICK, BLOCK OR SIMILAR SIDEWALKS, DRIVEWAYS OR DRIVEWAY APRONS	SF	80	\$20.00	\$1,600.00		138.00	\$0.00	\$2,760.00
76X	TOPSOIL AND SEEDING	SY	295	\$20.00	\$5,900.00	2,496.56	2,496.56	\$49,931.20	\$49,931.20
98X	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	\$5,000.00	\$5,000.00		1.00	\$0.00	\$5,000.00
99X	WATER MAIN RELOCATION	LF	925	\$90.00	\$83,250.00		1,852.00	\$0.00	\$166,680.00
100X	ADJUST HYDRANT ASSEMBLY COMPLETE	EA	1	\$7,000.00	\$7,000.00		2.00	\$0.00	\$14,000.00

ITEM NO	ITEM DESCRIPTION	UNIT	CONTRACT QUANTITY	CONTRACT UNIT PRICE	CONTRACT TOTAL COST	QUANTITY		AMOUNT	
						THIS ESTIMATE	TO DATE	THIS ESTIMATE	TO DATE
1365	SURVEY STAKE OUT	LS	1	\$5,000.00	\$5,000.00		1.00	\$0.00	\$5,000.00
361-A	FURNISH AND INSTALL TREES 2" - 2 1/2" CALIPER	EA	25	\$2,000.00	\$50,000.00		0.00	\$0.00	\$0.00
361-B	FURNISH AND INSTALL SHRUBS (#3 CONTAINERS)	EA	400	\$150.00	\$60,000.00		0.00	\$0.00	\$0.00
361-C	FURNISH AND INSTALL PERENNIALS (#1 CONTAINERS)	EA	3,585	\$70.00	\$250,950.00		0.00	\$0.00	\$0.00
366T	THERMOPLASTIC REFLECTORIZED PAVEMENT MARKINGS	LF	2,210	\$9.00	\$6,630.00		2,048.02	\$0.00	\$6,144.06
393X	TEST HOLES	EA	95	\$100.00	\$9,500.00		49.00	\$0.00	\$4,900.00
394	TEMPORARY ASPHALT PAVEMENT	TONS	65	\$100.00	\$6,500.00		59.94	\$0.00	\$5,994.00
398X	DENSE GRADED AGGREGATE BASE COURSE	CY	540	\$60.00	\$32,400.00		193.64	\$0.00	\$11,618.40
500	CLEAN EXISTING DRAINAGE SYSTEM	LF	1,170	\$6.00	\$7,020.00		939.73	\$0.00	\$5,638.38
501	MILLING ASPHALT PAVEMENT	SY	11,210	\$5.00	\$56,050.00		11,794.20	\$0.00	\$58,971.00
502	TEMPORARY SEDIMENT FILTER BAGS FOR DRAINAGE STRUCTURES	EA	45	\$300.00	\$13,500.00		0.00	\$0.00	\$0.00
503	SILT FENCE - TEMPORARY	LF	1,310	\$20.00	\$26,200.00		624.00	\$0.00	\$12,480.00
504	REMOVE AND REPLACE OR RELOCATE SPRINKLER SYSTEM	LF	250	\$15.00	\$3,750.00		0.00	\$0.00	\$0.00
505-4000	STORMWATER TREATMENT STRUCTURE - VORTECH 4000	EA	1	\$45,000.00	\$45,000.00		1.00	\$0.00	\$45,000.00
505-9000	STORMWATER TREATMENT STRUCTURE - VORTECH 9000	EA	1	\$68,000.00	\$68,000.00		1.00	\$0.00	\$68,000.00
506-15	INLINE CHECK VALVE - 15" DIAMETER	EA	1	\$7,000.00	\$7,000.00		0.00	\$0.00	\$0.00
506-18	INLINE CHECK VALVE - 18" DIAMETER	EA	1	\$8,500.00	\$8,500.00		0.00	\$0.00	\$0.00
506-30	INLINE CHECK VALVE - 30" DIAMETER	EA	1	\$15,000.00	\$15,000.00		0.00	\$0.00	\$0.00
506-36	INLINE CHECK VALVE 36" DIAMETER	EA	1	\$18,000.00	\$18,000.00		0.00	\$0.00	\$0.00
512	PLUG PIPE	EA	8	\$400.00	\$3,200.00		5.00	\$0.00	\$2,400.00
513	FURNISH AND INSTALL POST MOUNTED SIGNS	EA	2	\$1,500.00	\$3,000.00		4.00	\$0.00	\$6,000.00
514	STONE FILLING (LIGHT)	CY	10	\$90.00	\$900.00		0.00	\$0.00	\$0.00
515	SAND COMPOST MIX	CY	490	\$80.00	\$39,200.00		0.00	\$0.00	\$0.00
516	CONCRETE COLLAR	EA	25	\$400.00	\$10,000.00		32.00	\$0.00	\$12,800.00
900	TREE REMOVAL, 3" UP TO AND INCLUDING 12" DIAMETER	EA	11	\$1,200.00	\$13,200.00		5.00	\$0.00	\$6,000.00
901	TREE REMOVAL, GREATER THAN 12" AND UP TO 24" DIAMETER	EA	4	\$1,800.00	\$7,200.00		6.00	\$0.00	\$10,800.00
902	TREE REMOVAL, GREATER THAN 24" AND UP TO 36" DIAMETER	EA	10	\$2,500.00	\$25,000.00	4.00	4.00	\$10,000.00	\$10,000.00
					SUBTOTAL	\$2,648,585.00		\$59,931.20	\$2,108,654.30

CHANGE ORDER CONTRACT ITEMS

Change Order 1: Leaching Galleys Items

12P-8	POLYETHYLENE CORRUGATED PIPE - 8" DIAMETER	LF	200	\$160.00	\$32,000.00		244.00	\$0.00	\$39,040.00
99-55	PRECAST CONCRETE LEACHING GALLEYS	EA	120	\$2,550.00	\$306,000.00		120.00	\$0.00	\$306,000.00
604	3/4" CRUSHED STONE	CY	225	\$106.66666	\$24,000.00		225.00	\$0.00	\$24,000.00
605	FURNISH & INSTALL SDII, STABILIZATION FABRIC	SY	700	\$5,714.29	\$4,000.00		700.00	\$0.00	\$4,000.00
					SUBTOTAL	\$368,000.00		\$0.00	\$373,040.00

CHANGE ORDER CONTRACT ITEMS

Change Order 2: Checkvalves

506-15W	INLINE CHECK VALVE - 15" DIAMETER	EA	1	\$9,787.69	\$9,787.69		1.00	\$0.00	\$9,787.69
506-18W	INLINE CHECK VALVE - 18" DIAMETER	EA	1	\$11,651.51	\$11,651.51		1.00	\$0.00	\$11,651.51
506-30W	INLINE CHECK VALVE - 30" DIAMETER	EA	1	\$18,798.57	\$18,798.57		1.00	\$0.00	\$18,798.57
506-36W	INLINE CHECK VALVE 36" DIAMETER	EA	1	\$23,326.34	\$23,326.34		1.00	\$0.00	\$23,326.34
					SUBTOTAL	\$63,564.11		\$0.00	\$63,564.11

TOTAL	\$59,931.20	\$2,545,298.41
ORIGINAL CONTRACT SUM		\$2,648,585.00
NET CHANGE BY CHANGE ORDERS/ADD ALTS		-\$103,286.59
CONTRACT SUM TO DATE		\$2,545,298.41
TOTAL COMPLETED & STORED TO DATE		\$2,545,298.41

Change Orders		
1	Change Order 1	\$368,000.00
	Change Order 2: Checkvalve Material Increase	\$63,564.11



TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # SOCIAL SECURITY #



CLAIMANT'S NAME: ROADWORK AHEAD INC. VENDOR #: CONTRACT #: H18171P1 ORDER #:

CLAIMANT'S ADDRESS: 2186 KIRBY LANE, SYOSSET, NY 11791 CONTRACT NAME: MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #1, OUTFALLS 126 & 67 (HARBOR PL. & CABOT RD. WEST) - PW034-20

TOWN DEPARTMENT: CLAIMANT INVOICE #: #3420-07 INVOICE DATE: 10/04/2023 RESO #:

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

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

Table with columns: DATE, DESCRIPTION, UNIT PRICE, TOTAL. Rows include: CLAIM NUMBER: 3420-07, CLAIM PERIOD: CLOSE OUT, CONTRACT AUTHORIZATION: \$2,648,585.00, APPROVED INCREASE: \$366,000.00, REVISED CONTRACT AUTHORIZATION: \$2,648,585.00, WORK COMPLETED TO DATE: \$2,545,298.41, LESS 5% RETAINAGE: ---, BALANCE TO DATE: \$184,199.56, LESS PREVIOUS CLAIM: \$2,361,098.85, AMOUNT OF THIS CLAIM: \$184,199.56, CONSULTANT SIGNATURE: Russell E. Scott, PE Nelson + Pope, TOB ENGINEERING PM INITIALS:, TOB ENGINEERING SIGNATURE:

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 therein stated in the amount of

Summary table: TOTAL AMOUNT \$184,199.56, CASH DISCOUNT %, NET AMOUNT

\$184,199.56

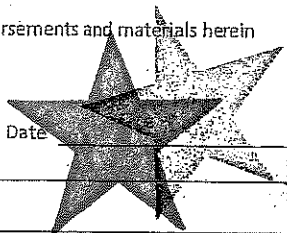
is actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom.

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

Signature: Luigi Stasi Title: PRESIDENT Date: 10/04/2023 Print or type name: LUIGI STASI Name of Company: ROADWORK AHEAD INC.

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:



FOR INTERNAL USE ONLY:

Table with columns: Invoice Date, Vendor #, Invoice #, Dept., Fund, Function, Main Acc., Sub Acc., Auth, Source. Row 1: 10/04/2023

LABOR AND MATERIALS PAYMENT AFFIDAVIT

STATE OF NEW YORK

ss:

COUNTY OF NASSAU

Luigi Stasi, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE
President OF Roadwork Ahead, Inc.
(NAME OF COMPANY)

WHICH COMPANY HAS A CONTRACT WITH TOWN BEARING THE DATE
OF 02/17/2021 Bid MASSAPEQUA FLOOD DIVERSION AND CONTROL
PROJECT #1 OUTFALLS 126 & 67 (HARBOR PL./CABOT RD. WEST)
CONTRACT NO. H18-171-P1 – BID NO. PW 034-20

TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.
DEPONENT FURTHER SWEARS THAT SAID, Roadwork Ahead, Inc.
(NAME OF COMPANY)

HAS PAID IN FULL AND THE PREVAILING RECOGNIZED RATE AND IN
ACCORDANCE WITH THE SPECIFICATIONS AND CONTRACT
OBLIGATIONS FOR ALL LABOR SUPPLIED OR PERFORMED AND
MATERIALS FURNISHED IN CONNECTION WITH THE PERFORMANCE OF
SAID WORK, INCLUDING ALL SOCIAL SECURITY, UNEMPLOYMENT
INSURANCE, AND SALES TAXES APPLICABLE THERETO AND OWES NO
ONE FOR ANY LABOR OR MATERIALS IN CONNECTION WITH THE
PERFORMANCE OF SAID WORK OR ANY OF THE SAID TAXES, NOR HAVE
ANY CLAIMS BEEN MADE AGAINST THE SAID CONTRACTOR FOR ANY
UNPAID MATERIAL OR LABOR WITH THE EXCEPTION OF THE
FOLLOWING:

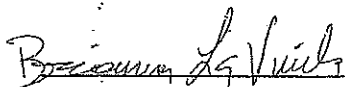
THIS AFFIDAVIT IS MADE FOR THE PURPOSE OF INDUCING THE
VILLAGE TO MAKE A PAYMENT UNDER THE TERMS OF ITS CONTRACT
RELYING ON THE TRUTH OF THE STATEMENTS CONTAINED HEREIN.

DATED 10/4/2023

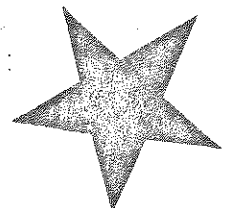

Luigi Stasi

SUBSCRIBED AND SWORN BEFORE ME

THIS 4 DAY OF October, 2023

 Notary

BRIANNA LAVIOLA
Notary Public State Of New York
No. 01LA6444038
Qualified in Nassau County
Commission Expires November 14, 2025



APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 2

TO: Town of Oyster Bay
 PROJECT: MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT No 1

Application No.: 7 REVISED
 Application Date: 5/10/2023 REVISED 10/4/2023
 Period To: CLOSE-OUT
 Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR
 CM

FROM CONTRACTOR:
 Roadwork Ahead Inc.
 2186 Kirby Lane
 Syosset, NY 11791
 CONTRACT FOR: Town of Hempstead
 VIA ARCHITECT: Nelson & Pope

CONTRACTOR'S APPLICATION FOR PAYMENT

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

1. ORIGINAL CONTRACT SUM \$ 2,648,585.00
2. Net change by Change Orders \$ (103,286.59)
3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 2,545,298.41
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 2,545,298.41
5. RETAINAGE:
 - a. 0% of Completed Work (Column D + E on G703) \$ -
 - b. 0% of Stored Material (Column F on G703) \$ -
 - Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$ -
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) \$ 2,545,298.41
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 2,361,092.85
8. CURRENT PAYMENT DUE \$ 0
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 184,195.56

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 366,000.00	
Total approved this Month	\$ -	
TOTALS	\$ 366,000.00	\$ -
NET CHANGES by Change Order		\$ (103,286.59)

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - 03021
 Users may obtain validation of this document by requesting a completed AIA Document D603 - Certification of Document's Authenticity from the Licensee.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Roadwork Ahead Inc.

By: Brianne Lavioia 10/4/23
 State of: New York
 Subscribed and sworn to before me this 10/4/23
 day of October 2023
 Notary Public:
 My Commission expires: 10/19/26
Qualified to Reside in Nassau County

ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED\$ 184,195.56

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

By: [Signature] Date: 10.9.23

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

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20005-2722

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE 5 OF 2

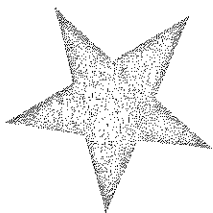
AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed certification is attached.
 In redubitions below, amounts are stated to the nearest dollar.
 Use Column J on Contracts where Variable Retainage for line items may apply.

APPLICATION NO. 7
 APPLICATION DATE 10/4/23
 PERIOD TO: CLOSE-OUT
 ARCHITECT'S PROJECT NO.:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H % (G + F) TO FINISH (C - E)	I BALANCE TO FINISH (C - E)	J RETAINAGE (IF VARIABLE RATE)
1X	CLEARING AND GRUBBING	5000		\$0.00		\$5,000.00	100%	\$	\$
1M	MOBILIZATION	5000		\$0.00		\$5,000.00	100%	\$	\$
2X	UNCLASSIFIED EXCAVATION	152700		\$0.00		\$86,026.20	56%	\$	\$
4A	CEMENT CONCRETE PAVEMENT AND GUTTER REMOVAL	6600		\$0.00		\$0.00		\$	\$
4B	CEMENT CONCRETE STRUCTURE REMOVAL	7500		\$0.00		\$468.00	6%	\$	\$
4C	CEMENT CONCRETE SAWCUT	255		\$0.00		\$36.00	14%	\$	\$
4D	BITUMINOUS CONCRETE SAWCUT	16245		\$0.00		\$11,375.91	70%	\$	\$
SSX	SELECT BORROW FILL	3850		\$0.00		\$2,800.00	73%	\$	\$
10AX	TEMPORARY SHEETING AND BRACING	68900		\$0.00		\$9,378.00	14%	\$	\$
12BX-15X	FURNISH AND INSTALL 15" DIAMETER CLASS IV RCP	25650		\$0.00		\$18,456.50	72%	\$	\$
12BX-18X	FURNISH AND INSTALL 18" DIAMETER CLASS IV RCP	37720		\$0.00		\$47,689.12	126%	\$	\$
12BX-24X	FURNISH AND INSTALL 24" DIAMETER CLASS IV RCP	6500		\$0.00		\$2,659.00	42%	\$	\$
12BX-30X	FURNISH AND INSTALL 30" DIAMETER CLASS IV RCP	21700		\$0.00		\$50,598.80	239%	\$	\$
12BX-36X	FURNISH AND INSTALL 36" DIAMETER CLASS IV RCP	2850		\$0.00		\$0.00		\$	\$
12BX-34X/35	FURNISH AND LAY 24"x59" HORIZONTAL ELLIPTICAL CLASS IV RCP	183000		\$0.00		\$165,400.00	89%	\$	\$
12BX-38X/39	FURNISH AND LAY 38"x60" HORIZONTAL ELLIPTICAL CLASS IV RCP	237600		\$0.00		\$186,816.00	79%	\$	\$
13-2	CATCHBASIN MASSAU COUNTY TYPE 2	49500		\$0.00		\$59,526.00	120%	\$	\$
13-13	CATCHBASIN MASSAU COUNTY TYPE 13	39800		\$0.00		\$32,843.60	100%	\$	\$
13-8	CATCHBASIN MASSAU COUNTY TYPE 8	9500		\$0.00		\$7,505.00	79%	\$	\$
15-3A	MANHOLES TYPE 3 ALTERNATIVE 4 DIAMETER	18000		\$0.00		\$51,149.00	173%	\$	\$
15-3B	MANHOLES TYPE 3 ALTERNATIVE 5 DIAMETER	18000		\$0.00		\$22,967.00	128%	\$	\$
15-3C	MANHOLES TYPE 3 ALTERNATIVE 6 DIAMETER	42000		\$0.00		\$33,768.00	80%	\$	\$
15-4	MANHOLES TYPE 4	297500		\$0.00		\$324,045.00	111%	\$	\$
15-5	MANHOLES TYPE 5	65000		\$0.00		\$33,540.00	52%	\$	\$
15-6	MANHOLES TYPE 6	75000		\$0.00		\$82,425.00	110%	\$	\$
15-7	MANHOLES TYPE 7	120000		\$0.00		\$97,280.00	81%	\$	\$
16	CHANGE ELEVATIONS OF MANHOLES AND CATCH BASINS	3200		\$0.00		\$4,000.00	125%	\$	\$
26BX	REMOVE & REPLACE BLOCK BRICK OR SIMILAR MORTARED CURBS	500		\$0.00		\$80.00	16%	\$	\$
26CG	STONE BLOCK, BRICK CURB & REINFORCED CEMENT CONCRETE GUTTER	29280		\$0.00		\$23,250.56	92%	\$	\$
27X	INTERIOR CEMENT CONCRETE CURB AND GUTTER	8800		\$0.00		\$9,088.00	103%	\$	\$
28X	CEMENT CONCRETE SIDEWALK AND RAMPS	4230		\$0.00		\$1,602.00	38%	\$	\$
28X	REINFORCED CEMENT CONCRETE DRIVEWAY & APRON	6930		\$0.00		\$1,954.70	28%	\$	\$
28AX	BITUMINOUS DRIVEWAY & DRIVEWAY APRON	14175		\$0.00		\$23,042.07	163%	\$	\$
34	MISC. METALS	2250		\$0.00		\$3,786.00	168%	\$	\$
36-2A-1W	BITUMINOUS MACADAM PLANT MIX TYPE 2A WEARING COURSE	104000		\$0.00		\$155,073.00	149%	\$	\$
36-2A-1B	BITUMINOUS MACADAM PLANT MIX TYPE 2A BASE COURSE	38000		\$0.00		\$45,306.00	119%	\$	\$
61X	CHANGE ELEVATION OF HOUSE SERVICE CONNECTIONS TO WATER MAINS	13050		\$0.00		\$5,580.00	43%	\$	\$
615X	CHANGE ELEVATION OF SANITARY SEWER TROUGH CONNECTION	39250		\$0.00		\$5,040.00	13%	\$	\$
74AX	REPLACE AND CONSTRUCT LOOSE FLAGSTONE, BRICK, BLOCK	1600		\$0.00		\$2,760.00	173%	\$	\$
76X	TORPIL AND SEEDING	5900		\$0.00		\$49,991.20	100%	\$	\$
98X	MAINTENANCE AND PROTECTION OF TRAFFIC	5000		\$0.00		\$5,000.00	100%	\$	\$
99X	WATER MAIN RELOCATION	83250		\$0.00		\$156,680.00	200%	\$	\$
136S	ADJUST HYDRANT ASSEMBLY COMPLETE	7000		\$0.00		\$14,000.00	200%	\$	\$
361-A	SURVEY STAKE OUT	5000		\$0.00		\$0.00		\$	\$
361-B	FURNISH AND INSTALL TREES 2" - 2 1/2" CALIBER	50000		\$0.00		\$0.00		\$	\$
361-C	FURNISH AND INSTALL SHRUBS (#3 CONTAINERS)	60000		\$0.00		\$0.00		\$	\$
361-C	FURNISH AND INSTALL PERENNIALS (#1 CONTAINERS)	250950		\$0.00		\$0.00		\$	\$

Item No.	Description	Quantity	Unit	Rate	Amount	Subtotal	Percentage	Value	Percentage
366T	THERMOPLASTIC REFLECTORIZED PAVEMENT MARKINGS	6530		\$6,144.06	\$0.00	\$6,144.06	93%	485.94	5
393X	TEST HOLES	9500		\$4,900.00	\$0.00	\$4,900.00	52%	4,800.00	5
394	TEMPORARY ASPHALT PAVEMENT	6500		\$5,984.00	\$0.00	\$5,984.00	52%	506.00	5
398X	DENSE GRADED AGGREGATE BASE COURSE	32400		\$11,618.40	\$0.00	\$11,618.40	36%	20,781.60	5
500	CLEAN EXISTING DRAINAGE SYSTEM	7020		\$5,638.38	\$0.00	\$5,638.38	80%	1,381.62	5
501	MILLING ASPHALT PAVEMENT	36030		\$38,465.00	\$0.00	\$38,465.00	105%	12,921.00	5
502	TEMPORARY SEDIMENT FILTER BAGS FOR DRAINAGE STRUCTURES	13500		\$0.00	\$0.00	\$0.00		13,500.00	5
503	SILT FENCE - TEMPORARY	26200		\$16,480.00	\$0.00	\$16,480.00	63%	9,720.00	5
504	REMOVE & REPLACE OR RELOCATE SPRINKLER SYSTEM	3750		\$0.00	\$0.00	\$0.00		9,750.00	5
505-4000	STORMWATER TREATMENT STRUCTURE - VORTECH 4000	43000		\$45,000.00	\$0.00	\$45,000.00	100%		5
505-5000	STORMWATER TREATMENT STRUCTURE - VORTECH 5000	68000		\$68,000.00	\$0.00	\$68,000.00	100%		5
506-15	FLEXIBLE INLINE CHECK VALVE - 15" DIAMETER	7000		(\$7,000.00)	\$0.00	\$0.00		7,000.00	5
506-18	FLEXIBLE INLINE CHECK VALVE - 18" DIAMETER	8500		(\$8,500.00)	\$0.00	\$0.00		8,500.00	5
506-30	FLEXIBLE INLINE CHECK VALVE - 30" DIAMETER	15000		(\$15,000.00)	\$0.00	\$0.00		15,000.00	5
506-36	FLEXIBLE INLINE CHECK VALVE - 36" DIAMETER	18000		(\$18,000.00)	\$0.00	\$0.00		18,000.00	5
512	PLUG PIPE	3200		\$0.00	\$0.00	\$0.00		800.00	5
513	FURNISH AND INSTALL POST MOUNTED SIGNS	3000		\$6,000.00	\$0.00	\$6,000.00		3,000.00	5
514	STONE FILLING (LIGHT)	900		\$0.00	\$0.00	\$0.00		900.00	5
515	SAND COMPOST MIX	39200		\$0.00	\$0.00	\$0.00		39,200.00	5
516	CONCRETE COLLAR	10000		\$2,800.00	\$0.00	\$2,800.00		7,200.00	5
900	TREE REMOVAL 3" UP TO 12" DIAMETER	13200		\$0.00	\$0.00	\$0.00		13,200.00	5
901	TREE REMOVAL GREATER THAN 12" AND UP TO 24" DIAMETER	7200		\$0.00	\$0.00	\$0.00		7,200.00	5
902	TREE REMOVAL GREATER THAN 24" AND UP TO 36" DIAMETER	2500		\$0.00	\$0.00	\$0.00		15,000.00	5
	SUBTOTAL			\$3,648,585.00	\$59,931.20	\$2,108,654.30	40%		
126-8	8" PIPE	32000		\$39,040.00	\$0.00	\$39,040.00			5
99-58	GULLIES	306000		\$0.00	\$0.00	\$0.00			5
604	3/4" STONE	24000		\$306,000.00	\$0.00	\$306,000.00			5
605	SOIL STABILIZATION FABRIC	4000		\$24,000.00	\$0.00	\$24,000.00			5
	SUBTOTAL			\$	\$0.00	\$0.00			5
	SUBTOTAL			\$386,000.00	\$0.00	\$373,040.00			5
506-15	FLEXIBLE INLINE CHECK VALVE - 15" DIAMETER	9787.69		9,787.69	\$0.00	9,787.69	100%		5
506-18	FLEXIBLE INLINE CHECK VALVE - 18" DIAMETER	11651.51		11,651.51	\$0.00	11,651.51	100%		5
506-30	FLEXIBLE INLINE CHECK VALVE - 30" DIAMETER	18798.57		18,798.57	\$0.00	18,798.57	100%		5
506-36	FLEXIBLE INLINE CHECK VALVE - 36" DIAMETER	23326.34		23,326.34	\$0.00	23,326.34	100%		5
	SUBTOTAL			\$63,564.11	\$0.00	\$63,564.11	100%		5
	GRAND TOTALS			\$3,078,149.11	\$04,962.56	\$59,931.20		\$2,545,288.41	

Users may obtain validation of this document by requesting the license a completed AIA Document D461 - Certification of Documents' Authenticity



TOWN OF OYSTER BAY
Inter-Departmental Memo

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

FROM: PAUL S. EHRLICH
DEPUTY TOWN ATTORNEY

DATE: DECEMBER 19, 2023

SUBJECT: FINAL ACCEPTANCE
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT NO. 1 OUTFALLS 126 & 67
(HARBOR PLACE & CABOT ROAD WEST), MASSAPEQUA, NY
CONTRACT NO. H18-171-P1

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

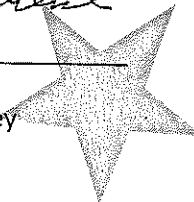
By copy of this memorandum, the contractor, Roadwork Ahead, Inc.'s Maintenance Bond No. 602201292M is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY

Paul S. Ehrlich

By: _____

Paul S. Ehrlich
Deputy Town Attorney



Cc: Comptroller
Town Clerk (with Bond)

MR

TOWN OF OYSTER BAY
Inter-Departmental Memo

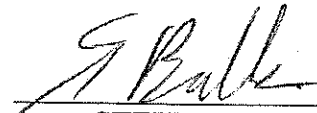
TO: RICHARD W. LENZ, P.E. COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

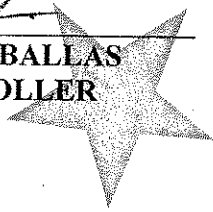
FROM: STEVEN C. BALLAS, COMPTROLLER

DATE: DECEMBER 19, 2023

SUBJECT: FINAL ACCEPTANCE – MASSAPEQUA FLOOD DIVERSION AND
CONTROL PROJECT #1 OUTFALLS 126 & 67 (HARBOR PLACE &
CABOT ROAD WEST) MASSAPEQUA
CONTRACT NO.: H18-171-P1

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


STEVEN C. BALLAS
COMPTROLLER



Enclosure

SCB/dim:bk

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO


DECEMBER 7, 2023

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

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

SUBJECT: FINAL ACCEPTANCE
MASSAPEQUA FLOOD DIVERSION AND CONTROL
PROJECT #1 OUTFALLS 126 & 67 (HARBOR PLACE / CABOT ROAD W.)
CONTRACT NO. H18-171 - P1

This office is in receipt of your memo dated December 5, 2023 with regard to final acceptance of the above mentioned project. The Highway Division has inspected the area and concurs with your recommendation to accept this project as final.



JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY



JCT/nm

Cc: Richard W. Lenz, P. E., Commissioner of Public Works
Salvator Dileo, Jr., Bureau Chief, Trees & Sidewalks

JCT H18-171 P1 flood diversion harbor place final concurrence to Eng

18

DRAFT

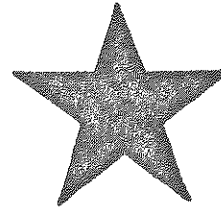
[Signature]
Reviewed By
Office of Town Attorney
[Signature]

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 13th day of February, 2024, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of SUNRISE MASS, LLC, fee owner, for granting of a Special Use Permit to allow for the construction and operation of a Starbucks facility with drive-thru service, and Site Plan Approval of related site improvements at premises located in a General Business ("GB") zone, at 5500 Sunrise Highway, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block E, Lot 421, 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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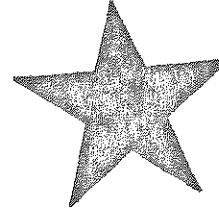


PUBLIC NOTICE

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 13, 2024, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from SUNRISE MASS, LLC, fee owner, for granting of a Special Use Permit to allow for the construction and operation of a Starbucks facility with drive-thru service, and Site Plan Approval of related site improvements at premises located in a General Business ("GB") zone, at 5500 Sunrise Highway, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 53, Block E, Lot 421, 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.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.
RICHARD LAMARCA, Town Clerk.

Dated: January 23, 2024, Oyster Bay, New York.



Reviewed By
Office of Town Attorney
Joseph S. Saladino

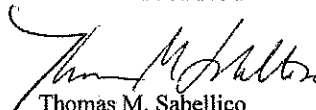
Town of Oyster Bay
Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : January 9, 2024
SUBJECT: SUNRISE MASS, LLC, fee owner
Special Use Permit
Premises: 5500 Sunrise Highway, Massapequa, New York
Section 53, Block E, Lot 421

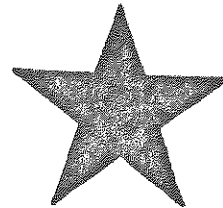
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on February 13, 2024 at 10:00 a.m., in connection with the above referenced matter.

Kindly place this matter on the docket so that the attached Resolution pertaining to this matter can be placed on the action calendar for the January 23, 2024 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:nb
Enclosure



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DRAFT

WHEREAS, by Resolution No. 670-2023, adopted on September 12, 2023, the Town Board authorized the Department of Public Works to reject all bids then received in connection with Contract No. HGR23-256, General Reconstruction Throughout the Town of Oyster Bay, and to release any bonds received from bidders; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated December 22, 2023, advised that Resolution No. 670-2023 contained an error in only including a rejection of the bids and not also authorizing the Division of Purchasing to proceed in setting a bid date for receiving new bids for Contract No. HGR23-256; and

WHEREAS, Commissioner Lenz, by said memorandum, recommended and requested that Resolution No. 670-2023, adopted on September 12, 2023, be corrected to authorize the request for new bids,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved and that Resolution No. 670-2023, adopted on September 12, 2023, is hereby corrected to authorize the Department of General Services, Division and the Department of Public Works to proceed with setting a bid date for receiving bids for Contract No. HGR23-256; and be it further

RESOLVED, That the Department of General Services, Division of Purchasing is hereby authorized and directed to contact the Department of Public Works, Division of Engineering, to proceed with setting a date for receiving bids for Contract No. HGR23-256.

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Gas
Reviewed By
Office of Town Attorney

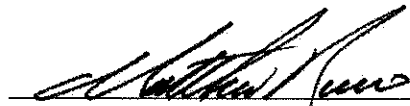
TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 9, 2024

TO : MEMORANDUM DOCKET
FROM : RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS
SUBJECT : CORRECTION OF RESOLUTION 670-2023
REJECTION OF BIDS & REQUEST TO REBID
REQUIREMENTS CONTRACT FOR GENERAL RECONSTRUCTION
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. HGR23-256

The Department of Public Works submitted a request to the Town Board for action at the September 12, 2023 calendar for a rejection of bids received for Contract No. HGR23-256, and a request to proceed with a rebid of the Contract. Town Board Resolution 670-2023 mistakenly only included a rejection of the bids received.

It is requested that a corrected resolution be issued to also authorize the Division of Purchasing to proceed with setting a bid date for receiving new bids for this contract.

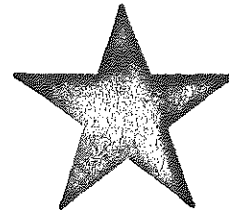

for RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/lk

Attachments

C: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services

HGR23-256 DOCKET RESOLUTION CORRECTION



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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

August 25, 2023


TO: MEMORANDUM DOCKET

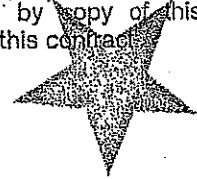
FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: REJECTION OF BIDS & REQUEST TO REBID
REQUIREMENT'S CONTRACT FOR GENERAL RECONSTRUCTION
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. HGR23-256

On February 22, 2023, the Division of Purchasing received bids for the subject contract. Upon review of the bids received, the Department of Public Works recommends that the Town reject the bids for this project, and to proceed with a rebid of the project.

It is hereby requested that the Town Board reject all bids submitted and any bonds held by the Town Clerk's Office be released, and that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving new bids for this contract.

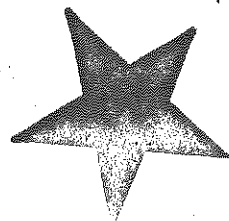

For RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS



RWL/MR/lc

cc: Steven Ballas, Comptroller
Ralph Raymond, Commissioner/General Services
John Tassone, Chief Deputy Commissioner/DPW

HGR23-256 DOCKET REJECT BIDS & REBID



Meeting of September 12, 2023

Resolution No.670-2023

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated August 25, 2023, advised that pursuant to public notice, bids were duly and regularly received on February 22, 2023 for Contract No. HGR23-256, General Reconstruction Throughout The Town of Oyster Bay, in accordance with the specifications contained therein; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board reject all bids submitted for Contract No. HGR23-256, and that any bonds held by the Office of the Town Clerk, pursuant to the terms and conditions of said Contract, be released,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that all bids received in connection with Contract No. HGR23-256 are hereby rejected; and be it further

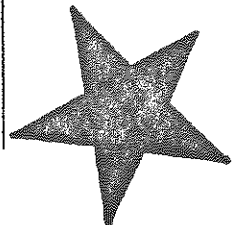
RESOLVED, That the Office of the Town Clerk is hereby authorized and directed to release any and all bonds held in connection with Contract No. HGR23-256.

-#-

Reviewed By
Office of Town Attorney

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

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



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DRAFT

WHEREAS, by Resolution No. 784-2023, adopted on October 24, 2023, the Town Board awarded Contract No. DPW23-254, South Oyster Bay Canal Dredging, to H & L Contracting, LLC, 140 Adams Avenue, Suite B14, Hauppauge, New York 11788, the lowest responsible bidder; and

WHEREAS, Kris Almskog, P.G., Senior Vice President, P.W. Grosser, Inc., by letter dated January 11, 2024, advised that it is necessary and essential to authorize Change Order No.1 to Contract No. DPW23-254, for a total net increase in the amount of \$1,694,600.00, due to changes in the scope of work including additional dredging volumes and modification of the contractor's operations, and recommended such authorization from the Town Board; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated January 8, 2024 and January 12, 2024, advised that Change Order No. 1 encompasses H & L Contracting, LLC's submitted price for changes in the scope of working including additional dredging volumes and modification H & L Contracting, LLC's operations and Commissioner Lenz, by said memoranda, requested that the Town Board authorize Change Order No. 1 to Contract No. DPW23-254, resulting in a net increase in the amount of \$1,694,600.00; and

WHEREAS, Commissioner Lenz, by said memoranda, further advised that the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted and approved, Change Order No.1 to Contract No. DPW23-254 is approved, for a total net increase in the amount of \$1,694,600.00, due to changes in the scope of work including additional dredging volumes and modification of the contractor's operations; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS H 7197 20000 000 2302 001, Project ID No. 2302 PKSA 09 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.

-#-

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 12, 2024

TO : MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 30
DOCKET OF JANUARY 9, 2024
CHANGE ORDER NO. 1
SOUTH OYSTER BAY CANAL DREDGING
CONTRACT NO. DPW23-254
ACCOUNT NO. PKS-H-7197-20000-000-2302-001
PROJECT ID NO. 2302PKSA-09

In furtherance to item No. 30 of the docket on January 9, 2024 attached is a letter from P.W. Grosser, Inc., dated January 11, 2024 concerning Change Order No. 1 for a total net increase in the amount of \$1,694,600.00.


Said Change Order No. 1 encompasses the Contractor's submitted price for changes in the scope of work including additional dredging volumes and modification of the contractor's operations, as further explained in the attached letter from P.W. Grosser, Inc..

The contractor, H & L Contracting, LLC, has submitted their price quote for the proposed items of work and the consultant, P.W. Grosser, Inc., reviewed the contractor's price quote and finds the increased cost of \$1,694,600.00 for the additional scope of work to be fair and reasonable.

Funds are available for the described Change Order No. 1 in the amount reserved for potential quantity increases and from Account No. PKS-H-7197-20000-000-2302-001, Project ID. No. 2302PKSA-09.

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

It is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 having a result of a net increase in the amount of \$1,694,600.00 relative to the construction of Contract No. DPW23-254.



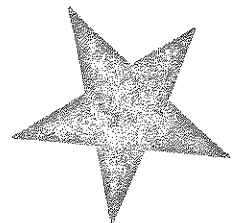
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/CC/mr

Attachments

cc: Steve Ballas, Comptroller
Joseph G. Pinto, Commissioner/Department of Parks

DPW23-254 South Oyster Bay Canal Dredging Change Order No. 1



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

JANUARY 8, 2024

TO: MEMORANDUM DOCKET

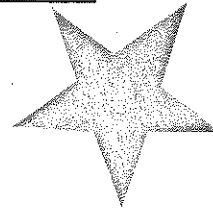
FROM: RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

SUBJECT: CHANGE ORDER NO. 1
SOUTH OYSTER BAY CANAL DREDGING
CONTRACT NO.: DPW23-254
SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on January 23, 2024 to take action on Change order #1 for South Oyster Bay Canal Dredging.



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



RWL/MR/CC/ik

cc: Steve Ballas, Comptroller
Joseph G. Pinto, Commissioner/Department of Parks

DPW23-254 South Oyster Bay Canal Dredging Save a Space

TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS

SOUTH OYSTER BAY CANAL DREDGING
CONTRACT NO. DPW23-254
CHANGE ORDER NO. 1

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
CREATE NEW ITEMS

ITEM NO. 5	REMOVE AND REINSTALL PILES AT NORTH CANAL		
	4 EACH @ \$3,750	=	\$15,000.00
ITEM NO. 6	REMOVE AND REINSTALL PILES AT TOBAY MARINA		
	10 EACH @ \$2,000	=	\$20,000.00
ITEM NO. 7	REDUCED ACCESS AREA DREDGING		
	4,500 CY @ \$148	=	\$666,000.00
TOTAL ITEM 1:			\$701,000.00

ITEM 2
QUANTITY ADJUSTMENTS

ITEM NO. 3	DREDGING		
	BID QUANTITY:	7,040 CUBIC YARDS @ \$68.00/CY =	\$478,720.00
	INCREASE:	3,100 CUBIC YARDS @ \$68.00/CY =	\$210,800.00
	REVISED QUANTITY:	10,140 CUBIC YARDS @ \$68.00/CY =	\$689,520.00
ITEM NO. 4	HAULING AND DISPOSAL OF DREDGE MATERIAL		
	BID QUANTITY:	7,040 CUBIC YARDS @ \$103.00/CY =	\$725,120.00
	INCREASE:	7,600 CUBIC YARDS @ \$103.00/CY =	\$782,800.00
	REVISED QUANTITY:	14,640 CUBIC YARDS @ 103.00/CY =	\$1,507,920.00
TOTAL ITEM 2:			\$993,600.00

TOTAL CHANGE ORDER NO. 1 = 1,694,600.00

ORIGINAL CONTRACT AMOUNT:	\$1,968,840.00
CHANGE ORDER NO. 1:	\$1,694,600.00
NEW CONTRACT AMOUNT:	\$3,663,440.00

The above work is to be performed in accordance with the letter from P.W. GROSSER CONSULTING, INC. dated _____, and the memorandum of Richard W. Lenz, P.E., Commissioner of the Department of Public Works, dated _____, at an additional cost to the Town of Oyster Bay in the amount of One Million, Six Hundred and Ninety-Four Thousand, Six Hundred Dollars and Zero Cents (\$1,694,600.00)

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

Recommended by:
P.W. GROSSER CONSULTING, INC.

by: Kris Abramsky

Dated: 1/10/2024

Accepted by:
H & L CONTRACTING, LLC

by: Arseni Zastoynyy

Dated: 1/10/2024

by: [Signature]
OFFICE OF THE TOWN ATTORNEY

Sufficient funding for this Change Order is available within the amount reserved for PQI (\$98,442.00) and from Account No.: PKS-H-7197-20000-000-2302-001

2302 PK5A-09

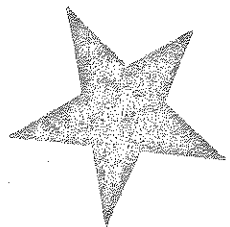
by: [Signature]
ROBERT DARIENZO, DIRECTOR OF FINANCE

by: [Signature] 1/11/24
STEVEN BALLAS, COMPTROLLER

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

JOSEPH S. SALADINO, TOWN SUPERVISOR

Dated: _____





January 11, 2024

Chris Champion
Town of Oyster Bay
Department of Public Works
150 Miller Place
Syosset, NY 11791
ccampion@oysterbay-ny.gov

**Re: Contract No. DPW23-254
South Oyster Bay Canal Dredging
Rationale for Additional Scope Completion**

Dear Mr. Champion:

P.W. Grosser Consulting, Inc. (PWGC), on behalf of Town of Oyster Bay Department of Public Works has reviewed a proposed change of scope related to the 2023 dredging of Gene Williams Canal and North Canal in Massapequa. Based upon our review of the available information, PWGC recommends implementation of the additional dredging as part of this mobilization event to reduce the need for more frequent future dredging events and reduce the long-term costs to the Town associated with maintenance dredging of these canals.

Following a site visit to the Gene Williams and North Canals and discussions with Town staff in December 2023, it was requested that PWGC consider a strategy for the overall reduction of the number of maintenance dredging events and their frequency at these canals. The need for frequent routine dredging events are expensive, disruptive to the neighborhood and community, take significant coordination effort from Town DPW and regulators, and result in having canals and channels partially blocked for emergency, commercial and /or recreational vessel usage. One strategy to address frequent dredging events is to remove a larger volume of sediments from the canals, channels, and nearby sources of sediment buildup than needed for immediate canal access during each mobilization event. Essential make the channel wider and deeper than currently needed for access, to create a buffer volume that allows for future sediment disposition from weather and storm events and the natural depositional processes that occur. This buffer will allow for sediment disposition over several years before a follow-up maintenance dredge event will be required.

The entrance of Gene Williams Canal was dredged in 2018 and is already beginning to become shallow and narrow for vessel passage. This reoccurrence of shallow conditions at the mouth of the canal is why dredging was rescheduled in Winter 2023. Originally, the scope of this year's maintenance dredge contract was to complete a similar scope completed in 2020. This would have resulted in the dredging and off-site removal of approximately 3,600 cubic yards (CY) of sediment from the canal entrance channel. However, this approach could leave significant volumes of shallow shoaling sediments, that have built-up from natural weather and storm events, just to the west of the canal entrance. These shallow sediments can then be transported back into the canal channel by natural littoral drift processes during future weather and storm events, rendering the channel impassable in the coming years. This scenario is similar for North Canal and likely similar to other channels within the Town. The

CLIENT DRIVEN SOLUTIONS

PHONE: 631.589.6353 630 JOHNSON AVENUE, STE 7
PWGROSSER.COM BOHEMIA, NY 11716

LONG ISLAND • MANHATTAN • SARATOGA SPRINGS • SYRACUSE • SEATTLE • SHELTON





Town is looking to minimize the need for frequent and expensive dredge mobilizations of these canals by addressing more than just the canal approach channel going forward.

To reduce the frequency of dredging events at Gene Williams Canal and North Canal, and therefore the reduce overall mobilization costs, the disruption to neighbors and the community, the disruption to the canal access by shallow and narrow channels, PWGC recommends considering dredging deeper and wider than immediately needed for access to the Canals and specifically focus on removing sediments from the adjacent areas to the canal entrances that through littoral drift cause shoaling of the canal entrances.

Specifically, it is recommended that the Town consider removing up to approximately 10,000 CY of sediment from Gene Williams Canal and adjacent bottom lands and approximately 5,000 CY of sediments from North Canal and adjacent bottom lands as part of the 2023-2024 dredge events, within existing permit limitations and allowances. These recommendations will result in dredging of the canal channels to a depth of six feet below mean low water and could widen the channel at the canal entrance and will remove existing shoaling sediments from adjacent to the canal entrances that has historically and can continue to drift into the canal channel entrances during normal weather events and storm events. This could decrease the need for costly mobilization and demobilization of the dredging and sediment staging sites, which currently costs in excess of \$750,000 per dredging event. In addition, sediment disposal costs continue to escalate, by removing and disposing of more sediments now and in the near future, the long term cost for sediment disposal is likely reduced.

PWGC recommends the Town consider this approach going forward on each of their dredging projects, and to plan and obtain permits accordingly, to reduce the overall frequency of disruptions and limitations of access to Town canals and waterways, permitting requirements, coordination efforts, reduced dredging and sediment staging mobilization and demobilizations frequency and thereby costs, and reduction of disturbances to neighbors and the community from frequent dredging events.

Based upon contract unit rates, the additional cost estimate to complete the additional excavation and soil disposal should be approximately \$1,694,600.

Should you have any questions or require additional information please do not hesitate to contact us.

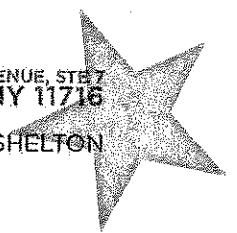
Very truly yours,
P.W. GROSSER CONSULTING

Kris Almskog, P.G.
Sr Vice President

CLIENT DRIVEN SOLUTIONS

PHONE: 631.589.6353 630 JOHNSON AVENUE, STE 7
PWGROSSER.COM BOHEMIA, NY 11716

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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: LOUIS G. SAVINETTI, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL RESOURCES

DATE: JANUARY 12, 2024

SUBJECT: SUPPLEMENTAL MEMORANDUM TO MD 1/9/24; ITEM #32
CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY
MEMORANDUM OF UNDERSTANDING: STAFF TRAINING

Cornell Cooperative Extension of Suffolk County's (CCE) Marine Program is a nationally and internationally known, respected, and leading institution in the field of shellfish aquaculture and resource enhancement. With over 30 years of expertise, CCE's esteemed Marine Program operates a state-of-the-art shellfish production hatchery at the CCE Marine Environmental Learning Center, 3690 Cedar Beach Road, Southold, NY (Southold Hatchery), which is staffed by seasoned professionals dedicated to ensuring the health and sustainability of shellfish populations.

The Town of Oyster Bay's Department of Environmental Resources (DER) is committed to the protection, conservation, and improvement of the natural resources within the Town of Oyster Bay, and strives to accomplish this goal, through the administration of a shellfish nursery/seeding program within Oyster Bay/Cold Spring Harbor, Hempstead Harbor and the Great South Bay.

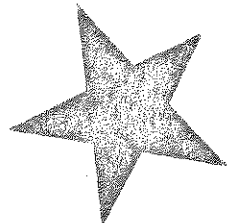
The Department of Environmental Resources and Cornell Cooperative Extension of Suffolk County have found it mutually agreeable to engage in a staff support in exchange for training program, through which, DER staff will work alongside with and provide labor support to CCE staff at the Southold Hatchery in exchange for the invaluable hands-on learning and training experience from industry leaders within the field of shellfish aquaculture and resource enhancement. This training program will take place at the Southold Hatchery and will run from February 1, 2024 through April 30, 2024. DER's participation in this training opportunity is contingent upon the execution of a Memorandum of Understanding (MOU) between CCE and the Town.

It is therefore, respectfully requested that the Town Board adopt a Resolution authorizing the Supervisor or his authorized designee to execute a Memorandum of Understanding, in substantially similar form to the MOU annexed hereto, with Cornell Cooperative Extension of Suffolk County allowing for Department of Environmental Resources staff to participate in a training program at Cornell Cooperative Extension of Suffolk County's Marine Environmental Learning Center's Shellfish Hatchery for a period of February 1, 2024 through April 30, 2024.

Louis G. Savinetti

Louis G. Savinetti
Commissioner

Bj Lynn Bell



TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: LOUIS G. SAVINETTI, COMMISSIONER
ENVIRONMENTAL RESOURCES

DATE: JANUARY 8, 2024

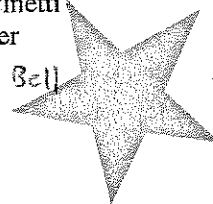
SUBJECT: CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY
MEMORANDUM OF UNDERSTANDING: STAFF TRAINING

In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of January 23, 2024. Details will follow by supplemental memorandum.

Louis G. Savinetti

Louis G. Savinetti
Commissioner

By Colin Bell



DRAFT

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memoranda dated January 8, 2024 and January 12, 2024, advised that Cornell Cooperative Extension of Suffolk County's Marine Program is a nationally and internationally known, respected and leading institution in the field of shellfish aquaculture and resource enhancement; and

WHEREAS, Commissioner Savinetti, by said memoranda, further advised that the Department of Environmental Resources is committed to the protection, conservation and improvement of the natural resources within the Town of Oyster Bay and strives to accomplish this goal through the administration of a shellfish nursery/seeding program within Oyster Bay/Cold Spring Harbor, Hempstead Harbor and the Great South Bay; and

WHEREAS, Commissioner Savinetti, by said memoranda, further advised that the Department of Environmental Resources and Cornell Cooperative Extension of Suffolk County have found it mutually agreeable to engage in a staff support in exchange for a training program, through which the Department of Environmental Resources staff will work alongside with and provide labor support to Cornell Cooperative Extension of Suffolk County staff at the Southold Hatchery in exchange for the invaluable hands-on learning and training experience from industry leaders within the field of shellfish aquaculture and resource enhancement. This training program will take place at the Southold Hatchery and will begin on February 1, 2024 through April 30, 2024. The Department of Environmental Resources' participation in this training opportunity is contingent upon the execution of a Memorandum of Understanding between Cornell Cooperative Extension of Suffolk County and the Town of Oyster Bay; and

WHEREAS, Commissioner Savinetti, by said memoranda, requested that the Town Board authorize the Supervisor, or his designee, to enter into, and to execute a Memorandum of Understanding, substantially similar in both form and content to the one annexed hereto, between the Town of Oyster Bay and Cornell Cooperative Extension of Suffolk County, for staff training to accomplish the Town's pursuit of the administration of a shellfish nursery/seeding program within Oyster Bay/Cold Spring Harbor, Hempstead Harbor and the Great South Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, is hereby authorized to enter into, and to execute, a Memorandum of Understanding, substantially similar in both form and content to the one annexed hereto, between the Town of Oyster Bay and Cornell Cooperative Extension of Suffolk County, for staff training at the Southold Hatchery beginning February 1, 2024 through April 30, 2024.

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7/1/24
Reviewed By
Office of Town Attorney
[Signature]

MEMORANDUM OF UNDERSTANDING

Staff Training Exchange Agreement
Town of Oyster Bay and Cornell Cooperative Extension-Suffolk County

Cornell Cooperative Extension of Suffolk County's (CCE) Marine Program, an integral part of CCE Suffolk since 1985, is a nationally and internationally known, respected, and leading institution in the field of shellfish aquaculture and resource enhancement. With over 30 years of expertise, CCE's esteemed Marine Program operates a state-of-the-art shellfish production hatchery in Southold, staffed by seasoned professionals dedicated to ensuring the health and sustainability of shellfish populations.

The Town of Oyster Bay's Department of Environmental Resources (DER) is committed to the protection, conservation, and improvement of the natural resources within the Town of Oyster Bay, and presently strives to accomplish this goal, through the administration of a shellfish nursery/seeding program within Oyster Bay/Cold Spring Harbor, Hempstead Harbor and the Great South Bay.

DER plans to expand its shellfish seeding operation through the construction of a new shellfish hatchery, through which DER will begin to spawn its own shellfish at the hatchery as opposed to procuring seed from external vendors. This new hatchery will allow for DER to produce a greater quantity of shellfish seed than can be procured through the private market place, due to high demand and limited local shellfish seed providers.

DER and CCE have found it mutually beneficial and agreeable to engage in a staff training in exchange for labor support arrangement, through which, DER will provide labor support staff to CCE at the Southold facility in exchange for the hands-on learning and experience.

WITNESSETH:

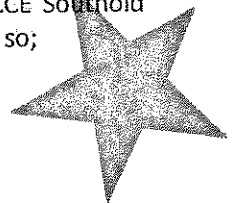
WHEREAS, oysters and clams (shellfish) offer water quality improvement benefits through their natural, biological filtration of algae from the water, ultimately removing nutrients from the water, which, in excess, can degrade the aquatic environment;

WHEREAS, The Town of Oyster Bay's, Department of Environmental Resources is committed to the protection, conservation, and improvement of the natural resources within the Town of Oyster Bay, and strives to accomplish this goal, in part, through the administration of a shellfish grow out/seeding program within Oyster Bay/Cold Spring Harbor, Hempstead Harbor and the Great South Bay;

WHEREAS, DER plans to expand its shellfish seeding initiative through the construction and operation of a new shellfish hatchery;

WHEREAS, CCE operates a full-scale shellfish hatchery located at 3690 Cedar Beach Road, Southold, NY 11971, and CCE's Marine Program has been working with shellfish aquaculture and resource management for over 30 years;

WHEREAS, DER and CCE, find it mutually agreeable and beneficial to engage in a labor support in exchange for training program, through which DER staff will provide labor support to CCE at the CCE Southold Shellfish Hatchery in exchange for the training experience opportunity for DER staff in doing so;



WHEREAS, TOB DER will provide up to six (6) staff members, not to exceed four (4) on any given day, to provide labor support at the CCE Southold Hatchery;

WHEREAS, CCE shall provide hands-on training and learning experience to TOB DER staff participating in this Program;

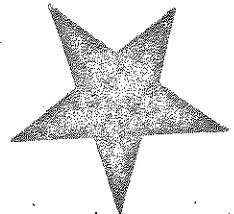
WHEREAS, to the extent permitted by law, each party to this Agreement shall hold harmless, indemnify and defend with reasonable attorney fees the other party, their officers, directors, trustees, employees and agents from and against injury to any person, including death, or damage to property caused by the negligent acts or omissions of the indemnifying party, its employees or agents. If it is determined that both parties contributed to the injury or damage each party shall be responsible for its comparative negligence in causing the injury or damage;

WHEREAS, this Agreement shall commence as of February 1, 2024 and terminate on April 30, 2024;

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding regarding the labor support in exchange for to be executed by their duly authorized representative and established as of the date set forth below.

Approved by:
Cornell Cooperative Extension of Suffolk County
3690 Cedar Beach Road
Southold, NY 11971
Signed: _____
Printed Name: _____
Title: _____
Date: _____

Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, NY 11771
Signed: _____
Printed Name: _____
Title: _____
Date: _____



DRAFT

1000179864.185 (275)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, on January 23, 2024, at 10:00 A.M., Prevailing Time.

Reviewed By
Office of Town Attorney

PRESENT:

Supervisor

Councilperson

Councilperson

Councilperson

Councilperson

Councilperson

Councilperson

In the Matter of the Increase and Improvement
of the Facilities of the Solid Waste District in the
Town of Oyster Bay, Nassau County, New York

Resolution No. 82A-2024

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has had under consideration the increase and improvement of the facilities of the Solid Waste District (the "District") in said Town, consisting of the refurbishing and improvement of the Solid Waste Disposal Facility in said District, including incidental expenses in connection therewith; and

WHEREAS, the estimated maximum cost to said District of such increase and improvement of the facilities of the District is determined to be \$620,000; and

WHEREAS, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement of the facilities of said District and use and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on January 9, 2024, an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of the facilities of said District in said Town at an estimated maximum cost of \$620,000 and to hear all persons interested in the subject thereof concerning the same at Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, on January 23, 2024, at 10:00 A.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of said District in said Town, consisting of the refurbishing and improvement of the Solid Waste Disposal Facility in said District, including incidental expenses in connection therewith, at an estimated maximum cost of \$620,000.

Section 2. This order shall take effect immediately.

DRAFT

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The order was thereupon declared duly adopted.

* * *

DRAFT

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

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on January 23, 2024, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspaper and/or other
news media as follows:

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town of Oyster Bay	January 19, 2024

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice
Bulletin board, 1st floor, 54 Audrey Avenue
Oyster Bay, NY

Date of Posting
January 19, 2024

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town;
on January 23, 2024.

Town Clerk

(SEAL)

DRAFT

1000179864.185 (275)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, on January 23, 2024, at 10:00 A.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilperson _____ who moved its adoption, seconded by Councilperson _____, to-wit:

DRAFT

Resolution No. 82B-2024

BOND RESOLUTION DATED JANUARY 23, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$620,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE SOLID WASTE DISTRICT IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 23, 2024, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town") has determined it to be in the public interest to increase and improve the facilities of the Town of Oyster Bay Solid Waste District (the "District") in said Town at an estimated maximum cost of \$620,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town as follows:

Section 1. For the class of objects or purposes of paying the cost of the increase and improvement of the facilities of the Solid Waste District (the "District") in said Town, consisting of the refurbishing and improvement of the Solid Waste Disposal Facility in said District, including incidental expenses in connection therewith, there are hereby authorized to be issued \$620,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$620,000 and that the plan for the financing thereof is by the issuance of the \$620,000 bonds of said Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five years pursuant to subdivision six of paragraph

a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the

Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

DRAFT

-4-

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

DRAFT

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * *

1000179864.185 (274)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, on January 23, 2024, at 10:00 A.M., Prevailing Time.

PRESENT:

Reviewed By
Office of Town Attorney

Supervisor

Councilperson

Councilperson

Councilperson

Councilperson

Councilperson

Councilperson

In the Matter of the Increase and Improvement
of the Facilities of All Park Districts in the
Town of Oyster Bay, Nassau County, New York

Resolution No. 83A-2024

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town"), has had under consideration the joint increase and improvement of the facilities of all Park Districts in said Town (in the aggregate, the "Park Districts", each, a "Park District"), consisting of the refurbishing and improvement of facilities in all Park Districts, including incidental expenses in connection therewith; and

WHEREAS, the estimated maximum cost to said Park Districts of such joint increase and improvement of facilities is determined to be \$1,750,000; and

WHEREAS, such cost shall be annually apportioned among such Park Districts by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within each said Park District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement of the facilities of all Park Districts, for the particular improvements that have been identified, and it has been determined that such increase and improvement of the facilities of all Park Districts will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on January 9, 2024; an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of all Park Districts in said Town, at an estimated maximum cost of \$1,750,000 and to hear all persons interested in the subject thereof concerning the same at Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, on January 23, 2024, at 10:00 A.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of all Park Districts in said Town, consisting of the refurbishing and improvement of facilities in all Park

DRAFT

-3-

Districts, including incidental expenses in connection therewith, at an estimated maximum cost of \$1,750,000.

Section 2. This order shall take effect immediately.

DRAFT

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

* * *

DRAFT

1000179864.185 (274)

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, on January 23, 2024, at 10:00 A.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilperson _____ who moved its adoption, seconded by Councilperson _____, to-wit:

DRAFT

Resolution No. 83B-2024

BOND RESOLUTION DATED JANUARY 23, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,750,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF ALL PARK DISTRICTS IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK.

Reviewed By
Office of Town Attorney

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 23, 2024, the Town Board of the Town of Oyster Bay, Nassau County, New York (the "Town") has determined it to be in the public interest to increase and improve the facilities of all Park Districts in the Town (in the aggregate, the "Park Districts"; each, a "Park District"), at an estimated maximum cost of \$1,750,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town as follows:

Section 1. For the class of objects or purposes of paying the cost of the joint increase and improvement of the facilities of all Park Districts in said Town, consisting of the refurbishing and improvement of facilities in all Park Districts, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,750,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$1,750,000 and that the plan for the financing thereof is by the issuance of the \$1,750,000 bonds of said Town authorized to be issued pursuant to this resolution, and, further, that no original capital improvement shall be financed as part of the aforesaid class of objects or purposes where the estimated maximum cost thereof shall be \$2,000,000 or more.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision nineteen of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned among such Park Districts by said Town Board, and the amounts so apportioned shall be levied and collected upon the several lots and parcels of land within in each Park District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated

powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

DRAFT

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * *

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DRAFT

Reviewed By
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated January 9, 2024, advised that the Town owns a portion of William Street, Hicksville, New York 11801, approximately 13,214 square feet (.04 acres) of which is located north of West John Street in between Newbridge Road (Route 106) and North Broadway (Route 107) ("Property"); and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further advised, that the Town was contacted by Gregory Alvarez, Esq., of Amato Law Group, PLLC, attorney for then Questus Capital, LLC, now Fieldstone at North Broadway, LLC ("Purchaser"), by letter dated October 1, 2019, with interest in purchasing the Property as part of Purchaser's overall development plans; and

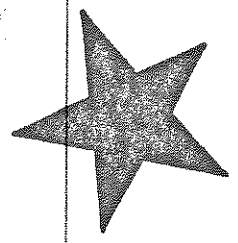
WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further advised that all lots abutting the Property are owned by the Purchaser, consequently removing the obligation of the Town to offer the sale of the Property to any and all other property owners whose lots abut the Property; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further advised that Purchaser, at its own cost, obtained an appraisal of the Property, dated August 31, 2022, from Breslin Appraisal Co., Inc., an appraisal firm approved by the Town, which appraisal indicated a value of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, for the Property; and

WHEREAS, Elizabeth Maccaroni, then Commissioner, Department of Planning and Development ("P&D"), by memorandum dated October 18, 2019, had no comment regarding the proposed sale of the Property but did state that when development of the Property moves forward, site plan approval would be required; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works and John Tassone, Deputy Commissioner of Public Works, by memorandum dated January 27, 2020, stated it had no objection to the sale of the street, however, two (2) storm basins located on the south end of William Street and West John Street were to remain intact. Further, Purchaser was required to provide "no objection" letters to the proposed sale from National Grid, PSEGLI and the Hicksville Water District. Subsequently, "no objection" letters were issued by National Grid on August 3, 2021, PSEGLI on June 30, 2021 and the Hicksville Water District on June 23, 2021; and

WHEREAS, Julia Schneider, Director of TEQR, Department of Environmental Resources, by memorandum dated December 26, 2023, stated that the Department of Environmental Resources (DER), Town Environmental Quality Review (TEQR) Division prepared a TEQR Report, dated August 22, 2023, for the proposed mixed-use development located at 82 North Broadway, Hicksville. The environmental review and subsequent TEQR Report were prepared pursuant to the provisions of the New York State Environmental Quality Review Act



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(Article 8 of the Environmental Conservation Law (ECL), as promulgated in the regulations contained in 6 NYCRR Part 617, (SEQR) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Code of the Town of Oyster Bay); and

WHEREAS the environmental review for the aforementioned project and its review by DER included the sale of a portion of William Street as part of the overall proposed action; and

WHEREAS the action of the land sale is under the purview of the Town Board, the potential environmental impacts were given the requisite, "hard look" in accordance with SEQR regulations, and standard TEQR protocol as part of the comprehensive environmental review process for the overall proposed action conducted by the TEQR Division; and

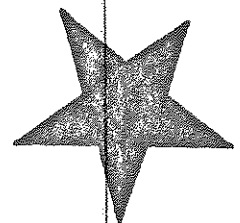
WHEREAS, the aforementioned TEQR Report substantiates the basis for the recommended determination of significance for consideration by the Planning Advisory Board (PAB) of the Town of Oyster Bay, as lead agency, to adopt a negative declaration pursuant to SEQR/TEQR at the appropriate time when the matter is before the PAB; and

WHEREAS, DER recommends that the Town Board adopt a negative declaration for the proposed land sale, indicating that this action will not result in significant adverse environmental impacts based on the TEQR Division's review of the environmental parameters relative to the subject application and additional information provided to the satisfaction of DER in arriving at the aforementioned recommendation; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, by memorandum dated January 9, 2024, requested that the Town Board declare the Property to be surplus property available for sale, and further declare that the sale of the property be classified as unlisted and a negative declaration be adopted based on the information presented in the August 22, 2023 TEQR Report for the proposed mixed-use development located at 82 North Broadway, Hicksville; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further requested Town Board authorization for the Town Supervisor, or his designee, to execute a Contract of Sale with the Purchaser, for the property, for the sum of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, and to execute the deed and related transfer documents in order to effectuate the transfer of said property, with the Contract of Sale to be prepared and approved by the Office of the Town Attorney, and with the sale of said property subject to permissive referendum,

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are hereby accepted and approved, that the Town Board declares that the portion of William Street, Hicksville, New York 11801 that the Town owns, located north of West John Street in between Newbridge Road (Route 106) and North Broadway (Route 107), is excess property, and be it further



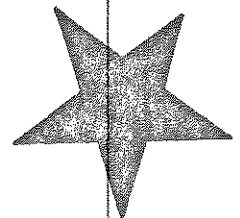
DRAFT

RESOLVED, That the Town Board does hereby adopt a Negative Declaration with respect to the sale of a portion of William Street, Hicksville, New York, and hereby directs the Department of Environmental Resources to circulate and file the Negative Declaration in accordance with the requirements of the New York State Environmental Quality Review Act (SEQR); and be it further

RESOLVED, That the Town Supervisor, or his designee, is hereby authorized to execute a Contract of Sale with the Purchaser for the Property for the sum of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, and to execute the deed and related transfer documents in order to effectuate the transfer and sale of the Property, with the Contract of Sale to be prepared and approved by the Office of the Town Attorney, and with the sale of the Property subject to permissive referendum; and be it further

RESOLVED, That the Town Clerk is directed and authorized to publish a Public Notice of the adoption of this Resolution in a newspaper of general circulation.

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PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that on January 23, 2024, the Town Board of the Town of Oyster Bay, County of Nassau, New York, at a regular meeting thereof, adopted the following Resolution, subject to permissive referendum:

Reviewed By
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated January 9, 2024, advised that the Town owns a portion of William Street, Hicksville, New York 11801, approximately 13,214 square feet (.04 acres) of which is located north of West John Street in between Newbridge Road (Route 106) and North Broadway (Route 107) ("Property"); and

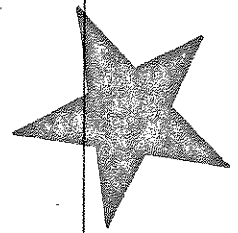
WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further advised, that the Town was contacted by Gregory Alvarez, Esq., of Amato Law Group, PLLC, attorney for then Questus Capital, LLC, now Fieldstone at North Broadway, LLC ("Purchaser"), by letter dated October 1, 2019, with interest in purchasing the Property as part of Purchaser's overall development plans; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further advised that all lots abutting the Property are owned by the Purchaser, consequently removing the obligation of the Town to offer the sale of the Property to any and all other property owners whose lots abut the Property; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further advised that Purchaser, at its own cost, obtained an appraisal of the Property, dated August 31, 2022, from Breslin Appraisal Co., Inc., an appraisal firm approved by the Town, which appraisal indicated a value of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, for the Property; and

WHEREAS, Elizabeth Maccarone, then Commissioner, Department of Planning and Development ("P&D"), by memorandum dated October 18, 2019, had no comment regarding the proposed sale of the Property but did state that when development of the Property moves forward, site plan approval would be required; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works and John Tassone, Deputy Commissioner of Public Works, by memorandum dated January 27, 2020, stated it had no objection to the sale of the street, however, two (2) storm basins located on the south end of William Street and West John Street were to remain intact. Further, Purchaser was required to provide "no objection" letters to the proposed sale from National Grid, PSEGLI and the Hicksville Water District. Subsequently, "no objection" letters were issued by National Grid on August 3, 2021, PSEGLI on June 30, 2021 and the Hicksville Water District on June 23, 2021; and



WHEREAS, Julia Schneider, Director of TEQR, Department of Environmental Resources, by memorandum dated December 26, 2023, stated that the Department of Environmental Resources (DER), Town Environmental Quality Review (TEQR) Division prepared a TEQR Report, dated August 22, 2023, for the proposed mixed-use development located at 82 North Broadway, Hicksville. The environmental review and subsequent TEQR Report were prepared pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law (ECL), as promulgated in the regulations contained in 6 NYCRR Part 617, (SEQR) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Code of the Town of Oyster Bay); and

WHEREAS the environmental review for the aforementioned project and its review by DER included the sale of a portion of William Street as part of the overall proposed action; and

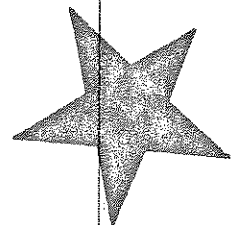
WHEREAS the action of the land sale is under the purview of the Town Board, the potential environmental impacts were given the requisite, "hard look" in accordance with SEQR regulations, and standard TEQR protocol as part of the comprehensive environmental review process for the overall proposed action conducted by the TEQR Division; and

WHEREAS, the aforementioned TEQR Report substantiates the basis for the recommended determination of significance for consideration by the Planning Advisory Board (PAB) of the Town of Oyster Bay, as lead agency, to adopt a negative declaration pursuant to SEQR/TEQR at the appropriate time when the matter is before the PAB; and

WHEREAS, DER recommends that the Town Board adopt a negative declaration for the proposed land sale, indicating that this action will not result in significant adverse environmental impacts based on the TEQR Division's review of the environmental parameters relative to the subject application and additional information provided to the satisfaction of DER in arriving at the aforementioned recommendation; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, by memorandum dated January 9, 2024, requested that the Town Board declare the Property to be surplus property available for sale, and further declare that the sale of the property be classified as unlisted and a negative declaration be adopted based on the information presented in the August 22, 2023 TEQR Report for the proposed mixed-use development located at 82 North Broadway, Hicksville; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by said memorandum, further requested Town Board authorization for the Town Supervisor, or his designee, to execute a Contract of Sale with the Purchaser, for the property, for the sum of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, and to execute the deed and related transfer documents in order to effectuate the transfer of said property, with the Contract of Sale to be prepared and approved by the Office of the Town Attorney, and with the sale of said property subject to permissive referendum,



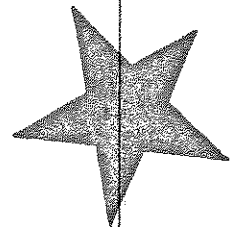
NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are hereby accepted and approved, that the Town Board declares that the portion of William Street, Hicksville, New York 11801 that the Town owns, located north of West John Street in between Newbridge Road (Route 106) and North Broadway (Route 107), is excess property; and be it further

RESOLVED, That the Town Board does hereby adopt a Negative Declaration with respect to the sale of a portion of William Street, Hicksville, New York, and hereby directs the Department of Environmental Resources to circulate and file the Negative Declaration in accordance with the requirements of the New York State Environmental Quality Review Act (SEQR); and be it further

RESOLVED, That the Town Supervisor, or his designee, is hereby authorized to execute a Contract of Sale with the Purchaser for the Property for the sum of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, and to execute the deed and related transfer documents in order to effectuate the transfer and sale of the Property, with the Contract of Sale to be prepared and approved by the Office of the Town Attorney, and with the sale of the Property subject to permissive referendum; and be it further

RESOLVED, That the Town Clerk is directed and authorized to publish a Public Notice of the adoption of this Resolution in a newspaper of general circulation.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor and RICHARD L. LAMARCA, Town Clerk. Dated: January 23, 2024.



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

TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE TOWN ATTORNEY
DATE: January 9, 2024
SUBJECT: Sale of William Street, Hicksville, New York, 11801

William Street, Hicksville, New York 11801, is a dedicated street, owned by the Town of Oyster Bay; approximately 13,214 square feet (.04 acres) of which is located north of West John Street and in between Newbridge Road (Route 106) and North Broadway (Route 107) ("Property").

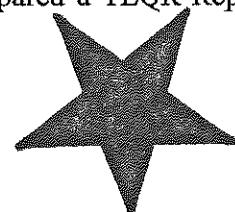
The Town was contacted by Gregory Alvarez, Esq., of Amato Law Group, PLLC, attorney for then Questus Capital, LLC, now Fieldstone at North Broadway, LLC ("Purchaser"), by letter dated October 1, 2019, with interest in purchasing the Property as part of their overall development plans. All lots abutting the Property are owned by the Purchaser, consequently removing the obligation of the Town to offer the sale of the Property to any and all other property owners whose lots would happen to be abutting the Property.

Subsequent to expressing the aforementioned interest, Purchaser, at its own cost, obtained an appraisal of the Property, dated August 31, 2022, from Breslin Appraisal Co., Inc., an appraisal firm approved by the Town, which appraisal indicated a value of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS, for the Property. As such, Gregory Alvarez, Esq., has conveyed his client's formal offer to buy the Property for EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS.

The Department of Planning and Development ("P&D"), by memorandum dated October 18, 2019, had no comment regarding the proposed sale of the Property. However, P&D did state that when the development of the Property moves forward, site plan approval would be required.

The Department of Public Works, by memorandum dated January 27, 2020, stated it had no objection to the proposed sale of the Property, however, two (2) storm basins located on the south end of William Street and West John Street were to remain intact. Further, Purchaser was required to provide "no objection" letters to the sale of the street from National Grid, PSEGLI and the Hicksville Water District. Subsequently, "no objection" letters were issued by National Grid on August 3, 2021, PSEGLI on June 30, 2021 and the Hicksville Water District on June 23, 2021.

Julia Schneider, Director of TEQR, Department of Environmental Resources, by memorandum dated December 26, 2023, stated that the Department of Environmental Resources ("DER"), Town Environmental Quality Review ("TEQR") Division prepared a TEQR Report,



dated August 22, 2023, for the proposed mixed-use development located at 82 North Broadway, Hicksville. The environmental review and subsequent TEQR Report were prepared pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law (ECL), as promulgated in the regulations contained in 6 NYCRR Part 617, (SEQR) and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Code of the Town of Oyster Bay). The environmental review for the aforementioned project and its review by DER included the sale of a portion of William Street as part of the overall proposed action. The action of the land sale is under the purview of the Town Board, the potential environmental impacts were given the requisite, "hard look" in accordance with SEQR regulations, and standard TEQR protocol as part of the comprehensive environmental review process for the overall proposed action conducted by the TEQR Division. The aforementioned TEQR Report substantiates the basis for the recommended determination of significance for consideration by the Planning Advisory Board ("PAB") of the Town of Oyster Bay, as lead agency, to adopt a negative declaration pursuant to SEQR/TEQR at the appropriate time when the matter is before the PAB. DER recommends that the Town Board adopt a negative declaration for the proposed land sale, indicating that this action will not result in significant adverse environmental impacts based on the TEQR Division's review of the environmental parameters relative to the subject application and additional information provided to the satisfaction of DER in arriving at the aforementioned recommendation.

There is no broker involved in the transaction and the Town would have no costs, as NYS Transfer Taxes, if any, would be paid by the Purchaser.

This Office requests that the Town Board declare the Property to be surplus property available for sale, and further declare that the sale of said Property be classified as unlisted pursuant to the New York State SEQRA Unlisted Action List, effective January 1, 2019; and

This Office further requests the Town Board authorization for the Supervisor or his designee, to execute a Contract of Sale for the proposed sale of the Property, as prepared and approved by this Office, for the sales price of EIGHTY THOUSAND and 00/100 (\$80,000.00) DOLLARS. The sale of the Property would be subject to permissive referendum.

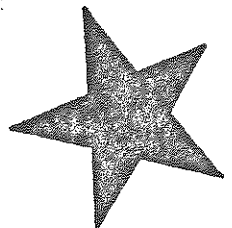
Submitted herewith is a resolution for the foregoing item. Kindly suspend the rules and place this matter on the January 23, 2024 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Anthony C. Curcio
Deputy Town Attorney

ACC:acc
Attachments



DRAFT

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For
Reviewed By
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated January 16, 2024, have advised that the services of Ventura Translations, Inc., 169 Richardson Street, Brooklyn, NY 11222, were necessary in order to translate the testimony of the claimant at a General Municipal Law hearing conducted on November 17, 2023 in connection with the pending claim by Yan Yang and Cheng Wang against the Town, TOB File No.: 2023-9033; and

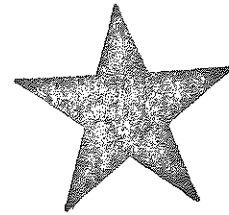
WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by said memorandum, requested and recommended that the Town Board authorize payment to Ventura Translations, Inc. in an amount of \$360.00, to satisfy the outstanding invoice, with respect to the aforementioned matter, and

WHEREAS, the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is hereby accepted and approved, and the Comptroller is hereby authorized and directed to make payment to Ventura Translations, Inc. in an amount of \$360.00, with respect to the aforementioned matter, with funds to be drawn from Account No. OTA A. 1420 44110 000 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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**Town of Oyster Bay
Inter-Departmental Memo**

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : January 16, 2024
SUBJECT: In re: Claim of Yang, *et al.* v. Town,
File No.: 2023-9033
Litigation related translation fee

In order to effectively represent the Town in connection with the claim of Yan Yang and Cheng Wang against the Town, TOB File No.: 2023-9033, it was necessary for the Town Attorney's Office to retain, through the approved court reporting service, a Mandarin interpreter to translate the testimony of the claimant at the General Municipal Law hearing conducted on November 17, 2023. The court reporting agency retained the services of Ventura Translations, Inc., 169 Richardson Street, Brooklyn, NY 11222, to provide an interpreter with the condition that the interpreter be paid directly by the Town. The cost incurred in connection with the interpreter's services in translating between English and Mandarin was \$360.00.

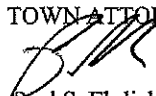
Pursuant to the Town's Procurement Policy, Guideline 6, it is recognized that from time to time, Town Departments must retain individuals or companies, such as interpreters to provide various professional services, and certain other services requiring a special or technical skill, training or expertise, which must be selected based on accountability, reliability, responsibility, skill, education and training, professional judgment and integrity. As a result, the retention of Ventura Translations, Inc. is in accordance with the Town's Procurement Policy.

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

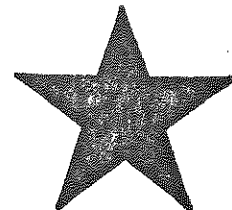
Accordingly, attached hereto for Town Board consideration is a proposed resolution to authorize payment to Ventura Translations, Inc. in an amount not to exceed \$360.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

Please suspend the rules and place this matter upon the Town Board Action Calendar for Tuesday, January 23, 2024.

FRANK M. SCALERA
TOWN ATTORNEY


Paul S. Ehrlich
Deputy Town Attorney

PSE:pe
Attachment



PE 2023-9033
 ventura translations, inc. 文图翻译有限公司
 [vèn-toōr'a/trāns-lā'shans/in-k]

Date	Invoice No.
11/20/2023	23-24305

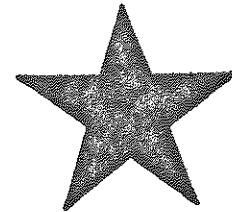
Tax ID#: [REDACTED]

Client
Town of Oyster Bay 54 Audrey Avenue, 2nd Floor Oyster Bay, NY 11771

Representing	Legal Interpreting for	Language	Index/File Number	Attorney/Examiner
Town of Oyster Bay	50-H Hearing	Mandarin	N/A	Paul Ehrlich, Esq.
Caption			Date of Job	Amount
50-H Hearing of Yan Yang in the matter of: Yan Yang -against- The Town of Oyster Bay DOL: 2/13/23			11/17/2023	360.00
Total				\$360.00
Payments/Credits				\$0.00
Balance Due				\$360.00

PAYMENT DUE UPON RECEIPT.
 PLEASE MAKE CHECK PAYABLE TO VENTURA TRANSLATIONS, INC.
 AND INCLUDE INVOICE NUMBER.
 THANK YOU.

169 Richardson St. • Brooklyn, NY 11222-5016 • Tel.: 718 349 3374 • Fax: 718 349 3816 • venturactrans@gmail.com



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DRAFT

WHEREAS, the Town Board of the Town of Oyster Bay ("Town Board"), has heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

WHEREAS, Frank M. Scalera, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated January 18, 2024 advised that Plaintiff, CC, an infant by her mother and natural guardian, Patricia Catania, brought suit against the Town, alleging that she sustained personal injuries, *to wit*, a displaced fracture of the distal phalanx of the right middle finger, as a result of an accident that occurred on December 30, 2018 wherein the infant plaintiff was injured when a patron exiting the ice surface of the Town ice rink in Bethpage slammed shut the heavy door along the rink wall on the infant plaintiff's hand as she stood on the ice along the boards.

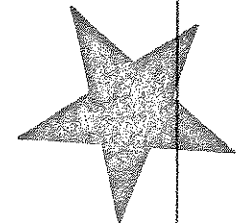
WHEREAS, after extensive settlement negotiations, and two days of trial in which there was conflicting testimony concerning restrictions on usage of the rink door, this case settled during jury deliberations for \$17,500.00, at the recommendation and with the assistance of the trial judge, the Honorable Justice Leonard D. Steinman, in full resolution of all claims of Plaintiff against the Town of Oyster Bay, which settlement is in the best interests of the Town according to the memorandum of Messrs. Scalera and Ehrlich,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of the Town Attorney, payment of the sum of \$17,500.00 is hereby authorized and approved by the Town Board, as full settlement to Plaintiff, CC, an infant by her mother and natural guardian, Patricia Catania, with regard to the action entitled CC, an infant by her mother and natural guardian, Patricia Catania v. Town of Oyster Bay, Nassau County Index No. 608468/2019; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing checks made payable as will be directed by Justice Steinman in the Infant Compromise Order to be issued by the Court in connection with this matter, in the total amount of \$17,500.00 with funds for such payment to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

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Reviewed By
Office of Town Attorney



86

Town of Oyster Bay
Inter-Departmental Memo

TO : Memorandum Docket

FROM : Office of the Town Attorney

DATE : January 18, 2024

SUBJECT: Settlement of Negligence Claim
CC, an infant by her mother and natural guardian, Patricia
Catania v. Town of Oyster Bay
Nassau County Index No. 608468/2019
Our Matter No. 2019-7027

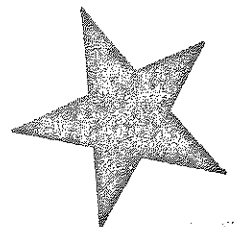
A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

The above referenced claim arose as a result of an accident that occurred on December 30, 2018. The infant plaintiff was injured when a patron exiting the ice surface of the Town ice rink in Bethpage slammed shut the heavy door along the rink wall on the 9-year-old plaintiff's hand as she stood on the ice along the boards.

As a result of the accident, the plaintiff suffered a displaced fracture of the distal phalanx of the right middle finger.

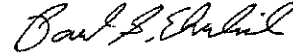
After two days of testimony at trial and extensive settlement negotiations before the court, at the recommendation and with the assistance of the trial judge, the Honorable Leonard D. Steinman, this matter was settled during jury deliberations for \$17,500.00. It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town given the uncertainties associated with litigation and the potential for future surgical intervention.

Accordingly, we have attached a resolution authorizing payment of \$17,500.00, together with copies of the Stipulation of Discontinuance with Prejudice, General Release in favor of the Town and executed by Patricia Catania, as mother and natural guardian, of the infant plaintiff. Justice Steinman has indicated that he will sign the proposed Infant Compromise Order approving this settlement and designating the manner in which the \$17,500.00 settlement proceeds will be allocated following the approval of this settlement by the Town Board. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.



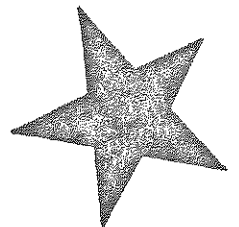
Kindly suspend the rules and place this matter on the January 23, 2024 Town Board Action Calendar.

OFFICE OF TOWN ATTORNEY



Paul S. Ehrlich
Deputy Town Attorney

PSE:pe
Attachment



GENERAL RELEASE

To all to whom these Presents shall come or may Concern, know that

PATRICIA CATANIA, as Mother and Natural Guardian of Infant, C.C, residing at [REDACTED]

as
RELEASOR,

in consideration of the sum of SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS and
00 CENTS

received from (\$17,500.00),

TOWN OF OYSTER BAY,

as RELEASEE,

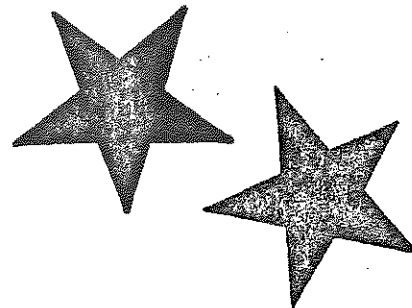
receipt whereof is hereby acknowledged, releases and discharges

TOWN OF OYSTER BAY,

the RELEASEE, RELEASEE'S heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEE, the RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause of thing whatsoever from the beginning of the world to the day of the date of this RELEASE relative to the injuries/damages sustained by the RELEASOR as a result of the accident that occurred on December 20, 2018, at the Town Ice Skating Rink located at 1001 Stewart Avenue, Bethpage, NY, and more fully described in the legal papers filed in the Supreme Court, Nassau County, under index number 608468/2019.

The words "RELEASOR" and "RELEASEE" include all releasors and all releasees under this RELEASE.

This RELEASE may not be changed orally.



In Witness Whereof, the RELEASOR has hereunto set RELEASOR'S hand and seal on the 5 day of Jan, 2024.

The presence of

DocuSigned by:
[Signature]
39F43625597E4BC... L.S.
PATRICIA CATANIA, as Mother and
Natural Guardian of Infant, C.C.

STATE OF NEW YORK, COUNTY OF NYSSA ss.:

On 5 day of Jan, 2024, before me personally came PATRICIA CATANIA, as Mother and Natural Guardian of Infant, C.C., to me known, and known to me to be the individual(s) described in, and who executed the foregoing RELEASE, and duly acknowledged to me that he executed the same.

[Signature]
NOTARY PUBLIC

Rachel Love
Notary Public State of New York
No. 01LO6044910
Qualified in Queens County
Commission Expires July 17 20 26

