

John Lanning
COMMISSIONER OF HUMAN RESOURCES

Meeting of May 7, 2024

RESOLUTION P-8-2024

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.

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

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

Meeting of May 7, 2024

PA-8-2024

WHEREAS, by Resolution No. 804-2021, adopted on December 7, 2021, the Town Board approved a Collective Bargaining Agreement (CBA) between the Town of Oyster Bay and Local 881 of the Civil Service Employees Association, Local 1000, AFSCME AFL-CIO for the period from January 1, 2022 through December 31, 2028; and

WHEREAS, Section 3-4.0 (G) of the CBA states as follows:

“[i]n the event that a Town employee who is the President of Town of Oyster Bay Local 881 Civil Service Association, Inc., Local 1000, AFSCME, AFL-CIO (hereinafter “Local 881”) who is on full time release and receiving an annual stipend as part of his or her base pay becomes an officer of the Civil Service Employees Association Local 1000, AFSCME, AFL-CIO (hereinafter “CSEA”) such employee shall be permitted to perform his or her duties as an officer of CSEA in complete satisfaction and fulfillment of all job requirements and duties with the Town. Such individual shall receive the exact wages (base pay, stipends, shift differential, holiday pay, etc.) that he or she would have received had he or she remained the President of Local 881. CSEA agrees to reimburse the Town of Oyster Bay for expenses incurred by the Town relative to the employee’s status as a Town employee. Such reimbursement shall be to the fullest extent permitted by law and shall include but not be limited to basic salary, stipends, the cost of participation in the Retirement System, health benefits, payroll taxes, leave benefits, and all other employer-employee related expenses. For purposes of this section “officer” shall be defined as President

and;

WHEREAS, Mr. Jarvis T. Brown, a Town employee who had served as President of Town of Oyster Bay Local 881 from July 1, 2013 until February 29, 2024, has been recently elected to President of CSEA Long Island Region 1, effective March 1, 2024 through February 29, 2028; and

WHEREAS, in light of the newly elected position, Mr. Brown who will remain a Town employee on full time release as a CSEA officer, with CSEA acquiescing that the Town compensate Mr. Brown with a salary of \$120,000 per year, plus all benefits, and increases, if any, in accordance with the CBA; and

WHEREAS, pursuant to the CBA Section 3-4.0(G) above, CSEA will reimburse the Town on a quarterly basis the costs and expenses related to the salary and benefits, and any increases, if any, provided to Jarvis T. Brown under the CBA during his tenure as Long Island Region 1 President,

NOW, THEREFORE, BE IT RESOLVED, that the Town is hereby authorized to compensate Jarvis T. Brown with a salary of \$120,000 per year, plus all benefits, and increases,

John Lanning
COMMISSIONER OF HUMAN RESOURCES
APPROVED

if any, as set forth in the CBA, and, to receive, pursuant to CBA Section 3-4.0(G), reimbursement from CSEA on a quarterly basis the costs and expenses related to the salary and benefits, and increases, if any, provided to Jarvis T. Brown under the CBA during his tenure as Long Island Region I President; and be it further

RESOLVED, that this Resolution shall expire at such date that Jarvis Brown no longer serves as a CSEA officer.

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 Imbrotono	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Marchese	Aye
Councilwoman Walsh	Aye

Mary E. Sullivan
President

Ron Briggs
Executive Vice President



Richard Bebo
Secretary

Nicole Meeks
Treasurer



March 1, 2024

Mr. Steven C. Ballas
Comptroller
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, N.Y. 11771

RE: Jarvis Brown
Paid leave of absence to serve as CSEA Region 1 President

Dear Mr. Ballas:

Regarding your employee Jarvis Brown, Mr. Brown has become Region 1 President for the Civil Service Employee's Association, Inc. ("CSEA"), effective March 1, 2024 through February 29, 2028, pursuant to the CSEA Constitution.

It is the Union's policy to purchase leave time in order for Mr. Brown to devote full-time to his union duties. The authority for such procedure is found in General Municipal Law § 92(2) and the New York State Taylor Law.

In compensation for the full release of Mr. Brown, CSEA will pay the Town of Oyster Bay for his salary and all the appropriate fringe benefits. Our expectation is that Mr. Brown will continue to accrue time in his sick/vacation leave banks until the maximum allowable. Furthermore, we expect Mr. Brown to retain his full benefit package with the Town of Oyster Bay while he is on full release time.

On a quarterly basis, CSEA requests an invoice from the Town of Oyster Bay for Mr. Brown's salary and full benefits with appropriate supporting detail. Upon presentment of said invoice, CSEA will pay the charges to the Town of Oyster Bay within 30 days.

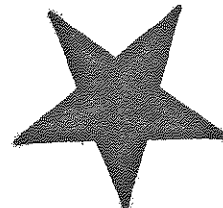
Additionally, if you could provide Mr. Brown's current salary for our records. His authorization to release this information is attached.

Should you have any additional questions, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Peter G. Diana".

Peter G. Diana, CPA
Director of Internal Operations



Mary E. Sullivan
President

Ron Briggs
Executive Vice President



Richard Bebo
Secretary

Nicole Meeks
Treasurer



Authorization to Release Salary Information

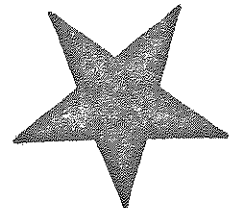
I hereby authorize the Town of Oyster Bay to release my current salary information to the Civil Service Employee's Association, Inc. Please email this information to the attention of Peter G. Diana, Director of Internal Operations at peter.diana@cseainc.org

A handwritten signature in black ink, appearing to read "Jarvis Brown".

Jarvis Brown

A handwritten date "3/5/24" written in black ink.

Date



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

ITEM NO.	DEPT.	AMOUNT	INCREASE
012-24	EXE	\$136,000.00	TWN A 0001 02770 590 0000 INCREASE
		\$136,000.00	DPW A 3510 44900 000 0000
013-24	PKS	\$ 5.30	FROM PKS SP07 7180 41600 000 0000 TO
		\$ 5.30	PKS SP07 7180 42000 000 0000
014-24	PKS	\$ 2,775.04	FROM PKS A 7110 47670 000 0000 TO
		\$ 2,775.04	PKS A 7110 25000 000 0000
015-24	IGA	\$15,000.00	FROM IGA CD 6293 48020 000 CW22 TO
		\$15,000.00	IGA CD 6293 48220 780 CW22
		\$ 5,000.00	FROM IGA CD 6293 48020 000 CW22 TO
		\$ 5,000.00	IGA CD 6293 48220 782 CW22
016-24	DPW	\$ 6,000.00	FROM DPW DB 5110 25000 000 0000 TO
		\$ 6,000.00	DPW DB 5110 41720 000 0000
017-24	PKS	\$ 333.53	FROM PKS A 7110 46300 000 0000 TO
		333.53	PKS A 7110 21000 000 0000
018-24	PKS	\$ 887.70	FROM PKS A 7110 47670 000 0000 TO
		887.70	PKS A 7110 25000 000 0000

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

Town of Oyster Bay Inter-Departmental Memo

April 5, 2024

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

In order to provide funds in the Animal Shelter budget for the procurement of a professional goose control company to service all Town parks, the following transfer of funds is hereby requested:

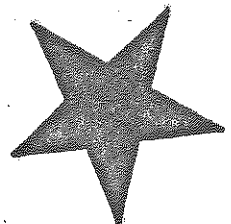
Increase:						
TWN A	0001	02770	590	0000	Miscellaneous Revenue	136,000.00
Increase:						
DPW A	3510	44900	000	0000	Other Contracts	136,000.00

Thank you.



Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/TOF 2024 DPW AS



TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner
Department of Parks
DATE: April 16, 2024
SUBJECT: 2024 Transfer of Funds

Town Board authorization is hereby requesting that the Comptroller transfer the following:

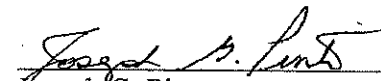
FROM:

PKS-SP07-7180-41600-000-0000 Materials & Supplies \$ 5.30

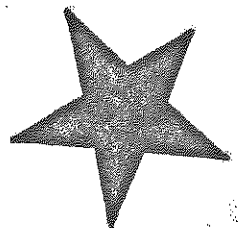
TO:

PKS-SP07-7180-42000-000-0000 Heating Fuel \$ 5.30

This transfer request is to provide funds necessary to pay heating fuel expenses.


Joseph G. Pinto
Commissioner

JGP:jpb



TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner
Department of Parks
DATE: April 16, 2024
SUBJECT: 2024 Transfer of Funds

Town Board authorization is hereby requesting that the Comptroller transfer the following:

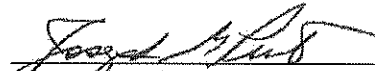
FROM:

PKS- A-7110-47670 000-0000 Special Sporting Events \$2,775.04

TO:

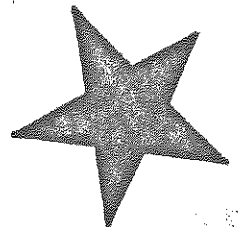
PKS-A-7110-25000-000-0000 General Equipment \$2,775.04

This transfer request is to provide funds necessary to pay for General Equipment purchased by the Special Events Division.



Joseph G. Pinto
Commissioner

JGP:jpb



TOWN OF OYSTER BAY

Inter-Departmental Memo

April 15, 2024

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

SUBJECT: TRANSFER OF FUNDS

AMOUNT: \$ 20,000.00

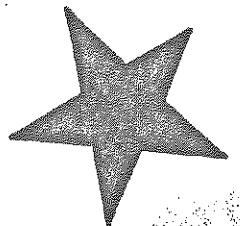
FROM:	IGA CD 6293 48020 000 CW22 (On Job Training)	\$ 15,000.00
TO:	IGA CD 6293 48220 780 CW22 (Supportive Services-Books and Supplies)	\$ 15,000.00
FROM:	IGA CD 6293 48020 000 CW22 (On Job Training)	\$ 5,000.00
TO:	IGA CD 6293 48220 782 CW22 (Supportive Services-Testing/Certify)	\$ 5,000.00

The above listed transfer of funds is required to accommodate the Department of Intergovernmental Affairs (IGA), Division of Employment and Training's (DET) Workforce Innovation and Opportunity Act (WIOA) program expenses. All of the above referenced WIOA program funding is provided to the Town through a federal grant passed through the New York State Department of Labor.

As IGA DET is informed by NYS DOL of its annual appropriation of WIOA funding, IGA DET makes projections as to how that funding will be utilized on program expenses over the course of the fiscal year. As the fiscal year advances and actual expenditures vary from preliminary projections, transfers of WIOA funds are required to accommodate present day WIOA program needs. We therefore respectfully request a Town Board resolution authorizing the Comptroller's office to complete the above listed transfers of funds.

John R. Long For Frank V. Sammartano
 Deputy
 Commissioner
 Frank V. Sammartano
 Commissioner

FVS:dp



TOWN OF OYSTER BAY
Inter-Departmental Memo

4/18/2024


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


SUBJECT: TRANSFER OF FUNDS 2024

Town Board authorization is requested to transfer the following funds:

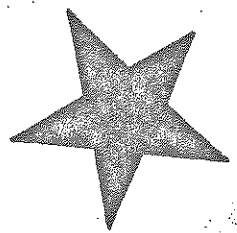
Account No.	Object Description	Amount
<u>From:</u> DPW DB 5110 25000 000 0000	GENERAL EQUIPMENT	\$6,000.00
<u>To:</u> DPW DB 5110 41720 000 0000	SMALL TOOLS	\$6,000.00

This transfer is needed to purchase asphalt rakes, tampers, and hoes, to be used by all DPW/Highway yards.


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

 JCT/dp

C: Comptroller's Office
John C. Tassone, Chief Deputy Commissioner/DPW



2A

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner
Department of Parks
DATE: April 16, 2024
SUBJECT: 2024 Transfer of Funds

Town Board authorization is hereby requesting that the Comptroller transfer the following:

FROM:

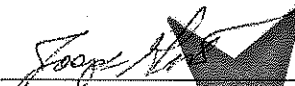
PKS- A-7110-46300-000-0000 Building, Property Maintenance \$333.53

TO:

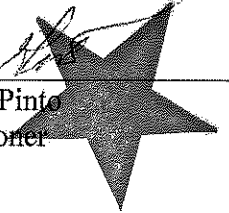
PKS-A-7110-21000-000-0000 Furniture \$333.53

This transfer request is to provide funds necessary to pay for office furniture.

JGP:jpb



Joseph G. Pinto
Commissioner



Department: **PARKS DEPARTMENT**

Division: _____ Div. Req. #: _____

Deliver To: **977 HICKSVILLE ROAD**

Located At: **MASSAPEQUA, NY 11758**

Procurement - Material, Supplies, Equipment

- 1. DESCRIPTION OF MATERIALS OR EQUIPMENT
- 2. DESCRIPTION OF CATALOG, NUMBERS, AND MANUFACTURER
- 3. SKIP TWO LINES BETWEEN ITEMS

DEPARTMENT OF GENERAL SERVICES DIVISION OF PURCHASE & SUPPLY	
REQUISITION	
EMERGENCY REQUEST	
BY: _____	DATE: _____
TYPE SERVICE: _____	

Requisition # 261 Year 2024

Appropriation Acct PKS-A-7110-21000-000-0000

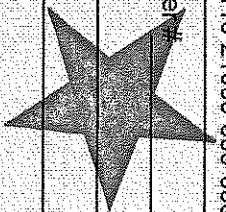
Vendor # 13592 Order # _____

Terms: _____

F.O.B.: _____

Delivery Date: ASAP

M & S # _____



ITEM NO.	QUANTITY REQUIRED	UNIT	DESCRIPTION	ITEM	UNIT PRICE	AMOUNT	VENDOR
1	1	Each	HIRSH Lateral File Cabinet - Putty - 3 Drawers 40 1/4" In overall Ht - 18 5/8" overall dp - steel		\$611.40	\$611.40	GRAINGER
			Estimate: \$611.40	555.36			
			For use by the Parks Human Resources Division	281.93			
				333.53			

REQUESTED BY: G. Mangino	DATE: 4/10/24	TITLE: COMMISSIONER	APPROVED: <i>[Signature]</i>
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HEREBY CERTIFY THAT THE ITEMS SPECIFIED ARE NECESSARY AND ARE FOR THE USE OF THIS DEPT.

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: April 23, 2024

SUBJECT: 2024 Transfer of Funds

Town Board authorization is hereby requesting that the Comptroller transfer the following:

FROM:


PKS- A-7110-47670 000-0000	Special Sporting Events	\$887.70
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TO:

PKS-A-7110-25000-000-0000	General Equipment	\$887.70
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This transfer request is to provide funds necessary to pay for General Equipment purchased by the Special Events Division.

JGP:jpb



Joseph G. Pinto
Commissioner

Department **PARKS DEPARTMENT**

Division: _____ Div. Req. #: _____

Deliver To: **977 HICKSVILLE ROAD**

Located At: **MASSAPEQUA, NY 11758**

Procurement - Material, Supplies, Equipment

- 1. DESCRIPTION OF MATERIALS OR EQUIPMENT
- 2. DESCRIPTION OF CATALOG, NUMBERS, AND MANUFACTURER
- 3. SKIP TWO LINES BETWEEN ITEMS

DEPARTMENT OF GENERAL SERVICES
DIVISION OF PURCHASE & SUPPLY
REQUISITION

EMERGENCY REQUEST

BY: _____
DATE: _____
TYPE SERVICE: _____

Requisition # 294 Year 2024

Appropriation Acct: **PKS-A-7110-25000-000-0000**

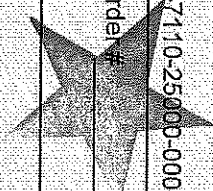
Vendor # 13592 Order # _____

Terms: _____

F.O.B.: _____

Delivery Date: ASAP


M & S # SC



ITEM NO.	QUANTITY REQUIRED	UNIT	DESCRIPTION	ITEM	UNIT PRICE	AMOUNT	VENDOR
1	1	EACH	GENERAC PORTABLE GENERATOR: INVERTER, GASOLINE, 2200 W RUNNING, 2500 W STARTING, 120V AC, ELECTRIC ITEM #810JF0		\$887.70	\$887.70	GRAINGER
			ESTIMATE: \$887.70				

I HEREBY CERTIFY THAT THE ITEMS SPECIFIED ARE NECESSARY AND ARE FOR THE USE OF THIS DEPT.

REQUESTED BY: K. CONOLOGUE	DATE: 4/23/24	TITLE: COMMISSIONER	APPROVED: <i>[Signature]</i>
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REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community & Youth Services, by memorandum dated March 29, 2024, requested Town Board authorization for the Department to present the "Spanish-American War/World War I Historical Event", in partnership with the Friends of Sagamore Hill and the Theodore Roosevelt Association, at Theodore Roosevelt Memorial Park & Beach, Oyster Bay, from 11:00 a.m. to 3:00 p.m., on Saturday, June 1, 2024; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that said event shall be free to the public, and shall include President Theodore Roosevelt and General Joseph Wheeler re-enactors, "Rough Riders" on horseback, Long Island mounted cowboy shooting, interpretive historical performances with live period music, carriage driving demonstrations, saber performances and Spanish-American War/World War I historical re-campments with canvas period tents; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that food and beverages shall be available to the public for purchase, and that the Department of Community & Youth Services reserves the right to utilize the current Town concessionaire(s); and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board waive the provisions of the Code of the Town of Oyster Bay, Section II, General Legislation", Chapter 168, "Parks and Recreation", Article I, "General Provisions", Section 168-22, "Alcoholic Beverages", in the location, and for the duration, of said event; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board waive the provisions of the Code of the Town of Oyster Bay, Section II, General Legislation", and Chapter 82, "Alcoholic Beverages", Section 82-3, "Prohibitions (subsections 82-3 A & B inclusive)", in the location, and for the duration, of said event; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested, that the Town Board authorize the Department of Community and Youth Services, to sign and enter into an agreement, as negotiated and approved by the Office of the Town Attorney, to utilize the services of Boots and Saddles Productions, LLC, 187 County Highway 35, Maryland, New York 12116, for a theatrical performance to take place at said event, in an amount not to exceed \$9,850.00; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that there are sufficient funds available for said payment in Account No. CYS A 7020 47660 000 0000, Special Events; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested, that the Town Board authorize the Supervisor, or his designee, to execute said Agreement; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and the Department of Community & Youth Services is hereby authorized to present the "Spanish-American War/World War I Historical Event", in partnership with the Friends of Sagamore Hill and the Theodore Roosevelt Association, at Theodore Roosevelt Memorial Park & Beach, Oyster Bay, from 11:00 a.m. to 3:00 p.m., on Saturday, June 1, 2024, with the event to be held free of charge to the public; and be it further

RESOLVED, That the Department of Community and Youth Services is hereby authorized to sign and enter into an agreement, as negotiated and approved by the Office of the Town Attorney, to utilize the services of Boots and Saddles Productions, for a theatrical performance to take place at said event, in an amount not to exceed \$9,850.00; and be it further

RESOLVED, That the Supervisor, or his designee, is hereby authorized to execute said Agreement; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000, Special Events; and be it further

RESOLVED, That the Town Board hereby authorizes and directs the Comptroller to make payment for same, upon the submission of a duly certified claim; after audit; and be it further

RESOLVED, That the Town Board hereby waives the provisions of the Code of the Town of Oyster Bay, Section II, General Legislation", the provisions of the Code of the Town of Oyster Bay, Section II, General Legislation", Chapter 168, "Parks and Recreation", Article I, "General Provisions", Section 168-22, "Alcoholic Beverages", in the location, and for the duration, of said event; and be it further

RESOLVED, That the Town Board hereby waives the provisions of the Code of the Town of Oyster Bay, Section II, General Legislation", Chapter 82, "Alcoholic Beverages", Section 82-3, "Prohibitions (subsections 82-3 A & B inclusive)", in the location, and for the duration, of said event.

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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	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

March 29, 2024

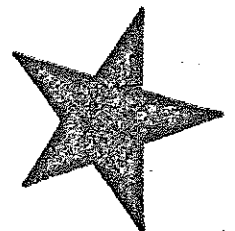
TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: Spanish American War - WWI Historical Event

The Department of Community and Youth Services is requesting Town Board authorization to present a Spanish American War - WWI historical event. The event would be held on Saturday, June 1, 2024 from 11:00 AM to 3:00 PM at Theodore Roosevelt Memorial Park & Beach in Oyster Bay.

If approved, this historical depiction will be free to the public and include a President Theodore Roosevelt and General Joseph Wheeler re-enactors, Rough Riders on horses, Island Long Riders mounted cowboy shooting, interpretive historical performances with live period music, carriage driving demos, saber performances, and Spanish American War - WWI historical encampment with canvas period tents. This event will be held in partnership with Friends of Sagamore Hill and the Theodore Roosevelt Association.

Food and beverage shall be available to the public for purchase. The Department of Community and Youth Services reserves the right to utilize the current Town concessionaire(s). In furtherance of such event, the Codes of the Town of Oyster Bay, §168-22 *Alcoholic Beverages; No person shall bring beer, ale or any other alcoholic beverage into any park or beach*, shall be waived and Section 82-3, *Alcoholic Beverages in public* shall be waived for the event.

Additionally, the Department of Community and Youth Services requests Town Board authorization to sign a contract with Boots & Saddles Productions, LLC located at 187 Country Highway 35, Maryland, NY 12116. The proposed vendor's Disclosure Questionnaire has been reviewed and satisfies the Town's Procurement Policy.



TO: Memorandum Docket
RE: 2024 Historical Reenactment

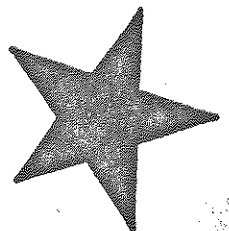
Page 2
March 29, 2024

The fee for this performance is \$9,850.00 and the funds are available in Account CYS A 7020 47660 000 0000, *Special Events*.

Therefore, it is respectfully requested that the Town Board authorize the Department to present the Spanish American War - WWI historical event and permit the Town to enter into an agreement, as negotiated and approved by the Town Attorney's Office. It is further requested that the Town Board authorize the Supervisor and/or his designee to execute said agreement.


Maureen A. Fitzgerald
Commissioner

MAF:kf
Attachments



Reviewed By
Office of Town Attorney
Amberica Wolfe

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated March 29, 2024, requested Town Board authorization to retain the professional services of JSJ Workshop Corp., 1047 Hicksville Road, Seaford, New York 11783, to conduct three (3) ceramics classes at the North Massapequa Community Center, on Mondays, July 22, 2024, July 29, 2024, and August 5, 2024, for the Senior Citizens Services Summer Program, with the admission to said classes to be free of charge, but where each participant shall pay a materials fee directly to the vendor, which fee shall not exceed \$25.00, and which shall be based upon each participant's ceramics piece choice ; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised, that the proposed vendor's questionnaire has been reviewed, and satisfies the provisions of the Town of Oyster Bay Procurement Policy,

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 retain the professional services of JSJ Workshop Corp., 1047 Hicksville Road Seaford, New York 11783, to conduct three (3) ceramics classes at the North Massapequa Community Center, on Mondays, July 22, 2024, July 29, 2024, and August 5, 2024, for the Senior Citizens Services Summer Program, with the admission to said classes to be free of charge, but where each participant shall pay a materials fee directly to the vendor, which fee shall not exceed \$25.00, and which shall be based upon each participant's ceramics piece choice.

#

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

March 29, 2024

TO: Memorandum Docket
FROM: Maureen A. Fitzgerald, Commissioner
Department of Community and Youth Services
SUBJECT: 2024 Senior Summer Program, Ceramic Classes

The Department of Community & Youth Services requests Town Board authorization to retain the professional services of "JSJ Workshop Corp." to instruct ceramic classes for the 2024 Senior Citizens Services Summer Program.

JSJ Workshop Corp.
1047 Hicksville Rd.
Seaford, NY 11758

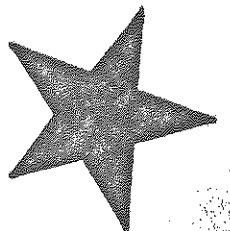
The classes will take place Mondays, July 22nd, July 29th and August 5th at the North Massapequa Community Center. The ceramics classes are free; however, the seniors will pay a materials fee directly to the Vendor. The materials fee shall not exceed \$25.00 and is based on the ceramics piece(s) of their choice. In 2023 these services were authorized by Town Board Resolution # 406-2023, dated June 27, 2023.

The proposed Vendor's Disclosure Questionnaire has been reviewed and satisfies the Town's Procurement Policy.

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


Maureen A. Fitzgerald
Commissioner

MAF:sab



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated June 9, 2023, requested Town Board authorization to retain the professional services of Time Flies Ceramic Studio, 1047 Hicksville Road Seaford, New York 11758, to conduct two (2) ceramics classes at the North Massapequa Community Center, on Wednesday August 9, 2023, and Wednesday August 16, 2023, for the Senior Citizens Services Summer Program, with the admission to said classes to be free of charge, but where each participant shall pay a materials fee directly to the vendor, which fee shall not exceed \$15.00, and which shall be based upon each participant's ceramics piece choice ; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised, that the proposed vendor's questionnaire has been reviewed, and satisfies the provisions of the Town of Oyster Bay Procurement Policy,

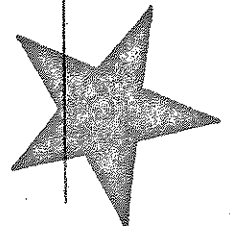
NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is approved, and the Department of Community and Youth Services is hereby authorized to retain the professional services of Time Flies Ceramic Studio, to conduct two (2) ceramics classes at the North Massapequa Community Center, on Wednesday August 9, 2023, and Wednesday August 16, 2023, for the Senior Citizens Services Summer Program, with the admission to said classes to be free of charge, but where each participant shall pay a materials fee directly to the vendor, which fee shall not exceed \$15.00, and which shall be based upon each participant's ceramics piece choice.

#

PRB
Reviewed By
Office of Town Attorney
Robert P. Kosloski

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	Absent
Councilwoman Walsh	Aye



Meeting of May 7, 2024

Resolution No. 319-2024

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 1, 2024, recommended that the Town Board authorize a refund in the amount of \$400.00 be paid to Michael Levy, for payment made for a Non-Resident 2024 Town of Oyster Bay Golf Course Membership, as Mr. Levy requested a refund due to improvement projects and construction on the golf course; and

WHEREAS, According to the 2024 Town of Oyster Bay refund policy, Mr. Levy is entitled to a full refund of the \$400.00 Non-Resident Membership fee, as the 5 percent administrative fee is waived; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Department of Parks is hereby authorized to issue a refund in the amount \$400.00 to Michael Levy, from Account No. PKS A 0001 02025 523 0000 and payment of said refund is to be made by the Comptroller, upon presentation of a duly certified claim, after audit.

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ramona Walsh

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	Ayc
Councilman Hand	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

319

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 4/1/2024

SUBJECT: Michael Levy- Golf Non Resident Membership Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$400.00 (four hundred dollars and 00/100 cents) to Michael Levy, [REDACTED] 11710. Due to Improvement Projects and construction on the Golf Course Mr. Levy would like a refund on his Golf Non Resident Membership..

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

Golf Non Resident Membership \$400.00
5% Administrative Fee Waived

TOTAL REFUND \$400.00 (four hundred dollars and 00/100 cents)

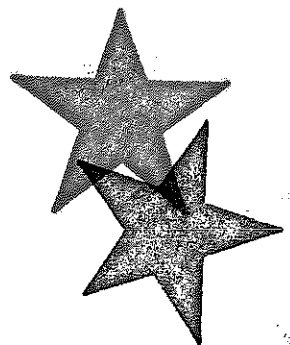
The Office of the Comptroller has reviewed the department back-up documentation and verified funds are available for this requested refund.

Kindly debit the following account: PKS A.0001 02025 523 0000



Joseph G. Pinto
COMMISSIONER

JGP/nh



Meeting of May 7, 2024

Resolution No. 320-2024

WHEREAS, Joseph A. Orlich, Vice-Flotilla Commander & Flotilla Operations Officer, United States Department of Homeland Security, United States Coast Guard Auxiliary, Oyster Bay Flotilla 22-05, 49 Cord Place, East Norwich, New York 11732, by letter dated March 11, 2024, requested Town Board approval to berth United States Coast Guard Operational Facility 221722, bearing registration number NY5883FR, at Theodore Roosevelt Marina, Oyster Bay, for the 2024 Summer season, free of cost; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 14, 2024, requested and recommended Town Board approval to berth United States Coast Guard Auxiliary Operational Facility 221722, bearing registration number NY5883FR, at Theodore Roosevelt Marina for the 2024 Summer season, free of cost; and

WHEREAS, Commissioner Pinto, by said memorandum, advised, that the Coast Guard Auxiliary, Oyster Bay Flotilla 22-05, provides services to Town residents, including educatory vessel operations, providing safety checks of vessels and conducting continuous training and patrol missions,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and the Department of Parks is authorized to berth United States Coast Guard Auxiliary Operational Facility 221722, bearing registration number NY5883FR, at Theodore Roosevelt Marina, Oyster Bay, for the 2024 Summer season, free of cost.

#

RA
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Stedley

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: MARCH 14, 2024

SUBJECT: REQUEST FOR SUMMER BERTHING AT THEODORE ROOSEVELT MARINA –
JOSEPH ORLICH, FLOTILLA OPERATIONS OFFICER, OYSTER BAY FLOTILLA 22-05

The Department of Parks requests Town Board authorization for Joseph Orlich, Flotilla Operations Officer of Oyster Bay Flotilla 22-05, to berth United States Coast Guard Operational Facility 221722, registration number NY5883FR, at Theodore Roosevelt Marina for the 2024 summer season at no cost.

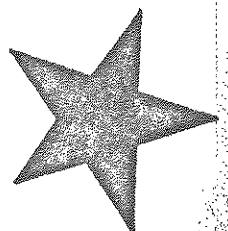
Please see the attached request letter from Joseph Orlich, Flotilla Operations Officer, along with his corresponding documentation.

Mr. Orlich is involved with the United States Coast Guard Auxiliary, as well as continuous training and patrol missions. His participation in these activities protects and educates resident boaters. Therefore, this department respectfully recommends approval of this request.



JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT

JGP/db
Att.





DEPARTMENT OF HOMELAND SECURITY
 UNITED STATES COAST GUARD AUXILIARY
 (AUTHORIZED BY CONGRESS 1939)



THE CIVILIAN COMPONENT OF THE U. S. COAST GUARD

FLOTILLA 0142205, OYSTER BAY, NEW YORK
 VALERIE ELEFONTE, Flotilla Commander – JOSEPH A ORLICH, Vice Flotilla Commander

March 11, 2024

Joseph A Orlich
 Vice Flotilla Commander
 Flotilla Operations Officer
 U.S. Coast Guard Auxiliary
 Oyster Bay Flotilla 22-05
 49 Cord Place
 East Norwich, NY 11732

Commissioner Joseph Pinto
 Town of Oyster Bay
 Beaches Division
 977 Hicksville Rd
 Massapequa, NY 111758

*OK
 Please put
 packet
 AS IN prior
 years
 [Signature]*

Dear Commissioner Pinto,

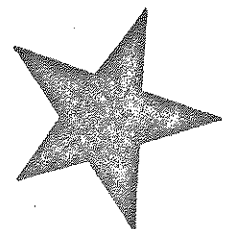
As part of our USCG Auxiliary mission goals of directly supporting local USCG activities as well as conducting recreational boating safety programs for Town of Oyster Bay residents, we are requesting a slip in the Roosevelt Marina for the 2024 boating season. As in past years, we have requested a waiver of all Town fees.

USCG Operational Facility 221722, will be the patrol vessel using the slip. As in past years, the vessel will be placarded as a USCG Auxiliary Operational facility while in the slip. All requested documentation is attached. The support of you, Supervisor Saladino, and Deputy Supervisor Gregory Carman in assisting the Oyster Bay Flotilla in our mission goals is recognized and greatly appreciated by our members.

2024 has seen an unprecedented reduction in active-duty personnel at Station Eaton Neck. Together with the closing deadline of in the implantation of "Brianna's Law", we are expecting a extremely busy Auxiliary season. Educating the public through attendance at our Boating America classes and courtesy vessel exams for safety equipment is only part of our mission. As we did last year at these events, our outreach will see our participation, in Town of Oyster Bay events such as Oyster Bay Harbor Spring Cleanup, the annual Spring Festival in Syosset, ,TOB Special Olympics, 'Art in the Park", Armed Forces Day, Empire State Ride Downtown, Tobay Waterfront Festival and the Fall Oyster Bay Harbor Cleanup. Our mission is to bring the message of boating safety to people at each of these events.

Semper Paratus,

Joseph A Orlich.



NEW YORK STATE BOAT REGISTRATION



NYS883FR

2003 WELLD WELHGA191203

P15E OUT PLEASURE

081 GAS 11154926 JAN 27 2002

WEB WESCOA

EXPIRES 04/30/25

NON-TRANSFERABLE

ORLICH, JOSEPH, A

DB745171

VOID IF ALTERED EXCEPT FOR CHANGE OF ADDRESS MV-538CB (8/21)

Fee Paid

57.50

NEW YORK STATE USA

DRIVER LICENSE

ID [REDACTED] Class DM

ORLICH JOSEPH ANTHONY

[REDACTED]

Sex M Height 5'09" Eyes BRO

DOB [REDACTED]

Expires [REDACTED]

E NONE

RB

Issued 08/03/2018

JOSEPH ORLICH

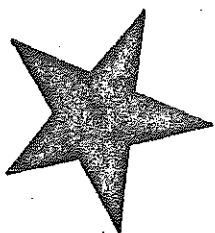
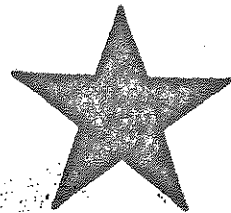
DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD AUXILIARY

[REDACTED]

JOSEPH A. ORLICH

STATUS: MEMBER	QUAL: BQ	MEMBER ID: [REDACTED]
ISSUED BY: [REDACTED]		



Hold Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 11 day of March 2024 by USCG Auxiliary Oyster Bay (hereinafter "(Organization)"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Theodore Roosevelt Marina Slip

for the event described as Marine Safety Patrols
The property/equipment is needed from April 9, 2024 to November 10, 2024.
The event for which the property and/or equipment is requested is is not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for loss and/or expense or suits for damage to persons or property, including its property, arising from its use of Town property and/or equipment.

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of \$1,000,000 each occurrence, \$2,000,000 general aggregate and, where appropriate, \$2,000,000 products, naming the Town as additional insured. All certificates of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization

Oyster Bay USCG Auxiliary

Address of Organization

49 Cord Pl, East Norwich, NY

By:

Joseph A Orlik

Authorized Representative

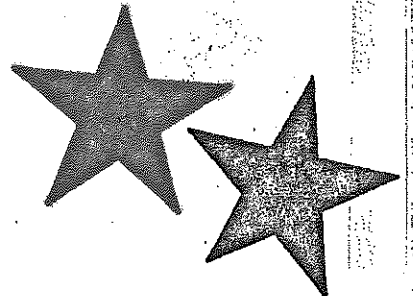
Title:

VFL + Operations Officer

Telephone Number:

(516) 922-1223

cell [REDACTED]



PROGRESSIVE
P.O. BOX 31260
TAMPA, FL 33631

PROGRESSIVE
BOAT

NAIC Company Code: 16322

Policy Number: 951158231

Underwritten by:
Progressive Direct Insurance Co

Policyholder:
Joesph Orlich

Page 1 of 1
March 12, 2024

Customer Service

1-800-776-4737

24 hours a day, 7 days a week

Verification of Insurance for

Joesph Orlich

This verification of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this verification of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of the policies.

Please accept this letter as verification of insurance for this policy.

Policy and driver information

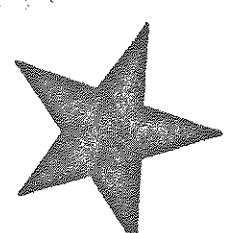
Policy number: 951158231
Policy state: New York
ICC Code: 459
Policy period: Aug 11, 2023 - Aug 11, 2024
There was no lapse in coverage during this policy period.
Effective date: Aug 11, 2023
Drivers: Joesph Orlich
Address: 49 Court Place
East Norwich, NY 11732

Watercraft information

Watercraft: 2003 Wellcraft 210 Sportsman
Hull identification number: WELHGA191203
Rating base: \$18,700

Coverage information

Liability To Others
Bodily Injury Liability \$250,000 each person/\$500,000 each accident
Property Damage Liability \$100,000 each accident
Comprehensive Agreed Value \$18,700 Deductible: \$250
Collision Agreed Value \$18,700 Deductible: \$250



Meeting of May 7, 2024

Resolution No. 321-2024

WHEREAS, the SOUTH FARMINGDALE FIRE DEPARTMENT, fee owner, has applied for the issuance of Building Permits for the construction of an outdoor recreation area, within the rear yard of the property located at 819 Main Street, Farmingdale, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 49, Block 54, Lots 1-17, 48-52 on the Land and Tax Map of Nassau County; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Zoning, Section 236-4.1.4.2 (Governmental Uses) and Section 246-6 (Site Plan Review) require the applicant to submit plans for Town Board approval prior to the issuance of Building Permits, without the need of a public hearing; and

WHEREAS, Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, by memorandum dated March 25, 2024, advised that the Department of Planning and Development reviewed the following ten (10) plans prepared by Mark Vincent Kruse, R.A., RMB, East Meadow, New York, and six (6) plans prepared by Matthew K. Aylward, P.E., Robinson & Muller Engineers, Huntington, New York:

WRS
Reviewed By
Office of Town Attorney
John M. Muller

SHEET NO.	TITLE	PREPARED BY	DATE
A-1	Cover Sheet, Plot Plan, Zoning And Project Description	Mark Vincent Kruse, R.A.	11/21/2023
A-2	Construction Plan with Demo	Mark Vincent Kruse, R.A.	11/21/2023
A-3	Proposed Rear Elevation And Details	Mark Vincent Kruse, R.A.	11/21/2023
A-4	Proposed Gazebo Foundation & Construction Plans	Mark Vincent Kruse, R.A.	11/21/2023
A-5	Proposed Ceiling & Roof Plans	Mark Vincent Kruse, R.A.	11/21/2023
A-6	Proposed Gazebo Elevations	Mark Vincent Kruse, R.A.	11/21/2023
A-7	Proposed Gazebo Elevations	Mark Vincent Kruse, R.A.	11/21/2023
A-8	Proposed Gazebo Section & Structural Details	Mark Vincent Kruse, R.A.	11/21/2023
A-9	Proposed BBQ Cabana Plans & Elevation	Mark Vincent Kruse, R.A.	11/21/2023
A-10	Notes	Mark Vincent Kruse, R.A.	11/21/2023
SP-1	Cover	Matthew K. Aylward, P.E.	01/29/2024
SP-2	Site Alignment Plan	Matthew K. Aylward, P.E.	01/29/2024
SP-3	Grading, Drainage & Utility Plan	Matthew K. Aylward, P.E.	01/29/2024
SP-4	Photometric Plan	Matthew K. Aylward, P.E.	01/29/2024
SP-5	Construction Details	Matthew K. Aylward, P.E.	01/29/2024
SP-6	Construction Details	Matthew K. Aylward, P.E.	01/29/2024

and

WHEREAS, said Commissioner further reported that the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review,

NOW, THEREFORE, BE IT RESOLVED, That in accordance with the memorandum of Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, dated March 25, 2024, the plans set forth hereinabove are hereby approved; and be it further

RESOLVED, That the application of the SOUTH FARMINGDALE FIRE DEPARTMENT, fee owner, for the issuance of Building Permits for the construction of an outdoor recreation area, within the rear yard of the property located at 819 Main Street, Farmingdale, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 49, Block 54, Lots 1-17, 48-52 on the Land and Tax Map of Nassau County, is hereby APPROVED.

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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	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: ANGELO A. DELIGATTI, COMMISSIONER
DEPARTMENT OF PLANNING & DEVELOPMENT

DATE: MARCH 25, 2024

SUBJECT: BUILDING APPLICATION REVIEW AND APPROVAL
SOUTH FARMINGDALE FIRE DISTRICT
819 MAIN STREET
FARMINGDALE, NEW YORK 11735
SECTION 49, BLOCK 54, LOT(S) 1-17, 48- 52

The Planning Division has reviewed the above captioned application with regard to section, block and lot designation, zoning classification, existing variances and zoning violations. This review is made pursuant to Chapter 246, Section 4.1.4.2 (Governmental Uses) of the Code of the Town of Oyster Bay which requires the applicant to submit plans for Town Board Approval prior to the issuance of Building Permits (without the need for public hearing).

This application is proposing the construction of an outdoor recreation area for South Farmingdale Fire Department. Please see enclosed ten (10) plans prepared by Mark Vincent Kruse, R.A., RMB, East Meadow, NY, and six (6) plans prepared by Matthew K. Aylward, P.E., Robinson & Muller Engineers, Huntington, NY that have been submitted for approval. The plans are as follows:

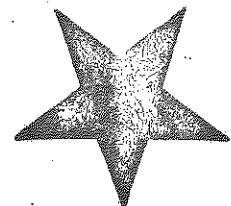
SHEET NUMBER/TITLE	PREPARED BY	DATE
A-1/Cover Sheet, Plot Plan, Zoning, & Project Description	Mark Vincent Kruse, R.A.	11/21/2023
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A-5/Proposed Ceiling & Roof Plans	Mark Vincent Kruse, R.A.	11/21/2023
A-6/Proposed Gazebo Elevations	Mark Vincent Kruse, R.A.	11/21/2023
A-7/Proposed Gazebo Elevations	Mark Vincent Kruse, R.A.	11/21/2023
A-8/Proposed Gazebo Section & Structural Details	Mark Vincent Kruse, R.A.	11/21/2023
A-9/Proposed BBQ Cabana Plans & Elevation	Mark Vincent Kruse, R.A.	11/21/2023
A-10/Notes	Mark Vincent Kruse, R.A.	11/21/2023
SP-1/Cover	Matthew K. Aylward, P.E.	01/29/2024
SP-2/Site Alignment Plan	Matthew K. Aylward, P.E.	01/29/2024
SP-3/Grading, Drainage & Utility Plan	Matthew K. Aylward, P.E.	01/29/2024
SP-4/Photometric Plan	Matthew K. Aylward, P.E.	01/29/2024
SP-5/Construction Details	Matthew K. Aylward, P.E.	01/29/2024
SP-6/Construction Details	Matthew K. Aylward, P.E.	01/29/2024


Development of the subject premises in accordance with the plan attached does comply with the requirements of Chapter 246, Section 4.1.4.2 (Governmental Uses) of the Code of the Town of Oyster Bay. Therefore, I refer the enclosed documentation to the Honorable Town Board for their review and action in accordance with Chapter 246 of the Code of the Town of Oyster Bay.


ANGELO A. DELIGATTI
COMMISSIONER

AAD/dmh
Encls.

cc: Legislative Affairs (9 copies w/ attachments)



Reviewed By
 Office of Town Attorney


WHEREAS, by Resolution No. 270-2023, adopted on April 18, 2023, the Town Board of the Town of Oyster Bay granted the Petition of 1099 OLD COUNTRY LLC, fee owner, for a Special Use Permit and Site Plan Approval to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 1099 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York, said premises being described as Section 47, Block G, Lot 753 on the Land and Tax Map of the County of Nassau; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Section 6.8, Expiration, provides that the approval of a signed site plan shall expire in the event that an application has not been made for a building permit within one year after the date the site plan was signed, unless an extension of the time is granted; and

WHEREAS, the Petitioner, through its attorneys, Brown, Altman & DiLeo, LLP, by letter dated February 22, 2024, requested an extension of time from the current expiration date of April 18, 2024, to apply for a building permit; and

WHEREAS, Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, by memorandum dated March 26, 2024, recommended that two (2) consecutive six (6) month extensions of time be granted from the current expiration date of April 18, 2024, to apply for a building permit,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation is hereby accepted and the time for 1099 OLD COUNTRY LLC, fee owner, to apply for a building permit in the instant matter is hereby extended through April 18, 2025, nunc pro tunc, and the same terms and conditions effective pursuant to Town Board Resolution No. 270-2023, adopted on April 18, 2023, shall prevail.

-#-

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memo

March 26, 2024

To : MEMORANDUM DOCKET
From : ANGELO A. DELLIGATTI, COMMISSIONER
DEPARTMENT OF PLANNING & DEVELOPMENT
Subject : REQUEST FOR EXTENSION OF TIME FOR SPECIAL USE PERMIT
APPROVED SITE PLAN
TOWN BOARD RESOLUTION #270-2023
PETITION OF 1099 OLD COUNTRY LLC
1099 OLD COUNTRY RD. PLAINVIEW
SECTION: 47 BLOCK: G LOTS: 753

This Department is in receipt of correspondence, dated February 22, 2024, from David N. Altman, Esq. of Law Offices of Brown Altman & Dileo, LLP requesting an extension of time to commence with the approved use and development of the site for the above captioned premises (see attached). It is my recommendation that a two (2) six (6) month extension of time should be granted from the current expiration date of April 18, 2024 to April 18, 2025, nunc pro tunc.

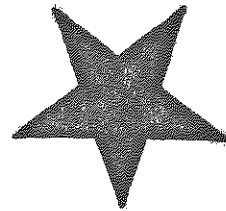
The same terms and conditions should prevail as contained in Town Board Resolution Number 270-2023 dated April 18, 2023.

Very Truly Yours,



ANGELO A. DELLIGATTI
COMMISSIONER

AAD/cm
Enclosure



cm



BROWN
ALTMAN &
DILEO, LLP

538 BROADHOLLOW ROAD SUITE 301
MELVILLE, NEW YORK 11747
TEL 516-222-0222 FAX 516-222-0322
KBDA@BROWNALTMAN.COM WWW.BROWNALTMAN.COM

February 22, 2024

VIA FEDERAL EXPRESS

Angelo Delligatti, Commissioner
Department of Planning and Development
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, NY 11771
Attn: Gina LoPresti

Re: Request for an Extension of the Town of Oyster Bay (the "Town") Town Board Site Plan Approval to 1099 Old Country LLC in connection with the property located at 1099 Old Country Road, Plainview, New York; NCTM No.: Sec. 47, Blk. G, Lot 753 (the "Property")
Town Board Resolution Numbers 270-2023

Dear Commissioner Delligatti:

We represent 1099 Old Country Road LLC in connection with the Property. In accordance with Section 246-6.8.1 of the Town Code, Bolla respectfully requests a one (1) year renewal of the April 18, 2023 Town Board Site Plan approval (copy enclosed).

After receiving the Town Board Approval, 1099 Old Country Road LLC recorded the Restrictive Covenants in the Nassau County Clerk's Office on June 8, 2023. On November 2, 2023, the Town Zoning Board of Appeals granted the area variances and sign variances for the Property.

1099 Old Country Road LLC respectfully requests a renewal of the Site Plan Approval. Enclosed you will find one (1) check made payable to the "Town of Oyster Bay" in the amount of \$250.00, representing the Site Plan approval renewal fee.

Should you have any questions concerning the foregoing or require additional information please do not hesitate to contact our office. Thank you for your consideration and anticipated approval of the request.

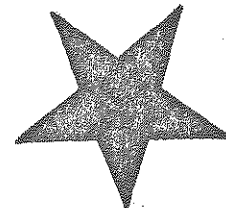
Very truly yours,

BROWN ALTMAN & DILEO, LLP

By: 

David N. Altman, Esq.

Encls.



Reviewed By
Office of Town Attorney
[Signature]

WHEREAS, 1099 OLD COUNTRY LLC, fee owner, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval, to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 1099 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 47, Block G, Lot 753 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on December 13, 2022, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

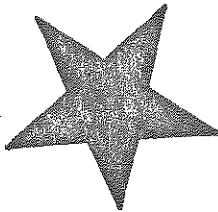
WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed and submitted its Quality Review Report regarding the environmental impacts contemplated by said Petition; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated February 1, 2021, recommended Town Board determination that the subject application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, relative to "construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities," and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10508-22, adopted on December 15, 2022, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Elizabeth L. Maccarone, then Commissioner, Department of Planning and Development, by memorandum dated July 12, 2022, advised that the Department of Planning and Development has reviewed the following fourteen (14) plans prepared by Christopher Tartaglia, P.E., High Point Engineering, Farmingdale, New York:



SHEET NO.	TITLE	PREPARED BY	LAST REVISED
T-1	Title Sheet	Christopher Tartaglia, P.E.	05/12/2022
SP-1	Existing Site Plan/Removal Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-2	Site Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-3	Grading & Drainage Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-4	Sediment & Erosion Control Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-5	On-Site Parking/Traffic Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-6	Utility Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-7	Landscape Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-8	Lighting Plan	Christopher Tartaglia, P.E.	05/12/2022
SP-9	Detail Sheet	Christopher Tartaglia, P.E.	05/12/2022
SSD-1	Sight Distance Plan	Christopher Tartaglia, P.E.	05/12/2022
A1.0	Proposed Floor Plan	Christopher Tartaglia, P.E.	08/12/2017
A2.0	Exterior Elevations	Christopher Tartaglia, P.E.	08/12/2017
CA-1	Freestanding ID Sign/ Canopy Elevations	Christopher Tartaglia, P.E.	02/01/2022

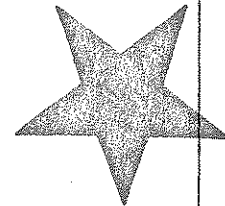
WHEREAS, Commissioner Maccarone, by said memorandum, reported that the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that the granting of a Special Use Permit to allow for the operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 1099 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 47, Block G, Lot 753, on the Land and Tax Map of Nassau County, is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[e]), Type II Actions List, Item No. 9; and be it further

RESOLVED, That the Petition of 1099 OLD COUNTRY LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 1099 Old Country Road, Plainview, Town of Oyster Bay, County of Nassau, State of New York and described as Section 47, Block G, Lot 753 on the Land and Tax Map of Nassau County, is hereby GRANTED, for the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in Plainview, County of Nassau and State of New York, bounded and described as follows:



BEGINNING at a point on the new westerly side of Massapequa-Woodbury Road, as widened, at the extreme southerly end of the curve connecting the westerly side of Massapequa-Woodbury Road, as widened, with the southerly side of Old Country Road, as widened;

RUNNING THENCE South 05 degrees 55 minutes 45 seconds East along the westerly side of Massapequa-Woodbury Road, as widened, a distance of 88.09 feet;

THENCE North 78 degrees 44 minutes 57 seconds West, a distance of 120.59 feet;

THENCE North 05 degrees 48 minutes 20 seconds West, a distance of 114.61 feet to the said new southerly side of Old Country Road;;

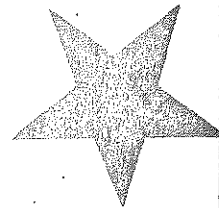
THENCE South 80 degrees 56 minutes 35 seconds East along the said new southerly side of Old Country Road, 88.62 feet to the extremely westerly end of the curve first above mentioned;

THENCE Southwesterly along the said curve having a radius of 40.00 feet a distance of 52.51 feet to the extreme southerly end thereof at the point or place of BEGINNING.

TOGETHER WITH an Easement over and across the following described land adjoining the above described premises on the west, now or formerly owned by Natron Realty Corp., to be used in common by both parties, their lessees, sub lessees, licensees and invitees, successors and assigns, for ingress and egress from the above described premises with the right of Natron Realty Corp., or its successors, to install a driveway thereon to be maintained by grantee and neither party shall erect, cause or permit any construction on the easement area or on access thereto. Said Easement is described as follows:

BEGINNING at a point on the new southerly side of Old Country Road, distant 125 feet westerly from the northerly point of curve at the intersection of the westerly side of Massapequa-Woodbury Road with the new southerly side of Old Country Road;

RUNNING THENCE South 05 degrees 48 minutes 20 seconds East, a distance of 80 feet;



THENCE North 14 degrees 20 minutes 21 seconds West, a distance of 84.43 feet to the new southerly side of Old Country Road;

THENCE along said new southerly side of Old Country Road South 80 degrees 13 minutes 40 seconds East, a distance of 13 feet to the point or place of BEGINNING.

SAID PREMISES being known as 1099 Old Country Road, Plainview, New York, and designated as Section 47, Block G, Lot 753 on the Land and Tax Map of Nassau County.

and be it further

RESOLVED, That the Petition herein granted is subject to the Town of Oyster Bay Zoning Board of Appeals granting a parking variance from the number of spaces required by the Code of the Town of Oyster Bay; and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioner, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated July 12, 2022, the fourteen (14) plans described herein are hereby approved.

-#-

STATE OF NEW YORK,
COUNTY OF NASSAU,
TOWN OF OYSTER BAY

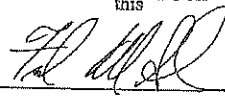
} ss.:

I, Frank M. Scalera, Town Attorney
Sheila Tamowski, Director of Legislative Affairs

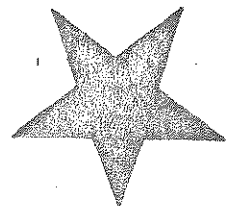
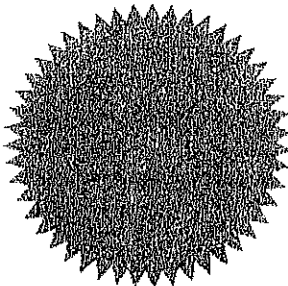
DO HEREBY CERTIFY that I have compared the annexed with the original
Corrected Resolution 270-2023, adopted by the Town Board of the Town of
Oyster Bay on April 18, 2023, pertaining to the decision on the application
of 1099 Old Country LLC, fee owner, for a Special Use Permit and Site Plan
approval, to allow for operation of a gasoline service station with an
accessory convenience store, on premises located at 1099 Old Country Road,
Plainview.
Section 47 Block G Lot 753
filed in the Town Attorney's Office /Legislative Affairs
and that the same is true transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto signed

my name and affixed the seal of said Town
this 25th day of April 2023



Town Attorney



WHEREAS, by Resolution No. 779-2023, adopted on September 12, 2023, the Town Board awarded Contract No. DP23-262, The Honorable Joseph Colby Town of Oyster Bay Golf Course Tee Box Reconstruction, to Galvin Bros., Inc./Madhue Contracting, Inc. a Joint Venture, with an estimated construction time for completion of the contract of one hundred fifty (150) calendar days; and

WHEREAS, Richard W. Lenz, P.C., Commissioner, Department of Public Works, by memorandum dated April 1, 2024, and James A. Gladysz, P.E., Executive Vice President, Cashin Associates, P.C., by letter dated February 10, 2023, advised that it is necessary and essential to extend the completion date of Contract No. DP23-262 an additional forty nine (49) calendar days, beyond the current completion date to March 29, 2024, due to an increase in the scope of the project requiring additional sod and fencing, weather related delays, and the delays necessitated by the required coordination with an irrigation upgrade project in the tee box areas, and thus recommended such extension of time in which to complete Contract No. DP23-262, at no additional construction cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and in connection with Contract No DP23-262, Galvin Bros., Inc./Madhue Contracting, Inc. a Joint Venture, is hereby granted an extension of time to May 17, 2024, in which to complete Contract No. DP23-262, at no additional construction cost to the Town.

-#-

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 1, 2024

TO : MEMORANDUM DOCKET

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

SUBJECT : EXTENSION OF TIME
THE HONORABLE JOSEPH COLBY TOWN OF OYSTER BAY
GOLF COURSE TEE BOX RECONSTRUCTION
CONTRACT NO. DP23-262
BID NO. PW046-23


Attached is a copy of a letter dated March 19, 2024 from Galvin Bros & Madhue Contracting, Joint Venture requesting an extension of time for this project at no additional construction cost to the Town of Oyster Bay.

The completion date was March 29, 2024, but work was delayed due to the following three (3) items as the contractor references in their letter:

1. **Increase in Scope** – Additional change order for asphalt path at hole #4, Additional sod around newly finished tees, and Snow fence for newly finished tee boxes
2. **Weather** – Lost 23 days of potential work due to inclement weather/impractical conditions throughout the winter.
3. **Working Conditions** – Will need National Lawn Sprinkler to finish the irrigation system prior to the work being done on the surrounding of tee boxes.

In addition, attached is a letter from Cashin Associates, P.C., dated March 26, 2024 recommending an extension of time for 49 calendar days beyond the current completion date of March 29, 2024. The new completion date will be May 17, 2024.

Therefore, we recommend and request that the contractor, Galvin Bros & Madhue Contracting, Joint Venture be granted the above-indicated extension of time.

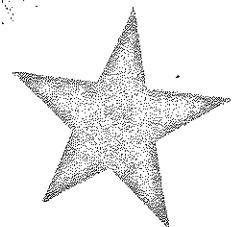

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/TLS/lk

Attachment

cc: Steven Ballas, Comptroller

Joseph G. Pinto Commissioner of Parks
DP23-262 GALVIN EXT OF TIME TEE BOX



Galvin Bros & Madhuc Contracting, JV

149 Steamboat Road
Great Neck, NY 11024

PH (516) 466-3785

Fax (516) 466-3607

Town of Oyster Bay DPW

Date: 3/19/24

150 Miller Place

Syosset, New York 11791

Attn: Matt Russo,

Deputy Commissioner

Re: Extension of Contract Time

Contract/Project Description: Town of Oyster Bay Golf Course Tee Box Reconstruction Project

Contract Number: DP23-262

Original Contract Start and Completion date: 11/1/23 to 3/29/24.

Previous Time Extensions Granted: N/A

Extension of Time being requested: May 17, 2024

We hereby request an extension of contract time for the above contract.

FROM: Galvin Brothers TO: Town of Oyster Bay

A total of 49 consecutive calendar days.

This application for an extension of time is based on the following:

1. **INCREASE IN SCOPE,**
 - a. **Additional change orders for Asphalt Path at Hole 4, Additional Sod around newly finished tees, & Snow Fence for newly finished Tee Boxes.**
2. **WEATHER**
 - a. **Lost 23 days of potential work due to inclement weather/impractical conditions throughout the winter.**
3. **WORKING CONDITIONS**
 - a. **Will need National to finish irrigation system prior to work done on the surroundings of Tee Boxes.**

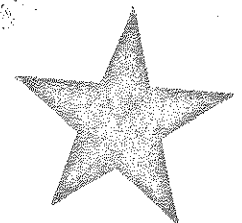
This contract time extension shall be at no additional cost to the Town.

Sincerely,

Colin Neubert

Project Manager

Galvin Bros, Inc.





March 26, 2024

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

Attention: Matt Russo, PE, Deputy Commissioner

**Re: TEE BOX RECONSTRUCTION PROJECT
CONTRACT NO. DP 23-262
BID NO. PW 046-23
PROJECT EXTENSION LETTER**

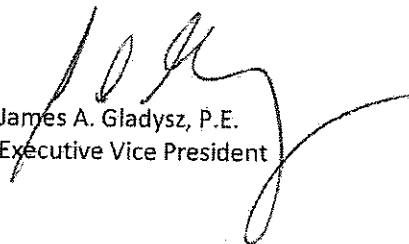
Dear Commissioner Lenz:

Cashin Associates, P.C. (CA) has reviewed Galvin Bros. & Madhue Contracting, JV's (GB) request for an extension dated March 19, 2024. Due to the inclement weather that we had received over the winter, GB was unable to work for over 20 days. The weather has taken a turn for the better and the work is now progressing at a good pace, but unfortunately, they will not be able to complete the work required under their contract in the allotted time.

CA recommends that this extension of time to May 17th be granted to Galvin Bros. & Madhue Contracting to complete the job. This extension of time will be of no additional cost to the Town.

Please feel free to contact me should you have any questions or require additional information.

Very truly yours,
CASHIN ASSOCIATES, P.C.


James A. Gladysz, P.E.
Executive Vice President

<https://cashinpc.sharepoint.com/sites/Projects/GNCTOWN/T OYSTER BAY/22025.100 Golf Course Tee Boxes/Corresp/22029.1 Lenz Ut-Project Extension.docx>

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 1, 2024, advised that N&P Engineering Architecture and Land Surveying, PLLC, by letter dated May 7, 2024, informed the Department that it made a final inspection of the work performed pursuant to Contract No. H23-261, Concrete Replacement at Various Locations Throughout the Town of Oyster Bay, certified that the contractor, Roadwork Ahead Inc., 2186 Kirby Lane, Syosset, New York 11791, complied with all of the requirements of the Contract, and recommended that the Town accept said Contract as having been completed; and

WHEREAS, final construction costs were in the amount of \$760,107.13; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with N&P Engineering Architecture and Land Surveying, PLLC that the Contract be accepted as having been completed, and that final payment be made to the contractor; and

WHEREAS, John C. Tassone, Chief Deputy Commissioner, Department of Public Works, by memorandum dated March 13, 2024, concurred with Commissioner Lenz that the Contract be accepted as having been completed; and

WHEREAS, work under this Contract was directed to proceed as of July 17, 2023, and to be completed within one hundred fifty (150) calendar days, on December 14, 2023, with work completed, actually, on December 14, 2023; and

WHEREAS, the Office of the Town Comptroller, by memorandum dated March 22, 2024, stated that there are no financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, the Office of the Town Attorney, by memorandum dated March 22, 2024, advised that there is no pending litigation or other obstacles which would prevent the final acceptance of Contract No. H23-261; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and Contract No. H23-261, is hereby accepted as being complete, at a final construction cost of \$760,107.13, 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.

-#-

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	Ayc
Councilwoman Johnson	Absent
Councilman Imbroto	Ayc
Councilman Hand	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 1, 2024

TO: MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE AND FINAL PAYMENT
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. H23-261


Attached herewith is also:

1. A letter dated March 7, 2024 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 March 4, 2024.
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 Department concurring with final acceptance.

Work under this contract was directed to proceed as of July 17, 2023 to be completed within 150 calendar days on December 14, 2023. Actual work was completed on December 14, 2023.

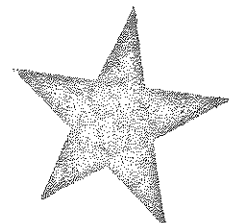
Final construction costs amount to \$760,107.13.

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/lk
Attachments

cc: Steven C. Ballas, Town Comptroller
John C. Tassone, Chief Deputy Commissioner Highway Department





March 7, 2024

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

Attention: Thomas Scalfano

Re: Concrete Replacement at Various Locations Throughout the Town
Contract No. H23-261
Nelson & Pope No. 21190

Dear Mr. Scalfano:

Submitted herewith is Roadwork Ahead Inc.'s **Final Claim** for the above referenced project. The enclosed Claim is for **\$160,301.80**. This payment is for any increase/decrease in quantities incurred (summary attached) as well as for the release of retainage. Our office and construction supervision staff have reviewed this Claim and concur with the total quantities and therefore are recommending this Claim for payment by the Town.

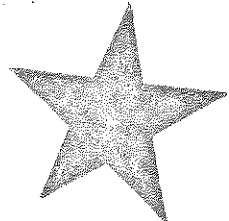
Also enclosed in this submission is the Contractor's Maintenance Bond in the amount of \$760,107.13.

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 AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

TO: Town of Oyster Bay
74 Audrey Ave
Oyster Bay, NY 11771

PROJECT: Concrete Replacement Throughout the
Town of Oyster Bay
PWM# 023-23

FROM CONTRACTOR:

Roadwork Ahead Inc.
2186 Kirby Lane
Syosset, NY 11791

VIA ARCHITECT: Nelson & Pope Engineering
70 Maxess Road
Melville, NY 11747

CONTRACT FOR: Town of Oyster Bay

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	\$	1,417,600.00
2. Net change by Change Orders	\$	1,417,600.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	1,417,600.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	760,107.13
5. RETAINAGE:		
a. 5% 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)	\$	722,101.77
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$	657,492.87
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	599,805.33
8. CURRENT PAYMENT DUE	\$	160,301.80
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	657,492.87

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$	-	\$
Total approved this Month	\$	-	\$
TOTALS	\$	-	\$
NET CHANGES by Change Order	\$	-	-

Application No.: 3
Application Date: 3/4/24
Period To: CLOSEOUT

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR
 CM

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 not due.

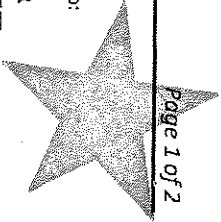
CONTRACTOR: Roadwork Ahead Inc.
 By: [Signature] Date: 3/1/24
 State of New York County of Nassau
 Subscribed and sworn to before me this 5 day of March 2024
 Notary Public:
 My Commission expires: 3/1/2026

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 \$ 160,301.80

(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.)
 ARCHITECT:
 By: [Signature] Date: 3/1/24
 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.

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - G192
 Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the licensee.
 THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-2522



BRIANNA LAVOLA
 Notary Public State of New York
 No. 01LA6444033
 Qualified In Nassau County
 Commission Expires November 14, 2026

H23-261 - CONCRETE REPLACEMENT THROUGHOUT THE TOWN OF OYSTER BAY
 TOWN OF OYSTER BAY
 150 MILLER PLACE
 SYOSSET, NY 11791

ROADWORK AHEAD INC.
 2186 KIRBY LANE
 SYOSSET, NY 11791

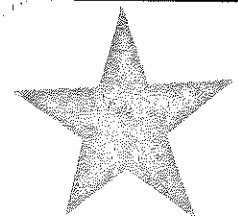
NELSON + POPE
 70 MAXESS ROAD
 MELVILLE, NY 11747
 631-427-5669
 N+P PROPERTY NO. 21190

ITEM NO	CONTRACT QUANTITY	ITEM DESCRIPTION	UNIT	CONTRACT		QUANTITY		AMOUNT	
				UNIT PRICE	TOTAL COST	THIS ESTIMATE	TO DATE	THIS ESTIMATE	TO DATE
2X	200	UNCLASSIFIED EXCAVATION	CY	\$50.00	\$10,000.00				
4C	900	CEMENT CONCRETE SAWCUT	LF	\$3.00	\$2,700.00		840.00		\$2,520.00
4D	22,500	ASPHALT CONCRETE SAWCUT	LF	\$3.00	\$67,500.00		4,973.70		\$14,921.10
5SX	200	SELECT BORROW FILL	CY	\$10.00	\$2,000.00				
16CB-R	5	RECONSTRUCT CATCH BASIN TOP SLAB	CY	\$3,000.00	\$15,000.00				
26X	8,500	CEMENT CONCRETE CURB	LF	\$33.00	\$280,500.00		4,707.40		\$155,344.20
26B2X	1,500	BELGIAN BLOCK CURB	LF	\$32.00	\$48,000.00				
26B6X	1,000	BELGIAN BLOCK CURB AND GUTTER	LF	\$40.00	\$40,000.00		56.50		\$2,260.00
26CG	6,000	INTEGRAL CEMENT CONCRETE CURB AND GUTTER	LF	\$40.00	\$240,000.00		3,820.83		\$152,838.20
26FX	250	FACE FORM CURB	LF	\$38.00	\$9,500.00	2,939.40	3,189.40	\$111,697.20	\$121,197.20
27X	9,000	CEMENT CONCRETE SIDEWALK, RAMPS & SLABS 5-INCHES THICK	SF	\$12.00	\$108,000.00	968.70	9,968.70	\$11,624.40	\$119,624.40
28AX	1,000	BITUMINOUS SIDEWALKS, DRIVEWAYS & DRIVEWAY APRONS	SF	\$5.00	\$5,000.00	1,082.30	2,082.30	\$5,411.50	\$10,411.50
28B	750.0	LOOSE STONE SIDEWALKS, DRIVEWAYS & DRIVEWAY APRONS	SF	\$18.00	\$13,500.00				
28CX	8,500	REINFORCED CEMENT CONCRETE DRIVEWAYS, APRONS, SLABS, 7-INCHES THICK	SF	\$14.00	\$119,000.00		6,424.53		\$89,943.42
34X	500	FURNISH AND INSTALL MISCELLANEOUS METALS	LBS	\$1.00	\$500.00				
36-1AX	850	ASPHALT CONCRETE PAVEMENT	TONS	\$130.00	\$110,500.00		167.94		\$21,832.20
49E	800	REINFORCED CONCRETE VALLEY GUTTER	SF	\$25.00	\$20,000.00		178.00		\$4,400.00
74AX	200	REPLACE/CONSTRUCT LOOSE FLAGSTONE, BRICK, BLOCK OR SIMILAR WALKWAYS	SF	\$18.00	\$3,600.00				
76X	4,800	TOPSOIL & SEEDING	SY	\$13.00	\$62,400.00		2,049.49		\$26,643.37
98X	1	WORK ZONE TRAFFIC CONTROL	LS	\$10,000.00	\$10,000.00		1.00		\$10,000.00
396X	100	PLANTED SOIL, SUPPLIED OR REHANDLED	SY	\$25.00	\$2,500.00		16.22		\$405.50
398X	650	DENSE GRADED AGGREGATE BASE COURSE	CY	\$30.00	\$19,500.00		16.75		\$502.50
501	1,500	DETECTABLE WARNING SURFACE	SF	\$60.00	\$90,000.00		500.00		\$30,000.00
502	800	FURNISH & INSTALL 1" INSIDE DIAMETER PVC ELECTRICAL CONDUIT	LF	\$20.00	\$16,000.00				
503	200	FURNISH & INSTALL WIRE MESH REINFORCEMENT (6"x6" W/2.9"xW2.9)	SF	\$2.00	\$400.00				
504	100	BRICK WALKWAYS	SF	\$20.00	\$2,000.00				
505A	10	STUMP GRINDING UP TO & INCLUDING 24" DIAMETER	EA	\$650.00	\$6,500.00				
505B	10	STUMP GRINDING GREATER THAN AND LESS THAN 36" DIAMETER	EA	\$700.00	\$7,000.00				
505C	10	STUMP GRINDING GREATER THAN & INCLUDING 36" DIAMETER	EA	\$1,000.00	\$10,000.00				
506A	10	TREE REMOVAL UP TO & INCLUDING 24" DIAMETER	EA	\$1,000.00	\$10,000.00				
506B	10	TREE REMOVAL GREATER THAN 24" AND LESS THAN 36" DIAMETER	EA	\$1,400.00	\$14,000.00				
506C	10	TREE REMOVAL GREATER THAN AND INCLUDING 36" DIAMETER	EA	\$1,750.00	\$17,500.00				
507	1	CONTINGENCY ALLOWANCE	LS	\$50,000.00	\$50,000.00				

\$1,413,100.00 SUBTOTAL \$128,733.10 \$762,838.59

CREDITS				TOTAL	\$128,733.10	\$762,838.59
No.	Quantity	Description	Cost to Date	ORIGINAL CONTRACT SUM		\$1,413,100.00
	1	Credit of \$0.50 for item 27x - Concrete Sidewalk	-\$2,731.46	CREDIT TO TOWN		-\$2,731.46
				CONTRACT SUM TO DATE		\$1,410,368.54
				TOTAL COMPLETED & STORED TO DATE		\$760,107.13
				RETAINAGE (5.0%) - Release Retainage		
				TOTAL EARNED LESS RETAINAGE		\$760,107.13
				LESS PREVIOUS CERTIFICATES FOR PAYMENT		\$599,805.33
				CURRENT PAYMENT DUE		\$160,301.80

-\$2,731.46



MR

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

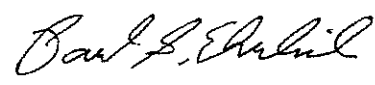
DATE: March 22, 2024

SUBJECT: FINAL ACCEPTANCE
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS THROUGHOUT THE TOWN OF
OYSTER BAY
CONTRACT NO. H23-261

In reply to your memorandum of March 20, 2024, 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.

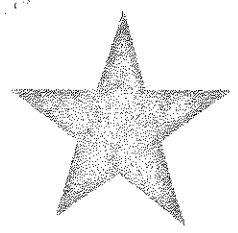
By copy of this memorandum, the contractor, Roadwork Ahead, Inc.'s, Maintenance Bond No. 602200793M is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.
TOWN ATTORNEY



By: _____
Paul S. Ehrlich
Deputy Town Attorney

Cc: Comptroller
Town Clerk (with Bond)



Bond No. 602200793M

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we Roadwork Ahead, Inc.
2186 Kirby Lane, Syosset, NY 11791
as Principal, and United States Fire Insurance Company, as Surety, are held
and firmly bound unto Town of Oyster Bay
74 Audrey Avenue, 4th Floor, Oyster Bay, NY 11771
as Oblige, in the penal sum of Seven Hundred Sixty Thousand One Hundred Seven Dollars and
13/100 (\$ 760,107.13)
to which payment well and truly to be made we do bind ourselves, our and each of our heirs,
executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a contract with the Town of Oyster Bay
dated July 14, 2023
for Concrete Replacement at Various Locations Throughout The Town of Oyster Bay, Contract No.
H23-261, Project ID No. 2303HWYDB-07, Resolution No.349-2023, Oyster Bay, NY

WHEREAS, said contract provides that the Principal will furnish a bond conditioned to guarantee for
the period of 1 year(s) after approval of the final estimate on said job, by the owner, against
all defects in workmanship and materials which may become apparent during said period, and

WHEREAS, the said contract has been completed, and was approved on 31st
day of December, 2023

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify
the Oblige for all loss that the Oblige may sustain by reason of any defective materials or
workmanship which become apparent during the period of 1 year(s) from and after December 31, 2023
then this obligation shall be void, otherwise to remain in full force
and effect.

SIGNED, SEALED AND DATED
March 1, 2024

Roadwork Ahead, Inc.
By: [Signature] (L.S.)
Luzgi Stasi President (L.S.)

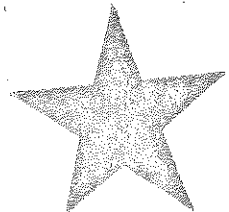
PRINCIPAL(S)



United States Fire Insurance Company
by [Signature]
Fern Perry Attorney-in-Fact

Reviewed By
Office of Town Attorney

[Signature]



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: MARCH 22, 2024

SUBJECT: FINAL ACCEPTANCE – CONCRETE REPLACEMENT AT VARIOUS
LOCATIONS THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. H23-261

In response to your memo dated March 20, 2024, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

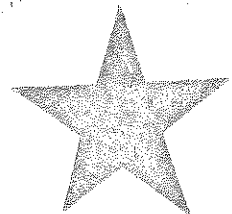


STEVEN C. BALLAS
COMPTROLLER

Enclosure

SCB/dim:bk

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



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

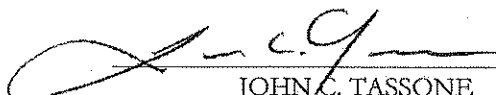
MARCH 13, 2024

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
CONCRETE REPLACEMENT AT VARIOUS LOCATIONS
THROUGHOUT THE TOWN OF OYSTER BAY/CONTRACT NO. H23-261

This office is in receipt of your memo dated February 28, 2024 with regard to final acceptance of the above-mentioned project. The Highway Division concurs with your recommendation to accept this project as final.

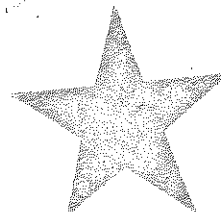


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

JCT/nm

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

H23-261 Final concurrence to Engineering concrete sit specific



Meeting of May 7, 2024

Resolution No. 325-2024

WHEREAS, by Resolution No. 733-2022, adopted on October 18, 2022, the Town Board authorized the Department of Parks to establish fees for the tennis program for ages 5-8; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 1, 2024, advised that the Department of Parks has been successful in running the tennis program for children ages 5-8 and would like to expand the program to include ages up to and including 15 years of age; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the dates, times and locations of the programs are to be established by the Commissioner and/or his designee and;

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the fee for the youth programs, ages 5-15 will remain \$75.00 for residents and \$90.00 for non-residents and the fee for the adults program will be \$100.00 for residents and \$125.00 for non-residents, where the difference in fees is a result of the number of participants in the class; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that all fees received will be deposited into Account No. PKS-A-0001-02001-510-0000; and

WHEREAS, Commissioner Pinto, by said memorandum, requested Town Board approval for the Department of Parks to expand the tennis program from ages 5-8 to ages 5-15, on the terms as set forth hereinabove,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby amends Resolution No. 733-2022, to reflect the expansion of the tennis program to ages up to and including 15 years of age, in addition to the fee for the youth programs, ages 5-15 remaining at \$75.00 for residents and \$90.00 for non-residents and the fee for the adults program will be \$100.00 for residents and \$125.00 for non-residents.

#

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY

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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

DATE: APRIL 1, 2024

SUBJECT: AMEND RESOLUTION NO. 733-2022
TENNIS PROGRAM

The Department of Parks respectfully requests that the Town Board amend Resolution No. 733-2022, related to the Town of Oyster Bay sponsored tennis program.

Through the Division of Recreation, the Parks Department has been successful in running a tennis program for children, ages 5-8. The Parks Department would like to expand the program to include ages through 15 and to initiate an adults program.

The program will be administered by members of the Department of Parks, Division of Recreation. Dates, times and locations of the programs are to be established by the Commissioner of Parks or designee.

The fee for the youth programs, ages 5-15 will remain \$75.00 for residents and \$90.00 for non-residents. The fee for the adults program will be \$100.00 for residents and \$125.00 for non-residents. The difference in fees is a result of the number of participants in the class.

Fees, regulations and conditions will remain unchanged and shall be in effect up to and until they are modified by the Town Board upon recommendation by the Commissioner of Parks.

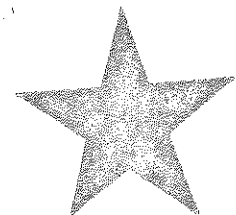
All fees received will be deposited into account no. PKS-A-0001-02001-510-0000.

The Department of Parks is committed to providing quality programs to our residents, therefore we respectfully request the approval of the Town Board for our tennis program.



JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT

JGP/km



Meeting of October 18, 2022

Resolution No. 733-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 26, 2022, requested Town Board authorization to establish the fees for the Town of Oyster Bay sponsored tennis program for children, ages 5-8, with times and locations to be established by the Commissioner of Parks, as follows:

\$ 75.00 per resident
\$ 90.00 per non-resident; and

WHEREAS, by said memorandum, Commissioner Pinto advised that the fees, regulations and conditions shall remain unchanged and shall be in effect up to and until they are amended or modified by the Town Board upon recommendation by the Commissioner of Parks; and

WHEREAS, by said memorandum, Commissioner Pinto further advised that the fees will cover the cost of supplies needed to successfully run this program, and that all fees received will be deposited into Account No. PKS-A-0001-02001-510-0000,

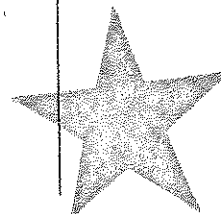
NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized to establish the fees set forth herein for the tennis program for children ages 5-8, with times and locations to be established by the Commissioner of Parks, with monies collected for said fees to be deposited into Account No. PKS-A-0001-02001-510-0000.

-#-

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



Meeting of May 7, 2024

Resolution No. 326-2024

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 3, 2024, requested Town Board authorization to issue a refund in the amount of \$350.00 to Town of Oyster Bay resident Joseph Andrews residing at 49 Locust Street, Massapequa, New York 11758, to reimburse him for fees paid for his son to attend the Spring 2024 Ice Hockey House League 12U, as his son can no longer attend; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that Mr. Andrews is entitled to a full refund of \$350.00, as the five percent (5%) administrative fee of \$17.50 has been waived,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$350.00 to Joseph Andrews; and be it further

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

RESOLVED, That the 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
William J. McElderry

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

326

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 4/3/2024

SUBJECT: Joseph Andrews- Spring 2024 Ice Hockey House League 12U Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$350.00 (three hundred fifty dollars and 00/100 cents) to the Town of Oyster Bay resident Joseph Andrews, 49 Locust Street, Massapequa, NY 11758. Mr. Andrews's son will not be attending the Spring 2024 Ice Hockey House League 12U.

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

Spring 2024 Ice Hockey House League 12U- \$350.00
5% Administrative Fee Waived

TOTAL REFUND \$350.00 (three hundred fifty dollars and 00/100 cents)

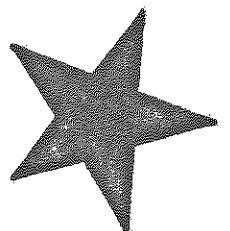
The Office of the Comptroller has reviewed the department back-up documentation and verified funds are available for this requested refund.

Kindly debit the following account: PKS A 0001 02001 510 0000



Joseph G. Pinto
COMMISSIONER

JGP/nh



Meeting of May 7, 2024

Resolution No. 327-2024

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 2, 2024, requested Town Board authorization, for the Town of Oyster Bay to accept a donation of a Daktronics BA-2518 scoreboard, valued at \$5,845.00, from LI Hot Stove Baseball to be used by Hicksville and Bethpage Youth Baseball Associations at Gies Park in Hicksville, New York.

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Board hereby authorizes the Department of Parks to accept the above stated donation of a Daktronics BA-2518 scoreboard, valued at \$5,845.00, from LI Hot Stove Baseball to be used by Hicksville and Bethpage Youth Baseball Associations at Gies Park in Hicksville, New York.

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY
William D. McEde

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

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


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

TO: MEMORANDUM DOCKET
FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS
DATE: April 2, 2024
SUBJECT: Long Island Hot Stove Baseball – Scoreboard Donation

The Department of Parks respectfully requests Town Board approval to accept a donation from Long Island Hot Stove Baseball. LI Hot Stove Baseball donated a Daktronics BA-2518 scoreboard to be used at Gies Park in Hicksville NY.

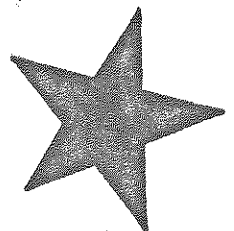
The scoreboard will be used by Hicksville and Bethpage Youth Baseball Associations. The BA-2518 as designed will cost \$5845.00, spec sheets for the scoreboard are attached. The baseball youth really enjoy this equipment as it enhances their baseball experience.

Pursuant to the aforementioned, the Department of Parks recommends Town Board approval.



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/gm
Att.





Long Island Hot Stove Baseball

P.O. Box 834
Bethpage, NY 11714
516 499-6870

April 4, 2024

Commissioner
Joseph Pinto
TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
977 Hicksville Rd
Massapequa, NY 11758

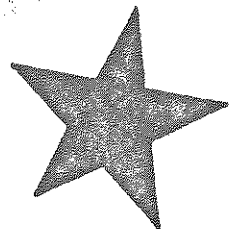
Dear Sir,

Long Island Hot Stove Baseball would like to donate a Daktronics BA-2518 scoreboard for Gies Park for use by Hicksville and Bethpage Youth Baseball Associations. The BA-2518 as designed will cost \$5845. The spec sheet for scoreboard is attached. If you have any questions, please don't hesitate to contact me at 516 455-5838 or at my email address hotstovebb@outlook.com.

Thank You

A handwritten signature in black ink, appearing to read "Dennis Baggia".

Dennis Baggia
President
Long Island Hot Stove Baseball





DAKTRONICS.COM

201 Daktronics Drive PO Box 5128
Brookings, South Dakota 57006-5128
T 800-325-8766 605-692-0200 F 605-697-4700

Thank you for giving Daktronics the opportunity to be your equipment provider. It is important to us that we capture your vision for this project. The provided quote outlines your product selection. Please look it over carefully and work with your salesperson to review and answer any questions.

We look forward to partnering with you on this exciting opportunity!

Placing Order:

When you are ready to place your order, contact your salesperson to obtain order documents. Daktronics will need the following information:

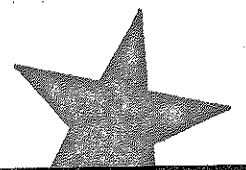
- Finalized equipment decision, including colors
- Delivery location/address
- Bill to information – Invoice Remit

If you are incorporating school or sponsorship logos into your project, please view Daktronics Graphics File Standards and submit with your order documents.

Additional Information:

Our website and blog offer helpful information. Learn more about what our customers are talking about by visiting the following:

- Could your PA system use an upgrade?
 - Check out our Sports Sound Systems.
- Wishing you could check off more items on your list of needs?
 - See how Daktronics Sports Marketing could add revenue to your budget.
- Curious what other schools have installed?
 - Look through our Daktronics Sports Photo Gallery for ideas.
- Did you know we have an in-house reliability laboratory?
 - Experience the testing your components undergo in our Product Reliability Lab.
- Interested in financing options for orders over \$25,000?
 - View our Getting Started Guide to see what Daktronics offers.
- Want to view helpful information related to our products, in addition to stories on how other schools are developing students and generating revenue?
 - Check out our blog.



DAKTRONICS QUOTE # 845480-1-0

LI Hot Stove Baseball
 Dennis Baggia
 339 Hicksville Rd Unit 834
 Bethpage, NY USA 11714
 Phone:
 Fax:
 Email: hotstovebb@outlook.com

4/Apr/2024
 Quote Valid for: 60 days
 Terms: Net 30 days from shipment with
 Purchase Order
 Subject to Credit Review
 FCA: DESTINATION
 Delivery: Call for Production Time

Reference: Baseball

Item No.	Model	Description	Qty	Price
1	BA-2518-A-PV-F	PanaView® Baseball/Softball Scoreboard; Scoreboard Color: Midnight Blue (42294); Caption Color: Harvest Gold (7725-105) Cabinet Dimensions: 4' 0" H X 9' 0" W X 0' 8" D (Approx. Dimensions) Digit Type: PANAVIEW Digit Color: AMBER Max Power: 150 watts/display Weight: Unpackaged 96 lbs per display; Packaged 141 lbs per display	1	\$4,786.00
	Stripe; 0A-1091-0184	Border Stripe for BA-2518 Scoreboards; Color: Harvest Gold (7725-105)	1	
	DAK Score App with All Sport® MX-1 Mobile Scoring Kit with Outdoor Enclosure	DAK Score App with All Sport® MX-1 Mobile Scoring Kit and Gen VI Radio Transmitter. Includes Outdoor Enclosure	1	
	Radio Receiver	Frequency of 2.4 GHz	1	
	I-Beam Mounting Method (A)	For 2 I-Beams	1	
	Sheetmetal Cabinet Scoreboard Crating	Wood Crate for Sheetmetal Cabinet Scoreboards	1	
2	FREIGHT	Shipping to site via LTL (enclosed trailer). Usually unloads at a dock. Forklift or pallet jack may be required. Customer is responsible for receiving & unloading truck upon delivery.	1	\$595.00
3	Taxes	8.625% - Subject to change	1	\$464.11
Services				
4	G5C5-W	Five Year Warranty - Parts Coverage - G5G5	1	
Total Price Including Applicable Tax:				\$5,845.11

Please reference listed sales literature: DD1628383 for G5C5-W, DD1739303 for BA-2518-A-PV-F, DD3888368 for DAK Score App with All Sport® MX-1 Mobile Scoring Kit with Outdoor Enclosure, SL-04370 for Radio Receiver
 Please reference listed shop drawings: DWG-0389921 for DAK Score App with All Sport® MX-1 Mobile Scoring Kit with Outdoor Enclosure

Options

Please contact your sales representative for additional information

Angle Clamp Mounting Method (A) For 2 Tubes 1



DAKTRONICS QUOTE # 845480-1-0

Leasing Program

If your purchase exceeds \$25,000, you may qualify for our leasing program allowing you more flexibility to spread out the cost of your Daktronics display over a period up to five (5) years. Benefits of our leasing program include fixed rate financing, non-appropriation clause, no prepayment penalty, and customizable payment schedules. Plus, at the end of the lease, the equipment is yours to keep with no additional balloon payments.

Sample payment options as follows:

\$50,000 in total equipment cost = \$11,285 per year

\$100,000 in total equipment cost = \$22,568 per year

\$250,000 in total equipment cost = \$56,420 per year

**Payments based on 5 year/annual payment in advance structure. Leasing is subject to credit approval and agreed upon documentation with Daktronics lending partner. Contact your Daktronics representative for additional options and details.

Exclusions:

- Electrical Installation
- Structure
- Power
- Technical Support/Installation Support
- Signal Conduit
- Applicable Permits
- Front End Equipment
- Physical/Mechanical Installation
- Foundation
- Hoist
- Engineering Certification
- Labor to Pull Signal Cable
- Electrical Switch Gear or Distribution Equipment

Unless expressly stated otherwise in this Quote # 845480-1 Rev 0 or the attachments, if Daktronics performs installation of the Equipment, the price quoted does not include the following services pertaining to physical installations: digging of footings (including dirt removal), any materials fabrication, installation of steel cages, rebar, or bolt attachments, or pouring and finishing of concrete footings. Those service may be provided for an additional cost beyond the quoted price. Purchaser shall be fully responsible for any and all additional costs plus overhead in the event anything unexpected of any nature whatsoever is found while digging the footings including but are not limited to rock, water, utility lines, pipes or any other unforeseen circumstance. The Purchaser acknowledges and agrees that it is fully responsible for all site conditions.

Prices and charges are subject to change by Daktronics at any time before the final agreement between the parties is effective. Ship Date will be determined after customer purchase order is received or agreement is signed or otherwise effective, shop drawings are approved (if required) and down payment is received (if required).

Installation Responsibilities:

If applicable please reference Attachment A for Installation Responsibilities.

Ad/ID Copy Approval Process

Customer shall provide digital artwork for advertising and identification panels, conforming to Daktronics' graphic file standards, at the time of order. Daktronics will create a proof of provided artwork and require approval of that proof three weeks prior to the initial anticipated ship date. Advertising and identification panels not approved in time, will be shipped without copy in Daktronics' standard finish.

Amber Whipkey
PHONE: 320-808-5156
FAX:
EMAIL: Amber.Whipkey@daktronics.com

Nicole Allen Siewert
PHONE: 605-692-0200
FAX:
EMAIL: Nicole.AllenSiewert@daktronics.com

Terms And Conditions:

The Terms and Conditions which apply to this order available on request.

SL-02374 Standard Warranty and Limitation of Seller's Liability (www.daktronics.com/terms_conditions/SL-02374.pdf)

SL-02375 Standard Terms and Conditions of Sale (www.daktronics.com/terms_conditions/SL-02375.pdf)

SL-07862 Software License Agreement (www.daktronics.com/terms_conditions/SL-07862.pdf)

Additional Links:

Gold Scope of Services (www.daktronics.com/TermsConditions/SL-05659)

NOTE:

The pricing may be adjusted for freight and taxes depending on the options selected.
Please request order documents to submit your order.





Long Island Hot Stove Baseball

P.O. Box 834
Bethpage, NY 11714
516 499-6870

April 4, 2024

Commissioner
Joseph Pinto
TOWN OF OYSTER BAY
DEPARTMENT OF PARKS
977 Hicksville Rd
Massapequa, NY 11758

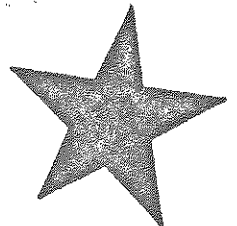
Dear Sir,

Long Island Hot Stove Baseball would like to donate a Daktronics BA-2518 scoreboard for Gies Park for use by Hicksville and Bethpage Youth Baseball Associations. The BA-2518 as designed will cost \$5845. The spec sheet for scoreboard is attached. If you have any questions, please don't hesitate to contact me at 516 455-5838 or at my email address hotstovebb@outlook.com.

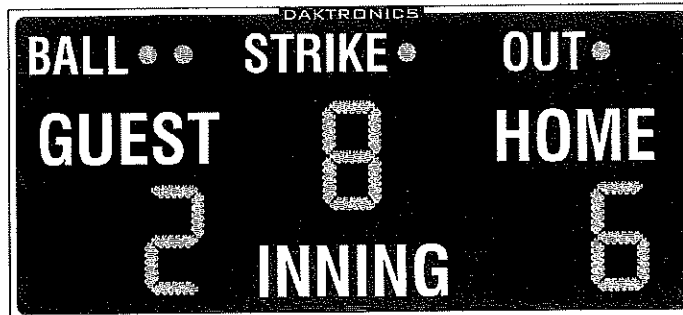
Thank You

A handwritten signature in cursive script, appearing to read "Dennis Baggia".

Dennis Baggia
President
Long Island Hot Stove Baseball



DAKTRONICS BA-2518 PRODUCT SPECIFICATIONS



This outdoor LED baseball/softball scoreboard displays HOME and GUEST scores to 99, INNING to 9 and indicates BALL to three, STRIKE to two and OUT to two. Scoreboard shown with optional striping and amber PanaView® digits.

DIMENSIONS	UNCRATED WEIGHT	POWER (120 VAC)*	
4'-0" H x 9'-0" W x 8" D (1.22 m, 2.74 m, 203 mm)	96 lb (44 kg)	Red/Amber Digits	80 Watts, 0.7 Amp
		White Digits	160 Watts, 1.4 Amps

*Scoreboard requires a dedicated circuit. Models with 240 VAC power at half the indicated amperage are also offered (International Use Only).

DIGITS & INDICATORS

- All digits are 18" (457 mm) high. All indicators are 2" (51 mm) in diameter.
- Select red, amber, or white LED digits and indicators.
- Scoreboard features robust weather-sealed digits (see DD2495646).
- Digits may be dimmed for night viewing.

CAPTIONS

- HOME, GUEST and INNING captions are 8" (203 mm) high. All other captions are 6" (152 mm) high.
- Standard captions are vinyl, applied to the display face.

DISPLAY COLOR

Choose from 150+ colors (from Martin Senour® paint book) at no additional cost.

CONSTRUCTION

Alcoa aluminum alloy 5052 for excellent corrosion resistance

PRODUCT SAFETY APPROVAL

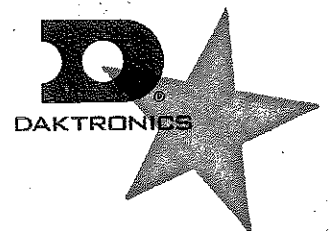
ETL-listed to UL 48, tested to CSA standards, and CE-labeled

OPERATING TEMPERATURES

- Display: -22° to 122° Fahrenheit (-30° to 50° Celsius)
- Console: 32° to 130° Fahrenheit (0° to 54° Celsius)

WWW.DAKTRONICS.COM E-MAIL: SALES@DAKTRONICS.COM

201 Daktronics Drive, PO Box 5128, Brookings, SD 57006
Phone: 1-800-325-8766 or 605-692-0200 Fax: 605-697-4746
DD1739303 091420 Page 1 of 8



DAKTRONICS BA-2518 PRODUCT SPECIFICATIONS

CONTROL CONSOLES	CONTROL OPTIONS
<p>All Sport® 1600* (see SL-04352)</p> <p><i>*May be upgraded to All Sport 5000 (see SL-03991)</i></p>	<p>Wired (standard): One-pair shielded cable of 22 AWG minimum is required. A cover plate with mounted connector and standard 2" x 4" x 2" (51 mm x 102 mm x 51 mm) outlet box is provided. Connector mates with signal cable from control console.</p> <hr/> <p>Wireless (optional): 2.4 GHz spread spectrum radio features 64 non-interfering channels and 8 broadcast groups (see SL-04370).</p>
<p>RC-200 (see DD3715714)</p>	<p>Optional wireless handheld controller features 2.4 GHz spread spectrum radio with 64 non-interfering channels and 8-10 hours of operation via internal rechargeable battery.</p>
<p>DAK Score & MX-1 (see DD3888368)</p>	<p>CUSTOMER-SUPPLIED mobile device or tablet with DAK Score app installed communicates via Bluetooth® wireless technology to an MX-1 Interface Box that controls the scoreboard through 2.4 GHz radio or wired connection.</p>

MOUNTING

Scoreboard is typically mounted on two vertical beams or poles. Hardware to mount scoreboard on two beams is included; hardware for more beams is at additional cost. Standard mounting uses I-beam clamps. Optional mounting method using angle brackets is also offered; maximum beam width is 10" (254 mm) and maximum beam depth is 13" (330 mm). Refer to attached drawings for more information on mounting methods.

SERVICE ACCESS

Digit panels and electronics are serviced from the front of the scoreboard.

GENERAL INFORMATION

Scoreboard provides scoring capabilities for two teams. 100% solid state electronics are housed in an all aluminum cabinet. Scoreboard is shipped in one section. Scoreboard power is to be provided on a dedicated circuit to prevent loss of game information due to failure of another component on the circuit. Specifications and pricing are subject to change without notice.

OPTIONS & ACCESSORIES

- Scoreboard border striping
- Multiple caption and striping colors (see [DD2101644](#))
- Team name caption in place of HOME
- Individual digit protective screens (see [SL-04939](#))
- Protective netting (see [DD2690927](#))
- Optional angle bracket mounting method
- Advertising/identification panels
- Decorative accents
- Electronic message centers and video displays in multiple sizes

ADVERTISING/IDENTIFICATION PANELS

Backlit & Non-Backlit Top/Bottom:

- 1'-6" H x 9'-0" W (457 mm, 2.74 m)
- 2'-0" H x 9'-0" W (610 mm, 2.74 m)
- 2'-6" H x 9'-0" W (762 mm, 2.74 m)

Non-Backlit Sides:

- 4'-0" H x 4'-0" W (1.22 m, 1.22 m)

For additional non-backlit panel sizes, see [SL-03761](#).

FOR ADDITIONAL INFORMATION

- Installation Specifications: DWG-1183247 (attached)
 - > One Ad Panel: DWG-1174962 (attached)
 - > Two Ad Panels: DWG-1183252 (attached)
- Standard I-beam Mounting: DWG-1129110 (attached)
- Optional Pole Mounting: DWG-1130246 (attached)
- Component Locations: DWG-1124598 (attached)
- Architectural Specifications: See [DD1739294](#)

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WWW.DAKTRONICS.COM E-MAIL: SALES@DAKTRONICS.COM

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NOTES:

1. FOOTING AND COLUMN SIZES ARE SUGGESTIONS ONLY, PROVIDED TO ASSIST WITH ESTIMATING INSTALLATION COSTS AND ARE NOT INTENDED FOR CONSTRUCTION PURPOSES. THE DESIGN MUST BE CERTIFIED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF THE INSTALLATION BEFORE THEY CAN BE USED FOR FABRICATION OR ERECTION.

2. INTERNATIONAL BUILDING CODE 2012 USED IN DESIGN OF COLUMNS AND FOOTINGS WITH IMPORTANCE FACTOR=1, Kzt=1.0, Kd=0.85, G=0.85. SEISMIC DESIGN WAS NOT CONSIDERED.

3. FOOTING DIMENSIONS ARE BASED ON ASSUMED SOIL CLASS 4 (ALLOWABLE LATERAL BEARING PRESSURE OF 150 psf).

4. STRUCTURAL STEEL IS GRADE A992 (50 ksi) STEEL. CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 2500 psi.

5. THE AVERAGE DISPLAY WEIGHT FOR A LAYOUT CAN NOT EXCEED 8 PSF.

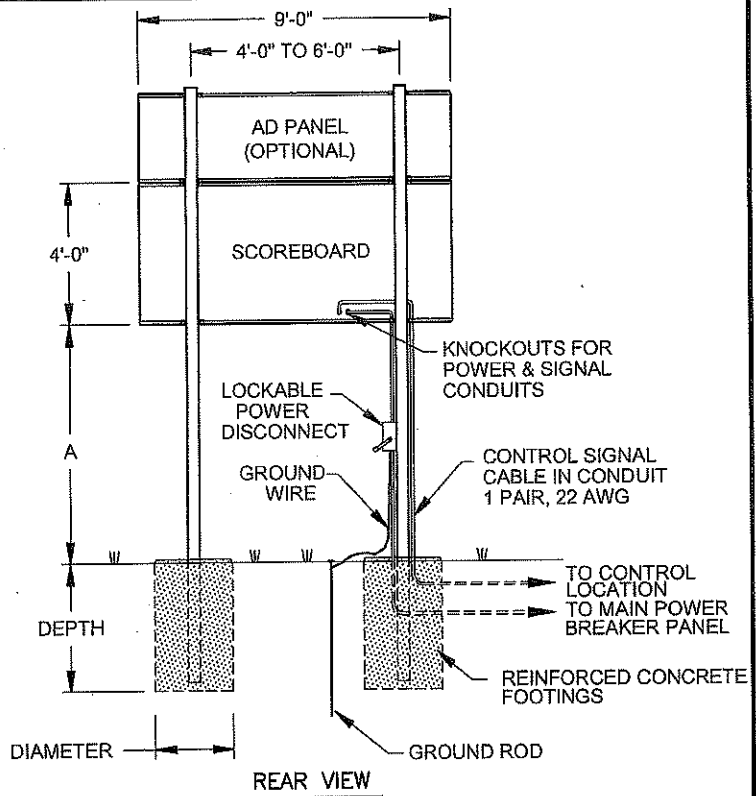
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EXPOSURE C - OPEN TERRAIN WITH SCATTERED OBSTRUCTIONS HAVING HEIGHTS GENERALLY LESS THAN 30 FT. THIS CATEGORY INCLUDES FLAT OPEN COUNTRY, GRASSLANDS, AND ALL WATER SURFACES IN HURRICANE PRONE REGIONS.

8. FOR SPECIFIC PRODUCT DETAILS ON WEIGHT, MOUNTING, ETC. REFER TO THE INDIVIDUAL PRODUCT SPECIFICATION SHEETS.



EXPOSURE B

MODEL BA-2518 WITHOUT AD PANEL							
DISTANCE "A" (SEE FIGURE)	TOTAL DISPLAY SIZE		DESIGN WIND VELOCITY				
			115 MPH	130 MPH	150 MPH	170 MPH	
10'-0"	9'-0" x 4'-0"	BEAM	W8x10	W8x13	W8x15	W8x17	
		FOOTING	2'-0"x4'-6"	2'-0"x5'-0"	2'-0"x6'-0"	2'-0"x6'-6"	
15'-0"	9'-0" x 4'-0"	BEAM	W8x18	W8x18	W8x21	W8x21	
		FOOTING	2'-0"x5'-6"	2'-0"x6'-0"	2'-0"x6'-6"	2'-0"x7'-0"	

EXPOSURE C

MODEL BA-2518 WITHOUT AD PANEL					
DISTANCE "A" (SEE FIGURE)	TOTAL DISPLAY SIZE		DESIGN WIND VELOCITY		
			115 MPH	140 MPH	
10'-0"	9'-0" x 4'-0"	BEAM	W8x13	W10x17	
		FOOTING	2'-0"x5'-6"	2'-0"x6'-6"	
15'-0"	9'-0" x 4'-0"	BEAM	W8x18	W8x21	
		FOOTING	2'-0"x6'-0"	2'-0"x7'-0"	

FOOTING = DIAMETER X DEPTH

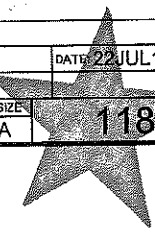
EXPOSURE C

MODEL BA-2518 WITH 30"-HIGH HORIZONTAL AD PANEL					
DISTANCE "A" (SEE FIGURE)	TOTAL DISPLAY SIZE		DESIGN WIND VELOCITY		
			115 MPH	140 MPH	
10'-0"	9'-0" x 6'-6"	BEAM	W8x18	W8x21	
		FOOTING	2'-0"x6'-6"	2'-0"x7'-6"	
15'-0"	9'-0" x 6'-6"	BEAM	W6x20	W8x24	
		FOOTING	2'-0"x7'-6"	2'-0"x8'-6"	

EXPOSURE B

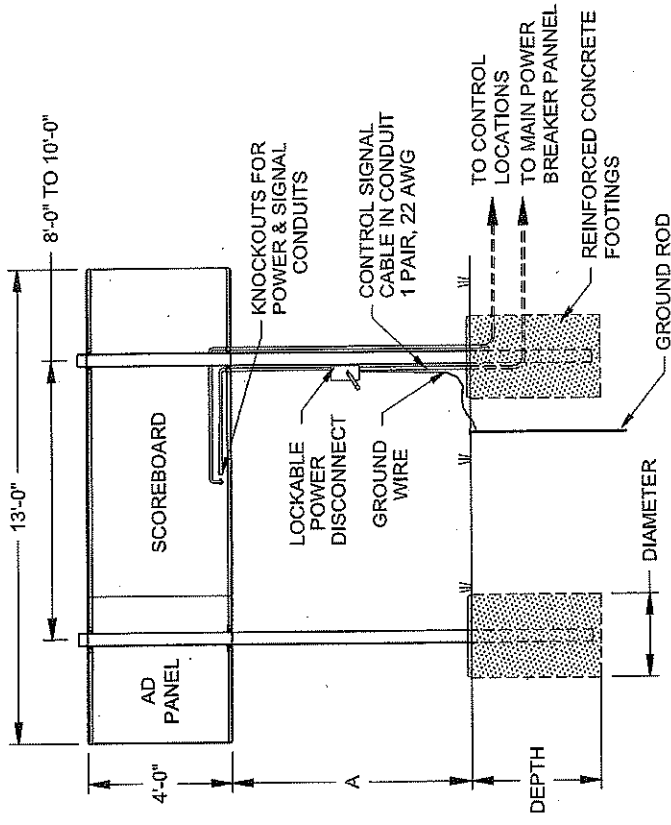
MODEL BA-2518 WITH 30"-HIGH HORIZONTAL AD PANEL							
DISTANCE "A" (SEE FIGURE)	TOTAL DISPLAY SIZE		DESIGN WIND VELOCITY				
			115 MPH	130 MPH	150 MPH	170 MPH	
10'-0"	9'-0" x 6'-6"	BEAM	W6x15	W6x20	W8x21	W8x21	
		FOOTING	2'-0"x5'-6"	2'-0"x6'-0"	2'-0"x6'-6"	2'-0"x7'-0"	
15'-0"	9'-0" x 6'-6"	BEAM	W8x21	W8x24	W8x24	W8x24	
		FOOTING	2'-0"x6'-6"	2'-0"x7'-0"	2'-0"x7'-6"	2'-0"x8'-6"	

D	DAKTRONICS, INC.		THE CONCEPTS EXPRESSED AND DETAILS SHOWN ON THIS DRAWING ARE CONFIDENTIAL AND PROPRIETARY. DO NOT REPRODUCE BY ANY MEANS WITHOUT THE EXPRESS WRITTEN CONSENT OF DAKTRONICS, INC. COPYRIGHT 2014 DAKTRONICS, INC.	
	BROOKINGS, SD 57006			
DO NOT SCALE DRAWING				
PROJ: OUTDOOR SCOREBOARDS				
TITLE: INSTALLATION SPECIFICATIONS- BA-2518				
DESIGN: A VANBEMMEL		DRAWN: TTASCHN		DATE: 22 JUL 14
SCALE: 1"=6'				
SHEET	REV	JOB NO:	FUNC-TYPE-SIZE	
	00	P1091	R-10-A	



REV	DATE	BY

- NOTES:**
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 8. FOR SPECIFIC PRODUCT DETAILS ON WEIGHT, MOUNTING, ETC. REFER TO THE INDIVIDUAL PRODUCT SPECIFICATION SHEETS.



REAR VIEW

EXPOSURE B

HEIGHT ABOVE GRADE (A) (FT)	DISPLAY HEIGHT (FT)	DESIGN WIND VELOCITY			
		115 MPH	130 MPH	150 MPH	170 MPH
10'	COLUMN	W6X15	W6X15	W6X15	W6X20
	FOOTING	2'-0"X5'-6"	2'-0"X6'-0"	2'-0"X7'-0"	2'-0"X7'-6"
15'	COLUMN	W6X20	W6X20	W8X24	W8X24
	FOOTING	2'-0"X6'-6"	2'-0"X7'-0"	2'-0"X7'-6"	2'-0"X8'-6"

EXPOSURE C

HEIGHT ABOVE GRADE (A) (FT)	DISPLAY HEIGHT (FT)	DESIGN WIND VELOCITY	
		115 MPH	140 MPH
10'	COLUMN	W6X15	W6X20
	FOOTING	2'-0"X6'-6"	2'-0"X7'-6"
15'	COLUMN	W6X20	W8X24
	FOOTING	2'-0"X7'-6"	2'-0"X8'-6"

FOOTING DIMENSIONS = DIAMETER X DEPTH

REV 01	DATE: 01 APR 16	REMOVED MODEL NUMBERS TO MAKE DWG GENERIC	BY: KOD
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PROJECT: OUTDOOR LED SCOREBOARDS			
TITLE: INSTALLATIONS SPEC: 4'X9' MODELS-1 AD, 13' WIDE DISPLAY			
SCALE: 1/80	DATE: 21 MAY 14	DIM UNITS: INCHES (MILLIMETERS)	REV 01
DESIGN: TTASCHN	JOB NO. P1192	DO NOT SCALE DRAWING	SHEET
DRAWN: TTASCHN	FUNC - TYPE - SIZE R-10-A		1174962

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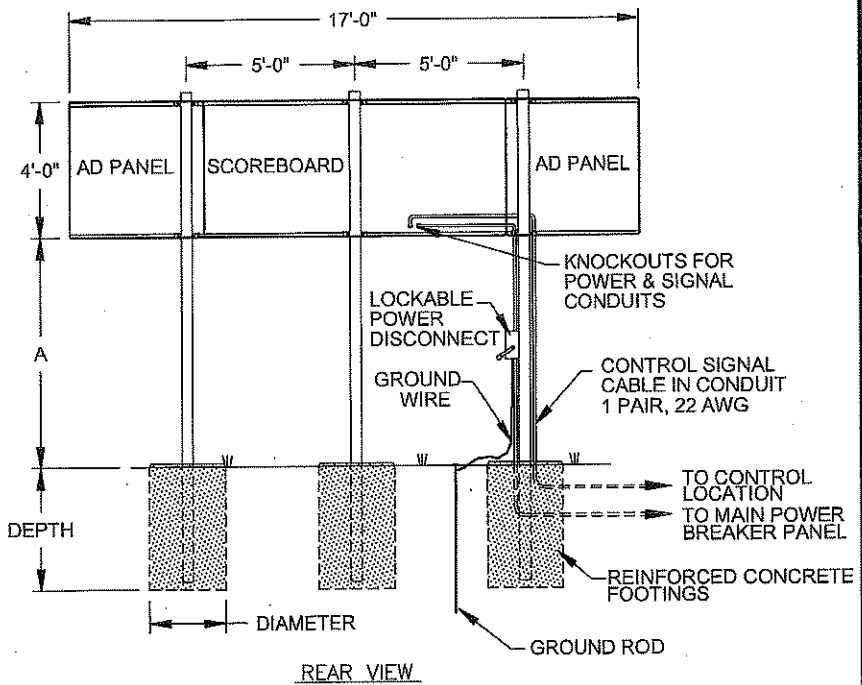
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EXPOSURE B

MODEL BA-2518 WITH SIDE AD PANELS @2						
DISTANCE "A" (SEE FIGURE)	TOTAL DISPLAY SIZE		DESIGN WIND VELOCITY			
			115 MPH	130 MPH	150 MPH	170 MPH
10'-0"	17'-0" x 4'-0"	BEAM FOOTING	W6X15 3'-0" X 4'-0"	W6X15 3'-0" X 4'-6"	W6X15 3'-0" X 5'-0"	W6X15 3'-0" X 5'-6"
15'-0"	17'-0" x 4'-0"	BEAM FOOTING	W8X18 3'-0" X 4'-6"	W8X21 3'-0" X 5'-0"	W8X21 3'-0" X 5'-6"	W4X13 3'-0" X 6'-0"

FOOTING = DIAMETER X DEPTH

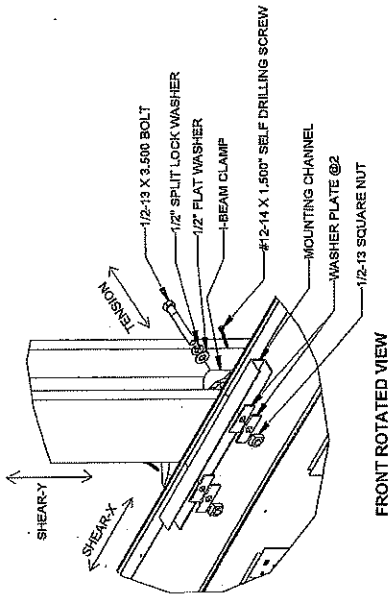
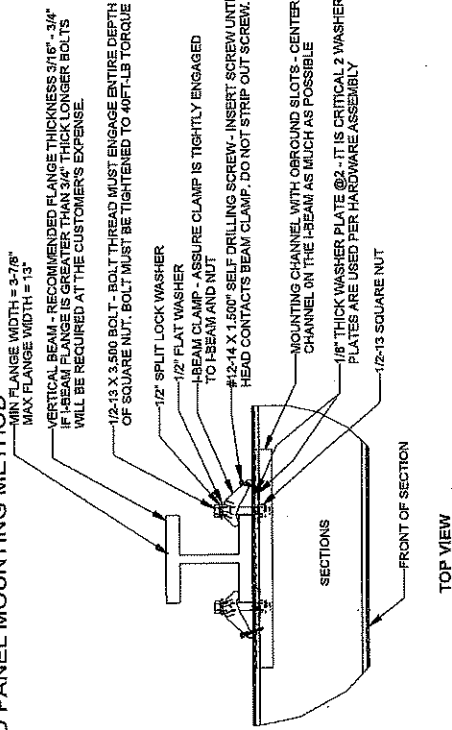
EXPOSURE C

MODEL BA-2518 WITH SIDE AD PANELS @2				
DISTANCE "A" (SEE FIGURE)	TOTAL DISPLAY SIZE		DESIGN WIND VELOCITY	
			115 MPH	140 MPH
10'-0"	17'-0" x 4'-0"	BEAM FOOTING	W6X15 3'-0" X 4'-6"	W6X15 3'-0" X 5'-0"
15'-0"	17'-0" x 4'-0"	BEAM FOOTING	W8X21 3'-0" X 5'-0"	W8X24 3'-0" X 5'-6"

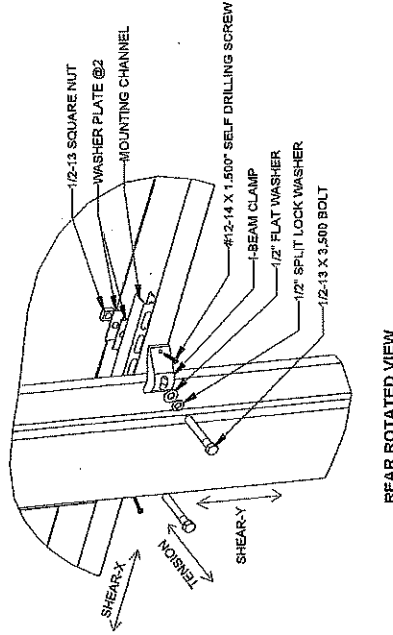
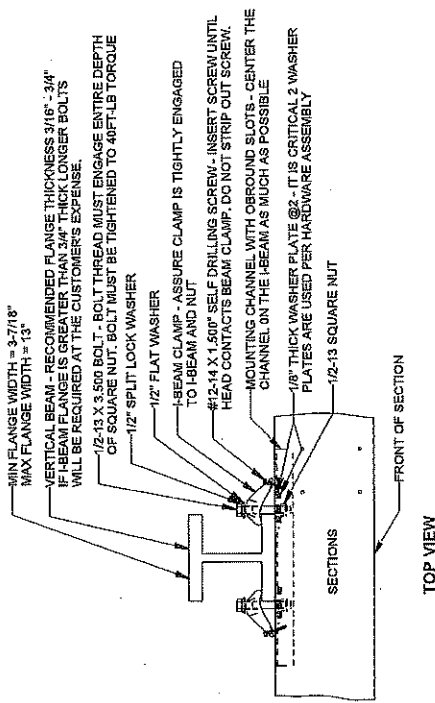
FOOTING = DIAMETER X DEPTH

<p>DAKTRONICS, INC. BROOKINGS, SD 57009 DO NOT SCALE DRAWING</p>	<p>THE CONCEPTS EXPRESSED AND DETAILS SHOWN ON THIS DRAWING ARE CONFIDENTIAL AND PROPRIETARY. DO NOT REPRODUCE BY ANY MEANS WITHOUT THE EXPRESS WRITTEN CONSENT OF DAKTRONICS, INC. COPYRIGHT 2014 DAKTRONICS, INC.</p>		
	<p>PROJ: OUTDOOR SCOREBOARDS TITLE: INSTALLATION SPECIFICATIONS- BA-2518 W/ 2 ADS DESIGN: JBRIGGS DRAWN: TTASCHN DATE: 22JUL14 SCALE: 1=100</p>		
<p>REV</p>	<p>DATE:</p>	<p>BY:</p>	<p>SHEET</p>
<p>00</p>	<p>REV</p>	<p>JOB NO:</p>	<p>FUNC-TYPE-SIZE</p>
<p>P 1091</p>	<p>1183252</p>	<p>R-08-A</p>	<p>1183252</p>

STANDARD SHEETMETAL SCOREBOARD/BACKLIT AD PANEL MOUNTING METHOD



STANDARD NON-BACKLIT AD PANEL MOUNTING METHOD



**QUALIFIED FOR SECTIONS UP TO 5' IN HEIGHT
USING RECOMMENDED STRUCTURE**

ALLOWABLE CAPACITY PER EACH CLAMP:

SHEAR = 160 LBS

TENSION = 1376 LBS

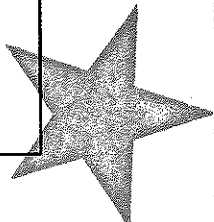
SHEAR AND TENSION LOAD
DIRECTION ARE AS INDICATED ON
ROTATED VIEWS

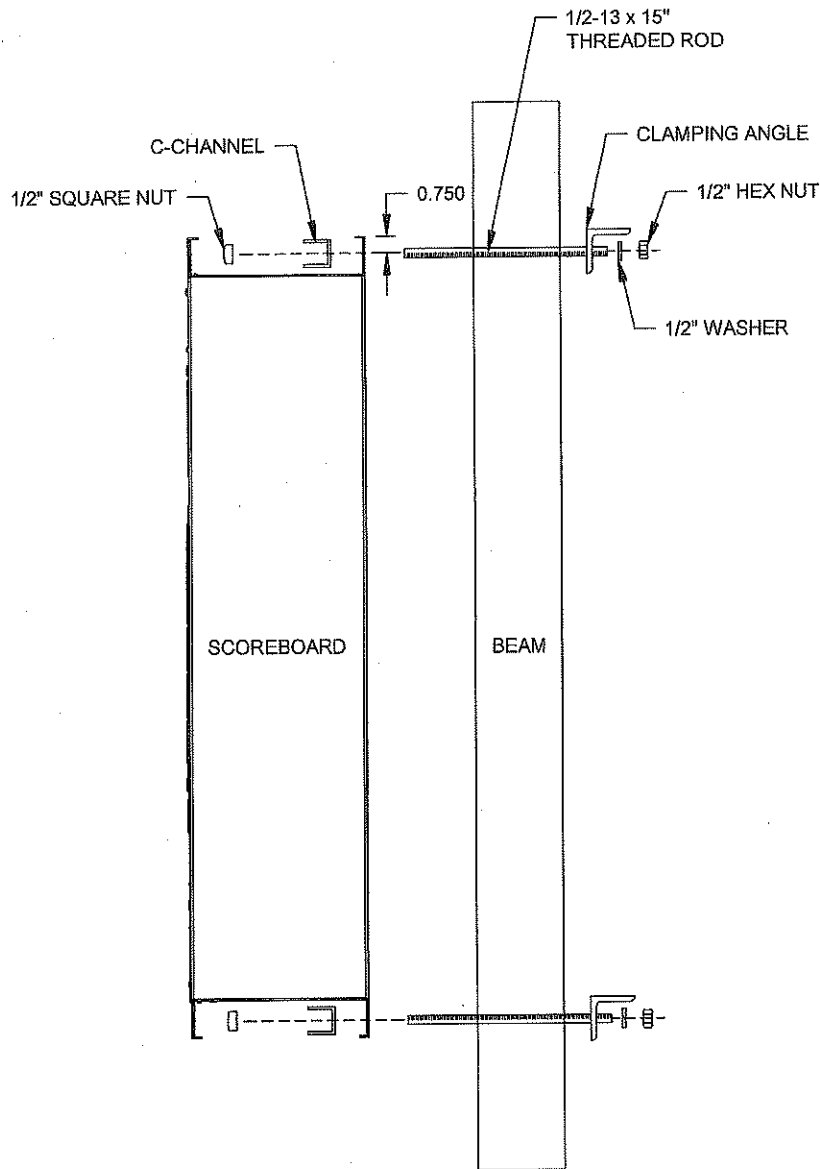
MOUNTING INSTRUCTIONS:

1. LIFT THE FIRST SECTION OF THE DISPLAY INTO POSITION AGAINST I-BEAMS.
- NOTE: IN THE DISPLAY IS MADE UP OF MULTIPLE SECTIONS STARTING ON THE TOP OF THE SECTION FIRST AND WORK UP. MARK AND DRILL 8/16" HOLES IN THE CENTER OF THE TOP FLANGE OF THE SECTION. MAKE SURE THE HOLES ARE POSITIONED AS CLOSE TO THE I-BEAM FLANGES AS POSSIBLE.
3. INSTALL ALL THE HARDWARE SHOWN PROVIDED AND TIGHTEN TO THE SPECIFIED TORQUE.
4. ONCE THE TOP OF THE SECTION IS SECURE MOVE TO THE BOTTOM OF THE SECTION AND REPEAT THE STEPS ABOVE.
5. IF THE DISPLAY IS MADE OF MULTIPLE SECTIONS REPEAT THE ENTIRE PROCEDURE ABOVE.
6. ENSURE ALL 1/2" HARDWARE IS TORQUED TO THE SPECIFIED AMOUNT.

D DAKTRONICS, INC.		INCORPORATED, 501 2ND ST.		DO NOT SCALE DRAWING	
PROJ. OUTDOOR SCOREBOARD					
TITLE I-BEAM CLAMP MOUNTING, SHEET METAL ATTACHMENT					
DESIGN	KSCHNABEL	DRAWN	KSCHNABEL	DATE	17-JUN-15
SCALE	1/8"	REV	001/02	APPROVED BY	
SHEET	1 OF 1	REV	02	P	1753
				E - 10 - B	1129110


REV	DATE	BY	APP	DESCRIPTION
01	17 JUN 15			CHANGED TENSION CAPACITY TO 1376 LBS ADDED SHEAR AND TENSION LOAD DIRECTIONS ADDED ALLOWABLE TENSION AND SHEAR CAPACITY FOR EACH CLAMP. CAPACITY TO BE USED.

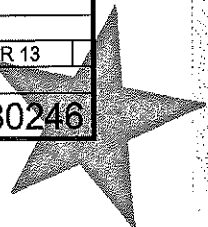




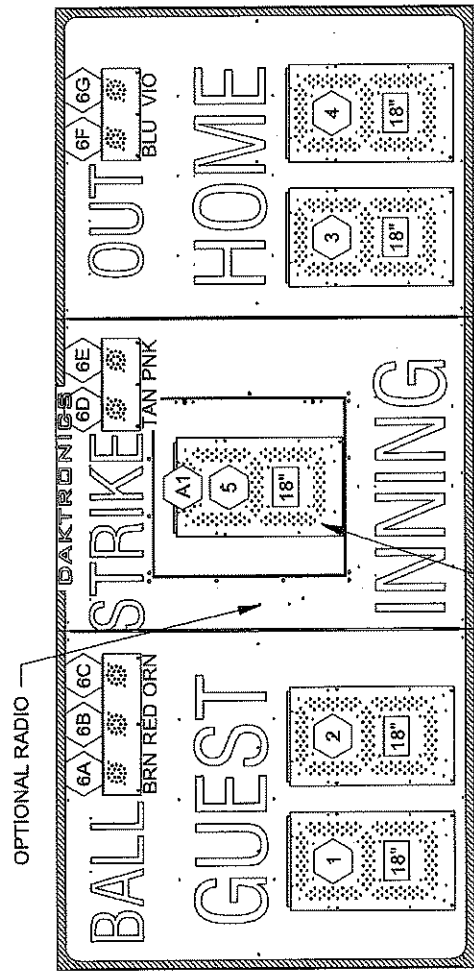
MOUNTING INSTRUCTIONS:

1. USE THE MOUNTING CHANNEL TO DETERMINE WHICH HOLE COMBINATION SHOULD BE USED. BE SURE TO KEEP THE BOLT AS CLOSE TO THE BEAM AS POSSIBLE.
2. USING THE MOUNTING CHANNEL AS A TEMPLATE, DRILL 9/16" HOLES IN THE UPPER AND LOWER REAR FLANGE OF SCOREBOARDS WHERE THE SUPPORTS WILL GO.
3. PLACE SQUARE NUTS INSIDE CHANNEL AND THREAD BOLTS THROUGH.
4. LIFT SCOREBOARD INTO POSITION WITH BOLTS STILL IN PLACE.
5. PLACE MOUNTING ANGLES OVER EACH PAIR OF BOLTS AND SECURE WITH LOCK WASHERS AND HEX NUTS.
6. WHEN SCOREBOARD IS ADJUSTED TO FINAL DESIRED POSITION, TIGHTEN HEX NUTS FIRMLY.

 DAKTRONICS, INC. BROOKINGS, SD 57006 <small>DO NOT SCALE DRAWING</small>		<small>THE CONCEPTS EXPRESSED AND DETAILS SHOWN ON THIS DRAWING ARE CONFIDENTIAL AND PROPRIETARY. DO NOT REPRODUCE BY ANY MEANS WITHOUT THE EXPRESSED WRITTEN CONSENT OF DAKTRONICS, INC. COPYRIGHT 2013 DAKTRONICS, INC.</small>	
		PROJ: OUTDOOR SHEET METAL SCOREBOARDS TITLE: SCOREBOARD MOUNTING	
DESIGN: KDRAGT		DRAWN: KDRAGT	
SCALE: 1=8		DATE: 14 MAR 13	
SHEET	REV	JOB NO.	FUNC-TYPE-SIZE
	00	P1753	E-10-A
			1130246



BA-2518-R/A/W



FRONT VIEW


NOTES:

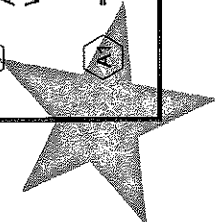
3 = DRIVER CONNECTOR WIRED TO THAT DIGIT

18" = DIGIT SIZE

6B = DRIVER CONNECTOR AND SEGMENT (PIN) # WIRED TO THAT INDICATOR

A1 = DRIVER NUMBER

REV 03	DATE: 17 AUG 20	PER CN-106088 REMOVED LABELS TO MOVE TO NEW STANDARD	BY: TAN
REV 02	DATE: 03 MAR 20	PER CN-99228, UPDATED LOCATION OF RADIO ANTENNA	BY: KOM
REV 01	DATE: 03 MAR 15	PER EC-1718, ADDED SIGNAL OPTION NOTE AND REMOVED DETAIL VIEWS	BY: ZSW
		<small>THE CONCEPTS EXPRESSED AND DETAILS SHOWN ON THIS DRAWING ARE THE PROPERTY OF DAKTRONICS, INC. ANY REUSE OR REPRODUCTION OF THIS DRAWING WITHOUT THE EXPRESS WRITTEN CONSENT OF DAKTRONICS, INC. OR ITS WHOLLY OWNED SUBSIDIARIES, IS PROHIBITED. COPYRIGHT 2020 DAKTRONICS, INC., USA</small>	
PROJECT: OUTDOOR SHEETMETAL SCOREBOARDS			
TITLE: COMPONENT LOCATION; BA-2518-R/A/W			
DATE: 16 JAN 13		DIM UNITS: INCHES (MILLIMETERS)	
SCALE: 1=20		DO NOT SCALE DRAWING	
DESIGN: KDRAGT	JOB NO. P1753	FUNC. TYPE - SIZE E-10-A	REV 03
DRAWN: KDRAGT			SHEET 03
			1124598



Meeting of May 7, 2024

Resolution No. 328-2024

WHEREAS, Theresa Jankowski, by letter, dated March 12, 2024, requested to donate a memorial plaque to be placed on an existing bench at Ellsworth W. Allen Park, Farmingdale, in memory of her daughter Kayla Marie Jankowski; 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 April 1, 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 Theresa Jankowski for a memorial plaque to be placed on an existing bench at Ellsworth W. Allen Park, Farmingdale, in memory of her daughter Kayla Marie Jankowski.

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY
William D. Mische

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: Memorandum Docket
FROM: Joseph G. Pinto, Commissioner of Parks
SUBJECT: Memorial Plaque and Bench
DATE: April 1, 2024

The Department of Parks has received a request from Theresa Jankowski (letter attached) requesting a memorial plaque on an existing bench at Ellsworth W. Allen Park in memory of her daughter, Kayla Marie.

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

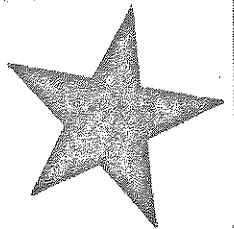
In accordance with Town Board Resolution 156-2024, adopted February 27, 2024, the Department of Parks respectfully requests Town Board Approval to accept a donation of \$850.00 from Theresa Jankowski.

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: Theresa Jankowski <rn3174@aol.com>
Sent: Tuesday, March 12, 2024 7:08 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!

Dear Diann,

I would like to purchase a plaque in memory of my daughter, Kayla Marie Jankowski, to put on an existing bench in Allen Park. Thank you.

Sincerely,

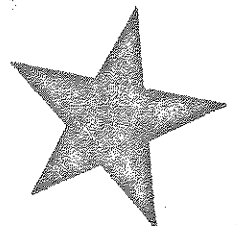
Theresa Jankowski
Sent from my iPhone

On Mar 12, 2024, at 2:39 PM, Diann Codispodo <dcodispodo@oysterbay-ny.gov> wrote:

Hi Theresa attached are the prices and guidelines we spoke of. I reached out to Jimmy. Send me your request letter when you have it done and I will start the paperwork on my side.
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.

<Memorial Prices and Guidelines 2024.docx>



Meeting of February 27, 2024

Resolution No.156-2024

Reviewed By
Office of Town Attorney
Ralph P. Stealey

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 24, 2024, requested that the Town Board approve the following 2024 fees for memorial plaques and benches:

FEES FOR A MEMORIAL PLAQUE:

8" x 4" plaque is \$425.00 – includes 4 lines top to bottom
8" x 6" plaque is \$560.00 – 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:

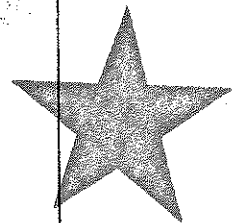
8" x 4" plaque placed under an existing tree is \$500.00
8" x 6" plaque placed under an existing tree is \$600.00

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 No. 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



Meeting of May 7, 2024

Resolution No. 329-2024

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Stealy

WHEREAS, Sergeant Timothy Cestaro, Nassau County Police Department, Marine and Aviation Bureau, Foot of First Avenue, East Rockaway, New York 11518, requested to berth two (2) marine enforcement vessels at Harry Tappen Marina, Glenwood Landing, and one (1) marine enforcement vessel at Theodore Roosevelt Marina, Oyster Bay, for the 2024 summer season; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 3, 2024, requested Town Board authorization to permit the Nassau County Police Department, Marine and Aviation Bureau, to berth two (2) marine enforcement vessels, at Harry Tappen Marina, Glenwood Landing, and one (1) marine enforcement vessel, at Theodore Roosevelt Marina, Oyster Bay, for the 2024 summer season, at no cost to the Nassau County Police Department; and

WHEREAS, the Town Board deems this to be appropriate and beneficial to the general public, as well as an effective crime deterrent for the protection of the Town marinas,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Parks is hereby authorized to permit the Nassau County Police Department, Marine and Aviation Bureau, to berth two (2) marine enforcement vessels, at Harry Tappen Marina, Glenwood Landing, and one (1) marine enforcement vessel, at Theodore Roosevelt Marina, Oyster Bay, for the 2024 summer season, at no cost to the Nassau County Police Department.

#

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

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

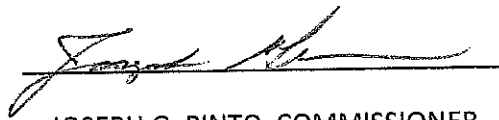
TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET
FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS
DATE: APRIL 3, 2024
SUBJECT: SUMMER BERTHING OF NCPD VESSELS
AT HARRY TAPPEN AND THEODORE ROOSEVELT MARINA

The Department of Parks requests Town Board authorization for the Nassau County Police Department to berth three marine enforcement boats, two at Harry Tappen Marina and one at Theodore Roosevelt Marina for the 2024 summer season at no cost to Nassau County.

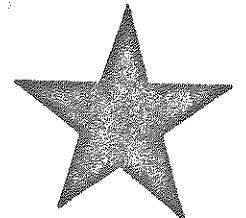
Please see the attached request letter from Sergeant Timothy Cestaro of the Nassau County Police Department Marine and Aviation Bureau.

Therefore, this department respectfully recommends approval of this request. The presence of the Nassau County Marine Bureau within each of the two marinas is not only beneficial to the general public, but also a crime deterrent for the protection of the Town marinas.



JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT

JGP/db
Att.



Nassau County



Police Department

BRUCE BLAKEMAN
COUNTY EXECUTIVE

1490 Franklin Avenue
Mineola, New York 11501
(516) 573-8800

PATRICK J. RYDER
COMMISSIONER

March 21, 2024

Commissioner Joseph G. Pinto
Department of Parks
Town of Oyster Bay
977 Hicksville Rd. Massapequa, NY 11758

Dear Commissioner Pinto,

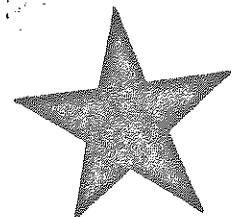
The Nassau County Marine bureau is in the process of planning the deployment of our North Shore patrol vessels for this upcoming boating season. This season we would like to continue with what we have utilized in years past and are requesting authorization to maintain two slips at Tappen, F-10 and F-5, and one slip in Roosevelt Park Marina for our patrol vessels.

Thank you for your consideration with this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Cestaro".

Sergeant Timothy Cestaro
Nassau County Police
Marine and Aviation Bureau
Foot of First Avenue
East Rockaway, NY 11518
516-573-4450



Meeting of May 7, 2024

Resolution No. 330-2024

DRS
Reviewed By
Office of Town Attorney
America Wolfe

WHEREAS, John Canning, Esq., Commissioner, Department of Human Resources, by memorandum dated April 4, 2024, requested Town Board authorization to renew membership in the Society for Human Resource Management for Christina Menoudakos, Secretary to the Commissioner of Human Resources, for the period of January 1, 2024 through December 31, 2024, nunc pro tunc, and to pay dues therefor in the amount of \$244.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Human Resources is authorized to renew membership in the Society for Human Resources Management, for Christina Menoudakos, Secretary to the commissioner of Human Resources, for the period of January 1, 2024 through December 31, 2024, nunc pro tunc, and to pay dues therefor in the amount of \$244.00, 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, with the funds for said payment to be drawn from Account No. DHR A 1430 47900 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

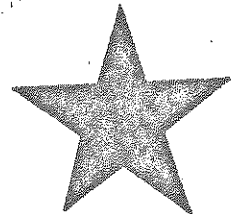
Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: John Canning
Commissioner of Human Resources
DATE: April 4, 2024
SUBJECT: SHRM Membership

The Department of Human Resources respectfully recommends Christina Menoudakos, Secretary to the Commissioner of Human Resources, for membership renewal in the Society of Human Resources Management for the period of January 1, 2024, *nunc pro tunc*, through December 31, 2024.

Therefore, it is respectfully requested that the Town Board pass a resolution authorizing payment of membership fee in the amount of \$244.00 as per the attached effective January 1, 2024, *nunc pro tunc*. Funds will be available from Account DHR A 1430 47900 000 0000.


John Canning
Commissioner
Department of Human Resources





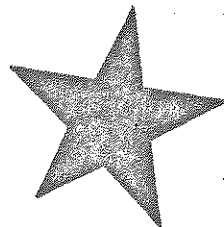
SHRM Customer Experience
shrm.org/contactus
 For Phone Payment:
 US: 800.283.7476
 International: +1.703.548.3440

CASH SALE NO. CS2137228 **2/01/2024**

BILL TO	SHIP TO	PAYMENT
Ms. Christina Menoudakos 489 Roy St West Hempstead NY 11552-2229 United States	Christina Menoudakos 489 Roy St West Hempstead NY 11552 United States	CC - American Exp (SHRM) MeS *****2000 Currency: US Dollar

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	TAX
1	Professional Membership	\$244.00	\$244.00	\$0.00
1	SHRM HR Magazine	\$0.00	\$0.00	\$0.00

SUBTOTAL	\$244.00
SHIPPING	\$0.00
TAX TOTAL	\$0.00
TOTAL PAID	\$244.00



Meeting of May 7, 2024

Resolution No. 331-2024

Reviewed By
Office of Town Attorney
America Waite

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 10, 2024, requested Town Board authorization to issue a refund in the amount of \$332.50 to Grazyna Komosinski, to reimburse her for fees paid for her son to attend the Spring 2024 Ice Hockey House League 12U, as her son will no longer be attending; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that Ms. Komosinski is entitled to a full refund of \$350.00, less the five percent (5%) administration fee of \$17.50, for a total refund of \$332.50,

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 \$332.50 to Grazyna Komosinski; and be it further

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

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

-#-

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

331

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 4/10/2024

SUBJECT: Grazyna Komosinski- Spring 2024 Ice Hockey House League 12U Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$332.50 (three hundred thirty two dollars and 50/100 cents) to Town of Oyster Bay resident Grazyna Komosinski, 3977 Florence Road, Seaford, NY 11783. Ms. Komosinski's son will not be attending the Spring 2024 Ice Hockey House League 12U.

Based on the 2024 Town of Oyster Bay refund policy, Grazyna Komosinski is eligible to receive the refund minus a 5% administration fee as follows:

2024 Spring Ice Hockey House League 12U	\$350.00
<u>5% Administration Fee</u>	<u>\$17.50</u>

TOTAL REFUND **\$332.50 (three hundred thirty two dollars and 50/100 cents)**

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

Kindly debit the following account: PKS A 0001 02001 510 0000



Joseph G. Pinto
COMMISSIONER



JGP/nh

Meeting of May 7, 2024

Resolution No. 332-2024

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 9, 2024, requested Town Board authorization to issue a refund in the amount of \$332.50 to Town of Oyster Bay resident Blanka Oh, to reimburse her for fees paid for her son to attend the Spring 2024 Ice Hockey House League 10U, as her son will no longer be attending; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that Ms. Oh is entitled to a full refund of \$350.00, less the five percent (5%) administration fee of \$17.50, for a total refund of \$332.50,

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 \$332.50 to Blanka Oh; and be it further

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

RESOLVED, That the 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
America Walter

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET
FROM: Joseph G. Pinto, Commissioner
Department of Parks
DATE: 4/9/2024
SUBJECT: Blanka Oh- 2024 Spring Ice Hockey House League 10U Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$332.50 (three hundred thirty two dollars and 50/100 cents) to Town of Oyster Bay resident Blanka Oh, 8 Barby Lane, Plainview, NY 11803. Ms. Blanka's son will not be attending the 2024 Spring Ice Hockey House League 10U.

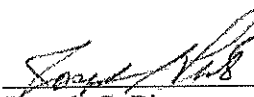
Based on the 2024 Town of Oyster Bay refund policy, Blanka Oh is eligible to receive the refund minus a 5% administration fee as follows:

Ice Hockey House League 10U \$350.00
5% Administration Fee \$17.50

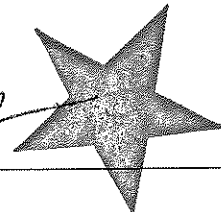
TOTAL REFUND \$332.50 (three hundred thirty two dollars and 50/100 cents)

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

Kindly debit the following account: PKS A 0001 02001 510 0000



Joseph G. Pinto
COMMISSIONER



JGP/nh

Meeting of May 7, 2024

Resolution No. 333-2024

PPS
Reviewed By
Office of Town Attorney
America Wolfe

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 11, 2024, requested Town Board authorization to issue a refund in the amount of \$2,120.40 to Vanessa Gardianos, to reimburse her for a boat slip rental at Tappen Marina; and

WHEREAS, based on the Town of Oyster Bay refund policy, Ms. Gardianos is entitled to receive a refund of the \$2,232.00 boat slip fee less the five percent (5%) administrative fee of \$111.60, for a total refund of \$2,120.40,

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 \$2,120.40 to Vanessa Gardianos; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. PKS A 0001 02025 526 0000; and be it further

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

-#-

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

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

333

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 4/11/2024

SUBJECT: Vanessa Gardianos- Tappen Slip S21 Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$2,120.40 (two thousand one hundred twenty dollars and 40/100 cents) to Vanessa Gardianos, 333 E 53rd Street Apt 3KL, New York, NY 10022. Resident Athanasios Gardianos (father of Vanessa Gardianos) will no longer be needing the Tappen Slip Rental S21 and is requesting a refund.

Based on the 2024 Town of Oyster Bay refund policy, Vanessa Gardianos is eligible to receive the refund minus a 5% administration fee as follows:

Tappen Slip Rental Refund	\$2,232.00
<u>5% Administration Fee</u>	<u>\$111.60</u>

TOTAL REFUND **\$2,120.40 (two thousand one hundred twenty dollars and 40/100 cents)**

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

Kindly debit the following account: PKS A 0001 02025 526 0000



Joseph G. Pinto
COMMISSIONER



JGP/nh

Meeting of May 7, 2024

Resolution No. 334-2024

OPS
Reviewed By
Office of Town Attorney
Flaminia Wolfe

WHEREAS, Timothy R. Zike, Deputy Commissioner, Department of Planning and Development, by memorandum dated April 12, 2023, requested Town Board authorization to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2024 to April 30, 2025, at an amount not to exceed \$4,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Planning and Development is hereby authorized to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2024 to April 30, 2025, nunc pro tunc at an amount not to exceed \$4,000.00; 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; and that the funds for said payment are to be drawn from Account No. PAD B 3620 44140 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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Town of Oyster Bay
Inter-Departmental Memo

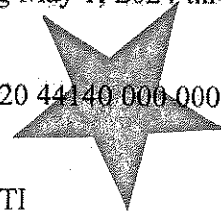
TO: MEMORANDUM DOCKET
FROM: TIMOTHY R. ZIKE, DEPUTY COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
DATE: APRIL 12, 2024
SUBJECT: MEMBERSHIP DUES FOR "BIANCO"
BUILDING INSPECTORS ASSOCIATION OF NASSAU COUNTY

This Department's Building, Plumbing and Code Enforcement Inspectors are certified by New York State's Department of State, Division of Code Enforcement and Administration as Code Enforcement Officials for the New York State Uniform Fire Prevention and Building Code. Twenty-four (24) hours of approved in-service training is required annually to maintain the New York State Code Enforcement Official Certification.

The Department of Planning and Development elected to register each Code Enforcement Official as a member of the Building Inspectors Association of Nassau County ("BIANCO"), which would then entitle them to take the in-service training courses sponsored by BIANCO. The cost of membership for each Code Enforcement Official in this Department is \$100.00 per year. The total amount owed to BIANCO for this Department's Code Enforcement Officials nunc pro tunc for a period covering May 1, 2024 through April 30, 2025 is \$4,000.00.

Authorization by the Town Board is therefore respectfully requested for the payment of said dues for each of this Department's Code Enforcement Officials in an amount not to exceed \$4,000.00 for BIANCO membership nunc pro tunc for the period covering May 1, 2024 through April 30, 2025.

Funds are available for this purpose in Account Number PAD B 3620 44140 000 0000.



ANGELO A. DELLIGATTI
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

TRZ:dm



TOWN OF OYSTER BAY

CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER
FEDERAL ID # SOCIAL SECURITY #

11-3086236

CLAIMANT'S NAME B.I.A.N.C.O.
TIMOTHY DOUGHERTY, TREASURER

CONTRACT #

ORDER #

CLAIMANT'S ADDRESS
18 HORSE HILL ROAD, BROOKVILLE

CONTRACT NAME

TOWN DEPARTMENT
BUILDING DEPT.

CLAIMANT INVOICE #

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

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

DATE	DESCRIPTION	UNIT PRICE	TOTAL
	<u>BIANCO MEMBERSHIP</u>		
	<u>FOR 40 MEMBERS</u>	<u>\$100</u>	<u>\$4000.00</u>

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT
I HEREBY CERTIFY the above articles were sold and delivered and/or the above service rendered to the Town of Oyster Bay on the dates and for the prices or amounts billed; that the above bill is just, true and correct; that no part thereof has been paid except as stated therein and that the balance there stated in the amount of no part thereof has been paid except as stated therein and that the balance there in stated in the amount of

TOTAL AMOUNT	
CASH DISCOUNT %	
NET AMOUNT	

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 Timothy Dougherty Title TREASURER
Print or type name TIMOTHY DOUGHERTY Name of Company BIANCO

Date 4-11-24

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

Signature _____ Title _____ Date _____
Department _____ Account _____



Timothy Dougherty

Treasurer
18 Horse Hill Road
Brookville, NY 11545

VOUCHER

Voucher Number: 2207-24
Voucher Date: 4/11/2024

Building Inspectors Association of Nassau County

<p>Invoice To: Town of Oyster Bay 74 Audrey Avenue Oyster Bay, New York 11771 Attn: Tim Zikes</p>	<p>Mail To: Tim Dougherty 18 Horse Hill Road Brookville, NY 11545</p>
<p>Make check payable to: BIANCO</p>	

\$ 100 PER MEMBERSHIP

MEMBERSHIP DUES:

Gregory Aiello
John Barnett
Lara Bousleman
Scott L. Byrne
Anthony S. Ciervo
Alexander L. Chebuske
Joseph M. Ciambra
Kevin J. Conway
Nick J. Condoleo
John M. Cuccia
Michael T. DiCarlo
Nicholas J. Domingo
Enrico R. Fiumara
Bryan Hardman
Cheryl Giordano
James J. Jazwinski
Michael S. Landman
Kurt J. Lebright
Margaret A. Lippolt
Richard Marino
Kamila Matulik

Keri Masterson
Jane C. Mohapp-Fanizza
~~James A. Nicolet~~
Glenn Neuman Jr.
Suzanne K. Paul
~~Richard J. Peters~~
Kaitlyn N. Pignataro
Tyler J. Purdy
Vito Rella
John D. Rice
Thomas John Robinson
Chase R. Russo
LynneAnn Sullivan
Christopher T. Sabellico
Luke A. Silver
Craig Thomas
Alexander N. Verasco
James T. Whalen
John J. Zebro
Luis Zeda
Timothy R. Zike

BIANCO is a non-profit professional association, Federal I.D. #11-3086236

Total Members:	40
AMOUNT DUE:	\$4,000.00

Timothy Dougherty
TREASURER

WHEREAS, by Resolution No. 70-2000, adopted on February 1, 2000, the Town Board granted PREMIER STORAGE, Applicant, approval of a Site Plan in connection with premises located in a Light Industrial ("LP") District, at 151 Sunnyside Boulevard, Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 13, Block 98, Lot 25 on the Land and Tax Map of Nassau County (the "subject premises"); and

WHEREAS, EXTRA SPACE PROPERTIES EIGHTY FOUR LLC, fee owner of the subject premises, has now submitted proposed amendments to the approved Site Plan, in order to reconfigure the parking area, install additional storage units, and associated site improvements, and seeks Town Board approval of the amended Site Plan, which approval is required under Chapter 246, Section 6.2.2.3 of the Code of the Town of Oyster Bay prior to the issuance of a building permit, without the need of a public hearing, and Chapter 246 Section 8, Site Plan Review; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed the application and related documents and submitted its memorandum dated March 15, 2024, regarding the environmental impacts contemplated by said application and determined that the proposed action does not pose the potential for significant environmental impacts and that the adoption of a Negative Declaration would fulfill the requirements of SEQR/TEQR; and

WHEREAS, Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, by memorandum dated April 9, 2024, advised that the Department of Planning and Development has reviewed the following six (6) drawings prepared by Joseph Deal, P.E., Bohler Engineering NY, PLLC, and six (6) drawings prepared by Richard J. Bencivenga, R.A., TAO Architecture + Design:

GRS
Reviewed By
Office of Town Attorney
John M. [Signature]

SHEET NO.	TITLE	PREPARED BY	LAST REVISED
C-101	Cover Sheet	Joseph Deal, P.E.	11/06/2023
C-201	Demolition, Soil Erosion and Sediment Control Plan	Joseph Deal, P.E.	11/06/2023
C-301	Site Layout Plan	Joseph Deal, P.E.	11/06/2023
C-401	Grading, Drainage & Utility Plan	Joseph Deal, P.E.	11/06/2023
C-701	Landscape & Lighting Plan	Joseph Deal, P.E.	11/06/2023
C-702	Landscape Notes & Details	Joseph Deal, P.E.	11/06/2023
A1.01	Floor Plans	Richard J. Bencivenga, R.A.	03/22/2024
A2.01	Elevations	Richard J. Bencivenga, R.A.	03/30/2024
A2.02	Elevations	Richard J. Bencivenga, R.A.	03/22/2024
A3.01	Mass Units	Richard J. Bencivenga, R.A.	03/22/2024
A3.01	Mass Units	Richard J. Bencivenga, R.A.	03/22/2024
A4.01	Office Floor Plans	Richard J. Bencivenga, R.A.	03/22/2024

WHEREAS, Commissioner Delligatti, by said memorandum, further advised that the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Sections 246.6, Site Plan Review; and

NOW, THEREFORE, BE IT RESOLVED, That in accordance with the memorandum of Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, dated April 9, 2024, the twelve (12) plans set forth hereinabove are hereby approved; and be it further

RESOLVED, That the Town Board of the Town of Oyster Bay does hereby accept the conclusions of the Town of Oyster Bay Department of Environmental Resources, as set forth in their memorandum dated March 15, 2024, and, based on the determination of the Department of Environmental Resources does hereby adopt a Negative Declaration with respect to the application of EXTRA SPACE PROPERTIES EIGHTY FOUR LLC, fee owner, for approval of an amended Site Plan, in order to reconfigure the parking area, install additional storage units, and associated site improvements, in connection with premises located in a Light Industrial ("LI") District, at 151 Sunnyside Boulevard, Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 13, Block 98, Lot 25 on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the application of EXTRA SPACE PROPERTIES EIGHTY FOUR LLC, fee owner, for approval of an amended Site Plan, in order to reconfigure the parking area, install additional storage units, and associated site improvements, in connection with premises located in a Light Industrial ("LI") District, at 151 Sunnyside Boulevard, Plainview, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 13, Block 98, Lot 25 on the Land and Tax Map of Nassau County is hereby APPROVED, subject to subject to the provisions of Resolution No. 70-2000, adopted on February 1, 2000, except as modified hereby.

#

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: ANGELO A. DELLIGATTI, COMMISSIONER
 DEPARTMENT OF PLANNING & DEVELOPMENT

DATE: APRIL 9, 2024

SUBJECT: SITE PLAN REVIEW SP 11-20
 EXTRA SPACE STORAGE
 151 SUNNYSIDE BLVD.
 PLAINVIEW, NY 11803
 SEC. 13 BLK. 98 LOT(S) 25
 ZONE: LIGHT INDUSTRY (LI)

This Department has reviewed amended plans for a previously approved Site Plan Application for the above-captioned project and has reviewed the amended plans with regard to section, block and lot designation, zoning classification, existing variances, zoning violations and required off-street parking. The Department's review is made pursuant to Chapter 246 Section 6.2.2.3 which requires Town Board Site Plan Approval prior to the issuance of a building permit (without the need of a public hearing) and Chapter 246 Section 6 (Site Plan Review) of the Code of the Town of Oyster Bay.

The Site received Site Plan Approval from the Town Board under Resolution Number 704000, dated February 1, 2000 for Premier Storage. The Applicant has now submitted proposed amendments to the approved plans in order to reconfigure the parking area, install additional storage units and associated site improvements.

Six (6) drawings prepared by Joseph Deal, P.E., Bohler Engineering NY, PLLC, as well as six (6) drawings prepared by Richard J. Bencivenga, R.A., TAO Architecture + Design, have been submitted for approval. The plans are as follows:

<u>SHEET NO.</u>	<u>TITLE:</u>	<u>PREPARED BY:</u>	<u>DATE:</u>
C-101	Cover Sheet	Joseph Deal, P.E.	11/06/2023
C-201	Demolition, Soil Erosion, & Sediment Control Plan	Joseph Deal, P.E.	11/06/2023
C-301	Site Layout Plan	Joseph Deal, P.E.	11/06/2023
C-401	Grading, Drainage & Utility Plan	Joseph Deal, P.E.	11/06/2023
C-701	Landscape & Lighting Plan	Joseph Deal, P.E.	11/06/2023
C-702	Landscape Notes & Details	Joseph Deal, P.E.	11/06/2023
A1.01	Floor Plans	Richard J. Bencivenga, R.A.	03/22/2024
A2.01	Elevations	Richard J. Bencivenga, R.A.	03/22/2024
A2.02	Elevations	Richard J. Bencivenga, R.A.	03/22/2024
A3.01	Mass Units	Richard J. Bencivenga, R.A.	03/22/2024
A3.01	Mass Units	Richard J. Bencivenga, R.A.	03/22/2024
A4.01	Office Floor Plans	Richard J. Bencivenga, R.A.	03/22/2024

Also submitted for your review are the following documents:

1. Memorandum from Gina LoPresti, Planner I, Department of Planning and Development, dated March 28, 2024.
2. Memorandum from Julia K. Schneider, AICP, CPESC, Director of TEQR, Department of Environmental Resources, dated March 15, 2024.
3. Memorandum from Kenneth Feeley, Zoning Division, dated August 14, 2020.
4. Memorandum from Susan Cloninger, Executive Secretary to the Zoning Board of Appeals, dated August 17, 2020.
5. Memorandum from John Bishop, Deputy Commissioner, Highway Division, Department of Public Works, dated August 21, 2020.
6. Memorandum from Richard W. Lenz P.E., Commissioner, Department of Public Works, dated September 16, 2020.
7. Memorandum from Michael Esposito, Code Enforcement Bureau, dated March 20, 2024.
8. Parking memorandum from Gina LoPresti, Planner I, Department of Planning and Development, dated March 28, 2024.
9. Town Board Resolution Number 70-2000 dated February 1, 2000.

Said plans were prepared and modified using the standards set forth in Chapter 246 Section 6 (Site Plan Review) of the Code of the Town of Oyster Bay as a guide. Development of the subject premises is in accordance with the plans attached does, in this Department's opinion, comply with the requirements of Chapter 246 Section 6 (Site Plan Review) of the Code of the Town of Oyster Bay and therefore, I recommend an amended Site Plan Approval by the Town Board.

In addition to the above, it is the recommendation of this Department that, due to the fact this is an "as-of-right" use for the subject property, further alterations/revisions/amendments to the plans as submitted that are deemed minor in nature by the Commissioner of Planning and Development can be approved without notifying the Town Board in order to expedite nominal changes.


ANGELO A. DELLAGATTI
COMMISSIONER



AAD/gl
Encls.

cc: Legislative Affairs

TOWN OF OYSTER BAY
Inter-Departmental Memo
March 28, 2024

To : ANGELO A. DELIGATTI, COMMISSIONER
DEPARTMENT OF PLANNING & DEVELOPMENT

From : GINA LOPRESTI
PLANNER I


Subject : SITE PLAN REVIEW SP 11-20
EXTRA SPACE STORAGE
151 SUNNYSIDE BLVD.
PLAINVIEW, NY 11803
SEC. 13 BLK. 98 LOT(S) 25
ZONE: LIGHT INDUSTRY (LI)

The office of Planning and Development has reviewed the following documents, which were received by the Planning Division in regards to the above referenced application:

Six (6) drawings prepared by Joseph Deal, P.E., Bohler Engineering NY, PLLC, as well as six (6) drawings prepared by Richard J. Bencivenga, R.A., TAO Architecture + Design, have been submitted for approval. The plans are as follows:

<u>SHEET NO.</u>	<u>TITLE:</u>	<u>PREPARED BY:</u>	<u>DATE:</u>
C-101	Cover Sheet	Joseph Deal, P.E.	11/06/2023
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A2.02	Elevations	Richard J. Bencivenga, R.A.	03/22/2024
A3.01	Mass Units	Richard J. Bencivenga, R.A.	03/22/2024
A3.01	Mass Units	Richard J. Bencivenga, R.A.	03/22/2024
A4.01	Office Floor Plans	Richard J. Bencivenga, R.A.	03/22/2024

Based on a review of the aforementioned documents, it is the determination of this Division that the applicant has satisfactorily addressed all concerns relative to the Town of Oyster Bay's Zoning Ordinances, as they pertained to the site plan alterations proposed in this application.


GINA LOPRESTI
PLANNER I

TOWN OF OYSTER BAY
Inter-Departmental Memo

March 15, 2024

TO: Scott L. Byrne, Deputy Commissioner,
Department of Planning and Development

FROM: Julia K. Schneider, Director of TEQR
Department of Environmental Resources

SUBJECT: TEQR Report – 151 Sunnyside Blvd.
Extra Space Self Storage Facility

LOCATION: 151 Sunnyside Blvd., Plainview, NY 11803
Sec. 13 Blk. 98 Lot(s) 25 on the Land and Tax Map of Nassau County

SITE PLAN NO: SP11-20

Attached hereto is the Town Environmental Quality Review (TEQR) report prepared by the Department of Environmental Resources (DER), TEQR Division for the above-referenced proposed action. The environmental review and subsequent TEQR Report have been 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).

Recommended Determination of Significance: **NEGATIVE DECLARATION** (indicating that the proposed action will not result in significant adverse environmental impacts). The TEQR Division recommends that the Planning Advisory Board (PAB) of the Town of Oyster Bay accepts the above determination, based on the TEQR Division's review of the following environmental parameters, and substantiating documentation summarize in the attached TEQR Report, dated March 15, 2024.

If the Planning Advisory Board, as lead agency, concludes that the foregoing information fully addresses the relevant environmental issues, such that it is determined that the proposed action does not pose the potential for significant adverse environmental impacts, the requirements of SEQR/TEQR can be fulfilled by accepting the substantiating information for the negative declaration by signing Part 3 of the NYS Short EAF and returning to this office for filing which will complete the SEQR/TEQR process. Please contact the Department of Environmental Resources if you have any questions.

Please contact the Department of Environmental Resources if you have any questions.


Julia K. Schneider, AICP, CPESC
Director of TEQR



cc. Louis G. Savinetti, Commissioner, Department of Environmental Resources
Colin Bell, Deputy Commissioner, Department of Environmental Resources

**TOWN OF OYSTER BAY
DEPARTMENT OF ENVIRONMENTAL RESOURCES
TOWN ENVIRONMENTAL QUALITY REVIEW DIVISION**

**REVIEW OF ACTION AND RECOMMENDED DETERMINATION OF SIGNIFICANCE
TEQR REPORT**

March 15, 2024

The Town of Oyster Bay Department of Environmental Resources (DER), Town Environmental Quality Review (TEQR) Division, has reviewed the subject action described below in accordance with Article 8 of the Environmental Conservation Law (ECL), State Environmental Quality Review (SEQR) Act, and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review (TEQR) Law, Chapter 110 of the Code of the Town of Oyster Bay. The following report summarizes DER's findings regarding the proposed action in accordance with relevant laws and industry standard guidance documents.

Applicant/Sponsor: Extra Space Properties 84, LLC

Project Contact: Aleksandar Kociski, Bohler Engineering, 275 Broadhollow Road,
Suite 100, Melville, NY 11747

Title of Project: Extra Space Storage Facility Expansion

Location of Proposed Action: 151 Sunnyside Boulevard Hicksville NY 11801 –
Section 13, Block 98, Lot 25
(see Location Map on following page)

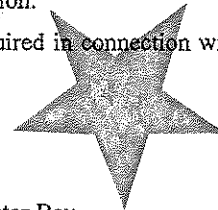
Description of Proposed Action: Application to the Planning Advisory Board for Site Plan Approval to allow the expansion of an existing Extra Space Storage facility. Under the proposed action, the existing 80,713±-square foot (sf) self-storage building will remain; and two new self-storage buildings, at 9,434± sf and 2,133± sf, will be constructed. There will be a total of 60 additional self-storage units between the two new buildings. The total floor area of all three buildings upon project completion will be 92,280± sf, with a total area of 0.99± acre being physically disturbed for the proposed action. The proposed site plan includes 48 parking spaces, a decrease of 57 spaces from 105 spaces on site under existing conditions. However, the site would still meet Town of Oyster Bay parking requirements under the proposed action. The application will provide new landscaping, which is an improvement over current site conditions, includes landscaping plantings in front of the existing building. Additionally, an 11,567±-sf area of "cool roof" will be installed on the two new buildings, and increased drywell storage will be provided. The general site operations for the storage facility are expected to remain unchanged from the existing condition.

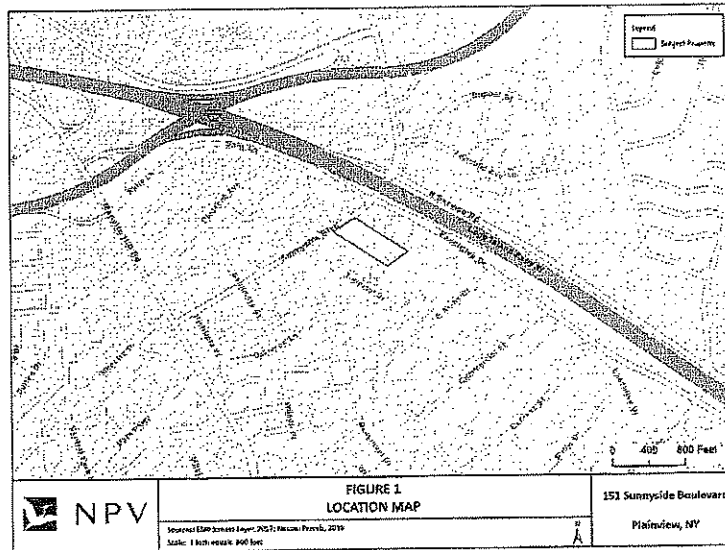
According to the applicant's submissions to the Town, no variances are required in connection with the proposed action.

Type of Review: Uncoordinated

Lead Agency: Planning Advisory Board of the Town of Oyster Bay

SEQR Classification: Unlisted





Recommended Determination of Significance:

NEGATIVE DECLARATION (indicating that the proposed action will not result in significant adverse environmental impacts). The TEQR Division recommends that the Planning Advisory Board of the Town of Oyster Bay accept the above determination, based on the TEQR Division's review of the relevant environmental parameters pertaining to the subject application and additional information provided to the satisfaction of DER in arriving at the aforementioned recommendation.

Contact Person:

Town of Oyster Bay Department of Environmental Resources
29 Spring Street
Oyster Bay, NY 11771
Julia Schneider, AICP, CPESC, Director of TEQR
telephone: (516) 677-5748
email: j.schneider@oysterbay-ny.gov

Anticipated Approvals Required:

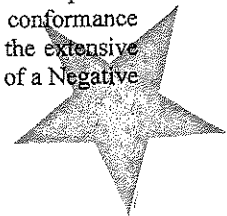
- Town of Oyster Bay Planning Advisory Board – Site Plan Approval, SEQR Review
- Town of Oyster Bay Department of Planning and Development – Building Permit



Documents Reviewed:

- Site Development Plans, prepared by Bohler Engineering (Bohler), consisting of 6 sheets, as revised 11/6/2023, identified as follows:
 - Cover Sheet (Sheet C-101)
 - Demolition, Soil Erosion & Sediment Control Plan (Sheet C-201)
 - Site Layout Plan (Sheet C-301)
 - Grading, Drainage & Utility Plan (Sheet C-401)
 - Landscape & Lighting Plan (Sheet C 701)
 - Landscape Notes and Details (Sheet C-702)
- Architectural Site Plan Drawings, prepared by Tao Architecture + Design, consisting of 8 sheets, revised 02/14/2022, identified as follows:
 - Cover Sheet (Sheet CV.00)
 - Partition Types and UL Assemblies (Sheet G1.01)
 - Architectural Site Plan (Sheet A0.01)
 - Floor Plans (Sheet A1.01)
 - Elevations (Sheet A2.01)
 - Elevations (Sheet A2.02)
 - Mass Units (Sheet A3.01)
 - Office Floor Plans (Sheet A4.01)
- Part I of the Short Environmental Assessment Form (“EAF Part 1”), prepared by Bohler, dated 12/8/2023
- Town of Oyster Bay Short EAF Addendum (“Addendum”), prepared by Bohler, dated 12/8/2023
- Phase I Environmental Site Assessment, prepared by the Vertex Companies, LLC, dated 12/6/2023
- Land Use Map, prepared by Bohler, dated 11/7/2023
- Transportation Resource Information Report, prepared by Atlantic Traffic & Design Engineering, LLC (ATDE), revised 2/5/2024.

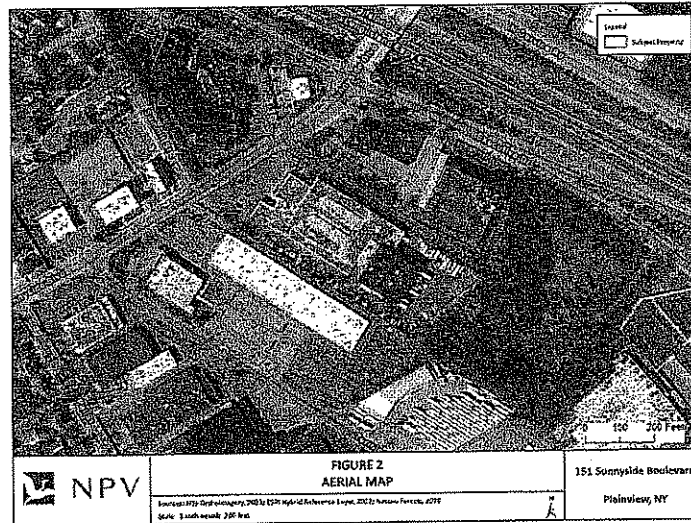
The environmental review of this application also included inspection of the subject premises and surrounding area. Additionally, there was a series of comments and responses, telephone conferences, emails and follow-up correspondence whereby the Applicant provided additional information as requested by DER in order to complete the requisite environmental review of the proposed action in conformance with the “hard look” standard under SEQR. The information provided below summarizes the extensive information reviewed by DER to arrive at the Recommended Determination of Significance of a Negative Declaration in accordance with the SEQR/TEQR standards.



Land Use and Zoning

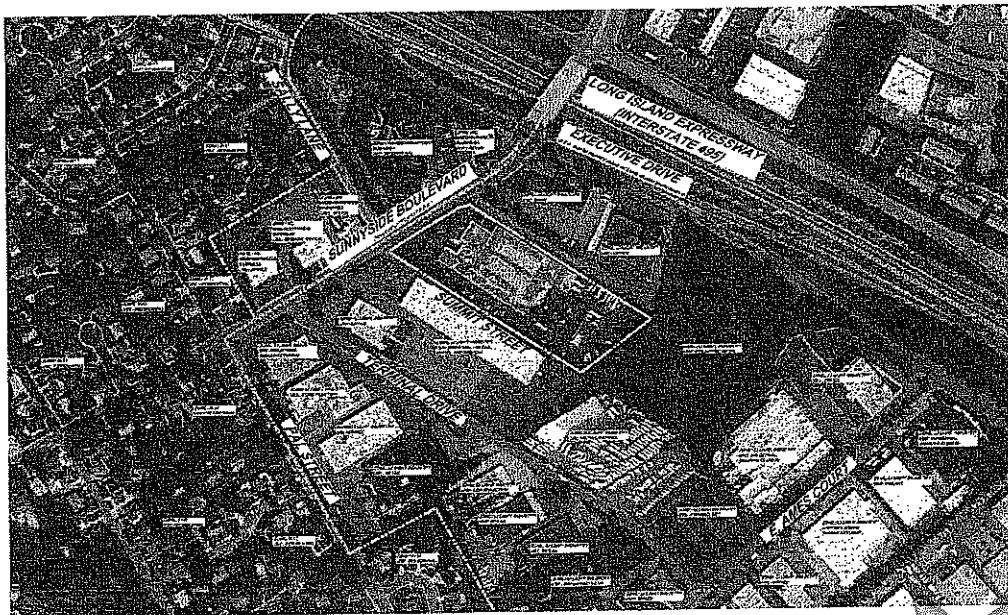
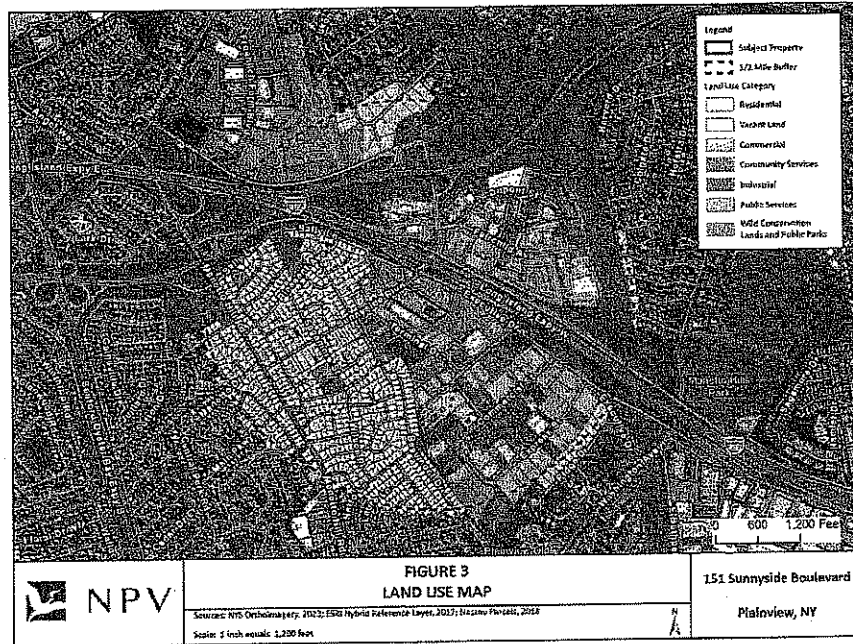
Land Use

The subject property comprises an area of 4.27± acres and is currently improved with ±80,713 square foot Extra Space Storage self-storage building. About 85 percent of the site is impervious surface coverage, including 105 existing parking stalls and the existing building. See Aerial Photograph Map, below.



The site vicinity is characterized as a moderately dense mix of land uses, primarily commercial/industrial. Land uses surrounding the subject property are summarized below (as illustrated on the Land Use Maps on the following page):

- North – Sunnyside Boulevard, with a convenience store (7-Eleven) on the opposite side of the street; further to the north is the Long Island Expressway (LIE, including its North and South Service Roads).
- Northeast – Vacant commercial building, beyond which are Executive Drive and the LIE.
- East – Commercial use, with the LIE further to the east.
- Southeast – New York State-owned recharge basin to the immediate southeast, beyond which are additional industrial and commercial uses.
- South – Multi-tenant commercial building and Sunnyside Business Center, beyond which are additional office and industrial uses.
- West – Sunnyside Boulevard, with vacant and occupied commercial buildings on the opposite side of the street; further to the west is single-family residential development.
- Northwest – Sunnyside Boulevard, with Somerset Gardens Senior Living on the opposite side of the street, with the LIE and Northern State Parkway beyond that, and another multi-family development further to the northwest (these multi-family developments are identified as commercial uses).



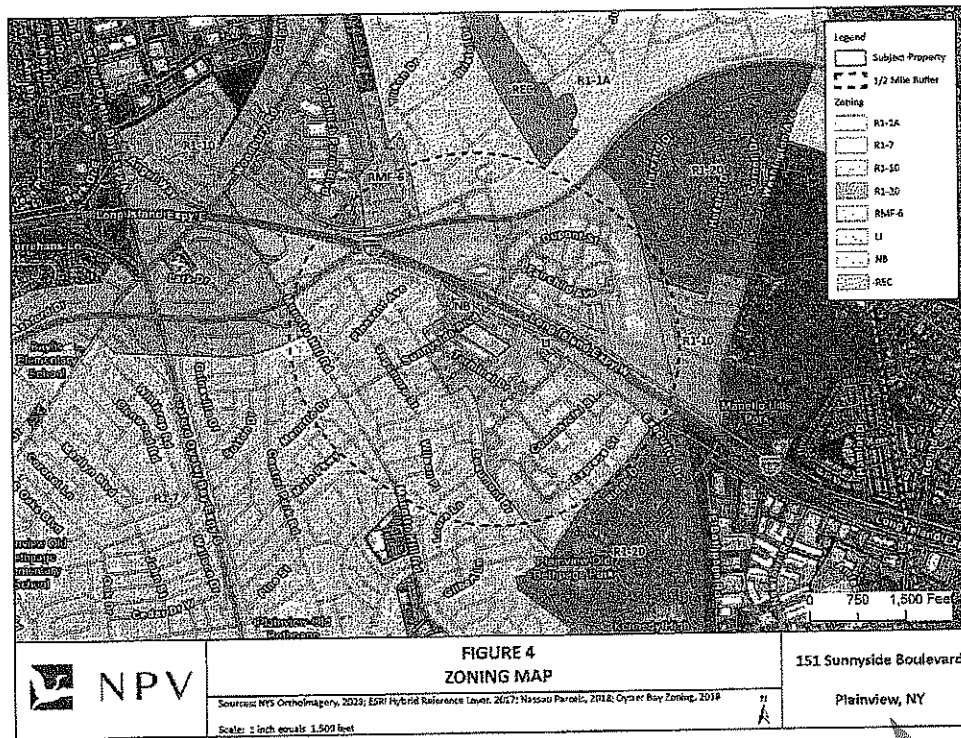
As noted previously, the subject application proposes an expansion of the existing self-storage facility. Under the proposed action, facility operations, including hours of operation, are expected to remain unchanged from existing conditions.

Zoning

The subject property is located within the Town's Light Industrial (LI) zoning district. A self-service storage facility is a permitted principal use within the LI Zoning District.

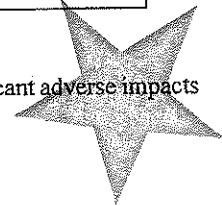
As noted previously, no variances are required in connection with the proposed action. The Applicant's submissions to DER indicate that the proposed facility complies with all applicable dimensional requirements of the LI District, including minimum setbacks, minimum frontages, maximum building coverages, and parking.

As shown in the map below, the subject property is surrounded by parcels in the Town of Oyster Bay LI District to the east, south and west. Parcels to the north, on the opposite side of Sunnyside Boulevard, are within the Neighborhood Business (NB) zoning district. The wider surrounding area includes residential zoning districts (primarily R1-7, but also including R1-1A, R1-10 and R1-20) beyond the NB and LI zoning districts. There is also an RMF-6 District to the northwest on the opposite side of the LIE and Northern State Parkway.



Conclusion

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to land use and zoning.



Transportation

The current SEQR/TEQR regulations and guidance documents require analysis of potential transportation-related impacts of a proposed action, beyond just traffic and parking. As such, DER requires that applicants prepare a comprehensive Transportation Information Assessment Report, in accordance with industry standards, SEQR standards and TEQR concerns. DER has prepared a Transportation Information Request Addendum (TIRA), which incorporates the most recent SEQR standards (per the SEQR regulations, at 6 NYCRR Part 617, effective January 1, 2019) and concerns often expressed by residents and the lead agency during the application review process and in public hearings. Pursuant to these standards, the Applicant's transportation consultant, ATDE, prepared a Transportation Resources Information Report (as revised 2/5/2024) and completed a TIRA for the proposed action. The information presented below is based on the Transportation Resource Information Report and TIRA, as revised and supplemented based on review and commentary by DER and its transportation consultant L.K. McLean Associates, P.C. (LKMA). LKMA has concurred with the findings and conclusions presented in the TIS, as amended, and has determined that no additional information is necessary for the purposes of the TEQR review of potential transportation impacts.

Traffic

The Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition, was used to estimate the volume of new traffic that will be generated by the proposed development. ITE Land Use Code 151 (Mini-Warehouse) was used for trip generation for the proposed facility expansion, summarized as follows:

Net Trip Generation Projections for Proposed Action

Peak Hour	Existing			Including Proposed Expansion			Difference
	Entering	Exiting	Total	Enter	Exiting	Total	
Weekday A.M.	5	4	9	6	4	10	+1
Weekday P.M.	7	8	15	8	9	17	+2
Saturday Peak Hour	10	6	16	12	7	19	+3

As indicated above, the maximum peak-hour trip generation for the proposed facility as expanded is 10-19 trips during peak hours, which is an addition of only one to three trips per hour (i.e., maximum of one trip every 20 minutes, on average) compared to existing conditions at the site.

Given the low overall trip generation volume anticipated for the proposed action, project-generated truck traffic is expected to be negligible, mostly involving periodic deliveries by box trucks and vans (e.g., drop off of customer storage materials) and solid waste pickups.

Access to the subject property currently is provided via one ingress-only driveway and one egress-only driveway on Sunnyside Boulevard. The existing driveways will be maintained without modification under the proposed action.

Short-term traffic impacts may occur during construction of the proposed facility, including the removal of an estimated 1,407± cubic yards of soil from the site due to excavation for new building foundations and drainage infrastructure. However, the proximity of the LIE to the north will prevent construction truck traffic from traveling on local roadways. Furthermore, the proposed project will not alter the existing

driveway configuration or otherwise involve construction in the roadway right-of-way and, therefore, construction will not disrupt traffic on Sunnyside Boulevard (i.e., there will be no lane closures, detours, etc.).

Potential Cumulative Traffic Impacts

To assess the cumulative impacts of the proposed mixed-use development, the Applicant's transportation consultant, ATDE, contacted Town of Oyster Bay Department of Planning and Development, which identified several other proposed projects that may contribute traffic to roadways in the vicinity of the subject property. However, given the low volume of trip generation associated with the proposed action (i.e., a maximum of three trips during the peak hour), this project will not contribute significantly to potential cumulative traffic impacts in combination with other pending applications.

Parking

The proposed action includes the provision of 48 on-site parking stalls, a decrease of 57 parking stalls compared to the existing condition. However, the project still exceeds the requirement of 28 stalls under the Town Zoning Code.

Two of the proposed parking stalls are handicap accessible, satisfying §246-7.5 of the Town Code and ADA dimensional requirements.

Public Transportation

The proposed development, involving expansion of an existing self-storage facility, does not entail the type of activities that are expected to utilize public transportation resources.

Input from Transportation Agencies

Sunnyside Boulevard is under the jurisdiction of the Town of Oyster Bay Office of Highway Operations; the site does not adjoin transportation resources under the jurisdiction of the New York State Department of Transportation or Nassau County Department of Public Works. Furthermore, since the proposed action does not involve construction in the right-of-way, a roadway access permit will not be needed from the Town.

Transportation Resources Impact Summary and Conclusions

A comprehensive analysis was prepared to examine the potential impacts of the proposed action on transportation resources, in accordance with SEQR/TEQR requirements and industry standard practices. Based on information summarized herein, DER concurs with the conclusion of the applicant's traffic consultant (ATDE) and the review of same by DER's traffic consultant (LKMA) that the proposed development would not have a significant adverse impact on the traffic operations of the adjacent roadway network or transportation resources in the Town of Oyster Bay. Specifically, LKMA states in their final review memorandum, dated 2/26/2024, as follows:

...no additional information is required, and based on our review of the current submission, it is LKMA's professional opinion that no significant adverse environmental impacts pertaining to transportation resources as a result of the proposed action are likely. The submission provides a thorough analysis of transportation resources which encompassed the potential short-term, long-term and cumulative impacts of the proposed action, as well as any potential direct or indirect/secondary impacts. These analyses were provided in the submitted materials and are also reflected in the TIRA checklist. All significant issues are considered to have been adequately addressed by the documentation submitted. Therefore, it is our opinion that a SEQR Negative Declaration with respect to transportation impacts can be issued.

DER worked closely on the review of the transportation aspects of this proposed action and meticulously reviewed all drafts and correspondence regarding this matter. DER concurs with the analysis prepared by ADTE and our expert traffic consultant's ultimate conclusions, that the proposed development will not cause significant adverse environmental impacts as it pertains to transportation resources in the Town of Oyster Bay in accordance with SEQR/TEQR standards.

Use and Conservation of Energy

The subject property is currently connected to existing utility services, including PSEG LI for electricity and National Grid for natural gas. There are no new utility services proposed. The proposed storage units will be provided electric service from building panels.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to energy use, provided that the energy conservation measures specified below in the section of this report titled "Climate-Smart Communities Considerations" are implemented.

Climate-Smart Communities Considerations

The Town of Oyster Bay is a registered Climate Smart Community and is committed to reducing greenhouse gas emissions and adapting to a changing climate. These goals are being advanced through the ten Program components, as follows:

- 1) Build a climate-smart community
- 2) Inventory emissions, set goals, and plan for climate action
- 3) Decrease energy use
- 4) Shift to clean, renewable energy
- 5) Use climate-smart materials management
- 6) Implement climate-smart land use
- 7) Enhance community resilience to climate change
- 8) Support a green innovation economy
- 9) Inform and inspire the public
- 10) Engage in an evolving process of climate action.

In consideration of the Town's Climate-Smart Communities registration, DER has been requesting that applications subject to SEQR/TEQR meaningfully consider incorporating energy demand reduction and environmentally sustainable features into the project design in a manner that advances the Town's Climate Smart Community Program goals. In accordance with this program priority, the following measures have been incorporated into the proposed action:

- Proposed 11,567± sf of "cool roof" on the proposed new buildings
- Implementation of waste management and recycling initiatives, including: boxes are certified by the Sustainable Forestry Initiative, demonstrating that they have been produced by responsible resources; and a digital lease form is utilized in order to reduce the use of paper with every rental transaction
- Two solar panel units were installed on the roof of the existing building in 2013.



Based on the foregoing, it is concluded that the proposed action is consistent with the Town's goals and objectives with respect to Climate Smart Communities considerations, provided that the specified mitigation measures are implemented.

Soils and Topography

The subject property is currently almost 100 percent developed with impervious surfaces and, as a result, is comprised of Urban Land soil type as designated by the United States Department of Agriculture (USDA) Natural Resource Conservation Services Web Soil Survey. The site is generally flat, with an area of slope greater than 25 percent at the westernmost portion of the site. The area with slopes greater than 25 percent will not be disturbed under the proposed action. The proposed action will retain the generally level character in the area to be disturbed. These conditions do not typically pose significant challenges for site development.

Excavation will be required to accommodate the slabs and footings of the proposed new building, as well as site drainage infrastructure. As noted previously, the total volume of excavation to occur under the proposed action is estimated at 1,417± cubic yards, which will be removed to a licensed disposal facility.

Mitigation for potential impacts related to soil erosion and sediment transport during construction will be provided by the proper implementation of the Demolition, Soil Erosion & Sediment Control Plan submitted with the site plan package, as discussed further in the section of this report titled "Surface Water Resources." With the establishment of permanent cover (i.e., pavement and landscaping), the subject property is not expected to be susceptible to soil erosion during operation of the completed development.

The documentation submitted to DER for the TEQR/SEQR review of the proposed action includes a Phase I ESA (dated 12/6/2023), which identifies impacted deep perched groundwater underlying the subject property from off-site sources. However, these impacts are not identified as affecting the shallow groundwater zone. Based on the lack of impacted shallow perched groundwater above actionable concentrations at the subject property and given the results of the soil vapor survey for the adjoining property, there is no evidence that there is a vapor encroachment risk at the subject property.

The Phase I ESA recommends that: (a) the New York State Department of Environmental Conservation (NYSDEC) file associated with the adjacent United Steller Industries Superfund case should be reviewed on a periodic basis to monitor the conditions on the adjacent property; and (b) groundwater at the subject property should not be used. The owner of the subject property would be responsible for voluntary follow up on the first recommendation. The proposed action is consistent with the second recommendation, as the new buildings will be connected to the existing Plainview Water District service at the site and will not pump water from the underlying groundwater.

Documentation submitted to DER for the proposed action indicates the operations at the proposed facility will not involve the generation, treatment, storage or disposal of hazardous waste.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to soils and topography provided that the specified mitigation measures are implemented during construction, as identified in the Demolition, Soil Erosion & Sediment Control Plan.

Flora and Fauna

The subject property is a 4.27±-acre parcel which currently is predominantly developed with impervious surfaces. In its existing condition, the site is 84.5± percent impervious surface cover (building footprint and pavement area) and 15.5 percent landscaping. The site is surrounded by fairly dense commercial/industrial development. There is no indication that the site or surrounding area contains or supports any species that is endangered or threatened, of special concern, or otherwise important or unusual. Based on these conditions, the subject property does not possess significant ecological value.

The proposed development includes a proposed landscaping plan and the installation of six different plant species, including six ornamental trees, 46 deciduous shrubs, 34 ground cover plants, and 129 ornamental grasses, representing an improvement over existing conditions in the development area which lacks landscaping. New landscaping vegetation will primarily be installed along the property frontage. The proposed landscaping plan promotes the creation of plant biodiversity.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to ecological resources.

Surface Water Resources

The subject property does not contain and is not proximate to any surface waters or wetlands, nor is it located in the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The Phase I ESA indicates that stormwater at the subject property discharges into dry wells located on the southern, eastern, and western sides of the subject property. The submitted Grading, Drainage, & Utility Plan indicates there are four existing dry wells on site that will remain.

The proposed development includes the installation of a new on-site stormwater drainage system, primarily consisting of catch basins and drywells. On-site storage capacity will be provided to accommodate runoff from the three-inch storm event, as depicted in the submitted Grading, Drainage, & Utility Plan, in accordance with Town of Oyster Bay requirements. Specifically, the proposed drainage system will include 2,303.6± cubic feet of storage in existing structures to be retained and 11,542.6± cubic feet of storage in new structures.

The proposed development is required to conform to the standards and specifications in the New York State Stormwater Management Design Manual (as required by the Town Code), which provides criteria for minimizing erosion and sediment impacts from construction activity involving soil disturbance. Prior to any ground disturbance for the proposed development, erosion and sediment control measures will be installed and maintained throughout the course of construction. Best management practices will be implemented for the duration of construction to minimize potential adverse impacts per the submitted Demolition, Soil Erosion & Sediment Control Plan. This includes, but is not limited to, a temporary stabilized gravel construction entrance/exit, silt fence around the downslope perimeter of the site, and inlet protection around each drainage inlet. Additionally, per Town requirements, stockpile height will be limited to 15 feet and a wind screen will be affixed to any construction fencing to provide the multifaceted benefit of visual screening to the community and added protection from wind erosion and offsite sedimentation.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to surface water resources, provided that the specified mitigation measures are implemented in the form of the Demolition, Soil Erosion & Sediment Control Plan, and provided that there is proper long-term maintenance of the permanent stormwater management system.

Groundwater

The subject property is located in the deep recharge area of the Long Island groundwater aquifer system. Sewage generated by the existing uses on the subject property is discharged to the Nassau County sanitary sewer system connection which currently serves the site. This wastewater is conveyed for treatment at Nassau County's Cedar Creek sewage treatment plant in Wantagh, with treated effluent discharged to the Atlantic Ocean.

The Phase I ESA notes that the deep perched groundwater underlying the subject property is impacted due to contamination from off-site sources including the United Stellar Superfund Site. Although shallow groundwater bearing zones are not impacted, groundwater at the subject property should not be used.

The existing building on the subject property is connected to the municipal sanitary sewer system. No significant increase in sanitary waste generation is anticipated under the proposed action, and all such wastewater will be discharged to the municipal sewer system as described above, thereby helping to minimize impacts to the underlying groundwater.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to groundwater resources.

Special Groundwater Protection Area (SGPA)/Critical Environmental Area (CEA) – The subject property is not situated within the SGPA or any other area designated as a CEA and, therefore, will not affect these resources.

Air Quality, Odors, Noise, and Lighting

The existing use of the subject property as a self-storage building is not a significant source of air emissions, odors or noise. The proposed expansion of the existing development on the site similarly will not entail activities that typically generate significant air emissions, odors or noise.

Any temporary, potential air quality impacts related to airborne dust generated during construction would be addressed by standard mitigation measures, such as soil-wetting and/or temporary stabilization. If nuisance dust emissions are identified during construction, the work would be halted until the source of such emissions is identified and rectified.

The photometric analysis in the submitted Lighting Plan shows that there will not be significant encroachment of illumination for the proposed facility across the property line.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to air quality, odors, noise and lighting, provided that the specified mitigation measures are implemented, including dust control as necessary during construction.

Water Usage and Sewage Generation

The subject property is served by Plainview Water District for potable water supply and the NCDPW for sewage collection, treatment and disposal.

There is not expected to be a significant increase in water or sewage flow at the subject property under the proposed action. On this basis, it is concluded that the proposed action will not result in significant adverse impacts with respect to these parameters.

Solid Waste Generation

The proposed action is not expected to significantly increase the rate of solid waste generation on the subject property. Any waste generated on-site will be collected in accordance with standard protocols that are well established in the many existing Extra Space Storage facilities throughout the region. These wastes will be transported by a New York State licensed hauling company for delivery to a licensed disposal facility. In addition to these standard solid waste management protocols, the facility will be adhering to the upcoming expanded polystyrene foam container and polystyrene loose fill packing ban. Packing peanuts or other void-filling, loose packaging products made of expanded polystyrene foam will not be offered at the facility for customer use in storing personal items. In addition, all boxes used on site will be certified by the Sustainable Forestry Initiative, demonstrating they have been produced by responsible sources and their packing supplies contain recycled materials; and digital lease forms are utilized on site to reduce the production of paper waste on site.

Given the amount of solid waste collected in the Town, the minimal amount of additional waste generated under the proposed action will represent only a small, incremental increase in this quantity and, therefore, is not expected to have a significant adverse impact on solid waste management in the Town.

Other Community Services

Police

The subject property is within the jurisdiction of the Second Precinct of the Nassau County Police Department (NCPD). No impacts on the police department services are expected as a result of the proposed facility expansion.

Fire and Emergency Medical Services

The Plainview Fire Department (BFD) provides fire protection and ambulance service at the subject property. No impacts on the fire department services are expected as a result of the proposed facility expansion.

Schools

The subject property is located within Plainview-Old Bethpage CSD. Under existing and proposed conditions, site use involves a commercial facility generating tax revenues for the school district without placing a demand on district services and facilities for the education of school-aged children.

Conclusion

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to other community services.

Public Health and Safety

The proposed facility expansion will involve the storage of personal possessions, and does not involve the types of activities that pose a threat to public health and safety. The Applicant has attested that operations of the proposed facility will not involve the storage, use, or generation of hazardous materials or petroleum products.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to public health and safety.

Open Space and Recreation

The subject property is privately owned land, which does not comprise public recreational or open space, and is not located adjacent to any public open space, parkland or recreational resources.

The proposed commercial use of the subject property will not increase the demand for or otherwise impact public recreational and open space assets.

Aesthetic Resources and Community Character

Under existing conditions, the aesthetic character of the subject property from public vantage points is primarily defined by the existing Extra Space Building Storage building.

The proposed action will not change the visual character of the existing use. As depicted in the submitted Landscape Plan, the proposed site improvements include landscaping in the front of the building where grass currently exists. The proposed Landscape Plan will offer an aesthetic improvement over the current vegetative conditions of the subject property.

The proposed action will maintain the commercial use of the subject property that is in line with the overall commercial/industrial character of the surrounding area.

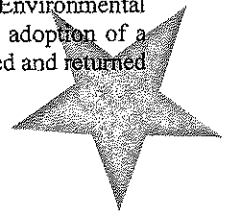
Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to visual resources and community character.

Historic and Archaeological Resources

The Cultural Resources Inventory System (CRIS) database for New York State Department of Parks Recreation and Historic Preservation (OPRHP) indicates that the subject property does not contain or adjoin any known historic or cultural resources, and no locally listed historic resources have been designated by the Town of Oyster Bay for the site; and there is no other evidence to indicate that the existing structures on the site possess any special historical significance. The subject property also is not considered to be archaeologically sensitive, particularly as the site previously has been fully disturbed for development.

Based on the foregoing, it is concluded that the proposed action will not result in significant adverse impacts with respect to historic and archaeological resources.

CONCLUSION AND RECOMMENDATION – If the Planning Advisory Board of the Town of Oyster Bay concludes that the foregoing information fully addresses the relevant environmental issues, such that it is determined that the proposed action does not pose the potential for significant environmental impacts, the requirements of SEQR/TEQR can be fulfilled by adopting a **Negative Declaration**, either as part of the approval or as a separate document. In either case, the Negative Declaration should cite the present TEQR report as the basis for the SEQR determination. Additional information regarding the environmental review of the subject application may be obtained by contacting the TEQR Division, Department of Environmental Resources. If the lead agency concurs with this recommendation and proceeds with the adoption of a Negative Declaration for this proposed action, Part 3 of the NYS Short EAF should be signed and returned to DER for filing and completion of the SEQR/TEQR process.



Short Environmental Assessment Form

Part 1 - Project Information

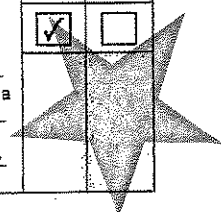
Instructions for Completing

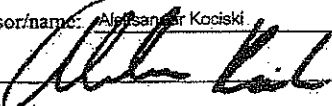
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

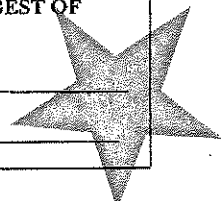
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Extra Space Storage - Plainview			
Name of Action or Project: Extra Space Storage			
Project Location (describe, and attach a location map): 151 Sunnyside Boulevard, Plainview, NY 11803 (Nassau County Tax Map: 13 - 98 - 25), See Attachment 9 for Location & Zoning Map			
Brief Description of Proposed Action: Existing ±80,713 sf "Extra Space Storage" building to remain on site. Proposed action to include the addition of two self-storage buildings, one 9,434 sf and one 2,133 sf. The addition of these buildings will also include associated site improvements.			
Name of Applicant or Sponsor: Aleksandar Kociski -Bohler Engineering NY PLLC		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: 275 Broadhollow Road, Suite 100			
City/PO: Melville	State: NY	Zip Code: 11747	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Oyster Bay (Planning Department, Town Board, Dept. of Env. Resources); Nassau County Fire Marshal		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		4.27 acres	
b. Total acreage to be physically disturbed?		0.99 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.27 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (Specify):			
<input type="checkbox"/> Parkland			
1.14 acre NYS owned Stormwater Recharge Basin. Incorrectly classified by NWI and NYSDEC as Freshwater Emergent Wetland (PEM1AX). Refer to Attachment 1 of the Appendix for additional information.			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
<u>In addition to the existing solar panels on the 80,713 sf building, we have proposed 11,567 square feet of 'cool roof' on the proposed storage unit buildings.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
<u>Adjacent to the subject property lies an approximate 6.02 acre parcel owned by the State of New York. This property is classified as a '1.14 acre Freshwater Emergent Wetland' by the National Wetlands Inventory (NWI) and the New York State Department of Environmental Conservation (NYSDEC). At its closest point, our limit of disturbance is approximately 15 feet from the fence separating the subject property and the recharge basin. Please refer to Attachments 1 & 4 of the Appendix for additional information.</u>			



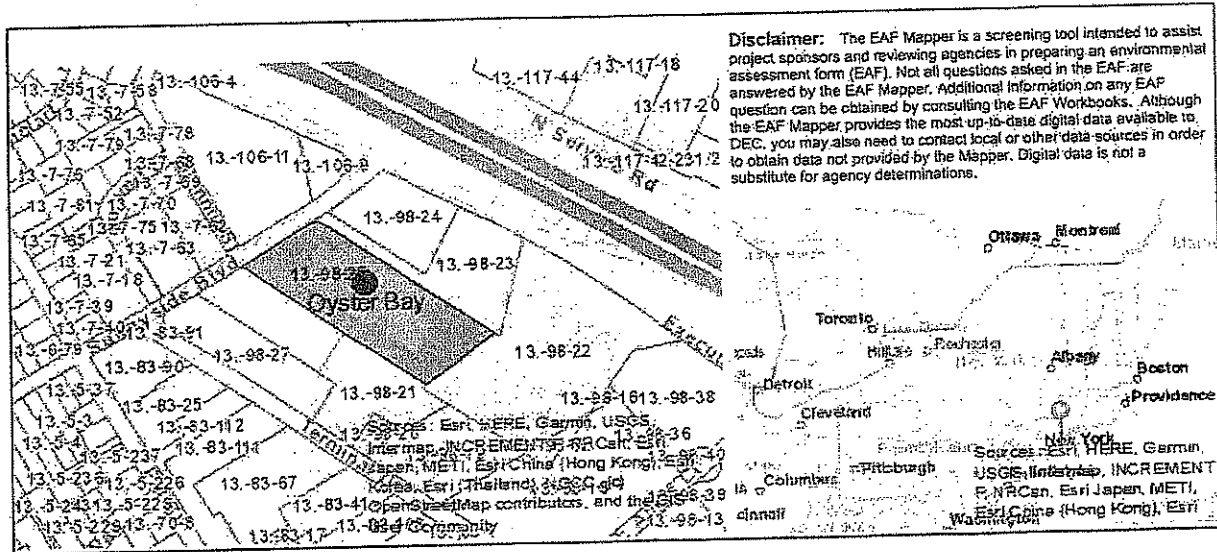
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
NYSDEC lists the 'Narrow-leaved Pinweed' as a threatened plant in this area. Please refer to Attachment 5 for additional information.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		
All storm water discharge from roof gutters and parking lot will be routed to existing and proposed storm drains located at the rear of the building. The existing and proposed storm drains are part of the existing on-site storm water system.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adjoining property to SW of subject property has been subject of remediation. See Attachment 8 for Spill Database Information. Site Code: 130115, Site Name: United Stellar Industries, Program Type: State Superfund Program, Site Class: 02		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Alexander Kociski</u>	Date: <u>12/08/2023</u>	
Signature: <u></u>	Title: <u>Sr. Project Manager</u>	



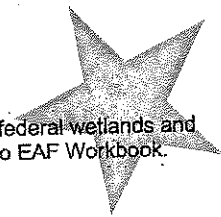
PRINT FORM

EAF Mapper Summary Report

Monday, February 03, 2020 7:14 PM



- Part 1 / Question 7 [Critical Environmental Area] No
- Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No
- Part 1 / Question 12b [Archeological Sites] No
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
- Part 1 / Question 15 [Threatened or Endangered Animal] No
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] Yes





Town of Oyster Bay Short Environmental Assessment Form ADDENDUM

Town of Oyster Bay Department of Environmental Resources
29 Spring Street
Oyster Bay, NY 11771



INSTRUCTIONS: This document is an Addendum to be used for any proposed development project in the Town of Oyster Bay for which the New York State Short Environmental Assessment Form (SEAF) is completed pursuant to the State Environmental Quality Review Act (SEQRA). Please provide any additional information that will be helpful to understanding the proposed action and its potential impacts on the environment as an attachment to this form. Additional information may be requested by DER and may be subject to further verification and public review.

Please enclose a check or money order in the amount of \$300.00 for the review processing fee, made payable to "Supervisor, Town of Oyster Bay", and remit with the completed TOB Addendum, SEAF, and current Site Plan package to the address specified above. DER requires one hard copy and one electronic copy of all submittals/resubmittals transmitted to this office. Depending on the type of project and level of review required, additional fees may apply. If you have any questions, please contact the Department of Environmental Resources at (516) 677-5824.

NAME OF PROPOSED ACTION/PROJECT: Extra Space Storage - Plainview			
LOCATION OF PROPOSED ACTION/PROJECT (Nassau County Tax Map Designation)			
SECTION: 13	BLOCK: 99	LOT(S): 25	
NAME OF PROPERTY OWNER Extra Space Properties Eighty Four LLC (Attn: Peter McDaniel)		BUSINESS TELEPHONE [REDACTED]	
ADDRESS 5 Greentree Center, 525 Route 73 North, Suite 212			
CITY/POST OFFICE Marlton		STATE NJ	ZIP CODE 08053
NAME OF CONSULTING FIRM Bohler Engineering NY, PLLC		BUSINESS TELEPHONE [REDACTED]	
NAME OF CONSULTANT CONTACT Aleksandar Kociski			
ADDRESS 275 Broadhollow Road, Suite 100		EMAIL ADDRESS [REDACTED]	
CITY/POST OFFICE Melville		STATE NY	ZIP CODE 11747
NAME OF LEGAL REPRESENTATIVE		BUSINESS TELEPHONE ()	
ADDRESS			
CITY/POST OFFICE		STATE	ZIP CODE

A. Site Description

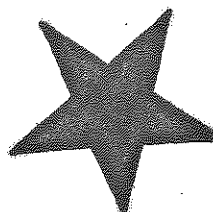
1. Previous use(s) of the site of the proposed action:

Existing ±80,713 sf "Extra Space Storage" building to remain on site. Proposed action to include the addition of two self-storage buildings, one 9,434 sf and one 2,133 sf. The addition of these buildings will also include associated site improvements.

NOTE: A Phase I Environmental Site Assessment or equivalent information regarding on-site conditions typically will be requested for any property which currently contains or previously contained a facility or use (e.g., gasoline service station, motor vehicle repair shop, manufacturing plant, etc.) entailing the generation, storage or use of significant quantities of hazardous substances or wastes.

2. Approximate Acreages

	Without Proposed Action	After Completion
Forested	0 acres	0 acres
Meadow or Brushland	0 acres	0 acres
Freshwater Wetland	0 acres	0 acres
Tidal Wetland	0 acres	0 acres
Unvegetated (rock, earth or fill)	0 acres	0 acres
Roads, Buildings and Other Paved Surfaces	3.604 acres	3.591 acres
Turf Grasses	0.666 acres	0.679 acres
Other Landscaping Vegetation	0 acres	0 acres
Other (Indicate type)	0 acres	0 acres



B. Description of Proposed Action

1. On-site parking capacity for the overall site (i.e., marked parking stalls):

105	# of existing spaces
48	# of proposed spaces (separately indicate # of land-banked spaces, if any)
28	# of spaces required for proposed condition under Town of Oyster Bay Zoning Code

2. Estimated maximum increase in site-generated traffic (entering + exiting trips combined) during peak one-hour periods under proposed action:

	Peak-hour two-way traffic volume	Peak-hour period (start time-end time)
Weekday morning	1	8 AM - 9 AM
Weekday afternoon	2	1 PM - 2 PM
Weekend (usually Saturday mid-day)	3	12 PM - 1 PM

Identify source of vehicular trip generation information (e.g., *Trip Generation* manual published by Institute of Transportation Engineers [specify the edition and Land Use Codes employed], actual counts [include date of counts and who conducted them], etc.).

ITE Trip Generation

3. Total volume of excavation to occur on-site under proposed action: 1417 cubic yards
 Purpose of excavation (e.g., basement, drainage structures, etc.): Foundations of proposed buildings & drainage structures
 Total volume of fill to be imported to site under proposed action: 0 cubic yards

4. Does the site of the proposed action contain slopes with gradient steeper than 25%? Yes No
 a. If yes, what is the area with slopes greater than 25% that would be disturbed under proposed action? N/A acres
 b. If yes, what measures will be implemented to mitigate erosion and sediment transport?
The area with slopes greater than 25% will not be disturbed under the proposed action.

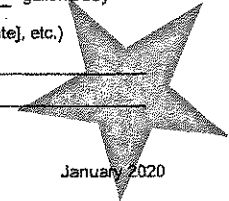
5. Describe any vegetation to be removed under proposed action, particularly any trees with diameter greater than 8 inches (measured 4 feet above grade).
No existing vegetation is to be removed under the proposed action. Any existing plantings or vegetation damaged during construction shall be replaced in kind.
A total of two (2) trees with a diameter greater than 8 inches will be protected during construction, please refer to the Landscape & Lighting Plan (Sheet C-701) for more information and details.

6. Is the site of the proposed action located in the Special Groundwater Protection Area? Yes No
 If yes, refer to Section 246-5.4.7 of Oyster Bay Town Code, Aquifer Protection Overlay (APO) District, and provide the following information:

a. Proposed Disturbance of Natural Vegetation _____ sq. feet Maximum Permitted Disturbance of Natural Vegetation (§246-5.4.7.3.1) _____ sq. feet
 b. Proposed Lot Coverage _____ sq. feet Maximum Permitted Lot Coverage (§246-5.4.7.3.2) _____ sq. feet
 c. Describe proposed action's consistency with the best management practices and other standards set forth in §246-5.4.7.3.3 through §246-5.4.7.3.6:

7. Does the site of the proposed action contain a local historic resource as designated by the Town of Oyster Bay? Yes No
 a. If yes, explain/describe:

8. Will the proposed action increase average daily water consumption on the subject property (domestic use and irrigation combined)? Yes No
 a. If yes, what will be the increase in daily average water consumption on the subject property due to the proposed action? _____ gallons/day
 b. If yes, indicate the source of this information (e.g., actual recorded water use, standard rate [specify reference and unit rate], etc.)



9. Will the proposed action provide increased on-site stormwater storage capacity (e.g., through additional drywells or similar structures) as compared to the existing condition? Yes No
- a. What will be the capacity of the on-site drainage system under the proposed action, in terms of the design storm event expressed in inches of rainfall? 3 inches

10. Sanitary waste disposal method (e.g., on-site septic system, municipal sewer system, none, etc.):
- | | |
|-------------------------------|--------------------|
| <u>Municipal Sewer System</u> | existing condition |
| <u>Municipal Sewer System</u> | proposed action |

11. Will the proposed action increase the rate of solid waste generation on the subject property? Yes No
- a. If yes, what will be the increase in monthly average solid waste generation? _____ tons/month
- b. Indicate the source of this information (e.g., existing data [identify specifically, such as applicant's existing facilities], standard rates [with specific reference citation], etc.)

12. Describe any hazardous or infectious materials or wastes (e.g., petroleum products, chemicals, medical wastes, etc.) that would be generated, used, stored or processed at the site under the proposed action, and measures (e.g., procedures, protocols, equipment, etc.) that will be implemented to protect the environment from spills, leakage and other incidents.

Any such waste will be collected in accordance with approved protocols that are well-established in the many existing Stormwater Storage facilities throughout the region. These wastes will be transported by a New York State licensed removal company for the disposal at a NYS licensed facility. The facility will be utilizing the upcoming expanded polystyrene foam container and polystyrene foam fill packing bin, Farming products or other well-known, large lining packaging products made of expanded polystyrene foam will not be offered at this facility for customers.

13. If the proposed action involves a non-residential (commercial, industrial, etc.) use, what are the proposed days and hours of operation?
- Storage Office hours: Monday-Friday 9:30am to 6:00pm, Saturday 9:00am to 5:30pm, Sunday Closed; Storage Gate Hours: Monday-Sunday 6:00am to 10:00pm

14. If the proposed action is a non-residential (commercial, industrial, etc.) use on a site which is adjacent to residential uses, describe any measures that will be implemented to minimize potential impacts to the neighboring residences (e.g., screening and buffering, noise-abatement measures, odor-control systems for restaurant kitchen exhaust, litter collection, etc.).
- There will be an increase in ambient noise levels during construction from construction vehicles and general site work. However, during normal operation of the facility there will be no increase in noise levels from existing conditions. The noise levels during construction will be mitigated by the proposed hours of operation during construction. Temporary fences with windscreens will also be installed to mitigate noise levels. Please refer to surrounding land use map for additional information.

15. Is the proposed action part of a larger development plan or a plan that includes future phases? Yes No
- a. If yes, briefly describe the overall plan (e.g., total number of phases, location and size of land parcels involved, planned uses and/or facilities in future phases, schedule for completion, etc.).

C. Verification

I certify that the information provided in this TOB Addendum is true and accurate to the best of my knowledge.

Aleksandar Kociski
 print name of preparer
 Bohler Engineering NY, PLLC
 company name, if applicable

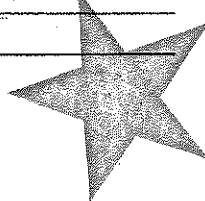
city/post office 531-798-1200	NY	11747
state	state	zip code

telephone
 akociski@bohlereng.com
 email address

PREPARER'S SIGNATURE: *Aleksandar Kociski*

TITLE: SR. Project Manager

DATE: 12/08/2020



Project:	151 Sunnyside Blvd., Plainview
Date:	3/15/2024

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Project:	151 Sunside Blvd
Date:	3/15/2024

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Town of Oyster Bay has reviewed the proposed action and additional substantiating information pertaining to potential adverse environmental impacts pursuant to Article 8 of Environmental Conservation Law, SEQR, and has determined based on the relevant criteria that the proposed action will have no significant adverse impacts on the environment. The attached Town Environmental Quality Review (TEQR) Report from the Town of Oyster Bay Department of Environmental Resources (DER), TEQR Division, was prepared to thoroughly assess each potential impact within the context of setting, probability of occurring, duration, irreversibility, scope and magnitude for consideration by the Lead Agency.

Each section of the TEQR Report has been prepared to encompass the potential short-term, long-term and cumulative impacts of the proposed action pursuant to SEQR, which forms the basis and substantiates the recommended determination of significance. Mitigation Measures/design elements that have been incorporated into the proposed project to avoid or reduce potential impacts are also summarized within the attached TEQR Report. Therefore, DER recommends that the Planning Advisory Board of the Town of Oyster Bay as lead agency, adopt a negative declaration for the subject action.

See Town of Oyster Bay Town Environmental Quality Review - Review of Action and Recommended Determination of Significance ("TEQR Report", dated March 15, 2024).

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Planning Advisory Board of the Town of Oyster Bay	_____
Name of Lead Agency	Date
Angelo Stanco	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	<i>Julia Schneider</i>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



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

ELIZABETH L. MACCARONE
COMMISSIONER

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER

JAMES McCAFFREY
DEPUTY COMMISSIONER

TOWN OF OYSTER BAY

Inter-Office Memorandum

August 14, 2020

TO: DIVISION OF PLANNING
RE: MEMO OF AUGUST 13, 2020

FROM: KENNETH FEELEY
ZONING DIVISION
DEPARTMENT OF PLANNING AND DEVELOPMENT

SUBJECT: PROJECT NAME: BOHLER ENGINEERING
PROPERTY ADDRESS: 151 SUNNYSIDE BLVD, PLAINVIEW
SECTION/BLOCK/LOT: 13-98-25
SITE PLAN NO: SP11-20

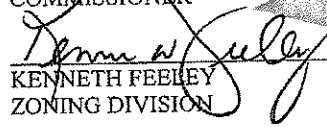
Please be advised that the Nassau County Land Use and Tax Maps indicate the above mentioned property as:

SECTION: 13
BLOCK: 98
LOTS: 25

According to the Town of Oyster Bay Zoning information, the subject property is located within a Light Industry "LI" Zone.

The subject property is not located within the "APO" Aquifer Protection Overlay District.

ELIZABETH L. MACCARONE
COMMISSIONER


KENNETH FEELEY
ZONING DIVISION

ELM/KF

Town of Oyster Bay
Inter-Departmental Memo

August 17, 2020

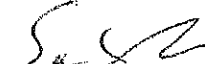
TO: SCOTT L. BYRNE, SUPERINTENDENT OF PLANNING

FROM: SUSAN CLONINGER, EXECUTIVE SECRETARY
ZONING BOARD OF APPEALS

SUBJECT: Extra Space Storage
151 SUNNYSIDE BLVD.
PLAINVIEW, NY 11803

Section 13 Block 98 Lot 25
SITE PLAN NO: SP 11-20

Pursuant to your memorandum dated August 13, 2020 kindly be advised that our records do not indicate that any variances were granted for the subject premises.



SUSAN CLONINGER
ZONING BOARD OF APPEALS



SC: de
site plan rev/Extra Space Storage

✓

Town of Oyster Bay
Inter-Departmental Memo

Friday, August 21, 2020

TO: Department of Planning and Development
ATT: Planning Division

FROM: John P. Bishop, Deputy Commissioner of Highways

SUBJECT: Review of Site Plan Application: SP11-20
Section: 13, Block: 98, Lot(s): 25
Location: 151 Sunnyside Blvd, Plainview, NY 11803

The Highway Department has reviewed the above Site Plan Application and has no objection.

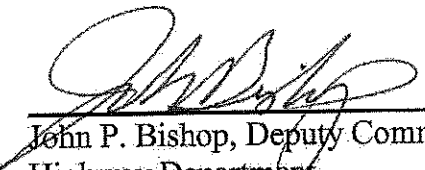
The property abuts Sunnyside Blvd, a Town right of way. All concrete work in the right of way must be safe, free of damage and meet Town specifications for Highway Department Certificate of Occupancy approval.

Permits are required for any work performed in the Highway right of way (curb, curb cut, and sidewalk installations, and sewer, gas and water connections).

If the builder needs more information, he should call the highway inspector, Salvatore DiLeo Jr., between 6:00 AM and 1:00 PM, or Lisa Purdy, between 8:00 AM and 2:00 PM at 677-5821.

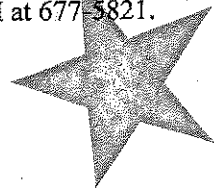
Public Lighting Report

Street Lights Required: NO
Street Lights Working: YES



John P. Bishop, Deputy Commissioner
Highway Department

JPB/SDJ



Planning ✓

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

September 16, 2020


TO : ELIZABETH L. MACCARONE, COMMISSIONER
DEPARTMENT OF PLANNING AND DEVELOPMENT
ATTN : DIVISION OF PLANNING
FROM : JOHN C. TASSONE, DEPUTY COMMISSIONER,
DEPARTMENT OF PUBLIC WORKS
THROUGH : RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY
SUBJECT: PROPOSED BUILDING MODIFICATION & PARKING LOT EXPANSION
151 SUNNYSIDE BOULEVARD, PLAINVIEW
SBL: 13-98-25

SP 11-20


The Division of Engineering has reviewed the plans for the proposed building modification and parking lot expansion for Storage Building. Upon review of the supplied plans, as all drainage infrastructure are to be held under private ownership with no dedication to the Town of Oyster Bay, the Department of Public Works has no objections to the plans, but provides the following comment for your consideration.

1. As the area of disturbance is greater than one acre, a Storm Water Pollution Prevention Plan must be developed.

By copy of this memo, it is requested that the TOB Department of Highway, NYS Department of Transportation conduct a further review.



JOHN C. TASSONE
DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS



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



RWL/JCT/MR/HAS/lk

Attachment

C: John Bishop, Deputy Commissioner/Highway
John C. Tassone, Division of Engineering

SITE REVIEW (SBL 13-98-25) Extra Space Storage SP11-20 2020-09-16

Town of Oyster Bay

INTER-DEPARTMENTAL MEMO

MARCH 20, 2024

TO: DIVISION OF PLANNING

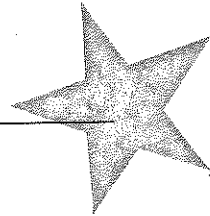
FROM: MICHAEL ESPOSITO
BUREAU CHIEF
CODE ENFORCEMENT BUREAU

SUBJECT: EXTRA SPACE STORAGE
151 SUNNYSIDE BOULEVARD
PLAINVIEW, NY 11803
SECTION/BLOCK/LOT(S): 13-98-25
SITE PLAN NO: SP11-20

Please be advised that a review of the files and records for this division has produced no open case(s) for the above premises:

TIMOTHY R. ZIKE
DEPUTY COMMISSIONER


MICHAEL ESPOSITO
BUREAU CHIEF
CODE ENFORCEMENT BUREAU



12
TZ:ME:sc

TOWN OF OYSTER BAY
Inter-Departmental Memo

March 28, 2024

To : ANGELO A. DELLIGATTI, COMMISSIONER

From : GINA LOPRESTI
PLANNER I

Subject : SITE PLAN REVIEW SP 11-20
EXTRA SPACE STORAGE
151 SUNNYSIDE BLVD.
PLAINVIEW, NY 11803
SEC. 13 BLK. 98 LOT(S) 25
ZONE: LIGHT INDUSTRY (LI)

As per present review procedures and based on a review of the proposed floor plan and site plan, the required off-street parking breaks down as follows:

Self-Storage @ 1 parking space/4,000 sq. ft. (110,114 sq. ft.) =

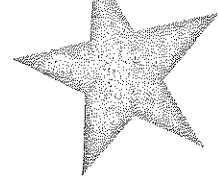
28 Parking Spaces

TOTAL REQUIRED SPACES:
TOTAL SPACES PROVIDED:

28 Parking Spaces
48 Parking Spaces



GINA LOPRESTI
PLANNER I



GL

RESOLUTION NO.70-2000

Meeting of February 1, 2000

WHEREAS, the Town Board of the Town of Oyster Bay has adopted Local Law No. 1-1996, entitled "Site Plan Review and Site Design Standards", and said Local Law requires Site Plan Approval with respect to certain situations enumerated therein; and

WHEREAS, an application for Site Plan Approval, pursuant to the aforementioned Local Law, was submitted to the Town of Oyster Bay, Department of Planning and Development, on behalf of PREMIER STORAGE, applicant, in connection with premises located at Plainview, New York, which premises are described as Section 13, Block 98, Lot 25 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Patricia L. McGuire, Commissioner of the Department of Planning and Development, by memorandum dated January 7, 2000, has reviewed the following four (4) site plans submitted for approval:

<u>TITLE</u>	<u>LAST REVISED</u>
"ZONING COMPLIANT", SITE PLAN, DETAILS	11/3/99
ZONING DATA/ST-1	
"LAND PARKING" SITE PLAN, DETAILS & ZONING DATA/LB-1	11/3/99
LANDSCAPE & SITE LIGHTING PLAN/L-1	11/3/99
ELEVATIONS/A-3	11/9/99

Reviewed By
Office of Town Attorney

WHEREAS, Patricia L. McGuire, Commissioner of the Department of Planning and Development, by memorandum dated January 7, 2000, further reports that the plans submitted, as modified, comply with the standards set forth in the aforementioned Local Law, and recommends Town Board approval for the above referenced site plans; and

WHEREAS, Patricia L. McGuire, Commissioner of the Department of Planning and Development, by memorandum dated January 7, 2000, further recommends Town Board approval of the findings of the TEQR Commission Resolution No. 89-99, adopted on December 7, 1999,

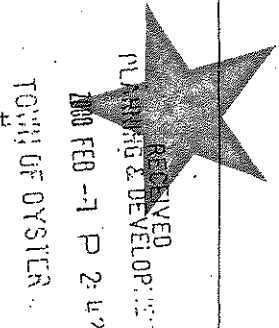
NOW, THEREFORE, BE IT RESOLVED, That the findings of the TEQR Commission Resolution No. 89-99, adopted on December 7, 1999, are hereby APPROVED; and be it further

RESOLVED, That in accordance with the memorandum of Patricia L. McGuire, Commissioner of the Department of Planning and Development, dated January 7, 2000, the above referenced site plans are hereby APPROVED.

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

Supervisor Venditto	Aye
Councilman Delligatti	Aye
Councilman Symons	Aye
Councilman Muscarella	Aye
Councilwoman Preston	Absent
Councilwoman Bisler	Aye
Councilman Macagnone	Aye

cc: Supervisor
Town Attorney
Comptroller(2)
Building Division
Planning & Development



Meeting of May 7, 2024

Resolution No. 336-2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 12, 2024, advised that by Resolution No. 196-2024, adopted on March 5, 2024, the Town Board authorized Lizardos Engineering Consultants D.P.C., to perform engineering services relative to Contract No. DGS23-282 – Elevator Modernization Town Hall South; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that in connection with Contract No. DGS23-282 – Elevator Modernization Town Hall South, he approved the plans and specifications of said Contract, and requested that the Department of General Services, Division of Purchasing proceed with setting a date for receiving bids for Contract No. DGS23-282; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the estimated completion time for Contract No. H19-196PH3 is two-hundred twenty (220) calendar days,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of General Services, Division of Purchasing is hereby authorized and directed to proceed with setting a bid date to receive bids for Contract No. DGS23-282.

-#-

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 12, 2024

TO: MEMORANDUM DOCKET

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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASE
ELEVATOR MODERNIZATION TOWN HALL SOUTH
CONTRACT NO. DGS23-282

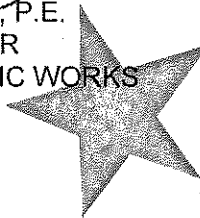
Town Board Resolution No. 196-2024 authorized Lizardos Engineering Consultants D.P.C., to perform engineering services relative to the above-mentioned contract.

The design has been completed and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 220 calendar days.

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



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



RWL/MR/JP/IK

cc: Steven C. Ballas, Comptroller
Ralph Ramond , Commissioner of General Services

WHEREAS, by Resolution No. 907-2023, adopted on December 12, 2023, the Town Board authorized Lizardos Engineering Associates D.P.C. to provide engineering services under On-Call Contract No. PWC08-24; and

WHEREAS, Steve Sonmez, P.E., Associate Vice President, Lizardos Engineering Associates D.P.C. by letter dated January 10, 2024, and Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 16, 2024, advised that Lizardos Engineering Associates D.P.C. will perform services including mechanical, electrical and structural engineering for elevator modernization at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758, in the amount of \$90,813.32; and

WHEREAS, Mr. Sonmez, P.E., by the aforementioned letter, requested that VDA Elevator and Escalator Consulting, 145 West 30th Street, New York, New York 10001, be approved as a sub-consultant for engineering services related to elevator design; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that the Office of the Director of Finance indicated that the funds are available in Account No. DGS H 1997 20000 000 2410 001; Project ID: 2410 TWNA-04 for the aforementioned purpose; and

WHEREAS, the proposed consultant and sub-consultant's disclosure questionnaire have been reviewed and have satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and Lizardos Engineering Associates D.P.C., is hereby authorized to use VDA Elevator and Escalator Consulting for engineering services related to elevator design as sub-consultants; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of \$90,813.32, for Lizardos Engineering Associates D.P.C. under Contract No. PWC08-24 for On-Call Engineering Services Relative to Mechanical Engineering; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. DGS H 1997 20000 000 2410 001; Project ID: 2410 TWNA-04; and be it further

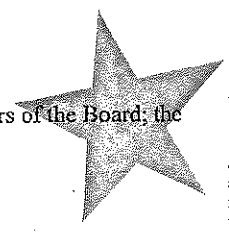
RESOLVED, That the Town Comptroller is hereby authorized and directed to make payment for same, upon the submission of a duly certified claim, after audit.

-#-

REVIEWED BY
OFFICE OF TOWN ATTORNEY

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



APPROVAL SHEET

ELEVATOR MODERNIZATION TOWN HALL SOUTH
977 HICKSVILLE ROAD
MASSAPEQUA NY

CONTRACT # DGS23-282
BID # PW 035-24

S.E.Q.R. CLASSIFICATION

REVIEWED: 4/9/24, DATE

Julia Schneider
Julia Schneider, AICP, CPESC
Town Environmental Quality Review Division
Town of Oyster Bay, NY

APPROVED: 4/9/24, DATE

Louis G. Savinetti
Louis G. Savinetti
Commissioner - Dept. of Environmental Resources
Town of Oyster Bay, NY

APPROVED: 4/10/24, DATE

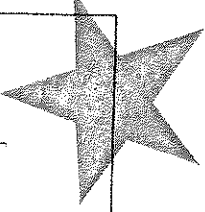
Ralph J. Ramond
Ralph J. Ramond
Commissioner - Dept. General Services
Town of Oyster Bay, NY

APPROVED: APRIL 11, 2024, DATE

Matthew Russo
Matthew Russo, P.E.
Deputy Commissioner - Dept. of Public Works
Town of Oyster Bay, NY

APPROVED: APRIL 12, 2024, DATE

Richard W. Lenz
Richard W. Lenz, P.E.
Commissioner - Dept. of Public Works
Town of Oyster Bay, NY



Meeting of May 7, 2024

Resolution No. 337-2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 15, 2024, advised that by Resolution No. 288-2024, adopted on April 9, 2024, the Town Board authorized Lockwood, Kessler and Bartlett, Inc., to perform engineering services relative to Contract No. DS23-270 PH2 – Old Bethpage Solid Waste Disposal Complex Demolition; and

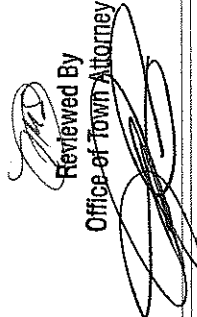
WHEREAS, Commissioner Lenz, by said memorandum, further advised that he approved the plans and specifications of said Contract, and requested that the Department of General Services' Division of Purchasing proceed with setting a date for receiving bids for said Contract; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the estimated completion time for Contract No. DS23-270 PH2 is one-hundred fifty (150) calendar days,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of General Services' Division of Purchasing is hereby authorized and directed to proceed with setting a bid date to receive bids for Contract No. DS23-270 PH2.

-#-

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	Ayc
Councilwoman Johnson	Absent
Councilman Imbroto	Ayc
Councilman Hand	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

APRIL 15, 2024

TO: MEMORANDUM DOCKET


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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASE
OLD BETHPAGE SOLID WASTE DISPOSAL COMPLEX DEMOLITION
CONTRACT NO. DS23-270 PH2

Town Board Resolution No. 288-2024 authorized Lockwood, Kessler and Bartlett, Inc, to perform engineering services relative to the above-mentioned contract.

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

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

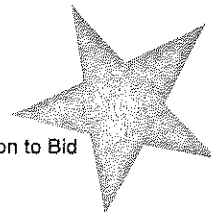


RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/JP/ik

cc: Steven C. Ballas, Comptroller
Daniel Pearl, Commissioner of Sanitation

DS23-270 PH2 OLD BETHPAGE SOLID WASTE DISPOSAL COMPLEX DEMOLITION Permission to Bid



APPROVAL SHEET

OLD BETHPAGE SOLID WASTE DISPOSAL COMPLEX DEMOLITION

101 BETHPAGE SWEET HOLLOW ROAD OLD BETHPAGE NY 11804

CONTRACT NO. DS23-270 PH2
BID NO. PW039-24

TYPE III

S.E.Q.R. CLASSIFICATION

REVIEWED: _____ 4/5/24 _____, DATE

Julia Schneider

Julia Schneider, AICP, CPESC
Town Environmental Quality Review Division
Town of Oyster Bay, NY

APPROVED: _____ 4/5/24 _____, DATE

Colin Bell

Colin Bell
Deputy Commissioner - Department of Environmental Resources
Town of Oyster Bay, NY

APPROVED: _____ 4/5/2024 _____, DATE

Daniel Pearl

Daniel Pearl
Commissioner - Department of Sanitation
Town of Oyster Bay, NY

APPROVED: _____ APRIL 5, 2024 _____, DATE

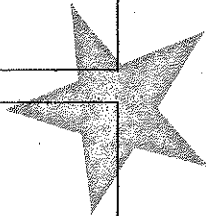
Matthew Russo

Matthew Russo, P.E.
Deputy Commissioner - Department of Public Works
Town of Oyster Bay, NY

APPROVED: _____ APRIL 5, 2024 _____, DATE

Richard W. Lenz

Richard W. Lenz, P.E.
Commissioner - Department of Public Works
Town of Oyster Bay, NY



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated March 22, 2024, advised that by Resolution No. 914-2023, adopted on December 12, 2023, the Town Board authorized Lockwood, Kessler & Bartlett, Inc. to provide On-Call Engineering Services in connection with Contract No. PWC19-24, Structural Engineering, for a two-year term, commencing January 1, 2024 through December 31, 2025; and

WHEREAS, Brian Ednie, P.E., Vice President, Lockwood, Kessler & Bartlett, Inc., by letter dated March 14, 2024, described the scope of work to be performed under Contract No. PWC19-24, engineering services related to the preparation of bid documents and bid and inspection services related to the demolition of the incinerator complex buildings, and requested approval to utilize J. C. Broderick & Associates, P.C., as a sub consultant for air monitoring services during the abatement and demolition phases of said project; and

WHEREAS, Commissioner Lenz, by said memorandum requested Town Board authorization for Lockwood, Kessler & Bartlett, Inc., to provide the aforesaid On-Call Engineering Services under Contract No. PWC19-24, that J. C. Broderick & Associates, P.C. be approved as a sub-consultant for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$203,00.00 for this purpose, with funds available for payment in Account No. DER 8797 20000 000 2206 015, Project ID No. 2206 DERSR05-05; and

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

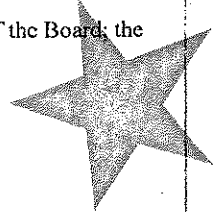
NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and Lockwood, Kessler & Bartlett, Inc. is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC19-24, and J. C. Broderick & Associates, P.C. is hereby authorized to be a sub-consultant for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$203,00.00 for this purpose, with funds available for payment in Account No. DER 8797 20000 000 2206 015, Project ID No. 2206 DERSR05-05.

-#-

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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 12, 2024, advised that in connection with Contract No. H19-198PH3, Highway Improvements to the Southwood Circle Area Phase 3, on April 3, 2024, the Division of Purchasing received eleven (11) bids for the subject project and the consulting engineer reviewed the bids and Metro Paving, LLC, 500 Patton Avenue, West Babylon, New York 117040, submitted the lowest responsive bid in the amount of \$1,736,905.00; and

WHEREAS, John A. Purga, P.E., PTOE, ENV SP, Assoc. DBIA, Transportation Lead, Lockwood, Kessler & Bartlett, Inc., by letter dated April 8, 2024, recommended the award of Contract No. H19-198PH3 to Metro Paving, LLC in the amount of \$1,736,905.00; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that the project is to be funded with use of Coronavirus State and Local Fiscal Recovery Program ("SLFR") funding, as provided through the American Rescue Plan Act. The Town is in receipt of its full SLFR appropriation which provides adequate funding to cover the costs of this project. SLFR funding for this project will be utilized in accordance with the SLFR guidelines as set forth by the United States Department of Treasury; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that pursuant to Town policy, \$86,845.25 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$1,823,750.25; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the estimated construction time for completion of the subject contract is one-hundred fifty (150) calendar days and funds are available for the subject contract work in Account No. DPW H5197 20000 000 2303 008, Project ID No. 2303 HWYDB-02; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Town has reviewed the proposed vendor's disclosure questionnaire, and has been satisfied that the requirements of the Town's Procurement Policy have been fulfilled; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and Contract No. H19-198PH3 shall be awarded to Metro Paving, LLC in the total amount of \$1,736,905.00 and that \$86,845.25 be applied to the low bid amount for a total bid encumbrance of \$1,823,750.25, and that the Town Clerk be directed to release the bid bonds of the non-successful bidders.

#

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

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

MS
Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 12, 2024

TO : MEMORANDUM DOCKET
FROM : RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS
SUBJECT: AWARD OF CONSTRUCTION CONTRACT
HIGHWAY IMPROVEMENTS TO THE SOUTHWOOD CIRCLE AREA PHASE 3
CONTRACT NO. H19-198PH3
ACCOUNT NO: DPW H5197 20000 000 2303 008
PROJECT ID# 2303 HWYDB-02

On April 3, 2024, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Metro Paving, LLC., 500 Patton Avenue, West Babylon, NY 11704, Federal Id# [REDACTED], submitted the lowest responsive bid among eleven (11) in the amount of \$1,736,905.00.


Attached is a letter dated April 8, 2024 from the office of Lockwood, Kessler & Bartlett, Inc. recommending the award of this contract to Metro Paving, LLC. in the amount of \$1,736,905.00. In accordance with Town policy, \$86,845.25 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$1,823,750.25.

The estimated construction time for completion of the subject contract is 150 calendar days. Funds are available for the subject contract work in Account No. DPW H5197-20000 000 2303-008, Project 2303 HWYDB-02

This project is to be funded with use of Coronavirus State and Local Fiscal Recovery Program (SLFR) funding, as provided through the American Rescue Plan Act. The Town is in receipt of its full SLFR appropriation which provides adequate funding to cover the costs of this project. SLFR funding for this project will be utilized in accordance with the SLFR guidelines as set forth by the United States Department of Treasury.

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

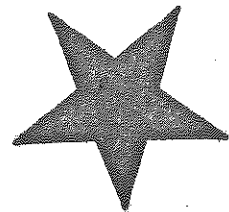
We concur with the recommendation of Lockwood, Kessler & Bartlett, Inc. and request that Contract No. H19-198PH3 be awarded to Metro Paving, LLC. in the total bid amount of \$1,736,905.00 and that \$86,845.25 be applied to the low bid amount for a total bid encumbrance of \$1,823,750.25 to be issued by the Office of the Comptroller, and request that the Office of the Town Clerk be directed to release the bid bonds from the non-successful bidders.


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

RWL/MR/HAS/lk
Attachments

cc: Steven Ballas, Comptroller
John C. Tassone, Chief Deputy Commissioner/HIGHWAY

H19-198ph3 DOCKET Contractor Award to Metro-2024-04-05





ENGINEERING
EXCELLENCE
SINCE 1889

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

April 8, 2024

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

**RE: Construction of Highway Improvements Southwood Circle Area, Phase 3
Contract No. H19-198PH3**

Dear Commissioner Lenz:

Eleven bids were received on April 3, 2024 for this project. The bid amounts ranged from a low of \$1,736,905.00 to a high of \$2,612,465.00. (see accompanying Bid Summary breakdown)

We conducted a review of the three apparent low bidders and prepared the enclosed bid summary table. The three low bids are as follows: Metro Paving LLC at \$1,736,905.00, Macedo Contracting Services at \$1,833,365.00 and Stasi Industries at \$1,892,307.25. The low bid is 23% below the engineer's estimate of \$2,259,380.00.

There is a difference of \$330,008.32 between the low bid and the average of all bids. Of this difference, \$141,911.36 is primarily attributable to the unit prices bid for the asphalt paving items being 16% below and the unclassified excavation item being 51% below the average of all bids for these items.

Review of the bid documents found minor arithmetic errors with the United Paving and Stasi Industries bids, which did not result in a re-ordering of the bidder order. No other bidding errors or irregularities were found. It therefore appears Metro Paving LLC is the apparent lowest bidder at \$1,736,905.00.

Metro Paving LLC is known to the Town of Oyster Bay and LKB having performed satisfactory work for the Town on multiple projects. This includes the recent completion of the Phase 1 and Phase 2 portion of the Southwood Circle Area project.

Based on our review of information provided in the proposal, we find no sufficient cause for the Town to not award the contract to the apparent low bidder Metro Paving LLC in the total amount bid of \$1,736,905.00.

Please let me know if you have any questions.

Sincerely,

LOCKWOOD, KESSLER & BARTLETT, INC.


John A. Furga, P.E., PTOE, ENV SP, Assoc. DBIA
Transportation Engineering Lead

Encl.

AN EQUAL OPPORTUNITY EMPLOYER

WHEREAS, Cristina Harrison, Church Administrator, First Presbyterian Church of Oyster Bay, 60 East Main Street, Oyster Bay, New York 11771-2411, by letter dated March 8, 2024, requested the use of one (1) roll-off container for the Church's Annual Spring Cleanup, with said container to be delivered to the Church on Tuesday, May 7, 2024, and collected on Tuesday, May 14, 2024; and

WHEREAS, Hon. Daniel M. Pearl, Commissioner, Department of Sanitation, by memorandum dated March 22, 2024, advised that the abovementioned equipment will not be required for use by the Town at that time, and that he has no objection to providing the First Presbyterian Church of Oyster Bay with the use of one (1) roll-off container, without charge, as the event is not "a profit making event", as defined in the Code of the Town of Oyster Bay, Part II, "General Legislation", Chapter 201, "Solid Waste", Part 1, "Solid Waste Regulations", Article II, "Collection and Container Provisions", Section 201-17, "Roll-Off Containers"; and

WHEREAS, the Town Board of the Town of Oyster Bay deems the First Presbyterian Church of Oyster Bay's Annual Spring Cleanup to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Department of Sanitation to provide the First Presbyterian Church of Oyster Bay with the use of one (1) roll-off container, without charge, for the Church's Annual Spring Cleanup, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Sanitation, or his designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activity;
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of \$1,000,000.00 per occurrence, and \$2,000,000.00 general aggregate per year, and naming the Town of Oyster Bay as an additional insured, in connection with the afore-described activity.

#

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

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

REVIEWED BY
OFFICE OF TOWN ATTORNEY
Ralph P. Healey

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

March 22, 2024

TO: Memorandum Docket

FROM: Daniel M Pearl, Commissioner of Sanitation

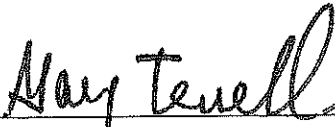
SUBJECT: Request: Roll Off Container
First Presbyterian Church
60 East Main Street
Oyster Bay, New York 11771

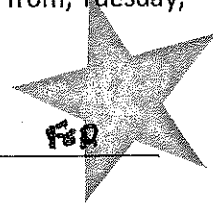
Attached please find a copy of a letter received in this office from Christina Harrison requesting a roll-off container for their Spring Clean Up. The container will be placed at 60 East Main Street, Oyster Bay, on Tuesday, May 7, 2024 and will be collected on Tuesday, May 14, 2024.

An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay and have requested the use of a Town roll off container in connection with a profit-making or fundraising event, shall be charged two hundred fifty dollars (\$250.00) for each container load dumped."

It is our opinion that the Spring Clean-Up does not constitute a profit-making or a fundraising event. Therefore, we hereby request the Honorable Town Board to approve this worthwhile organization the use of Town equipment without a charge.

Attached please find their certificate of insurance, endorsement, and Hold Harmless Agreement for the use of Town of Oyster Bay equipment by the First Presbyterian Church from, Tuesday, May 7, 2024, through Tuesday, May 14, 2024.


Daniel M. Pearl
Department of Sanitation



DMP: cw
Attachments
cc: Frank M. Scalera Town Attorney
Steven Ballas, Comptroller

FIRST PRESBYTERIAN CHURCH
OYSTER BAY, NEW YORK
THE REV. DR. JEFFREY D. PREY, PASTOR



March 8th, 2024

Town of Oyster Bay
Department of Public Works
Sanitation Division
150 Miller Place
Syosset, NY 11791
Attention: Cathy

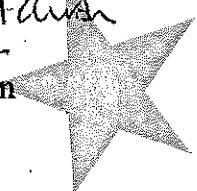
Dear Cathy:

We are requesting the use of one roll-off container from May 7, 2024 – May 14, 2024. Please find enclosed our application, Certificate of Insurance, endorsement and Hold Harmless Agreement.

If you have any questions, please call me at (516) 922-5477.
Thank you.

Sincerely,

Cristina Harrison
Administrator



:cjh
Enclosure

(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)

PLEASE TYPE OR PRINT CLEARLY

Name of Organization: First Presbyterian Church

Billing Address: 60 East Main St.

OYSTER BAY, N.Y. 11771

Phone Number (Days): (516) 922-5477

Number of Container(s) Requested: 1

Address Where Container(s) Would Be Placed: Same as above

Dates Container(s) Needed: From 5/7/2024 To 5/14/2024

Describe The Event For Which Container(s) Is/Are Requested: Spring clean-up

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? NO

I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of \$250.00 for each container load dumped may be assessed for which I agree to assume responsibility.

Signature: Cristina Horner Date: 3/8/2024

Title: CHURCH ADMINISTRATOR

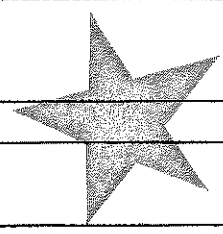
Signature: _____ Date Received: _____

Signature: _____ Date Picked Up: _____

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:
Approved By Resolution No. (Signature) \$250 Charge Applies: YES _____ NO

To Be Completed By Scale House:
Disposal Authorization Ticket No.: _____
Load Ticket No.: _____
Date: _____
Signature: _____



Scalehouse to return copy to Comptroller
White Copy - Sanitation Driver (to be given to Scalehouse)
Yellow Copy - Sanitation Files
Green Copy - Scale House Files



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/12/2024

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
Marsh & McLennan Agency LLC
110 Franklin Road, Suite 1100
Roanoke VA 24011

CONTACT NAME:	
PHONE (No. Ex): (846) 561-1706 x271	FAX (No. Ex):
E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE	
INSURER A: Lexington Insurance Company	NAIC # 19437
INSURER B: Lexington Insurance Company	19437
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
0000006304 FIRST PRESBYTERIAN CHURCH
60 E MAIN ST
OYSTER BAY, NY 11771

WILLIAM

COVERAGES

CERTIFICATE NUMBER: 2143789034

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.

INER LTR	TYPE OF INSURANCE	ADDITIONAL (INS) / WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROTECT <input type="checkbox"/> LOC OTHER:	Y	11971658 04040008	1/1/2024 1/1/2024	1/1/2025 1/1/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (EA occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Please contact your Insurance Board Agent, William A Smith and Son, Inc at 846-561-1706 for questions regarding your Certificate of Insurance. If you would like to speak to someone at the Insurance Board, please call 800-437-8830.

Use of Roll Off Container from 5/7/2024 to 5/14/2024

CERTIFICATE HOLDER

Town of Oyster Bay
54 Audrey Avenue
Oyster Bay NY 11771
United States

Reviewed By
Office of Town Attorney

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

H. Andrew Perry

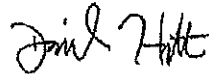


This endorsement, effective January 1, 2024, 12:01
a.m., Forms a part of Policy No.: 11971668
Issued to: United Church Insurance Association
By: LEXINGTON INSURANCE COMPANY


**ENDORSEMENT
ADDITIONAL INSURED REQUIRED BY WRITTEN CONTRACT OR WRITTEN OR ORAL
AGREEMENT ENDORSEMENT**

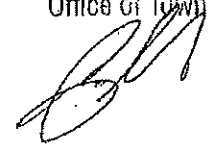
- A. Section II - Who is an Insured is amended to include any person or organization you are required to include as an additional insured on this policy by a written contract or a written or oral agreement in effect during this policy period and executed prior to the "occurrence" of the "bodily injury" or "property damage".
- B. The insurance provided to the above described additional insured under this endorsement is limited as follows:
1. This insurance provides coverage with regard to Coverage A Bodily Injury And Property Damage (Section I - coverages only).
 2. The person or organization is only an additional insured with respect to liability arising out of "your work", "your product", or your operations.
 3. In the event that the Limits of Insurance provided by this policy exceed the Limits of Insurance required by the written contract or written or oral agreement, the insurance provided by this endorsement shall be limited to the Limits of Insurance required by the written contract or written agreement. This endorsement shall not increase the Limits of Insurance shown in the Declarations pertaining to the coverage provided herein.
 4. This insurance does not apply to "bodily injury" or "property damage" arising out of "your work", "your product", or your operations included in the "product-completed operations hazard" unless you are required to provide such coverage by written contract or written or oral agreement and then only for the period of time required by the written contract or written or oral agreement and in no event beyond the expiration date of the policy.
 5. Any coverage provided by this endorsement to an additional insured shall be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis, unless the written contract or written or oral agreement with additional insured specifically requires that this insurance be primary and non-contributory with any other insurance carried by the additional insured. In such case, this insurance shall be primary and non-contributory with any other insurance carried by the additional insured.
- C. In accordance with the terms and conditions of the policy and as more fully explained in the policy, as soon as practicable, each additional insured must give us prompt notice of any "occurrence" which may result in a claim, forward all legal papers to us, cooperate in the defense of any actions, and otherwise comply with all of the policy's terms and conditions. Failure to comply with this provision may, at our option, result in the claim or "suit" being denied.

All other terms and conditions of the policy remain the same.



Authorized Representative

Reviewed By
Office of  Attorney





TOWN OF OYSTER BAY
DEPARTMENT OF SANITATION

180 Miller Place
Syosset, NY 11791
616-677-8848
616-677-8860

Gary Terrell
Deputy Commissioner

Daniel M. Pearl
Commissioner

William Fox
Sanitation Supervisor III

Hold Harmless Agreement for Use of Town Property and/or Equipment

This agreement is made this 8th day of March, 2024 by
First Presbyterian Church (Hereinafter "Organization"). Whereas, Organization desires to
use Town of Oyster Bay property and/or Equipment located at and/or described as

Roll off Containers

For the event described as

Spring Clean-Up

The property/equipment is needed from May 7th, 2024 to May 14th, 2024

The event for which the property and/or equipment is requested () is () is not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its Officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless, the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for the loss and/or expense or suits for damage to persons or property, including its property, arising from its use of the Town property and/or equipment.

Reviewed By
Office of Town Attorney

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of \$1,000,000 each occurrence, \$2,000,000 general aggregate and, where appropriate, \$2,000,000 products, naming the Town as additional insured. All certificates of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of the Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization:

First Presbyterian Church

Address of Organization:

60 East Main St.

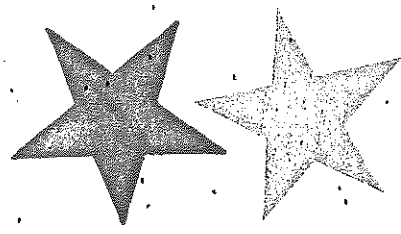
OYSTER BAY, NY 11771

By: CRISTINA HARRISON

Authorized Representative

Title: CHURCH ADMINISTRATOR

Telephone No.: [REDACTED]



Reviewed By
Office of Town Attorney

[Signature]

WHEREAS, Maria Alfano-Hardy, Administrator & Clerk-Treasurer, Incorporated Village of Bayville, 34 School Street, Bayville, New York 11709, by application dated March 22, 2024, requested the use of (1) roll-off container, for Earth Day, with said container to be delivered to 34 School Street, Bayville, New York 11709 on Friday, April 19, 2024, and collected on Monday, April 22, 2024; and

WHEREAS, Hon. Daniel M. Pearl, Commissioner, Department of Sanitation, by memorandum dated April 3, 2024, advised that the abovementioned equipment will not be required for use by the Town at that time, and that he has no objection to providing the Incorporated Village of Bayville with the use of one (1) roll-off container for Earth Day, as it is not "a profit making event", as defined in the Code of the Town of Oyster Bay, Part II, "General Legislation", Chapter 201, "Solid Waste", Part 1, "Solid Waste Regulations", Article II, "Collection and Container Provisions", Section 201-17, "Roll-Off Containers"; and

WHEREAS, the Town Board of the Town of Oyster Bay deems the Incorporated Village of Bayville's Earth Day celebration to be an appropriate and worthwhile endeavor, and has determined that the approval of this request will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Department of Sanitation to provide the Incorporated Village of Bayville with use of one (1) roll-off container, without charge, for Earth Day, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Sanitation, or his designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activity; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate per year, and naming the Town as an additional insured, in connection with the afore-described activity.

#

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

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

REVIEWED BY
 OFFICE OF TOWN ATTORNEY
Robert P. Deady

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

April 3, 2024

TO: Memorandum Docket

FROM: Daniel M Pearl, Commissioner of Sanitation

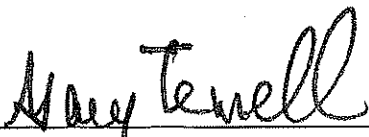
SUBJECT: Request: Roll Off Container
Village of Bayville
34 School Street
Bayville, New York 11709

Attached please find a copy of a letter received in this office from Maria Alfano requesting a roll-off container for Earth Day. The container will be placed at 34 School Street, Bayville on Friday, April 19, 2024 and will be collected on Monday, April 22, 2024.


An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay and have requested the use of a Town roll off container in connection with a profit-making or fundraising event, shall be charged two hundred fifty dollars (\$250.00) for each container load dumped."

It is our opinion that Earth Day does not constitute a profit-making or a fundraising event. Therefore, we hereby request the Honorable Town Board to approve this worthwhile organization the use of Town equipment without a charge.

Attached please find their certificate of insurance, endorsement, and Hold Harmless Agreement for the use of Town of Oyster Bay equipment by the Village of Bayville from, Friday, April 19, 2024, through Monday, April 22, 2024.



Daniel M. Pearl
Department of Sanitation



DMP: cw
Attachments
cc: Frank M. Scalera Town Attorney
Steven Ballas, Comptroller

(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)
PLEASE TYPE OR PRINT CLEARLY

Name of Organization: Village of Bayville

Billing Address: 34 School St. Bayville, NY 11709

Phone Number (Days): 516-628-1439

Number of Container(s) Requested: 1

Address Where Container(s) Would Be Placed: 34 School St Bayville

Dates Container(s) Needed: From 4/19/2024 To 4/22/2024

Describe The Event For Which Container(s) Is/Are Requested: Earth Day

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? NO

I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of \$250.00 for each container load dumped may be assessed for which I agree to assume responsibility.

Signature: _____ Date: 3/22/2024

Title: Mayor

Signature: [Signature] Date Received: _____

Signature: [Signature] Date Picked Up: _____

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:

Approved By Resolution No.: GT \$250 Charge Applies: YES _____ NO

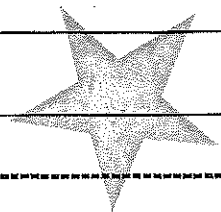
To Be Completed By Scale House:

Disposal Authorization Ticket No.: _____

Load Ticket No.: _____

Date: _____

Signature: _____





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/20/2024

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 SALERNO BROKERAGE CORPORATION 117 Oak Drive Syosset NY 11791	CONTACT NAME: Nicole Morton PHONE (A/C, No, Ext): (516) 384-4044 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: American Zurich Insurance Company INSURER B: PERMA (Public Employers Risk) INSURER C: INSURER D: INSURER E: INSURER F:	FAX (A/C, No): (516) 384-6901 NAIC #: 40142 12250
INSURED Incorporated Village of Bayville 34 School Street Bayville NY 11708		

COVERAGES CERTIFICATE NUMBER: 23-24 Liability 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.

INSTR 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		GLA-0832674-04	08/01/2023	08/01/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & AOV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMPIOP AGG \$ 1,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			GLA-0832674-04	08/01/2023	08/01/2024	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			GLA-0832674-04	08/01/2023	08/01/2024	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
B	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	WC 0000008-37	08/01/2023	08/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

The Town of Oyster Bay is included as additional insured for general liability per Blanket Additional Insured Endorsement #CG 20 28 04 13, as respects Village use of the Town's dumpster for Earth Day.

CERTIFICATE HOLDER

Town of Oyster Bay
877 Hicksville Road
Massapequa NY 11758

Reviewed By
Office of Town Attorney

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
Nicole L. Morton

Policy Number GLA-0632074-04

Endorsement No. 3

THIS ENDORSEMENT CHANGES THE POLICY, PLEASE READ IT CAREFULLY.

COMMON POLICY CHANGE ENDORSEMENT

Named Insured: Inc. Village of Bayville

Effective Date of Change: 3/28/2024
12:01 A.M., Standard Time

Agent Name: Allied Public Risk LLC.

Agent No. 56139000.

This endorsement will not be used to decrease coverages, increase rates or deductibles or alter any terms or conditions of coverage unless at the sole request of the insured.

COVERAGE PART INFORMATION — Coverage parts affected by this change as indicated by below.

- Commercial Property
- Commercial General Liability
- Commercial Crime
- Commercial Inland Marine
- Commercial Automobile
- Commercial Fidelity
- Property Portfolio Protection
- Equipment Breakdown

The following item(s):

- | | |
|--|---|
| <input type="checkbox"/> Insured's Name | <input type="checkbox"/> Insured's Mailing Address |
| <input type="checkbox"/> Effective/Expiration Date | <input type="checkbox"/> Insured's Legal Status/Business of Insured |
| <input type="checkbox"/> Payment Plan | <input checked="" type="checkbox"/> Coverage Forms and Endorsements |
| <input type="checkbox"/> Add/Delete Vehicle | <input type="checkbox"/> Deductibles |
| <input checked="" type="checkbox"/> Additional Interest | <input type="checkbox"/> Classification/Class Codes |
| <input type="checkbox"/> Limits/Exposures | <input type="checkbox"/> Underlying Exposure/Insurance |
| <input type="checkbox"/> Covered Property/Location Description | |

is (are) changed to read [See Additional Page(s)]

Form CG 20 26 04 13 - Additional Insured-Designated Person or Organization is attached to this policy in favor of Town of Oyster Bay.

The above amendments result in a change in the premiums as follows:

This premium does not include taxes.

<input type="checkbox"/> No changes	<input type="checkbox"/> To be Adjusted at Audit	Additional Premium: \$ 0	Return Premium: \$ 0
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Tax Changes

Additional: \$	Return: \$
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Reviewed By
Office of Town Attorney

Policy Number GLA-0632074-04

Endorsement No. 3

COMMON POLICY CHANGE ENDORSEMENT

Named Insured: Inc. Village of Bayville

Effective Date of Change: 3/28/2024
12:01 A.M., Standard Time

Agent Name: Allied Public Risk LLC

Agent No. 66139000

POLICY CHANGES ENDORSEMENT DESCRIPTION (CONT'D)

REMOVAL PERMIT

If this policy includes the Commercial Property Coverage Part, the following applies with respect to the Coverage Part:

If Covered Property is removed to a new location that is described on this Policy Change, you may extend this insurance to include that Covered Property at each location during the removal. Coverage at each location will apply in the proportion that the value at each location bears to the value of all Covered Property being removed. This permit applies up to 10 days after the effective date of this Policy Change; after that, this insurance does not apply at the previous location.

Reviewed By
Office of Town Attorney



U-GU-614-C NY (11/18)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

Town of Oyster Bay Department of Parks
977 Hicksville Road
Massapequa, NY 11758

Interest: Village's use of dumpsters for Earth Day Event.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

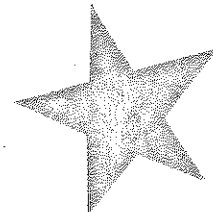
B. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



Reviewed By
Office of Town Attorney



TOWN OF OYSTER BAY
DEPARTMENT OF SANITATION

150 Miller Place
Syosset, NY 11791
516-877-5848
516-877-5863

Gary Terrell
Deputy Commissioner

Daniel M. Pearl
Commissioner

William Fox
Sanitation Supervisor III

Hold Harmless Agreement for Use of Town Property and/or Equipment

This agreement is made this 22 day of March, 2024 by

Village of Bayville (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or Equipment located at and/or described as

For the event described as

Earth Day 2024

The property/equipment is needed from 4/19/2024 to 4/22/2024.

The event for which the property and/or equipment is requested () is is not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its Officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless, the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for the loss and/or expense or suits for damage to persons or property, including its property, arising from its use of the Town property and/or equipment.

Reviewed By
Office of Town Attorney

Reviewed By
Office of Town Attorney
Kath. P. Decker

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated April 15, 2024, requested Town Board authorization for the Town to enter into an agreement, as negotiated and approved by the Office of the Town Attorney, to retain the services of Anthony L. D'Avino, 12 Beecher Road, North Babylon, New York 11703, to adjudicate the *Town of Oyster Bay's Independent Art Awards*, at the Independent Art Society's Annual Open Show; and for the Supervisor, or his designee, to execute such agreement; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the judging will take place on Wednesday, October 2, 2024, at the Plainview-Old Bethpage Public Library; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the fee for Mr. D'Avino is \$150.00, and said funds are available in Account CYS A 7020 47660 000 0000, Special Events; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that in accordance with Guideline 5 (b) of the Town of Oyster Bay Procurement Policy, this fee for adjudication is exempt from the solicitation, written proposal or quotation requirements of said Policy; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Town Board hereby authorizes the Town to enter into an agreement, as negotiated and approved by the Office of the Town Attorney, to retain the services of Anthony L. D'Avino, to adjudicate the *Town of Oyster Bay's Independent Art Awards*, at the Independent Art Society's Annual Open Show, on Wednesday, October 2, 2024, at the Plainview-Old Bethpage Public Library, for a fee in an amount not to exceed \$150.00, and authorizes the Supervisor, or his designee, to execute said agreement; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000, Special Events; 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.

#

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

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

341

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

April 15, 2024

TO: Memorandum Docket

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

SUBJECT: Adjudicate Town of Oyster Bay's Independent Art Society

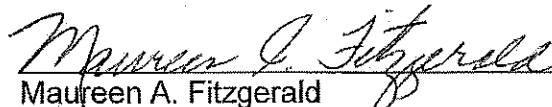
The Department of Community and Youth Services respectfully requests Town Board authorization to employ the services of a judge, identified below, to adjudicate the Town of Oyster Bay's Independent Art Awards at the Independent Art Society's Annual Open Show.

Anthony L. D'Avino
12 Beecher Road
North Babylon, NY 11703
631-587-5732
aldavino@optonline.net
www.anthonydavinoart.com

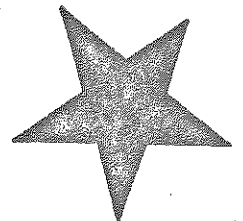
The judging will take place on Wednesday, October 2, 2024 at the Plainview-Old Bethpage Public Library. The fee for Anthony D'Avino is \$150.00 and funds are available in Account CYS A 7020 47660 000 0000, *Special Events*.

In accordance with Guideline 5, Section b. of the Town Procurement Policy, the fee for adjudication is exempt from solicitation, written proposal or quotation requirements of the policy. This vendor's *Disclosure Questionnaire* has been reviewed and satisfies the Town's Procurement Policy.

Therefore, it is respectfully requested that the Town Board authorize the Town to enter into an agreement as negotiated and approved by the Town Attorney's Office, and further authorize the Supervisor and/or his designee to execute said agreement.


Maureen A. Fitzgerald
Commissioner

MAF:kf
Attachments



Reviewed By
Office of Town Attorney
America Wolfe

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 22, 2024, requested Town Board authorization for the Department to reimburse Greg Kolodinsky, Greenskeeper, Hon. Joseph Colby Town of Oyster Bay Golf Course, Woodbury, the sum of \$250.00, for his 2024 annual membership dues in the Long Island Golf Course Superintendents Association (L.I.G.C.S.A.),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized to reimburse Greg Kolodinsky, Greenskeeper, Joseph Colby Town of Oyster Bay Golf Course, Woodbury, the sum of \$250.00, for his 2024 annual membership dues in the Long Island Golf Course Superintendents Association (L.I.G.C.S.A.); and be it further

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

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

-#-

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

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

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

TO: MEMORANDUM DOCKET
FROM: JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS
DATE: April 22, 2024
SUBJECT: 2024 ANNUAL DUES FOR THE LONG ISLAND GOLF COURSE
SUPERINTENDENTS ASSOCIATION (L. I. G. C. S. A.)

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

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

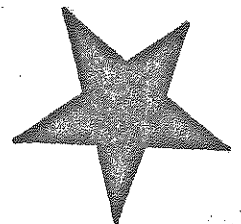
The Parks Department respectfully requests the Town Board to authorize a reimbursement to Mr. Kolodinsky for the L. I. G. C. S. A. 2024 dues of two hundred fifty dollars (\$250.00).

Funds are available in account PKS A 7110 44900 000 0000.



JOSEPH G. PINTO, COMMISSIONER
DEPARTMENT OF PARKS

JGP/GS/db





Payment receipt

You paid \$250.00

to LIGCSA Inc on 2/9/2024

Invoice no.	24-533
Invoice amount	\$250.00
Total	\$250.00
Status	Paid
Payment method	Credit Card
Authorization ID	MS0209155450

Thank you



LIGCSA Inc

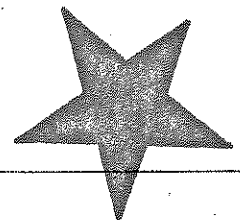
631-886-2434

www.ligcsa.com | ligcsa@aol.com

P.O. Box 84, Wading River, NY 11792

No additional transfer fees or taxes apply.

PDF_RECEIPT_MTL_FOOTER



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



INVOICE

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

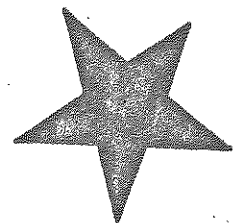
INVOICE # 24-533
DATE 01/15/2024
DUE DATE 02/14/2024
TERMS Net 30

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
01/01/2024	2024 CLASS A ANNUAL DUES	2024 CLASS A ANNUAL DUES	1	250.00	250.00

BALANCE DUE

\$250.00

To pay online please go to www.ligcsa.com.



OR
REVIEWED BY
OFFICE OF TOWN ATTORNEY
Elizabeth A. Joughin

WHEREAS, Donald Keith McKnight, Captain, New York State Division of Military and Naval Affairs, New York Naval Militia (NYNM), 300 Old Niskayuna Road, Latham, New York 12110, by letter dated April 16, 2024, requested the use of one (1) boat slip, free of charge, at Tappen Marina, so that it may berth its vessel at said location for the 2024 summer season, as part of the New York State Joint Task Force Empire Shield (NYS JTF-ES), to conduct homeland security and civil support patrols in and around the Long Island Sound - New York City Area, and to contribute to the overall safety of individuals enjoying the Long Island Sound; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 19, 2024, advised that the abovementioned boat slip will not be required for use by the Town at that time, and that the Department has no objection to providing the NYNM, with the use of one (1) boat slip, free of charge, at Tappen Marina, so that it may berth its vessel at said location for the 2024 summer season, as part of the New York State Joint Task Force Empire Shield (NYS JTF-ES); and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized to provide the use of one (1) boat slip, free of charge, at Tappen Marina, so that it may berth its vessel at said location for the 2024 summer season, as part of the New York State Joint Task Force Empire Shield (NYS JTF-ES), to conduct homeland security and civil support patrols in and around the Long Island Sound - New York City Area, and to contribute to the overall safety of individuals enjoying the Long Island Sound, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Parks, and his duly designated representatives;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activities; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$2,000,000.00 bodily injury and \$1,000,000.00 property damage, and naming the Town as an additional insured, in connection with the afore-described activities.

#

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

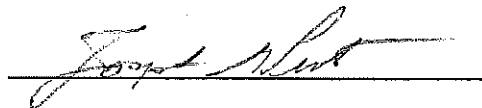
DATE: APRIL 19, 2024

SUBJECT: SUMMER BERTHING OF NYNM VESSELS AT HARRY TAPPEN MARINA

The Department of Parks requests Town Board authorization for the New York State Naval Militia (NYNM) to berth their patrol vessel, assigned to the New York State Joint Task Force Empire Shield (NYS JTF-ES), at Tappen Marina during the 2024 summer season at no cost to NYNM. The primary purpose of this vessel is to conduct homeland security and civil support patrols in and around the Long Island Sound – New York City area.

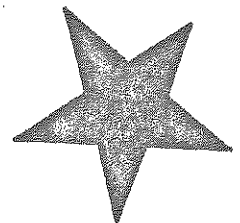
Attached, please find the request letter and insurance information from Captian Donald Keith McKnight of the NYNM.

Therefore, this department respectfully recommends approving this request. The NYNM patrol vessel assigned to NYS JTF-ES at Tappen Marina will enhance safety and security for the town's marina. Additionally, their presence will significantly contribute to the overall safety of individuals enjoying Long Island Sound.



JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT

JGP/db
Att.





STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS

NEW YORK NAVAL MILITIA

330 OLD NISKAYUNA ROAD, LATHAM, NEW YORK 12110

16 April 2024

Commissioner of Parks
Joseph G. Pinto
Town of Oyster Bay
977 Hicksville Rd.
Massapequa, N.Y. 11758

Subject: Support for New York State Naval Militia Vessel

Dear Commissioner Pinto:

Over the course of recent boating seasons, the Town of Oyster Bay has graciously supported the New York State Military Emergency Boat Service. We are reaching out to discuss the possibility of securing at Tappan Beach Marina, an annual boat slip for a 34-foot long, 11-foot beam New York State Naval Militia vessel assigned to the New York State Joint Task Force Empire Shield.

The primary purpose of this vessel is conducting homeland security and civil support patrols in and around the Long Island Sound - New York City area. We currently have three vessels engaged in patrols for the task force: one stationed in the Port of New York, another serving the lower Hudson River Valley at Verplanck (close to Bear Mountain Bridge in Westchester County), and a third at Coast Guard Station Jones Beach. We are now seeking to station the fourth boat in the vicinity of Hempstead Bay.

Our projected timeframe for launching this initiative is around May 1, 2024. It's important to note that we will not require any electric facilities. Additionally, having the patrol boat stationed in this area will not only enhance safety and security for mariners but also contribute to the overall safety of those enjoying Long Island Sound.

The State of New York is self-insured. A statement attesting to that fact is attached to this letter.

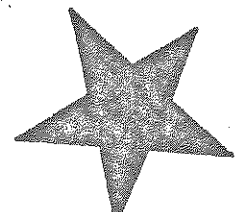
We kindly ask if you could please let us know if accommodating our request is feasible. Your assistance in this matter would be greatly appreciated. Any questions regarding this matter may be directed to Chief Warrant Officer Christopher Ward, at (516) 322-3105.

Thank you in advance for your continued support.

MCKNIGHT.DONALD
D.KEITH.10207042
30

Digitally signed by
MCKNIGHT.DONALD.KEITH.102
0704230
Date: 2024.04.16 08:56:10
-04'00'

D. K. MCKNIGHT
CAPT NYNM
By direction





Military and Naval Affairs

October 25, 2021

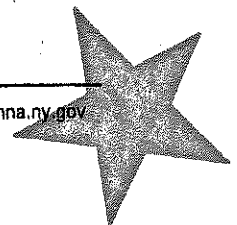
Legal Affairs Directorate
(518) 786-4541


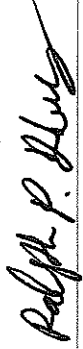
MEMORANDUM

SUBJECT: Statement of Self-retention Status of New York State for Liability Purposes

The general liability exposures of the State of New York, as well as those of its agencies, are "self-retained," meaning that, unlike "self-insurance" based on a state insurance fund, the State of New York pays settlements and judgments handed down by the courts of competent jurisdiction from an annual appropriation funded by State tax revenues. Suits against the State of New York and its agencies and employees for bodily injury and property damage are brought in the New York State Court of Claims. The Division of Military and Naval Affairs, the agency of the New York state Executive Department of which the New York Naval Militia is a part, is a New York State agency and is self-retrained against risk of loss and liability.

Questions regarding this memorandum may be referred to Counsel, New York State Division of Military and Naval Affairs, at (518) 786-4541.




 Reviewed By
 Office of Town Attorney


WHEREAS, Robert C. Weltner, President, Operation S.P.L.A.S.H. (Stop Polluting, Littering and Save Harbors) and Angelo Meloro, Port Captain, Massapequa Chapter, Operation S.P.L.A.S.H., 162 Westside Avenue, P.O. Box 228, Freeport, New York 11520, by letter dated April 12, 2024, requested the use of one (1) boat slip at the public dock near the boat ramp, located within John J. Burns Park, Massapequa, for the 2024, boating season, from April 16, 2024, through November 16, 2024, for said organization to berth its 2024, gas-powered, twenty-seven foot (27') Carolina Skiff, with New York State Registration No. DXV2714K324, and Boat Hull Registration No. NY3548HL, to assist volunteer captains and crew in maintaining the cleanliness and debris-free nature of the waterways in and around Massapequa; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 15, 2024, advised, that the abovementioned boat slip will not be required for use by the Town at that time, and that the Department has no objection to providing Operation S.P.L.A.S.H. with the use of one (1) boat slip at the public dock near the boat ramp, located within John J. Burns Park, Massapequa, for the 2024 boating season, from April 16, 2024 through November 16, 2024, for said organization to berth its 2009, gas-powered, twenty-seven foot (27') Carolina Skiff; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized to provide Operation SPLASH with the use of one (1) boat slip at the public dock, near the boat ramp, located within John J. Burns Park, Massapequa, for the 2024 boating season, from April 16, 2024 through November 16, 2024, *nunc pro tunc*, for said organization to berth its 2024, gas-powered, twenty-seven foot (27') Carolina Skiff, with New York State Registration No. DXV2714K324, and Boat Hull Registration No. NY3548HL, to assist volunteer captains and crew in maintaining the cleanliness and debris-free nature of the waterways in and around Massapequa, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Parks, or his duly designated representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activity; and

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$2,000,000.00 bodily injury and \$1,000,000.00 property damage, and naming the Town as an additional insured, in connection with the afore-described activity.

#

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

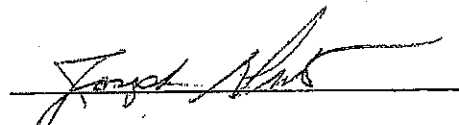
DATE: APRIL 15, 2024

SUBJECT: OPERATION S.P.L.A.S.H. AT JOHN J. BURNS PARK

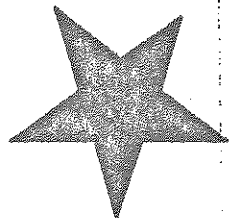
The Department of Parks requests Town Board authorization for Operation Stop Polluting, Littering, and Save Harbors (S.P.L.A.S.H.) to berth their 27' Carolina Skiff, registration number NY3548HL, hull number DXV27142K324, at the public dock located within John J. Burns Park from April 16, 2024, through November 16, 2024.

Please see the attached request letter, insurance with proper endorsements, and current New York State registration.

Operation S.P.L.A.S.H. is a volunteer-based non-profit organization that is actively protecting our environment and assisting in keeping our waterways safer, making for a more pleasurable experience for our residents. Therefore, this department respectfully recommends approval of this request.


JOSEPH G. PINTO, COMMISSIONER
PARKS DEPARTMENT

JGP/db
Att.





Operation S.P.L.A.S.H.
Stop Polluting, Littering and Save

Town Hall South
977 Hicksville Road
Massapequa, NY 11758

April 12, 2024

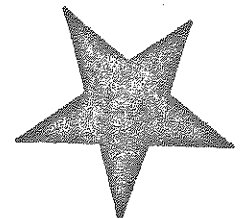
To Whom It May Concern,

Operation SPLASH respectfully requests the use of a slip in the public dock at John J. Burns Park for the 2024 season.

Operation S.P.L.A.S.H. (Stop Polluting, Littering and Save Harbors) is a non-profit, all-volunteer organization committed to improving the quality of life on Long Island Shores by actively cleaning the bays, educating citizens and partnering with other agencies to improve water quality.

As in the past, your support and cooperation makes it a pleasure for our volunteer captains and crew to help keep the bays in and around Massapequa free from debris.

Thank you,



From: Robert Weltner rob@operationsplash.org

Subject: Fwd: Massapequa Boat Reg

Date: Apr 11, 2024 at 10:42:11AM

To: Angelo Meloro ameloro1@verizon.net

PLEASE CHECK YOUR REGISTRATION

- Is all the information on your boat registration document correct?
- Are the name, address, and zip code correct?
- If there are any errors, please notify any Motor Vehicles office immediately.

NEW YORK STATE BOAT REGISTRATION



NY3548HL
 2024 CAROL DXV27142K324
 FIBE OTHE PLEASURE
 027 GAS DR445422 DEC 21 2023
 DNU NDO293 60112976
 NONTRANSFERABLE

EXPIRES
11/30/26

OPERATION SPLASH
 202 WOODLCEFT AVE
 FREEPORT NY 11520

HERE IS YOUR WATER-REPELLENT BOAT REGISTRATION

Please separate the registration document
from the rest of this card.

OPERATION SPLASH
 202 WOODLCEFT AVE
 FREEPORT NY 11520

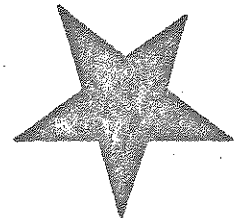
DR 445422

VOID IF ALTERED EXCEPT
FOR CHANGE OF ADDRESS
MV-839TB (12/20)

Fee Paid
125.00

Massapequa

VISA 2006 423887 125.00



Hold Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 12 day of April ²⁰²⁴~~2019~~, by OPERATION SPLASH (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as PUBLIC DOCK AT JOHN J. BURNS PARK, NEAR THE BOAT RAMP

for the event described as REMOVING TRASH FROM SOUTH OYSTER BAY WATERS. The property/equipment is needed from April 16, 2024 ^{OR WHEN DOCK IS RENTED} Nov. 16, 2024. The event for which the property and/or equipment is requested () is () is not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for loss and/or expense or suits for damage to persons or property, including its property, arising from its use of Town property and/or equipment.

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of \$1,000,000 each occurrence, \$2,000,000 general aggregate and, where appropriate, \$2,000,000 products, naming the Town as additional insured. All certificates of insurance must be accompanied by an endorsement.

I understand that the abovementioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Oyster Bay.

Name of Organization

Operation SPLASH

Address of Organization

P.O. Box 228
Freeport, N.Y. 11520

By:

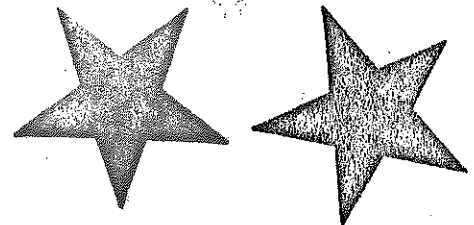
Angelo Meloro
Authorized Representative

Title:

Port Captain, Massapequa Chapter

Telephone Number:

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~





CERTIFICATE OF LIABILITY INSURANCE

DATE PREPARED
4/10/2024

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).

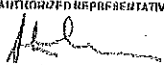
PROMISER Garber Atlas Fries & Associates, Inc. 3070 Lawson Blvd. Oceanside NY 11572	CONTACT NAME: <u>Belinda Graham</u> PHONE: <u>610-837-1100</u> FAX: <u>610-837-1200</u> E-MAIL: <u>bgraham@galinsurances.com</u> ADDRESS: _____ INSURER(S) AFFORDING COVERAGE: _____ MAP # _____
INSURED Operation Splash Inc. 202 Woodcleft Ave Freeport NY 11520	LICENSE: <u>PC-658705</u> OPERSP-01 INSURER A: <u>National Union Fire Insurance</u> INSURER B: _____ INSURER C: _____ INSURER D: _____ INSURER E: _____ INSURER F: _____

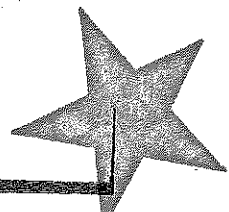
COVERAGES CERTIFICATE NUMBER: 1016134433 REVISION NUMBER:

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 BRD. NYCD	POLICY NUMBER	POLICY EFF DATE	POLICY EXP DATE	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR CIVIL AGGREGATE LIMIT APPLIES PER POLICY: <input type="checkbox"/> PROTECT <input type="checkbox"/> LOC OTHER: _____	Y	CML25286489-02	3/15/2024	3/15/2025	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (EA OCCUR) \$50,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$1,000,000 \$
	AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> OWNED <input type="checkbox"/> SCHEDULED <input type="checkbox"/> AUTOS ONLY <input type="checkbox"/> AUTOS <input type="checkbox"/> HIRED <input type="checkbox"/> NON-OWNED <input type="checkbox"/> AUTOS ONLY <input type="checkbox"/> AUTOS ONLY					COMBINED SINGLE LIMIT (EA OCCUR) \$ BODILY INJURY (Per Person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED. RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/ OFFICER/ MEMBER ENCLOSED? (Mandatory in NY) If yes, describe each DESCRIPTION OF OPERATIONS below	Y/N				PER STATUTE OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY UNIT \$
A			HPI25286488	3/15/2024	3/15/2025	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Re: Massapequa hull #DXV27142K324
The following are included as an additional insured where required by written contract: Town of Oyster Bay, Footprint Sustainability LLC

CERTIFICATE HOLDER Town of Oyster Bay 977 Hicksville Road Massapequa NY 11758	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 
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Meeting of May 7, 2024

Resolution No. 345-2024

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 17, 2024, requested Town Board authorization to issue a refund in the amount of \$427.50 to Town of Oyster Bay resident Adrian Ho, to reimburse him for fees paid for his son to attend the Spring 2024 Ice Hockey House League 10U, as his son will no longer be attending; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that Mr. Ho is entitled to a refund of \$450.00, less the five percent (5%) administration fee of \$22.50, for a total refund of \$427.50,

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 \$427.50 to Adrian Ho; and be it further

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

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

-#-

1743
Reviewed By
Office of Town Attorney
William D. McDe

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

345

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner
Department of Parks

DATE: 4/17/2024

SUBJECT: Adrian Ho- 2024 Spring Ice Hockey House League 10U Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$427.50 (four hundred twenty seven dollars and 50/100 cents) to Town of Oyster Bay resident Adrian Ho, [REDACTED]. Mr. Ho's son will not be attending the 2024 Spring Ice Hockey House League 10U.

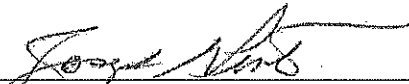
Based on the 2024 Town of Oyster Bay refund policy, Adrian Ho is eligible to receive the refund minus a 5% administration fee as follows:

2024 Spring Ice Hockey House League 10U	\$450.00
5% Administration Fee	\$22.50

TOTAL REFUND **\$427.50 (four hundred twenty seven dollars and 50/100 cent)**

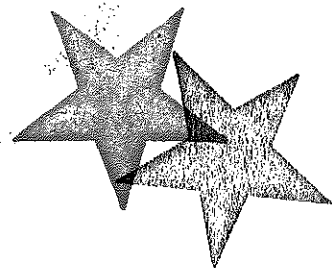
The Office of the Comptroller has reviewed the department back-up documentation and verified funds available for this requested refund.

Kindly debit the following account: PKS A 0001 02001 510 0000



Joseph G. Pinto
COMMISSIONER

JGP/nh.



Meeting of May 7, 2024

Resolution No. 346-2024

Reviewed By
Office of Town Attorney
America Walke

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated April 18, 2024, requested Town Board authorization to register Michael Imbergamo, Code Enforcement Inspector, as a member of the Building Inspectors' Association of Nassau County, for the period from May 1, 2024 to April 30, 2025, *nunc pro tunc*, at a cost of \$100.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Intergovernmental Affairs is hereby authorized to register Michael Imbergamo as a member of the Building Inspectors' Association of Nassau County, for the period from May 1, 2024 to April 30, 2025, *nunc pro tunc*, at a cost of \$100.00, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. IGA CD 8668 48250 732 CD22.

-#-

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

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

Town of Oyster Bay
Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Frank V. Sammartano, Commissioner
Intergovernmental Affairs

DATE: April 18, 2024

SUBJECT: Membership dues for BIANCO
Building Inspectors Association of Nassau County

Michael Imbergamo is a Code Enforcement Inspector, who works for the Community Development Block Grant Program, in the capacity of Residential Rehabilitation Inspector. In this capacity he is certified by New York State's Department of State, Division of Code Enforcement and Administration, as a Code Enforcement official for the New York State Uniform Fire Prevention and Building Code. Twenty-four (24) hours of approved in-service training is required annually to maintain his New York State Code Enforcement Official Certification.

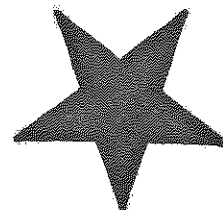
The Department of Intergovernmental Affairs elected to register Inspector Imbergamo as a member of the Building Inspectors Association of Nassau County (BIANCO), which entitles him to take the in-service training courses sponsored by BIANCO. The cost of membership for Inspector Imbergamo is \$100.00 per year (May 1, 2024- April 30, 2025).

It is therefore respectfully requested that the Town Board authorize payment of Inspector Imbergamo's membership in BIANCO nunc pro tunc for the period (May 1, 2024- April 30, 2025).

Funds are available for this purpose in Account Number IGA CD 8668 48250 732 CD22.



Frank V. Sammartano
Commissioner





**TOWN OF OYSTER BAY
CLAIM**

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # SOCIAL SECURITY #

CLAIMANT'S NAME B.I.A.N.C.O	VENDOR #	CONTRACT #	ORDER #
CLAIMANT'S ADDRESS 18 Horse Hill Rd Brookville, NY 11545		CONTRACT NAME	
TOWN DEPARTMENT Intergovernmental Affairs		CLAIMANT INVOICE # 220724	INVOICE DATE 04/15/2024
RESO #			

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

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

DATE	DESCRIPTION	UNIT PRICE	TOTAL
4/15/2024	B.I.A.N.C.O MEMBERSHIP FOR: MICHAEL IMBERGAMO		\$100.00
	<i>Continuing ED 2024</i>		

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	TOTAL AMOUNT	\$100.00
	CASH DISCOUNT %	
	NET AMOUNT	\$100.00

ONE HUNDRED DOLLARS BH

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: Brian Heave Title: CO Program coordinator Date: 4/15/24

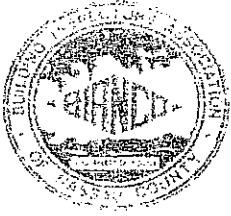
Print or type name: Bryan Hellmann Name of Company: Town of oyster Bay

I HEREBY APPROVE this claim form for the sum of \$ 100.00 for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay.

Signature: [Signature] Title: Commissioner Date: 4/15/24

FOR INTERNAL USE ONLY:

Invoice Date	Vendor #	Invoice #	Dept.	Fund	Function	Main Acc.	Sub Acc.	Auth	Source
04/15/2024		220724	I.G.A.	C O	6684	8250	732	C 0 2 2	



Timothy Dougherty

Treasurer
18 Horse Hill Road
Brookville, NY 11545

VOUCHER

Voucher Number: 2207-24
Voucher Date: 4/15/24

Building Inspectors Association of Nassau County

<p>Invoice To: Town of Oyster Bay 74 Audrey Avenue Oyster Bay, New York 11771 Attn: Tim Zikes</p>	<p>Mail To: Tim Dougherty 18 Horse Hill Road Brookville, NY 11545</p>
<p>Make check payable to: BIANCO</p>	

\$ 100 PER MEMBERSHIP

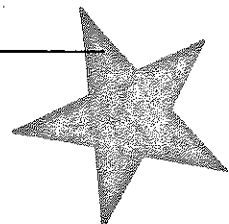
MEMBERSHIP DUES:

Michael Imbergamo

BIANCO is a non-profit professional association, Federal I.D. #11-3086236

Total Members:	1
AMOUNT DUE:	\$100.00

Timothy Dougherty
TREASURER



Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated April 22, 2024, advised that pursuant to public notice, proposals were duly solicited and regularly received for the delivery of youth employment and training services under the Workforce Innovation and Opportunity Act (WIOA) for in-school youth, aged 16-24, for the period of July 1, 2024, through June 30, 2027, for the Town of Oyster Bay Department of Intergovernmental Affairs, in accordance with the Town's Procurement Policy; and

WHEREAS, Commissioner Sammartano, by said memorandum, advised that three (3) firms responded to the request for proposals; two (2) of the proposals received passing scores, and he requested that Career and Employment Options, Inc., and the Town of North Hempstead "Yes We Can" Community Center each be awarded a contract beginning on July 1, 2024, and ending on June 30, 2027, as follows:

Career and Employment Options, Inc.	\$143,181.90
Town of North Hempstead "Yes We Can" Community Center	\$31,818.10

WHEREAS, Commissioner Sammartano, by said memorandum further advised that funds are available from Account Nos. IGA CD 6293 48050 000 CW23 and IGA CD 6293 48050 000 CW24; and

WHEREAS, this is an eligible Workforce Innovation and Opportunity Act expense and therefore at no cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Supervisor and/or his designee is hereby authorized to enter into Agreements with both the Career and Employment Options, Inc., and the Town of North Hempstead "Yes We Can" Community Center, for the delivery of youth employment and training services for in-school youth, aged 16-24, for the Town of Oyster Bay, Department of Intergovernmental Affairs, for the term beginning July 1, 2024, through June 30, 2027, each in the amounts listed hereinabove; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account Nos. IGA CD 6293 48050 000 CW23 and IGA CD 6293 48050 000 CW24.

-#-

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

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

12

347

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET
FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS
DATE: APRIL 22, 2024
SUBJECT: IN-SCHOOL YOUTH SERVICES CONTRACTS UNDER THE WORKFORCE
INNOVATION AND OPPORTUNITY ACT (WIOA)

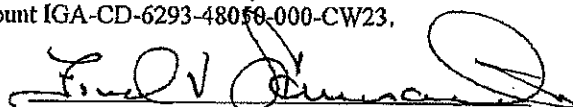
On March 6, 2024, the Department of Intergovernmental Affairs Division of Employment and Training published a legal notice in connection with a Request for Proposals (RFP) to solicit proposals for delivery of youth employment and training services under WIOA. Programs selected will serve in-school youth between the ages of 14-21 for the period of July 1, 2024 to June 30, 2027. The RFP was published in Newsday (as the newspaper of record) and posted on the Division of Employment and Training's website (thiewp.org). Three (3) proposals were received in response to this RFP:

- 1. Career and Employment Options, Inc.
- 2. Town of North Hempstead "Yes We Can" Community Center
- 3. Apprenticeship Connections & Consulting Corp.

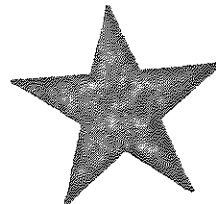
Proposals were rated in accordance with review criteria established by the Town of Oyster Bay and Workforce Innovation and Opportunity Act (WIOA) guidelines. The review was conducted first by a Youth Proposal Review Committee consisting of Local Workforce Development Board (LWDB) members and WIOA program staff, and subsequently, approved by the full LWDB, in accordance with the Town of Oyster Bay's Procurement Policy. The review resulted in two (2) of the three (3) proposals receiving passing scores, and thus, recommended for funding for the period of July 1, 2024 to June 30, 2027 as follows:

<u>Qualified Applicants</u>	<u>Grant Award</u>
1. Career and Employment Options, Inc.	\$143,181.90
2. Town of North Hempstead "Yes We Can" Community Center	\$31,818.10

Therefore, it is respectfully requested that the Town Board authorize the Town of Oyster Bay to enter into contractual agreements with Career and Employment Options, Inc. and the Town of North Hempstead "Yes We Can" Community Center, to be negotiated and approved by the Office of the Town Attorney, and further authorize the Supervisor or his designee to execute said agreements. This is an eligible WIOA expense and of no cost to the Town of Oyster Bay. Funds for this purpose are available in account IGA-CD-6293-48050-000-CW23.


Frank V Sammartano, Commissioner
Intergovernmental Affairs, Town of Oyster Bay

FVS:mo



Meeting of May 7, 2024

Resolution No. 348-2024

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated April 18, 2024, advised that on February 14, 2024 the Department of Intergovernmental Affairs Division of Employment and Training published a legal notice with respect to a Request for Proposals to solicit proposals the delivery of Professional Services in five (5) different subject matter areas under the Workforce Investment Act/Workforce Innovation and Opportunity Act (WIOA) for the period July 1, 2024 through June 30, 2027; and

WHEREAS, Commissioner Sammartano, by said memorandum, requested Town Board authorization for the Supervisor and/or his designee to enter into Agreements with eligible training providers for the purpose of providing employability workshops (and one-on-one services), computer training, social media workshops, stress management workshops, and services provided by licensed social workers for job seekers under the Workforce Innovation and Opportunity Act (WIOA) for the period of July 1, 2024 through June 30, 2027, each Agreement with two (2) additional one (1) year extension options dependent on performance and Workforce Investment Act/WIOA funding; and

WHEREAS, Commissioner Sammartano, by said memorandum, advised that the Department of Intergovernmental Affairs received a total of five (5) responses, which were evaluated according to the criteria set forth in the Town's Procurement Policy and in accordance with review criteria established by the Town and Workforce Investment Act. The review was conducted by staff and by the full Workforce Development Board. A total of three (3) proposals were found to be acceptable for funding in at least one subject area as listed herein, and contracted services will be provided on an hourly fee basis for employability workshops (and one-on-one services), computer training, social media workshops, stress management workshops and services provided by licensed social workers. The Workforce Development Board established a recommended ceiling for hourly rates in each category; in each case the contracted amount will be the lower of the ceiling rate and the rate proposed; and

WHEREAS, Commissioner Sammartano, by said memorandum recommended acceptance of the following proposals and hourly rates:

Providers	Services/Subject Matter Areas				
	Employability Workshops & One-on-One Services	Social Media Workshops	Computer Literacy Workshops	Stress Management Workshops	One-on-One Services with a Licensed Social Worker
Central Nassau Guidance & Counseling Services	\$65 per hour if delivered by one (1) staff member \$130 per hour if delivered by two (2) staff members				\$80 per hour

Reviewed By
Office of Town Attorney
Elizabeth A. Jaughman

DJ Consulting	N/A	N/A	\$65 per hour	N/A	N/A
Philip N. Fea	\$50 per hour	N/A	N/A	N/A	N/A

WHEREAS, Commissioner Sammartano, by said memorandum, requested that the Town enter into contacts with each of the three (3) entities for the period July 1, 2024 to June 30, 2027, with two (2) additional one (1) year extension options contingent on performance and WIOA funding, each contract in an amount not to exceed \$35,000.00 per fiscal year per contractual terms; and

WHEREAS, this is an eligible expense under the Workforce Innovation and Opportunity Act and is at no cost to the Town of Oyster Bay. Funds for this purpose are available in Account IGA CD 6293 48080 000 CW23,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Supervisor and/or his designee is hereby authorized to enter into Agreements with the three (3) eligible training providers listed hereinabove for the purpose of providing employability workshops (and one-on-one services), computer training, social media workshops, stress management workshops, and services provided by licensed social workers under the Workforce Innovation and Opportunity Act for the period of July 1, 2024 through June 30, 2027, each with two (2) additional one (1) year extension options dependent on performance and WIOA funding, each contract in an amount not to exceed \$35,000.00 per fiscal year per contractual terms, and be it further

RESOLVED, That the funds for said payments are available, and shall be drawn from, Account No. IGA CD 6293 48080 000 CW23; and be it further

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

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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 | Aye |
| Councilman Hand | Aye |
| Councilman Labriola | Aye |
| Councilwoman Maier | Aye |
| Councilwoman Walsh | Aye |

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: APRIL 18, 2024

SUBJECT: PROFESSIONAL SERVICES CONTRACTS UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

On February 14, 2024, the Department of Intergovernmental Affairs Division of Employment and Training published a legal notice in connection with a Request for Proposals (RFP) to solicit proposals for delivery of professional services to jobseekers under WIOA for the period of July 1, 2024 through June 30, 2027. Services selected will be provided on a fee per hour basis and will include employability workshops (and one-on-one services), computer literacy workshops, social media workshops, stress management workshops, and services provided by a licensed social worker. The RFP was published in Newsday (as the newspaper of record) and posted on the Division of Employment and Training's website (thewp.org). Five (5) proposals were received in response to this RFP:

1. Franglais Management LLC.
2. Moxxie Mentoring Foundation, Inc.
3. Central Nassau Guidance and Counseling Services
4. D.J. Consulting
5. Philip N. Fea

Proposals were rated in accordance with review criteria established by the Town of Oyster Bay and Workforce Innovation and Opportunity Act (WIOA) guidelines. The review was conducted first by a Proposal Review Committee consisting of Local Workforce Development Board (LWDB) members and WIOA program staff and subsequently approved by the full LWDB, in accordance with the Town of Oyster Bay's Procurement Policy. The review resulted in three (3) of the five (5) proposals receiving passing scores, and thus, recommended for funding as follows:

1. Central Nassau Guidance and Counseling Services
Subject Areas/Price per Hour: a) Employability Workshops & One-on-One Services - Computer Literacy Workshops, Social Media Workshops, Stress Management Workshops delivered by one (1) member is \$65 per hour/services requiring two (2) staff members are \$130 per hour; b) One-on-One services provided by a Licensed Social Worker are \$80 per hour.
2. D.J. Consulting - Subject Area: Computer Literacy; Price per Hour: \$65
3. Philip N. Fea - Subject Area: Employability Workshops and One-on-One-Services; Price per Hour: \$50

Contracts will be effective July 1, 2024 to June 30, 2027, and may be extended on a year-to-year basis for a maximum of two (2) additional years contingent on performance and WIOA funding. Workshop assignments will be determined by need, and the maximum amount for each contract is not to exceed \$35,000 in a given fiscal year per contractual terms.

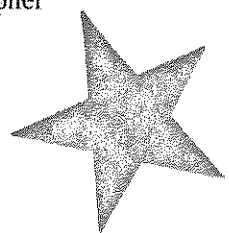
Therefore, it is, respectfully requested, that the Town Board authorize the Town of Oyster Bay to enter into contractual agreements with providers who received passing scores as listed above, to be negotiated and approved by the Office of the Town Attorney, and further authorize the Supervisor or his designee to execute said agreements. This is an eligible WIOA expense and of no cost to the Town of Oyster Bay.

FV:mo

John P. ...
 For
 Deputy
 Commissioner

Frank V. Sammartano

 Frank V Sammartano, Commissioner
 Intergovernmental Affairs



WHEREAS, by Resolution No. 314-2023, adopted on May 9, 2023, the Town Board of the Town of Oyster Bay granted the Petition of BOLLA EM REALTY, LLC, lessee, and BLUE HILLS FUELS, LLC, fee owner, for a Special Use Permit and Site Plan Approval to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 285 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York, said premises being described as Section 12, Block B, Lot 180 on the Land and Tax Map of the County of Nassau; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Section 6.8, Expiration, provides that the approval of a signed site plan shall expire in the event that an application has not been made for a building permit within one year after the date the site plan was signed, unless an extension of the time is granted; and

WHEREAS, the Petitioner, through its attorneys, Brown, Altman & DiLeo, LLP, by letter dated April 1, 2024, requested an extension of time from the current expiration date of May 9, 2024, to apply for a building permit; and

WHEREAS, Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, by memorandum dated April 15, 2024, recommended that two (2) consecutive six (6) month extensions of time be granted from the current expiration date of May 9, 2024, to apply for a building permit,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation is hereby accepted and the time for BOLLA EM REALTY, LLC, lessee, and BLUE HILLS FUELS, LLC, fee owner, to apply for a building permit in the instant matter is hereby extended through May 9, 2025, and the same terms and conditions effective pursuant to Town Board Resolution No.314-2023, adopted on May 9, 2023, shall prevail.

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WPS
Reviewed By
Office of Town Attorney
John M. Johnson

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

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

TOWN OF OYSTER BAY
Inter-Departmental Memo

April 15, 2024

To : MEMORANDUM DOCKET

From : ANGELO A. DELLIGATTI, COMMISSIONER
DEPARTMENT OF PLANNING & DEVELOPMENT

Subject : **REQUEST FOR EXTENSION OF TIME FOR SPECIAL USE PERMIT
APPROVED SITE PLAN
TOWN BOARD RESOLUTION #314-2023
PETITION OF BOLLA EM REALTY, LLC
285 NORTH BROADWAY HICKSVILLE
SECTION: 12 BLOCK: B LOTS: 180**

This Department is in receipt of correspondence, dated April 1, 2024, from David N. Altman, Esq. of Law Offices of Brown Altman & Dileo, LLP requesting an extension of time to commence with the approved use and development of the site for the above captioned premises (see attached). It is my recommendation that a two (2) six (6) month extension of time should be granted from the current expiration date of May 9, 2024 to May 9, 2025.

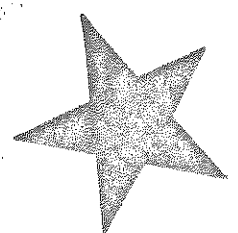
The same terms and conditions should prevail as contained in Town Board Resolution Number 314-2023 dated May 9, 2023.

Very Truly Yours,



 ANGELO A. DELLIGATTI
 COMMISSIONER

AAD/cm
Enclosure



Handwritten initials



BROWN
ALTMAN &
DILEO, LLP

538 BROADHOLLOW ROAD SUITE 301
MELVILLE, NEW YORK 11747

TEL 516-222-0222 FAX 516-222-0322
KBDA@BROWNALTMAN.COM WWW.BROWNALTMAN.COM

April 1, 2024

VIA FEDERAL EXPRESS

Angelo Delligatti, Commissioner
Department of Planning and Development
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, NY 11771
Attn: Gina LoPresti

Re: Request for an Extension of the Town of Oyster Bay (the "Town") Town Board Site Plan Approval to Bolla EM Realty, LLC ("Bolla") and Blue Hills Fuels, LLC ("Blue Hills") in connection with the property located at 285 N. Broadway, Hicksville, New York; NCTM No.: Sec. 12, Blk. B, Lot 180 (the "Property")
Town Board Resolution Numbers 314-2023

Dear Commissioner Delligatti:

We represent Bolla and Blue Hills in connection with the Property. In accordance with Section 246-6.8.1 of the Town Code, Bolla respectfully requests a one (1) year renewal of the May 9, 2023 Town Board Site Plan approval (copy enclosed).

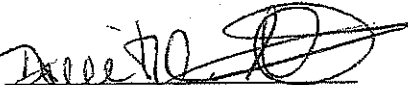
After receiving the Town Board Approval, Bolla and Blue Hills recorded the Restrictive Covenants in the Nassau County Clerk's Office on June 7, 2023. On January 4, 2024, the Town Zoning Board of Appeals granted the area variances and sign variances for the Property.

Bolla and Blue Hills respectfully requests a renewal of the Site Plan Approval. Enclosed you will find one (1) check made payable to the "Town of Oyster Bay" in the amount of \$250.00, representing the Site Plan approval renewal fee.

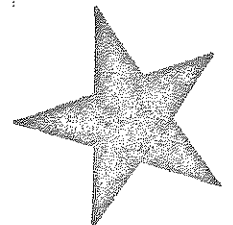
Should you have any questions concerning the foregoing or require additional information please do not hesitate to contact our office. Thank you for your consideration and anticipated approval of the request.

Very truly yours,

BROWN ALTMAN & DILEO, LLP

By: 
David N. Altman, Esq.

Encls.



PR
Reviewed By
Office of Town Attorney
Thomas M. Altano

WHEREAS, BOLLA EM REALTY, LLC, lessee, and BLUE HILLS FUELS, LLC, fee owner, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval, to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 285 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block B, Lot 180 on the Land and Tax Map of Nassau County;

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on February 28, 2023, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

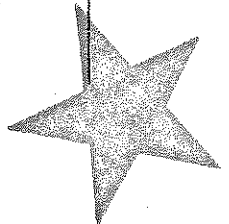
WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed and submitted its Quality Review Report regarding the environmental impacts contemplated by said Petition; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated June 16, 2022, recommended Town Board determination that the subject application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, relative to "construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities," and as such does not require completion of an Environmental Assessment Form, Environmental Impact Statement or other environmental consideration; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10519-23, adopted on March 9, 2023, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Elizabeth L. Maccarone, then-Commissioner, and Timothy R. Zike, Deputy Commissioner, Department of Planning and Development, by memorandum dated January 6, 2023, and Harold B. Mayer, Jr., Esq., Commissioner, Department of Planning and Development, by memorandum dated February 23, 2023, advised that the Department of



Planning and Development has reviewed the following ten (10) plans prepared by Christopher Tartaglia, P.E., High Point Engineering, Melville, New York:

SHEET NO.	TITLE	PREPARED BY	LAST REVISED
R-1	Removals Plan	Christopher Tartaglia, P.E.	11/01/2022
SP-1	Site Plan	Christopher Tartaglia, P.E.	02/15/2023
SP-2	Grading/Drainage & Utility Plan	Christopher Tartaglia, P.E.	11/01/2022
SP-3	Landscape/Soil Erosion Control Plan	Christopher Tartaglia, P.E.	11/01/2022
SP-4	Lighting Plan	Christopher Tartaglia, P.E.	11/01/2022
SP-5	Detail Sheet I	Christopher Tartaglia, P.E.	11/01/2022
SP-6	Detail Sheet II	Christopher Tartaglia, P.E.	11/01/2022
A-1.0	Floor Plan	Christopher Tartaglia, P.E.	06/08/2022
A-2.0	Exterior Elevations	Christopher Tartaglia, P.E.	06/08/2022
CA-1	Canopy Elevations	Christopher Tartaglia, P.E.	03/09/2022

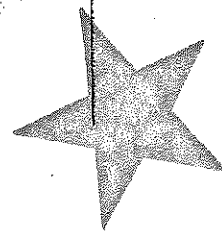
WHEREAS, Commissioner Mayer, by said memorandum, reported that the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that the granting of a Special Use Permit to allow for the operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 285 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block B, Lot 180 on the Land and Tax Map of Nassau County, is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5(c)), Type II Actions List, Item No. 9; and be it further

RESOLVED, That the Petition of BOLLA EM REALTY, LLC, lessee, and BLUE HILLS FUELS, LLC, fee owner, for a Special Use Permit and Site Plan Approval, to allow for operation of a gasoline service station with an accessory convenience store, on premises located in a General Business ("GB") District, at 285 North Broadway, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 12, Block B, Lot 180 on the Land and Tax Map of Nassau County, is hereby GRANTED, for the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:



BEGINNING at a point on the Southwesterly line of Bethpage Road, as widened, distance Northwesterly 688.62 feet from a point formed by the Southwesterly line of Bethpage Road, as widened, with the Westerly line of Bay Avenue;

RUNNING THENCE from said point of BEGINNING, South 78 degrees 06 minutes 10 seconds West, 268.50 feet to the Easterly line of Broadway, as widened;

THENCE North 10 degrees 37 minutes 20 seconds West, 130.21 feet to a point;

THENCE North 78 degrees 06 minutes 10 seconds East, 173.55 feet to the Southwesterly line of Bethpage Road, as widened;

THENCE South 47 degrees 09 minutes 43 seconds East, along the Southwesterly line of Bethpage Road, as widened, 159.43 feet to the point or place of BEGINNING.

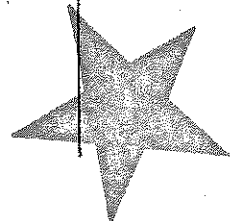
SUBJECT to an easement (right of way) over the most Southerly five (5) foot strip of land along the most Southerly boundary line thereof for ingress and egress to and from the premises which is located South of the premises described herein, all as set forth on a certain easement agreement between Mobil Oil Corporation and Mid-Island Shopping Plaza Co., dated August 25, 1977 and recorded in Liber 9066 page 48.

SAID PREMISES being known as 285 North Broadway, Hicksville, New York, and designated as Section 12, Block B, Lot 180 on the Land and Tax Map of Nassau County.

and be it further

RESOLVED, That the Petition herein granted is subject to the Town of Oyster Bay Zoning Board of Appeals granting a parking variance from the number of spaces required by the Code of the Town of Oyster Bay; and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioner, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further



RESOLVED, That in accordance with the memorandum of Harold B. Mayer, Jr., Esq., Commissioner, Department of Planning and Development, dated February 23, 2023, the ten (10) plans described herein are hereby approved.

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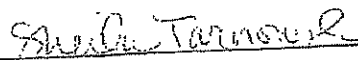
STATE OF NEW YORK
COUNTY OF NASSAU, } ss:
TOWN OF OYSTER BAY

I, ~~Shchla Tarnowski~~
Shchla Tarnowski, Director of Legislative Affairs

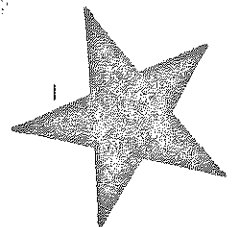
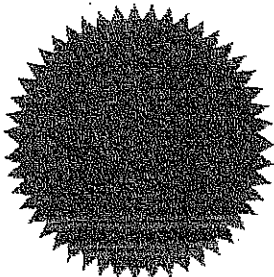
DO HEREBY CERTIFY that I have compared the annexed with the original
Resolution No.314-2023, adopted by the Town Board of the Town of Oyster Bay
on May 9, 2023, pertaining to the decision on the application of Bolla EM
Realty, LLC for a Special Use Permit and a Site Plan application and
Modification of Restrictive Covenants for property located at 265 North
Broadway, Hicksville, New York. Section 12, Block B, Lot 180

filed in the Town Attorney's Office / Legislative Affairs
and that the same is true transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto signed
my name and affixed the seal of said Town
this 10th day of May 2023



Dir. Legislative Affairs



WHEREAS, Steven C. Ballas, CPA, Comptroller, by memorandum dated April 22, 2024, advised that on behalf of the Town of Oyster Bay, he filed the 2023 Annual Financial Report of the Town of Oyster Bay with the New York State Comptroller, and will file a copy thereof in the Office of the Town Clerk on or before April 30, 2024; and

WHEREAS, Comptroller Ballas, by said memorandum, recommended Town Board authorization for the Town Clerk to publish a legal notice stating that a copy of the 2023 Annual Financial Report of the Town of Oyster Bay is on file in the Office of the Town Clerk, and is available for public inspection and copying,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the Town Clerk is hereby authorized and directed to publish a legal notice stating that a copy of the 2023 Annual Financial Report of the Town of Oyster Bay is on file in the Office of the Town Clerk and is available for public inspection and copying.

-#-

Reviewed By
Office of Town Attorney
Elizabeth Joughman

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

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, That the Comptroller of the Town of Oyster Bay has submitted to the Town Clerk of the Town of Oyster Bay the 2023 Annual Financial Report of the Town of Oyster Bay, and that a copy of such report will be filed in the Office of the Town Clerk, and will be available as a public record for inspection by all interested persons. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, SUPERVISOR. RICHARD LaMARCA, TOWN CLERK. Dated: May 7, 2024, Oyster Bay, New York.

ELC
Reviewed By
Office of Town Attorney
Elizabeth A. Taughman

TOWN OF OYSTER BAY

Inter-Departmental Memo

April 22, 2024

To: MEMORANDUM DOCKET**From: STEVEN C. BALLAS, COMPTROLLER****Subject: PREPARATION AND FILING OF THE 2023 ANNUAL FINANCIAL
REPORT OF THE TOWN OF OYSTER BAY**

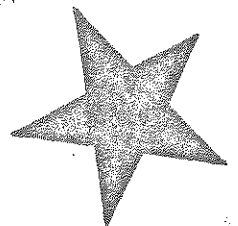
In accordance with Section 30 of the General Municipal Law and Resolution of the Town Board dated December 18, 1962, I, on behalf of the Town of Oyster Bay, will file with the New York State Comptroller the 2023 Annual Financial Report of the Town of Oyster Bay, on or before April 30, 2024.

Further, in accordance with Section 29, Subdivision 10-a of the Town Law, I will file with the Town Clerk, on or before May 1, 2024 the 2023 Annual Financial Report of the Town of Oyster Bay. In accordance with said law, I will recommend the Town Board at its meeting of May 7, 2024, by Resolution, authorize the Town Clerk to publish a legal notice stating that a copy of the 2023 Annual Financial Report of the Town of Oyster Bay is on file in the Town Clerk's Office and is available for public inspection and copying.


STEVEN C. BALLAS
COMPTROLLER

SCB:RPP

cc: IAD (AFR File)
Reading File



351-2024
p. 50

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, in said Town, on May 7, 2024, at 7:00 P.M., Prevailing Time.

PRESENT:

Joseph Saladino

Supervisor

Louis Imbroto

Councilman

Thomas Hand

Councilman

Steve Labriola

Councilman

Laura Maier

Councilman

Vicki Walsh

Councilman

Michele Johnson (absent)

Councilman

In the Matter of
the Increase and Improvement of the Facilities
of the Town of Oyster Bay Jericho Water
District in the Town of Oyster Bay,
Nassau County, New York

Resolution No. ~~351-2024~~

ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York, has been presented with a petition, dated April 17, 2024, executed by a majority of the duly elected Water District Commissioners of the Jericho Water District, pursuant to Section 216 of the Town Law,

Reviewed By
Office of Town Attorney

requesting the increase and improvement of the facilities of the Jericho Water District in said Town, consisting of upgrades or improvements to water treatment systems, tank replacement or rehabilitation, pipe rehabilitation or replacement, and related site improvements and incidental expenses in connection with each such project, which pursuant to the priority to be determined by the District may include the following projects: (i) Well 12 Per- and Polyfluoroalkyl Substances (PFAS) Treatment, (ii) Wells 18, 19 and 29 PFAS Treatment, (iii) Well 23 PFAS Treatment and New Caustic Tank, (iv) Kirby Lane Wells 25 and 26 Nitrate Treatment, (v) Well 28 PFAS Treatment, (vi) Jericho Elevated Water Storage Tank Rehabilitation, (vii) Service Gooseneck Connection Replacements, (viii) Well 13 PFAS Treatment, Raising of Well and Replacement of Caustic Tank, (ix) Well 17 PFAS Treatment, (x) Kirby Lane Wells 25 and 26 Nitrate Treatment, and (xi) Woodbury Standpipe Rehabilitation and Property Purchase; and

WHEREAS, said District has prepared a map, plan and report, including an estimate of cost, relating to said increase and improvement of facilities of said Jericho Water District, in form and substance acceptable to the Town Board; and

WHEREAS, the map, plan and report is in the form of a report from D&B Engineers and Architects, P.C., engineers duly licensed in the State of New York, entitled "Report on the Need for Improvements at Various Water Supply Facilities for the 2024 Bond Authorization" dated April 2024; and

WHEREAS, the estimated maximum cost of such increase and improvement of facilities is expected to be \$58,391,000 and the plan for the financing thereof is by the proposed issuance of up to \$58,391,000 bonds of the Town; and

WHEREAS, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said Jericho Water 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; and

WHEREAS, an environmental analysis has been prepared on behalf of the Jericho Water District pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement and it has been determined that such increase and improvement will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement of facilities and the map, plan and report, including estimate of cost pursuant to Section 202-b of the Town Law;

NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Oyster Bay, Nassau County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, shall be held on May 21, 2024 at 10:00 A.M., Prevailing Time, at the Town Hall East, 54 Audrey Avenue, Oyster Bay, New York, in said Town, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Jericho Water District in said Town, and the map, plan and report including estimate of cost referred to in the preambles hereof, at which time said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in Newsday, a newspaper having general circulation in the Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Oyster Bay, Nassau County, New York, will meet on May 21, 2024 at 10:00 A.M., Prevailing Time, at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Jericho Water

District in said Town, consisting of upgrades or improvements to water treatment systems, tank replacement or rehabilitation, pipe rehabilitation or replacement and related site improvements and incidental expenses in connection with each such project, which pursuant to the priority to be determined by the District may include the following projects: (i) Well 12 Per- and Polyfluoroalkyl Substances (PFAS) Treatment, (ii) Wells 18, 19 and 29 PFAS Treatment, (iii) Well 23 PFAS Treatment and New Caustic Tank, (iv) Kirby Lane Wells 25 and 26 Nitrate Treatment, (v) Well 28 PFAS Treatment, (vi) Jericho Elevated Water Storage Tank Rehabilitation, (vii) Service Gooseneck Connection Replacements, (viii) Well 13 PFAS Treatment, Raising of Well and Replacement of Caustic Tank, (ix) Well 17 PFAS Treatment, (x) Kirby Lane Wells 25 and 26 Nitrate Treatment, and (xi) Woodbury Standpipe Rehabilitation and Property Purchase, at an estimated maximum cost of \$58,391,000, of which up to \$58,391,000 of bonds of the Town is proposed to be issued therefor, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within the Jericho Water 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.

The map, plan and report, including estimate of cost, relating to this project, prepared by D&B Engineers and Architects, P.C. and entitled "Report on the Need for Improvements at Various Water Supply Facilities for the 2024 Bond Authorization", is on the file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

An environmental analysis has been prepared on behalf of the Jericho Water District 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 the Jericho Water District and it has been determined that such increase and improvement of the facilities of the Jericho Water District will not result in any significant adverse environmental effects.

Dated: Oyster Bay, New York
May 7, 2024

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF OYSTER BAY,
NASSAU COUNTY, NEW YORK

Richard LaMarca
Town Clerk

Section 3. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

__ Supervisor Saladino _____ VOTING __ AYE __
__ Councilwoman Johnson _____ VOTING __ ABSENT __
__ Councilman Imbroto _____ VOTING __ AYE __
__ Councilman Hand _____ VOTING __ AYE __
__ Councilman Labriola _____ VOTING __ AYE __
__ Councilwoman Maier _____ VOTING __ AYE __
__ Councilwoman Walsh _____ VOTING __ AYE __

The order was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on May 7, 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.

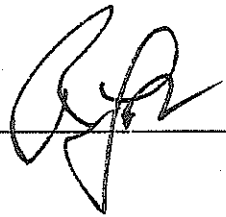
I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspaper and/or other news media as follows:

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town of Oyster Bay	May 3, 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:

<u>Designated Location(s) of Posted Notice</u>	<u>Date of Posting</u>
Bulletin board, 1 st floor, 54 Audrey Avenue Oyster Bay, NY	May 3, 2024

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on
May 8, 2024.



Town Clerk

(CORPORATE
SEAL)

DRAFT

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Oyster Bay, Nassau County, New York, will meet on May 21, 2024 at 10:00 A.M., Prevailing Time, at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Jericho Water District in said Town, consisting of upgrades or improvements to water treatment systems, tank replacement or rehabilitation, pipe rehabilitation or replacement and related site improvements and incidental expenses in connection with each such project, which pursuant to the priority to be determined by the District may include the following projects: (i) Well 12 Per- and Polyfluoroalkyl Substances (PFAS) Treatment, (ii) Wells 18, 19 and 29 PFAS Treatment, (iii) Well 23 PFAS Treatment and New Caustic Tank, (iv) Kirby Lane Wells 25 and 26 Nitrate Treatment, (v) Well 28 PFAS Treatment, (vi) Jericho Elevated Water Storage Tank Rehabilitation, (vii) Service Gooseneck Connection Replacements, (viii) Well 13 PFAS Treatment, Raising of Well and Replacement of Caustic Tank, (ix) Well 17 PFAS Treatment, (x) Kirby Lane Wells 25 and 26 Nitrate Treatment, and (xi) Woodbury Standpipe Rehabilitation and Property Purchase, at an estimated maximum cost of \$58,391,000, of which up to \$58,391,000 of bonds of the Town is proposed to be issued therefor, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within the Jericho Water 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.

The map, plan and report, including estimate of cost, relating to this project, prepared by D&B Engineers and Architects, P.C. and entitled "Report on the Need for Improvements at Various Water Supply Facilities for the 2024 Bond Authorization", is on the file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

DRAFT

An environmental analysis has been prepared on behalf of the Jericho Water District 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 the Jericho Water District and it has been determined that such increase and improvement of the facilities of the Jericho Water District will not result in any significant adverse environmental effects.

Dated: Oyster Bay, New York
May 7, 2024

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF OYSTER BAY,
NASSAU COUNTY, NEW YORK

Richard LaMarca
Town Clerk

Town of Oyster Bay
Inter-Departmental Memo

April 22, 2024

To: Memorandum Docket
From: Rob Darienzo, Director of Finance
Subject: Public Hearing – Jericho Water District Improvements

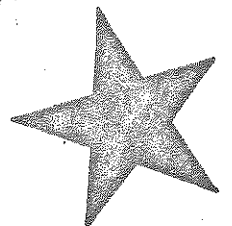
Town Board action is required to approve a resolution calling for a public hearing on May 7, 2024 to authorize the issuance of serial bonds for Jericho Water District Improvements. The Order Calling for the Public Hearing has been prepared by Bond Counsel and is attached to this memo.

Thank you.



Rob Darienzo
Director of Finance

RD/rd
Word/Documents/Docket/2024 jericho wd improvements



WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO AMEND CHAPTER 233 - TRAFFIC, OF THE CODE OF THE TOWN OF OYSTER BAY"; and

WHEREAS, a duly advertised Public Hearing on said legislation was held by the Town Board of the Town of Oyster Bay on April 9, 2024, at which hearing all parties interested in the subject matter and desiring to be heard were heard, and the record was kept open through April 30, 2024; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, by memorandum dated April 23, 2024, recommended Town Board determination that the subject legislation is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 26, pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay declares that such Local Law to amend the Code of the Town of Oyster Bay is a Type II Action, pursuant to the New York State Environmental Quality Review Act (6 NYCRR, Part 617, Section 617.5[c]), Type II Actions List, Item No. 26; and be it further

RESOLVED, That said Local Law ⁴ -2024, entitled "A LOCAL LAW TO AMEND CHAPTER 233 - TRAFFIC, OF THE CODE OF THE TOWN OF OYSTER BAY", is hereby adopted without change and shall take effect immediately upon filing with the Secretary of State; and be it further

RESOLVED, That the Town Attorney is hereby authorized and directed to file this Local Law with the Secretary of State.

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John M. Johnson
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	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

WHEREAS, by Resolution No. 215-2024, adopted on March 19, 2024, the Town Board authorized John A. Grillo Architect P.C. to provide On-Call Engineering Services in connection with Contract No. PWC16-24, Building Renovation Services, for a two-year term, commencing January 1, 2024 through December 31, 2025; and

WHEREAS, John M. Grillo, Architect, John A. Grillo Architect P.C., by letter dated March 19, 2024, described the scope of work to be performed under Contract No. PWC16-24, engineering services related to the replacement of the exterior stairs at the Town Sanitation office, and requested approval to utilize Eipel Engineering Group, as a sub-consultant for structural engineering services on said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 19, 2024, requested Town Board authorization for John A. Grillo Architect P.C., to provide the aforesaid On-Call Engineering Services under Contract No. PWC16-24, that Eipel Engineering Group be approved as a sub-consultant for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$7,525.00 for this purpose, with funds available for payment in Account No. DGS H 1997 20000 000 2410 001, Project ID No. 2410 TWNA 04; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the proposed vendors' disclosure questionnaires have been reviewed and have satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and John A. Grillo Architect P.C. is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC16-24, and Eipel Engineering Group is hereby authorized to be a sub-consultant for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$7,525.00 for this purpose, with funds available for payment in Account No. DGS H 1997 20000 000 2410 001, Project ID No. 2410 TWNA 04.

-#-

DAS
Reviewed By
Office of Town Attorney
[Signature]

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	Ayc
Councilman Iland	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 19, 2024

TO : MEMORANDUM DOCKET
FROM : RICHARD W. LENZ, P.E., COMMISSIONER
DEPARTMENT OF PUBLIC WORKS
SUBJECT: ON-CALL ENGINEERING SERVICES RELATIVE TO :
BUILDING RENOVATION SERVICES AND USE OF SUB-CONSULTANT
CONTRACT NO. PWC16-24
ACCOUNT NO.: DGS H 1997 20000 000 2410 001
PROJECT ID: 2410.TWNA 04

The consultant, John A.Grillo Architect P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC16-24 by Resolution No. 215-2024 for the subject project. Funds have been made available by the Director of Finance.


Attached is a letter dated March 19, 2024 from John A. Grillo Architect P.C. regarding the scope of work to be performed in an amount not to exceed \$7,525.00. Services to be performed include Engineering for replacement of the exterior stairs at the Sanitation office.

Attached is an availability of funds in the amount of \$7,525.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DGS H 1997 20000 000 2410 001 Project ID: 2410 TWNA 04.

The office of John A, Grillo Architect P.C. further requests to utilize the following sub-consultant, Eipel Engineering Group for Structural Engineering Services.

The proposed consultant and sub-consultant's disclosure questionnaire have been reviewed and has satisfied the Town's Procurement Policy.

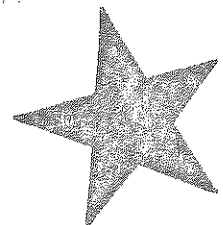
It is hereby requested that the Town Board authorize by Resolution, John A. Grillo Architect P.C. under Contract No. PWC16-24 for On-Call Engineering Services Relative to Building Renovation Service, that Eipel Engineering Group be approved as sub-consultant and requests that the Comptroller be directed to issue an encumbrance order for this purpose.


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

RWL/MR/JP/ik

Attachment

cc: Steven C. Ballas, Comptroller
Ralph Raymond, Commissioner General Services





**ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT
REQUEST FOR AVAILABILITY OF FUNDS**



Requesting Division/Department General Services

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number PWC16-24

Contract Period January 1, 2024 Through December 31, 2025

Consultant/Contractor John A. Grillo Architect P.C.

Discipline Engineering Services Relative to Building Renovation Services

Total Authorization \$14,525.00

Resolution No. 215-2024 Date 3/19/2024

Funded To Date \$7,000.00

Amount Requested \$7,525.00

Account To Be Used PID 24107LWNA 04
D&S M. 1997-20000 000 2417 001

If Capital Account, State The Related Contract Number: DPW23-266R

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

Engineering for Replacement of Stairs at Sanitation Office Syosset NY

Work To Be Completed In Contract Period: Yes No
A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes No
A "No" response will prevent further processing of this form.

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

Amount of Bond \$ _____

Requesting Division/Department

Signature [Signature]
Title COMMISSIONER General Services
Date 4/11/24

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]
Title Commissioner of Public Works
Date 4/18/24

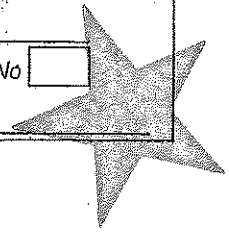
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 7,525.00

Unencumbered Balance 3,796,056.02

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

Signature [Signature] Date 4/12/24





TOWN OF OYSTER BAY



WORK ORDER

This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract Start 1/1/2024

Contract No. PWC16-24 Contract End 12/31/2025

Commencement Date 19-Mar-24

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

Vendor Name and Address

John A. Grillo Architects, P.C.

1213 Main Street

Port Jefferson NY 11777

Requesting Town Department General Services

Contact John Piscitello Phone (516) 677- 5883

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

Engineering for Replacement of Stairs at Sanitation Office Syosset NY

This work order shall not exceed \$ \$7,525.00

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

Requesting Division/Department

Department Of Public Works Approval

Only To Be Executed By The Commissioner

Signature [Signature]

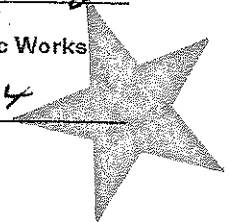
Signature [Signature]

Title COMMISSIONER General Services

Commissioner of Public Works

Date 4/11/24

Date 4/18/24





TEL: (631) 476-2161

JAGarchitect.com

FAX: (631) 476-9846

March 19, 2024

Mr. Richard Lenz
 Commissioner of Public Works/ Highways
 Town of Oyster Bay
 150 Miller Place
 Syosset, New York 11791

RE: On-Call Engineering Services Relative
 to Building Renovation Services – Exterior
 Stair Replacement at Sanitation Building
 PWC16-24

Dear Commissioner Lenz:

Based on the estimated construction costs, the following engineering fees will be associated with this referenced project:

PHASE 1 – Bid Opening

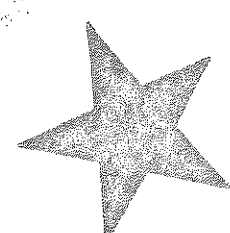
	<u>HOURS</u>
• Bid Opening and Bid Results Review	6 @ \$175/hr.

Total Hours for Phase 1	6 Hours
-------------------------	---------

Total Engineering Fees at \$175.00 per hour (not to exceed)	\$1,050.00
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PHASE 2 – On-Site Supervision

• Submittal Review	14 @ \$175/hr.
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- Contractor Installation/Supervision 15 @ \$175/hr.
- Progress/Job Meetings 8 @ \$175/hr.

Total Hours for Phase 2 37 hours

Total Engineering Fees at \$175.00 per hour (not to exceed) \$6,475.00

TOTAL FEES FOR ALL 2 PHASES (not to exceed) \$7,525.00

Tobay -- Sanitation Stair Replacement

Scope of Work:

- Review Bid Opening results and provide recommendation letter.
- Review all contractor submittals, bonds and insurance.
- Perform on-site inspections as needed to ensure project completeness and accuracy.
- Process all payments and paperwork to close-out project at completion.

In addition, we would like to request approval of the following sub-consultants to be able to work on this project.

Epel Engineering Group
Island Digital Reprographics

Structural Engineering Services
Printing and Blueprints

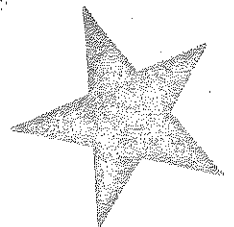
If additional information is required or you have any questions, please contact our office.

Very truly yours,



John M. Grillo
Architect

CC: M. Russo
J. Tassone



Meeting of March 19, 2024

Resolution No. 215-2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 26, 2024, advised that in connection with Contract No. PWC16-24, On-Call Engineering Services Relative to Building Renovation Services, the Department of Public Works issued a Request for Proposals ("RFP") to forty eight (48) firms that have demonstrated applicable experience, as detailed in Guideline Nos. 6 and 9 of the Town of Oyster Bay Procurement Policy, and responded to requests from fourteen (14) additional firms, for RFP-related documents, generated by posting the RFP upon the official Town of Oyster Bay website; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that on February 15, 2024, the Division of Engineering, Department of Public Works, received a total of thirteen (13) proposals submitted in response to said RFP, and reviewed the proposals based upon their technical merits, with the reviews conducted in compliance with Guideline Nos. 6 and 9 of the Town of Oyster Bay Procurement Policy, and with all related support documentation filed with, and retained by, said Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the following firms to provide the Town of Oyster Bay with On-Call Engineering Services Relative to Building Renovation Services, under Contract No. PWC16-24, for a two (2) year contract term, commencing, from January 1, 2024 through December 31, 2025, *nunc pro tunc*:

BBS Architects, Landscape Architects & Engineers, P.C.
John A. Grillo, Architect, P.C.
Mark Design Studios Architecture, P.C.; and

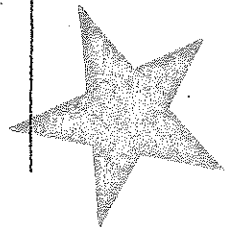
WHEREAS, Commissioner Lenz, by said memorandum, advised that the Town of Oyster Bay has reviewed the proposed vendors' disclosure questionnaires, and has been satisfied that the requirements of the Town Oyster Bay Procurement Policy have been fulfilled; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Department of Public Works shall request Town Board authorization at the time the Town shall require said On-Call Services under Contract No. PWC16-24; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that should any Town Department choose to utilize said On-Call services under Contract No. PWC16-24, said Town Department shall first notify the Commissioner of the Department of Public Works, who shall determine the suitability, and the availability, to perform the requested service(s).

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and that BBS Architects, Landscape Architects & Engineers, P.C., B&D

REVIEWED BY
OFFICE OF TOWN ATTORNEY



Engineers and Architects, D.P.C., and Mark Design Studios Architecture, P.C., are hereby authorized to provide the Town of Oyster Bay with On-Call Engineering Services Relative to Building Renovation Services, under Contract No. PWC16-24, for a two (2) year contract term, commencing, from January 1, 2024 through December 31, 2025, *nunc pro tunc*; and be it further

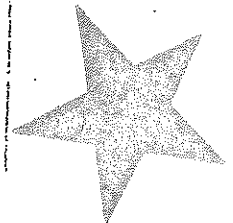
RESOLVED, That the Department of Public Works shall request Town Board authorization at the time the Town shall require said On-Call Services under Contract No. PWC16-24 by a separate memorandum docket; and be it further

RESOLVED, That should any Town Department choose to utilize On-Call services under Contract No. PWC16-24, said Town Department shall first notify the Commissioner of the Department of Public Works, who shall determine the suitability, and the availability, to perform the requested service(s).

#

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

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



DRS
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 215-2024, adopted on March 19, 2024, the Town Board authorized John A. Grillo Architect P.C. to provide On-Call Engineering Services in connection with Contract No. PWC16-24, Building Renovation Services, for a two-year term, commencing January 1, 2024 through December 31, 2025; and

WHEREAS, John M. Grillo, Architect, John A. Grillo Architect P.C., by letter dated March 19, 2024, described the scope of work to be performed under Contract No. PWC16-24, engineering services related to exterior alterations and upgrades at the Town Animal Shelter, and requested approval to utilize Bronzino Engineering P.C., as a sub-consultant for structural engineering services on said project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 19, 2024, requested Town Board authorization for John A. Grillo Architect P.C., to provide the aforesaid On-Call Engineering Services under Contract No. PWC16-24, that Bronzino Engineering P.C. be approved as a sub-consultant for said project, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$7,000.00 for this purpose, with funds available for payment in Account No. DGS H 1997 20000 000 2410 001, Project ID No. 2410 TWNA 04; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the proposed vendors' disclosure questionnaires have been reviewed and have satisfied the Town's Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and John A. Grillo Architect P.C. is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC16-24, and Bronzino Engineering P.C. is hereby authorized to be a sub-consultant for said project, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$7,000.00 for this purpose, with funds available for payment in Account No. DGS H 1997 20000 000 2410 001, Project ID No. 2410 TWNA 04.

-#-

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

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

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

April 19, 2024

TO : MEMORANDUM DOCKET

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

SUBJECT: ON CALL ENGINEERING SERVICES RELATIVE TO :
BUILDING RENOVATION SERVICES AND USE OF SUB-CONSULTANT
CONTRACT NO. PWC16-24
ACCOUNT NO.: DGS H 1997 20000 000 2410 001
PROJECT ID: 2410 TWNA 04

The consultant, John A. Grillo Architect P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC16-24 by Resolution No. 215-2024 for the subject project. Funds have been made available by the Director of Finance.


Attached is a letter dated March 19, 2024 from John A. Grillo Architect P.C. regarding the scope of work to be performed in an amount not to exceed \$7,000.00. Services to be performed include engineering for exterior alterations and upgrades at the Town Animal Shelter.

Attached is an availability of funds in the amount of \$7,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DGS H 1997 20000 000 2410 001 Project ID: 2410 TWNA 04.

The office of John A. Grillo Architect P.C. further requests to utilize, as sub-consultant, Bronzino Engineering P.C for Structural Engineering Services.

The proposed consultant's and sub-consultant's disclosure questionnaire have been reviewed and has satisfied the Town's Procurement Policy.

It is hereby requested that the Town Board authorize by Resolution, John A. Grillo Architect P.C. under Contract No. PWC16-24 for On-Call Engineering Services Relative to Building Renovation Services, that Bronzino Engineering P.C. be approved as sub-consultants and requests that the Comptroller be directed to issue an encumbrance order for this purpose



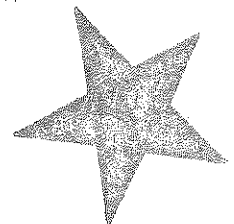
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/JP/ik

Attachment

cc: Steven C. Ballas, Comptroller
Ralph Raymond, Commissioner General Services

PWC16-24 On Call Engineering Services Relative to BUILDING RENOVATION SERVICES Animal Rescue Exterior





**ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT
REQUEST FOR AVAILABILITY OF FUNDS**



Requesting Division/Department General Services

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number PWC16-24
 Contract Period January 1, 2024 Through December 31, 2025
 Consultant/Contractor John A. Grillo Architect P.C.
 Discipline Engineering Services Relative to Building Renovation Services
 Total Authorization \$7,000.00
 Resolution No. 215-2024 Date 3/19/2024
 Funded To Date \$0.00
 Amount Requested \$7,000.00
 Account To Be Used PID 2410 TUNA 04
DGS H 1997 20000 000 2410 001

If Capital Account, State The Related Contract Number: DPW23-272

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

Engineering for the Exterior Alterations and Upgrades at the Animal Shelter Syosset NY

Work To Be Completed In Contract Period: Yes No
A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes No
A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes No N/A
 Amount of Bond \$ _____

Requesting Division/Department

Signature [Signature]
 Title COMMISSIONER General Services
 Date 4/11/24

DPW Approval
 Only To Be Executed By The Commissioner

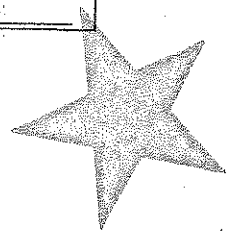
Signature [Signature]
 Title Commissioner of Public Works
 Date 4/19/24

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 7,000.00
 Unencumbered Balance 3,796,056.02

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

Signature [Signature] Date 4/12/24





TOWN OF OYSTER BAY

WORK ORDER



This Section To Be Completed By The Department Of Public Works

Work Order No. _____ E.O. No. _____

Contract No. PWC16-24 Contract Start 1/1/2024

Contract End 12/31/2025

Commencement Date 19-Mar-24

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

Vendor Name and Address

John A. Grillo Architects, P.C.

1213 Main Street

Port Jefferson NY 11777

Requesting Town Department General Services

Contact John Piscitello Phone (516) 677-5883

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

Engineering for Exterior Alterations and Upgrades at the Animal Shelter Syosset NY

This work order shall not exceed \$ \$7,000.00

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

Requesting Division/Department

Department Of Public Works Approval
Only To Be Executed By The Commissioner

Signature [Signature]

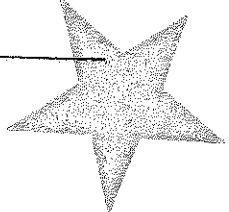
Title COMMISSIONER General Services

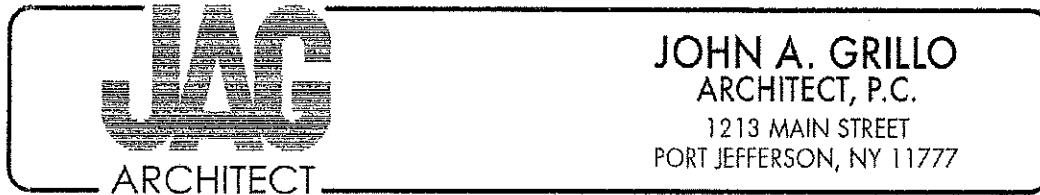
Date 4/11/24

Signature [Signature]

Commissioner of Public Works

Date 4/19/24





TEL: (631) 476-2161

JAGarchitect.com

FAX: (631) 476-9846

March 19, 2024

Mr. Richard Lenz
Commissioner of Public Works/ Highways
Town of Oyster Bay
150 Miller Place
Syosset, New York 11791

RE: On-Call Engineering Services Relative
to Building Renovation Services – Exterior
Alterations and Upgrades at the Animal
Shelter Building
PWC16-24

Dear Commissioner Lenz:

Based on the estimated construction costs, the following engineering fees will be associated with this referenced project:

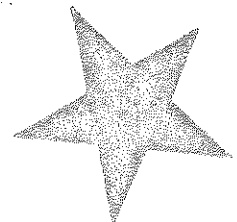
PHASE 1 – Bid Opening

	<u>HOURS</u>
• Bid Opening and Bid Results Review	6 @ \$175/hr.

Total Hours for Phase 1	6 Hours
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Total Engineering Fees at \$175.00 per hour (not to exceed)	\$1,050.00
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PHASE 2 – On-Site Supervision



- Submittal Review 14 @ \$175/hr.
- Contractor Installation/Supervision 15 @ \$175/hr.
- Progress/Job Meetings 5 @ \$175/hr.

Total Hours for Phase 2 34 hours

Total Engineering Fees at \$175.00 per hour (not to exceed) \$5,950.00

TOTAL FEES FOR ALL 2 PHASES (not to exceed) \$7,000.00

Tobay – Animal Shelter

Scope of Work:

- Review Bid Opening results and provide recommendation letter.
- Review all contractor submittals, bonds and insurances.
- Perform on-site inspections as needed to ensure project completeness and accuracy.
- Process all payments and paperwork to close-out project at completion.

In addition, we would like to request approval of the following sub-consultants to be able to work on this project.

Bronzino Engineering P.C.
Island Digital Reprographics

Structural Engineering Services
Printing and Blueprints

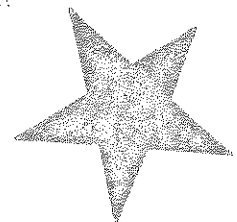
If additional information is required or you have any questions, please contact our office.

Very truly yours,



John M. Grillo
Architect

CC: M. Russo
J. Tassone



Meeting of March 19, 2024

Resolution No. 215-2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 26, 2024, advised that in connection with Contract No. PWC16-24, On-Call Engineering Services Relative to Building Renovation Services, the Department of Public Works issued a Request for Proposals ("RFP") to forty eight (48) firms that have demonstrated applicable experience, as detailed in Guideline Nos. 6 and 9 of the Town of Oyster Bay Procurement Policy, and responded to requests from fourteen (14) additional firms, for RFP-related documents, generated by posting the RFP upon the official Town of Oyster Bay website; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that on February 15, 2024, the Division of Engineering, Department of Public Works, received a total of thirteen (13) proposals submitted in response to said RFP, and reviewed the proposals based upon their technical merits, with the reviews conducted in compliance with Guideline Nos. 6 and 9 of the Town of Oyster Bay Procurement Policy, and with all related support documentation filed with, and retained by, said Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the following firms to provide the Town of Oyster Bay with On-Call Engineering Services Relative to Building Renovation Services, under Contract No. PWC16-24, for a two (2) year contract term, commencing, from January 1, 2024 through December 31, 2025, *nunc pro tunc*:

BBS Architects, Landscape Architects & Engineers, P.C.
John A. Grillo, Architect, P.C.
Mark Design Studios Architecture, P.C.; and

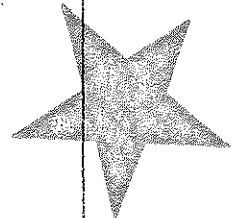
WHEREAS, Commissioner Lenz, by said memorandum, advised that the Town of Oyster Bay has reviewed the proposed vendors' disclosure questionnaires, and has been satisfied that the requirements of the Town Oyster Bay Procurement Policy have been fulfilled; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Department of Public Works shall request Town Board authorization at the time the Town shall require said On-Call Services under Contract No. PWC16-24; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that should any Town Department choose to utilize said On-Call services under Contract No. PWC16-24, said Town Department shall first notify the Commissioner of the Department of Public Works, who shall determine the suitability, and the availability, to perform the requested service(s),

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and that BBS Architects, Landscape Architects & Engineers, P.C., B&D

REVIEWED BY
OFFICE OF TOWN ATTORNEY



Engineers and Architects, D.P.C., and Mark Design Studios Architecture, P.C., are hereby authorized to provide the Town of Oyster Bay with On-Call Engineering Services Relative to Building Renovation Services, under Contract No. PWC16-24, for a two (2) year contract term, commencing, from January 1, 2024 through December 31, 2025, *nunc pro tunc*; and be it further

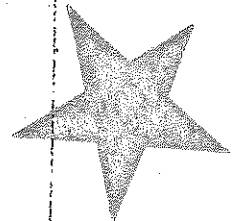
RESOLVED, That the Department of Public Works shall request Town Board authorization at the time the Town shall require said On-Call Services under Contract No. PWC16-24 by a separate memorandum docket; and be it further

RESOLVED, That should any Town Department choose to utilize On-Call services under Contract No. PWC16-24, said Town Department shall first notify the Commissioner of the Department of Public Works, who shall determine the suitability, and the availability, to perform the requested service(s).

#

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

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



Reviewed By
Office of Town Attorney
John Catapano

WHEREAS, MARTESJAM HOLDINGS LLC, fee co-owner, VITRANO HOLDINGS LLC, fee co-owner, INK PROPERTIES, LLC., contract vendee, and STARBUCKS CORPORATION, lessee, petitioned the Town Board for a Special Use Permit to allow for demolition of all existing structures and construction and operation of a Starbucks restaurant with accessory drive-through and outdoor patio, and Site Plan Approval of related site improvements at premises located in a General Business ("GB") district, at 506 West Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block 11, Lot 476, on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on February 27, 2024, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed the Petition and related documents and submitted its memorandum August 30, 2023, regarding the environmental impacts contemplated by said Petition and determined that the proposed action classified as a Type II action pursuant to the SEQR Type II Action List, as Item #9, pertaining to, "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities" and therefore does not require the completion of an Environmental Impact Statement or any review or other procedural activities pursuant to SEQR or TEQR; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10565-24, adopted March 21, 2024, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, by memorandum dated December 7, 2023, advised that the Department of Planning and Development has reviewed the following twenty-four (24) plans prepared by John Catapano, P.E., Catapano Engineering, P.C., Melville, New York:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
T1.0	Cover Sheet	John Catapano, P.E.	08/30/2023
C1.0	Site Demolition Plan	John Catapano, P.E.	08/30/2023

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A501	Building Details	John Catapano, P.E.	08/30/2023
A502	Building Signage	John Catapano, P.E.	08/30/2023
LP1.0	Landscape Photos	John Catapano, P.E.	08/30/2023
SG1.0	Master Signage Plan	John Catapano, P.E.	08/30/2023

WHEREAS, said Commissioner further reported that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby the conclusion of the Town of Oyster Bay Department of Environmental Resources, and determines that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, pertaining to, "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities" and therefore does not require the completion of an Environmental Impact Statement or any review or other procedural activities pursuant to SEQR or TEQR; and be it further

RESOLVED, That the Petition of MARTESJAM HOLDINGS LLC, fee co-owner, VITRANO HOLDINGS LLC, fee co-owner, INK PROPERTIES, LLC., contract vendee, and STARBUCKS CORPORATION, lessee, for a Special Use Permit to allow for demolition of all existing structures and construction and operation of a Starbucks restaurant with accessory drive-through and outdoor patio, and Site Plan Approval of related site improvements at premises located

in a General Business ("GB") district, at 506 West Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block 11, Lot 476, on the Land and Tax Map of Nassau County, is hereby GRANTED for the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, Town of Oyster Bay, County of Nassau, State of New York, being bounded and described as follows:

BEGINNING at a point on the northerly side of Old Country Road, as widened, distant the following two (2) courses and distances from the point of intersection of the old northerly side of Old Country Road and the easterly side of Charlotte Avenue Extension:

- (1) Easterly along the old northerly side of Old Country Road, 419.60 feet;
- (2) North 00 degrees 47 minutes East, 10.52 feet to a point on the northerly side of Old Country Road, as widened, at the true point of BEGINNING.

RUNNING THENCE North 00 degrees 47 minutes East, 166.97 feet;

RUNNING THENCE North 81 degrees 10 minutes 40 seconds East, 150 feet to the westerly side of Tec Street (a private right of way);

RUNNING THENCE South 00 degrees 47 minutes West, along Tec Street, 166.81 feet to the northerly side of Old Country Road. As widened;

RUNNING THENCE Westerly along the northerly side of Old Country Road, as widened, 150.03 feet to the point or place of BEGINNING.

SAID premises being known as and by street address 506 West Old Country Road, Hicksville, New York, and described as Section 11, Block H, Lot 476 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioners, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording; and be it further

RESOLVED, That in accordance with the memorandum of Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, December 7, 2023, the twenty-four (24) plans described herein are hereby approved.

-#-

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

Supervisor Saladino	4	Aye
Councilwoman Johnson		Absent
Councilman Imbroto		Aye
Councilman Hand		Aye
Councilman Labriola		Aye
Councilwoman Maier		Aye
Councilwoman Walsh		Aye

DECLARATION OF RESTRICTIVE COVENANTS

MARTESJAM HOLDINGS LLC, fee co-owner, with a business address of 7 Skunk Hollow Road, Huntington, New York 11743, VITRANO HOLDINGS LLC, fee co-owner, with a business address of 4 Sunnyfield Road, Hicksville, New York 11801, INK PROPERTIES, LLC, contract vendee, with a business address of 142 Jackson Avenue, Syosset, New York 11791, and STARBUCKS CORPORATION, a Washington corporation, with an office located at 2401 Utah Avenue South, Seattle, Washington 98134, do by this declaration, dated , declare as follows:

WHEREAS, MARTESJAM HOLDINGS LLC, fee co-owner, VITRANO HOLDINGS LLC, fee co-owner, INK PROPERTIES, LLC., contract vendee, and STARBUCKS CORPORATION, lessee, petitioned the Town Board for a Special Use Permit to allow for demolition of all existing structures and construction and operation of a Starbucks restaurant with accessory drive-through and outdoor patio, and Site Plan Approval of related site improvements at premises located in a General Business ("GB") district, at 506 West Old Country Road, Hicksville, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block 11, Lot 476, on the Land and Tax Map of Nassau County; and

WHEREAS, A duly advertised public hearing on said Petitions was held by the Town Board of the Town of Oyster Bay on February 27, 2024, at which hearing all parties interested in the subject matters and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. -2024, dated May 7, 2024, approved said applications subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, does hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as 506 West Old Country Road, Hicksville, Town of Oyster Bay, New York, which will run with the land and be binding upon said Declarant, its successors and/or assigns,

NOW, THEREFORE, said Declarants, do hereby covenant and declare as follows:

1. That the hours of operation for Starbucks, including the drive-through window, shall not exceed 5:00 a.m. to 11:00 p.m., seven days a week, subject to the approval of the Town of Oyster Bay Zoning Board of Appeals.
2. That the speaker system for the drive-through window lane for Starbucks shall be equipped with "Automatic Volume Control" to allow the outgoing sound volume to be adjusted automatically based on ambient sound levels, so as to mitigate potential noise impacts associated with the use of this equipment, and insure that said speaker shall be inaudible at any point that is more than fifty (50) feet from the location of said speaker and in any event it shall not be audible beyond the limits of the subject premises.

Reviewed By
Office of Town Attorney
John McArthur

3. That Starbucks shall not sell or serve beer, wine or any alcoholic beverage.
4. That deliveries will be limited to one per day, during normal business operation hours, and all deliveries will be made by box trucks not exceeding 24 feet in length.
5. That all waste, garbage, refuse, and rubbish shall be placed and kept in suitable closed containers and disposed of in accordance with applicable statutes, ordinances, and laws. Refuse will be picked up, and dumpsters emptied, during regular business hours.
6. There will be a maximum of ten (10) employees on the premises at any given time.
7. That all driveway and parking areas shall be paved and maintained in good repair at all times and shall be provided with proper storm water drainage. Parking shall only be permitted in designated parking spaces.
8. That the subject premises shall be continually policed and maintained as to be free of all papers, trash, debris or other discarded materials.
9. That all shrubs, trees and landscaping shall be continually maintained in good and healthy condition and replaced when necessary.
10. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present laws or ordinances of the Town of Oyster Bay.
11. That there shall be installed and properly maintained a fully automatic sprinkler system to quell fires, if required by applicable building and fire code, satisfactory to and approved by the Fire Marshal of Nassau County. Adherence to all applicable laws shall satisfy this condition.
12. That the exterior of all structures, parking areas and all other installations shall be continually maintained in neat and good repair.
13. That all exterior lighting shall be directed onto the subject premises and no lighting is to be directed onto adjacent properties or roadways.
14. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the twenty-four (24) plans prepared by John Catapano, P.E., Catapano Engineering, P.C., Melville, New York reviewed in accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, by memorandum dated December 7, 2023, approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. In the event Declarants seek permission to make a change to the subject structures or property after the date of the granting resolution, the Department of Planning and Development shall determine whether the proposed change is a major or minor modification. If

a proposed modification is deemed minor, the Department of Planning and Development shall have final approval of same. Any major modifications to said plans shall require Town Board approval. The plans approved by the granting resolution are as follows:

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15. That there shall be strict compliance with any and all ordinances, laws, regulations or directives of the Town of Oyster Bay, the Nassau County Fire Marshal's Office, the Nassau County Department of Health and any and all other agencies or departments of the Town of Oyster Bay, the County of Nassau, the State of New York and/or the United States of America.

16. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

17. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a

covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Hicksville, Town of Oyster Bay, County of Nassau, State of New York, being bounded and described as follows:

BEGINNING at a point on the northerly side of Old Country Road, as widened, distant the following two (2) courses and distances from the point of intersection of the old northerly side of Old Country Road and the easterly side of Charlotte Avenue Extension:

(1) Easterly along the old northerly side of Old Country Road, 419.60 feet;

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RUNNING THENCE North 00 degrees 47 minutes East, 166.97 feet;

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RUNNING THENCE Westerly along the northerly side of Old Country Road, as widened, 150.03 feet to the point or place of BEGINNING.

SAID premises being known as and by street address 506 West Old Country Road, Hicksville, New York, and described as Section 11, Block H, Lot 476 on the Land and Tax Map of the County of Nassau.

IN WITNESS WHEREOF, the Declarants have hereunto set its hand and seal
the day and year first above written.

MARTESAM HOLDINGS LLC, Fee Co-Owner

BY: _____,
Managing Member

VITRANO HOLDINGS LLC, Fee Co-Owner

BY: _____,
Managing Member

INK PROPERTIES, LLC, Contract Vendee

BY: _____,
Managing Member

STARBUCKS CORPORATION, Tenant

BY: _____

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

April 19, 2024

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT
CONSTRUCTION OF PICKLEBALL COURTS THROUGHOUT THE TOWN OF
OYSTER BAY
CONTRACT NO. DP23-251R
ACCOUNT NO. PKS-H-7197-20000-000-2402-001
PROJECT ID NO. 2402PKSA-05

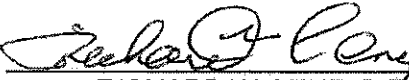
On April 3, 2024, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Roadwork Ahead Inc., submitted the lowest responsive bid among five (5) in the amount of \$602,100.00.

Attached is a letter dated April 17, 2024 from the office of deBruin Engineering P.C. recommending the award of this contract to Roadwork Ahead in the amount of \$602,100.00. In accordance with Town policy, \$30,105.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$632,205.00.

The estimated construction time for completion of the subject contract is 120 calendar days. Funds are available for the subject contract work in Account No. PKS-H-7197-20000-000-2402-001, Project ID No. 2402PKSA-05

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

We concur with the recommendation of deBruin Engineering P.C. and request that Contract No. DP23-251R be awarded to Roadwork Ahead in the total bid amount of \$602,100.00 and that \$30,105.00 be applied to the low bid amount for a total bid encumbrance of \$632,205.00 to be issued by the Office of the Comptroller, and request that the Office of the Town Clerk be directed to release the bid bonds from the non-successful bidders.



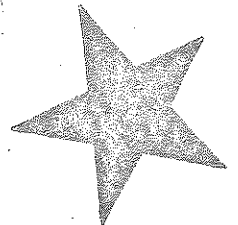
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS

RWL/MR/CC/ik

Attachments

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

DP23-251R Construction of Pickleball Courts Throughout the Town of Oyster Bay Award of Construction Contract



April 17, 2024

Richard W. Lenz, P.E.
Commissioner of Public Works
Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, NY 11791-5699

Attn: Matthew Russo, P.E.
Deputy Commissioner

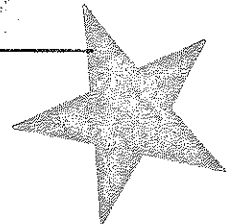
Re: Construction of Pickleball Courts at Various Locations
Contract No. DP23-251R
Bid No. PW042R-23
de Bruin No. 6446-01

Dear Commissioner:

Bids were received for the referenced project on April 3, 2024. Five (5) contractors submitted bids as follows:

#	CONTRACTOR	BID AMOUNT
1	ROADWORK AHEAD, INC.	\$602,100.00
2	MACEDO CONTRACTING SERVICES, INC.	\$730,045.00
3	THE LANDTEK GROUP, INC.	\$773,966.00
4	LASER INDUSTRIES, INC.	\$789,760.00
5	COASTAL CONTRACTING CORP.	\$1,035,175.00

Note that Macedo's bid included an arithmetic error. Their submitted bid value of \$724,945 has been corrected to \$730,045. This does not affect the order of bids. The Engineer's Estimate for the project was \$731,280.00.



04/17/2024

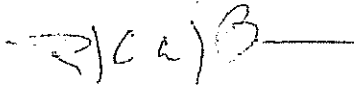
We are familiar with Roadwork Ahead from Road and Drainage Improvement projects and have found that the contractor completed their work in substantial conformance with the contract requirements. We have contacted three (3) of their references and received positive reviews of their performance.

Roadwork Ahead's bid was 20% lower than the second bid and the Engineer's Estimate. We spoke with Luigi Stasi, the president of Roadwork Ahead to confirm that they understood the scope of the project and could complete it for the price bid. Based on this conversation we are confident that they can complete the work in accordance with the contract requirements.

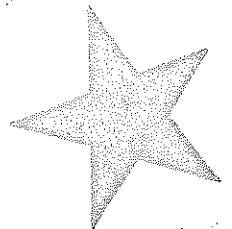
Based on the foregoing analysis we find no reason not to recommend award of this contract to Roadwork Ahead, Inc. in the amount of \$602,100.00

We are available to discuss this recommendation at your convenience.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'R. de Bruin', with a horizontal line extending to the right.

Robert W. de Bruin, P.E.



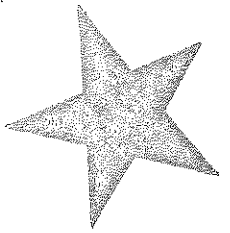
TOWN OF OYSTER BAY
 BID NO. PW042R
 CONTRACT NO DP23-251R

CONSTRUCTION OF PICKLEBALL COURTS AT VARIOUS LOCATIONS

BID SUMMARY

ITEM NO.	ITEM DESCRIPTION	UNIT	BID QTY	ENGINEER'S ESTIMATE			ROADWORK/AHEAD			MACEDO			LANDTEK			LABER			COASTAL					
				UNIT PRICE	TOTAL COST		UNIT PRICE	TOTAL COST		UNIT PRICE	TOTAL COST		UNIT PRICE	TOTAL COST		UNIT PRICE	TOTAL COST		UNIT PRICE	TOTAL COST		UNIT PRICE	TOTAL COST	
2	UNCLASSIFIED EXCAVATION	CY	1.282	\$92.00	\$118,456.00	\$	\$0.00	\$	\$100.00	\$	\$128,208.00	\$	\$100.00	\$	\$128,208.00	\$	\$100.00	\$	\$128,208.00	\$	\$100.00	\$	\$128,208.00	
4D	BITUMINOUS CONCRETE SAWCUT	LF	80	\$4.00	\$320.00	\$	\$0.00	\$	\$4.00	\$	\$320.00	\$	\$4.00	\$	\$320.00	\$	\$4.00	\$	\$320.00	\$	\$4.00	\$	\$320.00	
5	BORROW FILL	CY	60	\$50.00	\$3,000.00	\$	\$0.00	\$	\$50.00	\$	\$3,000.00	\$	\$50.00	\$	\$3,000.00	\$	\$50.00	\$	\$3,000.00	\$	\$50.00	\$	\$3,000.00	
7	PREPARING FINE GRADE	SY	2.855	\$8.00	\$22,840.00	\$	\$0.00	\$	\$8.00	\$	\$22,840.00	\$	\$8.00	\$	\$22,840.00	\$	\$8.00	\$	\$22,840.00	\$	\$8.00	\$	\$22,840.00	
8	FRAMING SHOULDER AND SLOPES	SY	1.170	\$8.00	\$9,360.00	\$	\$0.00	\$	\$8.00	\$	\$9,360.00	\$	\$8.00	\$	\$9,360.00	\$	\$8.00	\$	\$9,360.00	\$	\$8.00	\$	\$9,360.00	
13	8" D HDPE DRAINAGE PIPE	LF	60	\$33.00	\$1,980.00	\$	\$0.00	\$	\$33.00	\$	\$1,980.00	\$	\$33.00	\$	\$1,980.00	\$	\$33.00	\$	\$1,980.00	\$	\$33.00	\$	\$1,980.00	
13-CP-1	CONNECTED TO EXISTING DRAINAGE FACILITIES	EA	1	\$1,000.00	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$1,000.00	\$	\$1,000.00	\$	\$1,000.00	\$	\$1,000.00	\$	\$1,000.00	\$	\$1,000.00	\$	\$1,000.00	
15-1	CHANGE ELEVATION OF MANHOLE CASTING - VENDOR ADJUSTMENT	EA	1	\$500.00	\$500.00	\$	\$0.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	
15-2	CEMENT CONCRETE CURB	LF	60	\$37.50	\$2,250.00	\$	\$0.00	\$	\$37.50	\$	\$2,250.00	\$	\$37.50	\$	\$2,250.00	\$	\$37.50	\$	\$2,250.00	\$	\$37.50	\$	\$2,250.00	
15-3	CEMENT CONCRETE SIDEWALKS 2' THICK	SY	323	\$12.00	\$3,876.00	\$	\$0.00	\$	\$12.00	\$	\$3,876.00	\$	\$12.00	\$	\$3,876.00	\$	\$12.00	\$	\$3,876.00	\$	\$12.00	\$	\$3,876.00	
3E-2A-1	BITUMINOUS MACADAM PLANT MIX TYPE 2A PAVING COURSE	TON	5	\$110.00	\$550.00	\$	\$0.00	\$	\$110.00	\$	\$550.00	\$	\$110.00	\$	\$550.00	\$	\$110.00	\$	\$550.00	\$	\$110.00	\$	\$550.00	
57K	REINFORCED CONCRETE SLAB FOR DRY WELL OPENINGS	SY	40	\$18.00	\$720.00	\$	\$0.00	\$	\$18.00	\$	\$720.00	\$	\$18.00	\$	\$720.00	\$	\$18.00	\$	\$720.00	\$	\$18.00	\$	\$720.00	
7E	TOPGRISS AND BEDDING	SY	370	\$17.00	\$6,294.00	\$	\$0.00	\$	\$17.00	\$	\$6,294.00	\$	\$17.00	\$	\$6,294.00	\$	\$17.00	\$	\$6,294.00	\$	\$17.00	\$	\$6,294.00	
141	STEEL EROSION	LF	610	\$5.00	\$3,050.00	\$	\$0.00	\$	\$5.00	\$	\$3,050.00	\$	\$5.00	\$	\$3,050.00	\$	\$5.00	\$	\$3,050.00	\$	\$5.00	\$	\$3,050.00	
178A	TRENCH DRAIN	LF	670	\$4.00	\$2,680.00	\$	\$0.00	\$	\$4.00	\$	\$2,680.00	\$	\$4.00	\$	\$2,680.00	\$	\$4.00	\$	\$2,680.00	\$	\$4.00	\$	\$2,680.00	
18B	RELOCATE COMMERCIAL SPRINKLER SYSTEM	LF	60	\$14.00	\$840.00	\$	\$0.00	\$	\$14.00	\$	\$840.00	\$	\$14.00	\$	\$840.00	\$	\$14.00	\$	\$840.00	\$	\$14.00	\$	\$840.00	
185B	REMOVE EXISTING DRAINAGE SYSTEM	CY	300	\$6.00	\$1,800.00	\$	\$0.00	\$	\$6.00	\$	\$1,800.00	\$	\$6.00	\$	\$1,800.00	\$	\$6.00	\$	\$1,800.00	\$	\$6.00	\$	\$1,800.00	
500	CLEAN EXISTING DRAINAGE SYSTEM	LF	300	\$2.00	\$600.00	\$	\$0.00	\$	\$2.00	\$	\$600.00	\$	\$2.00	\$	\$600.00	\$	\$2.00	\$	\$600.00	\$	\$2.00	\$	\$600.00	
504	CATCH BASIN FILTER	EA	2	\$1,000.00	\$2,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$2,000.00	\$	\$1,000.00	\$	\$2,000.00	\$	\$1,000.00	\$	\$2,000.00	\$	\$1,000.00	\$	\$2,000.00	
504	SILT PROTECTION FOR DRAINAGE STRUCTURES	EA	0	\$0.00	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	\$	\$0.00	
507	DETECTABLE WARNING SURFACES	RF	20	\$45.00	\$900.00	\$	\$0.00	\$	\$45.00	\$	\$900.00	\$	\$45.00	\$	\$900.00	\$	\$45.00	\$	\$900.00	\$	\$45.00	\$	\$900.00	
522	THERMOPLASTIC REFLECTORIZED PAVEMENT MARKINGS	LF	200	\$4.00	\$800.00	\$	\$0.00	\$	\$4.00	\$	\$800.00	\$	\$4.00	\$	\$800.00	\$	\$4.00	\$	\$800.00	\$	\$4.00	\$	\$800.00	
527R-1-1	STABILIZED CONSTRUCTION ENTRANCE	EA	1	\$6,000.00	\$6,000.00	\$	\$0.00	\$	\$6,000.00	\$	\$6,000.00	\$	\$6,000.00	\$	\$6,000.00	\$	\$6,000.00	\$	\$6,000.00	\$	\$6,000.00	\$	\$6,000.00	
528110-1	REMOVE BENCH	EA	1	\$500.00	\$500.00	\$	\$0.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	\$	\$500.00	
528110-2	REMOVE RR TIE RETAINING WALL	LF	100.00	\$200.00	\$20,000.00	\$	\$0.00	\$	\$200.00	\$	\$20,000.00	\$	\$200.00	\$	\$20,000.00	\$	\$200.00	\$	\$20,000.00	\$	\$200.00	\$	\$20,000.00	
52103-1	POLYURETHANE ASPHALT PAVEMENT	SY	1.483	\$17.00	\$25,211.00	\$	\$0.00	\$	\$17.00	\$	\$25,211.00	\$	\$17.00	\$	\$25,211.00	\$	\$17.00	\$	\$25,211.00	\$	\$17.00	\$	\$25,211.00	
52103-2	COURT PAVEMENT	SY	2.855	\$40.00	\$114,200.00	\$	\$0.00	\$	\$40.00	\$	\$114,200.00	\$	\$40.00	\$	\$114,200.00	\$	\$40.00	\$	\$114,200.00	\$	\$40.00	\$	\$114,200.00	
52104-1	MULTI-TAPE DOWNSDRAJN	LF	710	\$35.00	\$24,875.00	\$	\$0.00	\$	\$35.00	\$	\$24,875.00	\$	\$35.00	\$	\$24,875.00	\$	\$35.00	\$	\$24,875.00	\$	\$35.00	\$	\$24,875.00	
52105-1	ACRYLIC SURFACES - 4 COAT SYSTEM	SY	2.855	\$85.00	\$242,825.00	\$	\$0.00	\$	\$85.00	\$	\$242,825.00	\$	\$85.00	\$	\$242,825.00	\$	\$85.00	\$	\$242,825.00	\$	\$85.00	\$	\$242,825.00	
52106-1	PICKLEBALL EQUIPMENT	COURT	0	\$1,000.00	\$0.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	
52107-1	TENNIS EQUIPMENT	COURT	0	\$1,000.00	\$0.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	\$	\$1,000.00	\$	\$0.00	
52310-1	48" H CHAIN LINK FENCE	LF	480	\$9.00	\$4,320.00	\$	\$0.00	\$	\$9.00	\$	\$4,320.00	\$	\$9.00	\$	\$4,320.00	\$	\$9.00	\$	\$4,320.00	\$	\$9.00	\$	\$4,320.00	
52310-2	66" H CHAIN LINK FENCE	LF	340	\$40.00	\$13,600.00	\$	\$0.00	\$	\$40.00	\$	\$13,600.00	\$	\$40.00	\$	\$13,600.00	\$	\$40.00	\$	\$13,600.00	\$	\$40.00	\$	\$13,600.00	
52310-3	REMOVE TOP H CHAIN LINK FENCE	LF	460	\$50.00	\$23,000.00	\$	\$0.00	\$	\$50.00	\$	\$23,000.00	\$	\$50.00	\$	\$23,000.00	\$	\$50.00	\$	\$23,000.00	\$	\$50.00	\$	\$23,000.00	
52323-1	FBI SEGMENTAL RETAINING WALL	SY	410	\$30.00	\$12,300.00	\$	\$0.00	\$	\$30.00	\$	\$12,300.00	\$	\$30.00	\$	\$12,300.00	\$	\$30.00	\$	\$12,300.00	\$	\$30.00	\$	\$12,300.00	
	TOTAL PRICE			\$	\$71,281.00	\$	\$	\$	\$	\$	\$71,281.00	\$	\$	\$	\$71,281.00	\$	\$	\$	\$	\$	\$	\$71,281.00	\$	\$

* Prices unit cost for quantities specified in notes



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 19, 2024, advised that in connection with Contract No. DP23-251R, Construction of Pickleball Courts Throughout the Town of Oyster Bay, on April 3, 2024, the Division of Purchasing received five (5) bids for the subject project and the consulting engineer reviewed the bids, and Roadwork Ahead Inc., 96 Madison Avenue, Westbury, New York 11590, submitted the lowest responsive bid in the amount of \$602,100.00; and

WHEREAS, Robert W. de Bruin, P.E., de Bruin Engineering P.C., by letter dated April 17, 2024, recommended the award of Contract No. DP23-251R to Roadwork Ahead Inc., in the amount of \$602,100.00; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that he concurred with the recommendation of deBruin Engineering P.C. and requested that Contract No. DP23-251R be awarded to Roadwork Ahead Inc. in the total bid amount of \$602,100 and that \$30,105 be added to the bid amount for a total encumbrance of \$632,205 to be issued by the Comptroller, and further requested that the Town Clerk be directed to release the bid bonds of the non-successful bidders; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that pursuant to Town policy, \$30,105.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$632,205.00; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the estimated construction time for completion of the subject contract is one hundred twenty (120) calendar days and funds are available for the subject contract work in Account No. PKS-H-7197-20000-000-2402-001, Project ID No. 2402PKSA-05; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Town has reviewed the proposed vendor's disclosure questionnaire, and has been satisfied that the requirements of the Town's Procurement Policy have been fulfilled; and

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Contract No. DP23-251R shall be awarded to Roadwork Ahead Inc. in the total amount of \$602,100.00 and that \$30,105.00 be added to the low bid amount for a total bid encumbrance of \$632,205.00, and that the Town Clerk be directed to release the bid bonds of the remaining four (4) bidders.

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

Meeting of May 7, 2024

Resolution No. 357-2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 19, 2024, advised that LiRo Engineers, Inc., by letter dated April 16, 2024, informed the Department that it made a final inspection of the work performed pursuant to Contract No. H19-197PH3, Construction of Highway & Drainage Improvements to the Intervale Avenue Area Phase 3, certified that the contractor, Metro Paving, LLC, 500 Patton Avenue, West Babylon, New York 11704, 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 April 16, 2024, of an increase/decrease in quantities in connection with Contract No. H19-197PH3, for a total net decrease in the amount of \$147,338.99; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the increase/decrease in quantities in connection with Contract No. H19-197PH3, for a total net decrease in the amount of \$147,338.99; and

WHEREAS, final construction costs were in the amount of \$2,619,251.01; and

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

WHEREAS, John C. Tassone, Chief Deputy Commissioner, Department of Public Works, by memorandum dated March 29, 2024, concurred with Commissioner Lenz that the Contract be accepted as having been completed; and

WHEREAS, work under this Contract was directed to proceed as of July 31, 2023, and to be completed within one hundred eighty (180) calendar days on January 26, 2024, extended to February 10, 2024 in accordance with a discontinuance of time, with work actually completed on February 2, 2024; and

WHEREAS, the Office of the Town Comptroller, by memorandum dated April 1, 2024, stated that there are no financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

WHEREAS, the Office of the Town Attorney, by memorandum dated March 29, 2024, advised that there is no pending litigation or other obstacles which would prevent the final acceptance of Contract No. H19-197PH3; and

MS
Reviewed By
Office of Town Attorney

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth are accepted, and the Town Board hereby authorizes an increase/decrease in quantities, relative to the Construction Phase of Contract No. H19-197PH3, for a net decrease, in the amount of \$147,338.99; and be it further

RESOLVED, That Contract No. H19-197PH3, is hereby accepted as being complete, at a final construction cost of \$2,619,251.01, 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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The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 19, 2024

TO: MEMORANDUM DOCKET

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

SUBJECT: FINAL ACCEPTANCE, QUANTITY INCREASE / DECREASE, & FINAL PAYMENT
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS
TO THE INTERVALE AVENUE AREA PHASE 3
CONTRACT NO. H19-197PH3

Attached herewith is a letter from LiRo Engineers, Inc. dated April 16, 2024 concerning increase and decrease in quantities with a total net decrease in the amount of \$147,338.99. Said quantity increases and decreases are explained by the consultant in this correspondence and further described as per the attached tabulation.

The net result of the Quantity Increase/Decrease is overall decrease in the amount of \$147,338.99.


1. A letter dated April 16, 2024 from LiRo Engineers, Inc. recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for Metro Paving, LLC. dated March 19, 2024.
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 with final acceptance.

Work under this contract was directed to proceed as of July 31, 2023 to be completed within 180 calendar days on January 26, 2024, extended to February 10, 2024 in accordance with a discontinuance of time. Actual work was completed on February 2, 2024.

Final construction costs amount to \$2,619,251.01.

It is hereby requested that the Town Board authorize, by resolution, the above-described Quantity Increase/Decrease having a result of a net decrease in the amount of \$147,338.99 relative to the construction of Contract No. H19-197ph3.

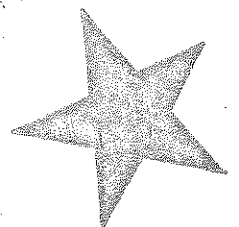
In addition, we hereby concur with LiRo Engineers, Inc. that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the Engineer's certificate and claim by the Comptroller.


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

RWL/MR/MAS/lk
Attachments

cc: Steven C. Ballas, Town Comptroller
John C. Tassone, Chief Deputy Commissioner/Highway

H19-197ph3 DOCKET Final Accept-INC-DEC4





LiRo Engineers, Inc.
A LiRo Group Company

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

April 16, 2024

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

Re: Town of Oyster Bay
Construction of Highway & Drainage Improvements to the Intervale Avenue Area Phase 3, Farmingdale, NY
Contract No. H19-197 PHASE 3
Final Acceptance

Dear Commissioner Lenz:

LiRo Engineers, Inc. (LiRo) has performed a final inspection of the work performed under the Highway & Drainage Improvements to the Intervale Avenue Area Phase 3 construction contract. All punch list items have been satisfactorily completed by the contractor, Metro Paving, LLC. LiRo's inspection indicates that the work was constructed in accordance with the approved plans and specifications.

Enclosed, please find a copy of the Maintenance Bond provided by Liberty Mutual Insurance Company for the one year maintenance period.

The contract included 180 calendar days to complete the work. The start date for construction was July 31, 2023 and all work was completed as of February 2, 2024.

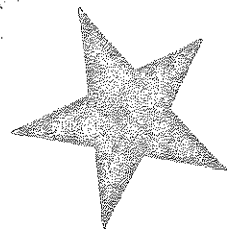
The original bid amount for this contract was \$2,766,590.00. The final contract quantities were tabulated and provided in the attached increase/decrease notification No. 1 for a decrease of \$147,338.99. Based upon this we recommend the Town accept the credit as provided. The final contract value, including Increase/Decrease Notification No. 1, recommended for approval is \$2,619,251.01.

LiRo recommends that the Town of Oyster Bay accept this job as final. If you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,

Kenneth Holmstrom, P.E.
Vice President

U:\Projects\2023\23-227-0424 TOBDPW - Phase III Construction - Highway\4 Project Manager\Closureout



G702 APPLICATION and CERTIFICATE for PAYMENT

To: TOWN OF OYSTER BAY
DEPARTMENT OF PUBLIC WORKS

Project: HIGHWAY IMPROVEMENTS
INTERVALE AVE AREA
LOCATED IN FARMINGDALE
H19-197PH3
PW #038-23

Application No: 5

App. Date: February 8, 2024

Period to:

Project No: 23-54

Contract Date: July 19, 2023

Distribution to:

- OWNER
 CONSTRUCTION MGR.
 ARCHITECT
 CONTRACTOR
 OTHER

From: Metro Paving LLC
500 Patton Ave
West Babylon NY 11704

Contract For: H19-197PH3 Via Architect:

CONTRACTOR'S APPLICATION FOR PAYMENT

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


1. ORIGINAL CONTRACT SUM	2,766,590.00
2. Net Change By Change Orders	0.00
3. CONTRACT SUM TO DATE	2,766,590.00
4. TOTAL COMPLETED AND STORED TO DATE	2,619,251.01

5. RETAINAGE:

a. 05% of Completed Work	0.00
b. of Stored Material	0.00


TOTAL RETAINAGE	0.00
6. TOTAL EARNED LESS RETAINAGE	2,619,251.01
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	2,439,054.70
8. CURRENT PAYMENT DUE	180,196.31
9. BALANCE TO FINISH, INCLUDING RETAINAGE	147,338.99

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: 
By: Dennis Kelleman
Date: February 8, 2024
County of: SUFFOLK

Subscribed and sworn before me this 8th day of February 2024

Dennis Kelleman personally appeared before me, the undersigned notary public, and provided satisfactory evidence of identification to be the person who signed the document in my presence and swore or affirmed to me that the contents of the document are true and accurate to the best of his/her knowledge and belief.

Notary Public: 
My Commission Expires: 04/20/25
Qualified in Nassau County No. 01YE6238171

ARCHITECT'S CERTIFICATE FOR PAYMENT

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.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approval this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

AMOUNT CERTIFIED: 180,196.31
(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 to the amount certified.)

ARCHITECT: 
By: C. S. [Signature]
Date: 3/19/24

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.

CAUTION: You should use an original document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.

Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application No: 5

App. Date: February 8, 2024

Period to:

Project No: 23-54

Use Column I on Contracts where variable retainage for line items may apply.

A Item #	B Description of Work		Unit Cost Unit Type	C Schedule of Values		D		E		F Materials Stored & Used Prior + Current	G		H Balance to Finish	I Retainage
						From Previous Application(s)	Work Completed This Period		This Period		Total Completed and Stored To Date	%		
				Amt Qty										
				Amt Qty										
4E-1	FULL DEPTH SAW CUT SIDEWALK/DRIVEWAY	4.00 LF		2,900.00 725.00	3,920.00 980.00		2,900.00 725.00	0.00 0.00			2,900.00 725.00	73.98	1,020.00 255.00	0.00
1	CLEANING AND GRUBBING	120,000.00 EA		1.00	1.00		120,000.00	0.00			1.00	100.00	0.00	0.00
2	UNCLASSIFIED EXCAVATION	52.00 CY		355,732.00 6,841.00	379,600.00 7,300.00		355,732.00 6,841.00	0.00 0.00			355,732.00 6,841.00	93.71	23,868.00 459.00	0.00
2U	UNDERCUT	10.00 CY		5,660.00 566.00	6,300.00 630.00		5,660.00 566.00	0.00 0.00			5,660.00 566.00	89.84	640.00 64.00	0.00
4	CONCRETE REMOVAL	100.00 CY		700.00 7.00	700.00 7.00		700.00 7.00	0.00 0.00			700.00 7.00	100.00	0.00 0.00	0.00
4B-P	REMOVE EXISTING PIPE	20.00 LF		340.00 17.00	200.00 10.00		340.00 17.00	0.00 0.00			340.00 17.00	170.00	-140.00 -7.00	0.00
4D	BITUMINOUS SAW CUT - ASPHALT	6.00 LF		738.00 123.00	420.00 70.00		738.00 123.00	0.00 0.00			738.00 123.00	175.71	-318.00 -53.00	0.00
4E	FULL DEPTH SAW CUT CONCRETE/BITUMINOUS	3.00 LF		1,461.00 487.00	1,440.00 480.00		1,461.00 487.00	0.00 0.00			1,461.00 487.00	101.46	-21.00 -7.00	0.00
5S	SELECT BORROW FILL	10.00 CY		0.00 0.00	9,300.00 930.00		0.00 0.00	0.00 0.00			0.00 0.00	0.00	9,300.00 930.00	0.00
				PAGE 1 TOTAL:			521,880.00	487,531.00	0.00		487,531.00	93.42	34,349.00	0.00

A=Line Item Number B=Brief Item Description C=Total Value of Item D=Total of D and E From Previous Application(s) (If Any) E=Total Work Completed For This Application
 F=Materials Purchased and Stored for Project G=Total of All Work Completed and Materials Stored for Project H=Remaining Balance of Amount to Finish I=Amount Withheld from G

Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached.

Application No: 5

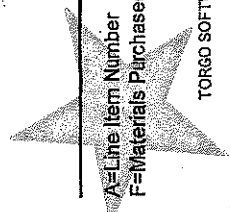
App. Date: February 8, 2024

Use Column I on Contracts where variable retainage for line items may apply.

Period to:

Project No: 23-54

A Item #	B Description of Work		C Schedule of Values	D Work Completed		E This Period	F Materials Stored & Used Prior + Current	G Total Completed and Stored To Date	H Balance to Finish	I Retainage
	Unit Cost	Unit Type		From Previous Application(s)						
13	CATCH BASINS	8,000.00 EA	Amt Qty 8,000.00 1.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	8,000.00 1.00	0.00 0.00
13SS	REGROUT CATCH BASINS	600.00 EA	Amt Qty 7,200.00 12.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	7,200.00 12.00	0.00 0.00
16M	FURNISH NEW MANHOLE CASTING	700.00 EA	Amt Qty 4,900.00 7.00	9,100.00 13.00	0.00 0.00	0.00 0.00	9,100.00 13.00	185.71	-4,200.00 -6.00	0.00 0.00
17-AC	CLASS A CONCRETE	500.00 CY	Amt Qty 5,000.00 10.00	500.00 1.00	0.00 0.00	0.00 0.00	500.00 1.00	10.00	4,500.00 9.00	0.00 0.00
26	CEMENT CONCRETE CURB	31.00 LF	Amt Qty 2,790.00 90.00	6,882.00 222.00	0.00 0.00	0.00 0.00	6,882.00 222.00	246.67	-4,092.00 -132.00	0.00 0.00
26B	REMOVE/REPLACE MORTARED CURBS	40.00 LF	Amt Qty 1,600.00 40.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00	1,600.00 40.00	0.00 0.00
26CG	INTERGRAL CEMENT 5" REVEAL	34.00 LF	Amt Qty 592,620.00 17,430.00	585,276.00 17,214.00	0.00 0.00	0.00 0.00	585,276.00 17,214.00	98.76	7,344.00 216.00	0.00 0.00
27DW	DETECTABLE WARNING SURFACE	40.00 SF	Amt Qty 35,200.00 880.00	40,560.00 1,014.00	0.00 0.00	0.00 0.00	40,560.00 1,014.00	115.23	-5,360.00 -134.00	0.00 0.00
27	CEMENT SIDEWALKS & RAMPS 5"	11.00 SF	Amt Qty 193,160.00 17,560.00	186,362.00 16,942.00	0.00 0.00	0.00 0.00	186,362.00 16,942.00	96.48	6,798.00 618.00	0.00 0.00
28	DRIVEWAYS & APRONS 7"	13.50 SF	Amt Qty 199,530.00 14,780.00	231,849.00 17,174.00	0.00 0.00	0.00 0.00	231,849.00 17,174.00	116.20	-32,319.00 -2,394.00	0.00 0.00
28A	BITUMINOUS SIDEWALKS/DRIVEWAYS	70.00 SY	Amt Qty 1,400.00 20.00	1,610.00 23.00	0.00 0.00	0.00 0.00	1,610.00 23.00	115.00	-210.00 -3.00	0.00 0.00
PAGE 2 TOTAL:				1,051,400.00	1,062,139.00	0.00	1,062,139.00	101.02	-10,739.00	0.00



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Application No: 6

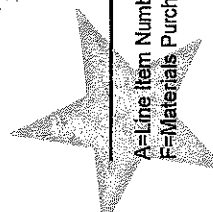
App. Date: February 8, 2024

Use Column I on Contracts where variable retainage for line items may apply.

Period to:

Project No: 23-54

A Item #	B Description of Work	Unit Cost Unit Type	C Schedule of Values	D		E Work Completed This Period	F Materials Stored & Used Prior + Current	G		H Balance to Finish	I Retainage
				From Previous Application(s)	Work Completed			Total Completed and Stored To Date	%		
28B	LOOSE STONE SIDEWALKS/DRIVEWAYS	40.00 SY	Amt Qty 400.00 10.00	0.00	0.00	0.00		0.00	0.00	400.00	0.00
36DRA	TYPE 1A TOP RA NEW CONSTRUCTION	95.00 TON	Amt Qty 272,650.00 2,870.00	255,740.00	0.00	0.00		255,740.00	93.80	16,910.00	0.00
36D	TYPE 1A TOP & BINDER	95.00 TON	Amt Qty 362,900.00 3,820.00	342,475.00	0.00	0.00		342,475.00	94.37	20,425.00	0.00
49C	REINFORCED CONCRETE GUTTER	18.00 LF	Amt Qty 2,160.00 120.00	2,970.00	0.00	0.00		2,970.00	137.50	-810.00	0.00
57	REBUILD CATCH BASINS	5,000.00 EA	Amt Qty 5,000.00 1.00	20,000.00	0.00	0.00		20,000.00	400.00	-15,000.00	0.00
60	SERVICE BOX RELOCATION	500.00 EA	Amt Qty 500.00 1.00	0.00	0.00	0.00		0.00	0.00	500.00	0.00
61	HOUSE SERVICE CONNECT TO WATER MN	500.00 EA	Amt Qty 500.00 1.00	0.00	0.00	0.00		0.00	0.00	500.00	0.00
61S	SANITARY SEWER HOUSE CONNECT	500.00 EA	Amt Qty 500.00 1.00	0.00	0.00	0.00		0.00	0.00	500.00	0.00
72	REPLACE/RELOCATE HEDGE	25.00 LF	Amt Qty 500.00 20.00	0.00	0.00	0.00		0.00	0.00	500.00	0.00
73A	REMOVE/REPLACE PLANTS/SHRUBS	75.00 EA	Amt Qty 750.00 10.00	0.00	0.00	0.00		0.00	0.00	750.00	0.00
74	REPLACE MISC STRUCTURES	300.00 CF	Amt Qty 3,000.00 10.00	0.00	0.00	0.00		0.00	0.00	3,000.00	0.00
PAGE 3 TOTAL:				648,860.00	621,185.00	0.00		621,185.00	95.73	27,675.00	0.00



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Application No: 5

App. Date: February 8, 2024

Use Column I on Contracts where variable retainage for line items may apply.

Period to:

Project No: 23-54

A Item #	B		C Schedule of Values	D		E		F Materials Stored & Used Prior + Current	G Total Completed and Stored To Date	H Balance to Finish	I Retainage	
	Description of Work	Unit Cost Unit Type		Work Completed From Previous Application(s)	Work Completed This Period	%						
76	TOPSOIL AND SEEDING	35.00 SY	Amt Qty 4,900.00 140.00	420.00	0.00	420.00	0.00		420.00	4,480.00	0.00	
77	MOVE WATER METER AND PIT	1,000.00 EA	Amt Qty 1,000.00 1.00	0.00	0.00	0.00	0.00		0.00	1,000.00	0.00	
77A	WATER METERS	500.00 EA	Amt Qty 500.00 1.00	0.00	0.00	0.00	0.00		0.00	500.00	0.00	
99	WATER MAIN RELOCATION	20.00 LF	Amt Qty 1,200.00 60.00	0.00	0.00	0.00	0.00		0.00	1,200.00	0.00	
99-F	WATER MAIN FITTINGS	25.00 LBS	Amt Qty 250.00 10.00	0.00	0.00	0.00	0.00		0.00	250.00	0.00	
99-TB	INSTALL THRUST BLOCKS	100.00 CY	Amt Qty 1,000.00 10.00	0.00	0.00	0.00	0.00		0.00	1,000.00	0.00	
99-V	WATER MAIN VALVE	1,800.00 EA	Amt Qty 1,800.00 1.00	0.00	0.00	0.00	0.00		0.00	1,800.00	0.00	
121	DRYBOUND BASE COURSE	32.00 CY	Amt Qty 126,080.00 3,940.00	122,486.00	0.00	122,486.00	0.00		122,486.00	3,584.00	0.00	
15-3A	MANHOLES TYPE 3 ALT	4,000.00 EA	Amt Qty 4,000.00 1.00	0.00	0.00	0.00	0.00		0.00	4,000.00	0.00	
16-1	CHG IN ELEV - MINOR ADJ	300.00 EA	Amt Qty 18,300.00 61.00	14,700.00	0.00	14,700.00	0.00		14,700.00	3,600.00	0.00	
16-2	CHG IN ELEV - MAJOR ADJ	500.00 EA	Amt Qty 3,500.00 7.00	8,000.00	0.00	8,000.00	0.00		8,000.00	-4,500.00	0.00	
				16.00	0.00	16.00	0.00		16.00	-9.00	0.00	
PAGE 4 TOTAL:				162,530.00	0.00	145,616.00	0.00		145,616.00	89.59	16,914.00	0.00

PAGE 4 TOTAL:

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Application No: 5

App. Date: February 8, 2024

Period to:

Project No: 23-54

Use Column I on Contracts where variable retainage for line items may apply.

A Item #	B Description of Work		C Schedule of Values	D Work Completed		E This Period	F Materials Stored & Used Prior + Current	G Total Completed and Stored To Date	H Balance to Finish	I Retainage
	Unit Cost	Unit Type		From Previous Application(s)						
362	PAINTING CASTINGS	100.00 EA	Amt 9,500.00 Qty 95.00	0.00	9,500.00	95.00		9,500.00	0.00	0.00
363	CALCIUM CHLORIDE	100.00 TON	Amt 2,400.00 Qty 24.00	0.00	0.00	0.00		0.00	2,400.00	0.00
364A	SMALL RETAINING WALLS - BRICK	500.00 CY	Amt 2,500.00 Qty 5.00	0.00	0.00	0.00		0.00	2,500.00	0.00
364B	SMALL RETAINING WALLS - CONCRETE	500.00 CY	Amt 2,500.00 Qty 5.00	0.00	0.00	0.00		0.00	2,500.00	0.00
366T	THERMOPLASTIC	2.00 LF	Amt 8,940.00 Qty 4,470.00	11,968.00	0.00	0.00		11,968.00	-3,028.00	0.00
386A	TREE REMOVAL 4"-12"	1,000.00 EA	Amt 6,000.00 Qty 6.00	5,000.00	0.00	0.00		5,000.00	1,000.00	0.00
386B	TREE REMOVAL 12"	1,000.00 EA	Amt 9,000.00 Qty 9.00	23,000.00	0.00	0.00		23,000.00	-14,000.00	0.00
387	RELOCATION OF WATER MAIN VALVES	500.00 EA	Amt 500.00 Qty 1.00	0.00	0.00	0.00		0.00	500.00	0.00
389	METAL BEAM TYPE GUIDE RAILING	60.00 LF	Amt 2,400.00 Qty 40.00	6,600.00	0.00	0.00		6,600.00	-4,200.00	0.00
393	TEST HOLES	100.00 EA	Amt 500.00 Qty 5.00	0.00	0.00	0.00		0.00	500.00	0.00
394	TEMP ASPHALTIC PAVEMENT	75.00 TON	Amt 750.00 Qty 10.00	0.00	0.00	0.00		0.00	750.00	0.00

PAGE 5 TOTAL:	44,990.00	46,568.00	9,500.00	56,068.00	124.62	-11,078.00	0.00
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Application No: 5

App. Date: February 8, 2024

Period to:

Project No: 23-54

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A Item #	B Description of Work		Unit Cost Unit Type	C Schedule of Values		D Work Completed		E This Period	F Materials Stored & Used Prior + Current	G Total Completed and Stored To Date	H Balance to Finish	I Retainage
						From Previous Application(s)	From Previous Application(s)					
396	PLANTING SOD	24.00 SY	Amt Qty	156,240.00 6,510.00	133,464.00 5,561.00	0.00 0.00	0.00 0.00	0.00 0.00	133,464.00 5,561.00	22,776.00 949.00	0.00 0.00	
450	F&I POST MOUNTED SIGN	1,000.00 EA	Amt Qty	1,000.00 1.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	1,000.00 1.00	0.00 0.00	
500	CLEAN EXISTING DRAINAGE SYSTEM	7.00 LF	Amt Qty	50,540.00 7,220.00	0.00 0.00	42,325.01 6,046.43	0.00 0.00	0.00 0.00	42,325.01 6,046.43	8,214.99 1,173.57	0.00 0.00	
502	F&I 1" ELECTRICAL CONDUIT	5.00 LF	Amt Qty	24,500.00 4,900.00	24,795.00 4,959.00	0.00 0.00	0.00 0.00	0.00 0.00	24,795.00 4,959.00	-295.00 -59.00	0.00 0.00	
504	CHANGE ELE WATER MAIN SIGNAL BOX	100.00 EA	Amt Qty	5,500.00 55.00	5,700.00 57.00	0.00 0.00	0.00 0.00	0.00 0.00	5,700.00 57.00	-200.00 -2.00	0.00 0.00	
504-A	F&I WATER MAIN & SPRINKLER BOX	500.00 EA	Amt Qty	500.00 1.00	5,000.00 10.00	0.00 0.00	0.00 0.00	0.00 0.00	5,000.00 10.00	-4,500.00 -9.00	0.00 0.00	
506	REMOVE ORNAMENTAL GARDEN	10.00 SF	Amt Qty	600.00 60.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	600.00 60.00	0.00 0.00	
507	MODIFY EXISTING ROOF DRAINS	10.00 LF	Amt Qty	250.00 25.00	200.00 20.00	0.00 0.00	0.00 0.00	0.00 0.00	200.00 20.00	50.00 5.00	0.00 0.00	
508	REMOVE EXISTING FENCE	80.00 LF	Amt Qty	800.00 10.00	640.00 8.00	0.00 0.00	0.00 0.00	0.00 0.00	640.00 8.00	160.00 2.00	0.00 0.00	
514	STREET SWEEPER WITH OPERATOR	100.00 HR	Amt Qty	15,000.00 150.00	2,400.00 24.00	0.00 0.00	0.00 0.00	0.00 0.00	2,400.00 24.00	12,600.00 126.00	0.00 0.00	
516	F&I CATCH BASIN CASTING	2,000.00 EA	Amt Qty	2,000.00 1.00	6,000.00 3.00	0.00 0.00	0.00 0.00	0.00 0.00	6,000.00 3.00	-4,000.00 -2.00	0.00 0.00	
PAGE 6 TOTAL:				256,930.00	178,199.00	42,325.01	220,524.01	85.83	36,405.99	0.00		

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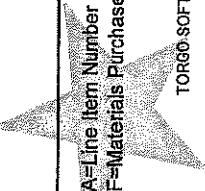
App. Date: February 8, 2024

Period to:

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Project No: 23-54

A Item #	B Description of Work	C Schedule of Values	D Work Completed		E This Period	F Materials Stored & Used Prior + Current	G Total Completed and Stored To Date	H Balance to Finish	I Retainage
			From Previous Application(s)	From Previous Application(s)					
529	MODIFY MASONRY PILLAR	Amt Qty 1,000.00 10.00	0.00	0.00	0.00		0.00	1,000.00	0.00
534	ADJUST EXISTING HYDRANTS	Amt Qty 1,500.00 1.00	0.00	0.00	0.00		0.00	1,500.00	0.00
535	GRINDING TREE STUMPS	Amt Qty 200.00 2.00	300.00	0.00	0.00		300.00	-100.00	0.00
537	SYNTHETIC TURF	Amt Qty 1,000.00 10.00	0.00	0.00	0.00		0.00	1,000.00	0.00
548	ELEV OF SEWER CLEAN OUT	Amt Qty 500.00 1.00	0.00	0.00	0.00		0.00	500.00	0.00
570	DECO DRIVEWAYS AND SIDEWALKS	Amt Qty 5,200.00 200.00	4,888.00	0.00	0.00		4,888.00	312.00	0.00
572	FENCE FOR SEDIMENT CONTROL	Amt Qty 2.00 500.00	0.00	0.00	0.00		0.00	1,000.00	0.00
574	PROTECTION FOR DRAINAGE STRUCTURE	Amt Qty 200.00 19.00	2,800.00	0.00	0.00		2,800.00	1,000.00	0.00
575	CURB INLET DRAINAGE STRUCTURES	Amt Qty 200.00 27.00	3,200.00	0.00	0.00		3,200.00	2,200.00	0.00
600	UNFORSEEN RESTOR WORK	Amt Qty 50,000.00 1.00	7,000.00	0.00	0.00		7,000.00	43,000.00	0.00
12B-10 PVC	FURNISH/LAY 10" DIA PVC	Amt Qty 50.00 10.00	0.00	0.00	0.00		0.00	500.00	0.00
PAGE 7 TOTAL:			70,100.00	18,188.00	0.00		18,188.00	51,912.00	0.00



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Period to:

Project No: 23-54

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12B-15	FURNISH/LAY 15" DIA PIPE	1,000.00 10.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	1,000.00 10.00	0.00
12B-18	FURNISH/LAY 18" DIA PIPE	1,000.00 10.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	1,000.00 10.00	0.00
12B-24	FURNISH/LAY 24" DIA PIPE	1,500.00 10.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	1,500.00 10.00	0.00
12B-30	FURNISH/LAY 30" DIA PIPE	2,000.00 10.00	3,200.00 16.00	0.00 0.00	0.00 0.00	3,200.00 16.00	-1,200.00 -6.00	0.00
12B-36"	FURNISH/LAY 36" DIA PIPE	2,000.00 10.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	2,000.00 10.00	0.00
505-2	REMOVE CATCH BASIN CASTINGS	2,400.00 2.00	4,800.00 4.00	0.00 0.00	0.00 0.00	4,800.00 4.00	-2,400.00 -2.00	0.00

PAGE 8 TOTAL: 9,900.00 8,000.00 0.00 8,000.00 80.81 1,900.00 0.00

GRAND TOTAL: 2,766,590.00 2,567,426.00 51,825.01 2,619,251.01 94.67 147,338.99 0.00

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LiRo Engineers, Inc.

A LiRo Group Company

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

CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

Authorized Change: QUANTITY INCREASES AND DECREASES THROUGH PAYMENT REQUISITION NO. 5

DECREASES

ITEM 2:	Unclassified Excavation	
	Decrease Estimated Quantity From 7,300 CY to 6,841 CY	
	Decrease in cost of 459 CY @ Unit Price Bid of \$52 =	\$ (23,868.00)

Reason: The item quantity is based on actual field measurement.

ITEM *2U:	Undercut	
	Decrease Estimated Quantity From 630 CY to 566 CY	
	Decrease in cost of 64 CY @ Unit Price Bid of \$10 =	\$ (640.00)

Reason: The item quantity is based on actual field measurement.

ITEM 4E-1:	Full Depth Saw Cut of Cement Concrete Sidewalk and/or Driveway	
	Decrease Estimated Quantity From 980 LF to 725 LF	
	Decrease in cost of 255 LF @ Unit Price Bid of \$4 =	\$ (1,020.00)

Reason: The item quantity is based on actual field measurement.

ITEM 5S:	Select Borrow Fill	
	Decrease Estimated Quantity From 930 CY LF to 0 CY	
	Decrease in cost of 930 CY @ Unit Price Bid of \$10 =	\$ (9,300.00)

Reason: The item was not utilized in the contract.

ITEM 12B-10 PVC:	Furnish and Lay 10" Diameter, Poly Vinyl Chloride Pipe	
	Decrease Estimated Quantity From 10 LF to 0 LF	
	Decrease in cost of 10 LF @ Unit Price Bid of \$50 =	\$ (500.00)

Reason: The item was not utilized in the contract.

ITEM 12B-15	Furnish and Lay 15" Diameter, Class IV Reinforced Concrete Pipe	
	Decrease Estimated Quantity From 10 LF to 0 LF	
	Decrease in cost of 10 LF @ Unit Price Bid of \$100 =	\$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM 12B-18	Furnish and Lay 18" Diameter, Class IV Reinforced Concrete Pipe	
	Decrease Estimated Quantity From 10 LF to 0 LF	
	Decrease in cost of 10 LF @ Unit Price Bid of \$100 =	\$ (1,000.00)

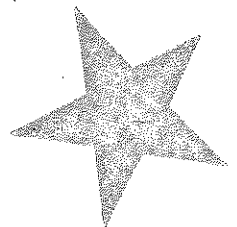
Reason: The item was not utilized in the contract.

ITEM 12B-24	Furnish and Lay 24" Diameter, Class IV Reinforced Concrete Pipe	
	Decrease Estimated Quantity From 10 LF to 0 LF	
	Decrease in cost of 10 LF @ Unit Price Bid of \$150 =	\$ (1,500.00)

Reason: The item was not utilized in the contract.

ITEM 12B-36	Furnish and Lay 36" Diameter, Class IV Reinforced Concrete Pipe	
	Decrease Estimated Quantity From 10 LF to 0 LF	
	Decrease in cost of 10 LF @ Unit Price Bid of \$200 =	\$ (2,000.00)

Reason: The item was not utilized in the contract.





LiRo Engineers, Inc.

A LiRo Group Company

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

CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM 13:	Catch Basin	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$8,000 =	\$ (8,000.00)

Reason: The item quantity was not utilized in the contract.

ITEM 13SS:	RegROUT Catch Basins and Manholes	
	Decrease Estimated Quantity From 12 EA to 0 EA	
	Decrease in cost of 12 EA @ Unit Price Bid of \$600 =	\$ (7,200.00)

Reason: The item quantity was not utilized in the contract.

ITEM 15-3A:	Manholes, Type 3 Alternate	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$4,000 =	\$ (4,000.00)

Reason: The item was not utilized in the contract.

ITEM 16-1:	Change Elevation of Manhole Casting – Minor Adjustment	
	Decrease Estimated Quantity From 61 EA to 49 EA	
	Decrease in cost of 12 EA @ Unit Price Bid of \$300 =	\$ (3,600.00)

Reason: The item quantity is based on actual field conditions.

ITEM *17-AC:	Concrete Masonry, Contingency, Class A Concrete	
	Decrease Estimated Quantity From 10 CY to 1 CY	
	Decrease in cost of 9 CY @ Unit Price Bid of \$500 =	\$ (4,500.00)

Reason: The item quantity is based on actual field conditions.

ITEM *26B:	Remove and Replace Block, Brick or Similar	
	Decrease Estimated Quantity From 40 LF to 0 LF	
	Decrease in cost of 40 LF @ Unit Price Bid of \$40 =	\$ (1,600.00)

Reason: The item quantity was not utilized in the contract.

ITEM *26CG:	Integral Cement – 5-Inch Reveal	
	Decrease Estimated Quantity From 17,430 LF to 17,214 LF	
	Decrease in cost of 216 LF @ Unit Price Bid of \$34 =	\$ (7,344.00)

Reason: The item quantity is based on actual field measurement.

ITEM 27:	Cement Concrete Sidewalk and Ramps (5" Thick)	
	Decrease Estimated Quantity From 17,560 SF to 16,942 SF	
	Decrease in cost of 618 SF @ Unit Price Bid of \$11 =	\$(6,798.00)

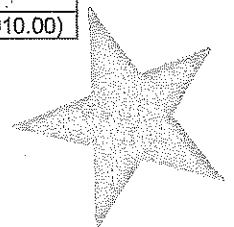
Reason: The item quantity is based on actual field measurement.

ITEM 28B:	Loose Stone Sidewalks and Driveways	
	Decrease Estimated Quantity From 10 SY to 0 SY	
	Decrease in cost of 10 SY @ Unit Price Bid of \$40 =	\$ (400.00)

Reason: The item is based on actual field conditions.

ITEM 36-DRAN:	Bituminous Macadam Plan Mix, Type 2A, Paving Courses, Various Thicknesses and Mixes	
	Decrease Estimated Quantity From 2,870 Tons to 2,692 Tons	
	Decrease in cost of 178 Tons @ Unit Price Bid of \$95 =	\$ (16,910.00)

Reason: The item quantity is based on actual field measurement.





LiRo Engineers, Inc.

A LiRo Group Company

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

**CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE
AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY**

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM 36D:	Asphalt Concrete Type 1A (Top & Binder)	
	Decrease Estimated Quantity From 3,820 Tons to 3,605 Tons	
	Decrease in cost of 215 Tons @ Unit Price Bid of \$95 =	\$ (20,425.00)

Reason: The item quantity is based on actual field conditions.

ITEM *60:	Curb Cock and Water Service Box Relocation	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$500 =	\$ (500.00)

Reason: The item quantity was not utilized in the contract.

ITEM *61:	Changing Elevations of House Service Connections to Water Mains	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$500 =	\$ (500.00)

Reason: The item quantity was not utilized in the contract.

ITEM *61S:	Changing Elevations of Sanitary Sewer House Connection	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$500 =	\$ (500.00)

Reason: The item quantity was not utilized in the contract.

ITEM *72:	Replace or Relocate Hedge	
	Decrease Estimated Quantity From 20 LF to 0 LF	
	Decrease in cost of 20 LF @ Unit Price Bid of \$25 =	\$ (500.00)

Reason: The item was not utilized in the contract.

ITEM *73A:	Remove & Replace or Relocate Miscellaneous Plants and Shrubs	
	Decrease Estimated Quantity From 10 EA to 0 EA	
	Decrease in cost of 10 EA @ Unit Price Bid of \$75 =	\$ (750.00)

Reason: The item was not utilized in the contract.

ITEM *74:	Replace or Construct Miscellaneous Structures	
	Decrease Estimated Quantity From 10 CF to 0 CF	
	Decrease in cost of 10 CF @ Unit Price Bid of \$300 =	\$ (3,000.00)

Reason: The item was not utilized in the contract.

ITEM 76:	Topsoil and Seeding	
	Increase Estimated Quantity From 140 SY to 12 SY	
	Increase in cost of 128 SY @ Unit Price Bid of \$35 =	\$ (4,480.00)

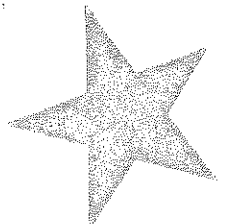
Reason: The item quantity is based on actual field conditions.

ITEM *77:	Moving Water Meter and Pit	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$1,000 =	\$ (1,000.00)

Reason: The item quantity was not utilized in the contract.

ITEM *77A:	Water Meters - Change of Grade	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$500 =	\$ (500.00)

Reason: The item quantity was not utilized in the contract.





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**CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE
AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY**

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM *99:	Water Main Relocation, Various Diameters	
	Decrease Estimated Quantity From 60 LF to 0 LF	
	Decrease in cost of 60 LF @ Unit Price Bid of \$20 =	\$ (1,200.00)

Reason: The item quantity was not utilized in the contract.

ITEM *99-F:	Water Main Fittings	
	Decrease Estimated Quantity From 10 LBs to 0 LBs	
	Decrease in cost of 10 LBs @ Unit Price Bid of \$25 =	\$ (250.00)

Reason: The item quantity was not utilized in the contract.

ITEM *99-TB:	Install Concrete Thrust Blocks	
	Decrease Estimated Quantity From 10 CY to 0 CY	
	Decrease in cost of 10 CY @ Unit Price Bid of \$100 =	\$ (1,000.00)

Reason: The item quantity was not utilized in the contract.

ITEM *99-V:	New Water Main Valve With Valve Box	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$1,800 =	\$ (1,800.00)

Reason: The item quantity was not utilized in the contract.

ITEM 121:	Dry Bound Base Course	
	Increase Estimated Quantity From 3,940 CY to 3,828 CY	
	Increase in cost of 112 CY @ Unit Price Bid of \$32 =	\$ (3,584.00)

Reason: The item quantity is based on actual field measurement.

ITEM 363:	Furnish and Apply Calcium Chloride	
	Decrease Estimated Quantity From 24 Tons to 0 Tons	
	Decrease in cost of 24 Tons @ Unit Price Bid of \$100 =	\$ (2,400.00)

Reason: The item was not utilized in the contract.

ITEM *364A:	Construction of Small Retaining Walls - Brick	
	Decrease Estimated Quantity From 5 CY to 0 CY	
	Decrease in cost of 5 CY @ Unit Price Bid of \$500 =	\$ (2,500.00)

Reason: The item was not utilized in the contract.

ITEM *364B:	Construction of Small Retaining Walls - Concrete	
	Decrease Estimated Quantity From 5 CY to 0 CY	
	Decrease in cost of 5 CY @ Unit Price Bid of \$500 =	\$ (2,500.00)

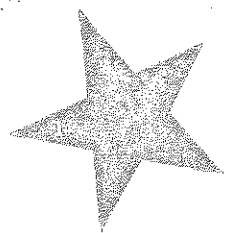
Reason: The item was not utilized in the contract.

ITEM 386A:	Tree Removal over 4" to 12" Caliper Inclusive	
	Decrease Estimated Quantity From 6 EA to 5 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$1,000 =	\$ (1,000.00)

Reason: The item quantity is based on actual field measurement.

ITEM *387:	Relocation of Water Main Valves	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of @ 1 EA Unit Price Bid of \$500 =	\$ (500.00)

Reason: The item was not utilized in the contract.



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CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY**CONTRACT NO.: H19-197 PHASE3****QUANTITY INCREASES / DECREASES**

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM 393:	Test Holes	
	Decrease Estimated Quantity From 5 EA to 0 EA	
	Decrease in cost of 5 EA @ Unit Price Bid of \$100 =	\$ (500.00)

Reason: The item was not utilized in the contract.

ITEM 394:	Temporary Asphaltic Pavement	
	Decrease Estimated Quantity From 10 Tons to 0 Tons	
	Decrease in cost of 10 Tons @ Unit Price Bid of \$75 =	\$ (750.00)

Reason: The item was not utilized in the contract.

ITEM 396:	Planting Sod, Supplied or Rehandled	
	Decrease Estimated Quantity From 6,510 SY to 5,561 SY	
	Decrease in cost of 949 SY @ Unit Price Bid of \$24 =	\$ (22,776.00)

Reason: The item quantity is based on actual field measurement.

ITEM 450:	Furnish and Install Post Mounted Sign	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$1,000 =	\$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM 500:	Clean Existing Drainage System	
	Decrease Estimated Quantity From 7,220 LF to 6,046.43 LF	
	Decrease in cost of 1,173.57 LF @ Unit Price Bid of \$7 =	\$ (8,214.99)

Reason: The item is based on actual field conditions

ITEM *506:	Remove and Reset Ornamental Garden	
	Decrease Estimated Quantity From 60 SF to 0 SF	
	Decrease in cost of 60 SF @ Unit Price Bid of \$10 =	\$ (600.00)

Reason: The item was not utilized in the contract.

ITEM *507:	Modify Existing Roof Drains	
	Decrease Estimated Quantity From 25 LF to 20 LF	
	Decrease in cost of 5 LF @ Unit Price Bid of \$10 =	\$ (50.00)

Reason: The item is based on actual field conditions

ITEM *508:	Removal and Replacement of Existing Fence	
	Decrease Estimated Quantity From 10 LF to 8 LF	
	Decrease in cost of 2 LF @ Unit Price Bid of \$80 =	\$ (160.00)

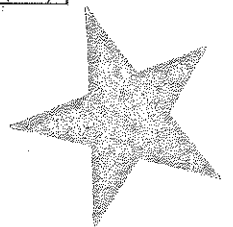
Reason: The item quantity is based on actual field conditions

ITEM *514:	Furnish Self-Propelled Street Sweeper Complete with Operator	
	Decrease Estimated Quantity From 150 HRS to 24 HRS	
	Decrease in cost of 126 HRS @ Unit Price Bid of \$100 =	\$ (12,600.00)

Reason: The item quantity is based on field conditions.

ITEM *529:	Modify or Reconstruct Masonry Pillar	
	Decrease Estimated Quantity From 10 CF to 0 CF	
	Decrease in cost of 10 CF @ Unit Price Bid of \$100 =	\$ (1,000.00)

Reason: The item was not utilized in the contract.





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**CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE
AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY**

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM *534:	Relocate and/or Adjust Existing Hydrants	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$1,500=	\$ (1,500.00)

Reason: The item was not utilized in the contract.

ITEM *537:	Synthetic Turf - Residential Locations	
	Decrease Estimated Quantity From 10 SY to 0 SY	
	Decrease in cost of 10 SY @ Unit Price Bid of \$100 =	\$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM *548:	Relocate and Change Elevation of Sanitary Sewer Clean-Out	
	Decrease Estimated Quantity From 1 EA to 0 EA	
	Decrease in cost of 1 EA @ Unit Price Bid of \$500=	\$ (500.00)

Reason: The item was not utilized in the contract.

ITEM 570:	Brick, Block, Precast Decorative or Cast-in-Place Decorative Driveways and Sidewalks	
	Decrease Estimated Quantity From 200 SF to 188 SF	
	Decrease in cost of 12 SF @ Unit Price Bid of \$26 =	\$ (312.00)

Reason: The item quantity is based on field conditions.

ITEM 572:	Silt Fence for Sediment Control	
	Decrease Estimated Quantity From 500 LF to 0 LF	
	Decrease in cost of 500 LF @ Unit Price Bid of \$2 =	\$ (1,000.00)

Reason: The item was not utilized in the contract.

ITEM 574:	Silt Protection for Surface Inlet Drainage Structures	
	Decrease Estimated Quantity From 19 EA to 14 EA	
	Increase in cost of 5 EA @ Unit Price Bid of \$200 =	\$ (1,000.00)

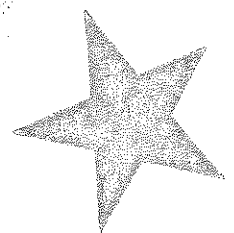
Reason: The item quantity is based on actual field measurements.

ITEM 575:	Silt Protection for Curb Inlet Drainage Structures	
	Decrease Estimated Quantity From 27 EA to 16 EA	
	Decrease in cost of 11 EA @ Unit Price Bid of \$200 =	\$ (2,200.00)

Reason: The item quantity is based on actual field measurements.

ITEM ***600:	Unforeseen Restoration Work	
	Decrease Estimated Quantity From 1 EA to 0.14 EA	
	Decrease in cost of 0.86 EA @ Unit Price Bid of \$50,000 =	\$ (43,000.00)

Reason: The item quantity is based on actual field measurements.





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CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE

AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

INCREASES

ITEM 4B-P:	Remove Existing Pipe	
	Increase Estimated Quantity From 10 LF to 17 LF	
	Increase in cost of 7 LF @ Unit Price Bid of \$20 =	\$ 140.00

Reason: The item quantity is based on actual field measurements.

ITEM 4D:	Bituminous Concrete Sawcut - Asphalt	
	Increase Estimated Quantity From 70 LF to 123 LF	
	Increase in cost of 53 CY @ Unit Price Bid of \$6 =	\$ 318.00

Reason: The item quantity is based on actual field measurement.

ITEM 4E:	Full Depth Saw Cut of Cement Concrete Pavement and/or Bituminous Concrete Pavement	
	Increase Estimated Quantity From 480 LF to 487 LF	
	Increase in cost of 7 LF @ Unit Price Bid of \$3 =	\$ 21.00

Reason: The item quantity is based on actual field measurement.

ITEM 12B-30	Furnish and Lay 30" Diameter, Class IV Reinforced Concrete Pipe	
	Increase Estimated Quantity From 10 LF to 16 LF	
	Increase in cost of 6 LF @ Unit Price Bid of \$200 =	\$ 1,200.00

Reason: The item quantity is based on actual field measurement for the replacement of drainage pipe at the outlet in front of 41 Orchard St

ITEM *16M:	Furnish and Install New Manhole Casting	
	Increase Estimated Quantity From 7 EA to 13 EA	
	Increase in cost of 6 EA @ Unit Price Bid of \$700 =	\$ 4,200.00

Reason: The item quantity is based on actual field measurements.

ITEM 16-2:	Change Elevation of Manhole Casting – Major Adjustment	
	Increase Estimated Quantity From 7 EA to 16 EA	
	Increase in cost of 9 EA @ Unit Price Bid of \$500 =	\$ 4,500.00

Reason: The item quantity is based on actual field measurements.

ITEM 26:	Cement Curbs	
	Increase Estimated Quantity From 90 LF to 222 LF	
	Increase in cost of 132 LF @ Unit Price Bid of \$31 =	\$ 4,092.00

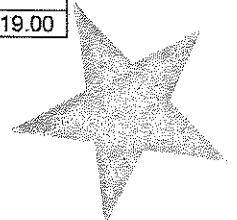
Reason: The item quantity is based on actual field measurements.

ITEM 27DW:	Detectable Warning Surface	
	Increase Estimated Quantity From 880 SF to 1,014 SF	
	Increase in cost of 134 SF @ Unit Price Bid of \$40 =	\$ 5,360.00

Reason: The item quantity is based on actual field measurements.

ITEM 28:	Reinforced Cement Concrete Driveways and Aprons (7" Thick)	
	Increase Estimated Quantity From 14,780 SF to 17,174 SF	
	Increase in cost of 2,394 SF @ Unit Price Bid of \$13.50 =	\$ 32,319.00

Reason: The item quantity is based on actual field measurement.





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CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE

AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY

CONTRACT NO.: HI9-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM 28A:	Bituminous Sidewalk and Driveways	
	Increase Estimated Quantity From 20 SY to 23 SY	
	Increase in cost of 3 SY @ Unit Price Bid of \$70 =	\$ 210.00

Reason: The item is based on actual field conditions.

ITEM 49-C:	Reinforced Cement Concrete Gutter Modified	
	Increase Estimated Quantity From 120 LF to 165 LF	
	Increase in cost of 45 LF @ Unit Price Bid of \$18 =	\$ 810.00

Reason: The item quantity is based on actual field conditions.

ITEM *57:	Rebuilding Catch Basins	
	Increase Estimated Quantity From 1 EA to 4 EA	
	Increase in cost of 3 EACH @ Unit Price Bid of \$5,000 =	\$ 15,000.00

Reason: The item quantity is based on actual field measurement and TOB direction to replace catch basin top slab

ITEM 366T:	Thermoplastic ReflectORIZED Pavement Markings	
	Increase Estimated Quantity From 4,470 LF to 5,984 LF	
	Increase in cost of 1,514 LF @ Unit Price Bid of \$2 =	\$ 3,028.00

Reason: The item quantity is based on actual field measurement.

ITEM 386B:	Tree Removal over 12" Caliper	
	Increase Estimated Quantity From 9 EA to 23 EA	
	Increase in cost of 14 EACH @ Unit Price Bid of \$1,000 =	\$ 14,000.00

Reason: The item quantity is based on actual field measurement.

ITEM 389:	Metal Beam Type Guide Rail	
	Increase Estimated Quantity From 40 LF to 110 LF	
	Increase in cost of 70 LF @ Unit Price Bid of \$60 =	\$ 4,200.00

Reason: The item quantity is based on actual field measurement and TOB direction to replace all existing guide rails

ITEM 502:	Furnish and install 1-inch inside Diameter Polyvinyl Chloride Electrical Conduit	
	Increase Estimated Quantity From 4,900 LF to 4,959 LF	
	Increase in cost of 59 LF @ Unit Price Bid of \$ 5 =	\$ 295.00

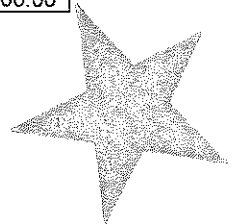
Reason: The item quantity is based on actual field measurement.

ITEM 504:	Change Elev.- Water Service Box, Water Main Valve Box, Water Meter Pit, San. Sewer Cleanout or Traffic Signal Pullbox	
	Increase Estimated Quantity From 55 EA to 57 EA	
	Increase in cost of 2 EA @ Unit Price Bid of \$100 =	\$ 200.00

Reason: The item quantity is based on actual field conditions.

ITEM 504-A:	Furnish, install New Water Serv.Box, Water Main Valve Box, Water Meter Pit, San. Sewer Cleanout or Sprinkler Control Box	
	Increase Estimated Quantity From 1 EA to 10 EA	
	Increase in cost of 9 EA @ Unit Price Bid of \$500 =	\$ 4,500.00

Reason: The item quantity is based on actual field conditions.





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**CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE
AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY**

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

ITEM 505-2:	Remove and Reset Existing Catch Basin Castings	
	Increase Estimated Quantity From 2 EA to 4 EA	
	Increase in cost of 2 EA @ Unit Price Bid of \$1,200 =	\$ 2,400.00

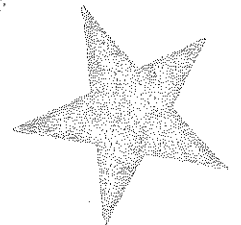
Reason: The item quantity is based on actual field conditions.

ITEM *516:	Furnish and Install New Catch Basin Castings	
	Increase Estimated Quantity From 1 EA to 3 EA	
	Increase in cost of 2 EA @ Unit Price Bid of \$2,000 =	\$ 4,000.00

Reason: The item quantity is based on actual field conditions

ITEM *535:	Grinding Existing Tree Stumps	
	Increase Estimated Quantity From 2 EA to 3 EA	
	Increase in cost of 1 EA @ Unit Price Bid of \$100 =	\$ 100.00

Reason: The item quantity is based on field conditions.





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**CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE AVENUE
AREA IN FARMINGDALE PHASE 3, NASSAU COUNTY NY**

CONTRACT NO.: H19-197 PHASE3

QUANTITY INCREASES / DECREASES

Dated: March 20, 2024

Contractor: METRO PAVING, LLC

Item No.: As Listed Below

Resident Representative: Cristian Schwartz

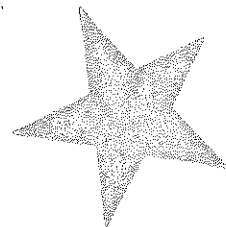
AUTHORIZED CHANGE: QUANTITY DECREASES THROUGH PAYMENT REQUISITION No. 05

PROJECT SUMMARY

Bid Amount:	- \$ 2,766,590.00
Reserve Amount:	- \$ 0
Sub Total:	- \$ 2,766,590.00
Notification No. 1 (TBR Pending)	- \$ (147,338.99)
Authorized Change Orders (NA)	- \$ 0
Final Construction Cost	- \$ 2,619,251.01

Signed By:

Kenneth Holmstrom, P.E.
Vice President, Engineering
The LiRo Group



MR

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

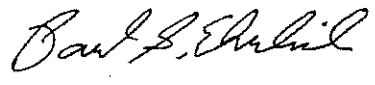
DATE: March 29, 2024

SUBJECT: FINAL ACCEPTANCE
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS TO THE INTERVALE
AVENUE AREA PHASE 3
CONTRACT NO. H19-197PH3

In reply to your memorandum of March 28, 2024, 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.

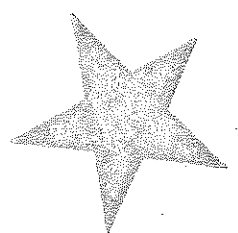
By copy of this memorandum, the contractor, Metro Paving, LLC's, Maintenance Bond No. 015221607M is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

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: APRIL 1, 2024

SUBJECT: FINAL ACCEPTANCE – CONSTRUCTION OF HIGHWAY & DRAINAGE
IMPROVEMENTS TO THE INTERVALE AVENUE AREA PHASE 3
CONTRACT NO. H19-197PH3

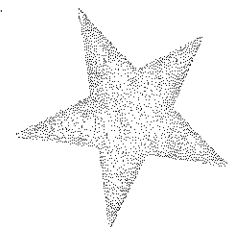
In response to your memo dated March 28, 2024, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.


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


MARCH 29, 2024

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
HIGHWAY IMPROVEMENTS TO THE INTERVALE AVENUE AREA
CONTRACT NO. H19-197 PH3

This office is in receipt of your memo dated March 28, 2024 with regard to final acceptance of the above-mentioned project. The Highway Division did attend the walk-thru with your staff and concurs with your recommendation to accept this project as final.

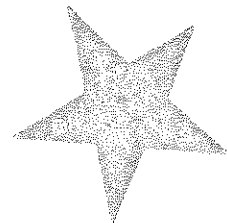


JOHN C. TASSONE
CHIEF DEPUTY COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

JCT/nm

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

JCT H19-197 ph3 Intervale Avenue Area Final concurrence to Eng



JMS
Reviewed By
Office of Town Attorney
America Wolfe

WHEREAS, Justin McCaffrey, Commissioner, Department of Public Safety, by memorandum dated April 22, 2024, requested Town Board authorization to pay National Safety Council for Justin McCaffrey's annual CPR/AED Instructor's renewal fee of \$80.00 and his one-year membership fee of \$499.00 in the National Safety Council, for total cost of \$579.00, so that he may continue to teach AED/CPR first aid classes to Town employees,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Public Safety is hereby authorized to pay National Safety Council for Justin McCaffrey's annual CPR/AED Instructor's renewal fee of \$80.00 and his one-year membership fee of \$499.00 in the National Safety Council, for total cost of \$579.00, so that he may continue to teach AED/CPR first aid classes to Town; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. DPS A 3010 47800 000 0000 000.

-#-

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

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

TOWN OF OYSTER BAY

Inter-Departmental Memo

April 22, 2024

TO: Memorandum Docket
FROM: Justin McCaffrey, Commissioner, Department of Public Safety
Subject: Membership and Instructor Renewal Costs

Town Board authorization is requested to pay for Justin McCaffreys annual CPR/AED instructors renewal cost (\$80.00) and his one year membership cost for the National Safety Council, Vendor 12462 located at 1121 Spring Lake Drive, Itasca IL 60143 (\$499.00), so that he may continue to teach AED/CPR first aid classes to Town employees.

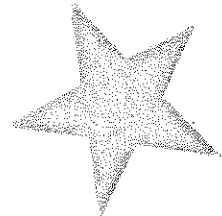
This membership is required for the 2024 employees CPR/AED and First Aid Training.

Funds are available for the total cost of \$579.00 in account DPS A 3010 47800 000 0000 000.

mjg/JM

Justin McCaffrey

Justin McCaffrey
Commissioner
Department of Public Safety





INSTRUCTOR RENEWAL

NSC Instructor Renewal

Instructor Results

Justin McCaffrey



Email Address:

jmccaffrey2@oysterbay-ny.gov

Address:

150 Miller Place

Syosset, New York 11791

Instructor For:

First Aid

Renewal Cost:

\$80.00

Current Contract Dates:

2023-03-01 - 2024-02-29

Pay Renewal

Also of Interest:

Safety Training

Safety is Personal

Seasonal Safety

Get the Latest Safety News

Sign Up Now



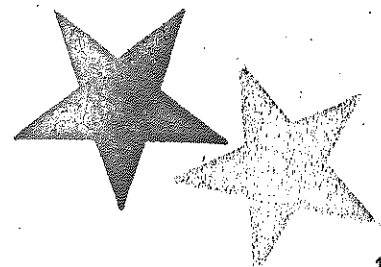
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[Careers](#)

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DUES STRUCTURE

1-49 Employees ^

PRICING

1 year

\$499

2 years

\$898

Best rate

3 years

\$1,272

Join Today

50-100 Employees v

101 - 500 Employees v

501 - 1,000 Employees v

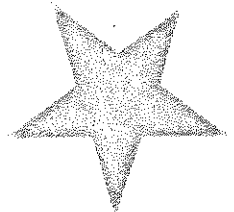
1,001 - 5,000 Employees v

5,001 - 10,000 Employees v

10,001 - 20,000 Employees v

Over 20,000 Employees v

Join Today





Protect Lives. Join NSC

Partner with NSC to build a strong safety culture at your organization and keep employees safe.

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BY THE NUMBERS



13,000

MEMBER
COMPANIES



1,234,000

PEOPLE
TRAINED



41,000

WORKPLACES
IMPACTED



6,900,000

LIVES
SAVED

**NSC MEMBERSHIP
INCLUDES ALL THIS AND
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News and Information??

The latest regulatory, trend, research and compliance information.



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Discounts on training to keep your organization and employees safe.



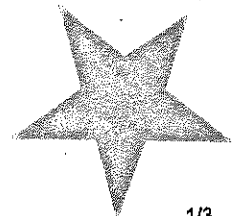
Tools and Resources??

Tools and resources to build a culture of safety at your organization.



Networking Opportunities??

Connect with other safety professionals, thought leaders and peers.





Don't wait until an injury - or worse - occurs. Become an NSC member today. It's affordable and can help save a life.

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[Download this application.](#)

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[Protect Lives. Join NSC](#)
[Community Safety](#)

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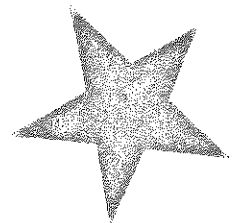
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[Contact Us](#)

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WHEREAS, Robert Hurley, President, Mill River Rod & Gun Club Inc., P.O. Box 547, Oyster Bay, New York 11771, by application dated April 3, 2024, requested the use of one (1) roll-off container, with said roll-off container to be delivered to 5 West Harbor Road, Bayville, New York 11771, on Friday, April 12, 2024, and to be collected on Monday, April 15, 2024, for the Club's Spring Clean Up; and

WHEREAS, Daniel M. Pearl, Commissioner, Department of Sanitation, by memorandum dated April 19, 2024, advised that the abovementioned Town equipment will not be required for use by the Department at that time, and that he has no objection to providing the Mill River Rod & Gun Club, Inc. with the use of one (1) roll-off container, with said roll-off container to be delivered to 5 West Harbor Road, Bayville, New York 11771, on Friday, April 12, 2024, and to be collected on Monday, April 15, 2024, for the Club's Spring Clean Up, without charge, as the "Spring Clean-Up" is not a profit making event, as defined in the Code of the Town of Oyster Bay, Part II, "General Legislation", Chapter 201, "Solid Waste", Part 1, "Solid Waste Regulations", Article II, "Collection and Container Provisions" Section 201-17, "Roll-Off Containers"; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Board hereby authorizes the Department of Sanitation to provide the Mill River Rod & Gun Club, Inc., with the use of one (1) roll-off container, without charge, with said roll-off container to be delivered to 5 West Harbor Road, Bayville, New York 11771, on Friday, April 12, 2024, and to be collected on Monday, April 15, 2024, nunc pro tunc, for the Club's Spring Clean Up, to be held on the aforementioned dates, without charge, and subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Sanitation, or his duly authorized designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activities; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate per year, and naming the Town as an additional insured, in connection with the afore-described activities.

#

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

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



 Reviewed By

 Office of Town Attorney



TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

April 19, 2024


To: Memorandum Docket
FROM: Daniel M. Pearl, Commissioner of Sanitation
SUBJECT: Request: Mill River Rod & Gun Club
West Harbor Road
Bayville, N.Y. 11771

Attached please find a copy of a letter received in this office from past President Bob Hurley, requesting a roll off container for their Spring Clean-Up. The container will be placed at West Harbor Road, on Friday, April 12, 2024, and collected on Monday, April 15, 2024.

An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay and have requested the use of a Town roll off container in connection with a profit-making or fundraising event, shall be charged two hundred fifty dollars (\$250.00) for each container load dumped."

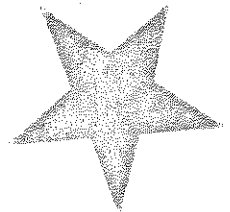
It is our opinion that the Spring Clean-up does not constitute a profit-making or a fundraising event. Therefore, we hereby request the Honorable Town Board to approve this worthwhile organization the use of Town equipment without a charge NUNC PRO TUNC, from Friday, April 12, 2024, through Monday, April 15, 2024.

Attached please find their certificate of insurance, endorsement, and hold harmless agreement for the use of Town of Oyster Bay equipment by the Mill River Rod & Gun Club.



Daniel M. Pearl Commissioner
Department of Sanitation

DMP: cw
Attachments
cc: Frank M. Scalera, Town Attorney
Steven Ballas, Comptroller



(APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER)
PLEASE TYPE OR PRINT CLEARLY

Name of Organization: Mill River Rod & Gun Club

Billing Address: P.O. Box 547
Oyster Bay N.Y. 11221

Phone Number (Days): 516 628 9643

Number of Container(s) Requested: 1

Address Where Container(s) Would Be Placed: 5 W. Harbor Rd.
Boxville N.Y. 11209

Dates Container(s) Needed: From 4/12 To 4/15

Describe The Event For Which Container(s) Is/Are Requested: Bay Clean Up

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? NO

I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of \$250.00 for each container load dumped may be assessed for which I agree to assume responsibility.

Signature: [Signature] Date: 4/3/2024

Title: President

Signature: _____ Date Received: _____

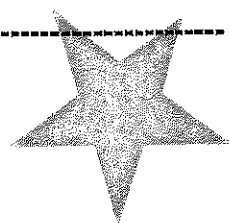
Signature: _____ Date Picked Up: _____

DO NOT WRITE BELOW THIS LINE

To Be Completed By Sanitation Division:
Approved By Resolution No.: [Signature] \$250 Charge Applies: YES _____ NO

To Be Completed By Scale House:
Disposal Authorization Ticket No.: _____
Load Ticket No.: _____
Date: _____
Signature: _____

Scalehouse to return copy to Comptroller
White Copy - Sanitation Driver (to be given to Scalehouse)
Yellow Copy - Sanitation Files
Green Copy - Scale House Files





MILLRIV-01

RDAMATO

CERTIFICATE OF LIABILITY INSURANCE

DATE (MMDDYYYY)
4/3/2024

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. 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).

ISSUER
Surety Agency Inc.
10 Westchester Avenue, Suite 400A
Yonkers, NY 10577

CONTACT
PHONE (No. No. Ext): (914) 696-1000 FAX (No. No.): (914) 694-0004
EMAIL ADDRESS: sahas@insuregy.com

INSURER(S) AFFORDING COVERAGE		NAID #
INSURER A: Aroh Insurance Company		11150
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

INSURED
Mill River Rod & Gun Club
6 West Harbor Rd
Bayville, NY 11708

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

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

POLICY NO.	TYPE OF INSURANCE	ADD'L INSR (IND. WVD)	POLICY NUMBER	POLICY EFF (MMDDYYYY)	POLICY EXP (MMDDYYYY)	LIMITS	
						AMOUNT	OTHER
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC OTHER:		MOPK10093406	11/1/2023	11/1/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 8,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$	
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A			PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$	

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

*Following are included as additional insured as respects general liability if required by a written contract, per endorsement # 00 QL0896 00 0410 : Town of Oyster Bay

CERTIFICATE HOLDER	CANCELLATION
Town Of Oyster Bay 61 South St Oyster Bay, NY 11791	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

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM
LIQUOR LIABILITY FORM
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE FORM

SECTION II – WHO IS AN INSURED is amended to include as an additional insured the person or organization who is required under a written contract with you to be included as an insured under this policy, but only with respect to liability arising out of your operations or premises owned by or rented to you.

All other terms and conditions of this policy remain unchanged.

Endorsement Number:

Policy Number: MOPK10093405

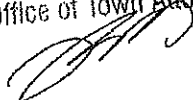
Named Insured: Mill River Rod & Gun Club

This endorsement is effective on the inception date of this Policy unless otherwise stated herein:

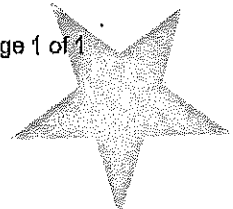
Endorsement Effective Date: November 01, 2023

00 01.0596 00 04 10

Reviewed By
Office of Town Attorney



Page 1 of 1





TOWN OF OYSTER BAY
DEPARTMENT OF SANITATION

150 Miller Place
Syosset, NY 11791
516-877-5848
516-877-5863

Gary Terrell
Deputy Commissioner

Daniel M. Pearl
Commissioner

William Fox
Sanitation Supervisor III

Hold Harmless Agreement for Use of Town Property and/or Equipment

This agreement is made this 5 day of April, 2024 by
Mill River Rod & Gun Club (Hereinafter "Organization"). Whereas, Organization desires to
use Town of Oyster Bay property and/or Equipment located at and/or described as

For the event described as

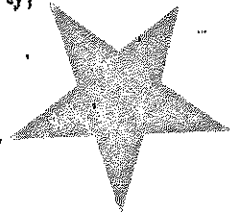
Bay Clean Up

The property/equipment is needed from 4/12/24 to 4/15/24

The event for which the property and/or equipment is requested () is is not a profit making event.

In consideration of the Town granting the Organization permission to temporarily use Town property and/or equipment, the undersigned, on behalf of the Organization, hereby agrees to assume all liability and risk of loss and shall be responsible for the supervision and welfare of all persons arriving on and using Town property and/or equipment in connection with the abovementioned event. The undersigned further hereby releases the Town of Oyster Bay, its Officers, employees, servants, agents and enumerated volunteers from any liability for any injuries sustained or damages incurred and agrees to reimburse the Town for any damages arising out of the Organization's use of the Town property and/or equipment. The undersigned agrees to indemnify and hold harmless, the Town, its officers, employees, servants, agents and enumerated volunteers, and to protect and defend them against any and all claims for the loss and/or expense or suits for damage to persons or property, including its property, arising from its use of the Town property and/or equipment.

Reviewed By
Office of Town Attorney



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 8, 2024, advised that pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request for Proposals ("RFP") for Food and Beverage Services at Various Parks and Facilities; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the Department of Parks published the RFP on the Town website, emailed the RFP to twenty-eight (28) known service providers, and posted the RFP at Oyster Bay Town Hall South; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that prior to the expiration of the April 5, 2024 deadline, the Town received four (4) responses to the RFP in compliance with the Town of Oyster Bay Procurement Policy requirement to obtain a minimum of three (3) responses to the RFP; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that in accordance with the Town's Procurement Policy, a committee designated by Commissioner Pinto, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by D&J Refreshments, Inc., 2600 Newbridge Road, Bellmore, New York 11710, most effectively met the criteria outlined in the RFP to operate the food concession at Bethpage Community Park, with a proposed fee payment of \$12,000 base annual revenue to the Town; and

WHEREAS, Commissioner Pinto, by said memorandum, requested that the Town Board authorize the Supervisor or his designee to execute a license agreement, drafted and prepared by the Office of the Town Attorney, to allow D&J Refreshments, Inc. to provide food and beverage services at Bethpage Community Park, for a term of three (3) years, beginning May 1, 2024 through and including April 30, 2027, nunc pro tunc with two (2), two (2) year extension options at the sole discretion of the Town;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor or his designee is authorized to execute a license agreement, drafted and prepared by the Office of the Town Attorney, to allow D&J Refreshments, Inc. to provide food and beverage services at Bethpage Community Park, for a term of three (3) years, beginning May 1, 2024 nunc pro tunc through and including April 30, 2027, with two (2), two (2) year extension options at the sole discretion of the Town.

#

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	Ayc
Councilwoman Johnson	Absent
Councilman Imbroto	Ayc
Councilman Hand	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE : APRIL 22, 2024

SUBJECT: FOOD AND BEVERAGE SERVICES AT BETHPAGE COMMUNITY PARK
RFP CONTRACT AWARD – D&J REFRESHMENTS, INC.

Pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request For Proposals (“RFP”) for Food and Beverage Services at Various Parks and Facilities. This Department published the RFP on the Town website, e-mailed the RFP to twenty-eight (28) known service providers, and posted the RFP at Oyster Bay Town Hall South. A copy of the RFP is attached.

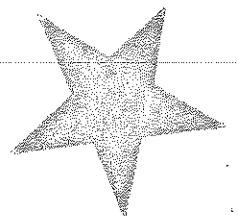
Prior to the expiration of the April 5, 2024 deadline, the Town received four (4) responses to the RFP (see attached) in compliance with the Town of Oyster Bay Procurement Policy to obtain a minimum of three (3) responses to the RFP.

In accordance with the Town’s Procurement Policy, a committee designated by the Commissioner of Parks, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by the following respondent most effectively met the criteria outlined in the RFP to operate the food concession at the listed Town Park and beach locations:

- D& J Refreshments, Inc., after withdrawing the stipulation on schedule change, with a proposed fee payment of \$12,000 base annual revenue to the Town: Bethpage Community Park.

D& J Refreshments, Inc. shall submit a completed disclosure questionnaire which shall be reviewed to assure that the Town’s Procurement Policy is satisfied.

The Department of Parks requests Town Board authorization for the Town to enter into a contract to provide Food and Beverage Services at Bethpage Community Park with D&J Refreshments Inc., as outlined above. The contract term for the agreement will be for three (3) years beginning May 1, 2024 through April 30, 2027, with a provision for an additional two (2), two (2) year extensions.

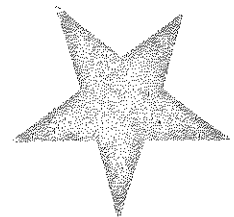


It is further requested that the Supervisor or his designee be authorized to execute the agreement, which will be drafted and prepared by the Office of the Town Attorney upon the Town Board's action.



Joseph G. Pinto, Commissioner
Department of Parks

JGP/kc
Attachments



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 8, 2024, advised that pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request for Proposals ("RFP") for Food and Beverage Services at Various Parks and Facilities; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the Department of Parks published the RFP on the Town website, emailed the RFP to twenty-eight (28) known service providers, and posted the RFP at Oyster Bay Town Hall South; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that prior to the expiration of the April 5, 2024 deadline, the Town received four (4) responses to the RFP in compliance with the Town of Oyster Bay Procurement Policy requirement to obtain a minimum of three (3) responses to the RFP; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that in accordance with the Town's Procurement Policy, a committee designated by Commissioner Pinto, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by Oyster Bay Restaurant Group Inc., 4 Snug Cove, Bayville, New York 11709, most effectively met the criteria outlined in the RFP to operate the food concession at Theodore Roosevelt Memorial Park, with a proposed fee payment of \$12,000 base annual revenue to the Town; and

WHEREAS, Commissioner Pinto, by said memorandum, requested that the Town Board authorize the Supervisor or his designee to execute a license agreement, drafted and prepared by the Office of the Town Attorney, to allow Oyster Bay Restaurant Group Inc. to provide food and beverage services at Theodore Roosevelt Memorial Park, for a term of three (3) years, beginning May 1, 2024 through and including April 30, 2027, nunc pro tunc with two (2), two (2) year extension options at the sole discretion of the Town;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor or his designee is authorized to execute a license agreement, drafted and prepared by the Office of the Town Attorney, to allow D&J Refreshments, Inc. to provide food and beverage services at Theodore Roosevelt Memorial Park, for a term of three (3) years, beginning May 1, 2024 through and including April 30, 2027, nunc pro tunc with two (2), two (2) year extension options at the sole discretion of the Town.

#

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: APRIL 22, 2024

SUBJECT: FOOD AND BEVERAGE SERVICES AT THEODORE ROOSEVELT
MEMORIAL PARK RFP CONTRACT AWARD – OYSTER BAY
RESTAURANT GROUP INC.

Pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request For Proposals (“RFP”) for Food and Beverage Services at Various Parks and Facilities. This Department published the RFP on the Town website, e-mailed the RFP to twenty-eight (28) known service providers, and posted the RFP at Oyster Bay Town Hall South. A copy of the RFP is attached.

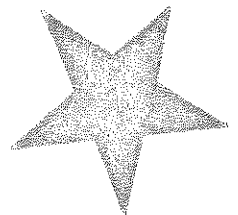
Prior to the expiration of the April 5, 2024 deadline, the Town received four (4) responses to the RFP (see attached) in compliance with the Town of Oyster Bay Procurement Policy to obtain a minimum of three (3) responses to the RFP.

In accordance with the Town’s Procurement Policy, a committee designated by the Commissioner of Parks, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by the following respondent most effectively met the criteria outlined in the RFP to operate the food concession at the listed Town Park and beach locations:


- Oyster Bay Restaurant Group Inc. with a proposed fee payment of \$12,000 base annual revenue to the Town: Theodore Roosevelt Memorial Park.

Oyster Bay Restaurant Group Inc. shall submit a completed disclosure questionnaire which shall be reviewed to assure that the Town’s Procurement Policy is satisfied.

The Department of Parks requests Town Board authorization for the Town to enter into a contract to provide Food and Beverage Services at Theodore Roosevelt Memorial Park with Oyster Bay Restaurant Group Inc. as outlined above. The contract term for the agreement will be for three (3) years beginning May 1, 2024 through April 30, 2027, with a provision for an additional two (2), two (2) year extensions.

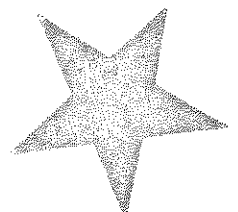


It is further requested that the Supervisor or his designee be authorized to execute the agreement, which will be drafted and prepared by the Office of the Town Attorney upon the Town Board's action.



Joseph G. Pinto, Commissioner
Department of Parks

JGP/kc
Attachments



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated April 8, 2024, advised that pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request for Proposals ("RFP") for Food and Beverage Services at Various Parks and Facilities; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the Department of Parks published the RFP on the Town website, emailed the RFP to twenty-eight (28) known service providers, and posted the RFP at Oyster Bay Town Hall South; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that prior to the expiration of the April 5, 2024 deadline, the Town received four (4) responses to the RFP in compliance with the Town of Oyster Bay Procurement Policy requirement to obtain a minimum of three (3) responses to the RFP; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that in accordance with the Town's Procurement Policy, a committee designated by Commissioner Pinto, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by NY Sausage & Kannoli Kings, 7 Appleby Lane, Bethpage, New York 11714, most effectively met the criteria outlined in the RFP to operate the food concession at Marjorie R. Post Community Park, Plainview-Old Bethpage Community Park, Syosset-Woodbury Community Park, Stehli Beach and Centre Island Beach, with a proposed fee payment of \$5,000.00 in Year 1, \$6,000.00 in Year 2 and \$6,500.00 in Year 3, plus 5% of gross revenues over \$150,000.00 annually; and

WHEREAS, Commissioner Pinto, by said memorandum, requested that the Town Board authorize the Supervisor or his designee to execute a license agreement, drafted and prepared by the Office of the Town Attorney, to allow NY Sausage & Kannoli Kings to provide food and beverage services at Marjorie R. Post Community Park, Plainview-Old Bethpage Community Park, Syosset-Woodbury Community Park, Stehli Beach and Centre Island Beach, for a term of three (3) years, beginning May 1, 2024 through and including April 30, 2027, nunc pro tunc with two (2), two (2) year extension options at the sole discretion of the Town;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor or his designee is authorized to execute a license agreement, drafted and prepared by the Office of the Town Attorney, to allow NY Sausage & Kannoli Kings to provide food and beverage services at Marjorie R. Post Community Park, Plainview-Old Bethpage Community Park, Syosset-Woodbury Community Park, Stehli Beach and Centre Island Beach, for a term of three (3) years, beginning May 1, 2024 through and including April 30, 2027, nunc pro tunc with two (2), two (2) year extension options at the sole discretion of the Town.

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

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: APRIL 22, 2024

SUBJECT: FOOD AND BEVERAGE SERVICES AT VARIOUS PARKS AND BEACHES
RFP CONTRACT AWARD – NY SAUSAGE AND KANNOLI KINGS

Pursuant to the Town of Oyster Bay Procurement Policy, the Department of Parks released a Request For Proposals (“RFP”) for Food and Beverage Services at Various Parks and Facilities. This Department published the RFP on the Town website, e-mailed the RFP to twenty-eight (28) known service providers, and posted the RFP at Oyster Bay Town Hall South. A copy of the RFP is attached.

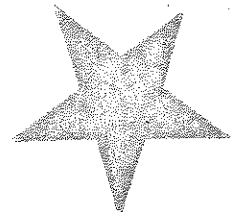
Prior to the expiration of the April 5, 2024 deadline, the Town received four (4) responses to the RFP (see attached) in compliance with the Town of Oyster Bay Procurement Policy to obtain a minimum of three (3) responses to the RFP.

In accordance with the Town’s Procurement Policy, a committee designated by the Commissioner of Parks, conducted a review of each of the submitted proposals. The committee determined that the proposal submitted by the following respondent most effectively met the criteria outlined in the RFP to operate the food concession at the listed Town Park and beach locations:

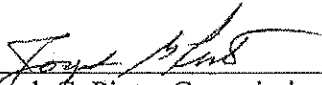
- NY Sausage and Kannoli Kings with a proposed fee payment of \$5,000; year 1, \$6,000; year 2, \$6,500; year 3, plus 5% of gross over \$150,000 each year: Marjorie R. Post Community Park, Plainview-Old Bethpage Community Park, Syosset-Woodbury Community Park; Food Truck and Vending machine service. Vending machine service only, will be provided at Stehli and Centre Island beaches.

NY Sausage and Kannoli Kings shall submit a completed disclosure questionnaire which shall be reviewed to assure that the Town’s Procurement Policy is satisfied.

The Department of Parks requests Town Board authorization for the Town to enter into a contract to provide Food and Beverage Services at Various Parks and facilities with NY Sausage and Kannoli Kings as outlined above. The contract term for the agreement will be for three (3) years beginning May 1, 2024 through April 30, 2027, with a provision for an additional two (2), two (2) year extensions.

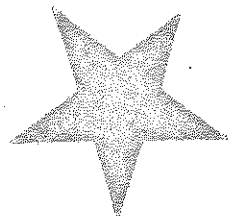


It is further requested that the Supervisor or his designee be authorized to execute the agreement, which will be drafted and prepared by the Office of the Town Attorney upon the Town Board's action.



Joseph G. Pinto, Commissioner
Department of Parks

JGP/kc
Attachments



RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 11th day of June, 2024, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of SOUTH SERVICE JERICO ASSOCIATES, L.P., fee owner, and THE SWING, GOLF LOUNGE INC., INC., lessee, for granting of a Special Use Permit to allow for a 10,714 square foot indoor active recreation use with accessory lounge, office, and pro shop within an existing 15,865 square foot building, with associated site improvements, and Site Plan Approval, at premises located in a General Business ("GB") zone, at 33 South Service Road, Jericho, Town of Oyster Bay, County of Nassau, State of New York and described as Section 17, Block 16, Lot 42, on the Land and Tax Map of Nassau County; and be it further

APK
 Reviewed By
 Office of Town Attorney
John M. DeBella

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

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

PUBLIC NOTICE

7/11/24
Reviewed By
Office of Town Attorney
John M. Schmitt

NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 11, 2024, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from SOUTH SERVICE JERICHO ASSOCIATES, L.P., fee owner, and THE SWING, GOLF LOUNGE INC., INC., lessee, for granting of a Special Use Permit to allow for a 10,714 square foot indoor active recreation use with accessory lounge, office, and pro shop within an existing 15,865 square foot building, with associated site improvements, and Site Plan Approval, at premises located in a General Business ("GB") zone, at 33 South Service Road, Jericho, Town of Oyster Bay, County of Nassau, State of New York and described as Section 17, Block 16, Lot 42, on the Land and Tax Map of Nassau County. Said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

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

Dated: May 7, 2024, Oyster Bay, New York.

Town of Oyster Bay
Inter-Departmental Memo

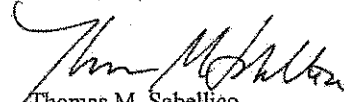
363

TO : MEMORANDUM DOCKET
FROM : OFFICE OF THE TOWN ATTORNEY
DATE : April 23, 2024
SUBJECT: SOUTH SERVICE JERICHO ASSOCIATES, L.P., fee owner
THE SWING, GOLF LOUNGE INC, lessee
Special Use Permit AND Site Plan Approval
Premises: 33 S. Service Road, Jericho, New York
Section 17, Block 16, Lot 42

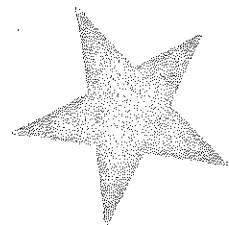
It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on June 11, 2024 at 10:00 a.m., in connection with the above referenced matter.

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 May 7, 2024 Town Board meeting.

FRANK M. SCALERA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

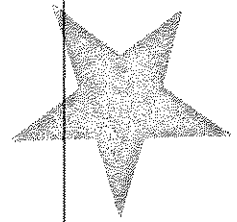
TMS:nb
Enclosure



AKA
Reviewed By
Office of Town Attorney
John M. DeBello

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 11th day of June, 2024, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of SOUTH SERVICE JERICO ASSOCIATES, L.P., fee owner, and THE SWING, GOLF LOUNGE INC., INC., lessee, for granting of a Special Use Permit to allow for a 10,714 square foot indoor active recreation use with accessory lounge, office, and pro shop within an existing 15,865 square foot building, with associated site improvements, and Site Plan Approval, at premises located in a General Business ("GB") zone, at 33 South Service Road, Jericho, Town of Oyster Bay, County of Nassau, State of New York and described as Section 17, Block 16, Lot 42, 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.
-#-



not
Reviewed By
Office of Town Attorney
John M. J...

PUBLIC NOTICE

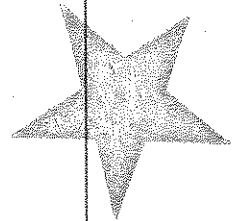
NOTICE is hereby given, pursuant to law, that a public hearing will be held by the Town Board of the Town of Oyster Bay, Nassau County, New York, on Tuesday, June 11, 2024, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York, for the purpose of considering an application from SOUTH SERVICE JERICHO ASSOCIATES, L.P., fee owner, and THE SWING, GOLF LOUNGE INC., INC., lessee, for granting of a Special Use Permit to allow for a 10,714 square foot indoor active recreation use with accessory lounge, office, and pro shop within an existing 15,865 square foot building, with associated site improvements, and Site Plan Approval, at premises located in a General Business ("GB") zone, at 33 South Service Road, Jericho, Town of Oyster Bay, County of Nassau, State of New York and described as Section 17, Block 16, Lot 42, on the Land and Tax Map of Nassau County. Said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed.

The abovementioned application is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk at Oyster Bay and Massapequa. Any person interested in the subject matter of said hearing will be given an opportunity to be heard with reference thereto, at the time and place above designated.

The public may submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing.

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

Dated: May 7, 2024, Oyster Bay, New York.



Meeting of May 7, 2024

Resolution No. 364-2024

WHEREAS, in December 2023, a bill was signed into law, amending New York State Town Law by moving certain elections from odd-numbered years to even-numbered years ("the Act"); and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 18, 2024, have requested Town Board authorization to commence litigation against relevant parties and/or otherwise participate in any civil action in relation to the Act,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the commencement of litigation as to any issues relating to the aforementioned Act and/or otherwise participate in any civil action related to the Act is hereby authorized.

-#-

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

364

Town of Oyster Bay
Inter-Departmental Memo

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : April 18, 2024
SUBJECT: Authorization to Commence and/or Participate in a Civil Action
Even-Year Election Law

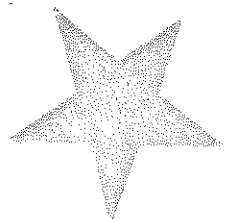
In June 2023, the New York State Legislature passed a bill requiring that certain local elections be held only in even-numbered years. The Legislature held that despite local laws to the contrary, local elections now held in odd-number years shall revert to being held in even-numbered years.

As a result, the Office of Town Attorney requests Town Board authorization for the commencement of litigation against relevant parties and/or otherwise participate in any civil action in relation to the Act.

FRANK M. SCALERA
TOWN ATTORNEY

JL Lesser
Jeffrey Lesser
Deputy Town Attorney

JL:jl
Attachment



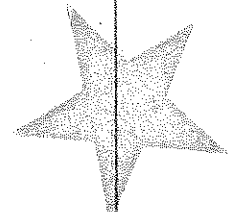
Reviewed By
Office of Town Attorney

WHEREAS, in December 2023, a bill was signed into law, amending New York State Town Law by moving certain elections from odd-numbered years to even-numbered years ("the Act"); and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 18, 2024, have requested Town Board authorization to commence litigation against relevant parties and/or otherwise participate in any civil action in relation to the Act,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the commencement of litigation as to any issues relating to the aforementioned Act and/or otherwise participate in any civil action related to the Act is hereby authorized.

-#-



3665

Town of Oyster Bay
Inter-Departmental Memo


TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : April 18, 2024
SUBJECT: Authorization to Retain Counsel
Even-Year Election Law

In June 2023, the New York State Legislature passed a bill requiring that certain local elections be held only in even-numbered years. The Legislature held that despite local laws to the contrary, local elections now held in odd-number years shall revert to being held in even-numbered years. As a result, this Office issued a Request for Proposal ("RFP"), seeking proposals from qualified law firms to serve as litigation counsel to the Town in relation to municipal, election and constitutionality issues regarding the new law, (Chapter 741 of the Laws of 2023), to move certain elections to even-numbered years (the "Act").

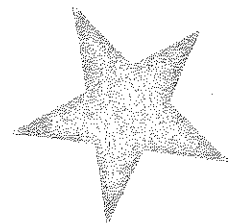
The RFP was sent by e-mail to three (3) firms that this Office reasonably believed to have the requisite experience necessary to serve as counsel and was placed on the Town website. In response, two (2) proposals were received prior to the deadline for submissions.

A careful review was conducted by members of this Office. Following such review, which was conducted in compliance with Guideline 9 of the Procurement Policy, this Office recommends that the Hon. Anthony Marano, 21 Parkwold Drive West, Valley Stream, NY 11580, be retained, at a rate of \$750.00 per hour, to provide litigation counsel in regard to the Act, in an amount not to exceed \$25,000.00, and that fees for such services and disbursements be paid from Account No. OTA A 1420 44110 000 0000.

FRANK M. SCALERA
TOWN ATTORNEY

56 by 
Jeffrey Lesser
Deputy Town Attorney

JL:jl
Attachment



WHEREAS, in December 2023, a bill was signed into law, amending New York State Town law by moving certain elections from odd-numbered years to even-numbered years ("the Act"); and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 18, 2024, have advised that the Office of Town Attorney sought proposals from qualified law firms, pursuant to a Request for Proposals ("RFP") that was e-mailed to three (3) firms that the Office of Town Attorney reasonably believed to have requisite experience necessary to serve as counsel, which RFP was also placed on the Town website, to serve as litigation counsel to the Town in relation to municipal, election and constitutionality issues regarding the a new law, (Chapter 741 of the Laws of 2023), to move certain elections to even-numbered years (the "Act"); and

WHEREAS, following review of the two (2) responses received prior to the deadline for submissions, and in accordance with the terms of the Town's Procurement Policy, the Office of the Town Attorney recommended that the Town Board authorize the retention of the Hon. Anthony Marano, 21 Parkwold Drive West, Valley Stream, NY 11580, to serve as counsel to the Town in connection with the aforementioned Act; and

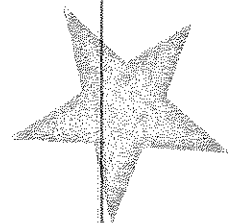
WHEREAS; the proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Office of the Town Attorney is hereby authorized to retain the Hon. Anthony Marano, 21 Parkwold Drive West, Valley Stream, NY 11580, to represent the Town in connection with the foregoing issues related to the bill signed into law, amending Town Law by moving certain elections from odd-numbered years to even-numbered years is hereby authorized in an amount not to exceed \$25,000.00; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment at a rate of \$750.00 per hour, in an amount not to exceed \$25,000.00, for expenses and disbursements incurred in connection with the legal services to be rendered, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

Reviewed By
Office of Town Attorney



WHEREAS, in December 2023, a bill was signed into law, amending New York State Town law by moving certain elections from odd-numbered years to even-numbered years ("the Act"); and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 18, 2024, have advised that the Office of Town Attorney sought proposals from qualified law firms, pursuant to a Request for Proposals ("RFP") that was e-mailed to three (3) firms that the Office of Town Attorney reasonably believed to have requisite experience necessary to serve as counsel, which RFP was also placed on the Town website, to serve as litigation counsel to the Town in relation to municipal, election and constitutionality issues regarding the a new law, (Chapter 741 of the Laws of 2023), to move certain elections to even-numbered years (the "Act"); and

WHEREAS, following review of the two (2) responses received prior to the deadline for submissions, and in accordance with the terms of the Town's Procurement Policy, the Office of the Town Attorney recommended that the Town Board authorize the retention of the Hon. Anthony Marano, 21 Parkwold Drive West, Valley Stream, NY 11580, to serve as counsel to the Town in connection with the aforementioned Act; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Office of the Town Attorney is hereby authorized to retain the Hon. Anthony Marano, 21 Parkwold Drive West, Valley Stream, NY 11580, to represent the Town in connection with the foregoing issues related to the bill signed into law, amending Town Law by moving certain elections from odd-numbered years to even-numbered years is hereby authorized in an amount not to exceed \$25,000.00; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment at a rate of \$750.00 per hour, in an amount not to exceed \$25,000.00, for expenses and disbursements incurred in connection with the legal services to be rendered, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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	Ayc
Councilwoman Johnson	Absent
Councilman Imbroto	Ayc
Councilman Hand	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

Meeting of May 7, 2024

Resolution No. 366-2024

7/2/24
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 803-2023, adopted on October 24, 2023, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 to perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of Town of Oyster Bay) and associated TEQR Report for the acquisition of the property located at 2 Walnut Street, Glen Head, New York 11545, for an amount not to exceed \$30,000.00 with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and

WHEREAS, the account number referenced was incorrect and should be replaced with Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby amend Resolution No. 803-2023, to reflect that funds for this item be drawn from Account No. OTA A 1420 44110 000 0000.

#

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE TOWN ATTORNEY
DATE: April 25, 2024
SUBJECT: Amendment to Resolution No. 803-2023

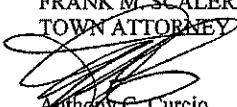
The Town Board, by Resolution No. 803-2023, adopted on October 24, 2023, authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 to perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of Town of Oyster Bay) and associated TEQR Report for the acquisition of the property located at 2 Walnut Street, Glen Head, New York 11545, for an amount not to exceed \$30,000.00 with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

The account number referenced above was incorrect and should be replaced with Account No. OTA A 1420 44110 000 0000.

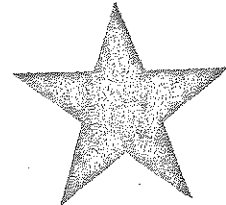
This Office requests that the Town Board amend Resolution No. 803-2023, to reflect that funds for this item be drawn from Account No. OTA A 1420 44110 000 0000.

Kindly place this matter upon the Town Board Action Calendar for Tuesday, May 7, 2024.

FRANK M. SCALERA
TOWN ATTORNEY


Anthony C. Curcio
Deputy Town Attorney

ACC:acc
Attachment



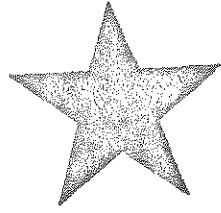
7/24
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 803-2023, adopted on October 24, 2023, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 to perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of Town of Oyster Bay) and associated TEQR Report for the acquisition of the property located at 2 Walnut Street, Glen Head, New York 11545, for an amount not to exceed \$30,000.00 with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and

WHEREAS, the account number referenced was incorrect and should be replaced with Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby amend Resolution No. 803-2023, to reflect that funds for this item be drawn from Account No. OTA A 1420 44110 000 0000.

#



WHEREAS, by Resolution No. 262-2021, adopted on May 4, 2021, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 ("NPV"), to provide consultant services for technical assistance with general planning services in the Town of Oyster Bay for the period commencing May 5, 2021 through December 31, 2021, with two (2) one (1) year extensions; and

WHEREAS, by Resolution No. 77-2022, adopted on February 8, 2022, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, for the period commencing on January 1, 2022 through December 31, 2022, nunc pro tunc; and

WHEREAS, by Resolution 799-2022, adopted on November 15, 2022, the Town Board exercised the second one (1) year extension option of the aforementioned agreement, for the period commencing on January 1, 2023 through December 31, 2023; and

WHEREAS, the Town of Oyster Bay has been in negotiations with U Park Walnut Street, LLC ("Seller") in connection with the Town's proposed purchase of the property located at 2 Walnut Street, Glen Head, New York 11545 ("Property")

WHEREAS, the Seller has agreed to sell the Property to the Town and the Town has agreed to purchase the Property; and

WHEREAS, this matter involves the performance of an environmental review to be prepared in accordance with Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQR), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay); and, associated TEQR Report; and

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated October 23, 2022, recommended that Nelson, Pope & Voorhis, LLC, be retained to assist the Town in this matter by performing the required SEQR review, for an amount not to exceed \$30,000.00. The funds for the payment of this amount shall be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

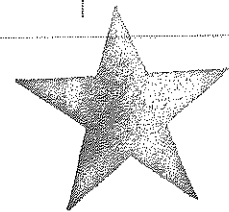
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747, is hereby retained to the perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQR), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay); and associated TEQR Report for the acquisition of the aforementioned Property, for an amount not to exceed \$30,000.00, with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

#

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

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

Reviewed By
Office of Town Attorney
Thomas M. Scalera



803

Town of Oyster Bay
Inter-Departmental Memo


TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : October 23, 2023
SUBJECT: Purchase of vacant land located at 2 Walnut Street, Glen Head, New York 11545
NCTM - Section: 20, Block: 60, Lot: 53

The Town of Oyster Bay has been in negotiations with U Park Walnut Street, LLC ("Seller") in connection with the Town's proposed purchase of the property located at 2 Walnut Street, Glen Head, New York 11545 ("Property"). The Seller has agreed to sell the Property to the Town and the Town has agreed to purchase the Property. This matter involves the performance of an environmental review to be prepared in accordance with Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQRA), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay); and, associated TEQR Report. It is in the best interest of the Town to retain an environmental consultant to assist the Office of the Town Attorney in preparation of an environmental review, prior to moving forward with the proposed acquisition of the Property.

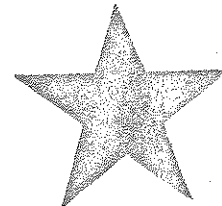
It is recommended that the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 be retained to assist the Town in this matter, in an amount not to exceed \$30,000.00. The funds for the payment of this amount shall be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

Kindly suspend the rules and walk on the attached resolution at the Town Board meeting on October 24, 2023.

FRANK M. SCALERA
TOWN ATTORNEY


Anthony C. Curcio
Deputy Town Attorney

ACC:acc
Attachment

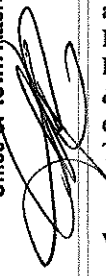


Meeting of May 7, 2024

Resolution No. 367-2024

WHEREAS, by Resolution No. 802-2023, adopted on October 24, 2023, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 to perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of Town of Oyster Bay) and associated TEQR Report for the acquisition of the property located at Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot, 14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10, 10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11, 30 Herzog Place & Three Jerusalem Avenue, Hicksville, N.Y., Section 11, Block 240, Lot 213, for an amount not to exceed \$30,000.00 with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and

Reviewed By
Office of Town Attorney



WHEREAS, the account number referenced was incorrect and should be replaced with Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby amend Resolution No. 802-2023, to reflect that funds for this item be drawn from Account No. OTA A 1420 44110 000 0000.

#

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

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

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: OFFICE OF THE TOWN ATTORNEY
DATE: April 25, 2024
SUBJECT: Amendment to Resolution No. 802-2023

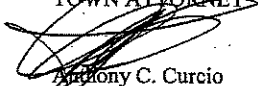
The Town Board, by Resolution No. 802-2023, adopted on October 24, 2023, authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 to perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of Town of Oyster Bay) and associated TEQR Report for the acquisition of the property located at Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot, 14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10, 10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11, 30 Herzog Place & Three Jerusalem Avenue, Hicksville, N.Y., Section 11, Block 240, Lot 213, for an amount not to exceed \$30,000.00 with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

The account number referenced above was incorrect and should be replaced with Account No. OTA A 1420 44110 000 0000.

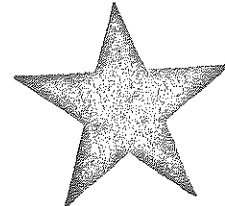
This Office requests that the Town Board amend Resolution No. 802-2023, to reflect that funds for this item be drawn from Account No. OTA A 1420 44110 000 0000.

Kindly place this matter upon the Town Board Action Calendar for Tuesday, May 7, 2024.

FRANK M. SCALERA
TOWN ATTORNEY


Anthony C. Curcio
Deputy Town Attorney

ACC:acc
Attachment



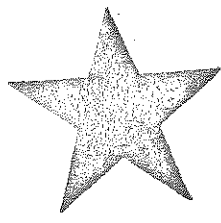
7/23
Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 802-2023, adopted on October 24, 2023, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 to perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law, State Environmental Quality Review Act ("SEQRA"), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of Town of Oyster Bay) and associated TEQR Report for the acquisition of the property located at Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot, 14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10, 10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11, 30 Herzog Place & Three Jerusalem Avenue, Hicksville, N.Y., Section 11, Block 240, Lot 213, for an amount not to exceed \$30,000.00 with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and

WHEREAS, the account number referenced was incorrect and should be replaced with Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby amend Resolution No. 802-2023, to reflect that funds for this item be drawn from Account No. OTA A 1420 44110 000-0000.

#



WHEREAS, by Resolution No. 262-2021, adopted on May 4, 2021, the Town Board authorized the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 ("NPV"), to provide consultant services for technical assistance with general planning services in the Town of Oyster Bay for the period commencing May 5, 2021 through December 31, 2021, with two (2) one (1) year extensions; and

WHEREAS, by Resolution No. 77-2022, adopted on February 8, 2022, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, for the period commencing on January 1, 2022 through December 31, 2022, nunc pro tunc; and

WHEREAS, by Resolution 799-2022, adopted on November 15, 2022, the Town Board exercised the second one (1) year extension option of the aforementioned agreement, for the period commencing on January 1, 2023 through December 31, 2023; and

WHEREAS, the Town of Oyster Bay seeks to acquire title to the property located at Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot 14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11, 30 Herzog Place & Three Jerusalem Avenue, Hicksville, N.Y., Section 11, Block 240, Lot 213 (collectively, "Property"), through eminent domain; and

WHEREAS, this matter involves the performance of an environmental review to be prepared in accordance with Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQR), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay); and, associated TEQR Report; and

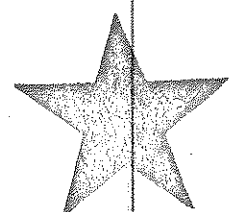
WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated October 23, 2022, recommended that Nelson, Pope & Voorhis, LLC, be retained to assist the Town in this matter, by performing the required SEQR review, for an amount not to exceed \$30,000.00. The funds for the payment of this amount shall be drawn from Account No. TWN AMS 1910 43010 602 0000 000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747, is hereby retained to the perform and prepare an environmental review in accordance with Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQR), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay); and associated TEQR Report for the acquisition of the aforementioned Property, for an amount not to exceed \$30,000.00, with the funds for the payment of this amount to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

#

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

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



Reviewed By
Office of Town Attorney
Frank M. Scalera

802

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : October 23, 2023
SUBJECT: Proposed Exercise of Eminent Domain over Following Property:
Herzog Place, Hicksville, N.Y., Section 11, Block 240, Lot 218, Vacant Lot
14 Herzog Place, Hicksville, N.Y., Section 11, Block 240 Lot 10
10-12 Herzog, Hicksville, N.Y., Section 11, Block 240, Lot 11
30 Herzog Place & Three Jerusalem Avenue, Hicksville, N.Y., Section 11,
Block 240, Lot 213 (collectively, "Property")

The Town of Oyster Bay seeks to acquire title to the abovementioned Property through eminent domain. This requires the performance of an environmental review to be prepared in accordance with Article 8 of the New York State Environmental Conservation Law (ECL), State Environmental Quality Review Act (SEQR), and the implementing regulations thereto at 6 NYCRR, Part 617, and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay); and, associated TEQR Report. It is in the best interest of the Town to retain an environmental consultant to assist the Office of the Town Attorney in preparation of an environmental review, prior to moving forward with the proposed acquisition of the Property.

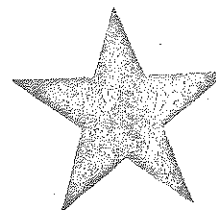
It is recommended that the firm of Nelson, Pope & Voorhis, LLC, 70 Maxess Road, Melville, New York 11747 be retained to assist the Town in this matter, in an amount not to exceed \$30,000.00. The funds for the payment of this amount shall be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

Kindly suspend the rules and walk on the attached resolution at the Town Board meeting on October 24, 2023.

FRANK M. SCALERA
TOWN ATTORNEY


Anthony C. Curcio
Deputy Town Attorney

ACC:acc
Attachment



Meeting of May 7, 2024

Resolution No. 368-2024

WHEREAS, litigation was commenced by Om Shiv Sai Guru, Inc. d/b/a Budget Inn Massapequa, seeking to annul and reverse the decision of the Town, which had revoked Petitioner's Certificates of Occupancy and Building Permits for a Budget Inn location at 400 Carmen Mill Road in Massapequa; and

WHEREAS, by Resolution No. 50-2024, adopted on January 9, 2024, the Town Board authorized The Bee Ready Law Group, LLP., 170 Old Country Road, Suite 200, Mineola, NY 11501, to act as outside counsel for the Town on litigation matters; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 24, 2024, recommended that as The Bee Ready Law Group, LLP, had been handling the relevant issues of this matter, as counsel for the Town's Department of Planning and Development prior to commencement of litigation, that the Bee Ready Law Group, LLP continue to represent the Town defendants in the aforementioned Petition; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorized the retention of The Bee Ready Law Group, LLP., 170 Old Country Road, Suite 200, Mineola, NY 11501, to act as outside counsel in defense of the Town defendants in the aforementioned Petition commenced by Plaintiff/Petitioner, Om Shiv Sai Guru, Inc. d/b/a Budget Inn Massapequa; and

NOW, THEREFORE, BE IT RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, pursuant to the fees set forth in Resolution No. 50-2024.

-#-

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

368

Town of Oyster Bay
Inter-Departmental Memo

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : April 24, 2024
SUBJECT: Authorization to Retain Counsel Relative to a Civil Action
Om Shiv Sai Guru, Inc. d/b/a Budget Inn Massapequa

In April 2024, Plaintiff/Petitioner, Om Shiv Sai Guru, Inc. d/b/a Budget Inn Massapequa ("Petitioner" or "Budget Inn") served a Petition upon the Town of Oyster Bay, seeking to annul and reverse the decision of the Town, which had revoked Petitioner's Certificates of Occupancy and Building Permits for the Budget Inn location at 400 Carmen Mill Road in Massapequa. The Town had revoked the Certificates of Occupancy, asserting that the Budget Inn was not being used in accordance with its intended use, as the Budget Inn was being utilized as apartment living, rather than for temporary stays.

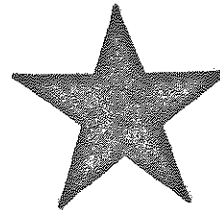
The Bee Ready Law Group, LLP., 170 Old Country Road, Suite 200, Mineola, NY 11501 had been handling the relevant issues of this matter, as counsel for the Town's Department of Planning and Development, prior to commencement of litigation. As such, the Office of Town Attorney requests that The Bee Ready Law Group, LLP continue its representation of the Town defendants now following receipt of the Petition, with funds paid in accordance with Resolution No. 50-2024, adopted on January 9, 2024.

The proposed vendor's disclosure questionnaire has been reviewed and has satisfied the Procurement Policy.

FRANK M. SCALERA
TOWN ATTORNEY


Jeffrey Lesser
Deputy Town Attorney

JL:jl
Attachment



Reviewed By
Office of Town Attorney

WHEREAS, litigation was commenced by Om Shiv Sai Guru, Inc. d/b/a Budget Inn Massapequa, seeking to annul and reverse the decision of the Town, which had revoked Petitioner's Certificates of Occupancy and Building Permits for a Budget Inn location at 400 Carmen Mill Road in Massapequa; and

WHEREAS, by Resolution No. 50-2024, adopted on January 9, 2024, the Town Board authorized The Bee Ready Law Group, LLP., 170 Old Country Road, Suite 200, Mineola, NY 11501, to act as outside counsel for the Town on litigation matters; and

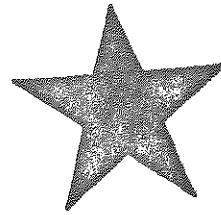
WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 24, 2024, recommended that as The Bee Ready Law Group, LLP, had been handling the relevant issues of this matter, as counsel for the Town's Department of Planning and Development prior to commencement of litigation, that the Bee Ready Law Group, LLP continue to represent the Town defendants in the aforementioned Petition; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorized the retention of The Bee Ready Law Group, LLP., 170 Old Country Road, Suite 200, Mineola, NY 11501, to act as outside counsel in defense of the Town defendants in the aforementioned Petition commenced by Plaintiff/Petitioner, Om Shiv Sai Guru, Inc. d/b/a Budget Inn Massapequa; and

NOW, THEREFORE, BE IT RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, pursuant to the fees set forth in Resolution No. 50-2024.

-#-



Meeting of May 7, 2024

Resolution No. 369-2024

WHEREAS, SUNRISE MASS, LLC, fee owner, and STARBUCKS CORPORATION, lessee, petitioned the Town Board for 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

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on February 13, 2024, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division, has reviewed the Petition and related documents and submitted its memorandum dated March 14, 2023, regarding the environmental impacts contemplated by said Petition and determined that the proposed action classified as a Type II action pursuant to the SEQR Type II Action List, as Item No. 9, pertaining to, "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities" and Item No. 18, pertaining to "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceed any of the thresholds in 6 NYCCR Sec. 617.4" and therefore does not require the completion of an Environmental Impact Statement or any review or other procedural activities pursuant to SEQR or TEQR; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10562-24, adopted February 29, 2024, deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

WHEREAS, the Town Board of the Town of Oyster Bay, based upon the relevant facts and circumstances presented at the public hearing, and based upon the facts and information within the personal knowledge of the members of the Town Board, finds the following: that because of the area, location, nature and character of the subject property, the below described premises are adequate and suitable for the requested use; that the granting of this application, subject to the imposition of certain covenants, restrictions and provisions, will not adversely affect the present character of the area; and the granting of this application will be compatible with the purposes and objectives of the comprehensive zoning plan of the Town of Oyster Bay; and

WHEREAS, Harold B. Mayer, Jr., Esq., then Commissioner, Department of Planning and Development, by memorandum dated July 12, 2023, advised that the Department of Planning and Development has reviewed the following thirteen (13) plans prepared by Daniel J. Peveraro, P.E., Key Civil Engineering, Holtsville, New York, and three (3) plans prepared by Rand K. Rosenbaum, R.A., Rosenbaum Design Group Architecture, Lake Success, New York:

ADPS
Reviewed By
Office of Town Attorney
[Signature]

C-2	Partial Site Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-3	Removals Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-4	Grading & Drainage Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-5	Sanitary & Utility Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-6	Site Lighting Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-7	Soil Erosion Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-8	Landscape Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-9	Landscape Plan Exhibit	Daniel J. Peveraro, P.E.	03/23/2023
C-10	Site Details I	Daniel J. Peveraro, P.E.	03/23/2023
C-11	Site Details II	Daniel J. Peveraro, P.E.	03/23/2023
C-12	Site Details III	Daniel J. Peveraro, P.E.	03/23/2023
C-13	Site Details IV	Daniel J. Peveraro, P.E.	03/23/2023
A-101.00	Floor Plan	Rand K. Rosenbaum, R.A.	06/16/2023
A-201.00	Signage Elevations 1	Rand K. Rosenbaum, R.A.	06/16/2023
A-202.00	Signage Elevations 2	Rand K. Rosenbaum, R.A.	06/16/2023

WHEREAS, said Commissioner further reported that the plans submitted, as modified, comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board of the Town of Oyster Bay does hereby the conclusion of the Town of Oyster Bay Department of Environmental Resources, and determines that the proposed action is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c), Type II Actions List, as Item No. 9, pertaining to, "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities" and Item No. 18, pertaining to "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceed any of the thresholds in 6 NYCRR Sec. 617.4" and therefore does not require the completion of an Environmental Impact Statement or any review or other procedural activities pursuant to SEQR or TEQR; and; and be it further

RESOLVED, That the Petition of SUNRISE MASS, LLC, fee owner, and STARBUCKS CORPORATION, lessee, for 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, is hereby GRANTED for the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau, State of New York, bounded and described as follows:

BEGINNING at a point on the Southerly side of Sunrise Highway (Eastbound) distant 498.77 feet Easterly from the corner formed by the intersection of the Southerly side of Sunrise Highway (Eastbound) with the original Easterly side of Unqua Road;

RUNNING THENCE along said Southerly side of Sunrise Highway (Eastbound) South 87 degrees 58 minutes 25 seconds East, 50.00 feet to land now or formerly of Charles A. Weehling and Zoo Site Corp.;

THENCE along said last mentioned land, the following five (5) courses and distances:

- 1) South 09 degrees 44 minutes 25 seconds West, 435.95 feet;
- 2) South 87 degrees 58 minutes 25 seconds East, 94.19 feet;
- 3) North 09 degrees 44 minutes East, 62.38 feet;
- 4) Northeasterly along the arc of a curve bearing to the right, having a radius of 85.37 feet a distance along said curve of 119.35 feet (actual 119.55 feet);
- 5) North 06 degrees 44 minutes 14 seconds East, 297.33 feet to the Southerly side of Sunrise Highway (Eastbound).

THENCE along said Southerly side of Sunrise Highway (Eastbound) South 87 degrees 58 minutes 25 seconds East, 665.29 feet to land now or formerly Bleeckler;

THENCE along said last mentioned land the following two (2) courses and distances:

- 1) South 00 degrees 15 minutes East, 100 feet;
- 2) South 87 degrees 58 minutes 25 seconds East, 112.69 feet to land now or formerly of Union Free School District #23;

THENCE along said last mentioned land the following five (5) courses and distances:

- 1) South 33 degrees 13 minutes 50 seconds West, 317.92 feet;
- 2) South 11 degrees 52 minutes 35 seconds West, 1014.13 feet;
- 3) North 87 degrees 58 minutes West, 356.56 feet;
- 4) South 02 degrees 02 minutes West, 15.00 feet;
- 5) North 87 degrees 58 minutes West, 509.91 feet to land now or formerly map of Unqua Gardens;

THENCE partly along said last mentioned land and partly along land now or formerly W.R.T. Jones or Clardohrich, Inc., North 09 degrees 44 minutes 25 seconds East, 1600.24 feet to the Southerly side of Sunrise Highway (Eastbound), the point or place of BEGINNING.

SAID premises being known as and by street address 5500 Sunrise Highway, Massapequa, New York, and described as Section 53, Block E, Lot 421 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the Petitioners, as set forth in the written instrument attached herewith, to be duly recorded in the Office of the Clerk of Nassau County within one year of this Resolution, and the subject Petition may only become effective upon such recording, and further subject to the granting of variance from the Town of Oyster Bay Board of Zoning Appeals for a deficiency in off-street parking; and be it further

RESOLVED, That in accordance with the memorandum of Harold B. Mayer, Esq., then Commissioner, Department of Planning and Development, dated July 12, 2023, the sixteen (16) plans described herein are hereby approved.

-#-

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

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

DECLARATION OF RESTRICTIVE COVENANTS

SUNRISE MASS, LLC, fee owner, with a business address of 5500 Sunrise Highway, Massapequa, New York 11758, and STARBUCKS CORPORATION, a Washington corporation, with an office located at 2401 Utah Avenue South, Seattle, Washington 98134, do by this declaration, dated _____, declare as follows:

WHEREAS, SUNRISE MASS, LLC, fee owner, and STARBUCKS CORPORATION, lessee, petitioned the Town Board of the Town of Oyster 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 B, Lot 421, on the Land and Tax Map of Nassau County; and

WHEREAS, A duly advertised public hearing on said Petitions was held by the Town Board of the Town of Oyster Bay on February 13, 2024, at which hearing all parties interested in the subject matters and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. _____-2024, dated May 7, 2024, approved said applications subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarants, for the purpose of preserving the value, and in order to assure the orderly development of the below described premises in Schedule "A" herein, and for the benefit and protection of persons and property in the area, does hereby voluntarily impose the following covenants and restrictions with respect to the premises identified as 5500 Sunrise Highway, Massapequa, Town of Oyster Bay, New York, which will run with the land and be binding upon said Declarant, its successors and/or assigns,

NOW, THEREFORE, said Declarants, do hereby covenant and declare as follows:

1. That the hours of operation for Starbucks, including the drive-through window, shall not exceed 6:00 a.m. to 9:00 p.m. Monday through Friday, and 7:00 a.m. to 9:00 p.m. on Saturdays and Sundays.
2. That the speaker system for the drive-through window lane for Starbucks shall be equipped with "Automatic Volume Control" to allow the outgoing sound volume to be adjusted automatically based on ambient sound levels, so as to mitigate potential noise impacts associated with the use of this equipment, and insure that said speaker shall be inaudible at any point that is more than fifty (50) feet from the location of said speaker and in any event it shall not be audible beyond the limits of the subject premises.

John M. Miller
Reviewed By
Office of Town Attorney

3. That Starbucks shall not sell or serve beer, wine or any alcoholic beverage.
4. That deliveries will be limited to one per day, during normal business operation hours, and all deliveries will be made by box trucks not exceeding 24 feet in length.
5. That all waste, garbage, refuse, and rubbish shall be placed and kept in suitable closed containers and disposed of in accordance with applicable statutes, ordinances, and laws. Refuse will be picked up, and dumpsters emptied, during regular business hours.
6. There will be a maximum of ten (10) employees on the premises at any given time.
7. That all driveway and parking areas shall be paved and maintained in good repair at all times and shall be provided with proper storm water drainage. Parking shall only be permitted in designated parking spaces.
8. That the subject premises shall be continually policed and maintained as to be free of all papers, trash, debris or other discarded materials.
9. That all shrubs, trees and landscaping shall be continually maintained in good and healthy condition and replaced when necessary.
10. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present laws or ordinances of the Town of Oyster Bay.
11. That there shall be installed and properly maintained a fully automatic sprinkler system to quell fires, if required by applicable building and fire code, satisfactory to and approved by the Fire Marshal of Nassau County. Adherence to all applicable laws shall satisfy this condition.
12. That the exterior of all structures, parking areas and all other installations shall be continually maintained in neat and good repair.
13. That all exterior lighting shall be directed onto the subject premises and no lighting is to be directed onto adjacent properties or roadways.
14. That no Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the thirteen (13) plans prepared by Daniel J. Peveraro, P.E., Key Civil Engineering, Holtsville, New York, and three (3) plans prepared by Rand K. Rosenbaum, R.A., Rosenbaum Design Group Architecture, Lake Success, New York, reviewed in accordance with Section 246-6, "Site Plan Review", of the Zoning Code of the Town of Oyster Bay, recommended for acceptance by Harold B. Mayer, Jr., Esq., then Commissioner, Department of Planning and Development, by memorandum dated July 12, 2023, approved by the Town Board of the Town of Oyster Bay, including any and all amendments that the Town Board may have required to said plans. In the event Declarants seek permission to make a change to the subject structures or property after the date of the granting resolution, the Department of Planning and Development shall determine whether the proposed change is a major or minor

modification. If a proposed modification is deemed minor, the Department of Planning and Development shall have final approval of same. Any major modifications to said plans shall require Town Board approval. The plans approved by the granting resolution are as follows:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
C-1	Overall Site Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-2	Partial Site Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-3	Removals Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-4	Grading & Drainage Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-5	Sanitary & Utility Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-6	Site Lighting Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-7	Soil Erosion Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-8	Landscape Plan	Daniel J. Peveraro, P.E.	03/23/2023
C-9	Landscape Plan Exhibit	Daniel J. Peveraro, P.E.	03/23/2023
C-10	Site Details I	Daniel J. Peveraro, P.E.	03/23/2023
C-11	Site Details II	Daniel J. Peveraro, P.E.	03/23/2023
C-12	Site Details III	Daniel J. Peveraro, P.E.	03/23/2023
C-13	Site Details IV	Daniel J. Peveraro, P.E.	03/23/2023
A-101.00	Floor Plan	Rand K. Rosenbaum, R.A.	06/16/2023
A-201.00	Signage Elevations 1	Rand K. Rosenbaum, R.A.	06/16/2023
A-202.00	Signage Elevations 2	Rand K. Rosenbaum, R.A.	06/16/2023

15. That there shall be strict compliance with any and all ordinances, laws, regulations or directives of the Town of Oyster Bay, the Nassau County Fire Marshal's Office, the Nassau County Department of Health and any and all other agencies or departments of the Town of Oyster Bay, the County of Nassau, the State of New York and/or the United States of America.

16. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinances or regulations, and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

17. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as a recorded document, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of the Town of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

18. The terms and conditions set forth herein are intended to govern the portion of the premises to be used and occupied by the Starbucks facility for which the Town Board has granted a special use permit pursuant to the plans and specifications set forth in Paragraph "14" of this Declaration.

Reso 369-24

C+R's

Page 3
replacement

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau, State of New York, bounded and described as follows:

BEGINNING at a point on the Southerly side of Sunrise Highway (Eastbound) distant 498.77 feet Easterly from the corner formed by the intersection of the Southerly side of Sunrise Highway (Eastbound) with the original Easterly side of Unqua Road;

RUNNING THENCE along said Southerly side of Sunrise Highway (Eastbound) South 87 degrees 58 minutes 25 seconds East, 50.00 feet to land now or formerly of Charles A. Weehling and Zoo Site Corp.;

THENCE along said last mentioned land, the following five (5) courses and distances:

- 1) South 09 degrees 44 minutes 25 seconds West, 435.95 feet;
- 2) South 87 degrees 58 minutes 25 seconds East, 94.19 feet;
- 3) North 09 degrees 44 minutes East, 62.38 feet;
- 4) Northeasterly along the arc of a curve bearing to the right, having a radius of 85.37 feet a distance along said curve of 119.35 feet (actual 119.55 feet);
- 5) North 06 degrees 44 minutes 14 seconds East, 297.33 feet to the Southerly side of Sunrise Highway (Eastbound).

THENCE along said Southerly side of Sunrise Highway (Eastbound) South 87 degrees 58 minutes 25 seconds East, 665.29 feet to land now or formerly Bleeckler;

THENCE along said last mentioned land the following two (2) courses and distances:

- 1) South 00 degrees 15 minutes East, 100 feet;
- 2) South 87 degrees 58 minutes 25 seconds East, 112.69 feet to land now or formerly of Union Free School District #23;

THENCE along said last mentioned land the following five (5) courses and distances:

- 1) South 33 degrees 13 minutes 50 seconds West, 317.92 feet;
- 2) South 11 degrees 52 minutes 35 seconds West, 1014.13 feet;
- 3) North 87 degrees 58 minutes West, 356.56 feet;
- 4) South 02 degrees 02 minutes West, 15.00 feet;
- 5) North 87 degrees 58 minutes West, 509.91 feet to land now or formerly map of Unqua Gardens;

STATE OF NEW YORK)
COUNTY OF NASSAU) ss.:

On the _____ day of _____ in the year 2024 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF _____)
COUNTY OF _____) ss.:

On the _____ day of _____ in the year 2024 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Meeting of May 7, 2024

Resolution No. 370-2024

Reviewed By
Office of Town Attorney

WHEREAS, the Town solicited quotes from twelve brokers for renewal of the Town's Excess General and Automobile Liability Insurance coverage for the policy period of May 1, 2024 to May 1, 2025, and received responses from eleven insurance carriers, of which nine declined to extend a quotation for coverage. The proposal with the lowest cost was from New York Municipal Insurance Reciprocal ("NYMIR") through Salerno Brokerage Corp. ("Salerno"). NYMIR, through Salerno, proposed a policy that would provide the Town with a primary \$1,000,000 liability limit which is supplemented by a \$10,000,000 Excess Liability limit. The NYMIR program includes Law Enforcement Liability and Sexual Abuse and Misconduct liability coverage. The NYMIR policy also reduces the Town's self-insured retention from the current \$1,250,000.00 to \$1,000,000.00 per claim; and

WHEREAS, Frank M. Scalera, Town Attorney and Paul Ehrlich, Deputy Town Attorney, by memorandum dated April 30, 2024, determined that the process to obtain proposals was in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town Board authorize that the Town's Excess General and Automobile Liability Insurance coverage be obtained from NYMIR through Salerno at a total premium of \$585,652.00 for the policy period of May 1, 2024 to May 1, 2025, nunc pro tunc; and

WHEREAS, funds to make payment for the insurance coverage are available in Account No. TWN AMS 1910 43010 602 0000 000; 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 recommendation as hereinabove set forth is hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to obtain, the Town's Excess General and Automobile Liability Insurance coverage from New York Municipal Insurance Reciprocal for the policy period of May 1, 2024 to May 1, 2025, nunc pro tunc, for an annual premium of \$585,652.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim therefor, after audit, with funds to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

-#-

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

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

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

TO: Memorandum Docket
FROM: Office of the Town Attorney
DATE: April 30, 2024
SUBJECT: Excess General and Automobile Liability Insurance

The Town of Oyster Bay is self-insured for general and automobile liability since May 1985. It has been the Town's policy to procure excess general liability and automobile liability insurance, so to protect the Town against the possibility of liability or judgment exceeding the Town's self-insured retention limit.

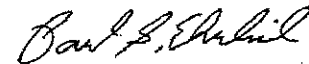
The Town solicited quotes from twelve brokers for general liability and automobile liability coverage for the 2024-2025 policy period commencing May 1, 2024. The Request for Proposals was also posted on the Town website. Two brokers responded. Salerno Brokerage Corp. ("Salerno") solicited quotes from eleven insurance carriers. One quote, from New York Municipal Insurance Reciprocal ("NYMIR"), provided the best coverage and lowest premium for general liability and automobile liability excess coverage for the 2024-2025 policy period. The remaining responding insurance carriers declined to extend a quotation for coverage or provided a quote significantly higher than NYMIR's quote.

NYMIR, through Salerno, proposed coverage for the first \$11,000,000 of liability coverage. NYMIR's proposal provides a primary \$1,000,000 liability limit which is supplemented by a \$10,000,000 Excess Liability limit. The NYMIR program includes Law Enforcement Liability and Sexual Abuse and Misconduct liability coverage. The NYMIR policy also reduces the Town's self-insured retention from the current \$1,250,000.00 to \$1,000,000.00 per claim. The total premium due to NYMIR, through Salerno, under the NYMIR proposal is \$585,652.00.

This Office deems that the Town Procurement Policy has been satisfied as to the effort made to secure quotations for coverage, and recommends that the Town Board authorize that the Town's Excess General Liability and Automobile Liability coverage for the policy year May 1, 2024 to May 1, 2025, nunc pro tunc, be procured through NYMIR at a total renewal premium of \$585,652.00. Funds are available in Account No. TWN AMS 1910 43010 602 0000 000.

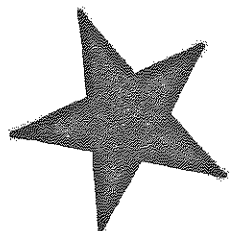
Kindly suspend the rules and place this matter on the May 7, 2024 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY



Paul S. Ehrlich
Deputy Town Attorney

PSE:pse
Attachment



Reviewed By
Office of Town Attorney

WHEREAS, the Town solicited quotes from twelve brokers for renewal of the Town's Excess General and Automobile Liability Insurance coverage for the policy period of May 1, 2024 to May 1, 2025, and received responses from eleven insurance carriers, of which nine declined to extend a quotation for coverage. The proposal with the lowest cost was from New York Municipal Insurance Reciprocal ("NYMIR") through Salerno Brokerage Corp. ("Salerno"). NYMIR, through Salerno, proposed a policy that would provide the Town with a primary \$1,000,000 liability limit which is supplemented by a \$10,000,000 Excess Liability limit. The NYMIR program includes Law Enforcement Liability and Sexual Abuse and Misconduct liability coverage. The NYMIR policy also reduces the Town's self-insured retention from the current \$1,250,000.00 to \$1,000,000.00 per claim; and

WHEREAS, Frank M. Scalera, Town Attorney and Paul Ehrlich, Deputy Town Attorney, by memorandum dated April 30, 2024, determined that the process to obtain proposals was in accordance with Guideline 7 of the Town's procurement policy, and recommended that the Town Board authorize that the Town's Excess General and Automobile Liability Insurance coverage be obtained from NYMIR through Salerno at a total premium of \$585,652.00 for the policy period of May 1, 2024 to May 1, 2025, nunc pro tunc; and

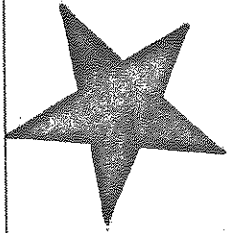
WHEREAS, funds to make payment for the insurance coverage are available in Account No. TWN AMS 1910 43010 602 0000 000; and

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 recommendation as hereinabove set forth is hereby accepted and approved, and the Office of the Town Attorney is hereby authorized to obtain, the Town's Excess General and Automobile Liability Insurance coverage from New York Municipal Insurance Reciprocal for the policy period of May 1, 2024 to May 1, 2025, nunc pro tunc, for an annual premium of \$585,652.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim therefor, after audit, with funds to be drawn from Account No. TWN AMS 1910 43010 602 0000 000.

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SALERNO BROKERAGE CORP.

TOWNS & VILLAGES RISK MANAGEMENT CORP.

HEALTH & FITNESS RISK MANAGEMENT CORP.

117 Oak Drive, Syosset, New York 11791-4825 • 516-364-4044 • Fax: 516-364-5901
www.salemoins.com

April 23, 2024

Paul Ehrlich, Esq.
Ralph Healey, Esq.
Town of Oyster Bay
Town Attorney's Office
54 Audrey Avenue
Oyster Bay, NY 11771

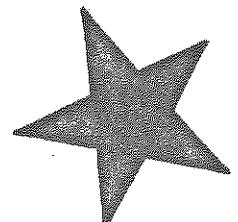
RE: Automobile and General Liability Policy- 2024-2025 Proposal- RFP Response

Dear Paul and Ralph:

In response to the Town's Request for Proposals due April 25, 2024, and as the Town's liability program expires shortly, we have canvassed the market to replace or renew coverage for the May 1, 2024-2025 policy period.

2024 Proposals

Coverage	2023-2024 Homesite et al \$1,250,000 SIR	2024-2025 Homesite et al \$1,250,000 SIR	2024-2025 NYMIR \$1,000,000 SIR	2024-2025 NYMIR \$1,000,000 SIR And \$15MM Excess Limit
Primary \$5MM- GL and AL	\$317,608.83	\$368,483.75	\$585,652	\$614,122
Primary \$3MM - Law	\$22,934.	\$29,966	Included	Included
Excess \$2MM xs \$3MM - Law	\$13,159.60	\$16,555.	Included	Included
Excess \$5MM xs \$5MM	\$115,715.	\$115,950 with TRIA Exclusion and \$126,605 with TRIA coverage	Included	Included
Sexual Abuse	Included up to \$8MM	\$101,483.06 (2 separate policies needed to make up primary \$5MM Limit)	Included	Included
\$15MM	NA	TBA	NA	Included
TOTAL	\$469,417.43	\$632,438. With TRIA Exclusion and \$43,393. With TRIA coverage	\$585,652.	\$614,122





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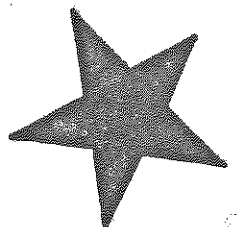
Page Two
Town of Oyster Bay

April 23, 2024

Marketing

In addition to the three (3) options we have provided, we also approached the following markets and noted the responses:

- 1) Berkley Public Entity Managers declined to quote due to pricing and size of auto fleet.
- 2) Travelers declined as they prefer a third party TPA for accounts they write.
- 3) US Specialty – declined to quote the Town’s program this year as HCC requires that there be a separate TPA handling the claims within the SIR. In addition, in prior years, HCC advised that pricing was very competitive.
- 4) Chubb- Chubb has declined to quote due to pricing and size of auto fleet.
- 5) Old Republic- declined to quote due to pricing and size of auto fleet.
- 6) Safety National- declined to quote unless they can also write the Town’s workers compensation.
- 7) Ambridge- cannot be competitive at this time.
- 8) Genesis – advised a premium indication of \$480,000 for \$5MM xs \$5MM. Not competitive





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Town of Oyster Bay

April 23, 2024

Key Notes and Executive Summary

Current Program:

For 2024, the current program using Homesite requires separate policies for Law Enforcement and Sexual Abuse and Misconduct coverage, as they cannot offer these coverages. As such, we obtained four (4) separate policies to make up the \$5MM of liability coverage for Law and Sexual Abuse and Misconduct coverage. In addition to this program, AAIC provides an additional \$5MM of Liability coverage. AAIC caps the sexual abuse and misconduct coverage to \$3MM excess of \$5MM – which is \$8MM. The SIR is \$1,250,000 per claim.

Alternative Program - NYMIR:

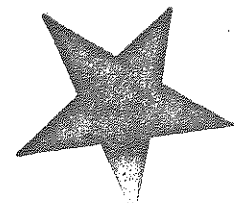
NYMIR has provided a competitive alternative proposal for the first \$11MM of Liability coverage. NYMIR provides a primary \$1MM Liability limit which is supplemented by a \$10MM Excess Liability limit. The NYMIR program includes the Law Enforcement Liability and Sexual Abuse and Misconduct liability coverage through the Excess coverage. The SIR is \$1,000,000 per claim.

In addition, NYMIR has offered an option for a \$15MM Excess Liability Limit, which we strongly recommend that the Town consider.

NYMIR stands for New York Municipal Insurance Reciprocal.

NYMIR is an assessable program which means they are not protected by the New York State Guaranty Fund. If NYMIR were to experience any financial issues, all the subscribers could be assessed. This assessment, per the NYMIR subscriber agreement, is on a joint and several basis. NYMIR is rated A- by AM Best and has a financial size of VII. NYMIR has approximately \$90 million in policyholder's surplus. It should be noted that NYMIR has been in operation for almost 30 years and has never had the need for an assessment. NYMIR is a not-for-profit reciprocal. All member of NYMIR must execute a subscriber agreement. We will forward the subscriber agreement for your review, should this be a program that the Town opts to join. There are currently 988 New York Public Entities that are part of the NYMIR program.

NYMIR is known for their extensive loss control and risk management programs and support and we think would be an excellent option for the Town.





SALERNO BROKERAGE CORP.
 TOWNS & VILLAGES RISK MANAGEMENT CORP.
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 Town of Oyster Bay

April 23, 2024

Brief Summary of the Coverage:

Homesite et al program - Option #1

Primary \$5,000,000 Limit

The Allied Public Risk Program has provided a proposal effective 5/1/2024-2025 with the Homesite Insurance Company. Homesite is rated A XV by AM Best, however, they operate on an excess and surplus lines basis in New York.

The following is a summary of the coverage offered by Homesite. You will note that Homesite cannot provide any Law Enforcement Liability coverage or Sexual Abuse and Misconduct coverage, thus we obtained stand-alone proposals for \$5,000,000 of Law Enforcement Liability coverage and \$5,000,000 of Sexual Abuse and Misconduct coverage which is described in the balance of this letter.

Coverage	Limit	Retention	Form
General Liability	\$5,000,000	\$1,250,000	Occurrence
Employee Benefits Liability	Included in G.L.	\$1,250,000	Occurrence
Sexual Abuse or Molestation	\$5,000,000	\$1,250,000	Occurrence
Automobile Liability	\$5,000,000	\$1,250,000	

Law Enforcement Liability - \$5,000,000 total liability

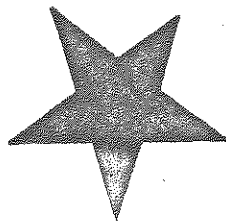
Greenwich Insurance Company, rated A+ XV by AM Best and licensed in the state of New York as an admitted carrier, has provided a primary \$3,000,000 Law Enforcement Liability proposal subject to a \$500,000 retention, and Kinsale Insurance Company, rated A X by AM Best, licensed in the State of New York on a non-admitted basis has provided a \$2,000,000 excess of \$3,000,000 Law Enforcement Liability proposal for a total liability limit of \$5,000,000.

Coverage	Limit	Retention	Form
Law Enforcement Liability	\$3,000,000	\$500,000	Occurrence
Law Enforcement Liability	\$2,000,000 excess \$3,000,000		

Sexual Abuse and Misconduct Liability - \$5,000,000 total liability

Miller Insurance Services Limited using Lloyds of London Paper Insurance has provided a primary \$3,000,000 Sexual Abuse and Misconduct Liability proposal subject to a \$500,000 retention and provided a \$2,000,000 excess of \$3,000,000 Sexual Abuse and Misconduct Liability proposal for a total liability limit of \$5,000,000. These coverages are being offered on a non-admitted basis.

Coverage	Limit	Retention	Form
Sexual Abuse and Misconduct Liability	\$3,000,000	\$500,000	Occurrence
Sexual Abuse and Misconduct Liability	\$2,000,000 excess \$3,000,000		





SALERNO BROKERAGE CORP.
TOWNS & VILLAGES RISK MANAGEMENT CORP.
HEALTH & FITNESS RISK MANAGEMENT CORP.

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April 23, 2024

Page Five
Town of Oyster Bay

Brief Summary of the Coverage:

Homesite et al program - Option #1 - Continued

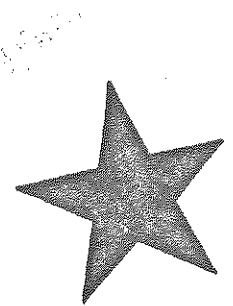
Excess \$5,000,000 xs \$5,000,000 Limit

American Alternative Insurance Corp. has provided a renewal for the \$5,000,000 xs \$5,000,000 coverage.
Limit: \$5,000,000 Excess of the following underlying coverage:

Coverage	Limit
General Liability	\$5,000,000
Employee Benefits Liability	Included in G.L.
Sexual Abuse or Molestation	\$5,000,000*
Automobile Liability	\$5,000,000
Law Enforcement Liability	\$3,000,000
Law Enforcement Liability	\$2,000,000 excess \$3,000,000

*Sexual Abuse is sub-limited at \$3,000,000 excess of \$5,000,000.

Copies of completed proposals are available upon request.





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Town of Oyster Bay

April 23, 2024

NYMIR program - Option #2 and #3

The NYMIR Program has provided a proposal effective 5/1/2024-2025. NYMIR is rated A- VII by AM Best.

The following is a summary of the coverage offered by NYMIR. You will note that NYMIR has offered their proposal with a \$1,000,000 SIR per claim as well as an option for a \$15,000,000 Excess Liability Limit.

NYMIR is an assessable program which means they are not protected by the New York State Guaranty Fund. If NYMIR were to experience any financial issues, all the subscribers could be assessed. This assessment, per the NYMIR subscriber agreement, is on a joint and several basis. NYMIR is rated A- by AM Best and has a financial size of VII. NYMIR has approximately \$90 million in policyholder's surplus. It should be noted that NYMIR has been in operation for almost 30 years and has never had the need for an assessment. NYMIR is a not-for-profit reciprocal. All member of NYMIR must execute a subscriber agreement. We will forward the subscriber agreement for your review, should this this a program that the Town opts to join. There are currently 988 New York Public Entities that are part of the NYMIR program.

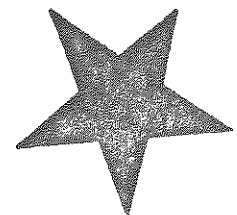
Option #1 – Total Liability Limit of \$11,000,000

Coverage	Limit	Retention	Form
General Liability	\$1,000,000	\$1,000,000	Occurrence
Employee Benefits Liability	\$1,000,000	\$1,000	Claims Made
Sexual Abuse or Molestation	Included	\$1,000,000	Occurrence
Law Enforcement Liability	\$1,000,000	\$1,000,000	Occurrence
Automobile Liability	\$1,000,000	\$1,000,000	
Excess Liability	\$10,000,000	NA	

Option #2 – Total Liability Limit of \$16,000,000

Coverage	Limit	Retention	Form
General Liability	\$1,000,000	\$1,000,000	Occurrence
Employee Benefits Liability	\$1,000,000	\$1,000	Claims Made
Sexual Abuse or Molestation	Included	\$1,000,000	Occurrence
Law Enforcement Liability	\$1,000,000	\$1,000,000	Occurrence
Automobile Liability	\$1,000,000	\$1,000,000	
Excess Liability	\$15,000,000	NA	

Copies of completed proposals are available upon request.





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Town of Oyster Bay

April 23, 2024

Please note that there will be paperwork that must be executed in order to bind coverage. Upon advisement to bind the coverage for 5/1/2024, we will forward under separate cover the required paperwork.

As a reminder, the current coverage expires on 12:01am on 5/1/2024. In order for coverage to be bound for 5/1/2024, the binding request must be received on 4/29/2024 prior to 3:00pm.

When reviewing alternative proposals, please be mindful of confirming that all the Town's exposures and Loss Information and Loss Details have been provided to the quoting carriers.

As you are aware, the Town has law enforcement liability for the armed bay constables. It is very important that any other quoting carrier provide this coverage to the Town. Because the Town does not have a police department, other brokers may overlook or underestimate the exposure.

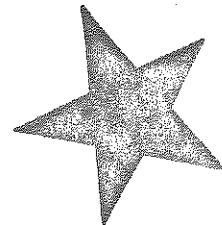
Reinsurers have continued concerns with liability claims especially in the New York area due to Social Inflation. Social Inflation is adverse loss development of a liability claim from the initial date of the claim to the closing of that claim, due to the increased costs to defend liability claims, as well as the verdicts that the courts are requiring be paid. As a result, reinsurers are concerned with liability claims both from a defense standpoint and liability limit standpoint. As such many carriers are being forced to restrict liability limits, increase retentions, and increase premiums. This is evident from our marketing results.

Please review the enclosures and advise any questions you may have. We look forward to continuing our work relationship with the Town.

Very truly yours,
Maryann K. Aiello
Maryann K. Aiello

Nicole L. Morton
Nicole L. Morton

MKA/NLM:nm



Meeting of May 7, 2024

Resolution No. 371-2024

WHEREAS, this Town Board had heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's liability; and

WHEREAS, the Town Board of the Town of Oyster Bay must authorize and approve the payment of any claims brought against the Town, where the amount of the proposed resolution is in excess of \$10,000.00; and

WHEREAS, Frank M. Scalera, Town Attorney, and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated April 30, 2024, have advised that Crown Castle Fiber, LLC, filed suit against the Town, resulting from the Town's denial of building permits for telecommunications facilities at various locations throughout the Town. The Town has continued to object to the location of these telecommunications facilities. Recently, a Federal Court asserted that Crown Castle Fiber, LLC, was entitled to a refund for monies paid or collected, by the Town and issued a judgment in the amount of \$257,661.00; and

WHEREAS, in furtherance of the judgment, the Office of the Town Attorney requests authorization for payment of \$257,661.00 to Crown Castle Fiber, LLC, and otherwise comply with said judgment,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, and otherwise to comply with said Federal Court judgment, the sum of \$257,661.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement and satisfaction to claimant, Crown Castle Fiber, LLC, for any and all claims as against the Town; 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 a check made payable to Crown Castle Fiber, LLC, in the amount of \$257,661.00 with funds for such payment to be drawn from Account No. TWN-A-1989-44170-000-0000.

-#-

AK
Reviewed By
Office of Town Attorney
[Signature]

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

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

371

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

TO : Memorandum Docket
FROM : Office of the Town Attorney
DATE : April 30, 2024
SUBJECT: Resolution of Claim – Crown Castle Fiber, LLC v. Town of Oyster Bay

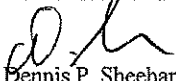
A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed claim exceeds Ten Thousand (\$10,000.00) Dollars.

The above referenced claim arose during the course of litigation concerning Crown Castle Fiber, LLC, and the Town. In this case, Crown Castle Fiber, LLC, filed suit against the Town, resulting from the Town's denial of building permits for telecommunications facilities at various locations throughout the Town. The Town has continued to object to the location of various telecommunications facilities throughout the Town. Recently, a Federal Court asserted that Crown Castle Fiber, LLC, was entitled to a refund for monies received by the Town and issued a judgment in the amount of \$257,661.00. Accordingly, and in furtherance of the judgment, the Office of the Town Attorney requests authorization for payment of \$257,661.00. The aforementioned amount shall be paid with funds drawn from Account No. TWN-A-1989-44170-000-0000.

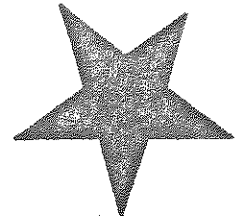
Accordingly, we have attached a resolution authorizing payment of \$257,661.00 and a copy of the judgment.

Kindly suspend the rules and place this matter on the May 7, 2024 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Dennis P. Sheehan
Deputy Town Attorney

DPS:nb
Attachment



WHEREAS, this Town Board had heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's liability; and

WHEREAS, the Town Board of the Town of Oyster Bay must authorize and approve the payment of any claims brought against the Town, where the amount of the proposed resolution is in excess of \$10,000.00; and

WHEREAS, Frank M. Scalera, Town Attorney, and Dennis P. Sheehan, Deputy Town Attorney, by memorandum dated April 30, 2024, have advised that Crown Castle Fiber, LLC, filed suit against the Town, resulting from the Town's denial of building permits for telecommunications facilities at various locations throughout the Town. The Town has continued to object to the location of these telecommunications facilities. Recently, a Federal Court asserted that Crown Castle Fiber, LLC, was entitled to a refund for monies paid or collected, by the Town and issued a judgment in the amount of \$257,661.00; and

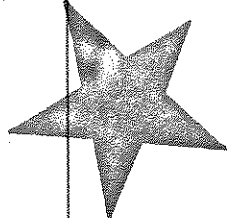
WHEREAS, in furtherance of the judgment, the Office of the Town Attorney requests authorization for payment of \$257,661.00 to Crown Castle Fiber, LLC, and otherwise comply with said judgment,

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, and otherwise to comply with said Federal Court judgment, the sum of \$257,661.00 is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement and satisfaction to claimant, Crown Castle Fiber, LLC, for any and all claims as against the Town; 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 a check made payable to Crown Castle Fiber, LLC, in the amount of \$257,661.00 with funds for such payment to be drawn from Account No. TWN-A-1989-44170-000-0000.

#-

2024
Reviewed By
Office of Town Attorney
[Signature]



FILED
CLERK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

5:04 pm, Mar 28, 2024

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

-----x
CROWN CASTLE FIBER LLC,

21-cv-6305 (JMA) (JMW)

Plaintiff,

-against-

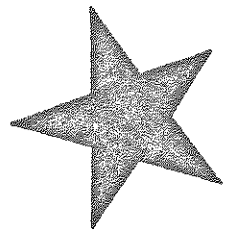
TOWN OF OYSTER BAY, ELIZABETH MACCARONE in her official capacity as Commissioner of the Town of Oyster Bay Department of Planning and Development and RICHARD LENZ in his official capacity as Commissioner of the Town of Oyster Bay Highway Department and Department of Public Works,

Defendants.
-----x

~~{PROPOSED}~~ JUDGMENT

WHEREAS Plaintiff Crown Castle Fiber LLC (“Crown Castle”) commenced this action on November 12, 2021 by filing its Complaint against, *inter alia*, defendants the Town of Oyster Bay, the Town of Oyster Bay Town Board, the Town of Oyster Bay Zoning Board of Appeals, Elizabeth Maccarone, in her official capacity as Commissioner of the Town of Oyster Bay Department of Planning and Development, and Richard Lenz, in his official capacity as Commissioner of the Town of Oyster Bay Highway Department and Department of Public Works (collectively, “Defendants” or the “Town”).

WHEREAS Crown Castle asserted causes of action against Defendants for violations of Sections 332(c)(7)(B)(iii), 332(c)(7)(B)(i)(II), and 253(a) of the Telecommunications Act of 1996 (the “TCA”), arising out of Defendants’: (1) denial of Crown Castle’s request to install twenty-three (23) small wireless telecommunications facilities (the “SWFs”) in the Town’s public rights-of-way (“ROW”) (the “Applications”); and (2) imposition of unreasonable, excessive, and prohibitive escrow charges, application fees, and permit fees upon Crown Castle.

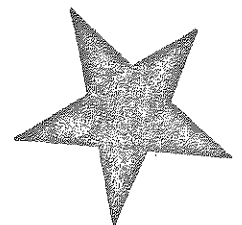


WHEREAS on March 10, 2023, Plaintiff filed its fully briefed motion for summary judgment seeking the entry of an order granting summary judgment in favor of Crown Castle on each of its three claims and directing the Town to immediately issue all approvals and permits necessary for the installation of its SWFs in the ROW without the imposition of any further fees, and requiring the disgorgement and return of \$189,950.00 in excess fees, plus interest from September 24, 2020.

WHEREAS on October 18, 2023, this Court respectfully referred the fully briefed motion to Magistrate Judge James M. Wicks for a Report and Recommendation.

WHEREAS on January 19, 2024, Magistrate Judge Wicks entered a Report and Recommendation recommending that summary judgment be granted in favor of Crown Castle on each of its claims based upon, *inter alia*, the foregoing findings:

- The Town's denial of the Applications was not supported by substantial evidence in the written record in violation of Section 332(c)(7)(B)(iii) of the TCA;
- The Town's denial of the Application effectively prohibited Crown Castle's provision of wireless services in and around the Town in violation of Section 332(c)(7)(B)(i)(II) of the TCA;
- Chapter 242 of the Town Code materially inhibits or limits the ability of telecommunications providers like Crown Castle to compete in a fair and balanced legal and regulatory environment, and, therefore, has the effect of prohibiting the provisions of telecommunications services in violation of Section 253(a) of the TCA;
- The Town's imposition of application fees (totaling \$14,950.00) and escrow fees for Richard Comi of CMS (totaling \$195,500) are unreasonable and effectively prohibit the provision of wireless services in violation of 253(a) because such fees exceed the



FCC's presumptively reasonable limit for which local fees would not effectively prohibit the provision of wireless services by \$189,950.00¹ and the Town failed to put forth any evidence to rebut the presumption (i.e., demonstrate that the fees imposed by the Town were reasonable).

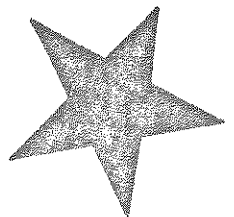
WHEREAS Defendants filed Objections to the Report and Recommendation on February 16, 2024 and Crown Castle filed its Response to Defendants' Objections on March 1, 2024.

WHEREAS on March 13, 2024, this Court entered a Memorandum & Order adopting Magistrate "Judge Wick's analysis and recommendations set forth in the thorough and well-reasoned [Report and Recommendation]" and granting Crown Castle's motion for summary judgment.

WHEREAS on March 18, 2024, the parties filed a joint status report advising the Court that the only remaining issue in this litigation is the entry of a judgment against Defendants for the relief requested by Crown Castle. Specifically, ordering: (1) that Defendants immediately, and in no event more than thirty (30) calendar days from the entry of the judgment, issue to Crown Castle all building permits and any other approvals and permits required for the installation and operation of its small wireless facilities in the Town's public rights of way without the imposition of any further requirements or fees; and (2) the disgorgement and return, from Defendants to Crown Castle, of \$189,950.00 in excess fees, plus 9% interest from September 24, 2020, within thirty calendar (30) days from the entry of the judgment."

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that

¹ Pursuant to the FCC's Declaratory Ruling and Third Report and Order, the presumptively reasonable limit for the Application is \$20,500.00. See *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Inv.*, 33 F.C.R. 9088 ¶ 79 (2018) ("\$500 for non-recurring fees, including a single up-front application that includes up to five [SWFs], with an additional \$100 for each [SWF] beyond five, or \$1,000 for non-recurring fees for a new pole (i.e., not a collocation) intended to support one or more [SWFs]").



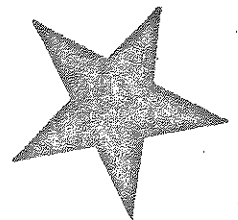
Defendants shall immediately, and in no event more than thirty (30) calendar days from the entry of this Judgment, issue to Crown Castle all building permits and any other approvals and permits required for the installation and operation of its small wireless facilities in the Town's public rights of way without the imposition of any further requirements or fees.


IT IS FURTHER HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiff shall have judgment against the Defendants in the principal sum of \$189,950.00, with interest at a rate of nine (9) per cent per annum from September 24, 2020 through the date of the entry of this Judgment, which is calculated as \$67,711.00, for a total sum of \$257,661.00, which Defendants shall pay to Plaintiff within thirty (30) calendar days from the entry of this Judgment.

Dated: March 28, 2024
Central Islip, New York

(/s/ JMA)

Hon. Joan M. Azrack
United States District Judge




Reviewed By
Office of Town Attorney
William D. McClellan

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 21st day of May, 2024, at 10 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD NEW DEFINITIONS OF MARINE MANAGEMENT AREA AND SHELLFISH SANCTUARY TO §196-4, TO AMEND AND RENAME SECTION §196-18 CONSERVATION MANAGEMENT AREAS TO §196-18 MARINE MANAGEMENT AREA; AND ADD §196-18.1 SHELLFISH SANCTUARY, OF THE CODE OF THE TOWN OF OYSTER BAY."; and be it further

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

-#-

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

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

PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 21st day of May 2024, at 10:00 a.m., prevailing time, or as soon thereafter as may be practicable, to consider a proposed local law entitled: "A LOCAL LAW TO AMEND CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD NEW DEFINITIONS OF MARINE MANAGEMENT AREA AND SHELLFISH SANCTUARY TO §196-4, TO AMEND AND RENAME SECTION §196-18 CONSERVATION MANAGEMENT AREAS TO §196-18 MARINE MANAGEMENT AREA; AND ADD §196-18.1 SHELLFISH SANCTUARY, OF THE CODE OF THE TOWN OF OYSTER BAY."

TSB
Reviewed By
Office of Town Attorney
William D. Mele

The abovementioned proposed Local Law is on file and may be viewed on the Town website (oysterbaytown.com) or by contacting the Office of the Town Clerk (516-624-6320), daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

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

Dated: _____, 2024, Oyster Bay, New York.

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

TO : MEMORANDUM DOCKET
FROM : Frank M. Scalera, Town Attorney
DATE : April 30, 2024
SUBJECT: "A LOCAL LAW TO AMEND CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD NEW DEFINITIONS OF MARINE MANAGEMENT AREA AND SHELLFISH SANCTUARY TO §196-4, TO AMEND AND RENAME SECTION §196-18 CONSERVATION MANAGEMENT AREAS TO §196-18 MARINE MANAGEMENT AREA; AND ADD §196-18.1 SHELLFISH SANCTUARY, OF THE CODE OF THE TOWN OF OYSTER BAY."

The Town seeks to amend Chapter 196 – Shellfish and Marine Life, of the Code of the Town of Oyster Bay.

This office has prepared the following items necessary to establish a local law as referenced above:

1. Resolution calling for a Public Hearing to be held on May 21, 2024 at 10:00 a.m.;
2. Public Notice; and
3. Proposed Legislation.

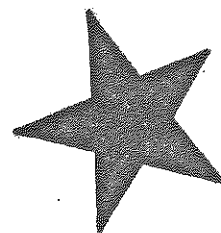
Kindly suspend the rules, and place this matter on the Town Board Action Calendar for May 7, 2024.

FRANK M. SCALERA
TOWN ATTORNEY

William D. McCabe

William D. McCabe
Assistant Town Attorney

WDM



Local Law Filing

Town of OYSTER BAY

DRAFT

Local Law No. _____ of the year 2024

Be it enacted by the TOWN BOARD of THE TOWN OF OYSTER BAY as follows:

Local Law No. _____ of the year 2024

A local law entitled "A LOCAL LAW TO AMEND CHAPTER 196 – SHELLFISH AND MARINE LIFE, TO ADD NEW DEFINITIONS OF MARINE MANAGEMENT AREA AND SHELLFISH SANCTUARY TO §196-4, TO AMEND AND RENAME SECTION §196-18 CONSERVATION MANAGEMENT AREAS TO §196-18 MARINE MANAGEMENT AREA; AND ADD §196-18.1 SHELLFISH SANCTUARY, OF THE CODE OF THE TOWN OF OYSTER BAY."

Be it enacted by the _____ Town Board
of the Town of _____ Oyster Bay _____ as follows:

Section 1. Amend Chapter 196 – Shellfish and Marine Life, Section 196-4 – Definitions and word usage, of the Code of the Town of Oyster Bay, to add the following new definitions:

MARINE MANAGEMENT AREA

An area of underwater lands designated or set aside by the Town Board for the preservation, protection, restoration and enhancement of essential marine habitat and species and includes, but is not limited to, uses such as kelp growing water quality monitoring, and habitat enhancement.

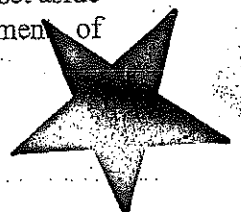
SHELLFISH SANCTUARY

An area of underwater lands identified by the Department of Environmental Resources and designated or set aside by the Town Board for the preservation, restoration, and propagation of shellfish populations and critical spawning grounds. Shellfish sanctuaries are harvest-free zones used for the planting of shellfish and cultch, and providing areas for natural sets of shellfish to develop and mature into complete ecosystems, with the intent of reestablishing and maintaining sustainable oyster and clam populations.

Section 2. Amend and rename Chapter 196 – Shellfish and Marine Life, Section 196-18 of the Code of the Town of Oyster Bay, to read as follows:

Section 196-18 Marine Management Area

The Town Board may set aside as a Marine Management Area, Town lands underwater and/or Town managed lands underwater for the preservation, protection, and restoration of essential marine habitat and species. No person or entity shall harvest, take, interfere with, or otherwise disturb shellfish or other marine habitat and species within an area designated as a Marine Management Area except as specified in 196-18(D). The management of any area(s) so set aside shall come under the direct supervision of the Commissioner of the Department of



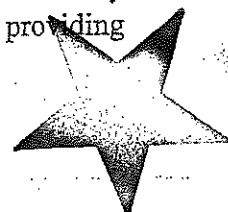
Environmental Resources of the Town of Oyster Bay and enforcement of any violations of the terms of such area(s) shall come under the direct supervision of the Commissioner of Public Safety.

- A. Unless designated as a Shellfish Sanctuary by the Town Board, an uncertified area, a seasonal area, and a conditional shellfish harvesting area shall be a Marine Management Area.
- B. Upon announcement by the New York State Department of Environmental Conservation ("NYS DEC") of the immediate or pending certification and opening of shellfish harvest areas previously deemed uncertified, the Town maintains its regulatory authority to control shellfish harvesting on Town lands underwater. The opening of previously uncertified shellfish harvesting areas from Town lands underwater is subject to concurrence by the Commissioner of the Department of Environmental Resources with the NYSDEC's determination. Following the NYSDEC's announcement, a 7-calendar-day determination period will commence during which shellfish harvesting from this area is prohibited. The Commissioner of the Department of Environmental Resources may file a written objection with the Town Clerk's office, reserving the right to keep the area or a portion of it closed for harvest. If no objection is filed by the Commissioner within the 7 calendar days, the NYSDEC opening is considered a concurrence and the area is deemed open for harvest.
- C. A description of each Marine Management Area and all prohibitions, restrictions and regulations with regards to the harvesting of, taking of, or interfering with shellfish from such area(s) shall be posted in the office of the Town Clerk and provided to each commercial and recreational shellfish permit holder and any aquaculture licensee.
- D. Determinations by the Town Board.
 - (1) The Town Board may allow harvesting or transplanting shellfish from a part or all of a Marine Management Area for a limited period of time after giving due consideration to the following:
 - a. Whether or not the shellfish have been sufficiently purified in accordance with industry standards be suitable as food for human consumption
 - b. Whether or not the first spawning period has passed for the shellfish in the management area and such spawning has been successful.
 - c. Whether a minimum quantity of shellfish is available within the shellfish area for spawning until such time as desired quantities of shellfish are maintained.

Section 3. Amend Chapter 196 – Shellfish and Marine Life, to add Section 196-18.1 – Shellfish sanctuary of the Code of the Town of Oyster Bay, to read as follows:

196-18.1 Shellfish Sanctuary.

The Town Board may set aside as a Shellfish Sanctuary, one or more Town lands underwater and/or Town managed lands underwater for the preservation, restoration, and propagation of shellfish populations and critical spawning grounds. Shellfish sanctuaries are areas identified by the Department of Environmental Resources for planting shellfish and cultch, and providing



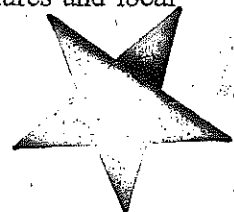
areas for natural sets of shellfish to develop and mature into complete ecosystems, with the intent of reestablishing and maintaining sustainable oyster and clam populations. Cultch planted may be sourced from the Town's Shell Recycling Program, and shellfish seed planted may be cultivated through the Town's shellfish hatchery or sourced from other sanctuaries. Considerations for site selection include factors such as sediment classification and grain size, existing shell deposits, planted shellfish and/or existing live shellfish, likely natural recruitment and the beneficial distribution of larvae within the bay as deemed appropriate. The management of any area(s) so set aside shall come under the direct supervision of the Commissioner of the Department of Environmental Resources of the Town of Oyster Bay and enforcement of any violations of the terms of such area(s) shall come under the direct supervision of the Commissioner of Public Safety.

- A. No person or entity shall harvest, take, interfere with, or otherwise disturb shellfish within an area designated as a Shellfish Sanctuary.
- B. Within the boundaries of a Shellfish Sanctuary, no person, entity, or vessel shall deploy or maintain bottom crab pots, traps, or similar gear which have the potential to impact shellfish populations, within the marked area as indicated by buoys and/or other navigational markers and/or by publishing GPS coordinates and filing them with the Office of the Town Clerk. The prohibition of bottom gear, as described, shall not apply to authorized research, restoration, pilot projects, or management activities carried out by or in cooperation with the Town of Oyster Bay's Department of Environmental Resources as authorized by the Commissioner or their designee.
- C. Upon announcement by the New York State Department of Environmental Conservation of the immediate or pending certification and opening of shellfish harvest areas deemed a Shellfish Sanctuary, the Town maintains its regulatory authority to control shellfish harvesting on Town lands underwater (§ 196-4). A Shellfish Sanctuary on Town lands underwater shall continue to be closed for harvest regardless of NYSDEC classification.
- D. The Commissioner of the Department of Environmental Resources shall mark a Shellfish Sanctuary with appropriate monuments, stakes and/or boundary markers and/or by publishing GPS coordinates and filing them with the Office of the Town Clerk.
- E. No person shall willfully injure or remove any signs, monuments, stakes or boundary markers of any kind placed for the purpose of delineating or locating a Shellfish Sanctuary.

Section 4. SEQR Determination

It is hereby determined pursuant to the State Environmental Quality Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to "routine or continued agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and Section 617.5 (c)(33) of 6 N.Y.C.R.R., pertaining to, "adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list."

DRAFT



Section 5. Severability

If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 6. Effective Date.

This Local Law shall be operative upon adoption by the Town Board of the Town of Oyster Bay and shall take effect immediately upon its filing with the Office of the Secretary of State.

Certification:

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2024 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2024, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2024

STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

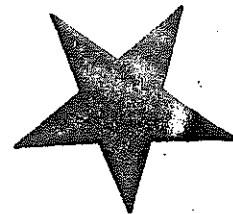
Signature
Town Attorney

Title
Town of Oyster Bay

Date: _____ 2024

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DRAFT



Meeting of May 7, 2024

Resolution No. 373-2024

WHEREAS, the Atlantic Steamer Fire Company #1, Inc. is the process of acquiring a new fire fighting vehicle through a tax-exempt lease/purchase agreement; and

WHEREAS, Town Board approval of the tax-exempt financing is required pursuant to the Internal Revenue Code; and

WHEREAS, Frank M. Scalera, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by memo dated May 2, 2024, request that a public hearing be held in connection with this matter,

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing as to the approval of the proposed tax-exempt lease/purchase agreement, said Hearing to be held in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York on Tuesday, May 21, 2024, at 10:00 a.m., prevailing time, or as soon thereafter as practicable, said Notice to be advertised in newspapers of general circulation in the Town of Oyster Bay, pursuant to provisions of law.

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EF
Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

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

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of Oyster Bay (the "Town"), in the County of Nassau, State of New York, will hold a public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), to be held in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, at 10:00 a.m. (Local Time), or as soon thereafter as practicable, on Tuesday, May 21, 2024, on the proposed plan of financing by the Atlantic Steamer Fire Company #1, Inc., a not-for-profit corporation, (the "Department") for the purchase of a 2024 Pierce Aerial Mounted on an Enforcer Chassis (the "Apparatus"), which will be located at 20 East Main Street, Oyster Bay, New York 11771, and which will be owned and operated by the Department and used throughout its service area. The purpose of such purchase is to replace an obsolete apparatus. As part of the proposed plan of financing for the Apparatus, the Department proposes to enter into a tax-exempt obligation (the "Lease") and to use the proceeds of the Lease to purchase the apparatus. The Lease will be a general obligation of the Department payable from the Department's general revenues. The maximum aggregate face amount of the Lease is \$1,661,859.22. Section 147(f) of the Internal Revenue Code requires a fire company to obtain the approval of the legislative body of the municipality where it is located to seek and obtain tax-exempt financing. Approval by the Town Board will not result in any financial obligation on the part of the Town.

Approval of the Lease by the Supervisor of the Town is necessary in order for the interest on the Lease to be excluded from gross income for federal income tax purposes and in satisfaction of the requirements of Section 147(f) of the Code. A copy of such report will be filed in the Office of the Town Clerk, and will be available as a public record for inspection by all interested persons.

At the hearing, members of the public may appear in person to make or give oral or written comments in favor of or in opposition to the financial assistance described herein or the location and nature of the Project. Handicapped persons who require assistance in attending the hearing or in furnishing comments, should contact the Town at (516) 624-6332 to request such assistance.

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

Dated: May 7, 2024, Oyster Bay, New York

7/2

Reviewed By
Office of Town Attorney

Substantive to Supervisor

Meeting of May 7, 2024

Resolution No. 374-2024

Not
Reviewed By
Office of Town Attorney
Robert P. Healy

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on the 21st day of May, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 26 - ELECTIONS, OF THE CODE OF THE TOWN OF OYSTER BAY"; and be it further

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

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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	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 21st day of May, 2024, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following proposed Local Law, entitled "A LOCAL LAW TO AMEND CHAPTER 26 -- ELECTIONS, OF THE CODE OF THE TOWN OF OYSTER BAY." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor,
RICHARD LaMARCA, Town Clerk.
Dated: May 7, 2024, Oyster Bay, New York.

MS
Reviewed By
Office of Town Attorney

Rafael P. Storky

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : May 3, 2024
SUBJECT: Proposed Local Law to amend Chapter 26 - Elections, of the Code of the Town of Oyster Bay.


The Town seeks to add Article III. Sections 26-5 Biennial Town Elections, to Chapter 26 - Elections, of the Code of the Town of Oyster Bay.

This office has prepared the following items necessary to establish a new local law referenced above:

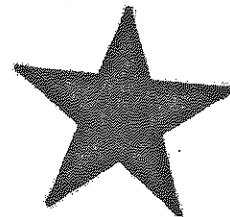
1. Resolution calling for a Public Hearing to be held on May 21, 2024 at 10:00 am;
2. Public Notice; and
3. Proposed legislation.

Kindly suspend the rules and place this matter on the May 7, 2024 Town Board action calendar.

FRANK M. SCALERA
TOWN ATTORNEY


Ralph P. Healey
Deputy Town Attorney

RPH:eaf
Attachment



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

May 3, 2024

TO: RICHARD L. LAMARCA, TOWN CLERK
FRANK M. SCALERA, TOWN ATTORNEY, OFFICE OF THE TOWN ATTORNEY
THOMAS M. SABELLICO, SPECIAL COUNSEL, OFFICE OF THE TOWN ATTORNEY
SHEILA TARNOWSKI, DIRECTOR OF LEGISLATIVE AFFAIRS

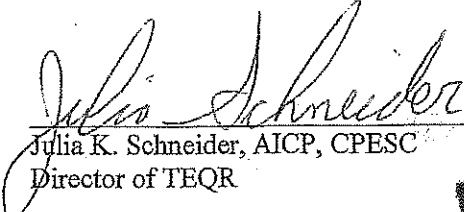
FROM: JULIA K. SCHNEIDER, DIRECTOR OF TEQR,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: "A LOCAL LAW TO AMEND CHAPTER 26 - ELECTIONS, TO ADD A NEW SECTION TO THE CODE OF THE TOWN OF OYSTER BAY, SECTION 26-5, BIENNIAL TOWN ELECTIONS"; CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR): TYPE II

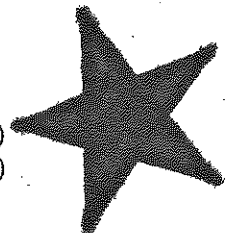
Pursuant to Article 8 of the New York State Environmental Conservation Law and implementing provisions of the State Environmental Quality Review Act (SEQR) at 6 NYCRR Part 617, and the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Code of the Town of Oyster Bay), the Department of Environmental Resources (DER) has reviewed the above-referenced proposed action. In connection with review of this subject action pursuant to SEQR/TEQR, DER was provided with the subject draft local law from the Office of The Town Attorney on May 3, 2024.

On the basis of our evaluation, the Department of Environmental Resources concludes that this proposed action is classified as Type II pursuant to the SEQR Type II Actions List, at 6 NYCRR §617.5(c), item #26, pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment."

Actions or classes of actions identified as Type II in the above-referenced section of the SEQR regulations have been pre-determined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8, and the SEQR regulations. Inasmuch as the subject proposed action is classified under SEQR's pre-determined Type II Action list, as described above, the Department of Environmental Resources has applied the law and finds that said proposed action does not require the completion of an Environmental Impact Statement (EIS), or any additional environmental review or other procedural activities pursuant to SEQR/TEQR.


Julia K. Schneider, AICP, CPESC
Director of TEQR

cc. Louis G. Savinetti, Commissioner, Department of Environmental Resources (via e-mail)
Colin Bell, Deputy Commissioner, Department of Environmental Resources (via e-mail)



Local Law Filing

Town of OYSTER BAY

Local Law No. _____ of the year 2024

A LOCAL LAW TO AMEND CHAPTER 26 - ELECTIONS, TO ADD A NEW SECTION TO THE CODE OF THE TOWN OF OYSTER BAY, SECTION 26-5, BIENNIAL TOWN ELECTIONS,

Be it enacted by the TOWN BOARD OF THE TOWN OF OYSTER BAY as follows:

Section 1. Legislative Findings. The Town Board of the Town of Oyster Bay finds and declares it necessary and essential to Amend Chapter 26 – Elections, of the Code of the Town of Oyster Bay. Since 1899, the Town has held elections of its officers in odd numbered years. The purpose for the adoption of the following local law is to ensure continuity.

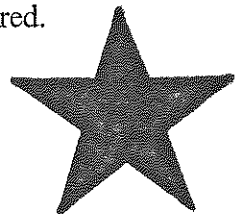
Article IX, Section 2(c) of the New York State Constitution grants The Town the power to adopt local laws relating to the terms of its elected officers. This power is also conferred upon the Town by Section 10 (1)(a)(1) Municipal Home Rule Law, and Section 10 (1) of the Statute of Local Governments.

Section 2. Amend Chapter 26-Elections, to add the following provision, Section 26-5, as follows:

§ 26-5 Biennial Town Elections.

A Biennial town election for the election of the Town Supervisor, Town Councilmen, Town Clerk and Town Receiver of Taxes shall be held on the Tuesday next succeeding the first Monday in November of odd numbered years.

Section 3. SEQR Determination. It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, (SEQR), 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5 (c) (26) of 6 N.Y.C.R.R., pertaining to “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.



Section 4. Severability. If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

Section 5. Effective Date. This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

Certification:

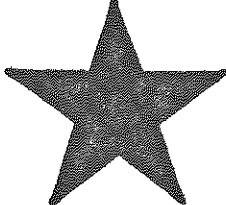
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2024 of the Town of Oyster Bay was duly passed by the Town Board on _____ 2024, in accordance with the applicable provisions of law.

Clerk of the Town of Oyster Bay

(Seal)

Date: _____, 2024

DRAFT



STATE OF NEW YORK
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Town Attorney

Title
Town of Oyster Bay

Date: _____ 2024

DRAFT

