

*Alan Carroll*  
*By Vicki Ferrelli*  
*Regularly Commissioned*  
APPROVED  
COMMISSIONER OF TOWN RESOURCES

Meeting of October 29, 2024

RESOLUTION P-16-2024

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

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

ITEM NO.	DEPT.	AMOUNT	FROM
060-24	EXE	\$ 20,000.00	DPW A 3510 11000 000 0000
			TO
		\$ 20,000.00	DPW A 3510 41600 000 0000
			FROM
		\$ 60,000.00	DPW A 3510 11000 000 0000
			TO
061-24	CYS	\$ 60,000.00	DEW A 3510 44900 000 0000
			FROM
		\$ 1,000.00	CYS A 7020 47660 000 0000
			TO
		\$ 1,000.00	CYS A 7020 41400 000 0000
			FROM
		\$ 10,500.00	CYS A 7020 47660 000 0000
			TO
		\$ 10,500.00	CYS A 7020 41800 000 0000

Reviewed By  
Office of Town Attorney



- II -

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

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

# Town of Oyster Bay Inter-Departmental Memo

October 10, 2024

**To:** Memorandum Docket  
**From:** Rob Darienzo, Director of Finance  
**Subject:** Transfer of Funds – 2024 Budget

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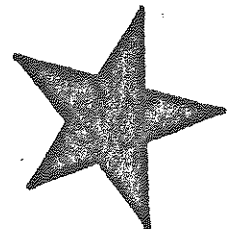
In order to provide funds for various needs in the Town's Animal Shelter, the following transfer of funds is hereby requested:

Transfer From:							
DPW	A	3510	11000	000	0000	Salaries – Regular	80,000.00
Transfer To:							
DPW	A	3510	41600	000	0000	Materials & Supplies	20,000.00
DPW	A	3510	44900	000	0000	Other Contract	60,000.00

Thank you.

  
Rob Darienzo  
Director of Finance

RD/rd  
Word/Documents/Docket/TOF 2024 DPW AS5



TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

October 18, 2024


TO: Memorandum Docket  
FROM: Maureen A. Fitzgerald, Commissioner  
Department of Community and Youth Services  
SUBJECT: Transfer of Funds

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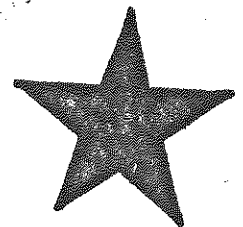
The Department of Community and Youth Services requests Town Board authorization to transfer the following funds:

<b>From:</b>	CYS A 7020 47660 000 0000	Special Events	\$11,500.00
<b>To:</b>	CYS A 7020 41400 000 0000	Uniforms	\$ 1,000.00
	CYS A 7020 41800 000 0000	Recreational Supplies	\$10,500.00

The transfer will accommodate the purchase of sweatshirts for Departmental staff and the cost of supplies for upcoming events.

  
Maureen A. Fitzgerald  
Commissioner

MAF:iw



WHEREAS, MICHAEL DEMARTINO, fee owner, has applied for a permit to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 286 East Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 64, Lots 70-73, on the Nassau County Land and Tax Map; and

WHEREAS, Hon. Angelo A. Delligatti, Commissioner, Department of Planning and Development, by memorandum dated September 26, 2024, stated that Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and requested a calendar date of October 29, 2024, for Town Board action, in connection with the aforementioned application; and

Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, pursuant to Section 241-9(E)(3) of the Code of the Town of Oyster Bay, Commissioner Delligatti, by said memorandum directed MICHAEL DEMARTINO, Applicant, to provide an Affidavit of Mailing Notice; and

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

WHEREAS, Julia K. Schneider, AICP, CPESC, Director of TEQR, Department of Environmental Resources, by memorandum dated September 23, 2024, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review (TEQR) Law (Chapter 110 of the Oyster Bay Town Code), the Department of Environmental Resources has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act (SEQR), 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such have been predetermined not to have a significant impact on the environment or are otherwise precluded from environmental review under the Environmental Conservation Law, Article 8,

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

RESOLVED, That the application of MICHAEL DEMARTINO, to erect, maintain, alter or improve a dock, pier, bulkhead or similar structure, at 286 East Shore Drive, Massapequa, New York 11758, known and designated as Section 66, Block 64, Lots 70-73 on the Nassau County Land and Tax Map, 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 | Aye |
| Councilman Imbroto   | Aye |
| Councilman Hand      | Aye |
| Councilman Labriola  | Aye |
| Councilwoman Maier   | Aye |
| Councilwoman Walsh   | Aye |

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TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

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

DATE: SEPTEMBER 26, 2024

SUBJECT: WATERWAYS REVIEW  
MICHAEL DEMARTINO  
286 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
SECTION 66, BLOCK 64, LOT(S) 70-73  
DOCK BUILDING PERMIT APPLICATION # P2409-0164

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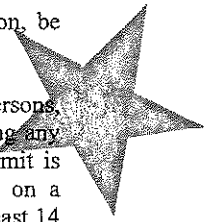
We have received a request from Michael DeMartino to "Install a 10ft by 8ft dual jet ski lift supported with two 12inch by 30ft timber piling and install 13ft by 13ft boat lift supported with four 12inch by 35ft pilings." All work is to be done according to the attached plans stamped "NYSDEC Approved" (NYSDEC) Permit No. 1-2824-03513/00002 dated June 28, 2024. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. P2409-0164; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03513/00002 dated June 28, 2024, Department of the Army, New York District Corps of Engineers Permit No. NAN-2024-00566 dated September 13, 2024 and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated September 11, 2024. Also attached is a memo from Julia Schneider, Director of TEQR Department of Environmental Resources dated September 23, 2024, classifying the project as a TYPE II ACTION under SEQRA.

The relevant documents are attached for your review.

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

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



HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
MICHAEL DEMARTINO  
286 EAST SHORE DRIVE  
MASSAPEQUA, NY 11758  
SECTION 66, BLOCK 64, LOT(S) 70-73  
DOCK BUILDING PERMIT APPLICATION # P2409-0164

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for the October 29, 2024, Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ANGELO A. DELLAGATTI  
COMMISSIONER



AAD/dh  
Encls.

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

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

September 23, 2024

**TO:** SCOTT BYRNE, DEPUTY COMMISSIONER,  
DEPARTMENT OF PLANNING AND DEVELOPMENT

**FROM:** JULIA K. SCHNEIDER, DIRECTOR OF TEQR,  
DEPARTMENT OF ENVIRONMENTAL RESOURCES

**SUBJECT:** CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT;  
REVIEW OF WATERWAY APPLICATION NUMBER P2409-0164  
MICHAEL DEMARTINO

**LOCATION:** 286 EAST SHORE DRIVE, MASSAPEQUA  
SECTION 66, BLOCK 064, LOT(S) 70-74

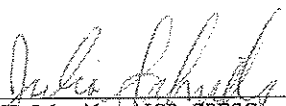
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Pursuant to the provisions of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, SEQR, as promulgated in the regulations contained in 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality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

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

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

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

  
\_\_\_\_\_  
Julia K. Schneider, AICP, CPESC  
Director of TEQR



SECTION 66 BLOCK 064 LOT(S) 70

P2409-0164



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

**APPLICATION FOR PERMIT TO BUILD OR INSTALL**

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

PROPERTY OWNER: Michael DEMARTINO 286 EAST Shore Dr MASSA 11758  
LESSEE:  
TENANT:

APPLICANT: JANET MOSES 2 Whidener Dr Merrick Ny 11566

ARCHITECT: John Weiburg 4000 Hudson Ave Sanford NY 11783

CONTRACTOR: KEVEL MACHINE CONTRACTORS 100 CEDAR SHORE DR MASSA 11758

PLUMBER:

ELECTRICIAN: INNOVATION Electric 174 Glenmore way Holbrook Ny 11741

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

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

A. TYPE OF IMPROVEMENT		B. PROPOSED USE	
EXISTING	PROPOSED	EXISTING	PROPOSED
1. NEW BUILDING/STRUCTURE	_____	1. ONE FAMILY	_____
2. ADDITION/EXTENSION	_____	2. TWO FAMILY	_____
3. ALTERATION (i.e. Garage Conv.)	_____	3. PARENT CHILD	_____
4. DECK	_____	4. GARAGE	_____
5. AWNING/ROOF-OVER	_____	5. BUSINESS	_____
6. CELLAR ENTRANCE	_____	6. INDUSTRIAL	_____
7. REISSUE #	_____	7. RESTAURANT	_____
8. OTHER	_____	8. PUBLIC ASSEMBLY	_____
		9. OTHER	_____

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s)) Install Boat lift & dual set ski lift  
Remove 3 existing pilings

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

**HAVE BOTH AFFIDAVITS NOTARIZED**

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

STATE OF NEW YORK  
COUNTY OF NASSAU  
ss:  
JANET MOSES  
being duly sworn, deposes and says: That he/she resides at 2 Whidener Dr in the hamlet of Merrick in the State of New York and that he/she is authorized by the Owner Michael DeMartino who is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements contained herein are true to deponent's own knowledge.  
Address: 2 Whidener Dr Merrick Ny 11566  
Phone: 516 546 3475  
(Sign here) JANET MOSES  
Sworn to before me this FIRST day of AUGUST 2024

STATE OF NEW YORK  
COUNTY OF NASSAU  
ss:  
Michael DeMartino  
being duly sworn, deposes and says: That he/she resides at 286 EAST Shore Drive in the hamlet of Massapequa in the State of New York and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes JANET MOSES (applicant) to make application for a permit to perform said work in the foregoing application and accompanying plans, and all the statements herein contained are true to deponent's own knowledge.  
(Sign here) [Signature] (owner)  
Sworn to before me this FIRST day of AUGUST 2024

NOTARY PUBLIC  
GARY W. MOSES  
Notary Public - State of New York  
No. 01MOS185523  
Qualified in Nassau County  
My Commission Expires 05/05/2028

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1  
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790  
P: (631) 444-0365 | F: (631) 444-0360  
www.dec.ny.gov

June 28, 2024

Michael Demartino  
286 East Shore Drive  
Massapequa, NY 11783

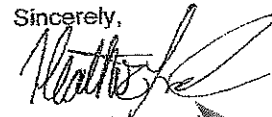
Re: Application #1-2824-03513/00002  
Demartino Property: 286 East Shore Drive, Massapequa, NY 11783  
NCTM# 66-64-70

Dear Permittee:

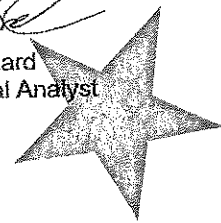
In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit for the referenced activity. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions, please contact us at the above address.

Enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather and a Notice of Commencement/Completion of Construction.

Sincerely,



Heather Leonard  
Environmental Analyst



Cc: Janet Moses: Bulkhead Permits by Gary, Inc.  
BMHP  
File



## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

**Permit Issued To:**  
MICHAEL DEMARTINO  
286 E SHORE DR  
MASSAPEQUA, NY 11758

**Facility:**  
DEMARTINO PROPERTY  
286 SHORE DR|SCTM 66-64-70  
MASSAPEQUA, NY 11783

**Facility Application Contact:**  
JANET MOSES  
2 WHALENECK DR  
MERRICK, NY 11566

**Facility Location:** in OYSTER BAY in NASSAU COUNTY  
**Facility Principal Reference Point:** NYTM-E: 632.61296176823      NYTM-N:  
4501.626783329381

Latitude: 40°39'17.5" Longitude: 73°25'52.9"

**Project Location:** Water- Great South Bay

**Authorized Activity:** Install a boatlift and dual jet ski lift. Remove 3 existing mooring pilings. All work shall be done in conformance with plans prepared by Bulkhead Permits by Gary inc., dated 5/14/2024 and stamped 'NYSDEC Approved' on 6/28/2024. HWL

#### Permit Authorizations

##### Water Quality Certification - Under Section 401 - Clean Water Act

Permit ID 1-2824-03513/00001

New Permit

Effective Date: 6/28/2024

Expiration Date: 6/27/2029

##### Tidal Wetlands - Under Article 25

Permit ID 1-2824-03513/00002

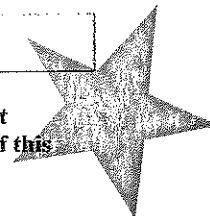
New Permit

Effective Date: 6/28/2024

Expiration Date: 6/27/2029

#### NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Facility DEC ID 1-2824-03513



Permit Administrator: SHERRI L. AICHER, Regional Permit Administrator  
Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook/50 Circle Rd  
Stony Brook, NY 11790 -3409

Authorized Signature: *Sherril L. Aicher* Date 6/28/2024

**Distribution List**

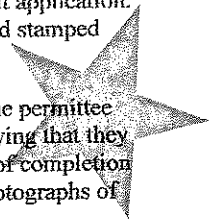
JANET MOSES  
Bureau of Marine Habitat Protection  
Heather Leonard  
File

**Permit Components**

- NATURAL RESOURCE PERMIT CONDITIONS
- WATER QUALITY CERTIFICATION SPECIFIC CONDITION
- GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS
- NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

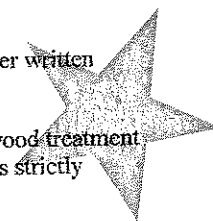
**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: WATER QUALITY CERTIFICATION; TIDAL WETLANDS**

1. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
2. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by Bulkhead Permits by Gary Inc., dated 5/14/2024 and stamped 'NYSDEC Approved' on 6/28/2024.
3. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.





4. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.
5. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined within the project work area and/or upland areas greater than 75 linear feet from the tidal wetland boundary.
6. **Maintain Erosion Controls** All erosion control devices shall be maintained in good and functional condition until the project has been completed and the area has been stabilized.
7. **No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.
8. **No Construction Debris in Wetland or Adjacent Area** Any debris or excess material from construction of this project shall be completely removed from the adjacent area (upland) and removed to an approved upland area for disposal. No debris is permitted in wetlands and/or protected buffer areas.
9. **Materials Disposed at Upland Site** Any demolition debris, excess construction materials, and/or excess excavated materials shall be immediately and completely disposed of in an authorized solid waste management facility. These materials shall be suitably stabilized as not to re-enter any water body, wetland or wetland adjacent area.
10. **Area of Disturbance for Structures** Disturbance to the natural vegetation or topography greater than 25 feet seaward of the approved structure is prohibited.
11. **No Dredging or Excavation** No dredging, excavating or other alteration of shoreline or underwater areas is authorized by this permit, nor shall issuance of this permit be construed to suggest that the Department will issue a permit for such activities in the future.
12. **No Floats** This permit does not authorize the installation of floats.
13. **No Unauthorized Fill** No fill or backfill is authorized by this permit without further written approval from the department (permit, modification, amendment).
14. **Use of Treated Wood** The use of wood treated with Pentachlorophenol or other wood treatment not specifically approved by the Department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.
15. **Boat Lifts at Property Lines** Boat lift/davit shall not:
  - a. extend laterally beyond property lines,
  - b. interfere with navigation, or
  - c. interfere with other landowners riparian rights.





**16. Pilings at Property Lines** Pilings shall not:

- a. extend laterally beyond property lines,
- b. interfere with navigation, or
- c. interfere with other landowners riparian rights.

**17. No Structures on Pilings** No structures, other than structures specifically authorized by this permit, shall be constructed on pilings without further authorization from the department (permit, modification or amendment).

**18. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

**19. State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

**20. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

**WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS**

**1. Water Quality Certification** The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.



**GENERAL CONDITIONS - Apply to ALL Authorized Permits:**

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

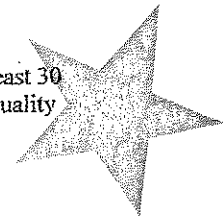
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY11790 -3409

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands, Water Quality Certification.

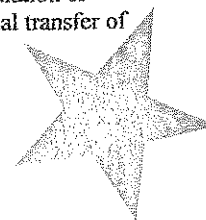




**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.







**NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

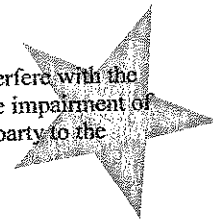
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a party to the permit.



**NOTICE OF COMMENCEMENT OF CONSTRUCTION**

RETURN THIS FORM TO: COMPLIANCE  
Marine Habitat Protection - NYSDEC  
SUNY at Stony Brook  
50 Circle Road  
Stony Brook, NY 11790-3409

Or Fax to: 631-444-0272  
E-Mail: [dec.sm.R1MHP-BEH@dec.ny.gov](mailto:dec.sm.R1MHP-BEH@dec.ny.gov)

PERMIT NUMBER: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_  
PERMITTEE NAME & PROJECT ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
CONTRACTOR NAME & ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
TELEPHONE: \_\_\_\_\_

Dear DEC:  
Pursuant to the special conditions of the referenced permit, you are hereby notified that the authorized activity shall commence on \_\_\_\_\_ We certify that we have read the referenced permit and approved plans and fully understand the authorized project and all permit conditions. We have inspected the project site and can complete the project as described in the permit and as depicted on the approved plans. We can do so in full compliance with all plan notes and permit conditions. The permit, permit sign, and approved plans will be available at the site for inspection in accordance with General Condition No. 1. (Both signatures required)

PERMITTEE: \_\_\_\_\_ DATE \_\_\_\_\_  
CONTRACTOR: \_\_\_\_\_ DATE \_\_\_\_\_

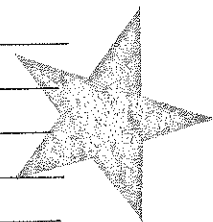
**THIS NOTICE MUST BE SENT TO THE ABOVE ADDRESS AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE PROJECT AND/OR ANY ASSOCIATED ACTIVITIES. FAILURE TO RETURN THIS NOTICE, POST THE PERMIT SIGN, OR HAVE THE PERMIT AND APPROVED PLANS AVAILABLE AT THE WORK SITE FOR THE DURATION OF THE PROJECT MAY SUBJECT THE PERMITTEE AND/OR CONTRACTOR TO APPLICABLE SANCTIONS AND PENALTIES FOR NON-COMPLIANCE WITH PERMIT CONDITIONS.**

Cut along this line X \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_ X \_\_\_\_\_  
**NOTICE OF COMPLETION OF CONSTRUCTION**

RETURN THIS FORM TO: COMPLIANCE  
Marine Habitat Protection - NYSDEC  
50 Circle Road  
Stony Brook, NY 11790-3409

Or Fax to: 631-444-0272  
E-Mail: [dec.sm.R1MHP-BEH@dec.ny.gov](mailto:dec.sm.R1MHP-BEH@dec.ny.gov)

PERMIT NUMBER: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_  
PERMITTEE NAME & PROJECT ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
CONTRACTOR NAME & ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
TELEPHONE: \_\_\_\_\_



Pursuant to special conditions of the referenced permit, you are hereby notified that the authorized activity was completed on \_\_\_\_\_ We have fully complied with the terms and conditions of the permit and approved plans. (Both signatures required)

PERMITTEE: \_\_\_\_\_ DATE \_\_\_\_\_  
CONTRACTOR: \_\_\_\_\_ DATE \_\_\_\_\_

**THIS NOTICE, WITH PHOTOGRAPHS OF THE COMPLETED WORK AND/OR A COMPLETED SURVEY, AS APPROPRIATE, MUST BE SENT TO THE ABOVE ADDRESS WITHIN 30 DAYS OF COMPLETION OF THE PROJECT.**



Department of  
Environmental  
Conservation

# NOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

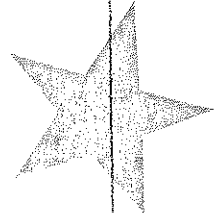
Regional Permit Administrator  
**SHERRI AICHER**

Permit Number: 1-2824-03513/00002

NYSDEC Region 1 Environmental Permits  
50 Circle Road  
Stony Brook, NY 11790-3409  
Email: [dep.r1@dec.ny.gov](mailto:dep.r1@dec.ny.gov)

Expiration Date: 06/27/2029

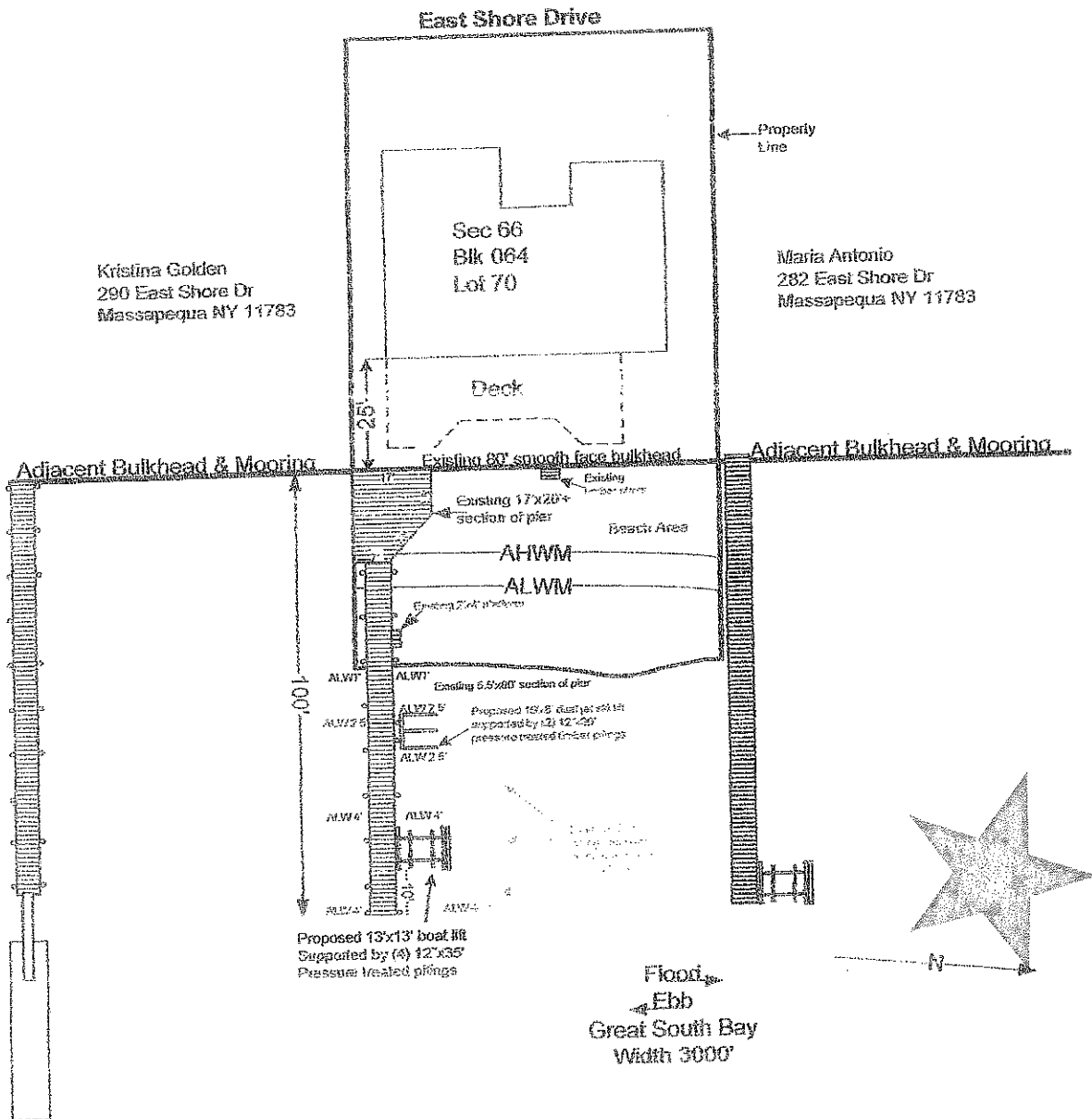
Note: This notice is **NOT** a permit



Applicant: Michael DeMartino  
 Project Site: 286 East Shore  
 Dr Massapequa NY 11783  
 Proposed: Boat & Jet ski lifts  
 Scale: 1"=30'  
 Prepared by Bulkhead  
 Permits by Gary inc.  
 2 Whaleneck Drive  
 Merrick, NY 11566  
 May 14, 2024

Project Plan

NYSDEC  
 APPROVED AS PER TERMS  
 AND CONDITIONS OF  
 PERMIT # 1-2824-03513/00002  
 DATE 6/28/2024  
*W*







**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278-0090

September 13, 2024

Western Section

**SUBJECT:** Department of the Army Permit Number NAN-2024-00566  
Issued to Michael DeMartino

Michael DeMartino  
286 East Shore Drive  
Massapequa, NY 11783

Dear Mr. DeMartino:

We have completed our review of Application Number NAN-2024-00566-WJO.

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), you are hereby authorized by the Secretary of the Army:

**ACTIVITY:** Install a 10-foot (ft) by 8-ft dual jet ski lift supported with two (2) 12-inch (in) by 30-ft timber piling and install a 13-ft by 13-ft boat lift supported with four (4) 12-in by 35-ft pilings. Remove three (3) existing mooring piles.

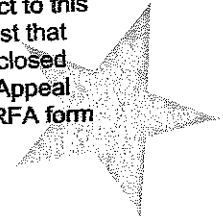
**WATERWAY:** Great South Bay

**LOCATION:** Town of Oyster Bay, Nassau County, New York

The activity authorized herein must be completed within three years of the date of this permit. This authorization is subject to the enclosed conditions. Please find enclosed two forms to be used to submit to this office, as required, the dates of commencement and completion for the authorized activity.

This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you object to this permit decision you must submit a completed RFA form to the New York District Office at:

Stephan A. Ryba  
Chief, Regulatory Branch  
New York District Corps of Engineers  
26 Federal Plaza, Room 1937  
New York, New York 10278-0090



- 2 -

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by November 12, 2024. It is not necessary to submit an RFA form to the District Office if you do not object to the permit decision in this letter.

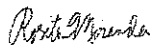
The authorized activity must be performed in accordance with the enclosed plans. If any material changes in the location or plans of the subject work are found necessary, revised plans should be submitted to the District Engineer. These plans must receive the approval required by law before work begins.

Notice is hereby given that the permittee should recognize that a possibility exists that the structures permitted herein may be subject to wavewash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted herein and the safety of boats moored thereto from damage by wavewash and the permittee shall not hold the United States liable for any such damage.

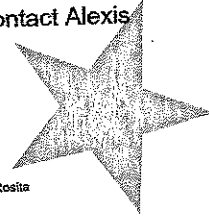
In order for us to better serve you, please complete our Customer Service Survey located at <https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/>.

If any questions should arise concerning this matter, please contact Alexis Johnson, of my staff, at [Alexis.J.Johnson@usace.army.mil](mailto:Alexis.J.Johnson@usace.army.mil).

Sincerely,



Digitally signed by Rosita  
Miranda  
Date: 2024.09.13  
15:16:41 -04'00'



**FOR AND IN BEHALF OF**  
Alexander L. Young  
Colonel, U.S. Army  
District Engineer

Enclosures

**PERMITTEE: Michael DeMartino**  
**PERMIT NO.: NAN-2024-00566-WJO**

**PERMIT CONDITIONS:**

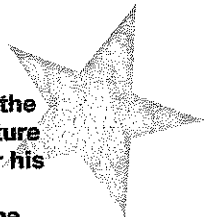
NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office acting under the authority of the commanding officer.

**GENERAL CONDITIONS:**

1. The time limit for completing the work authorized ends within three years of the date of this permit. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least four months before the date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party upon written notification to this office. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

(A) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.





PERMITTEE: Michael DeMartino  
PERMIT NO.: NAN-2024-00566-WJO

(B) The permittee shall utilize best management practices to minimize turbidity during all in-water work activities as well as prevent construction materials, including debris, from entering any waterway to become drift or pollution hazards.

**Further Information:**

1. Limits of authorization.

- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

2. Limits to Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

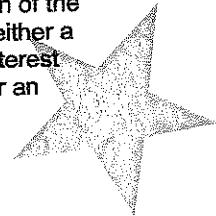
4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

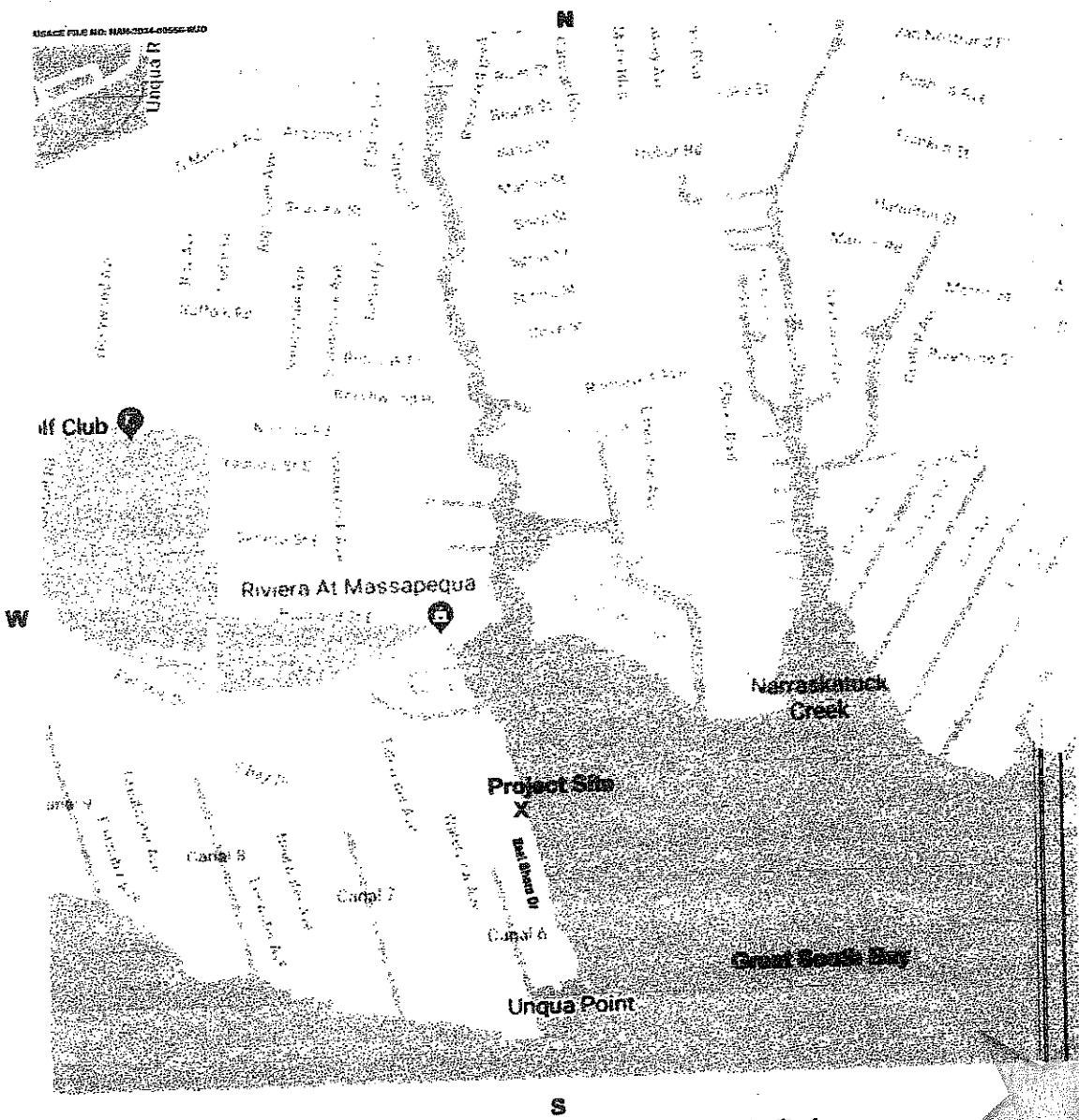
**PERMITTEE: Michael DeMartino**  
**PERMIT NO.: NAN-2024-00566-WJO**

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.





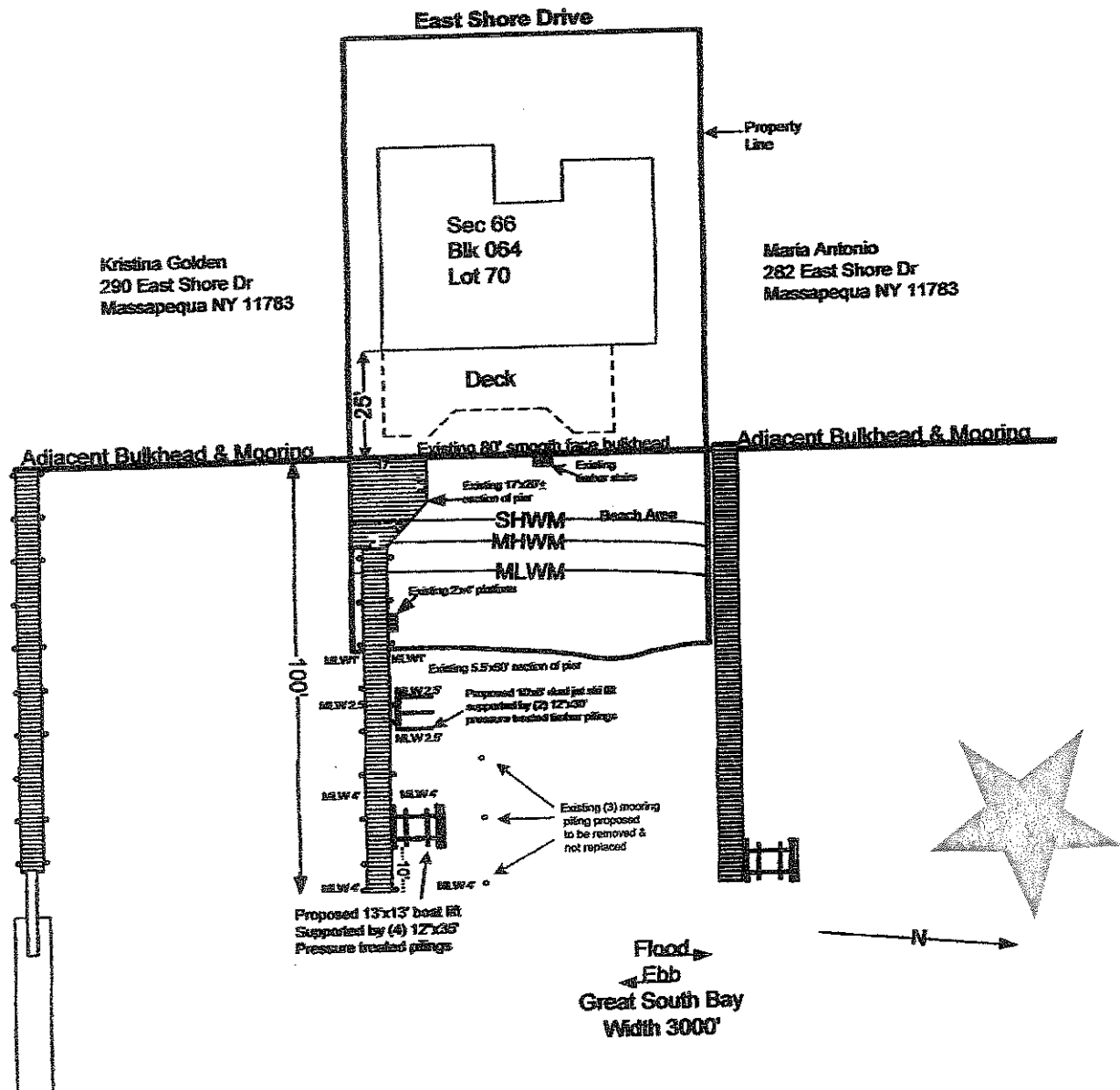
Applicant: Michael De Niro  
 Project Site: 286 East Shore  
 Dr Massapequa NY 11783  
 Proposed: Boat & Jet Ski Lift  
 Prepared by Bulkhead  
 Permits by Gary inc.  
 2 Whaleneck Drive  
 Merrick, NY 11566

**Latitude**  
**Longitude**  
 40°39'17.68"N  
 73°25'52.63"W

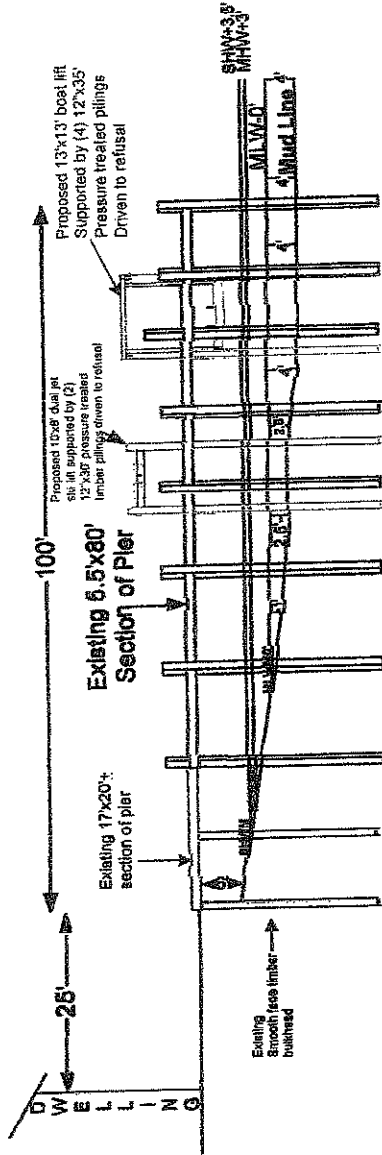
URAGE FILE NO: NAN-2024-00500-WJD

Applicant: Michael DeMartino  
Project Site: 286 East Shore  
Dr Massapequa NY 11783  
Proposed Boat & Jet ski lifts  
Scale: 1"=30'  
Prepared by Bulkhead  
Permits by Gary inc.  
2 Whaleneck Drive  
Menick, NY 11566  
May 14, 2024

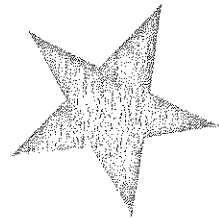
### Project Plan



Cross View



Applicant: Michael DeMartino  
 Project Site: 288 East Shore Dr. Massapequa  
 NY 11783  
 Proposed Boat & Jet ski lifts  
 Scale: 1"=20'  
 Prepared by Bulkhead  
 Permits by Gary Inc.  
 2 Whalanek Drive  
 Merrick, NY 11566  
 May 14, 2024





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT**  
**JACOB K. JAVITS FEDERAL BUILDING**  
**26 FEDERAL PLAZA**  
**NEW YORK NEW YORK 10278-0098**

CENAN-OP-R

**IMPORTANT**

This letter must be completed and mailed to the Regulatory Branch at the above address prior to commencement of any work authorized under the permit.

Permittee: Michael DeMartino Permit No. NAN-2024-00566

Date Permit Issued: September 13, 2024 Expiration Date: September 13, 2027

Waterway: Great South Bay

Project Location: Town of Oyster Bay, Nassau County

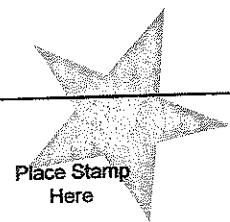
Work will commence on or about: \_\_\_\_\_

Name, Address & Telephone Number of Contractor: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Permittee Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



USACE Operations/Regulatory 16-406  
 c/o PSC Mail Center  
 26 Federal Plaza  
 New York, New York 10278



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT**  
**JACOB K. JAVITS FEDERAL BUILDING**  
**26 FEDERAL PLAZA**  
**NEW YORK NEW YORK 10278-0090**

CENAN-OP-R

**IMPORTANT**

This letter must be completed and mailed to the Regulatory Branch at the above address following completion or cancellation of work authorized under the permit.

Permittee: Michael DeMartino Permit No. NAN-2024-00566  
 Date Permit Issued: September 13, 2024 Expiration Date: September 13, 2027  
 Waterway: Great South Bay  
 Project Location: Town of Oyster Bay, Nassau County

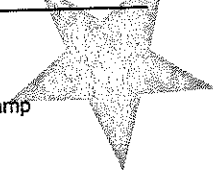
Check and complete applicable item(s) listed below:

- Work was completed on \_\_\_\_\_
- Work will not be performed on the project.
- Deviation from work authorized in permit is explained below.
- Other (explain) \_\_\_\_\_
- For dredging projects, list the volume of material dredged, and the amount placed at each disposal location (if more than one).
  - \_\_\_\_\_ cubic yards placed at \_\_\_\_\_
  - \_\_\_\_\_ cubic yards placed at \_\_\_\_\_
  - \_\_\_\_\_ cubic yards placed at \_\_\_\_\_

\_\_\_\_\_  
 Signature of Permittee Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Place Stamp Here 

USACE Operations/Regulatory 16-406  
 c/o PSC Mail Center  
 26 Federal Plaza  
 New York, New York 10278

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: Michael DeMartino		File Number: NAN-2024-00566	Date: September 13, 2024
Attached is:		See Section below	
<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL WITHOUT PREJUDICE	C	
<input type="checkbox"/>	PERMIT DENIAL WITH PREJUDICE	D	
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	E	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	F	

**SECTION I**

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.



**C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable**  
 You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

**D: PERMIT DENIAL WITH PREJUDICE:** You may appeal the permit denial  
 You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information for reconsideration

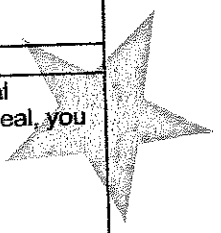
- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

**F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable**  
 You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision you may contact:  
 Stephan A. Ryba  
 Chief, Regulatory Branch (CENAN-OP-R)  
 USACE Operations/Regulatory 16-406  
 c/o PSC Mail Center  
 26 Federal Plaza  
 New York, New York 10278

If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:  
 Andrew Dangler  
 Regulatory Appeals Review Officer  
 North Atlantic Division – Fort Hamilton  
 301 John Warren Avenue – First Floor  
 Brooklyn, NY 11252-6700  
 (518) 487-0215



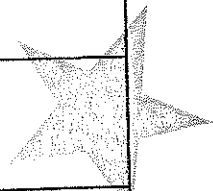
**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:
Email address of appellant and/or agent:	Telephone number:



STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
[HTTPS://DOS.NY.GOV](https://dos.ny.gov)

KATHY HOCHUL  
GOVERNOR  
WALTER T. MOSLEY  
SECRETARY OF STATE

September 11, 2024

Alexis Johnson  
New York, Corps of Engineers  
26 Federal Plaza New York, New York 10278  
*Sent via Alexis.J.Johnson@usace.army.mil*

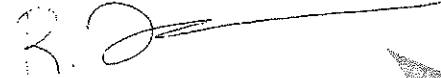
Re: F-2024-0364  
U.S. Army Corps of Engineers/New York District  
Permit Application --2024-00566-WJO-- Michael  
DeMartino, install a 10-foot (ft) by 8-ft dual jet ski lift  
supported with two (2) 12-inch (in) by 30-ft timber  
piling and install a 13-ft by 13-ft boat lift supported  
with four (4) 12-in by 35-ft pilings. Remove three (3)  
existing mooring piles, 286 East Shore Drive, Great  
South Bay, Town of Oyster Bay, Nassau County  
**Letter of Permission**

Dear Janet Moses:

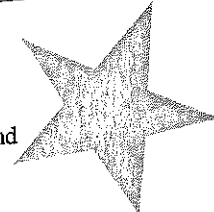
The Department of State received and reviewed your letter dated July 9, 2024, regarding the eligibility of the above-referenced proposal for authorization by a Corps of Engineers Letter of Permission.

Based upon the submitted information, the Department of State has no objection to the authorization of this proposal by Letter of Permission. Further review of this proposal and concurrence with the applicant's consistency certification by the Department of State is not required.

Sincerely,



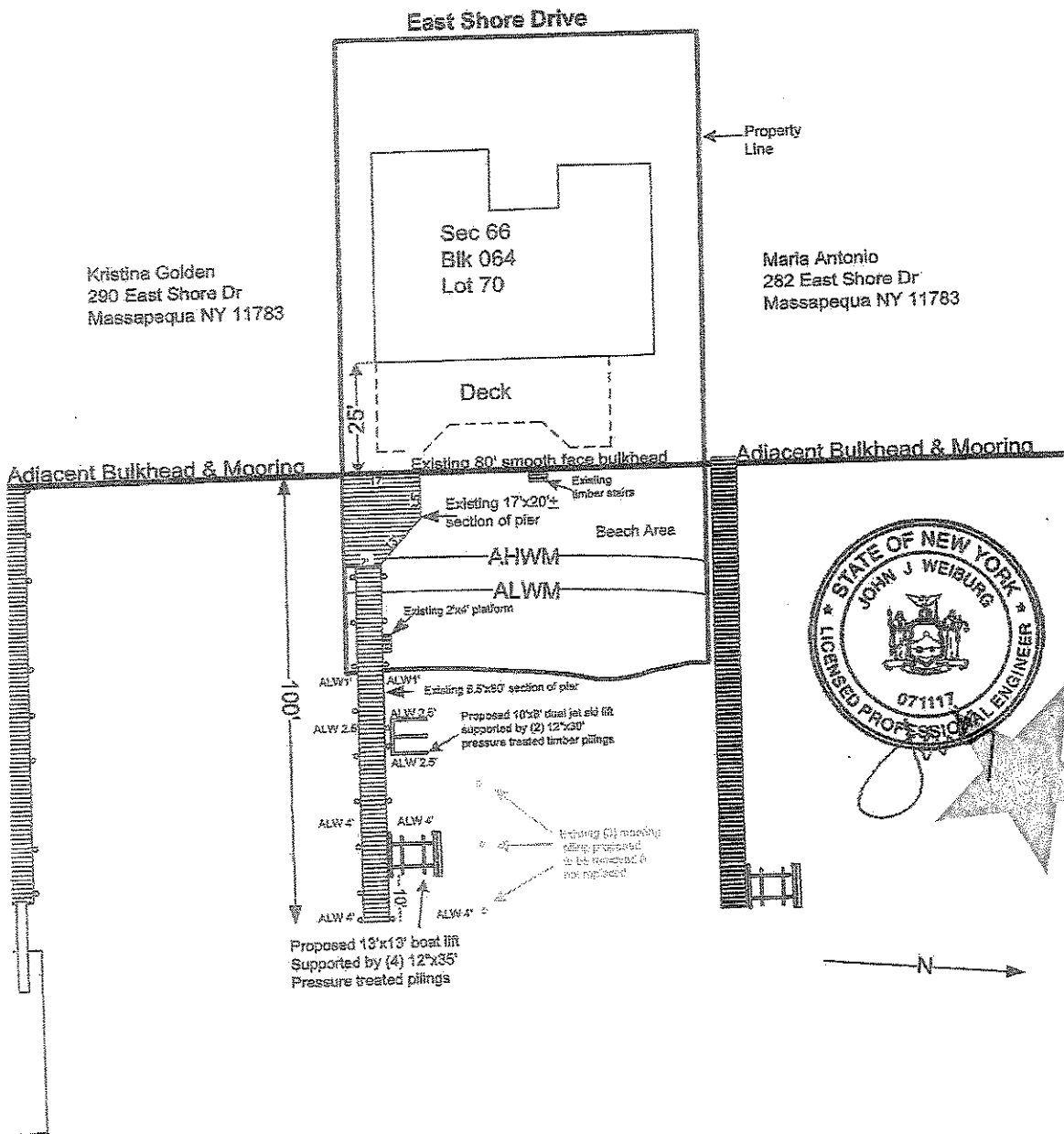
Rebecca Ferres  
Coastal Resources Specialist  
Office of Planning, Development and  
Community Infrastructure



ecc: DEC Region 1- 1-4736-09313/00001 Laura F Star  
Applicant - Michael DeMartino  
Consultant - Janet Moses (Bulkhead Permits by Gary Inc.)

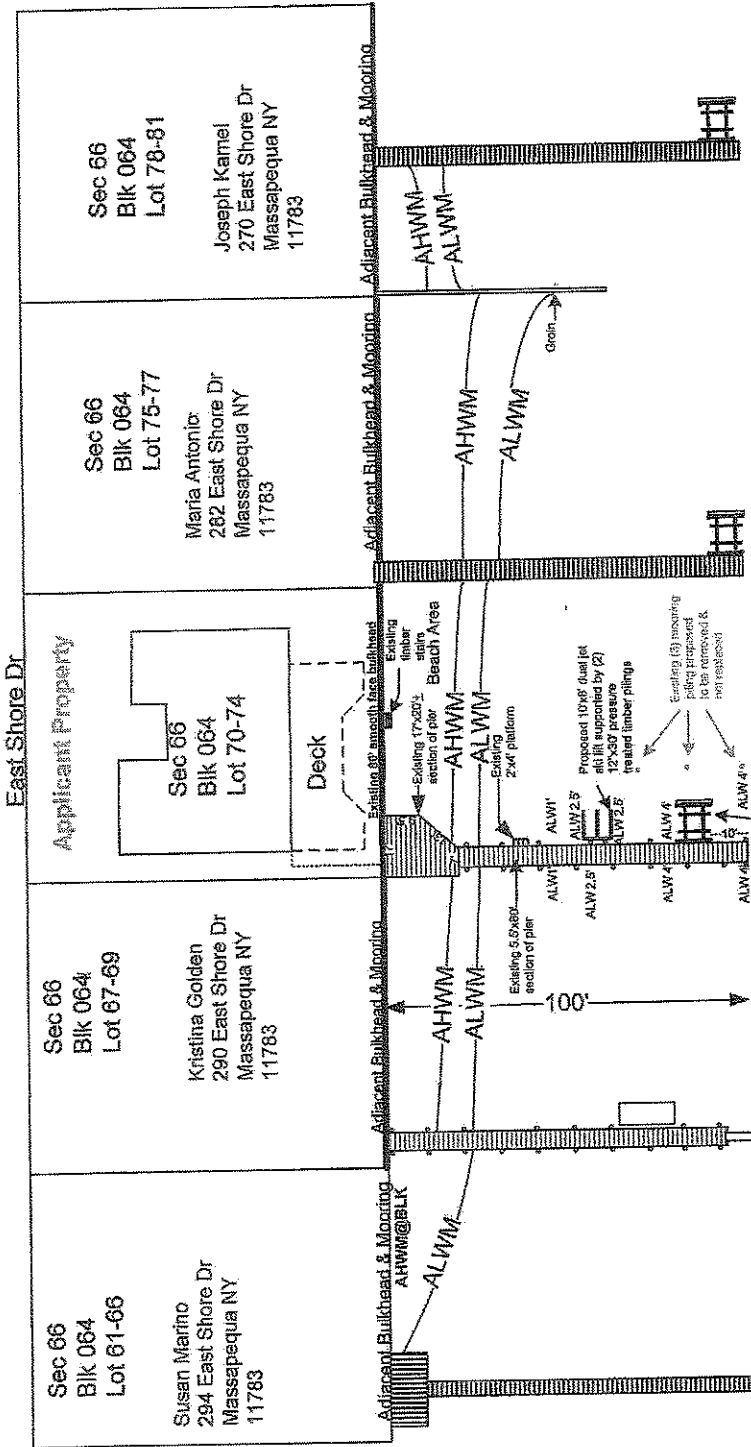
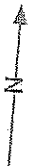
Applicant: Michael DeMartino  
 Project Site: 286 East Shore  
 Dr Massapequa NY 11783  
 Proposed Boat & Jet ski lifts  
 Scale: 1"=30'  
 Prepared by Bulkhead  
 Permits by Gary Inc.  
 2 Whaleneck Drive  
 Merrick, NY 11566  
 May 14, 2024

### Project Plan





Area Map



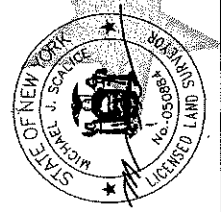
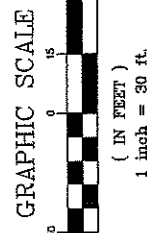
Applicant: Michael DeMartino  
 Project Site: 286 East Shore Dr  
 Massapequa NY 11783  
 Proposed: Boat & Jet ski lifts  
 Scale: 1"=40'  
 Prepared by Bulkhead  
 Permits by Gary Inc.  
 2 Whaleneck Drive  
 Merrick, NY 11566  
 May 14 2024

Flood  
 Ebb  
 Great South Bay  
 Width 3000'

Proposed 13'x13' boat lift  
 Supported by (4) 12'x35'  
 Pressure treated pilings

**SYMBOL LEGEND**

○	MONUMENT FIN
○	1" / 1" FIN
○	1" / 1" SET
○	SPOT ELEVATIONS
○	UTILITY POLE
○	GUY WIRE
○	UTILITY POLE W/UPHT
○	SKIN
○	FIRE HYDRANT
○	P.C. FENCE (P.C.)
○	STOCKADE FENCE (STR)
○	CHAIN LINK FENCE (CL)
○	WIRE FENCE
○	MINOR
○	INLET
○	YARD INLET
○	YARD INLET
○	A/C UNIT
○	ELECTRIC METER
○	WATER METER
○	GAS VALVE
○	WATER VALVE
○	TEST HOLE
○	SHRUB
○	RECUR
○	NETLAND FLAG
○	D.C. DEPRESSION CURB
○	FENCE
○	M.S. MASONRY
○	PLAT. PLATFORM
○	W.W. WINDOW WELL
○	8/W BAY WINDOW
○	C/E CELLAR ENTRANCE
○	O/H OVERHANG
○	R/O ROOF OVER
○	CANT. CANTILEVER
○	G.O.L. GENERALLY ON LINE
○	CROSS OUT
○	SW LINE
○	R.O.W. RIGHT OF WAY



**SCALICE** land surveying  
 mjlandsurvey.com P:631-957-2400  
 1 South Bay Avenue, Islip, NY 11751

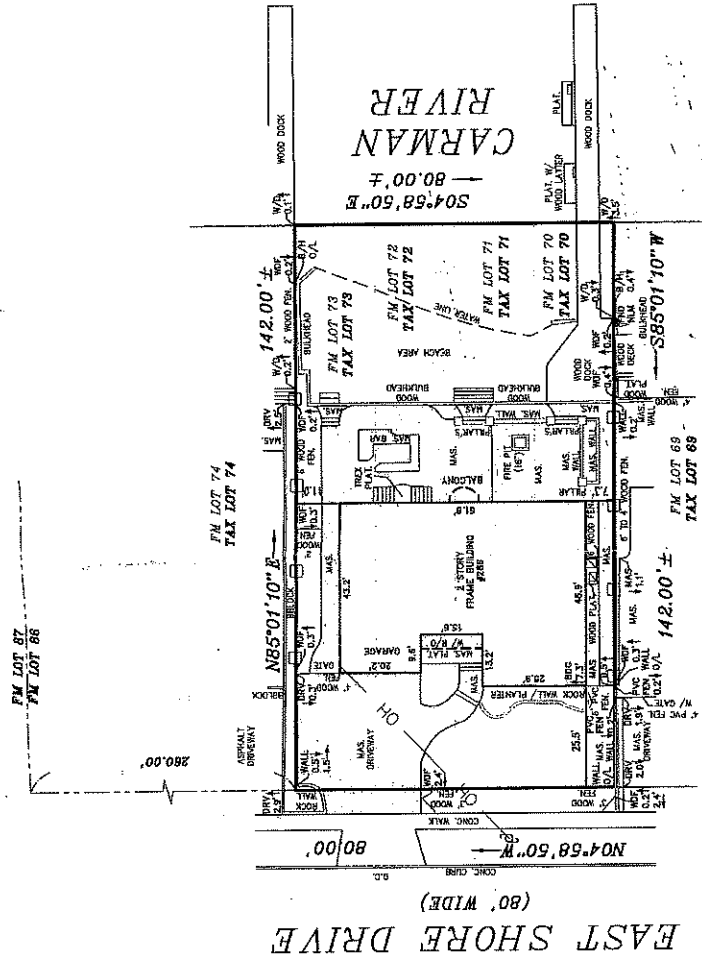
TAX MAP NO.  
68-64-70 TO 73  
 JOB No. N24-0170  
 DATE SURVEYED: 01/18/2024  
 DR:MC CREW:TR SCALE: 1" = 30'

**SURVEY OF PROPERTY**  
 286 EAST SHORE DRIVE, MASSAPEQUA, NEW YORK 11758.  
 LOTS 70, 71, 72 AND 73, BLOCK 264  
 MAP OF  
 NASSAU SHORES  
 SECTION 1  
 FILE DATE: 05/08/1928 MAP NO. 603, CASE NO. 914  
 MASSAPEQUA, TOWN OF OYSTER BAY  
 NASSAU COUNTY, NEW YORK

REV	DATE	DESCRIPTION	TR	CHK
1	07/25/2024	CERTIFICATIONS ADDED	JTS	BY

**GUARANTEED TO:**  
 REARDO  
 RAM ABSTRACT LTD  
 FIRST AMERICAN TITLE INSURANCE COMPANY  
 EVELYN DEMARTINO AND MICHAEL DEMARTINO

**LOT AREA**  
 11,360.00± S.F.  
 0.26± A.C.



**NOTE:**  
 DURING THE COURSE OF THIS SURVEY, THE SITE WAS COVERED WITH APPROXIMATELY 2 1/2 INCHES OF SNOW AND/OR ICE. THEREFORE, THE PREPARER OF THIS MAP CANNOT CERTIFY THAT SOME OBJECT, FEATURE OR GRADE CHANGE HAS BEEN OMITTED, HOWEVER, EVERY EFFORT HAS BEEN MADE TO LOCATE AND SHOW ALL OF THE FEATURES OF THE SITE.

THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT, CHAPTER 170, § 170.1, AND THE SURVEYING AND MAPPING REGULATIONS, CHAPTER 170.10, OF THE NASSAU COUNTY OFFICIAL CODE. THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE SURVEY MAP AND HAS DETERMINED THAT THE SURVEY MAP IS IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND REGULATIONS. THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE SURVEY MAP AND HAS DETERMINED THAT THE SURVEY MAP IS IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND REGULATIONS. THE SURVEYOR HAS REVIEWED THE RECORDING APPLICATION AND THE SURVEY MAP AND HAS DETERMINED THAT THE SURVEY MAP IS IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND REGULATIONS.

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated October 3, 2024, requested Town Board authorization to present the 2024 Holiday Experience at Marjorie R. Post Community Park, Massapequa, a family-friendly, drive-in event which will include festive lighting displays, a walk-thru Holiday Village, an interactive movie, winter sing-a-longs and giveaways, on dates to be determined by Commissioner Fitzgerald, the presentations of which will be repeated throughout each evening of the event, for Town of Oyster Bay residents only, with advanced registration required; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the total cost of this event shall not exceed \$70,000.00, and that the necessary products and services shall be procured through the Department of General Services' Purchasing Division, with sound, lighting, movie, carnival and drive-in equipment to be provided by EKO Productions, Brilliance Event Productions and Dynamic Entertainment, Inc., under previously authorized agreements; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that funding is available in Account Nos. CYS A 7020 47660 000 0000, Special Events, CYS A 7020 45100 000 0000, Equipment Rental, and CYS A 7020 41800 000 0000, Recreational Supplies, and that said funds shall be supplemented by Friends of the Community Service Department, Inc.,

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 present the 2024 Holiday Experience at Marjorie R. Post Community Park, Massapequa, as set forth above, on dates to be determined by Commissioner Maureen Fitzgerald, for a total cost which shall not exceed \$70,000.00; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account Nos. CYS A 7020 47660 000 0000, Special Events, CYS A 7020 45100 000 0000, Equipment Rental, and CYS A 7020 41800 000 0000, Recreational Supplies, and shall be supplemented by Friends of the Community Service Department, Inc.; 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  
*Robert P. Healey*

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

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



TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

October 3, 2024

TO: Memorandum Docket  
FROM: Maureen A. Fitzgerald, Commissioner  
The Department of Community & Youth Services  
SUBJECT: 2024 Holiday Experience

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The Department of Community and Youth Services is requesting Town Board authorization to present the 2024 Holiday Experience at Marjorie R. Post Community Park in Massapequa. Last year, the event was authorized by Town Board Resolution No. 191-2023, dated March 21, 2023.


This family friendly event will include festive lighting displays, a Holiday Village, winter sing-a-longs and giveaways. The event is free for Town of Oyster Bay residents only and advanced registration will be encouraged. The dates for the event have yet to be determined and we request that the Town Board authorize the Commissioner of the Department to make that determination.

The total cost for the event shall not exceed \$70,000. The necessary products and services will be procured through the Purchasing Division. Sound, lighting, movie, carnival and drive-in equipment will be provided by EKO Productions, Brilliance Event Productions and Dynamic Entertainment, Inc. under previously authorized agreements. All three Vendor's Disclosure Questionnaires have been reviewed and satisfy the Town's procurement policy.

Funding will be available in Account Nos. CYS A 7020 47660 000 0000 *Special Events*, CYS A 7020 45100 000 0000 *Equipment Rental* and CYS A 7020 41800 000 0000 *Recreational Supplies*. The funds will be supplemented by *Friends of the Community Service Department, Inc.*

Therefore, it is respectfully requested that the Town Board authorize the Department to present the 2024 Holiday Experience.



  
Maureen A. Fitzgerald  
Commissioner

*OK*  
Reviewed By  
Office of Town Attorney  
*Elizabeth A. Taylor*

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 23, 2023, requested Town Board authorization to present the 2023 Drive-In Holiday Experience at Marjorie R. Post Community Park, Massapequa, New York 11758, dates to be determined, a family-friendly, drive-in event which will include festive lighting displays, a walk-thru Holiday Village, an interactive movie, winter sing-a-longs and giveaways, the presentations of which will be repeated throughout each evening of the event, for Town of Oyster Bay residents only, with advanced registration required; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, informed that the total cost of this event shall not exceed \$70,000.00, and that the necessary products and services shall be procured through the Department of General Services' Purchasing Division, with sound, lighting, movie, carnival and drive-in equipment to be provided by EKO Productions, Brilliance Event Productions and Dynamic Entertainment, Inc., under previously authorized agreements; and

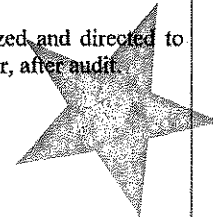
WHEREAS, Commissioner Fitzgerald, by said memorandum, further informed that funding is available in Account Nos. CYS A 7020 47660 000 0000, Special Events, CYS A 7020 45100 000 0000, Equipment Rental, and CYS A 7020 41800 000 0000, Recreational Supplies, and shall be supplemented by Friends of the Community Service Department, Inc.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Community and Youth Services is hereby authorized to present the 2023 Drive-In Holiday Experience at Marjorie R. Post Community Park, Massapequa, New York 11758, as set forth above, dates to be determined, for a total cost which shall not exceed \$70,000.00; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account Nos. CYS A 7020 47660 000 0000, Special Events, CYS A 7020 45100 000 0000, Equipment Rental, and CYS A 7020 41800 000 0000, Recreational Supplies, and shall be supplemented by Friends of the Community Service Department, Inc.; 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 therefor, 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	Absent
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Meeting of October 29, 2024

Resolution No. 829-2024

Reviewed By  
Office of Town Attorney  
*William D. McC...*

WHEREAS, Hon. Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 30, 2024, requested Town Board authorization to issue a refund in the amount of \$499.01 to Town of Oyster Bay resident Sioban Librizzi, to reimburse her for fees paid for her child to attend the 2024 Town of Oyster Bay Summer Recreation Program at Marjorie R. Post Community Park, Massapequa, as her daughter attended one (1) day of the program and did no longer attend; and

WHEREAS, Hon. Commissioner Pinto, by said memorandum, advised that Sioban Librizzi is entitled to a refund of the \$554.46 registration fee, less the 10 percent administrative fee, for a total refund of \$499.01,

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 \$499.01 to Sioban Librizzi; 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	Ayc
Councilman Imbroto	Ayc
Councilman Hand	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

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TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

829

TO: MEMORANDUM DOCKET  
FROM: Joseph G. Pinto, Commissioner  
Department of Parks  
DATE: 9/30/2024  
SUBJECT: Sioban Librizzi- 2024 Summer Recreation Marjorie Post Park Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$499.01 (four hundred ninety-nine dollars and 01/100 cents) to Town of Oyster Bay resident Sioban Librizzi, 21 Weiden Street, Farmingdale NY 11735. Mrs. Librizzi's daughter attended one day of Summer Camp at Marjorie Post Park and did not return.

Based on the 2024 Town of Oyster Bay refund policy, Sioban Librizzi is eligible to receive the refund minus a 10% administration fee as follows:

Summer Recreation Marjorie Post Park \$554.46  
10% Administration Fee \$55.45

**TOTAL REFUND \$499.01 (four hundred ninety-nine dollars and 01/100 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/mh

WHEREAS, Hon. Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated September 27, 2024, requested Town Board authorization to issue a refund in the amount of \$1,125.00 to Town of Oyster Bay resident Thomas Liu, to reimburse him for fees paid for his children to attend the 2024 Town of Oyster Bay Summer Recreation Program at Syosset-Woodbury Community Park, Woodbury, as his children did not attend the program; and

WHEREAS, Hon. Commissioner Pinto, by said memorandum, advised that Thomas Liu is entitled to a refund of the \$1,250.00 registration fee, less the 10 percent administrative fee, for a total refund of \$1,125.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Parks is hereby authorized and directed to issue a refund in the amount of \$1,125.00 to Thomas Liu; 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.

-#-

*MS*  
Reviewed By  
Office of Town Attorney  
*William P. Miller*

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 Iland	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

6

830

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: 9/27/2024

SUBJECT: Thomas Liu- 2024 Summer Recreation Syosset-Woodbury Park Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$1,125.00 (one thousand one hundred twenty-five dollars and 00/100 cents) to Town of Oyster Bay resident Thomas Liu, 24 Venus Road, Syosset, NY 11791. Thomas Liu's two children did not attend Summer Recreation at Syosset-Woodbury Park.

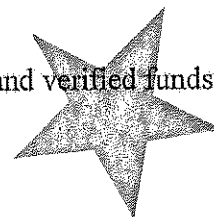
Based on the 2024 Town of Oyster Bay refund policy, Thomas Liu is eligible to receive the refund minus a 10% administration fee as follows:

Summer Recreation Syosset-Woodbury Park	\$1,250.00
<u>10% Administration Fee</u>	<u>\$125.00</u>

**TOTAL REFUND** **\$1,125.00**

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

WHEREAS, by Resolution No. 773-2022, adopted on October 25, 2022, the Town Board authorized USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, Connecticut 06033, to provide actuarial consulting services for post-employment benefits to the Town of Oyster Bay, for a term of one (1) year, from December 1, 2022 through November 30, 2023, with an option, at the discretion of the Town, of extending the services to second and third year reporting periods; and

WHEREAS, by Resolution No. 837-2023, adopted on November 14, 2023, the Town Board authorized the exercise of the first one (1) year extension option for actuarial consulting services for post-employment benefits for the period of December 1, 2023 through November 30, 2024;

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 3, 2024, requested that the Town Board exercise the second one (1) year extension option of the agreement to provide actuarial consulting services for post-employment benefits to the Town of Oyster Bay for the period of December 1, 2024 through November 30, 2025, in an amount not to exceed \$800.00; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that the vendor's disclosure questionnaire has been reviewed and the Town is satisfied the Town Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that the Town Board hereby authorizes the exercise of the second one (1) year extension option of the agreement with USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, Connecticut 06033, to provide actuarial consulting services for post-employment benefits to the Town of Oyster Bay, for a period of one (1) year, from December 1, 2024 through November 30, 2025, in an aggregate amount not to exceed \$800.00, for the second and final extension term; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CMP A1315 44800 000 0000; and be it further

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

-#-

Reviewed By  
Office of Town Attorney

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	Ayc
Councilman Imbroto	Ayc
Councilman Iland	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

**TOWN OF OYSTER BAY****Inter-Departmental Memo**

October 3, 2024

To: MEMORANDUM DOCKET  
From: STEVEN C. BALLAS, COMPTROLLER  
Subject: RE-APPOINTMENT OF ACTUARIAL CONSULTING SERVICES  
OTHER POST-EMPLOYMENT BENEFITS –  
2024 FINANCIAL REPORTING YEAR

Town Board Resolution No. 773-2022, attached, authorized Actuarial Consulting Services for Other Post-Employment Benefits for said services to the firm of USI Consulting Group for an update valuation report for the 2022 financial year, and Town Board Resolution No. 837-2023 authorized said services for a full report for the 2023 financial year. The current contract expires November 30, 2024.

Accordingly, the Office of the Comptroller respectfully requests Town Board authorization for the Town to utilize the services of USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, CT 06033 for the 2024 financial reporting year for the purpose of providing an updated valuation report to the Town. This reporting includes the Town's Commissioner Districts, i.e., water, sewer and library that are a required component of the Town's financial reporting. Each participating district will reimburse the Town for its portion. The extension will take effect on December 1, 2024 through November 30, 2025.

The value of the accounting services for the one (1) year financial period engagement is not to exceed \$800.00 for the interim report update. Funds are available in account number CMP A1315 44800 000 0000.

The Town has reviewed the disclosure questionnaire and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled.

Therefore, Town Board approval is requested as mentioned above.

  
STEVEN C. BALLAS  
COMPTROLLER

Attachments

cc: Internal Audit Division (RFP file)  
Reading File

SCB/emw



Meeting of October 25, 2022

Resolution No.773 -2022

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 14, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was issued to eight (8) firms, and was placed on the Town of Oyster Bay website, to procure Other Post Employment Benefit Actuarial Consultant Services to the Town, for a one (1) year period, from December 1, 2022 through November 30, 2023, with the provision of two (2), one-year extension options, if mutually agreeable; and

WHEREAS, following a review and evaluation of five (5) responses by an RFP review committee, based on the established criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firm, and in compliance with requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Comptroller Ballas, by said memorandum, requested that the Town Board authorize the Office of the Comptroller to utilize the services of USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, CT 06033, the highest ranked firm in accordance with the specifications contained in the RFP, for the purposes of providing Other Post Employment Benefit Actuarial Consultant Services to the Town; and

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

WHEREAS, Comptroller Ballas, by said memorandum, further requested Town Board authorization for the Supervisor, or his designee, to execute an agreement with USI Consulting Group, for the purpose of providing Other Post Employment Benefit Actuarial Consultant Services; and

WHEREAS, the value of the actuarial services for the one (1) year financial period is \$8,100.00 and \$800.00 for the interim report update, with payment of said services being available in Account No. CMP A 1315 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted, and the Comptroller is hereby authorized to utilize the services of USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, CT 06033, for the purposes of providing Other Post Employment Benefit Actuarial Consultant Services to the Town for a period of one (1) year, with two (2) one-year extensions, mutually agreeable and, in addition, permitting the Town Special Water Districts to utilize said services for their required report for the Town's financial statement, with each district to reimburse the Town for the District's individual reports, and authorizing the Supervisor, or his designee, to execute said agreement; and be it further

WKS  
Reviewed By  
Office of Town Attorney

WHEREAS Resolution No. 209-2021, authorized the Comptroller to utilize the services of USI Consulting Group ("USI"), 95 Glastonbury Boulevard, Suite 102, Glastonbury, CT 06033, to provide an additional update report for the 2020 reporting period in order to complete the Town's financial statements; and

WHEREAS, Resolution No. 773-2022, adopted on October 25, 2022, the Town Board authorized the Comptroller to utilize the services of USI for the purpose of providing other Post-Employment Benefit Actuarial Consultant Services to the Town for the period December 1, 2022 through November 30, 2023, with two (2) one (1) year extension options; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 24, 2023, requested that the Town Board utilize the services of USI for the 2023 financial reporting year for the purpose of providing a full valuation report to the Town at a cost not to exceed \$800.00 and exercise the option to renew the Town's agreement with USI for the period December 1, 2023 through November 30, 2024, at a cost not to exceed \$8,850.00; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that this reporting includes the Town's Commissioner Districts, i.e. water, sewer and library that are a required component of the Town's financial reporting and each participating district will reimburse the Town for its portion; and

WHEREAS, Comptroller Ballas, by said memorandum, further advised that the value of the accounting services for the one (1) year financial period engagement is not to exceed \$8,650.00 and \$800.00 for the interim report update, with funds available in account number CMP A 1315 44800 000 0000; and

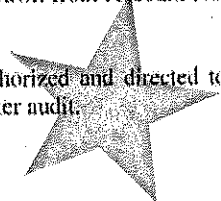
WHEREAS, Comptroller Ballas, by said memorandum, further advised that the Town has reviewed the proposed vendor's disclosure questionnaires, and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and that the Town Board hereby exercises the first one (1) year extension option of the agreement with USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, Connecticut 06033 for the 2023 financial reporting year for the purpose of providing a full valuation report to the Town, at a cost not to exceed \$800.00, and to provide Other Post Employment Benefit Actuarial Consultant Services for a period of one (1) year, from December 1, 2023 through and including November 30, 2024, in an amount not to exceed \$8,650.00; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CMP A 1315 44800 000 0000; and be it further

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

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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  
*Rosemaria Waite*

WHEREAS, by Resolution No. 775-2022, adopted on October 25, 2022, the Town Board authorized Sound Actuarial Consulting, LLC, 403 East Main Street, Port Jefferson Village, New York 11777, to provide actuarial consulting services for workers compensation to the Town of Oyster Bay, for a term of one (1) year, from December 1, 2022 through November 30, 2023, with an option, at the discretion of the Town, of extending the services to second and third year reporting periods; and

WHEREAS, by Resolution No. 838-2023, adopted on November 14, 2023, the Town Board authorized the exercise of the first one (1) year extension option for actuarial consulting services for workers compensation for the period of December 1, 2023 through November 30, 2024;

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 3, 2024, requested that the Town Board exercise the second one (1) year extension option of the agreement to provide actuarial consulting services for workers compensation to the Town of Oyster Bay for the period of December 1, 2024 through November 30, 2025, in an amount not to exceed \$800.00; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that the vendor's disclosure questionnaire has been reviewed and the Town is satisfied the Town Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that the Town Board hereby authorizes the exercise of the second one (1) year extension option of the agreement with Consulting, LLC, 403 East Main Street, Port Jefferson Village, New York 11777, to provide actuarial consulting services for workers compensation to the Town of Oyster Bay, for a period of one (1) year, from December 1, 2024 through November 30, 2025, in an aggregate amount not to exceed \$7,500.00, for the second and final extension term; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CMP A1315 44800 000 0000; and be it further

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

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Reviewed By  
Office of Town Attorney

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

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

**TOWN OF OYSTER BAY**  
**Inter-Departmental Memo**

October 3, 2024

To: MEMORANDUM DOCKET  
From: STEVEN C. BALLAS, COMPTROLLER  
Subject: RE-APPOINTMENT OF ACTUARIAL CONSULTING SERVICES  
WORKERS' COMPENSATION – 2<sup>nd</sup> Extension

---

Town Board Resolution No. 775-2022, attached, authorized Actuarial Consulting Services for providing Workers Compensation Liability Actuarial Consultant Services to the Town for a one-year period with an option, at the discretion of the Town, of extending the services to second and third-year reporting periods. Town Board Resolution No. 838-2023 authorized the first extension of said services. The current contract expires November 30, 2024.

Accordingly, the Office of the Comptroller respectfully requests Town Board authorization for the second one (1) year extension to utilize the services of Sound Actuarial Consulting, LLC for the purpose of providing Workers Compensation Liability Actuarial Consultant Services from December 1, 2024 through November 30, 2025. The value of the actuarial services for the one (1) year financial period engagement is not to exceed \$7,500.00.

Funds are available in account number CMP A 1315 44800 000 0000.

The Town has reviewed the disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

Therefore, Town Board approval is requested as mentioned above.

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STEVEN C. BALLAS  
COMPTROLLER

Attachments

SCB/cmw

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 14, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was issued to seven (7) firms, and was placed on the Town of Oyster Bay website, to procure Workers Compensation Liability Actuarial Consultant Services to the Town, for a one (1) year period, from December 1, 2022 through November 30, 2023, with the provision of two (2), one-year extension options, if mutually agreeable; and

Reviewed By  
Office of Town Attorney

WHEREAS, following a review and evaluation of four (4) responses by an RFP review committee, based on the established criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firm, and in compliance with requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Comptroller Ballas, by said memorandum, requested that the Town Board authorize the Office of the Comptroller to utilize the services of Sound Actuarial Consulting, LLC, 403 East Main Street, Port Jefferson Village, New York 11777, the highest ranked firm in accordance with the specifications contained in the RFP, for the purposes of providing Workers Compensation Liability Actuarial Consultant Services to the Town; and

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

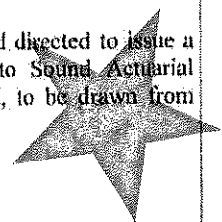
WHEREAS, Comptroller Ballas, by said memorandum requested Town Board authorization for the Supervisor, or his designee, to execute an agreement with Sound Actuarial Consulting, LLC, for the purpose of providing Workers Compensation Liability Actuarial Consultant Services; and

WHEREAS, the value of the actuarial services for the one (1) year financial period is to be \$6,500.00 and funds for payment of said services are available in Account No. CMP A 1315 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Comptroller is hereby authorized to utilize the services of Sound Actuarial Consulting, LLC, 403 East Main Street, Port Jefferson Village, New York 11777, for the purposes of providing Workers Compensation Liability Actuarial Consultant Services to the Town for a period of one (1) year, with two (2) one-year extensions, mutually agreeable, and the Supervisor, or his designee, to execute said agreement; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$6,500.00 to Sound Actuarial Consulting, LLC, upon presentation of a duly certified claim, after audit, to be drawn from account No. CMP A 1315 44800 000 0000.

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

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

WHEREAS, by Resolution No. 775-2022, adopted on October 25, 2022, the Town Board authorized the Comptroller to utilize the services of Sound Actuarial Consulting, LLC, for the purposes of providing Workers Compensation Liability Actuarial Consultant Services to the Town for a one-year period commencing December 1, 2022 through November 30, 2023, with an option, at the discretion of the Town, of extending the services to second and third-year reporting periods; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 24, 2023, requested Town Board authorization to exercise the first one (1) year extension of the Contract to utilize the services of Sound Actuarial Consulting, LLC for the purpose of providing Workers Compensation Liability Actuarial Consultant Services from December 1, 2023 through and including November 30, 2024; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that the value of the accounting services for the one (1) year financial period engagement is not to exceed \$7,500.00, with funds available in Account No. CMP A 1315 44800 000 0000; and

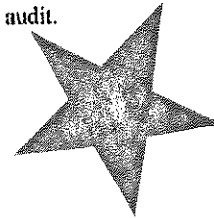
WHEREAS, Comptroller Ballas, by said memorandum, further advised that the Town has reviewed the proposed vendor's disclosure questionnaires, and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that the Town Board hereby exercises the first one (1) year extension option of the agreement with Sound Actuarial Consulting, LLC for the purpose of providing Workers Compensation Liability Actuarial Consultant Services from December 1, 2023 through and including November 30, 2024, in an amount not to exceed \$7,500.00, for the contract term; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CMP A 1315 44800 000 0000; and be it further

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

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REVIEWED BY  
OFFICE OF TOWN ATTORNEY

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

WHEREAS, by Resolution No. 774-2022, adopted on October 25, 2022, the Town Board authorized Cullen and Danowski, LLP, 1650 Route 112, Port Jefferson Station, New York 11776-3060, to provide professional auditing services to the Town of Oyster Bay, for a term of one (1) year, from December 1, 2022 through November 30, 2023, with an option, at the discretion of the Town, of extending the services to second and third year reporting periods; and

WHEREAS, by Resolution No. 836-2023, adopted on November 14, 2023, the Town Board authorized the exercise of the first one (1) year extension option for professional auditing services for the period of December 1, 2023 through November 30, 2024; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 3, 2024, requested that the Town Board exercise the second one (1) year extension option of the agreement to provide professional auditing services to the Town of Oyster Bay for the period of December 1, 2024 through November 30, 2025, in an amount not to exceed \$165,000.00; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that the vendor's disclosure questionnaire has been reviewed and the Town is satisfied the Town Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that the Town Board hereby authorizes the exercise of the second one (1) year extension option of the agreement with Cullen and Danowski, LLP, to provide accounting services to the Town of Oyster Bay, for a period of one (1) year, from December 1, 2024 through November 30, 2025, in an aggregate amount not to exceed \$165,000.00, for the second and final extension term; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. TWN A 1989 44810 000 0000; and be it further

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

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Reviewed By  
Office of Town Attorney

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	Ayc
Councilman Imbroto	Ayc
Councilman Iland	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

**TOWN OF OYSTER BAY**  
**Inter-Departmental Memo**

October 3, 2024

**To: MEMORANDUM DOCKET**  
**From: STEVEN C. BALLAS, COMPTROLLER**  
**Subject: PROFESSIONAL AUDITING SERVICES**  
**2<sup>nd</sup> Extension**

Town Board Resolution No. 774-2022, attached, authorized professional auditing to the firm of Cullen and Danowski, LLP 1650 Route 112 Port Jefferson Station, NY 11776-3060 for an initial one (1) year financial period with the option of extending services to second- and third-year reporting periods. Town Board Resolution No. 836-2023, attached, authorized the first of two extensions for said services. The current contract extension expires on November 30, 2024.

Considering the above, it is respectfully requested that the Town Board authorize the second (1) one-year extension with the firm of Cullen and Danowski, LLP Port Jefferson Station, New York for the purpose of providing auditing services for the 2024 financial period. The extension will take effect on December 1, 2024 through November 30, 2025.

The value of the professional auditing services for the one (1) year financial period is not to exceed \$165,000.00. Funds are available in account TWN A 1989 44810 000 0000.

The Town has reviewed the disclosure and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled.

Therefore, Town Board approval is requested as mentioned above.

  
**STEVEN C. BALLAS**  
**COMPTROLLER**

Attachments

SCB/cmw



Meeting of October 25, 2022

Resolution No.774-2022

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 14, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was issued to twenty-two (22) firms, and was placed on the Town of Oyster Bay website, to procure Professional Auditing Services to the Town, for a one (1) year period, from December 1, 2022 through November 30, 2023, with the provision of two (2), one-year extension options, if mutually agreeable; and

WHEREAS, following a review and evaluation of four (4) responses by an RFP review committee, based on the established criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firm, and in compliance with requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Comptroller Ballas, by said memorandum, requested that the Town Board authorize the Office of the Comptroller to utilize the services of Cullen and Danowski, LLP, 1650 Route 112, Port Jefferson Station, NY 11776, the highest ranked firm in accordance with the specifications contained in the RFP, for the purposes of providing Professional Auditing Services to the Town; and

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

WHEREAS, Comptroller Ballas, by said memorandum, requested Town Board authorization for the Supervisor, or his designee, to execute an agreement with Cullen and Danowski, LLP, for the purpose of providing Professional Auditing Services; and

WHEREAS, the value of the actuarial services for the one (1) year financial period is to be \$165,000.00 and funds for payment of said services are available in Account No. TWN A 1989 44810 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Comptroller is hereby authorized to utilize the services of Cullen and Danowski, LLP, 1650 Route 112, Port Jefferson Station, NY 11776, for the purposes of providing Professional Auditing Services to the Town for a period of one (1) year, with two (2) one-year extensions, mutually agreeable, and the Supervisor, or his designee, to execute said agreement; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$165,000.00 to Cullen and Danowski, LLP, upon presentation of a duly certified claim, after audit, to be drawn from account No. TWN A 1989 44810 000 0000.

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Reviewed By  
Office of Town Attorney

Meeting of November 14, 2023

Resolution No. 836-2023

WHEREAS, by Resolution No. 774-2022, adopted October 25, 2022, the Town Board, authorized the Supervisor, or his designee, to enter into an agreement with Cullen and Danowski, LLP, to provide On-Call Professional Auditing Services, for a one (1) year term, commencing on December 1, 2022 through November 30, 2023, with the option of two (2) one (1) year extensions; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 24, 2023, requested Town Board authorization for the Town to exercise the first of the Town's two one (1) year extension options, and enter into a one (1) year extension agreement with Cullen and Danowski, LLP, for the purposes of providing auditing services for the 2023 financial period, for a one (1) year term, commencing on December 1, 2023 through November 30, 2024, in an amount not to exceed \$165,000.00; and

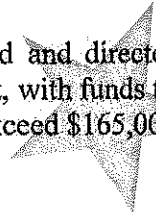
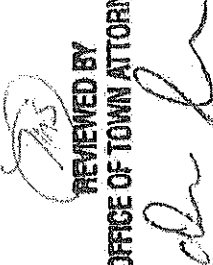
WHEREAS, the Town has reviewed the vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor, or his designee, on behalf of the Town, is hereby authorized to enter into the first one (1) year extension with Cullen and Danowski, LLP, for the purpose of providing auditing services for the 2023 financial period, for a one (1) year term, commencing on December 1, 2023 through November 30, 2024; 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 funds to be drawn from Account No. TWN A 1989 44810 000 0000, in an amount not to exceed \$165,000.00.

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REVIEWED BY  
OFFICE OF TOWN ATTORNEY



WHEREAS, by Resolution No. 772-2022, adopted on October 25, 2022, the Town Board authorized the following firms to provide accounting services to the Town of Oyster Bay, for a term of one (1) year, from December 1, 2022 through November 30, 2023, with an option, at the discretion of the Town, of extending the services to second and third year reporting periods, should it be mutually agreeable: (i) PFK O'Connor Davies, LLP, 25 Suffolk Court, Hauppauge New York 11788, (ii) Rynkar, Vail & Barrett LLP, 22 Jericho Turnpike, Mineola, New York 11501, and (iii) JKL Municipal Solutions, Inc. P.O. Box 1485, Smithtown, New York 11787; and

WHEREAS, by Resolution No. 835-2023, adopted on November 14, 2023, the Town Board authorized the exercise of the first one (1) year extension option for accounting services for the period of December 1, 2023 through November 30, 2024; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 3, 2024, requested that the Town Board exercise the second one (1) year extension option of the agreement to provide accounting services to the Town of Oyster Bay for the period of December 1, 2024 through November 30, 2025, in an aggregate amount not to exceed \$871,850.00; and

WHEREAS, Comptroller Ballas, by said memorandum, advised that the vendors' disclosure questionnaire has been reviewed and the Town is satisfied the Town Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and that the Town Board hereby authorizes the exercise of the second one (1) year extension option of the agreement with the aforementioned firms, to provide accounting services to the Town of Oyster Bay, for a period of one (1) year, from December 1, 2024 through November 30, 2025, in an aggregate amount not to exceed \$871,850.00, for the second and final extension term; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. CMP A 1315 44800 000 0000; and be it further

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

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Reviewed By  
Office of Town Attorney

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

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

**TOWN OF OYSTER BAY**  
**Inter-Departmental Memo**

October 3, 2024

**To: MEMORANDUM DOCKET**  
**From: STEVEN C. BALLAS, COMPTROLLER**  
**Subject: ON-CALL ACCOUNTING SERVICES**  
**2<sup>nd</sup> Extension**

Town Board Resolution No. 772-2022, attached, authorized on-call financial accounting services to the firms of PKF O'Connor Davies, LLP, 25 Suffolk Court, Hauppauge NY 11788, Rynkar, Vail & Barrett LLP, 22 Jericho Turnpike, Mineola, NY 11501 and JKL Municipal Solutions, Inc. P.O. Box 1485, Smithtown, NY 11787 for an initial one (1) year financial period with option of extending said services to second- and third-year reporting periods. Town Board Resolution No. 835-2023, attached, authorized the first of two extensions for said services. The current contract extension expires on November 30, 2024.

Considering the above, it is respectfully requested that the Town Board authorize the second (2) one-year extension with the firms of PKF O'Connor Davies, LLP Accountants & Advisors, Hauppauge, New York, Rynkar, Vail & Barrett, LLP of Mineola, New York and JKL Municipal Solutions, Inc., Smithtown, New York for the purpose of providing accounting services for the 2024 financial period. The extensions will take effect on December 1, 2024 through November 30, 2025.

The value of the accounting services for the one (1) year financial period is an aggregate amount not to exceed \$871,850.00. Funds are available in account CMP A 1315 44800 000 0000.

The Town has reviewed the disclosure questionnaires of the active On- Call Accounting Services vendors and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled.

Therefore, Town Board approval is requested as mentioned above.



  
STEVEN C. BALLAS  
COMPTROLLER

Attachments

SCB/cmw

Meeting of October 25, 2022

Resolution No. 772 -2022

WHEREAS, Steven C. Ballas, Comptroller, Town of Oyster Bay, by memorandum dated October 13, 2022, advised that pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) was placed on the Town of Oyster Bay website ("Doing Business with the Town"), and was sent directly to twenty-three (23) firms to provide On-Call Accounting Services to the Town for a one (1) year period commencing on December 1, 2022 through November 30, 2023 with an option, at the discretion of the Town, of extending the services to second and third year reporting periods, should it be mutually agreeable; and

WHEREAS, the Office of the Comptroller received three (3) responses by the mandated response date; and

WHEREAS, the evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy and an RFP review committee was formed with five (5) employees from different departments within the Town to review and rate each of the three (3) responses received; and

WHEREAS, following a review and evaluation of the three (3) firms who responded, PFK O'Connor Davies, LLP, 25 Suffolk Court, Hauppauge New York 11788 and Rynkar, Vail & Barrett LLP, 22 Jericho Turnpike, Mineola, New York 11501 and JKL Municipal Solutions, Inc. P.O. Box 1485, Smithtown, New York 11787, it is the intention of the Office of the Comptroller to utilize the services of all three (3) firms as each possesses unique expertise; and

WHEREAS, Comptroller Ballas, by said memorandum, requested that the Town Board authorize the Town Supervisor, or his duly appointed designee, to enter into a license agreement with PFK O'Connor Davies, LLP, 25 Suffolk Court, Hauppauge New York 11788, Rynkar, Vail & Barrett LLP, 22 Jericho Turnpike, Mineola, New York 11501, and JKL Municipal Solutions, Inc. P.O. Box 1485, Smithtown, New York 11787, for said organizations to provide On-Call Accounting Services to the Town for a one (1) year period commencing on December 1, 2022 through November 30, 2023 with an option, at the discretion of the Town, of extending the services to second and third year reporting periods, should it be mutually agreeable; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Supervisor, or his duly appointed designee, is hereby authorized to enter into license agreements with PFK O'Connor Davies, LLP, Rynkar, Vail & Barrett LLP, and JKL Municipal Solutions, Inc., for said organizations to provide On-Call Accounting Services to the Town for a one (1) year period commencing on December 1, 2022 through November 30, 2023 with an option, at the discretion of the Town, of extending the services to second and third year reporting periods, should it be mutually agreeable; and it is further

WRT  
Reviewed By  
Office of Town Attorney  
JLL

Meeting of November 14, 2023

Resolution No. 835-2023

WHEREAS, Resolution No. 772-2022, adopted October 25, 2022, authorized the Supervisor, or his designee, to enter into agreements with PKF O'Connor Davies, LLP, Rynkar, Vail & Barrett, LLP and JKL Municipal Solutions, Inc., to provide On-Call Accounting Services, for a one (1) year term, commencing on December 1, 2022 through November 30, 2022, with the option of two (2) one (1) year extensions; and

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated October 24, 2023, requested Town Board authorization for the Town to exercise its first of two one (1) year extension options, and enter into a one (1) year extension agreement with PFK O'Connor Davies, LLP, Rynkar, Vail & Barrett, LLP, and JKL Municipal Solutions, Inc., for the purposes of providing accounting services for the 2023 financial period, for a one (1) year term, commencing on December 1, 2023 through November 30, 2024, in an amount not to exceed \$871,000.00; and

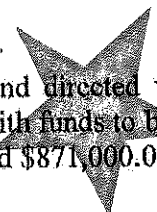
WHEREAS, the Town has reviewed the vendors' disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Supervisor, or his designee, on behalf of the Town, is hereby authorized to enter into the first one (1) year extension with PFK O'Connor Davies, LLP, Rynkar Vail & Barnett, LLP., and JKL Municipal Solutions, Inc., for the purpose of providing accounting services for the 2023 financial period, for a one (1) year term, commencing on December 1, 2023 through November 30, 2024; 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 funds to be drawn from Account No. CMP A 1315 44800 000 0000, in an amount not to exceed \$871,000.00.

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725  
Reviewed By  
Office of Town Attorney  
*[Signature]*



Meeting of October 29, 2024

Resolution No. 835-2024

*ES*  
REVIEWED BY  
OFFICE OF TOWN ATTORNEY  
*Elizabeth A. Faughnan*

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk, in publishing the External Audit Report-Federal Single Audit Report, for the period beginning on January 1, 2023, and ending on December 31, 2023, on October 1, 2024, in compliance with New York State General Municipal Law, Article 3, requiring publication of filing of said report and filing with the State Comptroller, such ratification being effective October 1, 2024, nunc pro tunc.

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

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

TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMORANDUM

October 1, 2024

**TO:** Memorandum Docket

**FROM:** Sheila Tarnowski, Director of Legislative Affairs

**THRU:** Frank M. Scalera, Town Attorney

**SUBJECT:** Town of Oyster Bay  
 External Audit Report –  
 Federal Single Audit Report  
 for the year ended December 31, 2023

In accordance with an amendment to Article 3 of the General Municipal Law, as amended, effective January 1, 1989, the subject report must be filed with the State Comptroller within ten (10) days after filing. It further requires the Town Clerk to publish a Notice within ten (10) days to provide for the written responses to audit findings and recommendations.

The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

The Comptroller's Office has indicated there are no findings that require written response.

A resolution related to the above-mentioned report ratifying the action of the Town Clerk in publishing the report should be adopted by the Town Board at their next meeting, *nunc pro tunc* to October 1, 2024.

Frank M. Scalera  
 Town Attorney



*Sheila Tarnowski*  
 Sheila Tarnowski  
 Director of Legislative Affairs

FMS:ST:pc



Meeting of October 29, 2024

Resolution No. 836-2024

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk, in publishing the New York State Department of Transportation Single Audit Report, for the period beginning on January 1, 2023 and ending on December 31, 2023, in compliance with Article 3 of the New York State General Municipal Law, requiring public verification of said report and filing with the State Comptroller, effective October 1, 2024, nunc pro tunc.

-#-

PRS  
Reviewed By  
Office of Town Attorney

*Elizabeth D. Joughin*

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

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

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMORANDUM

October 1, 2024

**TO:** Memorandum Docket  
**FROM:** Sheila Tarnowski, Legislative Affairs  
**THRU:** Frank M. Scalera, Town Attorney  
**SUBJECT:** Town of Oyster Bay  
External Audit Report –New York State  
Department of Transportation  
for the year ended December 31, 2023

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In accordance with an amendment to Article 3 of the General Municipal Law, as amended, effective January 1, 1989, the subject report must be filed with the State Comptroller within ten (10) days after filing. It further requires the Town Clerk to publish a Notice within ten (10) days to provide for the written responses to audit findings and recommendations.

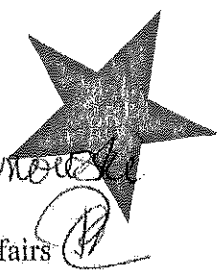
The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

The Comptroller's Office has indicated there are no findings that require written response.

A resolution related to the above-mentioned report ratifying the action of the Town Clerk in publishing the report should be adopted by the Town Board at their next meeting, *nunc pro tunc* to October 1, 2024.

Frank M. Scalera  
Town Attorney

*Sheila Tarnowski*  
Sheila Tarnowski  
Dir., Legislative Affairs



FMS:ST:pc

Meeting of October 29, 2024

Resolution No. 837-2024

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk in publishing the External Audit Report - Town of Oyster Bay Office of the Receiver of Taxes, for the period beginning on October 1, 2022 and ending on September 30, 2023, in compliance with General Municipal Law, Article 3, requiring public verification of said report and filing with the State Comptroller, such ratification being effective October 1, 2024, nunc pro tunc.

-#-

*EL*  
REVIEWED BY  
OFFICE OF TOWN ATTORNEY  
*Elizabeth A. 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	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMORANDUM

October 1, 2024

**TO:** Memorandum Docket

**FROM:** Sheila Tarnowski, Legislative Affairs  
**THRU:** Frank M. Scalera, Town Attorney

**SUBJECT:** Town of Oyster Bay  
External Audit Report – Office of the Receiver of Taxes  
for the year ended September 30, 2023

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In accordance with an amendment to Article 3 of the General Municipal Law, as amended, effective January 1, 1989, the subject report must be filed with the State Comptroller within ten (10) days after filing. It further requires the Town Clerk to publish a Notice within ten (10) days to provide for the written responses to audit findings and recommendations.

The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

The Comptroller's Office has indicated there are no findings that require written response.

A resolution related to the above-mentioned report ratifying the action of the Town Clerk in publishing the report should be adopted by the Town Board at their next meeting, *nunc pro tunc* to October 1, 2024.

Frank M. Scalera  
Town Attorney

  
Sheila Tarnowski  
Dir., Legislative Affairs



FMS:ST:pc

Meeting of October 29, 2024

Resolution No. 838-2024

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk, in publishing the External Audit Report Town of Oyster Bay Town Clerk Agency Funds - for the period beginning on January 1, 2023, and ending on December 31, 2023, in compliance with General Municipal Law, Article 3, requiring public verification of said report and filing with the State Comptroller, effective October 1, 2024, nunc pro tunc.

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*ELP*  
REVIEWED BY  
OFFICE OF TOWN ATTORNEY  
*Elizabeth A. Feughman*

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

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

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMORANDUM

October 1, 2024

**TO:** Memorandum Docket

**FROM:** Sheila Tarnowski, Legislative Affairs  
**THRU:** Frank M. Scalera, Town Attorney

**SUBJECT:** Town of Oyster Bay  
External Audit Report – Office of the Town Clerk  
for the year ended December 31, 2023

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In accordance with an amendment to Article 3 of the General Municipal Law, as amended, effective January 1, 1989, the subject report must be filed with the State Comptroller within ten (10) days after filing. It further requires the Town Clerk to publish a Notice within ten (10) days to provide for the written responses to audit findings and recommendations.

The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

The Comptroller's Office has indicated there are no findings that require written response.

A resolution related to the above-mentioned report ratifying the action of the Town Clerk in publishing the report should be adopted by the Town Board at their next meeting, *nunc pro tunc* to October 1, 2024.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Sheila Tarnowski  
Director, Legislative Affairs



FMS:ST:pc

WHEREAS, by Resolution No. 882-2023, adopted on December 12, 2023, the Town Board authorized an Agreement between the Town of Oyster Bay and EKOPLEX, Incorporated d/b/a EKO Productions for professional sound equipment and services; and

WHEREAS, by Resolution No. 90-2024, adopted on February 13, 2024, the Town Board amended Resolution No. 882-2023, to state that in addition to the Department of Community and Youth Services, other Town Departments may pay for the aforementioned professional sound equipment and services in an amount not to exceed \$180,000.00, with funds drawn from Account Nos. CYS A 7020 47660 000 0000, DGS A 1620 46300 000 0000 and PKS A 7110 47670 000 0000 for the calendar year 2024; and

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated October 11, 2024, requested that the Town Board amend Resolution No. 90-2024, to January 1, 2024, nunc pro tunc, so as to increase the amount of the contract EKOPLEX, Incorporated d/b/a EKO Productions by \$30,000.00, with a total amount not to exceed \$210,000.00, due to the increased pricing for services and the fact that the Town produced the Oyster Festival this year, with no other changes to Resolution No. 90-2024,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and Resolution No. 90-2024, adopted on February 13, 2024, is hereby amended to increase the amount of the contract EKOPLEX, Incorporated d/b/a EKO Productions by \$30,000.00, with a total amount not to exceed \$210,000.00, to January 1, 2024, nunc pro tunc, with all other terms and conditions of Resolution No. 90-2024 to remain in full force and effect.

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*JK*  
Reviewed By  
Office of Town Attorney

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

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

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

October 11, 2024

TO: Memorandum Docket

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

SUBJECT: Amend Town Board Resolution No. 90-2024, Dated February 13, 2024

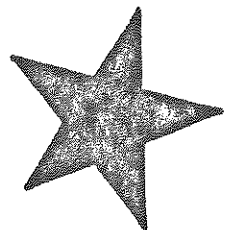
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The Department of Community and Youth Services (CYS) is requesting Town Board authorization to amend Town Board Resolution No. 90-2024, dated February 13, 2024, to add additional funding for the use of sound equipment & services provided by EKOPLEX, Incorporated dba EKO Productions through the end of the year.

In 2023, the Department of Community & Youth Services issued a Request for Proposal (RFP) for sound equipment & services. Town Board Resolution No. 882-2023, dated December 12, 2023, authorized an Agreement, as a result of the RFP, for the period covering January 1, 2024, through December 31, 2024. The Agreement was for \$160,000.00 and between the Town of Oyster Bay and EKOPLEX, Incorporated dba EKO Productions.

Town Board Resolution No. 90-2024, dated February 13, 2024, authorized an amendment to the Resolution and Agreement to add additional funding and additional account numbers to pay for the services in order that the services may be utilized by other Town Departments.

In consideration of the increased pricing for services and the fact that the Town of Oyster Bay is producing the Oyster Festival this year, the Department is seeking to increase funding to the Agreement by \$30,000.00.





Memorandum Docket  
October 8, 2024  
Page 2

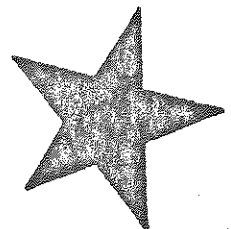
Town Board Resolution No. 90-2024, dated February 13, 2024, authorized the Agreement with an amount not to exceed \$180,000.00 with funds drawn from Account Nos. CYS A 7020 47660 000 0000, DGS A 1620 46300 000 0000, and PKS A 7110 47670 000 0000.

Therefore, the Department of Community & Youth Services respectfully requests an increase of \$30,000.00, to the Agreement, with a total amount not to exceed \$210,000.00. The increase will be *nunc pro tunc* to January 1, 2024, and funds will be drawn from the accounts referenced above.

All other terms and conditions of Town Board Resolution No. 90-2024 dated February 13, 2024, remain the same.

  
Maureen A. Fitzgerald  
Commissioner

MAF:iw  
Attachments



WHEREAS, on October 19, 2023, in compliance with the Town of Oyster Bay Procurement Policy, the Department of Community and Youth Services issued a Request For Proposals ("RFP") to provide the Town of Oyster Bay with professional sound equipment and services for the "Music Under the Stars Concert Series", the "9/11 Memorial Ceremony," and the "Holiday Concert Series", by sending said RFP directly to seven (7) area service providers, and by posting said RFP on the Town's official website and bulletin boards, with a deadline to submit any and all proposals and all responses to said RFP no later than 4:00 p.m., E.S.T., on November 10, 2024; and

WHEREAS, on November 10, 2023, the sole proposal received by the Department of Community and Youth Services, in response to said RFP, was submitted by EKOPLEX Incorporated, d/b/a ECO Productions, having its principal office at 360 Commack Road, Deer Park, New York 11729; and

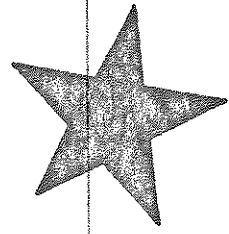
WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated November 20, 2023, requested Town Board authorization for the Town Supervisor, or his designee, to execute an agreement, as negotiated and approved by the Office of the Town Attorney, between the Town of Oyster Bay and EKOPLEX Incorporated, d/b/a EKO Productions, to provide the Town of Oyster Bay with professional sound equipment and services for the "Music Under the Stars Concert Series," the "9/11 Memorial Ceremony," and the "Holiday Concert Series," for a period of one (1) calendar year, commencing from January 1, 2024 through December 31, 2024, in an amount not to exceed \$160,000.00, with four (4) additional one (1) year extension options to be exercised solely at the Town Board's discretion; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that in accordance with Guideline No. 7 of the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney, by memorandum dated November 20, 2023, determined that the Department of Community & Youth Services made a good faith effort to obtain the required number of proposals and, consequently, complied with the Policy; and

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

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

*WAS*  
REVIEWED BY  
OFFICE OF TOWN ATTORNEY  
*Ralph P. Healey*



CORRECTED COPY

Resolution No.882-2023

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Town Supervisor or his designee is hereby authorized to execute an agreement between the Town of Oyster Bay and EKOPLEX Incorporated, d/b/a EKO Productions, to provide the Town of Oyster Bay with professional lighting equipment and services for the "Music Under the Stars Concert Series," the "9/11 Memorial Ceremony," and the "Holiday Concert Series," for a period of one (1) calendar year, commencing from January 1, 2024 through December 31, 2024, in an amount not to exceed \$160,000.00, with four (4) additional one (1) year extension options to be exercised solely at the Town Board's discretion; and be it further

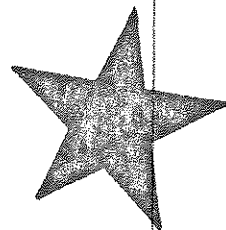
RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000; and be it further

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

-#-

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



WHEREAS, by Resolution No. 882-2023, adopted on December 12, 2023, the Town Board authorized an Agreement between the Town of Oyster Bay and EKOPLEX, Incorporated d/b/a EKO Productions for professional sound equipment and services; and

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 22, 2024, advised that on occasion other Departments within the Town have the need for sound services; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, requested that the Town Board amend Resolution No. 882-2023, to state that Town Departments in addition to the Department of Community and Youth Services may utilize the Town's Agreement with EKOPLEX, Incorporated d/b/a EKO Productions, and that said Departments may pay for the aforementioned services in an amount not to exceed \$180,000.00, with funds drawn from Account Nos. CYS A 7020 47660 000 0000, DGS A 1620 46300 000 0000 and PKS A 7110 47670 000 0000 for the calendar year 2024,

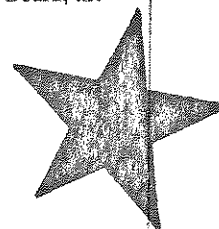
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby amends Resolution No. 882-2023, nunc pro tunc, to January 1, 2024, to state that the Departments may pay for the aforementioned services in an amount not to exceed \$180,000.00, with funds drawn from Account Nos. CYS A 7020 47660 000 0000, DGS A 1620 46300 000 0000 and PKS A 7110 47670 000 0000 for the calendar year 2024.

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



Meeting of October 29, 2024

Resolution No. 840-2024

WHEREAS, Hon. Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated October 10, 2024, requested Town Board authorization to issue a refund in the amount of \$332.50 to Town of Oyster Bay resident Dave Saslowsky, to reimburse him for fees paid for his son to attend the Fall 2024 Ice Hockey House League 10U, as his son will no longer be attending; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that Dave Saslowsky is entitled to a full refund of \$350.00, less the five percent (5%) administration fee, 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 Dave Saslowsky; 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.

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Reviewed By  
Office of Town Attorney  
Andrzej R. McCade

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

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

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: 10/10/2024

SUBJECT: Dave Saslowsky- 2024 Fall 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 Dave Saslowsky, [REDACTED]. Mr. Saslowsky's son will not be participating in Ice Hockey House League 10U.

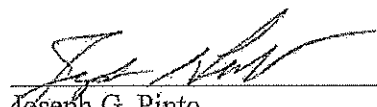
Based on the 2024 Town of Oyster Bay refund policy, Dave Saslowsky is eligible to receive the refund minus a 5% administration fee as follows:

Ice Hockey House League 10U	\$350.00
<u>5% Administration Fee</u>	<u>\$17.50</u>

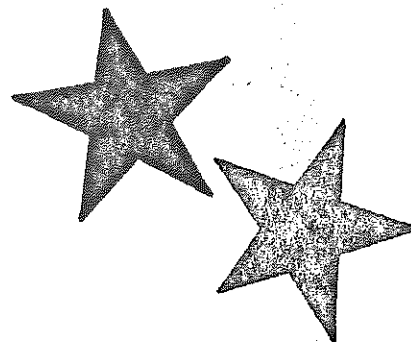
**TOTAL REFUND            \$332.50 (three hundred thirty-two dollars and 50/100 cents)**

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



WHEREAS, Hon. Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated October 11, 2024, requested Town Board authorization to issue a refund in the amount of \$607.50 to Town of Oyster Bay resident Derek Lyall, to reimburse him for fees paid for his daughter to attend the 2024 Town of Oyster Bay Summer Recreation Program at Marjorie R. Post Community Park, Massapequa, as his daughter did not attend the program; and

WHEREAS, Hon. Commissioner Pinto, by said memorandum, advised that Derek Lyall is entitled to a refund of the \$675.00 registration fee, less the 10 percent administrative fee, for a total refund of \$607.50,

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 \$607.50 to Derek Lyall; 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.

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Reviewed By  
Office of Town Attorney  
*[Handwritten signature]*

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

841

8

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET  
FROM: Joseph G. Pinto, Commissioner  
Department of Parks  
DATE: 10/11/2024  
SUBJECT: Derek Lyall- 2024 Summer Recreation Marjorie Post Park Refund

The Department of Parks respectfully requests Town Board approval for a refund in the amount of \$607.50 (six hundred seven dollars and 50/100 cents) to Town of Oyster Bay resident Derek Lyall, [REDACTED] Mr. Lyall's daughter did not attend Summer Recreation at Marjorie Post Park.

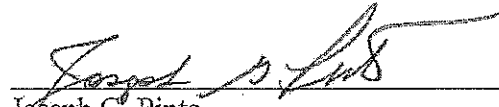
Based on the 2024 Town of Oyster Bay refund policy, Derek Lyall is eligible to receive the refund minus a 10% administration fee as follows:

Summer Recreation Marjorie Post Park \$675.00  
10% Administration Fee \$67.50

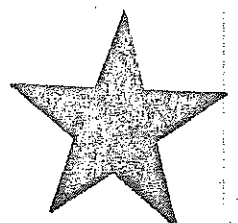
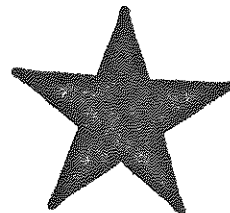
**TOTAL REFUND \$607.50 (six hundred seven dollars and 50/100 cents)**

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





WHEREAS, Hon. Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated October 10, 2024, advised that by Resolution No. 67-2024, adopted on January 23, 2024, the Town Board authorized employees of the Department of Parks to partake in the required training courses to fulfill New York State requirements; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised said courses are administered under the American Red Cross and that the American Red Cross charges a fee per employee for said certifications, which said certifications are in accordance with Guideline 5, Section b of the Town's Procurement Policy, therefore, no solicitation, written proposal, or quotation is required; and

WHEREAS, Commissioner Pinto, by said memorandum, requested Town Board approval for Department of Parks employees for an increase of \$8,000.00 to the \$14,000.00 previously authorized by Resolution No. 67-2024 to allow for Department of Parks employees to continue to partake in required courses for the remainder of the 2024 calendar year,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes an increase of \$8,000.00 to the \$14,000.00 previously authorized by Resolution No. 67-2024 to allow for Department of Parks employees to partake in required courses for the remainder of the 2024 calendar year; and be it further

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

RESOLVED, That the 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	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

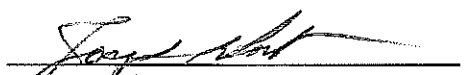
842

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

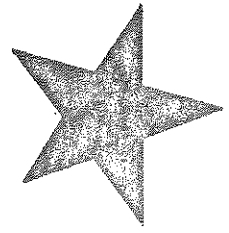
TO: MEMORANDUM DOCKET  
FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS  
DATE: October 10, 2024  
SUBJECT: AMERICAN RED CROSS CPR AED FOR PROFESSIONAL RESCUERS WITH FIRST AID  
CERTIFICATION COURSE  
ACCOUNT NO. PKS A 7110 44900 000 0000  
SUPPLEMENTAL MEMO

By Resolution No. 67-2024, (attached) the town board authorized employees of Town of Oyster Bay Parks Department to partake in the required training courses to fulfill New York State requirements. Said courses are administered under the American Red Cross. The American National Red Cross d/b/a American Red Cross charges a fee per employee for said certifications. The certifications are in accordance with Guideline 5, Section b. of the Towns Procurement Policy therefore, no solicitation, written proposal, or quotation is required. Attached is a memo from the Town Attorney's office indicating same.

At this time, the Town of Oyster Bay parks department requests Town Board approval for an increase of \$8,000 to the previously authorized \$14,000 to continue administering required courses for Parks Department employees for the remainder of the 2024 calendar year. Funds for this purpose are available in account PKS A 7110 44900 000 0000.

  
\_\_\_\_\_  
Joseph G. Pinto  
Commissioner of Parks

JGP/BR  
Att.



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

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

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

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

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

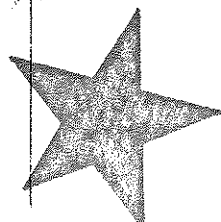
RESOLVED, That the Town Comptroller is hereby authorized and directed to make payment for same, upon the submission of a duly certified claim, after audit.

-#-

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 Maler	Aye
Councilwoman Walsh	Aye

REVIEWED BY  
OFFICE OF TOWN ATTORNEY  
Thomas M. Sabellico



**TOWN OF OYSTER BAY**  
**Inter-Departmental Memorandum**

**TO** : JOSEPH G. PINTO, Commissioner  
Department of Parks

**FROM** : OFFICE OF THE TOWN ATTORNEY

**DATE** : July 25, 2023

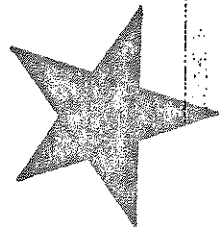
**SUBJECT:** Request for Declaration of Sole Source Vendor  
American Red Cross

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

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

Office of the Town Attorney  
*Thomas M. Sabellico*  
Thomas M. Sabellico  
Special Counsel

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



*RR*  
Reviewed By  
Office of Town Attorney  
*Elizabeth O. Faughnan*

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works and Michael Cipriano, Division Head, Central Vehicle Maintenance, by memorandum dated October 7, 2024, recommended that the twenty-three (23) Town-owned vehicles and/or equipment on the attached list be declared surplus and that the necessary steps be taken to secure bids on said vehicles and equipment; and

WHEREAS, Ralph J. Raymond, Commissioner, Department of General Services, by memorandum dated October 11, 2024, recommended that the Town Board declare that the twenty-three (23) Town-owned vehicles and/or equipment on the attached list be declared surplus and that he be authorized to prepare and advertise said vehicles and equipment for competitive bid sale or public auction; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the twenty-three (23) Town-owned vehicles and/or equipment on the attached list are declared surplus, and the Commissioner of the Department of General Services is hereby authorized to prepare and advertise said vehicles and equipment for competitive bid sale or public auction.

#

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

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

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

To: MEMORANDUM DOCKET

From: RALPH J. RAYMOND, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: OCTOBER 11, 2024

Subject: SURPLUS EQUIPMENT – TOWN EQUIPMENT

---

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

As required by this Resolution, this Department requests and recommends Town Board authorization to prepare the items set forth on the attached list for public auction.

Please place this matter on the calendar for the Town Board Meeting of October 29, 2024.

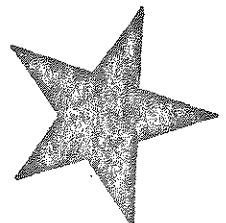


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Ralph J. Raymond, Commissioner  
General Services Department

RJR/sc  
Attachments

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



# TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

October 7, 2024

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

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

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

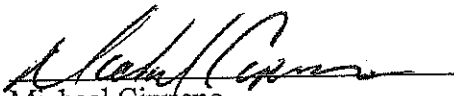
**SUBJECT:** SURPLUS EQUIPMENT BID  
RESOLUTION NO. 421-2024


---

The attached paperwork shows twenty three (23) Town owned pieces of equipment that is now surplus. Included is the Vehicle Master Inventory Inquiry. The attached spread sheet shows the item number, computer number, year, make, model, department, color, condition, Vin#'s, and estimated value.

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

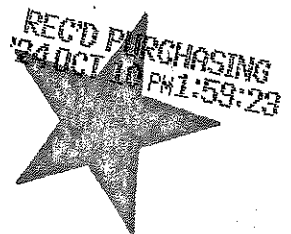
If you should have any questions, please contact Kenneth Hamel at ext. 5749

  
Michael Cipriano  
Division head C.V.M.

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

MC/RWL/kh

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







Meeting of June 11, 2024

Resolution No. 421-2024

WHEREAS, Ralph J. Raymond, Commissioner, General Services Department, by memorandum dated May 20, 2024, advised that pursuant to the Town of Oyster Bay Procurement Policy, the General Services Department issued a Request for Proposals ("RFP") for Online Auction Services for Surplus Town Property; and

WHEREAS, Commissioner Raymond, by said memorandum, further advised that the General Services Department published the RFP on the Town website, emailed the RFP to seven (7) known service providers, posted the RFP at Oyster Bay Town Hall South and advertised the RFP in Newsday; and

WHEREAS, Commissioner Raymond, by said memorandum, further advised that prior to the expiration of the April 16, 2024 deadline, the Town received five (5) responses to the RFP in compliance with the Town of Oyster Bay Procurement Policy; and

WHEREAS, Commissioner Raymond, by said memorandum, further advised that in accordance with the Town's Procurement Policy, a committee, formed of five (5) employees, established and created criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firm. That criteria consisted of specific questions relevant to the services the Town is seeking to conduct online auction services. The committee determined that the proposal submitted by Auctions International, Inc., 11167 Big Tree Road, East Aurora, New York 14052, most effectively met the criteria outlined in the RFP for Online Auction Services for Surplus Town Property; and

WHEREAS, Commissioner Raymond, by said memorandum, requested that the Town Board approve awarding the Contract for providing online auction services for surplus Town property to Auctions International, Inc., for a period of one (1) year, from June 11, 2024 to June 10, 2025, with four (4) one (1) year extensions; and

WHEREAS, Commissioner Raymond, by said memorandum, further advised that the vendor's disclosure questionnaire has been reviewed and the Town is satisfied that the Procurement Policy standards have been met.

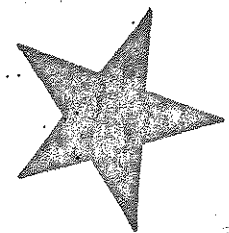
NOW, THEREFORE, BE IT RESOLVED, That the Town Board shall award Auctions International, Inc., 11167 Big Tree Road, East Aurora, New York 14052, the Contract for Online Auction Services for Surplus Town Property, for a period of one (1) year, from June 11, 2024 to June 10, 2025, with four (4) one (1) year extensions.

#

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

REVIEWED BY  
OFFICE OF TOWN ATTORNEY



Meeting of October 29, 2024

Resolution No. 844-2024

REVIEWED BY  
OFFICE OF TOWN ATTORNEY

WHEREAS, by Resolution No. 941-2022, adopted on December 13, 2022, the Town Board authorized the Supervisor, or his designee, to execute an Agreement between the Town of Oyster Bay and Motion Media Entertainment, Inc., 124 Burtis Avenue, Oyster Bay, New York, 11771, for said firm to provide the Public Information Office with services in relation to video production, for a period of two (2) years, from January 1, 2023 through December 31, 2024, with three (3) one (1) year extension options, if mutually agreeable, in an amount not to exceed \$138,000.00 per year; and

WHEREAS, Brian Nevin, Public Information Officer, by memorandum dated October 15, 2024, requested Town Board authorization for the Supervisor, or his designee, to exercise the first one (1) year extension option of the aforementioned Agreement, for a period of one (1) year, from January 1, 2025 through December 31, 2025, in an amount not to exceed \$138,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Supervisor, or his designee, is hereby authorized to exercise the first one (1) year extension option of the Agreement between the Town of Oyster Bay and Motion Media Entertainment, Inc., for said firm to provide the Public Information Office with services in relation to video production, for a period of one (1) year, from January 1, 2025 through December 31, 2025, in an amount not to exceed \$138,000.00; and be it further

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

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

-#-

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

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

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

**TO:** MEMORANDUM DOCKET  
**FROM:** BRIAN NEVIN, PUBLIC INFORMATION OFFICER  
PUBLIC INFORMATION OFFICE  
**DATE:** OCTOBER 15, 2024  
**SUBJECT:** VIDEO PRODUCTION SERVICES

---

The Public Information Office is seeking to continue promotion of various Town programs, initiatives, and events. Strategic goals of this project include the delivery of clear, creative, and compelling media that captures the attention of viewers while increasing awareness of and participation in, Town of Oyster Bay programs and events.

Whereas by Resolution 941-2022 adopted on December 13, 2022 the Town Board authorized the Town of Oyster Bay Supervisor or his designee to execute an agreement between the Town of Oyster Bay and Motion Media Entertainment Inc. for said firm to provide video production services for a two (2) year period, with an option of three (3) one-year extensions if mutually agreeable.

Services provided by Motion Media Entertainment, Inc. for this initiative is an estimated amount of \$11,500 per video advertisement, anticipated to be used 12 times during the one-year period, not to exceed a total amount of \$138,000. Funds for this purpose are available within Account No. TWN-A-1989-47900-000-0000.

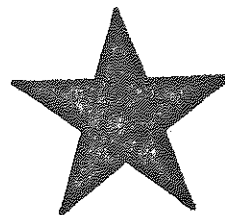
The vendor's disclosure questionnaire has been reviewed and the Town is satisfied that the Procurement Policy standards have been met.

Accordingly, the Public Information Office respectfully requests Town Board authorization to exercise the first one year extension option for the period January 1, 2025 through and including December 31, 2025.



---

Brian Nevin  
Public Information Officer





Motion Media Entertainment, Inc.  
124 Burtis Avenue,  
Oyster Bay, NY 11771  
516-695-5719

Town of Oyster Bay  
Public Information Office  
Town Hall North  
Brian Nevin, Public Information Officer  
54 Audrey Avenue  
Oyster Bay, NY 11771

Motion Media Entertainment is requesting an extension of our contract for another year with the same terms, conditions and fees as awarded in the current contract. Motion Media is an independent contractor providing video production services and commercials for the Town of Oyster Bay. The vendor number for Motion Media Entertainment is 27780 and the resolution No. is 941-2022.

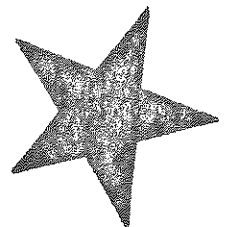
Thank you.

Sincerely,

*Ann Balderston-Glynn*

Ann Balderston-Glynn

President, Motion Media Entertainment



Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated October 10, 2024, advised that in connection with the Procurement of Veterinary Services for Basic Medical Care, the Department of Public Works issued a Request for Proposals and received only one (1) response for said services; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that upon evaluation and in conformance with the Town of Oyster Bay's Procurement Policy, it was determined that the proposal submitted by Carman Avenue Veterinary Hospital was best suited for the shelter's needs; and

WHEREAS, Frank M. Scalera, Town Attorney and Thomas M. Sabellico, Special Counsel, by memorandum dated September 24, 2024, opined that the Department of Public Works is in compliance with the Town's Procurement Policy despite only receiving one (1) response and the Department of Public Works may proceed to request Town Board Authorization to enter into a contract with Carman Avenue Veterinary Hospital for Basic Medical Care; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town enter into an Agreement as negotiated and approved by the Town Attorney and further authorize the Supervisor or his designee to enter into an agreement with Carman Avenue Veterinary Hospital for a three (3) year term commencing on November 1, 2024 and running through and including October 31, 2027, with two (2) one (1) year extensions, upon the mutual agreement of the parties, for an amount not to exceed \$280,000.00 per year; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds are available in Account No. DPW A 3510 44900 000 0000; 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,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and the Supervisor or his designee are authorized to enter into an agreement with Carman Avenue Veterinary Hospital for a three (3) year term commencing on November 1, 2024 and running through and including October 31, 2027, with two (2) one (1) year extensions, upon the mutual agreement of the parties, for an amount not to exceed \$280,000.00 per year.

#

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	Ayc
Councilman Imbroto	Ayc
Councilman Iland	Ayc
Councilman Labriola	Ayc
Councilwoman Maier	Ayc
Councilwoman Walsh	Ayc

845

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

October 10, 2024

**TO:** MEMORANDUM DOCKET

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

**SUBJECT.:** PROCUREMENT OF VETERINARY SERVICES  
BASIC MEDICAL CARE (ITEM 002)  
CARMAN AVENUE VETERINARY HOSPITAL

---

On August 29, 2024 the Department of Public Works issued a Request for Proposals for the purpose of securing veterinary services for basic medical care for the Animal Shelter (Item 002). The Request for Proposal was mailed to 74 Veterinarians and animal hospitals within a fifteen (15) mile radius of the shelter. A legal notice was posted in Newsday on August 30<sup>th</sup>, 2024 announcing the availability of the detailed specifications and proposal sheets from the office of Deputy Commissioner Laurie Scarpa of the Department of Public Works, Animal Shelter Division, as well as it being posted on the Town of Oyster Bay's Website.

By the response date of September 16<sup>th</sup>, 2024, the shelter had only received one proposal for this item.

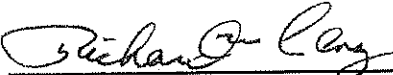
Upon evaluation and in conformance with the Town of Oyster Bay's Procurement Policy, it has been determined that the proposal submitted by Carman Avenue Veterinary Hospital was best suited for the shelter's needs.

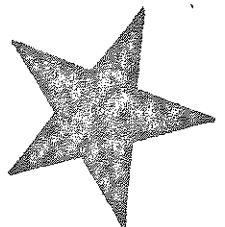
The Office of the Town Attorney has reviewed the circumstances regarding the solicitation and the receipt of this proposal and has determined that we made an adequate attempt to obtain the required number of proposals and are in compliance with the provisions of the Town's Procurement Policy.

The Office of the Town Attorney has reviewed the insurance certificates provided and determined that the veterinarian has sufficient coverage.

The vendor's disclosure questionnaire has been received 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 and further authorize the Supervisor or his designee to enter into an agreement with Carman Avenue Veterinary Hospital for a three (3) year term commencing on November 1, 2024 and running through and including October 31, 2027 for an amount of \$280,000.00 per year. Funds are available in account DPW A 3510 44900 000 0000 (Other Contract). This agreement may be extended under the same terms and amount, upon mutual agreement, for up to two (2) additional one (1) year periods.

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



# NEWSDAY AFFIDAVIT OF PUBLICATION

TOWN OF OYSTER BAY/TOWN CLERK  
54 AUDREY AVE  
OYSTER BAY, NY 11771-1504

STATE OF NEW YORK)

Legal Notice No.

0021872125

:SS.:

COUNTY OF ERIE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Friday

August 30, 2024

Nassau

By: 

Samantha Robinson

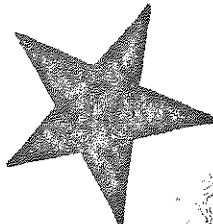
Print Name:

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
03 Day of September, 2024.

  
Notary Public

Connor Wack  
Notary Public - State of New York  
No. 01WA0024608  
Qualified in Erie County  
Commission Expires 05/10/2028



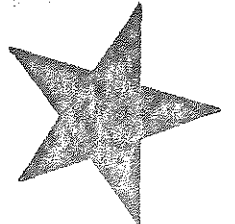
**Ad Content**

Legal Notice # 21872125  
LEGAL NOTICE  
REQUEST FOR PROPOSALS  
Please take notice that the  
Town of Oyster Bay, Depart-  
ment of Public Works/Animal  
Control and Shelter Division  
Request for Proposals (RFP)  
for Veterinary Services for  
Trap, Neuter and Return  
(TNR) and Basic Medical  
Care will be received and  
stamped at the Deputy Com-  
missioner's Office in the De-  
partment of Public Works,  
Animal Control & Shelter Di-  
vision, located at 150 Miller  
Place, Syosset, New York  
11791, no later than 3:45  
p.m. on September 14, 2024.  
Detailed specifications and  
proposal sheets may be ob-  
tained at the office of the  
Deputy Commissioner of the  
Department of Public Works  
Animal Control & Shelter Di-  
vision, located at 150 Miller  
Place, Syosset, New York  
11791, on and after August  
29, 2024, from 8:00 a.m. to  
4:00 p.m., Monday through  
Friday.

**NEWSDAY PROOF**

Ad Number: 0021872125

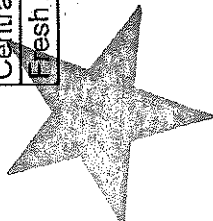
Advertiser: TOWN OF OYSTER BAY/TOWN CLERK



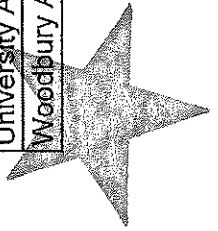


RFP Mailing List for Basic Medical Care and TNR 2024

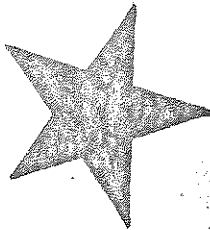
Name of Practice	Address	City, State, Zip
Long Island Veterinary Specialists	163 S Service Rd	Plainview, NY 11803
Nassau-Suffolk Animal Hospital	27 Conklin St	Farmingdale, NY 11735
Levittown Animal Hospital	2703 Hempstead Turnpike	Levittown, NY 11756
VCA Westbury & Emergency Center of Westbury	609 Cantiague Rock Rd #5	Westbury, NY 11590
Penon Veterinary Office	495 Nassau Blvd	West Hempstead, NY 11552
Long Island Animal Hospital	793 Old Country Rd	Westbury, NY 11590
Williston Park Animal Hospital	207 Hillside Avenue	Williston Park, NY 11596
Garden City Park Animal Hospital	290 Denton Ave	New Hyde Park, NY 11040
Oyster Bay Animal Hospital	64 Pine Hollow Rd	Oyster Bay, NY 11771
V.E.T.S. Group New Hyde Park Animal Hospital	615 Jericho Turnpike	New Hyde Park, NY 11040
Central Veterinary Associates	73 W Merrick Rd	Valley Stream, NY 11580
University Animal Hospital	1138 Hempstead Turnpike	Uniondale, NY 11553
Baldwin Animal Hospital	1864 Grand Ave	Baldwin, NY 11510
Farmingdale Dog & Cat Clinic	908 Conklin St	Farmingdale, NY 11735
Island Veterinary Group	875 E Jericho Turnpike	Huntington Station, NY 11746
West Hills Animal Hospital & 24hr Emergency Veterinary Center	800 W Jericho Turnpike	Huntington, NY 11743
South Bellmore Veterinary Group	2506 Merrick Rd	Bellmore, NY 11710
South Shore Animal Hospital	3296 Merrick Rd	Wantagh, NY 11793
Crawford Dog & Cat Hospital	2135 Jericho Turnpike	Garden City Park, NY 11040
Veterinary Medical Center of Long Island	75 Sunrise Hwy North Service Rd	West Islip, NY 11795
East Norwich Veterinary Clinic	1320 Jericho Oyster Bay Rd	East Norwich, NY 11732
Station Plaza Veterinary Group	16 Railroad Ave	Glen Head, NY 11545
Huntington Village Animal Hospital	50 Stewart Ave	Huntington, NY 11743
Locust Valley Veterinary Clinic	280 Forest Ave	Locust Valley, NY 11560
Brookville Animal Hospital	691 Glen Cove Rd	Glen Head, NY 11545
Fort Hill Animal Hospital	146 E Main St	Huntington, NY 11743
Levittown Animal Hospital	2703 Hempstead Turnpike	Levittown, NY 11756
Island Trees Veterinary Hospital	451 New South Rd	Hicksville, NY 11801
Gold Coast Center for Veterinary Care	770 W Jericho Turnpike	Huntington, NY 11743
Green Forest Veterinary Hospital of Glen Cove	120 Forest Ave	Glen Cove, NY 11542
Central Veterinary Associates	73 W Merrick Rd	Valley Stream, NY 11580
Fresh Meadows Animal Clinic	192-09 Union Tpke	Queens, NY 11366



Name of Practice	Address	City, State, Zip
Queens Animal Health	183-4 Horace Harding Expy	Fresh Meadows, NY 11365
Veterinary Care Group - Little Neck	249-36 Horace Harding Expy	Little Neck, NY 11362
Park Animal Hospital	4930 Sunrise Hwy	Massapequa Park, NY 11762
Massapequa Hospital for Animals	4186 Sunrise Hwy	Massapequa, NY 11758
Massapequa Pet Vet	5330 Merrick Rd	Massapequa, NY 11758
Southgate Animal Hospital	1015 Montauk Hwy	Copieague, NY 11726
Carman Avenue Veterinary Hospital	837 Carman Ave	Westbury, NY 11590
Central Vets Mineola	220 E Jericho Turnpike	Mineola, NY 11501
Mineola Animal Hospital	132 Jericho Turnpike	Mineola, NY 11501
Page Community Veterinary Clinic	645 Stewart Ave	Bethpage, NY 11714
Old Country Animal Clinic	669 Old Country Rd	Plainview, NY 11803
Mid Island Animal Hospital	264 W Old Country Rd	Hicksville, NY 11801
East Village Green Animal Hospital	4 E Village Green	Levittown, NY 11756
Animal Care Center of Plainview	558 Woodbury Rd	Plainview, NY 11803
Jericho Animal Hospital	360 W Jericho Turnpike	Syosset, NY 11791
Village Animal Hospital of Jericho	24 Jericho Turnpike	Jericho, NY 11753
Syosset Animal Hospital	700 Jericho Turnpike	Syosset, NY 11791
New York Veterinary Specialty and Emergency Center	2233 Broadhollow Rd	Farmingdale, NY 11735
Amityville Animal Hospital	191 Sunrise Hwy	Amityville, NY 11701
Four Paws Animal Hospital	199 Broadway	Amityville, NY 11701
Manetto Hill Animal Hospital	122 Manetto Hill Rd	Plainview, NY 11803
Plainview Animal Hospital	1458 Old Country Rd	Plainview, NY 11803
Hewlett Animal Hospital & Pet Resort	1225 Broadway	Hewlett, NY 11557
Wantagh Animal Hospital	1416 Wantagh Ave	Wantagh, NY 11793
Bellmore Veterinary Hospital	229 Bedford Ave	Bellmore, NY 11710
East Bay Veterinary Hospital	2314 Merrick Rd	Merrick, NY 11566
Broadway Veterinary Care	1598 Broadway	Hewlett, NY 11557
East Meadow Veterinary Center	535 E Meadow Ave	East Meadow, NY 11554
Animal Medical Hospital	779 Peninsula Blvd	Hempstead, NY 11550
West Hempstead Animal Hospital	104 Cherry Valley Ave	West Hempstead, NY 11552
Assisi Veterinary Hospital	250 Hempstead Ave	Malverne, NY 11565
University Animal Hospital	1138 Hempstead Turnpike	Uniondale, NY 11553
Woodbury Animal Hospital	145 Woodbury Rd	Woodbury, NY 11797



Name of Practice	Address	City, State, Zip
Animal General of East Norwich	6320 Northern Blvd	East Norwich, NY 11732
Animal Hospital of Roslyn	212 Mineola Ave	Roslyn Heights, NY 11577
Glen Animal Hospital	209 Glen Cove Ave	Sea Cliff, NY 11579
Garden City Veterinary Care	244 Herricks Rd	Mineola, NY 11501
Green Forest Veterinary Hospital of Glen Cove	120 Forest Ave	Glen Cove, NY 11542
Animal Hospital of Long Island	28 Main St	Hempstead, NY 11550
Pet Lovers Veterinary Home Care PC	6 Arbor Rd	Shoreham, NY 11786
Veterinary Emergency Group	204b Glen Cove Rd	Carle Place, NY 11514
Atlantic Coast New York Veterinary Specialists	2233 Broadhollow Rd	Farmingdale, NY 11735





Town of Oyster Bay  
Department of Public Works  
150 Miller Place  
Syosset, NY 11791

Joseph Saladino, Supervisor

## REQUEST FOR PROPOSALS

RFP Issue Date:  
August 29<sup>th</sup>, 2024

*RESPONSE IS DUE BY:*  
September 16<sup>th</sup>, 2024  
TIME: 3:45 PM

## VETERINARY SERVICES

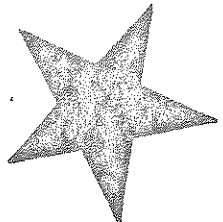
Items  
001 & 002

Town of Oyster Bay Animal Shelter  
Syosset, NY

Please Return Proposal to the Attention of:

**Laurie Scarpa, Deputy Commissioner**  
Department of Public Works  
Animal Shelter

Department of Public Works • Laurie Scarpa, Deputy Commissioner  
150 Miller Place Syosset, NY 11791 • Phone (516) 677-5784 • Fax (516) 677-5919  
[www.oysterbaytown.com](http://www.oysterbaytown.com)



**AUTHORIZED CONTACT PERSON:** Prospective veterinarians are advised that the authorized Town of Oyster Bay contact person for all matters concerning this RFP is:

Deputy Commissioner Laurie Scarpa  
 Town of Oyster Bay Dept. of Public Works  
 Animal Shelter  
 150 Miller Place Syosset, New York 11791  
 Telephone: (516) 677-5784 - Fax: (516) 677-5919

**INTRODUCTION:** In accordance with the Town of Oyster Bay's qualification based consultant procurement policy, the Town of Oyster Bay Department of Public Works (hereinafter referred to as "the Town") is seeking proposals from qualified New York State licensed veterinarians to perform two (2) separate services as follows:

- 1.) As required under the Town's feral cat Trap, Neuter and Return ("TNR") Program.
- 2.) Veterinarian to provide basic care to all shelter animals.

The veterinarians shall provide to the Town, those services that are described herein under "Scope of Services" under each requested proposal.

Each contract shall be for a three (3) year period, commencing on the date of award in 2024, with two (2) one (1) year options for renewal at the same rates, upon mutual consent by the Town of Oyster Bay and the veterinarians (hereinafter referred to as "the contract period"). The proposer should indicate personnel fees on an hourly basis for item 002. For item 001 fees should be provided on a per animal basis.

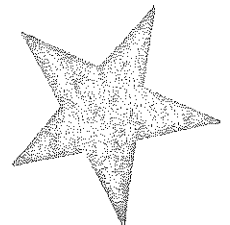
The Town, after receipt and review of responses to this RFP, reserves the right to reject all proposals based upon the information provided by the veterinarians in his or her proposal. The review process of the RFPs submitted is based on the qualifications of the veterinarians for the nature of that project as well as price, experience and other factors.

It is further expressly acknowledged that the quality of the services to be rendered is of paramount importance to the Town.

At its discretion, the Town may elect to interview each veterinarian, make visits to each veterinarian and check references.

**SCOPE OF SERVICES:**

The veterinarian shall provide at a minimum, those services listed in section I below during days and hours agreed upon in accordance with section II below. **Instructions: Perspective Veterinarians may bid on any one or combination of services Item 001 & Item 002.**



## I

## ITEM 001- (T.N.R. Veterinarian)

1a. Perform all services required under the Town's feral cat Trap, Neuter and Return ("TNR") Program including: a) examination; b) spaying or neutering; c) ear tipping; d) all inoculations including rabies inoculation) and for pregnant females, termination of pregnancy provided that such procedure, in the opinion of the veterinarian, can be safely performed.

1b. Euthanize as deemed necessary by Veterinarian for humane reasons.

✓ 1c. Provide inoculations to dogs, cats and ferrets during the Town's free rabies clinics.

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## ITEM 002- (Animal Shelter Veterinarian)

2a. Examination of all animals brought to the Animal Shelter regarding their suitability for adoption.

2b. Spaying / neutering of all unaltered animals selected by the Town for adoption unless, in his or her professional judgment, the Veterinarian determines that the animal shall not be spayed / neutered at that time.

2c. Examining and promptly treating injured animals brought to the Shelter (During normal operating hours).

2d. Administer all necessary vaccinations and medications as required to protect the health and well-being of other animals located at the Shelter and under the control of the Town.

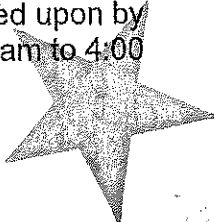
2e. Provide any additional veterinary services not specified above as necessary when requested by the Town including but not limited to euthanasia as deemed necessary by the Veterinarian for humane reasons.

2f. Administer inoculations to dogs, cats and ferrets during the Town's free rabies clinics.

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## II

The veterinarian agrees to provide the foregoing services during the normal operating hours of the Animal Shelter. The veterinarian further agrees to provide services at their facility on as needed basis as requested by the director of the Animal Shelter or his/her designee and which are agreed upon by the Town. The Shelter's hours for the public are currently Monday through Saturday, 8:00 am to 4:00 pm, excluding Sundays and holidays.



## III

In the event the veterinarian is unable to personally attend to his or her duties during the year due to reasonable vacation period, attendance at professional seminars, vacation or illness, he or she shall arrange a substitute veterinarian acceptable to the Town to perform his or her duties. The Town shall pay the veterinarian the contracted price and he or she will be responsible to pay the covering veterinarian for services and overages incurred.

## IV

The veterinarian will perform the services listed in Section I, (item 001) at his/her facility or in the dedicated facility provided. The veterinarian shall have full use of all Town equipment located in the aforesaid areas. The veterinarian is also responsible for the cleaning of the facility on a daily basis.

## V

All medical supplies and medications including but not limited to antibiotics & immunizations shall be provided for the veterinarian at the Town's expense (Excluding euthanasia solutions and supplies). The Town agrees to provide for the exclusive use of the veterinarian at the Shelter a suitable, securely locked cabinet or other device for use in the storage of controlled substances for which controlled substances the veterinarian is held responsible to protect by State and/or Federal Law.

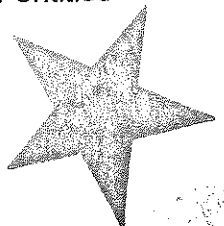
## VI

**USE OF OTHER LICENSED VETERINARIANS, VETERINARY TECHNICIANS AND/OR OTHER SUBORDINATE ENTITIES:**

Prospective veterinarians are advised that the Town will entertain proposals that include the use of other licensed veterinarians, veterinary technicians (under supervision of a licensed veterinarian) and/or other subordinate entities. In such event, the veterinarian's proposal must clearly state the extent and nature of the work proposed to be delegated to the veterinarian, veterinary technician and/or other entity. The proposal must also specify the name, address and telephone number of each licensed veterinarian and other subordinate entities. If during the course of the contract, the veterinarian wishes to utilize the services of a licensed veterinarian, veterinary technician or subordinate entity other than that which was specified in the proposal and approved by the Town, written approval must be sought and obtained from the Town prior to using such veterinarian, veterinary technician and/or other entity. Failure to secure such approval shall result in the denial of such claims until such time as approval is received.

**FORMAT FOR PAYMENTS AND CLAIMS:**

The Town shall pay the veterinarian its negotiated fee upon submission of monthly claim vouchers provided by the Town Comptroller. In the event that the use of outside veterinarians, veterinary technicians and/ or other entities is approved, the actual cost for such services shall be reflected on the submitted claims. This claim for reimbursement shall include the Veterinarian's or other entities signed certification of services and copy of the actual bill.



## **INSURANCE REQUIREMENTS:**

The veterinarian shall procure at his or her cost and expense insurance to protect the veterinarian, the Town and the people of the Town of Oyster Bay and their officers and employees from any claims which may arise from his or her practice of veterinary medicine. Certificates of insurance shall be delivered to the Town prior to commencement of this agreement. Said insurance policies shall be subject to the approval of the Town Attorney and the Town's insurance agent for adequacy and form of protection. The insurance required under this agreement shall be as follows:

General comprehensive/General Liability with a combined single limit for bodily injury and property damage of at least Three Million (\$3,000,000) Dollars, with on-premises medical payments coverage of Ten Thousand (\$10,000) Dollars per person and One Hundred Thousand (\$100,000) Dollars aggregate. Said policy shall include coverage for a) premises liability b) completed operations, c) independent contracts, d) broad form property damage, e) personal injury liability, f) fire damage legal liability for replacement value. The Town shall be named as an additional insured.

The following endorsements shall be provided as part of the coverage:

Cross suit exclusion endorsement must be eliminated on primary and excess liability policies.

1. Malpractice insurance in the amount of One Million Dollars (\$1,000,000)
2. Workers' Compensation Insurance with coverage of at least the statutory minimum. Proof of Workers' Compensation insurance must be submitted to the Town as required under New York Law. The Veterinarian shall take out and maintain during the life of the Lease Agreement, Workers' Compensation for all his employees employed at the site of the Animal Clinic, and in case of any of the work being sublet; the subcontractor shall similarly be required to provide Workers' Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by the Veterinarian.
3. Disability Benefits Liability Insurance with coverage of at least the statutory minimum.

## **LICENSE REQUIREMENTS:**

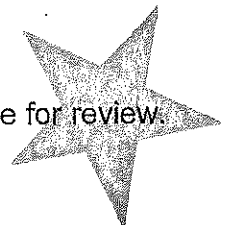
The veterinarian and any approved subcontractors or other subordinate entities shall have all licenses required by the State or other governmental bodies. The veterinarian is responsible to maintain the usual and customary professional standards expected in his or her profession.

## **CONFLICTS OF INTREST**

Proposers submitting a response to this RFP must disclose any actual, apparent, direct or indirect, or potential conflicts of interest that may exist with respect to the firm, management, or employees of the firm or other persons relative to the services to be provided under the Agreement to be awarded pursuant to this RFP. If a firm has no conflicts of interests, a statement to that effect shall be included in the proposal. All responders must complete ONE of the Disclosure Affidavits.

## **ADDITIONAL REQUIRMENTS:**

In preparing its proposal, the veterinarian shall submit a copy of his or her curriculum vitae for review. A Minimum of three (3) letters of reference is required.





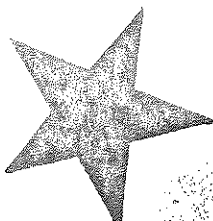
ITEM 001  
TNR VETERINARIAN SERVICE

COST PROPOSAL FORM

• Veterinarian fee per animal \$ \_\_\_\_\_

• Please indicate hours & days available below:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Hrs:	Hrs:	Hrs:	Hrs:	Hrs:	Hrs:



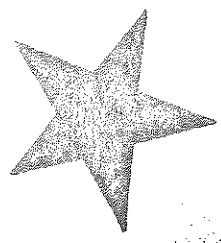
**ITEM 002**  
**Animal Shelter Veterinarian**

**COST PROPOSAL FORM**

• Veterinarian fee per hour \$ \_\_\_\_\_

• Please indicate hours & days available below:

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>



Carman Avenue Veterinary Hospital

837 Carman Avenue

Westbury, NY 11590

516-333-6868

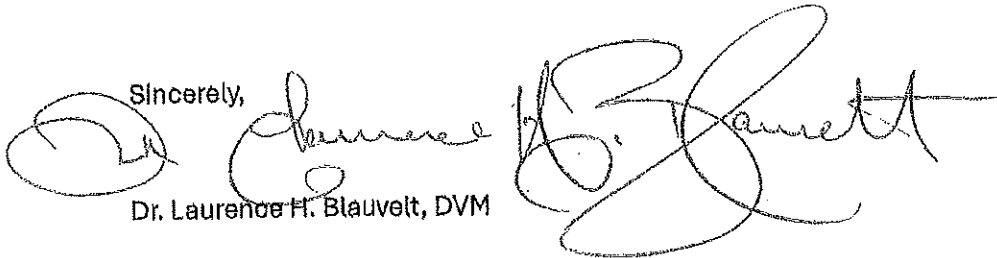
September 11, 2024

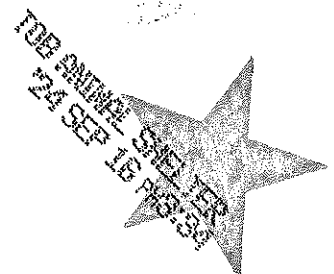
Dear Commissioner Lenz:

Please accept my application for Basic Medical Care of Shelter Animals and TNR Veterinarian. As you may know, I was the Veterinarian of record for the shelter from 2015 to present. Unfortunately, due to significant increases in the cost of doing business, I was unable to continue the previous contractual obligations at that rate of reimbursement. I am respectfully requesting consideration for this new RFP. I have enjoyed a positive and friendly working relationship with the shelter employees. These relationships have assisted me in providing essential care for the animals of our community, and that care often provided a wonderful pet to a loving family. I believe the harmonious relationship between the shelter employees, my staff and myself has positively benefited the shelter and would like the opportunity to continue working with the town shelter as Veterinarian under the new RFP.

Thank you for your consideration in the proposals that I have provided. Please contact me if you need any further information, or have any questions.

Sincerely,

  
Dr. Laurence H. Blauvelt, DVM





## Long Island Veterinary Specialists

163 South Service Road  
Plainview, New York 11803

Phone: 516-501-1700  
Fax: 516-501-1169

WWW.LIVS.ORG

September 15, 2024

To whom it may concern,

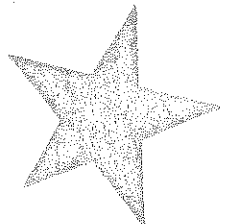
Dr. Larry Blauvelt is both a respected colleague and a personal friend for over 30 years. He frequently comes to our hospital to personally consult specialists on behalf of his patients, and he regularly attends continuing education to stay current in treatments. He goes the extra step for his clients and patients.

He is the parent of children and their spouses who are veterinarians as well. His hospital is truly a family business. The high level of care and positive energy keeps clients returning to Carmen Avenue Veterinary Hospital for many years. We and his clients consider him competent, caring, expert and compassionate. He never hesitates to seek specialized advice when appropriate and I cannot think of anyone to recommend more highly for your spay and neuter clinics.

If I can be helpful in any additional way, please do not hesitate to call.

Sincerely,

Dominic J. Marino, DVM, Dip. ACVS, Dip. ACCT, CCRP  
ACVS Founding Fellow, Joint Replacement Surgery  
President, Suffolk County Sheriff's Foundation





## Long Island Veterinary Specialists

163 South Service Road  
Plainview, New York 11803

Phone: 516-501-1700  
Fax: 516-501-1169

[WWW.LIVS.ORG](http://WWW.LIVS.ORG)

September 14, 2024

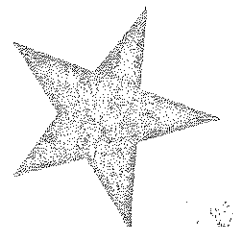
To whom it may concern,

This letter is a high recommendation for Dr. Larry Blauvelt to continue his work as the shelter veterinarian for the town of Oyster Bay. Dr. Blauvelt has been a dear friend and colleague for over 20 years. He is passionate, empathetic, and always had a positive attitude. His clients that come in on referral, speak very highly of him and trust him completely with the health and care of their pet. Dr. Blauvelt keeps a close professional relationship not only with me, but with other specialists at our hospital. He uses those connections to learn more about veterinary medicine and provide his clients with the most up to date care and referral if needed. His continuation to work with the shelter can only further improve animal care for the community.

If you have any questions about Dr. Blauvelt, please feel free to contact me.

Sincerely,

Catherine A Loughin, DVM, DACVS, DACCT  
Staff surgeon





Town of Oyster Bay Animal Shelter  
54 Audrey Avenue  
Oyster Bay, NY 11771  
September 13, 2024

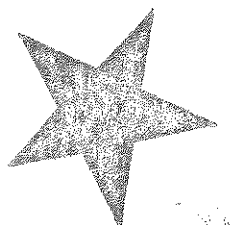
To Whom It May Concern:

It is with great pleasure that I recommend Dr. Larry Blauvelt as veterinarian for the Town of Oyster Bay Animal Shelter. I have know Dr. Blauvelt for over 40 years and he has treated all of my dogs. For the past 15 years we have used Dr. Blauvelt as our main veterinarian at Canine Commander Dog Training for our dogs and the dogs we board for our clients. He is a compassionate and skilled veterinarian and surgeon. He is always available when we need him. We trust him completely in the care of our dogs.

I am without doubt that Dr. Blauvelt will be an excellent veterinarian for the Town of Oyster Bay Animal Shelter. I enthusiastically recommend him. He will be a tremendous asset for the shelter.

Sincerely,

Chris Hanley  
Owner and Senior Trainer  
Canine Commander LLC





Workers' Compensation Board

# CERTIFICATE OF INSURANCE COVERAGE

## NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

**PART 1. To be completed by NYS disability and Paid Family Leave benefits carrier or licensed insurance agent of that carrier**

<p>1a. Legal Name &amp; Address of Insured (use street address only)          CARMEN AVENUE VETERINARY OFFICE PC           837 CARMAN AVE          WESTBURY, NY 11590</p> <p>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)</p>	<p>1b. Business Telephone Number of Insured</p> <p>1c. Federal Employer Identification Number of Insured or Social Security Number          [REDACTED]</p>
--	--

<p>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)  <i>TOWN OF OYSTERBAY</i>  <i>DEPARTMENT OF ENVIRONMENTAL RESOURCES</i>  <i>150 MILLER PL</i>  <i>SYOSSET, NY 11791</i></p>	<p>3a. Name of Insurance Carrier          ShelterPoint Life Insurance Company</p> <p>3b. Policy Number of Entity Listed in Box "1a"          DBL49626</p> <p>3c. Policy effective period          07/01/2024 to 06/30/2025</p>
---	--

4. Policy provides the following benefits:

A. Both disability and paid family leave benefits.  
 B. Disability benefits only.  
 C. Paid family leave benefits only.

5. Policy covers:

A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.  
 B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits Insurance coverage as described above.

Date Signed 9/11/2024 By *Leston Welsh*  
(Signature of insurance carrier's authorized representative or NYS licensed insurance agent of that insurance carrier)

Telephone Number 616-829-8100 Name and Title Leston Welsh, Chief Executive Officer

**IMPORTANT:** If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be emailed to PAU@wcb.ny.gov or it can be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

**PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B have been checked)**

**State of New York  
Workers' Compensation Board**

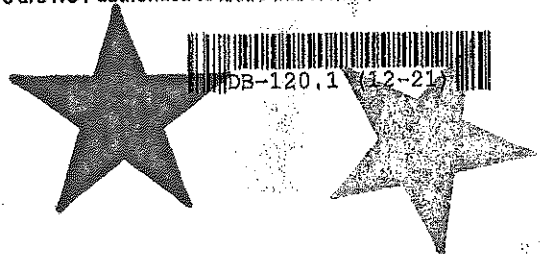
According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law (Article 9 of the Workers' Compensation Law) with respect to all of their employees.

Date Signed \_\_\_\_\_ By \_\_\_\_\_  
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number \_\_\_\_\_ Name and Title \_\_\_\_\_

*Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.*

DB-120.1 (12-21)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/10/2024

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).


<b>PRODUCER</b> Regan Agency, Inc. 463 Deer Park Ave Babylon, NY 11702 Brennan P. Regan 631-669-3434		<b>CONTACT NAME:</b> Brennan P. Regan <b>PHONE (A/C, No, Ext):</b> 631-669-3434 <b>FAX (A/C, No):</b> 631-669-3035 <b>E-MAIL ADDRESS:</b>															
<b>INSURED</b> Carman Avenue Veterinary Office PC Office PC 837 Carman Avenue Westbury, NY 11590		<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: Republic Franklin Insurance Co</td> <td>12475</td> </tr> <tr> <td>INSURER B: Utica National Ins Co of Ohio</td> <td>13998</td> </tr> <tr> <td>INSURER C: Twin City Fire Insurance Co.</td> <td>28459</td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Republic Franklin Insurance Co	12475	INSURER B: Utica National Ins Co of Ohio	13998	INSURER C: Twin City Fire Insurance Co.	28459	INSURER D:		INSURER E:		INSURER F:	
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INSURER F:																	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <b>X Business Owners</b> GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRG-JSCT <input type="checkbox"/> LOC OTHER:	X	5627326	03/18/2024	03/18/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		5627326	03/18/2024	02/18/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> RETENTION \$ 10,000 <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE		CULP5627326	03/18/2024	03/18/2025	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	12 WEC GF4318	07/01/2024	07/01/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
						PROPERTY 393,600

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
the certificate holder is included as additional insured

<b>CERTIFICATE HOLDER</b>  TOOYSTE  Town of Oyster Bay Department of Environmental Resources 150 Miller Place Syosset, NY 11791-5603	<b>CANCELLATION</b>  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 
---	--



STATE OF NEW YORK  
WORKERS' COMPENSATION BOARD  
**CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE**

<p><b>1a. Legal Name &amp; Address of Insured (Use street address only)</b></p> <p>Carman Avenue Veterinary Office PC 837 Carman Avenue Westbury NY 11590</p> <p><b>Work Location of Insured (Only if coverage is specifically limited to certain location in New York State, i.e. a Wrap-Up Policy)</b></p>	<p><b>1b. Business Telephone Number of Insured</b> 516-333-6868</p> <p><b>1c. NYS Unemployment Insurance Employer Registration Number of Insured</b></p> <p><b>1d. Federal Employer Identification Number of Insured or Social Security Number</b> [REDACTED]</p>
<p><b>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</b></p> <p>Town of Oyster Bay Department of Environmental Resources 150 Miller Place Syosset NY 11791-5603</p>	<p><b>3a. Name of Insurance Carrier</b> Twin City Fire Insurance</p> <p><b>3b. Policy Number of entity listed in box "1a"</b> 12 WEC GF 4318</p> <p><b>3c. Policy effective period</b> 07/01/24 - 07/01/25</p> <p><b>3d. The Proprietor, Partners or Executive Officers are</b></p> <p><input type="checkbox"/> included. (Only check box if all partners/officers included)</p> <p><input type="checkbox"/> all excluded or certain partners/officers excluded.</p>

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under **Item 3A** on the **INFORMATION PAGE** of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

*The Insurance Carrier will also notify the above certificate holder within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.*

**Please Note:** Upon the cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Brennan P., Regan  
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: [Signature] 6/7/24  
(Signature) (Date)

Title: Partner

Telephone Number of authorized representative or licensed agent of insurance carrier: 631-669-3434

**Please Note:** Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are **NOT** authorized to issue it.

C-105.2 (9-07)



**Veterinary Professional Liability  
Insurance Policy  
Certificate of Insurance**



**ZURICH**

This policy provides occurrence coverage. Please review the policy carefully.  
**ITEM 1: Insured by the stock company below and hereinafter called the Company**  
**Zurich American Insurance Company**

U-VPL-103-A-NY (10/06)

<b>ITEM 2: Named Certificate Holder, member number, rating code and address</b>  Laurence Harmon Blauvelt, DVM 59 Barrister Road Levittown, NY 11756	Master Policy Number: <b>EOL 9056000 -16</b>	Certificate Number: <b>VETPRO055966</b>
	<b>FOR INFORMATION OR TO FILE A CLAIM PLEASE CALL (800) 228-7548</b>	
	<b>ITEM 3: Policy Period</b> From: 01/01/2024 To: 01/01/2025 12:01 am Standard time at the address of the Named Certificate Holder as stated herein	
<b>ITEM 4: Limits of Liability</b>		
	Each claim	\$ 4,000,000
	Aggregate	\$ 6,000,000

<u>Member Name</u>	<u>Member No.</u>	<u>Rating Code</u>
Laurence Blauvelt	169022	[IV] Small Animal Exclusive

**ITEM 5: Premium and coverage summary**

Primary Professional Liability	\$259.00
Excess Professional Liability	\$228.00
Veterinary License Defense	\$126.00
Professional Extension Endorsement (Animal Balice)	\$86.00
<b>TOTAL DUE:</b>	<b>\$699.00</b>

**ITEM 6: Forms Attached at Issuance:**  
 U-VPL-100-A CW (07/04); U-VPL-103-A NY (10/06); U-GU-1191-A CW (03/15); U-VPL-119-A NY (10/06); U-VPL-101-A NY (07/04); U-VPL-102-B NY (06/11); U-GU-319-F (01/09)

**ITEM 7: Schedule of Plan Numbers and location(s) for Professional Extension Endorsement (Animal Balice) / Embryo and Semen Storage (if purchased):**  
 For additional locations, please see the attached page

<u>Location Number/Address</u>	<u>Extension Plan</u>	<u>Embryo Plan</u>
1: 837 Carmen Ave Westbury, NY 11756	Plan 8	

**ITEM 8: Veterinary Professional Liability Regulatory Action License Defense Coverage endorsement (if purchased):**  
 Limit: \$ 50,000

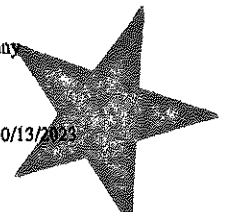
Authorized Signature

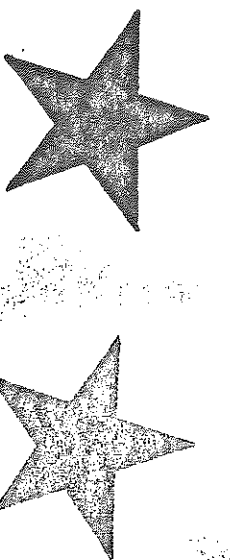
Neil R. Hughes, President

This Certificate of Insurance is issued off the Master Policy held by the American Veterinary Medical Association (AVMA) Professional Liability Insurance Trust. By acceptance of this policy the Named Certificate Holder agrees that the statements in the certificate and the application and any attachments hereto are the Named Certificate Holder's agreements and representations and that this policy embodies all agreements existing between the Named Certificate holder & the Company or any of its representatives relating to this insurance.

Notice to the Company: Zurich American Insurance Company  
 P.O. Box 968041  
 Schaumburg, IL 60196-8041

Issued: 10/13/2023





The University of the State of New York  
Education Department  
Office of the Professions  
REGISTRATION CERTIFICATE  
Do not accept a copy of this certificate

License Number



Certificate Number: 1653242



is registered to practice in New York State through 02/28/2025 as a(n)

VETERINARIAN

BLAUVELT LAURENCE HARMON  
837 CARMAN AVENUE  
WESTBURY NY 11590-0000

LICENSEE/REGISTRANT  
*Stephan J. Boe*  
EXECUTIVE SECRETARY

*Brian Van*  
COMMISSIONER OF EDUCATION  
*David A. Biron*  
DEPUTY COMMISSIONER  
FOR THE PROFESSIONS

This document is valid only if it has not expired, name and address are correct, it has not been tampered with and is an original - not a copy. To verify that this registration certificate is valid or for more information please visit [www.op.nysed.gov](http://www.op.nysed.gov)

The University of the State of New York  
Education Department  
Office of the Professions

**REGISTRATION CERTIFICATE**  
Do not accept a copy of this certificate

License Number: [REDACTED]

Certificate Number: 2576754

TUNDO ANTHONY JOSEPH  
837 CARMAN AVENUE  
WESTBURY NY 11590-0000

is registered to practice in New York State through 12/31/2026 as a(n)  
VETERINARIAN

LICENSEE/REGISTRANT

*Stephen J. Bone*

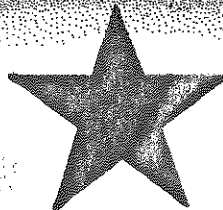
EXECUTIVE SECRETARY

*[Signature]*  
COMMISSIONER OF EDUCATION

*Harah A. Benson*

DEPUTY COMMISSIONER  
FOR THE PROFESSIONS

*This document is valid only if it has not expired, name and address are correct, it has not been tampered with and is an original - not a copy. To verify that this registration certificate is valid or for more information please visit [www.op.nysed.gov](http://www.op.nysed.gov).*



# Laurence H. Blauvelt

837 Carman Ave  
Westbury, NY 11590  
(631) 393-6868  
ouster60@verizon.net

## Education

University of Parma School of Veterinary Medicine, Parma, Italy  
Doctor of Veterinary Medicine (DVM)  
Accredited by the American Veterinary Medical Association (AVMA)  
Graduated 1982

The Ohio State University, Columbus, Ohio, USA  
Bachelor of Science (BS), Biology  
Graduated 1975

## Awards, Honors, and Nominations

Suffolk County SPCA Award  
In recognition of work at Ground Zero in treatment and care of Search and Rescue Canine Officers.

American Legion Honor  
In recognition of community service and volunteerism at Ground Zero.

## Professional Experience

Chief of Staff/Owner Carman Avenue Animal Hospital  
1998-Present

Shelter Veterinarian Town of Oyster Bay  
2015-Present

Professor BOCES  
2016-Present Veterinary Technician Program

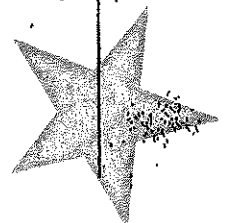
Associate Professor State University of New York at Suffolk  
1995-1997 Veterinary Technician Program

Associate Professor State University of New York at Farmingdale  
1993-1995 Veterinary Technician Program

Deputy Board of Examiners for State of New York  
1990-1993

Associate Veterinarian Antilles Animal Hospital  
1990-1993

Associate Veterinarian Nassau-Suffolk Animal Hospital  
1990-1991



Memberships and Associations

Member, American Veterinary Medical Association (AVMA)

Member, New York State Veterinary Medical Association (NYSVMA)

Member, Long Island Veterinary Medical Association (LIVMA)

Member, Association of Shelter Veterinarians

Member, Medical Reserve Corps of Nassau County

Volunteer Experiences

Town of Oyster Bay Rabies Clinic

SPCA Canine Services U.S. Open

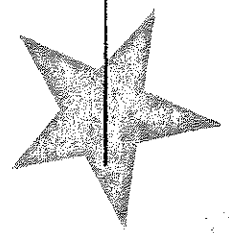
NYPD Canine Relief Veterinarian, World Trade Center

Languages

English: Fluent

Italian: Fluent

References available upon request.



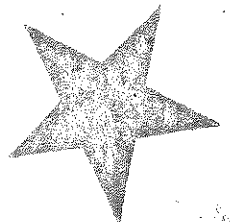
ITEM 002  
Animal Shelter Veterinarian

COST PROPOSAL FORM

• Veterinarian fee per hour \$ 210

• Please indicate hours & days available below:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Hrs:	Hrs:	Hrs:	Hrs:	Hrs:	Hrs:
8-7	8-7	8-6	9-6	8-5	9-12



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

**TO** : Richard W. Lenz, P.E., Commissioner, Department of Public Works  
Laurie Scarpa, Deputy Commissioner, Department of Public Works

**FROM** : Thomas M. Sabellico, Special Counsel  
Office of the Town Attorney

**DATE** : September 24, 2024

**SUBJECT:** Procurement of Veterinary Services

---

We are in receipt of your memorandum, dated September 19, 2024, requesting the opinion of this office with respect to your office's compliance with the Town's Procurement Policy regarding the procurement of Basic Medical Care of shelter animals and Trap, Neuter, and Return procedures for feral cats within the Town of Oyster Bay.

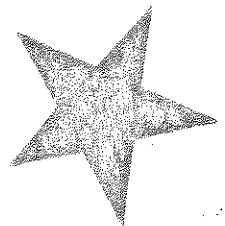
In response to your inquiry, with respect to the above referenced matter, based upon the efforts you made to obtain proposals, including preparation of a Request for Proposals, requesting proposals from seventy-four (74) veterinarians, posting the RFP on the Town's website, and upon the Town's bulletin boards, and placing legal notice of the RFP in Newsday, it is the opinion of this office that you are in compliance with the Town's Procurement Policy despite having only received two responses, and that you may proceed to request Town Board authorization to enter into a contract with Carman Avenue Veterinary Hospital for Basic Medical Care, and with Long Island Animal Surgery PC, for Trap, Neuter and Return Services.

Office of the Town Attorney

*Thomas M. Sabellico*

Thomas M. Sabellico  
Special Counsel

TMS:/nb





Meeting of October 29, 2024

Resolution No. 846-2024

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated October 10, 2024, advised that in connection with the Procurement of Veterinary Services for Feral Cat Trap, Neuter and Return Services, the Department of Public Works issued a Request for Proposals and received two (2) bids for said services; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that upon evaluation and in conformance with the Town of Oyster Bay's Procurement Policy, it was determined that the proposal submitted by Long Island Animal Surgery P.C. was best suited for the shelter's needs; and

WHEREAS, Frank M. Scalera, Town Attorney and Thomas M. Sabellico, Special Counsel, by memorandum dated September 24, 2024, opined that the Department of Public Works is in compliance with the Town's Procurement Policy despite only receiving two (2) responses and the Department of Public Works may proceed to request Town Board Authorization to enter into a contract with Long Island Animal Surgery P.C. for Feral Cat Trap, Neuter and Return Services; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town enter into an Agreement as negotiated and approved by the Town Attorney and further authorize the Supervisor or his designee to enter into an agreement with Long Island Animal Surgery P.C. for a three (3) year term commencing on November 1, 2024 and running through and including October 31, 2027, with two (2) one (1) year extensions, upon the mutual agreement of the parties, for an amount not to exceed \$78,000.00 per year; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds are available in account DPW A 3510 44900 000 0000; 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,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and the Supervisor or his designee are authorized to enter into an agreement with Long Island Animal Surgery P.C. for a three (3) year term, commencing on November 1, 2024 and running through and including October 31, 2027, with two (2) one (1) year extensions, upon the mutual agreement of the parties, for an amount not to exceed \$78,000.00 per year.

#

Reviewed By  
Office of Town Attorney

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

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

846

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

October 10, 2024

**TO:** MEMORANDUM DOCKET

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

**SUBJECT.:** PROCUREMENT OF VETERINARY SERVICES  
FERAL CAT TRAP, NEUTER AND RETURN ("TNR") PROGRAM (ITEM 001)  
LONG ISLAND ANIMAL SURGERY P.C.

---

On August 29, 2024 the Department of Public Works issued a Request for Proposals for the purpose of securing veterinary services for feral cat trap, neuter and return (TNR) for the Animal Shelter (Item 001). The Request for Proposal was mailed to 74 Veterinarians and animal hospitals within a 15 mile radius of the shelter. A legal notice was posted in Newsday on August 30<sup>th</sup>, 2024 announcing the availability of the detailed specifications and proposal sheets from the office of Deputy Commissioner Laurie Scarpa of the Department of Public Works, Animal Shelter Division, as well as it being posted on the Town of Oyster Bay's Website.

By the response date of September 16<sup>th</sup>, 2024, the shelter had only received two proposals for this item.

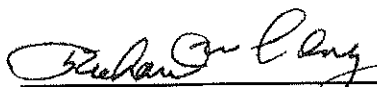
Upon evaluation and in conformance with the Town of Oyster Bay's Procurement Policy, it has been determined that the proposal submitted by Long Island Animal Surgery P.C. was best suited for the shelter's needs.

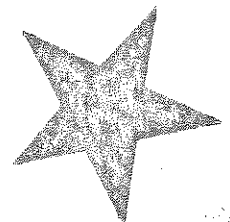
The Office of the Town Attorney has reviewed the circumstances regarding the solicitation and the receipt of this proposal and has determined that we made an adequate attempt to obtain the required number of proposals and are in compliance with the provisions of the Town's Procurement Policy.

The Office of the Town Attorney has reviewed the insurance certificates provided and determined that the veterinarian has sufficient coverage.

The vendor's disclosure questionnaire has been received 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 and further authorize the Supervisor or his designee to enter into an agreement with Long Island Animal Surgery P.C. for a three (3) year term commencing on November 1, 2024 and running through and including October 31, 2027 for an amount not to exceed \$78,000.00 per year. Funds are available in account DPW A 3510 44900 000 0000 (Other Contract). This agreement may be extended under the same terms and amount, upon mutual agreement, for up to two (2) additional one (1) year periods.

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



**NEWSDAY  
AFFIDAVIT OF PUBLICATION**

TOWN OF OYSTER BAY/TOWN CLERK  
54 AUDREY AVE  
OYSTER BAY, NY 11771-1504

STATE OF NEW YORK)

Legal Notice No.

0021872125

:SS.:  
COUNTY OF ERIE)

The undersigned, being duly sworn, says that such person is a duly authorized custodian of records of Newsday LLC, the publisher of Newsday, a daily newspaper published in Melville, County of Suffolk, State of New York, and circulated in Nassau, Suffolk, and Queens Counties, and that the Legal Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

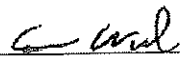
Friday                      August 30, 2024                      Nassau

By: 

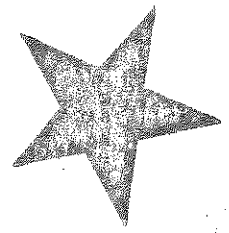
Print Name: Samantha Robinson

Authorized Designee of Newsday LLC, Publisher of Newsday

**SWORN** to before me this  
03 Day of September, 2024.

  
Notary Public

Connor Wack  
Notary Public - State of New York  
No. 01WA0024608  
Qualified in Erie County  
Commission Expires 05/10/2028



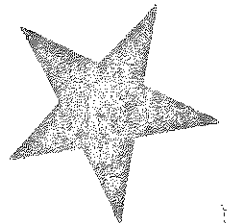
**Ad Content**

Legal Notice # 21872125  
LEGAL NOTICE  
REQUEST FOR PROPOSALS  
Please take notice that the  
Town of Oyster Bay, Depart-  
ment of Public Works/Animal  
Control and Shelter Division  
Request for Proposals (RFP)  
for Veterinary Services for  
Trap, Neuter and Return  
(TNR) and Basic Medical  
Care will be received and  
stamped at the Deputy Com-  
missioner's Office in the De-  
partment of Public Works,  
Animal Control & Shelter Di-  
vision, located at 150 Miller  
Place, Syosset, New York  
11791, no later than 3:45  
p.m. on September 26, 2024.  
Detailed specifications and  
proposal sheets may be ob-  
tained at the office of the  
Deputy Commissioner of the  
Department of Public Works  
Animal Control & Shelter Di-  
vision, located at 150 Miller  
Place, Syosset, New York  
11791, on and after August  
29, 2024, from 8:00 a.m. to  
4:00 p.m., Monday through  
Friday.

**NEWSDAY PROOF**

Ad Number: 0021872125

Advertiser: TOWN OF OYSTER BAY/TOWN CLERK

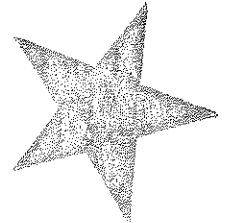


RFP Mailing List for Basic Medical Care and TNR 2024

Name of Practice	Address	City, State, Zip
Long Island Veterinary Specialists	163 S Service Rd	Plainview, NY 11803
Nassau-Suffolk Animal Hospital	27 Conklin St	Farmingdale, NY 11735
Levittown Animal Hospital	2703 Hempstead Turnpike	Levittown, NY 11756
VCA Westbury & Emergency Center of Westbury	609 Cantiague Rock Rd #5	Westbury, NY 11590
Person Veterinary Office	495 Nassau Blvd	West Hempstead, NY 11552
Long Island Animal Hospital	793 Old Country Rd	Westbury, NY 11590
Williston Park Animal Hospital	207 Hillside Avenue	Williston Park, NY 11596
Garden City Park Animal Hospital	290 Denton Ave	New Hyde Park, NY 11040
Oyster Bay Animal Hospital	64 Pine Hollow Rd	Oyster Bay, NY 11771
V.E.T.S. Group New Hyde Park Animal Hospital	615 Jericho Turnpike	New Hyde Park, NY 11040
Central Veterinary Associates	73 W Merrick Rd	Valley Stream, NY 11580
University Animal Hospital	1138 Hempstead Turnpike	Uniondale, NY 11553
Baldwin Animal Hospital	1864 Grand Ave	Baldwin, NY 11510
Farmingdale Dog & Cat Clinic	908 Conklin St	Farmingdale, NY 11735
Island Veterinary Group	875 E Jericho Turnpike	Huntington Station, NY 11746
West Hills Animal Hospital & 24hr Emergency Veterinary Center	800 W Jericho Turnpike	Huntington, NY 11743
South Bellmore Veterinary Group	2506 Merrick Rd	Bellmore, NY 11710
South Shore Animal Hospital	3296 Merrick Rd	Wantagh, NY 11793
Crawford Dog & Cat Hospital	2135 Jericho Turnpike	Garden City Park, NY 11040
Veterinary Medical Center of Long Island	75 Sunrise Hwy North Service Rd	West Islip, NY 11795
East Norwich Veterinary Clinic	1320 Jericho Oyster Bay Rd	East Norwich, NY 11732
Station Plaza Veterinary Group	16 Railroad Ave	Glen Head, NY 11545
Huntington Village Animal Hospital	50 Stewart Ave	Huntington, NY 11743
Locust Valley Veterinary Clinic	280 Forest Ave	Locust Valley, NY 11560
Brookville Animal Hospital	691 Glen Cove Rd	Glen Head, NY 11545
Fort Hill Animal Hospital	146 E Main St	Huntington, NY 11743
Levittown Animal Hospital	2703 Hempstead Turnpike	Levittown, NY 11756
Island Trees Veterinary Hospital	451 New South Rd	Hicksville, NY 11801
Gold Coast Center for Veterinary Care	770 W Jericho Turnpike	Huntington, NY 11743
Green Forest Veterinary Hospital of Glen Cove	120 Forest Ave	Glen Cove, NY 11542
Central Veterinary Associates	73 W Merrick Rd	Valley Stream, NY 11580
Fresh Meadows Animal Clinic	192-09 Union Tpke	Queens, NY 11366

Name of Practice	Address	City, State, Zip
Queens Animal Health	183-4 Horace Harding Expy	Fresh Meadows, NY 11365
Veterinary Care Group - Little Neck	249-36 Horace Harding Expy	Little Neck, NY 11362
Park Animal Hospital	4930 Sunrise Hwy	Massapequa Park, NY 11762
Massapequa Hospital for Animals	4186 Sunrise Hwy	Massapequa, NY 11758
Massapequa Pet Vet	5330 Merrick Rd	Massapequa, NY 11758
Southgate Animal Hospital	1015 Montauk Hwy	Copiapue, NY 11726
Carman Avenue Veterinary Hospital	837 Carman Ave	Westbury, NY 11590
Central Vets Mineola	220 E Jericho Turnpike	Mineola, NY 11501
Mineola Animal Hospital	132 Jericho Turnpike	Mineola, NY 11501
Page Community Veterinary Clinic	645 Stewart Ave	Bethpage, NY 11714
Old Country Animal Clinic	669 Old Country Rd	Plainview, NY 11803
Mid Island Animal Hospital	264 W Old Country Rd	Hicksville, NY 11801
East Village Green Animal Hospital	4 E Village Green	Levittown, NY 11756
Animal Care Center of Plainview	558 Woodbury Rd	Plainview, NY 11803
Jericho Animal Hospital	360 W Jericho Turnpike	Syosset, NY 11791
Village Animal Hospital of Jericho	24 Jericho Turnpike	Jericho, NY 11753
Syosset Animal Hospital	700 Jericho Turnpike	Syosset, NY 11791
New York Veterinary Specialty and Emergency Center	2233 Broadhollow Rd	Farmingdale, NY 11735
Amityville Animal Hospital	191 Sunrise Hwy	Amityville, NY 11701
Four Paws Animal Hospital	199 Broadway	Amityville, NY 11701
Manetto Hill Animal Hospital	122 Manetto Hill Rd	Plainview, NY 11803
Plainview Animal Hospital	1458 Old Country Rd	Plainview, NY 11803
Hewlett Animal Hospital & Pet Resort	1225 Broadway	Hewlett, NY 11557
Wantagh Animal Hospital	1416 Wantagh Ave	Wantagh, NY 11793
Bellmore Veterinary Hospital	229 Bedford Ave	Bellmore, NY 11710
East Bay Veterinary Hospital	2314 Merrick Rd	Merrick, NY 11566
Broadway Veterinary Care	1598 Broadway	Hewlett, NY 11557
East Meadow Veterinary Center	535 E Meadow Ave	East Meadow, NY 11554
Animal Medical Hospital	779 Peninsula Blvd	Hempstead, NY 11550
West Hempstead Animal Hospital	104 Cherry Valley Ave	West Hempstead, NY 11552
Assisi Veterinary Hospital	250 Hempstead Ave	Malverne, NY 11565
University Animal Hospital	1138 Hempstead Turnpike	Uniondale, NY 11553
Woodbury Animal Hospital	145 Woodbury Rd	Woodbury, NY 11797

Name of Practice	Address	City, State, Zip
Animal General of East Norwich	6320 Northern Blvd	East Norwich, NY 11732
Animal Hospital of Roslyn	2-12 Mineola Ave	Roslyn Heights, NY 11577
Glen Animal Hospital	209 Glen Cove Ave	Sea Cliff, NY 11579
Garden City Veterinary Care	244 Herricks Rd	Mineola, NY 11501
Green Forest Veterinary Hospital of Glen Cove	120 Forest Ave	Glen Cove, NY 11542
Animal Hospital of Long Island	28 Main St	Hempstead, NY 11550
Pet Lovers Veterinary Home Care PC	6 Arbor Rd	Shoreham, NY 11786
Veterinary Emergency Group	204b Glen Cove Rd	Carle Place, NY 11514
Atlantic Coast New York Veterinary Specialists	2233 Broadhollow Rd	Farmingdale, NY 11735





Town of Oyster Bay  
Department of Public Works  
150 Miller Place  
Syosset, NY 11791

Joseph Saladino, Supervisor

## REQUEST FOR PROPOSALS

RFP Issue Date:  
August 29<sup>th</sup>, 2024

*RESPONSE IS DUE BY:*  
September 16<sup>th</sup>, 2024  
TIME: 3:45 PM

## VETERINARY SERVICES

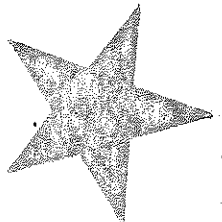
Items  
001 & 002

Town of Oyster Bay Animal Shelter  
Syosset, NY

Please Return Proposal to the Attention of:

**LAURIE SCARPA, DEPUTY COMMISSIONER**  
Department of Public Works  
Animal Shelter

Department of Public Works · Laurie Scarpa, Deputy Commissioner  
150 Miller Place Syosset, NY 11791 · Phone (516) 677-5784 · Fax (516) 677-5919  
[www.oysterbaytown.com](http://www.oysterbaytown.com)





**AUTHORIZED CONTACT PERSON:** Prospective veterinarians are advised that the authorized Town of Oyster Bay contact person for all matters concerning this RFP is:

Deputy Commissioner Laurie Scarpa  
Town of Oyster Bay Dept. of Public Works  
Animal Shelter  
150 Miller Place Syosset, New York 11791  
Telephone: (516) 677-5784 - Fax: (516) 677-5919

**INTRODUCTION:** In accordance with the Town of Oyster Bay's qualification based consultant procurement policy, the Town of Oyster Bay Department of Public Works (hereinafter referred to as "the Town") is seeking proposals from qualified New York State licensed veterinarians to perform two (2) separate services as follows:

- 1.) As required under the Town's feral cat Trap, Neuter and Return ("TNR") Program.
- 2.) Veterinarian to provide basic care to all shelter animals.

The veterinarians shall provide to the Town, those services that are described herein under "Scope of Services" under each requested proposal.

Each contract shall be for a three (3) year period, commencing on the date of award in 2024, with two (2) one (1) year options for renewal at the same rates, upon mutual consent by the Town of Oyster Bay and the veterinarians (hereinafter referred to as "the contract period"). The proposer should indicate personnel fees on an hourly basis for item 002. For item 001 fees should be provided on a per animal basis.

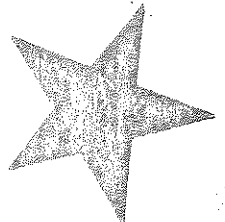
The Town, after receipt and review of responses to this RFP, reserves the right to reject all proposals based upon the information provided by the veterinarians in his or her proposal. The review process of the RFPs submitted is based on the qualifications of the veterinarians for the nature of that project as well as price, experience and other factors.

It is further expressly acknowledged that the quality of the services to be rendered is of paramount importance to the Town.

At its discretion, the Town may elect to interview each veterinarian, make visits to each veterinarian and check references.

**SCOPE OF SERVICES:**

The veterinarian shall provide at a minimum, those services listed in section I below during days and hours agreed upon in accordance with section II below. **Instructions: Perspective Veterinarians may bid on any one or combination of services Item 001 & Item 002.**



## I

## ITEM 001- (T.N.R. Veterinarian)

1a. Perform all services required under the Town's feral cat Trap, Neuter and Return ("TNR") Program including: a) examination; b) spaying or neutering; c) ear tipping; d) all inoculations including rabies inoculation) and for pregnant females, termination of pregnancy provided that such procedure, in the opinion of the veterinarian, can be safely performed.

1b. Euthanize as deemed necessary by Veterinarian for humane reasons.

✓ 1c. Provide inoculations to dogs, cats and ferrets during the Town's free rabies clinics.

---

## ITEM 002- (Animal Shelter Veterinarian)

2a. Examination of all animals brought to the Animal Shelter regarding their suitability for adoption.

2b. Spaying / neutering of all unaltered animals selected by the Town for adoption unless, in his or her professional judgment, the Veterinarian determines that the animal shall not be spayed / neutered at that time.

2c. Examining and promptly treating injured animals brought to the Shelter (During normal operating hours).

2d. Administer all necessary vaccinations and medications as required to protect the health and well-being of other animals located at the Shelter and under the control of the Town.

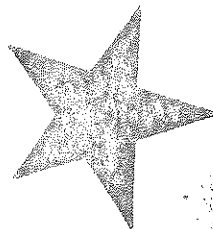
2e. Provide any additional veterinary services not specified above as necessary when requested by the Town including but not limited to euthanasia as deemed necessary by the Veterinarian for humane reasons.

2f. Administer inoculations to dogs, cats and ferrets during the Town's free rabies clinics.

---

## II

The veterinarian agrees to provide the foregoing services during the normal operating hours of the Animal Shelter. The veterinarian further agrees to provide services at their facility on as needed basis as requested by the director of the Animal Shelter or his/her designee and which are agreed upon by the Town. The Shelter's hours for the public are currently Monday through Saturday, 8:00 am to 4:00 pm, excluding Sundays and holidays.



## III

In the event the veterinarian is unable to personally attend to his or her duties during the year due to reasonable vacation period, attendance at professional seminars, vacation or illness, he or she shall arrange a substitute veterinarian acceptable to the Town to perform his or her duties. The Town shall pay the veterinarian the contracted price and he or she will be responsible to pay the covering veterinarian for services and overages incurred.

## IV

The veterinarian will perform the services listed in Section I, (item 001) at his/her facility or in the dedicated facility provided. The veterinarian shall have full use of all Town equipment located in the aforesaid areas. The veterinarian is also responsible for the cleaning of the facility on a daily basis.

## V

All medical supplies and medications including but not limited to antibiotics & immunizations shall be provided for the veterinarian at the Town's expense (Excluding euthanasia solutions and supplies). The Town agrees to provide for the exclusive use of the veterinarian at the Shelter a suitable, securely locked cabinet or other device for use in the storage of controlled substances for which controlled substances the veterinarian is held responsible to protect by State and/or Federal Law.

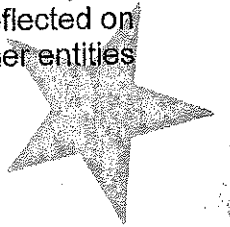
## VI

**USE OF OTHER LICENSED VETERINARIANS, VETERINARY TECHNICIANS AND/OR OTHER SUBORDINATE ENTITIES:**

Prospective veterinarians are advised that the Town will entertain proposals that include the use of other licensed veterinarians, veterinary technicians (under supervision of a licensed veterinarian) and/or other subordinate entities. In such event, the veterinarian's proposal must clearly state the extent and nature of the work proposed to be delegated to the veterinarian, veterinary technician and/or other entity. The proposal must also specify the name, address and telephone number of each licensed veterinarian and other subordinate entities. If during the course of the contract, the veterinarian wishes to utilize the services of a licensed veterinarian, veterinary technician or subordinate entity other than that which was specified in the proposal and approved by the Town, written approval must be sought and obtained from the Town prior to using such veterinarian, veterinary technician and/or other entity. Failure to secure such approval shall result in the denial of such claims until such time as approval is received.

**FORMAT FOR PAYMENTS AND CLAIMS:**

The Town shall pay the veterinarian its negotiated fee upon submission of monthly claim vouchers provided by the Town Comptroller. In the event that the use of outside veterinarians, veterinary technicians and/ or other entities is approved, the actual cost for such services shall be reflected on the submitted claims. This claim for reimbursement shall include the Veterinarian's or other entities signed certification of services and copy of the actual bill.



## **INSURANCE REQUIREMENTS:**

The veterinarian shall procure at his or her cost and expense insurance to protect the veterinarian, the Town and the people of the Town of Oyster Bay and their officers and employees from any claims which may arise from his or her practice of veterinary medicine. Certificates of insurance shall be delivered to the Town prior to commencement of this agreement. Said insurance policies shall be subject to the approval of the Town Attorney and the Town's insurance agent for adequacy and form of protection. The insurance required under this agreement shall be as follows:

General comprehensive/General Liability with a combined single limit for bodily injury and property damage of at least Three Million (\$3,000,000) Dollars, with on-premises medical payments coverage of Ten Thousand (\$10,000) Dollars per person and One Hundred Thousand (\$100,000) Dollars aggregate. Said policy shall include coverage for a) premises liability b) completed operations, c) independent contracts, d) broad form property damage, e) personal injury liability, f) fire damage legal liability for replacement value. The Town shall be named as an additional insured.

The following endorsements shall be provided as part of the coverage:

Cross suit exclusion endorsement must be eliminated on primary and excess liability policies.

1. Malpractice insurance in the amount of One Million Dollars (\$1,000,000)
2. Workers' Compensation Insurance with coverage of at least the statutory minimum. Proof of Workers' Compensation insurance must be submitted to the Town as required under New York Law. The Veterinarian shall take out and maintain during the life of the Lease Agreement, Workers' Compensation for all his employees employed at the site of the Animal Clinic, and in case of any of the work being sublet, the subcontractor shall similarly be required to provide Workers' Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by the Veterinarian.
3. Disability Benefits Liability Insurance with coverage of at least the statutory minimum.

## **LICENSE REQUIREMENTS:**

The veterinarian and any approved subcontractors or other subordinate entities shall have all licenses required by the State or other governmental bodies. The veterinarian is responsible to maintain the usual and customary professional standards expected in his or her profession.

## **CONFLICTS OF INTREST**

Proposers submitting a response to this RFP must disclose any actual, apparent, direct or indirect, or potential conflicts of interest that may exist with respect to the firm, management, or employees of the firm or other persons relative to the services to be provided under the Agreement to be awarded pursuant to this RFP. If a firm has no conflicts of interests, a statement to that effect shall be included in the proposal. All responders must complete ONE of the Disclosure Affidavits.

## **ADDITIONAL REQUIRMENTS:**

In preparing its proposal, the veterinarian shall submit a copy of his or her curriculum vitae for review. A Minimum of three (3) letters of reference is required.



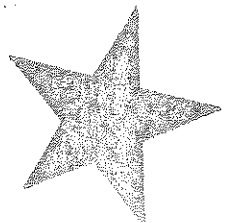
**ITEM 001**  
**TNR VETERINARIAN SERVICE**

**COST PROPOSAL FORM**

• Veterinarian fee per animal \$ \_\_\_\_\_

• Please indicate hours & days available below:

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>



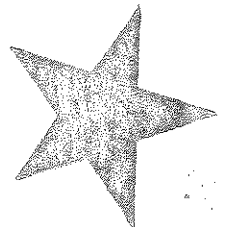
**ITEM 002**  
**Animal Shelter Veterinarian**

**COST PROPOSAL FORM**

• Veterinarian fee per hour \$ \_\_\_\_\_

• Please indicate hours & days available below:

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>	<b>Hrs:</b>



Long Island Animal Surgery P.C.  
Steven Kolbert DVM  
87 Glen Cove Ave  
Glen Cove, NY 11542  
516 277 1076  
[drstevenk@me.com](mailto:drstevenk@me.com)

ATT Laurie Scarpa , Dep Comm DPW (Animal Shelter)

In response to RFP

We are a full service surgical facility with 1 full and two part time NY licensed veterinarians

We provide spay and neuter as well as other surgical procedures for dogs and cats.

We have a modern well equipped facility.

We provide care for the animals of the Glen Cove Shelter (Animal Lovers League).

We are happy to offer spay and neuter services for the animals presented by the Town of Oyster Bay at the rate of

\$125 per cat male or Female .

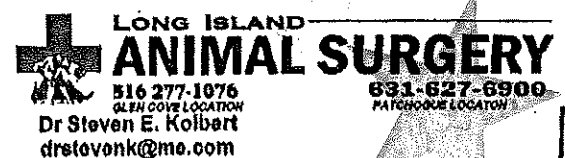
That includes anesthesia, surgery and pain control as well as a Rabies Vaccination.

We offer surgical procedures on Monday and Wednesday ONLY drop off between 9 and 10 and pickup will normally be between 1 and 3 depending on our case load.

Additional services can be provided as needed on a per item basis based on our price list minus 20%.

Sincerely,

Steven Kolbert DVM  
NY

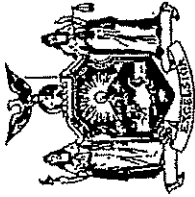


AFFORDABLE GENERAL AND MAJOR SURGERY  
LOW COST SPAY & NEUTER  
DOGS & CATS (Ferals Welcome)  
Friendly, Caring, Professional, Experienced  
87 Glen Cove Ave  
Glen Cove NY 11542  
305 Roe Blvd West  
Patchogue, NY 11772

TOWN ANIMAL SHELTER  
24 SEP 16 PM 1:

# THE UNIVERSITY OF THE STATE OF NEW YORK

## EDUCATION DEPARTMENT



BE IT KNOWN THAT

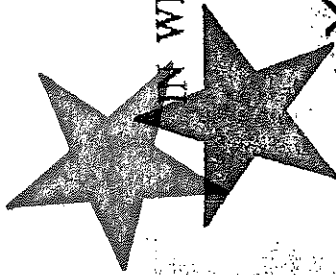
STEVEN EDWARD KOLBERT

HAVING GIVEN SATISFACTORY EVIDENCE OF THE COMPLETION OF PROFESSIONAL AND OTHER REQUIREMENTS PRESCRIBED BY LAW IS QUALIFIED TO PRACTICE

VETERINARY MEDICINE AND SURGERY

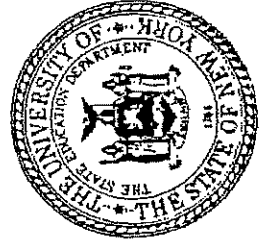
IN THE STATE OF NEW YORK

IN WITNESS WHEREOF THE EDUCATION DEPARTMENT GRANTS THIS LICENSE UNDER ITS SEAL AT ALBANY, NEW YORK THIS TWENTIETH DAY OF JULY, 1988.



*[Handwritten Signature]*  
ACTING COMMISSIONER OF EDUCATION

LICENSE NUMBER **[REDACTED]**



*[Handwritten Signature]*  
ASSOCIATE COMMISSIONER  
OFFICE OF THE PROFESSIONS

*[Handwritten Signature]*  
EXECUTIVE SECRETARY  
STATE BOARD FOR  
VETERINARY MEDICINE



**Request for Taxpayer  
Identification Number and Certification**

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

Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Before you begin. For guidance related to the purpose of Form W-9, see Purpose of Form, below.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)  
Steven Kolbert DVM (President)

2 Business name/disregarded entity name, if different from above.  
Long Island Animal Surgery P.C.

3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes.  
 Individual/sole proprietor     C corporation     S corporation     Partnership     Trust/estate  
 LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership)  
 Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.  
 Other (see instructions)

3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  
 Exempt payee code (if any) \_\_\_\_\_  
 Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) \_\_\_\_\_  
 (Applies to accounts maintained outside the United States.)

5 Address (number, street, and apt. or suite no.). See instructions.  
87 Glen Cove Avenue

6 City, state, and ZIP code  
Glen Cove NY 11542

7 List account number(s) here (optional)

Requester's name and address (optional)

Print or type.  
See Specific Instructions on page 3.

**Part I Taxpayer Identification Number (TIN)**

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

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

Social security number

			-			-			
--	--	--	---	--	--	---	--	--	--

OR

Employer identification number

--	--	--	--	--	--	--	--	--	--

**Part II Certification**

Under penalties of perjury, I certify that:

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

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

Sign Here    Signature of U.S. person Steven Kolbert DVM P.C.    Date 12/2/24

**General Instructions**

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

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

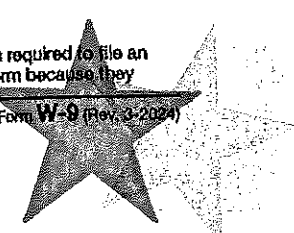
**What's New**

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they



**Kristi Trentinella**

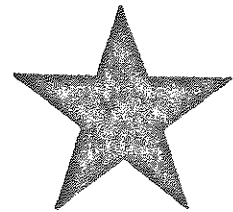
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**From:** Steven kolbert <drstevenk@me.com>  
**Sent:** Wednesday, October 2, 2024 10:50 AM  
**To:** Kristi Trentinella  
**Subject:** Additional Veterinarians at LIAS

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!

---

Dr C Singh NY Veterinary License [REDACTED]





**POLICE DEPARTMENT**  
**CITY OF GLEN COVE**  
GLEN COVE, NY 11542  
(516) 676-1000

WILLIAM F. WHITTON  
CHIEF OF POLICE



*"Committed to Excellence"*

Attention Kristi Trentinella  
Town of Oyster Bay Animal Shelter:

October 2, 2024

Re: Dr. Steven Kolbert (Long Island Animal Surgery)

Dear Ms. Trentinella,

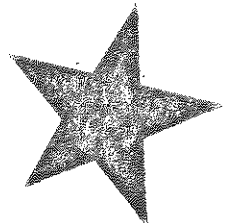
I am writing this letter of recommendation on behalf of Dr. Steven Kolbert. I have known Dr. Kolbert for many years. Our relationship began when I needed care for my dogs. He has been an excellent resource for their care over the years.

I have come to know him and his staff and found that he and his facility are always ready to help with all health issues for my animals as they arise, simple or complex. My dogs have had serious health challenges, and he has helped them through each one with skill and compassion.

Over the years we have also become close friends and I know him well; I believe him to be an excellent Veterinarian and I value our relationship.

Regards,

William F. Whitton  
Chief of Police



## Kristi Trentinella

---

**From:** Cat Wrangler Rescue <catwranglerinc@gmail.com>  
**Sent:** Wednesday, October 2, 2024 6:41 AM  
**To:** Kristi Trentinella  
**Cc:** Laurie Scarpa  
**Subject:** Town of Oyster Bay RFP Response

**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!**

Good Morning Kristi,

Please accept this email as a letter of recommendation for Dr. Steven Kolbert and his practice Long Island Animal Surgery, Glen Cove.

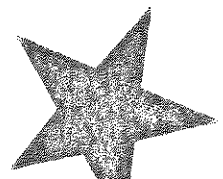
I am the President and founder of Cat Wrangler Rescue, Inc. We are a nonprofit 501(c)(3) charity, providing feral cat trap/spay/neuter/vaccinate/return to the North shore community of Long Island.

Long Island Animal Surgery has been servicing my personally owned pets as well as being the veterinarian of record for my Rescue's feral TVNR for the past fifteen years. Dr. Kolbert has been in practice for decades and brings a wealth of knowledge and experience to the table. He and his staff have consistently provided my Rescue with reliable, high-quality veterinary care and have always made time to accommodate emergencies. Their spay/neuter surgeries are the cleanest I've ever seen, without even one instance of complications.

Dr. Kolbert and staff are dedicated to giving back to the community by providing high-quality, low-cost, accessible feral spay/neuter services, which has spared the suffering of generations of feral cats and contributed to the health and wellbeing of the residents.

I am confident, Long Island Animal Surgery will be an asset to TOB's feral cat population.

Sincerely,  
Susan Raso  
Cat Wrangler Rescue Inc.  
PO Box 837  
Glenwood Landing, NY 11547  
(516) 776-0124



**Kristi Trentinella**

---

**From:** Steven kolbert <drstevenk@me.com>  
**Sent:** Wednesday, October 9, 2024 12:51 PM  
**To:** Kristi Trentinella  
**Subject:** Re: Dr Kolbert

**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!

Dr. Tomas infernuso  
Founder of Asc  
Animal Surgical Center  
October 2/24

Town of Oyster Bay Animal Shelter

Dear Sir/Madam,

It is my pleasure to recommend Dr. Steven Colbert for the contract to provide spay and neuter services for the Town of Oyster Bay Animal Shelter. I have had the privilege of working alongside Dr. Colbert for several years, during which I have witnessed his exceptional dedication to animal welfare and his outstanding veterinary surgical skills.

Dr. Colbert is a highly experienced veterinarian with a particular expertise in soft tissue surgery, including spay and neuter procedures. His attention to detail, precision, and compassion for his patients are hallmarks of his practice. He consistently performs surgeries with great efficiency, ensuring minimal discomfort for the animals while maintaining the highest standards of care.

In addition to his technical proficiency, Dr. Colbert is a team player who communicates effectively with both staff and pet owners, fostering a positive and collaborative working environment. His commitment to the well-being of animals and his excellent surgical skills make him an invaluable asset to any veterinary program.

I have no doubt that Dr. Colbert will provide exceptional service to the Town of Oyster Bay Animal Shelter and contribute significantly to their mission of improving the lives of animals in the community.

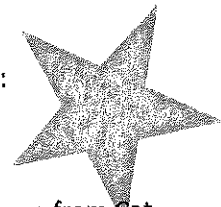
Please feel free to contact me if you have any further questions.

Sincerely,  
Dr Tomas infernuso ]  
Veterinary Surgeon  
Animal Surgical Center  
Sent from my iPhone

On Oct 9, 2024, at 12:30 PM, Kristi Trentinella <ktrentinella@oysterbay-ny.gov> wrote:

Good Afternoon Dr. Kolbert

I hope you're feeling well. I believe I am missing one letter of recommendation. I have one from Cat





THE HARTFORD  
BUSINESS SERVICE CENTER  
3600 WISEMAN BLVD  
SAN ANTONIO TX 78251

October 2, 2024

TOWN OF OYSTER BAY ANIMAL SHELTER  
150 MILLER PL  
SYOSSET NY 11791-5603

**Account Information:**

<b>Policy Holder Details :</b>	Long Island Animal Surgery Inc
--------------------------------	--------------------------------



**Contact Us**

**Need Help?**

Chat online or call us at

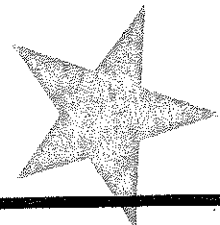
(866) 467-8730.

We're here Monday - Friday.

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/02/2024

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 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 SCL INSURANCE AGENCY INC 12127490 1650 SYCAMORE AVE SUITE 3 BOHEMIA NY 11716	CONTACT NAME:	
	PHONE (631) 738-1110 (A/C, No, Ext):	FAX (A/C, No):
INSURED LONG ISLAND ANIMAL SURGERY INC 87 GLEN COVE AVE GLEN COVE NY 11542-2863	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Hartford Underwriters Insurance Company	NAIC# 30104
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:

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

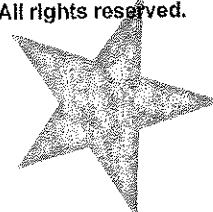
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> General Liability			12 SBA BK0T40	08/31/2024	08/31/2025	EACH OCCURRENCE	\$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:							DAMAGE TO RENTED PREMISES (Ea occurrence)
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS			12 SBA BK0T40	08/31/2024	08/31/2025	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
	<input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS							BODILY INJURY (Per person)
A	<input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB <input type="checkbox"/> RETENTION \$ 10,000			12 SBA BK0T40	08/31/2024	08/31/2025	EACH OCCURRENCE	\$1,000,000
	<input checked="" type="checkbox"/> OCCUR CLAIMS-MADE							AGGREGATE
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	
							E.L. DISEASE - EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	
A	Veterinarians Professional Liability Coverage			12 SBA BK0T40	08/31/2024	08/31/2025	Included in Business Liability Limit(s)	\$1,000,000/ \$2,000,000

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

Those usual to the Insured's Operations.

CERTIFICATE HOLDER TOWN OF OYSTER BAY ANIMAL SHELTER 150 MILLER PL SYOSSET NY 11791-5603	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 <i>Suan L. Castaneda</i>

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

**TO** : Richard W. Lenz, P.E., Commissioner, Department of Public Works  
Laurie Scarpa, Deputy Commissioner, Department of Public Works

**FROM** : Thomas M. Sabellico, Special Counsel  
Office of the Town Attorney

**DATE** : September 24, 2024

**SUBJECT:** Procurement of Veterinary Services

---

We are in receipt of your memorandum, dated September 19, 2024, requesting the opinion of this office with respect to your office's compliance with the Town's Procurement Policy regarding the procurement of Basic Medical Care of shelter animals and Trap, Neuter, and Return procedures for feral cats within the Town of Oyster Bay.

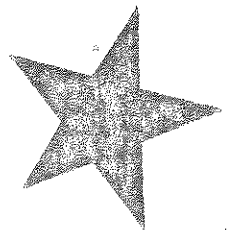
In response to your inquiry, with respect to the above referenced matter, based upon the efforts you made to obtain proposals, including preparation of a Request for Proposals, requesting proposals from seventy-four (74) veterinarians, posting the RFP on the Town's website, and upon the Town's bulletin boards, and placing legal notice of the RFP in Newsday, it is the opinion of this office that you are in compliance with the Town's Procurement Policy despite having only received two responses, and that you may proceed to request Town Board authorization to enter into a contract with Carman Avenue Veterinary Hospital for Basic Medical Care, and with Long Island Animal Surgery PC, for Trap, Neuter and Return Services.

Office of the Town Attorney

*Thomas M. Sabellico*

Thomas M. Sabellico  
Special Counsel

TMS:/nb





WHEREAS, by Resolution No. 917-2023, adopted on December 12, 2023, the Town Board authorized LiRo Engineers, Inc. to provide On-Call Engineering Services in connection with Contract No. PWC23-24, Environmental Engineering Services, for a two-year term, commencing January 1, 2024 through December 31, 2025; and

WHEREAS, Justin Tocci, Assistant Project Manager, LiRo Engineers, Inc., by letter dated October 7, 2024, described the scope of work to be performed under Contract No. PWC23-24, engineering services related to asbestos testing and abatement monitoring at various Town facilities on an as-needed basis; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated October 11, 2024, requested Town Board authorization for LiRo Engineers, Inc., to provide the aforesaid On-Call Engineering Services under Contract No. PWC23-24, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$25,000.00 for this purpose, with funds available for payment in Account No. DGS H 1997 200000 000 2410 001, Project ID No. 2410 TWNA 04; 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 LiRo Engineers, Inc. is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC23-24, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$25,000.00 for this purpose, with funds available for payment in Account No. DGS H 1997 200000 000 2410 001, Project ID No. 2410 TWNA 04.

-#-

Reviewed By  
Office of Town Attorney

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

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

847

15

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

OCTOBER 11, 2024

TO: MEMORANDUM DOCKET  
FROM: RICHARD W. LENZ, P.E., COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO ENVIRONMENTAL ENGINEERING  
CONTRACT NO.: PWC23-24  
ACCOUNT NO.: DGS H 1997 20000 000 2410 001  
PROJECT ID NO. 2410 TWNA-04


The consultant, LiRo Engineers, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC23-24 by Resolution No. 917-2023 for the subject project.

Attached is a letter dated October 7, 2024 from LiRo Engineers, Inc. regarding the scope of work to be performed in an amount not to exceed \$25,000.00. Services to be performed include asbestos testing and abatement monitoring at various Town facilities on an as-needed basis.

Attached is an availability of funds in the amount of \$25,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DGS H 1997 20000 000 2410 001, Project ID No. 2410 TWNA-04

The vendor's disclosure questionnaire has been reviewed and the Town is satisfied that the Procurement Policy standards have been met.

It is hereby requested that the Town Board authorize, by Resolution, LiRo Engineers, Inc. under Contract No. PWC23-24, On-Call Engineering Services Relative to Environmental Engineering, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

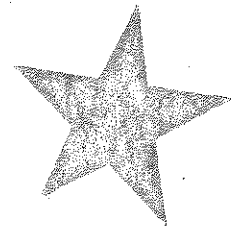
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/MR/lk

Attachment

cc: Steve C. Ballas, Comptroller  
Ralph Raymond, Commissioner/General Services

PWC23-24 LIRO DOCKET MISC HAZMAT TESTING





**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 PWC23-24

Contract Period JANUARY 1, 2024 - DECEMBER 31, 2025

Consultant/Contractor LIRO ENGINEERS, INC.

Discipline ENVIRONMENTAL ENGINEERING

Total Authorization \$75,661.60

Resolution No. 917-2023 Date 12/12/2023

Funded To Date \$50,661.60

Amount Requested \$25,000.00

Account To Be Used DGS H 1997 20000 000 2410 001, PROJ. ID 2410TWNA-04

If Capital Account, State The Related Contract Number: \_\_\_\_\_

**Description Of Work**

*If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.*

HAZARDOUS MATERIALS TESTING AT VARIOUS LOCATIONS

Work To Be Completed In Contract Period: Yes  No   
A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes  No   
A "No" response will prevent further processing of this form.

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

Amount of Bond \$ \_\_\_\_\_

<b>Requesting Division/Department</b>		<b>DPW Approval</b>	
Signature <u>[Signature]</u>		Only To Be Executed By The Commissioner	
Title <u>COMMISSIONER GENERAL SERVICES</u>		Signature <u>[Signature]</u>	
Date <u>10/11/24</u>		Title <u>Commissioner of Public Works</u>	
		Date <u>10/11/24</u>	

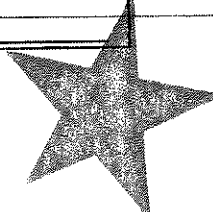
**THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE**

Amount Requested 25,000.00

Unencumbered Balance 2,251,040.72

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

Signature [Signature] Date 10/17/24





# 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. PWC23-24

Contract End 12/31/2025

Commencement Date \_\_\_\_\_

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

Vendor Name and Address

LIRO ENGINEERS, INC.

235 EAST JERICHO TURNPIKE

MINEOLA, NEW YORK 11501

Requesting Town Department GENERAL SERVICES

Contact JEFFREY VITALE, DEP.COMM. Phone 516-624-6102

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

HAZARDOUS MATERIALS TESTING AT VARIOUS LOCATIONS

**This work order shall not exceed \$ \$25,000.00**

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

**Requesting Division/Department**

Signature

COMMISSIONER  
GENERAL SERVICES

Date

10/1/24

**Department Of Public Works Approval**

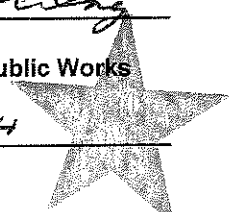
Only To Be Executed By The Commissioner

Signature

Commissioner of Public Works

Date

10/11/24





October 7, 2024

Mr. Matthew Russo  
Town of Oyster Bay  
150 Miller Place  
Syosset, NY 11791

**Re: Town of Oyster Bay – Various Facilities  
Asbestos Inspection / Abatement Monitoring Services Proposal**

Dear Mr. Russo:

LiRo Engineers, Inc. (LiRo) appreciates this opportunity to submit the following proposal to provide asbestos inspection / abatement monitoring services at various Town of Oyster Bay facilities. At this time we request an initial fund of \$25,000 be established for various tasks that may be requested. This proposal includes the following:

**Inspection Services:**

Project Manager:

- Coordinate field activities, review scope of work with inspection team, review field data & lab testing date, preparing inspection findings into a report, & coordinating with TOB contacts.

Asbestos Inspector:

- Review design scope documents, perform a baseline survey with material bulk samples being taken and analyzed, visual inspection to identify suspect ACM, sampling & condition assessment as per NYS DOL ICR 56.

**Abatement Air Monitoring:**

Project Manager:

- Coordinate field monitoring and maintain communication with project team, review daily air sample reports, daily project management as required, & write close out report including waste tracking.

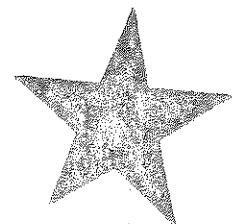
Project Monitor:

- Daily work area inspections, area air sampling, record contractor work activities & personnel / equipment utilization, record waste transfer & manifesting.

Finding reports will be provided within 5 business days of receipt of the final laboratory results.

Sincerely,  
LiRo Engineers, Inc.

*Justin Tocci*  
Justin Tocci  
Assistant Project Manager



Meeting of December 12, 2023

Resolution No.917-2023

WHEREAS, in connection with Contract No. PWC23-24, On-Call Engineering Services Relative to Environmental Engineering, the Department of Public Works issued a Request for Proposals ("RFP") to twenty-two (22) 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 nine (9) additional firms, for RFP-related documents, generated by posting the RFP upon the official Town of Oyster Bay website; and

WHEREAS, on August 2, 2023, the Division of Engineering, Department of Public Works, received a total of nine (9) 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, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated November 27, 2023, requested that the Town Board authorize the following firms to provide the Town of Oyster Bay with On-Call Engineering Services Relative to Environmental Engineering under Contract No. PWC23-24, for a two (2) year contract term, commencing from January 1, 2024 through December 31, 2025, under Contract No. PWC23-24:

Cashin Associates, P.C.  
D&B Engineers & Architects, P.C.  
H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C.  
LiRo Engineers, Inc.  
Lockwood, Kessler & Bartlett, Inc.  
P.W. Grosser Consulting, Inc.; and

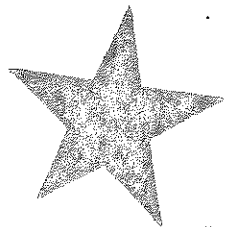
WHEREAS, Commissioner Lenz, by said memorandum, advised that the Town has reviewed the proposed vendors' disclosure questionnaires, and has been satisfied that the requirements of the Town Oyster Bay Procurement Policy have been fulfilled; and

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. PWC23-24; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that should any Town Department choose to utilize said On-Call services under Contract No. PWC23-24, 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),

REVIEWED BY  
OFFICE OF TOWN ATTORNEY

*Robert P. Peadar*



Resolution No.917-2023

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and that in connection with Contract No. PWC23-24, Cashin Associates, P.C., D&B Engineers & Architects, P.C., H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and P.W. Grosser Consulting, Inc. are hereby authorized to provide the Town of Oyster Bay with On-Call Engineering Services Relative to Environmental Engineering, for a two (2) year contract term, commencing from January 1, 2024 through December 31, 2025; and be it further

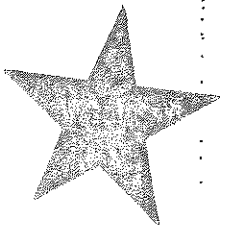
RESOLVED, That the Department of Public Works shall request Town Board authorization at the time the Town shall require said On-Call Services under Contract No. PWC23-24 by a separate memorandum docket; and be it further

RESOLVED, That should any Town Department choose to utilize On-Call services under Contract No. PWC23-24, 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	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Nay



Meeting of October 29, 2024

Resolution No. 848-2024

WHEREAS, by Resolution No. 906-2023, adopted on December 12, 2023, the Town Board authorized Lockwood, Kessler & Bartlett, Inc. to provide On-Call Engineering Services in connection with Contract No. PWC07-24, Civil Engineering Services, for a two-year term, commencing January 1, 2024 through December 31, 2025; and

WHEREAS, Jason A. Purga, P.E., PTOE, ENV SP, Assoc. DBIA, Transportation Engineering Lead, Lockwood, Kessler & Bartlett, Inc., by letter dated October 8, 2024, described the scope of work to be performed under Contract No. PWC07-24, engineering services related to design and inspection services for roadway improvements to Uphill Lane and Hillcrest Lane, Woodbury; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated October 11, 2024, requested Town Board authorization for Lockwood, Kessler & Bartlett, Inc., to provide the aforesaid On-Call Engineering Services under Contract No. PWC07-24, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$28,800.00 for this purpose, with funds available for payment in Account No. DPW H 5197 20000 000 2303 008, Project ID No. 2303HWYDB-04; 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. PWC07-24, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$28,800.00 for this purpose, with funds available for payment in Account No. DPW H 5197 20000 000 2303 008, Project ID No. 2303HWYDB-04.

-#-

Reviewed By  
Office of Town Attorney

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

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



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

October 11, 2024

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO CIVIL ENGINEERING  
CONTRACT NO.: PWC07-24  
ACCOUNT NO.: DPW H 5197 20000 000 2303 008  
PROJECT ID NO. 2303HWYDB-04

---


The consultant, Lockwood, Kessler & Bartlett, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-24 by Resolution No. 906-2023 for the subject project.

Attached is a letter dated October 8, 2024 from Lockwood, Kessler & Bartlett, Inc. regarding the scope of work to be performed in an amount not to exceed \$28,800.00. Services to be performed include design and inspection services for roadway improvements to Uphill Lane and Hillcrest Lane, Woodbury.

Attached is an availability of funds in the amount of \$28,800.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DPW H 5197 20000 000 2303 008 Project ID No. 2303HWYDB-04.

The vendor's disclosure questionnaire has been reviewed and the Town is satisfied that the Procurement Policy standards have been met.

It is hereby requested that the Town Board authorize, by Resolution, Lockwood, Kessler & Bartlett, Inc. under Contract No. PWC07-24, On-Call Engineering Services Relative to Civil Engineering, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

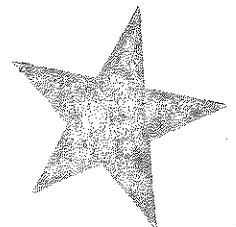
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/MR/lk

Attachment

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

PWC07-24 LKB DOCKET UPHILL FUNDS







# 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. PWC07-24

Contract End 12/31/2025

Commencement Date JANUARY 1, 2024

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

Vendor Name and Address

LOCKWOOD, KESSLER & BARTLETT, INC.

1 AERIAL WAY

SYOSSET, NEW YORK 11791

Requesting Town Department HIGHWAY

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

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

DESIGN AND INSPECTION SERVICES FOR UPHILL LANE AND

HILLCREST LANE, WOODBURY RECONSTRUCTION.

**This work order shall not exceed \$ \$28,800.00**

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

Requesting Division/Department

Department Of Public Works Approval

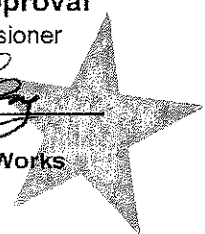
Only To Be Executed By The Commissioner

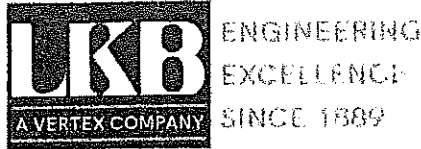
Signature [Signature]  
CHIEF DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

Signature [Signature]  
Commissioner of Public Works

Date 10-10-2024

Date 10/10/24





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

October 8, 2024

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

**Re: Uphill Lane Erosion Control  
Design, Design Support and Construction Inspection Cost Proposal**

Dear Commissioner Lenz:

As requested, we are submitting a cost proposal to provide design, design support and construction inspection during the roadway improvements to Uphill Lane and Hillcrest Lane in Woodbury. Our estimated fee for this work is as follows:

Design

Includes site visit, meeting with Town and contractor at site and developing erosion control detail.

Senior Design Engineer – 8 hours at \$225/hr = \$1,800

Design Support

Includes providing design support services during construction

Senior Design Engineer – 24 hours at \$225/hr = \$5,400

Construction Inspection

Includes overseeing construction and documenting quantities of work

Senior Inspector – 120 hours at \$180/hr = \$21,600

We estimate a total of \$28,800 to perform the above described work.

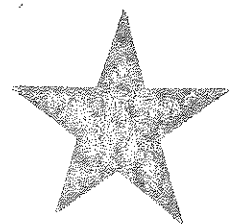
It is our pleasure to continue to provide engineering services to the Town of Oyster Bay. Please call if you have any questions.

Very truly yours,

LOCKWOOD, KESSLER & BARTLETT, INC.

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

AN EQUAL OPPORTUNITY EMPLOYER



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated November 27, 2023, advised that a Request for Proposals for On-Call Engineering Services Relative to Civil Engineering was issued in accordance with the specifications contained in Contract No. PWC07-24, for a two (2) year contract term, commencing January 1, 2024 through December 31, 2025; and

WHEREAS, in response to the aforementioned Request for Proposals, twenty-one (21) responses were received by the Division of Engineering; and

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

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works to enter into Contract No. PWC07-24, On-Call Engineering Services Relative to Civil Engineering, with Cameron Engineering & Associates, LLP, Cashin Associates, P.C., D & B Engineers and Architects, D.P.C., de Bruin Engineering, P.C., H2M Engineers & Architects, Land Surveying and Landscape Architecture, D.P.C., Hirani Engineering & Land Surveying, P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, and Nassau Suffolk Engineering & Architecture, PLLC, for a two (2) year term, commencing on January 1, 2024 through December 31, 2025; and

WHEREAS, the proposed vendor's disclosure questionnaires have been reviewed and have satisfied the Town's Procurement Policy,

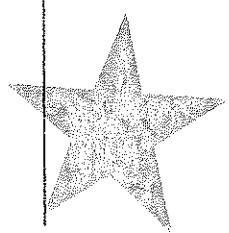
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-24, On-Call Engineering Services Relative to Civil Engineering, with Cameron Engineering & Associates, LLP, Cashin Associates, P.C., D & B Engineers and Architects, D.P.C., de Bruin Engineering, P.C., H2M Engineers & Architects, Land Surveying and Landscape Architecture, D.P.C., Hirani Engineering & Land Surveying, P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., N & P Engineering, Architecture & Land Surveying, PLLC, and Nassau Suffolk Engineering & Architecture, PLLC, for a two (2) year term, commencing on January 1, 2024 through December 31, 2025.

#

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 Iland	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Nay

Reviewed By  
Office of Town Attorney



Meeting of October 29, 2024

Resolution No. 849-2024

REVIEWED BY  
OFFICE OF TOWN ATTORNEY

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated October 13, 2024, stated that the specifications for Contract No. DPW24-293, Data Gaps Soil Investigation at Bethpage Community Park, have been completed, and the Department of Public Works has approved the specifications, and now seeks to award the contract for a one hundred eighty (180) calendar day period, starting from the date of the award; and

WHEREAS, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of General Services, Division of Purchasing, to proceed with the bidding phase and set a bid date for receiving bids for the contract,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of General Services, Division of Purchasing, is authorized and directed, to proceed with the bidding phase for Contract No. DPW24-293, and to set a bid date for receiving bids.

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

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

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

OCTOBER 15, 2024

TO: MEMORANDUM DOCKET

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

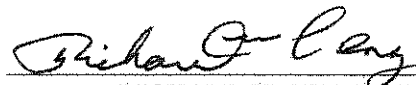
SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES  
DATA GAPS SOIL INVESTIGATION AT BETHPAGE COMMUNITY PARK  
CONTRACT NO. DPW24-293

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The Division of Engineering has prepared the contract specifications for Contract No. DPW24-293. The estimated construction duration for this project is 180 calendar days.

The Commissioner of Public Works has approved the specifications and recommends that the Division of Engineering be authorized to proceed with the bidding phase and construction phase for Contract No. DPW24-293.

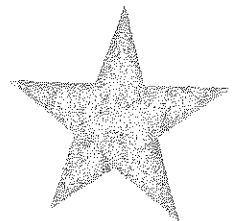
It is hereby requested that the Town Board authorize by Resolution, that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.

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

RWL/~~MR~~/mr

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

DPW24-293 DOCKET PERMISSION TO BID



WHEREAS, the Town Board of the Town of Oyster Bay has met at the time and place specified in the Notice of Hearing with respect to the Preliminary Budget of the Town of Oyster Bay, as heretofore approved by the Town Board on October 1, 2024, pursuant to Resolution No. 744-2024, filed in accordance with the law, in the Office of the Town Clerk of the Town of Oyster Bay, at the Town Hall, Oyster Bay, New York; and

WHEREAS, all persons who wished to be heard were given an opportunity to be heard; and

WHEREAS, this Town Board, after hearing and evaluating the proposals and recommendations made with respect to said budget, has finalized the annual budget for 2025 for the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That this Town Board does hereby adopt the budget for the Town of Oyster Bay, specifically for Town funds, and special districts, for the fiscal year commencing on the first day of January, 2025; and be it further

RESOLVED, That a copy of said annual budget for 2025 be annexed hereto, and that such budget estimate as adopted be entered in detail in the minutes for the proceedings of the Town Board of the Town of Oyster Bay; and be it further

RESOLVED, That the Supervisor is hereby authorized and directed to file a certified copy of said budget, with the Nassau County Legislature, pursuant to Chapter 12 of the Code of the Town of Oyster Bay;

SUMMARY OF ITEMS FOR TOWN FUNDS AND SPECIAL DISTRICTS

General Fund (Full Town)	\$ 154,971,483
General Fund (Part Town)	\$ 15,174,704
Highway Fund	\$ 59,449,128
Drainage District Fund	\$ 1,480,440
Fire Protection Fund	\$ 8,528,450
Lighting District Fund	\$ 3,449,257
Park Districts Fund	\$ 54,014,167
Garbage Districts Fund	\$ 67,592,185
Public Parking Fund	\$ 10,322,959
Water Districts Fund	\$ 240,000
Solid Waste Disposal District Fund	\$ 26,658,569

This summary, plus supporting information and data, shall be available for public inspection within thirty (30) days after enactment, during normal business hours, at the Office of the Town Clerk, in Oyster Bay, New York. Whenever feasible, the Town Clerk shall make additional copies of the Town Budget, and the subject summary, to provide additional places where citizens can inspect said documents; and be it further

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Reviewed By  
Office of Town Attorney  
*Elizabeth A. Fraughman*



RESOLVED, That the Town Clerk is hereby authorized and directed to give public notice, by advertising in Newsday, that the Town Board duly adopted the Annual Budget for 2025, for the Town of Oyster Bay, on October 29, 2024, and that a summary of said budget, plus all supporting data, is available for inspection, in the Office of the Town Clerk, Oyster Bay, New York, commencing November 14, 2024.

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

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

Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, the Town Board of the Town of Oyster Bay has met at the time and place specified in the Notice of Hearing with respect to the budget estimates for all special improvement districts within the Town, as heretofore approved by the Town Board on October 1, 2024, pursuant to Resolution No. 744-2024, filed in accordance with the law, in the Office of the Town Clerk of the Town of Oyster Bay, at Town Hall, Oyster Bay, New York; and

WHEREAS, all persons who wished to be heard were given an opportunity to be heard; and

WHEREAS, this Town Board, after hearing and evaluating the proposals and recommendations made with respect to the budgets for the various special improvement districts within the Town of Oyster Bay, has finalized the annual budgets for 2025 for the various special improvement districts,

NOW, THEREFORE, BE IT RESOLVED, That this Town Board does hereby adopt the budget for the various commissioner run special improvement districts within the Town of Oyster Bay, for the fiscal year commencing on the first day of January, 2025; and be it further

RESOLVED, That a copy of said annual budget for 2025 be annexed hereto, and that such budget estimate as adopted be entered in detail in the minutes for the proceedings of the Town Board of the Town of Oyster Bay; and be it further

RESOLVED, That the Supervisor is hereby authorized and directed to file a certified copy of said budget, with the Nassau County Legislature, pursuant to Chapter 12 of the Code of the Town of Oyster Bay;

SUMMARY OF ITEMS FOR SPECIAL IMPROVEMENT DISTRICTS

Sewer Districts Fund	\$ 4,518,164
Water Districts Fund	\$ 45,107,845
Fire Districts Fund	\$ 44,303,780
Library Districts Fund	\$ 1,590,069
Garbage Districts Fund	\$ 2,106,850
Park Districts Fund	\$ 800,000

This summary, plus supporting information and data, shall be available for public inspection within thirty (30) days after enactment, during normal business hours, at the Office of the Town Clerk, in Oyster Bay, New York. Whenever feasible, the Town Clerk shall make additional copies of the Town Budget, and the subject summary, to provide additional places where citizens can inspect said documents; and be it further

RESOLVED, That the Town Clerk is hereby authorized and directed to give public notice, by advertising in Newsday, that the Town Board duly adopted the Annual Budget for 2025, for the Town of Oyster Bay, on October 29, 2024, and that a summary of said budget, plus all supporting data, is available for inspection, in the Office of the Town Clerk, Oyster Bay, New York, commencing November 14, 2024.

-#-

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

WHEREAS, the Town of Oyster Bay (hereinafter "Town") has requisite authority to grant franchises permitting and regulating the use of its streets, rights of way, and public grounds; and

WHEREAS, Verizon New York, Inc. (hereinafter "Franchisee"), having previously secured permission of the Town to use such streets, rights of way, and public grounds under a franchise agreement, has petitioned the Town for a renewal of such franchise; and

WHEREAS, Julia K. Schneider, Director of the Town Environmental Quality Review Division, Department of Environmental Resources, by memorandum dated October 17, 2024, determined that the proposed renewal of the Franchise Agreement is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR §617.5(c), Item No. 26, relative to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and 6 NYCRR §617.5(c), Item No. 32, pertaining to, "license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities", and 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; and

WHEREAS, on September 10, 2024, at a regularly scheduled meeting of the Town Board that was duly and reasonably advertised to the public, the members of the Town Board, the public, and representatives of Verizon New York, Inc. were given notice and the opportunity to comment on Franchisee's request; and

NOW, THEREFORE, BE IT RESOLVED, That upon the record of the hearing of September 10, 2024, the application of the Franchisee is hereby GRANTED and the Town concludes that the Franchisee is legally, technically, and financially qualified to meet the cable-related needs and interests of the Town, which needs and interests were ascertained by the Town; and be it further

RESOLVED, That the Town determines that it serves the public interest to renew the Franchisee's right to own, construct, operate and maintain a cable system along the public Rights-of-Way within the Town, in order to provide cable service; and be it further

RESOLVED, That the Town authorizes the renewal of a non-exclusive franchise to the Franchisee, Verizon New York, Inc., to own, construct, operate and maintain a cable system along the public Rights-of-Way within the Town, in order to provide cable service; and be it further

RESOLVED, That the Supervisor or his designee is hereby authorized to execute the renewal of the aforementioned franchise agreement and any other documents necessary to effectuate the granting of the franchise on behalf of the Town.

-#-

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

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

Reviewed By  
Office of Town Attorney

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

October 17, 2024

TO: Memorandum Docket  
FROM: Maureen A. Fitzgerald, Commissioner  
Department of Community and Youth Services  
SUBJECT: Entertainment for the 2024 Holiday Experience


The Department of Community and Youth Services is requesting Town Board authorization to employ the services of the following performers for the 2024 Holiday Experience.

The performances at the 2024 Holiday Experience will be presented on Wednesday, December 4<sup>th</sup>, Thursday, December 5<sup>th</sup>, Friday, December 6<sup>th</sup>, Saturday, December 7<sup>th</sup> and Sunday, December 8<sup>th</sup>. Performance times are 5:00 PM, 6:00 PM, 7:00 PM, and 8:00 PM on Wednesday, Thursday and Sunday. Friday and Saturday will have an additional performance at 9:00 PM. These 22 performances will not exceed 15 minutes each. The Holiday Experience is scheduled to be held at Marjorie R. Post Community Park, Unqua Road, Massapequa, New York. The Town will incur the following costs for the entertainment:

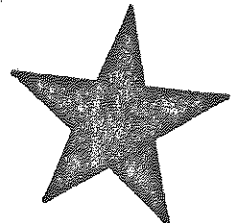
CHECK PAYABLE TO:	DESCRIPTION OF SERVICES:	AMOUNT:
Royal Events Princess Parties Inc. 22 Scott Street Massapequa Park, NY 11762	On-stage appearances with lip syncing	\$2,000.00

The total cost of \$2,000.00 will be paid from Account # CYS A 7020 47660 000 0000, *Special Events*. In accordance with Guideline 5, Section b. of the Town Procurement Policy, these performers are sole source. 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 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



*John M. Schmitt*  
Reviewed By  
Office of Town Attorney

WHEREAS, MULTIBRANDS MASSAPEQUA TIC REAL ESTATE LLC, fee owner, and RIMS MASSAPEQUA REAL ESTATE LLC, fee owner, petitioned the Town Board for the Modification of existing Declaration of Restrictive Covenants, and granting of a Special Use Permit to permit the premises to be repurposed as a Dunkin' Donuts/Baskin Robbins fast food restaurant with accessory drive-through services, on premises located in a Neighborhood Business ("NB") District, at 5599 Merrick Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 53, Block 18, Lot 55, on the Land and Tax Map of Nassau County, and for approval of related site improvements; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on May 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 November 29, 2021, 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 #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 exceeds any of the thresholds in Section 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. 10574-24, adopted May 2, 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 August 15, 2023, advised that the Department of Planning and Development has reviewed the following fifteen (15) plans prepared by Richard Bartlett, R.A., Bar Architecture, P.C., Hauppauge, New York:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>LAST REVISED</u>
SP-0	Site Survey	Richard Bartlett, R.A.	04/15/2022

SHEET NO.	TITLE	PREPARED BY	LAST REVISED
C-1	Site Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-2	Removals Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-3	Grading & Drainage Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-4	Soil Erosion & Sediment Control Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-5	Soil Erosion & Sediment Control Details	Daniel J. Peveraro, P.E.	05/23/2023
C-6	Landscape Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-7	Landscape Plan Exhibit	Daniel J. Peveraro, P.E.	05/23/2023
C-8	Site Lighting Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-9	Site Details	Daniel J. Peveraro, P.E.	05/23/2023
C-10	Starbucks Details I	Daniel J. Peveraro, P.E.	05/23/2023
C-11	Starbucks Details II	Daniel J. Peveraro, P.E.	05/23/2023
C-12	Starbucks Details III	Daniel J. Peveraro, P.E.	05/23/2023
EX-1	Parking Exhibit	Daniel J. Peveraro, P.E.	06/14/2023
A-101.00	Proposed Floor Plan & Key Plan	Rand K. Rosenbaum, R.A.	01/19/2023
A-201.00	Proposed Exterior Elevation 1	Rand K. Rosenbaum, R.A.	01/19/2023
A-202.00	Proposed Exterior Elevation 2	Rand K. Rosenbaum, R.A.	01/19/2023

WHEREAS, said Deputy 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 accept 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 exceeds any of the thresholds in Section 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 be it further

RESOLVED, That the Petition of FP 750 MASSAPEQUA LLC, fee owner, and STARBUCKS CORPORATION, lessee, for a Special Use Permit to allow for construction and operation of a "drive through only" Starbucks fast-food restaurant in an existing building, and Site Plan Approval of related site improvements at premises located in a Neighborhood Business ("NB") district, at 750 Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block 327, Lot 33, 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 and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Merrick Road, as widened, where the same is intersected by the westerly side of land now or formerly known of Clark, said point also being distant 420.01 feet westerly as measured along the northerly side of Merrick Road, as widened, from the southerly end of the tie line which connects the northerly side of Merrick Road, as widened, with the westerly side of Harrison Avenue;

RUNNING THENCE from said point of BEGINNING along the northerly side of Merrick Road, as widened, the following two courses and distances:

- 1) North 79 degrees 12 minutes 09 seconds, West, 103.38 feet;
- 2) Westerly along the arc of a curve bearing to the right having a radius of 1500.49 feet, a distance of 46.65 feet to the easterly side of land now or formerly of Bineares;

THENCE along said land, North 08 degrees 45 minutes 20 seconds East, 146.74 feet to the southerly side of land now or formerly of Rafuse Suffolk Properties, Inc.;

THENCE along said land, South 79 degrees 52 minutes 50 seconds East, 150.00 feet to land now or formerly of Clark;

THENCE along said land, South 08 degrees 45 minutes 20 seconds West, 147.79 feet to the northerly side of Merrick Road, as widened, at the point or place of BEGINNING.

SAID premises being known as and by street address 5599 Merrick Road, Massapequa, New York, and described as Section 53, Block 18, Lot 55 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That the Petition herein granted is subject to the 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 Harold B. Mayer, Jr., Esq., then Commissioner, Department of Planning and Development, dated August 15, 2023, the fifteen (15) 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	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



Reviewed By  
Office of Town Attorney



DECLARATION OF RESTRICTIVE COVENANTS

MULTIBRANDS MASSAPEQUA TIC REAL ESTATE LLC, fee owner, a New York limited liability company, with offices at 7 Cotswold Drive, Centerport, New York, and RIMS MASSAPEQUA REAL ESTATE LLC, fee owner, with offices at 1818 James Street, Merrick, New York, do by this declaration, dated \_\_\_\_\_, declare as follows:

WHEREAS, MULTIBRANDS MASSAPEQUA TIC REAL ESTATE LLC, fee owner, and RIMS MASSAPEQUA REAL ESTATE LLC, fee owner, petitioned the Town Board for the Modification of existing Declaration of Restrictive Covenants, and granting of a Special Use Permit to permit the premises to be repurposed as a Dunkin' Donuts/Baskin Robbins fast food restaurant with accessory drive-through services, on premises located in a Neighborhood Business ("NB") District, at 5599 Merrick Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 53, Block 18, Lot 55, on the Land and Tax Map of Nassau County, and for approval of related site improvements; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on May 7, 2024, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. \_\_\_\_\_-2024, dated October 29, 2024, (the "Granting Resolution"), 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 5599 Merrick Road, Massapequa, Town of Oyster Bay, New York, ("subject premises") 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 Declaration of Restrictive Covenants, dated April 1986, December 22, 1964, and recorded in the Office of the Clerk of Nassau County in Liber 9803, page 167,

setting forth restrictive covenants imposed on the subject premises in accordance with Resolution No. 391-86, adopted on April 8, 1986, is hereby rescinded and revoked in its entirety and is superseded by this Declaration.

2. That the hours of operation shall be twenty-four (24) hours a day, seven days a week.

3. No tractor/trailers shall be permitted on the subject premises at any time.

4. That all deliveries shall be accomplished between the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday, and between the hours of 8:00 a.m. and 10:00 p.m., on Sundays, and all deliveries shall be made by trucks that fit on the premises.

5. That there shall be no backing of delivery trucks onto, or parking of delivery trucks on, adjacent streets, and no delivery truck shall block any sidewalk at any time.

6. That the engines of all vehicles delivering products shall shut down during the delivery and/or refilling operation, and shall not be running or idling.

7. That the queuing of vehicles in line for use of the drive through window service may not extend beyond the boundaries of the subject premises, and at no time shall be permitted to block the sidewalks or extend into any roadway.

8. That no mechanical games of amusement, including but not limited to: gambling type machines, video games, games of chance, lottery machines, shall be permitted on the subject premises.

9. That the entire subject premises shall be effectively policed to eliminate litter, papers, and trash, and shall be policed to remove oil cans, grease spots, etcetera, so as to present an overall clean and neat appearance.

10. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present or future laws or ordinances of the Town of Oyster Bay. No neon or animated signs will be permitted.

11. That all exterior lights shall be located, positioned, and directed so as not to interfere with or cause annoyance or inconvenience to vehicular traffic or the surrounding areas, including any residences, and will be of shielded design to minimize impacts.

12. That any external audio communication system or speaker system utilized shall be checked, monitored, and maintained so as to be inaudible along any of the subject premises lot lines or beyond.

13. That all waste, garbage, refuse, and rubbish shall be placed and kept in suitable closed containers. Any dumpsters will be enclosed. All waste, garbage, refuse, and rubbish will be disposed of in accordance with applicable statutes, ordinances, and laws. Refuse will be picked up, and dumpsters emptied, during regular business hours.

14. That all structures, the parking area, and the planting of shrubs or other installations, shall be continually monitored, repaired when necessary and kept clean and that any and all plantings shall be maintained in order to insure and maintain driver visibility on the subject premises and on the ingress from and egress onto public roadways.

15. That all paved areas, 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.

16. That all shrubs, trees and landscaping shall be as set forth in the approved site plans and shall be continually maintained in good and healthy condition and replaced when necessary.

17. That no Building Permit and/or Certificate of Occupancy shall be issued unless and until the development of the site is in conformance with the fifteen (15) plans prepared by Richard Bartlett, R.A., Bar Architecture, P.C., Hauppauge, 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 August 15, 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>LAST REVISED</u>
SP-0	Site Survey	Richard Bartlett, R.A.	04/15/2022
SP-1	Site Alignment Plan Gen'l Info and Notes	Richard Bartlett, R.A.	04/15/2022
SP-2	Grading and Drainage Plan Details and Notes	Richard Bartlett, R.A.	04/15/2022
SP-3	Landscaping Plan Schedule And Details	Richard Bartlett, R.A.	04/15/2022
SP-3.1	Planting Photos	Richard Bartlett, R.A.	04/15/2022
SP-4	Site Details	Richard Bartlett, R.A.	04/15/2022
SP-5	Site Details	Richard Bartlett, R.A.	04/15/2022
SP-6	Site Details	Richard Bartlett, R.A.	04/15/2022
SP-7	Storm Water Pollution Protection Plan, Details	Richard Bartlett, R.A.	04/15/2022
SP-8	Site Lighting Photometric Site Light Schedule	Richard Bartlett, R.A.	04/15/2022
SP-8a	Site Lighting Photometric Exhibits Failed Redesign Options	Richard Bartlett, R.A.	04/15/2022
SP-9	Site Circulation	Richard Bartlett, R.A.	04/15/2022
A-1.0	Floor Plan, Notes & Partition Types	Richard Bartlett, R.A.	N/A
A-5.0	Building Elevations South and West	Richard Bartlett, R.A.	12/--/2021
A-5.1	Building Elevations North and East	Richard Bartlett, R.A.	12/--/2021

18. 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, having jurisdiction over the use and operation of a convenience store and/or gasoline service

station, and such ordinances, laws, regulations or directives shall be incorporated herein by reference.

19. 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, and/or Building Permit or Certificate of Occupancy issued, unless a cure for such violation has been commenced or is being diligently pursued.

20. 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.

#### SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Merrick Road, as widened, where the same is intersected by the westerly side of land now or formerly known of Clark, said point also being distant 420.01 feet westerly as measured along the northerly side of Merrick Road, as widened, from the southerly end of the tie line which connects the northerly side of Merrick Road, as widened, with the westerly side of Harrison Avenue;

RUNNING THENCE from said point of BEGINNING along the northerly side of Merrick Road, as widened, the following two courses and distances:





Meeting of October 29, 2024

Resolution No. 853-2024

WHEREAS, FP 750 MASSAPEQUA LLC, fee owner, and STARBUCKS CORPORATION, lessee, petitioned the Town Board for a Special Use Permit to allow for construction and operation of a "drive through only" Starbucks fast-food restaurant in an existing building, and Site Plan Approval of related site improvements at premises located in a Neighborhood Business ("NB") district, at 750 Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block 327, Lot 33, 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 March 5, 2024 and August 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 September 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 exceeds any of the thresholds in Section 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. 10571-24, adopted April 11, 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 October 4, 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 the following three (3) plans prepared by Rand K. Rosenbaum, R.A., Rosenbaum Design Group Architecture, Lake Success, New York:

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



SP-1	Site Alignment Plan Gen'l Info and Notes	Richard Bartlett, R.A.	04/15/2022
SP-2	Grading and Drainage Plan Details and Notes	Richard Bartlett, R.A.	04/15/2022
SP-3	Landscaping Plan Schedule And Details	Richard Bartlett, R.A.	04/15/2022
SP-3.1	Planting Photos	Richard Bartlett, R.A.	04/15/2022
SP-4	Site Details	Richard Bartlett, R.A.	04/15/2022
SP-5	Site Details	Richard Bartlett, R.A.	04/15/2022
SP-6	Site Details	Richard Bartlett, R.A.	04/15/2022
SP-7	Storm Water Pollution Protection Plan, Details	Richard Bartlett, R.A.	04/15/2022
SP-8	Site Lighting Photometric Site Light Schedule	Richard Bartlett, R.A.	04/15/2022
SP-8a	Site Lighting Photometric Exhibits Failed Redesign Options	Richard Bartlett, R.A.	04/15/2022
SP-9	Site Circulation	Richard Bartlett, R.A.	04/15/2022
A-1.0	Floor Plan, Notes & Partition Types	Richard Bartlett, R.A.	N/A
A-5.0	Building Elevations South and West	Richard Bartlett, R.A.	12/--/2021
A-5.1	Building Elevations North and East	Richard Bartlett, R.A.	12/--/2021

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 accept 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. 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 exceeds any of the thresholds in Section 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 be it further

RESOLVED, That the Petition of MULTIBRANDS MASSAPEQUA TIC REAL ESTATE LLC, fee owner, and RIMS MASSAPEQUA REAL ESTATE LLC, fee owner, for the Modification of existing Declaration of Restrictive Covenants, and granting of a Special Use Permit to permit the premises to be repurposed as a Dunkin' Donuts/Baskin Robbins fast food restaurant with accessory drive-through services, on premises located in a Neighborhood Business ("NB") District, at 5599 Merrick Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 53, Block 18, Lot 55, on the Land and Tax Map of Nassau County, and for approval of related site improvements, is hereby GRANTED for the premises described as follows:

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings thereon erected, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point distant 205.52 feet north from a line 33.00 feet in length that connects the easterly side of Hicksville-Massapequa Road with the northerly side of Jerusalem Avenue (as widened);

RUNNING THENCE the following 4 (four) courses and distances:

- 1) Easterly, South 85 degrees 05 minutes 16 seconds East, a distance of 146.15 feet;
- 2) Northerly, North 4 degrees 54 minutes 44 seconds East, a distance of 178.35 feet;
- 3) Westerly, North 85 degrees 05 minutes 16 seconds West, a distance of 225.00 feet, to the easterly side of Hicksville-Massapequa Road;
- 4) Southerly, along said side, South 18 degrees 56 minutes 21 seconds East, a distance of 195.00 feet to the point or place of BEGINNING.

SAID premises being known as and by street address 750 Hicksville Road, Massapequa, New York, and described as Section 52, Block 327, Lot 33 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That the Petition herein granted is subject to the 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

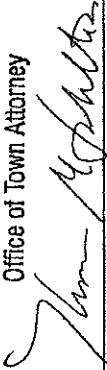
RESOLVED, That in accordance with the memorandum of Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, dated October 4, 2023, the sixteen (16) plans described herein are hereby approved.

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

Reviewed By  
Office of Town Attorney



DECLARATION OF RESTRICTIVE COVENANTS

FP 750 MASSAPEQUA LLC, fee owner, a New York limited liability company, with offices at 40 Cutter Mill Road, Great Neck, New York 11021, and STARBUCKS CORPORATION, lessee, with offices at \_\_\_\_\_, declare as follows:

WHEREAS, FP 750 MASSAPEQUA LLC, fee owner, and STARBUCKS CORPORATION, lessee, petitioned the Town Board for a Special Use Permit to allow for construction and operation of a "drive through only" Starbucks fast-food restaurant in an existing building, and Site Plan Approval of related site improvements at premises located in a Neighborhood Business ("NB") district, at 750 Hicksville Road, Massapequa, Town of Oyster Bay, County of Nassau, State of New York and described as Section 52, Block 327, Lot 33, 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 March 5, 2024 and August 13, 2024, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 853 -2024, dated October 29, 2024, (the "Granting Resolution"), 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 750 Hicksville Road, Massapequa, Town of Oyster Bay, New York, ("subject premises") 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 shall be 5:00 am to 11:00 pm, seven days a week.
2. No tractor/trailers shall be permitted on the subject premises at any time.

3. That all deliveries shall be accomplished between the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday, and between the hours of 8:00 a.m. and 10:00 p.m., on Sundays, and all deliveries shall be made by trucks that fit entirely on the premises.

4. That there shall be no backing of delivery trucks onto, or parking of delivery trucks on, adjacent streets, and no delivery truck shall block any sidewalk at any time.

5. That the queuing of vehicles in line for use of the drive through window service may not extend beyond the boundaries of the subject premises, and at no time shall be permitted to block the sidewalks or extend into any roadway.

6. That the engines of all vehicles delivering products shall shut down during the delivery and/or refilling operation and shall not be running or idling.

7. That no mechanical games of amusement, including but not limited to: gambling type machines, video games, games of chance, lottery machines, shall be permitted on the subject premises.

8. That the entire subject premises shall be effectively policed to eliminate litter, papers, and trash, and shall be policed to remove oil cans, grease spots, etcetera, so as to present an overall clean and neat appearance.

9. That any and all signs that are to be erected and maintained are to comply with all applicable provisions of present or future laws or ordinances of the Town of Oyster Bay. No neon or animated signs will be permitted.

10. That all exterior lights shall be located, positioned, and directed so as not to interfere with or cause annoyance or inconvenience to vehicular traffic or the surrounding areas, including any residences, and will be of shielded design to minimize impacts.

11. That any external audio communication system or speaker system utilized shall be checked, monitored, and maintained so as to be inaudible along any of the subject premises lot lines or beyond.

12. That all waste, garbage, refuse, and rubbish shall be placed and kept in suitable closed containers. Any dumpsters will be enclosed. All waste, garbage, refuse, and

rubbish will be disposed of in accordance with applicable statutes, ordinances, and laws. Refuse will be picked up, and dumpsters emptied, during regular business hours.

13. That all structures, the parking area, and the planting of shrubs or other installations, shall be continually monitored, repaired when necessary and kept clean and that any and all plantings shall be maintained in order to insure and maintain driver visibility on the subject premises and on the ingress from and egress onto public roadways.

14. That all paved areas, 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.

15. That all shrubs, trees and landscaping shall be as set forth in the approved site plans and shall be continually maintained in good and healthy condition and replaced when necessary.

16. That no Building Permit and/or 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 the 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 Scott L. Byrne, Deputy Commissioner, Department of Planning and Development, by memorandum dated October 4, 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>LAST REVISED</u>
C-1	Site Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-2	Removals Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-3	Grading & Drainage Plan	Daniel J. Peveraro, P.E.	05/23/2023

C-4	Soil Erosion & Sediment Control Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-5	Soil Erosion & Sediment Control Details	Daniel J. Peveraro, P.E.	05/23/2023
C-6	Landscape Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-7	Landscape Plan Exhibit	Daniel J. Peveraro, P.E.	05/23/2023
C-8	Site Lighting Plan	Daniel J. Peveraro, P.E.	05/23/2023
C-9	Site Details	Daniel J. Peveraro, P.E.	05/23/2023
C-10	Starbucks Details I	Daniel J. Peveraro, P.E.	05/23/2023
C-11	Starbucks Details II	Daniel J. Peveraro, P.E.	05/23/2023
C-12	Starbucks Details III	Daniel J. Peveraro, P.E.	05/23/2023
EX-1	Parking Exhibit	Daniel J. Peveraro, P.E.	06/14/2023
A-101.00	Proposed Floor Plan & Key Plan	Rand K. Rosenbaum, R.A.	01/19/2023
A-201.00	Proposed Exterior Elevation 1	Rand K. Rosenbaum, R.A.	01/19/2023
A-202.00	Proposed Exterior Elevation 2	Rand K. Rosenbaum, R.A.	01/19/2023

17. 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, having jurisdiction over the use and operation of a convenience store and/pr gasoline service station, and such ordinances, laws, regulations or directives shall be incorporated herein by reference.

18. 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, and/or Building Permit or Certificate of Occupancy issued, unless a cure for such violation has been commenced or is being diligently pursued.

19. 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.

SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings thereon erected, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point distant 205.52 feet north from a line 33.00 feet in length that connects the easterly side of Hicksville-Massapequa Road with the northerly side of Jerusalem Avenue (as widened);

RUNNING THENCE the following 4 (four) courses and distances:

- 1) Easterly, South 85 degrees 05 minutes 16 seconds East, a distance of 146.15 feet;
- 2) Northerly, North 4 degrees 54 minutes 44 seconds East, a distance of 178.35 feet;
- 3) Westerly, North 85 degrees 05 minutes 16 seconds West, a distance of 225.00 feet, to the easterly side of Hicksville-Massapequa Road;
- 4) Southerly, along said side, South 18 degrees 56 minutes 21 seconds East, a distance of 195.00 feet to the point or place of BEGINNING.

SAID premises being known as and by street address 750 Hicksville Road, Massapequa, New York, and described as Section 52, Block 327, Lot 33 on the Land and Tax Map of the County of Nassau.





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

Reviewed By  
Office of Town Attorney  
*Elizabeth J. Faughnan*

WHEREAS, the Town Board of the Town of Oyster Bay has reviewed a proposed Local Law entitled "A LOCAL LAW TO EXTEND THE CURRENT MORATORIUM UNDER CHAPTER 246, SECTION 246-5.5.35 OF THE CODE OF THE TOWN OF OYSTER BAY ON THE ESTABLISHMENT OF BATTERY ENERGY STORAGE SYSTEMS ("BESS") IN 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 October 15, 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, by memorandum dated October 18, 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 Item No. 36, pertaining to "adoption of a moratorium on land development or construction" and as such does not require completion of an Environmental Impact Statement or other environmental consideration; and

WHEREAS, the Nassau County Planning Commission, by its Resolution No. 10596-24, adopted on October 22, 2024, recommended that the Town take such action as it deems appropriate with respect to this proposed law, the Commission having no modifications, and the Commission, by its letter, dated October 23, 2024, advised the Town that any proposed extension to the six (6) month moratorium shall be referred to the Commission for its consideration, as moratoria exceeding one year are discouraged,

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 Item No. 36; and be it further

RESOLVED, That said Local Law <sup>11</sup> -2024, entitled "A LOCAL LAW TO EXTEND THE CURRENT MORATORIUM UNDER CHAPTER 246, SECTION 246-5.5.35 OF THE CODE OF THE TOWN OF OYSTER BAY ON THE ESTABLISHMENT OF BATTERY ENERGY STORAGE SYSTEMS ("BESS") IN 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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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 |

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231

***Local Law Filing***

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Oyster Bay

Local Law No. \_\_\_\_\_ of the year 2024

**A local law entitled** "A LOCAL LAW TO EXTEND THE CURRENT MORATORIUM UNDER CHAPTER 246, §246-5.5.35 OF THE CODE OF THE TOWN OF OYSTER BAY ON THE ESTABLISHMENT OF BATTERY ENERGY STORAGE SYSTEMS ("BESS") IN THE TOWN OF OYSTER BAY"

Be it enacted by the Town Board  
of the

Town of Oyster Bay as follows:

**Section 1.** Add Section 246-5.5.35, Battery Energy Storage Systems to Chapter 246, Zoning, of the Town Code as follows:

**§246-5.5.35.1 Legislative Intent.**

The Board finds that it is in the best interest of the Town of Oyster Bay and its residents to extend the moratorium on the establishment of Battery Energy Storage Systems ("BESS") in the Town of Oyster Bay for an additional six (6) months. BESS offer a role in reducing demand and costs associated with grid infrastructure operation and expansion, by storing energy from the grid during off peak hours and redistributing energy back during peak demand. The deployment of BESS can potentially reduce the need of costly expansions of the grid by utility companies, and deters the use of fossil fuels during times when energy use is highest.

Recently, there has been a significant amount of public concern regarding the volatile nature of lithium ion batteries, and the potential threat to the health and safety of the communities

surrounding these facilities. There have been reports of fires at these facilities throughout the State of New York over the past two (2) years, raising concerns about the impact to the environment, as well as the stress put on roadways and infrastructure in the event an evacuation is necessary.

These concerns, coupled with the Town of Oyster Bay's need for additional information and assurance about the safety of these types of facilities, including but not limited to ensuring local fire districts will be able to suppress a fire should one occur, the availability of built-in fire suppression and/or other safety measures, precautions related to gas emissions and deterring any necessary fire suppression chemicals from impacting groundwater, possible decommission plans, and the adequacy of location and other special exception standards for siting these facilities, has caused the Town Attorney's Office, Department of Planning and Development, and Department of Environmental Resources to advise the Town Board to take pause on the Zoning Code and consider the enactment of an additional six (6) month limited moratorium for the review of permitting of BESS pursuant to Town Zoning Code, while these issues are further considered and the law is adequately revised to address any outstanding concerns, including the potential for catastrophic failures and evacuation planning.

#### **§246-5.5.35.2 Definitions**

As used in this chapter, the following terms shall have the meanings indicated:

#### **APPLICATION**

Any request or application for the development of battery energy storage systems to include any special use exemption, area or use variance applications related to battery energy storage systems throughout the Town of Oyster Bay.

#### **§246-5.5.35.3 Moratorium**

No new land use applications shall be accepted, nor shall any pending applications continue to be processed or decided by the Town Board, the Planning Advisory Board, the Zoning Board of Appeals, or any other agency, department or office of the Town of Oyster Bay during the moratorium period.

#### **§246-5.5.35.4 Moratorium Period**

This moratorium shall be in effect for a period of six months, following adoption of the Local Law authorizing the extension of the moratorium, and the filing of same with the Secretary of State. The same may be extended by appropriate action of the Town Board.

**§246-5.5.35.5 Exclusions**

None.

**§246-5.5.35.6 Applications That May Be Exempted**

- A. Applications may be exempted from the provisions of this chapter following a public hearing on due notice before the Town Board. Upon such application, the Town Board shall consider:
- (1) The size of the subject parcel;
  - (2) The proximity of the applicant's premises to wetlands, endangered plant and animal species, wildlife, and other similar environmental concerns;
  - (3) The extent of the proposed development and/or disturbance of the applicant's premises;
  - (4) The environmental significance, if any, of the applicant's parcel and the proposed development's impact upon the environment, including existing transportation resources; and
  - (5) Compatibility of the proposed development with the aesthetic resources of the community or with the existing community or neighborhood character.
- B. In making a determination under this subsection, the Town Board may obtain and consider written reports from the Departments of Planning and Development and Environmental Resources, and such other sources as required in the judgment of the Town Board and consistent with the purpose of this chapter. A grant of an exemption to an applicant's premises shall include a determination of hardship and unique circumstances which do not generally apply throughout the Town and a finding that the grant of an exemption will be in harmony with, and will not be unduly disruptive to, the goals and purposes of the assessment undertaken pursuant to this chapter. The Town Board shall also apply the statutory standards for granting a use or area variance in considering such an exemption. Should a hardship exemption be granted by the Town Board, the exempted development project shall be subject to all applicable provisions of the Code of the Town of Oyster Bay.
- C. An application under this subsection shall be accompanied by a fee of \$1,000 and 18 copies of the application, together with the applicant's written undertaking to pay all out-

of-pocket costs incurred by the Town in studies and/or by retainer of resource personal relating to the hearing, review, and determination of such application, in form and substance acceptable to the Town Board.

**§246-5.5.35.7                    Statutory authority/supersession**

This chapter is adopted pursuant to Municipal Home Rule Law § 10, Subdivision 1(ii)(a)(11) and (12), and expressly supersedes any inconsistent provisions of Chapter 246 of the Oyster Bay Town Code, as well as Article 16 of New York State Town Law. In particular, this chapter shall supersede those provisions of the Town Code and New York State law which require the Town Board, Planning Board, and/or Zoning Board of Appeals to accept, process and/or approve applications within specified statutory time periods.

**§246-5.5.35.8                    Penalties**

Any person, firm, corporation, or other entity, which shall construct, erect or install any building, improvement, or structure, or subdivide, or use of land in violation of provisions of this local law, shall be guilty of a violation, punishable by fine of not less than one thousand dollars (\$1,000) for each day that such violation exists. Nothing here shall be construed so as to limit authority of the Town to seek and obtain injunctive relief for any such violation or violations.

**Section 2.                    SEQOR Determination.**

It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment", and Section 617.5 (c)(36) of 6 N.Y.C.R.R., pertaining to, " adoption of a moratorium on land development or construction;, accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

**Section 3.                    Severability.**

If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons

or circumstances.

**Section 4. Effective Date.**

This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

**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 NASSAU         )     ss.:

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

Town of \_\_\_\_\_ Oyster Bay

Date: \_\_\_\_\_ 2024

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated October 21, 2024, advised that the Office of the Town Attorney has negotiated an inventory transfer agreement with the Oyster Bay Historical Society and recommends and requests that the Town Board authorize the Supervisor, or his designee, to execute said Agreement. The items that will be transferred in connection with this Agreement are provided in Schedule "A" of the Agreement,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby accepted and approved, and the Supervisor, or his designee is hereby authorized and directed to execute an inventory transfer agreement with the Oyster Bay Historical Society.

-#-

Reviewed By  
Office of Town Attorney

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

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



## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: October 21, 2024  
SUBJECT: Authorization to enter an inventory transfer agreement with the Oyster Bay Historical Society

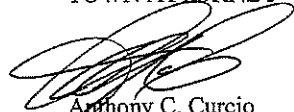
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The Town of Oyster Bay, having acquired numerous items through various resources over the course of approximately fifty (50) years, in the process of seeking a safe and secure environment to archive said items, has deemed the Oyster Bay Historical Society to be the best suited custodian for said items.

The Office of the Town Attorney has negotiated an inventory transfer agreement with the Oyster Bay Historical Society and recommends and requests that the Town Board authorize the Supervisor, or his designee, to execute the agreement. The items that will be transferred in connection with this Agreement are provided in Schedule "A" of the Agreement.

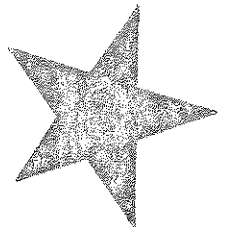
Kindly suspend the rules and place this matter on the October 29, 2024 Town Board action calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Anthony C. Curcio  
Deputy Town Attorney

ACC:acc  
Attachment

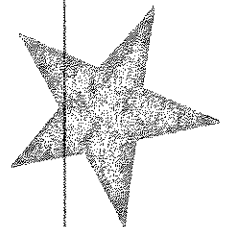


WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated October 21, 2024, advised that the Office of the Town Attorney has negotiated an inventory transfer agreement with the Oyster Bay Historical Society and recommends and requests that the Town Board authorize the Supervisor, or his designee, to execute said Agreement. The items that will be transferred in connection with this Agreement are provided in Schedule "A" of the Agreement,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby accepted and approved, and the Supervisor, or his designee is hereby authorized and directed to execute an inventory transfer agreement with the Oyster Bay Historical Society.

-#-

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



AGREEMENT

DATED:

PARTIES: TOWN OF OYSTER BAY, municipal corporation, with offices at Town Hall, Oyster Bay, New York, hereinafter referred to as the "Town"; and

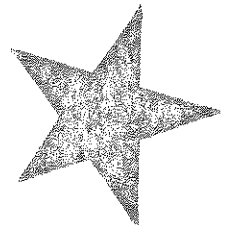
OYSTER BAY HISTORICAL SOCIETY, a nonprofit organization incorporated under the laws of the State of New York, with offices at 20 Summit Street, Oyster Bay, New York, 11771 hereinafter referred to as "The Society".

The Town, having acquired the following items through various resources over the course of approximately fifty (50) years, is in the process of seeking safe, secure environments in which to archive these items and has deemed the The Society, to be the best-suited custodian for the specific items listed below.

Accordingly, we are hereby transferring those items, as provided in Schedule "A" attached hereto and incorporated herein, to The Society under the following conditions:

1. All items will remain property of the Town in perpetuity and will be subject to surrender and return by the Society should the Town, in its sole opinion, determine that the items have been mishandled or in any way compromised as a result of handling and/or storage by the Society or any of its agents, representatives and/or employees.
2. The Society shall grant the Town unlimited access to these items on the Society's own premises, as well as off-premises (subject to terms agreed to by both parties).
3. Upon the termination, dissolution, or disbandment of the Society, all items in Schedule "A" shall be returned to the Town or to a third-party of The Town's designation.
4. Within one (1) calendar year of receiving the items in Schedule "A", the Society shall provide the Town with a detailed inventory of the individual items in the collection.
5. Any items that the Society, in its sole opinion, deems unfit for its collection shall be returned, in a timely manner, to the Town, which will make the final determination as to the relocation/disposition of said unfit items.
6. Prior to lending or in any way transferring any of these items to a third party – whether on a permanent or temporary basis – The Society shall inform The Town and provide The Town with details of the transfer.
7. The Society shall not offer, for sale or fee of any kind, any of the items in the collection without written permission from an authorized representative of the Town.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



8. The Society shall maintain the condition of all items, to industry standards,, utilizing its records retention center and various archival equipment as necessary.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

TOWN OF OYSTER BAY

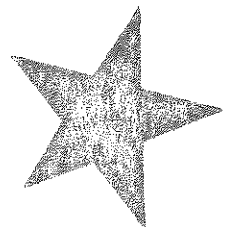
By: \_\_\_\_\_  
Name:  
Title:

THE OYSTER BAY HISTORICAL  
SOCIETY

By: \_\_\_\_\_  
Name:  
Title:

REVIEWED BY

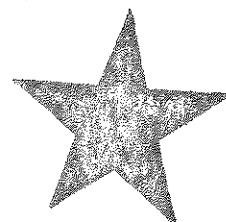
By: \_\_\_\_\_  
Name:  
Title: Deputy Town Attorney



SCHEDULE "A"

**General Inventory of Items Being Transferred**

- 1 carton miscellaneous papers, articles, pamphlets, and handwritten notes regarding Long Island's Native Americans. This includes several hundred pages of photocopied chapters from books, along with handwritten footnotes, plus five books and several news articles on the subject of Native Americans on Long Island and in New York. Also includes pamphlets from Garvies Point Museum.
- 2 cartons miscellaneous papers, articles, booklets, and pamphlets regarding slavery on LI (including Oyster Bay) and the Civil War. Includes ~ 2000 pages of handwritten notes and photocopied chapters from books, as well as 14 actual books on the subject of slavery and America before and during the Civil War. (Note: Many of the items in this collection have developed black mold from water damage at The Farm. It would be in the best interest of all for the Society to photocopy the contents and safely discard the original materials.
- 1 carton miscellaneous papers, articles, booklets, and pamphlets regarding the Earle-Wightman House, in which the OB Historical Society is headquartered.
- 2 cartons miscellaneous papers, letters, and booklets regarding the Oyster Bay Baptist Church and its two most famous pastors, Rev. Earle and Rev. Wightman. This includes correspondence between the church and its congregants, song books, photocopied membership lists, etc.
- 1 carton miscellaneous paperwork (minutes, proposals, etc.) of the early Oyster Bay Historical Society, plus receipts from North Shore businesses (early 20<sup>th</sup> Century), two copies of The Freeholder, and multiple copies of Society newsletters, brochures, and flyers for upcoming events.



WHEREAS, the Town Board of the Town of Oyster Bay ("Town Board"), has heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

WHEREAS, Frank M. Scalera, Town Attorney, and Matthew D. Fernando, Deputy Town Attorney, by memorandum dated October 22, 2024 advised that State Farm brought a claim against the Town on behalf of their insured, alleging that on February 6, 2023, their insured's parked and unoccupied vehicle sustained significant damage when a Town dump truck came into contact with it; and

WHEREAS, after extensive settlement negotiations this case can be settled for \$13,342.31, in full resolution of all claims against the Town of Oyster Bay, which settlement is in the best interests of the Town, according to the memorandum of Messrs. Scalera and Fernando,

THEREFORE, BE IT RESOLVED, That upon the recommendation of the Town Attorney, payment of the sum of \$13,342.31 is hereby authorized and approved by the Town Board, as full settlement to State Farm a/s/o Edward Gebhard; 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 "State Farm Mutual Automobile Insurance Company and Serpe, Andree & Kaufman, as attorneys", in the amount of \$13,342.31 with funds for such payment to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

-#-

Reviewed By  
Office of Town Attorney

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

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

856

Town of Oyster Bay  
Inter-Departmental Memo

**TO :** Memorandum Docket  
**FROM :** Office of the Town Attorney  
**DATE :** October 22, 2024  
**SUBJECT:** Settlement of Property Damage Claim  
State Farm a/s/o Edward Gebhard  
Our Matter No. 2023-9049

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A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

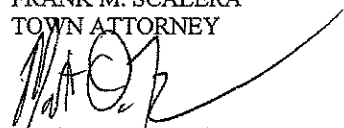
The above referenced claim arose as a result of an automobile accident that occurred on February 6, 2023. Town of Oyster Bay employee Richard Weiss was operating a Town dump truck when he struck a parked and unoccupied vehicle. The vehicle in question is a 2021 Ford Escape, and suffered damage to the driver side door, mirror, and tires. The owner of the vehicle filed a claim with State Farm, their insurance company, who paid for the repairs and are now subrogating against the Town.

The original claim was for \$14,044.54. After extensive settlement negotiations this matter can be settled for \$13,342.31. It is this Office's opinion that such settlement is just and reasonable, given the nature of the claim and damages caused, and we request and recommend Town Board authorization of the settlement.

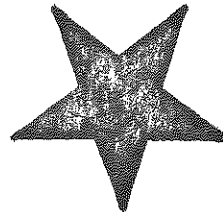
Accordingly, we have attached a resolution authorizing payment of \$13,342.31, together with copies of a Release in favor of the Town and executed by plaintiff's attorney and a copy of the Stipulation Discontinuing Action. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

Kindly suspend the rules and place this matter on the October 29, 2024 Town Board action calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Matthew D. Fernando  
Deputy Town Attorney

MDF:mf  
Attachment



Reviewed By  
Office of Town Attorney

WHEREAS, the Town Board of the Town of Oyster Bay ("Town Board"), has heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

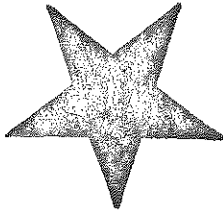
WHEREAS, Frank M. Scalera, Town Attorney, and Matthew D. Fernando, Deputy Town Attorney, by memorandum dated October 22, 2024 advised that State Farm brought a claim against the Town on behalf of their insured, alleging that on February 6, 2023, their insured's parked and unoccupied vehicle sustained significant damage when a Town dump truck came into contact with it; and

WHEREAS, after extensive settlement negotiations this case can be settled for \$13,342.31, in full resolution of all claims against the Town of Oyster Bay, which settlement is in the best interests of the Town, according to the memorandum of Messrs. Scalera and Fernando,

THEREFORE, BE IT RESOLVED, That upon the recommendation of the Town Attorney, payment of the sum of \$13,342.31 is hereby authorized and approved by the Town Board, as full settlement to State Farm a/s/o Edward Gebhard; 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 "State Farm Mutual Automobile Insurance Company and Serpe, Andree & Kaufman, as attorneys", in the amount of \$13,342.31 with funds for such payment to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

#





Our File No.: BL15619  
Your File No.:

Accident date: 2/6/2023

PROPERTY DAMAGE ONLY  
SUBROGATION RELEASE

KNOW ALL MEN BY THESE PRESENTS, the State Farm Mutual Automobile Ins Co 2371 a corporation organized under the laws of the State of Illinois, for and in consideration of the sum of Thirteen Thousand Three Hundred Fortytwo & 31/100 (\$13342.31) Dollars to it in hand paid, the receipt and sufficiency whereof are hereby acknowledged has released and discharged, and by these presents does for itself, its successor, or assigns, release and forever discharge Town of Oyster Bay, Richard N Weiss, and all other persons of any and all property damage claims or causes of action which it now has or may hereafter have against any or either of said persons, firms or corporations because of its subrogation rights as insurer of Edward C Gebhard which subrogation rights accrued because of payments made by it to the said insured for or because of property damage arising out of an accident between said parties.

IN WITNESS WHEREOF, said Insurance Company by its duly authorized representative, has hereunto affixed its hand and seal this 9/6/2024

State Farm Mutual Automobile Ins Co

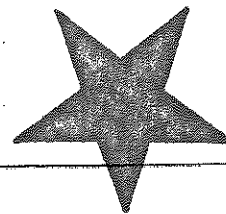
by: \_\_\_\_\_  
ATTORNEY-IN-FACT  
Mark S Andree

STATE OF NEW YORK, COUNTY OF SUFFOLK

On 9/6/2024, before me personally came Mark S Andree to me known who, by me duly sworn, did depose and say that deponent resides at Huntington, New York that the deponent is the ATTORNEY of State Farm Mutual Automobile Ins Co 2371 the corporation described in, and which executed the foregoing RELEASE, that execution of this RELEASE was authorized by the corporation; and that deponent signed this document pursuant to such authorization.

Notary Public

JONATHAN E. KIRCHNER  
Notary Public, State of New York  
No. 02K16122069  
Qualified in Suffolk County  
Commission Expires Apr. 13, 2025



DISTRICT COURT OF THE COUNTY OF NASSAU  
COUNTY OF NASSAU

-----X INDEX NO:  
5253/23

State Farm Mutual Automobile Ins Co  
a/s/o Edward C Gebhard  
Plaintiff,

STIPULATION  
DISCONTINUING ACTION


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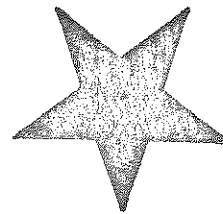
Town of Oyster Bay  
Richard N Weiss  
Defendant.

-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Huntington, New York  
September 6, 2024

  
SERFE, ANDREE & KAUFMAN  
Attorney for Plaintiff  
PO Box 165  
Huntington, NY 11743  
(631) 421-4488  
OUR FILE: BL15619



Reviewed By  
Office of Town Attorney  
Ralph F. Healey

WHEREAS, Ralph J. Raymond, Commissioner, Department of General Services, by memorandum dated October 21, 2024, requested Town Board approval to enter into an Agreement with BlueScope Construction, Inc., 1540 Genessee Street, Kansas City Missouri 64102 ("BlueScope"), to construct, at TOBAY Beach, a Butler Building structural system, with accepted roof system MR-24 roof, and bollards, through Sourcewell Contract No. 110822-BSC, as set forth in BlueScope's final proposal, designated No. 25806, and dated October 17, 2024 (attached hereto); and

WHEREAS, Commissioner Raymond, by said memorandum, advised that the total project amount shall be \$593,876.00, and that in accordance with Town Policy, the sum of \$29,693.80 should be added to the total project amount for potential quantity increases, for a total bid encumbrance of \$623,569.80; and

WHEREAS, Commissioner Raymond, by said memorandum, advised further, that sufficient funds for said payment are available in Account No. DGS H 1997 20000 000 2410 001, Project ID No. 2410TWNA04; and

WHEREAS, Commissioner Raymond, by said memorandum, further advised that the estimated construction time for completion of said Contract is One Hundred Fifty (150) calendar days; and

WHEREAS Commissioner Raymond, by said memorandum, further advised that, in accordance with Guideline No. 5 (g) of the Town of Oyster Bay Procurement Policy, the Town of Oyster Bay General Services Department seeks to enter into an agreement with BlueScope Construction/Cook Krupa through a Sourcewell Cooperative Contract. The Sourcewell Cooperative purchasing program satisfies the requirements of the competitive bidding process of Article 5-A of the New York State General Municipal Law,

NOW, THEREFORE, BE IT RESOLVED, That the request mentioned hereinabove is approved, and the Department of General Services is hereby authorized to enter into an Agreement with BlueScope to construct, at TOBAY Beach, a Butler Building structural system, with accepted roof system MR-24 roof, and bollards, through Sourcewell Contract No. 110822-BSC, as set forth in BlueScope's final proposal, designated No. 25806, and dated October 17, 2024 (attached hereto), for a total project cost of \$593,876.00; and be it further

RESOLVED, That, in accordance with Town Policy, the sum of \$29,693.80 shall be added to the total project amount for potential quantity increases, for a total bid encumbrance of \$623,569.80; 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 No. 2410TWNA04; 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 therefor, 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	Ayc
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: RALPH J. RAYMOND, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: OCTOBER 21, 2024

Subject: STORAGE FACILITY THROUGH BLUE SCOPE CONSTRUCTION/COOK  
& KRUPA FINAL FIRM PROPOSAL #25608  
FOR BEACH STORAGE (TOBAY) FACILITY FOR THE TOWN OF  
OYSTER BAY THROUGH SOURCEWELL COOPERATIVE CONTRACT

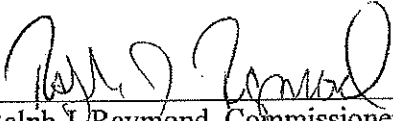
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Pursuant to the Town of Oyster Bay Procurement Policy, Town Board Resolution No.154-2021, Guideline 5(g), the Town of Oyster Bay General Services Department seeks to enter into an agreement with BlueScope Construction/Cook & Krupa through a Sourcewell Cooperative Contract. The Sourcewell Cooperative purchasing program satisfies the requirements of the competitive bidding process of Article 5-A of the New York State General Municipal Law.

Specifically, the General Services Department respectfully requests Town Board approval to build a Butler Building structural system with the accepted roof system MR-24 roof and bollards at TOBAY Beach through Sourcewell Contract 110822-BSC awarded to BlueScope Construction 1540 Genessee Street, Kansas City, MO 64102 as set forth in their final proposal #25608 dated October 17, 2024 (attached).

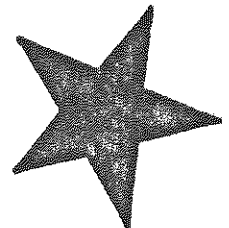
This project in the amount of \$593,876.00 is estimated to take five (5) months to complete. In accordance with Town policy, the amount of \$29,693.80 should be added to the project amount for potential quantity increases for a total encumbrance of \$623,569.80. There are sufficient funds in Account #DGS H 1997 20000 000 2410 001, Project ID #2410TWNA04.

Kindly suspend the rules and add this item to the action calendar at the next Town Board Meeting, Tuesday, October 29, 2024.

  
\_\_\_\_\_  
Ralph J. Raymond, Commissioner  
General Services Department

RJR/sc  
Attachment

cc: Comptrollers/Accounts Payable





Mr. Ralph Raymond  
Commissioner- Town of Oyster Bay  
Ocean Parkway  
Massapequa, NY 11758  
516-903-4349  
[raymond2@oysterbay-ny.gov](mailto:raymond2@oysterbay-ny.gov)

September 4, 2024      Revised on September 9, 2024 for Client Requested Scope Responsibility (Rev 1).  
Revised on 9/13/24 (Rev. 2) – Final Firm Version 10/17/24

**Re: Town of Oyster Bay, NY Storage Facility BlueScope Construction/Cook & Krupa Final Firm Proposal #25608 to Reduce Scope Re-Allocating Several Items as Client Responsibility, Adding the MR-24 Roof and Bollards as Accepted Alternates into the Base Proposal.**

Dear Mr Raymond:

BlueScope Construction is pleased to present our Final FIRM proposal for the Oyster Bay (TOBAY) Beach Storage Facility for the Town of Oyster Bay, NY. The Scope included is as agreed to on 10/2/24 in discussions with Bruce Foster of Cook & Krupa. Final Firm proposal is based upon our current knowledge of the project and is contingent upon reaching mutually acceptable terms. This Proposal reflects scope responsibility changes as requested during a conference call on 9/6/24 with all parties from the city, BSC and C&K for items such as Concrete Foundation, Asphalt and Sitework and some General Conditions items such as Fencing as Client Furnished and Installed. The attached revised scope of work and schedule of values includes these adjustments. We look forward to offering our service to your agency for this new facility.

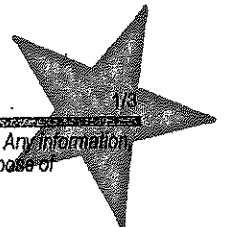
By purchasing this facility through the Sourcwell contract, you can buy the building and construction services without going through the traditional bid process, saving you time and money. Additionally, the design-build process is collaborative and ensures you get the facility you desire at the price you have funded. Under this offering, we provide a firm fixed price so you can avoid the high cost of multiple change orders. You'll still get the local execution on the project you desire along with factory-direct pricing on the building shell. You'll find this method is much easier than typical procurement methods and helps you avoid the pitfalls of the low bid process.

As General Contractor, BlueScope Construction is teaming with Cook & Krupa, our BlueScope Buildings' local builder, in the role of Prime Subcontractor. As the prime subcontractor Cook & Krupa, will be responsible for coordinating their team of local designers, on-site trades and vendors. This is our typical project approach, utilizing local specialists known and trusted to perform at a high level of quality and service. We believe this approach will be the best value: national experience and oversight from BlueScope Construction and local presence and small business participation from Cook & Krupa.

BlueScope Construction, Inc., 1540 Genessee Street, Kansas City, MO 64102  
T +1 816 245 6000 | W [bluescopeconstruction.com](http://bluescopeconstruction.com)

BlueScope Construction, a subsidiary of BlueScope Buildings North America, Inc. BlueScope is a trade mark of BlueScope Steel Limited.

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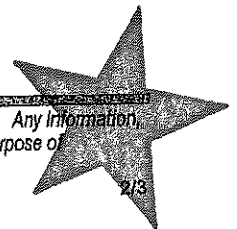


We believe our proposal is the best value based on the following:

- BlueScope Construction is the **preeminent supplier** of pre-engineered buildings (PEB) with multiple North American manufacturing plants. BlueScope Buildings is a member of the Metal Building Manufacturers Association, Design-Build Institute, and US Green Building Council.
- BlueScope Building PEB brands, including Butler Buildings, are the **world's most popular brands** with more total in-place square footage than any other manufacturer.
- As part of BlueScope Buildings, BlueScope Construction offers **factory-direct pricing** on the PEB at most favored customer pricing.
- The Butler-Cote™ standard finishing system on metal panels has a 25-year warranty guaranteeing **resistance to chalking and fading** of the paint. This includes blistering, peeling, cracks or chipping.
- The MR-24® and BR11 metal roof system is the most specified standing seam metal roof in the industry and has an available **20-year weather tightness warranty**.
- BlueScope Construction is a **national contractor with** a direct connection to a local general contractor network giving you a **local presence and small business participation** on your project.
- Our **experienced team** has built over 1,000 government projects. Your BlueScope Construction project manager will be assigned upon notice to proceed or contract execution
- We offer **unparalleled customer service** with more than 85% of our business each year from repeat customers.
- BlueScope Construction and BlueScope Buildings have **outstanding quality control** and the capability to build to the highest levels of construction performance.

For these and many other reasons noted throughout this proposal, you will receive the best value facility by utilizing BlueScope Construction. Attached are the Scope of Work, Proposal Schedule and Schedule of Values documents to complete our proposal. Please note that this offer is based on a design-build solution and the Scope of Work defines the intent of our proposed offer to furnish and install this Project for the price listed on the Schedule of Values document.

**Proposed Milestone Schedule:** Pending executed contract or notice to proceed. Critical Date.  
Notice to Proceed = Date to Start Contract Review and for execution: (Assuming Week of October 28<sup>th</sup>)  
Review Proposed Design and Confirmation for Ordering/ Order Building: (2 weeks)  
Foundation Design: (2 weeks)  
Clear and Grub by Client: (1 week)  
Survey and Layout: (2 Days)  
Excavation by Client (1 week)  
Concrete Foundation (3 weeks)  
Backfill by Client (1 day)  
Anchor Bolt Survey (1 day)  
Building Delivery and Erection: (10 weeks from Order Entry)  
Overhead Door Installation (3 Days)  
Project Closeout (1 Day)  
**Overall Schedule from NTP to Building Turnover = 18- 20 weeks or 4.5 to 5 months. (mid Feb to March)**





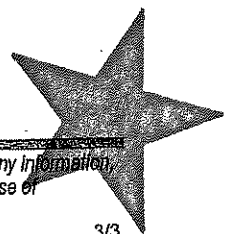
Thank you for your interest in our BlueScope Construction team and our Sourcewell contract for your facility needs. We welcome any questions or comments you may have regarding this proposal. Please contact me at the number stated below.

Regards,

A handwritten signature in black ink, appearing to read "Rick Chaves".

Rick Chaves  
Design/Build Preconstruction Project Manager  
Phone: 816.245.6886  
Cell: 913.645.4148

CC: Andrew Krogman, Ryan McKay, Gary Kahle, Bruce Forster (Cook & Krupa) File



Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) (FINAL 10/16/24)  
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**ATTACHMENT A (FINAL FIRM PROPOSAL)**

**SCOPE OF WORK**

**BUTLER BUILDING MATERIALS**

**Division 13—Special Construction**



**Building Structural System**

**General**

The Building Structural System furnished by Butler Manufacturing / BlueScope Construction shall be as follows:

Description	Width	Length	Eave Height	Structural Type	Roof Slope	Bays	Comments
Equipment Storage Bldg	40'-0"	60'-0"	20'-0"	RF	0.5:12	1 @ 19' 1 @ 20' 1 @ 19'	Single Slope

**Structural Type Description—General**

**Pre-engineered Building Systems (PEB)**

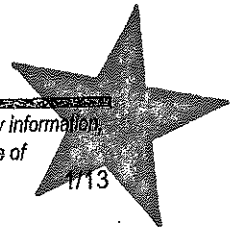
The design of the Rigid Frame (RF) (a clear span structural system), shall consist of a rigid frame with tapered or straight exterior columns and tapered or straight roof beams. Roof beams may be solid web or truss sections.

The endwall of the structural systems consist of beam and post frames. The endwalls have not been designed for future building expansion.

In the longitudinal direction of these structural systems, rod or angle bracing, portal frames, portal braces, fixed base columns, shear walls or a combination of these may be used to resist longitudinal loads.

This primary framework supports roof structurals and wall structurals, which, in turn, support the roof panels and wall panels, respectively. Roof structurals will consist of cold form Z's or C's appropriately designed to meet design criteria. The wall structurals consist of cold form Z's or C's designed to resist horizontal loads from the walls.

Unless specified otherwise, BlueScope Construction will determine the structural system and the type and configuration of components that make up the structural system that satisfy the requirements necessary to meet codes, loads, building layout and clearances.





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## Structural Steel Design

All structural mill sections or welded-up plate sections shall be designed in accordance with the *15th Edition of the AISC Specifications for the Structural Steel Buildings*. Cold-formed steel structural members shall be designed in accordance with *AISI Specification for the Design of Cold-Formed Steel Structural Members*. Steel bar joists shall comply with specifications of the Steel Joist Institute.

## Welding

Welding procedures shall be in accordance with the American Welding Society Structural Welding Code.

## Structural Painting

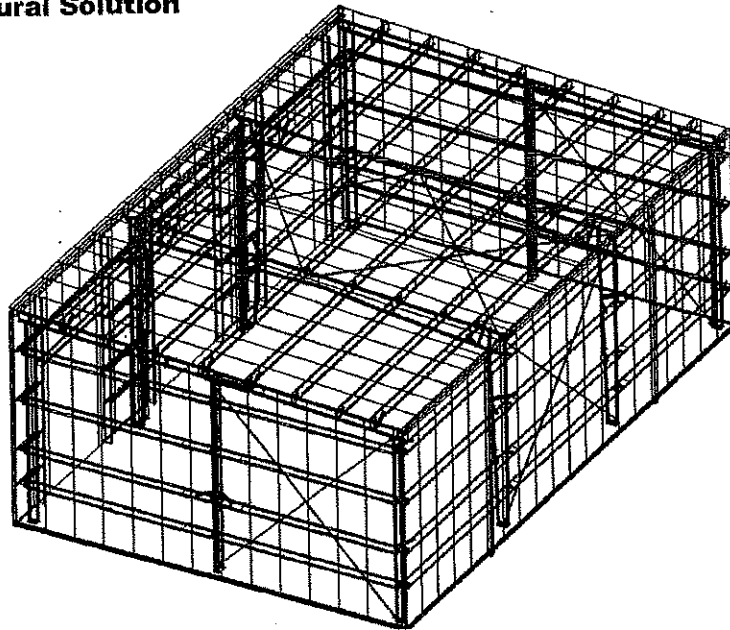
All Butler structural steel components shall be factory cleaned to remove all loose mill scale and other foreign material generally conforming to SSPC-SP 2 (Hand Tool Cleaning). The parts are shop coated with a single coat of gray corrosion inhibiting primer keeping with Steel Structures Painting Council (SSPC) Paint Specification 15. This primer is considered a temporary and provisional coating. This single coat primer is not an intermediate or finish coat.

Cold formed Z's and C's will have a acrylic coated, G-30 galvanized finish.

## Exceptions/Clarifications

Use of ESFR sprinkler systems will require coordination of the sprinkler heads and the roof secondary members. If this coordination does not occur during the design of the steel building, field modifications may be required. The engineering and any field modifications required will be billed as a change order.

## Schematic of Structural Solution



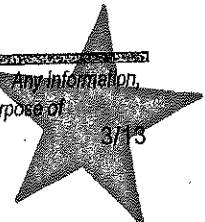
Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) (FINAL 10/16/24)  
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## Design Criteria

Building Code	<i>International Building Code</i>
Edition (Year)	<b>2018</b>
Use Category	<b>II (Standard Occupancy Structure)</b>
<b>Roof Loads/Other Building Shell Loads</b>	
Live Load	<b>20 psf (reducible per code)</b>
Structural Dead Load	<b>Actual Structure Weight</b>
Ground Snow Load	<b>30 psf</b>
Minimum Roof Snow Load	<b>20 psf (code)</b>
Collateral Load - Gravity	<b>5 psf</b>
Wind	
Speed	<b>125 mph</b>
Exposure	<b>D (Coastline)</b>
Building Enclosure *	<b>Partially Enclosed</b>
Site Elevation Above Sea Level	
Hurricane Prone Region	<b>Yes</b>
Wind-Borne Debris Region	<b>Yes</b>
Impact Resistant Covering	<b>Not Required</b>
Seismic	
Acceleration	<b>Ss =22.3% S1 =5.3%</b>
Soil Profile	<b>Stiff Soil (D) - Default</b>
Seismic Design Category	<b>B</b>
Elevated Floor Loading	
Live	<b>N/A</b>
Dead	<b>N/A</b>
Collateral	<b>N/A</b>
Factory Mutual (FM) Uplift Rating	<b>Not Required</b>
<b>Deflection/Sidesway Criteria</b>	
Deflection-roof beams	<b>V/180 (Live load, Snow Load, 10-year Wind Load)</b>
Sidesway frames	<b>H/60 (10-year wind), H/10 (Seismic)</b>
Deflection-roof structurals	<b>V/150 (Live load), V/180 (Snow, 10-year Wind)</b>
Deflection-wall structurals	<b>H/90 (10-year wind, Seismic)</b>

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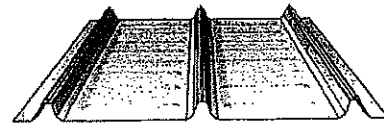
## ACCEPTED ROOF OPTION: MR-24® Roof System

### General

The roof shall be MR-24® roof system as furnished by Butler Manufacturing as follows:

Panels shall be factory roll-formed, 24" wide, with 2 major corrugations, 2" high (2¾" including seam), 24" on center. The flat of the panel shall contain cross flutes 6" on center perpendicular to the major corrugations the entire length of the panel.

Roof panels shall be factory pre-punched at panel end to match pre-punched holes in the eave structural member. Panel end splices shall be pre-punched and pre-notched.



### Panel Material and Finish

Panel material and finish shall be 22-gauge steel coated both sides with a layer of acrylic coated Galvalume® aluminum-zinc alloy (approximately 55% aluminum, 45% zinc) applied by the continuous hot dip method. Minimum 0.55 ounce coated weight per square foot as determined by the triple spot test per ASTM Specification A-792. A clear acrylic film is applied for additional protection.

### System Design

MR-24 roof system panel shall be designed in accordance with AISI *Specifications for the Design of Light-Gauge, Cold-Formed Steel Structural Members* or CAN/CAS 136 *Cold-Formed Steel Structural Members*—latest edition.

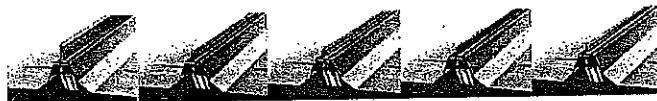
Panel system shall be designed to support all design loads.

All endwall trim and roof transition flashings shall allow the roof panel to move relative to the wall panels as the roof expands and contracts with temperature change.

### Fasteners

Connection of MR-24 roof system panel-to-structural members, except at eave, shall be made with clips with movable stainless steel tabs that are seamed into standing seam sidelaps.

MR-24 roof system panel-to-panel connections shall be made with a positive, field-formed standing double-lock seam, formed by a special lock seaming machine. The machine field forms the final 180 degrees of a 360-degree Pittsburgh double-lock standing seam; all sidelap sealant shall be factory applied.



*The 360° double-lock standing seam on the MR-24 roof system is the same seam used on gas tanks and soda cans.*

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### **U. L. Uplift Ratings**

The MR-24 Roof System carries an Underwriters Laboratories (U.L.) wind uplift resistance classification of 90 to ensure structural integrity and possible reduction of insurance rates (construction numbers 62, 62A, & 178).

### **Provision for Expansion/Contraction**

Provision for thermal expansion movement of the MR-24 roof system panel shall be accomplished by the use of clips with a factory centered, stainless steel, moveable tab. A force of no more than 8 pounds will be required to initiate tab movement. Each clip shall accommodate a minimum movement of 1.25" in either direction.

### **Energy Conservation**

Purlins shall be insulated so as to eliminate "thermal short circuit" between purlin and roof panels. The heat loss (thermal short circuit) caused by compression of the blanket insulation between structural and panel is minimized by the use of a spacer block at each purlin location.

### **Edge of Roof Trims (Standard Color)**

#### **Gutter and Downspouts**

Gutter shall be Butler contour type (5 1/2" wide x 5" deep) and shall be provided with downspouts (4 1/4" x 2 3/4") at eaves. Contour Gutter with Weather Seal.

#### **Gable Trim**

Gable trim shall be Butler contour type, with the high-speed wind clip, and shall be provided at gables.

#### **Below Eave Canopy**

N/A

#### **Roof Extensions**

N/A

All accessories listed above will be fabricated from fabricated from painted Galvalume® aluminum-zinc alloy as per ASTM Specification A-792 or painted G90 galvanized as per ASTM Specification A653 with exterior colors of Butler-Cote® 500 FP finish system, a full strength, 70% Kynar 500® or Hylar 5000® fluoropolymer (PVDF) coating.

#### **Roof Accessories**

Curbs- N/A

Walkways- N/A

Platforms- N/A

Skylights- N/A

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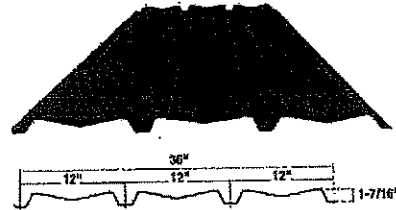
## Shadowwall™ Wall System

### General

Shadowwall™ wall system panels shall be as furnished by Butler Manufacturing as follows:

Panels shall be 36" wide with four major corrugations, 1-7/16" high, 12" on center with two minor corrugations between each of the major corrugations the entire length of the panel.

Wall panels shall be unpunched.

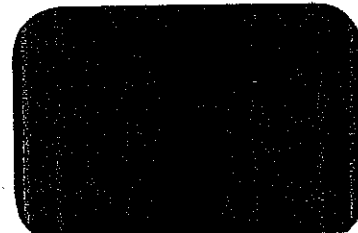


### Panel Design

Panel design shall be in accordance with AISI *Specification for the Design of Light-Gauge, Cold-Formed Steel Structural Members*, or CAN/CSA-S136 *Cold-Formed Steel Structural Members*, and in accordance with sound engineering methods and practices.

### Panel Material and Finish (Standard Color)

Panel material and finish shall be 26-gauge painted Galvalume® aluminum-zinc alloy as per ASTM Specification A-792 with exterior colors of Butler-Cote® finish system, a full strength, 70% Kynar 500® or Hylar 5000® fluoropolymer (PVDF) coating. *Manufacturer shall warrant that coating shall not peel, crack or chip for 25 years.* For a period of 25 years chalking shall not exceed ASTM D4214 #8 rating and will not fade more than 5 color difference units per ASTM D2244. Interior color shall be Light Gray polyester color coat not formulated for exterior weathering.



The Shadowwall™ system is designed to require up to 33% fewer fasteners than most ribbed panels. In addition to lowering installation costs, this also results in reduced heat lost through the wall for enhanced thermal performance.

### Fasteners

Panel-to-structural connections shall be made using Scrubolt™ fasteners with Torx® heads or self-drilling screws with Torx heads. Panel-to-panel connections shall be made with self-drilling screws with Torx heads. All exposed fasteners shall be pre-painted to match wall color.

### Wall Accessories

#### Butler Pre-Hung Exterior Personnel Doors

The exterior personnel doors shall be the Expi-Door, Series 500:

One (1) each – 3' x 7'

Personnel doors shall be pre-hung hollow metal type and meet the requirements of Commercial Standards SDI-100. Door leaf shall be 1¾" thick, full flush, constructed of 18-gauge hot dipped galvanized steel (A60), prime painted in beige color. Doors to have an insulated polystyrene core continuously bonded to door skins. Door frames shall be 16-

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gauge galvanized steel (A60) and prime painted in beige color. Doors shall be complete with aluminum threshold, upgrade weather seal, and stainless-steel Hager Standard weight hinges. Closers shall be LCN 4041 without Hold Open Arm. Lockset shall be Schlage SL53BD cylindrical lever grade 2.

### **Framed and Trimmed Openings (See Division 8 for Overhead Doors)**

**Overhead Doors with High Jamb Lift (sectional, chain assist, uninsulated)**

Three (3) each – 12' x 14'

Louvers and Windows = See Division Scope of Work



## **Insulation**

### **General**

Roof and wall insulation shall be faced fiberglass blanket insulation furnished as follows:

Roof: R-13, fiberglass blanket with short clips.

Wall: N/A

Test reports are available when applicable and requested.

### **Insulation and Facing**

Fiberglass shall be as outlined in the North American Insulation Manufacturing Association (NAIMA 202-96) specification, or equal. The fiberglass shall be faced with WMP-50 on one side. The composite of fiberglass and facing shall have surface burning characteristics not to exceed a flame spread of 5 and smoke developed 30 on the polypropylene side and 20 on the polyester side when tested in accordance with U.L. 723 test method or ASTM E84 test method.

The facing shall be WMP-50, which is composed of PSKP, white polypropylene film, fiberglass and polyester scrim, 30# natural kraft, metallized polyester. The resulting facing shall have a water vapor transmission rate of 0.02 US perm (ASTM E96).

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## Sky-Web® Fall Protection & Insulation Support System

### General

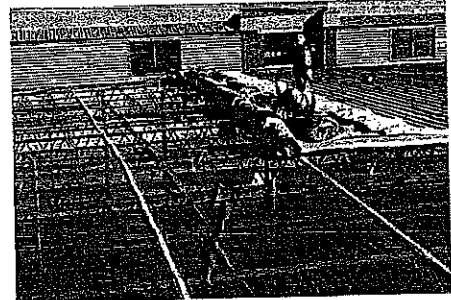
Butler's exclusive Sky-Web® fall protection system shall be installed to provide additional job-site safety.

### Physical Properties

The Sky-Web system basic mesh shall be a 1,000-denier polyester yarn interwoven on a nominal 1/2" square grid coated with a fire retardant and ultraviolet stabilized PVC based binder. The mesh shall have a tensile strength (pounds/yarn) of 15 pounds in each direction and a weight between 0.28 and 0.32 ounces per square foot.

### System Application

The roof structural system shall be in place prior to installation of the Sky-Web system. The Sky-Web system shall remain in place after the metal roofing is installed.



*Sky-Web® Fall Protection and Insulation Support System protects workers from falls from the leading edge of the roof while also protecting workers below from dropped tools. It increases worker productivity while improving safety. After construction it serves as a virtually invisible insulation support system.*

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## ANCILLARY SERVICES

Structural Design and Engineering of foundation footings and grade beams including P.E. stamped drawings.  
Pre-Engineered Metal Building Design and Signed /Sealed Permit set.  
Soil Testing excluded.

## INSTALLATION AND SITE PREPARATION

### Division 1 - GENERAL REQUIREMENTS

#### General Conditions

Project management  
Site supervision  
Site maintenance during construction  
Site Safety Program  
Temporary utilities:  
Temporary Toilets,  
330 l.f. of Temporary Fence  
Final clean up – all work to be “broom clean” unless noted otherwise  
Insurance – General Liability, Worker’s Compensation and Automobile  
Performance and Payment Bonds  
Structural Foundation Design by P.E.  
Excludes concrete testing and inspection as this is not a filed project.

### Division 2 – SITE CONSTRUCTION

#### Existing Conditions

#### Site Demolition and Preparation

Not Included

### Division 3 - CONCRETE

#### Footings & Foundations

Spread Footings (10), piers, grade beams of varying size and tie rods for a total of approximately 29 c.y. of concrete reinforced. Includes tension rods (6) at interior columns.

#### Slab on Grade

Not Included, See Division 32

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#### **Division 4 - MASONRY**

Not Included

#### **Division 5 - METALS**

Provide Anchor Bolts with plates and Installation.

Eight (8) 7" Steel Bollards of 8" Schedule 80 Piping concrete filled outside of garage door bays with footings.

#### **Division 6 - WOOD & PLASTICS**

Not Included

#### **Division 7 - THERMAL & MOISTURE PROTECTION**

See Butler Building materials for roof and wall insulation

Installation labor under Division 13

#### **Division 8 - DOORS & WINDOWS**

Three (3) 12'wx14'h manual chain hoist operated sectional steel overhead doors. Tracks to be 2" full angle – high lift type mounted to Butler steel. All panels counterbalanced by torsion springs working on solid cross header shaft rated for 10,000 cycles.

#### **Division 9 – INTERIOR FINISHES**

Not Included

#### **Division 10 - SPECIALTIES**

Not Included

#### **Division 11 - EQUIPMENT**

Not Included

#### **Division 12 – FURNISHINGS**

Not Included

#### **Division 13 – INSTALLATION OF BUTLER BUILDING & SPECIAL CONSTRUCTION**

Installation of PEMB Materials, summarized above.

#### **Division 14 – CONVEYING SYSTEMS**

Not Included

#### **Division 21 – FIRE SUPPRESSION**

Not Included

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Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) (FINAL 10/16/24)  
Project Name: Oyster Bay Storage Facility  
Location: Massapequa, NY  
Project Number: 25608 Final Firm



**Division 22 – PLUMBING**

Not Included

**Division 23 – HEATING, VENTILATING & AIR CONDITIONING**

Not Included

**Division 26 – ELECTRICAL**

Not Included

**Division 27 – COMMUNICATIONS**

Not Included

**Division 28 – ELECTRONIC SAFETY & SECURITY**

Not Included

**Division 31 – EARTHWORK**

Site prep,

Not Included.

Excavation and Backfill of Foundation

Not Included

Supervision only on an as needed basis as requested.

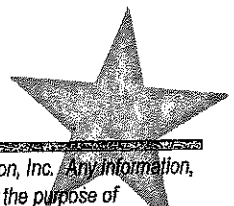
**Division 32 – EXTERIOR IMPROVEMENTS**

Asphalt Paving

Not Included

**Division 33 – UTILITIES**

Not Included



Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) (FINAL 10/16/24)  
Project Name: Oyster Bay Storage Facility  
Location: Massapequa, NY  
Project Number: 25608 Final Firm



## ALTERNATES, ASSUMPTIONS, CLARIFICATIONS AND EXCLUSIONS

### Assumptions

Standard Butler Color will be specified

Geotechnical investigations and recommendations were not provided at the time of this proposal. This scope includes an assumed, allowable soil bearing capacity of 4,000 PSF. Owner shall provide geotechnical investigations and recommendations necessary for the foundation design and applicable paving profiles.

Prevailing Wages: General Decision adopted by the local AHJ as of the date of this proposal.

One (1) year labor and material warranty

Existing utilities have the necessary capacity for the intended use of the facility

Connection to existing utilities shall be made within 5 feet of building slab perimeter, unless stated within this scope above.

Progress Payment Invoicing, according to Schedule of Values, submitted with no more than one invoice per month

### Clarifications

#### PRIORITY OF PROPOSAL

This Proposal supersedes all other plans and specifications related to this Project. If there is a discrepancy between plans or specifications provided for this Project and this Proposal, the descriptions included in this Scope of Work, Attachment A to the Proposal, shall take precedence.

#### CONTRACTUAL RELATIONSHIPS

Sourcewell, as a cooperative purchasing entity, published a Request for Proposal to procure pre-engineered buildings with related materials, site preparation, installation, and ancillary services, and along with other firms, BlueScope Construction, Inc. submitted a Proposal to Sourcewell. Sourcewell evaluated the various proposals submitted, competitively selected BlueScope Construction, Inc.'s proposal, and entered into a cooperative contract with BlueScope Construction, Inc. Sourcewell cooperatively shares this contract with its members nationwide, including Owner herein.

In considering utilization of Sourcewell's competitively solicited cooperative purchasing contract, Owner requested BlueScope Construction, Inc. to submit a Proposal, including this Scope of Work, Attachment A, under the Sourcewell cooperative purchasing program. Should Owner accept the Proposal, including this Scope of Work, Attachment A, and Owner and BlueScope Construction, Inc. are able to reach mutually agreeable contract terms, upon which this Proposal is contingent, BlueScope Construction, Inc. and Owner shall enter into an Agreement and General Conditions of Contract between Owner and Design/Builder for Construction Services-Construction Manager – Lump Sum (modeled after DBIA 525 and DBIA 535). This Proposal is based on a design/build solution.

In addition to entering into Agreement and General Conditions with Owner, BlueScope Construction, Inc. shall also enter into Prime Subcontractor Agreement with a Butler Builder, who will provide design and/or construction services under the Proposal. Communications on the Project, including weekly meetings, daily reports, and scheduling, will be conducted as follows: Owner-BlueScope Construction, Inc.-Prime Subcontractor or Prime Subcontractor-BlueScope Construction, Inc. - Owner.

Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) (FINAL 10/16/24)  
Project Name: Oyster Bay Storage Facility  
Location: Massapequa, NY  
Project Number: 25608 Final Firm



**OWNER RESPONSIBILITIES SHOULD BLUESCOPE CONSTRUCTION, INC. NOT PROVIDE DESIGN-BUILDER SERVICES TO OWNER**

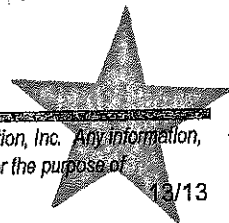
This Proposal is based on a design/build solution, but should Owner proceed with the Project and enter into an agreement with BlueScope Construction, Inc. as a builder only, and not as a Design-builder and/or Construction Manager, Owner understands and agrees that this Scope of Work, Attachment A to the Proposal, shall be shared with its design team/Designer of Record and with its construction management team, with those teams/entities entering into separate agreement(s) with Owner for design and construction management services (as enumerated in Attachment A to the Proposal, Scope of Work) for the Project. This Proposal and attached Scope of Work, Attachment A, shall supersede any third-party agreements the Owner may have for this Project, including the Owner's third-party agreements for design and construction management services.

**Exclusions**

- Taxes – Owner shall provide the necessary Tax-Exempt Certification
- Builder's Risk Insurance coverage. Owner shall provide the Builder's Risk Insurance coverage
- Site Survey
- Site Work
- Excavation and Backfill of Foundation by Others
- Prevailing Wage Apprenticeship Program
- Geotechnical Investigations and recommendations necessary for foundation design and paving profiles
- Soil Testing
- Concrete Testing
- Permits, including schedule allowance for permit approval process.
- Identification of and protection of existing utilities
- Special Site Conditions, which could not be anticipated at time of bid
- Winter conditions
- Compliance with LEED Certification or Air Infiltration requirements
- Fire Detection, Alarm and Suppression Systems
- All materials and labor not specified above

**Company Information for Order Entry Includes:**

BlueScope Construction, Inc.  
Sourcewell Contract Number: 110822-BSC  
Tax ID Number: 43-0949971



Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) **(Final Client Approved Scope 10/15/24)**  
 Project Name: Oyster Bay Storage Facility  
 Location: Massapequa, NY  
 Project Number: 25608 Revision 1- Deduct Alternate for Owner Furnished and Installed Items  
 Revision 2. **Add Concrete Foundation back in, remove asphalt and reduce sitework. (Approved Version)**



**ATTACHMENT B**

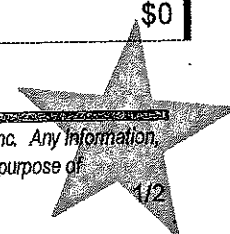
**SCHEDULE OF VALUES**

Final Schedule of Values per Division as defined in Scope of Work.

**Final Accepted Scope of Work with Owner Selected Items to be self performed and accepted alternates included (MR-24 Roof and Bollards)**

SCHEDULE OF VALUES		
Oyster Bay Storage Building		Proposal No.: 25608
Town of Oyster Bay		BSC Job No.: 25608
Schedule of Values Line Item Number	Description	Price
1	General Requirements	\$51,138
1A	Design & Ancillary Services	\$15,501
1B	Payment & Performance Bond	\$3,244
2	Existing Conditions	\$7,751
3	Concrete	\$153,312
4	Masonry	\$0
5	Metals	\$14,398
6	Wood, Plastics & Composites	\$0
7	Thermal & Moisture Protection	\$0
8	Openings	\$41,325
9	Interior Finishes	\$0
10	Specialties	\$0
11	Equipment	\$0

Copyright: BlueScope Construction, Inc., 2024. This Proposal contains information confidential and proprietary to BlueScope Construction, Inc. Any information, data and drawings included in this Proposal are supplied to you with the understanding that they will be held confidentially, used only for the purpose of evaluating this Proposal, and will not be disclosed to third parties without the prior written consent of BlueScope Construction, Inc.



Date: September 4, 2024 (Revised 9/9/24) (Revised 9/13/24) **(Final Client Approved Scope 10/15/24)**  
 Project Name: Oyster Bay Storage Facility  
 Location: Massapequa, NY  
 Project Number: 25608 Revision 1- Deduct Alternate for Owner Furnished and Installed Items  
 Revision 2: **Add Concrete Foundation back in, remove asphalt and reduce sitework. (Approved Version)**



12	Furnishings	\$0
13	Special Construction (PEMB Installation)	\$224,337
13A	Special Construction (BBNA Engineering & Materials)	\$82,871
14	Conveying Equipment	\$0
21	Fire Suppression	\$0
22	Plumbing	\$0
23	HVAC	\$0
26	Electrical	\$0
27	Communications	\$0
28	Electronic Safety and Security	\$0
31	Earthwork	\$0
32	Exterior Improvements	\$0
33	Site Utilities	\$0
41	Material Processing and Handling Equip	\$0
<b>Total Budget Price without Tax =</b>		<b>\$593,876</b>

\*Please note that this quote does not include the local tax burden of 8.625% and it is assumed the client will provide a tax-exempt certificate at the time of contract execution to avoid this added fee.

This proposal *is valid for 30 days. (Verbal Acceptance given by Client on 10/2/24)*

WHEREAS, The Farmingdale School District (the "District"), is a Pre-k through Grade 12 school district that draws from several areas including Farmingdale, Massapequa, North Massapequa and Massapequa Park. The District seeks to establish a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law; and

WHEREAS, The Town of Oyster Bay (the "Town") wishes to assist in facilitating the needs of the District in establishing a temporary evacuation site for Farmingdale High School, Weldon E. Howitt Middle School, Albany Avenue Elementary School, Northside Elementary School, Saltzman East Memorial Elementary School and Woodward Parkway Elementary School (collectively, "Schools") specifically, to the best of its ability at Ellsworth W. Allen Park, 45 Motor Avenue, South Farmingdale, New York 11735 ("Allen Park")

7/15  
Reviewed By  
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated October 24, 2024, have advised and requested that the Town Board, authorize the Town to enter into a memorandum of understanding with the District, for the use of a Allen Park as a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law, for a term to commence on July 1, 2024 through and including June 30, 2025, nunc pro tunc, with one (1), one (1) year extension option upon the mutual agreement of the parties,

NOW, THEREFORE BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town is authorized to enter into a memorandum of understanding to be signed by the Supervisor, or his designee, with the District, for the use of a Allen Park as a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law, nunc pro tunc, for a term to commence on July 1, 2024 through and including June 30, 2025, nunc pro tunc, with one (1), one (1) year extension option upon the mutual agreement of the parties.

-#-

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

858

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: October 24, 2024  
SUBJECT: Memorandum of Understanding by and between the Town of Oyster Bay and the Farmingdale School District

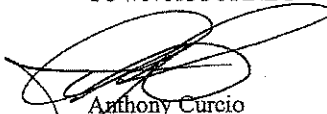
The Farmingdale School District (the "District"), is a Pre-k through Grade 12 school district that draws from several areas including Farmingdale, Massapequa, North Massapequa and Massapequa Park. The District seeks to establish a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law.

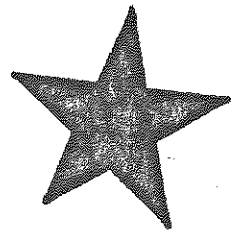
The Town of Oyster Bay (the "Town") wishes to assist in facilitating the needs of the District in establishing a temporary evacuation site for Farmingdale High School, Weldon E. Howitt Middle School, Albany Avenue Elementary School, Northside Elementary School, Saltzman East Memorial Elementary School and Woodward Parkway Elementary School (collectively, "Schools") specifically, to the best of its ability at Ellsworth W. Allen Park, 45 Motor Avenue, South Farmingdale, New York 11735 ("Allen Park").

It is requested that the Town Board authorize the Town to enter into a Memorandum of Understanding with the District, for the use of Allen Park as a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law, for a term to commence on July 1, 2024 through and including June 30, 2025, nunc pro tunc, with one (1), one (1) year extension option upon the mutual agreement of the parties.

Kindly suspend the rules and place this matter on the October 29, 2024 Town Board action calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Anthony Curcio  
Deputy Town Attorney





WHEREAS, The Farmingdale School District (the "District"), is a Pre-k through Grade 12 school district that draws from several areas including Farmingdale, Massapequa, North Massapequa and Massapequa Park. The District seeks to establish a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law; and

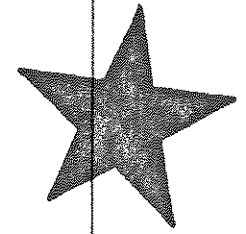
WHEREAS, The Town of Oyster Bay (the "Town") wishes to assist in facilitating the needs of the District in establishing a temporary evacuation site for Farmingdale High School, Weldon E. Howitt Middle School, Albany Avenue Elementary School, Northside Elementary School, Saltzman East Memorial Elementary School and Woodward Parkway Elementary School (collectively, "Schools") specifically, to the best of its ability at Ellsworth W. Allen Park, 45 Motor Avenue, South Farmingdale, New York 11735 ("Allen Park")

Reviewed By  
Office of Town Attorney

WHEREAS, Frank M. Scalera, Town Attorney, and Anthony C. Curcio, Deputy Town Attorney, by memorandum dated October 24, 2024, have advised and requested that the Town Board, authorize the Town to enter into a memorandum of understanding with the District, for the use of a Allen Park as a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law, for a term to commence on July 1, 2024 through and including June 30, 2025, nunc pro tunc, with one (1), one (1) year extension option upon the mutual agreement of the parties,

NOW, THEREFORE BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town is authorized to enter into a memorandum of understanding to be signed by the Supervisor, or his designee, with the District, for the use of a Allen Park as a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law, nunc pro tunc, for a term to commence on July 1, 2024 through and including June 30, 2025, nunc pro tunc, with one (1), one (1) year extension option upon the mutual agreement of the parties.

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**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**TOWN OF OYSTER BAY**

**and**

**FARMINGDALE SCHOOL DISTRICT**

This Memorandum of Understanding ("MOU") is made as of this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between Town of Oyster Bay, a New York municipal corporation, with offices located 54 Audrey Avenue, Oyster Bay, New York 11771 ("Town") and the Farmingdale School District ("District"), with offices located at 50 Van Cott Avenue, Farmingdale, New York 11735.

**WHEREAS**, the District is a pre-k through Grade 12 school district that draws from several areas including Farmingdale, Massapequa, North Massapequa and Massapequa Park; and

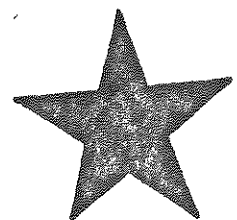
**WHEREAS**, the District seeks to establish a centralized temporary evacuation site in the event that a need arises that requires effectuation of the District's building-wide or district-wide safety plan in accordance with New York State Education Law; and

**WHEREAS**, the Town wishes to assist in facilitating the needs of the DISTRICT in establishing a temporary evacuation site for Farmingdale High School, Weldon E. Howitt Middle School, Albany Avenue Elementary School, Northside Elementary School, Saltzman East Memorial and Woodward Parkway School (collectively, "Schools") specifically, to the best of its ability;

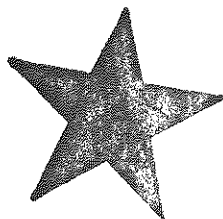
Accordingly, in consideration of the mutual promises and agreements herein contained, the sufficiency of which consideration is hereby acknowledged, the Parties enter into this Agreement and agree as follows:

**I. District Agrees to:**

1. Designate authorized personnel to communicate the need for a temporary evacuation site at Ellsworth W. Allen Park, 45 Motor Avenue, South Farmingdale, New York 11735 ("Allen Park"), such personnel to be specifically listed in Exhibit "A". District shall be responsible for notifying the Town of any change(s) to Exhibit "A" during the term of this MOU.
2. The implementation of this MOU shall only be authorized by (i) Farmingdale School District Superintendent and (ii) Farmingdale Assistant to the Superintendent for Administration, or their delegates, and cannot under any circumstances be unilaterally effectuated by the District.
3. Provide adequate and competent supervision for all students while at Allen Park.



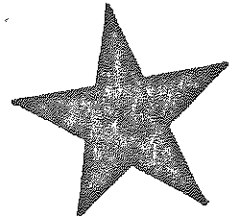
4. Be solely responsible for contacting parents, guardians or other persons in guardian-type relation to the students of the District in the event of an incident warranting implementation of this MOU that students are to be transported to Allen Park. District shall be solely responsible for providing proper instructions regarding pick-up protocols, location(s), and any other pertinent information relating to the incident.
5. Transport any and all impacted District students and employees to the designated evacuation location, as directed by (i) Farmingdale School District Superintendent or (ii) Farmingdale Assistant to the Superintendent for Administration, or their delegates.
6. Ensure any emergency response plan is kept confidential, in accordance with NYS Education Law §2801-a. The Parties agree and acknowledge, however, that the Town may disclose this MOU if legally required to do so.
7. The Parties agree and acknowledge that the Town is under no obligation to provide any medical care or counseling services to District students or employees either on-site at Allen Park or following the occurrence of any such incident.
8. District agrees to conduct its activities so as not to endanger or damage any person or property. District agrees to pay the Town for any and all damage resulting to Town property by use of District's students, employees or invited guests. The Town shall not in any event whatsoever be liable for any illness, injury and /or death of any person or damage to or loss of any property of the District, its personnel, students, invitees or any other person, on or about the authorized premises, or arising out of the exercise of this MOU.
9. District warrants and represents that it has established appropriate policies and procedures for response to emergency situations, such as those requiring evacuation, sheltering and lock-down which include evacuation routes, shelter sites, and procedures for addressing medical needs as well as transportation and emergency notification of parents and guardians.
10. District shall, to the fullest extent permitted by law and at its own cost and expense, defend, indemnify and hold the Town, and the Town's directors, officers, employees, servants, representatives and agents harmless from and against any and all third party claims, losses, damages, expenses (including attorney's fees, witness fees and all court and litigation costs) and liability (including statutory liability), resulting from or arising out of (i) breach of any warranty or representation made in this MOU; or (ii) injury and/or death of any person or damage to or loss of any property relating to or arising out of this MOU.
11. District shall not be permitted at Allen Park until it has obtained all insurance referred to herein and provided proof as set forth and which has been approved by the Office of the Town Attorney. To secure its obligations under the Agreement, District shall secure, pay for and maintain the following insurance policies in full force and effect during the term of the MOU:



- a. Property Insurance upon all equipment (owned, borrowed or leased by the LICENSEE or their employees) to the full replacement value thereof during the full term of this Agreement. This insurance shall insure against damage or loss caused by fire and all other perils covered by a standard "All Risk" insurance policy. LICENSEE agrees to waive their right of subrogation against the Town. The Property policy shall allow for a Waiver of subrogation in favor of the Town. Failure of the District to secure and maintain adequate coverage shall not obligate the Town or its agents or employees for any losses.
  - b. Commercial General Liability insurance for limits of \$1,000,000 per occurrence Bodily Injury and Property Damage combined, \$1,000,000 per occurrence Personal and Advertising injury, \$2,000,000 aggregate Products and Completed Operations Liability, \$100,000 Fire Legal Liability and \$2,000,000 General Aggregate limit per location or project including sexual abuse/molestation and terrorism coverage. The policy shall be written on an occurrence basis with no deductible. The policy shall also include full coverage for injury to participants for the full limit of the policy.
  - c. Umbrella Liability Insurance at not less than a \$3,000,000 limit providing excess coverage over all limits and coverages noted in paragraph(c). This Policy shall be written on an occurrence basis.
12. Policy shall be endorsed to name the Town as "additional insured". Definition of "additional insured" shall include the Town and all its trustees, partners, officers, directors, employees, agents, representatives and its managing agent. Furthermore, coverage for the "additional insured" shall apply on a primary basis irrespective of any other insurance, whether collectible or not.

**II. Town agrees to:**

1. Provide the District with adequate space for the temporary evacuation of the Schools at Allen Park.
2. Use of the above-named facilities shall not exceed ten (10) hours. The Parties agree and acknowledge that extenuating circumstances may arise, however, whereby a longer use of the space is needed for impacted individual students. The duration of such use shall be mutually agreed upon, as evidenced in writing, by an authorized representative of the Town and the District.
3. Ensure the availability of appropriate Town representatives to meet with District personnel to review this MOU on an annual basis.



4. Provide temporary access to the premises listed or contemplated under Section (II)(1) of this MOU free of charge to DISTRICT, its students, and its employees.

### III. General Provisions

1. This collaboration shall operate on an as-needed basis.
2. This agreement may not be assigned, delegated, or otherwise transferred by District without the prior written consent of the Town.
3. The term of this agreement shall commence on July 1, 2024, and continue through June 30, 2025. The Parties may mutually extend this MOU for additional one year terms in writing upon consent of both Parties. Either Party may terminate this MOU without cause upon ninety (90) days' advanced written notice to the other Party.
4. The Parties agree to comply with all the federal, state, local laws, ordinances, rules, and standards of professional conduct and Town policies applicable to both Parties, and specifically agree not to unlawfully discriminate against any individual on the basis of race, color, sex, religion, sexual orientation, age, physical or mental disability, national or ethnic origin, gender identity or expression, marital or veteran status, or any other characteristic protected by state or federal laws.
5. All notices required hereunder or deemed necessary by either Party shall be in writing and delivered by certified mail. Notices to the Parties shall be sent to the addresses set forth below:

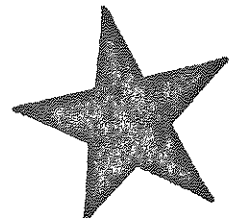
To the Town:

Office of the Town Attorney  
54 Audrey Avenue  
Oyster Bay, NY 11771  
Attn: Frank M. Scalera, Town Attorney

To the District:

Office of Guercio & Guercio	Farmingdale School District
77 Conklin Street	50 Van Cott Avenue
Farmingdale, NY 11735	Farmingdale, NY 11735
Attn: Anthony Fasano, Esq.	Attn: Paul Defendini, Supt. of Schools

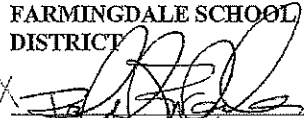
6. No District employees, volunteers, or other representatives ("Representatives") shall hold themselves out as Town employees, agents, or representatives. District represents that no trustee, officer, employee or any other person affiliated with the District and having involvement with this MOU (1) is affiliated with District, and (2) received, was promised, or will receive anything of value in connection with this MOU or performance thereof.
7. This MOU constitutes the entire agreement between the parties and supersedes all prior agreements relating to the subject matter hereof.
8. The invalidity in whole or in part of any provisions of this Agreement shall not affect the validity of other provisions.



9. This MOU, and any extensions, are subject to and contingent upon formal approval of the District's Board of Education.

Agreed and accepted by:

FARMINGDALE SCHOOL DISTRICT

X   
By: Ralph Morales  
Title: BOE President

Date: 10/9/2024

TOWN OF OYSTER BAY

\_\_\_\_\_  
By:  
Title:

Date: \_\_\_\_\_

Reviewed By  
Office of Town Attorney



Reviewed By  
Office of Town Attorney

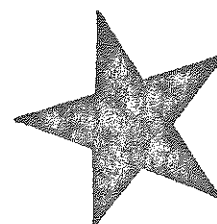
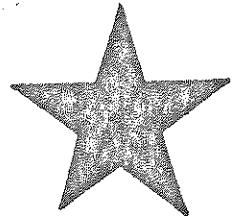


EXHIBIT "A"

AUTHORIZED DISTRICT PERSONNEL

1. Superintendent or Designee
2. Building Principals
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_



WHEREAS, Frank M. Scalera, Town Attorney, and William D. McCabe, Assistant Town Attorney, by memorandum dated October 28, 2024, advised that pursuant to the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney and Department of Human Resources sought proposals from several Doctors and medical firms in order to assist the Town in connection with conducting physical examinations, as well as Independent Medical Examination (IME) record review; and

WHEREAS, the Office of the Town Attorney, after having investigated and reviewed the qualifications of the four (4) responding Doctors and medical firms, by said memorandum, recommended that the following firms be retained to assist the Town in the conducting medical physicals in connection with claimed high percentage disabilities and

Jeffrey F. Shapiro, M.D.  
142 Andover Road  
Roslyn Heights, New York 11577

Eric Lawrence Freeman, M.D.  
South Shore Orthopedic Group, PC  
657 Central Avenue  
Cedarhurst, NY 11516

WHEREAS, payment to said doctors will be in accordance with the terms, conditions and fee schedules set forth in the pending Request for Proposals,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth have been accepted and approved, and the Town Board hereby authorizes the abovementioned Doctors be hereby retained to provide medical services in connection with the Town's conducting the aforementioned medical physicals and examinations, for claims and cases assigned from November 15, 2024 through December 31, 2024, with a two (2) one-year extension option at the Town's sole and exclusive discretion, and be it further

RESOLVED, That the Comptroller is authorized and directed to make payment for same in an amount not to exceed \$20,000.00 per Doctor or Medical Firm, upon submission of duly certified claims, after audit by the Comptroller, in accordance with the fee provisions outlined in the Request for Proposals, with funds to be drawn from Account No. DHR A 1430 44130 000 0000.

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Reviewed By  
Office of Town Attorney  
*William D. McCabe*

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