

APPROVED  
*John Canning*  
COMMISSIONER OF HUMAN RESOURCES

Meeting of August 9, 2022

RESOLUTION P-13-2022

WHEREAS, The 2022 Budget, adopted October 26, 2021 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 2022 Budget, on October 26, 2021, 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   | Absent |

Meeting of August 9, 2022

Resolution No. TF-12-2022

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                                  |
|----------|-------|--------------|---------------------------------------|
| 041-22   | EXE   | \$ 15,000.00 | TWN A 1989 47900 000 0000             |
|          |       | \$ 15,000.00 | TO<br>DER A 3510 44900 000 0000       |
| 042-22   | DGS   | \$ 25,000.00 | FROM<br>DGS A 1620 41600 000 0000     |
|          |       | \$ 25,000.00 | TO<br>DGS A 1620 25000 000 0000       |
| 043-22   | EXE   | \$ 22,500.00 | FROM<br>TWN A 1989 47900 000 0000     |
|          |       | \$ 22,500.00 | TO<br>PKS A 7110 47670 000 0000       |
| 044-22   | CYS   | \$ 20,000.00 | FROM<br>CYS A 7020 44930 000 0000     |
|          |       | \$ 20,000.00 | TO<br>CYS A 7020 47660 000 0000       |
| 045-22   | EXE   | \$490,000.00 | INCREASE<br>TWN A 0001 02690 000 0000 |
|          |       | \$490,000.00 | INCREASE<br>DPW A 1640 41200 000 0000 |
|          |       | \$700,000.00 | INCREASE<br>TWN A 0001 02690 000 0000 |
|          |       | \$700,000.00 | INCREASE<br>DPW A 1640 41210 000 0000 |
|          |       | \$ 60,000.00 | INCREASE<br>TWN A 0001 02690 000 0000 |
|          |       | \$ 60,000.00 | INCREASE<br>DPW A 1640 41220 000 0000 |
| 046-22   | DGS   | \$ 30,000.00 | FROM<br>DGS A 1620 41310 000 0000     |
|          |       | \$ 30,000.00 | TO<br>DGS A 1620 46300 000 0000       |
|          |       | \$ 30,000.00 | FROM<br>DGS A 1620 41600 000 0000     |
|          |       | \$ 30,000.00 | TO<br>DGS A 1620 46300 000 0000       |
| 047-22   | HWY   | \$ 2,500.00  | FROM<br>HWY DB 5110 41730 000 0000    |
|          |       | \$ 2,500.00  | TO<br>HWY DB 5110 25000 000 0000      |

-#-

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

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

Reviewed By  
Office of Town Attorney

2A

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

July 7, 2022

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

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In order to provide funds for emergency services in the budget for the Animal Shelter, the following transfer of funds is hereby requested:

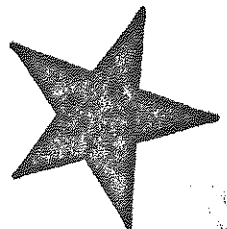
Transfer from:  
TWN A 1989 47900 000 0000 Other Expenses \$ 15,000.00

Transfer to:  
DER A 3510 44900 000 0000 Other Contracts \$ 15,000.00

Thank you.

  
Rob Darienzo  
Director of Finance

RD/rd  
Word/Documents/Docket/TOF 2022 DER AS



2B

TOWN OF OYSTER BAY

**INTER - DEPARTMENTAL MEMO**

Date: JULY 11, 2022  
To: MEMORANDUM DOCKET  
From: RALPH J. RAYMOND - COMMISSIONER GENERAL SERVICES  
Subject: **OPERATING ACCOUNTS - TRANSFER OF FUNDS**

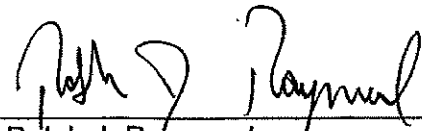
The following transfer is respectfully requested:

FROM: DGS A 1620 41600 000 0000 MATERIALS & SUPPLIES \$25,000.00  
TOTAL \$25,000.00

TO: DGS A 1620 25000 000 0000 GENERAL EQUIPMENT \$25,000.00  
TOTAL \$25,000.00

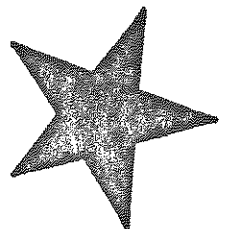
JUSTIFICATION: TRANSFER NEEDED TO COVER PURCHASES FOR EQUIPMENT  
THAT REQUIRE ASSET TAGS

Town Board approval is respectfully requested.



Ralph J. Raymond  
Commissioner of General Services

RJR/nl





2A

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

July 25, 2022

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

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In order to provide funds for special events in the Parks Department budget, the following transfer of funds is hereby requested:

Transfer from:  
TWN A 1989 47900 000 0000 Other Expenses \$ 22,500.00

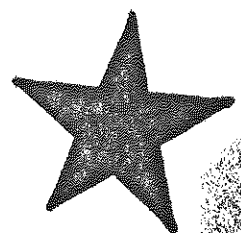
Transfer to:  
PKS A 7110 47670 000 0000 Special Sporting Events \$ 22,500.00

Thank you.



Rob Darienzo  
Director of Finance

RD/rd  
Word/Documents/Docket/TOF 2022 PKS



2B

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

July 22, 2022

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

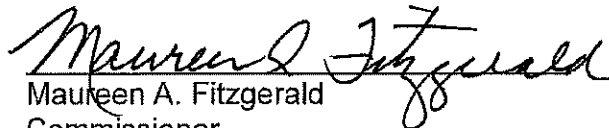
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The Department of Community and Youth Services requests Town Board authorization to transfer the following funds:

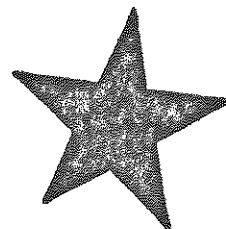
From: CYS A 7020 44930 000 0000 Bus Services \$ 20,000.00

To: CYS A 7020 47660 000 0000 Special Events \$ 20,000.00

The transfer will accommodate some of the Department's Special Events.

  
Maureen A. Fitzgerald  
Commissioner

MAF:iw



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

July 27, 2022

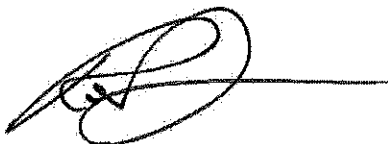
**To:** Memorandum Docket  
**From:** Rob Darienzo, Director of Finance  
**Subject:** Transfer of Funds

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In order to provide funds to account for unforeseen increases in fuel costs, the following transfer of funds is hereby requested:

|           |      |       |     |      |                             |              |
|-----------|------|-------|-----|------|-----------------------------|--------------|
| Increase: |      |       |     |      |                             |              |
| TWN A     | 0001 | 02690 | 000 | 0000 | Other Compensation for Loss | 1,250,000.00 |
| Increase: |      |       |     |      |                             |              |
| DPW A     | 1640 | 41200 | 000 | 0000 | Gasoline                    | 490,000.00   |
| DPW A     | 1640 | 41210 | 000 | 0000 | Diesel                      | 700,000.00   |
| DPW A     | 1640 | 41220 | 000 | 0000 | Other Oils, Lubes, etc      | 60,000.00    |

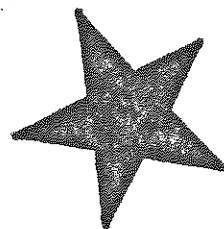
Thank you.



Rob Darienzo  
Director of Finance

RD/rd

Word/Documents/Docket/TOF 2022 CVM



## TOWN OF OYSTER BAY

## INTER – DEPARTMENTAL MEMO

Date: July 28, 2022  
To: MEMORANDUM DOCKET  
From: RALPH J. RAYMOND, COMMISSIONER OF GENERAL SERVICES  
Subject: OPERATING ACCOUNTS – TRANSFER OF FUNDS

The following transfer is respectfully requested:


|                                 |                      |                    |
|---------------------------------|----------------------|--------------------|
| FROM: DGS A 1620 41310 000 0000 | PRINTING SUPPLIES    | \$30,000.00        |
| DGS A 1620 41600 000 0000       | MATERIALS & SUPPLIES | \$30,000.00        |
| <u>TOTAL</u>                    |                      | <u>\$60,000.00</u> |

TO: DGS A 1620 46300 000 0000 BUILDING PROPERTY MAINTENANCE \$60,000.00

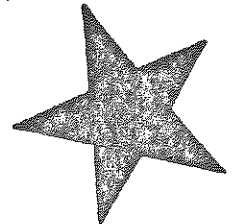
TOTAL \$60,000.00

JUSTIFICATION: TRANSFER OF FUNDS NEEDED TO COVER THE COST OF REPAIRS AND  
SERVICE CALLS FOR VARIOUS BUILDINGS AND FACILITIES

Town Board approval is respectfully requested.

  
Ralph J. Raymond  
Commissioner of General Services

RJR/hl



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

8/1/2022

**TO: MEMORANDUM DOCKET**

**FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER**  
**HIGHWAY DEPARTMENT**

**SUBJECT: TRANSFER OF FUNDS 2022**

Town Board authorization is requested to transfer the following funds:

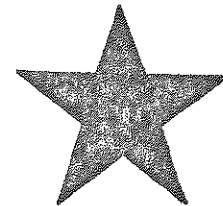
| Account No.   | Object Description | Amount     |
|---|--------------------|------------|
| <u>From:</u> HWY E <sup>n</sup> 5110 41730 000 0000 | ASPHALT            | \$2,500.00 |
| <u>To:</u> HWY DB 5. 125000 000 0000                | EQUIPMENT          | \$2,500.00 |

This transfer is necessary to provide funds to purchase one (1) Rotary Surface Cleaner with handles, 28" clearing path, 4,000 psi Max. Op Pressure.

  
John P. Bishop, Deputy Commissioner  
Highway Department

JPB/dp

C: Comptroller's Office  
Richard Lenz, P.E., Commissioner of DPW/Highway



Meeting of August 9, 2022

Resolution No 521-2022

Reviewed By  
Office of Town Attorney  
*Monica Wolfe*

WHEREAS, Joseph G. Pinto, Commissioner of the Department of Parks, by memorandum dated June 24, 2022, requested Town Board authorization to employ the services of Commercial Clearwater Company, Inc., P.O. Box 909, Plandome, New York 11030, to provide Pool Operators Certification Course training to Town employees at an amount not to exceed \$350.00 per attendee, with two attendees at no charge, for a total cost not to exceed \$2,450.00; and

WHEREAS, in accordance with Guideline 6c of the Town's procurement policy, since the annual cost of the training is less than \$5,000.00, only one (1) qualified proposal needed to be obtained to meet procurement; and

WHEREAS, the Inspector General has reviewed the proposed vendor's disclosure questionnaire and is satisfied that the procurement policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Parks, is hereby authorized to employ the services of Commercial Clearwater Company, Inc., P.O. Box 909, Plandome, New York 11030, to provide Pool Operators Certification Course training to Town employees at a fee of \$350.00 per attendee, with two attendees at no charge, for a total cost not to exceed \$2,450.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. PKS A 7110 44900 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   | Absent |

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

TO: MEMORANDUM DOCKET  
FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS  
DATE: JUNE 24, 2022  
SUBJECT: Pool Operators Certification Training Course

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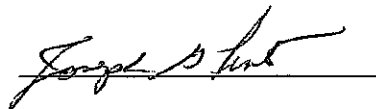
Town Board approval is requested nunc pro tunc to employ the services of Commercial Clearwater Company, Inc., P.O. Box 909, Plandome, NY 11030. Funds are available in account number PKS-A-7110-44900-000-0000.

Commercial Clearwater is offering the required Pool Operators Certification training course at an amount not to exceed \$350.00 per attendee, with two attendees at no charge, total cost not to exceed \$2,450.00.

In accordance with guideline 6c of the Town's procurement policy, since the annual cost of this is less than \$5,000.00, only 1 qualified proposal needs to be obtained to meet procurement.

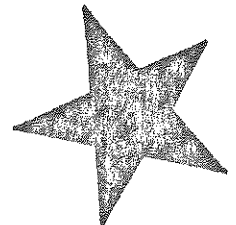
The inspector general has reviewed proposed vendor's disclosures, and is satisfied that the Procurement Policy has been satisfied.

It is hereby requested that Town Board authorize this training and that the Comptroller be directed to encumber \$2,450.00 using account number PKS-A-7110-44900-000-0000 for Commercial Clearwater Company, Inc. to provide the required training as stated in the above subject heading.



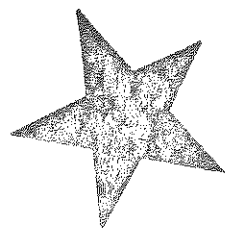
JOSEPH G. PINTO, COMMISSIONER  
DEPARTMENT OF PARKS

JGP/JM  
Att.



Below is the list of employees that will be taking the Certified Pool operators course June 1<sup>st</sup> & 2<sup>nd</sup> 2022.  
It will be held at Bethpage Indoor Rink from 8AM-4PM.

1. FERNANDEZ, STEVE
2. GARDNER, SEAN
3. MONTELL, PHIL
4. NOCELLA, CHRIS
5. PRINCIPE, MIKE
6. REILLY, JOSEPH
7. SCHIFF, ROBERT
8. SWINICK, JOSEPH
9. VITUCCI, ANDREW





COMMERCIAL CLEARWATER  
COMPANY., INC.

P.O. Box 909  
Plandome, NY 11030  
(516) 294-7985



## Estimate

| Fax #        | DATE     | ESTIMATE # |
|--------------|----------|------------|
| 516-294-7986 | 6/1/2022 | KE 12925   |

| NAME / ADDRESS  |
|---|
| Town of Oyster Bay<br>Attn: Daniel Mendelson<br>Parks Department<br>977 Hicksville Road<br>Massapequa, NY 11758 |

| Ship To |
|---------|
|         |

| TERMS        | PRICING GOOD UNTILL | REP | PROJECT Name |
|--------------|---------------------|-----|--------------|
| Due On Recpt | 7/1/2022            | RJB |              |

| ITEM                         | DESCRIPTION  | QTY | COST         | TOTAL             |
|------------------------------|--|-----|--------------|-------------------|
| CPO                          | Bethpage Park, Stewart Ave & Cherry Avenue,<br>Bethpage New York |     |              |                   |
|                              | Certified Pool Operator Course @ \$350.00 each<br>person.        | 9   | 350.00       | 3,150.00          |
| CPO                          | Certified Pool Operator Course -2 registrations at no<br>charge  | 2   | -350.00      | -700.00           |
|                              | Town of Oyster Bay will receive 2 complimentary<br>registrations |     |              |                   |
|                              |  |     | (8.625%)     | \$0.00            |
| Thank you for your business. |  |     | <b>TOTAL</b> | <b>\$2,450.00</b> |

**COMMERCIAL CLEARWATER  
COMPANY., INC.**

P.O BOX 909  
PLANDOME, NY 11030-0909  
Phone: 516-294-7985 • Fax: 516-294-7986  
HELP@911POOLS.COM



**Invoice**

|           |          |
|-----------|----------|
| Date      | 6/1/2022 |
| Invoice # | 31630    |

|   |
|---|
| Bill To   |
| Town of Oyster Bay<br>Attn: Daniel Mendelson<br>Parks Department<br>977 Hicksville Road<br>Massapequa, NY 11758 |

|         |
|---------|
| Ship To |
|         |

|                              |           |   |                  |          |              |          |
|------------------------------|-----------|---|------------------|----------|--------------|----------|
| Invoice #                    | Ship Date | Ship Via  | WS #             | Rep      | Terms        | P.O. No. |
| 31630                        | 6/1/2022  |   |                  | RJB      | Due On Recpt |          |
| Qty                          | Item      | Description   | Rate             | Amount   |              |          |
| 9                            | CPO       | Bethpage Park, Stewart Ave & Cherry Avenue,<br>Bethpage New York<br>Certified Pool Operator Course @ \$350.00 each<br>person.                               | 350.00           | 3,150.00 |              |          |
| 2                            | CPO       | Certified Pool Operator Course -2 registrations at<br>no charge<br><br>Town of Oyster Bay will receive 2 complimentary<br>registrations<br>NEEDS CLAIM FORM | -350.00          | -700.00  |              |          |
| Thank you for your business. |           |   | Payments/Credits |          | \$0.00       |          |
|                              |           |   | Total            |          | \$2,450.00   |          |



# TOWN OF OYSTER BAY

## CLAIM

AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

TAXPAYER IDENTIFICATION NUMBER

FEDERAL ID # ☐ SOCIAL SECURITY # ☐

112845353

CLAIMANT'S NAME  
COMMERCIAL CLEARWATER CO.

VENDOR #

CONTRACT #

ORDER #

CLAIMANT'S ADDRESS  
P.O. Box 909  
Plandome, New York 11030

CONTRACT NAME

TOWN DEPARTMENT  
DEPT. OF PARKS

CLAIMANT INVOICE #  
31630

INVOICE DATE  
6/1/2022

RESO #

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

### DETAILED DESCRIPTION OF MATERIALS OR SERVICES

| DATE   | DESCRIPTION  | UNIT PRICE | TOTAL      |
|--------|--|------------|------------|
| 6/1/22 | Certified Pool Operators Course<br>(CPO) (\$350.00 per person)<br>7 registrants x \$350.00 = \$2450.00 | \$ 350.00  | \$ 2450.00 |
| 6/1/22 | CPO - Certified Pool Operators Course<br>2 registrants @ No charge                                     | \$ 0.00    | \$ 0.00    |
|        |  |            |            |
|        |  |            |            |
|        |  |            |            |
|        |  |            |            |
|        |  |            |            |
|        |  |            |            |
|        |  |            |            |
|        |  |            |            |

THE BELOW CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMANT

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

|                 |            |
|-----------------|------------|
| TOTAL AMOUNT    | \$ 2450.00 |
| CASH DISCOUNT % |            |
| NET AMOUNT      | \$ 2450.00 |

Two thousand Four Hundred and Fifty Dollars and 00/100

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

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

Signature

*Paul Robert Melink*

Title

President

Date

6/15/22

Print or type name

Paul Robert Melink

Name of Company

Commercial Clearwater Company Inc.

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

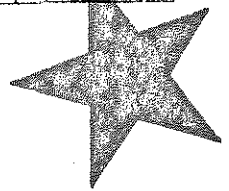
Signature

Title

Date

### FOR INTERNAL USE ONLY:

| Invoice Date | Vendor # | Invoice # | Dept. | Fund | Function | Main Acc. | Sub Acc. | Auth | Source |
|--------------|----------|-----------|-------|------|----------|-----------|----------|------|--------|
|              |          |           |       |      |          |           |          |      |        |



&lt;!-- used for ajax in AddAntiForgeryToken() --&gt;

# Commercial Clearwater Co Inc

Accepted

Low

Accepted by Task Completion on 6/23/2022 [View History](#)

Summary

DDIQ

Risk Model 

Tasks

Monitoring

[Initiate Diligence](#)

## PROGRESS

### OVERALL PROGRESS

**100%**

DISCLOSURE QUESTIONNAIRE

100%

100%

100%

SCREENIQ

100%

LEGAL APPROVAL

INSPECTOR GENERAL APPROVAL

**Onboarding Tasks:** the tasks below were completed on Thursday, June 23, 2022 as part of the third party's initial onboarding process

## DISCLOSURE QUESTIONNAIRE



Disclosure Questionnaire type due diligence has been successfully completed on this third-party

Type  
Disclosure Questionnaire

Date Requested  
Jun 16, 2022

Status  
Completed

[VIEW \(/ORDER/DETAILS/2540585\)](#) [NOTES](#)

## SCREENIQ



ScreenIQ type due diligence has been successfully completed on this third-party

AUTO INITIATE

Type  
ScreenIQ

Date Requested  
Jun 22, 2022

Status  
Completed

[VIEW \(/ORDER/DETAILS/2545117\)](#) [NOTES](#)

## LEGAL APPROVAL



This third-party has been successfully approved by the reviewer on Jun 22, 2022

Title  
Legal Approval #1

Name  
Thomas Sabellico

Date Completed  
Jun 22, 2022

NOTES (1)



This third-party has been successfully approved by the reviewer on Jun 23, 2022

Title  
Legal Approver #2

Name  
Frank Scalera

Date Completed  
Jun 23, 2022

NOTES (1)

## INSPECTOR GENERAL APPROVAL



This third-party has been successfully approved by the reviewer on Jun 23, 2022

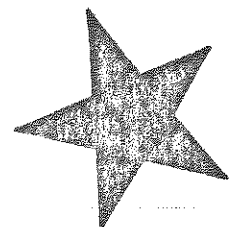
Title  
Inspector General

Name  
Brian Noone

Date Completed  
Jun 23, 2022

NOTES

[Terms and Conditions \(/About/TermsAndConditions\)](#) [Support \(/About/Support\)](#)



Meeting of August 9, 2022

Resolution No 522-2022

WHEREAS, by Resolution No. 228-2019, adopted April 16, 2019, the Town Board authorized the execution of the Urban Senior Jobs Program ("USJP") Host Agency Training and Maintenance of Effort Agreement with the Urban League of Westchester, as a recipient of Federal funding provided through the Older Americans Act, which administers the USJP in Nassau and Suffolk Counties; and

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated June 28, 2022, requested Town Board authorization to enter into a subsequent USJP Host Agency Training and Maintenance of Effort Agreement with the Urban League of Westchester, for the period July 1, 2022 through and including June 30, 2024, to allow for Urban Senior Jobs Program participants to serve in part-time, clerical functions with the Department of Intergovernmental Affairs, Division of Employment and Training; and

WHEREAS, Commissioner Sammartano, by said memorandum, advised that the USJP is a community service and work-based job training program for older Americans, through which low-income, unemployed senior citizens are provided with paid work experience assignments at non-profit agencies and public facilities that are contracted as a 'Host Agency' with the Urban League of Westchester; and

WHEREAS, Commissioner Sammartano, by said memorandum, further advised that the Urban League of Westchester, a recipient of Federal funding provided through the Older Americans Act, operates a satellite office in Amityville, and administers the Urban Senior Jobs Program in Nassau and Suffolk Counties; and

WHEREAS, Commissioner Sammartano, by said memorandum, further advised that this Agreement is at no cost to the Town of Oyster Bay, with all wages and benefits provided through the USJP paid by the Urban League of Westchester; and

WHEREAS, Commissioner Sammartano, by said memorandum, recommended that the Town Board grant authorization for the Supervisor, or his designee, to execute the USJP Host Agency Training and Maintenance of Effort Agreement, after negotiation and approval of the Town Attorney,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted, and the Supervisor, or his designee, is hereby authorized to execute the USJP Host Agency Training and Maintenance of Effort Agreement with the Urban League of Westchester, for the period July 1, 2022 through and including June 30, 2024, nunc pro tunc, after negotiation and approval of the Town Attorney, to allow for USJP participants to serve in part-time, clerical functions with the Department of Intergovernmental Affairs, Division of Employment and Training.

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

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

Reviewed By  
Office of Town Attorney

*Elizabeth A. Jauch*

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

June 28, 2022

**TO:** MEMORANDUM DOCKET

**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS

**SUBJECT:** URBAN LEAGUE OF WESTCHESTER  
URBAN SENIOR JOBS PROGRAM


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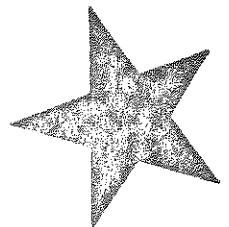
In accordance with Town Board Resolution, No. 228-2019, dated April 16, 2019, The Urban League of Westchester as a recipient of Federal funding provided through the Older Americans Act administers the Urban Senior Jobs Program (USJP), a community service and work-based job training program for older Americans. Through this program, low-income, unemployed senior citizens are provided with paid work experience assignments at non-profit agencies and public facilities that are contracted as Host Agencies with the Urban League of Westchester.

The Urban League of Westchester operates a satellite office in Amityville which administers the USJP within Nassau and Suffolk County. The Town of Oyster Bay's Department of Intergovernmental Affairs, Division of Employment and Training (DET) wishes to enter into an Urban Senior Jobs Program Host Agency Training and Maintenance of Effort Agreement (Agreement) with the Urban League of Westchester. This agreement would allow USJP participants to serve in part-time, clerical functions with DET. All wages and benefits provided through the USJP are paid by the Urban League of Westchester and would be at no cost to the Town of Oyster Bay.

Therefore, it is respectfully requested that the Town Board authorize the Department of Intergovernmental Affairs, Division of Employment and Training to enter into an Urban Senior Jobs Program Host Agency Training and Maintenance of Effort Agreement to be negotiated and approved by the Town Attorney and further authorize the Supervisor and/or his designee to execute said agreement. This is a renewal of the past agreement.

Regards,

  
Frank V. Sammartano  
Commissioner





National  
Urban League

Urban Seniors Jobs Program (USJP)  
**Host Training Agency – SIGNATORY FORM**

Host Training Agency Name: Town of Oyster Bay Town Hall North

*{Full Legal Name of HTA & Address of Administrative Office/Primary Location}*

Address: 54 Audrey Ave City: Oyster Bay State: NY Zip:

11771  
Phone #: 516-625-6365 Fax #: 516-624-6362

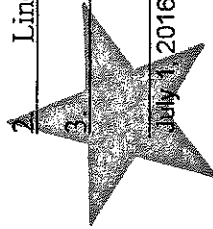
Host Training Agency Name: Town Hall South  
*IF APPLICABLE: {Name of HTA Satellite/Affiliate Location(s) & Address of Satellite/Affiliate Location(s)}*

Address: 977 Hicksville Rd City: Massapequa State: NY Zip:   
11758  
Phone #: 516-797-4579 Fax #: 516-797-7862

**HTA Site Supervisor (s) / Approved Signatory (ies):**

Effective January 1, 2009 only the below listed individuals will be accepted as APPROVED signatories on USJP Participant Timesheets.

| NAME (printed)   | EMAIL ADDRESS             | SIGNATURE |
|------------------|---------------------------|-----------|
| 1. John Sarcone  | Jsarcone@oysterbay-ny.gov |           |
| 2. Linda Scalera | Lscalera@oysterbay-ny.gov |           |
| 3.               |                           |           |



July 1 2016

Page 1 of 1

NUL USJP No. 49





## URBAN LEAGUE OF WESTCHESTER COUNTY

### USJP Host Agency Training and Maintenance of Effort Agreement

Period Covered: *July 1, 2022 through June 30, 2024*

To comply with the requirements of the Urban Seniors Jobs Program (USJP) operated under Title V of the Older Americans Act; this Agreement is voluntarily entered into by:

**Town of Oyster Bay, Department of Intergovernmental Affairs**

Division of Employment and Training

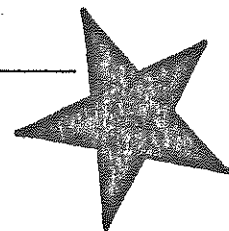
hereinafter referred to as the Host Training Agency (HTA), and

Urban League of Westchester

(USJP, hereinafter referred to as the ("UL").

#### The HTA agrees to:

1. Provide a safe training environment for each participant.
2. Immediately alert USJP staff to any Covid-19 and/or other health outbreaks at the location, that may pose risk to the participant or others.
3. Provide an effective orientation and training necessary to perform assigned duties in accordance with a written training description.
4. Provide additional training as opportunities occur that *support participant's employment goal and self-sufficiency.*
5. Treat each participant as a member of the agency staff.
6. Consider each participant for regular employment, either full-time or part-time, when vacancies occur or when new positions are created. The agency will also recommend suitable training for unsubsidized placement of the participant.
7. Abide by the hours and work schedules mutually agreed to for each participant.
8. Provide properly prepared time sheets, and other required documents.
9. Complete a Host Agency Training Form that will identify the specific location and training hours of the participants, the participants' training assignments and duties, skills the participant will receive during training, as well as any other training that the participant may need to perform the duties at the host agency (classroom and outside training).
10. Assist in the development of the participant's Individual Employment Plan (IEP), which is used to align the skills to be attained at the HTA and the timeline for the participant to achieve them.
11. Complete a Participant Evaluation at least twice a year as required by the Urban League USJP.
12. Attend or **send a representative** to quarterly Host Agency Supervisors Meetings. Host Agency Supervisors Meetings will acquaint all those connected with USJP on goals, compliance and new initiatives.
13. Participate in the Department of Labor's Customer Satisfaction Survey if solicited; and





14. Provide monthly documentation of in-kind contributions. It is understood by the HTA and UJSP that any contribution, whether cash or in-kind, by the HTA is purely voluntary and is not a condition for the assignment of any participant.

**The HTA agrees that the training assignments will:**

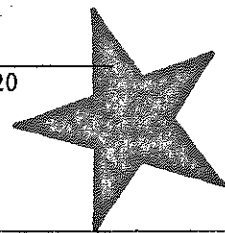
1. Result in an increase in employment opportunities that would not otherwise be available;
2. Not result in the displacement of currently employed workers;
3. Not result in a reduction in non-overtime hours of work, wages, or benefits
4. Not impair any existing contract for service or result in the substitution of the wages of the participant for other funds in connection with work which otherwise would be performed;
5. Not be a substitution for any existing federally assisted job;
6. Not be a position, which is the same as or substantially the same as that occupied by any other person who is laid off, or absent due to labor disputes; and
7. Not discriminate against a participant on the grounds of race, color, age, religion, sex, national origin, age, or disability.

**The HTA agrees and understands:**

1. That each participant will periodically be required to attend USJP workshops or quarterly USJP participant meetings during regular working hours, which will require the participant to be absent from their host site for a specific day or days.
2. That they will not supplement the participants' USJP wages, or require that he/she volunteer additional time on-site.
3. That the **Urban League UJSP** may reassign any participant at any time to increase the participant's opportunities for training or unsubsidized employment, or that will otherwise serve the best interests of the participant or HTA.
4. There must be a supervisor on site at all times. USJP participants are not permitted to serve as keyholders

Large HTAs (over 100 employees) agree that other national Title V project grantees will be provided a training assignment in departments separate from **Urban League - UJSP** participants while this **Host Training Assignment** is in effect.

The HTA certifies that it is a governmental agency or a non-profit agency which is currently certified as a Section 501(c)(3) organization under the Internal Revenue Code. In addition, the HTA will provide its Federal Employer Identification Number (FEIN). Further, if the host agency is certified as a Section 501(c)(3) agency, the certification is attached or on file with Urban League UJSP and is still in effect. The HTA agrees to inform the affiliate immediately if the Section 501(c)(3) certification is revoked.





Urban League UJSP will recruit, enroll, and assign the participant(s) to the HTA for the purpose of engaging in productive community service and job training.

**In Addition, the HTA Agrees to:**

1. *Adhere to the Department of Labor policies requirement to ensure that the Older Americans Act (OAA) Amendments of 2006, PL 109-365, title V, Section 502 (b)(1)(G), pertaining to Maintenance of Effort violations do not occur.*
2. Share their staffing patterns for the previous two years.
3. Not assign community service training similar to the duties of workers who were employed and laid off within the last two years.
4. Not reduce the number of employment opportunities or vacancies that would otherwise be available to individuals not participating in the program.
5. Not displace currently employed workers (including partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits).
6. Not impair exiting contracts or result in the substitution of federal funds for other funds in connection with work that would otherwise be performed.
7. Not assign or continue to assign any eligible individual to perform the same work or substantially the same work as that performed by any other individual who is on layoff.

**Urban Seniors Jobs Program (USJP)—New Host Agency/Training Site Information Form**

Please describe the Mission of your organization and briefly describe the Services and Activities conducted in fulfillment of that mission. (You may attach an agency brochure.)

To enhance the productivity and competitiveness of local employers by developing and coordinating resources that meet their needs, while facilitating employment opportunities for all job seekers

How many employees do your organization currently employ? 18

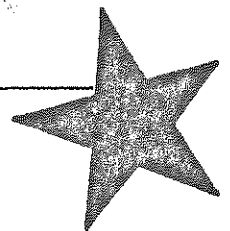
Has your organization experienced any recent layoffs? ☐ Yes ☒ No

If yes, in what areas/departments?

Approximately, how much is your annual operating budget? (Optional)

Describe how the addition of a USJP participant would allow your agency to develop a new service or expand an existing service.

The USJP participant will assist the classroom training coordinator with job functions to meet Requirements of Workforce innovation and opportunity act training program.





Please describe (in general) the type of training opportunities available at your agency that *match participant interests or employment goals*?

Training Opportunities will be available in the following areas: clerical, secretarial, reception and Computers.

How did you hear about the Urban Seniors Jobs Program (USJP)? (Check all that apply)

☐ Newspaper/publication ☐ Flyer/brochure ☐ USJP Staff ☐ Word of Mouth ☒ Other

*If Other, specify here: The agency has a partnership agreement with the Urban League.*

Is there any additional information regarding the USJP project and/or potential participant training placements you would like to share with us?

In response to the changing workforce, USJP have begun preparing participants to engage in remote community service assignments. Does your host agency have a need for remote training assignments? ☐ Yes ☒ No

*If yes, we can work with you to design them, feel free to include remote training tasks/ideas below.*

This Agreement cannot be amended except upon written agreement between the parties.

Authorized Host Training Agency Rep. Name (Print)

Title

Signature

Date

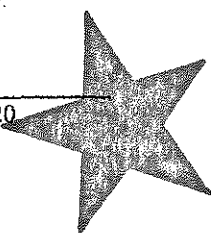
USJP Program Director Name (Print)

Signature

Date

### Definition of host agency status

*To be completed by USJP Representative (Check one):*





National  
Urban League

- ☒ This host agency is a government agency. FEIN 116001934 \_\_\_\_\_  
(Required by USDOL)
- ☐ This host agency is a certified non-profit agency under Section 501(c)(3) of the United  
States Internal Revenue Code. FEIN \_\_\_\_\_ (Required by USDOL)  
\_\_\_\_\_ 501(c)(3) documentation is attached.  
\_\_\_\_\_ 501(c)(3) documentation is already on file with the sponsor.

  
**REVIEWED BY  
OFFICE OF TOWN ATTORNEY**



National  
Urban League

Urban Seniors Jobs Program (USJP)  
Host Training Agency – SIGNATORY FORM

Host Training Agency Name: Town of Oyster Bay Town Hall North

*{Full Legal Name of HTA & Address of Administrative Office/Primary Location}*

Address: 54 Audrey Ave City: Oyster Bay State: NY Zip:

11771

Phone #: 516-625-6365 Fax #: 516-624-6362

Host Training Agency Name: Town Hall South

*IF APPLICABLE: {Name of HTA Satellite/Affiliate Location(s) & Address of Satellite/Affiliate Location(s)}*

Address: 977 Hicksville Rd City: Massapequa State: NY Zip:

11758

Phone #: 516-797-4579 Fax #: 516-797-7862

**HTA Site Supervisor (s) / Approved Signatory (ies):**

Effective January 1, 2009 only the below listed individuals will be accepted as APPROVED signatories on USJP Participant Timesheets.

| NAME (printed) | EMAIL ADDRESS | SIGNATURE |
|----------------|---------------|-----------|
|----------------|---------------|-----------|

|                 |                                  |         |
|-----------------|----------------------------------|---------|
| 1. John Sarcone | <u>Jsarcone@oysterbay-ny.gov</u> | <u></u> |
|-----------------|----------------------------------|---------|

|                  |                                  |         |
|------------------|----------------------------------|---------|
| 2. Linda Scalera | <u>Lscalera@oysterbay-ny.gov</u> | <u></u> |
|------------------|----------------------------------|---------|

|  |         |         |
|--|---------|---------|
| 3.  | <u></u> | <u></u> |
|--|---------|---------|

Meeting of August 9, 2022

Resolution No 523-2022

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated June 27, 2022, recommended that the Town Board authorize payment of a refund in the amount of \$9,638.00 to Zoi McGrath, 25 Craig Street, Jericho, New York 11753, for the fee paid for Building Permit Number R22001140, dated March 21, 2022, for construction to be done at 25 Craig Street, Jericho, New York 11753, which work was never done, as verified by a Town inspection,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town Board authorizes payment of a refund in the amount of \$9,638.00 to Zoi McGrath, 25 Craig Street, Jericho, New York 11753, and payment of said refund is to be made upon presentation of a duly certified claim, after audit by the Office of the Comptroller; and be it further

RESOLVED, That funds for said payment are to be drawn from Account No. PAD B 0001 02555 000 0000.

-#-

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Reviewed By  
Office of Town Attorney  
Kamerica Waite

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

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

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

June 27, 2022

**TO:** MEMORANDUM DOCKET  
**FROM:** OFFICE OF THE COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**SUBJECT:** RESIDENT REFUND - ZOI MCGRATH

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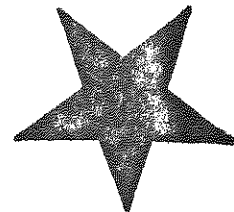
Pursuant to the Code of the Town of Oyster Bay, this Department issued Building Permit Number R22001140, dated March 21, 2022, for construction to be done at 25 Craig Street, Jericho, N.Y. 11753. The property owner, Zoi McGrath, decided to not follow through with the project. An inspector verified that the construction was not done. Building Permit Number R22001140 has been voided.

In light of the aforementioned facts, a nine thousand, six hundred, thirty eight dollar (\$9,638.00) refund for the issuance of Building Permit Number R22001140 should be refunded to Zoi McGrath, 25 Craig Street, Jericho, New York 11753 under account number PAD B 0001 02555 000 0000.

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

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:km





Meeting of August 9, 2022

Resolution No 524-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 9, 2022, authorized the Highway Department to clean up the premises located at 18 Cheryl Road, Massapequa, New York 11758, also known as Section 52, Block 389, Lot 4 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated June 27, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 12, 2022, in the total amount of \$1,555.30, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated June 27, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,555.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 18 Cheryl Road, Massapequa, New York 11758, also known as Section 52, Block 389, Lot 4 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 27, 2022

SUBJECT: Property Cleanup Assessment  
18 Cheryl Road, Massapequa, New York 11758  
Section 52, Block 389, Lot 4

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The Department of Planning and Development, by memorandum dated May 9, 2022, directed the Highway Department to clean the premises located at 18 Cheryl Road, Massapequa, New York 11758, also known as Section 52, Block 389, Lot 4 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 17, 2022, advised that the property was cleaned by a crew from the Highway Department on May 12, 2022. The cost incurred by the Town of Oyster Bay was \$1,555.30.

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

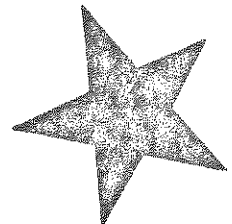
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments



2022-8606

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 9, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 18 Cheryl Road, Massapequa, New York 11758  
SBL: 52-389-4

Notice of Violation number 07705 was issued to the owner of the above-referenced premises on 05/03/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

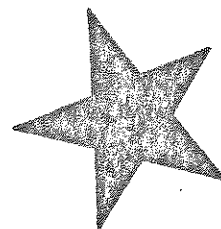
- Cut lawn and vegetation in front, side, rear yards and utility strip.
- Remove all yard waste in front yard.

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

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME: ml  
cc: Frank Scalera, Town Attorney





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. LIKE**  
DEPUTY COMMISSIONER

**JAMES McCaffrey**  
DEPUTY COMMISSIONER

May 9, 2022

Stacey D'Elia  
18 Cheryl Road  
Massapequa, NY 11758

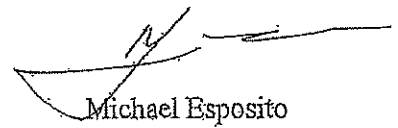
RE: PREMISES: 18 Cheryl Road, Massapequa, New York 11758  
SECTION 52 BLOCK 389 LOT 4


Dear Property Owner:

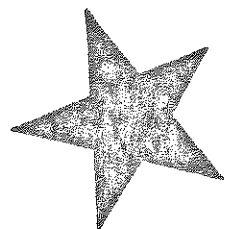
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation number 07705 (copy attached) has been served on 05/03/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,  
**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

  
RLM:ME: ml  
Enclosure



THIS INDENTURE, made the 1<sup>st</sup> day of June, in the year 2020

**BETWEEN**

Stacey D'Elia, with an address at 18 Cheryl Road, North Massapequa, NY 11758, as Administrator for the Estate of Gerald Lennett, deceased, who died intestate with a domicile in Massachusetts on 12/26/14, Nassau County Surrogate's Court File #2015-386317,

party of the first part, and

Stacey D'Elia, with an address at 18 Cheryl Road, North Massapequa, NY 11758,

party of the second part,

**WITNESSETH**, that the party of the first part, to whom letters of administration for the Estate of Gerald Lennett were issued by the Surrogate's Court of the State of New York for the County of Nassau on November 23, 2015, and by virtue of the power and authority given by Article II of the Estates, Powers and Trusts Law, and in consideration of \$10.00 dollars, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being commonly known as 18 Cheryl Road, North Massapequa, New York, Section 52, Block 389, Lot 4, and described as annexed hereto on Schedule "A"

See Annexed Schedule "A"

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

**TOGETHER** with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise;

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

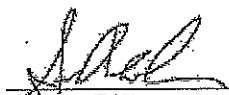
**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

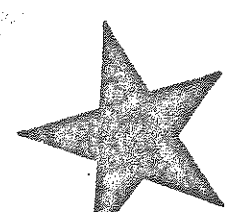
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

**AND** being and intended to be the same premises as conveyed by deed to decedent dated 12/7/06 recorded 02/7/07 in Liber 12230 page 136.

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

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

  
\_\_\_\_\_  
Stacey D'Elia, Administrator for the Estate of Gerald Lennett



AL

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

May 17, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

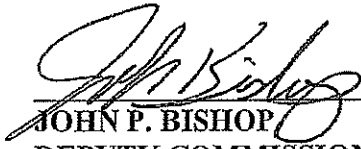
**SUBJECT: 18 CHERYL ROAD, MASSAPEQUA  
CLEAN-UP**

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1555.30.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION**

JPB/kjb

Enc. T & M sheet



## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-389-4) 18 CHERYL RD MASSAPEQUA 11758

Date May 12, 2022

Work Order # 93838

### Labor Costs

| Employee's Name      |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|----------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| JAMES CHADWICK, II   | General Maintenance | 01:00              | \$48.32      | 00:00          | 0             | \$48.32   |
| MARTIN LANG          | General Maintenance | 01:00              | \$53.37      | 00:00          | 0             | \$53.37   |
| DERRICK SCOTT        | General Maintenance | 01:00              | \$46.88      | 00:00          | 0             | \$46.88   |
| NICOLAS CAMMARANO    | General Maintenance | 01:00              | \$28.61      | 00:00          | 0             | \$28.61   |
| PABLO BAEZ           | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| STEVEN KELLY         | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| NICHOLAS M ABATEMARC | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| PHILIP J MARCHESE    | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor          |                     |                    |              |                |               | \$254.30  |

### Tools/Vehicle

| Tool/Vehicle    | Description  | Rate per Hour | Hours | Line Cost |
|-----------------|--|---------------|-------|-----------|
| PU473           | 2020 F250 FORD PICK UP YELLOW                      | \$79.00       | 01:00 | \$79.00   |
| TD688           | TRUCK DUMP 2010 INTER 7300 YW (T-211)- 6 Wheeler   | \$131.00      | 01:00 | \$131.00  |
| TD738           | TRUCK DUMP 2016 DODGE RAM 3500 POWER WAGON (T-275) | \$105.00      | 01:00 | \$105.00  |
| TD761           | 2020 INTERNATIONAL HV507 6 WHEELER YW              | \$131.00      | 01:00 | \$131.00  |
| TR213           | 2019 INTEG ITI TRAILER YW                          | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |  |               |       | \$551.00  |

### Materials

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

**Grand Total \$1555.30**

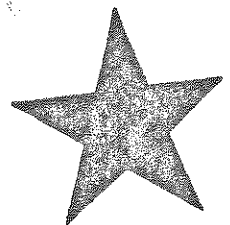
Description of Work:  
CLEAN UP 18 CHERYL ROAD MS

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 13, 2022



Meeting of August 9, 2022

Resolution No 525-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 3, 2022, authorized the Highway Department to clean up the premises located at 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated June 27, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 6, 2022, in the total amount of \$1,499.30, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated June 27, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,499.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By  
Office of Town Attorney

*Ralph P. Healey*

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

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



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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 27, 2022

SUBJECT: Property Cleanup Assessment  
28 High Street, Farmingdale, New York 11735  
Section 49, Block 21, Lot 142

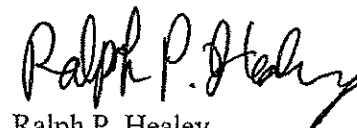
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The Department of Planning and Development, by memorandum dated May 3, 2022, directed the Highway Department to clean the premises located at 28 High Street, Farmingdale, New York 11735, also known as Section 49, Block 21, Lot 142 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 11, 2022, advised that the property was cleaned by a crew from the Highway Department on May 6, 2022. The cost incurred by the Town of Oyster Bay was \$1,499.30.

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

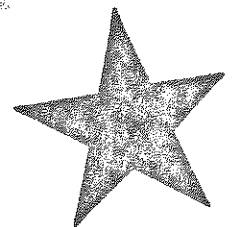
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments



2022-8595

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 3, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 28 High Street, Farmingdale, New York 11735  
SBL: 49-21-142

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Notice of Violation number 07485 was issued to the owner of the above-referenced premises on 04/25/22 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Cut lawn and vegetation on premises.

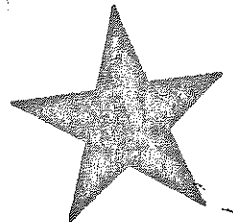
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME:ml

cc: Frank Scalerà, Town Attorney  
cc: Andrew Preston, Esq., BRFH&D Attorneys-at-Law





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCAFFREY**  
DEPUTY COMMISSIONER

May 3, 2022

Andrew Koppie  
28 High Street  
Farmingdale, New York 11735


RE: PREMISES: 28 High Street, Farmingdale, NY 11735  
SECTION 49 BLOCK 21 LOT 142

Dear Property Owner:

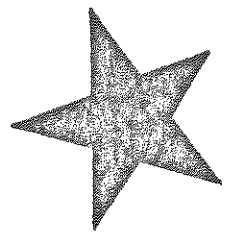
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation 07485 (copy attached) has been served on 04/25/22. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,  
**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

ELM:ME:ml  
Enclosure



THIS INDENTURE, made the

17<sup>th</sup>

day of December

, in the year 2004

BETWEEN

as to an undivided one-half interest, residing at

party of the first part, and

Andrew Koppie, residing at

party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Sec Schedule A attached hereto and made a part hereof,

BEING AND INTENDED TO BE, the same premises conveyed by deed from dated 12/4/97 and recorded on 1/12/98 in Liber 10866 Page 0092 in the Nassau County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

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

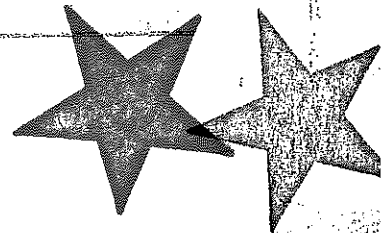
IN PRESENCE OF:

by [Signature] Attorney in fact  
[Signature] Attorney in fact  
[Signature] Attorney in fact

Sec: 49

Blk: 21

Lot: 142



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

May 11, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION


**SUBJECT: 28 HIGH STREET, FARMINGDALE  
CLEAN-UP**

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,499.30.

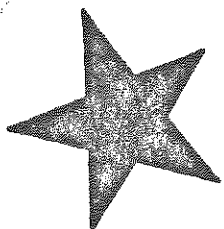
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
JOHN P. BISHOP

DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

JPB/kjb

Enc. T & M sheet





# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-21-142) 28 HIGH ST FARMINGDALE 11735

Date May 6, 2022

Work Order # 93621

## Labor Costs

| Employee's Name    |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|--------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| JAMES CHADWICK, II | General Maintenance | 01:00              | \$48.32      | 00:00          | 0             | \$48.32   |
| MARTIN LANG        | General Maintenance | 01:00              | \$53.37      | 00:00          | 0             | \$53.37   |
| DERRICK SCOTT      | General Maintenance | 01:00              | \$46.88      | 00:00          | 0             | \$46.88   |
| NICOLAS CAMMARANO  | General Maintenance | 01:00              | \$28.61      | 00:00          | 0             | \$28.61   |
| PABLO BAEZ         | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| STEVEN KELLY       | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| Total Labor        |                     |                    |              |                |               | \$224.30  |

## Tools/Vehicle

| Tool/Vehicle    | Description  | Rate per Hour | Hours | Line Cost |
|-----------------|--|---------------|-------|-----------|
| PU473           | 2020 F250 FORD PICK UP YELLOW                        | \$79.00       | 01:00 | \$79.00   |
| TD688           | TRUCK DUMP 2010 INTER 7300 YW (T-211)- 6 Wheeler     | \$131.00      | 01:00 | \$131.00  |
| TD692           | TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons | \$105.00      | 01:00 | \$105.00  |
| TD774           | 2022 FORD F450 POWER WAGON                           | \$105.00      | 01:00 | \$105.00  |
| TR213           | 2019 INTEG ITI TRAILER YW                            | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |  |               |       | \$525.00  |

## Materials

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

**Grand Total \$1499.30**

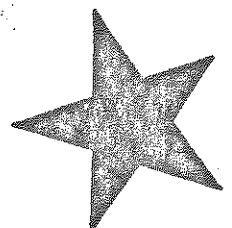
Description of Work:  
CLEAN UP 28 HIGH STREET FM

Signature: Peter Brown

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 9, 2022



Meeting of August 9, 2022

Resolution No 526-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 10, 2022, authorized the Highway Department to clean up the premises located at 280 Boundary Avenue, Massapequa, New York 11758, also known as Section 52, Block 17, Lot 64 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated June 27, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 12, 2022, in the total amount of \$1,555.30, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated June 27, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,555.30 may be assessed by the Legislature of the County of Nassau against the parcel known as 280 Boundary Avenue, Massapequa, New York 11758, also known as Section 52, Block 17, Lot 64 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*

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

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

526

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: June 27, 2022

SUBJECT: Property Cleanup Assessment  
280 Boundary Avenue, Massapequa, New York 11758  
Section 52, Block 17, Lot 64

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The Department of Planning and Development, by memorandum dated May 10, 2022, directed the Highway Department to clean the premises located at 280 Boundary Avenue, Massapequa, New York 11758, also known as Section 52, Block 17, Lot 64 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 17, 2022, advised that the property was cleaned by a crew from the Highway Department on May 12, 2022. The cost incurred by the Town of Oyster Bay was \$1,555.30.

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

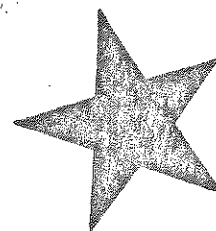
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments





2022-8605

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

**May 10, 2022**

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 280 Boundary Avenue, Massapequa, New York 11758**  
**SBL: 52-17-64**


Notice of Violation Number 07733 was issued to the owner of the above-referenced premises on 05/03/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

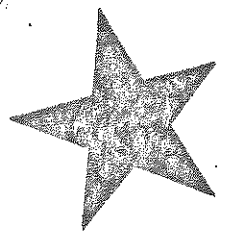
- Cut grass and weeds on premises.
- Remove all litter and debris from premises.

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

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

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





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCAFFREY**  
DEPUTY COMMISSIONER

May 10, 2022

Joseph Nazaruk  
280 Boundary Avenue  
Massapequa, New York 11758

RE: PREMISES: 280 Boundary Avenue, Massapequa, NY 11758  
SECTION 52 BLOCK 17 LOT 64


Dear Property Owner:


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

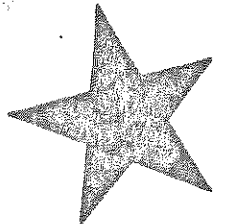
Please be advised that Notice of Violation number 07733 (copy attached) has been served on 05/03/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,

**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

  
ELM:ME:ml  
Enclosure



~~IN PROGRESS~~

AL

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

May 17, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION


**SUBJECT:** 280 NO. BOUNDARY AVENUE, MASSAPEQUA  
CLEAN-UP

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

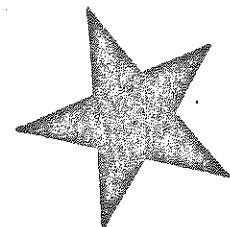
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1555.30.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP**  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

JPB/kjb

Enc. T & M sheet





# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-17-64) 280 NO BOUNDARY AVE MASSAPEQUA 11758

Date May 12, 2022

Work Order # 93837

## Labor Costs

| Employee's Name      |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|----------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| JAMES CHADWICK, II   | General Maintenance | 01:00              | \$48.32      | 00:00          | 0             | \$48.32   |
| MARTIN LANG          | General Maintenance | 01:00              | \$53.37      | 00:00          | 0             | \$53.37   |
| DERRICK SCOTT        | General Maintenance | 01:00              | \$46.88      | 00:00          | 0             | \$46.88   |
| NICOLAS CAMMARAND    | General Maintenance | 01:00              | \$28.61      | 00:00          | 0             | \$28.61   |
| PABLO BAEZ           | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| STEVEN KELLY         | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| NICHOLAS M ABATEMARC | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| PHILIP J MARCHESE    | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor          |                     |                    |              |                |               | \$254.30  |

## Tools/Vehicle

| Tool/Vehicle    | Description  | Rate per Hour | Hours | Line Cost |
|-----------------|--|---------------|-------|-----------|
| PU473           | 2020 F250 FORD PICK UP YELLOW                      | \$79.00       | 01:00 | \$79.00   |
| TD688           | TRUCK DUMP 2010 INTER 7300 YW (T-211)- 6 Wheeler   | \$131.00      | 01:00 | \$131.00  |
| TD738           | TRUCK DUMP 2016 DODGE RAM 3500 POWER WAGON (T-275) | \$105.00      | 01:00 | \$105.00  |
| TD761           | 2020 INTERNATIONAL HV507 6 WHEELER YW              | \$131.00      | 01:00 | \$131.00  |
| TR213           | 2019 INTEG ITI TRAILER YW                          | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |  |               |       | \$551.00  |

## Materials

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

**Grand Total \$1555.30**

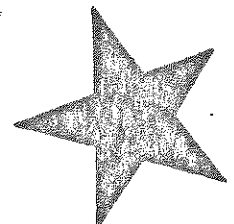
Description of Work:  
CLEAN UP 280 BOUNDARY AVENUE MS

Signature: \_\_\_\_\_

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 13, 2022



Meeting of August 9, 2022

Resolution No.527 -2022

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

WHEREAS, Ken Johnson, Fire Inspector, Syosset Fire Department, 50 Cold Spring Road, Syosset, New York 11791, by letter dated June 1, 2022, requested the use of two (2) roll-off containers for the Department's Fire Prevention Day "Open House," at Department Headquarters on Cold Spring Road, on Sunday, October 2, 2022, with said containers to be delivered to, and placed at, Department Headquarters, on Friday, September 30, 2022, and collected on Monday, October 3, 2022; and

WHEREAS, Daniel M. Pearl, Commissioner, Department of Sanitation, by memorandum dated June 13, 2022, advised that the abovementioned equipment will not be required for use by the Town at that time, and that the Department of Sanitation has no objection to providing the roll-off containers to the Syosset Fire Department, without charge, as the Fire Prevention Day does not constitute a profit-making event as defined in the Code of the Town of Oyster Bay, Chapter 201, "Solid Waste," Section 201-17, "Roll-Off Containers," for the Department's Fire Prevention Day "Open House," at Department Headquarters, on Sunday, October 2, 2022, with said containers to be delivered to, and placed at, Department Headquarters on Friday, September 30, 2022, and collected on Monday, October 3, 2022; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and has determined that the approval of this request will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Department of Sanitation is hereby authorized to provide two (2) roll-off containers to the Syosset Fire Department, on Sunday, October 2, 2022, for the Department's Fire Prevention Day "Open House," without charge, with said containers to be delivered to, and placed at, Department Headquarters on Friday, September 30, 2022, and collected on Monday, October 3, 2022, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Sanitation, or his duly authorized representative.

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and equipment, and in the conduct of the aforementioned activity.

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$2,000,000.00 bodily injury and \$1,000,000.00 property damage, and naming the Town as an additional insured, in connection with the aforementioned activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the public health and/or safety.

-#-

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

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

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

June 13, 2022

TO: Memorandum Docket

FROM: Daniel M. Pearl, Commissioner of Sanitation

SUBJECT: Request: Syosset Fire Department  
50 Cold Spring Road  
Syosset, New York 11791

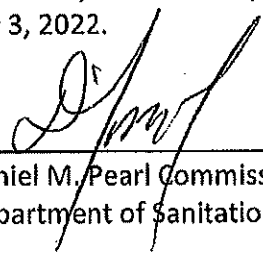
---

Attached please find a copy of a letter received in this office from Ken Johnson requesting two roll off containers for their annual Fire Prevention Day "Open House". The container's will be placed at 50 Cold Spring Road, Syosset, on Friday, September 30, 2022, and collected on Monday, October 3, 2022.

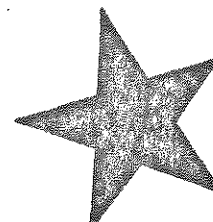
An amendment to the Code of Ordinances of the Town of Oyster Bay, Article II: Solid Waste: Use of a Roll Off Container Pursuant to Chapter 201-17 reads as follows: "Charitable, fraternal, religious and not-for-profit organizations that maintain established meeting places within the Town of Oyster Bay and have requested the use of a Town roll off container in connection with a profit-making or fundraising event, shall be charged two hundred fifty dollars (\$250.00) for each container load dumped."

It is our opinion that the annual Fire Prevention Day "Open House" does not constitute a profit-making or a fundraising event. Therefore, we hereby request the Honorable Town Board to approve this worthwhile organization the use of Town equipment without a charge.

Attached please find their certificate of insurance, endorsement, and hold harmless agreement for the use of Town of Oyster Bay equipment by the Syosset Fire Department from Friday, September 30, 2022, through Monday, October 3, 2022.

  
\_\_\_\_\_  
Daniel M. Pearl Commissioner  
Department of Sanitation

DMP: cw  
Attachments  
cc: Frank M. Scalera, Town Attorney  
Steven Ballas, Comptroller





# Syosset Fire District

50 Cold Spring Road  
Syosset, New York 11791  
Phone (516) 921-6597 · Fax (516) 921-0379  
www.syossetfd.org

## COMMISSIONERS:

RICHARD ROSEO, CHAIRMAN  
GIOVANNI GRACEFFA, VICE-CHAIRMAN  
ROHIT DHAWAN  
ROBERT SWANSON  
ANDREW DICK

## SECRETARY/TREASURER:

DIRECTOR OF PURCHASING:

SUPERINTENDENT:

COUNSEL:

KAREN BORRELLI

ROBERT E. LEE

JACK RANDAZZO

CHRIS J. COSCHIGNANO, ESQ.

June 1, 2022

Commissioner Richard Lenz  
Town of Oyster Bay  
Highway Department  
150 Miller Place  
Syosset, NY 11791

Dear Commissioner Lenz:

The Syosset Fire District will be conducting our annual Fire Prevention Day "Open House" at Department Headquarters on Cold Spring Road on Sunday, October 2, 2022.

It is requested that the Town of Oyster Bay Sanitation Department provide us with two (2) large roll-off containers for this event from 9/30/2022 through 10/3/2022.

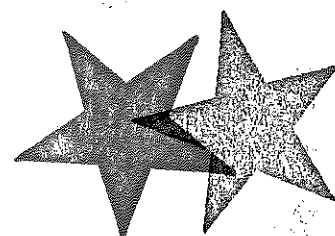
The Syosset Fire District will provide a certificate naming the Town of Oyster Bay as an additional insured with an endorsement by our insurance carrier. If any additional information is required regarding this request, please feel free to contact me at

[REDACTED]

Thank you for your attention and consideration.

Sincerely,

Ken Johnson  
Fire Inspector



( APPLICATION FOR TOWN OF OYSTER BAY ROLL OFF CONTAINER )

PLEASE TYPE OR PRINT CLEARLY

Name of Organization: Syosset Fire Dist

Billing Address: 50 Cold Spring Road  
Syosset, NY 11791

Phone Number (Days): [REDACTED]

Number of Container(s) Requested: 2

Address Where Container(s) Would Be Placed: IN TOWN PARKING LOT  
51 IT WILL BE ROLLED OFF WHERE TO PUT THEM

Dates Container(s) Needed: From 9/30/22 To 10/3/22

Describe The Event For Which Container(s) Is/Are Requested: OPEN HOUSE

Will The Event For Which The Container(s) Is/Are Requested Involve Fundraising Or Is It Intended To Be Profit-Making? NO

*I understand that this application is subject to the approval of the Town Board of the Town of Oyster Bay and that as a condition for such approval, a charge of \$250.00 for each container load dumped may be assessed for which I agree to assume responsibility.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature : \_\_\_\_\_ Date Received: \_\_\_\_\_

Signature: \_\_\_\_\_ Date Picked Up: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

**To Be Completed By Sanitation Division:**

Approved By Resolution No.: [Signature] \$250 Charge Applies: YES \_\_\_\_\_ NO ✓

**To Be Completed By Scale House:**

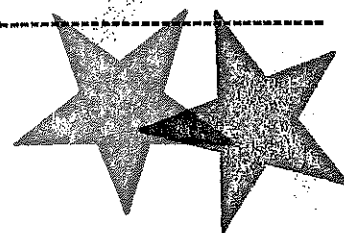
Disposal Authorization Ticket No.: \_\_\_\_\_

Load Ticket No.: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Scalehouse to return copy to Comptroller  
White Copy - Sanitation Driver (to be given to Scalehouse)  
Yellow Copy - Sanitation Files  
Green Copy - Scale House Files



|  |  |   |
|--|--|---|
| <b>ACORD CERTIFICATE OF LIABILITY INSURANCE</b>  |  | DATE (MM/DD/YYYY)<br>6/27/2022  |
| <b>PRODUCER</b><br>HARBOR INSURANCE AGENCY, LLC<br>6 FLINT ROAD<br>AMITY HARBOR, NY 11701 631-842-5360 |  | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. |
| <b>INSURED</b><br>SYOSSET FIRE DISTRICT<br>50 COLD SPRING ROAD<br>SYOSSET, NY 11791                    |  | <b>INSURERS AFFORDING COVERAGE</b><br>INSURER A: ARCH INSURANCE COMPANY<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:   |
|  |  | NAIC #  |

| COVERAGES   |   |               |                                    |                                     |   |  |  |
|---|---|---------------|------------------------------------|-------------------------------------|---|--|--|
| 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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. |   |               |                                    |                                     |   |  |  |
| MARK (A, B, C, D, E)  | TYPE OF INSURANCE   | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YYYY) | POLICY EXPIRATION DATE (MM/DD/YYYY) | LIMITS  |  |  |
| A   | <b>GENERAL LIABILITY</b><br><input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PROJ. <input type="checkbox"/> LOC | MEPK06248017  | 04/01/2022                         | 04/01/2023                          | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Per occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG | \$ 1,000,000<br>\$ 100,000<br>\$ 5,000<br>\$ 1,000,000<br>\$ 10,000,000<br>\$ 10,000,000 |  |
| A   | <b>AUTOMOBILE LIABILITY</b><br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS<br><input checked="" type="checkbox"/> NON-OWNED AUTOS   | MEPK06248017  | 04/01/2022                         | 04/01/2023                          | COMBINED SINGLE LIMIT (Per accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident)                              | \$ 1,000,000<br>\$<br>\$<br>\$   |  |
|   | <b>GARAGE LIABILITY</b><br><input type="checkbox"/> ANY AUTO  |               |                                    |                                     | AUTO ONLY - EA ACCIDENT<br>OTHER THAN AUTO ONLY: EA ACC<br>AGG  | \$<br>\$<br>\$   |  |
| A   | <b>EXCESS/UMBRELLA LIABILITY</b><br><input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE<br><br>DEDUCTIBLE<br>RETENTION \$  | MEUM06416117  | 04/01/2022                         | 04/01/2023                          | EACH OCCURRENCE<br>AGGREGATE  | \$ 10,000,000<br>\$ 20,000,000<br>\$<br>\$   |  |
|   | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below<br>OTHER   |               |                                    |                                     | WC STATUTORY LIMITS<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYED<br>E.L. DISEASE - POLICY LIMIT  | \$<br>\$<br>\$<br>\$   |  |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER IS ADDITIONAL INSURED AS PER FORM CG2026 (04/13) WITH RESPECT TO USE TOB COMMUTER PARKING LOT S1, 16 SETS OF BARRICADES, 2 ROLL-OFF CONTAINERS AND 1 SET OF PORTABLE BLEACHERS FROM 9/30/2022-10/3/2022

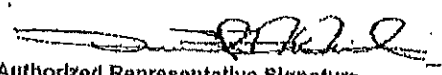
|  |   |
|--|---|
| <b>CERTIFICATE HOLDER</b><br>TOWN OF OYSTER BAY<br>54 AUDREY AVE<br>OYSTER BAY, NY 11771 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.<br>AUTHORIZED REPRESENTATIVE |
|--|---|

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## POLICY CHANGES

Policy Change  
Number 2

|   |   |   |
|---|---|---|
| POLICY NUMBER<br>MEPK06248017   | POLICY CHANGES<br>EFFECTIVE<br>05/26/2022 | COMPANY<br>Arch Insurance Company                     |
| NAMED INSURED:<br>Syosset Fire District   |   | AUTHORIZED REPRESENTATIVE<br>McNeil and Company, Inc. |
| COVERAGE PARTS AFFECTED<br>Commercial General Liability Coverage  |   |   |
| <p style="text-align: center;"><b>CHANGES</b></p> <p>We have hereby AMENDED form CG2026 (04/13) Additional Insured - Designated Person or Organization on the above policy to include the following:</p> <p>Town of Oyster Bay 54 Audrey Avenue Oyster Bay, NY 11771<br/>With Respect to: use of TOB commuter parking lot S1, 15 sets of barricades, 2 roll-off containers and 1 set of portable bleachers from 09/30/2022 - 10/3/2022.</p> <p>No Premium Change</p> <p>All other terms and conditions of this policy remain unchanged.</p> |   |   |

  
Authorized Representative Signature  
MCNEIL AND COMPANY, INC.

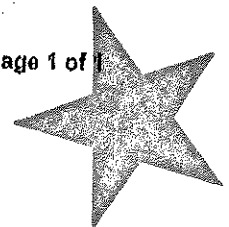
Reviewed By  
Office of Town Attorney

wv 05/26/2022

IL 1201 11 85

Copyright, Insurance Services Office, Inc., 1983  
Copyright, ISO Commercial Risk Services, Inc., 1983

Page 1 of 1



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

This Agreement is made this 13 day of June, 2022 by Sycamore Fire Dist (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as \_\_\_\_\_

for the event described as OPEN HOUSE  
The property/equipment is needed from 9-29-22 to 10-3-22  
The event for which the property and/or equipment is requested ☐ is ☒ is not a profit making event.

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

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

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

Name of Organization

SY035ET FIRE DIST

Address of Organization

50 Cold Spring Rd  
Syosset ny 11791

By: KEN JOHNSON

Authorized Representative

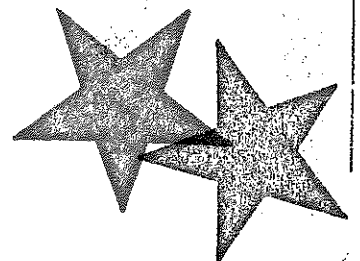
Title: FIRE PREVENTION OFFICER

Telephone Numbers: [REDACTED]

<http://www.mca.com>

Reviewed By:  
Office of Town Attorney

*[Handwritten signature]*



Meeting of August 9, 2022

Resolution No 528-2022

WHEREAS, by Resolution No. 739-2021, adopted on December 7, 2021, the Town Board authorized N & P Engineering, Architecture and Land Surveying, PLLC to provide On-Call Engineering Services in connection with Contract No. PWC07-22, Syosset DPW Facility Feasibility Study, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Russell Z. Scott, PE, Senior Partner, N & P Engineering, Architecture and Land Surveying, PLLC, by letter dated May 2, 2022, described the scope of work to be performed under Contract No. PWC07-22, engineering services related to the evaluation of existing facilities and development of more effective usage thereof; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated June 30, 2022, requested Town Board authorization for N & P Engineering, Architecture and Land Surveying, PLLC, to provide the aforesaid On-Call Engineering Services under Contract No. PWC07-22, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$33,000.00 for this purpose, with funds available for payment in Account No. HWY H5197 20000 000 1903 008; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and N & P Engineering, Architecture and Land Surveying, PLLC is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC07-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$33,000.00 for this purpose, with funds available for payment in Account No. HWY H5197 20000 000 1903 008.

-#-

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

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

Reviewed By  
Office of Town Attorney

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

June 30, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT : ON-CALL ENGINEERING SERVICES REQUEST RELATIVE TO  
CIVIL ENGINEERING – SYOSSET DPW FACILITY FEASIBILITY STUDY  
CONTRACT NO. PWC-07-22  
ACCOUNT NO.: HWY H5197 20000 000 1903 008  
PROJECT ID NO. 1903HWYDB 03

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The consultant, N & P Engineering, Architecture and Land Surveying, PLLC has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC-07-22 by Resolution No. 739-2021 for the subject project.

Attached is a letter dated May 2, 2022 from N & P Engineering, Architecture and Land Surveying, PLLC regarding the scope of work to be performed in an amount not to exceed \$33,000.00. At this time, funds are required for engineering services to evaluate how the existing facilities can be better utilized by the Public Works Department under said on-call as described in the attached letter from N & P Engineering, Architecture and Land Surveying PLLC.

Attached is an availability of funds in the amount of \$33,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H5197 20000 000 1903 008, Project Id. 1903HWYDB 03.

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

It is hereby requested that the Town Board authorize, by Resolution N & P Engineering, Architecture and Land Surveying PLLC, under Contract No. PWC07-22, for on-call Engineering Services Relative to Civil Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

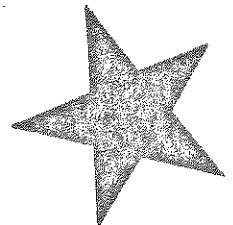
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JC/MR/TLS/lk

Attachment

cc: Steven Ballas, Comptroller  
John Bishop, Deputy Commissioner/Highway

Pwc07-22 N&P 33000 docket



Meeting of December 7, 2021

Resolution No. 739-2021

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

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

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

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

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

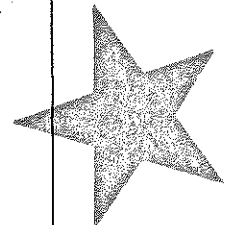
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-22, On-Call Engineering Services Relative to Civil Engineering, with N & P Engineering, Architecture & Land Surveying, PLLC, LiRo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

#

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

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

Reviewed By  
Office of Town Attorney







May 2, 2022

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

Re: Scope & Fee for Professional Services for  
Syosset DPW Facility Feasibility Study  
PWC 07-22 – “On-Call” Civil Engineering

Dear Commissioner Lenz:

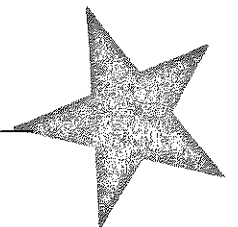
In response to your request for a proposal to provide engineering services for the above referenced project and our meeting with Deputy Commissioner Tassone, Nelson + Pope is pleased to provide the following scope of services and related cost breakdown. Our firm's commitment to quality along with our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

- Project Description
- Project Organization
- Project Rate Schedule
- Scope of Services
- Exhibit B – Manpower Table

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

Respectfully submitted,  
**NELSON + POPE**

Russell Z. Scott, PE  
Senior Partner



### **Project Description**

The Town is seeking to evaluate how the existing facilities can be better utilized by its public works department on portions of its facility at 150 Miller Place. The existing site, totaling 48.6-acres, includes an approximate 38-acre capped landfill area covering the rear  $\frac{3}{4}$ <sup>ths</sup> of the site, and approximately 10-acres along the front portion of the site that includes the buildings and fueling area. The western portion of the site (not included in this study) includes approximately 14-acres of the northwest corner of the site leased for private new vehicle storage, approximately 90 space parking for the Town's packer truck fleet, approximately 250 space employee, DPW vehicle maintenance garage, CNG/Diesel/Gasoline fueling, and Public Works and Highway office space and associated parking.

It is our understanding that the study will focus primarily on the eastern portion of the site, that includes the maintenance building and garage fronting on Miller Place, two Butler buildings, highway vehicle parking area, salt storage and mixing area, rack storage area, and surplus equipment storage area. The site is accessed via several curb cuts from Miller Place with an emergency access from Gordon Drive.

The scope of work as understood and described above is the basis of this proposal.

### **Project Organization**

Bruce R. Mawhirter, PE, LEED AP will serve as the Project Manager for Nelson + Pope, with necessary oversight and quality assurance provided by Russell Z. Scott, PE.

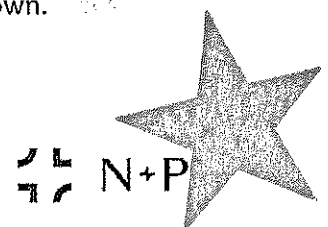
### **Project Rate Schedule**

The consultant fee for the services provided under this proposal will be billed at time rates based on Nelson + Pope's latest billing rate schedule per our On-Call Civil Engineering Contract (PWCO07-22) with the Town of Oyster Bay.

### **Scope of Services and Fees:**

Nelson + Pope will request and review all available record documents of the existing Syosset DPW facility including landfill closure and associated NYSDEC documents, site plans, site utility information, salt storage structures, existing building/structure plans, previous building inspection/evaluation reports, and other relative documents for the existing DPW Facility, buildings, and site improvements.

We will visit the site and photo-document existing site conditions to better understand how the site is currently utilized. We will discuss current site utilization needs with the Town.



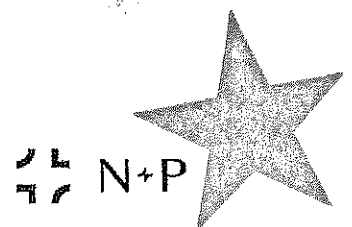
We understand that there was a previous building condition evaluation performed on the existing highway maintenance/locker room/office building at the southeast corner that identified several issues. We will review the previous condition report, perform a cursory evaluation of the existing buildings condition, review the existing utilization of the interior space, discuss current and future space utilization needs with the Town.

Once the review of the existing site conditions and utilization and understanding of the current and future utilization needs are completed, Nelson + Pope will prepare a summary report summarizing our findings, providing recommendations to the Town including preparation of a conceptual site plan overlaid on an existing conditions aerial map.

Nelson + Pope will meet with the Town, to review and discuss our findings. We assume three (3) meetings that will include one programming meeting to understand current and future utilization needs, and two progress/review meetings.

**Task Fee: Time Rates**

**Not to Exceed: \$ 33,000.00**





## MANPOWER TABLE

TOWN OF OYSTER BAY  
Syosset DPW Facility Feasibility Study  
May 2022

### EXHIBIT B

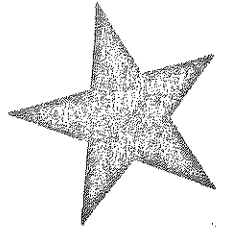


NELSON + POPE

NELSON + POPE

| TASKS   | Partner Civil | Partner Architecture | Project Manager Civil | Project Manager Architecture | Project Manager MEP | Architecture Job Captain | Senior Engineer Tech. | Admin. Assistant | TOTAL HOURS | COST        |
|---|---------------|----------------------|-----------------------|------------------------------|---------------------|--------------------------|-----------------------|------------------|-------------|-------------|
|   | \$175.00      | \$175.00             | \$175.00              | \$163.00                     | \$175.00            | \$102.00                 | \$123.00              | \$78.00          |             |             |
| Feasibility Study                                       |               |                      |                       |                              |                     |                          |                       |                  |             |             |
| 1 Review of Record Documents                            | 2             | 2                    | 4                     | 2                            | 2                   |                          |                       |                  | 12          | \$2,076.00  |
| 2 Site Visit/Document Existing Conditions/Summary Memos | 2             | 2                    | 16                    | 8                            | 8                   | 12                       | 20                    | 4                | 72          | \$10,200.00 |
| 3 Site & Building Programming/Concept Plan/Report       | 4             | 4                    | 20                    | 12                           | 4                   | 24                       | 40                    | 8                | 116         | \$15,548.00 |
| 3 Meetings (3)  | 6             | 6                    | 12                    |                              | 6                   |                          |                       |                  | 30          | \$5,250.00  |
| TOTALS  | 14            | 14                   | 52                    | 22                           | 20                  | 36                       | 60                    | 12               | 230         | \$33,074.00 |

\$33,074.00





ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT  
REQUEST FOR AVAILABILITY OF FUNDS



Requesting Division/Department

HIGHWAY

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number PWC07-22

Contract Period 1/1/2022-12/31/2023

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

Discipline CIVIL ENGINEERING

Total Authorization \$ 50,550.00

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

Funded To Date \$ 17,550.00

Amount Requested \$33,000.00

Account To Be Used Fund 115197 20000000 1903008 1903 Hwy DB 03

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.

Seeking to evaluate how the existing facilities can be better utilized by its

Public Works Department.

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 60% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$ \_\_\_\_\_

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title DEPUTY COMMISSIONER / DPW

Title Commissioner of Public Works

Date 6/22/22 HIGHWAY DIVISION

Date 6/22/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 33,000.00

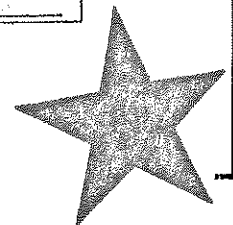
Unencumbered Balance 158,834.47

Is The Account To Be Used Consistent With The Nature Of Work Listed Above?

Yes ☒ No ☐

Signature [Signature]

Date 6/27/22





# TOWN OF OYSTER BAY

## WORK ORDER



*This Section To Be Completed By The Department Of Public Works*

Work Order No. \_\_\_\_\_

E.O. No. \_\_\_\_\_

Contract Start 1/1/2022

Contract No. PWC07-22

Contract End 12/31/2023

Commencement Date \_\_\_\_\_

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

Vendor Name and Address

N&P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC

70 MAXESS ROAD

MELVILLE, NEW YORK 11747

Requesting Town Department DIVISION OF ENGINEERING

Contact TOM SCALFANO Phone 516-677-5114

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

SYOSSET DPW FACILITY FEASABILITY STUDY

**This work order shall not exceed \$ \$33,000.00**

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

Requesting Division/Department

Department Of Public Works Approval  
Only To Be Executed By The Commissioner

Signature

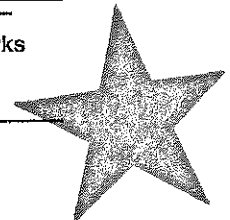
DEPUTY COMMISSIONER / DPW  
HIGHWAY DIVISION

Date 6-27-22

Signature

Commissioner of Public Works

Date 6/22/22



Meeting of August 9, 2022

Resolution No 529-2022

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated June 30, 2022, advised that James A. Gladysz, P.E., Senior Vice President, Cashin Associates, P.C., by letter dated June 9, 2022, made a final review of the work performed under Contract No. DP17-151, Restoration and Improvements to Alhambra Park GOSR Funded Disaster Recovery, and has certified that the Contractor, Galvin Bros., Inc./Madhue Contracting., Inc., a Joint Venture, has complied with all of the requirements of the Contract; and

WHEREAS, Commissioner Lenz by said memorandum, concurred with Cashin Associates, P.C. that this Contract be accepted as having been completed, and recommended that final payment be made to the Contractor, and recommended that the Board authorize Change Order No. 1, to Contract No. DP17-151, in order to provide for the unanticipated need for the installation of 2720 linear feet of timber shims, the installation of 28 concrete footings, and additional labor and equipment needed to locate and assist with the installation of a new water main, at a total net increase of \$87,537.54, with said funds to be provided for Change Order No. 1, available in Account No. IGA CD 8689-27000-661; and

WHEREAS, final construction costs were in the amount of \$3,039,627.54; and

WHEREAS, work under this Contract was directed to proceed as of April 12, 2021, and to be completed within two hundred seventy (270) calendar days, on January 6, 2022, but, due to material delays, actual work was completed on February 28, 2022; and

WHEREAS, the Office of the Town Attorney and the Office of the Comptroller, by memoranda dated April 14, 2022 and April 15, 2022, respectively, have stated that there are no legal obstacles or financial encumbrances of record that would necessitate the withholding of final acceptance of this Contract,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are hereby accepted, that Contract No. DP17-151 be accepted as being complete at a final construction cost of \$3,039,627.54, and that Change Order No. 1 be approved, and the Office of the Comptroller is hereby authorized and directed to make final payment for same to Galvin Bros., Inc./Madhue Contracting., Inc., a Joint Venture, in accordance with the applicable terms and provisions of the Contract, after the customary review of the engineer's certificate, upon presentation of a duly certified claim, after audit.

-#-

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

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

Reviewed By  
Office of Town Attorney

## TOWN OF OYSTER BAY

## INTER-DEPARTMENTAL MEMO

June 30, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER NO. 1, ACCEPTANCE AND FINAL PAYMENT  
RESTORATION AND IMPROVEMENTS TO ALHAMBRA PARK  
GOSR FUNDED DISASTER RECOVERY  
CONTRACT NO.: DP17-151

Attached is a letter from Cashin Associates, P.C. dated June 9, 2022, concerning Change Order No. 1 for a total (net) increase in the amount of \$87,537.54. The net increase is explained by the consultant in this correspondence and further described in the attached letter.

Also attached herewith are:

1. A letter dated June 9, 2022 from Cashin Associates, P.C. recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for Galvin Bros., Inc/Madhue Cont., Inc dated March 24, 2022.
3. A statement from the Town Attorney's office indicating there are no legal hindrances.
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.

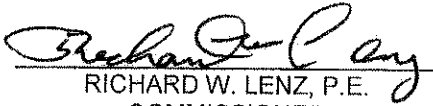
Work under this contract was directed to proceed as of April 12, 2021 to be completed within 270 calendar days on January 6, 2022. Due to material delays actual work was completed on February 28, 2022.

Funds are available for the described Change Order No. 1 in the amount of \$87,537.54 in Account No. IGA-CD-8689-27000-551.

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

Final construction costs amount to \$3,039,627.54.

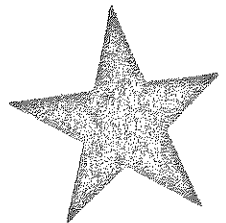
Therefore, it is hereby requested that the Town Board authorize, by resolution, the above-described Change Order No. 1 for a total net increase in the amount of \$87,537.54 and we concur with Cashin Associates, P.C. that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

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

  
RWL/MR/SC/nm  
Attachments

cc: Steven C. Ballas, Comptroller

DP 17-151 Alhambra\_Final Acceptance







June 9, 2022

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

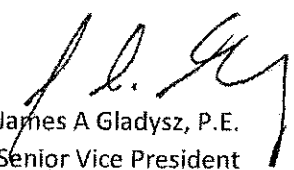
Re: Restoration and Improvements to Alhambra Park, Massapequa NY  
Certification of Completion

Dear Commissioner Lenz:

Cashin Associates, P.C. is writing to certify that the above mentioned project has been completed in conformance with the plans and specifications.

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

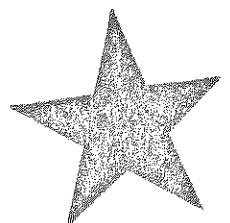
Very truly yours,  
**CASHIN ASSOCIATES, P.C.**



James A Gladysz, P.E.  
Senior Vice President

cc: C. Bell, TOB, DPW  
J. Tassone, TOB, DPW  
M. Russo, TOB, DPW

1:\PROJECTS\TOWN OF OYSTER BAY\18007.100\Alhambra Park Improvements\CORRESPONDENCE\18007.1 Lenz, Ltr-Cert Of Comp.doc





June 9, 2022

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

Re: **Restoration and Improvements to Alhambra Park, Massapequa, NY  
Change Order #1**

Dear Commissioner Lenz:

Cashin Associates, P.C. is recommending Change Order #1 to the Town of Oyster Bay in the amount of \$87,537.54 to Galvin Bros., Inc./Madhue Contracting, Inc. for the following additional items of work at Alhambra Park:

ITEM 1 – \$17,789.13, Revised Cap Detail is to install 2720 LF of 3"x4" timber shims to the underside of the sheeting cap. The initial detail did not call for shimming; however, the only cap that Everlast supplies requires wood shimming to ensure a secure fit over the sheets.

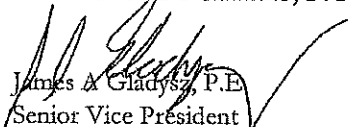
ITEM 2 – \$18,680.09, Cable Railing Footings is to install (x28) 18" dia. X 36" concrete footings to support the cable railing in planting areas, per Submittal 323119 – 1.2 – Ornamental Fence & Railing Shop Drawings.

ITEM 3 – 28,479.12, TOB Water Main is for the labor and equipment needed to locate the active Town of Oyster Bay water main and assist TOB with installing a new min through the new sheeting. Afterwards, GBI sealed both sides of the sheeting penetration.

ITEM 4– \$22,589.20, Elevated Timber Platform is for the labor, material, and equipment needed to an elevated timber deck to provide a maintenance platform for future electrical panel/meter work. A railing will be installed for fall protection. Also, Anker's Electric will need to relocate the meter and panel to the new elevations.

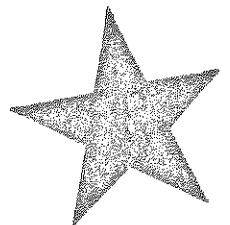
If you have any questions or require additional information please do not hesitate to contact me.

Very truly yours,  
CASHIN ASSOCIATES, P.C.

  
James A. Gladys, P.E.  
Senior Vice President

cc: C. Bell, TOB, DPW  
J. Tassone, TOB, DPW  
M. Russo, TOB, DPW

\\PROJECTS\TOWN OF OYSTER BAY\18007.100 Alhambra Park Improvements\CONSTRUCTION\Change Orders & Contingency\18007.1 Lenz LU-Change Order 1.doc



# APPLICATION AND CERTIFICATE FOR PAYMENT

TO (OWNER)  
Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay, NY 11771

PROJECT:

Alhambra Park Improvements  
Contract No. DPW 17-151

APPL NO: 5 FINAL

Distribution to:  
OWNER  
ENGINEER  
CONTRACTOR

FROM (SUB CONTRACTOR)  
Galvin Bros/Madhu Contracting-JV  
149 Steamboat Road  
Great Neck, NY 11024

CONSTR.  
MANAGER

Cashin Associates, P.C.  
1200 Veterans Memorial Highway  
Hauppauge, NY 11788  
jgladysz@ca-pc.com  
516-659-7902 cell  
631-348-7600 office

PERIOD TO: February 25, 2022

PROJECT NO: #54640002-2

CONTRACT FOR:

## CONTRACTOR'S APPLICATION FOR PAYMENT

| CHANGE ORDER SUMMARY                               |               | ADDITIONS   | DEDUCTIONS |
|--|---------------|-------------|------------|
| Change orders approved in previous months by owner |               |             |            |
| TOTAL  |               | \$0.00      | \$0.00     |
| Approved this Month                                |               |             |            |
| Number   | Date Approved |             |            |
| c/o  |               | \$17,789.13 |            |
| c/o  |               | \$18,680.09 |            |
| c/o  |               | \$28,479.12 |            |
| c/o  |               | \$22,589.20 |            |
| Totals   |               | \$87,537.54 | \$0.00     |
| Net Change by Change Order                         |               | \$87,537.54 | \$0.00     |

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

CONTRACTOR:

By: Galvin Bros Date: 3/23/22

## ARCHITECTS CERTIFICATE FOR PAYMENT

In accordance with the contract documents, based on on-site observations and the data comprising the above application, the architect certifies to the owner that to the best of architect's knowledge, information and belief the work has progressed as indicated, the quality of the work is in accordance with the contract documents, and the contractor is entitled to payment of the amount certified.

Application is made for payment, as shown below, in connection with the contract. Continuation Sheet is attached.

|   |                |
|---|----------------|
| 1. ORIGINAL CONTRACT SUM                  | \$2,952,090.00 |
| 2. NET CHANGE BY CHANGE ORDERS            | \$87,537.54    |
| 3. CONTRACT SUM TO DATE                   | \$2,952,090.00 |
| 4. TOTAL COMPLETED & STORED TO DATE       | \$3,022,971.57 |
| 5. RETAINAGE:                             |                |
| a. 0% of Completed Work                   | \$0.00         |
| b. 5% of Stored Material                  | \$0.00         |
| Total Retainage                           | \$0.00         |
| 6. TOTAL EARNED LESS RETAINAGE            | \$3,022,971.57 |
| 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT | \$2,788,662.33 |
| 8. CURRENT PAYMENT DUE                    | \$234,309.24   |
| 9. BALANCE TO FINISH, PLUS RETAINAGE      | \$0.00         |

State of New York County of Suffolk  
Subscribed and sworn to before me 23-Mar-22

NOTARY PUBLIC

Maureen T. Confortin

MAUREEN T. CONFORTIN  
Notary Public, State of New York  
No. 01CO4850066  
Qualified in Suffolk County  
Commission Expires January 20 2026

My Commission Expires on January 20, 2026

AMOUNT CERTIFIED

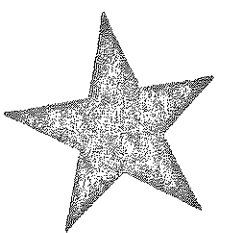
\$234,309.24

ENGINEER

By: [Signature]

Date: 3-24-2022

This Certificate is not negotiable. The amount certified is payable only to the contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the owner or contractor under this contract.



# TOWN OF OYSTER BAY

Page: 1

## Engineer's Certificate

DATE: 3/23/2022

DEPARTMENT OF PUBLIC WORKS  
150 Miller Place Syosset, New York 11791

Contractor Galvin Bros. Inc./Madhue Contracting Inc a JV Project Name Restoration & Improvements to Alhambra Park  
GOSR Funded Disaster Recovery

Address 149 Steamboat Rd., Great Neck, NY 11024

TOB Contract No. DPW 17-151

Engineer/Architect Cashin Associates, P.C.  
Jim Galdysz

Estimate No. 5 - FINAL

Address 1200 Veterans Memorial Highway  
Hauppauge, NY 11788

| Item No. | Quantity | Description | Total<br>Bid Price | Work Performed To Date |          |        |
|----------|----------|-------------|--------------------|------------------------|----------|--------|
|          |          |             |                    | Unit Price             | Quantity | Amount |
|          |          |             |                    |                        |          |        |

SEE ATTACHED A.I.A.

Directed Starting Date  
Actual Starting Date  
Directed Completion Date  
Extended Completion Date  
Actual Completion Date  
The work covered by this estimate was  
performed prior to

April 12, 2021  
April 12, 2021  
February 25, 2022  
February 25, 2022  
February 25, 2022

Original Contract Sum: \$2,952,090.00  
Net Change By Change Orders, Quantity  
Increase/Decreases: \$ 87,537.54  
Contract Sum To Date: \$3,039,627.54  
Grand Total : \$3,022,971.57  
(completed and stored to date)  
Less 5% Retained: \$ -0-  
Balance: \$3,022,971.57  
Less Previous Claims: \$2,788,662.33  
Amount Of This Claim: \$ 234,309.24

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

Contractor:

Name: Edward P. Galvin *Ed P Galvin*

Title: General Partner

Date: 03/23/2022

NOTARY:

*Maureen T. Confortin*

MAUREEN T. CONFORTIN  
Notary Public, State of New York  
No. 01CO4850066  
Qualified in Suffolk County  
Commission Expires January 20 2026

This is to certify that the work covered by this estimate has been performed in accordance with the contract drawings and construction specifications and payment is being made in accordance with the terms and conditions of this contract.

Recommended for payment by Engineer/Architect:

Name: *J D Kelly*

Title: Sr. Vice Pres. - CASHIN ASSOC. PC.

Date: 3-24-2022

ECLJM5/1999 REV A  
G/T OB STANDARDS LAST PAGE

5.6.

TOWN OF OYSTER BAY  
Inter-Departmental Memo

TO: JOHN TASSONE  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

FROM: PAUL S. EHRLICH  
DEPUTY TOWN ATTORNEY

DATE: APRIL 14, 2022

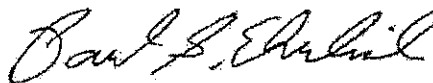
SUBJECT: FINAL ACCEPTANCE  
RESTORATION AND IMPROVEMENTS TO ALHAMBRA PARK, GOSR FUNDED DISASTER  
RECOVERY  
CONTRACT NO. DP17-151

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In reply to your memorandum of April 11, 2022, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

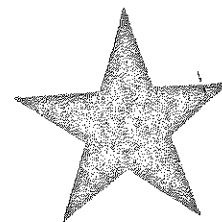
By copy of this memorandum, the contractor, Galvin Bros/Madhue Contracting Joint Venture's Maintenance Bond 015210597M is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.  
TOWN ATTORNEY



By: \_\_\_\_\_  
Paul S. Ehrlich  
Deputy Town Attorney

Cc: Comptroller  
Town Clerk (with Bond)



PSB

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

**TO: RICHARD W. LENZ, COMMISSIONER OF PUBLIC WORKS/HIGHWAY**  
**FROM: STEVEN C. BALLAS, COMPTROLLER**  
**DATE: APRIL 15, 2022**  
**SUBJECT: FINAL ACCEPTANCE – RESTORATION AND IMPROVEMENTS TO**  
**ALHAMBRA PARK GOSR FUNDED DISASTER RECOVERY -**  
**CONTRACT NO DP 17-151**

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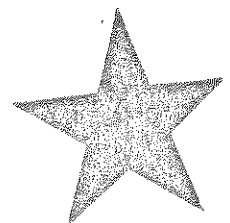
In response to your memo dated April 11, 2022, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

  
\_\_\_\_\_  
**STEVEN C. BALLAS**  
**COMPTROLLER**

Enclosure

SCB/dim:mj

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





## MAINTENANCE BOND

Bond #: 015210597M

KNOW ALL MEN BY THESE PRESENTS, that we,  
Galvin Bros/Madhue Contracting -JV, 149 Steamboat Road, Great Neck, NY 11024

as Principal, and Liberty Mutual Insurance Company, as Surety, are held and firmly bound unto  
Town of Oyster Bay

at 54 Audrey Avenue, Oyster Bay, NY 11771

(hereinafter called the Obligor), in the penal sum of Three Million Twenty-four Thousand Five Hundred Forty-nine  
Dollars And Eighty-four Cents (\$3,024,549.84)

for the payment of which, well and truly to be made, we do hereby bind ourselves, our heirs, executors,  
administrators, successors and assigns, jointly and severally, firmly by these presents.

Dated: February 24, 2022

WHEREAS, the said Principal has heretofore entered into a contract with the Obligor for Alhambra Park  
Improvements, Contract No DPW 17-151 Project #54640002-2

and,

WHEREAS, the work called for under said contract has now been completed and accepted by said Obligor;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall for a  
period of Twelve months from and after the date of the completion of the contract indemnify the  
Obligor against any loss or damage directly arising by reason of any defect in the material or workmanship that may  
be discovered within the period aforesaid, then this obligation shall be void; otherwise to remain in full force and  
effect.

PROVIDED, HOWEVER, that in the event of any default on the part of the Principal, written statement of the  
particular facts showing such default and the date thereof shall be delivered to the Surety by registered mail, at its  
home office in the city of Boston, Massachusetts, promptly and in any event  
within ten (10) days after the Obligor or his representative shall learn of such default; and that no claim, suit or  
action by reason of any default of the Principal shall be brought hereunder after the expiration of thirty days from  
the end of the maintenance period as herein set forth.

Galvin Bros/Madhue Contracting -JV, 149 Steamboat  
Road, Great Neck, NY 11024

(Principal)

Liberty Mutual Insurance Company

By: E. P. Salvi

By: Colette R. Chisholm

(Attorney-in-Fact) Colette R. Chisholm

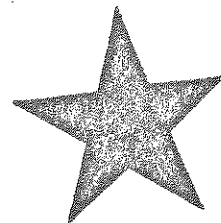


Reviewed By  
Office of Town Attorney

*[Signature]*

Liberty Mutual Surety Claims • P.O. Box 34526, Seattle, WA 98124 • Phone: 206-473-6210 • Fax: 866-548-6837  
Email: HOSCL@libertymutual.com • www.LibertyMutualSuretyClaims.com

LMS-20877e 01/18



ACKNOWLEDGEMENT OF PRINCIPAL  
IF A JOINT VENTURE

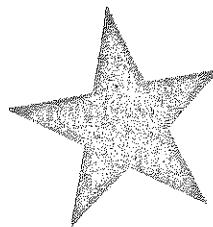
STATE OF New York  
COUNTY OF Nassau

On this 24th day of February 2022, personally appeared before me  
Edward P. Gafinis member of the firm/Joint Venture of  
Gilvin Bros Inc / Maureen Confortin Trust to me known and known to me to be the individual  
described in and who executed the foregoing instrument and he acknowledged to me that he  
executed the same for an on behalf of said firm/Joint Venture.

Sworn before me this 24th day of February 2022

Maureen T. Confortin  
Notary Public

MAUREEN T. CONFORTIN  
Notary Public, State of New York  
No. 01004850066  
Qualified in Suffolk County  
Commission Expires January 20 2026



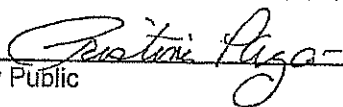


ACKNOWLEDGMENT OF SURETY COMPANY

STATE OF New York }

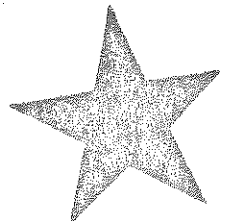
COUNTY OF Nassau }

On this FEB 24 2022, before me personally came Colette R. Chisholm to me known, who, being by me duly sworn, did depose and say; that he/she resides in New York County, State of New York that he/she is the Attorney-In-Fact of the Liberty Mutual Insurance Company the corporation described in which executed the above instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by the Board of Directors of said corporation; and that he/she signed his/her name thereto by like order; and the affiant did further depose and say that the Superintendent of Insurance of the State of New York, has pursuant to Section 1111 of the Insurance Law of the State of New York, issued to Liberty Mutual Insurance Company (Surety) his/her certificate of qualification evidencing the qualification of said Company and its sufficiency under any law of the State of New York as surety and guarantor, and the propriety of accepting and approving is as such; and that such certificate has not been revoked.

  
Notary Public

NY acknowledgement

CRISTINA PAGAN  
Notary Public-State of New York  
No. 01PA6389428  
Qualified in Suffolk County  
Commission Expires 3/25/2023





**Liberty  
Mutual.**  
SURETY

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

Certificate No: 8206266-969603

## POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Camille Maitland; Colette R. Chisholm; Dana Granice; Desiree Cardlin; George O. Brewster; Gerard S. Macholz; Katherine Acosta; Lee Ferrucci; Michelle Wannamaker; Nelly Renchiwicz; Peter F. Jones; Rita Losquadro; Robert T. Pearson; Susan Lupski; Thomas Bean; Vincent A. Walsh

all of the city of Uniondale state of NY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 10th day of September, 2021.



Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss  
County of MONTGOMERY

On this 10th day of September, 2021 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal  
Teresa Pastella, Notary Public  
Montgomery County  
My commission expires March 28, 2025  
Commission number 1128044  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

### ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

### ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

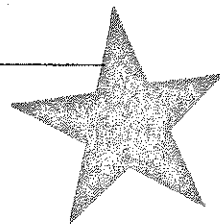
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 24th day of February, 2022.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.





LIBERTY MUTUAL INSURANCE COMPANY  
FINANCIAL STATEMENT — DECEMBER 31, 2020

| Assets  |                         | Liabilities                                 |                         |
|---|-------------------------|---|-------------------------|
| Cash and Bank Deposits.....                   | \$2,058,007,542         | Unearned Premiums.....                      | \$8,448,706,991         |
| *Bonds — U.S Government.....                  | 2,209,760,437           | Reserve for Claims and Claims Expense ..... | 23,879,216,613          |
| *Other Bonds.....                             | 15,902,755,586          | Funds Held Under Reinsurance Treaties.....  | 343,068,613             |
| *Stocks .....                                 | 18,517,107,230          | Reserve for Dividends to Policyholders..... | 1,192,716               |
| Real Estate.....                              | 193,169,809             | Additional Statutory Reserve .....          | 77,397,000              |
| Agents' Balances or Uncollected Premiums..... | 6,970,170,469           | Reserve for Commissions, Taxes and          |                         |
| Accrued Interest and Rents.....               | 118,399,147             | Other Liabilities .....                     | 6,279,510,804           |
| Other Admitted Assets.....                    | 12,079,597,645          | Total .....                                 | \$39,029,092,737        |
| Total Admitted Assets .....                   | <u>\$58,048,967,865</u> | Special Surplus Funds.....                  | \$178,155,102           |
|   |                         | Capital Stock.....                          | 10,000,075              |
|   |                         | Paid in Surplus.....                        | 10,945,045,214          |
|   |                         | Unassigned Surplus.....                     | 7,886,674,737           |
|   |                         | Surplus to Policyholders.....               | 19,019,875,128          |
|   |                         | Total Liabilities and Surplus.....          | <u>\$58,048,967,865</u> |



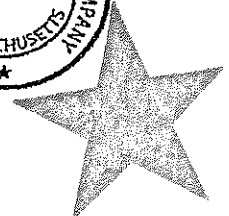
\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.  
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2020, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 25<sup>th</sup> day of March, 2021.

*T. Mikolajewski*

Assistant Secretary



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
ALHAMBRA PARK IMPROVEMENTS  
Massapequa, New York  
Contract No. DP17-151  
Bid No. PW 025-21  
CHANGE ORDER NO. 1

To: Galvin Brothers, Inc./ Madhue Contracting, Inc., a Joint Venture  
149 Steamboat Road  
Great Neck, NY 11024

From: Cashin Associates, P.C.  
1200 Veterans Memorial Highway  
Hauppauge, New York 11788

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

**ITEM 1** – Revised Cap Detail is to install 2720 LF of 3"x4" timber shims to the underside of the sheeting cap. The initial detail did not call for shimming; however, the only cap that Everlast supplies requires wood shimming to ensure a secure fit over the sheets.

**ITEM 2** – Cable Railing Footings is to install (x28) 18" dia. X 36" concrete footings to support the cable railing in planting areas, per Submittal 323119 – 1.2 – Ornamental Fence & Railing Shop Drawings.

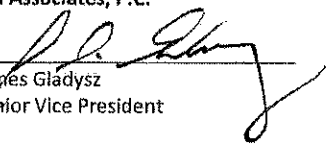
**ITEM 3** – TOB Water Main is for the labor and equipment needed to locate the active Town of Oyster Bay water main and assist TOB with installing a new min through the new sheeting. Afterwards, GBI sealed both sides of the sheeting penetration.

**ITEM 4** – Elevated Timber Platform is for the labor, material, and equipment needed to an elevated timber deck to provide a maintenance platform for future electrical panel/meter work. A railing will be installed for fall protection. Also, Anker's Electric will need to relocate the meter and panel to the new elevations.

**TOTAL OF ITEMS 1 thru 4:**


|   |                        |
|---|------------------------|
| The original Contract sum was:                        | \$ 2,952,090.00        |
| Net Change by previously authorized Change Orders:    | \$ 0                   |
| Total Contract sum prior to this Change Order:        | \$ 2,952,090.00        |
| Change Order No. 1:                                   | \$ 87,537.54           |
| <b>New Contract sum including CHANGE ORDER NO. 1:</b> | <b>\$ 3,039,627.54</b> |

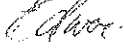
Recommended by:  
Cashin Associates, P.C.

by:   
James Gladysz  
Senior Vice President


Dated: \_\_\_\_\_

Accepted by:  
Galvin Bros., Inc./Madhue Contracting, Inc.

by:   
Edward P. Galvin

Dated:  \_\_\_\_\_

Sufficient funding for this Change Order is available within the Contract encumbrance:

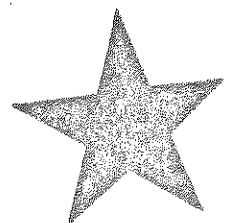
by:  6/24/22  
Robert Darlenzo, Director of Finance

by:  6/23/22  
Steven Ballas, Comptroller

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
ALHAMBRA PARK IMPROVEMENTS  
Massapequa, New York  
Contract No. DP17-151  
Bid No. PW 025-21  
CHANGE ORDER NO. 1

To: Galvin Brothers, Inc./ Madhue Contracting, Inc., a Joint Venture  
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Great Neck, NY 11024

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Hauppauge, New York 11788

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| <b>New Contract sum including CHANGE ORDER NO. 1:</b> | <b>\$ 3,039,627.54</b> |

Recommended by:  
Cashin Associates, P.C.

by: *J. Gladysz*  
James Gladysz  
Senior Vice President

Dated: \_\_\_\_\_

Accepted by:  
Galvin Bros., Inc./ Madhue Contracting, Inc.

by: *E. P. Galvin*  
Edward P. Galvin

Dated: \_\_\_\_\_

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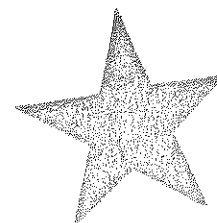
by: *R. Darienzo* 6/24/22  
Robert Darienzo, Director of Finance

by: *S. Ballas* 6/27/22  
Steven Ballas, Comptroller

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

\_\_\_\_\_  
Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



**TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
ALHAMBRA PARK IMPROVEMENTS  
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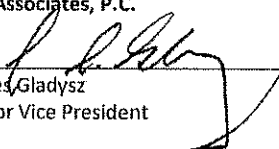
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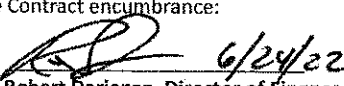
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Cashin Associates, P.C.

by:   
James Gladysz  
Senior Vice President

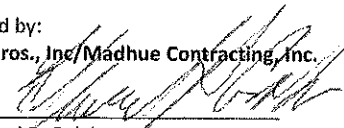
Dated: \_\_\_\_\_

Sufficient funding for this Change Order is available within the Contract encumbrance:

by:  6/24/22  
Robert Darienzo, Director of Finance

by:  6/23/22  
Steven Ballas, Comptroller

Accepted by:  
Galvin Bros., Inc./Madhue Contracting, Inc.

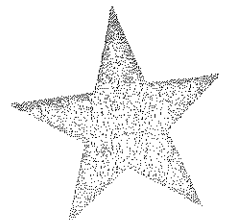
by:   
Edward P. Galvin

Dated: \_\_\_\_\_

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Town of Oyster Bay

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



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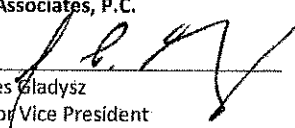
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Recommended by:  
Cashin Associates, P.C.

by:   
James Gladysz  
Senior Vice President

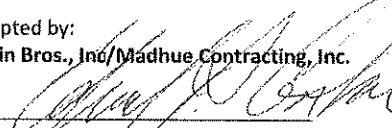
Dated: \_\_\_\_\_

Sufficient funding for this Change Order is available within the Contract encumbrance:

by:  6/24/02  
Robert Darienzo, Director of Finance

by:  6/23/02  
Steven Ballas, Comptroller

Accepted by:  
Galvin Bros., Inc./Madhue Contracting, Inc.

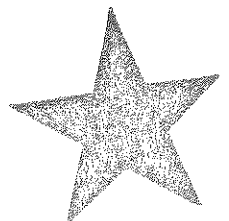
by:   
Edward P. Galvin

Dated: \_\_\_\_\_

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



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Hauppauge, New York 11788

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**ITEM 1** – Revised Cap Detail is to install 2720 LF of 3"x4" timber shims to the underside of the sheeting cap. The initial detail did not call for shimming; however, the only cap that Everlast supplies requires wood shimming to ensure a secure fit over the sheets.

**ITEM 2** – Cable Railing Footings is to install (x28) 18" dia. X 36" concrete footings to support the cable railing in planting areas, per Submittal 323119 – 1.2 – Ornamental Fence & Railing Shop Drawings.

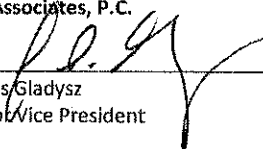
**ITEM 3** – TOB Water Main is for the labor and equipment needed to locate the active Town of Oyster Bay water main and assist TOB with installing a new min through the new sheeting. Afterwards, GBI sealed both sides of the sheeting penetration.

**ITEM 4** – Elevated Timber Platform is for the labor, material, and equipment needed to an elevated timber deck to provide a maintenance platform for future electrical panel/meter work. A railing will be installed for fall protection. Also, Anker's Electric will need to relocate the meter and panel to the new elevations.

**TOTAL OF ITEMS 1 thru 4:**

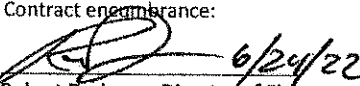
|   |                        |
|---|------------------------|
| The original Contract sum was:                        | \$ 2,952,090.00        |
| Net Change by previously authorized Change Orders:    | \$ 0                   |
| Total Contract sum prior to this Change Order:        | \$ 2,952,090.00        |
| Change Order No. 1:                                   | \$ 87,537.54           |
| <b>New Contract sum including CHANGE ORDER NO. 1:</b> | <b>\$ 3,039,627.54</b> |

Recommended by:  
Cashin Associates, P.C.

by:   
James Gladysz  
Senior Vice President


Dated: \_\_\_\_\_

Sufficient funding for this Change Order is available within the Contract envelope:

by:   
Robert Darienzo, Director of Finance

by:   
Steven Ballas, Comptroller

Accepted by:  
Galvin Bros., Inc./Madhue Contracting, Inc.

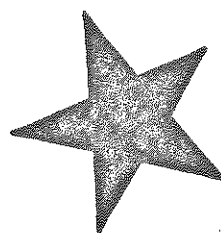
by:   
Edward P. Galvin

Dated: \_\_\_\_\_

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_





**TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
ALHAMBRA PARK IMPROVEMENTS  
Massapequa, New York  
Contract No. DP17-151  
Bid No. PW 025-21  
CHANGE ORDER NO. 1**

To: Galvin Brothers, Inc./ Madhue Contracting, Inc., a Joint Venture  
149 Steamboat Road  
Great Neck, NY 11024

From: Cashin Associates, P.C.  
1200 Veterans Memorial Highway  
Hauppauge, New York 11788

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

**ITEM 1** – Revised Cap Detail is to install 2720 LF of 3"x4" timber shims to the underside of the sheeting cap. The initial detail did not call for shimming; however, the only cap that Everlast supplies requires wood shimming to ensure a secure fit over the sheets.

**ITEM 2** – Cable Railing Footings is to install (x28) 18" dia. X 36" concrete footings to support the cable railing in planting areas, per Submittal 323119 – 1.2 – Ornamental Fence & Railing Shop Drawings.

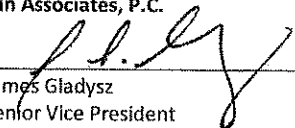
**ITEM 3** – TOB Water Main is for the labor and equipment needed to locate the active Town of Oyster Bay water main and assist TOB with installing a new min through the new sheeting. Afterwards, GBI sealed both sides of the sheeting penetration.

**ITEM 4** – Elevated Timber Platform is for the labor, material, and equipment needed to an elevated timber deck to provide a maintenance platform for future electrical panel/meter work. A railing will be installed for fall protection. Also, Anker's Electric will need to relocate the meter and panel to the new elevations.

**TOTAL OF ITEMS 1 thru 4:**

|   |                        |
|---|------------------------|
| The original Contract sum was:                        | \$ 2,952,090.00        |
| Net Change by previously authorized Change Orders:    | \$ 0                   |
| Total Contract sum prior to this Change Order:        | \$ 2,952,090.00        |
| Change Order No. 1:                                   | \$ 87,537.54           |
| New Contract sum including <b>CHANGE ORDER NO. 1:</b> | <b>\$ 3,039,627.54</b> |

Recommended by:  
Cashin Associates, P.C.

by:   
James Gladysz  
Senior Vice President

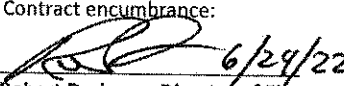
Dated: \_\_\_\_\_

Accepted by:  
Galvin Bros. Inc./Madhue Contracting, Inc.

by:   
Edward P. Galvin

Dated: \_\_\_\_\_

Sufficient funding for this Change Order is available within the Contract encumbrance:

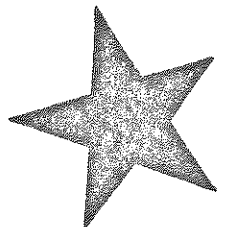
by:  6/29/22  
Robert Darienzo, Director of Finance

by:  6/27/22  
Steven Ballas, Comptroller

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

\_\_\_\_\_  
Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



**TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
ALHAMBRA PARK IMPROVEMENTS  
Massapequa, New York  
Contract No. DP17-151  
Bid No. PW 025-21  
CHANGE ORDER NO. 1**

To: Galvin Brothers, Inc./ Madhue Contracting, Inc., a Joint Venture  
149 Steamboat Road  
Great Neck, NY 11024

From: Cashin Associates, P.C.  
1200 Veterans Memorial Highway  
Hauppauge, New York 11788

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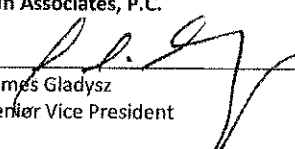
**ITEM 3** – TOB Water Main is for the labor and equipment needed to locate the active Town of Oyster Bay water main and assist TOB with installing a new min through the new sheeting. Afterwards, GBI sealed both sides of the sheeting penetration.

**ITEM 4** – Elevated Timber Platform is for the labor, material, and equipment needed to an elevated timber deck to provide a maintenance platform for future electrical panel/meter work. A railing will be installed for fall protection. Also, Anker's Electric will need to relocate the meter and panel to the new elevations.

**TOTAL OF ITEMS 1 thru 4:**


|   |                        |
|---|------------------------|
| The original Contract sum was:                        | \$ 2,952,090.00        |
| Net Change by previously authorized Change Orders:    | \$ 0                   |
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| Change Order No. 1:                                   | \$ 87,537.54           |
| <b>New Contract sum including CHANGE ORDER NO. 1:</b> | <b>\$ 3,039,627.54</b> |

Recommended by:  
Cashin Associates, P.C.

by:   
James Gladysz  
Senior Vice President

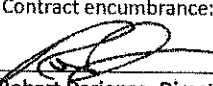
Dated: \_\_\_\_\_

Accepted by:  
Galvin Bros., Inc./ Madhue Contracting, Inc.

by:   
Edward P. Galvin

Dated: \_\_\_\_\_

Sufficient funding for this Change Order is available within the Contract encumbrance:

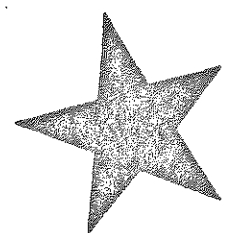
by:  6/24/22  
Robert Darienzo, Director of Finance

by:  6/23/22  
Steven Ballas, Comptroller

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



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

June 30, 2022

**TO:** MEMORANDUM DOCKET

**FROM:** JOHN P. BISHOP  
DEPUTY COMMISSIONER, DEPT. OF PUBLIC WORKS  
HIGHWAY DIVISION

**SUBJECT:** PRATT BROTHERS, INC.  
CONTRACT NO. HGR 17-162  
ACCOUNT # HWY H5197 20000 000 1903 008  
PROJECT ID # 1903HWYDB-06

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The Highway Department respectfully requests to expend funds from within the above noted project I.D. number and account.

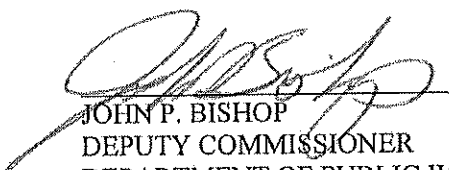
These funds are required to cover costs to be incurred for Pratt Brothers, Inc. for Highway improvements at Brenner Avenue, Bethpage located in the Town under General Requirements for the Highway Department.

Funds in the amount of \$498,490.70 are available for this purpose; attached please find a copy of the availability of funds within the above noted accounts.

The Highway Department also requests the Office of the Comptroller to issue encumbrance order in the requested amounts for Pratt Brothers, Inc. under Contract No. HGR 17-162.

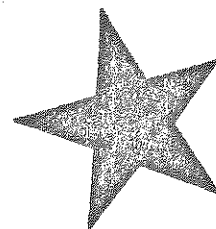
The Office of the Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied that the Procurement policy has been fulfilled

Therefore, it is hereby recommended that this request be authorized relative to the above noted account.

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

JPB/lb

C: Richard W. Lenz, P.E. Commissioner of DPW/Highway  
Grace Santamaria, Highway Administration





ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT  
REQUEST FOR AVAILABILITY OF FUNDS



Requesting Division/Department

HIGHWAY DEPARTMENT

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number HGR 17-162

Contract Period 4-24-22 TO 4-23-23

Consultant/Contractor PRATT BROS.

Discipline GENERAL RECONSTRUCTION

Total Authorization \$18,500,000.00

Resolution No. 350-2022 Date 5/10/2022

Funded To Date \$14,083,558.46

Amount Requested \$498,490.70

Account To Be Used HWY H5197 20000 000 1903 008-1903 HWYDB-06

If Capital Account, State The Related Contract Number: N/A

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.

GENERAL REQUIREMENTS TO BE PERFORMED AT BRENNER AVE IN

THE TOWN OF OYSTER BAY

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 60% Performance Bond For This Request In Effect: Yes ☒ No ☐ N/A ☐

Amount of Bond \$ N/A

Requesting Division/Department

Department of Highways Approval

Signature [Signature]

Signature [Signature]

Title HIGHWAY ADMINISTRATION

Title Deputy Commissioner of DPW/ Highway Division

Date

Date

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 498,490.70

Unencumbered Balance 648,431.42

Is The Account To Be Used Consistent With The Nature Of Work Listed Above?

Yes ☒ No ☐

Signature [Signature]

Date 6/30/22

Meeting of August 9, 2022

Resolution No. 530-2022

WHEREAS, Frank M. Scalera, Town Attorney, and Sheila Tarnowski, Director of Legislative Affairs, by memorandum dated June 29, 2022, reported that the General Municipal Law, Article 3, requires public notification of the Town's Annual Comprehensive Financial Report and filing with the State Comptroller within ten (10) days of filing of said report; and

WHEREAS, Frank M. Scalera, Town Attorney, and Sheila Tarnowski, Director of Legislative Affairs, by said memorandum, reported that the Town Clerk did publish a public notice regarding the Annual Comprehensive Financial Report for the year ending December 31, 2021, in compliance with General Municipal Law, Article 3, and requested that the Town Board adopt a resolution ratifying the Town Clerk's timely publication,

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk in publishing the Annual Comprehensive Financial Report for the year ending December 31, 2021, in compliance with General Municipal Law, Article 3, requiring public notification of said report and filing with the State Comptroller.

-#-

Reviewed By  
Office of Town Attorney  
*Elizabeth A. Taugman*

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

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

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

June 29, 2022

**TO:** Memorandum Docket

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

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

**SUBJECT:** Town of Oyster Bay –  
Annual Comprehensive Financial Report  
for the year ended December 31, 2021


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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.

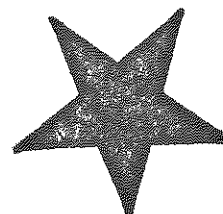
The report has been forwarded to the State Comptroller. Further the Town Clerk will publish a public notice in Newsday to meet the requirements by law.

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 June 28, 2022.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Sheila Tarnowski  
Director of Legislative Affairs

FMS:ST



Meeting of August 9, 2022

Resolution No 531-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 29, 2022, requested and recommended Town Board authorization to issue a refund in the amount of a \$332.50 to James Purpura, 89 A Grand Boulevard, Massapequa Park, New York 11762, from Account No. PKS A 0001 02001 510 0000, because his son will no longer be able to attend the 2022 Town of Oyster Bay Summer Ice Hockey Program; and

WHEREAS, based on the Town of Oyster Bay refund policy, James Purpura is entitled to receive a refund of the \$350.00 registration fee less the 5 percent administrative fee of \$17.50, thereby making his total refund \$332.50,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are approved and accepted, and the Department of Parks is hereby authorized to issue a refund in the amount of \$332.50 to James Purpura, 89 A Grand Boulevard, Massapequa Park, New York 11762 from Account No. PKS A 0001 02001 510 0000, and payment of said refund is to be made by the Comptroller upon presentation of duly certified claims, after audit.

-#-

Reviewed By  
Office of Town Attorney  
*Chamerica Wolfe*

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

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

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

531

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: June 29, 2022

SUBJECT: James Purpura Refund - 2022 Town of Oyster Bay Summer Ice Hockey

The Department of Parks respectfully requests Town Board approval for a refund to be issued to James Purpura, 89 A Grand Boulevard, Massapequa Park, NY 11762, for fees paid for the Town of Oyster Bay's Summer 2022 Ice Hockey Program for which he registered his young son. Mr. Purpura has withdrawn him from the program since he is a beginner and requires more of an instructional program than is being offered during the summer months.

Mr. Purpura is eligible to receive the refund, minus a 5% administrative fee, as follows:

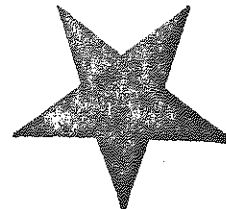
|                            |   |
|----------------------------|---|
| Registration Fee           | \$350.00  |
| Less 5% Administrative Fee | \$ 17.50  |
| <b>TOTAL REFUND</b>        | <b>\$332.50 (Three Hundred Thirty-Two Dollars and 50/100 Cents)</b> |

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

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

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER

JGP/sc





Meeting of August 9, 2022

Resolution No 532-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 30, 2022, requested and recommended Town Board authorization to issue refunds, minus the 10 percent administrative fee, to the following residents who have advised that their children will no longer be able to attend the Town of Oyster Bay Summer Recreation Program as planned:

| Name           | Address                                  | Park             | Number of children registered | Number of children withdrawing | Total Paid | Less 10% Fee | Total Refund |
|----------------|--|------------------|-------------------------------|--------------------------------|------------|--------------|--------------|
| Lisa Sette     | 31 Cabot Road<br>Massapequa, NY<br>11758 | Marjorie Post    | 1                             | 1                              | \$675.00   | \$67.50      | \$607.50     |
| Inez Macedonio | 3 Glen Avenue<br>Glen Head, NY<br>11545  | Syosset Woodbury | 1                             | 1                              | \$675.00   | \$67.50      | \$607.50     |

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized and directed to issue the above listed refunds; and be it further

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

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

-#-

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

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

Reviewed By  
Office of Town Attorney  
*Danica Walte*

532

5

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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: June 30, 2022


SUBJECT: 2022 Town Of Oyster Bay Summer Recreation Program Refunds

The Department of has received correspondence from the residents listed below notifying us that their child will no longer be able to attend the 2022 Summer Recreation Program as planned. Consequently, our office respectfully requests Town Board approval for the following refunds, minus a 10% administrative fee, as follows:

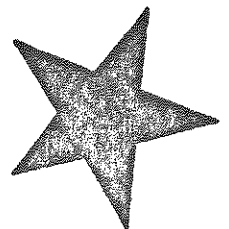
| Name              | Address   | Park                | Number of<br>Children<br>Registered | Number of<br>Children<br>Withdrawing | Total<br>Paid | Less<br>10%<br>Fee | Total<br>Refund | Vendor<br># |
|-------------------|---|---------------------|-------------------------------------|--------------------------------------|---------------|--------------------|-----------------|-------------|
| Lisa Sette        | 31 Cabot Road<br>West,<br>Massapequa, NY<br>11758 | Marjorie<br>Post    | 1                                   | 1                                    | \$675         | \$67.50            | \$607.50        |             |
| Inez<br>Macedonio | 3 Glen Avenue,<br>Glen Head, NY<br>11545          | Syosset<br>Woodbury | 1                                   | 1                                    | \$675         | \$67.50            | \$607.50        |             |

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

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

  
Joseph G. Pinto  
Commissioner of Parks

JGP/sc



Meeting of August 9, 2022

Resolution No 533-2022

Reviewed By  
Office of Town Attorney  
*Ralph P. Hawley*

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 14, 2022, has requested that the Town Board authorization to allow Rocco's Voice for Autism, a 501(c)3 charitable organization, the use of the TOBAY Beach Spray Park, at no cost, from 6:00 p.m. through 8:30 p.m., on Monday, August 29, 2022, said date and times subject to change at the discretion of the Commissioner of Parks or his designee, for use by children with autism and their families; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and has determined that the approval of this request will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted, and the Department of Parks is hereby authorized to provide Rocco's Voice for Autism, with the use of the TOBAY Beach Spray Park, at no cost, from 6:00 p.m. through 8:30 p.m., on Monday, August 29, 2022, said date and times subject to change at the discretion of the Commissioner of Parks or his designee, for use by children with autism and their families, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Commissioner of the Parks Department, or his duly authorized representative;

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforementioned activity; and

3. The said organization shall file a Hold Harmless Agreement, and a Certificate of Insurance and Declaration Page(s) with the Office of the Town Clerk, indicating said organization maintains a policy of comprehensive general liability insurance, with a Commercial Liability limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate per year and naming the Town of Oyster Bay as an additional insured, in connection with the aforescribed activity.

4. The event shall comply with all New York State Guidelines with respect to social distancing, and the afore-described activity may be cancelled by the Town of Oyster Bay at any time to prevent harm to the population from the COVID-19 Virus, or from any other threat to public health and/or safety.

-#-

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

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

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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: JUNE 14, 2022

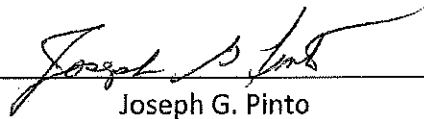
SUBJECT: ROCCO'S VOICE AT TOBAY SPRAY PARK

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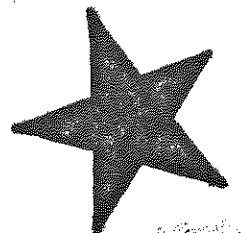
The Department of Parks is requesting Town Board approval to allow Rocco's Voice for Autism (a not-for-profit with IRS section 501(c)3 status) the use of the Tobay Beach Spray Park on Monday, August 29, 2022 from 6:00 pm until 8:30 pm for use by children with Autism, and their families. Dates and times may be changed at the discretion of the Commissioner of Parks, or his designee.

Rocco's Voice for Autism is an organization which offers necessary support through outreach programs and events that help connect families of children with Autism.

The Department of Parks recommends Town Board approval for this event on the terms set forth above.

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

JGP; EW



Meeting of August 9, 2022

Resolution No 534-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 7, 2022, requested and recommended Town Board approval to allow for said Department to purchase signage to commemorate the accomplishments of high school athletic and community youth teams within the Town of Oyster Bay that have won championships at the County, Long Island, or State level in their given sport; and

WHEREAS, Commissioner Pinto, by said memorandum, advised that the signage shall measure approximately 3 feet by 4 feet, and shall be presented and permanently displayed at school district locations and/or community athletic fields, as determined by the respective Superintendent of Schools and/or League Officials, and all artwork shall be approved by the Commissioner of Parks or his designee; and

WHEREAS, costs for the signage, in a total amount not to exceed \$5,000.00, shall be paid from Account No. PKS A 7110 47670 000 0000 through the Town's Department of General Services, Purchasing Division,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth is accepted, and the Town hereby authorizes the Department of Parks to purchase signage in a total amount not to exceed \$5,000.00 to commemorate the accomplishments of high school athletic and community youth teams within the Town of Oyster Bay that have won championships at the County, Long Island, or State level in their given sport, to be permanently displayed at various locations within the Town, with the costs for the said signage to be paid from Account No. PKS A 7110 47670 000 0000 through the Town's Department of General Services, Purchasing Division.

-#-

Reviewed By  
Office of Town Attorney  
*Robert P. DeLong*

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

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

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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: JULY 7, 2022

SUBJECT: TOWN OF OYSTER BAY HIGH SCHOOL AND YOUTH CHAMPIONSHIP  
RECOGNITION SIGNAGE


---

The Department of Parks requests Town Board approval to allow for the purchase of signage to commemorate the accomplishments of high school athletic and community youth teams, within the Town of Oyster Bay that have won championships at the County, Long Island or State level in their given sport.

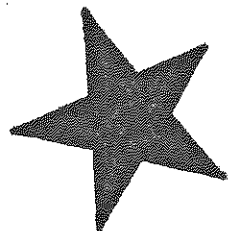
Signage shall measure approximately 3ft by 4 ft and shall be presented and permanently displayed at school district locations and/or community athletic fields determined by the respective Superintendent of Schools and/or League Officials. All artwork shall be approved by the Commissioner of Parks or his designee.

Cost for the signage, in an amount not to exceed \$5,000.00, shall be paid from Account No. PKS A 7110 47670 000 0000 through the Department of General Services, Purchasing Division.

The Department of Parks recommends Town Board approval of this request.

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

JGP; EW



Meeting of August 9, 2022

Resolution No 535-2022

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated July 18, 2022, advised that a Request for Proposals (RFP) was issued and was sent to nine (9) firms, was placed on the Town of Oyster Bay website, and advertised in Newsday, seeking proposals from firms interested in providing Automated Vendor Monitoring Services to the Town of prospective contractors and of company names; and

WHEREAS, the Inspector General received one (1) response by the response due date; and

WHEREAS, the Inspector General, by said memorandum, advised that the evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town Procurement Policy and a waiver of the Procurement Policy has been issued by the Office of Town Attorney, following receipt of one (1) response to the aforementioned RFP; and

WHEREAS, following a review and evaluation of the response received, the Inspector General recommended Town Board approval to award Exiger, LLC, 1675 Broadway, 15<sup>th</sup> Floor, New York, New York 10019, as the provider of services pursuant to the aforementioned RFP and, by said memorandum, requested that the Town Board authorize the Supervisor, or his designee, to execute an agreement with Exiger, LLC to provide Automated Vendor Monitoring Services to the Town for a one (1) year term beginning August 20, 2022 through August 19, 2023, for an amount not to exceed \$96,000.00, with two (2), one-year extension options, at the Town's option; and

WHEREAS, the Office of the Inspector General has reviewed the vendor's disclosure questionnaire 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 is hereby authorized to enter into an agreement with Exiger, LLC, to provide the aforementioned services for a one (1) year term beginning August 20, 2022 through August 19, 2023, with two (2), one-year extension options, at the Town's option; and it is further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to Exiger, LLC, in an amount not to exceed \$96,000.00, with funds to be drawn from Account No. DIG A 1345 44900 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

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

To: MEMORANDUM DOCKET

From: BRIAN J. NOONE, INSPECTOR GENERAL

Date: JULY 18, 2022

Subject: AWARD RECOMMENDATION FOR AUTOMATED VENDOR  
MONITORING REQUEST FOR PROPOSAL (RFP)

---


Pursuant to the Town of Oyster Bay Procurement Policy, Town Board Resolution 154-2021, the Inspector General has solicited Request for Proposals (RFP) for Automated Vendor Monitoring Services of prospective contractors and the company names.

A total of nine (9) firms were sent the RFP to provide Automated Vendor Monitoring Services for a one (1) year period with two (2) extensions at the Town's option, each extension being one (1) year in length. In addition the RFP was posted on the Town's website and advertised in Newsday.

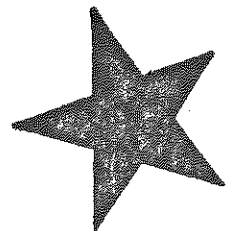
Of the nine (9) firms, one (1) responded by the June 15, 2022 response dated. The evaluation and selection process was performed in compliance within guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy. Further, a waiver of procurement policy has been issued by the Office of the Town Attorney complying with the Town's procurement policy, since only one (1) respondent answered the solicitation.

An RFP Review Committee established and created a criteria in conjunction with the guidelines for the purpose of choosing a firm that meets the Town's scope of service and Procurement Policy standards.

Accordingly, the Inspector General respectfully requests Town Board approval to award Exiger, LLC, 1675 Broadway, 15<sup>th</sup> Floor, New York, New York 10019 contact phone number 1-201-638-8760 the RFP for Automated Vendor Monitoring Services and further authorize the Supervisor or his designee to execute said agreement from August 20, 2022 through August 19, 2023 with, as previously mentioned, the option to execute two (2) one year extensions at the Town's option. Funds are available in account DIG A 1345 44900 000 0000 in an amount of \$96,000.

  
Brian J. Noone  
Inspector General

cc: Comptrollers/Accounts Payable  
General Services Department





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

To: BRIAN J. NOONE  
INSPECTOR GENERAL

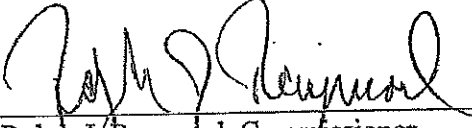
From: RALPH J. RAYMOND, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: JULY 5, 2022

Subject: AUTOMATED VENDOR MONITORING SERVICES

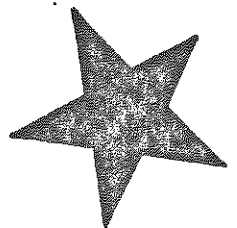
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This communication is to advise that the Town has received one (1) Request for Proposal for Automated Vendor Monitoring Services. The Evaluation Committee has reviewed the submitted RFP from Exiger, LLC, 1095 Avenue of the Americas, 5<sup>th</sup> Floor, New York, New York 10039, and we are recommending the award of the RFP for Automated Vendor Monitoring Services to Exiger, LLC.

  
\_\_\_\_\_  
Ralph J. Raymond, Commissioner  
General Services Department

RR/sc  
Attachments

cc: Comptrollers/Account Payable  
General Services Department



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

**TO** : RALPH RAYMOND, Deputy Commissioner  
Department of General Services

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

**DATE** : June 27, 2022

**SUBJECT:** Procurement – Automated Vendor Monitoring Services

---

We are in receipt of your memorandum dated June 27, 2022, requesting the opinion of this office with respect to compliance with the Town's Procurement Policy regarding the procurement of a vendor to provide automated vendor monitoring services to the Town.

In response to your inquiry with respect to the above referenced matter, based upon the efforts you made to locate possible vendors, including issuance of a Request for Proposals (RFP), listing the RFP on the Town website, advertising the RFP in Newsday, and sending the RFP to nine entities which provide the services sought, it is the opinion of this office that the Division of Purchasing may proceed to procure Exiger to provide automated vendor monitoring services to the Town, despite the fact that only one response was received to the distributed RFP.

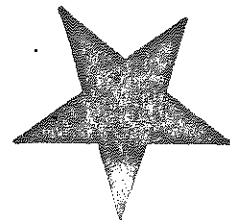
Office of the Town Attorney

*Thomas M. Sabellico*

Thomas M. Sabellico  
Special Counsel

TMS:/nb

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



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

To: THOMAS M. SABELLICO, SPECIAL COUNSEL

From: RALPH J. RAYMOND,  
DEPUTY COMMISSIONER, GENERAL SERVICES

Through: ERIC TUMAN,  
COMMISSIONER, GENERAL SERVICES

Date: JUNE 27, 2022

Subject: RFP- AUTOMATED VENDOR MONITORING SERVICES  
COMPLIANCE REQUIREMENTS

---

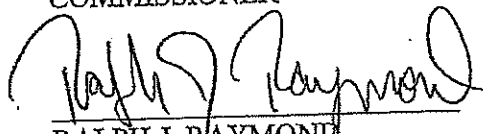
In accordance with the RFP requirements stated in the Town of Oyster Bay Procurement, Town Board Resolution No. 154-2021, Guideline 6 – the following criteria has been followed:

- The subject RFP was posted on the Town's website
- Advertisement was published in Newsday on Wednesday, June 1, 2022 with a response date of June 15, 2022 by 4 PM
- A vendor list compiled of nine (9) vendors – nine (9) RFPs were emailed
- One (1) response was received

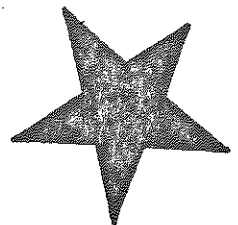
In accordance with Guideline 7 – we feel that a good faith effort was made to obtain the required number of proposals.

Your favorable consideration is requested in the matter.

ERIC TUMAN  
COMMISSIONER

  
RALPH J. RAYMOND  
DEPUTY COMMISSIONER  
GENERAL SERVICES

RJR/sc  
Attachment



**Ad Content**

Legal Notice # 21726281  
NOTICE TO PROPOSERS  
PLEASE TAKE NOTICE that a  
Request for Proposal (RFP)  
is available at the Town of  
Oyster Bay Department of  
General Services, 74 Audrey  
Avenue, 4th Floor, Oyster  
Bay, New York, which RFP  
seeks proposals for AUTO-  
MATED VENDOR MONITOR-  
ING SERVICES. Documents  
are also available at <http://oysterbaytown.com/doin-business-with-the-town/>. Re-  
sponses to the RFP, if any,  
must be received and must  
be clocked in at the Depart-  
ment of General Service, pur-  
suant to the terms of the  
RFP, no later than 4:00 PM  
(prevailing time) on June 15,  
2022 following which time  
any responses will be evalu-  
ated as provided for by law.  
JOSEPH S. SALADINO, Super-  
visor, RICHARD LAMARCA,  
Town Clerk, ERIC TUMAN,  
Commissioner of the General  
Services Department.  
Dated: May 26, 2022,  
Oyster Bay, New York

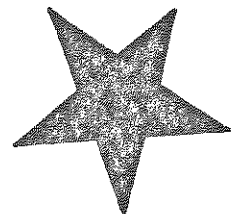
**NEWSDAY PROOF**

Advertiser: TOWN OF OYSTER BAY/TOWN CLERK  
Agency: TOWN OF OYSTER BAY/TOWN CLERK  
Ad Number: 0021726281  
Start Date: 06/01/2022  
End Date: 06/01/2022  
Price: \$136.00  
Ordered By: Legaladv@newsday.com

Phone: 5166246326  
Contact: Donna, email  
Section: Legals  
Class: 11100  
Size: 1 x 34 Times: 1  
Date: 5/27/2022  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_



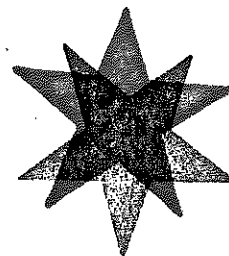
VENDOR LIST: RFP – Automated Vendor Monitoring Services (2022)

| WEBSITE   | EMAIL  | PHONE                  |
|---|--|------------------------|
| <a href="http://www.steeleglobal.com">www.steeleglobal.com</a> -<br>One Sansome St, Ste 3500<br>San Francisco, CA 94104 | <a href="mailto:byong@steeleglobal.com">byong@steeleglobal.com</a><br><a href="mailto:info@steeleglobal.com">info@steeleglobal.com</a> | [REDACTED]             |
| <a href="http://www.ethixbase.com">www.ethixbase.com</a>  | <a href="mailto:marketing@ethixbase.com">marketing@ethixbase.com</a>   | [REDACTED] (Singapore) |
| <a href="http://www.navexglobal.com">www.navexglobal.com</a>  | <a href="mailto:bgivens@navexglobal.com">bgivens@navexglobal.com</a>   | [REDACTED]             |
| <a href="http://www.exiger.com">www.exiger.com</a><br>1675 Broadway, 15 <sup>th</sup> Fl<br>New York, New York 10019    | <a href="mailto:echerkasky@exiger.com">echerkasky@exiger.com</a>   | [REDACTED]             |
| Equitus<br>2170 Rainbow Drive<br>Clearwater, Florida 33765  | <a href="mailto:info@equitus.us">info@equitus.us</a>   | [REDACTED]             |
| <a href="http://www.sc2corp.com">www.sc2corp.com</a>  | <a href="mailto:lewisk@sc2corp.com">lewisk@sc2corp.com</a>   | [REDACTED]             |
| <a href="http://www.hoovers.com">www.hoovers.com</a>  | <a href="mailto:hartzelj@dnb.com">hartzelj@dnb.com</a>   | [REDACTED]             |
| <a href="http://www.kroll.com">www.kroll.com</a>  | Mailed: 55 E 52 <sup>nd</sup> St., 17 <sup>th</sup> fl, NYC 10055 att: Chris Kalet<br>[REDACTED]                                       | [REDACTED]             |
| <a href="http://www.webhse.com">www.webhse.com</a>  | <a href="mailto:dkerning@webhse.com">dkerning@webhse.com</a>   | [REDACTED]             |

RFP RESONSES – JULY 15, 2022

Exiger

Delivered 6/15/22 @ 2:29 PM



Meeting of August 9, 2022

Resolution No 536-2022

WHEREAS, Brian J. Noone, Inspector General, by memorandum dated July 18, 2022, advised that a Request for Proposals (RFP) was issued, and was sent to thirteen (13) firms, was placed on the Town of Oyster Bay website, and advertised in Newsday, seeking proposals from firms interested in providing Electronic Security Assessment of the Town's IT program; and

WHEREAS, the Inspector General received five (5) responses by the response due date; and

WHEREAS, the Inspector General by said memorandum, further advised that the evaluation and selection process was performed in compliance with the requirements of Guidelines 6 and 9 of the Town Procurement Policy, and following a review and evaluation of the response received, the Inspector General, recommended Town Board approval to award Enterprise Security Solutions, LLC, Five Hunterdon Boulevard, Murray Hill, New Jersey 07974-2768, as the provider of services pursuant to the aforementioned RFP and, by said memorandum, has requested that the Town Board authorize the Supervisor, or his designee, to execute an agreement with Enterprise Security Solutions, LLC to provide Electronic Security Assessment services of the Town IT program for a one (1) year term beginning August 20, 2022 through August 19, 2023, with two (2), one-year extension options, at the Town's option; and

WHEREAS, the Office of the Inspector General has reviewed the vendor's disclosure questionnaire 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 is hereby authorized to enter into an agreement with Enterprise Security Solutions, LLC, to provide the aforementioned services for a one (1) year term beginning August 20, 2022 through August 19, 2023, at an amount not to exceed \$15,000.00, with two (2), one-year extension options, at the Town's option; and it is further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment to Enterprise Security Solutions, LLC, in an amount not to exceed \$15,000.00, with funds to be drawn from Account No. DIG A 1345 44900 000 0000, upon submission of a duly certified claim, after audit.

-#-

Reviewed By  
Office of Town Attorney

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

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

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

To: MEMORANDUM DOCKET

From: BRIAN J. NOONE, INSPECTOR GENERAL

Date: JULY 18, 2022

Subject: AWARD RECOMMENDATION FOR ELECTRONIC SECURITY  
ASSESSMENT REQUEST FOR PROPOSAL (RFP)

---

Pursuant to the Town of Oyster Bay Procurement Policy, the Inspector General has solicited Requests for Proposals (RFP's) for Electronic Security Assessment of the IT program.

A total of thirteen (13) firms were sent the RFP to provide a statement of work for Electronic Security Assessment for a one (1) year period with two (2) extensions at the Town's option, each extension being one (1) year in length. In addition the RFP was posted on the Town's website and advertised in Newsday.

Of the thirteen (13) firms, five (5) responded by the June 22, 2022 response date. The evaluation and selection process was performed in compliance within guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, Town Board Resolution No. 154-2021.

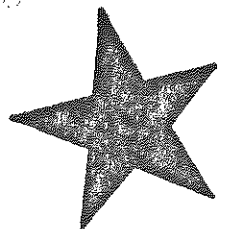
An RFP Review Committee formed of three (3) employees established and created a set of guidelines and criteria for the purpose of choosing the most qualified firm. The criteria consisted of specific questions relevant to the services the Town was seeking for Electronic Security Assessment Services. Each question had a numerical score.

Of the five (5) firms reviewed and evaluated, Enterprise Security Solutions, LLC, Five Hunterdon Boulevard, Murray Hill, New Jersey 07974-2768 contact telephone number 908-553-6966 was ranked with the highest numerical score. The Office of the Inspector General has reviewed the vendor's Disclosure Questionnaire and is satisfied that the Procurement Policy standards have been met.

Accordingly, the Inspector General respectfully requests Town Board approval to award Enterprise Security Solutions, LLC the RFP for Electronic Security Assessment and further authorize for the Supervisor or his designee to execute said agreement from August 20, 2022 through August 19, 2023 with the option to execute two (2) one year extensions at the Town's option. Funding is available in account DIG A 1345 44900 000 0000 in an amount of \$15,000.00

  
\_\_\_\_\_  
Brian J. Noone, Inspector General

BJN/sc  
Attachments  
cc: General Services Department



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

To: BRIAN J. NOONE, INSPECTOR GENERAL

From: RALPH J. RAYMOND, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: JULY 11, 2022

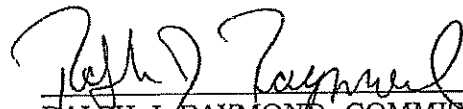
Subject: ELECTRONIC SECURITY ASSESSMENT SERVICES

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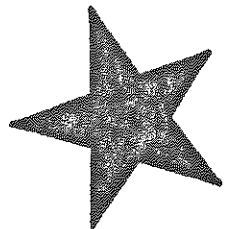
This communication is to advise you that the Town has received five (5) RFP responses for Electronic Security Assessment Services. An evaluation committee of three (3) Town employees has been established.

This committee has created a set of guidelines and criteria for the purpose of choosing the most qualified vendor. The results are as follows:

The committee is recommending that ENTERPRISE SECURITY SOLUTIONS be awarded the RFP for Electronic Security Assessment Services.

  
RALPH J. RAYMOND, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

RJR/sc



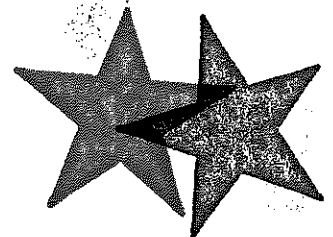


VENDOR LIST: 2022 RFP – ELECTRONIC SECURITY ASSESSMENT

|   |  |            |
|---|--|------------|
| Red Team Consulting                                 | <a href="https://redteamconsulting.com">https://redteamconsulting.com</a>                              | [REDACTED] |
| Red Team Secure                                     | <a href="mailto:info@redteasecure.com">info@redteasecure.com</a>                                       | [REDACTED] |
| Enterprise Security Solutions                       | <a href="mailto:esposito@enterprisesecuritysolutions.net">esposito@enterprisesecuritysolutions.net</a> | [REDACTED] |
| 5 Hunterdon Blvd.<br>Murray Hill, New Jersey 07974  |  |            |
| Security Affairs                                    | <a href="mailto:pierluigi.paganini@securityaffairs.com">pierluigi.paganini@securityaffairs.com</a>     |            |
| Red Team Thinking                                   | <a href="mailto:staff@redteamthinking.com">staff@redteamthinking.com</a>                               |            |
| Ensco   | <a href="http://www.ensco.com">www.ensco.com</a>   | [REDACTED] |
| 5400 Royal Road                                     | <a href="mailto:janey.devin@ensco.com">janey.devin@ensco.com</a>                                       |            |
| Springfield, Virginia 22151                         |  |            |
| Vandis, Inc.  | <a href="mailto:nyscontract@vandis.com">nyscontract@vandis.com</a>                                     | [REDACTED] |
| 1 Albertson Avenue<br>Albertson, New York 11507     |  |            |
| WebHouse, Inc.                                      | <a href="mailto:dkerning@webhse.com">dkerning@webhse.com</a>   | [REDACTED] |
| 226 7 <sup>th</sup> Street, #201<br>Garden City, NY |  |            |

RFP RESPONSES

|                                |                                   |
|--------------------------------|-----------------------------------|
| Crowe LLP                      | Received June 22, 2022 @ 3 PM     |
| Mike Del Giudice               |                                   |
| 1 Mid America Plaza, Suite 700 |                                   |
| Oakbrook Terrace, IL 60181     |                                   |
| Enterprise Security Solutions  | Received June 15, 2022 @ 10:12 AM |
| Michael Esposito               |                                   |
| Affinity IT LLC                | Received June 15, 2022 @ 10:42 AM |
| Joseph Fisher                  |                                   |
| Stetson Cybergroup             | Received June 22, 2022 @ 3:09 PM  |
| True North Consulting Group    | Received June 22, 2022 @ 11:04 AM |



## **Ad Content**

Legal Notice # 21729217  
LEGAL NOTICE  
NOTICE TO BIDDERS  
Please take notice that the  
Town of Oyster Bay Nassau  
County, State of New York,  
by Public Notice, published in  
Newsday, on June 1,  
2022, invited submission  
of proposals to be delivered  
on June 15, 2022 not later  
than 4:00 P.M. prevailing  
time to General Services  
Town of Oyster Bay at its of-  
fice located on the fourth  
floor Town Hall, West Build-  
ing, 74 Audrey Avenue, Oys-  
ter Bay, New York 11771-  
4592 from interested ven-  
dors with respect to an RFQ  
for ELECTRONIC SECURITY  
ASSESSMENT  
PLEASE TAKE NOTICE that  
it is deemed essential that  
the DATE OF SUBMISSION  
BE POSTPONED TO JUNE 22,  
2022 No later than 4:00 P.M.  
JOSEPH SALADINO, TOWN  
SUPERVISOR  
LENARCA, TOWN CLERK  
ERIC TUNAN, COMMISSIONER  
OF THE GENERAL SERVICES  
DEPARTMENT  
DATED: June 13, 2022

## **NEWSDAY PROOF**

Ad Number: 0021729217

Advertiser: TOWN OF OYSTER BAY/TOWN CLERK

## Ad Content

Legal Notice # 21726284  
NOTICE TO PROPOSERS  
PLEASE TAKE NOTICE that a  
Request for Proposal (RFP)  
is available at the Town of  
Oyster Bay Department of  
General Services, 74 Audrey  
Avenue, 4th Floor, Oyster  
Bay, New York, which RFP  
seeks proposals for ELEC-  
TRONIC SECURITY ASSESS-  
MENT Documents are also  
available at <http://oysterbaytown.com/doing-business-with-the-town/>. Responses to  
the RFP, if any, must be re-  
ceived and must be clocked  
in at the Department of Gen-  
eral Service, pursuant to the  
terms of the RFP, no later  
than 4:00 PM (prevailing  
time) on June 15, 2022 fol-  
lowing which time any re-  
sponses will be evaluated as  
provided for by law.  
JOSEPH S. SALADINO, Town  
Supervisor, RICHARD  
LaMARCA, Town Clerk, ERIC  
TUMAN, Commissioner of the  
General Services Department.  
Dated: May 26, 2022.  
Oyster Bay, New York

## NEWSDAY PROOF

Advertiser: TOWN OF OYSTER BAY/TOWN CLERK  
Agency: TOWN OF OYSTER BAY/TOWN CLERK  
Ad Number: 0021726284  
Start Date: 06/01/2022  
End Date: 06/01/2022  
Price: \$136.00  
Ordered By: Legaladv@newsday.com

Phone: 5166246326  
Contact: Donna, email  
Section: Legals  
Class: 11100  
Size: 1 x 34 Times: 1  
Date: 5/27/2022  
Zone(s): C-Nassau

Signature of Approval: \_\_\_\_\_

Date: \_\_\_\_\_

Meeting of August 9, 2022

Resolution No 537-2022

WHEREAS, the Town Board, by Resolution No. 364, adopted on May 23, 2000, granted the Petition of 1038 BRUSH HOLLOW, LLC, then fee owner, for a Special Use Permit to allow a vacant 2,025 square foot building to be used for retail nursery sales and landscaping services on premises located in an "H" (Light Industry) District, at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block B, Lot 1046 on the Land and Tax Map of Nassau County, subject to the execution of a Declaration of Restrictive Covenants and the recording of same with the Clerk of Nassau County; and

WHEREAS, on July 6, 2000, 1038 BRUSH HOLLOW, LLC executed a Declaration of Restrictive Covenants; and

WHEREAS, the Town Board, by Resolution No. 942-06, adopted on November 28, 2006, May 24, 1994, granted the Petition of ZAINO'S NURSERY, then fee owner, for a site plan amendment to allow for the demolition of a two-story frame and brick building and the installation of a paved parking area on the western portion of the subject property; and

WHEREAS, ANDREW WEINSTOCK, Vice-President, BRUSH HOLLOW ROAD ASSOCIATES, LLC, fee owner, by letter dated June 3, 2022, offered to surrender any and all Special Use Permits existing affecting the premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block B, Lots 1046 and 1090 on the Land and Tax Map of Nassau County, and to rescind the Declaration of Restrictive Covenants executed on July 6, 2000, and recorded with the Clerk of Nassau County; and

WHEREAS, ELIZABETH L. MACCARONE, Commissioner, Department of Planning and Development, by memorandum dated July 7, 2022, recommended that the Town Board approve of the surrender and rescission of the Special Use Permit existing affecting the premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block B, Lots 1046 and 1090 on the Land and Tax Map of Nassau County, and the rescission of the Declaration of Restrictive Covenants executed on July 6, 2000 and recorded with the Clerk of Nassau County,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted, and the Town Board approves the surrender and rescission of the Special Use Permit granted by Resolution No. 364-2000, adopted on May 23, 2000 and the rescission of the Declaration of Restrictive Covenants executed and recorded pursuant thereto, affecting the premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 11, Block B, Lots 1046 and 1090 on the Land and Tax Map of Nassau County, and to rescind the Declaration of Restrictive Covenants executed on July 6, 2000 and recorded with the Clerk of Nassau County.

#

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

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

Reviewed By  
Office of Town Attorney  
*[Signature]*



10

Town of Oyster Bay  
Inter-Departmental Memo

537

**TO:** MEMORANDUM DOCKET

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

**DATE:** JULY 7, 2022

**SUBJECT:** SURRENDER OF SPECIAL USE PERMIT  
AND REVOCATION RESTRICTIVE COVENANTS  
BRUSH HOLLOW ROAD ASSOCIATES, LLC (AUDI WESTBURY)  
1038 BRUSH HOLLOW ROAD  
WESTBURY, NEW YORK 11590  
SECTION 11, BLOCK B, LOT(S) 1046 AND 1090  
ZONE: LIGHT INDUSTRY (LI)

This Department is in receipt of a letter from Andrew Weinstock, Vice President of Brush Hollow Road Associates, LLC, dated June 3, 2022 on behalf of the property owner. The subject property was granted a Special Use Permit to allow a retail nursery sales and landscaping company utilize the premises through Town Board Resolution Number 364-2000, dated May 23, 2000; with associated Restrictive Covenants. The property owner is now requesting to surrender the Special Use Permit and rescind the associated Restrictive Covenants for the subject property in order to construct a new car dealership.

Submitted for your review are the following documents:

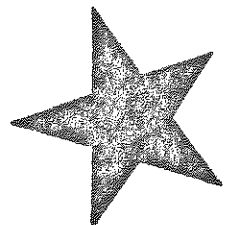
- 1) Letter from Andrew Weinstock, Vice President of Brush Hollow Road Associates, LLC, dated June 3, 2022
- 2) Town Board Resolution Number 942-06, dated November 28, 2006
- 3) Town Board Resolution Number 364-2000, dated May 23, 2000.

Based on the information provided herein, it is the recommendation of this Department that the aforementioned Special Use Permit and associated Restrictive Covenants be rescinded as requested.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

  
ELM:jv

Encls.



**BRUSH HOLLOW ROAD ASSOCIATES, LLC**

**795 Northern Boulevard  
Great Neck, New York 11021  
Telephone: (516) 829-2834  
Email: aweinstock@biener.com**

June 3, 2022

**VIA FIRST CLASS MAIL**

Town of Oyster Bay  
Department of Planning and Development  
74 Audrey Avenue  
Oyster Bay, New York 11771

Attention: Scott L. Byrne, Superintendent of Planning

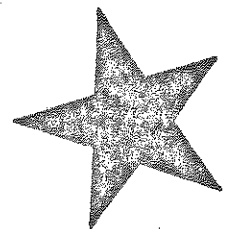
**Re:    Rescission of Previous Special Use Permit and  
      Declaration of Restrictive Covenants  
      Applicant: Brush Hollow Road Associates LLC  
      Premises: 1038 Brush Hollow Road, Westbury, NY 11590**

Dear Mr. Byrne:

The Applicant, Brush Hollow Road Associates, LLC, ("Brush Hollow") is the fee owner of the subject premises located at 1038 Brush Hollow Road, Westbury, New York 11590 which is also identified on the Nassau County Land and Tax Map as Section 11, Block B, Lots 1046 and 1090. Brush Hollow submitted a Site Plan Development Application to the Town of Oyster Bay Planning and Development Department on April 08, 2022 to develop the premises as an automobile dealership.

The Planning and Development Department issued a Notice designated as Site Plan Review SP 07-22 to advise the Applicant was advised of the following encumbrance on the property:

Pursuant to a Town of Oyster Bay Town Board Resolution No. 364-2000 and associated Declaration of Restrictive Covenants, dated May 23, 2000, the subject premises of this Application, located at 1038 Brush Hollow Road, Westbury, New York 11590, is encumbered with a Special Use Permit and associated Restrictive Covenants. The Declaration of Restrictive Covenants was duly recorded and dated on July 6, 2000, with the County of Nassau, by 1038 Brush Hollow, LLC, the previous owner in fee, with a then principal place of business located at 96 Madison Avenue, Westbury, New York 11590. A copy of the Declaration of Restrictive Covenants is enclosed for reference.



Scott L. Byrne, Superintendent of Planning  
June 2, 2022  
Page 2

The Special Use Permit, as approved by Town Board Resolution No. 364-2000, was for a then vacant parcel to be constructed and operated as a retail nursery sales and landscaping services within a "H" District (Light Business). Further, the Resolution required that as a contingency of said approval, the then Applicant was to execute the aforementioned Declaration of Restrictive Covenants to assure the orderly development of the premises and for the benefit and protection of persons and property in the area.

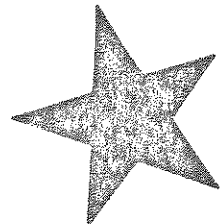
The Applicant, Brush Hollow Road Associates, LLC, hereby requests, in connection with the current Application, that the referenced restrictive covenants existing on the subject premises pursuant to the prior Town Board Resolutions, be hereby rescinded.

Thank you for your attention to this matter. We look forward to continuing our work with the Town of Oyster Bay on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrew Weinstock", with a long horizontal line extending to the right.

Andrew Weinstock  
Vice President



Meeting of November 28, 2006

RESOLUTION NO. 942-06

WHEREAS, the Town Board, by Resolution No. 364-00, adopted on May 23, 2000, granted the application of ZAINO'S NURSERY (formerly known as 1038 BRUSH HOLLOW, LLC), for a Special Use Permit to allow a currently vacant 2,025 square foot building to be used for retail nursery sales and landscaping services on premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York, said property described as Section 11, Block B, Lot 1046 on the Land and Tax Map of Nassau County; and

WHEREAS, the applicant has requested a site plan amendment to allow the demolition of a two story frame and brick building and the installation of a paved parking area on the western portion of the property; and

WHEREAS, Jack L. Libert, Commissioner of the Department of Planning and Development, by memorandum dated October 18, 2006, recommends that the following three (3) drawings prepared by Bladykas and Panettas L.S., P.E. and P.C., be approved:

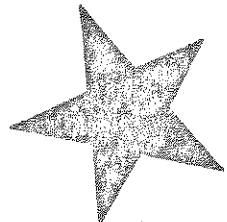
| <u>SHEET NUMBER/ TITLE</u> | <u>LAST REVISED</u> |
|----------------------------|---------------------|
| SITE PLAN                  | 7/25/06             |
| LANDSCAPING PLAN           | 8/17/06             |
| LIGHTING PLAN              | 9/12/06             |

NOW, THEREFORE, BE IT RESOLVED, That the request of the applicant is hereby GRANTED, and the same terms and conditions effective pursuant to Town Board Resolution No. 364-00, adopted on May 23, 2000, shall prevail.

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

|                        |     |
|------------------------|-----|
| Supervisor Venditto    | Aye |
| Councilman Delligatti  | Aye |
| Councilman Muscarella  | Aye |
| Councilman Macagnone   | Aye |
| Councilman Coschignano | Aye |
| Councilwoman Walker    | Aye |
| Councilwoman Faughnan  | Aye |

cc: Supervisor  
Town Attorney  
Comptroller (2)  
P&D  
DER



Reviewed By  
Office of Town Attorney



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

} ss.:

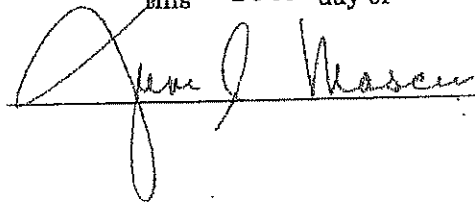
I, ~~Gregory X. Karamalis, Town Attorney~~  
June A. Mascia, Director of Legislative Affairs

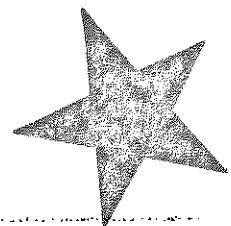
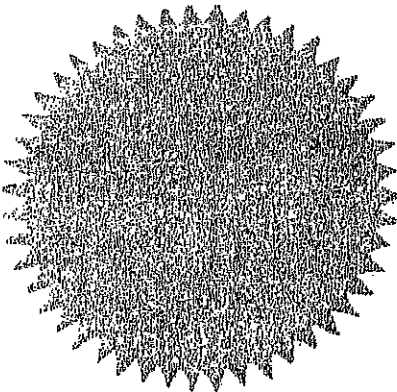
DO HEREBY CERTIFY that I have compared the annexed with the original Resolution No. 942-06 adopted by the Town Board of the Town of Oyster Bay at their meeting of November 28, 2006, ACCEPTING Site Plans for ZAINO'S NURSERY, Westbury, New York.

filed in the Town Attorney's Office Legislative Affairs  
and that the same is true transcript thereof, and of the whole of such original.

In Testimony Whereof, I have hereunto signed

my name and affixed the seal of said Town  
this 28th day of November, 2006

  
\_\_\_\_\_



RESOLUTION NO.364-2000

Meeting of May 23, 2000

WHEREAS, 1038 BRUSH HOLLOW, LLC, fee owner, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit in an "H" District (Light Industry) to allow a currently vacant 2,025 square foot building to be used for retail nursery sales and landscaping services on premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York, said premises being further described as Section 11, Block B, Lot 1046 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on February 15, 2000, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

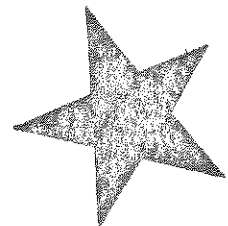
WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed the recommendations of the Town Environmental Quality Review Commission, did, by Resolution No. 240-2000, adopted on April 18, 2000, declare and find that the subject application will not have a significant effect on the environment, and the proposed actions in the Petition constitute a Negative Declaration, in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 8002-00, adopted on May 4, 2000, recommended local determination of 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, Patricia L. McGuire, Commissioner of the Department of Planning and Development, by memorandum dated April 19, 1999, advises that the Department of Planning and Development has reviewed the one (1) site plan submitted by Bladykas & Panetta L.S. & P.E., P.C. on behalf of 1038 Brush Hollow Road, LLC, entitled "Site Plan for Zaino's Nursery", last revised August 7, 1998; and

Reviewed By  
Office of Town Attorney



WHEREAS, said Commissioner further reports that the plan submitted, as modified, complies with the standards set forth in Local Law No. 1-1996, and recommends Town Board approval for the site plan enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of 1038 BRUSH HOLLOW ROAD, LLC, for a Special Use Permit in an "H" District (Light Industry), to allow a currently vacant 2,025 square foot building to be used for retail nursery sales and landscaping services, on premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York, said premises being further described as Section 11, Block B, Lot 1046 on the Land and Tax Map of Nassau County; is hereby GRANTED, on the premises described as follows:

#### SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Westbury, Town of Oyster Bay, Nassau County, New York, more particularly bound and described as follows:

BEGINNING at a point lying in the southeasterly side of Brush Hollow Road, where said side is intersected by the division line between tax lots 1046 and 1048, as laid down on Section 11, Block B of the Nassau County Land and Tax Map. Said point located 299.96 feet southerly from the southerly end of a curve joining the southwesterly side of Shames Drive with the southeasterly side of Brush Hollow Road, as said distance is measured along said side of Brush Hollow Road;

THENCE South 46 degrees 59 minutes 53 seconds East, a distance of 151.93 feet;

THENCE South 43 degrees 00 minutes 10 seconds West, 50.00 feet;

THENCE South 46 degrees 59 minutes 50 seconds East, 140.00 feet;

THENCE South 43 degrees 00 minutes 10 seconds West, 85.00 feet;

THENCE South 69 degrees 05 minutes 05 seconds East, 111.54 feet;

THENCE South 19 degrees 35 minutes 40 seconds West, 61.98 feet;

THENCE South 66 degrees 28 minutes 56 seconds  
West, 106.85 feet;

THENCE North 87 degrees 09 minutes 17 seconds  
West, 111.80 feet;

THENCE South 75 degrees 28 minutes 26 seconds  
West, 130.38 feet;

THENCE North 43 degrees 00 minutes 10 seconds  
East, 280.00 feet;

THENCE North 46 degrees 59 minutes 50 seconds West,  
218.83 feet to the southeasterly side of Brush Hollow  
Road;

THENCE North 41 degrees 49 minutes 14 seconds  
East along said side of Brush Hollow Road;  
150.03 feet to the point of place of  
BEGINNING.

SAID premises are known and described as  
Section 11, Block B, Lot 1046, on the Land  
and Tax Map of the County of Nassau.

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

RESOLVED, That in accordance with the memorandum of  
Patricia L. McGuire, Commissioner of the Department of Planning  
and Development, dated April 19, 1999, the site plan submitted  
by Bladykas & Panetta L.S. & P.E., P.C., is hereby approved

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

|                       |     |
|-----------------------|-----|
| Supervisor Venditto   | Aye |
| Councilman Delligatti | Aye |
| Councilman Symons     | Aye |
| Councilman Muscarella | Aye |
| Councilwoman Preston  | Aye |
| Councilwoman Eisler   | Aye |
| Councilman Macagnone  | Aye |

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

DECLARATION OF RESTRICTIVE COVENANTS

1038 BRUSH HOLLOW, LLC, fee owner, with a principal place of business at 96 Madison Avenue, Westbury, New York 11590, does, by this declaration, dated *July 16*, 2000, declare as follows,

WHEREAS, said Declarants petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit in an "H" District (Light Business), to allow a currently vacant 2,025 square foot building to be used for retail nursery sales and landscaping services on premises located at 1038 Brush Hollow Road, Westbury, Town of Oyster Bay, County of Nassau, State of New York; and being further described as Section 11, Block B, Lot 1046 on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on February 15, 2000, 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. ~~344-00~~, dated *MAY 23*, 2000, approved said Application subject to the execution of a Declaration of Restrictive Covenants; and

WHEREAS, said Declarant, 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 Petition of 1038 BRUSH HOLLOW, LLC, fee owner, with respect to the premises located at 1038 Brush Hollow Road, Westbury, New York, which will run with the land and be binding upon said owners, its successors and/or assigns,

NOW, THEREFORE, said Declarant, does hereby covenant and declares as follows:

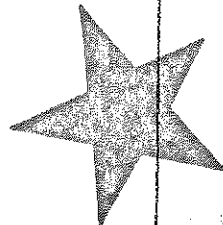
1. That any existing terms, conditions and restrictive covenants existing on the subject premises pursuant to any prior Town Board Resolutions, are hereby rescinded, and the terms effective pursuant to the above referenced Special Use Permit resolution and the following restrictive covenants shall constitute a new compilation of terms, conditions and restrictive covenants enforceable on the subject premises.

2. That the exterior of the structure, driveways, parking field, landscaping and outdoor areas shall be properly maintained and kept in a neat and clean condition.

Sec 11

blk. B

of 1046



3. That all chemicals and fertilizers shall be kept in closed containers and any spill of said chemicals or fertilizers shall be promptly contained and removed.

4. That waste, debris, garbage and refuse shall be stored in closed containers fenced in on three sides, and shall be disposed of in accordance with applicable statutes, rules and ordinances.

5. That any exterior lights shall be so located, positioned and directed so as to be contained on the subject premises and not interfere with or cause annoyance or inconvenience to vehicular traffic or surrounding areas.

6. That all driveway areas shall remain open at all times for fire and emergency apparatus.

7. That any and all signs to be erected and maintained are to comply with all applicable provisions of present and/or future laws or ordinances of the Town of Oyster Bay.

8. That exterior audio communication systems shall not be utilized or maintained on the subject premises.

9. That the applicant must be in conformance with the one (1) site plan entitled "Site Plan for Zaino's Nursery", Last Revised August 7, 1999, submitted on its behalf by Bladykas & Panetta L.S. & P.E., P.C., and recommended for acceptance by Patricia L. Mc Guire, Commissioner of the Department of Planning and Development, by memorandum dated April 19, 1999, and approved by the Town Board in accordance with the Town of Oyster Bay Site Plan Review and Site Plan Design Standards. Any major modifications to said site plan may be done so only by Town Board resolution.

10. 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 Marshall's Office, the Nassau County Department of Health and any and all other agencies or departments of the Town of Oyster Bay, Nassau County, the State of New York and/or the United States of America.

11. That in the event of any violation of any kind of the restrictions, covenants or provisions recited herein, or any ordinance or regulations and failure to remedy such violation within thirty (30) days after notice by the Town to the then owner of the real estate or the current operator of the subject premises of whom the Town has been given notice, the Town shall have the right to suspend or revoke forthwith, the special use permit granted, unless a cure for such violation has been commenced or is being diligently pursued.

12. This Declaration shall be filed with the County Clerk of Nassau County and be construed with the same force and effect as, and shall be deemed a covenant running with the land. The restrictions contained herein may be enforced by the Town Board of Oyster Bay to the same extent and with the same authority as the enforcement of a Zoning Ordinance. This Declaration shall not be modified, changed, altered or amended except with the consent of the Town Board of the Town of Oyster Bay after a public hearing.

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being at Westbury, Town of Oyster Bay, Nassau County, New York, more particularly bound and described as follows:

BEGINNING at a point lying in the southeasterly side of Brush Hollow Road, where said side is intersected by the division line between tax lots 1046 and 1048, as laid down on Section 11, Block B of the Nassau County Land and Tax Map. Said point located 299.96 feet southerly from the southerly end of a curve joining the southwesterly side of Shames Drive with the southeasterly side of Brush Hollow Road, as said distance is measured along said side of Brush Hollow Road;

THENCE South 46 degrees 59 minutes 53 seconds East, a distance of 151.93 feet;

THENCE South 43 degrees 00 minutes 10 seconds West, 50.00 feet;

THENCE South 46 degrees 59 minutes 50 seconds East, 140.00 feet;

THENCE South 43 degrees 00 minutes 10 seconds West, 85.00 feet;

THENCE South 69 degrees 05 minutes 05 seconds East, 111.54 feet;

THENCE South 19 degrees 35 minutes 40 seconds West, 61.98 feet;

THENCE South 66 degrees 28 minutes 56 seconds  
West, 106.85 feet;

THENCE North 87 degrees 09 minutes 17 seconds  
West, 111.80 feet;

THENCE South 75 degrees 28 minutes 26 seconds  
West, 130.38 feet;

THENCE North 43 degrees 00 minutes 10 seconds  
East, 280.00 feet;

THENCE North 46 degrees 59 minutes 50 seconds  
West, 218.83 feet to the southeasterly side  
of Brush Hollow Road;

THENCE North 41 degrees 49 minutes 14 seconds  
East along said side of Brush Hollow Road,  
150.03 feet to the point of place of  
BEGINNING.

SAID premises are known and described as  
Section 11, Block B, Lot 1046, on the Land  
and Tax Map of the County of Nassau.

IN WITNESS WHEREOF, the Declarant has  
hereunto set its hand the day and year first  
above written.

1038 BRUSH HOLLOW, LLC

By: Louis Zaino  
LOUIS ZAINO

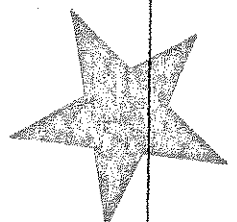
STATE OF NEW YORK)  
COUNTY OF NASSAU) ss.:

On the 6<sup>th</sup> day of July in the year 2000  
before me, the undersigned, personally appeared Louis Zaino  
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.

c:\files\law\BRUSHHOL\covs

JOAN TREZZA  
Notary Public, State of New York  
No. 4967220  
Qualified in Nassau County  
Commission Expires May 29, 2002

Joan Trezza





Meeting of August 9, 2022

Resolution No 538-2022

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated July 13, 2022, directed STEPHEN J. RISOLO, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 31 Brockmeyer Drive, Massapequa, New York 11758, known and designated as Section 65, Block 1601, Lot(s) 340-342, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of August 9, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated June 30, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

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

RESOLVED, That the application of STEPHEN J. RISOLO, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 31 Brockmeyer Drive, Massapequa, New York 11758, known and designated as Section 65, Block 1601, Lot(s) 340-342 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

Reviewed By  
Office of Town Attorney

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

538

TO: MEMORANDUM DOCKET

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

DATE: JULY 13, 2022

SUBJECT: WATERWAYS REVIEW  
STEPHEN J. RISOLO  
31 BROCKMEYER DRIVE  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 1601, LOT(S) 340-342  
DOCK BUILDING PERMIT APPLICATION # 22060249

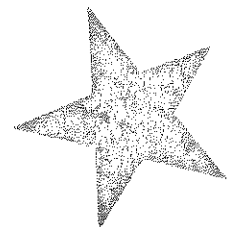
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We have received a request from Stephen J. Risolo to maintain a 5 foot wide by 5 foot long platform, a 3 foot wide by 12 foot long ramp and a 6 foot wide by 20 foot long float which were installed between 2009 and 2011, as well as an additional 6 foot wide by 20 foot long float that was installed in 2009 and is secured to the other float. All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-02750/00001 dated April 2, 2008, the NYSDEC "Warning Letter" dated April 29, 2022, and the Department of the Army, New York District, Corps of Engineers Nationwide Permit Nos. NAN-2008-438-EET dated August 3, 2008 and NAN-2022-00307-EVI dated April 6, 2022. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 22060249; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-02750/00001 dated April 2, 2008; NYSDEC "Warning Letter" dated April 29, 2022; Department of the Army, New York District Corps of Engineers Permit Nos. NAN-2008-438-EET dated August 3, 2008 and NAN-2022-00307-EVI dated April 6, 2022, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated January 4, 2022. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated June 30, 2022, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

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



HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
STEPHEN J. RISOLO  
31 BROCKMEYER DRIVE  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 1601, LOT(S) 340-342  
DOCK BUILDING PERMIT APPLICATION # 22060249

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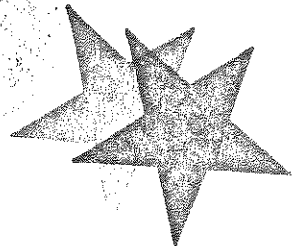
Page 2

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 for the August 9, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

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



SECTION 65 BLOCK 1601 LOT(S) 340-342



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

22060249

**APPLICATION FOR PERMIT TO BUILD OR INSTALL**

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

PROPERTY Name Street Address Post Office Zip Phone #  
OWNER: Stephen J. Risolo, Owner 31 Brockmeyer Drive Massapequa, NY 11758  
LESSEE  
TENANT:

APPLICANT: Shore Solutions Inc.- Donna Myers 32 Lincoln Ave Massapequa NY 11758 516-816-4163

ARCHITECT: PR Consulting Engineers PC - Paul Barroca 147 Glen St. 2nd Floor Glen Cove NY 516-790-4583

CONTRACTOR:

PLUMBER: NA

ELECTRICIAN: NA

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

LOCATION OF PROPERTY (N.E.S.W. SIDE OF Brockmeyer Drive 1027' FEET  
N.E.S.W. OF Forest Avenue Massapequa  
OR (STREET) (POST OFFICE)  
N.E.S.W. OF corner of and (STREET) (POST OFFICE)

CHECK HERE IF REQUESTING A WAIVER OF THE RECENT SURVEY REQUIREMENT (SEE INSTRUCTIONS FOR FURTHER INFO).

A. TYPE OF IMPROVEMENT

TYPE OF BUILDING

B. PROPOSED USE

EXISTING ☒ PROPOSED

EXISTING ☒ PROPOSED

1. NEW BUILDING/STRUCTURE
2. ADDITION/EXTENSION
3. ALTERATION (i.e. Garage Conv.)
4. DECK
5. AWNING/ROOF-OVER
6. CELLAR ENTRANCE
7. REISSUE #
8. OTHER ☒ float

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER ☒ float

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s)) Maintain existing 5' x 5' platform. 3' x 12' ramp. two 6' x 20' floats that are connected and secured by four float anchor pipes.

CHECK HERE IF TREES ARE BEING REMOVED ON THE PROPERTY. IF SO, A TREE PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PARKS. PLEASE CALL (516) 797-7956 FOR FURTHER INFORMATION.

**HAVE BOTH AFFIDAVITS NOTARIZED**

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

APPLICANT

OWNER

STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

Donna Myers- Shore Solutions Inc being duly sworn, deposes and says: That he/she resides at 32 Lincoln Ave in the hamlet of Massapequa in the State of NY and that he/she is authorized by the Owner Stephen J. Risolo 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 deponents own knowledge.  
Address: 32 Lincoln Ave. Massapequa NY 11758  
Phone: 516-816-4163

(Sign here) Donna Myers  
Sworn to before me this 3 day of June 20 22

Stephen J. Risolo being duly sworn, deposes and says: That he/she resides at 31 Brockmeyer Drive in the hamlet of Massapequa in the State of NY and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Donna Myers - Shore Solutions Inc. (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) Stephen J. Risolo (owner)  
Sworn to before me this 3 day of June 20 22

NOTARY PUBLIC

NOTARY PUBLIC

(Rev. 3/13/2012)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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

WARNING LETTER

April 29, 2022

Stephen Risolo  
31 Brockmeyer Drive  
Massapequa, NY 11758

**Re: 31 Brockmeyer Drive, Massapequa (Suffolk)**  
Suffolk Tax Map ID: 65 - 1601 - 340

Dear Sir/Madam;

During a recent inspection, Department staff noted a potential violation at 31 Brockmeyer Drive, Massapequa (Suffolk County). Specifically, installation of a 6' x 20' float in a regulated NYS tidal wetland, without the benefit of a NYSDEC permit to do so. These are regulated activities within the Department's Tidal Wetland jurisdiction and therefore, require a permit from the Department.

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

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

Thank you for your cooperation in this matter.

Sincerely,

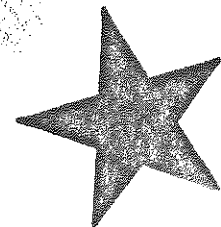


Andrew Walker  
Regional Manager  
Bureau of Marine Habitat Protection  
Region One- Stony Brook

cc: W22DD04



Department of  
Environmental  
Conservation



**New York State Department of Environmental Conservation**

**Division of Environmental Permits, Region One**

SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790 - 3409

Phone: (631) 444-0404 FAX: (631) 444-0360

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Alexander B. Grannis  
Commissioner

April 2, 2008

Mr. Stephen Risold  
31 Bröckmeyer Drive  
Massapequa, N.Y. 11758

Re: Permit #1-2824-02750/00001

Dear Permittee:

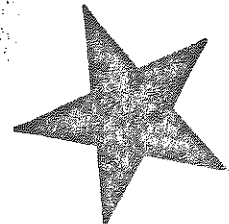
In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the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

Also enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather.

Sincerely,

Darleen M. Gerbino  
Environmental Analyst

DMG/dj  
Enclosure





## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

**Permit Issued To:**  
STEPHEN RISOLD  
31 BROCKMEYER DR  
MASSAPEQUA, NY 11758

**Facility:**  
RISOLD PROPERTY  
31 BROCKMEYER DR  
MASSAPEQUA, NY 11758

**Facility Application Contact:**  
CAPTREE DOCK BUILDERS INC  
LINDA COFFEY  
203 LOCUST AVE  
BABYLON, NY 11702  
(631) 661-1957

**Facility Location:** in OYSTER BAY in NASSAU COUNTY

**Facility Principal Reference Point:** NYTM-E: 628.2 NYTM-N: 4501.1  
Latitude: 40°39'02.9" Longitude: 73°29'01.1"

**Project Location:** RISOLD PROPERTY 31 BROCKMEYER DR. MASSAPEQUA  
WATERCOURSE: SOUTH BAY INLET

**Authorized Activity:** Remove and replace in the same location 60 linear feet of bulkhead; construct a 6 ft. and 10 ft. return; dredge no greater than 10 ft. seaward of the replacement bulkhead to a maximum depth of 4 ft. below mean low water; resultant 10 cubic yards of dredged material to be used as backfill; construct a 4 ft. wide capping boardwalk; and, install a 5 ft. x 5 ft. platform, a 3 ft. x 10 ft. ramp and a 6 ft. x 20 ft. float. All work must be done in accordance with the attached plans prepared by Dan Coffey on 3/15/08 and stamped NYSDEC approved on 4/2/08.

#### Permit Authorizations

**Tidal Wetlands - Under Article 25**

Permit ID 1-2824-02750/00001

New Permit

Effective Date: 4/2/2008

Expiration Date: 4/1/2013

**Excavation & Fill in Navigable Waters - Under Article 15, Title 5**

Permit ID 1-2824-02750/00002

New Permit

Effective Date: 4/2/2008

Expiration Date: 4/1/2013

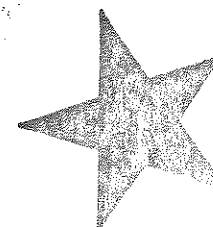
**Water Quality Certification - Under Section 401 - Clean Water Act**

Permit ID 1-2824-02750/00003

New Permit

Effective Date: 4/2/2008

Expiration Date: 4/1/2013



**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.

Permit Administrator: GEORGE W HAMMARTH, Deputy Regional Permit Administrator

Address: *DMS* NYSDEC REGION 1 HEADQUARTERS  
SUNY @ STONY BROOK 50 CIRCLE RD  
STONY BROOK, NY 11790 -3409

Authorized Signature: *George W. Hammarth*

Date *4/9/08*

**Distribution List**

CAPTREE DOCK BUILDERS INC  
Marine Habitat Protection  
DARLEEN M GERBINO

**Permit Components**

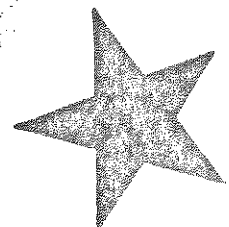
NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following  
Permits: TIDAL WETLANDS; EXCAVATION & FILL IN NAVIGABLE  
WATERS; WATER QUALITY CERTIFICATION**

- 1. No Interference With Navigation** There shall be no unreasonable interference with navigation by the work herein authorized.
- 2. 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.
- 3. 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.





**4. Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.

**5. Clean Fill Only** All fill shall consist of clean sand, gravel, or soil (not asphalt, slag, flyash, broken concrete or demolition debris).

**6. Grade to Match That Adjacent to Bulkhead** All fill must be graded to match the elevation of the land immediately adjacent to the bulkhead.

**7. Backfilling** All peripheral berms, cofferdams, rock revetments, seawalls, gabions, bulkheads or other approved shoreline stabilization structures shall be completed prior to placement of any fill material behind such structures.

**8. No Seaward Extension of Bulkhead** The new bulkhead shall be constructed in place of the existing bulkhead with no seaward extension of the outermost bulkhead face.

**9. Excavation for Bulkhead/Structure** Prior to any construction or removal of bulkheads and other shoreline stabilization structures all backfill shall be excavated landward of the structure and retained so as not to enter the waterway, tidal wetland or protected buffer area.

**10. No Runoff Over or Through Bulkhead or into Wetland** There shall be no discharge of runoff or other effluent over or through any bulkhead or shoreline stabilization structure or into any tidal wetland or protected buffer area.

**11. Bulkhead Decking** No portion of the decking or boardwalk shall extend seaward of the bulkhead sheathing.

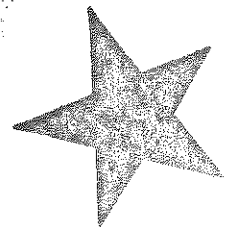
**12. Use of Treated Wood** The use of wood treated with pentachlorophenol or other wood treatment not specifically approved by the department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.

**13. Docks at Property Lines** Docks/catwalks/floats must not:

- a. extend laterally beyond property lines,
- b. be placed so that docked boats extend laterally over adjacent property line,
- c. interfere with navigation, or
- d. interfere with other landowners riparian rights.

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

- a. extend laterally beyond property lines,
- b. be placed so that docked boats extend laterally over property lines,
- c. interfere with navigation, or
- d. interfere with other landowners riparian rights.



**15. Dredgings to Remain On-Site/Within Wetland** Dredge material approved to remain on-site and/or within the NYSDEC Tidal Wetlands jurisdiction shall be retained so as not to enter any water body, tidal wetlands, or protected buffer areas. Off-site, upland disposal of dredged material beyond NYSDEC Tidal Wetland jurisdiction requires the additional guidance of the Division of Solid and Hazardous Materials (631) 444-0375 and is not covered by this permit.

**16. Restrict Spillage, Use Closed Bucket** During the dredging operation, the permittee and his contractor shall prevent spillage of sediment during excavation and haulage. Dredging shall be accomplished with a clam shell or other closed bucket equipment.

**17. No Side-casting or Temporary Storage** Excavated sediment shall be placed directly into the approved disposal/dewatering site or conveyance vehicle. No side-casting (double dipping) or temporary storage of dredged material is authorized.

**18. Seeding Disturbed Areas** All areas of soil disturbance resulting from the approved project shall be stabilized with appropriate vegetation (grasses, etc.) immediately following project completion or prior to permit expiration, whichever comes first. If the project site remains inactive for more than 48 hours or planting is impractical due to the season, then the area shall be stabilized with straw or hay mulch or jute matting until weather conditions favor germination.

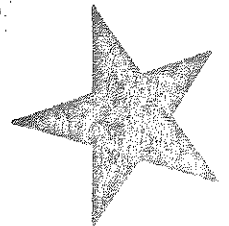
**19. Contain Exposed, Stockpiled Soils** All disturbed areas where soil will be temporarily exposed or stockpiled for longer than 48 hours shall be contained by a continuous line of staked haybales / silt curtains (or other NYSDEC approved devices) placed on the seaward side between the fill and the wetland or protected buffer area. Tarps are authorized to supplement these approved methods.

**20. 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.

**21. 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.

**22. 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 Dan Coffey on 3/15/08.

**23. 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.



**24. 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.

**25. 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 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.

### WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

**1. Water Quality Certification** The NYS Department of Environmental Conservation hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306 and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.

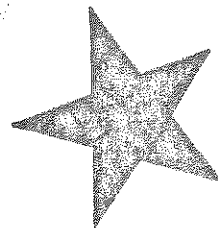
### GENERAL CONDITIONS - Apply to ALL Authorized Permits:

**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:

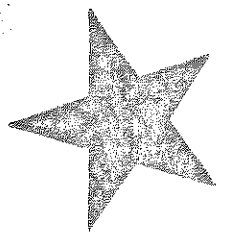
Regional Permit Administrator  
NYSDEC REGION 1 HEADQUARTERS  
SUNY @ STONY BROOK 50 CIRCLE RD  
STONY BROOK, NY 11790 -3409

**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, Excavation & Fill in Navigable Waters, Water Quality Certification.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right 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**

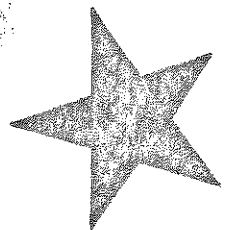
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

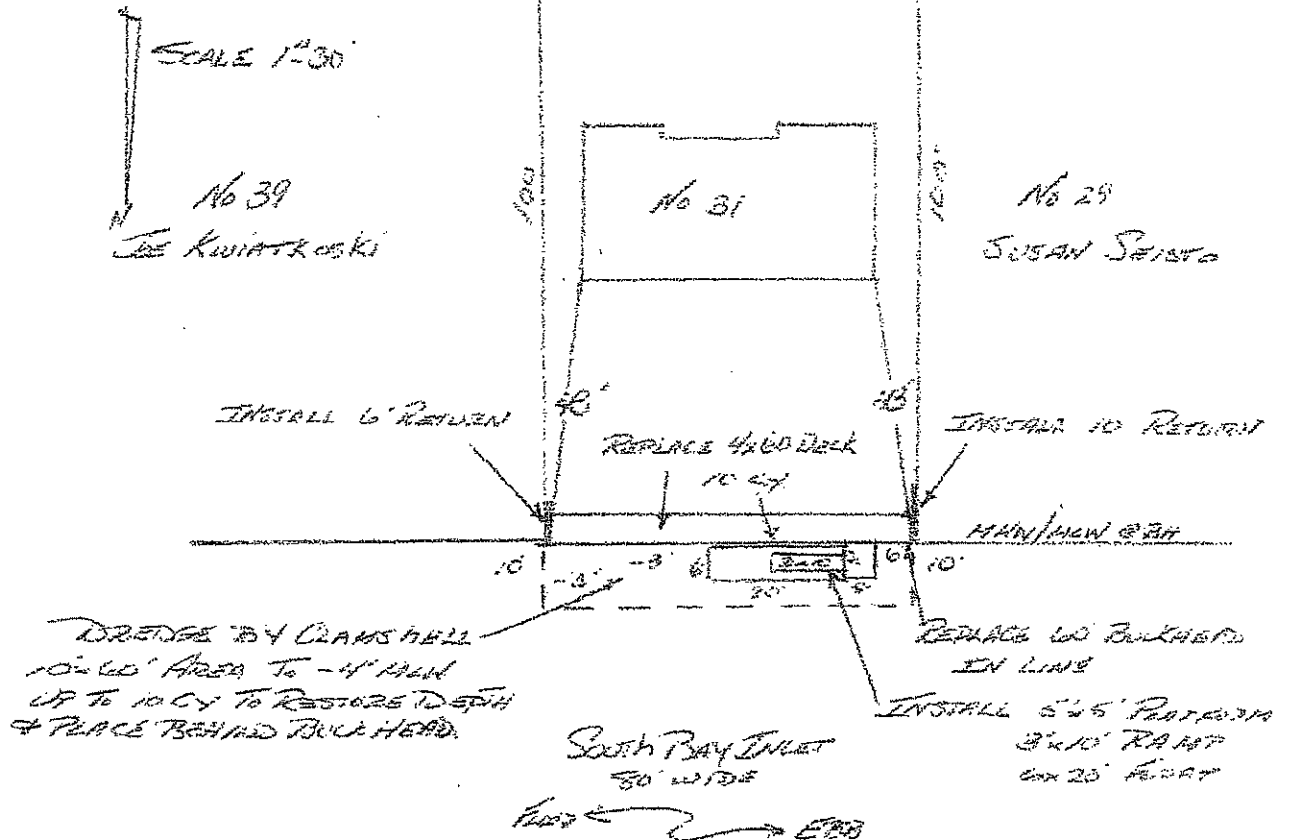
### **Item D: No Right to Trespass or Interfere with Riparian Rights**

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 person not a party to the permit.



BRUCKMEYER DR

600



CAPTREE DOCK BUILDERS INC.

PROJECT - STEPHEN RSOLO

31 BRUCKMEYER DR  
MASSAQUA NY 11768

BY - DAN COFFEY

DATE - 3-15-08

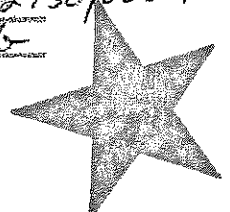
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BLK - 0560

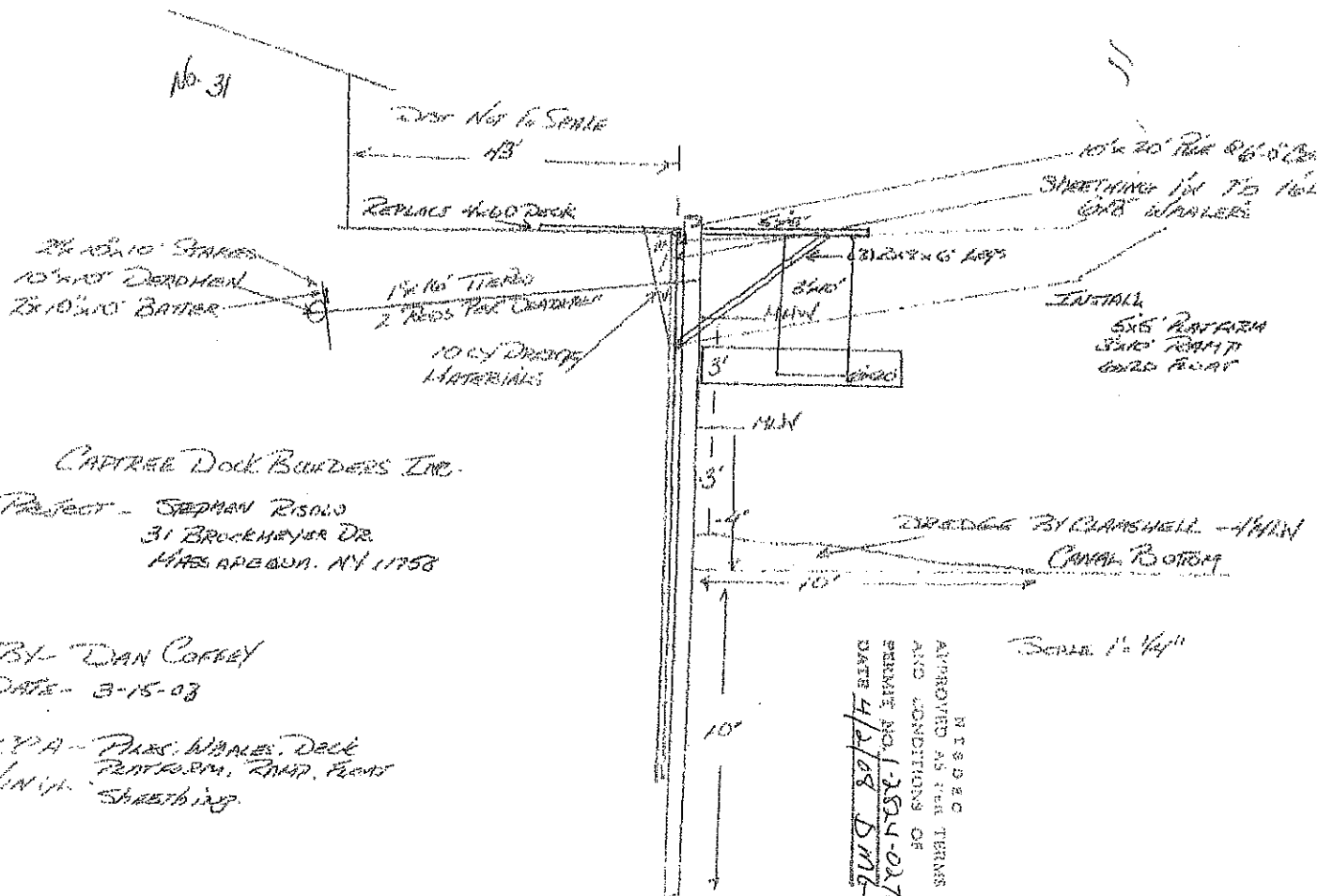
SECT - 65

NYSED  
APPROVED AS PER TERMS  
AND CONDITIONS OF

PERMIT NO. 1-2824-02750/00001  
DATE 4/2/08 DMG



# CREEK VIEW NAVY BULKHEAD



CAPTREE DOCK BUILDERS INC.

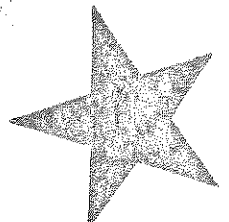
PROJECT - STEPHAN RISOLD  
31 BROCKMEYER DR.  
HAES AVE BUN. NY 11758

BY DAN CORREY  
DATE - 3-15-08

LPA - PILES, WALES, DECK  
PENTAGON, RAMP, FLOORS  
VINYL SHEATHING

NEEDED  
APPROVED AS PER TERMS  
AND CONDITIONS OF  
PERMIT NO. 1-2804-02750/00001  
DATE 4/2/08 DMT

Scale 1" = 4'





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

REGULATORY BRANCH

April 6, 2022

SUBJECT: Department of the Army Permit Application File Number NAN-2022-00307-EVI by Stephen J. Risolo for Installation of Structures within South Bay Inlet, Massapequa, Town of Oyster Bay, Nassau County, New York

Stephen J. Risolo  
31 Brockmeyer Drive  
Massapequa, NY 11758  
[REDACTED]  
[dorystev@optonline.net](mailto:dorystev@optonline.net)

Dear Mr. Risolo:

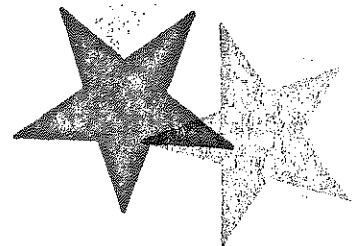
On December 16, 2021, the New York District of the U.S. Army Corps of Engineers received your request for Department of the Army authorization to install an approximately three-foot-wide by 12-foot-long ramp and a six-foot-wide by 20-foot-long float immediately seaward of existing 60 linear foot bulkhead. The proposed work is located within South Bay Inlet at 31 Brockmeyer Drive, Massapequa, Town of Oyster Bay, Nassau County, New York.

The specific applicant-provided details are as shown on the attached permit drawings, titled "Stephen J. Risolo" dated December 2, 2021, prepared by Shore Solutions Inc.

The information provided constitutes a complete pre-construction notification for Nationwide Permit No. 2 (STRUCTURES IN ARTIFICIAL CANALS) as prescribed at Reissuance and Modification of Nationwide Permits in the Federal Register dated December 27, 2021 (86 FR 73522). It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 3 in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

In accordance with General Condition Number 32(a)(2) of the Nationwide Permits, since more than 45 days have passed since our receipt of the complete Nationwide Permit verification request without a response from this office, you may proceed with the proposed activities within in Waters of the United States as described in the above referenced submittals without further authorization from this office. Please be advised that you are responsible for constructing the project as proposed and complying with all the terms and conditions of the Nationwide Permit Program, as well as any applicable New York District regional conditions, and any applicable water quality certifications, and coastal zone concurrence statements that are available at:

<http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>





April 6, 2022

SUBJECT: Department of the Army Permit Application File Number NAN-2022-00307-EVI by Stephen J. Risolo for Installation of Structures within South Bay Inlet, Massapequa, Town of Oyster Bay, Nassau County, New York.

-2-

You are also reminded that a Department of the Army permit may be required for any additional work on this site. If you decide to implement any other projects on this site in the future, please submit a timely and completed application for our review. Impacts to Waters of the United States for this project may be reviewed cumulatively with any future requests or any other applications you may submit for work in Waters of the United States on this site.

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

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

Sincerely,

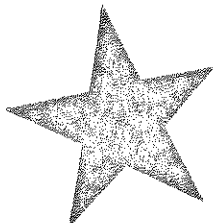
Date:

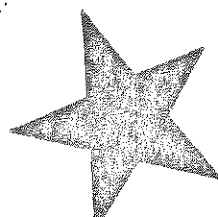
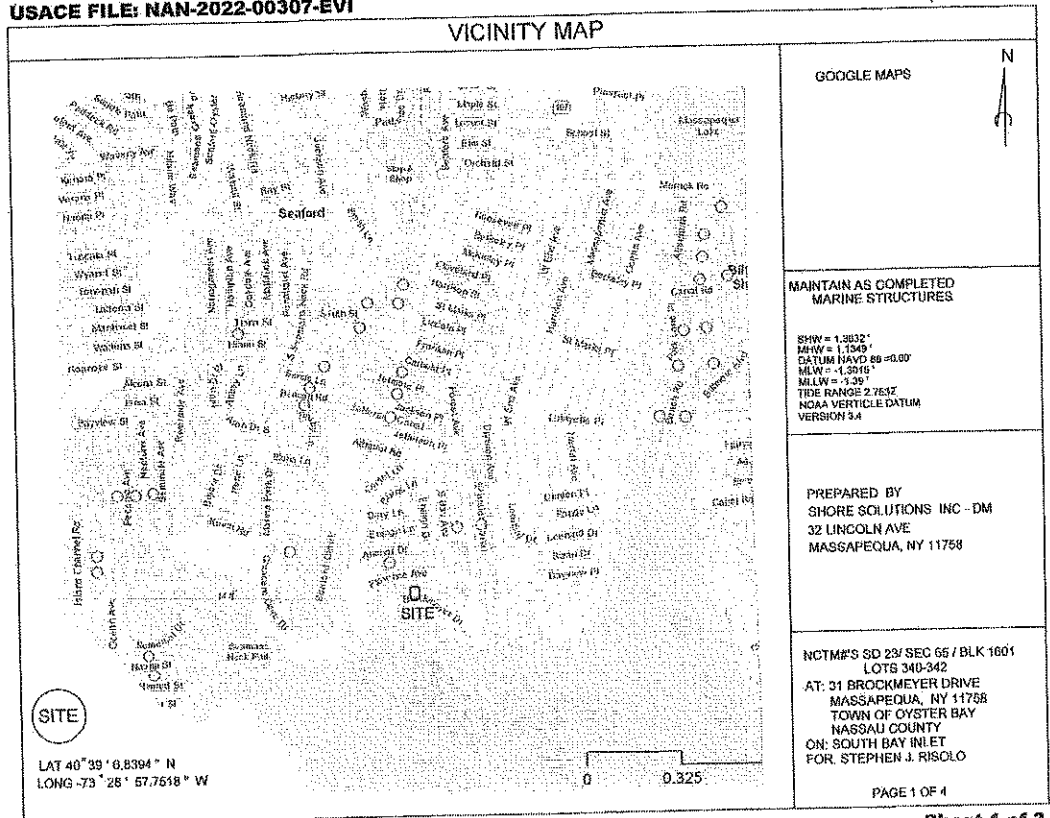


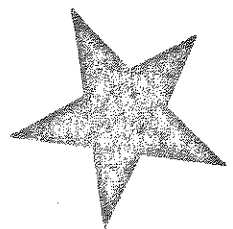
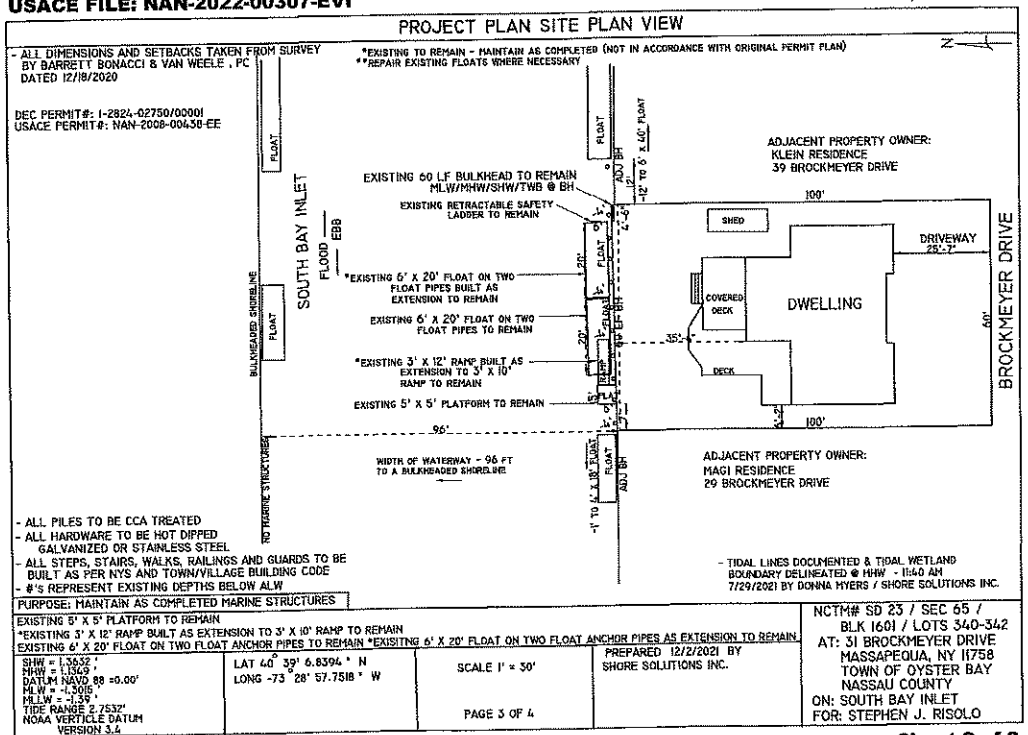
2022.04.06

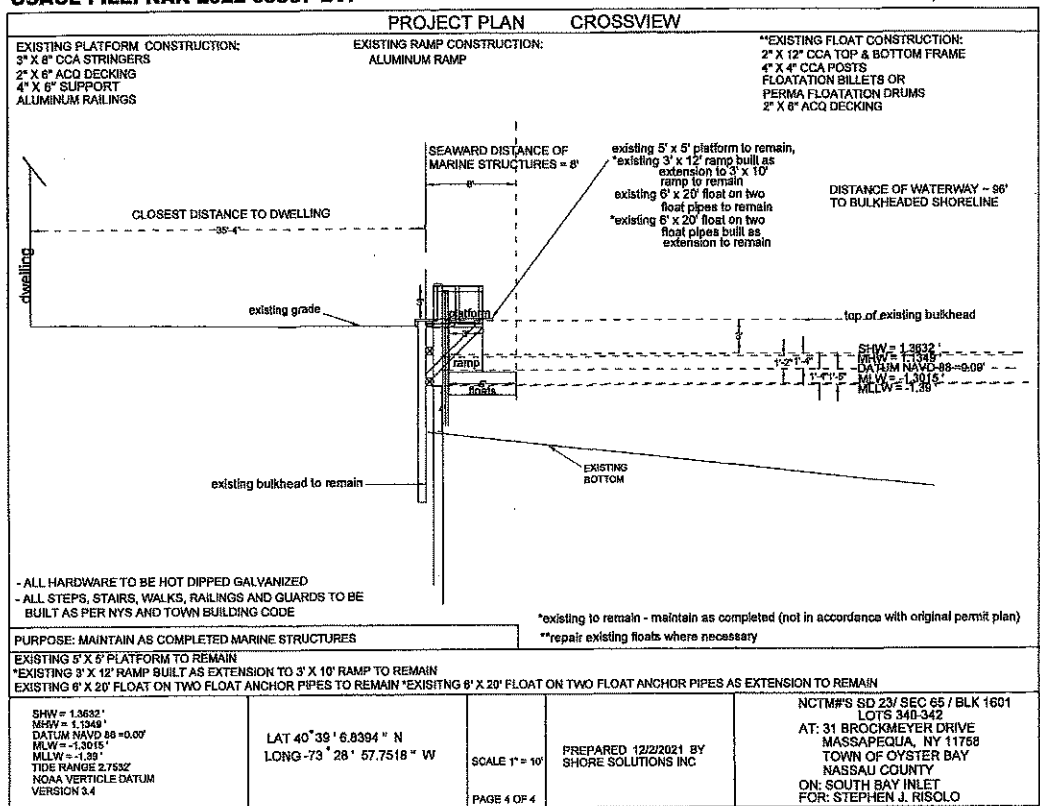
19:17:32 -04'00'

FOR AND IN BEHALF OF  
Ronald R. Pinzon  
Chief, Eastern Section











DEPARTMENT OF THE ARMY  
NEW YORK DISTRICT, CORPS OF ENGINEERS  
JACOB K. JAVITS FEDERAL BUILDING  
NEW YORK, N.Y. 10278-0090

AUG 03 2008

REPLY TO  
ATTENTION OF:  
Regulatory Branch-Eastern Permits Section

SUBJECT: Permit Application Number NAN-2008-438-BET by Stephen  
Risolo

Stephen Risolo  
31 Brockmeyer Drive  
Massapequa, NY 11758

Dear Mr. Risolo:

We have completed our review of Application Number NAN-2008-438.

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: Dredge, by clamshell bucket, an area of 10 foot wide by 60 foot long to a maximum depth of 4 feet below mean low water, with resultant 10 cubic yards of material to be placed behind replacement bulkhead as backfill. Install a 5 foot wide by 5 foot long platform, a 3 foot wide by 10 foot long ramp and 6 foot wide by 20 foot long float. Under authority of the Nationwide General Permit Program (NWP), NWP No.3, replace, in-place, approximately 60 linear feet of existing bulkhead with Navy-style bulkhead.

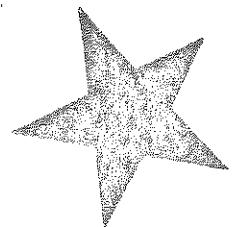
All work shall be done in accordance with the attached plans, subject to Special Conditions 1 and 2, which are hereby made part of this permit.

WATERWAY: South Bay Inlet

LOCATION: Massapequa, Suffolk 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.

Attached to this verification that your project is authorized by LOP is an approved jurisdictional determination. If you are not in agreement with that approved JD, you can make an administrative appeal under 33 CFR 331.



AUG 03 2008

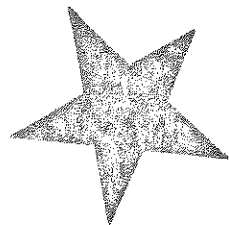
This letter contains an initial proffered permit for your activity. If you object to this permit decision because of certain terms and conditions therein, you may request that the permit be modified accordingly under Corps regulations at 33 CFR 331. Enclosed you will find a combined Notification of Appeal 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:

Richard L. Tomer  
Chief, Regulatory Branch  
New York District Corps of Engineers  
26 Federal Plaza, Room 1937  
New York, New York 10278-0090

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 OCT 03 2008. 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.



AUG 03 2008

If any questions should arise concerning this matter, please  
contact Sophie Ettinger, of my staff, at (917) 790-8514.

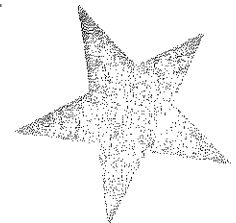
Sincerely,

*James H. Creener*  
3 AUG 2008

**"FOR AND IN BEHALF OF"**  
Aniello L. Tortora  
Colonel, U.S. Army  
District Engineer

Enclosures

cc: Captree Dock Builders, 203 Locust Avenue, Babylon, NY 11702



ERMITTEE: Stephen Risolo  
ERMIT NO.: NAN-2008-438-EET

AUG 03 2008

PERMIT CONDITIONS:

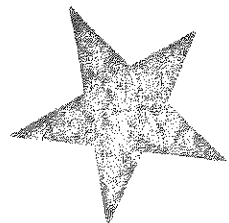
NOTE: The term "you" and its derivatives, as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or appropriate official of that office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

- 1) 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





AUG 03 2008

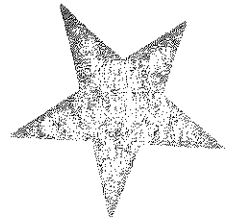
PERMITTEE: Stephen Risolo  
PERMIT NO.: NAN-2008-438-EET

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.

2) This authorization is conditional on the applicant's receipt of the required coastal zone management concurrence or waiver from the New York State Department of State (NYSDOS). No work may be accomplished until the required approval from NYSDOS has been obtained.

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.



AUG 03 2008

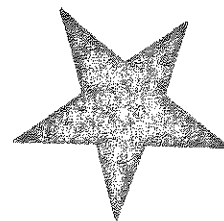
3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

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:

- 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.

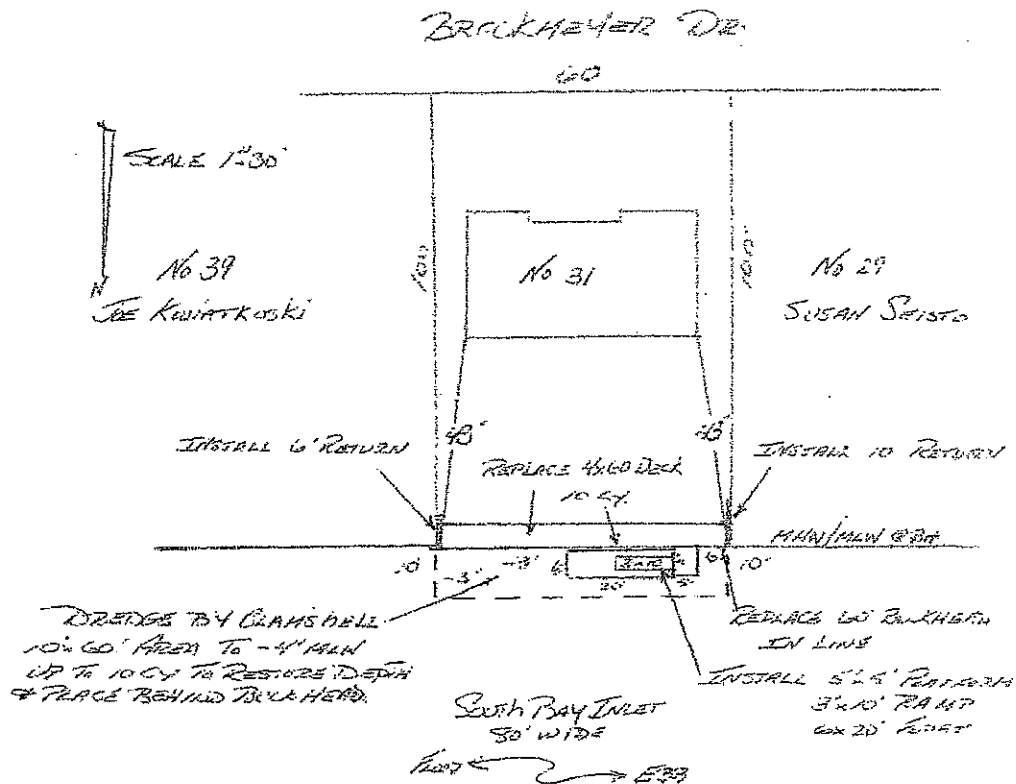
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance 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.





3/3



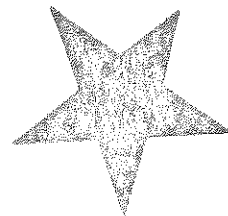
CHARTER DOCK BUILDERS INC.

PROJECT - STEPHEN RSOLO  
31 BROCKMEYER DR.  
MASSAPESQUA, NY 11768

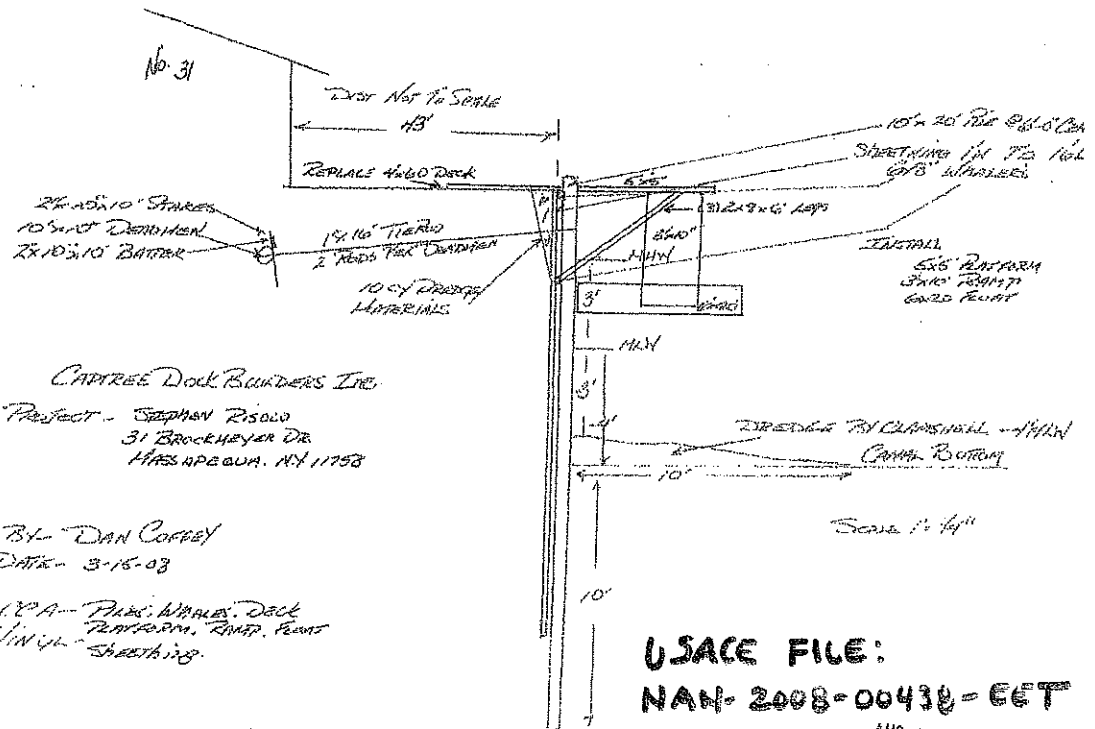
LOT - 0340  
BLK - 01601  
SECTION - 05

BY - DAN COFFEY  
DATE - 3-15-08

USACE FILE NUMBER  
NAH-2008-00438-EET  
AUG 03 2008  
SHEET 3/3



# CROSS VIEW NAVY BULKHEAD



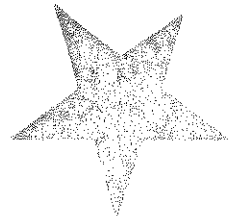
CAPTREE DOCK BUILDERS INC.  
 Project - STEPHEN RISOLD  
 31 BROCKMEYER DR.  
 HASSENGRUB, NY 11758

BY - DAN CORREY  
 DATE - 3-16-03

(PA - PLUG, WHALES, DECK  
 PLATFORM, RAMP, PLANT  
 VINYL SHEATHING.

Scale 1" = 4'

USACE FILE:  
 NAN-2008-00438-EET  
 AUG 03 2008  
 SHEET 2/3



January 4, 2022

Via email: [shoresolutions@aol.com](mailto:shoresolutions@aol.com)  
Donna Myers  
32 Lincoln Avenue  
Massapequa, New York 11758

Re: **F-2021-1142**  
U.S. Army Corps of Engineers/New York District Permit  
Application –Stephen Risolo  
Maintain the existing 5'x5' platform, 3'x12' ramp and 6'x20'  
float and to apply for a permit for the additional float.  
South Bay Inlet, Town of Oyster Bay, Nassau County  
**No Review Necessary**

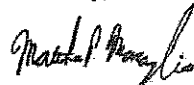
Dear Donna Myers:

The Department of State received your Federal Consistency Assessment Form and supporting information on 12/13/2021. From the information provided, it appears that the proposed action may be authorized by the Army Corps of Engineers under Nationwide Permits that the Department of State has already concurred with, and as such further review by the Department of State is not required.

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

This is without prejudice to and does not obviate the need to obtain all other applicable license, permits, other forms of authorizations or approvals that may be required pursuant to existing New York State statutes. Specifically, it appears that you may require authorization from the New York State Department of Environmental Conservation (DEC). Please contact the DEC region 1 office to determine if their authorization is required.

Sincerely,



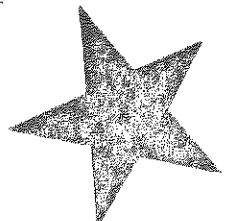
Matthew P. Maraglio  
Supervisor, Consistency Review Unit  
Office of Planning, Development and  
Community Infrastructure

MM/dc

cc: COE/New York District – (via [Arlene.Tirado@usace.army.mil](mailto:Arlene.Tirado@usace.army.mil))  
DEC Region 1 – (via [dec.sm.dep.r1](mailto:dec.sm.dep.r1))



Department  
of State



Planning

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

June 30, 2022

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

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

**SUBJECT:** CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT;  
REVIEW OF WATERWAY APPLICATION NUMBER 22060249;  
STEPHEN RISOLO

**LOCATION:** 31 BROCKMEYER DRIVE, MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 1601, LOT(S) 340-342


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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.

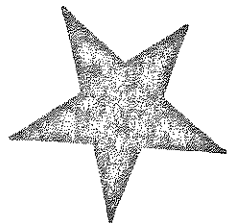
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, 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.

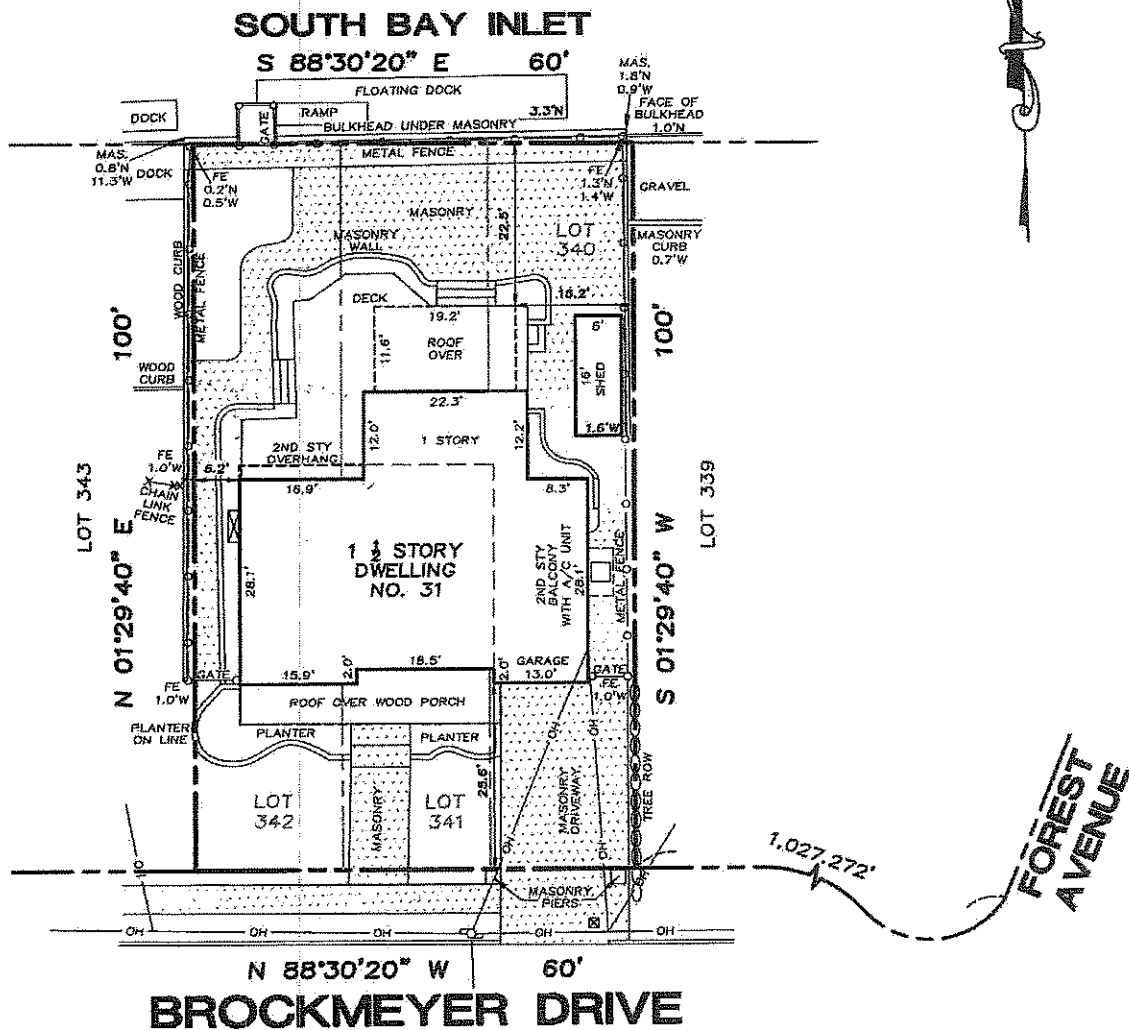
Inasmuch as the proposed action is on SEQR's pre-determined Type II Actions list and the TEQR Law Type II Actions List, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.

  
GEORGE BAPTISTA, JR.  
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/31 Brockmeyer Dr, Massapequa\_6.30.22



Certifications indicated hereon signify that this plot of the property depicted hereon was made in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors. This certification is only for the lands depicted hereon and is not certification of title, zoning or freedom of encumbrances. Said certifications shall run only to the persons and/or entities listed hereon and are not transferable to additional persons, entities or subsequent owners.



NOTE: SNOW COVER AT THE TIME OF THE SURVEY MAY HAVE OBSCURED SURFACE FEATURES THAT WERE NOT LOCATED AND THEREFORE NOT DEPICTED.

UNK: SURVEY  
VIEW: SURVEY

The offsets or dimensions shown from structures to the property lines are for a specific purpose and use, and therefore, are not intended to guide in the erection of fences, retaining walls, pools, patios, planting areas, additions to buildings and any other construction. Subsurface and environmental conditions were not examined or considered as a part of this survey. Easements, Rights-of-Way of record, if any, are not shown. Property corner monuments were not placed as a part of this survey. © 2019 BBV PC



**Barrett  
Bonacci &  
Van Weele, PC**

Engineers • Surveyors • Planners  
175A Commerce Drive Hauppauge, NY 11788  
t631.435.1111 f 631.435.1022  
www.bbvp.com

Certified to: Title No.:

**STEPHEN J. RISOLO & DORETTA RISOLO**

Tax Map: SECTION 65 BLOCK 16-1 LOT 340, 341 & 342

Map of: BARTON SHORES

Map Lot: 340, 341 & 342

Map Block: --

Filed: 08/16/1939 No.: 3983 County: NASSAU

Situate: MASSAPEQUA, TOWN OF OYSTER BAY

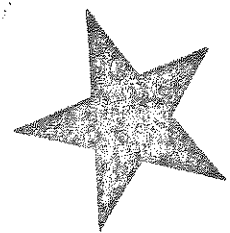
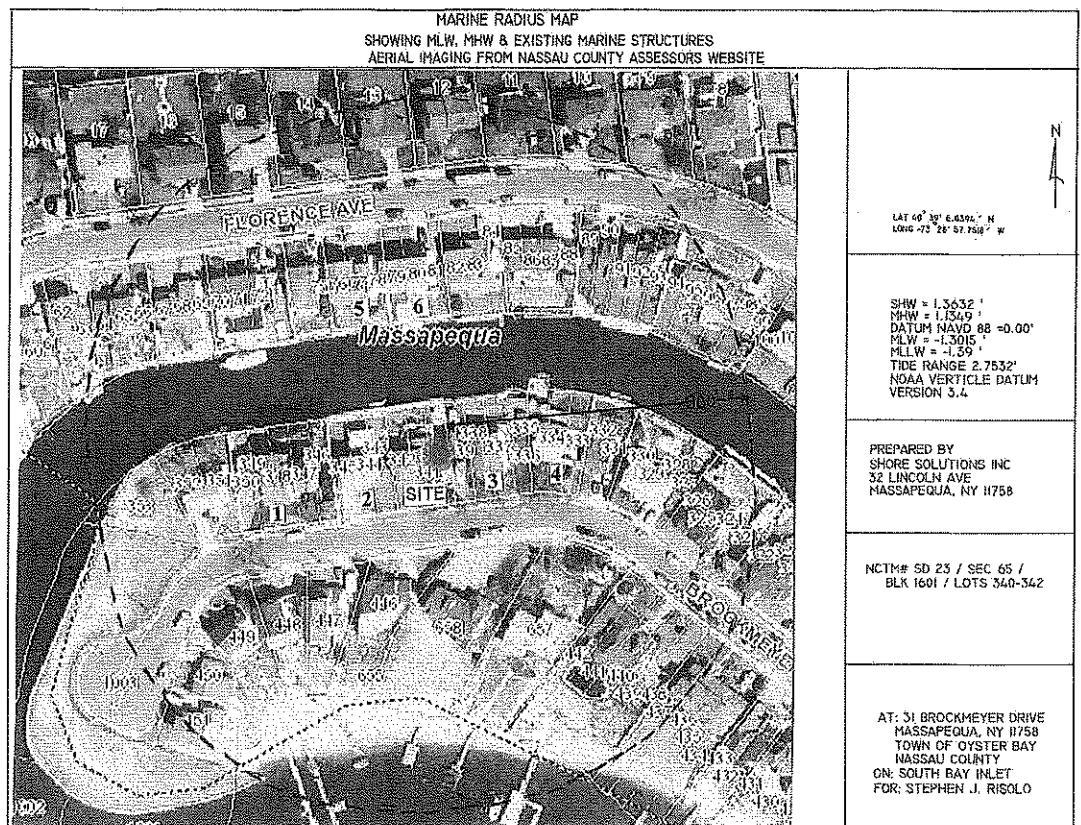
| Revision          | By                   | Date             |
|-------------------|----------------------|------------------|
|                   |                      |                  |
|                   |                      |                  |
| SURVEY UPDATE     | F.G.                 | 12/18/2020       |
| Surveyed by: P.V. | Drafted by: B.W.     | Checked by: C.W. |
| Scale: 1" = 20'   | Date: MARCH 27, 2019 |                  |

Unauthorized alteration or addition to this survey is a violation of Section 7209 of New York State Education Law

Copies of this survey map not bearing the land surveyor's embossed seal and signature shall not be considered to be a true and valid copy

Project No.: A190136



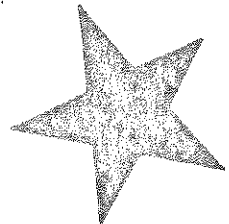


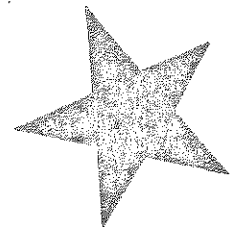
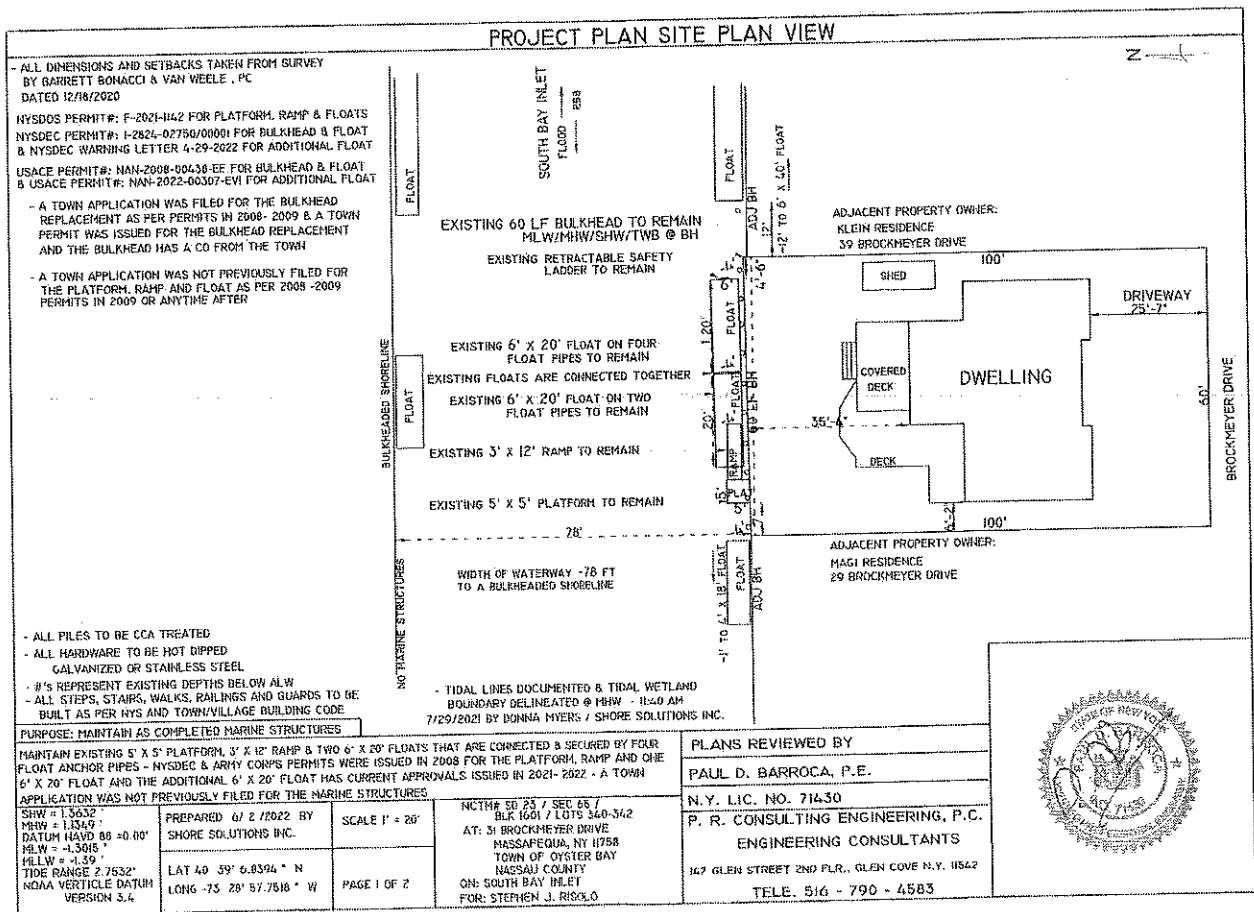
Radius map for: NCTM# Section 65 / Block 1601 / Lots 340-342  
Prepared By: Donna Myers / Shore Solutions Inc.  
32 Lincoln Ave Massapequa, NY 11758

For: Stephen J. Risolo  
31 Brockmeyer Drive  
Massapequa, NY 11758

Section 65 / Block1601  
Lots

|   |         |                           |  |
|---|---------|---------------------------|--|
| 1 | 346-350 | Angela & Nicholas Formato | 27 Brockmeyer Drive Massapequa, NY 11758 |
| 2 | 343-345 | Gregg J. Magi             | 29 Brockmeyer Drive Massapequa, NY 11758 |
| 3 | 336-339 | Lana Klein                | 39 Brockmeyer Drive Massapequa, NY 11758 |
| 4 | 333-335 | Walter & Alison Walsh     | 41 Brockmeyer Drive Massapequa, NY 11758 |
| 5 | 76-78   | Christine Iavarone        | 50 Florence Avenue Massapequa, NY 11758  |
| 6 | 79-81   | Gerard & Lori Finn        | 52 Florence Avenue Massapequa, NY 11758  |



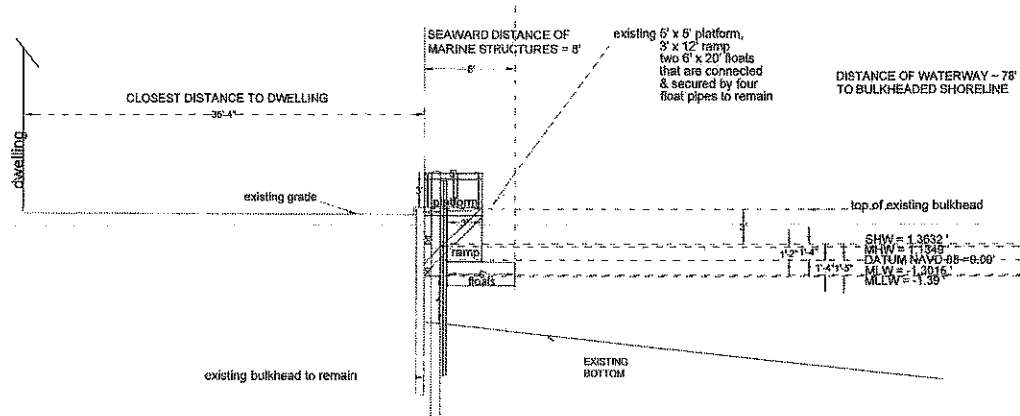


# PROJECT PLAN CROSSVIEW

EXISTING PLATFORM CONSTRUCTION:  
3" X 8" CCA STRINGERS  
2" X 6" A/C DECKING  
4" X 6" SUPPORT  
ALUMINUM RAILINGS

EXISTING RAMP CONSTRUCTION:  
ALUMINUM RAMP

EXISTING FLOAT CONSTRUCTION:  
2" X 12" CCA TOP FRAME  
4" X 4" CCA POSTS  
FLOATION BILLETS THAT ARE  
ENCAPSULATED IN RUBBER  
2" X 6" A/C OR F/R DECKING



- ALL HARDWARE TO BE HOT DIPPED GALVANIZED
- ALL STEPS, STAIRS, WALKS, RAILINGS AND GUARDS TO BE BUILT AS PER NYS AND TOWN BUILDING CODE

PURPOSE: MAINTAIN AS COMPLETED MARINE STRUCTURES

MAINTAIN EXISTING 5' X 5' PLATFORM, 3' X 12' RAMP & TWO 6' X 20' FLOATS THAT ARE CONNECTED & SECURED BY 4 FLOAT ANCHOR PIPES - NYSDEC & ARMY CORPS PERMITS WERE ISSUED IN 2008 FOR THE PLATFORM, RAMP AND ONE 6' X 20' FLOAT AND THE ADDITIONAL 6' X 20' FLOAT HAS CURRENT APPROVALS ISSUED IN 2021- 2022 - A TOWN APPLICATION WAS NOT PREVIOUSLY FILED FOR THE MARINE STRUCTURES

PLANS REVIEWED BY

PAUL D. BARROCA, P.E.

N.Y. LIC. NO. 71430

P. R. CONSULTING ENGINEERING, P.C.  
ENGINEERING CONSULTANTS

147 GLEN STREET 2ND FL., GLEN COVE N.Y. 11542

TELE. 516 - 790 - 4583

SHW = 1.3632'  
MHW = 1.1349'  
DATUM NAVD 88 = 0.00'  
MLLW = -1.3016'  
TIDE RANGE 2.7832'  
NOAA VERTICLE DATUM  
VERSION 3.4

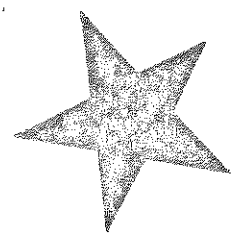
PREPARED 6/2/2022 BY  
SHORE SOLUTIONS INC

LAT 40° 39' 6.8304" N  
LONG -73° 28' 57.7518" W

SCALE 1"=6'

PAGE 2 OF 2

NCTM'S SD 23/ SEC 65 / BLK 1601  
LOTS 340-342  
AT: 31 BROCKMEYER DRIVE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY  
NASSAU COUNTY  
ON: SOUTH BAY INLET  
FOR: STEPHEN J. RIBOLO



Meeting of August 9, 2022

Resolution No 539-2022

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated July 13, 2022, directed SETH R. ROSENBERG, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 75 Brockmeyer Drive, Massapequa, New York 11758, known and designated as Section 65, Block 1601, Lot(s) 299-302, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of August 9, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated May 25, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

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

RESOLVED, That the application of SETH R. ROSENBERG, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 75 Brockmeyer Drive, Massapequa, New York 11758, known and designated as Section 65, Block 1601, Lot(s) 299-302 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-


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

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

Reviewed By  
Office of Town Attorney

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

539



TO: MEMORANDUM DOCKET

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

DATE: JULY 13, 2022

SUBJECT: WATERWAYS REVIEW  
SETH R. ROSENBERG  
75 BROCKMEYER DR.  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 1601, LOT(S) 299-302  
DOCK BUILDING PERMIT APPLICATION # 22050315

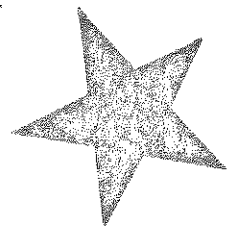
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We have received a request from Seth R. Rosenberg to "maintain an approximately four-foot-wide by six-foot-long platform leading to an approximately three-foot-wide by 14-foot-long ramp and a six-foot-wide by 23-foot-long float secured by two (2) piles with two (2) additional four-foot-wide by 24-foot-long finger floats in a "U" configuration each secured by two (2) piles." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-03444/00001 dated April 13, 2022 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2022-00283-EMI dated May 9, 2022. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 22050315; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-03444/00001 dated April 13, 2022; Department of the Army, New York District Corps of Engineers Permit No. NAN-2022-00283-EMI dated May 9, 2022, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated April 1, 2022. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated May 25, 2022, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

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



HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
SETH R. ROSENBERG  
75 BROCKMEYER DR.  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 1601, LOT(S) 299-302  
DOCK BUILDING PERMIT APPLICATION # 22050315

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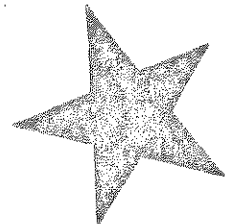
Page 2

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 for the August 9, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

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



01000482925 5/17/22

SECTION 65 BLOCK 1601 LOT(S) 299-302



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

22050315

**APPLICATION FOR PERMIT TO BUILD OR INSTALL**

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Street Address Post Office Zip Phone #  
PROPERTY OWNER: Seth R. Rosenberg 75 Brockmeyer Drive Massapequa, NY 11758  
LESSEE  
TENANT:

APPLICANT: Shore Solutions Inc.- Donna Myers 32 Lincoln Ave Massapequa NY 11758 516-816-4163

ARCHITECT: PR Consulting Engineers PC - Paul Barroca 147 Glen St. 2nd Floor Glen Cove NY 516-790-4583

CONTRACTOR: Progressive Construction of Long Island Inc. 166 Beverly Rd. Huntington Sta. NY 631-470-2433

PLUMBER: NA

ELECTRICIAN: NA

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

LOCATION OF PROPERTY (N.E.S.W. SIDE OF Brockmeyer Drive 2059.77 FBET  
N.E.S.W. OF Jefferson Place Massapequa  
OR (STREET) (POST OFFICE)  
N.E.S.W. OF corner of and (STREET) (POST OFFICE)

CHECK HERE IF REQUESTING A WAIVER OF THE RECENT SURVEY REQUIREMENT (SEE INSTRUCTIONS FOR FURTHER INFO).

**TYPE OF BUILDING****A. TYPE OF IMPROVEMENT**EXISTING ☒ PROPOSED ☒

1. NEW BUILDING/STRUCTURE
2. ADDITION/EXTENSION
3. ALTERATION (i.e. Garage Conv.)
4. DECK
5. AWNING/ROOF-OVER
6. CELLAR ENTRANCE
7. REISSUE #
8. OTHER

**B. PROPOSED USE**EXISTING ☒ PROPOSED ☒ 6-29-22

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER

DESCRIBE THE WORK IN DETAIL (Size and Dimension(s) of Structure(s) installed 4' x 6' platform, 3' x 14' ramp, 6' x 23' float on two float anchor piles, two 4' x 24' floats each on two float anchor piles.

CHECK HERE IF TREES ARE BEING REMOVED ON THE PROPERTY. IF SO, A TREE PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PARKS. PLEASE CALL (516) 797-7956 FOR FURTHER INFORMATION.

**HAVE BOTH AFFIDAVITS NOTARIZED**

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

**APPLICANT**

STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

Donna Myers- Shore Solutions Inc. being duly sworn, deposes and says: That he/she resides at 32 Lincoln Ave in the hamlet of Massapequa in the State of NY and that he/she is authorized by the Owner Seth R. Rosenberg 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: 32 Lincoln Ave. Massapequa NY 11758  
Phone: 516-816-4163

(Sign here) *[Signature]*  
Sworn to before me this 11 day of May 2022

NOTARY PUBLIC

ANN K COUGHLIN  
Notary Public - State of New York  
NO. 01C05077322  
Qualified in Nassau County

**OWNER**

STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

Seth R. Rosenberg being duly sworn, deposes and says: That he/she resides at 75 Brockmeyer Drive in the hamlet of Massapequa in the State of NY and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Donna Myers - Shore Solutions Inc. (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 12 day of May 2022

NOTARY PUBLIC  
ROBERT SHIPRO  
Notary Public, State of New York  
No. 01SH3120040  
Qualified in Nassau County  
Term Expires 12/21/2024

(Rev. 03/18/2015)



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

22050315

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.ded.ny.gov

April 13, 2022

ROSENBERG, SETH R  
75 BROCKMEYER DR  
MASSAPEQUA, NY 11758

Re: **ROSENBERG PROPERTY**  
**75 BROCKMEYER DR**  
**NCTM# 65-1601-299-302**  
**MASSAPEQUA, NY 11758**  
**DEC ID: 1-2824-03444/00001**

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.

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

Sincerely,



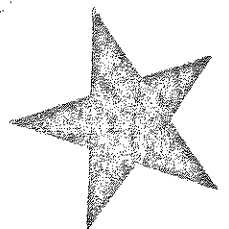
Laura F. Star  
Deputy Permit Administrator

Enc.

Cc: Shore Solutions  
DEC-BMHP



Department of  
Environmental  
Conservation





12061315

## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

**Permit Issued To:**  
SETH R. ROSENBERG  
75 BROCKMEYER DR

MASSAPEQUA, NY 11758

**Facility:**  
ROSENBERG PROPERTY  
75 BROCKMEYER DR NCTM# 65-1601-299-  
302  
MASSAPEQUA, NY 11758

**Facility Application Contact:**  
SHORE SOLUTIONS INC  
32 LINCOLN AVE  
MASSAPEQUA, NY 11758  
(516) 816-4163

**Facility Location:** in OYSTER BAY in NASSAU COUNTY Village:  
**Facility Principal Reference Point:** NYTM-E: 628.504 NYTM-N: 4501.169  
Latitude: 40°39'05.0" Longitude: 73°28'48.2"

**Project Location:** Massapequa Watercourse: South Bay Inlet

**Authorized Activity:** Install a 4'x6' platform, 3'x14' ramp, 6'x23' float, and two 4'x24' floats, and associated piles. All activities authorized by this permit must be in strict conformance with the attached plans approved by NYSDEC on April 13, 2022.

#### Permit Authorizations

##### Tidal Wetlands - Under Article 25

Permit ID 1-2824-03444/00001

New Permit

Effective Date: 4/13/2022

Expiration Date: 4/12/2027

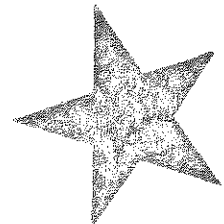
#### NYSDEC Approval

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.

Permit Administrator: LAURA F STAR, Deputy Permit Administrator  
Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook 50 Circle Rd  
Stony Brook, NY 11790 -3409

Authorized Signature: \_\_\_\_\_

Date 4/12/22





**Distribution List**

SHORE SOLUTIONS INC  
Marine Habitat Protection  
LAURA F STAR

**Permit Components**

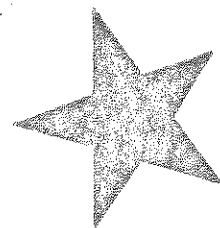
NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following  
Permits: 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. **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.
3. **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 Shore Solutions Inc, dated January 3, 2022, and stamped approved by NYSDEC on April 13, 2022.
4. **Dock Reconstruction or Replacement** Dock reconstruction or replacement or seasonal installation shall not involve expansion or substantial modification of existing structures or facilities.
5. **No Floats, Ramps in Vegetated Tidal Wetlands** Floats and ramps may not rest on or be stored in any vegetated tidal wetland.
6. **Float Installation** The float shall be installed only at the approved location with a minimum water depth of 2½ feet, measured at apparent low tide.





205 316

**7. Docks at Property Lines** Docks/catwalks/floats must not:

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

**8. No Permanent Structures on Dock** No permanent structures shall be installed on dock/catwalk/float without first obtaining written Department approval (permit, modification, or amendment).

**9. 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.

**10. 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).

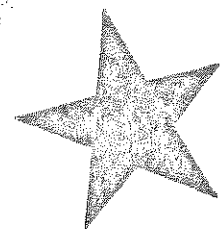
**11. Use of Treated Wood** The use of wood treated with Pentachlorophenol or other wood treatment not specifically approved by the Department for use in wetlands and/or marine waters, is strictly prohibited in the construction of structures that will be in contact with tidal waters.

**12. No Unauthorized Fill** No fill or backfill is authorized by this permit without further written approval from the department (permit, modification, amendment).

**13. No Prop. Dredging** Prop dredging, or the act of utilizing and/or directing the propeller or propulsion system of a motorized vessel and/or the water-borne forces created by said propeller or propulsion system, to excavate or displace existing bottom sediment and benthic habitat for the direct or indirect purpose of establishing or increasing water depth, is a regulated activity and is not authorized by this permit. Prop dredging is strictly prohibited without further written authorization (permit, modification or amendment) from the department.

**14. 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.

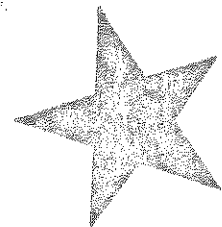
**15. Maintain Erosion Controls** All erosion control devices shall be maintained in good and functional condition until the project has been completed and the area has been stabilized.





2 2 5 3 1 5

16. **Contain Exposed, Stockpiled Soils** All disturbed areas where soil will be temporarily exposed or stockpiled for longer than 48 hours shall be contained by a continuous line of staked haybales / sift curtains (or other NYSDEC approved devices) placed on the seaward side between the fill and the wetland or protected buffer area. Tarps are authorized to supplement these approved methods.
17. **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.
18. **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.
19. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.
20. **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.
21. **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.
22. **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.
23. **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.





12 / 5 3 / 5

**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.

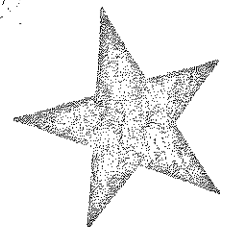
**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any 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, NY 11790-3409

**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.

**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**

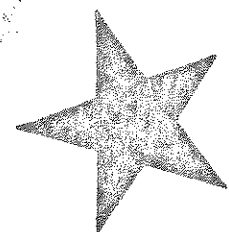
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject 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 person not a party to the permit.



## PROJECT PLAN SITE PLAN VIEW

PERMIT NO. 1-2304-0344/000  
DATE 4/19/82

7/2/60

ADJACENT PROPERTY OWNER:  
EDWARD ALAN SEGANTI II RESIDENCE  
77 BROCKMEYER DRIVE

INSTALL 1' X 6' PLATFORM, 5' X 16' RAMP,  
6' X 25' FLOAT ON TWO FLOAT ANCHOR PILES  
TWO 4' X 24' FLOATS EACH SECURED BY  
TWO FLOAT ANCHOR PILES  
(TOTAL 6 FLOAT ANCHOR PILES)

EXISTING 62.48 LF BULKHEAD - TO REMAIN  
ALW/ALW/SIW/TWD @ BH

FLOOR

SOUTH BAY INLET

HYDRO-  
HOIST

WIDTH OF WATERWAY = 132  
TO A BULKHEADED CHANNEL  
PROPOSED DRAWING DISTANCE = 33  
LESS THAN 25% OF THE WIDTH  
OF THE WATERWAY

- ALL DIMENSIONS AND SETBACKS TAKEN FROM SURVEY BY SCALICE LAND SURVEYING DATED 12/22/2020
- VEHICLE ACCESS ROUTE VIA MARINE CONTRACTORS BARGE & UNLOCKMEYER DRIVE
- #'S REPRESENT CONSISTENT DEPTH BELOW ALW
- PREVIOUSLY DREDGED UNDER PRIOR BULKHEAD PERMIT NYSEDEC # 10-R-0983 ISSUED 4/4/1986 & USACE # 14950
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL.

ADJACENT PROPERTY OWNER:  
LEE TUCHOLSKI RESIDENCE  
71 BROTHMEYER DRIVE

- #2 REPRESENT WATER DEPTHS BELOW ALW DOCUMENTED ON SITE OFF OLD FLOAT AND NAVIGATIONAL CHART
- TIDAL LINES DOCUMENTED & TIDAL WETLAND BOUNDARY DELINEATED @ 4:45 PM - 2:00 PM 12/1/2021 BY DENNA MYERS / SHORE SOLUTIONS INC.

PROPOSED: INSTALL 4' X 6' PLATFORM, 3' X 14' RAMP, 6' X 23' FLOAT ON TWO FLOAT ANCHOR PILES. TWO 4' X 24' FLOATS EACH ON TWO FLOAT ANCHOR PILES

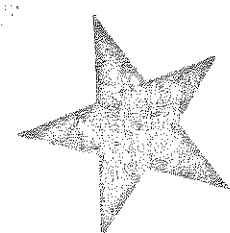
NCTM# SD 23 / SEC 65 /  
BLK 1601 / LOTS 299-302  
AT: 75 BROCKMEYER DRIVE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY  
NASSAU COUNTY  
ON: SOUTH BAY INLET  
FOR: SETH R. ROSENBERG

DATE: 11/11/01  
ALW= 0.60  
AIRV= 2.10  
SHW= 2.30

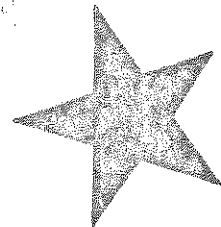
LAT 40° 39 ' 4.9026 " N  
LONG 73° 28 ' 48.0376 " W

PAGE 1 OF 2

PREPARED 1/3/2027 BY  
SHORE SOLUTIONS INC.









**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

REGULATORY BRANCH

May 9, 2022

SUBJECT: Department of the Army Permit Application File Number NAN-2022-00283-EMI  
by Seth R. Rosenberg for Dock Structure Installation in South Bay Inlet in Massapequa,  
Town of Oyster Bay, Nassau County, New York

Seth R. Rosenberg  
75 Brockmeyer Drive  
Massapequa, New York 11758  
(516) 356-5555

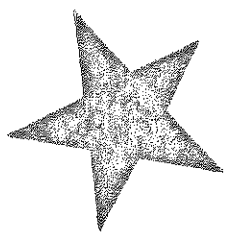
Dear Mr. Rosenberg:

On March 24, 2022, the New York District of the U.S. Army Corps of Engineers received your request for Department of the Army authorization to install an approximately four-foot-wide by six-foot-long platform leading to an approximately three-foot-wide by 14-foot-long ramp and a six-foot-wide by 23-foot-long float secured by two (2) piles with two (2) additional four-foot-wide by 24-foot-long finger floats in a "U" configuration each secured by two (2) piles. The project is located South Bay Inlet at 75 Brockmeyer Drive, Town of Oyster Bay, Nassau County, New York.

The specific applicant-provided details are as shown on the attached permit drawings, titled "Seth R. Rosenberg" dated January 3, 2022, prepared by Shore Solutions Inc.

The information provided constitutes a complete pre-construction notification for Nationwide Permit No. 2 – STRUCTURES IN ARTIFICIAL CANALS, as prescribed at Reissuance and Modification of Nationwide Permits in the Federal Register dated January 13, 2021 (86 FR 2744). It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 2 – STRUCTURES IN ARTIFICIAL CANALS in accordance with Section 10 of the Rivers and Harbors Act (33 U.S.C 403).

In accordance with General Condition Number 32(a)(2) of the Nationwide Permits, since more than 45 days have passed since our receipt of the complete Nationwide Permit verification request without a response from this office, you may proceed with the proposed activities within in Waters of the United States as described in the above referenced submittals without further authorization from this office. Please be advised that you are responsible for constructing the project as proposed and complying with all the terms and conditions of the Nationwide Permit Program, as well as any applicable New York District regional conditions, and any applicable water quality certifications, and coastal zone concurrence statements that are available at:



May 9, 2022

SUBJECT: Department of the Army Permit Application File Number NAN-2022-00283-EMI  
by Seth R. Rosenberg for Dock Structure Installation in South Bay Inlet in the Massapequa,  
Town of Oyster Bay, Nassau County, New York

-2-

<http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

You are also reminded that a Department of the Army permit may be required for any additional work on this site. If you decide to implement any other projects on this site in the future, please submit a timely and completed application for our review. Impacts to Waters of the United States for this project may be reviewed cumulatively with any future requests or any other applications you may submit for work in Waters of the United States on this site.

Please note that this determination does not eliminate the need to obtain any other Federal, State or local authorization required by law for the proposed work, including any required permit, Coastal Consistency from the Department of State, and/or Water Quality Certification from the New York State Department of Environmental Conservation.

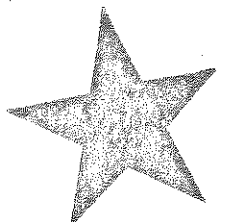
In order for us to better serve you, please complete our Customer Service Survey located at: <https://www.nan.usace.army.mil/Missions/Regulatory/Customer-Survey/>.

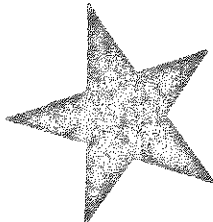
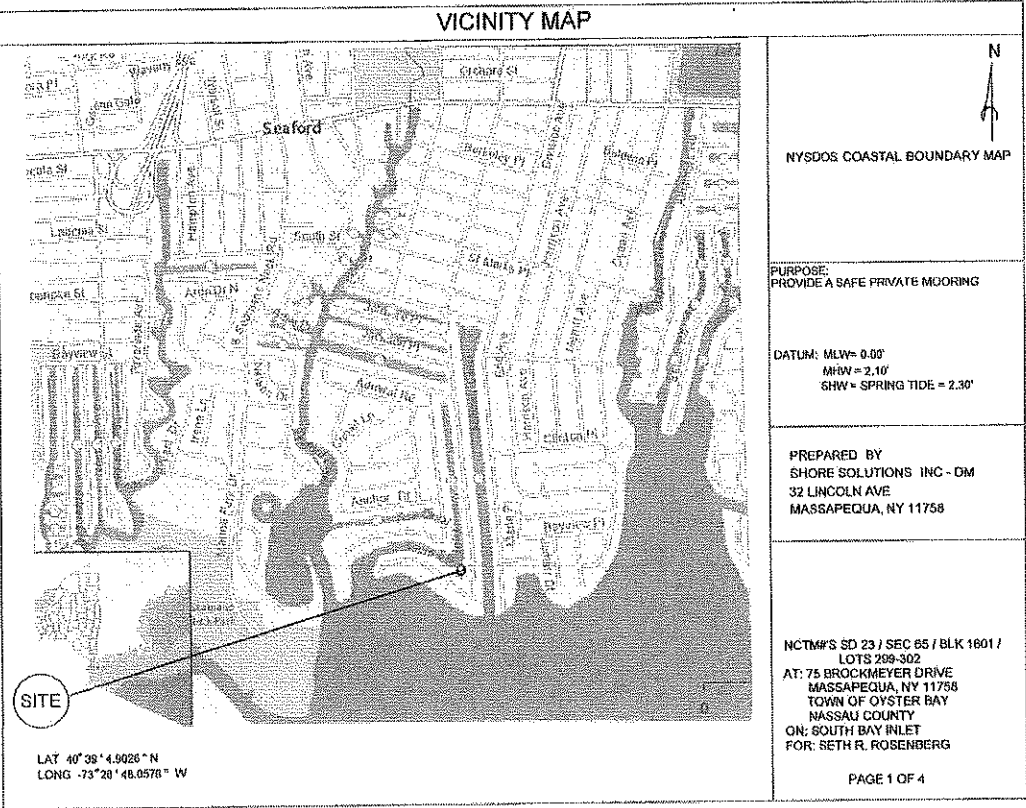
If any questions should arise concerning this matter, please contact Christopher Minck of my staff at [Christopher.W.Minck@usace.army.mil](mailto:Christopher.W.Minck@usace.army.mil).

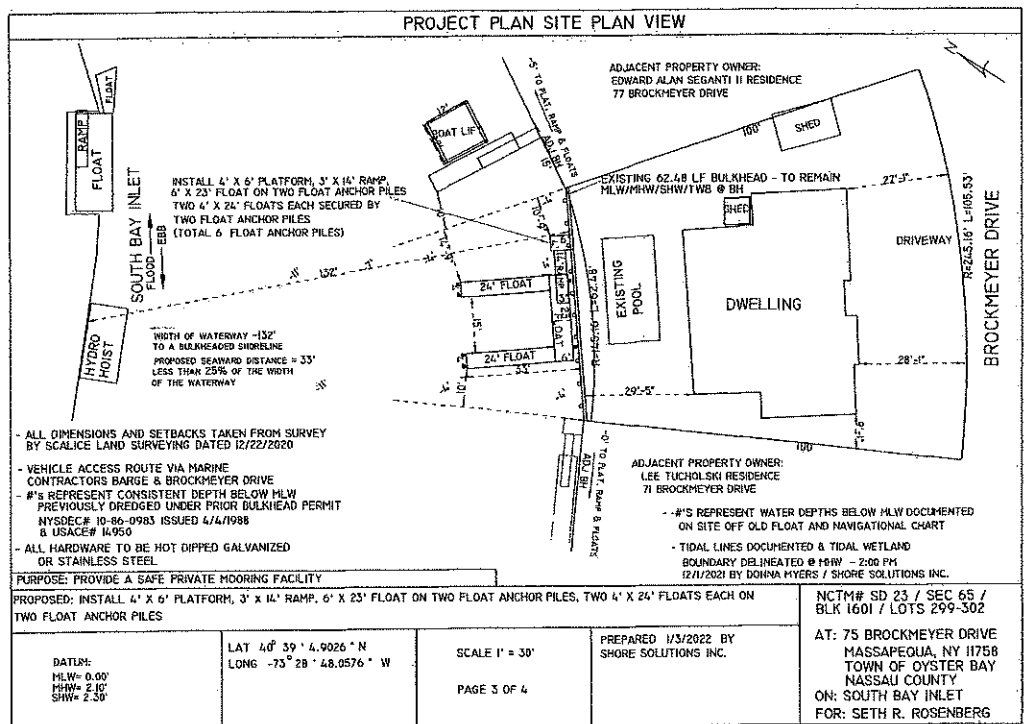
Sincerely,

*Christopher Minck* 2022.05.09  
10:11:13 -04'00'

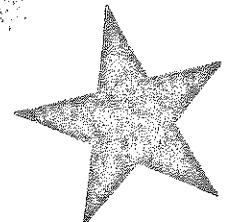
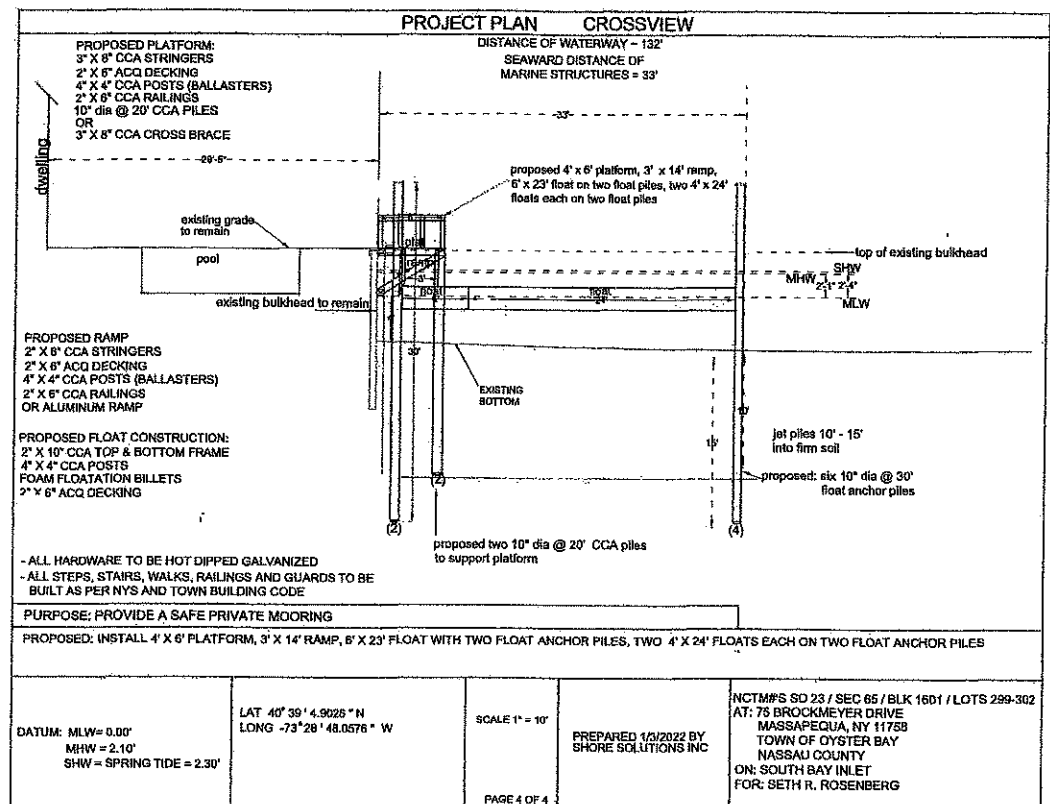
Christopher Minck  
Project Manager, Eastern Section







May 9, 2022



April 1, 2022

Via email: [shoresolutions@aol.com](mailto:shoresolutions@aol.com)

Donna Myers  
Shore Solutions  
32 Lincoln Avenue  
Massapequa, New York 11758

Re: F-2022-0224  
U.S. Army Corps of Engineers/New York District Permit  
Application – Seth Rosenberg  
Installation of a 4' x 6' platform, 3' x 14' ramp, 6' x 23' float  
on two float anchor piles and two 4' x 24' floats each on  
two float anchor piles.  
South Bay Inlet, Town of Oyster Bay, Nassau County  
General Concurrence

Dear Donna Myers:

The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on 3/24/2022.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

This General concurrence is without prejudice to and does not obviate the need to obtain all other applicable license, permits, other forms of authorizations or approvals that may be required pursuant to existing New York State statutes. Specifically, it appears that you may require authorization from the New York State Department of Environmental Conservation (DEC). Please contact the DEC region 1 office to determine if their authorization is required.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file #F-2022-0224.

Sincerely,



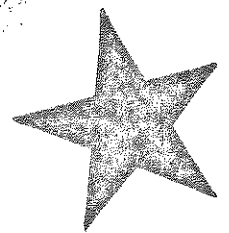
Jennifer L. Street  
Supervisor, Consistency Review Unit  
Office of Planning, Development and  
Community Infrastructure

JLS/dc

ecc: COE/New York District – (via [Arlene.Tirado@usace.army.mil](mailto:Arlene.Tirado@usace.army.mil))  
DEC Region 1 – (via [dec.sm.dep.rl](mailto:dec.sm.dep.rl))



Department  
of State



planning

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

May 25, 2022

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

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

**SUBJECT:** CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT:  
REVIEW OF WATERWAY APPLICATION NUMBER 22050024;  
SETH R. ROSENBERG

**LOCATION:** 75 BROCKMEYER DRIVE, MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 1601, LOT(S) 299-302

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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.

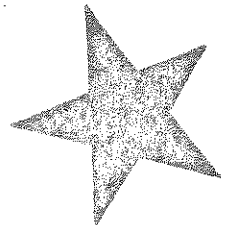
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, 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.

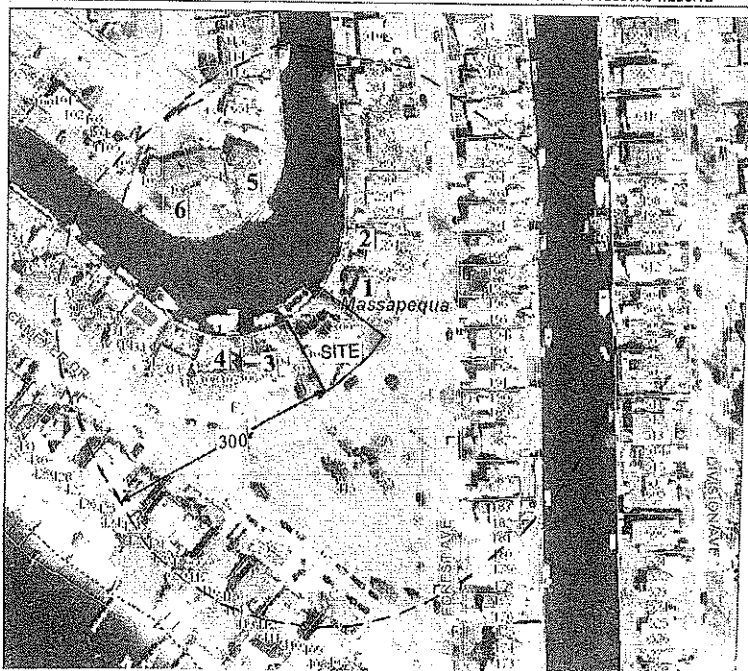
  
GEORGE BAPTISTA, JR.  
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE II/Docks/75 Brockmeyer Dr, Massapequa\_5.23.22





300' RADIUS MAP  
 SHOWING MLW & EXISTING MARINE STRUCTURES  
 AERIAL IMAGING FROM NASSAU COUNTY ASSESSORS WEBSITE



LAT 40° 39' 4.9026" N  
 LONG -73° 28' 48.0576" W

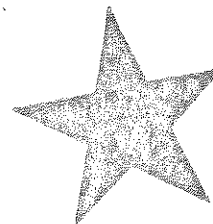
PAGE 1 OF 2



DATUM:  
 MLW = 0.00 '  
 MHW = 2.10 '  
 SHW = 2.30 '  
 MLW @ BULKHEADS  
 NO BEACH AREAS

PREPARED BY  
 SHORE SOLUTIONS INC  
 32 LINCOLN AVE  
 MASSAPEQUA, NY 11758

NCTM'S SD 23 / SEC 65 /  
 BLK 1601 / LOTS 299-302  
 AT: 75 BROCKMEYER DRIVE  
 MASSAPEQUA, NY 11758  
 TOWN OF OYSTER BAY  
 NASSAU COUNTY  
 ON: SOUTH BAY INLET  
 FOR: SETH R. ROSENBERG



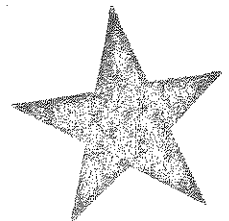
300' Radius map for: NCTM# section 65 / block 1601 / lots 299-302  
Prepared By: Donna Myers / Shore Solutions Inc. 32 Lincoln Ave Massapequa, NY  
11758

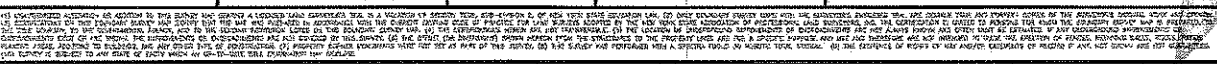
For: Seth R. Rosenberg Property  
75 Brockmeyer Drive  
Massapequa, NY 11758

Section 65 / Block 1601  
Lot

|   |                  |   |
|---|------------------|---|
| 1 | 293-295          | Angela Dirusso Property<br>30 Forest Avenue<br>Massapequa, NY 11758             |
| 2 | 296-298          | Edward Seganti Property<br>75 Brockmeyer Drive<br>Massapequa, NY 11758          |
| 3 | 303-306          | Lee Tucholski Property<br>71 Brockmeyer Drive<br>Massapequa, NY 11758           |
| 4 | 307-309          | Eric Stoldt Property<br>69 Brockmeyer Drive<br>Massapequa, NY 11758             |
| 5 | 663              | Michael Petrizzo Property<br>1 South Bay Avenue<br>Massapequa, NY 11758         |
| 6 | 107,108<br>& 664 | Joseph & Azadeh Guarrasi Property<br>70 Florence Avenue<br>Massapequa, NY 11758 |

2205-315



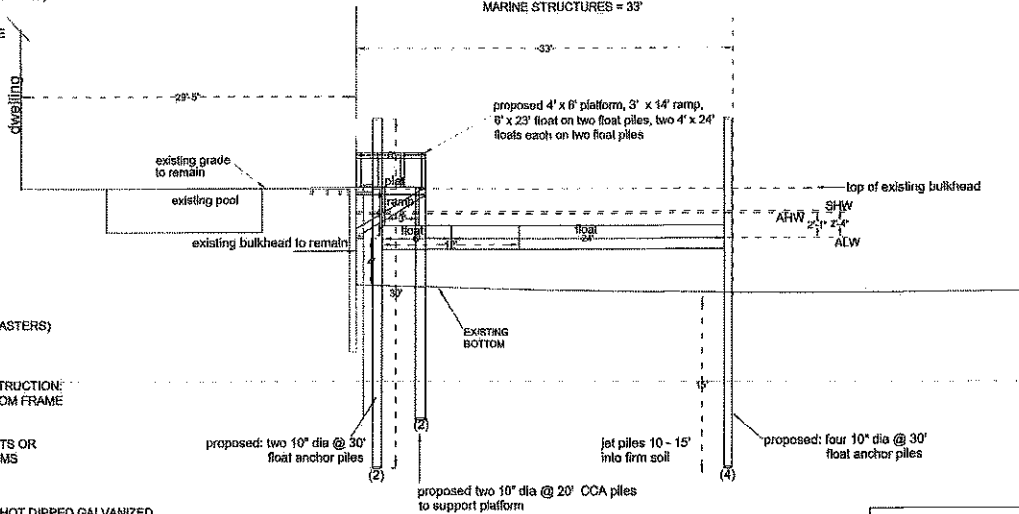




# PROJECT PLAN CROSSVIEW

PROPOSED PLATFORM:  
3" X 8" CCA STRINGERS  
2" X 6" ACQ DECKING  
4" X 4" CCA POSTS (BALLASTERS)  
2" X 6" CCA RAILINGS  
10" dia @ 20' CCA PILES  
3" X 8" CCA CROSS BRACE

DISTANCE OF WATERWAY - 132'  
SEAWARD DISTANCE OF  
MARINE STRUCTURES = 33'



PROPOSED RAMP  
2" X 6" CCA STRINGERS  
2" X 6" ACQ DECKING  
4" X 4" CCA POSTS (BALLASTERS)  
2" X 6" CCA RAILINGS  
OR ALUMINUM RAMP

PROPOSED FLOAT CONSTRUCTION:  
2" X 10" CCA TOP & BOTTOM FRAME  
4" X 4" CCA POSTS  
2" X 6" ACQ DECKING  
FOAM FLOTATION BILLETS OR  
PERMA FLOTATION DRUMS

- ALL HARDWARE TO BE HOT DIPPED GALVANIZED  
- ALL STEPS, STAIRS, WALKS, RAILINGS AND GUARDS TO BE  
BUILT AS PER NYS AND TOWN BUILDING CODE

PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 4' X 6' PLATFORM, 3' X 14' RAMP, 6' X 23' FLOAT WITH TWO FLOAT ANCHOR PILES, TWO 4' X 24' FLOATS EACH ON TWO FLOAT ANCHOR PILES

NCTM/PS SD 23 / SEC 85 /  
BLK 1601 / LOTS 298-302

AT: 75 BROCKMEYER DRIVE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY  
NASSAU COUNTY  
ON: SOUTH BAY INLET  
FOR: SETH R. ROSENBERG

PLANS REVIEWED BY

PAUL D. BARROCA, P.E.  
N.Y. LIC. NO. 71430

P. R. CONSULTING ENGINEERING, P.C.  
ENGINEERING CONSULTANTS

147 GLEN STREET 2ND FLR., GLEN COVE N.Y. 11542

TELE. 516 - 790 - 4583

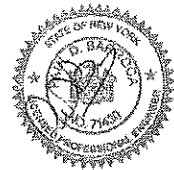
DATUM: ALW = 0.00'  
AHW = 2.10'  
SHW = 2.30'  
SHW = SPRING TIDE

LAT 40° 39' 4.9026" N  
LONG -73° 28' 48.0576" W

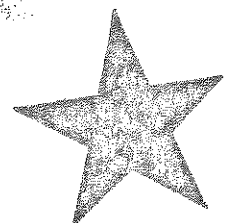
SCALE 1" = 8'

PREPARED 1/3/2022 BY  
SHORE SOLUTIONS INC

PAGE 2 OF 2



02050315



Meeting of August 9, 2022

Resolution No.540-2022

Reviewed By  
Office of Town Attorney

WHEREAS, pursuant to the Code of the Town of Oyster Bay ("Code"), Chapter 241, "Waterways", Section 241-9, "Applications", Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated July 13, 2022, directed MINDY GETTLER, Applicant, to provide an Affidavit of Mailing Notice, pursuant to Section 241-9(E)(3) of the Code, of the application to erect, maintain, alter or improve a dock, pier, float, bulkhead or similar structure at 3 Lincoln Place, Massapequa, New York 11758, known and designated as Section 65, Block 901, Lot(s) 269-273 & 275, on the Nassau County Land and Tax Map; and

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

WHEREAS, Commissioner Maccarone, by said memorandum, stated that Chapter 241 of the Code requires Town Board approval for structures projecting into the Town waterways, which the proposed structure does, and has requested a calendar date of August 9, 2022, for Town Board action, in connection with the aforementioned application; and

WHEREAS, George Baptista, Jr., Deputy Commissioner, Department of Environmental Resources, by memorandum dated June 30, 2022, advised that pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Law, the Town Environmental Quality Review Division ("Division") has reviewed the dock building permit application referenced above, and has reviewed the relevant environmental factors affected by the uses proposed in the subject application; and has determined that said application is deemed to fall under the New York State Environmental Quality Review Act, 6 NYCRR, Part 617, Section 617.5(c)(12), Type II Actions List, relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;" and under Appendix B, Section B(2), of the TEQR Law, relative to "The installation of minor accessory facilities such as lawn sprinkler systems, swimming pool heaters and fire sprinkler systems, provided that such systems comply with all applicable codes and ordinances," and as such does not require completion of an Environmental Impact Statement or other environmental consideration,

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

RESOLVED, That the application of MINDY GETTLER, to erect, maintain, alter or improve a dock, float, pier, bulkhead or similar structure, at 3 Lincoln Place, Massapequa, New York 11758, known and designated as Section 65, Block 901, Lot(s) 269-273 & 275 on the Nassau County Land and Tax Map, is hereby APPROVED.

-#-

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

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

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

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

DATE: JULY 13, 2022

SUBJECT: WATERWAYS REVIEW  
MINDY GETTLER  
3 LINCOLN PLACE  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 901, LOT(S) 269-273 & 275  
DOCK BUILDING PERMIT APPLICATION # 22060491

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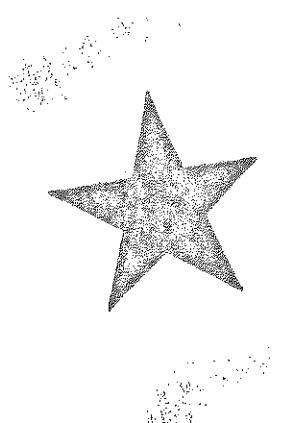
We have received a request from Mindy Gettler to "install a new three-foot-long by four-foot-wide platform off of the existing bulkhead and to install a new 12.75-foot-long by 10-foot-wide elevator lift waterward of the new platform." All work is to be done according to the attached plans stamped "NYSDEC Approved" Permit No. 1-2824-02039/00005 dated April 7, 2022 and the Department of the Army, New York District, Corps of Engineers Nationwide Permit No. NAN-2022-00359-EKO dated June 7, 2022. Chapter 241 of the Code of the Town of Oyster Bay entitled "Waterways" requires Town Board approval for structures projecting into the waterways.

Copies of the following documents are attached: Town of Oyster Bay Mooring, Dock, Pier, Float and Bulkhead Permit Application No. 22060491; New York State Department of Environmental Conservation (NYSDEC) Permit No. 1-2824-02039/00005 dated April 7, 2022; Department of the Army, New York District Corps of Engineers Permit No. NAN-2022-00359-EKO dated June 7, 2022, and a letter of General Concurrence with the Federal Consistency Assessment Form from the New York State Department of State dated April 11, 2022. Also attached is a memo from George Baptista Jr., Deputy Commissioner Department of Environmental Resources dated June 30, 2022, classifying the project as a TYPE II ACTION under SEQRA. Please note that plans for the proposed work can be found attached to the DEC permit.

The relevant documents are attached for your review. Please note the proposed plans can be located in the NYSDEC and the Department of the Army Corps of Engineers Permit approvals.

The proposed work at the subject premises would, in our 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



HONORABLE MEMBERS OF THE TOWN BOARD  
WATERWAYS REVIEW  
MINDY GETTLER  
3 LINCOLN PLACE  
MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 901, LOT(S) 269-273 & 275  
DOCK BUILDING PERMIT APPLICATION # 22060491

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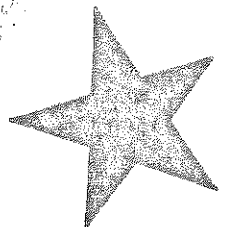
Page 2

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 for the August 9, 2022 Town Board calendar to provide the applicant ample time to comply with this requirement.

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

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







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

22060491

**APPLICATION FOR PERMIT TO BUILD OR INSTALL**

APPLICATION MUST BE TYPEWRITTEN OR PRINTED IN INK LEGIBLY.

Name Street Address Post Office Zip Phone #  
PROPERTY OWNER: Mindy Gettler 3 Lincoln Place Massapequa, NY 11758  
LESSEE  
TENANT:

APPLICANT: Shore Solutions Inc. - Donna Myers 32 Lincoln Ave Massapequa NY 11758 516-816-4163

ARCHITECT: PR Consulting Engineers PC - Paul Barroca 147 Glen St. 2nd Floor Glen Cove NY 516-790-4583

CONTRACTOR: Kevel Marine Contractors 100 Cedar Shore Drive Massapequa, NY 11758 516-541-8819

PLUMBER: NA

ELECTRICIAN:

**ADDRESS OF CONSTRUCTION:**

IF DIFFERENT FROM ABOVE

NO. &amp; STREET

POST OFFICE

ZIP CODE

LOCATION OF PROPERTY (N.E.S.W. SIDE OF Lincoln Place 270' FEET

N.E.S.W. OF Seaford Avenue

OR

N.E.S.W. OF corner of

(STREET)

and

(STREET)

(STREET)

(POST OFFICE)

(POST OFFICE)

CHECK HERE IF REQUESTING A WAIVER OF THE RECENT SURVEY REQUIREMENT (SEE INSTRUCTIONS FOR FURTHER INFO.)

**A. TYPE OF IMPROVEMENT****TYPE OF BUILDING****B. PROPOSED USE**EXISTING PROPOSED ☒EXISTING PROPOSED ☒

1. NEW BUILDING/STRUCTURE
2. ADDITION/EXTENSION
3. ALTERATION (i.e. Garage Conv.)
4. DECK
5. AWNING/ROOF-OVER
6. CELLAR ENTRANCE
7. REISSUE #
8. OTHER

X

1. ONE FAMILY
2. TWO FAMILY
3. PARENT CHILD
4. GARAGE
5. BUSINESS
6. INDUSTRIAL
7. RESTAURANT
8. PUBLIC ASSEMBLY
9. OTHER

X

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

Install 12.75' x 14' elevator lift on two new piles &amp; install a 3' x 4' access platform off the bulkhead.

CHECK HERE IF TREES ARE BEING REMOVED ON THE PROPERTY. IF SO, A TREE PERMIT MUST BE OBTAINED FROM THE DEPARTMENT OF PARKS. PLEASE CALL (516) 797-7956 FOR FURTHER INFORMATION.**HAVE BOTH AFFIDAVITS NOTARIZED**

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

**APPLICANT****OWNER**STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

Donna Myers- Shore Solutions Inc. being duly sworn, deposes and says: That he/she resides at 32 Lincoln Ave in the hamlet of Massapequa in the State of NY and that he/she is authorized by the Owner Mindy Gettler 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: 32 Lincoln Ave. Massapequa NY 11758  
Phone: 516-816-4163

(Sign here)

Sworn to before me this

14

day of June 2022

NOTARY PUBLIC

STATE OF NEW YORK  
COUNTY OF NASSAU

ss:

Mindy Gettler being duly sworn, deposes and says: That he/she resides at 3 Lincoln Place in the hamlet of Massapequa in the State of NY and that he/she is the owner in fee of all that certain lot, piece or parcel of land shown on the attached survey, situated, lying and being within the unincorporated area of the Town of Oyster Bay, that the work proposed to be done upon the said premises, will be done in accordance with the approved application and accompanying plans, and hereby authorizes Donna Myers - Shore Solutions Inc. (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.

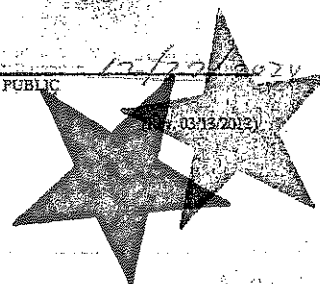
(Sign here)

Sworn to before me this

14

day of June 2022

NOTARY PUBLIC



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

April 7, 2022

Mindy Gettler  
3 Lincoln Place  
Massapequa, NY 11758


Re: Permit #1-2824-02039/00005

Dear Permittee:

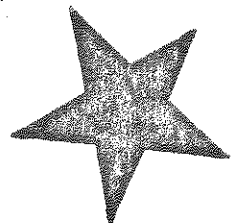
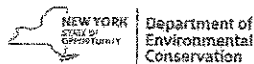
In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit for the referenced activity. Please carefully read all permit conditions contained in the permit to ensure compliance during the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

Also 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 form.

Sincerely,

  
Claire Werner  
Environmental Analyst II

cc: Shore Solutions Inc.  
BMHP  
File





## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

Permit Issued To:  
MINDY GETTLER  
3 LINCOLN PL  
MASSAPEQUA, NY 11758  
[REDACTED]

Facility:  
GETTLER PROPERTY  
3 LINCOLN PLACE (LOTS 269 - 273)  
MASSAPEQUA, NY 11758

Facility Application Contact:  
SHORE SOLUTIONS INC  
32 LINCOLN AVE  
MASSAPEQUA, NY 11758  
(516) 816-4163

Facility Location: in OYSTER BAY in NASSAU COUNTY

Facility Principal Reference Point: NYTM-E: 628.174 NYTM-N: 4502.383  
Latitude: 40°39'44.5" Longitude: 73°29'01.3"

Project Location: 3 Lincoln Place Watercourse: Canal and Seaford Creek

Authorized Activity: Install a 2-pile elevator boat lift and a 3' by 4' access platform at bulkhead. All authorized activities must be in strict conformance with the attached plans stamped NYSDEC approved on 4/6/2022. (CKW)

#### Permit Authorizations

Tidal Wetlands - Under Article 25

Permit ID 1-2824-02039/00005

New Permit

Effective Date: 4/6/2022

Expiration Date: 4/5/2027

#### NYSDEC Approval

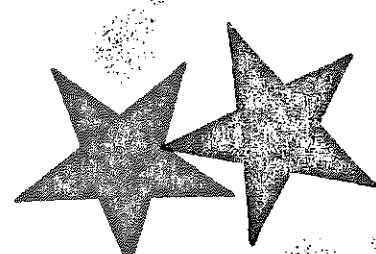
By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

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

Authorized Signature:

*Sherril L. Aicher*

Date 4/6/2022





**Distribution List**

SHORE SOLUTIONS INC  
Bureau of Marine Habitat Protection  
CLAIRE K WERNER

**Permit Components**

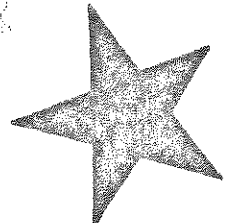
NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following  
Permits: 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. **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.
3. **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 Shore Solutions Inc., dated 3/28/2022, stamped NYSDEC approved on 4/6/2022.
4. **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.
5. **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.
6. **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.
7. **Storage of Equipment, Materials** The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.





**8. No Unauthorized Fill** No fill or backfill is authorized by this permit without further written approval from the department (permit, modification, amendment).

**9. 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.

**10. No Floats** This permit does not authorize the installation of floats.

**11. No Prop Dredging** Prop dredging, or the act of utilizing and/or directing the propeller or propulsion system of a motorized vessel and/or the water-borne forces created by said propeller or propulsion system, to excavate or displace existing bottom sediment and benthic habitat for the direct or indirect purpose of establishing or increasing water depth, is a regulated activity and is not authorized by this permit. Prop dredging is strictly prohibited without further written authorization (permit, modification or amendment) from the department.

**12. 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.

**13. 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.

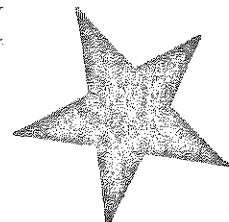
**14. Boat Lifts at Property Lines** Boat lift/davit shall not:

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

**15. 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).

**16. Activities Consistent with Approved Plans** All activities and marsh alterations must be consistent with the approved plan. Activities or alterations beyond the scope of the approved project and/or not explicitly authorized by the permit will require further written approval of the Regional Habitat - TW office prior to commencement.

**17. Contain Exposed, Stockpiled Soils** All disturbed areas where soil will be temporarily exposed or stockpiled for longer than 48 hours shall be contained by a continuous line of staked haybales / silt curtains (or other NYSDEC approved devices) placed on the seaward side between the fill and the wetland or protected buffer area. Tarps are authorized to supplement these approved methods.





**18. 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.

**19. 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.

**20. 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.

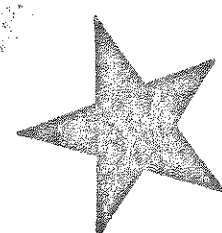
**21. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully 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.

**22. 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.

**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:

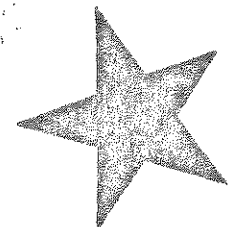
Regional Permit Administrator  
NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook 50 Circle Rd  
Stony Brook, NY 11790 -3409

**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.

**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**

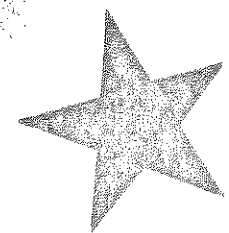
The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject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

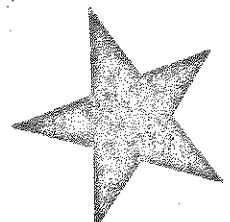
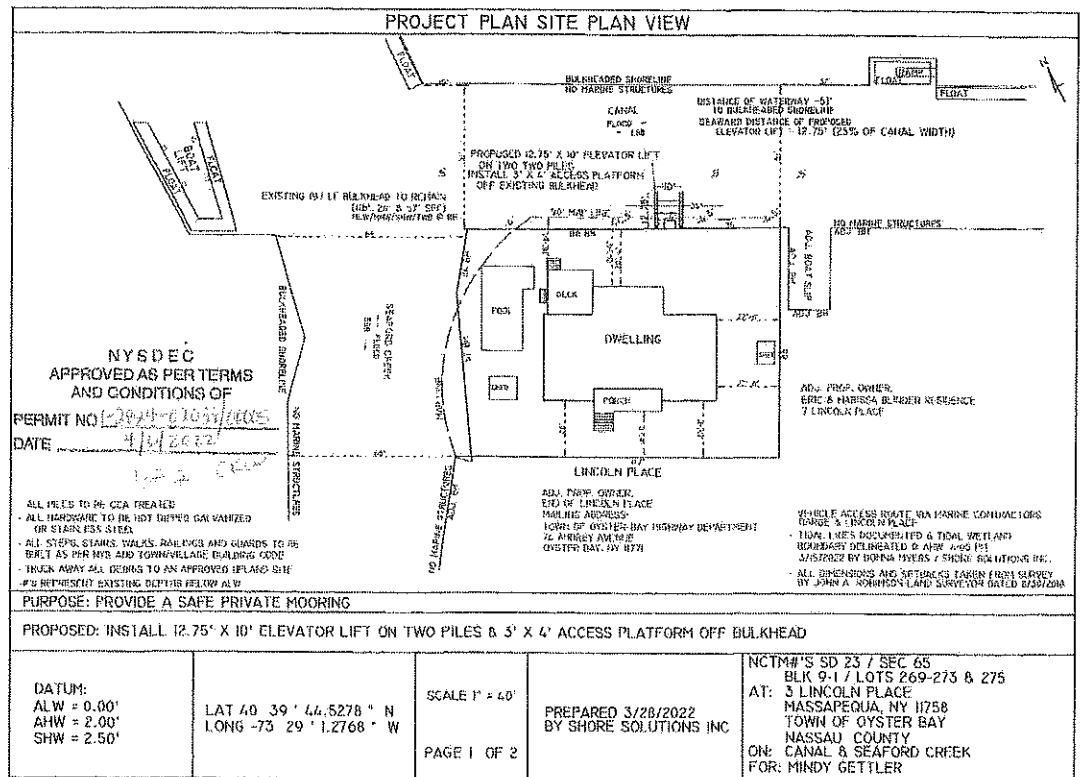
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

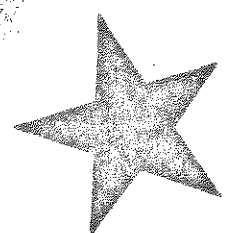
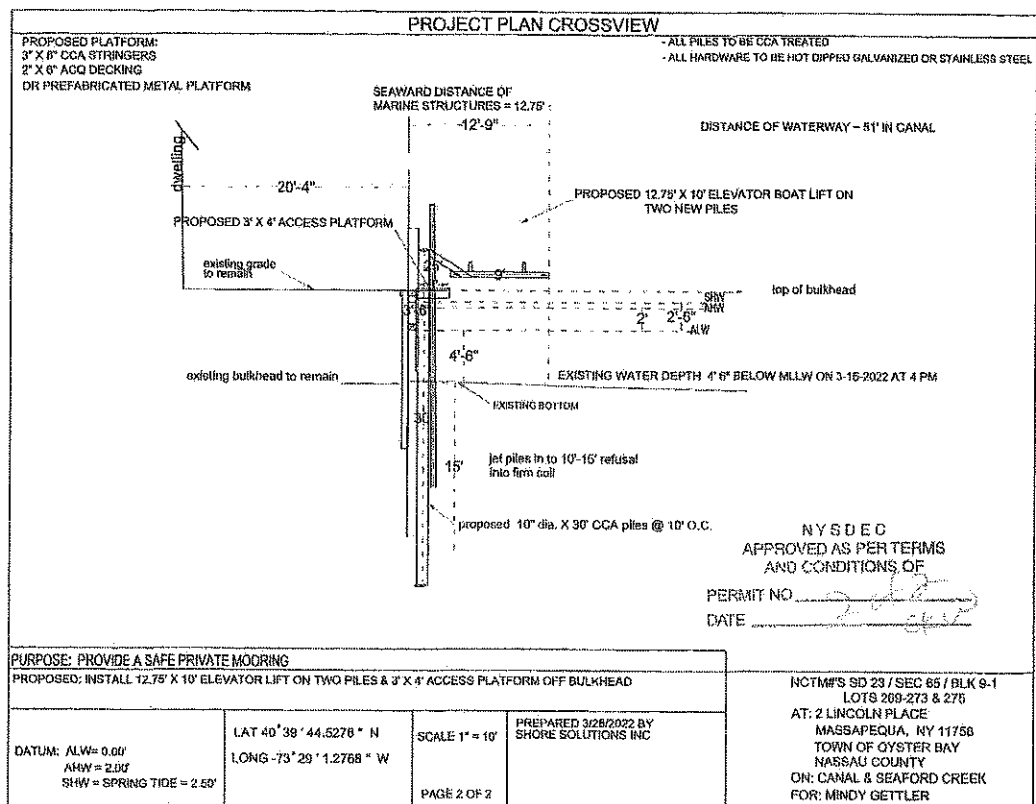
**Item D: No Right to Trespass or Interfere with Riparian Rights**

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 person not a party to the permit.











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

REGULATORY BRANCH

June 7, 2022

SUBJECT: Department of the Army Permit Application File Number NAN-2022-00359-EKO by Mindy Gettler for Structure in an Artificial Canal in an Unnamed Artificial Canal, a tributary of Seaford Creek at Massapequa, Town of Oyster Bay, Nassau County, New York

Mindy Gettler  
3 Lincoln Place  
Massapequa, New York 11758  
[REDACTED]

Dear Mrs. Gettler,

On April 12, 2022, the New York District of the U.S. Army Corps of Engineers received your request for Department of the Army authorization install a new three-foot-long by four-foot-wide platform off of the existing bulkhead and to install a new 12.75-foot-long by 10-foot-wide elevator lift waterward of the new platform. The project is located in an Unnamed artificial canal, a tributary of Seaford Creek at 3 Lincoln Place Massapequa, Town of Oyster Bay, Nassau County, New York.

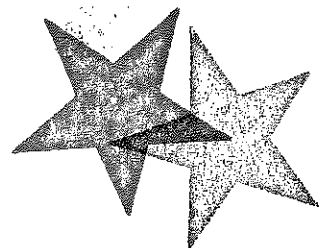
The details are as shown on the attached permit drawings, titled "FOR: MINDY GETTLER" dated March 28, 2022, prepared by Shore Solutions Inc.

The information provided constitutes a complete pre-construction notification for Nationwide General Permit Number 2 as prescribed as a Reissuance of Nationwide Permits in the Federal Register dated December 27, 2021 (86 FR 73522). It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 2 in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

In accordance with General Condition Number 32(a)(2) of the Nationwide Permits, since more than 45 days have passed since our receipt of the complete Nationwide Permit verification request without a response from this office, you may proceed with the proposed activities within In Waters of the United States as described in the above referenced submittals without further authorization from this office. Please be advised that you are responsible for constructing the project as proposed and complying with all the terms and conditions of the Nationwide Permit Program, as well as any applicable New York District regional conditions, and any applicable water quality certifications, and coastal zone concurrence statements that are available at:

<http://www.nan.usace.army.mil/Missions/Regulatory/Nationwide-Permits/>

You are also reminded that a Department of the Army permit may be required for any



June 7, 2022

SUBJECT: Department of the Army Permit Application File Number NAN-2022-00359-EKO by Mindy Gettler for Structure in an Artificial Canal in an Unnamed Artificial Canal, a tributary of Seaford Creek at Massapequa, Town of Oyster Bay, Nassau County, New York

-2-


additional work on this site. If you decide to implement any other projects on this site in the future, please submit a timely and completed application for our review. Impacts to Waters of the United States for this project may be reviewed cumulatively with any future requests or any other applications you may submit for work in Waters of the United States on this site.

Please note that this determination does not eliminate the need to obtain any other Federal, State or local authorization required by law for the proposed work, including any required permit, Coastal Consistency from the Department of State, and/or Water Quality Certification from the New York State Department of Environmental Conservation.

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

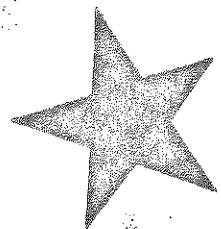
If any questions should arise concerning this matter, please contact Zachary Kocsik at [Zachary.J.Kocsik@usace.army.mil](mailto:Zachary.J.Kocsik@usace.army.mil).

Sincerely,

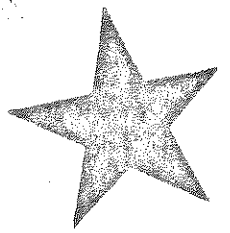
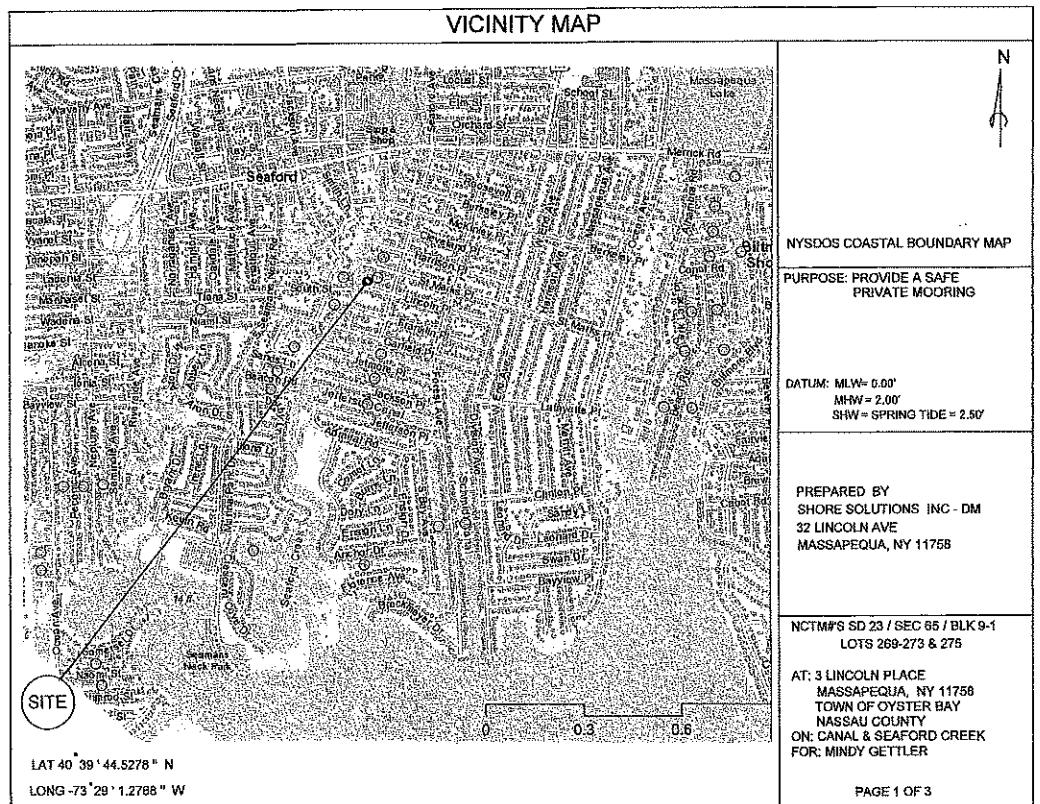
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Rosita Miranda  
Chief, Western Section

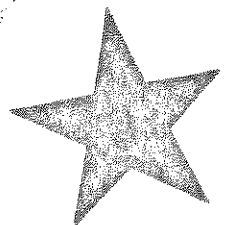
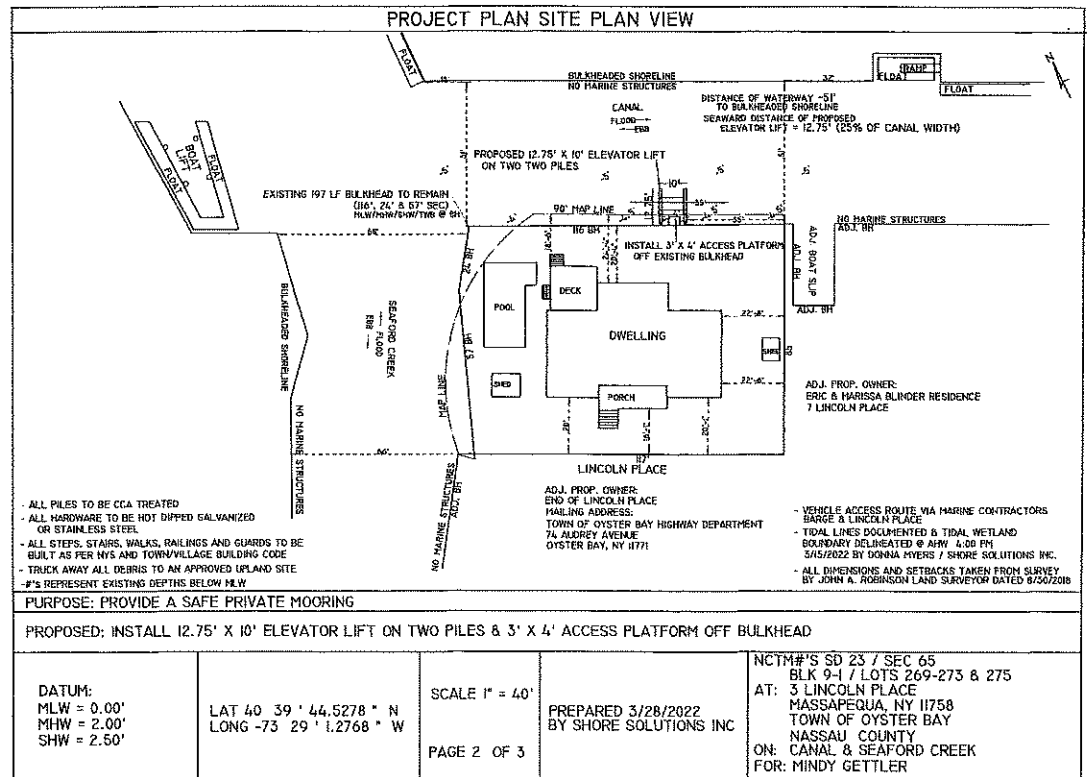
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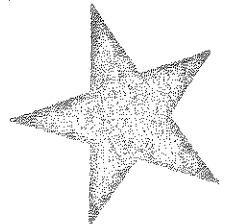
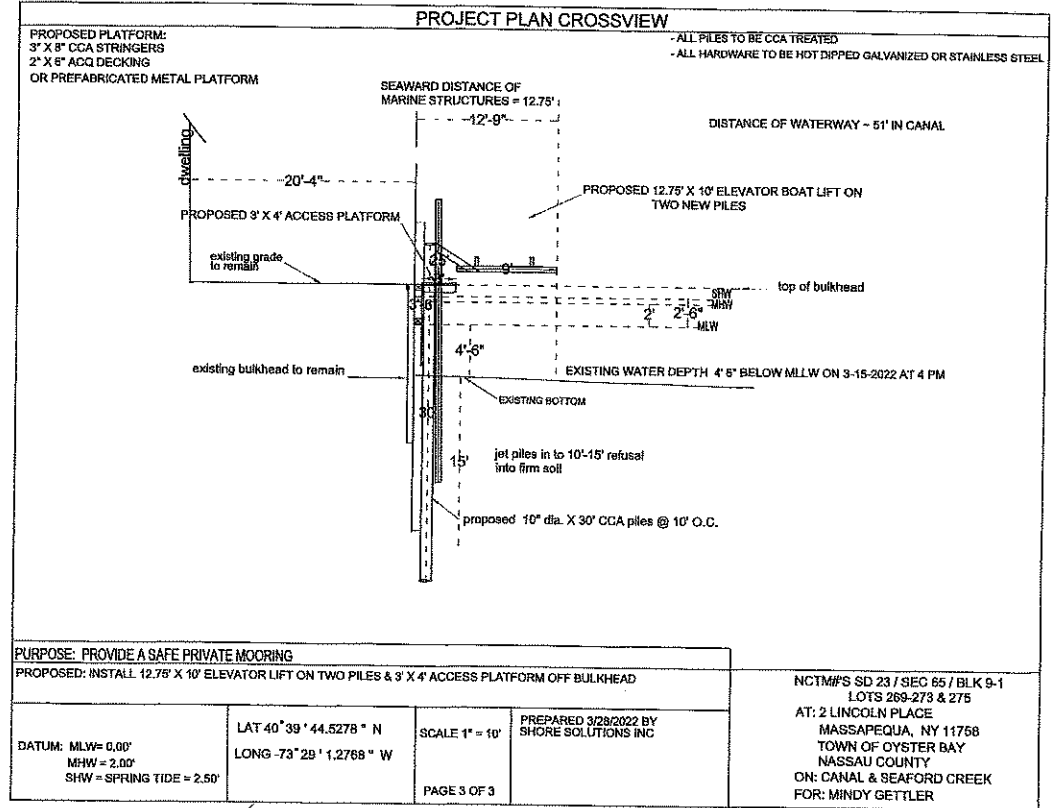
USACE FILE: NAN-2022-00359-EKO



USACE FILE: NAN-2022-00359-EKO



USACE FILE: NAN-2022-00359-EKO



April 11, 2022

Via email: [shoresolutions@aol.com](mailto:shoresolutions@aol.com)

Donna Myers  
Shore Solutions  
32 Lincoln Avenue  
Massapequa, New York 11758

Re: **F-2022-0264**

U.S. Army Corps of Engineers/New York District Permit  
Application – Mindy Gettler  
Install a 12.75' x 10' elevator lift on two piles and with a  
3' x 4' access platform off the bulkhead.  
Canal/Seaford Creek, Town of Oyster Bay, Nassau County  
**General Concurrence**

Dear Donna Myers:

The Department of State received your Federal Consistency Assessment Form and consistency certification and supporting information for this proposal on 4/1/2022.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, further review of the proposed activity by the Department of State, and the Department's concurrence with an individual consistency certification for the proposed activity, are not required.

This General concurrence is without prejudice to and does not obviate the need to obtain all other applicable license, permits, other forms of authorizations or approvals that may be required pursuant to existing New York State statutes. Specifically, it appears that you may require authorization from the New York State Department of Environmental Conservation (DEC). Please contact the DEC region 1 office to determine if their authorization is required.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file #F-2022-0264.

Sincerely,



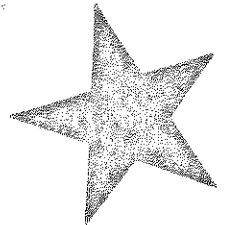
Jennifer L. Street  
Supervisor, Consistency Review Unit  
Office of Planning, Development and  
Community Infrastructure

JLS/dc

ecc: COE/New York District – (via [Arlene.Tirado@usace.army.mil](mailto:Arlene.Tirado@usace.army.mil))  
DEC Region 1 – (via [dec.sm.dep.r1](mailto:dec.sm.dep.r1))



Department  
of State





Planning

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

June 30, 2022

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

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

**SUBJECT:** CLASSIFICATION PURSUANT TO THE STATE ENVIRONMENTAL  
QUALITY REVIEW ACT (SEQR): TYPE II: DOCKS, PIERS & FLOATS PERMIT:  
REVIEW OF WATERWAY APPLICATION NUMBER 22060491;  
MINDY GETTLER

**LOCATION:** 3 LINCOLN PL, MASSAPEQUA, NY 11758  
SECTION 65, BLOCK 901, LOT(S) 269-273 & 275

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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.

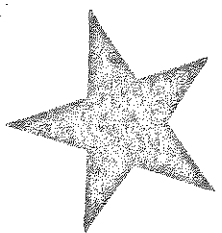
Based on our review, the Department has classified the subject proposed project as a **TYPE II ACTION**, under the SEQR Type II Actions List, at §617.5(c)(12), relative to "construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, 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.

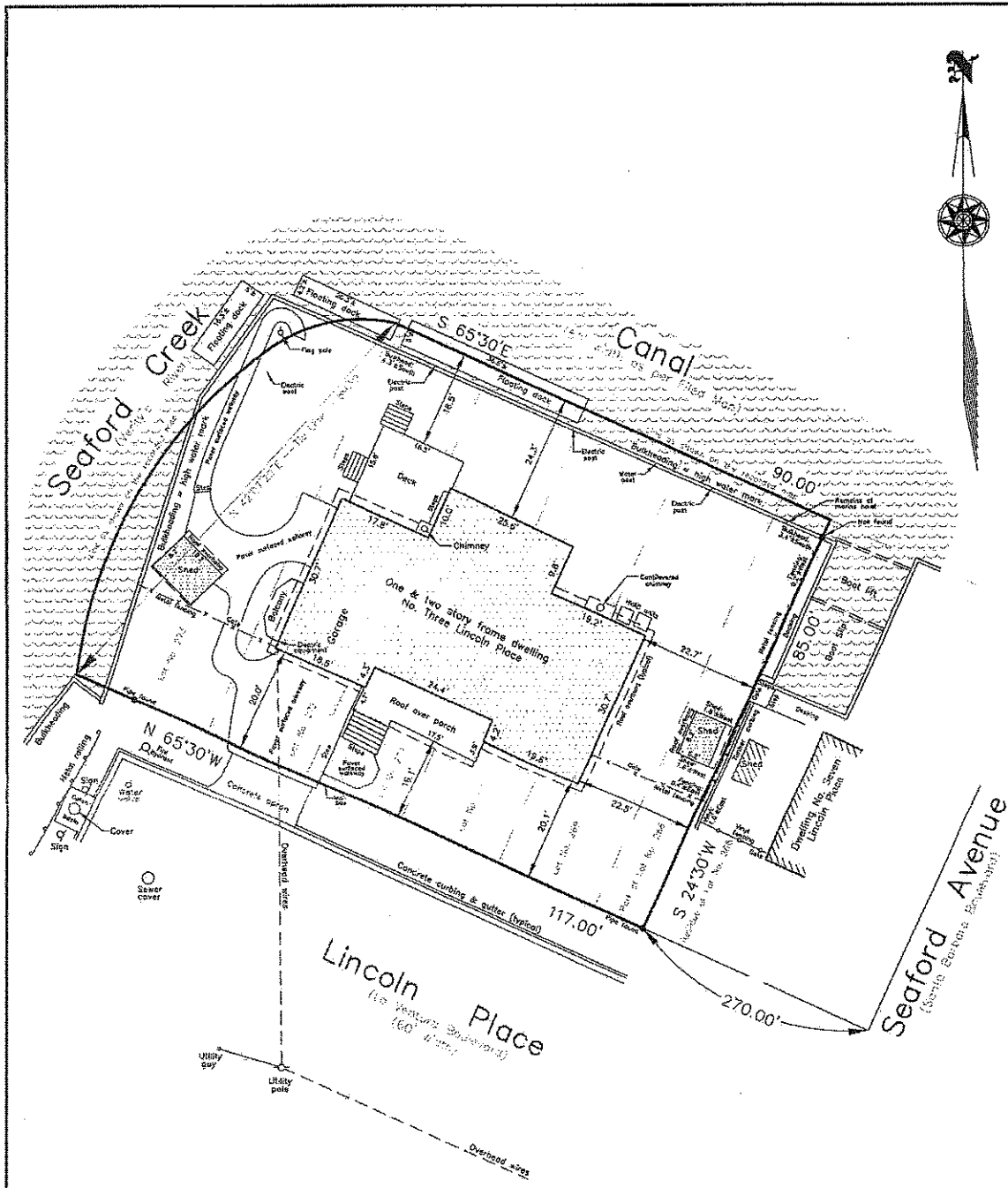
Inasmuch as the proposed action is on SEQR's pre-determined Type II Actions list and the TEQR Law Type II Actions List, as described above, the Department of Environmental Resources has applied the law and finds that the subject application does not require any further review under SEQR/TEQR.

  
GEORGE BAPTISTA, JR.  
DEPUTY COMMISSIONER

Filepath: DER Dept. Files/TEQR/TYPE I/DOCKS/3 Lincoln Pl, Massapequa\_6.30.22



COUNTY OF NASSAU SECTION 65 BLOCK 9-1 LOTS 269,270,271,272,273 & 275



LOTS No. 269,270,271,272,273 & PART OF 268  
BLOCK No. 9 MAP OF REVISED PORTION OF  
SHOREVILLE PARK AMENDING QUEENS LAND & TITLE  
COMPANY, SECTION "B" and SHORES OF SEVILLE  
Case No. 2947 Filed: 9 May 1935  
MASSAPEQUA, TOWN OF OYSTER BAY  
COUNTY OF NASSAU, STATE OF NEW YORK  
SCALE: 1" = 20'

SURVEYED FOR & CERTIFIED TO:

① MINDY GETTLER

CERTIFIED TO:

① THE TOWN OF OYSTER BAY

SURVEYED: 3 JULY 1998

CERTIFICATIONS ADDED ONLY: 12 APRIL 2000

SURVEY BROUGHT TO DATE: 30 AUGUST 2018

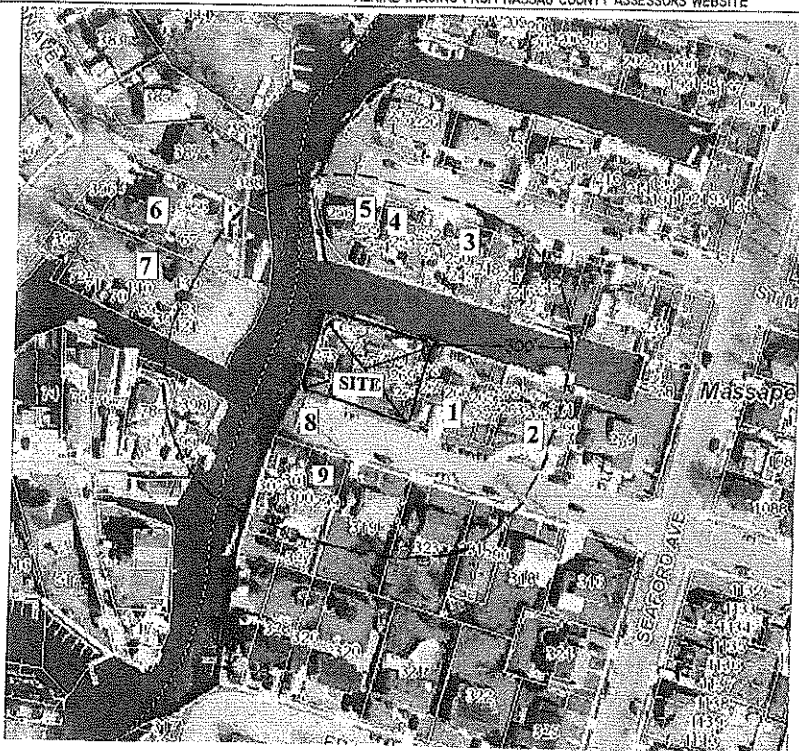
NOTES:

1. PLOT AREA = 8,829± SQUARE FEET OR 0.22± ACRES TO APPROXIMATE
2. LINE AS SHOWN ON THE RECORDED MAP.
3. SUB-SURFACE CONDITIONS ARE NOT SHOWN OR ARE NOT CERTIFIED, IF SHOWN.
4. UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY NOT BEARING THE LAND SURVEYOR'S EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY. CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
5. OFFSETS SHOWN HEREON SHOULD NOT BE USED AS A BASIS FOR CONSTRUCTION OF FENCES OR OTHER PERMANENT STRUCTURES.
6. CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

**John A. Robinson**  
Land Surveyor N.Y.S. License No. 49059  
1003 Park Boulevard  
Massapequa Park, New York 11762  
(516) 798-1290 (Fax) 541-1117  
© - COPYRIGHT - ALL RIGHTS RESERVED

EMBOSSED SEAL  
AND SIGNATURE

300 FOOT MARINE RADIUS MAP  
 SHOWING MLW, MHW AT BULKHEAD & EXISTING MARINE STRUCTURES  
 AERIAL IMAGING FROM NASSAU COUNTY ASSESSORS WEBSITE



PAGE 1 OF 2



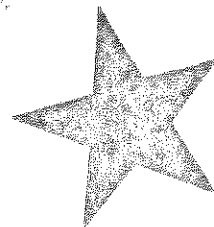
LAT 40 39 44.5278° N  
 LONG -73 29 1.2768° W

DATUM: MLW = 0.00'  
 MHW = 2.00'  
 SHW = SPRING TIDE = 2.50'

PREPARED BY  
 SHORE SOLUTIONS INC  
 32 LINCOLN AVE  
 MASSAPEQUA, NY 11758

NCTM#S SD 23 / SEC 65 / BLK 901  
 LOTS 269-273 & 275

AT: 3 LINCOLN PLACE  
 MASSAPEQUA, NY 11758  
 TOWN OF OYSTER BAY  
 NASSAU COUNTY  
 ON: CANAL & SEAFORD CREEK  
 FOR: MINDY GETTLER



**Radius map for: NCTM# Section 65 / Block 901 / Lot 269-273 & 275**  
Prepared By: Donna Myers / Shore Solutions Inc.  
32 Lincoln Ave Massapequa, NY 11758

**For: Mindy Gettler**  
**3 Lincoln Place**  
**Massapequa, NY 11758**

**Section 65 / Block 901**

**Lots**

|   |                   |                         |                                       |
|---|-------------------|-------------------------|---------------------------------------|
| 1 | 265-267,274 & 277 | Marissa & Eric Blinder  | 7 Lincoln Place Massapequa, NY 11758  |
| 2 | 260-263 & 276     | Robert & Danielle Viola | 11 Lincoln Place Massapequa, NY 11758 |
| 3 | 249-251           | John & Dorian Oddo      | 10 St. Marks Pl. Massapequa, NY 11758 |
| 4 | 252-254           | Gabrielle Larosa        | 4 St. Marks Pl. Massapequa, NY 11758  |
| 5 | 255 & 256         | John A. Brunetti        | 2 St. Marks Pl. Massapequa, NY 11758  |

**Section 65 / Block B**

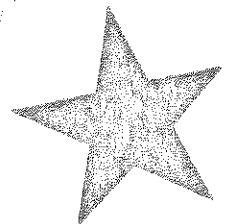
**Lots**

|   |             |                           |                                    |
|---|-------------|---------------------------|------------------------------------|
| 6 | 66,67 & 396 | Josephine & David Torelli | 2391 Jackson Ave Seaford, NY 11783 |
| 7 | 39          | Lawrence J. Elliott       | 2399 Jackson Ave Seaford, NY 11783 |

**Section 65 / Block 10**

**Lots**

|   |               |   |                                      |
|---|---------------|---|--------------------------------------|
| 8 | Road End      | DPW/ Highway Department<br>Town of Oyster Bay | 150 Miller Place Syosset, NY 11791   |
| 9 | 299-302 & 327 | Laybourne Trust                               | 6 Lincoln Place Massapequa, NY 11758 |

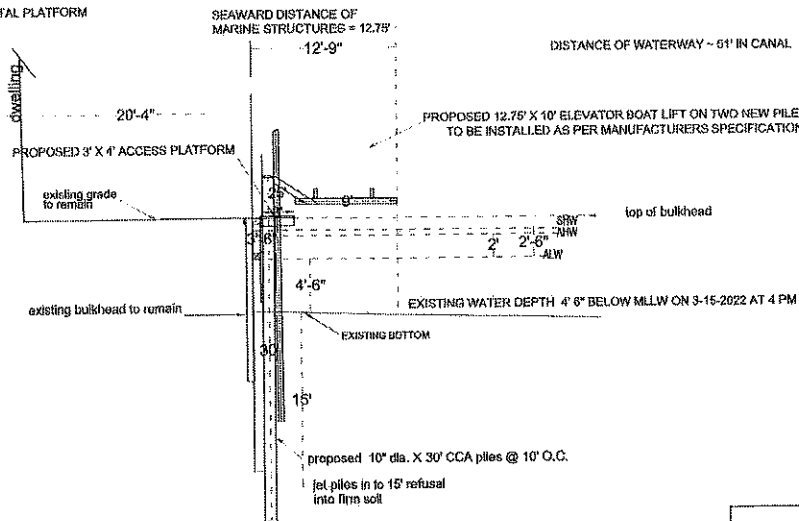


[illegible]

# PROJECT PLAN CROSSVIEW

PROPOSED PLATFORM:  
3" X 8" CCA STRINGERS  
2" X 8" A/CQ DECKING  
OR PREFABRICATED METAL PLATFORM

- ALL PILES TO BE CCA TREATED
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL



PURPOSE: PROVIDE A SAFE PRIVATE MOORING

PROPOSED: INSTALL 12.75' X 10' ELEVATOR LIFT ON TWO NEW PILES & 3' X 4' ACCESS PLATFORM OFF BULKHEAD

DATUM: ALW = 0.00'  
AHW = 2.00'  
SHW = SPRING TIDE = 2.50'

LAT 40° 39' 44.5278" N  
LONG -73° 29' 1.2768" W

PREPARED 3/21/2022 BY  
SHORE SOLUTIONS INC

SCALE 1"=5'

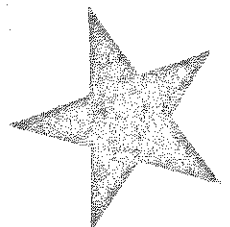
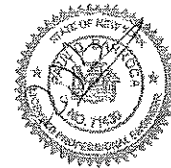
PAGE 2 OF 2

NCTMPS SD 23 / SEC 85 / BLK 8-1  
LOTS 269-273 & 276  
AT: 2 LINCOLN AVENUE  
MASSAPEQUA, NY 11758  
TOWN OF OYSTER BAY  
NASSAU COUNTY  
ON: CANAL & SEAFORD CREEK  
FOR: MINDY GETTLER

PLANS REVIEWED BY  
PAUL D. BARROCA, P.E.  
N.Y. LIC. NO. 71430

P. R. CONSULTING ENGINEERING, P.C.  
ENGINEERING CONSULTANTS  
147 GLEN STREET 2ND FLR., GLEN COVE N.Y. 11542

TELE. 516 - 790 - 4583



## Town of Oyster Bay Inter-Departmental Memo

**TO** : MEMORANDUM DOCKET  
**FROM** : Office of the Town Attorney  
**DATE** : July 15, 2022  
**SUBJECT:** SETTLEMENT OF NEGLIGENCE CLAIM  
Claimant: Preferred Mutual Insurance a/s/o Thomas, Charles W.  
Matter ID No.: 2019-7108

---

Pursuant to Section 68-4 of the Code of the Town of Oyster Bay, the compromise or settlement of claims in excess of \$2,500.00, but not exceeding \$10,000.00, shall be authorized upon approval of the Town Attorney and the Supervisor, and upon notice thereof being duly given to the Town Board.

The above referenced claim arose as a result of an accident that occurred on November 15, 2018. Claimant alleges that its insured's vehicle sustained property damage when it was struck by the Town-owned pickup truck operated by a Town employee who was unable to stop on wet roads at the intersection of New York Avenue and Central Avenue in Massapequa. The Town truck slid through a stop sign and struck the passenger side of the vehicle operated by Preferred Mutual insured Charles Thomas, which was lawfully in the intersection.

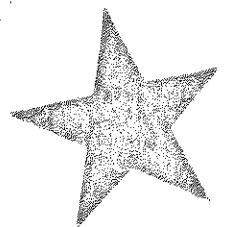
This matter can be settled for \$5,919.06.

Accordingly, attached hereto is the Office of the Town Attorney's recommendation with the approval of the Supervisor's Office, and a copy of a General Release executed by the claimant on November 4, 2021. Funds for settlement are available in Account No. TWN AMS 1910 43010 602 0000 000.

FRANK M. SCALERA  
TOWN ATTORNEY

*Paul S. Ehrlich*  
Paul S. Ehrlich  
Deputy Town Attorney

PSE:mz  
Attachments



# Town of Oyster Bay Inter-Departmental Memo

**PRIVILEGED AND CONFIDENTIAL:  
ATTORNEY-CLIENT COMMUNICATION/ATTORNEY WORK-PRODUCT  
INTERDEPARTMENTAL COMMUNICATION  
NOT SUBJECT TO THE FREEDOM OF INFORMATION LAW.**

2019-07-13 10:13:00  
SUPERVISOR'S OFFICE

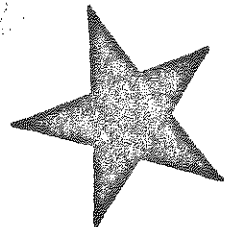
**TO** : Office of the Supervisor  
**FROM** : Office of the Town Attorney  
**DATE** : July 8, 2022  
**SUBJECT:** SETTLEMENT OF NEGLIGENCE CLAIM  
Claimant: Preferred Mutual Insurance a/s/o Thomas, Charles W.  
Matter ID No.: 2019-7108

---

The above referenced claim arose as a result of a two-vehicle accident that occurred on November 15, 2018. Claimant alleges that its insured's vehicle sustained property damage when it was struck by the Town-owned pickup truck operated by a Town employee who was unable to stop on wet roads at the intersection of New York Avenue and Central Avenue in Massapequa. The Town truck slid through a stop sign and struck the passenger side of the vehicle operated by Preferred Mutual ("Preferred") insured Charles Thomas ("Thomas"), which was lawfully in the intersection.

Based upon the facts alleged, which are consistent with the Town's internal accident report, this appears wherein a jury would find full liability against the Town. The carrier has supplied documentation of the resultant damage to the Thomas car and of their payment to Thomas of \$6576.73. Despite full liability, the carrier is willing to discount the matter by 10% (\$657.67) and will accept **\$5,919.06** to settle this matter.

One apparent legal issue should be mentioned herein, and dismissed. Claimant Preferred timely served a Notice of Claim against the Town, but, even with the Covid-19 related tolls enacted by the former Governor, the statute of limitations to commence an action directly against the Town has expired. However, the statute of limitations against the Town driver, which would normally have expired on November 15, 2021, was tolled by the Governor's Executive Orders for another 228 days, and now expires on July 1, 2022. The claimant's Notice of Claim was served only upon the Town but, at the time, only the First Department required a claimant to also serve a Notice of Claim upon a municipal employee as a condition precedent to suit. Preferred, therefore, continues to have a viable action against the driver/town employee and, pursuant to VTL§388, the Town, as owner of the vehicle, is responsible for the actions of its driver, who was operating the vehicle in the course of his employment and, therefore, with the Town's permission.





It is the recommendation of the undersigned that this settlement be accepted and that a payment of \$5919.06 to claimant Preferred be authorized. Kindly indicate your approval or disapproval of the foregoing by signing this memorandum in the appropriate space below, and returning same to this office for further processing.

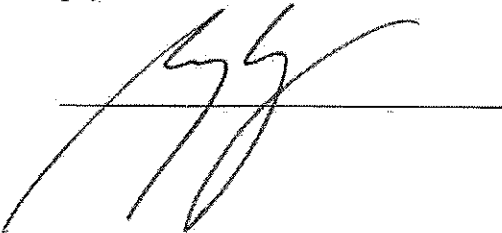
FRANK M. SCALERA  
TOWN ATTORNEY



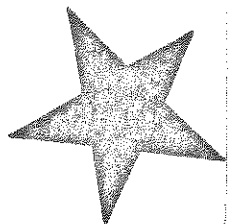
Paul S. Ehrlich  
Deputy Town Attorney

PSE:

SETTLEMENT APPROVED  
and authorization is given for  
payment of same.



SETTLEMENT NOT APPROVED.



## RELEASE

This agreement is between:

**Preferred Mutual Insurance Company** as subrogee of Charles Thomas, as  
**RELEASOR** and [REDACTED]  
[REDACTED] **Oyster Bay Town, as RELEASEES.**

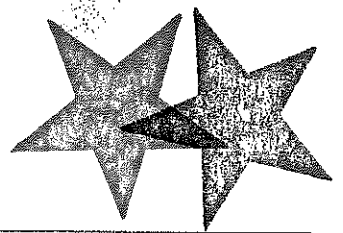
Releasor, for themselves, their insurers, heirs, executors, administrators, successors, employees, representatives, servants, affiliates, adjusters and/or agents, in consideration for and upon receipt of **\$5,919.06** to be paid by or on behalf of Releasees to Releasor immediately and in one installment, releases and forever discharges the Releasees, their insurers, heirs, executors, administrators, successors, employees, representatives, servants, affiliates, adjusters and/or agents, of and from all claims, demands, damages, actions, causes of action, or suits at law or in equity, of whatsoever kind of nature by the parties pertaining to **collision property damage** resulting from the motor vehicle collision, on **November 15, 2018**, of the vehicle of **Charles Thomas** with the vehicle of [REDACTED] and **Oyster Bay Town at Oyster Bay, New York.**

It is understood and agreed that this settlement is the compromise of a disputed claim between the parties and that the payment and/or release made is not to be construed as an admission on the part of the parties.

The undersigned hereby declares and represents that they are authorized to enter into this agreement and that no promise, inducement or agreement not herein expressed has been made, and that this release contains the entire agreement between the parties to this agreement and that the terms of this release are contractual and not a mere recital.

Patricia M Kukulech  
**Preferred Mutual Insurance Company**  
Patricia M Kukulech (Name) Subrogation Specialist (title)

Date: 11/4/2021



Meeting of August 9, 2022

Resolution No 541-2022

WHEREAS, by Resolution No. 801-2021, adopted on December 7, 2021, the Town Board authorized the Town Attorney to utilize the professional services of the law firm of Schiff Hardin, LLP, 1185 Avenue of the Americas, Suite No. 3000, New York, New York 10036, for the calendar year 2022; and

WHEREAS, the firm of Schiff Hardin, LLP, has changed its name, and is now conducting business under the name of Arentfox Schiff, LLP; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, Office of the Town Attorney, by memorandum dated July 13, 2022, request that the Town Board amend Resolution No. 801-2021, to reflect the name change of the firm of Schiff Hardin, LLP, to Arentfox Schiff, LLP, and with all other terms, conditions and provisions of the aforementioned resolution to remain in full force and effect; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby amends Resolution No. 801-2021, adopted on December 7, 2021, so as to reflect the name change of the firm of Schiff Hardin, LLP, to Arentfox Schiff, LLP; and be it further

RESOLVED, That all other terms conditions and provisions of Resolution No. 801-2021 shall remain in full force and effect.

-#-

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

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

4/21  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

541

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

**TO:** MEMORANDUM DOCKET  
**FROM:** OFFICE OF THE TOWN ATTORNEY  
**DATE:** July 13, 2022  
**SUBJECT:** Request To Amend Resolution No. 801-2021

---


On December 7, 2021, the Town Board adopted Resolution No. 801-2021. Said resolution authorized the Office of the Town Attorney to utilize the professional services of several law firms listed therein, in 2022. One of the law firms listed was the firm of Schiff Hardin LLP, with local offices located at 1185 Avenue of the Americas, Suite No. 3000, New York, New York 10036. The firm's services were obtained through Resolution Nos. 334-2018 and 575-2021, adopted on May 8, 2018, and October 5, 2021, respectively.

Recently, the Town has been informed that the firm of Schiff Harden LLP, has changed its name. The firm is now conducting business under the name of Arentfox Schiff, LLP. Consequently, the resolution which authorized the firm to perform services on behalf of the Town must be amended to reflect the firm's name change.

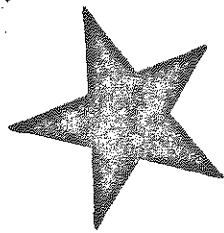
The Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been satisfied.

In light of the foregoing, the Office of the Town attorney requests that the Town Board amend Resolution No. 801-2021, to reflect the name change of the firm Schiff Hardin LLP, to Arentfox Schiff, LLP. All other terms, conditions and provisions of the aforementioned resolution shall remain in full force and effect.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:ba  
Attachment  
2019-7436



1/1/21  
Reviewed By  
Office of Town Attorney  
Robert P. Healey

WHEREAS, by Resolution No. 801-2021, adopted on December 7, 2021, the Town Board authorized the Town Attorney to utilize the professional services of the law firm of Schiff Hardin, LLP, 1185 Avenue of the Americas, Suite No. 3000, New York, New York 10036, for the calendar year 2022; and

WHEREAS, the firm of Schiff Hardin, LLP, has changed its name, and is now conducting business under the name of Arentfox Schiff, LLP; and

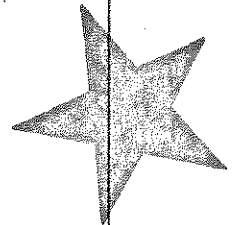
WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, Office of the Town Attorney, by memorandum dated July 13, 2022, request that the Town Board amend Resolution No. 801-2021, to reflect the name change of the firm of Schiff Hardin, LLP, to Arentfox Schiff, LLP, and with all other terms, conditions and provisions of the aforementioned resolution to remain in full force and effect; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby amends Resolution No. 801-2021, adopted on December 7, 2021, so as to reflect the name change of the firm of Schiff Hardin, LLP, to Arentfox Schiff, LLP; and be it further

RESOLVED, That all other terms conditions and provisions of Resolution No. 801-2021 shall remain in full force and effect.

-#-



WHEREAS, pursuant to Resolution No. 627A-2021, adopted on October 26, 2021, the Town Board authorized and allocated funds in the 2022 Budget for the purpose of payment to outside counsel to the Office of the Town Attorney; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated December 2, 2021, requested Town Board authorization to utilize the professional services of the following law firms in 2022, up to an amount not to exceed \$1,600,000, as approved in the 2022 Budget, with funds to be drawn from Account No. OTA A 1420 44110 000 0000:

| <u>Law Firm</u>                             | <u>Procuring Resolution</u>     |
|---|---------------------------------|
| Bee Ready Fishbein Hatter and Donovan, LLP  | 515-2017, 520-2018 and 736-2020 |
| Berkman Hensch Peterson Peddy & Fenchel, PC | 297-2017 and 341-2019           |
| Devitt Spellman Barrett LLP                 | 520-2018                        |
| Jackson Lewis, PC                           | 54-2018, 55-2018, and 557-2018  |
| Kendric Law Group PC                        | 447-2018                        |
| Kushnick Pallaci PLLC                       | 254-2017                        |
| Margolin Besunder LLP                       | 569-2018                        |
| Milber Makris Plousadis & Seiden, LLP       | 708-2016                        |
| Miranda Sambursky, et al.                   | 423-2018                        |
| Quinn Emanuel Urquhart & Sullivan, LLP      | 517-2015                        |
| Rosenberg, Calica & Birney, LLP             | 432-2020                        |
| Schiff Hardin LLP                           | 334-2018 and 575-2021           |
| Sokoloff Stern, LLP                         | 735-2019                        |
| Theodore Firetog, Esq.                      | 47-2018 and 363-2019; and       |

WHEREAS, the Inspector General has reviewed the firms' respective disclosure questionnaires, and has approved same,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Town Attorney is authorized to utilize the professional services of the law firms herein listed in 2022, up to an amount not to exceed \$1,600,000, and be it further

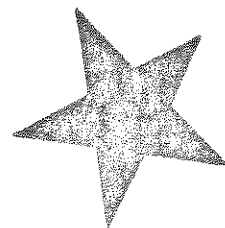
RESOLVED, That the Town Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly certified claim, after approval by the Town Attorney, and after audit, with funds available in Account No. OTA A 1420 44110 000 0000.

-#-

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

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

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*



WHEREAS, by Resolution No. 334-2018, adopted on May 8, 2018, the Town Board authorized the retention of the law firm of Schiff Hardin, LLP, for the purpose of representing the Town's interests in the matter of *Town of Oyster Bay v. Northrop Grumman Corporation, et. al.*, 2:05-CV-01945; and

WHEREAS, by Resolution No. 752-2020, adopted on December 8, 2020, the Town Board authorized, for the calendar year 2021, the services of the various law firms, including Schiff Hardin, be utilized; and

WHEREAS, two civil actions were commenced entitled *South Farmingdale Water District v. Dow Chemical et al.*, Civil Action No: 2:19-CV-01404 and *New York American Water Company v. Dow Chemical et al.* Civil Action No: 2:19-CV-02150 in which the Town is a third-party defendant in each action; and

WHEREAS, the two recently commenced actions have similar factual and legal issues to those presented in the matter for which Schiff Hardin was previously retained pursuant to the aforementioned Resolution No. 334-2018; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated September 17, 2021, requested Town Board authorization to retain Schiff Hardin to defend the Town in the two aforementioned civil actions, in an amount not to exceed \$15,000.00, with funds available for payment in Account No. OTA A 1420 44110 000 0000,

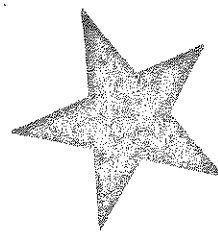
NOW, THEREFORE BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Office of the Town Attorney is hereby authorized to retain Schiff Hardin, LLP, 1185 Avenue of the Americas, Suite 3000, New York, New York 10036, for the purpose of providing legal services, defending the Town in two civil actions entitled *South Farmingdale Water District v. Dow Chemical et al.* 2:19-CV-01404 and *New York American Water Company v. Dow Chemical et al.* 2:19-CV-02150, in an amount not to exceed \$15,000.00; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$15,000.00, for legal services rendered, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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



WHEREAS, The Town Board previously adopted Resolution No. 595-2002, retaining the law firm of Rivkin Radler, LLP, as special counsel for the Town of Oyster Bay, to provide legal services with respect to various environmental law issues involving the Bethpage Community Park, including the handling of the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.* Rivkin Radler, LLP has since notified the Town that it will be withdrawing as counsel for the Town; and

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated April 27, 2018, have advised that pursuant to the Town's Procurement Policy, law firms were solicited by Requests for Proposals (RFP's) to assist the Office of the Town Attorney with respect to the civil action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*, 2:05-CV-01945, commenced in the United States District Court for the Eastern District of New York; and

WHEREAS, despite the Town Board, on February 27, 2018, adopting Resolution No. 123-2018 authorizing the retention of Young Sommer, LLC as counsel in the *Northrop* litigation, an appropriate retention agreement could not be reached;

WHEREAS, after a review of the qualifications, experience, and references of the law firms responding to the RFPs, the Office of the Town Attorney recommends that Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 be retained to assist the Office of the Town Attorney with said litigation at a rate of \$480.00 per hour, for Senior Partners, and Partners and Senior Of-Counsel shall bill the Town at a rate ranging from \$595.00 to \$690.00 per hour,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth herein is hereby accepted and approved and that Schiff Hardin, LLP, 666 Fifth Avenue, Suite 1700, New York, NY 10103 is hereby authorized to provide legal services for the Town in connection with the action entitled *Town of Oyster Bay v. Northrop Grumman Corporation, et al.*; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in an amount not to exceed \$40,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

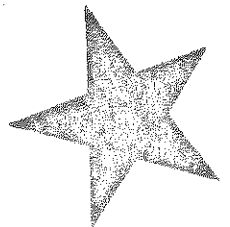
-#-

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

|                       |        |
|-----------------------|--------|
| Supervisor Saladino   | Aye    |
| Councilman Muscarella | Aye    |
| Councilman Macagnone  | Absent |
| Councilwoman Alesia   | Aye    |
| Councilwoman Johnson  | Aye    |
| Councilman Imbroto    | Aye    |
| Councilman Hand       | Aye    |

cc: Supervisor  
Town Attorney  
Comptroller

Reviewed By  
Office of Town Attorney





Meeting of August 9, 2022

Resolution No 542-2022

WHEREAS, pursuant to Resolution No. 247-2019, adopted on April 16, 2019, the Town Board authorized L.K. McLean Associates, P.C., 437 South Country Road, Brookhaven, New York 11719, to provide the Town of Oyster Bay with engineering services in connection with Contract No. H19-196, Highway Improvements to the Hicks Avenue Area, Syosset; and

WHEREAS, Gilbert Anderson, P.E. Senior Project Director, L.K. McLean Associates, P.C., by letter dated July 12, 2022, described the scope of work to be performed under Contract No. PWC19-196 PH3, consisting of approximately 762 hours of design development, and the preparation of detailed construction plans and contract documents for Phase 3 of the Hicks Avenue Area Highway Improvements Project; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated July 15, 2022, requested Town Board authorization for L.K. McLean Associates, P.C., to perform the aforesaid engineering services under Contract No. H19-196 PH3, and further requested that the Town Comptroller be directed to issue an encumbrance order, in an amount not to exceed \$99,439.74, for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$99,439.74, to satisfy said engineering costs, are available in Account No. HWY H 5197 20000 000 2003 008, Project ID No. 2003HWYDB-2; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised, that the Office of the Inspector General has reviewed the proposed vendor's questionnaire, and has been 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 approved, and that L.K. McLean Associates, P.C., is hereby authorized to perform the aforesaid engineering services under Contract No. H19-196 PH3 for an amount not to exceed \$99,439.74; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of \$99,439.74, in connection with the abovementioned project; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. HWY H 5197 20000 000 2003 008, Project ID No. 2003 HWYDB-02; and be it further

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

-#-

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

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

Reviewed By  
Office of Town Attorney  
*[Signature]*

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

June 13, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF ENGINEERING SERVICES  
HIGHWAY IMPROVEMENTS TO THE HICKS AVENUE AREA, SYOSSET  
CONTRACT NO. H19-196PH3  
ACCOUNT NO. HWY H 5197 20000 000 2003 008  
PROJECT I.D. 2003HWYDB-02

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The Department of Public Works had previously procured L.K. McLean Associates, P.C. through a Request for Proposals process to perform preliminary engineering services relative to Highway Improvements to the Hicks Avenue Area, Syosset by Resolution 247-2019, dated April 16, 2019. The preliminary design report identified the need to complete the necessary construction work over several phases. Design and Construction Phase Services for Phase 2 have been previously authorized. At this time, the Division of Engineering wishes to proceed with the design of the Phase 3 Improvements.

The Department of Public Works has negotiated a fee of \$99,439.74 to proceed with the work, as outlined in the attached letter from L.K. McLean Associates, P.C., dated July 12, 2022. The firm of L.K. McLean Associates, P.C. has previously executed a Standard Consultant Agreement with the Department of Public Works under which services are to be provided, which is on file in the Division of Engineering.

Funds are available to satisfy these engineering services in Account No. HWY H 5197 20000 000 2003 008 2003HWYDB-02.

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

It is hereby requested the Town Board authorize, by resolution, L.K. McLean Associates, P.C., to perform the design phase relative to Contract H19-196 Phase 3, and the office of the Comptroller hereby encumber said funds.

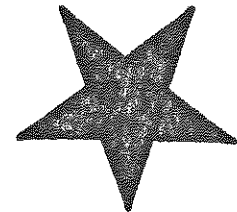
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/SC

Attachments

cc: Steven C. Ballas, Comptroller  
John Bishop, Deputy Commissioner/HWY

H19-196 DOCKET – LKML\_PHASE 3 DESIGN FEE





*L. K. McLean Associates, P.C.*

❖ 437 South Country Road • Brookhaven • New York • 11719  
❖ 25 Newbridge Road • Suite 212 • Hicksville • New York • 11801

(631) 286-8668 • FAX (631) 286-6314  
<https://www.lkma.com>

RAYMOND G. DIBIASE, P.E., PTOE, PTP, PRESIDENT and CEO  
ROBERT A. STEELE, P.E., EXECUTIVE VICE PRESIDENT  
JAMES L. DeKONING, P.E., VICE PRESIDENT

Associates

CHRISTOPHER F. DWYER  
STEVEN W. EISENBERG, P.E.  
ANDREW B. SPEISER  
MATTHEW C. JEDLIKA, LEED AP  
KEITH J. MASSERIA, P.E.  
VINCENT A. CORRADO, P.E.  
TAMARA L. STILLMAN, P.L.S.

July 12, 2022

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

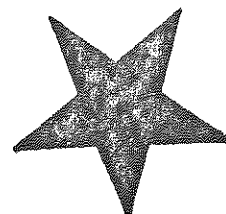
Attn.: Sunita Chakraborti, Project Manager

Re: **Professional Engineering Services for Design and Preparation of Construction Documents for Phase 3 of the Hicks Avenue Area Highway Improvements Project, Syosset, New York, TOB Contract No. H19-196PH3, LKMA Project No. 19067**

Madam:

Please allow this to serve as a proposal for Professional Engineering Design Services in conjunction with the referenced project. Specifically, LKMA's services will include Design Development of Construction Plans and Contract Documents for Phase III of the Hicks Avenue Area Highway Improvements Project.

The overall objective of this project is to provide the residents of the Hicks Avenue area in Syosset with reconstructed roads (approximately 4.5 miles in total length), concrete curbs, driveway aprons, sidewalk intersection access ramps and upgraded drainage facilities, where needed. Attached is the sketch showing the overall project as well as the proposed phasing.





*L. K. McLean Associates, P.C.*

Phase III of the project will include the following roads:

Kathleen Drive North  
Marta Lane  
Kathleen Drive West  
Loretta Drive  
Patricia Lane  
Roberta Lane  
Evelyn Lane  
Kathleen Drive East


Under the initial phase of work, topographic survey of the entire area was completed in 2019. Additionally, the Technical Design Report (TDR) was also completed, identifying the most cost effective pavement treatment; proposed road section to be provided; as well as needed drainage system upgrades. Under the TDR, as part of the Condition Assessment and Evaluation, the sidewalks and accessibility ramps throughout the project area were evaluated for conformance with the Americans with Disabilities Act (ADA) as well as the Proposed Guidelines for Pedestrian Facilities within Public Right-Of-Way (PROWAG).

Based on the above scope, we estimate that approximately 726 man-hours of engineering design services will be required to develop and prepare Detailed Construction Plans, Specifications and Contract Documents for Phase III of roadway reconstruction for this project. Because of the time that has passed since the initial topographic survey was complete, we are also proposing minimal additional survey hours to obtain any relevant data on items within the work area that have changed.

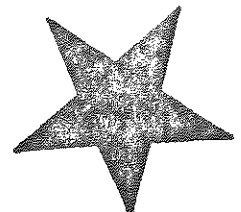
Therefore, we respectfully request authorization to proceed with Engineering Design Services for Phase III of the Hicks Avenue Area Reconstruction Project in the amount of \$99,439.74. Once authorization to proceed is received, we will begin work immediately.

Thank you again for this opportunity and we look forward to our continued working with the Town of Oyster Bay Department of Public Works on this important project. Please contact the undersigned if you have any questions or comments on these matters at (631) 286-8668, ext. 268.

Very Truly Yours,

  
Gilbert Anderson, P.E.,  
Senior Project Director

- c. John C. Tassone, Deputy Commissioner, TOBDPW  
Raymond DiBiase, PE, President/CEO, LKMA  
Robert Steele, PE, Executive Vice President, LKMA



= PHASE I

= PHASE II

= PHASE III

AREA: 18  
MAP: 2  
Sections: 12  
Map Miles: 8.92  
Tax Sec: 15



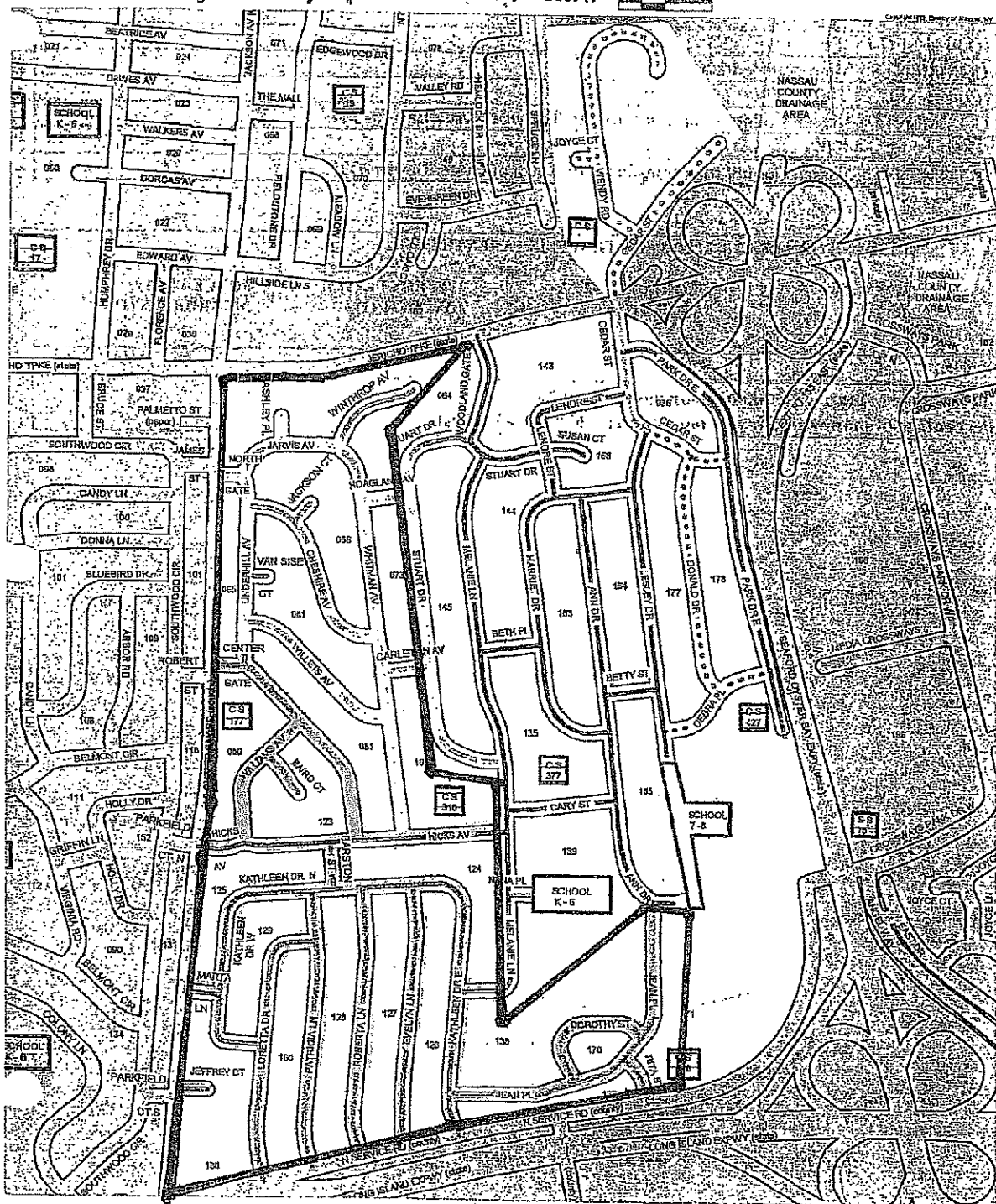
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Sect 5



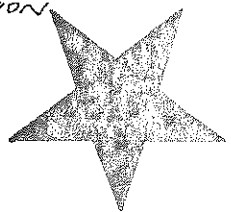
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Sect 9  
Sect 10  
Sect 11



Sect 12  
Sect 13  
Sect 14  
Sect 15  
Sect 16  
Sect 17



HICKS AVENUE RECONSTRUCTION  
PHASING PLAN  
N.T.S.  
JULY 2020



Meeting of April 16, 2019

Resolution No. 247-2019

Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works/Highways, by memorandum dated April 1, 2019, advised that a request for proposals (RFP) was issued to seven (7) firms and notice of the RFP was placed on the Town of Oyster Bay website, to procure engineering services relative to road improvements to the Hicks Avenue Area, Syosset, Contract No. H19-196, and the Division of Engineering received nine (9) responses; and

WHEREAS, following a review and evaluation of said nine (9) responses by a selection committee, based on the technical merits of said responses, and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz by said memorandum, requested and recommended that the Town Board authorize L.K. McLean Associates, P.C., 437 South Country Road, Brookhaven, New York 11719, to first complete a preliminary design report for the project area for which it will perform surveying, site investigation, preliminary design, project phasing, and cost estimating, for a total fee of \$162,341.52, with performance of the final Design, Bid and Construction phases at costs to be negotiated and approved by the Town Board by future Board action; and

WHEREAS, Gilbert A. Anderson, P.E., Senior Project Director, L.K. McLean Associates, P.C., by letter dated March 22, 2019, requested the use of Universal Testing and Inspection Services, Inc., as sub-consultant, for geotechnical investigation services; and

WHEREAS, the requested services to be provided by L.K. McLean Associates, P.C., including the use of the above sub-consultant, are to be for a total amount not to exceed \$162,341.52, with funds for said payment available from Account No. HWY H5197 20000 000 1903 008,

RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and that L.K. McLean Associates, P.C., Inc., is hereby authorized to provide the above-referenced engineering services relative to road improvements to the Hicks Avenue Area, Syosset, Contract No. H19-196, and to use Universal Testing and Inspection Services, Inc., as a sub-consultant for geotechnical investigation services, in a total amount not to exceed \$162,341.52, and the Supervisor or his designee is authorized to execute an agreement for same, and be it further

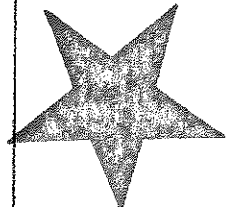
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. HWY H5197 20000 000 1903 008.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works



Meeting of August 9, 2022

Resolution No 543-2022

*Not*  
Reviewed By  
Office of Town Attorney  
*Ralph P. Decker*

WHEREAS, by Resolution No. 239-2022, adopted on March 29, 2022, the Town Board granted Roadwork Ahead, Inc., 180 Linden Avenue Westbury, New York 11590, an extension of time from October 1, 2021 to July 22, 2022, to complete Contract No. H18-171-P1, Massapequa Flood Diversion and Control Project #1 Outfalls # 127 & 67 (Harbor Place/Cabot Road West), due to un expected lead time as a result of the COVID-19 pandemic, material delays, unexpected lead time for check valves and utility conflicts, which lead to delays from public utilities (i.e. National Grid, Massapequa Water District, New York American Water Corporation and the Nassau County Sewer District); and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated July 15, 2022, and Russell Scott, P.E. Partner, N&P Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated July 5, 2022, advised that it is necessary and essential to further extend the date by which Roadwork Ahead, Inc. shall complete Contract No. H18-171-P1, from July 22, 2022, to October 1, 2022, due to unexpected lead time for the fabrication of "Vortech Boxes", (special pre-cast drainage devices), and unexpected lead time for the fabrication of drainage structures, and "CO leaching galleys", and recommended such extension of time, for Roadwork Ahead, Inc. to complete said Contract, at no additional construction cost to the Town; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and in connection with Contract No. H18-171-P1, Roadwork Ahead, Inc., is hereby granted an extension of time to October 1, 2022, in which to complete Contract No. H18-171-P1, at no additional construction cost to 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   | Absent |

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

July 15, 2022

TO : MEMORANDUM DOCKET

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

SUBJECT : EXTENSION OF TIME  
MASSAPEQUA FLOOD DIVERSION & CONTROL PROJECT #1  
OUTFALLS 126 & 67 (HARBOR PLACE/CABOT ROAD WEST)  
CONTRACT NO. H18-171-P1

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Attached is a copy of a letter dated June 24, 2022, from Roadwork Ahead, Inc. requesting an extension of time for this project at no additional construction cost to the Town of Oyster Bay.


The completion date was July 22, 2022, but work was delayed due to:

1. Unexpected lead time for fabrication of Vortech structure.
2. Unexpected lead time for fabrication of drainage structures and leaching galleys.

In addition, attached is a letter from Nelson & Pope Engineering, Architecture and Land Surveying, PLLC dated July 5, 2022 recommending an extension of time for 71 calendar days beyond the current completion date of July 22, 2022. The new completion date will be October 1, 2022.

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

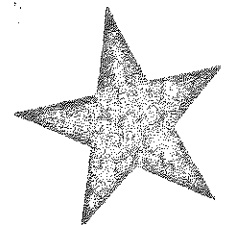
We, therefore, recommend and request that the contractor, Roadwork Ahead, Inc., be granted the above-indicated extension of time.

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

RWL/JCT/MR/DM/ik

**Attachments**

C: Steven Ballas, Comptroller  
Ralph Raymond, Commissioner/General Services  
H18-171-P1 RWA Extension of Time to Oct 2022







## Roadwork Ahead, Inc.

180 Linden Avenue, Westbury, NY 11590  
Phone: 516-280-8745 - 516-997-0505  
Fax: 516-240-6978

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June 24, 2022

Re: Nelson & Pope  
Massapequa Flood Diversion and Control Project # 1  
Outfalls 126 & 67 (Harbor Place/ Cabot Road West)  
Contract No. H18-171-P1

ATTN: Joe Deluca

Dear Mr. Deluca:

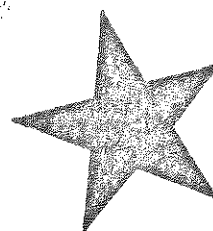
The notice to proceed date for the above referenced project was March 4, 2021. The Project had a total contract period of 240 consecutive calendar days, and the original completion date was scheduled for October 30, 2021. After re-evaluating the project completion time, we will need to change our completion date to October 1, 2022. Please see delays below, this will not have additional cost to the contract.

- Unexpected Lead time for Vortech Box
- Unexpected delay on for drainage structures and leaching galley.

Thank you for your attention to this matter. Please do not hesitate to get into contact with us with further questions. Please contact our office at (516)997-0505

Regards,

Roadwork Ahead





July 5, 2022

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

Attention: Dan Midgette

Re: Massapequa Flood Diversion and Control / Project No. 1  
Harbor / Cabot  
No Cost Time Extension Review  
Contract No. H18-171-P1  
Nelson & Pope No. 18178

Dear Mr. Midgette:

Nelson + Pope has reviewed a new request from Roadwork Ahead Inc. with reference to the request for contract extension at no additional cost from the original contract end date.

Notice to Proceed: 3/4/2021  
Contract Duration: 240 Days  
Original End Date: 10/30/2021  
Add'l Extension: 71 Days

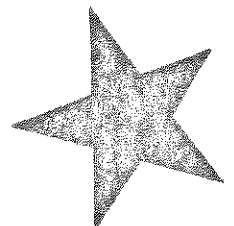
Discontinuance: 3/24/2021  
Remobilization: 9/14/2021  
Adjusted Ext Date: 7/22/2022  
Add'l Extension End Date: 10/01/2022

***New Contract Extension Request: October 1, 2022 (Add'l 71 Days)***

The extension request is made for an additional 71 days, extending the contract from the previously Adjusted Extension Date of July 22, 2022 to on or about October 1, 2022. This extension is anticipated to provide adequate time to substantially complete all construction related field work to fulfil the contract scope and any current change orders. Nelson & Pope has reviewed the letter and agrees with the requests based on the outlined reasons for delays, mostly pertaining precast to fabrication delays. See additional:

- Unexpected lead time for Vortech Box – Special Precast Drainage Structures;
- Unexpected delay on drainage structures and CO leaching galleys.

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



Based on the information provided and our review, it is N+P's recommendation to approve the request for extension.

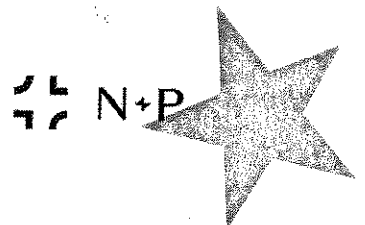
If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Respectfully submitted,  
**NELSON & POPE**



Russell Scott, P.E.  
Partner



Meeting of March 29, 2022

Resolution No 239-2022

Reviewed By  
Office of Town Attorney

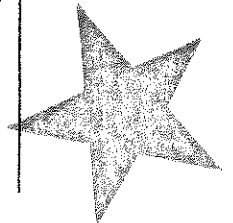
WHEREAS, Richard W. Lenz, P.C., Commissioner, Department of Public Works Highways, by memorandum dated March 14, 2022, and Russell Scott, P.E. Partner, N&P Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated March 10, 2022, advised that it is necessary and essential to extend the completion date of Contract No. H18-171-P1, Massapequa Flood Diversion and Control Project #1 Outfalls 126 & 67 (Harbor Place/Cabot Road West), an additional two hundred sixty five (265) calendar days, beyond the current completion date to July 22, 2022, due to unexpected lead time as a result of the COVID-19 pandemic, material delays (rebar, wire, mesh & concrete), pre-cast fabrication delays, manhole casting delivery delays, unexpected lead time for check valves, and utility conflicts which led to delays from public utilities (National Grid, Massapequa Water District, New York American Water and the Nassau County Sewer District), and thus recommended such extension of time, in which to complete said Contract, at no additional construction cost to the Town,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and in connection with Contract No H18-171-PH1, Roadwork Ahead, Inc. is hereby granted an extension of time to July 22, 2022, in which to complete Contract No. H18-171-P1, at no additional construction cost to 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 | Absent |
| Councilman Imbroto   | Aye    |
| Councilman Hand      | Aye    |
| Councilman Labriola  | Aye    |
| Councilwoman Maier   | Absent |
| Councilwoman Walsh   | Aye    |



Meeting of August 9, 2022

Resolution No 544-2022

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated July 8, 2022, requested and recommended Town Board authorization to host a "Free Rabies Clinic" in conjunction with the Nassau County Department of Health, permitting residents to have their dogs, cats, or ferrets receive rabies inoculation free of charge on September 17, 2022 from 10 a.m. until 2 p.m., with Nassau County donating the cost of the vaccines, estimated at \$1.50 per vaccine, and with the Animal Shelter's contracted veterinarian donating his time to administer the vaccine, waiving the contracted veterinarian's fee of \$105.00 per hour,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby accepted and approved, and that the "Free Rabies Clinic", to be held on September 17, 2022 from 10 a.m. to 2 p.m. is authorized and approved.

#

Reviewed By  
Office of Town Attorney  
*Domenica Warfe*

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

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

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

July 8<sup>th</sup>, 2022

**TO:** The Memorandum Docket

**FROM:** Louis G. Savinetti, Commissioner of Environmental Resources

**SUBJECT: FREE RABIES CLINIC**

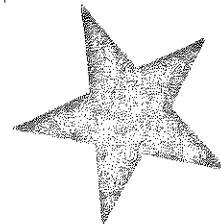
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In past years, the Town of Oyster Bay Animal Shelter has hosted a "Free Rabies Clinic" event in conjunction with the Nassau County Department of Health. This event provides residents with an opportunity to receive a rabies inoculation for their dogs, cats or ferrets free of charge.

The Town of Oyster Bay Animal Shelter is requesting Town Board approval to once again host this event. This year's event will be held on Saturday, September 17<sup>th</sup>, from 10:00 A.M. until 2:00 P.M. The Nassau County Department of Health is donating the vaccines for the clinic. The cost of each vaccine is approximately \$1.50. The Animal Shelter's contracted veterinarian will be waiving his fee of \$105.00 per hour and donating his time to administer the rabies vaccines.

\_\_\_\_\_  
Louis G. Savinetti  
Commissioner of Environmental Resources

LS/M  
Attachment  
Steven Ballas, Comptroller  
Public Information Department



Meeting of August 9, 2022

Resolution No 545-2022

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated July 8, 2022, requested and recommended Town Board authorization to host "Free Adoption Month" and waive the associated fees of \$80.00 for the adoption of a dog and of \$84.00 for the adoption of a cat at the Town of Oyster Bay Animal Shelter, for the month of September 2022, with the associated services provided with adoption, including spaying, neutering, vaccination and microchipping to be provided at no cost; and

WHEREAS, the Town Board deems the event to be beneficial to the Town to assist in finding home for dogs and cats within the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are hereby accepted and approved, and the waiver of fees, for the adoption of a dog or cat for the month of September 2022, together with a waiver of fees for the associated services, as set forth hereinabove, as part of the Town's "Free Adoption Month" are approved.

#

Reviewed By  
Office of Town Attorney  
*Danica Wolfe*

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

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

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

July 8<sup>th</sup>, 2022

**TO:** The Memorandum Docket

**FROM:** Louis G. Savinetti, Commissioner of Environmental Resources

**SUBJECT:** FREE ADOPTIONS FOR THE MONTH OF SEPTEMBER 2022

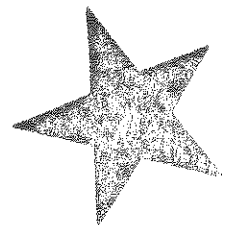
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In past years, the Town of Oyster Bay Animal Shelter has held a "Free Adoption Month" event during the month of September. It has always been a resounding success and has helped find forever homes for countless dogs and cats.

In an effort to once again increase adoptions, The Town of Oyster Bay Department of Environmental Resources/ Animal Shelter is requesting Town Board approval to hold a "Free Adoption Month" event and waive adoption fees of \$80.00 for a dog and \$84.00 for a cat during the month of September 2022. All services provided with adoption including spay or neuter, vaccination and microchipping will still be given at no cost.

Louis G. Savinetti  
Commissioner  
Department of Environmental Resources

LS/kt  
Attachment  
Steven Ballas, Comptroller  
Public Information Department





Meeting of August 9, 2022

Resolution No 546-2022

WHEREAS, by Resolution No. 121-2021, adopted on February 23, 2021, the Town Board authorized the Supervisor and/or his designee to enter into an agreement, as negotiated and approved by the Office of the Town Attorney, with central Veterinary Associates, 73 West Merrick Road, Valley Stream, New York, 11580, to provide after-hours veterinary services to the Town's Animal Shelter for cats and dogs, for a three (3) year term, commencing on March 1, 2021 through February 29, 2024, for an amount not to exceed \$7,000.00 per year, with options to be extended upon mutual agreement, for two (2) one (1) year extensions of the agreement; and

WHEREAS, Louis Savinetti, Commissioner, Department of Environmental Resources, Town Comptroller, by memorandum dated July 8, 2022, advised that due to unforeseen after hour emergencies encountered by the Animal Shelter during this calendar year, the yearly contract amount with Central Veterinary Associates has been depleted; and

WHEREAS, Commissioner Savinetti, by said memorandum, requested that the Town Board amend Resolution No. 121-2021, to increase the \$7,000.00 year total for this calendar year, by adding an additional \$15,000.00 to pay for the balance due to the above referenced unforeseen after hours emergency services received by the Animal Shelter from Central Veterinary Associates, with funds available in Account No. DER A 3510 44900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is approved, and Resolution No. 121-2021 is hereby amended to increase the \$7,000.00 year total for this calendar year by adding an additional \$15,000.00 to pay for the balance due to the above referenced unforeseen after hours emergency services received by the Animal Shelter from Central Veterinary Associates, and be it further

RESOLVED, that the Comptroller is authorized and directed to make payment from Account No. DER A 3510 44900 000 0000 upon presentation of a duly certified claim after audit.

-#-

DRS  
REVIEWED BY  
OFFICE OF TOWN ATTORNEY  
*[Signature]*

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

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

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

July 8, 2022

**To:** MEMORANDUM DOCKET

**FROM:** Louis G. Savinetti, Commissioner of Environmental Resources

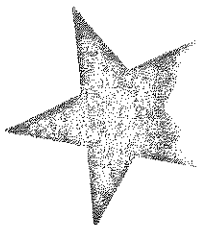
**SUBJ.:** Central Veterinary Associates- Emergency After Hours Contract

The Department of Environmental Resources, Animal Control & Shelter Division went into an agreement with Central Veterinary Associates for a three year term commencing on March 1, 2021 and ending February 29, 2024 at a rate not to exceed \$7,000.00 per year. Sufficient funds are available in account DER A 3510 44900 000 0000 (Other Contract), Resolution 121-21.

On Friday May 13<sup>th</sup>, 2022 at 7 AM Kristi Trentinella received an emergency call from the Nassau County Police Department through the Town of Oyster Bay Public Safety Department. The call was in regards to a police chase that ended in the vehicle crashing on a residential street in Hicksville which is in the Town of Oyster Bay. The driver was arrested and taken into police custody and inside the vehicle there were three dogs, one of the dogs was deceased. The other two dogs needed medical attention as soon as possible. Due to the timing of the incident the Animal Shelter had to utilize their contracted Emergency Afterhours Veterinarian. One dog was examined and sent back to the shelter in stable condition for follow up care with our regular contracted Veterinarian. The second dog was not stable and could not be safely transferred. She remained at the Emergency Veterinary Hospital where she received around the clock care until it was safe for her to be transported back to the Animal Shelter on May 16<sup>th</sup>. Due to the unforeseen after hour emergencies the Animal Shelter encountered this year the contract balance has been depleted.

The Department of Environmental Resources, Animal Control & Shelter Division requests the Town Board amend Resolution 121-21 to increase the not to exceed \$7,000 year total by adding an additional \$15,000 to pay for the balance due from the above mentioned emergency as well as any other emergency that may arise for the remainder of the year. The funds for the increase are available in account DER A 3510 44900 000 0000 (Other Contract)

\_\_\_\_\_  
LOUIS G. SAVINETTI  
Commissioner  
Department of Environmental Resources



Meeting of February 23, 2021

Resolution No. 121-2021

WHEREAS, Louis Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated February 17, 2021, advised that on December 28, 2020, a Request for Proposals ("RFP") for the purpose of securing veterinary services to the Town's Animal Shelter for after-hours emergency veterinary care for cats and dogs, in accordance with the specifications contained in the RFP, was issued by the Department of Environmental Resources to seventy-three (73) veterinarians and animal hospitals and was placed on the Town of Oyster Bay website; in addition, legal notice of the RFP was published in Newsday, a newspaper of general circulation in the Town of Oyster Bay; and

WHEREAS, Commissioner Savinetti, by said memorandum, further advised that in response to that RFP, three (3) responses were timely received by the Department of Environmental Resources; and

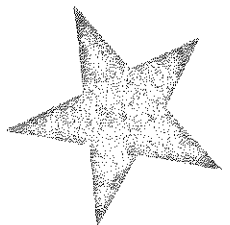
WHEREAS, Commissioner Savinetti, by said memorandum, stated that after review and evaluation performed in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, the Department selected the proposal of Central Veterinary Associates, 73 West Merrick Road, Valley Stream, New York 11580, as being best suited for the Town's needs; and

WHEREAS, the Office of the Town Attorney, by Thomas M. Sabellico, Special Counsel, by memorandum dated July 29, 2020, rendered the opinion of the Office of the Town Attorney that the Department's efforts to obtain proposals, including publication in Newsday and posting on the Town's website, and the number of requests mailed and distributed, were in compliance with the Town's Procurement Policy; and

WHEREAS, Commissioner Savinetti, by memorandum dated February 17, 2021, requested that the Town Board authorize the Supervisor and/or his designee to enter into an agreement, as negotiated and approved by the Office of the Town Attorney, with Central Veterinary Associates, 73 West Merrick Road, Valley Stream, New York 11580, to provide after-hours veterinary services to the Town's Animal Shelter for cats and dogs, for a three (3) year term commencing on March 1, 2021 through February 29, 2024, for an amount not to exceed \$7,000.00 per year, with options, to be exercised upon mutual agreement, for two (2) one (1) year extensions of the agreement,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Supervisor and/or his designee is hereby authorized to enter into an agreement, as negotiated and approved by the Office of the Town Attorney, with Central Veterinary Associates, 73 West Merrick Road, Valley Stream, New York, 11580, to provide after-hours veterinary services to the Town's Animal Shelter for cats and dogs, for a three (3) year term, commencing on March 1, 2021 through February 29, 2024, for an amount not to exceed \$7,000.00

Reviewed By  
Office of Town Attorney  
Thomas M. Sabellico



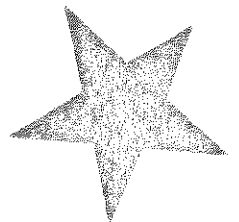
Resolution No. 121-2021

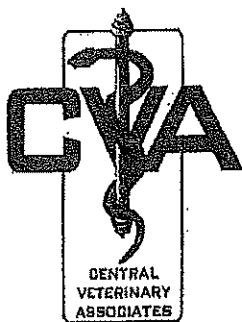
per year, with options, to be exercised upon mutual agreement, for two (2) one (1) year extensions of the agreement.

-#-

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 |





NETWORK  
OF  
ANIMAL  
HEALTH  
CENTERS

# CENTRAL VETERINARY ASSOCIATES, P.C.

*Providing 24 Hour Health Care 365 Days of The Year\**

\*MAIN HOSPITAL- 24 Hours 73 West Merrick Rd- Valley Stream, NY 11580 - 516-825-3066 - OPEN 7 DAYS A WEEK

**CENTRAL VETS OF MINEOLA**  
220 E. Jericho Turnpike  
Mineola, NY 11501  
516-294-8680  
Fax: 516-294-0635

**BAYSIDE ANIMAL CLINIC**  
36-43 Bell Boulevard  
Bayside, NY 11361  
718-224-4451  
Fax: 718-224-5250  
OPEN SUNDAYS 10-5

**BOULEVARD ANIMAL CLINIC**  
112-49 Queens Boulevard  
Forest Hills, NY 11375  
718-261-1231  
Fax: 718-261-4070  
OPEN SUNDAYS 10-2

*Animal Shelter Town Of Oyster Bay (# 96772)*

150 Miller Place  
Syosett, NY 11791

**May 19, 2022**

**Invoice Number  
506761**

**22-0138 (# TA)**

Species: Canine

Sex: FI

Age: 5 years old

Breed: Pitbull

Coat Color: GREY

Rabies Tag Number:

| Date       | Code     | Description                           | Emp. | Qty            | Price         |
|------------|----------|---------------------------------------|------|----------------|---------------|
| 05/13/2022 | MS6801   | ABAXIS STAT Labwork- CBC/Chem         | VSKD | 1.00           | \$ 317.00     |
|            | E205     | Office Visit - level 1 <sup>1</sup>   | VSKD | 1.00 Each      | \$ 95.00      |
|            | P412     | Medical Waste Disposal                | VSKD | 3.00 per night | \$ 30.00      |
|            | H2155    | Hospitalization - Canine              | VSKD | 4.00 Per Day   | \$ 946.00     |
|            | H2107    | IV Catheterization                    | VSKD | 1.00 Each      | \$ 149.00     |
|            | H21036   | IV Fluids per Day (91Lbs+) w/ IV pump | VSKD | 4.00 Per Day   | \$ 756.00     |
|            | P417     | Blood Pressure Evaluation             | VSKD | 1.00 Each      | \$ 58.00      |
|            | D203     | Radiograph(s) - 8 views               | VSKD | 1.00           | \$ 418.00     |
|            | DACVR    | Radiograph Consult (DACVR)            | VSKD | 1.00           | \$ 161.00     |
|            | M47551   | H Cerenia Inj 10mg/ml 61lbs +         | VSKD | 4.80 ml(s)     | \$ 109.00     |
|            | M308811  | Convenia 80mg/ml (Cefovecin)          | VSKD | 1.00 ml(s)     | \$ 104.00     |
| 05/14/2022 | MS6801   | ABAXIS STAT Labwork- CBC/Chem         | VSKD | 1.00           | \$ 317.00     |
|            | M47551   | H Cerenia Inj 10mg/ml 61lbs +         | VSKD | 4.80 ml(s)     | \$ 109.00     |
|            | M32636   | H Gabapentin 600mg Tablets            | VSKD | 1.00 Tab(s)    | \$ 6.00       |
|            | M32636   | H Gabapentin 600mg Tablets            | VSKD | 1.00 Tab(s)    | \$ 6.00       |
| 05/15/2022 | M47551   | H Cerenia Inj 10mg/ml 61lbs +         | VSKD | 4.80 ml(s)     | \$ 109.00     |
|            | M32636   | H Gabapentin 600mg Tablets            | VSKD | 1.00 Tab(s)    | \$ 6.00       |
|            | M32636   | H Gabapentin 600mg Tablets            | VSKD | 1.00 Tab(s)    | \$ 6.00       |
| 05/16/2022 | MS6801   | ABAXIS STAT Labwork- CBC/Chem         | VSKD | 1.00           | \$ 317.00     |
|            | M47551   | H Cerenia Inj 10mg/ml 61lbs +         | VSKD | 4.80 ml(s)     | \$ 109.00     |
|            | M32636   | H Gabapentin 600mg Tablets            | VSKD | 1.00 Tab(s)    | \$ 6.00       |
|            | PROBONO1 | Courtesy 35% TOB Discount             | VSKD | 1.00 each      | \$ (1,447.00) |

Total for 22-0138: \$ 2,687.00

Total Invoice: \$ 2,687.00

Accounts Receivable Increased: \$ 2,687.00

VS Katherine Diller - VSKD

**Animal Shelter Town Of Oyster Bay (# 96772) - Continued**

**Current Accounts Receivable Status**

| Current Invoice: | 0 to 30 Days | 31 to 60 Days | 61 to 90 Days | Over 90 Days | Total A/R   |
|------------------|--------------|---------------|---------------|--------------|-------------|
| \$ 2,687.00      | \$ 3,112.00  | \$ 0.00       | \$ 0.00       | \$ 0.00      | \$ 3,112.00 |

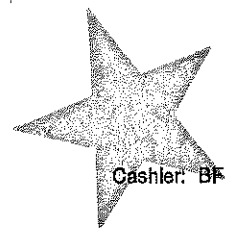
**Special Notes:**

The staff at Central Veterinary Associates always recommends health insurance for pets. There are many great health insurances that help to offset 80-90% of the costs of non preexisting accidents and illness. Please touch base with PUMPKIN PET HEALTH INSURANCE to get your pet started at 1-866-ARFMEOW.

Reminder Status:

| Name           | Performed | Due Date |
|----------------|-----------|----------|
| 22-0138 (# TA) |           |          |

**SERVING NASSAU AND QUEENS COUNTY 24 HOURS A DAY, 365 DAYS A YEAR.**



Central Veterinary Associates  
73 W Merrick Rd  
Valley Stream, NY  
(516) 825-3066  
05/19/2022

**Town Of Oyster Bay, Animal Shelter**

Acct Number: 96772 Patient ID: TA  
Address.....: 150 Miller Place  
Syosett, NY 11791  
Phone.....: H: (516) 677-5784 W: (516) - ext:  
Cell Phone....: (516) 677-5784

**22-0138**

Medical Alert:

Sex.....: FI  
DOB.....: 05/13/2017  
Species...: Canine

Weight.: 105 lbs.  
Age.....: 5 years old  
Breed....: Pitbull

Chronic Meds.....:  
Chronic Cond.....:  
Flea Prev Meds.....:  
Heartworm Meds.:

Date Due:  
Date Due:

| Problem History: | Status: | Date Opened: | Date Closed: | Number: |
|------------------|---------|--------------|--------------|---------|
|------------------|---------|--------------|--------------|---------|

05/13/2022  
09:46:55 AM

Note

Was in car accident, possible seizure after

**HX:** 22-0138 Town of Oyster Bay Bailey who presented today from Town of Oyster Bay. Town of Oyster Bay reports that Bailey was in a car accident along with 22-0137 Brutus today. A witness to the accident says that Bailey may have been convulsing/having a seizure after accident.

**WT:** 105 lbs.

**TEMP:** 105.4 degrees, lowered to 103.5 with wet towel, Bailey seems more alert

**DIET:**

**Coughing:** NO

**Sneezing:** NO

**Vomiting:** NO

**Diarrhea:** NO

**SUB:** QAR

**CRT:** <1 sec

**MM:** Pink and moist

**HLENT:** Absent menace responses, intact PLRs. Cropped ears

**ABD PALP:** Feels doughy/distended

**U/G:** Appears intact on AFAST

**M/S:** BCS = 6.5/9. Discomfort on extension of right stifle, crepitus on flexion of left stifle

**NEURO:** NSF

**INTEG:** Abrasion with slight bleeding of 2nd digit of left hindlimb, abrasion of right caudal elbow

**LN:** NSF

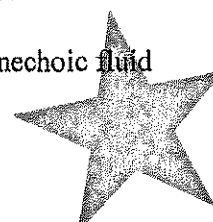
**OTHER:** NSF

**DX:**

Hyperthermic, abrasions, discomfort - suspect secondary to car accident/possible head and/or liver damage

**TX:**

AFAST to check for internal bleeding - no obvious free fluid seen, appears intact with anechoic fluid filled uterus

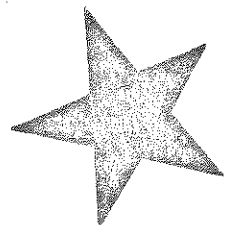


Central Veterinary Associates  
73 W Merrick Rd  
Valley Stream, NY  
(516) 825-3066  
05/19/2022

ATH for supportive care, diagnostics, anti-convulsants if needed

**CE:** Discussed physical exam findings and history with Kristy at Town of Oyster Bay. Feel that 22-0138 should be hospitalized for supportive care including IV catheter/fluids, xrays, bloodwork, anti-convulsants if needed, monitoring. Kristy called back and approved.

For any questions on 22-0138's health, please call (516) 825-3066.





Town Of Oyster Bay, Animal Shelter

22-0138 TA

09:55:31 AM

Date: 05/19/202

DOB: 05/13/2017

Sex: F

Species: Canine

Breed: Pitbull

Weight: 105 lbs.

|                                   |   |                            |                             |
|-----------------------------------|---|----------------------------|-----------------------------|
| <input type="checkbox"/> BOARDING | <input type="checkbox"/> MEDICAL BOARDING | DIET: <input type="text"/> | HOSP # <input type="text"/> |
|-----------------------------------|---|----------------------------|-----------------------------|

|                             |                             |                              |  |                              |                              |                            |                            |                            |                            |                            |
|-----------------------------|-----------------------------|------------------------------|--|------------------------------|------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <input type="checkbox"/> QB | <input type="checkbox"/> BS | <input type="checkbox"/> MIN | <input checked="" type="checkbox"/> VS | <input type="checkbox"/> ICU | <input type="checkbox"/> ISO | <input type="checkbox"/> A | <input type="checkbox"/> B | <input type="checkbox"/> C | <input type="checkbox"/> D | <input type="checkbox"/> E |
|-----------------------------|-----------------------------|------------------------------|--|------------------------------|------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|

**LABORATORY**

|   |                                     |
|---|-------------------------------------|
| <input checked="" type="checkbox"/> ABAXIS <input type="text"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> LDDST                                  | <input type="checkbox"/>            |
| <input type="checkbox"/> SUPERCHEM/CBC                          | <input type="checkbox"/>            |
| <input type="checkbox"/> BUN/PCV/TP                             | <input type="checkbox"/>            |
| <input type="checkbox"/> COAG                                   | <input type="checkbox"/>            |
| <input type="checkbox"/> ACCUPLEX                               | <input type="checkbox"/>            |
| <input type="checkbox"/> HWT                                    | <input type="checkbox"/>            |
| <input type="checkbox"/> T4 TSH                                 | <input type="checkbox"/>            |
| <input type="checkbox"/> CULT/SENS <input type="text"/>         | <input type="checkbox"/>            |

|   |                          |
|---|--------------------------|
| <input type="checkbox"/> TICK SEROLOGY              | <input type="checkbox"/> |
| <input type="checkbox"/> <input type="text"/>       | <input type="checkbox"/> |
| <input type="checkbox"/> FELV/FIV                   | <input type="checkbox"/> |
| <input type="checkbox"/> ABAXIS EHP                 | <input type="checkbox"/> |
| <input type="checkbox"/> cPLI                       | <input type="checkbox"/> |
| <input type="checkbox"/> T4 FT4                     | <input type="checkbox"/> |
| <input type="checkbox"/> FECAL <input type="text"/> | <input type="checkbox"/> |
| <input type="checkbox"/> RESTING CORTISOL           | <input type="checkbox"/> |
| <input type="checkbox"/> URINALYSIS                 | <input type="checkbox"/> |

**DVM KD**

DDx/TDx  
Was in car  
accident, possible  
seizure after  
Hyperthermic on  
presentation

NOTES  
Seizure watch

**RADIOLOGY**

|  |                                     |
|--|-------------------------------------|
| <input checked="" type="checkbox"/> HEAD               | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> CHEST              | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> ABDOMEN            | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> LIMB <input type="text"/>     | <input type="checkbox"/>            |
| <input type="checkbox"/> PELVIS <input type="text"/>   | <input type="checkbox"/>            |
| <input type="checkbox"/> CONTRAST <input type="text"/> | <input type="checkbox"/>            |

|   |                          |
|---|--------------------------|
| <input type="checkbox"/> DENTAL                   | <input type="checkbox"/> |
| <input type="checkbox"/> SPINAL SERIES            | <input type="checkbox"/> |
| <input type="checkbox"/> ECHO CF DOPPLER          | <input type="checkbox"/> |
| <input type="checkbox"/> U/S <input type="text"/> | <input type="checkbox"/> |
| <input type="checkbox"/> SUPER STAT CONSULT       | <input type="checkbox"/> |

NOTES  
Imaging to look  
for internal  
injuries/bruising  
rads taken  
without sedation

**MISCELLANEOUS**

|  |                                     |
|--|-------------------------------------|
| <input type="checkbox"/> EKG                             | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> BP 125 LC cuff# 8-15 | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> FUNGAL <input type="text"/>     | <input type="checkbox"/>            |
| <input type="checkbox"/> TNC                             | <input type="checkbox"/>            |
| <input type="checkbox"/> SKIN SCRAPE                     | <input type="checkbox"/>            |
| <input type="checkbox"/> COLONIC SMEAR                   | <input type="checkbox"/>            |
| <input type="checkbox"/> BATH                            | <input type="checkbox"/>            |

|       |
|-------|
| NOTES |
|-------|

**FELINE VAX**

|                                     |                          |
|-------------------------------------|--------------------------|
| <input type="checkbox"/> RAB 1YR    | <input type="checkbox"/> |
| <input type="checkbox"/> RAB 3YR    | <input type="checkbox"/> |
| <input type="checkbox"/> RAB PV 1YR | <input type="checkbox"/> |
| <input type="checkbox"/> RAB PV 3YR | <input type="checkbox"/> |
| <input type="checkbox"/> 4:1        | <input type="checkbox"/> |
| <input type="checkbox"/> 5:1        | <input type="checkbox"/> |
| <input type="checkbox"/> LEUK       | <input type="checkbox"/> |

**CANINE VAX**

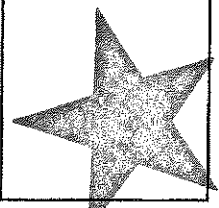
|                                  |                          |
|----------------------------------|--------------------------|
| <input type="checkbox"/> RAB 1YR | <input type="checkbox"/> |
| <input type="checkbox"/> RAB 3YR | <input type="checkbox"/> |
| <input type="checkbox"/> 6:1     | <input type="checkbox"/> |
| <input type="checkbox"/> 8:1     | <input type="checkbox"/> |
| <input type="checkbox"/> Bb      | <input type="checkbox"/> |
| <input type="checkbox"/> CIV     | <input type="checkbox"/> |
| <input type="checkbox"/> LYME    | <input type="checkbox"/> |

**SURGICAL PROCEDURES**

|   |                                     |
|---|-------------------------------------|
| <input type="checkbox"/> SPAY                             | <input type="checkbox"/>            |
| <input type="checkbox"/> ALTER                            | <input type="checkbox"/>            |
| <input type="checkbox"/> DENTISTRY                        | <input type="checkbox"/>            |
| <input type="checkbox"/> EXTRACTIONS <input type="text"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> FLOURIDE                         | <input type="checkbox"/>            |
| <input type="checkbox"/> ORAVET                           | <input type="checkbox"/>            |
| <input checked="" type="checkbox"/> IV CATHETER           | <input checked="" type="checkbox"/> |

|  |                                     |
|--|-------------------------------------|
| <input checked="" type="checkbox"/> IV SET & FLUIDS  | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> BIOPSY <input type="text"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> VIDEO DOC                   | <input type="checkbox"/>            |
| <input type="checkbox"/> ORTHO <input type="text"/>  | <input type="checkbox"/>            |
| <input type="checkbox"/> EYE Sx <input type="text"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> EAR Sx <input type="text"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> OTHER <input type="text"/>  | <input type="checkbox"/>            |

|       |
|-------|
| NOTES |
|-------|



WARD: ☐ ICU ☐ ISO ☐ A ☐ B ☐ C ☐ D ☐ E ☐ BOARDING

05/13/2022

09:57:15 AM

Central Veterinary Associates  
22-0138 Town Of Oyster Bay  
ID: TA

DOB: 05/13/2017

Sex: FI

Species: Canine

Breed: Pitbull

Weight: 105 lbs.

☐ BAR ☒ QAR ☐ DEP ☐ ATAXIC ☐ URINE  
☒ VOMIT ☒ DIARRHEA ☐ COUGHING ☐ SNEEZING ☐ STOOL ☐ AMBULATION

E/D none DIET TYPE NPO HYDRATION ok  
MM pink TEMP WEIGHT 105.0 lbs  
CRT 2 IV CATH patent  
B @ 50 CONT 100 CC/HR TIME 11a TEC ac

11 AM Noticed v/d at arrival  
PB: 125 L C CUFF # 8-15  
Placed 18 g right ceph on NORM FLUIDS @ 100 ML/HR  
Run bloods in house ( abaxxis)  
Took rads chest + abd + skull without sedation  
Send them to DR Trendano for a consult  
All meds are given  
230pt-99.6 rr 30 re even no distress cleaned wound Lt rear 2nd  
digit & rt elbow w/ chlorhex

TREATMENTS DOSAGES RT FQ 12 2 4 7 8 10 12 3 4 6 8 11

|   |       |                                   |  |    |     |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
|---|-------|-----------------------------------|--|----|-----|--|--|--|--|----|---|----|---|---|---|---|---|----|--|
| <input type="checkbox"/> AMP                                    |       | <input type="checkbox"/> CEFA     |  |    |     |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
| <input type="checkbox"/> BAY                                    |       | <input type="checkbox"/> FLAGYL   |  |    |     |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
| <input type="checkbox"/> FLO                                    |       | <input type="checkbox"/> SIMBADOL |  |    |     |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
| <input type="checkbox"/> RIM                                    |       | <input type="checkbox"/> META     |  |    |     |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
| <input type="checkbox"/> BUP                                    |       | <input type="checkbox"/> TORB     |  |    |     |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
| <input checked="" type="checkbox"/> CERENIA                     | 4.8ml | <input type="checkbox"/> ONSIOR   |  | IV | SID |  |  |  |  | ac |   |    |   |   |   |   |   |    |  |
| Gabapentin 600mg tablets Give 1 tablet                          |       |                                   |  | PO | BID |  |  |  |  |    |   |    |   |   |   |   |   |    |  |
| Diazepam 5mg/ml Give 5 ml to effect if seizures                 |       |                                   |  | IV | PR  |  |  |  |  | X  | X | X  | X | X | X | X | X | X  |  |
| Convenia 80mg/ml Give 4.8 ml                                    |       |                                   |  | SC | 1X  |  |  |  |  | ac |   |    |   |   |   |   |   |    |  |
| Sterile clean wounds on left hindlimb 2nd digit and right elbow |       |                                   |  |    |     |  |  |  |  |    |   | mb |   |   |   |   |   | cv |  |
| Monitor temperature, respiratory rate, pulse q8hr               |       |                                   |  |    |     |  |  |  |  |    |   | mb |   |   |   |   |   | cv |  |

IV CATHETER FLUSH

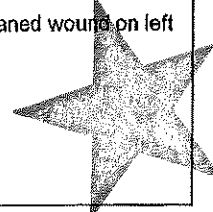
FLUIDS ☐ LRS ☒ NORM ☐ NACL ☐ 4.5 NACL ☐ DEXTROSE 5 ☐ DEXTROSE 2.5% ☐ IV PUMP  
IV 100 ML/HR DAY 1 /3  
VIT YES 18 g RIGHT CRI @

☐ BAR ☒ QAR ☐ DEP ☐ ATAXIC ☐ URINE  
☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☐ STOOL ☐ AMBULATION

TIME: 3:27pm TECH: CV

E/D ~ DIET TYPE  
MM pk TEMP 99.8  
CRT 2 HYDRATION ok  
B @ 400 CC WEIGHT 100.6#

QAR, NFY, -urine, -stool, -c/s/v/d, no neuro signs, no seizure activity, 3:26pm  
received 367.3cc at 100ml/hr, walking slowly, nice dog, resting in cage, nsf.  
9pm BT: 100.2°F, RR: 30 RE: WNL, good pulse.CV  
10pm BT: 100.4°F, RR: 48 RE: some abd effort, Pulse is good, cleaned wound on left  
hind with chlorhexadine .CV



WARD: ☐ ICU ☐ ISO ☐ A ☐ B ☒ C ☐ D ☐ E ☐ BOARDING

05/14/2022

09:57:15 AM

Central Veterinary Associates  
22-0138 Town Of Oyster Bay  
ID: TA

DOB: 05/13/2017

Sex: F

Species: Canine

Breed: Pitbull

Weight: 105 lbs.

☒ BAR ☐ QAR ☐ DEP ☐ ATAXIC ☒ URINE  
☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☐ STOOL ☐ AMBULATION

E/D well DIET TYPE en + dry HYDRATION ok

MM pink TEMP 100. WEIGHT 10.4 4

CRT 2 IV CATH patent

B @ 850 CONT 190 CC/HR TIME 8am TEC ac

Ate fair on wet FLUIDRATE : 190 ML/HR AS PER AJ

Walked outside urine +++ no bm no v/d no c/s

IVC patent still on fluids without dextrose (AJ)

Wagging her tail Doing ok well hydrated this morning

Took her opill, well in piece of rotisserie chicken

2 PM

TEMP: 110.2 rr: 32 no effort

Walked outside urine ++ bm +++ firm some of it a little bloody

IVF@790/100ML/HR O/N-QARH, no c/s/v/d. Did not eat mal from PM shift. Nice dog. no major concerns. -JC

TREATMENTS DOSAGES RT FQ 12 2 4 7 8 10 12 3 4 6 8 11

|   |       |                                   |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
|---|-------|-----------------------------------|--|-----|-----|--|--|----|--|--|--|--|----|--|--|--|--|----|--|--|
| <input type="checkbox"/> AMP                                    |       | <input type="checkbox"/> CEFA     |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| <input type="checkbox"/> BAY                                    |       | <input type="checkbox"/> FLAGYL   |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| <input type="checkbox"/> FLO                                    |       | <input type="checkbox"/> SIMBADOL |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| <input type="checkbox"/> RIM                                    |       | <input type="checkbox"/> META     |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| <input type="checkbox"/> BUP                                    |       | <input type="checkbox"/> TORB     |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| <input checked="" type="checkbox"/> CERENIA                     | 4.8ml | <input type="checkbox"/> ONSIOR   |  | IV  | SID |  |  | ac |  |  |  |  |    |  |  |  |  |    |  |  |
| Gabapentin 600mg tablets Give 1 tablet                          |       |                                   |  | PO  | BID |  |  | ac |  |  |  |  |    |  |  |  |  | CV |  |  |
| Diazepam 5mg/ml Give 5 ml to effect if seizures                 |       |                                   |  | IV  | PR  |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| Convenia 80mg/ml Give 4.8 ml DONE                               |       |                                   |  | SC  | 1X  |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |
| Sterile clean wounds on left hindlimb 2nd digit and right elbow |       |                                   |  | TOP | TID |  |  | ac |  |  |  |  | ac |  |  |  |  | CV |  |  |
| Monitor temperature, respiratory rate, pulse q8hr               |       |                                   |  |     | TID |  |  | ac |  |  |  |  | ac |  |  |  |  | CV |  |  |
| IV CATHETER FLUSH   |       |                                   |  |     |     |  |  |    |  |  |  |  |    |  |  |  |  |    |  |  |

FLUIDS ☐ LRS ☒ NORM ☐ NACL ☐ 4.5 NACL ☐ DEXTROSE 5 ☐ DEXTROSE 2.5% ☐ IV PUMP  
IV 190 ML/HR DAY 2 /3  
VIT YES 18 g RIGHT CRI @

☒ BAR ☐ QAR ☐ DEP ☐ ATAXIC ☒ URINE  
☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☐ STOOL ☐ AMBULATION

TIME: 3:54pm TECH: CV

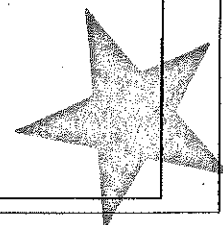
E/D well DIET TYPE EN w/d

MM pk TEMP 102.2

CRT 2 HYDRATION good

B @ 350 CC WEIGHT 104.9#

BAR, NFY, +urine, -stool, -c/s/v/d, received 1373.1cc at 190cc, IVC patent, nice dog, walks well, RR: 30, RE: WNL, good pulse, resting in cage, nsf.  
8pm E/D well, CV  
10pm RR: 30, RE: WNL, good pulse, BT: 101.5. CV



WARD: ☒ ICU ☐ ISO ☐ A ☐ B ☐ C ☐ D ☐ E ☐ BOARDING

05/15/2022

08:43:16 AM

Central Veterinary Associates  
22-0138 Town Of Oyster Bay  
ID: TA

DOB: 05/13/2017

Sex: FI

Species: Canine

Breed: Pitbull

Weight: 105 lbs.

☐ BAR ☒ QAR ☐ DEP ☐ ATAXIC ☒ URINE  
☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☒ STOOL ☐ AMBULATION

E/D well DIET TYPE EN w/d HYDRATION ok

MM pk TEMP 100. WEIGHT 107.7#

CRT 2 IV CATH patent

B @ 970 CONT CC/HR TIME 8am TEC CV

QAR, E/D well, +urine, +stool, -c/s/v/d, IVC patent, has mega paw on right front limb, loosened tape, 8:50am received 989.6cc at 190ml/hr, RR: 30, RE:WNL, has good pulse, nice dog, doing well, resting in cage, nsf.  
2pm BT: 100.4°F, RR: 32, RE: WNL, good pulse, CV

TREATMENTS DOSAGES RT FQ 12 2 4 7 8 10 12 3 4 6 8 11

|   |       |                                   |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
|---|-------|-----------------------------------|--|-----|-----|--|--|--|--|----|--|--|--|--|----|--|--|----|--|--|
| <input type="checkbox"/> AMP                                    |       | <input type="checkbox"/> CEFA     |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| <input type="checkbox"/> BAY                                    |       | <input type="checkbox"/> FLAGYL   |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| <input type="checkbox"/> FLO                                    |       | <input type="checkbox"/> SIMBADOL |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| <input type="checkbox"/> RIM                                    |       | <input type="checkbox"/> META     |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| <input type="checkbox"/> BUP                                    |       | <input type="checkbox"/> TORB     |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| <input checked="" type="checkbox"/> CERENIA                     | 4.8ml | <input type="checkbox"/> ONSIOR   |  | IV  | SID |  |  |  |  | cv |  |  |  |  |    |  |  |    |  |  |
| Gabapentin 600mg 1 tablet                                       |       |                                   |  | PO  | BID |  |  |  |  | cv |  |  |  |  |    |  |  | hm |  |  |
| Diazepam 5mg/ml give 5ml to effect if seizures                  |       |                                   |  | IV  | PRN |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| Convenia 80mg/ml give 4.8ml DONE                                |       |                                   |  | SC  | 1x  |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |
| sterile clean wounds on left hindlimb 2nd digit and right elbow |       |                                   |  | TOP | TID |  |  |  |  | cv |  |  |  |  | cv |  |  | hm |  |  |
| Monitor temperature, RR, and pulse q8hr                         |       |                                   |  |     | TID |  |  |  |  | cv |  |  |  |  | cv |  |  | hm |  |  |
| IV CATHETER FLUSH   |       |                                   |  |     |     |  |  |  |  |    |  |  |  |  |    |  |  |    |  |  |

FLUIDS ☐ LRS ☒ NORM ☐ NACL ☐ 4.5 NACL ☐ DEXTROSE 5 ☐ DEXTROSE 2.5% ☒ IV PUMP IV 190 ML/HR DAY 1 /3 VIT 18g left ceph hm CRI @

☒ BAR ☐ QAR ☐ DEP ☐ ATAXIC ☒ URINE ☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☐ STOOL ☒ AMBULATION

TIME: 5p TECH: hm

E/D well DIET TYPE en wet

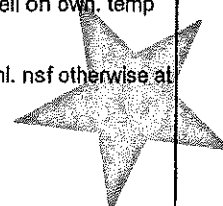
MM pink TEMP 100.9

CRT 2s HYDRATION good

B @ new CC WEIGHT --

bar, recieved 1208cc/190cc/hr. very sweet pet, ivc patent on pump, flushed. ivb was empty at shift change, applied new ivb. some irritation on right elbow and chin. +urine -stool. ambulates well out of cage, abd tense on palp. ate en wet well on own. temp wnl. nsf otherwise at this time.

9pm hm. ivc blowing, replaced with 18g l cephalic. rr=24rpm, re=wnl. nsf otherwise at this time.



WARD: ☒ ICU ☐ ISO ☐ A ☐ B ☐ C ☐ D ☐ E ☐ BOARDING

05/16/2022

08:43:16 AM

Central Veterinary Associates  
22-0138 Town Of Oyster Bay  
ID: TA

DOB: 05/13/2017  
Sex: FI  
Species: Canine  
Breed: Pitbull  
Weight: 105 lbs.

☐ BAR ☐ QAR ☐ DEP ☐ ATAXIC ☒ URINE  
☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☒ STOOL ☒ AMBULATION

E/D well DIET TYPE w/d HYDRATION ok  
MM pk TEMP 99.9 WEIGHT 108  
CRT 2 IV CATH patent  
B @ 610 CONT 190 CC/HR TIME 811a TEC mb

811a cleared pump 2833ml pulse 180 resp e6 even lesions ok

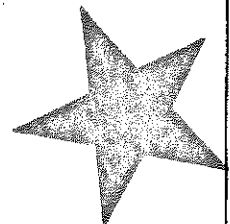
o/n note hm. bar. received 1219cc/190cc/hr. very sweet. ivc patent on pump, flushed. ivb was empty at shift change, applied new ivb. irritation on right elbow and chin. +urine -stool. ambulates well out of cage. no sz like activity obs. nsf otherwise at this

| TREATMENTS   |       |                                   | DOSAGES |     | RT               | FQ    | 12 | 2 | 4 | 7  | 8     | 10    | 12 | 3 | 4  | 6 | 8 | 11 |
|--|-------|-----------------------------------|---------|-----|------------------|-------|----|---|---|----|-------|-------|----|---|----|---|---|----|
| <input type="checkbox"/> AMP   |       | <input type="checkbox"/> CEFA     |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| <input type="checkbox"/> BAY   |       | <input type="checkbox"/> FLAGYL   |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| <input type="checkbox"/> FLO   |       | <input type="checkbox"/> SIMBADOL |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| <input type="checkbox"/> RIM   |       | <input type="checkbox"/> META     |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| <input type="checkbox"/> BUP   |       | <input type="checkbox"/> TORB     |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| <input checked="" type="checkbox"/> CERENIA  | 4.8ml | <input type="checkbox"/> ONSIOR   |         | IV  | SID              |       |    |   |   |    | mb    |       |    |   |    |   |   |    |
| Gabapentin.600mg 1 tablet  |       |                                   |         | PO  | BID              |       |    |   |   |    | mb    |       |    |   |    |   | x |    |
| Diazepam 5mg/ml give 5ml to effect if selzures   |       |                                   |         | IV  | PRN              | -     | -  | - | - | -  | x     | x     | x  | x | x  | x | x | x  |
| Convenia 80mg/ml give 4.8ml DONE   |       |                                   |         | SC  | 1x               |       |    |   |   |    |       |       |    |   |    |   |   |    |
| sterile clean wounds on left hindlimb 2nd digit and right elbow  |       |                                   |         | TOP | TID              |       |    |   |   | mb |       |       |    | x |    |   |   | x  |
| Monitor temperature, RR, and pulse q8hr  |       |                                   |         |     | TID              |       |    |   |   | mb |       |       |    | x |    |   |   | x  |
|  |       |                                   |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
|  |       |                                   |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
|  |       |                                   |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
|  |       |                                   |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| IV CATHETER FLUSH  |       |                                   |         |     |                  |       |    |   |   |    |       |       |    |   |    |   |   |    |
| FLUIDS <input type="checkbox"/> LRS <input checked="" type="checkbox"/> NORM <input type="checkbox"/> NACL <input type="checkbox"/> 4.5 NACL |       |                                   |         | IV  | 190              | ML/HR |    |   |   |    |       | DAY 2 |    |   | /3 |   |   |    |
| <input type="checkbox"/> DEXTROSE 5 <input type="checkbox"/> DEXTROSE 2.5% <input checked="" type="checkbox"/> IV PUMP                       |       |                                   |         | VIT | 18g left ceph hm |       |    |   |   |    | CRI @ |       |    |   |    |   |   |    |

☐ BAR ☐ QAR ☐ DEP ☐ ATAXIC ☐ URINE  
☐ VOMIT ☐ DIARRHEA ☐ COUGHING ☐ SNEEZING ☐ STOOL ☐ AMBULATION

TIME: TECH:

E/D DIET TYPE  
MM TEMP  
CRT HYDRATION  
B @ CC WEIGHT





|   |   |
|---|---|
| <b>Client:</b> Central Veterinary Associates    | <b>Patient:</b> 22-0138 Town Of Oyster Bay    |
| <b>Email:</b> CENTRALVETS@VERIZON.NET           | <b>Species/Breed:</b> Canine / Pitbull        |
| <b>Phone/Fax:</b> 516-825-3066 / 516-561-5001   | <b>Age/Gender:</b> 5 Year(s) / female         |
| <b>Practitioner:</b> KD                         | <b>Submitted Date:</b> 05/13/2022 11:06:40 AM |
| <b>Owner:</b> Animal Shelter Town Of Oyster Bay | <b>Completed Date:</b> 05/17/2022 02:07:00 PM |

**Case Description:** Completed / Regular / X-ray / Specific region(s)

**Case History:**

pitbull intact female was in car accident possible seizure after hyperthermic on presentation

**Case Report:**

562678 VR/bs

**Skull and torso:** Nine images were submitted for evaluation. The data was received electronically.

**Imaging Findings:**

The contour of the skull is normal.  
The contour of the zygomatic arches is normal.  
The contour of the TM joints is normal.  
The contour of the mandible is normal.  
There is opacification of external ear cartilages which need not be functionally significant.  
There is variation in opacity of the dorsal surface of the first cervical vertebra. The change is not of sufficient magnitude to warrant a definitive diagnosis of a lesion. The change can be associated with obliquity of the spine in this area rather than a pathological process. It is noted for completeness of the report.

The contour and opacity of the nasopharynx and larynx is normal.  
The intrathoracic viscera are normal.  
There is no evidence of a diaphragmatic hernia.  
The diameter of the trachea and the contour of the diaphragm are normal.  
There is bronchointerstitial thickening without lung consolidation.  
There is no evidence of heart failure, lung consolidation or free pleural fluid.  
No fractured ribs are noted.

Liver volume is adequate to maintain the pet.  
The kidneys are not clearly visualized.  
The stomach and bowel are distended with gas and mixed opacity material.  
There is fluid and gas in the large bowel consistent with an enteropathy.  
There is no evidence of free gas in the abdomen to indicate overt GI perforation.  
Mammary tissue is prominent.  
No mineralized feti are seen.  
The complete contour of the pelvis is normal.  
The femoral heads are seated in their respective acetabulum.  
The spleen is normal in volume.

**Imaging Impression:**

No lesion seen to account for the major problems described historically; heightened concern with the composition of the digestive tract predicated on the gas distention and the composition of the material in the bowel.

**Comments:**

While variations are noted radiographically, additional diagnostics are required to determine if they are associated with functionally significant disease. As such, the ongoing clinical and clinicopathological findings will be important in determining how this patient is managed as the specific disease process creating possible seizures is not defined in this study. Email your



**eVetDiagnostics, LLC**

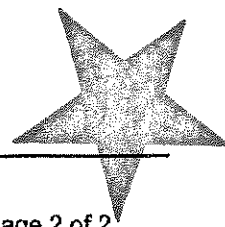
607-533-7512 or 800-533-8727

Page 2 of 2

Report for case 562678

cell number if you wish me to call you to discuss the case.

**If additional images are obtained and submitted, request that I review them, list all previous evet case numbers and state a clinical update to allow for continuity of the interaction. Thank you for allowing us to be a member of your healthcare team.**



**Consulting Radiologist:** Dr. Victor Rendano, VMD, MSc, DACVR, DACVR-RO  
vtrendano@gmail.com 607 533 7512

Page 2 of 2

**Comprehensive Diagnostic Hematology**  
**Date Performed: 05/13/2022 11:17 AM**

**Patient Info:**

ID: 96772 TA

Name: 22-0138

Owner: Animal Shelter Town Of  
Oyster Bay

Provider: BSKD

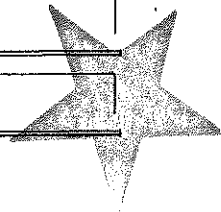
**Species:** Canine**Breed:** Pitbull**Birthdate:** 05/13/2017**Sex:** FI**Clinic:**

Central Veterinary Associates









73 W Merrick Rd

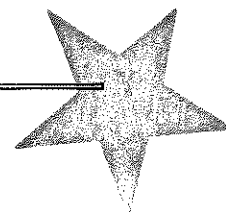
Valley Stream, NY 11580-5718

|      |            |                     |  |
|------|------------|---------------------|--|
| WBC  | 9.6        | 6.0-17.0 $10^9/l$   |  |
| LYM  | 2.35       | 1.0-4.8 $10^9/l$    |  |
| MON  | 0.35       | 0.2-1.5 $10^9/l$    |  |
| NEU  | 6.81       | 3.0-12.0 $10^9/l$   |  |
| EOS  | 0.08       | 0.0-0.8 $10^9/l$    |  |
| BAS  | 0.02       | 0.0-0.4 $10^9/l$    |  |
| LYM% | 24.5       | %                   |  |
| MON% | 3.6        | %                   |  |
| NEU% | 70.9       | %                   |  |
| EOS% | 0.8        | %                   |  |
| BAS% | 0.2        | %                   |  |
| RBC  | 8.81 High  | 5.5-8.5 $10^{12}/l$ |  |
| H    |            |                     |  |
| HGB  | 20.6 High  | 12.0-18.0 g/dl      |  |
| H    |            |                     |  |
| HCT  | 63.92 High | 37.0-55.0 %         |  |
| H    |            |                     |  |
| MCV  | 73         | 60.0-77.0 fl        |  |
| MCH  | 23.4       | 19.5-24.5 pg        |  |

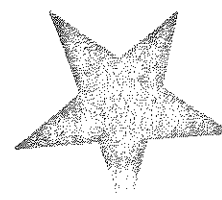




|      |        |                                |   |
|------|--------|--------------------------------|---|
| MCHC | 32.2   | 31.0-39.0 g/dl                 |    |
| RDWc | 16.3   | 14.0-20.0 %                    |    |
| RDWs | 45.3   | fl                             |   |
| PLT  | 198    | 165.0-500.0 10 <sup>9</sup> /l |    |
| MPV  | 9.4    | 3.9-11.1 fl                    |    |
| PCT  | 0.19   | %                              |   |
| PDWc | 41     | %                              |   |
| PDWs | 16.2   | fl                             |   |
| HEM  | 2+     |                                |   |
| LIP  | 1+     |                                |   |
| ICT  | 0      |                                |   |
| ALB  | 4.1    | 2.5-4.4 g/dL                   |  |
| ALP  | 57     | 20.0-150.0 U/L                 |  |
| ALT  | 141 *  | 10.0-118.0 U/L                 |   |
| H    |        |                                |   |
| AMY  | 621    | 200.0-1200.0 U/L               |  |
| TBIL | 0.3    | 0.1-0.6 mg/dL                  |  |
| BUN  | 42 *   | 7.0-25.0 mg/dL                 |   |
| H    |        |                                |   |
| CA   | 11.9 * | 8.6-11.8 mg/dL                 |   |
| H    |        |                                |   |
| PHOS | 2.5 *  | 2.9-6.6 mg/dL                  |   |
| L    |        |                                |   |
| CRE  | 1.9 *  | 0.3-1.4 mg/dL                  |   |



|      |       |                    |  |
|------|-------|--------------------|--|
| H    |       |                    |  |
| GLU  | 42 *  | 60.0-110.0 mg/dL   |  |
| L    |       |                    |  |
| NA+  | 153   | 138.0-160.0 mmol/L |  |
| K+   | 3.1 * | 3.7-5.8 mmol/L     |  |
| L    |       |                    |  |
| TP   | 9.5 * | 5.4-8.2 g/dL       |  |
| H    |       |                    |  |
| GLOB | 5.3 * | 2.3-5.2 g/dL       |  |
| H    |       |                    |  |



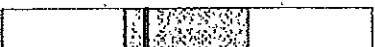



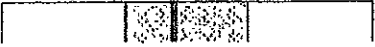




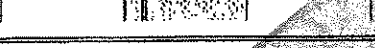


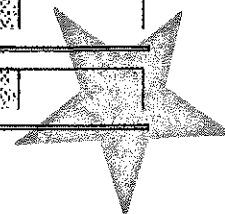
**Hematology**  
**Date Performed: 05/16/2022 01:07 PM**




**Patient Info:**  
 ID: 96772 TA  
 Name: 22-0138  
 Owner: Animal Shelter Town Of  
 Oyster Bay  
 Provider: VSAV

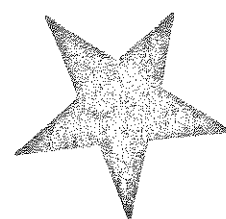
**Species:** Canine  
**Breed:** Pitbull  
**Birthdate:** 05/13/2017  
**Sex:** FI

**Clinic:**  
 Central Veterinary Associates  
 73 W Merrick Rd  
 Valley Stream, NY 11580-5718

|      |          |                     |   |
|------|----------|---------------------|---|
| WBC  | 10.41    | 6.0-17.0 $10^9/l$   |    |
| LYM  | 0.81 Low | 1.0-4.8 $10^9/l$    |    |
| L    |          |                     |   |
| MON  | 0.43     | 0.2-1.5 $10^9/l$    |    |
| NEU  | 9.13     | 3.0-12.0 $10^9/l$   |    |
| EOS  | 0.05     | 0.0-0.8 $10^9/l$    |    |
| BAS  | 0        | 0.0-0.4 $10^9/l$    |  |
| LYM% | 7.8      | %                   |   |
| MON% | 4.1      | %                   |   |
| NEU% | 87.7     | %                   |   |
| EOS% | 0.4      | %                   |   |
| BAS% | 0        | %                   |   |
| RBC  | 6.69     | 5.5-8.5 $10^{12}/l$ |  |
| HGB  | 15.3     | 12.0-18.0 g/dl      |  |
| HCT  | 47.31    | 37.0-55.0 %         |  |
| MCV  | 71       | 60.0-77.0 fl        |  |
| MCH  | 22.8     | 19.5-24.5 pg        |  |
| MCHC | 32.3     | 31.0-39.0 g/dl      |  |



|                  |        |                                |   |
|------------------|--------|--------------------------------|---|
| RDW <sub>o</sub> | 15.9   | 14.0-20.0 %                    |  |
| RDW <sub>s</sub> | 43     | fl                             |   |
| PLT<br>L         | 88 Low | 165.0-500.0 10 <sup>9</sup> /l |  |
| MPV              | 9.8    | 3.9-11.1 fl                    |  |
| PCT              | 0.09   | %                              |   |
| PDW <sub>c</sub> | 41.8   | %                              |   |
| PDW <sub>s</sub> | 17.6   | fl                             |   |



**Comprehensive Diagnostic Hematology**  
**Date Performed: 05/16/2022 01:10 PM**

**Patient Info:**

ID: 96772 TA

Name: 22-0138

Owner: Animal Shelter Town Of  
Oyster Bay








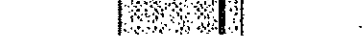



Provider: BSKD










**Species:** Canine**Breed:** Pitbull**Birthdate:** 05/13/2017**Sex:** F**Clinic:**

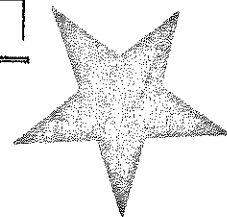
Central Veterinary Associates

73 W Merrick Rd

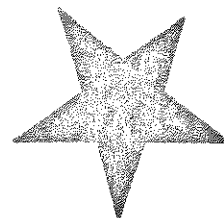
Valley Stream, NY 11580-5718

|      |            |                     |   |
|------|------------|---------------------|---|
| WBC  | 19.7 High  | 6.0-17.0 $10^9/l$   |    |
| H    |            |                     |   |
| LYM  | 0.76 Low   | 1.0-4.8 $10^9/l$    |    |
| L    |            |                     |   |
| MON  | 1.01       | 0.2-1.5 $10^9/l$    |    |
| NEU  | 17.88 High | 3.0-12.0 $10^9/l$   |    |
| H    |            |                     |   |
| EOS  | 0.05       | 0.0-0.8 $10^9/l$    |   |
| BAS  | 0          | 0.0-0.4 $10^9/l$    |  |
| LYM% | 3.9        | %                   |   |
| MON% | 5.1        | %                   |   |
| NEU% | 90.8       | %                   |   |
| EOS% | 0.2        | %                   |   |
| BAS% | 0          | %                   |   |
| RBC  | 7.29       | 5.5-8.5 $10^{12}/l$ |  |
| HGB  | 17         | 12.0-18.0 g/dl      |  |
| HCT  | 54.25      | 37.0-55.0 %         |  |
| MCV  | 74         | 60.0-77.0 fl        |  |
| MCH  | 23.3       | 19.5-24.5 pg        |  |

|          |                   |                                |   |
|----------|-------------------|--------------------------------|---|
| MCHC     | 31.2              | 31.0-39.0 g/dl                 |    |
| RDWc     | 15.7              | 14.0-20.0 %                    |    |
| RDWs     | 45.3              | fl                             |   |
| PLT<br>L | 32 <sup>Low</sup> | 165.0-500.0 10 <sup>9</sup> /l |    |
| MPV      | 7.9               | 3.9-11.1 fl                    |    |
| PCT      | 0.02              | %                              |   |
| PDWc     | 32                | %                              |   |
| PDWs     | 7.9               | fl                             |   |
| HEM      | 0                 |                                |   |
| LIP      | 1+                |                                |   |
| ICT      | 0                 |                                |   |
| ALB<br>L | 2.4 *             | 2.5-4.4 g/dL                   |   |
| ALP      | 86                | 20.0-150.0 U/L                 |  |
| ALT<br>H | 639 *             | 10.0-118.0 U/L                 |   |
| AMY      | 635               | 200.0-1200.0 U/L               |  |
| TBIL     | 0.3               | 0.1-0.6 mg/dL                  |  |
| BUN<br>H | 35 *              | 7.0-25.0 mg/dL                 |   |
| CA       | 10                | 8.6-11.8 mg/dL                 |  |
| PHOS     | 5.8               | 2.9-6.6 mg/dL                  |  |
| CRE      | 2.1 *             | 0.3-1.4 mg/dL                  |   |



|      |       |                    |
|------|-------|--------------------|
| H    |       |                    |
| GLU  | 117 * | 60.0-110.0 mg/dL   |
| H    |       |                    |
| NA+  | 156   | 138.0-160.0 mmol/L |
|      |       |                    |
| K+   | 6.2 * | 3.7-5.8 mmol/L     |
| H    |       |                    |
| TP   | 6.4   | 5.4-8.2 g/dL       |
|      |       |                    |
| GLOB | 4     | 2.3-5.2 g/dL       |



Central Veterinary Associates  
73 W Merrick Rd  
Valley Stream, NY  
(516) 825-3066  
05/19/2022

**Town Of Oyster Bay, Animal Shelter**

**22-0138**

Acct Number: 96772 Patient ID: TA  
Address.....: 150 Miller Place  
Syosett, NY 11791  
Phone.....: H: (516) 677-5784 W:(516) - ext:  
Cell Phone....: (516) 677-5784

**Medical Alert:**

Sex.....: FI  
DOB.....: 05/13/2017  
Species...: Canine  
Weight.: 105 lbs.  
Age.....: 5 years old  
Breed...: Pitbull

Chronic Meds.....:  
Chronic Cond.....:  
Flea Prev Meds.....:  
Heartworm Meds.:

Date Due:  
Date Due:

| Problem History: | Status: | Date Opened: | Date Closed: | Number: |
|------------------|---------|--------------|--------------|---------|
|------------------|---------|--------------|--------------|---------|

05/16/2022  
01:30:50 PM

Note

DISCHARGE: R/O UNDERLYING DISEASE, ETC

**DISCHARGE SUMMARY**

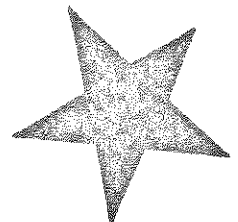
DISCHARGE DX: R/O UNDERLYING KIDNEY DISEASE - PET'S KIDNEY VALUES DID NOT NORMALIZE IN HOSPITAL, R/O LIVER TRAUMA VS UNDERLYING LIVER DISEASE (ALT 639)

DISCHARGE RX: CONSIDER STARTING DENAMARIN AND WELACTIN  
CONSIDER USING NF DIET - KIDNEY DIET  
SHELTER VETERINARIAN CAN DECIDE IF SQ FLUIDS SHOULD BE INSTITUTED

RECHECK APPT:  
AS NEEDED

HOME CARE INSTRUCTIONS:  
PET IS CLINICALLY DOING VERY WELL IN HOSPITAL  
CALL WITH QUESTIONS/CONCERNS

For any questions on 22-0138's health, please call (516) 825-3066.





Meeting of August 9, 2022

Resolution No 547-2022

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services ("Department"), by memorandum dated July 22, 2022, requested that the Town Board authorize the Department to conduct the annual "9/11 Memorial and Walls of Honor Ceremony," at the memorial site located on the bay side of TOBAY Beach, on Thursday, September 8, 2022 at 7:00 PM, for a total event cost not to exceed \$20,000.00; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board authorize the Department to lease a tent, with removable front, sides, 3 chandelier type lighting fixtures and electric power strips, from a provider yet to be determined, and for a size yet to be determined, with said determinations to be made by the Commissioner of the Department and has advised that said tent shall be procured in accordance with the provisions of Guideline 3(a) of the Town of Oyster Bay Procurement Policy and;

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that sound and lighting for the event are to be provided by EKO Productions, Incorporated, 360-C Commack Road Deer Park, New York 11729, and Super Sounds Entertainment Incorporated, d/b/a/ Brilliance Event Productions, 948 Mirabelle Avenue Westbury, New York 11590, pursuant to Resolution No. 691-2021, and Resolution No. 692-2021, (respectively), both adopted on December 7, 2021; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Supervisor, and/or his duly appointed designee, and/or the Commissioner of the Department be authorized to sign and execute the abovementioned agreements for the tent lease, and for sound and lighting services, with the abovementioned vendors, for said event,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of Community and Youth Services is hereby authorized to conduct the annual "9/11 Memorial and Walls of Honor Ceremony", to be held at the memorial site located on the bay side of TOBAY Beach, on Thursday, September 8, 2022, at 7:00 p.m., for a total event cost not to exceed \$20,000.00; and be it further

RESOLVED, That the Town Supervisor, and/or his duly appointed designee, and/or the Commissioner of the Department of Community and Youth Services, are hereby authorized to sign and execute the aforementioned agreements for tent lease, and for sound and lighting services, with the aforementioned vendors, for said event; and be it further

RESOLVED, That the funds for said event shall be drawn from Account No. CYS A 7020 41800 000 0000, *Recreational Supplies*, Account No. CYS A 7020 45100 000 0000, *Equipment Rental*, and Account No. CYS A 7020 47660 000 0000, *Special Events*; and be it further

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

Meeting of December 7, 2021

Resolution No. 691-2021

WHEREAS, by Resolution No. 664-2020, adopted on December 8, 2020, the Town Board authorized the Supervisor, or his designee, to execute an agreement with EKO Productions, Incorporated, 360-C Commack Road, Deer Park, New York 11729, to provide professional sound equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2021 through December 31, 2021, in an amount not to exceed \$140,000.00, with two (2) one (1) year extension options; and

WHEREAS, Commissioner Fitzgerald by memorandum dated November 15, 2021, requested Town Board authorization to exercise the first of the two (2) one-year extension options, commencing January 1, 2022 through December 31, 2022 for an amount not to exceed \$160,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Supervisor, or his designee, to exercise the first one (1) year extension and execute an agreement, negotiated and approved by the Office of the Town Attorney, with EKO Productions, to provide professional sound equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2022 through December 31, 2022, in an amount not to exceed \$160,000.00; and be it further

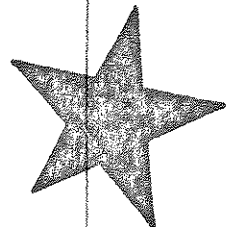
RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000; and be it further

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

-#-

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

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



Reviewed By  
Office of Town Attorney  
*America Walpe*

Meeting of December 7, 2021

Resolution No. 692-2021

Reviewed By  
Office of Town Attorney

*Domenica Walpe*

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated November 20, 2020, requested Town Board authorization for the Town Supervisor, or his designee, to execute an agreement, negotiated and approved by the Office of the Town Attorney, with Super Sounds Entertainment Incorporated, d/b/a Brilliance Event Productions, 948 Mirabelle Avenue Westbury, New York 11590, to provide professional lighting equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2021 through December 31, 2021, in an amount not to exceed \$65,000.00, with two (2) one (1) year extension options, to be exercised by the Town, if it is in the Town's best interest to do so; and

WHEREAS, Commissioner Fitzgerald by memorandum dated November 15, 2021, requested Town Board authorization to exercise the first of the two (2) one-year extension options, commencing on January 1, 2022 through December 31, 2022 for an amount not to exceed \$65,000.00; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved; and the Town Board authorizes the Town Supervisor, or his designee, to authorize the first one-year extension and execute an agreement, negotiated and approved by the Office of the Town Attorney, with Super Sounds Entertainment Incorporated, d/b/a Brilliance Event Productions, 948 Mirabelle Avenue Westbury, New York 11590, to provide professional lighting equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2022 through December 31, 2022, in an amount not to exceed \$65,000.00, if it is in the Town's best interest to do so; and be it further

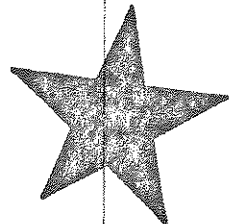
RESOLVED, That the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000; and be it further

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

-#-

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

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



Meeting of August 9, 2022

Resolution No.548 -2022

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services ("Department"), by memorandum dated July 21, 2022, requested Town Board authorization for the Department to sponsor the Fall 2022 Workshop Enrichment Program; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board authorize the Department to retain the services of the vendors listed on the attached schedule, to provide the Town of Oyster Bay with professional, instructional services on the dates, at the times and locations, and for the amounts specified on the attached schedule, for the Fall 2022 Workshop Enrichment Program; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board authorize the Commissioner to cancel any and/or all workshops, and make changes to the dates, times and/or locations of any and /or all workshops, as needed, and to process refunds for workshops that do not materialize, for cause; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Comptroller be authorized and directed to make payment for any such refunds, upon submission of a duly certified claim, after audit; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that the Town Board authorize the Town Supervisor, and/or his duly appointed designee, and/or the Commissioner of the Department, to sign and execute agreements with the aforementioned vendors to provide professional instructional services to the Town of Oyster Bay, for the Fall 2022 Workshop Enrichment Program; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the registration fees for the enrichment workshops shall range from \$20.00 to \$75.00 for Town of Oyster Bay residents, and from \$35.00 to \$100.00 for Town of Oyster Bay non-residents, and that all monies collected from the workshops shall be deposited in Revenue Account No. CYS A 0001 02001 511 0000; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised that the funds for the instructional fees are available in, and shall be drawn from, Account No. CYS A 7020 47660 000 0000, *Special Events*, and shall not exceed an amount greater than \$5,920.00; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further advised, that the vendors selected for the Fall 2022 Workshop Enrichment Program possess unique skill sets by virtue of their singular instructional abilities, knowledge and experience, that their selection has been made in accordance with Guideline 5, Section (b) of the Town of Oyster Bay Procurement Policy, and, that therefore, no written proposals or solicitations were required; and

6/21  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

WHEREAS, Commissioner, Fitzgerald, by said memorandum, further advised that the aforementioned vendors have been vetted fully through the Town's Exiger System, and that the Inspector General has been satisfied that the requirements of the Town of Oyster Bay Procurement Policy have been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Department of Community and Youth Services, is hereby authorized to sponsor the Fall 2022 Workshop Enrichment Program; and be it further

RESOLVED, That the Department of Community and Youth Services is hereby authorized further to retain the services of the vendors listed on the attached schedule, and to provide the Town of Oyster Bay with professional, instructional services, on the dates, at the times and locations, and for the amounts specified on the attached schedule, for the Fall 2022 Workshop Enrichment Program; and be it further

RESOLVED, That the registration fees for said workshops shall range from \$20.00 to \$75.00 for Town of Oyster Bay residents, and from \$35.00 to \$100.00 for Town of Oyster Bay non-residents, and that all monies collected from said workshops shall be deposited in Account No. CYS A 0001 02001 511 0000; and be it further

RESOLVED, That the Department of Community and Youth Services is hereby authorized further to cancel any/and/or all workshops, and make changes to the dates, times and/or locations of any and /or all workshops, as needed, and to process refunds for workshops that do not materialize for cause; and be it further

RESOLVED, That the Town Comptroller, is hereby authorized and directed to make payment for any such refunds, upon submission of a duly certified claim after audit; and be it further

RESOLVED, That the Town Supervisor, and/or his duly appointed designee, and/or the Commissioner of the Department of Community and Youth Services, are hereby authorized to sign and execute agreements with the aforementioned vendors to provide the Town with professional instructional services in connection with the Fall 2022 Workshop Enrichment Program; and be it further

RESOLVED, That the funds for the instructional fees shall be drawn from Account No. CYS A 7020 47660 000 0000, *Special Events*, and shall not exceed an amount greater than \$5,920.00; and be it further

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

-#-

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

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

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

July 21, 2022

TO: Memorandum Docket

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

SUBJECT: Fall 2022 Workshop Enrichment Program – Instructional Services

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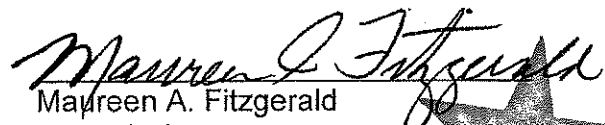
The Department of Community & Youth Services is requesting Town Board authorization to sponsor enrichment workshops and to retain the professional services of Instructors to conduct those workshops.

The workshop type, location, Instructor and fee for each workshop are listed on the attached chart. The funds for the instructional fees will be paid from Account CYS A 7020 47660 000 0000, *Special Events*, and will not exceed \$5,920.00. Registration fees for the workshops will range from \$20 to \$75.00 for residents and \$35 to \$100.00 for non-residents. The registration fees collected from the workshops shall be deposited in Account CYS A 0001 02001 511 0000.

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

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

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

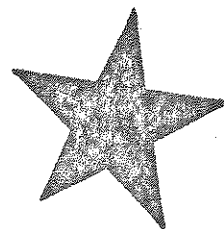
  
Maureen A. Fitzgerald  
Commissioner

MAF:kh  
Attachments



| 2022 Fall<br>Instructional Services   | Check Payable to:  | Community<br>Centers  | Fee per<br>Session x<br>Amount of<br>Sessions    | Amount<br>Not to<br>Exceed |
|---|--|-----------------------|--|----------------------------|
| <u><b>Oil Painting I (Beginner) &amp;<br/>Oil Painting II (Intermediate)</b></u><br>Two (2) Adult Workshops.<br>Ten (10) sessions for each workshop.<br>Twenty (20) sessions total.         | <u><b>Jock Anderson</b></u><br>7 Russell Road<br>Garden city, NY 11530         | Syosset-<br>Woodbury  | \$80 per<br>session x<br>twenty (20)<br>sessions | \$1,600.00                 |
| <u><b>Drawing Fundamentals</b></u><br>One (1) Adult Workshop.<br>Ten (10) sessions.   | <u><b>Jock Anderson</b></u><br>7 Russell Road<br>Garden city, NY 11530         | Syosset-<br>Woodbury  | \$80 per<br>session x ten<br>(10) sessions       | \$800.00                   |
| <u><b>Painting with Acrylics</b></u><br>One (1) Adult Workshop.<br>Ten (10) sessions.   | <u><b>Kevin Larkin</b></u><br>51 Bellflower Path<br>Smithtown, NY 11787        | Syosset-<br>Woodbury  | \$80 per<br>session x ten<br>(10) sessions       | \$800.00                   |
| <u><b>Sumi-E Painting</b></u><br>One (1) Adult Workshop<br>Ten (10) Sessions  | <u><b>Gladys Stewart</b></u><br>28 20th Street<br>Jericho, NY, 11753           | Syosset -<br>Woodbury | \$80 per<br>session x ten<br>(10) sessions       | \$800.00                   |
| <u><b>Watercolor Painting I (Beginner)<br/>Watercolor Painting II (Intermediate)</b></u><br>Two (2) Adult Workshops.<br>Ten (10) sessions for each workshop.<br>Twenty (20) sessions total. | <u><b>Rita Broughton</b></u><br>26 Parkview Circle North<br>Bethpage, NY 11714 | Syosset-<br>Woodbury  | \$80 per<br>session x<br>twenty (20)<br>sessions | \$1,600.00                 |
| <u><b>DIY Chunky Hand Knit Blanket</b></u><br>Two (2) Adult Workshops.<br>One (1) Session for each workshop.  | <u><b>Laura Escobar</b></u><br>27 Irving Court<br>Oyster Bay, NY, 11771        | North<br>Massapequa   | \$160 per<br>session x<br>two (2)<br>sessions    | \$320.00                   |

**TOTAL: \$5,920.00**



**CONTRACT**

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and XXXXXXXX, XXXXXX, XXXXXX, New York XXXXX (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Class: XXXXXXXXXXXXXXXX  
Location: XXXXXXXXXXXXXXXX  
One Adult Class @ XXX Sessions Each  
Amount: \$XX.00 per session  
XXX sessions

In consideration of these services, the TOWN agrees to pay CONTRACTOR an amount not to exceed Eight hundred dollars and 00/100. If CONTRACTOR fails to appear, or is incapacitated from rendering services through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be made upon submission of CONTRACTOR'S invoice and the claim form provided by TOWN.

If the workshop(s) covered under this contract do not materialize due to low enrollment or any other unforeseeable cause, the Commissioner of the Department of Community & Youth Services reserves the right to cancel the workshop in part or, the contract in its entirety.

CONTRACTOR agrees to defend, indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind or nature, whether direct or indirect, arising out of the performance of this agreement as a result of the carelessness, recklessness, negligence or improper conduct of CONTRACTOR and/or its subcontractors, agents or employees.

CONTRACTOR agrees to provide services in accordance with the Instructor's Guidelines specified in Appendix I which is attached hereto and in all respects made a part hereof by reference.

XXXXXXXXXXXXXXXXXX

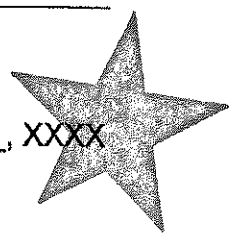
TOWN OF OYSTER BAY

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
COMMISSIONER

DATE: \_\_\_\_\_, XXXX

DATE: \_\_\_\_\_, XXXX



Reviewed By  
Office of Town Attorney - *Am*  
*BN*



**CONTRACT**

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Jock Anderson, 7 Russell Road, Garden City, New York 11530 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Class: Oil Painting I & II

Location: Syosset-Woodbury Community Center  
Two Adult Classes @ Ten Sessions Each

Amount: \$80.00 per session  
Twenty sessions

In consideration of these services, the TOWN agrees to pay CONTRACTOR an amount not to exceed Sixteen hundred dollars and 00/100. If CONTRACTOR fails to appear, or is incapacitated from rendering services through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be made upon submission of CONTRACTOR'S invoice and the claim form provided by TOWN.

If the workshop(s) covered under this contract do not materialize due to low enrollment or any other unforeseeable cause, the Commissioner of the Department of Community & Youth Services reserves the right to cancel the workshop in part or, the contract in its entirety.

CONTRACTOR agrees to defend, indemnify and hold harmless the Town, its officers and employees, from any and all claims, suits, losses, damages, or injury to person or property of whatsoever kind or nature, whether direct or indirect, arising out of the performance of this agreement as a result of the carelessness, recklessness, negligence or improper conduct of CONTRACTOR and/or its subcontractors, agents or employees.

CONTRACTOR agrees to provide services in accordance with the Instructor's Guidelines specified in Appendix I which is attached hereto and in all respects made a part hereof by reference.

**JOCK ANDERSON**

**TOWN OF OYSTER BAY**

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
COMMISSIONER

DATE: \_\_\_\_\_, 2022

DATE: \_\_\_\_\_



Meeting of August 9, 2022

Resolution No 549-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 19, 2022, requested and recommended Town Board authorization to issue refunds, minus a pro rata amount of days attended less the 10 percent administrative fee, to the following residents who have children that did not attend any or all days of the 2022 Town of Oyster Bay Summer Recreation Program as planned:

| Name             | Address                                    | Park                            | Number of children registered | Number of children withdrawing | Total Paid | Less 10% Fee | Total Refund |
|------------------|--|---------------------------------|-------------------------------|--------------------------------|------------|--------------|--------------|
| Ming Chung       | 65 Willets Drive<br>Syosset, NY 11791      | Syosset-Woodbury Community Park | 2                             | 2                              | \$818.94   | \$81.89      | \$737.05     |
| Michelle Daniell | 3 Joseph Avenue<br>Bethpage, NY 11714      | Ellsworth W. Allen Town Park    | 1                             | 1                              | \$482.76   | \$48.28      | \$434.48     |
| Joel Delgado     | 121 Plitt Avenue<br>Farmingdale, NY 11735  | Ellsworth W. Allen Town Park    | 1                             | 1                              | \$500.00   | \$50.00      | \$450.00     |
| Leidy Medina     | 2 Ludwig Place<br>Farmingdale, NY 11735    | Marjorie R. Post Community Park | 1                             | 1                              | \$651.72   | \$65.17      | \$586.55     |
| Dawn Migliore    | 464 North Queens Ave, Massapequa, NY 11758 | Marjorie R. Post Community Park | 1                             | 1                              | \$581.90   | \$58.19      | \$523.71     |
| Alexis Pagano    | 98 Highwood Circle, Oyster Bay, NY 11771   | Ellsworth W. Allen Town Park    | 1                             | 1                              | \$500.00   | \$50.00      | \$450.00     |

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized and directed to issue the above listed refunds; and be it further

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

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

-#-

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

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

Reviewed By  
Office of Town Attorney  
*Danica Wolfe*

## TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: July 19, 2022


SUBJECT: 2022 Town of Oyster Bay Summer Recreation Program Refunds

The Department of Parks has received correspondence from the residents listed below notifying us that their child/children did not attend any or all days of the 2022 Summer Recreation Program. Our office respectfully requests Town Board approval for the following refunds, minus days attended less 10% administrative fee, as per Town Board Resolution 653-2021, dated November 16, 2021:

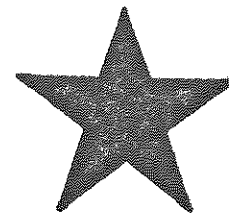
| Name             | Address   | Park                            | Number of Children Registered | Number of Children Withdrawing | Total Paid | Less 10% Fee | Total Refund | Vendor # |
|------------------|---|---------------------------------|-------------------------------|--------------------------------|------------|--------------|--------------|----------|
| Ming Chung       | 65 Willets Drive<br>Syosset, NY 11791           | Syosset-Woodbury Community Park | 2                             | 2                              | \$818.94   | \$81.89      | \$737.05     |          |
| Michelle Daniell | 3 Joseph Avenue<br>Bethpage, NY 11714           | Ellsworth W. Allen Town Park    | 1                             | 1                              | \$482.76   | \$48.28      | \$434.48     |          |
| Joel Delgado     | 121 Plitt Avenue<br>Farmingdale, NY 11735       | Ellsworth W. Allen Town Park    | 1                             | 1                              | \$500.00   | \$50.00      | \$450.00     |          |
| Leidy Medina     | 2 Ludwig Place<br>Farmingdale, NY 11735         | Marjorie R. Post Community Park | 1                             | 1                              | \$651.72   | \$65.17      | \$586.55     |          |
| Dawn Migliore    | 464 North Queens Avenue<br>Massapequa, NY 11758 | Marjorie R. Post Community Park | 1                             | 1                              | \$581.90   | \$58.19      | \$523.71     |          |
| Alexis Pagano    | 98 Highwood Circle<br>Oyster Bay, NY 11771      | Ellsworth W. Allen Park         | 1                             | 1                              | \$500.00   | \$50.00      | \$450.00     |          |

The Office of the Comptroller has reviewed all pertinent information relating to these requests and recommends that the Town Board approve these refunds.

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

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER

JGP/cd



Meeting of August 9, 2022

Resolution No 550-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 21, 2022, requested and recommended Town Board authorization to issue refunds, minus a pro rata amount of days used less the 5 percent administrative fee, to the following residents who have boat slips in the Marina of Harry Tappen Beach that they will no longer be using:

| Name         | Address                              | Refund Amount | Less 5% fee | Total Refund |
|--------------|--------------------------------------|---------------|-------------|--------------|
| Eva Geyer    | 25 7 Street<br>Bayville, NY 11709    | \$938.25      | \$46.97     | \$891.28     |
| Andrew Lewin | 25 Knoll Lane<br>Glen Head, NY 11545 | \$987.80      | \$49.39     | \$938.41     |

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized and directed to issue the above listed refunds; and be it further

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

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

-#-

Reviewed By  
Office of Town Attorney  
*Domenica Waite*

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

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

550

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

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner - Department of Parks

DATE: July 21, 2022

SUBJECT: 2022 Town of Oyster Bay – Harry Tappen Marina Slips

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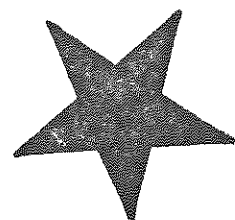
The Department of Parks has received correspondence from the residents listed below notifying us that they will no longer be using their boat slips in the Marina of Harry Tappen Beach and request refunds. Our office respectfully requests Town Board approval for the following refunds, minus days used less 5% administrative fee.

| Name         | Address                              | Park               | Refund Amount | Less 5% Fee | Total Refund | Vendor # |
|--------------|--------------------------------------|--------------------|---------------|-------------|--------------|----------|
| Eva Geyer    | 25 7 Street<br>Bayville, NY 11709    | Harry Tappen Beach | \$938.25      | \$46.97     | \$891.28     |          |
| Andrew Lewin | 25 Knoll Lane<br>Glen Head, NY 11545 | Harry Tappen Beach | \$987.80      | \$49.39     | \$938.41     |          |

The Office of the Comptroller has reviewed all pertinent information relating to these requests and recommends that the Town Board approve these refunds.

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

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER



Meeting of August 9, 2022

Resolution No 551-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated June 29, 2022, requested and recommended Town Board authorization to issue a refund in the amount of a \$350.00 to Robert Cannon, 29 Lourae Drive, Massapequa Park, New York 11762, who mistakenly signed up his son for the 2022 Town of Oyster Bay 8U Pond Hockey Program, rather than the NYI LTP program he meant to sign up for,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are approved and accepted, and the Department of Parks is hereby authorized to issue a refund in the amount of \$350.00 to Robert Cannon, 29 Lourae Drive, Massapequa Park, New York 11762, from Account No. PKS A 0001 02001 510 0000, and payment of said refund is to be made by the Comptroller upon presentation of a duly certified claim, after audit.

-#-

  
Reviewed By  
Office of Town Attorney

*Danica Walke*

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

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

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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: June 29, 2022

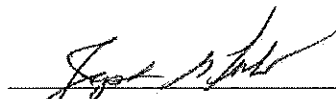
SUBJECT: 2022 Town Of Oyster Bay Ice Hockey Program Refunds

The Department of Parks is requesting a refund to be issued to Town of Oyster Bay resident Robert Cannon. Mr. Cannon's son will not be attending the 8U Pond Hockey Program, he meant to sign up for the NYI LTP program instead. Consequently, our office respectfully requests Town Board approval, as follows:

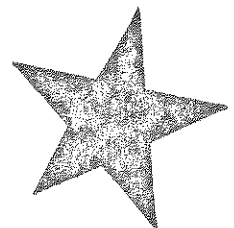
| Name             | Address  | Program    | Number of<br>Children<br>Registered | Number of<br>Children<br>Withdrawing | Total<br>Paid | Total<br>Refund | Vendor # |
|------------------|--|------------|-------------------------------------|--------------------------------------|---------------|-----------------|----------|
| Robert<br>Cannon | 29 Lourae Drive<br>Massapequa Park<br>NY 11762 | Ice Hockey | 1                                   | 1                                    | \$350         | \$350.00        |          |

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

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

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

JGP/cd



1/2/21  
Reviewed By  
Office of Town Attorney  
*America Wolfe*

Meeting of August 9, 2022

Resolution No 552-2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 14, 2022, requested and recommended Town Board authorization to issue a refund in the amount of \$1,125.00 to Sarah Cimino, 373 North Kentucky Avenue, Massapequa, NY 11758, for fees paid for her children to participate in the upcoming Town of Oyster Bay Summer Recreation Program at Marjorie R. Post Community Park, Massapequa, as her children can no longer attend; and

WHEREAS, based on the Town of Oyster Bay refund policy, Mrs. Cimino is entitled to receive a refund of the \$1,250.00 registration fee less the 10 percent administrative fee of \$125.00, thereby making her total refund \$1,125.00,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are approved and accepted, and the Department of Parks is hereby authorized to issue a refund in the amount of \$1,125.00 to Sarah Cimino, 373 North Kentucky Avenue, Massapequa, NY 11758, from Account No. PKS A 0001 02001 510 0000, and payment of said refund is to be made by the Comptroller upon presentation of a duly certified claim, after audit.

-#-

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

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



## TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: July 14, 2022

SUBJECT: Sarah Cimino Refund – Marjorie R. Post Community Park Summer Recreation

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The Department of Parks respectfully requests Town Board approval for a refund to be issued to Sarah Cimino of 373 North Kentucky Avenue, Massapequa NY 11758, for fees paid for the Town of Oyster Bay's Summer Recreation Program at Marjorie R. Post Community Park for her children. Mrs. Cimino has withdrawn them from the program since they do not feel comfortable attending due to a personal situation.

Mrs. Cimino is eligible to receive the refund, minus a 10% administrative fee, as follows:

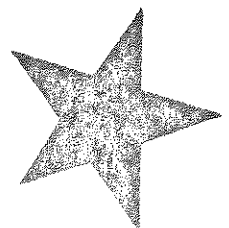
|                             |  |
|-----------------------------|--|
| Registration Fee            | \$1250.00  |
| Less 10% Administrative Fee | \$ 125.00  |
| <b>TOTAL REFUND</b>         | <b>\$1125.00 (One Thousand One Hundred Twenty Five Dollars and 00/100 Cents)</b> |

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

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

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER

JGP/cd



Meeting of August 9, 2022

Resolution No.553 -2022

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 21, 2022, requested and recommended Town Board authorization to issue refunds, minus a pro rata amount of days attended less the 10 percent administrative fee, to the following residents who have children that did not attend any or all days of the 2022 Town of Oyster Bay Summer Recreation Program as planned:

| Name               | Address                                    | Park                            | Number of children registered | Number of children withdrawing | Total Paid | Less 10% Fee | Total Refund |
|--------------------|--|---------------------------------|-------------------------------|--------------------------------|------------|--------------|--------------|
| Alexandra Telesca  | 34 Lois Lane Farmingdale, NY 11735         | Marjorie R. Post Community Park | 2                             | 2                              | \$1119.24  | \$111.92     | \$1007.32    |
| Eleanor Musmeci    | 20 Cranberry Lane Plainview, NY 11803      | Syosset-Woodbury Community Park | 1                             | 1                              | \$605.17   | \$60.52      | \$544.65     |
| Angelica Mroczka   | 61A Grove Street Landing, NY 11547         | Harry Tappen Beach              | 2                             | 2                              | \$868.97   | \$86.90      | \$782.07     |
| Kazi Ahmed         | 43 Stymus Avenue Bethpage, NY 11714        | Syosset-Woodbury Community Park | 1                             | 1                              | \$675.00   | \$67.50      | \$607.50     |
| Candace Biliski    | 37 Orchard Street Glen Head, NY 11545      | Harry Tappen Beach              | 1                             | 1                              | \$500.00   | \$50.00      | \$450.00     |
| Lauren Quezada     | 142 E. Zoranne Drive Farmingdale, NY 11735 | Ellsworth W.Allen Park          | 2                             | 2                              | \$900.00   | \$90.00      | \$810.00     |
| Lindsey McCarthy   | 14 Roxbury Lane Massapequa, NY 11758       | Marjorie R. Post Community Park | 1                             | 1                              | \$675.00   | \$67.50      | \$607.50     |
| Peter Campanella   | 45 Westgate Road Massapequa Park, NY 11762 | Marjorie R. Post Community Park | 1                             | 1                              | \$675.00   | \$67.50      | \$607.50     |
| Jessica Deluca     | 1 Oxford Avenue Massapequa, NY 11758       | Marjorie R. Post Community Park | 1                             | 1                              | \$675.00   | \$67.50      | \$607.50     |
| Supreet Sigh Arora | 19 Netto Lane Plainview, NY 11803          | Plainview-Old Bethpage          | 1                             | 1                              | \$575.00   | \$57.50      | \$517.50     |

Reviewed By  
Office of Town Attorney  
*Domenica Wolfe*

Resolution No.553-2022

|                     |  |                                       |   |   |          |         |          |
|---------------------|--|---------------------------------------|---|---|----------|---------|----------|
| Courtnei Speicher   | 58 Martin Road<br>North, Bethpage,<br>NY 11714   | Ellsworth W. Allen<br>Park            | 2 | 2 | \$900.00 | \$90.00 | \$810.00 |
| Christopher Shekier | 220 Bayview<br>Avenue<br>Massapequa, NY<br>11758 | Marjorie R. Post<br>Community<br>Park | 1 | 1 | \$575.00 | \$57.50 | \$517.50 |
| Vanessa Lealand     | 4108 Bayberry<br>Lane Seaford, NY<br>11783       | Marjorie R. Post<br>Community<br>Park | 1 | 1 | \$675.00 | \$67.50 | \$607.50 |

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized and directed to issue the above listed refunds; and be it further

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

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

-#-

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

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

10

## TOWN OF OYSTER BAY

553

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner - Department of Parks

DATE: July 21, 2022

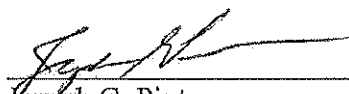
SUBJECT: 2022 Town of Oyster Bay Summer Recreation Program Refunds

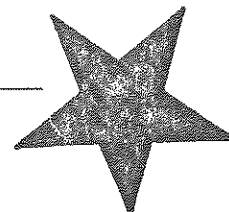
The Department of Parks received correspondence from the residents listed below notifying us that their child/children did not attend any or all days of the 2022 Summer Recreation Program. Our office respectfully requests Town Board approval for the following refunds, minus days attended less 10% administrative fee, as per Town Board Resolution 653-2021, dated November 16, 2021:

| Name                | Address  | Park                                  | Number of Children Registered | Number of Children Withdrawing | Amount    | Less 10% Fee | Total Refund | Vendor # |
|---------------------|--|---------------------------------------|-------------------------------|--------------------------------|-----------|--------------|--------------|----------|
| Alexandra Telesca   | 34 Lois Lane<br>Farmingdale, NY 11735          | Marjorie R. Post Community Park       | 2                             | 2                              | \$1119.24 | \$111.92     | \$1007.32    |          |
| Eleanor Musmeci     | 20 Cranberry Lane<br>Plainview, NY 11803       | Syosset-Woodbury Community Park       | 1                             | 1                              | \$605.17  | \$60.52      | \$544.65     |          |
| Angelica Mroczka    | 61A Grove Street<br>Glenwood Landing, NY 11547 | Harry Tappen Beach                    | 2                             | 2                              | \$868.97  | \$86.90      | \$782.07     |          |
| Kazi Ahmed          | 43 Styms Avenue<br>Bethpage, NY 11714          | Syosset-Woodbury Community Park       | 1                             | 1                              | \$675.00  | \$67.50      | \$607.50     |          |
| Candace Biliski     | 37 Orchard Street Glen Head, NY 11545          | Harry Tappen Beach                    | 1                             | 1                              | \$500.00  | \$50.00      | \$450.00     |          |
| Lauren Quezada      | 142 E. Zoranne Drive,<br>Farmingdale NY 11735  | Ellsworth W. Allen Park               | 2                             | 2                              | \$900.00  | \$90.00      | \$810.00     |          |
| Lindsey McCarthy    | 14 Roxbury Lane<br>Massapequa, NY 11758        | Marjorie R. Post Community Park       | 1                             | 1                              | \$675.00  | \$67.50      | \$607.50     |          |
| Peter Campanella    | 45 Westgate Road<br>Massapequa Park, NY 11762  | Marjorie R. Post Community Park       | 1                             | 1                              | \$675.00  | \$67.50      | \$607.50     |          |
| Jessica Deluca      | 1 Oxford Avenue<br>Massapequa, NY 11758        | Marjorie R. Post Community Park       | 1                             | 1                              | \$675.00  | \$67.50      | \$607.50     |          |
| Supreet Singh Arora | 19 Netto Lane Plainview, NY 11803              | Plainview-Old Bethpage Community Park | 1                             | 1                              | \$575.00  | \$57.50      | \$517.50     |          |
| Courtnei Speicher   | 58 Martin Road North,<br>Bethpage NY 11714     | Ellsworth W. Allen Park               | 2                             | 2                              | \$900.00  | \$90.00      | \$810.00     |          |
| Christopher Shekier | 220 Bayview Avenue,<br>Massapequa NY 11758     | Marjorie R. Post Community Park       | 1                             | 1                              | \$575.00  | \$57.50      | \$517.50     |          |
| Vanessa Lealand     | 4108 Bayberry Lane<br>Seaford, NY 11783        | Marjorie R. Post Community Park       | 1                             | 1                              | \$675.00  | \$67.50      | \$607.50     |          |

The Office of the Comptroller has reviewed all pertinent information relating to these requests and recommends that the Town Board approve these refunds.

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

  
Joseph G. Pinto  
COMMISSIONER



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 25, 2022, requested and recommended Town Board approval for the co-sponsorship of the Walk for Autism event with AdvantageCare Health Centers (AHRC) on Saturday, September 24, 2022 at John J. Burns Park, Massapequa Park, New York; and

WHEREAS, the event shall be conducted under the following guidelines:

1. AHRC Nassau shall be responsible for the purchase of T-Shirts;
2. AHRC Nassau shall be responsible to obtain/purchase the Food Permit through the Nassau County Department of Health;
3. The Town of Oyster Bay shall provide a Showmobile without fee;
4. The Town of Oyster Bay shall supply refreshments for the event, such as hot dogs, chips, soda and water, from existing supplies;
5. The Town of Oyster Bay, shall print all posters and brochures;
6. The Town of Oyster Bay shall collect all mail-in and day-of registration fees, as follows:

|                               |         |
|-------------------------------|---------|
| Individuals:                  | \$10.00 |
| Family (up to 5 individuals): | \$25.00 |
7. AHRC Nassau shall be responsible for all online fees;
8. The Town of Oyster Bay and AHRC Nassau shall both be responsible for collecting donated raffle prizes;
9. Any purchase orders related to this event shall be made pursuant to according to the Town's Procurement Policy, through the Purchasing Department;
10. The Commissioner of Parks and/or his designee shall be authorized to make changes, as necessary, to the date, time and location of said event; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and has determined that the approval of this request will benefit the residents of the Town of Oyster Bay,

*Mej*  
Reviewed By  
Office of Town Attorney  
*Elizabeth A. Taughman*

NOW, THEREFORE, BE IT RESOLVED, that the request and recommendation as set forth hereinabove are hereby accepted and approved in accordance with the guidelines hereinabove stated, for the Department of Parks sponsorship of the Walk for Autism event with AdvantageCare Health Centers on Saturday, September 24, 2022 at John J. Burns Park.

-#-

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

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

554

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

July 25, 2022

**TO: MEMORANDUM DOCKET**  
**FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS**  
**SUBJECT: 2022 TOWN OF OYSTER BAY & ADVANTAGECARE HEALTH CENTERS  
SPONSORED WALK FOR AUTISM**

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The Department of Parks, Division of Recreation, respectfully requests Town Board authorization for the permission to conduct the Walk for Autism event with AdvantageCare Health Centers.

This event will be conducted under the following terms and conditions:

1. AHRC will be responsible for the purchase of t-shirts.
2. AHRC will be responsible for the purchase of the Food Permit through Nassau County Department of Health.
3. The Town of Oyster Bay will supply the show mobile with fee waived.
4. The Town of Oyster Bay will supply the refreshments for this event such as hotdogs, chips, soda and water.
5. The Town of Oyster Bay print shop will do all printing for posters and brochures.
6. The Town of Oyster Bay will collect all mail in fees and day of fees on behalf of AHRC.

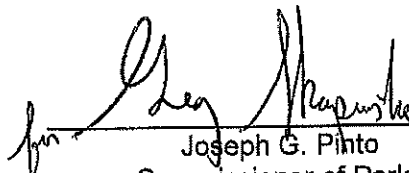
Walk For Autism:

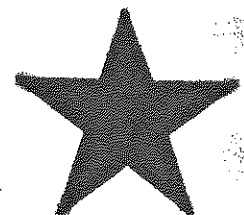
Individuals: \$10.00

Family (up to 5): \$25.00

7. AHRC will be responsible for all online fees.
8. The Town of and AHRC will be responsible for collecting donated raffle prizes.
9. The walk will be conducted on Saturday, September 24, 2022 at Burns Park. Any purchase orders related to these events shall be pursuant to the Town's procurement policy through purchasing division.

The Department of Parks recommends Town of Board approval for the outlined event, and also requests authorization for the Commissioner and/or his designee to make changes, as necessary, to the date, time and location of said event.

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



Meeting of August 9, 2022

Resolution No 555-2022

WHEREAS, Bruce Carlow has requested to donate a memorial plaque on an existing bench to be placed in Ellsworth W. Allen Park, Farmingdale, in memory of Stuart Carlow; and

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 22, 2022, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$850.00 from Bruce Carlow for a memorial plaque on an existing bench to be located in Ellsworth W. Allen Park, Farmingdale, in memory of Stuart Carlow.

-#-

Reviewed By  
Office of Town Attorney  
*America Wolfe*

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

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



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

**TO:** Memorandum Docket  
**FROM:** Joseph G. Pinto, Commissioner of Parks  
**SUBJECT:** Memorial Plaque on existing Bench  
**DATE:** July 22, 2022

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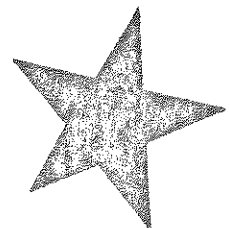
The Department of Parks has received a request from Bruce Carlow (letter attached) requesting to donate a memorial plaque on an existing bench to be placed in Ellsworth W. Allen Park in memory of Stuart Carlow.

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

The plaque and existing bench will be purchased by Bruce Carlow and donated to the Parks Department. The value of the plaque and existing bench is estimated to be \$850.00. Town Board approval is requested on behalf of Bruce Carlow. The monies will be collected in account PKS A 0001 02705 000 0000.

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/dc



## Diann Codispodo

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**From:** BRUCE CARLOW [REDACTED]  
**Sent:** Wednesday, July 13, 2022 6:18 PM  
**To:** Diann Codispodo  
**Subject:** Re: Request to dedicate an existing bench at Allen Park

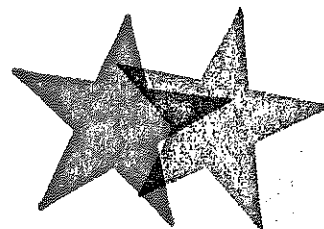
**CAUTION:** This email originated from outside of our organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

Dear Diann Codispodo, thank you much for telling me how to dedicate a bench to honor our brother Stuart Carlow's life.

My name Bruce Carlow  
Honoree Stuart Carlow  
Location Existing bench in Allen Park, Farmingdale NY  
We would like the plaque to be 6 x 8 inch and will contain six lines.

If anything else is required (besides money) please let me know. Not that it's critical , just wondering how long this process takes from now until installation of the plaque if you have an idea.

Thanks again  
Bruce Carlow  
[REDACTED]



Meeting of August 9, 2022

Resolution No 556-2022


WHEREAS, Gina Ring has requested to donate a memorial plaque on an existing bench to be placed in Ellsworth W. Allen Park, Farmingdale, in memory of Antonio Leporino; and

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

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 18, 2022, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$850.00 from Gina Ring for a memorial plaque on an existing bench to be located in Ellsworth W. Allen Park, Farmingdale, in memory of Antonio Leporino.

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Reviewed By  
Office of Town Attorney  
Monica Waite

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

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

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

**TO:** Memorandum Docket  
**FROM:** Joseph G. Pinto, Commissioner of Parks  
**SUBJECT:** Memorial Plaque on Existing Bench  
**DATE:** July 18, 2022

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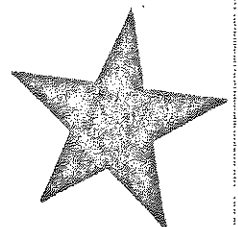
The Department of Parks has received a request from Gina Ring (letter attached) requesting to donate a memorial plaque on an existing bench to be placed at Ellsworth W. Allen Park in memory of Antonio Leporino.

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

The plaque and existing bench will be purchased by Gina Ring and donated to the Parks Department. The value of the plaque and existing bench is estimated to be \$850.00. Town Board approval is requested on behalf of Gina Ring. The monies will be collected in account PKS A 0001 02705 000 0000.

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/dc



## Diann Codispodo

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**From:** Gina [REDACTED]  
**Sent:** Thursday, July 14, 2022 9:35 PM  
**To:** Diann Codispodo  
**Subject:** Re: Memorial Prices and Guidelines  
**Attachments:** full letter prices guidelines 2022.docx

**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!

Hello Diann,

I would like to donate \$850.00 for an 8X6 plaque to be placed on an existing bench at Allen Park in Farmingdale. It would be in Memory of my father Antonio "Tony" Leporino. I have chosen the bench already and Jim Backman is aware which one it is. I will speak to my siblings and I will let you know what words should be engraved on it when you are ready.

Thank you very much for your help.

Please let me know who to make the donation to and when you would like the inscription.

Have a great night!

Sincerely,

Gina Ring  
[REDACTED]

Sent from my iPhone

On Jul 14, 2022, at 8:08 PM, Diann Codispodo <dcodispodo@oysterbay-ny.gov> wrote:

I got your email wrong! I'm sorry☺

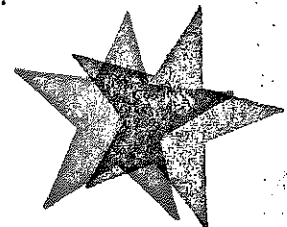
**From:** Diann Codispodo  
**Sent:** Thursday, July 14, 2022 2:43 PM  
**To:** [REDACTED]  
**Subject:** Memorial Prices and Guidelines

Hi Gina sorry this took so long!

If you have any other questions just give me a call tomorrow 797-7943

Have a great night,  
Diann☺

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



Reviewed By  
Office of Town Attorney  
*Ralph P. Hawley*

Meeting of August 9, 2022

Resolution No 557-2022

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated July 20, 2022, requested Town Board authorization to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2022 to April 30, 2023, at a total cost of \$3,230.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Planning and Development is hereby authorized to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2022 to April 30, 2023, *nunc pro tunc* from May 1, 2022, at a total cost of \$3,230.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and that the funds for said payment are to be drawn from Account No. PAD B 3620 44140 000 0000.

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

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

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

**TO: MEMORANDUM DOCKET**

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

**DATE: JULY 20, 2022**

**SUBJECT: MEMBERSHIP DUES FOR "BIANCO"  
BUILDING INSPECTORS ASSOCIATION OF NASSAU COUNTY**

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

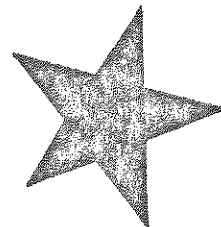
The Department of Planning and Development elected to register each Code Enforcement Official as a member of the Building Inspectors Association of Nassau County ("BIANCO"), which would then entitle them to take the in-service training courses sponsored by BIANCO. The cost of membership for each Code Enforcement Official in this Department is \$85.00 per year. The total amount owed to BIANCO for this Department's Code Enforcement Officials nunc pro tunc for a period covering May 1, 2022 through April 30, 2023 is \$3,230.00.

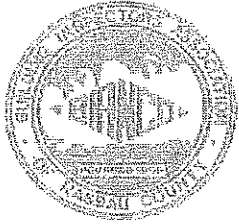
Authorization by the Town Board is therefore respectfully requested for the payment of said dues for each of this Department's Code Enforcement Officials in an amount not to exceed \$3,230.00 for BIANCO membership nunc pro tunc for the period covering May 1, 2022 through April 30, 2023.

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

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM:tz  
cc: Legislative Affairs





Timothy Dougherty

Treasurer  
18 Horse Hill Road  
Brookville, NY 11545

VOUCHER

Voucher Number: 2022-15  
Voucher Date: 6/21/2022

## Building Inspectors Association of Nassau County

Invoice To: Town of Oyster Bay  
74 Audrey Avenue  
Oyster Bay, New York 11771  
Attn: Tim Zikes

Mail To: Tim Dougherty  
18 Horse Hill Road  
Brookville, NY 11545

Make check payable to: BIANCO

\$ 85 PER MEMBERSHIP

### MEMBERSHIP DUES:

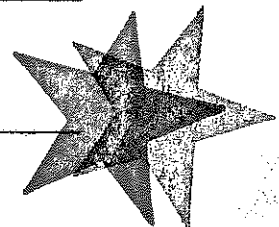
Gregory Aiello  
John Bacigalupo  
John Barnett  
Scott Byrne  
Anthony Ciervo  
Alexander Chebuske  
Joseph Ciambra  
Kevin Conway  
Nick Condoleo  
Michael DiCarlo  
Anthony DiChiara  
Nicholas Domingo  
Jane Fanizza  
Michael Fabrizio  
Bryan Hardman  
Lara Jahchan  
Jim Jazwinski  
Michael Landman  
John Laruccia

Margaret Lippolt  
Elizabeth Maccarone  
Richard Marino  
Kamila Matulik  
Kurt Lebright  
James Nicollet  
Liam O'Keefe  
Richard Peters  
Kaitlyn Pignataro  
Thomas Reddy  
Vito Rella  
John Rice  
Lynne Ann Sullivan  
Thomas Robinson  
Craig Thomas  
James Whalen  
Timothy Zike  
John Zebro  
Luis Zeda

BIANCO is a non-profit professional association, Federal I.D. [REDACTED]

|                |            |
|----------------|------------|
| Total Members: | 38         |
| AMOUNT DUE:    | \$3,230.00 |

  
TREASURER





Meeting of August 9, 2022

Resolution No 558-2022

WHEREAS, the application of LOCUST VALLEY WATER DISTRICT, fee owner, for site plan approval for the conversion of an existing garage into office space for the LOCUST VALLEY WATER DISTRICT and the installation of a generator on the south portion of the lot located at 226 Buckram Road, Locust Valley, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 23, Block K, Lots 16 and 119, on the Land and Tax Map of Nassau County, has been submitted to the Town of Oyster Bay Department of Planning and Development in accordance with Town Board site plan review requirements; and

WHEREAS, the site plan has been reviewed by the Planning Division, Department of Planning and Development; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated July 15, 2022, advised that the Department of Planning and Development has reviewed the following one (1) plan prepared by Joseph Todaro, P.E., H2M Architects + Engineers, Melville, New York, one (1) plan prepared by Eric W. Maisch, R.A., (also of H2M Architects + Engineers), one (1) plan prepared by Johnathan Richard Muratore, P.E., (also of H2M Architects + Engineers), and one (1) plan prepared by Charles J. Starke, P., (also of H2M Architects + Engineers):

| SHEET NO./TITLE                               | PREPARED BY                     | DATE       |
|---|---------------------------------|------------|
| G000.00/Cover Sheet                           | Joseph Todaro, P.E.             | 03/2022    |
| A101.00/First Floor Plan<br>and General Notes | Eric W. Maisch, R.A.            | 03/2022    |
| PS100.02/Plumbing Site Plan                   | Jonathan Richard Muratore, P.E. | 05/04/2022 |
| ES100.01/Electrical Site Plan                 | Charles J. Starke, P.E.         | 05/04/2022 |

WHEREAS, said Commissioner further reports 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 plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated July 15, 2022, the four (4) plans set forth hereinabove are hereby approved; and be it further

RESOLVED, That the application of LOCUST VALLEY WATER DISTRICT, fee owner, for site plan approval for the conversion of an existing garage into office space for the LOCUST VALLEY WATER DISTRICT and the installation of a generator on the south portion of the lot located at 226 Buckram Road, Locust Valley, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 23, Block K, Lots 16 and 119, on the Land and Tax Map of Nassau County, is hereby APPROVED.

-#-

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

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

Reviewed By  
Office of Town Attorney



Town of Oyster Bay  
Inter-Departmental Memo

**TO:** MEMORANDUM DOCKET

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

**DATE:** JULY 15, 2022

**SUBJECT:** BUILDING APPLICATION REVIEW AND APPROVAL  
LOCUST VALLEY WATER DISTRICT  
226 BUCKRAM ROAD  
LOCUST VALLEY, NEW YORK 11560  
SECTION 23, BLOCK K, LOT 16 & 119

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

This application is proposing to convert the existing garage into office space for Locust Valley Water District and the installation of a generator on the south portion of the lot. Please see enclosed one (1) plan prepared by Joseph Todaro, P.E., H2M Architects + Engineers, Melville, NY, one (1) plan prepared by Eric W. Maisch, R.A., (also of H2M Architects + Engineers), one (1) plan prepared by Jonathan Richard Muratore, P.E., (also of H2M Architects + Engineers), and one (1) plan prepared by Charles J. Starke, P.E., (also of H2M Architects + Engineers) that have been submitted for approval. The plans are as follows:

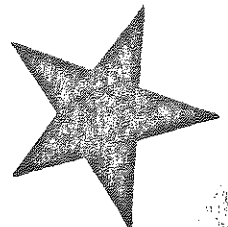
| SHEET NUMBER/TITLE                          | PREPARED BY                     | DATE       |
|---|---------------------------------|------------|
| G000.00/Cover Sheet                         | Joseph Todaro, P.E.             | 03/2022    |
| A 101.00/First Floor Plan and General Notes | Eric W. Maisch, R.A.            | 03/2022    |
| PS 100.02/Plumbing Site Plan                | Jonathan Richard Muratore, P.E. | 05/04/2022 |
| ES 100.01/Electrical Site Plan              | Charles J. Starke, P.E.         | 05/04/2022 |

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

  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/gl  
Encls.

cc: Legislative Affairs (9 copies w/ attachments)



Reviewed By  
Office of Town Attorney  
*Paul R. Healey*

WHEREAS, by Resolution No. 799-2019, adopted on December 10, 2019, the Town Board authorized On-Time Court Reporting, Inc., 263 Brown Street Mineola, New York 11501, to provide the Town of Oyster Bay with stenographic services for Town Board public meetings and hearings, for the calendar year 2020, from January 1, 2020 through December 31, 2020, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 714-2020, adopted on December 8, 2020, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, to provide the Town of Oyster Bay with stenographic services for Town Board public meetings and hearings, for the calendar year 2021, from January 1, 2021 through December 31, 2021; and

WHEREAS, by Resolution No. 689-2021, adopted on December 7, 2021, the Town Board exercised the second one (1) year extension option of the aforementioned agreement, to provide the Town of Oyster Bay with stenographic services for Town Board public meetings and hearings, for the calendar year 2022, from January 1, 2022 through December 31, 2022; and

WHEREAS, by Resolution No. 645-2020, adopted on December 8, 2020, the Town Board authorized On-Time Court Reporting, Inc., to authorize the Town Supervisor, or his duly appointed designee, to enter into an agreement with On-Time Court Reporting, Inc., to perform stenographic services for the Town of Oyster Bay Zoning Board of Appeals public meetings and hearings, for the calendar year 2021, from January 1, 2021 through December 31, 2021, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 645-2021, adopted on November 16, 2021, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, to perform stenographic services for the Town of Oyster Bay Zoning Board of Appeals public meetings and hearings, for the calendar year 2022, from January 1, 2022 through December 31, 2022; and

WHEREAS, On-Time Court Reporting, Inc., by e-mail dated July 5, 2022, advised the Town that the firm is in the process of partnering with, and being acquired by Magna Legal Services, LLC, 1653 Market Street, 9<sup>th</sup> Floor Philadelphia, Pennsylvania 19103, and would henceforth be conducting business under the name Magna Legal Services, LLC; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, Office of the Town Attorney, by memorandum dated July 19, 2022, requested and recommended that the Town Board amend Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021, so as to reflect the name change of the court reporting agency "On-Time Court Reporting, Inc." to "Magna Legal Services, LLC", with all other terms, conditions and provisions of the aforementioned resolutions to remain in full force and effect; and

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

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby approved, and the Town Board hereby amends Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021 , so as to reflect the name change of the court reporting agency "On-Time Court Reporting, Inc.," to "Magna Legal Services, LLC"; and be it further

RESOLVED, That all other terms conditions and provisions of Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021 shall remain in full force and effect.

-#-

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

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

559

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

**TO:** MEMORANDUM DOCKET

**FROM:** OFFICE OF THE TOWN ATTORNEY

**DATE:** July 19, 2022

**SUBJECT:** Request to Amend Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021 (Name Change of Vendor from On-Time Court Reporting, Inc. to Magna Legal Services, LLC)

---

On-Time Court Reporting, Inc., ("On-Time") is a court reporting agency with its principal offices located at 263 Brown Street, Mineola, New York 11501. On July 5, 2022, On-Time notified the Town that the agency "was in the process of partnering, and had been acquired by" another company. Thus, the agency would no longer be conducting business under its current name. The new business moniker, as well as the principal address of the new parent company were reported, as follows:

Magna Legal Services, LLC  
1635 Market Street, 9<sup>th</sup> Floor  
Philadelphia, Pennsylvania 19103  
Employer Federal I.D. # [REDACTED]

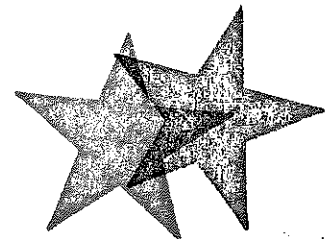
Currently, On-Time Court Reporting, Inc. provides the Town of Oyster Bay with stenographic services for the Town Board and Zoning Board of Appeals public meetings and hearings. Each agreement is discussed briefly below.

**Town Board Public Meetings and Hearings**

Pursuant to Resolution No. 799-2019, adopted on December 10, 2019, the Town Board authorized On-Time to provide stenographic services for Town Board public meetings and hearings, for a period of one (1) year, from January 1, 2020 through December 31, 2020, with two (2) one (1) year extension options. The Town Board exercised the first one (1) year extension option, from January 1, 2021 through December 31, 2021, when it adopted Resolution No. 714-2020 on December 8, 2020. Subsequently, the Town Board adopted the second one (1) year extension option, from January 1, 2022 through December 31, 2022, when it adopted Resolution No. 689-2021 on December 7, 2021.

**Zoning Board of Appeals Public Meetings and Hearings**

Pursuant to Resolution 645-2020, adopted on December 8, 2020, the Town Board authorized the Town Supervisor, or his duly authorized designee, to enter into an agreement with On-Time Court Reporting, Inc., to perform stenographic services for the Zoning Board of Appeals for the calendar year 2021, commencing on January 1, 2021 through December 31, 2021, with




two (2) one (1) year extension options. By Resolution No. 645-2021, adopted on November 16, 2021, the Town Board exercised the first one (1) year extension option, to provide said stenographic services to the Zoning Board of Appeals, from January 1, 2022 through December 31, 2022.

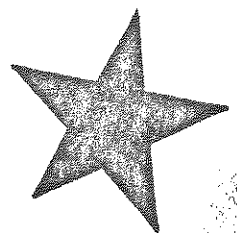
The Office of the Inspector General has reviewed the vendor's disclosure questionnaire, and has concluded that the Town of Oyster Bay Procurement Policy has been satisfied.

In light of the foregoing, the Office of the Town Attorney requests and recommends that the Town Board amend Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021, so as to reflect the name change of the court reporting agency "On-Time Court Reporting, Inc." to "Magna Legal Services, LLC". All other terms, conditions and provisions of the aforementioned Resolutions shall remain in full force and effect.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:ba  
Attachments  
5-000, 18-000



7/19/22  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

WHEREAS, by Resolution No. 799-2019, adopted on December 10, 2019, the Town Board authorized On-Time Court Reporting, Inc., 263 Brown Street Mineola, New York 11501, to provide the Town of Oyster Bay with stenographic services for Town Board public meetings and hearings, for the calendar year 2020, from January 1, 2020 through December 31, 2020, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 714-2020, adopted on December 8, 2020, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, to provide the Town of Oyster Bay with stenographic services for Town Board public meetings and hearings, for the calendar year 2021, from January 1, 2021 through December 31, 2021; and

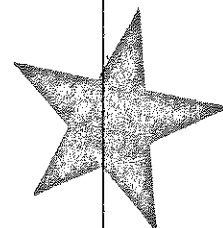
WHEREAS, by Resolution No. 689-2021, adopted on December 7, 2021, the Town Board exercised the second one (1) year extension option of the aforementioned agreement, to provide the Town of Oyster Bay with stenographic services for Town Board public meetings and hearings, for the calendar year 2022, from January 1, 2022 through December 31, 2022; and

WHEREAS, by Resolution No. 645-2020, adopted on December 8, 2020, the Town Board authorized On-Time Court Reporting, Inc., to authorize the Town Supervisor, or his duly appointed designee, to enter into an agreement with On-Time Court Reporting, Inc., to perform stenographic services for the Town of Oyster Bay Zoning Board of Appeals public meetings and hearings, for the calendar year 2021, from January 1, 2021 through December 31, 2021, with two (2) one (1) year extension options; and

WHEREAS, by Resolution No. 645-2021, adopted on November 16, 2021, the Town Board exercised the first one (1) year extension option of the aforementioned agreement, to perform stenographic services for the Town of Oyster Bay Zoning Board of Appeals public meetings and hearings, for the calendar year 2022, from January 1, 2022 through December 31, 2022; and

WHEREAS, On-Time Court Reporting, Inc., by e-mail dated July 5, 2022, advised the Town that the firm is in the process of partnering with, and being acquired by Magna Legal Services, LLC, 1653 Market Street, 9<sup>th</sup> Floor Philadelphia, Pennsylvania 19103, and would henceforth be conducting business under the name Magna Legal Services, LLC; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, Office of the Town Attorney, by memorandum dated July 19, 2022, requested and recommended that the Town Board amend Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021, so as to reflect the name change of the court reporting agency "On-Time Court Reporting, Inc." to "Magna Legal Services, LLC", with all other terms, conditions and provisions of the aforementioned resolutions to remain in full force and effect; and

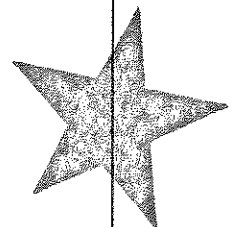


WHEREAS, the Office of the Inspector General has reviewed the vendor's disclosure questionnaire, and has concluded that the Town of Oyster Bay Procurement Policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby approved, and the Town Board hereby amends Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021 , so as to reflect the name change of the court reporting agency "On-Time Court Reporting, Inc.," to "Magna Legal Services, LLC"; and be it further

RESOLVED, That all other terms conditions and provisions of Resolution Nos. 799-2019, 714-2020, 689-2021, 645-2020 & 645-2021 shall remain in full force and effect.

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WHEREAS, James Altadonna, Jr., Town Clerk, by memorandum dated November 15, 2019, advised that pursuant to the Town of Oyster Bay Procurement Policy, the Office of the Town Clerk solicited proposals from court reporting companies to provide stenographic services for Town Board public meetings and hearings for the period of January 1, 2020 through December 31, 2020, with the provision for two, one-year extension options, if mutually agreeable; and

WHEREAS, two (2) proposals were received by the Town by the due date of November 8, 2019, and after review of the responses submitted by each court reporting company, in accordance with Guideline 7 and 9 of the Town's procurement policy, the Town Clerk recommended On-Time Court Reporting, providing the lowest responsible bid, be retained for the period of January 1, 2020 through December 31, 2020, with the provision of two (2) one-year extension options, if mutually agreeable, in an amount not to exceed \$35,000;

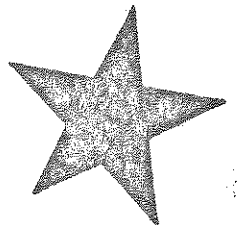
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and On-Time Reporting, Inc. is authorized to provide stenographic services for Town Board public meetings and hearings from January 1, 2020 through December 31, 2020, with the provision of two (2) one-year extension options, if mutually agreeable, in an amount not to exceed \$35,000;

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTC A 1410 44120 000 0000, upon submission of a duly certified claim, after audit.

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

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



WHEREAS, pursuant to Resolution No. 799-2019, adopted on December 10, 2019, the Town Board authorized On-Time Court Reporting, Inc., 263 Brown Street, Mineola, New York, to provide stenographic services for Town Board meetings and hearings for the period beginning on January 1, 2020 through and including December 31, 2020, with two (2) one-year extension options; and

WHEREAS, Richard LaMarca, Town Clerk, by memorandum dated November 24, 2020, recommended that the Town Board exercise the first extension option with On-Time Court Reporting, Inc. for the period beginning January 1, 2021 through and including December 31, 2021, at the same terms, prices, and conditions as previously agreed to; and

WHEREAS, Town Clerk LaMarca, by the said memorandum, advised that funds for such purpose, in an amount not to exceed \$35,000.00, are available in Account No. OTC A 1410 44120 000 0000,

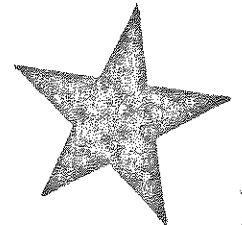
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board hereby exercises the first one-year extension option with On-Time Court Reporting, Inc. for the period beginning on January 1, 2021 through and including December 31, 2021, and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payments for same, in an amount not to exceed \$35,000.00, upon submission of duly certified claims therefor, after audit, with said funds to be drawn from Account No. OTC A 1410 44120 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 |



Office of Town Attorney  
Respected By

Reviewed By  
Office of Town Attorney

*Romana Walsh*

WHEREAS, pursuant to Resolution No. 799-2019, adopted on December 10, 2019, the Town Board authorized On-Time Court Reporting, Inc., 263 Brown Street, Mineola, New York, to provide stenographic services for Town Board meetings and hearings for the period beginning on January 1, 2020 through and including December 31, 2020, with two (2) one-year extension options; and

WHEREAS, pursuant to Resolution No. 714-2020, adopted on December 8, 2020, the Town Board approved the first extension of the agreement with On-Time Court Reporting, Inc. for the period beginning January 1, 2021 through and including December 31, 2021, at the same terms, prices, and conditions as previously agreed to; and

WHEREAS, Richard LaMarca, Town Clerk, by memorandum dated November 4, 2021, recommended that the Town Board exercise the second extension option with On-Time Court Reporting, Inc. for the period beginning January 1, 2022 through and including December 31, 2022, at the same terms, prices, and conditions as previously agreed to; and

WHEREAS, Town Clerk LaMarca, by the said memorandum, advised that funds for such purpose, in an amount not to exceed \$35,000.00, are available in Account No. OTC A 1410 44120 000 0000,

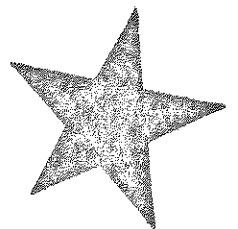
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board hereby exercises the second one-year extension option with On-Time Court Reporting, Inc. for the period beginning on January 1, 2022 through and including December 31, 2022, and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payments for same, in an amount not to exceed \$35,000.00, upon submission of duly certified claims therefor, after audit, with said funds to be drawn from Account No. OTC A 1410 44120 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   | Absent |



WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated November 6, 2020, advised that the Department of Planning and Development issued a Request for Proposals ("RFP") for Stenographic Services for the Zoning Board of Appeals Calendar Year 2021; and

WHEREAS, following direct solicitation to nine (9) firms, Newsday advertisement and posting of the RFP to the Town's website, two (2) responses were timely received by the Department of Planning and Development; and

WHEREAS, Thomas M. Sabellico, Special Counsel, by memorandum dated November 2, 2020, determined that the Department of Planning and Development complied with the Procurement Policy; and

WHEREAS, Commissioner Maccarone, by aforesaid memorandum, stated that after review of the committee's preliminary recommendations, the Department has selected, pursuant to Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, On-Time Reporting, Inc., 263 Brown Street, Mineola, New York to perform Stenographic Services for the Zoning Board of Appeals, for a term commencing January 1, 2021 through December 31, 2021, with an option for two (2) additional one (1) year extensions, at a cost not to exceed \$25,000.00 per year, with funds to be drawn from Account No. PAD B 8010 44120 000 0000; and

WHEREAS, Commissioner Maccarone, by said memorandum, further requests authorization for the Supervisor or his designee to enter into an agreement with On-Time Reporting, Inc., for the calendar year 2021, with an option for two (2) one (1) year extensions,

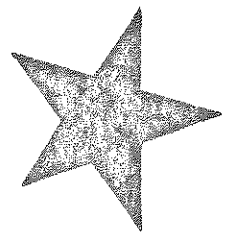
NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and the Supervisor or his designee is hereby authorized to enter into an agreement with On-Time Reporting to perform Stenographic Services for the Zoning Board of Appeals for the calendar year 2021, commencing January 21, 2021 through December 31, 2021 with an option for two (2) one (1) year extensions, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same to On-Time Reporting, Inc., in an amount not to exceed \$25,000.00, upon presentation of a duly certified claim, after audit, and the funds for said payment shall be drawn from Account No. PAD B 8010 44120 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, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated October 22, 2021, advised that by Resolution No. 645-2020, adopted on December 8, 2020, the Town Board authorized the Supervisor or his designee to enter into an agreement with On-Time Reporting, Inc., to perform stenographic services for the Zoning Board of Appeals, commencing January 1, 2021 through December 31, 2021, with an option for two (2) one (1) year extensions; and

WHEREAS, Commissioner Maccarone, by said memorandum, requested that the Town Board exercise the first, one (1) year extension option, with On-Time Reporting, Inc., from January 1, 2022 through December 31, 2022, for a total of \$25,000.00, with funds available for payment in Account No. PAD B 8010 44120 000 0000; and

WHEREAS, The Inspector General has reviewed the vendor's disclosure questionnaire and is satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved and On-Time Reporting, Inc. is authorized to provide stenographic services to the Zoning Board of Appeals from January 1, 2022 through December 31, 2022, in an amount not to exceed \$25,000.00; and be it further

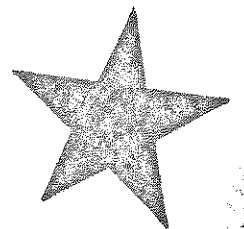
RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. PAD B 8010 44120 000 0000, upon submission of a duly certified claim, after audit.

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Reviewed by  
Office of Town Attorney  
*Sanat-Gos*

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 |



**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.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**MLS PARENT HOLDINGS LLC**

2 Business name/disregarded entity name, if different from above

**MAGNA LEGAL SERVICES LLC**

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

- ☐ Individual sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/Volunteer
- ☒ Limited liability company. Enter the tax classification (C or S corporation, or Partnership) **P**
- Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner, unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.
- ☐ Other (see instructions)

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3).

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

Marked as exempt payee under FATCA

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

**1635 MARKET STREET 9TH FLOOR**

6 City, state, and ZIP code.

**PHILADELPHIA PA 19103**

7 List account number(s) here (optional)

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

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

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

Social security number

OR

Employer identification number

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number for 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, to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not subject to the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
Here

Signature of  
U.S. person

*[Signature]*

Date

**01/03/2022**

**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).

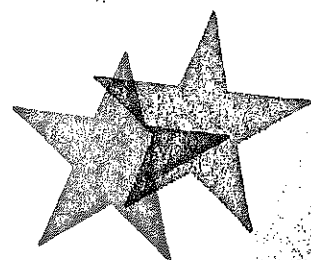
**Purpose of Form**

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

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

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



Meeting of August 9, 2022

Resolution No 560-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 18, 2022, authorized the Highway Department to clean up the premises located at 47 Thirteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lot 50 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 24, 2022, in the total amount of \$920.72, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$920.72 may be assessed by the Legislature of the County of Nassau against the parcel known as 47 Thirteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lot 50 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

1/1/22  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
47 Thirteenth Street, Locust Valley, New York 11560  
Section 30, Block 22, Lot 50

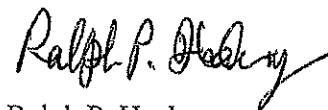
---

The Department of Planning and Development, by memorandum dated May 18, 2022, directed the Highway Department to clean the premises located at 47 Thirteenth Street, Locust Valley, New York 11560, also known as Section 30, Block 22, Lot 50 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 31, 2022, advised that the property was cleaned by a crew from the Highway Department on May 24, 2022. The cost incurred by the Town of Oyster Bay was \$920.72.

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

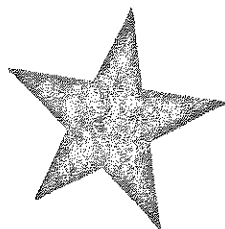
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachment





2022-8618

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 18, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 47 THIRTEENTH STREET, LOCUST VALLEY, New York, 11560  
SBL: 30-22-50

Notice of Violation number 07786 was issued to the owner of the above-referenced premises on 05/12/22 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Cut all vegetation on premises.

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

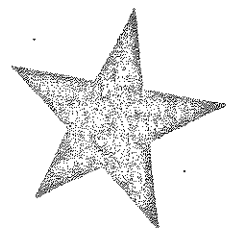
ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU



ELM:ME: sc

cc: Frank Scalera, Town Attorney





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCARTREY**  
DEPUTY COMMISSIONER

May 18, 2022

Papio Development Corp  
250 Merrick Road Unit 322  
Rockville Center, NY 11570


RE: PREMISES: 47 Thirteenth Street, Locust Valley, New York 11560  
SECTION 30 BLOCK 22 LOT 50

Dear Property Owner:

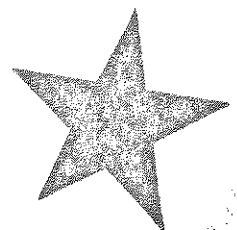
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation number 07786 (copy attached) has been served on 05/12/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,  
**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

  
ELM:ME: sc  
Enclosure



AK

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

May 31, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

**SUBJECT: 47 13<sup>th</sup> STREET, LOCUST VALLEY  
CLEAN-UP**

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$920.72.

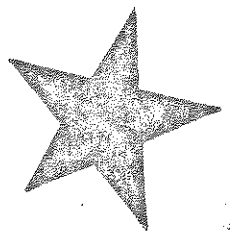
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP**  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

JPB/kjb

Enc. T & M sheet

CLEAN - UP 47 13<sup>TH</sup> STREET, LOCUST VALLEY TO P & D 94108

  
JUN 1 2022



## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (30-22-50) 47 13TH ST LOCUST VALLEY 11560

Date May 24, 2022

Work Order # 94108

### Labor Costs

| Employee's Name  |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| PAUL LIZARDOS    | General Maintenance | 01:00              | \$26.44      | 00:00          | 0             | \$26.44   |
| LOUIS CICCOLELLA | General Maintenance | 01:00              | \$24.28      | 00:00          | 0             | \$24.28   |
| JACOB T JOHNSON  | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor      |                     |                    |              |                |               | \$65.72   |

### Tools/Vehicle

| Tool/Vehicle    | Description                    | Rate per Hour | Hours | Line Cost |
|-----------------|--------------------------------|---------------|-------|-----------|
| TD764           | 2021 FORD F 450 POWER WAGON YW | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |                                |               |       | \$105.00  |

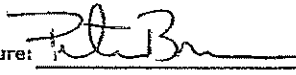
### Materials

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

**Grand Total \$920.72**

### Description of Work:

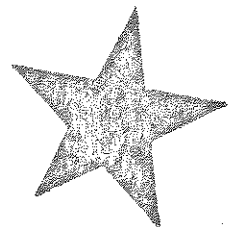
CLEAN UP 47 THIRTEENTH STREET LV

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 25, 2022



Meeting of August 9, 2022

Resolution No 561-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated April 29, 2022, authorized the Highway Department to clean up the premises located at 12 Woodbine Drive South, Hicksville, New York 11801, also known as Section 46, Block 512, Lot 27 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 11, 2022, in the total amount of \$1,110.27, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,110.27 may be assessed by the Legislature of the County of Nassau against the parcel known as 12 Woodbine Drive South, Hicksville, New York 11801, also known as Section 46, Block 512, Lot 27 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

1/1/21  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
12 Woodbine Drive South, Hicksville, New York 11801  
Section 46, Block 512, Lot 27

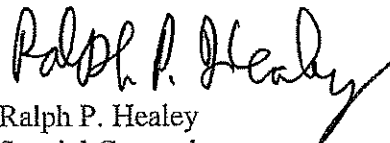
---

The Department of Planning and Development, by memorandum dated April 29, 2022, directed the Highway Department to clean the premises located at 12 Woodbine Drive South, Hicksville, New York 11801, also known as Section 46, Block 512, Lot 27 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 17, 2022, advised that the property was cleaned by a crew from the Highway Department on May 11, 2022. The cost incurred by the Town of Oyster Bay was \$1,110.27.

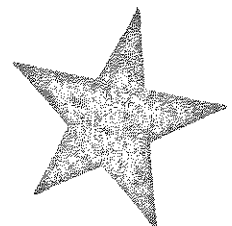
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments



2022-8621

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

April 29, 2022

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 12 Woodbine Drive South, Hicksville, New York, 11801  
SBL: 46-512-27

---

Notice of Violation number 07399 was issued to the owner of the above-referenced premises on 04/14/22 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

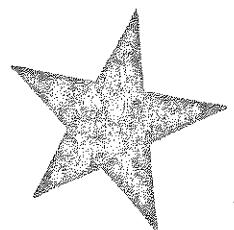
- Remove all garbage, litter and debris from premises.

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

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

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





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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

JAMES McCAFFREY  
DEPUTY COMMISSIONER

April 29, 2022

Shamsher Singh  
12 Woodbine Dr., S.  
Hicksville, NY 11801

RE: PREMISES: 12 Woodbine Dr., South, Hicksville, NY 11801  
SECTION 46 BLOCK 512 LOT 27

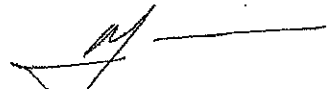
Dear Property Owner:

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

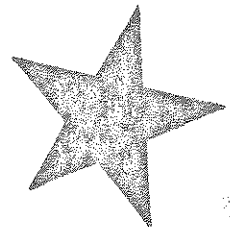
Please be advised that Notice of Violation Number 07399 (copy attached) has been served on 04/14/22. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,

ELIZABETH L. MACCARONE  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

ELM:ME:ml  
Enclosure





THIS INDENTURE, made the 26th day of July, in the year 2017

BETWEEN Nikita Development, LLC, 5 Ziska Avenue, Jericho, NY 11753

party of the first part, and Shamsher Singh, 12 Woodbine South Drive, Hicksville, NY 11801  
party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN THOUSAND \$10 dollars  
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors  
and assigns of the party of the second part forever,

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

See Schedule A


PREMISES ARE AND ARE INTENDED TO BE THE SAME AS THOSE CONVEYED BY DEED DATED 12/19/14  
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads  
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and  
rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever.


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

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

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

IN PRESENCE OF:





## Bargain & Sale Deed With Covenants

Nikita Development, LLC

TO

Shamsher Singh SHAMSHER SINGH

COUNTY: Nassau

TOWN/CITY: Hicksville

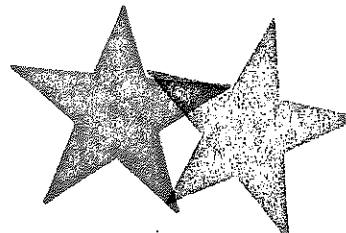
PROPERTY ADDRESS: 12 Woodbine South Drive

SECTION: 46

BLOCK: 512

LOT: 27

Title No. ~~ASK16-3615-OR~~ CLE 23139N



AL

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

May 17, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

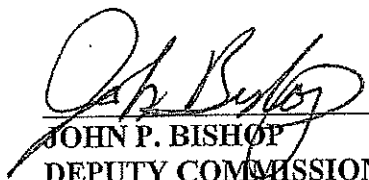
**SUBJECT: 12 WOODBINE DRIVE, HICKSVILLE  
CLEAN-UP**

---

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

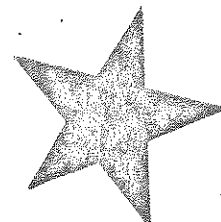
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1110.27.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION**

JPB/kjb

Enc. T & M sheet





## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (46-512-27) 12 WOODBINE DR HICKSVILLE 11801

Date May 11, 2022

Work Order # 93596

### Labor Costs

| Employee's Name  |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| GARY LEWIS, II   | General Maintenance | 01:00              | \$37.26      | 00:00          | 0             | \$37.26   |
| VINCENT PADAVANO | General Maintenance | 01:00              | \$53.61      | 00:00          | 0             | \$53.61   |
| SEAN MCLAUGHLIN  | General Maintenance | 01:00              | \$28.61      | 00:00          | 0             | \$28.61   |
| JOHN MURRAY      | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor      |                     |                    |              |                |               | \$134.48  |

### Tools/Vehicle

| Tool/Vehicle    | Description                                     | Rate per Hour | Hours | Line Cost |
|-----------------|---|---------------|-------|-----------|
| PK406           | SANI PACKER 2012 INTER 7400 YW (PP932 / PP-932) | \$105.00      | 01:00 | \$105.00  |
| PU472           | 2020 FORD F250 PICK UP YELLOW                   | \$79.00       | 01:00 | \$79.00   |
| Total Equipment |   |               |       | \$184.00  |

### Materials

| Material               | Cost Per Unit | Units | Line Cost |
|------------------------|---------------|-------|-----------|
| Administrative Fee     | \$750.00      | 1     | \$750.00  |
| Tippling Fee (per ton) | \$88.92       | 0.47  | \$41.79   |
| Total Materials        |               |       | \$791.79  |

**Grand Total \$1110.27**

### Description of Work:

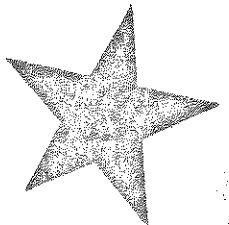
CLEAN UP 12 WOODBINE DRIVE SOUTH, HICKSVILLE

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 17, 2022



Meeting of August 9, 2022

Resolution No 562-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 12, 2022, authorized the Highway Department to clean up the premises located at 19 Dakota Street, Hicksville, New York 11801, also known as Section 11, Block 365, Lot 28 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 17, 2022, in the total amount of \$1,300.40, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,300.40 may be assessed by the Legislature of the County of Nassau against the parcel known as 19 Dakota Street, Hicksville, New York 11801, also known as Section 11, Block 365, Lot 28 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*

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

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

562

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
19 Dakota Street, Hicksville, New York 11801  
Section 11, Block 365, Lot 28

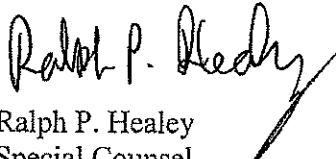
---

The Department of Planning and Development, by memorandum dated May 12, 2022, directed the Highway Department to clean the premises located at 19 Dakota Street, Hicksville, New York 11801, also known as Section 11, Block 365, Lot 28 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 19, 2022, advised that the property was cleaned by a crew from the Highway Department on May 17, 2022. The cost incurred by the Town of Oyster Bay was \$1,300.40.

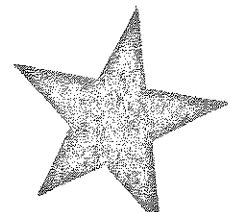
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachment



# TOWN OF OYSTER BAY

## Inter-Departmental Memo

May 12, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 19 Dakota Street, Hicksville, NY 11801  
SBL: 11-365-28

---

Notice of Violation Number 07495 was issued to the owner of the above-referenced premises on 05/02/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Cut and trim lawn and vegetation.
- Remove dead tree.

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

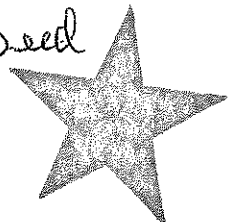
ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

  
ELM:ME:ml

cc: Frank Scalera, Town Attorney

No Deed





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCaffrey**  
DEPUTY COMMISSIONER

May 12, 2022

The Estate of Ruth McCormack  
19 Dakota Street  
Hicksville, New York 11801

RE: PREMISES: 19 Dakota Street, Hicksville, NY 11801  
SECTION 11 BLOCK 365 LOT 28


Dear Property Owner:

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

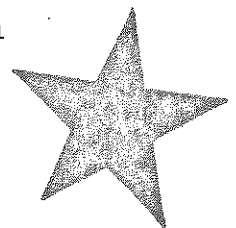
Please be advised that Notice of Violation Number 07495 (copy attached) has been served on 05/02/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,

**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

ELM:ME:ml  
Enclosure



AL

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

May 19, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION


**SUBJECT: 19 DAKOTA STREET, HICKSVILLE  
CLEAN-UP**

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,300.40.

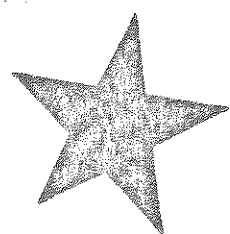
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION**

JPB/kjb

Enc. T & M sheet

CLEAN - UP 19 DAKOTA STREET, HICKSVILLE TO P & D 93948







# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (11-365-28) 19 DAKOTA ST HICKSVILLE 11801

Date May 17, 2022

Work Order # 93948

### Labor Costs

| Employee's Name  |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| SCOTT PFEIFER    | General Maintenance | 01:00              | \$62.98      | 00:00          | 0             | \$62.98   |
| GARY LEWIS, II   | General Maintenance | 01:00              | \$37.26      | 00:00          | 0             | \$37.26   |
| GREGORY MARCHESE | General Maintenance | 01:00              | \$52.16      | 00:00          | 0             | \$52.16   |
| THOMAS CORBETT   | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| JOHN MURRAY      | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor      |                     |                    |              |                |               | \$182.40  |

### Tools/Vehicle

| Tool/Vehicle    | Description   | Rate per Hour | Hours | Line Cost |
|-----------------|---|---------------|-------|-----------|
| BR121           | 2008 CHEVY EQUINOX TAN                              | \$79.00       | 01:00 | \$79.00   |
| PU470           | 2020 FORD F 350 YW PICK UP                          | \$79.00       | 01:00 | \$79.00   |
| TD736           | TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105) | \$105.00      | 01:00 | \$105.00  |
| TR203           | TRAILER 2015 FELLINGS BL                            | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |   |               |       | \$368.00  |

### Materials

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

**Grand Total \$1300.40**

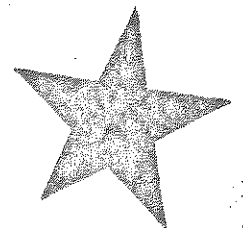
Description of Work:  
CLEAN UP 19 DAKOTA STREET HV

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 19, 2022



Meeting of August 9, 2022

Resolution No 563-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 9, 2022, authorized the Highway Department to clean up the premises located at 23 Ann Drive, Syosset, New York 11791, also known as Section 15, Block 164, Lot 2 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 18, 2022, in the total amount of \$1,573.20, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,573.20 may be assessed by the Legislature of the County of Nassau against the parcel known as 23 Ann Drive, Syosset, New York 11791, also known as Section 15, Block 164, Lot 2 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*

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

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

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
23 Ann Drive, Syosset, New York 11791  
Section 15, Block 164, Lot 2


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The Department of Planning and Development, by memorandum dated May 9, 2022, directed the Highway Department to clean the premises located at 23 Ann Drive, Syosset, New York 11791, also known as Section 15, Block 164, Lot 2 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 19, 2022, advised that the property was cleaned by a crew from the Highway Department on May 18, 2022. The cost incurred by the Town of Oyster Bay was \$1,573.20.

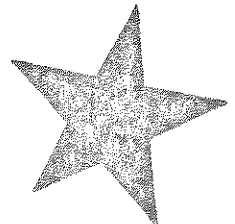
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachment



2022-8616

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

**May 9, 2022**

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 23 Ann Drive, Syosset, New York 11791**  
**SBL: 15-164-2**


Notice of Violation number 07539 was issued to the owner of the above-referenced premises on 05/02/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Cut lawn and vegetation front and rear yard.
- Remove litter and debris on premises.

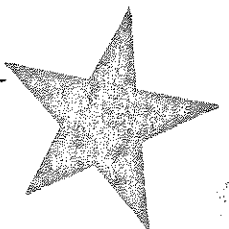
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

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

No Deed





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCaffrey**  
DEPUTY COMMISSIONER

May 9, 2022

Brett Douglas  
23 Ann Drive  
Syosset, New York 11791


RE: PREMISES: 23 Ann Drive, Syosset, NY 11791  
SECTION 15 BLOCK 164 LOT 2

Dear Property Owner:

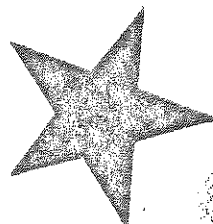
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation number 07539 (copy attached) has been served on 05/02/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,  
ELIZABETH L. MACCARONE  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

68  
ELM:ME:ml  
Enclosure



AL

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

May 19, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION


**SUBJECT:** 23 ANN DRIVE, SYOSSET  
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,573.20.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP**  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

JPB/kjb

Enc. T & M sheet



## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (15-164-2) 23 ANN DR SYOSSET 11791

Date May 18, 2022

Work Order # 93836

### Labor Costs

| Employee's Name  |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| SCOTT PFEIFER    | General Maintenance | 01:00              | \$62.98      | 00:00          | 0             | \$62.98   |
| GREGORY MARCHESE | General Maintenance | 01:00              | \$52.16      | 00:00          | 0             | \$52.16   |
| TIMUR YILMAZ     | General Maintenance | 01:00              | \$38.94      | 00:00          | 0             | \$38.94   |
| THOMAS CORBETT   | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| PETER K SELL     | General Maintenance | 01:00              | \$23.56      | 00:00          | 0             | \$23.56   |
| JOHN MURRAY      | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor      |                     |                    |              |                |               | \$207.64  |

### Tools/Vehicle

| Tool/Vehicle    | Description   | Rate per Hour | Hours | Line Cost |
|-----------------|---|---------------|-------|-----------|
| BR121           | 2008 CHEVY EQUINOX TAN                              | \$79.00       | 01:00 | \$79.00   |
| PU470           | 2020 FORD F 350 YW PICK UP                          | \$79.00       | 01:00 | \$79.00   |
| TD594           | 2006 FORD F 350 POWER WAGON YW                      | \$105.00      | 01:00 | \$105.00  |
| TD701           | TRUCK DUMP 2011 INTER 7300 YW (T-141)- 6 Wheeler    | \$131.00      | 01:00 | \$131.00  |
| TD736           | TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105) | \$105.00      | 01:00 | \$105.00  |
| TR203           | TRAILER 2015 FELLINGS BL                            | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |   |               |       | \$604.00  |

### Materials

| Material              | Cost Per Unit | Units | Line Cost |
|-----------------------|---------------|-------|-----------|
| Administrative Fee    | \$750.00      | 1     | \$750.00  |
| Tipping Fee (per ton) | \$88.92       | 0.13  | \$11.56   |
| Total Materials       |               |       | \$761.56  |

**Grand Total \$1573.20**

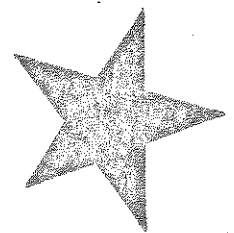
Description of Work:  
CLEAN UP 23 ANN DRIVE SY

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 19, 2022



Meeting of August 9, 2022

Resolution No 564-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 3, 2022, authorized the Highway Department to clean up the premises located at 94 East Street, Hicksville, New York 11801, also known as Section 12, Block 246, Lots 180 to 183 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 11, 2022, in the total amount of \$1,572.40, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,572.40 may be assessed by the Legislature of the County of Nassau against the parcel known as 94 East Street, Hicksville, New York 11801, also known as Section 12, Block 246, Lots 180 to 183 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*

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

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



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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
94 East Street, Hicksville, New York 11801  
Section 12, Block 246, Lots 180 to 183

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The Department of Planning and Development, by memorandum dated May 3, 2022, directed the Highway Department to clean the premises located at 94 East Street, Hicksville, New York 11801, also known as Section 12, Block 246, Lots 180 to 183 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 17, 2022, advised that the property was cleaned by a crew from the Highway Department on May 11, 2022. The cost incurred by the Town of Oyster Bay was \$1,572.40.

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

Kindly place this matter on the Town Board Action Calendar.

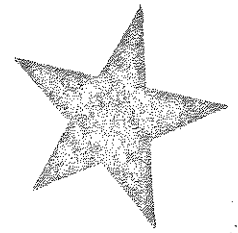
FRANK M. SCALERA  
TOWN ATTORNEY

*Ralph P. Healey*

Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments

amlS:\Attorney\Reso 2022\MD 94 East St 7.21.2022.doc



2022-8603

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

**May 3, 2022**

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 94 East Street, Hicksville, New York 11801**  
**SBL: 12-246-180 to 183**

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Notice of Violation number 07481 was issued to the owner of the above-referenced premises on 04/25/22 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

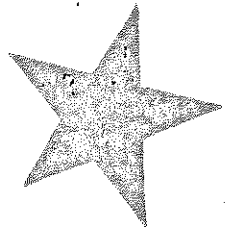
- Cut and trim all vegetation on premises.
- Remove all garbage, litter and debris from premises.

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

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

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





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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIRKE**  
DEPUTY COMMISSIONER

**JAMES McCAFFREY**  
DEPUTY COMMISSIONER

May 3, 2022

Amarjeet Singh  
94 East Street  
Hicksville, NY 11801

RE: PREMISES: 94 East Street, Hicksville, NY 11801  
SECTION 12 BLOCK 246 LOT 180

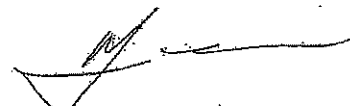
Dear Property Owner:

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

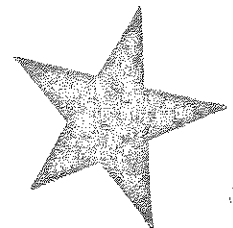
Please be advised that Notice of Violation Number 07481 (copy attached) has been served on 04/25/22. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,

**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

ELM:ME:ml  
Enclosure



**QUITCLAIM DEED (INDIVIDUAL OR CORPORATION)**

**STANDARD NYBTU FORM 8009**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.**

*THIS INDENTURE*, made the 21st day of July, two thousand and twenty,  
between  
Amarjeet Singh [REDACTED]  
residing at: 94 East Street, Hicksville, New York 11801

party of the first part, and

Amarjeet Singh, residing at: 94 East Street, Hicksville, New York 11801  
party of the second part,

*WITNESSETH*, that the party of the first part, in consideration of (\$0.00) dollars, lawful money of the United States, paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

See Schedule A Legal Description Attached Hereto

*Being and Intended to be the same premises as conveyed to the party of the first part by Deed dated 05/25/2019 and recorded on 06/12/2019 in Book 13811 Page 1005 of the Nassau County Clerk's Office, State of New York*

More Commonly known as: 94 East Street, Hicksville, New York 11801

Section 12, Block 246, Lot 180

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

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

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

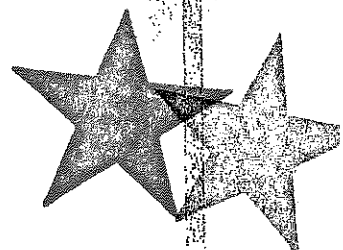
*AND* the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

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

  
Amarjeet Singh

[REDACTED]



AL

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

May 17, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION


**SUBJECT: 94 EAST STREET, HICKSVILLE  
CLEAN-UP**

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1572.40.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
**JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION**

JPB/kjb

Enc. T & M sheet



## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (12-246-180) 94 EAST ST HICKSVILLE 11801

Date May 11, 2022

Work Order # 93619

### Labor Costs

| Employee's Name    |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|--------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| SCOTT PFEIFER      | General Maintenance | 01:00              | \$62.98      | 00:00          | 0             | \$62.98   |
| CHRISTOPHER MADDEN | General Maintenance | 01:00              | \$29.33      | 00:00          | 0             | \$29.33   |
| GREGORY MARCHESE   | General Maintenance | 01:00              | \$52.16      | 00:00          | 0             | \$52.16   |
| JOHN SANDIFORD     | General Maintenance | 01:00              | \$32.93      | 00:00          | 0             | \$32.93   |
| THOMAS CORBETT     | General Maintenance | 01:00              | \$15.00      | 00:00          | 0             | \$15.00   |
| Total Labor        |                     |                    |              |                |               | \$192.40  |

### Tools/Vehicle

| Tool/Vehicle    | Description  | Rate per Hour | Hours | Line Cost |
|-----------------|--|---------------|-------|-----------|
| BR121           | 2008 CHEVY EQUINOX TAN                               | \$79.00       | 01:00 | \$79.00   |
| PU470           | 2020 FORD F 350 YW PICK UP                           | \$79.00       | 01:00 | \$79.00   |
| TD571           | TRUCK DUMP 2005 FORD F-350 YW (T-185) - Power Wagons | \$105.00      | 01:00 | \$105.00  |
| TD572           | TRUCK DUMP 2005 INTL 7300 YW (T-242)- 6 Wheeler      | \$131.00      | 01:00 | \$131.00  |
| TD701           | TRUCK DUMP 2011 INTER 7300 YW (T-141)- 6 Wheeler     | \$131.00      | 01:00 | \$131.00  |
| TR204           | TRAILER 2017 FELLI FT30 BL                           | \$105.00      | 01:00 | \$105.00  |
| Total Equipment |  |               |       | \$630.00  |

### Materials

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

**Grand Total \$1572.40**

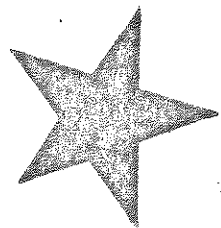
Description of Work:  
CLEAN UP 94 EAST STREET HV

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 13, 2022



Meeting of August 9, 2022

Resolution No 565-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 12, 2022, authorized the Highway Department to clean up the premises located at 210 North Wyoming Avenue, Massapequa, New York 11758, also known as Section 52, Block 6, Lots 21 to 24 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 17, 2022, in the total amount of \$995.19, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$995.19 may be assessed by the Legislature of the County of Nassau against the parcel known as 210 North Wyoming Avenue, Massapequa, New York 11758, also known as Section 52, Block 6, Lots 21 to 24 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

HP  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

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

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

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
210 North Wyoming Avenue, Massapequa, New York 11758  
Section 52, Block 6, Lots 21 to 24

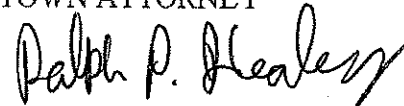
---

The Department of Planning and Development, by memorandum dated May 12, 2022, directed the Highway Department to clean the premises located at 210 North Wyoming Avenue, Massapequa, New York 11758, also known as Section 52, Block 6, Lots 21 to 24 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 19, 2022, advised that the property was cleaned by a crew from the Highway Department on May 17, 2022. The cost incurred by the Town of Oyster Bay was \$995.19.

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

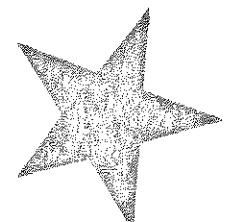
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments





2022-8619

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 12, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 210 N. Wyoming Avenue, Massapequa, NY 11758  
SBL: 52-6-21 - 24

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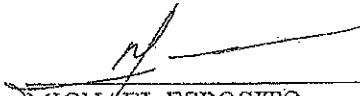
Notice of Violation Number 07490 was issued to the owner of the above-referenced premises on 04/28/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Cut lawn in rear of property.

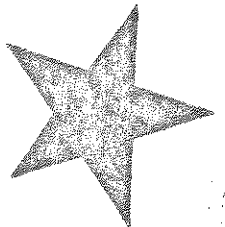
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ELM:ME:ml

cc: Frank Scalera, Town Attorney





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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

JAMES McCARTREY  
DEPUTY COMMISSIONER

May 12, 2022

Anthony Lajetta  
210 N. Wyoming Ave.  
Massapequa, NY 11758

RE: PREMISES: 210 N. Wyoming Ave., Massapequa, NY 11758  
SECTION 52 BLOCK 6 LOT 21

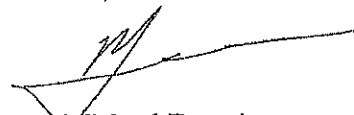
Dear Property Owner:

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

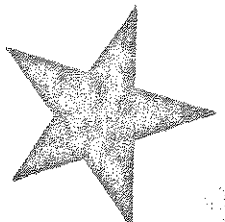
Please be advised that Notice of Violation Number 07490 (copy attached) has been served on 04/28/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,

ELIZABETH L. MACCARONE  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

ELM:ME:ml  
Enclosure



5840  
**THIS INDENTURE**, made the 11th day of July, nineteen hundred and ninety seven  
**BETWEEN**

[REDACTED], his wife, both residing 210 N. Wyoming Avenue, N. Massapequa,  
NY 11758

party of the first part, and  
**ANTHONY LAIETTA** and [REDACTED]

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Massapequa, Town of Oyster Bay, County of Nassau and State of New York, shown and designated as and being Lots Numbers 21, 22, 23 and 24 in block 6 as shown on a certain map entitled "Map of Massapequa Centre, Farmingdale Section, situated at Massapequa, New York surveyed March 1928 by Baldwin & Cornelius Co., Inc." and filed in the office of the clerk of Nassau County on March 23, 1928 as Map No. 651, New No. 773, as being more particularly bounded and described according to said map as follows:

**BEGINNING** at a point on the southerly side of N. Wyoming Avenue, distant 217.26 westerly from the corner formed by the intersection of the southerly side of N. Wyoming Avenue with the westerly side of North Broadway, formerly known as Broadway, and formerly known as Bedpage Road;

**RUNNING THENCE** south 10 degrees 01 minutes 30 seconds west 100 feet;

**THENCE** north 79 degrees 58 minutes 30 seconds west 80 feet;

**THENCE** north 10 degrees 01 minutes 30 seconds east 100 feet to the said southerly side of North Wyoming Avenue;

**THENCE** south 79 degrees 58 minutes 30 seconds east and along the said southerly side of North Wyoming Avenue 80 feet to the point or place of **BEGINNING**.

The premises herein described are and are intended to be the same as those described in deed recorded in Liber 10384 CP. 515.

**TOGETHER** with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof, **TOGETHER** with the appurtenances and all the estate and rights of the part of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

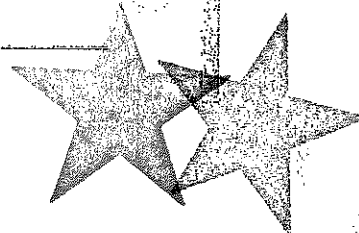
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

**IN PRESENCE OF:**

*[Signature]*

[REDACTED]



AL

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

May 19, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION


**SUBJECT: 210 WYOMING AVENUE, MASSAPEQUA  
CLEAN-UP**

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$995.19.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.



---

**JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION**

JPB/kjb

Enc. T & M sheet



## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (52-6-21) 210 WYOMING AVE MASSAPEQUA 11758

Date May 17, 2022

Work Order # 93962

### Labor Costs

| Employee's Name      |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|----------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| JAMES CHADWICK, II   | General Maintenance | 00:30              | \$48.32      | 00:00          | 0             | \$24.16   |
| NICOLAS CAMMARANO    | General Maintenance | 00:30              | \$28.61      | 00:00          | 0             | \$14.31   |
| ANTHONY ORLOWSKI     | General Maintenance | 00:30              | \$23.78      | 00:00          | 0             | \$11.89   |
| ERIC PETERS          | General Maintenance | 00:30              | \$33.65      | 00:00          | 0             | \$16.83   |
| NICHOLAS M ABATEMARC | General Maintenance | 00:30              | \$15.00      | 00:00          | 0             | \$7.50    |

Total Labor \$74.69

### Tools/Vehicle

| Tool/Vehicle | Description  | Rate per Hour | Hours | Line Cost |
|--------------|--|---------------|-------|-----------|
| TD692        | TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons | \$105.00      | 00:30 | \$52.50   |
| TD718        | TRUCK DUMP 2013 INTER 7300 YELLO (T-201)- 6 Wheeler  | \$131.00      | 00:30 | \$65.50   |
| TD774        | 2022 FORD F450 POWER WAGON                           | \$105.00      | 00:30 | \$52.50   |

Total Equipment \$170.50

### Materials

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

Total Materials \$750.00

**Grand Total \$995.19**

### Description of Work:

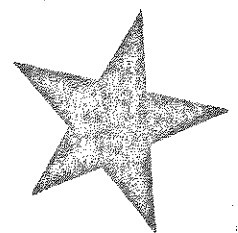
CLEAN UP 210 N. WYOMING AVENUE MS

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 19, 2022



Meeting of August 9, 2022

Resolution No 566-2022

WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 12, 2022, authorized the Highway Department to clean up the premises located at 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated July 21, 2022, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on May 17, 2022, in the total amount of \$1,117.78, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated July 21, 2022, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,117.78 may be assessed by the Legislature of the County of Nassau against the parcel known as 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

1/1/22  
Reviewed By  
Office of Town Attorney  
Ralph P. Healey

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

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

566

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

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: July 21, 2022

SUBJECT: Property Cleanup Assessment  
4699 Merrick Road, Massapequa, New York 11758  
Section 57, Block 222, Lot 19

---

The Department of Planning and Development, by memorandum dated May 12, 2022, directed the Highway Department to clean the premises located at 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated May 19, 2022, advised that the property was cleaned by a crew from the Highway Department on May 17, 2022. The cost incurred by the Town of Oyster Bay was \$1,117.78.

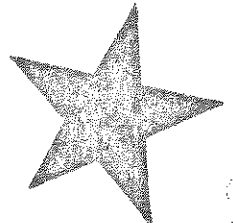
Pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, which allows the Town to be reimbursed for the cost of the work performed, the Highway Department has requested that the cost of said work be referred to the County of Nassau for placement on the Nassau County Tax Assessment Rolls.

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments



2022-8620

TOWN OF OYSTER BAY

Inter-Departmental Memo

May 12, 2022

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 4699 Merrick Road, Massapequa, New York 11758  
SBL: 57-222-19

---

Notice of Violation number 07498 was issued to the owner of the above-referenced premises on 05/03/2022 for property non-maintenance, in violation of Chapter 135, Section 52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- Cut lawn and all vegetation on premises.

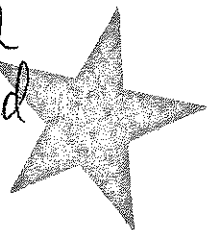
Pursuant to the provisions of Chapter 135, Section 54(C) of the Code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME: ml  
cc: Frank Scalera, Town Attorney  
cc: Andrew Preston, Esq., BRFH&D Attorneys-at-Law

No Need  
To add







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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCAFFREY**  
DEPUTY COMMISSIONER

May 12, 2022

Barbara Kern  
4699 Merrick Road  
Massapequa, NY 11758

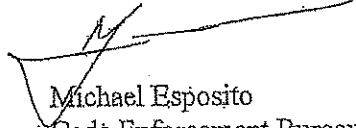
RE: PREMISES: 4699 Merrick Road, Massapequa, New York 11758  
SECTION 57 BLOCK 222 LOT 19

Dear Property Owner:

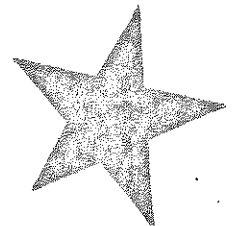
Inspections of the above-referenced property have revealed that the premises has not been maintained in accordance with the provisions of Chapter 135, Section 52 of the Code of the Town of Oyster Bay, based in part from the overgrown grass and weeds on the property.

Please be advised that Notice of Violation number 07498 (copy attached) has been served on 05/03/2022. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs.

Very truly yours,  
**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito  
Code Enforcement Bureau

RLM:ME: ml  
Enclosure



AL

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

May 19, 2022

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

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

**SUBJECT:** 4699 MERRICK ROAD, MASSAPEQUA  
CLEAN-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,117.78.

If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
\_\_\_\_\_  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS  
HIGHWAY DIVISION

JPB/kjb

Enc. T & M sheet



## MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (57-222-19) 4699 MERRICK RD MASSAPEQUA 11758

Date May 17, 2022

Work Order # 93947

### Labor Costs

| Employee's Name      |                     | Regular Work Hours | Regular Rate | Overtime Hours | Overtime Rate | Line Cost |
|----------------------|---------------------|--------------------|--------------|----------------|---------------|-----------|
| JAMES CHADWICK, II   | General Maintenance | 00:45              | \$48.32      | 00:00          | 0             | \$36.24   |
| NICOLAS CAMMARANO    | General Maintenance | 00:45              | \$28.61      | 00:00          | 0             | \$21.46   |
| ANTHONY ORLOWSKI     | General Maintenance | 00:45              | \$23.78      | 00:00          | 0             | \$17.84   |
| ERIC PETERS          | General Maintenance | 00:45              | \$33.65      | 00:00          | 0             | \$25.24   |
| NICHOLAS M ABATEMARC | General Maintenance | 00:45              | \$15.00      | 00:00          | 0             | \$11.25   |
| Total Labor          |                     |                    |              |                |               | \$112.03  |

### Tools/Vehicle


| Tool/Vehicle    | Description  | Rate per Hour | Hours | Line Cost |
|-----------------|--|---------------|-------|-----------|
| TD692           | TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons | \$105.00      | 00:45 | \$78.75   |
| TD718           | TRUCK DUMP 2013 INTER 7300 YELLO (T-201)- 6 Wheeler  | \$131.00      | 00:45 | \$98.25   |
| TD774           | 2022 FORD F450 POWER WAGON                           | \$105.00      | 00:45 | \$78.75   |
| Total Equipment |  |               |       | \$255.75  |

### Materials

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

**Grand Total \$1117.78**

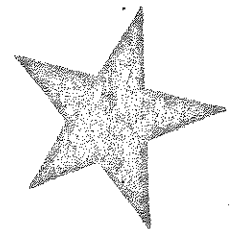
Description of Work:  
CLEAN UP 4699 MERRICK ROAD MS

Signature: 

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: May 19, 2022



Reviewed By  
Office of Town Attorney  
*Ralph P. Deoley*

Meeting of August 9, 2022

Resolution No 567-2022

WHEREAS, by Resolution No. 741-2021, adopted on December 7, 2021, the Town Board authorized the Department of Public Works to enter into Contract No. PWC09-22, On-Call Engineering Services Relative to Site Development with Cameron Engineering & Associates, LLP, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Richard J. Zapolski, Jr., P.E., Associate Partner, Cameron Engineering & Associates, LLP, by letter dated June 21, 2022, described the scope of work to be performed under Contract No. PWC09-22, regarding the design of a new playground, removing and replacing the chain link fence around the little league field infield, and additional lacrosse field striping at Francis M. Gaynor Park; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated July 21, 2022, requested Town Board authorization for Cameron Engineering & Associates, LLP, to provide the aforesaid On-Call Engineering Services under Contract PWC09-22, and that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$8,662.50 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2202 001 Project ID No. 2202 PKSA-03; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Cameron Engineering & Associates, LLP is hereby authorized to provide the aforementioned engineering services in connection with Contract No. PWC09-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$8,662.50 for this purpose, with funds available for payment in Account No. PKS H 7197 20000 000 2022 001.

-#-

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

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

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

July 21, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO SITE DEVELOPMENT  
CONTRACT NO. PWC09-22  
ACCOUNT NO.: PKS H 7197 20000 000 2202 001  
PROJECT ID NO. 2202 PKSA-03

---

The consultant, Cameron Engineering & Associates, L.L.P., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC09-22 by Resolution No. 741-2021 for the subject project.

Attached is a letter dated June 21, 2022 from Cameron Engineering & Associates, L.L.P., regarding the scope of work performed in an amount not to exceed \$8,662.50. Funds are required for the design of additional work: new children's playground, removing & replacing chain link & modified lacross field striping regarding a turf installation at Francis M. Gaynor Park as described in the attached letter from Cameron Engineering & Associates, LLP.

Attached is an availability of funds in the amount of \$8,662.50 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No PKS H 7197 20000 000 2202 001 and Project ID NO. 2202 PKSA-03

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

It is hereby requested that the Town Board authorize by Resolution, Cameron Engineering & Associates, L.L.P. under Contract No. PWC09-22 for On-Call Engineering Services Relative to Site Development and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.

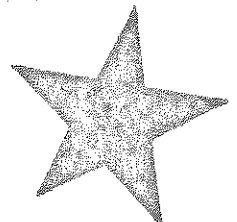
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

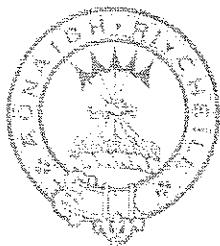
RWL/JCT/MR/SC/nm

Attachment

cc: Steve C. Ballas, Comptroller  
Joseph G. Pinto, Commissioner / Parks Department

PWC09-22 Docket Funding Cameron 8,662.50





## CAMERON ENGINEERING & ASSOCIATES, L.L.P.

177 Crossways Park Drive Woodbury, NY 11797 (516) 827-4900  
1411 Broadway, Suite 600 New York, NY 10018 (212) 324-4000  
303 Old Ferrytown Road, 1st Floor White Plains, NY 10603 (914) 721-8300

Active Member of  New York 

*Managing Partner*  
John P. Cameron, P.E.

*Senior Partner*  
Joseph R. Aronson, P.E.

*Partners / Principals*  
Mark Wagner, P.E.  
James J. Hara, P.E., AIA, PLS, LEED  
Nicholas A. Kozlowski, P.E.  
Michael J. Smith, P.E.  
Andrew J. Sauer, P.E., AIA, CM  
Richard J. Capobianco, P.E.

*Associate Partners*  
Joseph H. Hines, P.E., AIA, LEED

*Senior Associates*  
Jeremy C. Smith, P.E., LEED  
Michael A. D'Amico, P.E., AIA

*Associate*  
Kurtis A. Hall, P.E.

June 21, 2022

Mr. John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
150 Miller Place  
Syosset, NY 11791  
Via email - jtassone@oysterbay.ny.gov

Re: Parklet G – 05: Francis M. Gaynor Park  
Glen Head Road, Town of Oyster Bay  
Synthetic Turf Improvements  
Proposal Revision for Final Engineering and Construction Phase Services  
Contract No. PWC09-22-Site Development  
CP10525r3/CE3179 Task Order

Dear Deputy Commissioner Tassone:

In accordance with your recent request, Cameron Engineering & Associates, LLP (Cameron Engineering) respectfully submits our Proposal Revision for Final Engineering Services for the above referenced project. Below is a brief description of our understanding of the project, our proposed Scope of Services, and our Fee for the work to be performed.

### I. PROJECT DESCRIPTION

Cameron Engineering during the 100% Contract Document phase was requested by the Town of Oyster Bay in their review of the plans and specifications to include additional design scope. This additional work included the new children's playground, removing and replacing the chain link fence around the little league infield which was original proposed as a renovation and additional boys and girls modified lacrosse field striping.

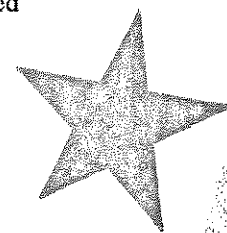
### II. SCOPE OF SERVICES

The specific Engineering and Landscape Architectural Services to implement the Project Description under this Proposal are as follows:

- A. Additional Scope - 100 % Contract Drawing Documentation to include the above referenced design information.
  1. Specifically, the additional information included the following:
    - a) Modified site plans to show the children's playground, playground details and equipment lists, safety surface and permitter containment details incorporated additional sections to the project's specifications.

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

[www.cameronengineering.com](http://www.cameronengineering.com)



# CAMERON ENGINEERING

*Deputy Commissioner Tassone, Town of Oyster Bay*

*Proposal Revision for Final Engineering & Construction Services, Turf Improvements (cp10525r3 TO1)*

*June 21, 2022*

*Page 2 of 3*

- b) Modified the existing and conditions and removals plan, added proposed fence alignment to the site plans, structural calculations for the design of the fence post and concrete foundations. Added updated fencing details and elevations to the contract documents.
- c) Detailed site alignment plans with material identification product selections and alignment dimensioning.
- d) Research on the modified boys / girls lacrosse field striping and incorporated additional field alignment and details to the final contract bid documents.

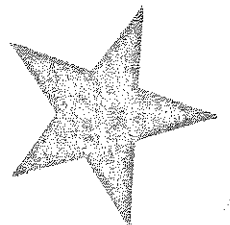
## **III. ADDITIONAL SERVICES**

With prior authorization, we would provide any of the following additional services:

- A. Construction layout, environmental testing, quality control and material testing.
- B. Attendance and public meetings, facilitation with civic and or focus groups, etc. including PowerPoint presentations, 3-D renderings, cross-sections, etc.

## **IV. FEES AND PAYMENTS**

- A. The proposed Scope of Services outlined under Item II.A - Additional Scope - 100 % Contract Drawing Documentation will be performed under our On-Call Site Development Contract No. PWC09-22 on a timecard basis (approved hourly rate schedule) for the estimated fee of \$8,662.50.



# CAMERON ENGINEERING

*Deputy Commissioner Tassone, Town of Oyster Bay  
Proposal Revision for Final Engineering & Construction Services, Turf Improvements (cp10525r3 TO1)*

*June 21, 2022  
Page 3 of 3*

## V. CONTRACT AUTHORIZATION

This letter represents the entire Proposal Revision performed under On-Call Site Development Contract No. PWC09-22. In order to initiate this contract, please forward your standard form of authorization for professional services.

We thank you for requesting this Proposal Revision and appreciate the opportunity to work with you on this project. Should you have any questions, or wish to discuss any item in greater detail, please do not hesitate to contact Walter Sieber, Director of Site Development at 516-224-5245 or me at (516) 224-5290.

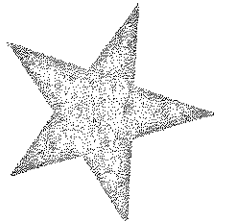
Very truly yours,

*Richard J. Zapolski*

Richard J. Zapolski, Jr., P.E.,  
Associate Partner

*Cc: Richard Lenz, P.E. Commissioner  
Department of Public Works  
Mr. Matthew Russo, P.E  
Division of Engineering*

*WS/cmc*







ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT  
REQUEST FOR AVAILABILITY OF FUNDS



Requesting Division/Department

Parks

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number PWC09-22

Contract Period January 1, 2022 through December 31, 2023

Consultant/Contractor Cameron Engineering & Associates, LLP

Discipline Site Development

Total Authorization \$ 212,162.50

Resolution No. 741-2021 Date 12/7/2021

Funded To Date \$ 203,500.00

Amount Requested \$8,662.50

Account To Be Used PKS-H-7197-20000-000-2202-001 2202PKSA-03

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.

Additional work: new children's playground, removing & replacing chain link fence

& modified lacross field striping at Francis M. Gaynor Park.

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

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

Required Insurances Are In Effect: Yes ☒ No ☐

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

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

Amount of Bond \$ \_\_\_\_\_

Requesting Division/Department

Signature [Signature]

Title Commissioner of Parks

Date \_\_\_\_\_

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 7/21/22

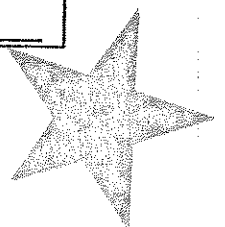
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 8,662.50

Unencumbered Balance 127,662.50

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

Signature [Signature] Date 7/19/22





# TOWN OF OYSTER BAY

## WORK ORDER



*This Section To Be Completed By The Department Of Public Works*

Work Order No. \_\_\_\_\_

E.O. No. \_\_\_\_\_

Contract Start 1/1/2022

Contract No. PWC09-22

Contract End 12/31/2023

Commencement Date \_\_\_\_\_

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

Vendor Name and Address

Cameron Engineering & Associates, LLP

177 Crossways Park Drive

Woodbury, NY 11797

Requesting Town Department Parks

Contact Sunita Chakraborti Phone 677-5725

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

Additional work: new children's playground, removing & replacing chain link fence

& modified lacross field striping at Francis M. Gaynor Park.

**This work order shall not exceed \$ 8,662.50**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

Only To Be Executed By The Commissioner

Signature [Signature]

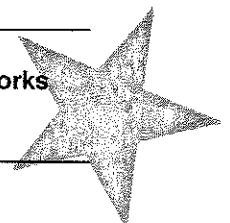
Signature [Signature]

Title Commissioner of Parks

**Commissioner of Public Works**

Date \_\_\_\_\_

Date 7/21/22



Meeting of December 7, 2021

Resolution No. 741-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services relative to Site Development was issued in accordance with the specifications contained in Contract No. PWC09-22, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

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

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 6 and 9 of the Town of Oyster Bay Procurement Policy and in conjunction with the current workload, the Department has selected N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC09-22, On-Call Engineering Services relative to Site Development, with N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

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

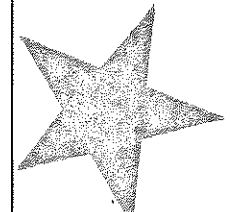
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC09-22, On-Call Engineering Services relative to Site Development, with N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023

#

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

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

RECEIVED BY  
OFFICE OF TOWN ATTORNEY



**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.

Print or type.  
See Specific Instructions on page 2.

|   |   |  |
|---|---|--|
| 1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.<br><b>Cameron Engineering &amp; Associates, LLP</b>   |   |  |
| 2 Business name/disregarded entity name, if different from above  |   |  |
| 3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.<br><input type="checkbox"/> Individual/sole proprietor or single-member LLC<br><input type="checkbox"/> C Corporation<br><input type="checkbox"/> S Corporation<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Trust/estate<br><input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) <b>P</b><br>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.<br><input type="checkbox"/> Other (see instructions) | 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):<br>Exempt payee code (if any) _____<br>Exemption from FATCA reporting code (if any) _____<br><small>(Applies to accounts maintained outside the U.S.)</small> |  |
| 5 Address (number, street, and apt. or suite no.) See instructions.<br><b>177 Crossways Park Drive</b>  | Requester's name and address (optional)   |  |
| 6 City, state, and ZIP code<br><b>Woodbury, NY 11797</b>  |   |  |
| 7 List account number(s) here (optional)  |   |  |

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

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

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

|                                |  |  |  |  |  |  |  |  |
|--------------------------------|--|--|--|--|--|--|--|--|
| Social security number         |  |  |  |  |  |  |  |  |
|                                |  |  |  |  |  |  |  |  |
| OR                             |  |  |  |  |  |  |  |  |
| Employer identification number |  |  |  |  |  |  |  |  |
|                                |  |  |  |  |  |  |  |  |

**Part II Certification**

Under penalties of perjury, I certify that:

- 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 **Carol Fusco**

Date **01/06/2022**

**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).

**Purpose of Form**

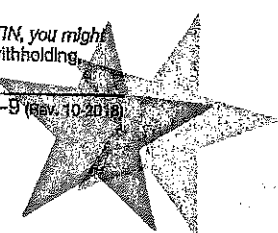
An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number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

- Form 1099-INT (interest earned or paid)

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

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

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



Meeting of August 9, 2022

Resolution No 568-2022

WHEREAS, by Resolution No. 741-2021, adopted on December 7, 2021, the Town Board authorized the Department of Public Works to enter into Contract No. PWC09-22, On-Call Engineering Services Relative to Site Development, with Nassau Suffolk Engineering & Architecture, PLLC, for a two-year term, commencing January 1, 2022 through December 31, 2023; and

WHEREAS, Michael Spinelli II, Associate AIA, Nassau Suffolk Engineering & Architecture, PLLC, by letter dated June 22, 2022, described the scope of work to be performed under Contract No. PWC09-22, regarding assistance with FEMA reimbursement issues arising from Tropical Storm Isaias; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated July 22, 2022, requested Town Board authorization for Nassau Suffolk Engineering & Architecture, PLLC, to provide the aforesaid On-Call Engineering Services under Contract No. PWC09-22, and requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$23,490.00 for this purpose, with funds available for payment in Account No. HWY H 5197 20000 000 2003 008, Project ID 2003HWYDB-11; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and Nassau Suffolk Engineering & Architecture, PLLC is hereby authorized to provide the aforementioned services in connection with Contract No. PWC09-22, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$23,490.00 for this purpose, with funds available for payment in Account No. HWY H 5197 20000 000 2003 008, Project ID 2003HWYDB-11.

-#-

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

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

Reviewed By  
Office of Town Attorney

*Deirdre P. O'Leary*

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

July 22, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO SITE DEVELOPMENT  
CONTRACT NO. PWC09-22  
ACCOUNT NO.: HWY H 5197 20000 000 2003 008  
PROJECT ID NO. 2003HWYDB-11

---


The consultant, Nassau Suffolk Engineering & Architecture, PLLC, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC09-22 by Resolution No. 741-2021 for the subject project.

Attached is a letter dated June 22, 2022 from Nassau Suffolk Engineering & Architecture, PLLC, regarding the scope of work performed in an amount not to exceed \$23,490.00. Funds are required for assistance with FEMA reimbursement for Tropical Storm Isaias as described in the attached letter from Nassau Suffolk Engineering & Architecture, PLLC.

Attached is an availability of funds in the amount of \$23,490.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 2003 008, Project ID 2003HWYDB-11.

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

It is hereby requested that the Town Board authorize by Resolution, Nassau Suffolk Engineering & Architecture, PLLC, under Contract No. PWC09-22 for On-Call Engineering Services Relative to Site Development and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

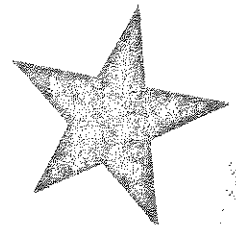
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/KL/IK

Attachment

cc: Steve C. Ballas, Comptroller  
John Bishop, Deputy Commissioner / Public Works

PWC09-22 Docket Funding 23490





ON-CALL CONSULTANT SERVICE / REQUIREMENTS CONTRACT  
REQUEST FOR AVAILABILITY OF FUNDS



Requesting Division/Department

HIGHWAY

THIS SECTION TO BE COMPLETED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT

Contract Number PWC09-22

Contract Period 1/1/2022-12/31/2023

Consultant/Contractor NASSAU SUFFOLK ENGINEERING & ARCHITECTURE, PLLC

Discipline SITE ENGINEERING

Total Authorization \$23,490.00

Resolution No. 741-2021 Date 12/7/2021

Funded To Date \$0.00

Amount Requested \$23,490.00

Account To Be Used Hwy H 5197.00000000 2003008 - 2003 HWYDB-11

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.

2022 Assistance with FEMA reimbursement for Tropical Storm Isaias

Work To Be Completed In Contract Period:

Yes ☒ No ☐

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

Required Insurances Are In Effect:

Yes ☒ No ☐

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

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$ \_\_\_\_\_

Requesting Division/Department

Signature

Title DEPUTY COMMISSIONER / DPW

Date 7/14/22

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title Commissioner of Public Works

Date 7/19/22

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 23,490.00

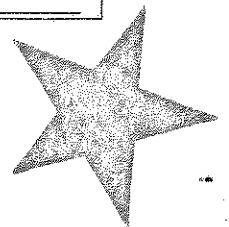
Unencumbered Balance 310,833.18

Is The Account To Be Used Consistent With The Nature Of Work Listed Above?

Yes ☒ No ☐

Signature

Date 7/18/22





# TOWN OF OYSTER BAY

## WORK ORDER



*This Section To Be Completed By The Department Of Public Works*

Work Order No. \_\_\_\_\_

E.O. No. \_\_\_\_\_

Contract Start 1/1/2022

Contract No. PWC09-2022

Contract End 12/31/2023

Commencement Date \_\_\_\_\_

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

Vendor Name and Address

NASSAU SUFFOLK ENGINEERING & ARCHITECTURE, PLLC

801 MOTOR PARKWAY, SUITE 103

HAUPPAUGE, NEW YORK 11788

Requesting Town Department DIVISION OF ENGINEERING

Contact Kalyn Lovern Phone 516-677-5834

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

ASSISTANCE WITH FEMA REIMBURSEMENT FOR TROPICAL STORM ISAIAS 2022

**This work order shall not exceed \$ \$23,490.00**

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

**Requesting Division/Department**

Signature \_\_\_\_\_

Title DEPUTY COMMISSIONER / DPW

HIGHWAY DIVISION

Date 7/14/22

**Department Of Public Works Approval**

Only To Be Executed By The Commissioner

Signature \_\_\_\_\_

Commissioner of Public Works

Date 7/19/22





NASSAU SUFFOLK  
ENGINEERING &  
ARCHITECTURE, PLLC

June 22, 2022

Richard W. Lenz, P.E.  
Commissioner  
Town of Oyster Bay Department of Public Works  
150 Miller Place  
Syosset, NY 11791  
Attn: John C. Tassone, Deputy Commissioner

Re: On-Call Engineering Services in Connection with  
Contract No. PWC09-22 Site Development  
~~Resolution 809-2019~~  
CSF No. N40:2001  
Estimate Cost of Work: \$23,490.00

Dear Commissioner Lenz:

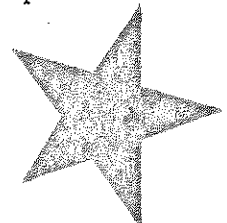
Further to recent conversations with Deputy Commissioner Tassone, Department of Public Works, Division of Engineering ("DPW"), and Deputy Commissioner Bell, Department of Intergovernmental Affairs ("IGA"), Nassau Suffolk Engineering & Architecture, PLLC ("NSEA") throughout the first half of 2022, was asked by DPW and IGA to further assist the Town of Oyster Bay ("Town") in seeking reimbursement from the Federal Emergency Management Agency ("FEMA") by providing additional information to FEMA in pursuit of additional storm recovery reimbursement on behalf of the Town. NSEA's original on-call agreement expired on December 31, 2021. At the Town's request, NSEA continued to provide professional services after the expiration of our prior agreement.

Based on the above, NSEA hereby furnishes this proposal for ongoing professional services for the period of January 1, 2022 through December 31, 2023 in connection with assisting the Town in seeking further reimbursement of costs arising out of the damage caused by Tropical Storm *Isaias*.

The additional tasks performed to date are described in greater detail below.

#### **Assignment No. 1 – Categorization of Prior Tasks**

Per FEMA's request, all tasks performed by construction consultants had to be analyzed and categorized into multiple categories (e.g. project management, storm restoration, and debris removal) in order for these fees to be reimbursed. NSEA was also required to provide a memorandum memorializing the results of this analysis.



| Assignment No. 1 – Estimated Fee |             |                 |               |
|----------------------------------|-------------|-----------------|---------------|
| Title                            | Hourly Rate | Estimated Hours | Estimated Fee |
| Principal / Director             | 175.00      | 4               | 700.00        |
| Project Manager                  | 145.00      | 8               | 1,160.00      |
| Construction Manager             | 80.00       | 40              | 3,200.00      |
| Total                            |             |                 | 5,060.00      |

#### Assignment No. 2 – Updated Quantity Re-Organization

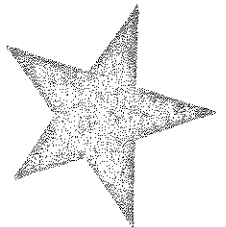
Per the request of FEMA, NSEA was asked to analyze the payment applications of Pratt Brothers, Inc. ("Pratt"), and to further categorize material quantities and remedial tasks by location. NSEA was also asked to identify all size(s) and quantities for sidewalks within the file outlining project quantities.

| Assignment No. 2 – Estimated Fee |             |                 |               |
|----------------------------------|-------------|-----------------|---------------|
| Title                            | Hourly Rate | Estimated Hours | Estimated Fee |
| Principal / Director             | 175.00      | 4               | 700.00        |
| Project Manager                  | 145.00      | 6               | 870.00        |
| Construction Manager             | 80.00       | 45              | 3,600.00      |
| Total                            |             |                 | 5,170.00      |

#### Assignment No. 3 – Topsoil / Soil Fill Land Location

At the direction of FEMA, NSEA was required to confirm the location(s) where topsoil was used for the backfilling of holes and restoration over irrigation systems, prior to its use on site. This information includes an aerial view indicating Latitude and Longitudinal coordinates of the soil's origin points.

| Assignment No. 3 – Estimated Fee |             |                 |               |
|----------------------------------|-------------|-----------------|---------------|
| Title                            | Hourly Rate | Estimated Hours | Estimated Fee |
| Principal / Director             | 175.00      | 2               | 350.00        |
| Project Manager                  | 145.00      | 6               | 870.00        |
| Construction Manager             | 80.00       | 24              | 1,920.00      |
| Total                            |             |                 | 3,140.00      |



Richard W. Lenz, P.E., Commissioner  
June 22, 2022  
Page 3 of 3

**Assignment No. 4 – Additional Projected FEMA Assistance**

Based on FEMA's requests to date, and the probability for additional requests for information, NSEA is currently estimating the following hours for future tasks.

| Assignment No. 4 – Estimated Fee |             |                 |               |
|----------------------------------|-------------|-----------------|---------------|
| Title                            | Hourly Rate | Estimated Hours | Estimated Fee |
| Principal / Director             | 175.00      | 8               | 1,400.00      |
| Project Manager                  | 145.00      | 16              | 2,320.00      |
| Construction Manager             | 80.00       | 80              | 6,400.00      |
| Total                            |             |                 | 10,120.00     |

Based on the above, NSEA respectfully requests the sum of \$23,490.00 as reimbursement for tasks performed to date and estimated fees on a going-forward basis.

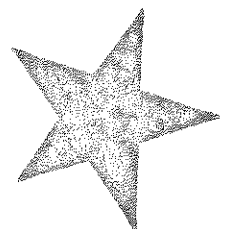
NSEA thanks you for the opportunity to be of service to the Town and we look forward to continuing to work with DPW and IGA on this important assignment.

Very truly yours,  
**NASSAU SUFFOLK ENGINEERING AND ARCHITECTURE, PLLC**



Michael Spinelli II, Associate AIA  
Project Manager

cc: John Tassone, Deputy Commissioner, Department of Public Works (via Email)  
Michael W. Spinelli, AIA, NSEA, President  
Stephen P. Ferretti, NSEA, Director of Operations



Meeting of December 7, 2021

Resolution No. 741-2021

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2021, advised that a Request for Proposals for On-Call Engineering Services relative to Site Development was issued in accordance with the specifications contained in Contract No. PWC09-22, for a two (2) year contract term, commencing January 1, 2022 through December 31, 2023; and

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

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 6 and 9 of the Town of Oyster Bay Procurement Policy and in conjunction with the current workload, the Department has selected N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA; and

WHEREAS, Commissioner Lenz, by said memorandum, requested Town Board authorization for the Department of Public Works/Highway to enter into Contract No. PWC09-22, On-Call Engineering Services relative to Site Development, with N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023; and

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

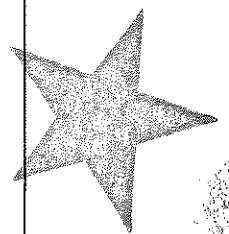
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Department of Public Works/Highway is hereby authorized to enter into Contract No. PWC09-22, On-Call Engineering Services relative to Site Development, with N & P Engineers, Architecture & Land Surveying, PLLC, D & B Engineers and Architects, DPC, H2M Engineers & Architects, John A. Grillo Architect, P.C., de Bruin Engineering, P.C., Nassau Suffolk Engineering & Architects, PLLC, Cameron Engineering & Associates, LLP and Savik & Murray a Division of DCAK-MSA, for a two (2) year term, commencing on January 1, 2022 through December 31, 2023

#

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

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

Received By  
Office of Town Attorney



Meeting of August 9, 2022

Resolution No.569 -2022

Reviewed By  
Office of Town Attorney

*Paul P. Deady*

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated July 20, 2022, advised that Lockwood, Kessler & Bartlett, Inc. (LKB), Consulting Engineers, by letter dated June 6, 2022, stated that a final inspection of the work performed pursuant to Contract No. DER20-207, OBSWDC Truck Scales Replacement was conducted, and that the contractor, Atlantic Scale Corporation, complied with all of the requirements of the Contract and recommended that the Town accept said Contract as having been completed; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that said Consulting Engineers, by said letter, advised the Town of an increase/decrease in quantities, relative to the construction phase of Contract No. DER20-207, for a total net decrease in the amount of \$19,380.00;

WHEREAS, Commissioner Lenz by said memorandum, requested that the Town Board accept the increase/decrease in quantities relative to the Construction Phase of Contract No. DER20-207, for a total net decrease in the amount of \$19,380.00;

WHEREAS, final construction costs were in the amount of \$209,136.00; and

WHEREAS, work under this Contract was directed to proceed as of June 9, 2021, and to be completed within ninety (90) calendar days, on September 6, 2021, said completion date extended to January 18, 2022, with actual work completed on December 15, 2021; and

WHEREAS, the Office of the Town Attorney and the Office of the Town Comptroller, by memoranda dated June 30, 2022, and June 29, 2022, respectively, stated that there are no legal obstacles of financial encumbrances of record that would necessitate the withholding of the final acceptance of this project; and

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

WHEREAS, Daniel W. Pearl, Commissioner, Department of Sanitation, by memorandum dated July 19, 2022, concurred with the recommendation of final acceptance of this project,

NOW, THEREFORE BE IT RESOLVED, That the Town Board hereby authorizes an increase/decrease in quantities, relative to the construction phase of Contract No. DER20-207, for a net decrease, in the amount of \$19,380.00; and be it further

RESOLVED, That the recommendations as hereinabove set forth are accepted and Contract No. DER20-207 is hereby accepted as being complete, at a final construction cost of \$209,136.00, and final payment is to be made in accordance with the applicable terms and conditions of the Contract, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim, after audit.

-#-

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

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

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

JULY 20, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: QUANTITY INCREASE/DECREASE, ACCEPTANCE AND FINAL PAYMENT  
O.B.S.W.D.C. TRUCK SCALES REPLACEMENT  
CONTRACT NO. DER20-207

---

Attached is a letter dated June 6, 2022 from the office of Lockwood, Kessler & Bartlett, Inc. which details the necessary adjustment in quantities to various contract items. Said quantity increases and decreases result in a net decrease in the amount of \$19,380.00.


Also attached herewith is:

1. A letter dated June 6, 2022 from Lockwood, Kessler & Bartlett, Inc. recommending final acceptance by the Town of Oyster Bay.
2. The consultant's final engineer's certificate for Atlantic Scale Company, Inc. dated June 16, 2022.
3. A statement from the Town Attorney's office indicating there are no legal hindrances.
4. A statement from the Town Comptroller indicating there are no financial hindrances which would delay the acceptance of this contract.
5. A statement from the Department of Sanitation concurring with final acceptance.

Work under this contract was directed to proceed as of June 9, 2021 to be completed within ninety (90) calendar days on September 6, 2021. In accordance with an approved discontinuance of time, the completion date was extended to January 18, 2022. Actual work was completed on December 15, 2021.

Final construction costs amount to \$209,136.00.

We hereby concur with Lockwood, Kessler & Bartlett, Inc. that this project be accepted as being completed and that all final payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

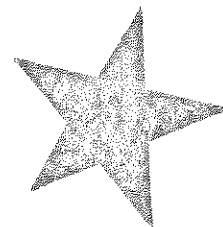
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/nm

Attachments

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

DER20-207 DOCKET FINAL ACCEPTANCE





ENGINEERING  
EXCELLENCE  
SINCE 1929

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

June 6, 2022  
LKB No. 01297.LK.00

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

Attn: John Tassone, Deputy Commissioner

Re: Contract No. DER 20-207, OBSWDC Truck Scales Replacement

Enclosed please find the final acceptance for Atlantic Scale Co., Inc. for the above-mentioned project.

As this summary shows, the final contract amount is \$209,136.00 which is a decrease of \$19,380.00 below the original contract amount of \$228,516.00.

The original contract had seven items of work. There were three items with increases or decreases to the original contract quantities.

The following is the explanation for the one item that increased:

Item 94SS-Timber Bumper Replacement  
Bid Quantity: 40LF @ \$98.00= \$3,920.00  
Actual Quantity: 50 LF  
Difference: + 10 LF = \$980.00

The final quantity is based on the actual field measurement of the completed work.

Overrun Sub-Total = \$980.00

The following are explanations for the two items that decreased:

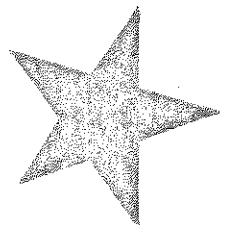
Item 26SS-Concrete Curb Repair  
Bid Quantity: 15LF @ \$45.00= \$675.00  
Actual Quantity: 7LF  
Difference: -8LF = \$-360.00

The final quantity is based on the actual field measurement of the completed work.

Item 12000-Site Work Allowance  
Bid Quantity: 1LS @ \$20,000.00= \$20,000.00  
Actual Quantity: 0 LS  
Difference: 1LS = \$-20,000.00

This item was not necessary.

AN EQUAL OPPORTUNITY EMPLOYER





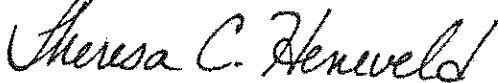
Under-run Sub-Total = \$20,360.00

The total of all overruns equaled \$980.00 and the total of all under runs equaled \$20,360.00 for a net decrease of \$19,380.00.

In closing, Atlantic Scale Co., Inc. has completed all contract work. It is our understanding that the Maintenance Bond in the full amount of the completed work has been separately provided by the Contractor. Therefore, subject to the Town Attorney's approval of the various legal aspects of this project, we recommend final acceptance of this contract.

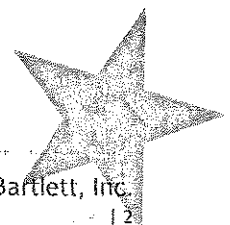
We trust that you will find the documentation is in order. However, if you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Theresa C. Heneveld, PE  
Vice President of Environmental Engineering

CC: M Russo, PE



Page:

1/2**TOWN OF OYSTER BAY****Engineer's Certificate  
DEPARTMENT OF PUBLIC WORKS**

150 Miller Place

Syosset, New York 11791

DATE:

6/6/22**Contractor****ATLANTIC SCALE CO. INC.**  
Address136 WASHINGTON AVE.  
NUTLEY, N.J. 07110  
Engineer/Architect**Project Name**OBSWDC TRUCK SCALE  
REPLACEMENT**TOB Contract No.**

DER 20-207

**Estimate No.**

3 (FINAL)

**LOCKWOOD, KESSLER & BARTLETT**  
Address1 AERIAL WAY  
SYOSSET, NY 11791

| Item No.   | Quantity | Description                       | Total<br>Bid Price | Work Performed To Date |          |            |
|--|----------|-----------------------------------|--------------------|------------------------|----------|------------|
|  |          |                                   |                    | Unit Price             | Quantity | Amount     |
| 235  | 1 (L.S.) | SITE PREPARATION<br>+ RESTORATION | \$19,800.          | \$19,800               | 1.       | \$19,800.  |
| * 2655   | 15 L.F.  | CONCRETE CURB REPAIR              | \$675.             | \$45.                  | 7.       | \$315.     |
| 2855   | 15 S.F.  | CONCRETE SLAB<br>REPLACEMENT      | \$675.             | \$45.                  | 15.      | \$675.     |
| * 9455   | 40 L.F.  | TIMBER BUMPER<br>REPLACEMENT      | \$3,920            | \$98.                  | 50.      | \$4,900.   |
| 100055   | 1 (L.S.) | FOUNDATION PIER<br>MODIFICATIONS  | \$0.               | \$0.                   | 0        | \$0.       |
| 101055   | 2 EA.    | REPLACE TRUCK<br>SCALE            | \$183,446          | \$91,723.              | 2        | \$183,446. |
| * 12000  | L.S.     | SITE WORK<br>ALLOWANCE            | \$20,000           | —                      | —        | \$0.       |
| * ADJUSTMENT TO FINAL QUANTITIES/COSTS<br>ARE REFLECTED IN JUNE 6, 2022 LETTER FROM L.K.B. |          |                                   |                    |                        |          |            |

Page: 2/2**TOWN OF OYSTER BAY****Engineer's Certificate**DATE: 6/6/22

DEPARTMENT OF PUBLIC WORKS

150 Miller Place

Syosset, New York 11791

**Contractor**

ATLANTIC SCALE CO., INC.

**Address**

136 WASHINGTON AVE.

NUTLEY, N.J. 07110

**Engineer/Architect**

LOCKWOOD, KESSLER &amp; BARTLETT

**Address**

1 AERIAL WAY

SYOSSET, NY 11791

**Project Name**

OBSWDC TRUCK SCALE REPLACEMENT

TOB Contract No. DER 20-207Estimate No. 3 (FINAL)

| Item No.                  | Quantity | Description | Total<br>Bid Price | Work Performed To Date |          |        |
|---------------------------|----------|-------------|--------------------|------------------------|----------|--------|
|                           |          |             |                    | Unit Price             | Quantity | Amount |
|                           |          |             |                    |                        |          |        |
| ◀ SEE PAGE 1 FOR DETAIL ▶ |          |             |                    |                        |          |        |

Directed Starting Date

6/9/21

Actual Starting Date

8/3/21

Directed Completion Date

9/6/21

Extended Completion Date

12/15/21

Actual Completion Date

12/15/21

The work covered by this estimate was performed prior to

12/15/21

Original Contract Sum:

\$ 228,516.00

Net Change By Change Orders, Quantity

Increase/Decreases:

-\$19,380.00 \*

Contract Sum To Date:

\$ 209,136.00

Grand Total :

\$ 209,136.00

(completed and stored to date)

Less 5% Retained: 0%

Balance:

\$ 209,136.00

Less Previous Claims:

\$ 198,679.20

Amount Of This Claim:

\$ 10,456.80

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

**Contractor:**

Name:

W. J. Calog

Title:

President

Date:

6/6/22

NOTARY:

[Signature]

GARY S STETZ  
NOTARY PUBLIC  
State of New Jersey  
ID #2032966

My Commission Expires 8/12/2022

This is to certify that the work covered by this estimate has been performed in accordance with the contract drawings and construction specifications and payment is being made in accordance with the terms and conditions of this contract.

**Recommended for payment by Engineer/Architect:**

Name:

Sheresa Heneveld

Title:

VP of Environmental Engineering

Date:

6/16/22

ECLJM5/1999 REV A  
G/TOB STANDARDS LAST PAGE



M.R.

TOWN OF OYSTER BAY  
Inter-Departmental Memo

TO: JOHN TASSONE  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

FROM: PAUL S. EHRLICH  
DEPUTY TOWN ATTORNEY

DATE: JUNE 30, 2022

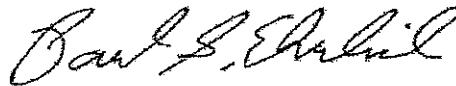
SUBJECT: FINAL ACCEPTANCE  
OBSWDC TRUCK SCALES REPLACEMENT  
CONTRACT NO. DER20-207

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In reply to your memorandum of June 22, 2022, please be advised that the records of this office disclose no pending litigation or other obstacles which would prevent the final acceptance of the above-referenced Contract.

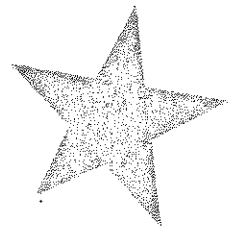
By copy of this memorandum, the contractor, Atlantic Scales Company Inc.'s Maintenance Bond 800076666M is being forwarded to the Town Clerk. We have reviewed the Maintenance Bond and have approved same as to form.

FRANK M. SCALERA, ESQ.  
TOWN ATTORNEY



By: \_\_\_\_\_  
Paul S. Ehrlich  
Deputy Town Attorney

Cc: Comptroller  
Town Clerk (with Bond)



JT

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

**TO: RICHARD W. LENZ, COMMISSIONER OF PUBLIC WORKS/HIGHWAY**  
**FROM: STEVEN C. BALLAS, COMPTROLLER**  
**DATE: JUNE 29, 2022**  
**SUBJECT: FINAL ACCEPTANCE – OBSWDC TRUCK SCALES REPLACEMENT -  
CONTRACT NO DER20-207**

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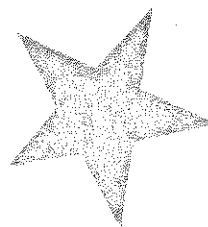
In response to your memo dated June 22, 2022, copy enclosed, please be advised that there are no financial hindrances that would delay the acceptance of this contract.

  
\_\_\_\_\_  
**STEVEN C. BALLAS**  
**COMPTROLLER**

Enclosure

SCB/dim:mj

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



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

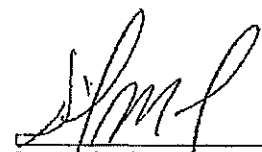
July 19, 2022

**TO:** Richard W. Lenz, Commissioner Department of Public Works  
**FROM:** Daniel M. Pearl, Commissioner Sanitation Department  
**SUBJECT:** Final acceptance  
Solid Waste Disposal Complex Scale Replacement

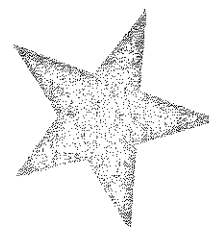
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The Sanitation Department has inspected the scales and recommends that this project be accepted as complete.

If you should have any questions concerning this matter, please contact me at ext. 5807. Thank you.

  
\_\_\_\_\_  
Commissioner  
Sanitation Department  
516-677-5937

DMP:tml





Richard W. Lenz, P.E.  
Commissioner

**TOWN OF OYSTER BAY  
DEPARTMENT OF PUBLIC WORKS**  
150 Miller Place  
Syosset, New York 11791-5699  
(516) 677-5935  
[www.oysterbaytown.com](http://www.oysterbaytown.com)  
June 7, 2022

Atlantic Scale Company, Inc.  
136 Washington Ave.  
Nutley, NJ 07110

Re: Discontinuance and Continuance of Time  
Replacement of Truck Scales at Old Bethpage Solid Waste Disposal Complex  
Old Bethpage, NY  
Contract No. DER 20-207


Dear Mr. Algieri:

Work on this project was directed to commence on June 9, 2021, to begin with the issuance of a purchase order for the new truck scales. In-field work for the installation of the new scales commenced on July 28, 2021 with the scales being installed by August 12, 2021, leaving twenty-six (26) days remaining in the contract.

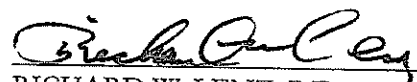
At that time only site restoration work remained to be completed. Due to material supply shortages, this work was delayed, and was completed on two separate occasions, November 18, 2021 and December 15, 2021.

In order to provide for contract closeout and payment, the Department of Public Works will discontinue you contract for the period of August 13, 2021 through November 17, 2021, and November 19, 2021 through December 14, 2021.

With this modification, your revised contract completion date becomes January 18, 2022.

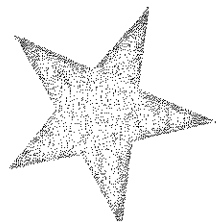
  
JOHN C. TASSONE  
DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/lk

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

cc: Steven C. Ballas, Comptroller  
Theresa Heneveld, P.E., Lockwood, Kessler & Bartlett

DER 20-207 DISC & CONT



Reviewed By  
Office of Town Attorney

WHEREAS, Mr. Russell P. Green, President, Syosset Woodbury Chamber of Commerce, by letter dated June 15, 2022, requested the temporary closure of Jackson Avenue, in Syosset, from 7:00 a.m. until 6:00 p.m., on Sunday, September 18, 2022, for the 2022 Syosset Woodbury Chamber of Commerce Street Fair, from 10:00a.m. until 5:00 p.m., as follows: from the northern side of the intersection of Jackson Avenue and Underhill Boulevard, to the southern side of the intersection of Jackson Avenue, Muttontown/ Eastwoods Road, and Split Rock and Berry Hill Roads; from the intersection of Muttontown/Eastwoods Road and Cold Spring Road to the approximate location of the business known as Syosset Wine Cellar, located at 40 Cold Spring Road, in Syosset, (and more particularly described as Section 15, Block B, Lot 23, on the Nassau County Land and Tax Map); and from the intersection of Whitney Avenue and Jackson Avenue, for a distance of seventy-five (75) feet west; and

WHEREAS, Mr. Greene, President, Syosset Woodbury Chamber of Commerce, by said letter, further requested that the Department of Public Works, Highway Division, post temporary "No Parking" signs at the abovementioned locations, provide twenty-five (25) complete barricades and fifty (50) traffic cones, to be delivered between 6:00 a.m. and 7:00 a.m. on Sunday, September 18, 2022 to Municipal Parking Field S-1, in Syosset, and waiver of the provisions of the Oyster Bay Town Code, Chapter 82, "Alcoholic Beverages", pertaining to the consumption of alcoholic beverages in public, for the 2022 Syosset Woodbury Chamber of Commerce Street Fair, to be held from 10:00 a.m. until 5:00 p.m., on Sunday, September 18, 2022;and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Public Works, Highway Division, by memorandum dated July 22, 2022, advised that the abovementioned property and equipment will not be required for use by the Town at that time, and that Department has no objection to providing same to the Syosset Woodbury Chamber of Commerce; and

WHEREAS, Deputy Commissioner Bishop, by said memorandum, further advised that Jackson Avenue is a County roadway, and that William Nimmo, Deputy Commissioner, Nassau County Department of Public Works, by letter dated May 31, 2022, approved the abovementioned closures, from 10:00 a.m. until 5:00 p.m., on Sunday, September 18, 2022; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted, and the Department of Public Works, Highway Division, is hereby authorized to post temporary "No Parking" signs at the abovementioned locations, and to provide the Syosset Woodbury Chamber of Commerce with the use of twenty-five (25) complete barricades and fifty (50) traffic cones, to be delivered between 6:00 a.m. and 7:00 a.m. on Sunday, September 18, 2022 to Municipal Parking Field S-1, in Syosset, for the 2022 Syosset Woodbury Chamber of Commerce Annual Street Fair, to be held from 10:00 a.m. until 5:00 p.m., on Sunday, September 18, 2022, subject to the following terms and conditions:



1. The use of all Town property and equipment shall be in conformance with the direction of the Deputy Commissioner, Department of Public Works, Highway Division, or his duly authorized designee.

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the afore-described activity.

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating that said organization maintains general liability insurance, in the amounts of \$1,000,000.00 for each occurrence, and \$2,000,000.00 in the general aggregate, and naming the Town of Oyster Bay as an additional insured, in connection with the afore-described activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the public health and/or safety; and be it further

RESOLVED, That the Town Board hereby waives the provisions of Oyster Bay Town Code, Chapter 82, "Alcoholic Beverages", pertaining to the consumption of alcoholic beverages in public, for the 2022 Syosset Woodbury Chamber of Commerce Annual Street Fair, to be held from 10:00 a.m. until 5:00 p.m., on Sunday, September 18, 2022.

-#-

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

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

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

July 22, 2022

**TO:** MEMORANDUM DOCKET

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISON

**SUBJECT:** SYOSSET WOODBURY CHAMBER OF COMMERCE  
ANNUAL STREET FAIR SEPTEMBER 18<sup>TH</sup> 2022

---

Enclosed please find a copy of the letter from Russell P. Green, President, requesting our assistance on behalf of the Syosset Woodbury Chamber of Commerce in conducting their Annual Street Fair on Sunday, September 18<sup>th</sup> 2022.

The Highway Department will be pleased to provide "No Parking" signs to be posted at the locations mentioned in the next paragraph the locations mentioned below as well as twenty five (25) complete barricades and fifty (50) cones for the event.

Further, we are enclosing a copy of a letter that was received from William Nimmo, Deputy Commissioner of Public Works, County of Nassau, regarding permission for the temporary closing of a portion of Jackson Avenue from the north side of the intersection of Underhill Boulevard to the intersection of Split Rock Road and Berry Hill Road, as well as Cold Spring Road to where the liquor store is located, on September 18, 2022 from 7:00 A.M. until 6:00 P.M. during the Annual Street Fair. This portion of Jackson Avenue comes under the jurisdiction of the County.

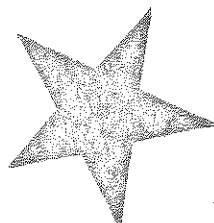
Syosset Chamber of Commerce is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

Also attached are the Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement, and Covid-19 Addendum Agreement to cover this event. Therefore, Town Board approval is requested.

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISON

JPB/kaz

CC: Cathy McWilliams, Department of Parks  
Peter Brown, General Foreman 002  
Richard Lenz, P.E., Commissioner DPW/HWY  
Justin McCaffrey, Commissioner Public Safety  
Grace SantaMaria, Highway Administration





Syosset Woodbury Chamber of Commerce  
338 Jericho Turnpike - Suite 136  
Syosset, NY 11791  
516.265.4357  
info@syossetchamber.com  
www.syossetchamber.com

June 15, 2022

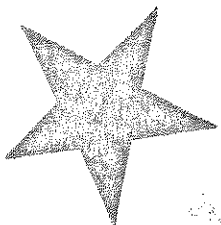
Town of Oyster Bay  
Department of Highways  
150 Miller Place  
Syosset, NY 11791

Re: 2022 Syosset/Woodbury Chamber of Commerce

Dear Sirs:

I am writing to you on behalf of the Syosset/Woodbury Chamber of Commerce to request your help in obtaining the equipment and permits necessary to host our annual Street Fair on Sunday, September 18<sup>th</sup>, 2022. I have previously forwarded our insurance certificates, Covid Acknowledgement Form, and Hold Harmless Agreement.

I forwarded to your office the approval the Chamber received from the Nassau County Department of Public Works for the temporary closure of a portion of Jackson Avenue, north of Underhill Blvd, at that intersection, heading north on Jackson Avenue to the south side of the intersection of Muttontown Eastwoods Road, as well as the south side of the intersection of Cold Spring Road and Muttontown Eastwoods Road, approximately to where the parking lot that is adjacent to Syosset Wine Cellar at 40 Cold Spring Road. Additionally, we are requesting from the Town of Oyster Bay to have Whitney Avenue closed, to the west of Jackson Avenue for approximately 100 feet. Access to the Shell Station will remain clear from the north side. The closure should take effect no later than 6:00 AM on Sunday September 18<sup>th</sup>, and continue until approximately 7:00 pm that evening.





Syosset Woodbury Chamber of Commerce  
338 Jericho Turnpike - Suite 136  
Syosset, NY 11791  
516.265.4357  
info@syossetchamber.com  
www.syossetchamber.com

We are requesting (25) barricades and (50) traffic cones be delivered to the Town's Railroad Parking lot adjacent to the Fire Department on Cold Spring Road on or before Saturday, September 17<sup>th</sup>, 2022. We are also requesting "no-parking" signs that can be posted late that Saturday night through Sunday evening for the area previously discussed. The Chamber does not intend to sell/serve alcohol at this event, but we are requesting a waiver of the open container law in case a specific vendor chooses as such. The Chamber is also requesting permission to display a banner across Jackson Avenue south of the train tracks, and second banner on South Oyster Bay road, south of Jericho Tpke. The Chamber has already submitted a request for a roll-off, and a request for a Show mobile for September 18<sup>th</sup>. As part of the Show mobile application, the Chamber is requesting 50 chairs to accommodate visitors. It is my understanding that the fee for the Show Mobile has already been paid.

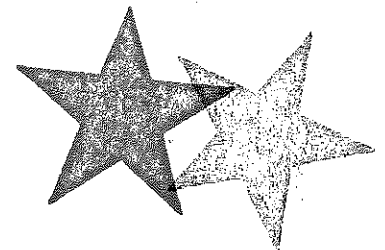
We reserve the right to make an additional requests as part of this permit application, but do not have any at the moment. Other than the roll-off, and the previously paid Show Mobile, it is our understanding that there are no other fees associated with the requests in this letter. Please advise if we are mistaken.

Thank you for your assistance in working with the Syosset/Woodbury Chamber of Commerce to continue to bring the annual Street Fair to the community. The 2021 event was a rousing success, and we look forward to working with the Town of Oyster Bay to ensure a repeat performance this September. If there is anything else you believe we might need for the Street Fair, I welcome your input. If you need any further information, please feel free to call my cell phone at [REDACTED] my work number 516-393-5925, or email me at [Russell.green@clsecurities.com](mailto:Russell.green@clsecurities.com)

Russell P. Green

President, Syosset/Woodbury Chamber of Commerce

Sent via email





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/21/2022

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

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

|   |  |   |                       |
|---|--|---|-----------------------|
| PRODUCER<br>William J Chabina Company, Inc.<br>30 Whitney Ave<br>SYOSSET NY 11791 | INSURER<br>SYOSSET WOODBURY CHAMBER OF COMMERCE<br>138 JERICHO TPKE<br>SUITE 136<br>SYOSSET NY 11791 | AGENT<br>Bill Chabina<br>Phone: (516) 364-4700<br>Fax: (516) 364-4700<br>Email: bill@chabinainsurance.com<br>INSURER A: UNITED STATES LIABILITY INS. CO<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:<br>INSURER F: | NAIC #<br>ITATES LIAB |
|---|--|---|-----------------------|

| 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. |                 |                     |                          |                          |   |
| TYPE OF INSURANCE   | MODELS/ISS/INVO | POLICY NUMBER       | POLICY EFF. (MM/DD/YYYY) | POLICY EXP. (MM/DD/YYYY) | LIMITS  |
| <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN. AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC<br><input type="checkbox"/> OTHER:   | Y               | 9B 1041606          | 09/16/2022               | 09/19/2022               | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 1,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$<br>COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>EACH OCCURRENCE \$<br>AGGREGATE \$ |
| AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NAMED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY  |                 |                     |                          |                          |   |
| UMBRELLA LIAB<br>EXCESS LIAB<br><input type="checkbox"/> OCCUR<br><input type="checkbox"/> CLAIMS-MADE  |                 |                     |                          |                          |   |
| DED RETENTIONS<br>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NY)<br>If yes, describe under DESCRIPTION OF OPERATIONS below  | Y/N<br>N/A      |                     |                          |                          | EL. EACH ACCIDENT \$<br>EL. DISEASE - EA EMPLOYEE \$<br>EL. DISEASE - POLICY LIMIT \$   |
| DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  |                 |                     |                          |                          |   |
| CERTIFICATE HOLDER IS INCLUDED AS ADDITIONAL INSURED  |                 |                     |                          |                          |   |

| CERTIFICATE HOLDER  | CANCELLATION   |
|---|--|
| TOWN OF OYSTER BAY<br>54 AUDREY AVENUE<br>OYSTER BAY NY 11771 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br>AUTHORIZED REPRESENTATIVE<br>WILLIAM J CHABINA |

ACORD 25 (2016/03)

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Reviewed By  
Office of Town Attorney  
E. E. E. E. E.

POLICY NUMBER: SE 1041606  
INSURED: SYOSSET WOODBURY CHAMBER OF COMMERCE

COMMERCIAL GENERAL LIABILITY  
CG 20 26 07 04

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

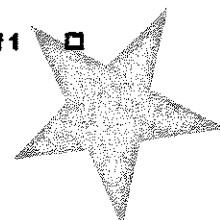
### **SCHEDULE**

| Name Of Additional Insured Person(s) Or Organization(s)  |
|--|
| TOWN OF OYSTER BAY<br>54 AUDREY AVENUE<br>OYSTER BAY, NEW YORK 11771                                   |
| Information required to complete this Schedule, if not shown above, will be shown in the Declarations. |

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.

Reviewed By  
Office of Town Attorney  
*E. Faughan*



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

This Agreement is made this 13 day of July, 2022, by Syoset/Woodbury Chamber of Commerce (hereinafter "CONCESSIONAIRE"). Whereas, the CONCESSIONAIRE has entered into a contract to provide certain services and products at various Town locations, as designated in the contract between the TOWN and the CONCESSIONAIRE for the contract period Sept. 16, 2022 through Sept. 19, 2022.

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

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of \$1,000,000 each occurrence, \$2,000,000 general aggregate, \$500,000 for property damage and, where appropriate, \$1,000,000 products, naming the Town as additional insured. All certificates of insurance must be accompanied by an endorsement.

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

Name of Organization:

Syoset/Woodbury Chamber of Commerce

Address of Organization:

338 Jericho Turnpike, Suite 136

Syoset, NY 11791

By:

[Signature]

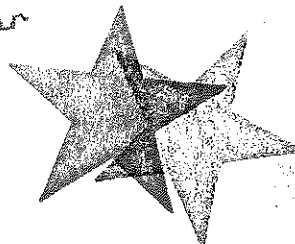
Authorized Representative

Title:

President

Telephone Number: [REDACTED]

Reviewed By  
Office of Town Attorney  
E. [Signature]





Applicant Name: Syosset/Waldbury Chamber of Commerce- Russell Green

Event Description: Syosset Street Fair

Event Date: 9/18/2022

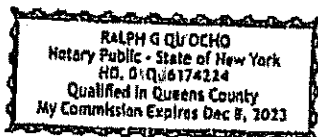
The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit holder agrees that it is the sole "Responsible Party," as such term is defined by the New York State Guidelines. The permit holder further recognizes and understands that the activity is subject to cancellation at any time to prevent harm to the population from COVID-19, or any other threat to public health and/or safety.


**For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.**

  
Applicant Signature

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NASSAU )

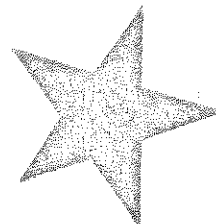
On the 13 day of JULY, 20  , before me, the undersigned, personally appeared RUSSELL GAGEN personally know to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, 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

**Last Revised: May 5, 2021**

Reviewed By  
Office of Town Attorney  
*E. Faughnan*







NASSAU COUNTY, NY

Nassau County Department of Public Works  
Road Closure / Banner Installation



Not for private events or benefit

*Applications should be submitted 30 days prior to the event date*

### Temporary Road Closure

Applicant First Name  
Russell

Applicant Last Name  
Green

Name of Organization  
Syosset/Woodbury Chamber of Commerce

Street  
338 Jericho Tpke, Suite 136

City  
Syosset

Zip Code  
11791

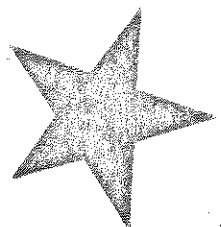
Phone #  
(516) 393-5936

Email Address  
russell.green@clsecurities.com

County Roadway and Location of Event  
Jackson Avenue, north of train tracks in Syosset, NY. Please see attached in "detour proposal"

Between these cross streets  
Underhill Blvd. and Muttontown Eastwoods Road

Date and Time of Event  
09/18/2022 07:00 AM





**NASSAU COUNTY, NY**

**Nassau County Department of Public Works  
Road Closure / Banner Installation**

**Description of Event**

Annual Street Fair. Vendors offering services and products, children's activities, food, live entertainment. Anticipated attendance is between 8 - 10,000. The event itself is from 10:00 - 5:00 pm. We would want to close the roads from before 7:00 am to approximately 6:00 pm or as soon as we can get the street cleared. This event is rain or shine

**Coordination is required with local authorities:**

Local Municipality  
Town of Oyster Bay

Local Fire Department  
580 - Syosset

Local Police Precinct  
Second Precinct

**Insurance Certificate**

A certificate of liability insurance is required with Nassau County DPW as the certificate holder indemnifying the county against any and all claims arising from the temporary closing of the roadway.

Attach insurance certificate here \*

**File Name**



SYOSSET - DEPT. OF PUBLIC WORKS.pdf

**Detour Proposal**

Proposed detour when applicable.

Attach detour proposal here

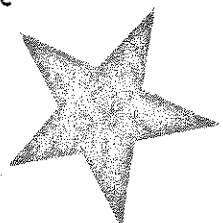
**File Name**



nassau county 2022 request.pdf

**\*\*Please note, if applicable, it is required that NICE (Nassau County Inter-County Express) be notified for the temporary rerouting of bus routes\*\***

**Applicant Signature**





**NASSAU COUNTY, NY**

**Nassau County Department of Public Works  
Road Closure / Banner Installation**

Title

President

Signed Date

05/26/2022

**Supervisor Signature**

Approved by

William Nimmo

Approved Date

05/26/2022

**Commissioner Signature**

Approved by

William Nimmo

Approved Date

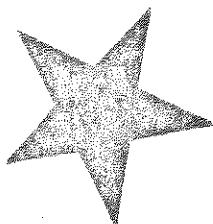
05/31/2022

**▼ Audit Information**

Created By

Russell Green

Created On



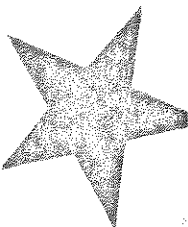


NASSAU COUNTY, NY

Nassau County Department of Public Works  
Road Closure / Banner Installation

Updated On  
05/31/2022

Built with ♥ using Oracle APEX



**DATE:** 7/22/22

**TO:** HIGHWAY OPERATIONS

**SUBJECT:** Syosset Woodbury Chamber of Commerce Street Fair

**PLEASE DELIVER TO:**

Parking Field S-1  
Syosset

**DATE OF EVENT:** 9/18/22

**BARRICADES:** 25

**SHORT PAILS:** 50

**CONTACT:** Russell Green  
[REDACTED]

**PORTABLE LIGHTS:**

**GENERATOR:**

**PACKER:**

**DELIVER ON:** 9/16/22

**PICKUP ON:** 9/19/22

**SWEEPING BEFORE AFFAIR IS NEEDED:**

XX

YES

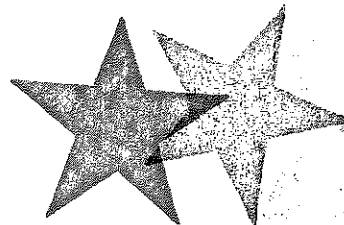
NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
DPW/ HIGHWAY DIVISION

JPB/kaz

CC: Peter Brown, General Foreman 002  
Area Foreman 015  
Dan Kornfeld  
Public Safety Division



Meeting of August 9, 2022

Resolution No 571-2022

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated July 25, 2022, advised that on February 11, 2022, 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 nine (9) firms to submit proposals to enter into a license agreement with, and to provide rowing programs for, the Town of Oyster Bay, at the Town of Oyster Bay Western Waterfront, for a (5) year term, commencing on September 1, 2022 and terminating on August 31, 2027, with one (1), five (5) year extension option to be exercised upon the approval of the Town Attorney; and

WHEREAS, the Department of Environmental Resources 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 the Departments of Environmental Resources and Parks to review and rate each of the three (3) responses received; and

WHEREAS, following a review and evaluation of the three (3) responses, Oyster Bay Community Rowing, Inc., P.O. Box 608 Oyster Bay, New York 11771, a 501 (c)3 not-for-profit organization (Federal Tax ID No./EIN: 82-2875301, New York State Reg. No: 46-65-67) was determined to be the best qualified; and

WHEREAS, Commissioner Savinetti, by said memorandum, requested that the Town Board authorize the Town Supervisor, or his duly appointed designee, to enter into a license agreement with Oyster Bay Community Rowing, Inc., for said organization to provide the Town of Oyster Bay with rowing programs, at the Town of Oyster Bay Western Waterfront, for a five (5) year term, commencing on September 1, 2022 and terminating on August 31, 2027, with one (1) five (5) year extension option to be exercised upon the approval of the Town Attorney; and

WHEREAS, the Office of the Inspector General has reviewed the vendor disclosure questionnaire and has been 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 a license agreement with Oyster Bay Community Rowing, Inc., for said organization to provide the Town of Oyster Bay with rowing programs, at the Town of Oyster Bay Western Waterfront, for a five (5) year term, commencing on September 1, 2022 and terminating on August 31, 2027, with one (1) five (5) year extension option to be exercised upon the approval of the 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   | Absent |

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

TO: Memorandum Docket

FROM: Louis G. Savinetti, Commissioner  
Department of Environmental Resources

DATE: July 25, 2022

SUBJECT: Award of License – Rowing Programs at the Oyster Bay Western Waterfront

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On February 11, 2022, the Department of Environmental Resources released a Request for Proposal (RFP) seeking qualified firms and individuals to submit proposals for Rowing Programs at the Oyster Bay Western Waterfront. The Request for Proposal was posted on the Town of Oyster Bay website in the "Doing Business with the Town" web page, and directly solicited to nine (9) firms. Of the nine (9) firms, three (3) firms responded by the response due date. 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. A RFP Review Committee was formed with five (5) employees from the Department of Environmental Resources and the Parks Department. Each of the three (3) responses were reviewed, evaluated and rated in detail by the RFP Review Committee.

Of the three (3) firms reviewed and evaluated, Oyster Bay Community Rowing Inc., P.O. Box 608, Oyster Bay, NY 11710 was the highest ranked firm. Through this ranking process, it has been determined that Oyster Bay Community Rowing will provide the desired rowing programs, provide a sustainable revenue to the Town of Oyster Bay, and provide capital improvements to the building and grounds intended to be occupied. Pursuant to the attached license agreement.

Oyster Bay Community Rowing has been vetted through the Exiger system and the Inspector General is satisfied that the Town's Procurement Policy has been fulfilled.

The Department of Environmental Resources respectfully requests that the Town Board authorize the Supervisor, or his designee, to enter into The License Agreement with Oyster Bay Community Rowing, effective September 1, 2022 through August 31, 2027, with one (1) five (5) year extension, upon approval by the Town Attorney.

LGS:GB:ca  
Attachments

Louis G. Savinetti  
Commissioner



## AGREEMENT

DATED:

PARTIES:

TOWN OF OYSTER BAY, a municipal corporation of the State of New York, having its principal office at Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771 (TOWN"), acting for and on behalf of the DEPARTMENT OF ENVIRONMENTAL RESOURCES ("DEPARTMENT").

OYSTER BAY COMMUNITY ROWING INC. a New York not-for-profit corporation, having an address at P.O. Box 608, Oyster Bay, New York 11771 ("OBCR").

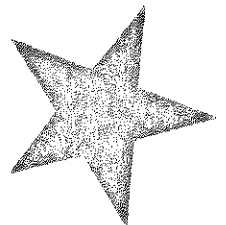
### WITNESSETH:

WHEREAS, TOWN and STATE OF NEW YORK ("STATE") through its DEPARTMENT OF ENVIRONMENTAL CONSERVATION ("DEC") separately own, and manage as a single facility the former Jakobsen's Shipyard in Oyster Bay Harbor, now known as OYSTER BAY WESTERN WATERFRONT ("WESTERN WATERFRONT"); and

WHEREAS, in March, 1998, Western Waterfront Revised Plan "D" was adopted by all necessary parties which established among its components, to provide a rowing club and rowing related activities and events; and

WHEREAS, in August, 1999, TOWN and STATE entered into a Concurrent Use and Occupancy Permit providing for the redevelopment and cooperative management of WESTERN WATERFRONT; and

WHEREAS, on December 26, 2012, TOWN and STATE entered into a revised Concurrent Use and Occupancy Permit, wherein TOWN will manage the day-to-day operations of the entire WESTERN WATERFRONT site, including STATE owned land and buildings; and





TOWN is required to contract directly with the entities who are able to perform the required activities at WESTERN WATERFRONT; and

WHEREAS, the Town Board of the Town of Oyster Bay deems it in the best interest of TOWN to enter into an Agreement with OBCR to provide rowing instruction and rowing related activities and events at WESTERN WATERFRONT,

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. OBCR shall occupy and use the premises located at WESTERN WATERFRONT that is allocated to it as depicted in Exhibit "A" ("FACILITY"), which is attached hereto and made a part hereof. Said use shall be in accordance with and for no other purposes than as stated in the December 26, 2012 Agreement between TOWN and STATE, which is attached hereto and made a part hereof as Exhibit "B". This Agreement controls the use of WESTERN WATERFRONT property and buildings owned by STATE.

2. OBCR shall have access to the parking area at Beekman Beach (See Exhibit "A" - Beekman Beach Parking), previously attached hereto and made a part hereof, for its Patron and Staff parking.

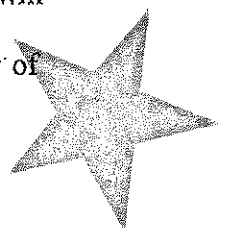
#### PURPOSE

3. OBCR is a 501(c)(3) not for profit charitable organization dedicated to the sport of rowing.

4. OBCR provides year-round junior programming and equipment to students enrolled in Grades 6-12 within the Town of Oyster Bay as well as adult rowers.

#### MAINTENANCE AND IMPROVEMENTS

5. Any and all structural improvements and/or alterations to FACILITY will require written approval of TOWN and STATE, if necessary, and will become the property of



TOWN once constructed.

6 Any and all improvements and/or alterations must comply with all state, federal and local laws and regulations and are subject to review and approval by TOWN, and, if necessary, by STATE.

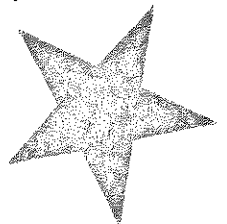
7 TOWN shall be responsible for structural repairs as well as the repair and replacement of major mechanical systems which shall include, but not be limited to HVAC, water heaters, roof, electrical systems and plumbing systems. TOWN shall also be responsible for maintenance of the yard, to include weed and pest control.

8 OBCR agrees to have a sufficient number of properly trained qualified attendants on duty to ensure the proper operation of FACILITY. This training shall include any and all training required for its operation by any federal, state or local agencies or entities which shall include but not be limited to safe sport completion and training. Said personnel will be employed by, and will be employees of OBCR. OBCR, at its own expense, agrees to conduct background checks on all its personnel employed at FACILITY.

9 OBCR shall be responsible for the ordinary maintenance and cleaning of those areas designated to it. At all times, OBCR shall keep the rooms, spaces and areas under its control, or utilized by it in its operations in a clean, neat and safe condition.

10 OBCR shall be responsible for all utility charges at FACILITY, including electric, gas, telephone, water, cable and internet services.

11 OBCR shall provide appropriate containers for rubbish, trash, garbage and other waste matter, which shall be collected and disposed of by TOWN. OBCR shall comply with the requirements of TOWN's Recycling Program. Any Recycling Programs adopted and implemented by OBCR that are not a part of or covered under TOWN's Recycling Program are the responsibility of OBCR.



12 In the event that there is a transaction between STATE and TOWN for TOWN to acquire STATE owned land at WESTERN WATERFRONT, OBCR shall consent to same.

#### SCHEDULING

13 OBCR is solely responsible for scheduling its own educational and recreational activities. TOWN residents shall receive priority placement in any and all of OBCR's programs at FACILITY. It is essential that OBCR's programs be compatible with the size of the facilities available. In no instance shall the maximum occupancy of any building, as determined by TOWN's Department of Planning and Development be exceeded. OBCR shall coordinate activities and receive permission, approvals and permits with the appropriate Town Departments prior to scheduling "Special Events." Special Events are defined in the Code of the Town of Oyster Bay Section 168.1. A copy of which is attached hereto and made a part hereof as Exhibit "C".

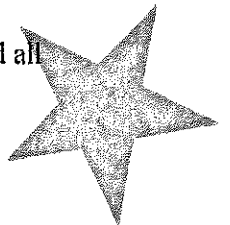
#### PROGRAMMING

14 On an annual basis, not later than March 1 of each year of the Agreement, OBCR shall submit to TOWN a Schedule of Activities that it will offer to the public. The Programs shall be consistent with those goals and objectives of the March 2, 1998 Conceptual Land Use Plan "D."

#### LICENSES AND PERMITS

15 OBCR agrees to procure, at its own cost and expense, all permits or licenses as may be necessary for the operation of any of its programs described above pursuant to this Agreement. All instructors, whether they are employees, agents or volunteers shall have all appropriate training and certifications necessary to provide educational instruction and/or services to the public.

16 OBCR assumes all risk in the operation of any of its programs described above and agrees to comply with all federal, state and local laws, rules and/or regulations, as well as any and all



rules and regulations of the DEPARTMENT.

17. If a fine or other penalty is imposed upon TOWN or STATE as a result of the failure of the OBCR to comply with paragraph 13 herein, then OBCR shall pay said fine and/or to accept such other penalty as may be imposed.

#### POSSESSION

18. It is expressly understood and agreed that no building space, land or equipment is leased to OBCR. During the term of this Agreement, OBCR shall occupy and use FACILITY in the manner allocated in the Addendum to this Agreement which has previously been attached hereto and made a part hereof as Exhibit "A."

#### TITLE TO EQUIPMENT

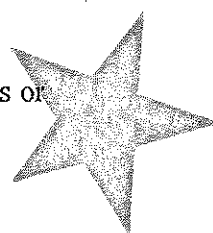
19. Title to all equipment provided by OBCR shall remain with OBCR, and such equipment shall be removed by OBCR at the expiration or termination of this Agreement and OBCR shall return FACILITY to its original condition to the satisfaction of the Commissioner of the DEPARTMENT. Should any property remain in the premises after such expiration or termination, TOWN shall notify OBCR to remove such property. If OBCR shall fail to remove such property within thirty (30) days from the date of such writing, TOWN may deal with such as though same had been abandoned, and charge all cost and expenses incurred in the removal thereof to OBCR. OBCR's obligation to observe and perform all the terms, covenants and conditions of this Agreement shall survive the expiration or other termination.

#### DAMAGE TO EQUIPMENT

20. OBCR shall be responsible for any loss or damage to FACILITY, if said loss or damage occurs by the willful fault or negligence of OBCR, its patrons, employees, volunteers and/or agents.

#### WAIVER OF CLAIMS

21. OBCR waives any and all claims for compensation for any and all loss or



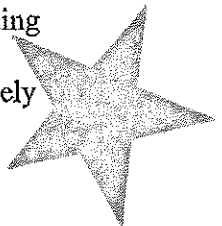
damage sustained by reason of any deficiency or impairment of the water supply systems, drainage systems, gas mains, electrical apparatus or wires furnished for FACILITY, except to the extent such loss or damage was caused in whole or in part by the negligence of TOWN, or by reason of any loss of any gas supplies, water supplies, heat or electrical power which may occur from time to time from any cause, or for any loss or damage resulting from fire, water tornado, civil commotion or riot or any other reason whatsoever. OBCR releases and discharges TOWN, STATE and their agents from any and all demands, claims, actions and causes of action arising from any of the causes aforesaid, except to whatever extent such loss or damage was caused in whole or in part by TOWN's own negligence. OBCR further waives any and all claims for compensation, refund of its investment, if any, or any other payments whatsoever in the event this Agreement is terminated by TOWN sooner than the fixed term, except to the extent set forth below.

#### INSURANCE

22. OBCR agrees to obtain from an insurance company authorized to do business in the State of New York, and keep in force during the term of this contract, a policy of comprehensive general liability and products liability insurance on which OBCR is the named insured, which policy shall be endorsed to name TOWN and STATE as additional insureds, for all events and transactions arising out of this Agreement, including, but not limited to, the negligence of OBCR's personnel, with a coverage limit of \$1,000,000.00 per occurrence, \$2,000,000.00 aggregate for bodily injury and property damage.

23. OBCR shall comply with all provisions of the Worker's Compensation Law and shall furnish a certificate showing evidence of current coverage.

24. All insurance coverage as stipulated herein shall be subject to the approval of the Office of the Town Attorney of TOWN. OBCR shall submit proof of insurance, including additional endorsements, to TOWN and STATE, at the execution of this agreement and immediately



upon each renewal of each policy.

25. Copies of the aforementioned insurance must be filed with TOWN. No part of either of such insurance policies shall be cancelled without thirty (30) days prior written notice to TOWN and STATE. The failure of OBCR to maintain such insurance policies, and to furnish such policies and/or certificates, shall constitute a breach of this agreement for which TOWN and/or STATE, at its option, may terminate the agreement unless OBCR provides, within five days after service of written notice of breach to OBCR by TOWN and/or STATE, proof that the required insurance is in effect. All such insurance shall be kept in full force and effect during the term of this Agreement and any renewals or extensions thereof.

#### INDEMNIFICATION

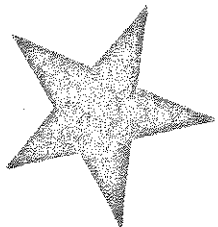
26. OBCR shall be responsible for and shall indemnify and hold harmless TOWN and STATE, their officers, employees and agents from and against any and all liabilities, losses, costs, expenses (including, without limitation, attorneys' fees and disbursements) and damages, arising out of or in connection with the use of FACILITY by OBCR, and any negligent acts or omissions by OBCR.

27. TOWN shall be responsible for and shall indemnify and hold harmless OBCR, its officers, employees and agents from and against any and all liabilities, losses, costs, expenses (including, without limitation, attorneys' fees and disbursements) and damages, arising in connection with any of TOWN's negligent acts or omission at FACILITY.

28. The provisions of this section shall survive the termination of this Agreement.

#### TERMINATION OF AGREEMENT

29. TOWN has the right to terminate this Agreement with cause, subject but not limited to the conditions set forth below, as follows:

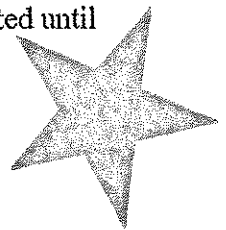


- (a) OBCR does not, in the judgment of the Commissioner of the DEPARTMENT, substantially fulfill its obligations, or any part thereof, with diligence to insure proper services with the term of this Agreement.
- (b) OBCR fails to maintain any insurance policies required herein.
- (c) OBCR is adjudged bankrupt or makes an assignment for the benefit of creditors.
- (d) A receiver or liquidator is appointed for OBCR for any of its properties.
- (e) OBCR, after written notice from TOWN, does not furnish adequate, skilled and or qualified personnel or proper materials.
- (f) OBCR fails to fulfill its obligations, or any part thereof under this Agreement.
- (g) OBCR is in default of any of the material terms and conditions of this Agreement.
- (h) OBCR does not make timely payment to persons supplying labor or materials for any construction to FACILITY.
- (i) OBCR does not comply with all laws, ordinances, rules, or provisions governing this Agreement, or the instructions of TOWN or STATE, or is otherwise in violation of any provisions of the Agreement.
- (j) OBCR is in violation of any law, rule, regulation or judicial order, which unreasonable affects the faithful performance of this Agreement.
- (k) OBCR assigns any part of FACILITY or this Agreement except as otherwise permitted herein.

30. TOWN, without prejudice or waiver of any of its rights or interests under this Agreement, has the right to terminate this Agreement, for any reason contained in paragraph "(a) through (k)" above, and declare the Concessionaire in default. OBCR shall have twenty (20) days within which to cure said default. If, after such period, OBCR has failed to cure or has not commenced to cure said default, TOWN may seek to terminate this Agreement and remove OBCR from FACILITY.

#### MODIFICATION

31. This Agreement may be modified from time to time by agreement, in writing, duly executed by TOWN and OBCR, but no modification of this Agreement shall be effected until same has been agreed to in writing and duly executed by TOWN.



### TRANSFER OR ASSIGNMENT

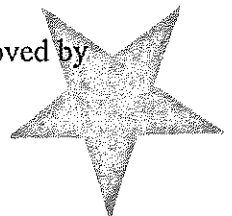
32 OBCR shall not sell, mortgage, or assign this Agreement, or any interest therein or consent, allow or permit any other person or party to use any part of FACILITY except as provided by this Agreement, nor shall this Agreement be transferred by operation of law; it being the purpose and spirit of this instrument that the privilege issued herein be granted solely to OBCR.

33 OBCR agrees that it is, and shall, at all times be deemed to be an independent contractor, and it shall not, in any manner whatsoever, by its actions or deeds, commit TOWN to any obligation irrespective of the nature thereof, and it shall not, at any time or for any purpose, be deemed an employee of TOWN or STATE. It is further understood and agreed that no agent, servant or employee of OBCR shall, at any time, or under any circumstances, be deemed to be an agent, servant or employee of TOWN or STATE.

34 No damages, compensation or claim shall be payable by TOWN for inconvenience, loss of business or annoyance arising from any repair or restoration of any portion of FACILITY pursuant to this Agreement. TOWN shall use reasonable efforts to effect such repair or restoration promptly and in such manner as to not reasonable interfere with OBCR's use and occupancy.

### TERM

35 Unless sooner terminated or extended as herein provided, the Term of this Agreement shall be for five (5) years commencing from September 1, 2022 terminating on August 31, 2027 with the option of one five (5) year extension provided there is no presence of cause for termination as described in subsections a-k of Paragraph 29, and as agreed to by the parties. The extension must be requested in writing six (6) months prior to August 31, 2027 and approved by the TOWN





36 OBCR, shall pay the TOWN a usage and storage fee for FACILITY of \$1,000.00 (One thousand Dollars) per month. Said fee shall include mooring and dock space. This fee shall be payable to TOWN monthly with the first payment prorated from the date of possession.

#### IMPROVEMENTS

37 OBCR shall create a capital improvements account for the upgrades and repairs to Building H and its exterior yard as identified during OBCR's site visit on March 9, 2022.

38 This account will be calculated at 20% OBCR's annual net income with an annual cap of \$20,000. These monies shall be applied to said account each year of the term of this agreement as well as any extension herein.

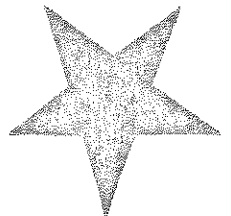
39 OBCR shall provide an annual report to Town of the account balance.

40 These funds shall be used each year for improvements at the FACILITY or pursuant to an approved plan for a more substantial improvement.

41 OBCR's failure to use said account each year or pursuant to an approved plan would constitute a breach of Contract.

42 OBCR and TOWN shall meet bi-annually to discuss the capital improvement projects that will be funded.

[SIGNATURE PAGE TO FOLLOW]



IN WITNESS WHEREOF, OYSTER BAY COMMUNITY ROWING INC. has  
executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2022, and the TOWN OF  
OYSTER BAY has executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_,  
2022.

TOWN OF OYSTER BAY

BY:

\_\_\_\_\_

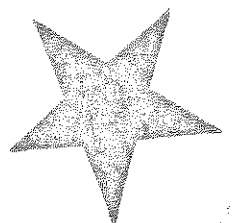
OYSTER BAY COMMUNITY ROWING  
INC.

BY:

\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
DEPUTY TOWN ATTORNEY



) SS.:

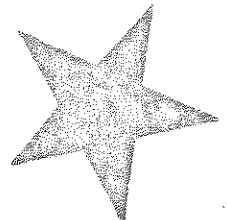
)

NOTARY PUBLIC

) SS.:

)

NOTARY PUBLIC



## EXHIBIT LIST

|           |  |
|-----------|--|
| Exhibit A | FACILITY   |
| Exhibit B | December 26, 2012 Agreement between TOWN and STATE |
| Exhibit C | Code of the Town of Oyster Bay Section 168.1       |

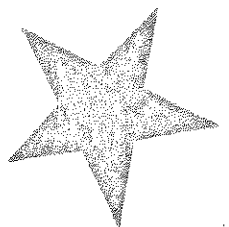
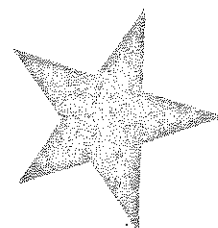
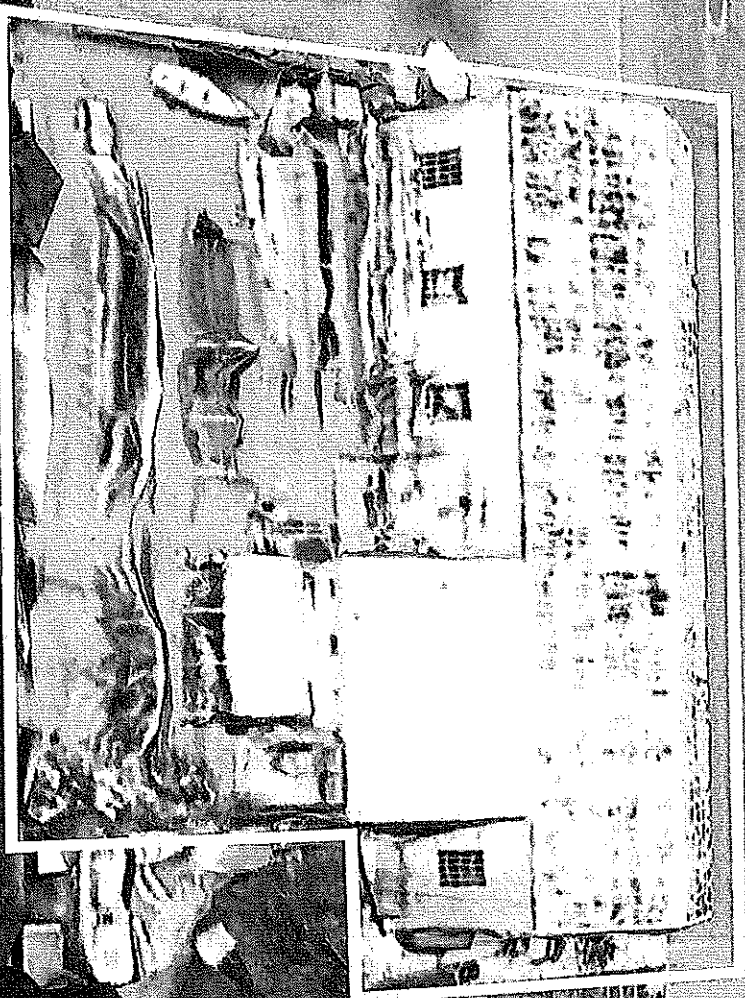


Exhibit A  
FACILITY



# Exhibit A - Facility

## Rowing Building and Storage





# Town of Oyster Bay 2022 Western Waterfront Center Facility

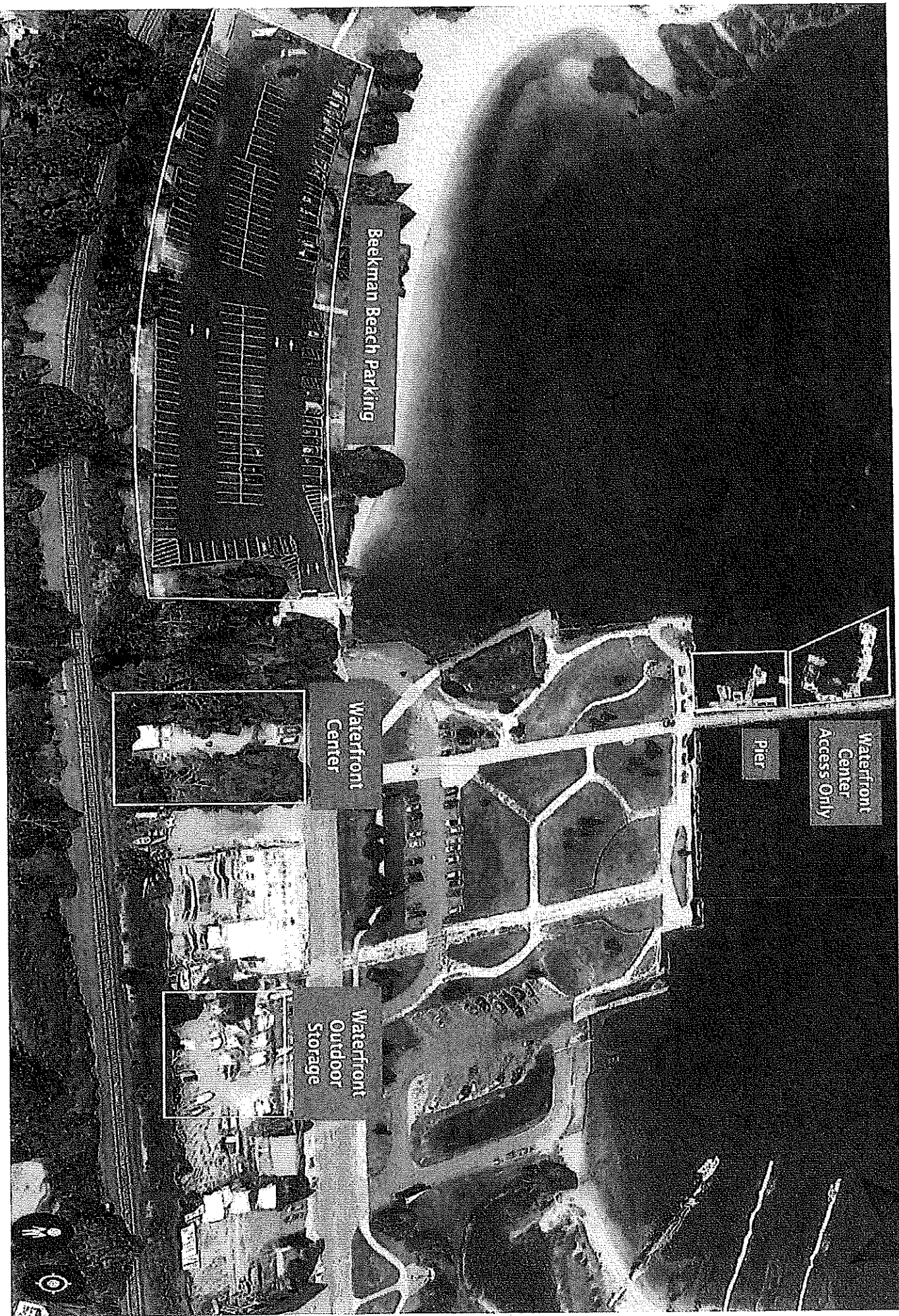
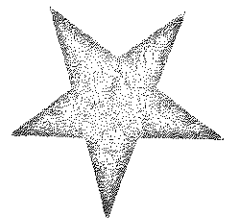


Exhibit B  
December 26, 2012 Agreement between TOWN and STATE





Oyster Bay Western Waterfront  
(formerly Jacobsen's Shipyard)

Town: Oyster Bay

County: Nassau

Region: 1

Project No. WAS Nassau 8.2

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
COOPERATIVE AGREEMENT  
PURSUANT TO ECL §11-2101

For the Oyster Bay Western Waterfront

With the

Town of Oyster Bay

WITNESSETH

TOWN ATTORNEY  
JAMES M. JACOBSON  
100 NASSAU ST.  
2ND FL.  
NEW YORK, N.Y. 10038  
2012 JUN 11 P 2:23

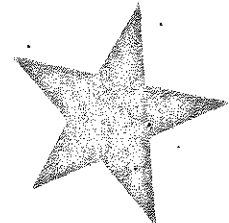
THIS Agreement is made this 21<sup>st</sup> day of December, 2012 (hereinafter referred to as "Agreement") by and between the TOWN OF OYSTER BAY, a municipal corporation with its principal office at Town Hall, Oyster Bay, New York 11771, hereinafter referred to as the "Town," and the PEOPLE OF THE STATE OF NEW YORK, acting through their Commissioner of Environmental Conservation, with its principal office at 625 Broadway, Albany, New York 12233, hereinafter referred to as the "Department".

WHEREAS, the Town is the owner in fee of certain real property (hereinafter the "Town Lands") located along the shoreline of Oyster Bay, and more fully described in Schedule A attached hereto and made a part hereof, and

WHEREAS, the Department is the owner in fee of certain real property (hereinafter the "State Lands") located along the shoreline of Oyster Bay adjacent to the Town Lands, more fully described in Schedule B attached hereto and made a part hereof, and

WHEREAS, the Department has certain buildings, structures and improvements located on the State Lands which shall be managed and maintained by the Town in accordance with this Agreement and shall be referred to herein as "Facility," and

WHEREAS, the Town Lands and the State Lands shall be hereinafter jointly referred to as the "Oyster Bay Western Waterfront," and is shown on a "MAP SHOWING A Survey of the OYSTER BAY WESTERN WATERFRONT (Formerly Jakobson's Ship Yard), A Joint Project of the NEW YORK STATE DEPARTMENT of ENVIRONMENTAL CONSERVATION (Project TWA-Nassau 8.2 and TWA-Nassau 8.2A) and the TOWN of OYSTER BAY," by



DeBRUIN GEOMATICS, dated May 19, 2011, and filed in the Albany office of the New York State Department of Environmental Conservation as map number 12242A (hereinafter referred to as "Map No. 12242A"), and

WHEREAS, on August 27, 1999 the Department and the Town entered into a "Concurrent Use and Occupancy Agreement" (hereinafter "1999 Agreement") providing for the redevelopment and cooperative management of the Oyster Bay Western Waterfront by the Town and Department, and

WHEREAS, redevelopment is now complete and the parties wish to enter into a superseding Agreement for the continued cooperative management of the Oyster Bay Western Waterfront and the Facility, and

WHEREAS, the Department and the Town desire to manage the Town Lands and the State Lands together in a cooperative and efficient manner for the purpose of better promoting fish and wildlife conservation practices in and around Oyster Bay, and to make Oyster Bay, and its associated natural resources, more accessible to the public, and

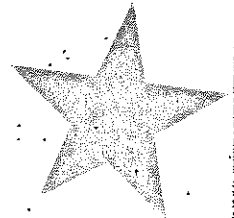
WHEREAS, the Department has determined that use of the Oyster Bay Western Waterfront and Facility as a waterway access and fishing access site will further the purposes of the Department as set forth in ECL § 11-0303, by providing public access to Oyster Bay and providing the public with greater educational opportunities, greater storage areas for public watercraft, and more opportunities to experience the natural resources present in and around Oyster Bay, and therefore is willing to enter into this Agreement;

NOW, THEREFORE, the Town and the Department agree, in exchange for the mutual promises and obligations herein, to the terms and conditions as follows:

1. Town grants to the Department a license for the term of this Agreement to permit the Department to enter upon and occupy the Town Lands, and if desirable, construct and maintain improvements thereon with prior approval of the Town. This license shall allow the Department ingress, egress, and regress to all the lands comprising the Oyster Bay Western Waterfront from a public highway by motorized and non-motorized means, for the purposes of carrying out its rights and responsibilities under this Agreement and to allow the public ingress, egress, and regress to the Oyster Bay Western Waterfront from a public highway by motorized and non-motorized means, for the purposes and terms set forth in this Agreement.
2. The Department grants to the Town the concurrent use and occupancy of State Lands and the Facility, except for the State Boat Ramp as indicated in Paragraph 9 herein, to provide for the Town management and operation of the Oyster Bay Western Waterfront as a public waterway access site and public fishing access facility pursuant to ECL § 11-2101. The Town agrees that, during the term of this Agreement, it will operate and maintain the Oyster Bay Western Waterfront as a waterway access site and fishing access site, in accordance with the regulations of the Department as set

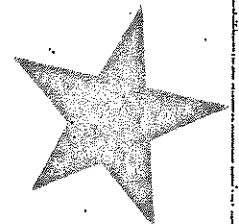
forth in Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York at Part 59 as the same exists on the date hereof or may be subsequently amended. The Town shall not use; or permit or allow the use of, the Oyster Bay Western Waterfront, or any of the improvements located on State Lands, without the express permission of the Department, except as may hereinafter be set forth, or that will in any way interfere with Department's use as provided herein.

3. The term of this Agreement is from date the Agreement is executed by the Department to March 31, 2036 unless sooner terminated pursuant to the provisions of paragraphs fifteen (15), sixteen (16) and seventeen (17) herein. Thereafter, this Agreement may be renewed upon mutual agreement of the Department and Town for periods of ten (10) years.
4. The Town shall provide services to the public in order to promote increased public access to Oyster Bay and educational opportunities at the Oyster Bay Western Waterfront. Any vendors hired by the Town to provide services to the public shall be hired pursuant to lawful procurement process and in accordance with the Town's Procurement Policy in effect at the time. The vendors shall be permitted to use the Facility for office space, storage space, industrial space, general public meeting places, and the associated outdoor yard areas located on the State Lands, for the purpose of providing services to the public to further promote the purposes of this Agreement.
5. The existing uses of the Facility located on State Lands include the following: 1) The Waterfront Center which provides education and recreational opportunities for the public, 2) rowing club open to the general public and 3) historic boat restoration activities and boat storage. Any change in use of the Facility located on State Lands from the existing uses of such improvements on the date of this Agreement shall be subject to the express written permission by the Department.
6. The Town shall operate and maintain State Lands, Facility and improvements at the Oyster Bay Western Waterfront, with the exception of the State Boat Ramp as indicated in Paragraph 9 herein or any direct use of the Facility by the Department, such as office space or storage space, in accordance with the Maintenance Guidelines set forth in Schedule D.
7. The Town is responsible for all costs associated with Town's operation and maintenance of State Lands and the Facility and improvements at the Oyster Bay Western Waterfront. However, the Town may, at its discretion, require its vendors to pay the costs associated with vendors' use of State Lands and the Facility and improvements, including but not limited to utility, insurance, maintenance and repair costs.
8. Simultaneously with the approval and execution of this Agreement, the Town shall approve and execute an Agreement with the Department to convey an easement and right of way for ingress, egress and regress for all purposes to the People of the State of



New York to provide for legal access from a public highway to the State Lands. The Town and Department will cooperate in obtaining legislative approval for the conveyance, if such approval is deemed necessary. The easement is described in Schedule C and shown on Map No. 12242A.

9. The Department shall be solely responsible for the management and maintenance of the State Boat Ramp and boater parking lot located on the State Lands and shown on Map No. 12242A and any office or storage space reserved for Department's sole administrative use.
10. The obligations of the Department hereunder shall be deemed executory only to the extent of monies lawfully appropriated and available for such purposes and no liability shall be incurred by the Department beyond monies available for the purposes set forth in this Agreement.
11. The Town warrants that the Oyster Bay Western Waterfront may lawfully be used for the purpose of a waterway access site and public fishing access site and that there is free and legal public access to the Oyster Bay Western Waterfront from a public highway.
12. The Department and the Town, or any party authorized by either party, shall have right of access to and from Facility and the improvements located within the Oyster Bay Western Waterfront at any and all times for the purposes of managing and maintaining the Oyster Bay Western Waterfront, and the improvements thereon, and for protecting the Oyster Bay Western Waterfront and interests of the Town, the State and for any other purpose connected therewith.
13. The Town agrees to indemnify and hold and save harmless the Department, its officials, employees and contractors from any claim or liability arising out of this Agreement, except for liability that is directly attributable to the acts or omissions of the Department or State of New York, and for all damages, costs, liability and expenses which the Department may incur by reason of injury to the person or property of another caused by the Town, its employees, agents, servants, vendors, assigns or subcontractors in the performance of this Agreement. The Town acknowledges that it is not an agent, servant or employee of the State and thus it is responsible for its own acts and deed and those of its agents or employees and/or negligent or intentional conduct.
14. Subject to the availability of lawful appropriations, the Department agrees to indemnify and hold harmless the Town, its successors and assigns, officers, employees, and agents, against claims, loss, damage and expense the Town may suffer as a result of the Department's negligence or tortious acts or omissions in the course of exercising any rights granted under this Agreement which are a result of actionable conduct of the Department, as permitted by the Court of Claims Act and Section 17 of the Public Officers Law.



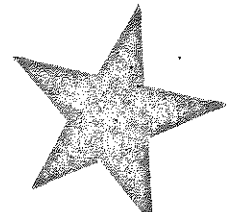
The Department's duty to indemnify and save harmless prescribed by this subsection shall be conditioned upon:

- (a) Delivery to the Attorney General by the Town of the original or a copy of any summons, complaint, process, notice, demand or pleading within fifteen (15) business days after it is served with such document; and
- (b) Representation by the Attorney General or, if the Attorney General determines in his or her sole discretion based upon investigation and review of the facts and circumstances of the case that representation by the Attorney General would be inappropriate, representation by private counsel to be selected by the Attorney General after consultation with Town; and
- (c) The full cooperation of Town in the defense of such action or proceeding against the Department based upon the same act or omission, and in the prosecution of any appeal.

15. INSURANCE REQUIREMENTS: A. Vendors, Agents and Contractors: The Department and Town, as the case may be, shall require any vendor or contractor hired by it to provide goods or services to the public on the Oyster Bay Western Waterfront to obtain and maintain in full force and effect at all relevant times, the following insurance with limits not less than those described below, or as required by law, whichever is greater (limits may be provided through a combination of primary and umbrella/excess policies) and the form and content of such policy or policies shall be subject at any time to review and approval by either party. Any such policies of insurance shall name Department and Town as additional insured.

The insurance requirements are as follows:

- (a) Commercial General Liability Insurance with a limit of not less than \$1,000,000 each occurrence. Such liability shall be written in the Insurance Service Office's (ISO) occurrence for CG 00 01, or a substitute form providing equivalent coverage and shall cover liability arising from premises operations, independent contractors, products-completed operations, broad form property damage, personal and advertising injury, cross liability coverage, liability assumed in a contract (including the tort liability of another assumed in a contract) and explosion, collapse and underground coverage.
- (b) If such insurance contains an aggregate limit, it shall apply separately to the purposes and activities permitted pursuant to this Agreement.
- (c) Products and Completed Operations coverage shall include a provision that coverage will extend for a period not less than twelve (12) months from the date of final completion and acceptance by the hiring party of all contractors' work.



(d) An Owners and Contractors Protective Liability Policy issued to, and in the name of The People of the State of New York and/or Landowner, as appropriate, with limits of not less than \$1,000,000 per occurrence and \$1,000,000 in the aggregate.

(e) Workers Compensation, Employers Liability, and Disability Benefits as required by New York State. If employees will be working on, near or over navigable waters, US Longshore and Harbor Workers Compensation Act endorsement must be included.

(f) Comprehensive Business Automobile Liability Insurance with a limit of not less than \$1,000,000 each accident. Such insurance shall cover liability arising out of any automobile including owned, leased, hired and non-owned automobiles.

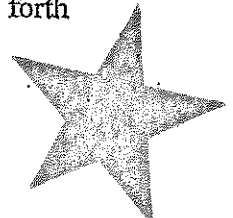
(g) Commercial Property Insurance covering at a minimum, the perils insured under ISO Special Causes of Loss Form (CP 10 30), or a substitute form providing equivalent coverage, for loss or damage to any owned, borrowed, leased, or rented capital equipment, tools, including tools of their agents and employees, staging towers and forms, and property of Department or Town, as the case may be, held in its care, custody, and/or control.

(h) During the performance of any construction work, restoration or alteration, builder's risk completed value form covering the perils insured under the ISO special causes of loss form, including collapse, water damage, and transit theft of building materials, with deductible reasonably approved by the Department, in non-reporting form, covering the total value of the work performed and equipment, supplies and materials at any off-site storage location used with respect to the construction work.

B. Town's Insurance: In addition to the requirement set forth in Paragraph 25 herein, the Town shall maintain insurance in the same form and manner as the insurance required by vendors, agents and contractors set forth in Paragraph 15 (A) above, except that any such policies of insurance shall name the Department as additional insured. In the alternative, if the Town is self-insured against claims for general liability, the Town shall provide a statement annually to the Department stating that it is self-insured, and setting forth the details of said self-insurance.

16. This Agreement may be terminated by the Town prior to the termination date set forth above by, (1) giving to the Department ninety (90) days prior written notice of the Town's intent to so terminate; and (2) the payment by the Town of the total cost of any utility expenses incurred in connection with Town management of State Land and improvements during the Town's period of occupancy plus the 90 day notice period.

17. The Department may terminate this Agreement prior to the termination date set forth

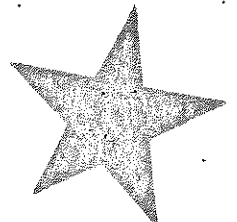


above by giving the Town ninety (90) days prior written notice of the Department's intent to so terminate. If such early termination by the Department is "for cause" defined as those acts or omissions by or directly attributable to the Town, its agents, employees, contractors or vendors, that prevent or frustrate the Department's ability to provide public access to the State Lands for use as a waterway access site and public fishing access facility pursuant to BCL §11-2101, the Town shall pay to Department the total cost to restore the State Lands and legal access to same and the Facility and improvements to a condition which permits the Department to maintain its ability to provide public access to the State Lands, such cost not to exceed the total investment as required under the 1999 Agreement.

18. Any notices required by this Agreement shall be hand delivered or mailed using first class US Mail addressed to the respective party using the addresses provided above.
19. The parties may amend this Agreement but only by a subsequent written instrument signed by all parties.
20. Notwithstanding the above, the Town shall be permitted use of the portion of the Oyster Bay Western Waterfront comprised solely as Town Lands for other lawful purposes as fee owner provided that no such use shall hinder or interfere with the Department's use of the State Lands as a waterway access site and public fishing access site which the parties agree are the principal and dominant uses of the Oyster Bay Western Waterfront for the term hereof.
21. The Town shall ensure that access to the State Lands by the Department and the public for the purposes of this Agreement is not unreasonably restricted at any time.
22. On or before June 1st of each year following the execution of this Agreement by both parties, the parties shall meet to inspect the State Land, Town Land, Facility and improvements at the Oyster Bay Western Waterfront property and review the terms of this Agreement for the period beginning the following July 1st.
23. Renovations, Alterations, Changes in Use. Any proposed renovations, alterations, or changes of use at the Facility, or to the buildings or grounds, shall have prior written approval from the Department's Division of Operations Director and shall be subject to the issuance of any required local, state and federal permits.
24. Modifications of Facility by Department. The Department reserves the right to make modifications (repairs, renovations, alterations, rehabilitations, etc.) to the Facility or any existing structures or improvements located on State Lands as deemed necessary by the Department in its sole discretion. The Department agrees to provide prior notice to the Town of its intentions to conduct any modification of the Facility by the Department. Prior notice from the Department shall not be required for any in kind repair or replacement of the improvements located on State Lands. The Department will coordinate with the Town to minimize impact to on-going operations, vendors and

tenants during modifications to the facility.

25. Loss of a Building, Structure or Asset. In the event of full or partial loss of a building, structure or asset located on State Lands, the Town shall give immediate notice to the Department and the Department will elect at its sole discretion whether the lost building, structure or asset will be replaced. If the Department elects to replace a lost building, structure or asset, the Town shall repair, replace, or cause to have repaired, the damages at no expense to the Department. The Town agrees to maintain insurance coverage on the buildings, structures or assets located on State Land for any loss or peril. The Town shall be the beneficiary of any such insurance policy, but agrees to use the insurance proceeds to replace or repair any building, structure or asset located on State Land to its current condition prior to the loss.
26. The parties agree that this Agreement shall supersede and replace the 1999 Agreement in all respects. Upon signing this Agreement, the 1999 Agreement shall become null and void.
27. This Agreement merges all prior negotiations between the parties. There are no agreements, promises, covenants or representations except those herein set forth. This Agreement may not be modified except in writing mutually subscribed by the parties hereto.





WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year appearing opposite their respective signatures and as authorized by the attached Resolution of the Town Board.

TOWN OF OYSTER BAY

BY: Leonard Genovese  
Name:

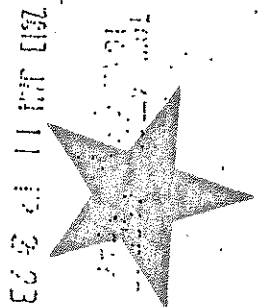
Dated: 9/19/2012

Title: Town Attorney  
54 Audrey Avenue  
(office address)  
Oyster Bay, NY 11771  
(city, state, zip)

THE PEOPLE OF THE STATE OF NEW YORK  
acting by and through their  
Commissioner of Environmental Conservation

Dated: 12-26-12

by Nancy W. Lussier  
Nancy W. Lussier, Director  
Division of Management and Budget Services



Ver. 9/9/12

**TOWN ACKNOWLEDGMENT:**

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF Nassau )

On the 19<sup>th</sup> day of September in the year 2012 before me, the undersigned, personally appeared Leonard Genova, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Sheila Tarnowski  
Notary Public, State of New York

**DEPARTMENT ACKNOWLEDGMENT:**

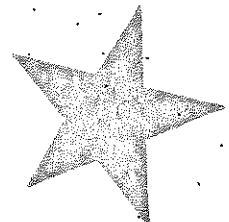
STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ALBANY )

SHEILA TARNOWSKI  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01TA6174699  
Qualified in Nassau County  
My Commission Expires September 24, 2015

On the 26<sup>th</sup> day of December in the year 2012 before me, the undersigned, personally appeared NANCY LUSSIER, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of whom the individual acted, executed the instrument.

Kathleen R. Tubiolo  
Notary Public, State of New York

KATHLEEN R. TUBIOLO  
Notary Public, State of New York  
Qualified in Schoharie County  
Reg. No. 01TU6154579  
Commission Expires 10/23/2014



RESOLUTION NO. 789-2012

Meeting of September 4, 2012

WHEREAS, the Department of Parks and the New York State Department of Environmental Conservation entered into a formal "Concurrent Use and Occupancy Agreement" on August 27, 1999, to provide for the redevelopment and cooperative management of the Oyster Bay Western Waterfront; and

WHEREAS, redevelopment is now complete and both the Town of Oyster Bay and the State of New York wish to enter into a superseding Agreement for the continued cooperative management of the Oyster Bay Western Waterfront; and

WHEREAS, the superseding Agreement provides for management of the Oyster Bay Western Waterfront as a waterway access and fishing access site by providing public access to Oyster Bay and providing the public with greater educational opportunities, greater storage areas for public watercraft and more opportunities to experience the natural resources present in and around Oyster Bay; and

WHEREAS, James M. Bryne, P.E. Commissioner of the Department of Parks, and Kevin P. Conologue, Deputy Commissioner of the Department of Parks, by memoranda dated August 17, 2012 and August 27, 2012, request Town Board authorization for the Supervisor to enter into a Cooperative Management Agreement for the Oyster Bay Western Waterfront, nunc pro tunc from July 1, 2012 to March 31, 2036, and to be renewed upon mutual agreement of the Department of Environmental Conservation and the Town of Oyster Bay for periods of ten (10) years,

NOW, THEREFORE, BE IT RESOLVED, That the Supervisor is hereby authorized and directed to execute a Cooperative Management Agreement for the Oyster Bay Western Waterfront, nunc pro tunc from July 1, 2012 to March 31, 2036, and to be renewed upon mutual agreement of the Department of Environmental Conservation and the Town of Oyster Bay for periods of ten (10) years.

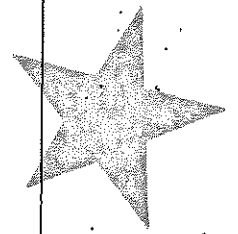
The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

|                        |     |
|------------------------|-----|
| Supervisor Venditto    | Aye |
| Councilman Muscarella  | Aye |
| Councilman Macagnone   | Aye |
| Councilman Coschignano | Aye |
| Councilwoman Faughnan  | Aye |
| Councilman Pinto       | Aye |
| Councilwoman Alesia    | Aye |

cc: Supervisor  
Town Attorney  
Comptroller (2)  
Parks

Reviewed By  
Office of Town Attorney

*Ann A. Wood*



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

} ss.:

I, [REDACTED]

Christine M. Wiss

}

Deputy Town Clerk of the Town of Oyster Bay, and

custodian of the Records of said Town, DO HEREBY CERTIFY that I have compared the annexed with the original

Resolution No. 789-2012, adopted by the Town Board of the Town of Oyster Bay on September 4, 2012, pertaining to a cooperative agreement between the Town of Oyster Bay and the New York State Department of Environmental Conservation for the Oyster Bay Western Waterfront.

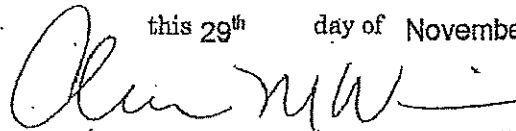
filed in the Town Clerk's Office

and that the same is true transcript thereof, and of the whole of such original.

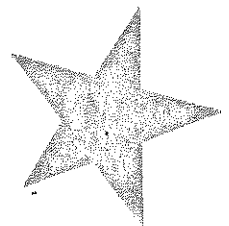
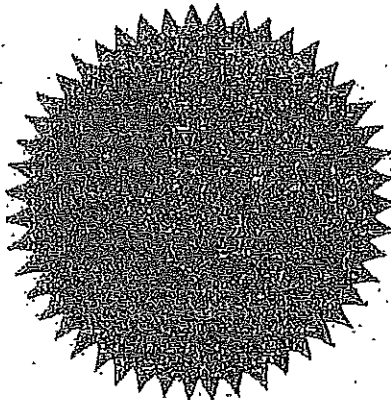
In Testimony Whereof, I have hereunto signed

my name and affixed the seal of said Town

this 29<sup>th</sup> day of November, 2012



Deputy Town Clerk



**SCHEDULE A**  
(Description of Town Lands)

**Parcel I: Portion of the former Jakobson's Shipyard**

All that certain plot, piece or parcel of land, situate, lying and being at Oyster Bay, Town of Oyster Bay, Nassau County, New York, bounded and described as follows:

BEGINNING at a point on the northerly margin of West End Avenue, said point distant 667.78 feet as measured westerly along the northerly margin from the intersection of the westerly margin of Bayside Avenue and the northerly margin of West End Avenue;

RUNNING THENCE from said point of beginning westerly along the northerly margin of West End Avenue North 86 degrees 06 minutes 26 seconds West, 152.69 feet to other lands of the Town of Oyster Bay (Beekman Beach);

RUNNING THENCE northerly along the lands of the Town of Oyster Bay North 01 degrees 17 minutes 40 seconds East, 239.72 feet to land n/f Oyster Bay Harbor;

RUNNING THENCE easterly along n/f Oyster Bay Harbor the following two courses and distances:

1. North 75 degrees 35 minutes 40 seconds East, 109.56 feet.
2. South 89 degrees 56 minutes 20 seconds East, 122.35 feet to the lands of the State of New York.

RUNNING THENCE southerly along the lands of the State of New York the following three courses and distances:

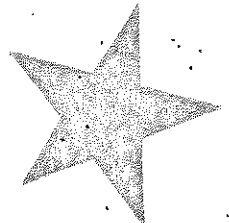
1. South 04 degrees 42 minutes 40 seconds West, 116.43 feet.
2. North 86 degrees 06 minutes 26 seconds West, 58.51 feet.
3. South 04 degrees 42 minutes 40 seconds West, 165.64 feet to the northerly margin of West End Avenue and the point or place of beginning.

**Parcel II: Former Capone Property**

All that certain plot, piece or parcel of land, situate, lying and being at Oyster Bay, Town of Oyster Bay, Nassau County, new York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly margin of Bayside Avenue and the northerly margin of West End Avenue;

RUNNING THENCE westerly along the northerly margin of West End Avenue North 86 degrees 06 minutes 26 seconds West, 264.50 feet to the lands of the State of New York;



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RUNNING THENCE northerly along the lands of the State of New York North 04 degrees 42 minutes 40 seconds East, 301.67 feet to the mean high waterline of Oyster Bay Harbor;

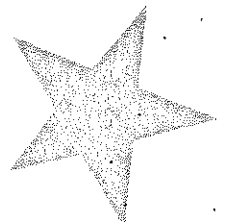
RUNNING THENCE easterly along the mean high water line of Oyster Bay Harbor the following two courses and distances:

1. North 61 degrees 54 minutes 41 seconds East, 89.95 feet.
2. North 86 degrees 24 minutes 46 seconds East, 68.74 feet to a point on the westerly line of Roosevelt Memorial Park;

RUNNING THENCE southerly along the westerly line of the land of Roosevelt Memorial Park the following two courses and distances:

1. South 30 degrees 19 minutes 19 seconds East, 99.00 feet.
2. South 53 degrees 27 minutes 19 seconds East 195.21 feet to the intersection of the northerly terminus of Bayside Avenue and the westerly margin of Bayside Avenue;

RUNNING THENCE southerly along the westerly margin of Bayside Avenue South 32 degrees 24 minutes 41 seconds West, 200.80 feet to the point or place of beginning.



**SCHEDULE B**  
Description of State Lands

**Parcel #1**

ALL that certain plot, piece or parcel of land, situate, lying and being at Oyster Bay, Town of Oyster Bay, Nassau County, New York, bounded and described as follows:

BEGINNING on the northerly margin of West End Avenue at the division line between lands now or formerly Rial Realty Corporation as shown on survey recorded in the Nassau County Clerk's Office as Deed Liber 9724 at Page 744, on the East, and the lands herein described as being a portion of lands now or formerly conveyed to the Thordan Land Company by a deed recorded in the Nassau County Clerk's Office on December 23, 1986 as Liber 9779 at Page 118, on the west, said point also being the southeasterly corner of a parcel designated as Tax Map Section 27, Block A, Lot 19:

RUNNING THENCE westerly along the northerly margin of West End Avenue North 86 degrees 06 minutes 26 seconds West 403.28 feet to a point, said point being the southeasterly corner of a parcel of land conveyed to the Town of Oyster Bay:

RUNNING THENCE northerly along the lands of the town of Oyster Bay (formerly Thordan Land Company) the following three courses and distances:

1. North 04 degrees 42 minutes 40 seconds East, 165.64 feet.
2. South 86 degrees 06 minutes 26 seconds East, 58.51 feet.
3. North 04 degrees 42 minutes 40 seconds East, 116.43 feet to n/f Oyster Bay Harbor.

RUNNING THENCE generally easterly along n/f Oyster Bay Harbor the following three courses and distances:

1. South 89 degrees 56 minutes 20 seconds East, 45.00 feet.
2. South 66 degrees 45 minutes 20 seconds East, 105.45 feet.
3. North 77 degrees 42 minutes 00 seconds East, 209.05 feet to a point, said point being the northwesterly corner of the described lands now or formerly of Rial Realty Corporation;

RUNNING THENCE southerly along the land now or formerly of Rial Realty Corporation South 04 degrees 42 minutes 40 seconds west, 308.43 feet to the northerly margin of West End Avenue and the point or place of beginning.

**Parcel #2**

ALL that certain plot, piece or parcel of land, situate, lying and being at Oyster Bay, Town of Oyster Bay, Nassau County, New York, bounded and described as follows:

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BEGINNING at a point along the westerly margin of Bayside Avenue at the division line between the herein described parcel, on the north, and lands of the Long Island Railroad, on the south, said point also being the southeasterly corner of lands designated as Tax Map Section 27, Block A, Lot 33;

RUNNING THENCE westerly along the northerly margin of lands of the Long Island Railroad, the following three courses and distances;

1. North 88 degrees 34 minutes 20 seconds West, 99.08 feet.
2. North 86 degrees 16 minutes 54 seconds West, 500.40 feet.
3. North 88 degrees 34 minutes 20 seconds West, 126.82 feet, to land now or formerly the Town of Oyster Bay:

RUNNING THENCE northerly along the land now or formerly the Town of Oyster Bay, North 01 degrees 17 minutes 40 seconds East, 105.17 feet to the southerly margin of West End Avenue;

RUNNING THENCE easterly along the southerly margin of West End Avenue the following three courses and distances:

1. South 86 degrees 06 minutes 26 seconds East, 596.40 feet.
2. South 88 degrees 34 minutes 20 seconds East, 89.19 feet.
3. South 59 degrees 32 minutes 20 seconds East, 86.39 feet to the westerly margin of Bayside Avenue.

RUNNING THENCE southerly along the westerly margin of Bayside Avenue South 32 degrees 17 minutes 40 seconds West, 67.09 feet to lands of the Long Island Railroad and the point and place of beginning.

All as shown on a map entitled, "MAP SHOWING A Survey of the OYSTER BAY WESTERN WATERFRONT (Formerly Jakobson's Ship Yard), A Joint Project of the NEW YORK STATE DEPARTMENT of ENVIRONMENTAL CONSERVATION (Project TWA-Nassau 8.2 and TWA-Nassau 8.2A) and the TOWN of OYSTER BAY," by DeBRUIN GEOMATICS, dated May19, 2011, and filed in the Albany office of the New York State Department of Environmental Conservation as map number 12242A.



**SCHEDULE C**

**Town of Oyster Bay – Department of Public Works  
40' Wide Access Easement  
Part of Section 27, Block A, Lot 20**

All that piece or parcel of land situate, lying and being in the Town of Oyster Bay, County of Nassau, State of New York, being part of Tax Parcel Section 27, Block A, Lot 20, described as follows:

**BEGINNING** at a set 5/8 inch capped rebar stamped "NYS Environmental Conservation Property Marker" on southeasterly side of Bayside Avenue, said capped rebar lying North 32 degrees 16 minutes 33 seconds East a distance of 118.73 feet from a Railroad Monuments lying at the intersection form by the southeasterly side of Bayside Avenue and the northerly side of the Long Island Railroad Right-of-Way;

**THENCE** from said point of beginning North 32 degrees 16 minutes 33 seconds East along the southeasterly side of Bayside Avenue a distance of 45.50 feet to a set 5/8 inch capped rebar stamped "NYS Environmental Conservation Property Marker";

**THENCE** the following two (2) courses and distances through Tax Parcel Section 27, Block A, Lot 20:

1. South 86 degrees 10 minutes 42 seconds East a distance of 237.89 feet to a set PK nail in asphalt;
2. South 01 degrees 22 minutes 23 seconds West a distance of 130.93 feet to a set 5/8 inch capped rebar stamped "NYS Environmental Conservation Property Marker" at the northerly side of the Long Island Railroad Right-of-Way;

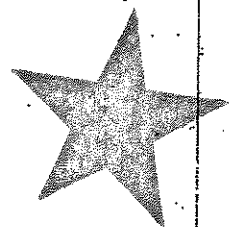
**THENCE** North 88 degrees 35 minutes 26 seconds West along the northerly side of the Long Island Railroad Right-of-Way a distance of 40.00 feet to a set 5/8 inch capped rebar stamped "NYS Environmental Conservation Property Marker";

**THENCE** the following three (3) courses and distances through Tax parcel Section 27, Block A, Lot 20:

1. North 01 degrees 22 minutes 23 seconds East a distance of 59.06 feet to a set 5/8 inch capped rebar stamped "NYS Environmental Conservation Property Marker";
2. Along a curve to the left having a central angle of 87 degrees 33 minutes 05 seconds, a radius of 35.00 feet, and a curve length of 53.48 feet to a set Cross cut in the Walk";
3. North 86 degrees 10 minutes 42 seconds west a distance of 187.71 feet to the point and place of beginning.  
Containing 13,887 square feet (0.3188 acres).

Ver. 9/9/12

All as shown on a map entitled, "MAP SHOWING A Survey of the OYSTER BAY WESTERN WATERFRONT (Formerly Jakobson's Ship Yard), A Joint Project of the NEW YORK STATE DEPARTMENT of ENVIRONMENTAL CONSERVATION (Project TWA-Nassau 8.2 and TWA-Nassau 8.2A) and the TOWN of OYSTER BAY," by DeBRUIN GEOMATICS, dated May19, 2011, and filed in the Albany office of the New York State Department of Environmental Conservation as map number 12242A.



## **SCHEDULE D**

### **MAINTENANCE GUIDELINES**

State lands and improvements at the Oyster Bay Western Waterfront managed and maintained by the Town in accordance with this Agreement and this Schedule E shall be referred to herein as "Facility."

The Town shall follow all Federal, State and Local laws as they pertain to the Town's obligations under this Agreement. In addition, the Town shall follow all Governor's Executive Orders, Department of Environmental Commissioner's policies and Department policies as they pertain to the Town's obligations under this Agreement.

All costs associated with this section are the responsibility of the Town.

### **DETAIL OF OPERATION AND MAINTENANCE SERVICES**

**Utilities.** The Town is responsible for providing all utility services to the Oyster Bay Western Waterfront and for full payment of the costs associated with those utilities. At all times, the Town will maintain the utility services necessary to protect State assets and public safety.

**Security and Public Safety.** The Town is responsible for the Facility's safety and security. All police entities having jurisdiction at the Facility shall coordinate with one another as necessary. The Town will notify appropriate individuals immediately if a security problem is noticed and will contact other emergency services as needed. The Town will ensure that its vendors take responsibility for securing all locks related to their occupancy of the Facility.

**Environmental Health and Safety.** The Town shall provide fire extinguishers and AEDs, and shall conduct safety inspections. The Town shall conduct fire and AED drills as required by Code and Law. The Town shall submit an annual report to the Department summarizing the above actions.

**Preventive Maintenance.** The Town is responsible for conducting inspections and preventive maintenance ("PM") for all improvements and mechanical systems at the facility. The frequency and type of inspections and PM shall be according to Manufacturer's recommendations or industry standards, in the absence of Manufacturer's Guidelines. Regular PM schedules as well as revisions caused by unforeseen circumstances will be provided to the Department. By March 1<sup>st</sup> each year, a log indicating the scheduled and completed operations for the previous year shall be submitted to the Department.

- **Renovations, Alterations, Changes in Use.** Any proposed renovations, alterations, or changes of use at the Facility, to the buildings or grounds, shall have prior written approval from the Department's Division of Operations and shall be subject to issuance of any required state and federal permits.

- **Modifications of Facility by Department.** DEC reserves the right to make modifications (repairs, renovations, alterations, rehabilitations, etc.) as deemed necessary. This pertains to any existing structures or improvements. The Department agrees to advise the Town of any work to take place prior to commencing of the work. Prior notice from the Department will not take place for any in kind repair or replacement. The Department will coordinate with the Town to minimize impact to on-going operations, vendors and tenants during modifications to the facility.
- **Building Maintenance.** Maintenance and repair shall be performed by the Town's own work forces, journeyman level tradesmen or by licensed individuals for the specific trades. All repairs shall be inspected by the Town to ensure code compliance. Notwithstanding, Town's vendors may address simple maintenance needs such as replacement of light bulbs.

Maintenance and repair may not be performed by Town vendors occupying the Facility, with the exception of simple needs such as light bulb replacements, etc., which can be accomplished by vendor staff.

Maintenance falls into the following categories:

- **Emergency Repairs.** The Town may complete emergency repairs without prior notice to the Department to ensure public safety and security of the Facility. All emergency phone calls regarding Facility conditions must be responded to in a timely manner to ensure health and safety and to protect the infrastructure of the Facility.
- **Minor Repairs.** The Town may undertake minor repairs without prior notice to the Department. This work will be limited to partial replacement of existing building components for environmental, health, safety and security reasons.
- **Preventive Maintenance Program.** Annual inspections of all mechanical systems are required. Any deficiencies found shall be corrected.
- **Routine Painting.** The Town shall develop and adhere to a repainting schedule for the exterior surfaces of all Facility buildings. Each building exterior must be painted every seven years. Painting may occur on a rotating basis, according to a schedule approved by the Department.
- **Emergency Glass Replacement.** The Town will replace all broken windows or glass doors on an emergency basis, to ensure the safety of building occupants and to secure building or room contents. The Town will respond promptly to all phone calls regarding broken windows and glass door calls.
- **Heating, Ventilation and Air Conditioning (HVAC).** The Town shall provide all

Ver. 9/9/12

preventative maintenance, repairs and replacements to the building's HVAC systems. In addition, the Town shall monitor the operation of all mechanical systems to ensure the systems are operating in a safe and efficient manner.

- **Locks.** The Town will keep all Facility locks in operating condition. In the event a lock must be replaced or a lock combination changed, the Town shall promptly notify the Department and provide the new key or combination to the Department's Division of Operations.
- **Major Repairs.** Notice of all major repairs shall be submitted in writing to the Department's Division of Operations prior to the commencement of work. If the Department has no objections or does not respond within ten business days, the Town may proceed with the repairs.

**Landscaping and Grounds.** The Town will maintain the roads, walkways, parking lots and vegetation, for purposes of providing a healthy, safe and attractive Facility for the public, as follows:

- **Snow Removal and Ice Control.** Snow shall be removed from all roadways, parking areas, walkways and entry ways throughout the Facility in a timely manner to ensure public safety.
- **Vegetation.** Grass will be mowed and trimmed as necessary. Shrubs and trees will be pruned as necessary. Plantings will be weeded as necessary. The removal of any live trees or shrubs will require prior written approval from the Department.
- **Waste Removal and Recycling.** The Town shall provide waste removal and recycling services on a regular schedule to provide a healthy and safe environment at the Facility. The Governor of NY and the Commissioner of the Department require that all NY State facilities implement waste disposal programs that measure and then continually look for opportunities to reduce waste streams.

**Pest Management.** The Town will provide pest control throughout the Facility, including but not limited to:

- **Buildings and Structures.** Annual inspections of all buildings, foundations and structures to ensure no rodent or insect infestation are occurring, particularly with regard to rats, mice, termites, and carpenter ants. Where infestation is confirmed, measures will be taken to eliminate rodents or insects by means of a licensed professional in a timely manner. If pesticides are required, least toxic materials will be used, and control strategies will be consistent with the principles and practices of Integrated Pest Management (IPM).
- **Grounds.** Periodic inspections of grounds or reported incidents of rodent or insect infestation will be dealt with in a timely manner. Individuals who engage in the

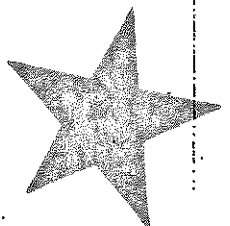


Exhibit C  
Code of the Town of Oyster Bay Section 168.1

§ 168-1  
Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them:

**DEMONSTRATION** -A group activity, including but not limited to a meeting, assembly, protest, rally, march or vigil which involves the expression of views or grievances, involving more than 20 people or a group activity involving fewer than 20 people for which specific space is requested to be reserved.

[Added 6-30-2009 by L.L. No. 5-2009]

**PARK or PARKS** -All park areas, playgrounds, athletic fields, swimming pools, beaches, canals, bays, lagoons, inlets, spurs, open spaces, entrances, approaches, pool deck areas, Town-owned land and lands under water owned by the Town, water owned by the Town, buildings and all other areas and facilities located in parks, beaches or park or beach areas under the jurisdiction of the Town Board or its duly authorized representative.

**PERMIT** - Unless otherwise specified, any written authorization issued by or under the authority of the Commissioner of the Department of Parks for a specified privilege, permitting a specified act or acts in any park.

[Added 6-30-2009 by L.L. No. 5-2009]

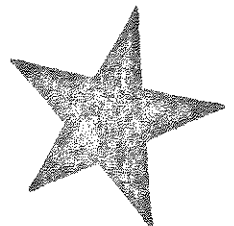
**RESIDENT OF THE TOWN** - A person who has established a legal residency within the Town.

**SPECIAL EVENT** - A group activity, including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more than 20 people, for which specific space is requested to be reserved. "Special event" shall not include casual park use by visitors or tourists.

[Added 6-30-2009 by L.L. No. 5-2009]

**SPECIAL EVENT AREA** -The area designated by the Commissioner of the Department of Parks where such special event is scheduled to take place.

[Added 6-30-2009 by L.L. No. 5-2009]



Meeting of August 9, 2022

Resolution No.572 -2022

Reviewed By  
Office of Town Attorney  
*Ralph P. Stanley*

WHEREAS, Anna Nikolados, Permit Coordinator for Parish Council, Holy Trinity Greek Orthodox Church, 20 Field Avenue, Hicksville, New York 11801, by letter dated June 29, 2022, has requested provision of the Town's assistance in supplying thirty (30) traffic barricades, twenty (20) orange cones, thirty (30) garbage disposal cans, three (3) portable spot lights, and a Town sweeper to sweep streets for their annual Grecian Festival to be held on September 9, 2022, September 10, 2022 and September 11, 2022, with said equipment to be provided on September 8, 2022 through September 12, 2022, and;

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Public Works Highway Division, by memorandum dated July 25, 2022, advised that the Highway Division has no objection to supplying thirty (30) complete barricades, twenty (20) cones, and three (3) portable spot lights, for Holy Trinity Greek Orthodox Church's annual Grecian Festival, and Town street sweeping services, dependent upon volunteer availability within the Highway Division to perform said services, and the provision of no parking restrictions on Field Avenue, Field Court and Joseph Lane and one side of Meadow Lane,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted, and the Department of Public Works, Highway Division is hereby authorized to supply thirty (30) complete barricades, twenty (20) cones, three (3) portable spot lights, and Town street sweeping services to be provided dependent upon volunteer availability within the Highway Division to perform said services, and the provision of no parking restrictions on Field Avenue, Field Court and Joseph Lane and one side of Meadow Lane, to the Holy Trinity Greek Orthodox Church, for their annual Grecian Festival to be held from September 9, 2022, September 10, 2022, and September 11, 2022, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Deputy Commissioner of the Department of Public Works, Highway Division, or his duly authorized representative;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property and in the conduct of the aforescribed activity; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance naming the Town as an additional insured in connection with the aforescribed activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the aforescribed activity may be cancelled by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety.

#

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

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



## TOWN OF OYSTER BAY

## Inter-Departmental Memo

July 25, 2022

**TO:** MEMORANDUM DOCKET

**FROM:** JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISION

**SUBJECT:** HOLY TRINITY GREEK ORTHODOX CHURCH  
ANNUAL GRECIAN FESTIVAL  
TO BE HELD SEPTEMBER 9<sup>th</sup>, 10<sup>th</sup> & 11<sup>th</sup>, 2022

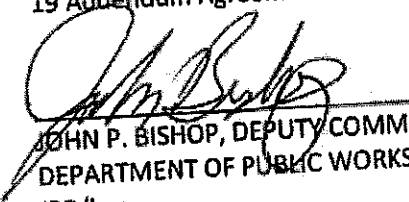
Enclosed please find a copy of the letter from Anna Nikolados, Permit Coordinator for Parish Council, requesting our assistance on behalf of the Holy Trinity Greek Orthodox Church in conducting their annual Grecian Festival on September 9<sup>th</sup>, 10<sup>th</sup> & 11<sup>th</sup>, 2022.

The Highway Department will be pleased to provide thirty (30) complete barricades, twenty (20) cones, and three (3) portable lights (from parks dept.). The street sweeper will be provided only if volunteers can be found within the Highway Department to perform this service.

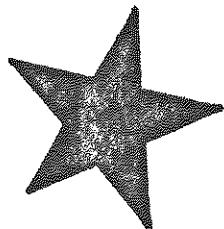
In addition, the organization is requesting the posting of temporary 'No Parking' signs on Field Avenue, Field Court, Joseph Lane and one side of Meadow Lane in Hicksville during the festival weekend, beginning at 4:00 pm on Friday, September 9<sup>th</sup>, 2022 through 10:00 pm on Sunday, September 12<sup>th</sup>, 2022.

Holy Trinity Greek Orthodox Church is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

Also attached is the Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement, and Covid-19 Addendum Agreement to cover this event. Therefore, Town Board approval is requested.

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISION  
JPB/kaz

C: Richard Lenz, P.E., Commissioner DPW  
Peter Brown, General Foreman 002  
Justin McCaffrey, Commissioner, Public Safety Department  
Steve Kelly, Sign Bureau Supervisor  
Cathy McWilliams, Parks Department  
Grace SantaMaria, Highway Administration





# HOLY TRINITY GREEK ORTHODOX CHURCH

ΕΛΛΗΝΙΚΗ ΟΡΘΟΔΟΞΟΣ ΚΟΙΝΟΤΗΣ ΤΗΣ ΑΓΙΑΣ ΤΡΙΑΔΟΣ

REVEREND ECONOMOS THEOFANIS PAPANTONIS, PRESIDING PRIEST



June 29, 2022

Mr. Richard Lenz  
Deputy Commissioner of Highways  
Department of Public Works  
100 Miller Place  
Syosset, N.Y. 11791

Dear Mr. Lenz,

Once again, the Holy Trinity Church of Hicksville will be sponsoring its annual Grecian Festival on September 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> of 2022. As in the past we are once again calling upon your support. Your support in the past has been so vital to the success of our festival.

The Holy Trinity Church would like to request the following items from the Department of Public works to facilitate the residents and parishioners of our community:

- Thirty barricades to block off traffic in the area surrounding the festival and Church grounds. (Please leave trailer with all barricades)
- Twenty orange cones to help in traffic control.
- Thirty Garbage Disposal Trash Cans.
- Town Sweeper to Sweep Streets of festival before and after each night of festival.
- Three White Nights (Portable Spot lights powered by generator)

By allowing us to use the items mentioned above, it will help the residents of the neighborhood as well as our parishioners by providing more control for all parties involved.

The Board of Trustees from Holy Trinity would like to express their sincere appreciation to your Department for past support. We are once again requesting your continued support by granting our request for the items listed above from September 8, 2022 thru September 12, 2022.

If our request is approved by your department, please deliver these items on or before September 8th, 2022. There will be someone at our Church office to accept the items requested.

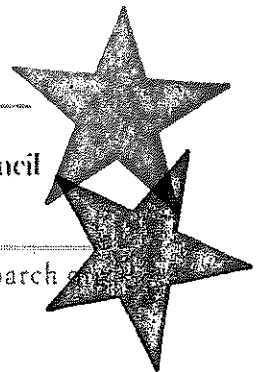
If you have any questions about this request, please feel free to contact the Church Office at the numbers listed above or myself at [REDACTED]

- Insurance Certificate showing our coverage is included with this request
- Insurance Endorsement Certificate for Holy Trinity Greek Orthodox Church
- Hold Harmless Agreement
- Covid Addendum

Sincerely,

Anna Nikolados

Permit Coordinator for Parish Council





HOLYT-1

OP ID: BA

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/27/2022

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

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

PRODUCER  
Montana Agency Inc.  
115 North Broadway  
Hicksville, NY 11801  
Montana Agency Inc.

516-938-3600

CONTACT Montana Agency Inc.

PHONE  
(A/C, No, Ext): 516-938-3600FAX  
(A/C, No): 516-936-3636E-MAIL  
ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: UTICA MUTUAL INS.

25976

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED  
Holy Trinity Greek Orthodox  
Church of Hicks Lt, Inc  
20 Field Avenue  
Hicksville, NY 11801

## 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<br>LTR | TYPE OF INSURANCE  | ADOL<br>INSR | SUBR<br>WVD | POLICY NUMBER   | POLICY EFF<br>(MM/DD/YYYY) | POLICY EXP<br>(MM/DD/YYYY) | LIMITS   |
|-------------|--|--------------|-------------|-----------------|----------------------------|----------------------------|--|
| A           | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><input checked="" type="checkbox"/> LIQ LIAB (FESTIVA)<br>GENL AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: | X            |             | CPP3866088<br>" | 09/01/2021<br>09/01/2022   | 09/01/2022<br>09/01/2023   | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 100,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A           | AUTOMOBILE LIABILITY<br><input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY<br><input checked="" type="checkbox"/> HIRE AUTOS ONLY<br><input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY  |              |             | BAC6079344      | 09/01/2021                 | 09/01/2023                 | COMBINED SINGLE LIMIT (EA accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$  |
| A           | <input checked="" type="checkbox"/> UMBRELLA LIAB<br><input type="checkbox"/> EXCESS LIAB<br>DED <input checked="" type="checkbox"/> RETENTION \$ 10,000   | X            |             | CULP5480889     | 09/01/2021                 | 09/01/2023                 | EACH OCCURRENCE \$ 10,000,000<br>AGGREGATE \$  |
|             | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/ MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below  | Y/N          | N/A         |                 |                            |                            | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/><br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$   |

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

RE: BARRICADES FOR GREEK FESTIVAL SEPT. 09-08-2022 THROUGH 09-12-2022;  
CONES FOR FESTIVAL, AND WHITE (LIGHTS) KNIGHTS (GENERATOR LIGHTS);  
CERTIFICATE HOLDER IS LISTED AS ADDITIONAL INSURED PER FORM 8E1767

## CERTIFICATE HOLDER

## CANCELLATION

TOWN OF OYSTER BAY  
54 AUDREY AVENUE  
OYSTER BAY, NY 11771

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

AUTHORIZED REPRESENTATIVE

POLICY NUMBER: CPP3885088

COMMERCIAL GENERAL LIABILITY

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED FOR SPECIFIED EVENT  
OR LOCATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

Additional Insured: TOWN OF OYSTER BAY,

Event and/or location for which additional insured status is granted: USE OF BARRICADES, CONES & GENERATOR LIGHTS  
ON - SEPT 8th, 9th, 10th, 11th and 12th 2022

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

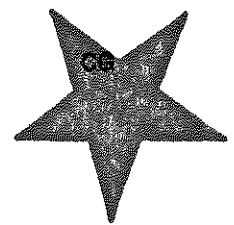
WHO IS AN INSURED (Section II) is amended to include as an insured any entity shown in the Schedule above, subject to the following additional provisions:

This insurance applies only with respect to:

1. The event and/or location shown in the Schedule; and
2. Liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:
  - (a) In the performance of your ongoing operations; or
  - (b) In connection with your premises owned by or rented or leased to you.

Reviewed By  
Office of Town Attorney

*E. Faughan*



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

This Agreement is made this 8 day of JULY, 2022 by HOLY TRINITY GREEK ORTHODOX CHURCH OF  
the Sheriff "Organization". Whereas, Organization desires to use Town of Oyster Bay property  
located at and so described as 20 FIELD AVENUE HICKSVILLE NY 11801 HICKS  
30 barnyards, 20 orange cones, 30 garbage disposal cans, LI, INC  
three white nights

for the event described as HOLY TRINITY GREEK FESTIVAL  
The property/equipment is needed from 9/8/22 to 9/12/22 to —  
The event for which the property and/or equipment is requested (☒) is (☐) is not a profit making event.

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

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

I understand that the above-mentioned use of Town property and/or equipment is subject to the approval of the Town Board of the Town of Chazy, N.Y.

Name of Organization

HOLY TRINITY GREEK ORTHODOX CHURCH  
OF HICKS, LI INC.

Address of Organization

20 FIELD AVENUE  
HICKSVILLE, NY 11801

Class: Class Woblesky signing as a representative  
Authorized Representative of Holy Trinity G.O.C.

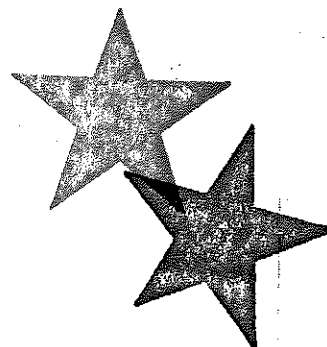
Authorized Representative

Title Permit Coordinator

Telephone Number \_\_\_\_\_

Reviewed by  
Office of Town Attorney

Западняк





**HICKSVILLE GARDENS CIVIC ASSOCIATION**  
P.O. Box 624  
Hicksville, New York 11802  
(516) 499-8207

Website: [www.HGcivic.org](http://www.HGcivic.org) E-Mail: [Info@HGcivic.org](mailto:Info@HGcivic.org)

**EXECUTIVE BOARD**

ADAM FIRESTER  
President

NICHOLAS SARANDIS  
1<sup>st</sup> Vice President

JOSEPH DUBON  
2<sup>nd</sup> Vice President

BRUCE WIMBISCUS  
Treasurer

MARGARET EATON  
Corresponding Secretary

SUSAN PETROSILLO  
Recording Secretary

SUBHAN CHOUDHURY  
Public Relations

JOHN MOSKOS  
Executive Board Member

FRANK GUARASCI  
Executive Board Member

HENRY GOESSMANN  
Past President

**BLOCK CAPTAINS**

RIMAS ALINSKAS  
JOAN CHIARELLO  
MARIE DUNKER  
ROBERT DUSEL  
JOAN GOESSMANN  
IRENE GUARASCI  
CHRISTINA MIRRO  
NICHOLAS MIRRO  
THERESA MOEHRINGER  
JERRY O'BRIEN  
ARDIE ZOBAN

July 25, 2022

The Honorable  
Joseph S Saladino  
Supervisor  
Town of Oyster Bay  
Town Hall East  
54 Audrey Avenue  
Oyster Bay, New York 11771

RE: 2022 Holy Trinity Greek Orthodox Church Festival  
Enforced No Parking

Dear Mr. Saladino:

We are requesting enforced no parking restrictions be implemented on Field Avenue, Field Court and Joseph Lane plus one side of Meadow Lane during the Holy Trinity Greek Orthodox Church Festival weekend, beginning at 4:00 P.M. on Friday, September 09, 2022 and continuing through 10:00 P.M. on Sunday, September 11, 2022.

Sincerely,

Bruce Wimbiscus  
Treasurer  
Hicksville Gardens Civic Association

Cc: John P. Bishop  
Kim Zervos  
The Nassau County Police Department 8<sup>th</sup> Precinct  
Holy Trinity Greek Orthodox Church Festival Committee  
File

*"To improve the quality of life for the Hicksville community by  
encouraging community awareness, participation and civic pride"*



**DATE:** 7/25/2022

**TO:** HIGHWAY OPERATIONS

**SUBJECT:** Holy Trinity Greek Orthodox Church/Greek Festival

**PLEASE DELIVER TO:**

Holy Trinity Greek Orthodox  
Church, Hicksville-Leave Trailer  
When dropping off Equipment

**CONTACT:** Anna Nikolados  
[REDACTED]

**DATE OF EVENT:**

Sept 9<sup>th</sup>-11<sup>th</sup> 2022

**BARRICADES:**

30

**SORT PAILS:**

**PORTABLE LIGHTS:**

3 (parks)

**CONES:**

20

**PACKER:**

**DELIVER ON:**

9/8/22

**PICKUP ON:**

9/12/22

**SWEEPING BEFORE AFFAIR IS NEEDED:**

XX every night

YES

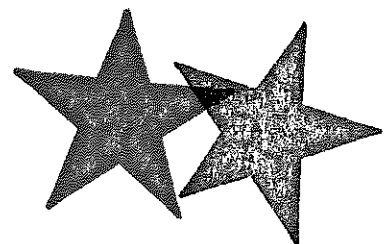
NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
DPW/HIGHWAY DIVISION

CC: Peter Brown , General Foreman 002  
Dan Kornfeld  
Joe Piczzatowski, Area Foreman 017  
Public Safety Division



Meeting of August 9, 2022

Resolution No 573-2022

WHEREAS, Mukesh Modi, Advisor, IDP USA, 260 W. Old Country Road, Hicksville, New York 11801, by letter dated July 25, 2022, requested the closing of Municipal Parking Field H-17 in Hicksville, on Sunday, August 7, 2022, the installation of "No Parking" signs in the lot, and the use of eight (8) complete barricades for the organization's India Independence Day Parade and Festivities, to be held on Sunday, August 7, 2022; and

WHEREAS, John P. Bishop, Deputy Commissioner, Department of Public Works Highway Division, by memoranda dated July 28, 2022 advised that the Department of Public Works, Highway Division, had no objection to the closing of Municipal Parking Field H-17 in Hicksville, on Sunday, August 7, 2022, as well as the installation of "No Parking" signs in the lot, and the use of eight (8) complete barricades for the organization's India Independence Day Parade and Festivities, to be held on Sunday, August 7, 2022; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and has determined that the approval of the abovementioned requests will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted, *nunc pro tunc*, and this Town Board hereby ratifies the actions of John P. Bishop, Deputy Commissioner, Department of Public Works, Highway Division, in providing for the closing of Municipal Parking Field H-17 in Hicksville, on Sunday, August 7, 2022, the installation of "No Parking" signs in the lot, and the use of eight (8) complete barricades for the organization's India Independence Day Parade and Festivities, held on Sunday, August 7, 2022; subject to the following conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Public Works, Highway Division, or his duly designated representative.
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of all Town property and equipment, and in the conduct of the aforesaid activity.
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance naming the Town as an additional insured in connection with the aforescribed activity.
4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the aforescribed activity may be cancelled by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety.

-#-

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

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

Reviewed By  
Office of Town Attorney



## TOWN OF OYSTER BAY

## Inter-Departmental Memo

July 28, 2022

**TO:** MEMORANDUM DOCKET

**FROM:** JOHN BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISION

**SUBJECT:** IDP USA INDIA DAY PARADE  
AUGUST 7<sup>TH</sup> 2022  
(NUNC PRO TUNC)

---

Enclosed please find copy of letters from Mukesh Modi, Advisor of IDP USA Inc, requesting our assistance in conducting their India Day Parade on Sunday, August 7<sup>th</sup> 2022.

The Highway Division has no objection to closing off parking field H-17 in Hicksville and will install "No Parking" in the lot for the event on Sunday, August 7<sup>th</sup> 2022 for their India Day Parade. The Highway Department will readily supply eight (8) barricades for the event as well.

Permission for holding this event is granted on the express condition that the sponsors of the event will take all necessary measures that the provisions of Chapter 156 of the Code of the Town of Oyster Bay concerning noise, are complied with, and that should such event create a noise disturbance the permit will be revoked, and the provisions of Chapter 156 of the Code will apply,

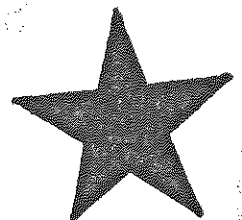
IDP USA Inc. is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

Also attached are the Certificate of Insurance, Endorsement Sheet, Hold Harmless Agreement, and Covid Addendum Agreement to cover this event. Therefore, Town Board approval is requested.

  
JOHN BISHOP, DEPUTY COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISION

JPB/kaz

C: Richard Lenz, P.E., Commissioner DPW  
Peter Brown, General Foreman 002  
Justin McCaffrey, Commissioner of Public Safety  
Grace SantaMaria, Highway Administration  
Steve Kelly, Sign Bureau Supervisor





**FOUNDER**  
BOBBY K. KALOTEE

**IDP CHAIR**  
INDU JAISWAL

**ADVISORY BOARD**  
DEEPAK BANSAL  
MUKESH MODI  
JASBIR JAY SINGH  
BEENA KOTHARI

**PRESIDENT**  
VIMAL GOYAL

**SR. VICE PRESIDENT**  
BINA SABAPATHY

**SECRETARY**  
PRADEEP TONDON

**JOINT SECRETARY**  
NEERU BHAMBRI

**TREASURER**  
NIMESH SHAH

**JOINT TREASURER**  
MAYUR PAREKH

July 25, 2022

Town of Oysterbay Highway Department

Subject: 11th India Day Parade in Hicksville

Dear Sir/Madam

We are organizing Indian Independence Day Parade on Saturday, August 07<sup>th</sup>, 2022., starting from Hicksville Community Center 28 W. Carl Street, Hicksville, NY 11801. After the inauguration and Lamp Lighting the Parade will be flagged off at sharp 2:15PM.

The India Day Parade (IDPUSA) is a historic event on Long Island bringing together around 100 organizations to celebrate the Independence day of India. The Indian-American Community of Long Island, secular in its spirit, brings together cultural, religious and not-for-profit associations under one umbrella to host the India Day Parade.

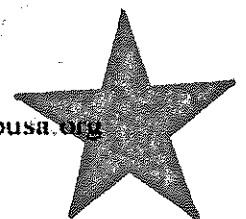
We expect appx 300 people will march the parade and in the Concluding point, 125 West. John Street, Hicksville, NY 11801 where we will have the welcome Stage and acknowledgements starting at 3.00PM, will follow with our cultural events, which will last up to 8:30 PM after that we need 1:30 Minutes to clean the parking lot. So request kindly keep LIRR Parking lot on 125 West John Street up to 10 PM as well as other LIRR Parking lots on West Barclay Street up to 10 PM

We would also need 8 barricades for the event.

If any questions, kindly contact us at 917-215-1491.

Warm Regards

**Mukesh Modi**  
Advisor  
IDP USA INC





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/19/2022

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

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

|  |  |
|--|--|
| <b>PRODUCER</b><br>Excelarate Insurance Agency<br>139-50 Hillside Avenue<br>Jamaica NY 11435 | <b>CONTACT NAME:</b> Rajeev Aery   |
|  | <b>PHONE (A/C, No, Ext):</b> 718-297-1110 <b>FAX (A/C, No):</b> 718-297-1112 |
|  | <b>E-MAIL ADDRESS:</b> raj@excelarateins.com                                 |
|  | <b>INSURER(S) AFFORDING COVERAGE</b>   |
|  | <b>INSURER A:</b> USLI   |
|  | <b>INSURER B:</b>  |
|  | <b>INSURER C:</b>  |
|  | <b>INSURER D:</b>  |
|  | <b>INSURER E:</b>  |
|  | <b>INSURER F:</b>  |

**INSURED**  
IDP USA  
c/o Mukesh Modi  
260 West Old Country Road  
Hicksville NY 11801

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

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

| INSR LTR | TYPE OF INSURANCE  | ADDL SUBR INSD WVD   | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS   |
|----------|--|--|---------------|-------------------------|-------------------------|--|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b>                                  | X  | SE1049339     | 08/07/2022              | 08/09/2022              | EACH OCCURRENCE \$ 1,000,000   |
|          | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR                           |  |               |                         |                         | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000                     |
|          |  |  |               |                         |                         | MED EXP (Any one person) \$ 5,000  |
|          |  |  |               |                         |                         | PERSONAL & ADV INJURY \$ 1,000,000                                       |
|          | GEN'L AGGREGATE LIMIT APPLIES PER:   |  |               |                         |                         | GENERAL AGGREGATE \$ 2,000,000   |
|          | <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC |  |               |                         |                         | PRODUCTS - COMP/OP AGG \$ 2,000,000                                      |
|          | OTHER:   |  |               |                         |                         | \$   |
|          | <b>AUTOMOBILE LIABILITY</b>  |  |               |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$                                   |
|          | <input type="checkbox"/> ANY AUTO  |  |               |                         |                         | BODILY INJURY (Per person) \$  |
|          | <input type="checkbox"/> OWNED AUTOS ONLY  | <input type="checkbox"/> SCHEDULED AUTOS                         |               |                         |                         | BODILY INJURY (Per accident) \$  |
|          | <input type="checkbox"/> HIRED AUTOS ONLY  | <input type="checkbox"/> NON-OWNED AUTOS ONLY                    |               |                         |                         | PROPERTY DAMAGE (Per accident) \$  |
|          | <input type="checkbox"/> UMBRELLA LIAB   | <input type="checkbox"/> OCCUR                                   |               |                         |                         | \$   |
|          | <input type="checkbox"/> EXCESS LIAB   | <input type="checkbox"/> CLAIMS-MADE                             |               |                         |                         | EACH OCCURRENCE \$   |
|          | <input type="checkbox"/> DED <input type="checkbox"/> RETENTIONS   |  |               |                         |                         | AGGREGATE \$   |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>   |  |               |                         |                         | \$   |
|          | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)                              | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | N/A           |                         |                         | PER STATUTE <input checked="" type="radio"/> OTHER <input type="radio"/> |
|          | If yes, describe under DESCRIPTION OF OPERATIONS below   |  |               |                         |                         | E.L. EACH ACCIDENT \$  |
|          |  |  |               |                         |                         | E.L. DISEASE - EA EMPLOYEE \$  |
|          |  |  |               |                         |                         | E.L. DISEASE - POLICY LIMIT \$   |

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

\*\*\*\*\*Certificate holder is also the additional insured.\*\*\*\*\*

Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay NY 11771

## CERTIFICATE HOLDER

Town of Oyster Bay  
54 Audrey Avenue  
Oyster Bay NY 11771

Reviewed By  
Office of Town Attorney

## CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Rajeev Aery

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### SCHEDULE

Name of Additional Insured Person(s) Or Organization(s):

Effective Date: 08/07/2022  
TOWN OF OYSTER BAY  
150 Miller Pl  
Hicksville NY 11801

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

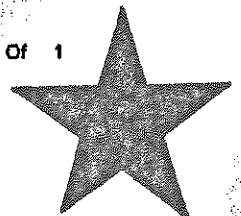
If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By  
Office of Town Attorney



Harmless Agreement for Use of Town Property and/or Equipment

This Agreement is made this 8/7/22 day of 2022, by IDP USA INC (hereinafter "CONCESSIONAIRE"). Whereas, the CONCESSIONAIRE has entered into a contract to provide certain services and products at various Town locations, as designated in the contract between the TOWN and the CONCESSIONAIRE for the contract period 8/7/22 through 8/7/22.

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

Further, the Organization agrees to provide the Town with a copy of its general liability insurance certificate, in the amounts of \$1,000,000 each occurrence, \$2,000,000 general aggregate, \$500,000 for property damage and, where appropriate, \$1,000,000 products, naming the Town as additional insured. All certificates of insurance must be accompanied by an endorsement.

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

Name of Organization:

IDP USA INC

Address of Organization:

260 W. OLD COUNTRY RD

MILKSVILLE NY 11801

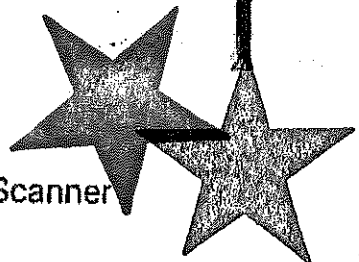
By: Vinay Goyal  
Authorized Representative

Title: President

Telephone Number: [REDACTED]

Reviewed By  
Office of Town Attorney

[Signature]





**TOWN OF OYSTER BAY  
ADDENDUM TO PERMIT APPLICATION**

Applicant Name: IDP USA INC  
 Event Description: PARADE  
 Event Date: AUGUST 7, 2022


The permit holder agrees that while conducting the activity allowed under this permit, it shall follow all applicable New York State Guidelines and Executive Orders with respect to COVID-19 and shall ensure that all participants follow such Guidelines and Orders. By accepting this permit, the permit holder agrees that it is the sole "Responsible Party," as such term is defined by the New York State Guidelines. The permit holder further recognizes and understands that the activity is subject to cancellation at any time to prevent harm to the population from COVID-19, or any other threat to public health and/or safety.

For your convenience, New York State Guidelines are available at <https://forward.ny.gov/>.

  
 Applicant Signature

STATE OF NEW YORK    )  
                                   ) ss:  
 COUNTY OF NASSAU    )

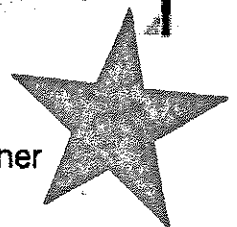
On the 18<sup>th</sup> day of May, 2022 before me, the undersigned, personally appeared Vimal K Goyal personally know to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, 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

**SURESH THAKKAR**  
 NOTARY PUBLIC STATE OF NEW YORK  
 NASSAU COUNTY  
 LIC.# 01746216728  
 COM. EXP: 1/25/2026

Last Revised: May 5, 2021



**DATE:** 7/28/22

**TO:** HIGHWAY OPERATIONS

**SUBJECT:** IDP USA Inc. India Day Parade 2022

**PLEASE DELIVER TO:**

**DATE OF EVENT:** 8/7/2022

Hicksville  
Lot H-17

**BARRICADES:** 8

**CONTACT:** Mukesh Modi  
917-215-1491

**CONES:**

**SORT PAILS:**

**PORTABLE LIGHTS:**

**GENERATOR:**

**PACKER:**

**DELIVER ON:** 8/5/22

**PICKUP ON:** 8/8/22

**SWEEPING BEFORE AFFAIR IS NEEDED:**

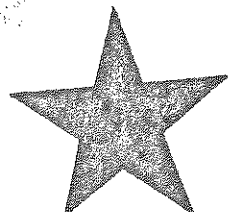
XX  
YES NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz

  
\_\_\_\_\_  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
DPW/HIGHWAY DIVISION

CC: Peter Brown, General Foreman 002  
Dan Kornfeld  
Joe Picczatowski, Area Foreman 017  
Public Safety Division



Meeting of August 9, 2022

Resolution No 574-2022

Reviewed By  
Office of Town Attorney

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated July 28, 2022, advised that the Department of Parks is requesting Town Board authorization to grant the Jericho Fire District use of one (1) set of portable bleachers for their annual Fire Prevention Day on Sunday, October 9, 2022, at Jericho Fire Station #1, located at 411 North Broadway, Jericho, New York, with said set of portable bleachers to be delivered on Friday, October 7, 2022, and collected on Monday, October 10, 2022, without charge, as the annual Fire Prevention Day is not a profit making event as defined in the Code of the Town of Oyster Bay; and

WHEREAS, the Town Board of the Town of Oyster Bay deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted, and the Department of Parks is hereby authorized to provide the Jericho Fire District with one (1) set of portable bleachers, for the District's annual Fire Prevention Day, to be held on Sunday, October 9, 2022, at Jericho Fire District Station No. 1, 411 North Broadway, Jericho, New York, with said set of portable bleachers to be delivered on Friday, October 7, 2022, and collected on Monday October 10, 2022, without charge, as the annual Fire Prevention Day is not a profit making event, as defined in the Code of the Town of Oyster Bay, subject to the following terms and conditions:

1. The use of all Town property and equipment shall be in conformance with the direction of the Commissioner of the Department of Parks, or duly designated representative.

2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both, in its use of all Town property and equipment, and in its conduct of the afore-described activity.

3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating, said organization maintains general liability insurance in the amounts of \$2,000,000.00 in bodily injury, and \$1,000,000.00 in property damage, and naming the Town as an additional insured, in connection with the afore-described activity.

4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the afore-described activity may be cancelled at any time by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID 19 Virus, or from any other threat to the public health and/or safety.

-#-

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

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



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

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: JULY 28, 2022

SUBJECT: BLEACHERS FOR JERICHO FIRE DISTRICT

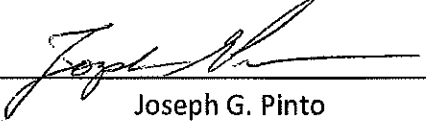
The Department of Parks is seeking Town Board approval to grant the Jericho Fire District the use of one set of portable bleachers for their annual Fire Prevention Day on Sunday, October 9, 2022 at Jericho Fire Station #1, located at 411 North Broadway, Jericho, NY.

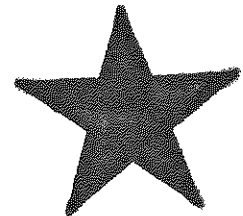
Delivery of the bleachers, by this department, shall take place on Friday, October 7, 2022 and shall be picked up on Monday, October 10, 2022. Dates and times of delivery may be changed at the discretion of the Commissioner of Parks or his designee.

Proper permits for use of the portable bleachers shall be obtained through the Department of Parks, Permits Division.

It is requested and recommended that the Town Board waive all fees associated with the use of the bleachers.

The Department of Parks recommends Town Board approval for this event on the terms set forth above.

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



Meeting of August 9, 2022

Resolution No. 575-2022

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works, by memoranda dated July 25, 2022 and August 1, 2022, advised that on March 28, 2022, a request for proposals ("RFP") was issued to thirty-two (32) firms, in addition to being posted on the Town website, advertised in Newsday and printed in the New York State Contract Reporter, generating an additional nine (9) requests for RFP documents, in connection with Contract No. DPW22-229, Fireman's Field Green Infrastructure Improvements, Oyster Bay; and

WHEREAS, on April 20, 2022, the Division of Engineering received a total of nineteen (19) responses, and following a review and evaluation of all of the responses received, in compliance with the requirements of Guidelines 6 and 9 of the Town of Oyster Bay Procurement Policy, Commissioner Lenz, by said memoranda, requested and recommended that the Town Board authorize Cameron Engineering & Associates, L.L.P., 177 Crossways Park Drive, Woodbury, New York, 11797, to provide engineering services for the design phase of the aforementioned Contract, for a total fee of \$249,300.00, with the fees for the Construction Phase to be authorized upon the completion of the Design Phase, once the final project scope is defined; and

WHEREAS, Michael A. De Giglio, R.L.A., Senior Associate, Cameron Engineering & Associates, L.L.P., by letter dated August 1, 2022, requested to use AK Associates, 100 North Park Avenue, Rockville Centre, New York, 11570, as a sub-consultant, for surveying services, Land, Air, Water Environmental Services, Inc., 32 Chichester Avenue, Center Moriches, New York, 11934, as a sub-consultant for geotechnical services, and Land Use Ecological Services, Inc., 570 Expressway Drive South, Suite 2F, Medford, New York, 11763, as a sub-consultant for wetland demarcation, in connection with the aforementioned project; and

WHEREAS, Commissioner Lenz, by said memoranda, requested Town Board authorization to permit Cameron Engineering & Associates, L.L.P., to use AK Associates, as a sub-consultant for surveying services, Land, Air, Water Environmental Services, Inc., as a sub-consultant for geotechnical services, and Land Use Ecological Services, Inc., as a sub-consultant for wetland demarcation, in connection with the aforementioned project; and

WHEREAS, this project is to be funded in full with use of Coronavirus State and Local Fiscal Recovery Program (SLRF) funding, as provided by the American Rescue Plan Act, and as such, the funds for this initiative shall be utilized in accordance with the guidelines set forth by the Office of the New York State Comptroller; and

WHEREAS, Commissioner Lenz, by said memoranda, has advised that the Office of the Inspector General has reviewed the proposed consultant's and sub-consultants' disclosure questionnaires submitted by the proposed vendors and subcontractors, and has been satisfied that the Town of Oyster Bay Procurement Policy has been fulfilled,

Reviewed By  
Office of Town Attorney  
*Elizabeth A. Faughnan*

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are hereby accepted and approved, and Cameron Engineering & Associates, L.L.P., is hereby authorized to provide engineering services for the design phase of Contract No. DPW22-229, for a total fee of \$249,300.00, with the fees for the Construction Phase to be authorized upon the completion of the Design Phase, once the final project scope is defined, and to utilize AK Associates, Land, Air, Water Environmental Services, Inc., and Land Use Ecological Services, Inc., as sub-consultants for this project, and be it further

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

-#

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

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

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

AUGUST 1, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 29  
DOCKET OF JULY 26, 2022  
AWARD OF ENGINEERING SERVICES AND USE OF SUB-CONSULTANTS  
FIREMANS FIELD GREEN INFRASTRUCTURE IMPROVEMENTS, OYSTER BAY  
SOLICITATION NO. 2022-01  
CONTRACT NO. DPW22-229

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In furtherance to Item No. 29 of the docket of July 26, 2022, the objective of this project is to provide for improved stormwater storage in order to alleviate flooding within Firemans Field, provide for environmentally sound practices to minimize non-point source pollution from impacting Oyster Bay Harbor, and to provide for a more functional and aesthetically pleasing parking facility for use by our residents and visitors to Oyster Bay. This project is to be funded in full with use of Coronavirus State and Local Fiscal Recovery Program (SLFR) funding, as provided through the American Rescue Plan Act.

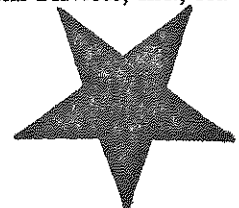
In accordance with the approved procurement procedure, on March 28, 2022 the Department of Public Works issued "Requests for Proposals" to forty-three (43) firms in addition to a posting on the Town website, an advertisement in Newsday, and an advertisement in the New York State Contract Reporter, which generated an additional nine (9) requests for the RFP documents. On April 20, 2022 the Division of Engineering had received nineteen (19) responses which were reviewed and evaluated by a selection committee based on the technical merits of the responses. Related support documentation is on file in the Division of Engineering.

The Commissioner of Public Works, after review of the Division's preliminary recommendations and in conjunction with the current workload, has selected Cameron Engineering & Associates, LLP to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 6 & 9 of the Town of Oyster Bay Procurement Policy.

The selected consultant shall provide design, bid and construction phase engineering services. At this time the Division of Engineering requests funding for design phase services in the amount of \$249,300.00, as stated in the attached letter from Cameron Engineering & Associates, LLP, dated August 1, 2022. Construction phase service fees will be authorized upon completion of the design phase, once the final project scope is defined. The firm Cameron Engineering & Associates, LLP has previously executed a Standard Consultant Agreement with the Department of Public Works under which their services are to be provided, which is on file in the Division of Engineering.

The Town is in receipt of its full SLFR funding. Funds for this initiative will be in accordance with the guidelines set forth by the New York State Office of the Comptroller.

Further, the office of Cameron Engineering & Associates, LLP, through their letter dated August 1, 2022, requests the use of, as sub-consultants, AK Associates for surveying services, Land, Air, Water Environmental Services, Inc., for geotechnical services, and Land Use Ecological Services, Inc., for wetland demarcation.



TO: Memorandum Docket  
Page 2

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

It is hereby requested that the Town Board authorize, by resolution, Cameron Engineering & Associates, LLP to perform engineering services relative to Contract No. DPW22-229, and to utilize AK Associates, Land, Air, Water Environmental Services, Inc. and Land Use Ecological Services, Inc. as sub-consultants.



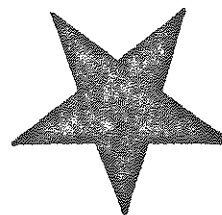
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL//MR/lk

Attachment

cc: Steven C. Ballas, Comptroller

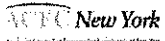

DPW22-229 DOCKET AWARD ENGINEERING SUPP





## CAMERON ENGINEERING & ASSOCIATES, L.L.P.

177 Crossways Park Drive Woodbury, NY 11797 (516) 827-4900  
1411 Broadway, Suite 610 New York, NY 10018 (212) 324-1000  
303 Old Tarrytown Road, 1st Floor White Plains, NY 10603 (914) 721-8300

Active Member of  

*Managing Partner*  
John D. Cameron, Jr., P.E.

*Senior Partner*  
Joseph R. Amato, P.E.

*Partners / Principals*  
Mark Wagner, CFP  
Janice Jijma, P.E., ARCP CFP  
Nicholas A. Kumbakovic, P.E.  
Michael J. Huls, P.E.  
Andrew L. Narus, P.E., CCM  
Richard J. Zapolski, Jr., P.E.

*Associate Partner*  
Stephen Hudgins, P.E., RCEE

*Senior Associates*  
Glenn DeSimone, P.E., CPE  
Michael A. De Giglio, R.L.A.

*Associate*  
Sarah Orta, P.E.

August 1, 2022

Commissioner Richard Lenz  
Department of Public Works  
150 Miller Place  
Syosset, New York 11791

Re: Fireman's Field Green Infrastructure Improvements  
Solicitation No. 2022-01 / Contract No. DPW22-229

Dear Commissioner Lenz:

Cameron Engineering is pleased to provide the following fee structure and project team in regard to the Fireman's Field Green Infrastructure Improvements:

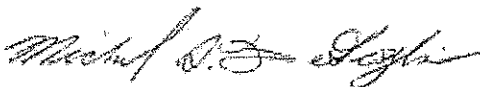
- o \$249,300 - Design Phase (Survey, Geotechnical, Preliminary Design through Bid Phase (including permitting)
- o \$280,050 - Construction Phase (Construction Administration / Full Time Construction Observation based upon 12 months per original RFP)
- o \$17,770 - 1 year on-call maintenance period services

In addition to Cameron Engineering, our team shall consist of:

- o Survey: AK Associates - 100 N Park Ave, Rockville Centre, NY 11570
- o Geotechnical Services: Land, Air, Water Environmental Services, Inc. - 32 Chichester Avenue, Center Moriches, NY 11934
- o Wetland Demarcation: Land Use Ecological Services, Inc - 570 Expressway Dr S Suite 2F, Medford, NY 11763

Should you have any questions or require additional information, please feel free to call me directly at (516) 224 - 5206.

Very truly yours,



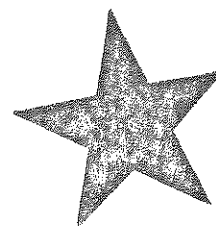
Michael A. De Giglio  
Senior Associate

MAD/jr

N:\Woodbury Users\MDeGiglio\A - Proposals 2022\Oyster Bay - Firemans Field\Corr - 2022\L 2022-08-01 To Commissioner Lenz.docx

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

[www.cameronengineering.com](http://www.cameronengineering.com)



TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

JULY 25, 2022

TO : MEMORANDUM DOCKET


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

SUBJECT : AWARD OF CONSULTANT CONTRACT  
FIREMAN'S FIELD GREEN INFRASTRUCTURE IMPROVEMENTS, OYSTER BAY  
SOLICITATION NO. 2022-01  
CONTRACT NO. DPW22-229  
SUPPLEMENTAL MEMO TO FOLLOW

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The Department of Public Works has issued a Request for Proposal to firms seeking to engineering services for Fireman's Field Green Infrastructure Improvements. Upon completion of fee negotiation a formal recommendation of contract award will be submitted by supplemental memorandum docket.

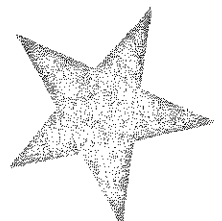
It is hereby requested that a space be reserved at the August 9, 2022 meeting for the Town Board to authorize the award of engineering services for Fireman's Field Green Infrastructure Improvements, Contract No. DPW22-229,

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

RWL/JCT/MR/nm

cc: Steven Ballas, Comptroller

DPW22-229 DOCKET AWARD ENGINEERING RESERVE



Meeting of August 9, 2022

Resolution No 576-2022

WHEREAS, by Resolution No. 708-2020, adopted on December 8, 2020, the Town Board awarded Contract No. H18-171-P1, Massapequa Flood Diversion and Control Project #1, Outfalls 126 and 67 (Harbor Place and Cabot Road West), Massapequa, New York to Roadwork Ahead, Inc., 180 Linden Avenue, Westbury, New York 11590, the lowest responsible bidder; and

WHEREAS, Russell Z. Scott, P.E., Partner, Nelson & Pope, Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by letter dated March 14, 2022, advised that it is necessary and essential to authorize Change Order No.1 in the amount of \$429,564.11, due to the cost of additional materials and work items related to the installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive North, East Shore Drive and Peconic Drive South, and the increase in material cost for Check Valves; and

WHEREAS, Nelson & Pope, Engineering, Architecture & Land Surveying, PLLC, Consulting Engineers, by said letter, and Commissioner Lenz, Department of Public Works, by memoranda dated July 20, 2022 and July 29, 2022, advised that, with respect to quantity Increase/Decrease No.1, there was an overall item net decrease in the amount of \$360,684.00, attributable to a reduction of items based on offset and removals of items deemed unnecessary upon the approval of Change Order No. 1, and by virtue of subsequent work required by the Massapequa Water District; and

WHEREAS, Nelson and Pope, Engineering, Architecture, & Land Surveying, PLLC, Consulting Engineers, by said letter, and Commissioner Lenz, by said memorandum, advised, that in light of the foregoing, there has been an overall net increase in the final amount of Contract No. H18-171-P1, in the amount of \$68,880.11, and request and recommend that Change Order No.1, and Quantity Increase/Decrease No.1, to Contract No. H18-171-P1, be accepted, and that payment be made to the contractor, in said amount, after the customary review of the engineer's certificate, and upon the submission of a duly certified claim therefor, after audit, with funds available for payment in Account No. IGA-CD-8689-27000-556,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request and recommendation are accepted and approved, and in connection with Contract No. H18-171-P1, Change Order No.1, and Quantity Increase/Decrease Order No. 1., is hereby accepted for a total net increase of \$68,880.11, and that payment shall be made, in said amount, to the contractor, after the customary review of the engineer's certificate; and be it further

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

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

Reviewed By  
Office of Town Attorney



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

July 29, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL DOCKET MEMO. TO ITEM NO. 31  
CHANGE ORDER NO. 1  
QUANTITY INCREASE/DECREASE 1  
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #1  
OUTFALLS 126 & 67 (HARBOR PLACE/CABOT ROAD WEST)  
MASSAPEQUA, NEW YORK / CONTRACT NO. H18-171-P1  
ACCOUNT NO. IGA-CD-8689-27000-556

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In furtherance to item no. 31, attached is a letter from N & P Engineering, Architecture and Land Surveying, PLLC, dated March 14, 2022, concerning Change Order No. 1 for a total increase in the amount of \$429,564.11.

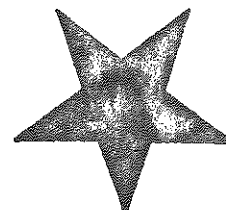
The above-subject Change Order No.1 is due to the additional cost for items of work as well as for materials which were not originally included in the original contract. This Change Order is comprised of two items: Item 1 – Installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive N, E Shore Drive, and Peconic Drive S; Item 2 – Increase in the material cost for Check Valves. All necessary backup regarding these items, as it pertains to labor and material costs are attached.

The Contractor, Roadwork Ahead, Inc., has submitted their price quote for the proposed work and the consultant, N & P Engineering, Architecture and Land Surveying, PLLC, reviewed the contractor's price and finds the price of \$429,564.11 for additional work to be fair and reasonable.

Also attached is a letter with backup, from N & P Engineering, Architecture and Land Surveying, PLLC, dated March 14, 2022 concerning Quantity Increases/Decreases for the above subject project. The total of these items result in a net decrease of \$360,684.00. The resulting overall decrease to the contract is attributed to a reduction of items based on offset and removals of items deemed unnecessary once Change Order No.1 is approved and subsequent work required by the Massapequa Water District.


In summary, the described Change Order No. 1 results in a net increase of \$429,564.11 and item quantity increases and decreases result in a net decrease of \$360,684.00 for an overall net increase to the final contract amount of \$68,880.11.

Funding for this change order is provided through the Department of Intergovernmental Affairs Account No. IGA-CD-8689-27000-556.



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

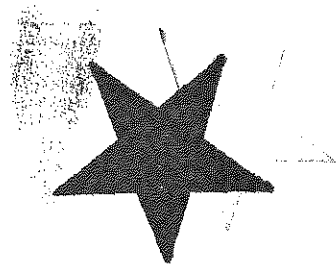
We hereby concur with N & P Engineering, Architecture and Land Surveying, PLLC. that the described Change Order No. 1 and Quantity Increase/Decrease No. 1 be accepted at a total net increase of \$68,880.11 and that payments be made to the contractor after the customary review of the engineer's certificate and claim by the Comptroller.

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

RWL /MR/DDM/nm

cc: Steven C. Ballas, Comptroller  
Colin Bell, Office of the Supervisor

H18-171-P1 SUPPLEMENTAL DOCKET CO1 QI.QD1



March 14, 2022

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

Re: Change Order No. 1 & Quantity Increase/Decrease No. 1  
Massapequa Flood Diversion and Control / Project No. 1  
Cabot Road / Harbor Place  
Contract No. H18-171-P1  
Nelson & Pope No. 18178

Dear Commissioner Lenz:

Submitted herewith is Change Order No. 1 and Quantity Increase/Decrease No. 1 for the above referenced project. Nelson + Pope has reviewed the price data provided by the Contractor, Roadwork Ahead Inc., for these items of work and has found no irregularities. This Change Order is required to include additional items of work as well as for materials which were not originally included in the Original Contract. This Change Order is comprised of Two Items: Item 1 – Installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive N, E Shore Drive, and Peconic Drive S; Item 2 – Increase in the material cost for Check Valves; and All necessary backup regarding these items as it pertains to labor and material costs are attached. Quantity Decreases listed are realized as items that will not be utilized in lieu of the Leaching Galley Change Order. Quantity Increase items are for work required by the Massapequa Water District. The following is a breakdown of these additional items.

**ITEM 1: NEW CONTRACT ITEMS FOR LEACHING GALLEY**

Installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive N, E Shore Drive, and Peconic Drive S; a segment from the Harbor Place project location. This work includes the items required for the excavation and installation of precast concrete leaching galleys, associated piping and other related materials, crushed stone and backfill in lieu of the original above ground bio-retention drainage area. The following breakdown of items for this work is as follows:

**Item 12P-8 – Furnish & Install HDPE 8" Diameter Pipe**

Qty: 200LF

Unit Price: \$160.00/LF

Anticipated Cost: \$32,000.00

**Item 99-SS – Furnish & Install 2'-0" Height Leaching Galley**

Qty: 120EA

Unit Price: \$2,550.00/EA

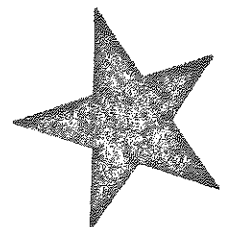
Anticipated Cost: \$306,000.00

**Item 604 – ¾" Crushed Stone**

Qty: 225CY

Unit Price: \$106.66666

Anticipated Cost: \$24,000.00



**Item 605 – Furnish & Install Soil Stabilization Fabric**

Qty: 700SY

Unit Price: \$5.71429

Anticipated Cost: \$4,000.00

**TOTAL OF ITEM 1: \$366,000.00**

**ITEM 2: COST INCREASE FOR CHECKVALVES DUE TO MANUFACTURER SUBSTITUTION**

Increase in the material cost for required Check Valves. The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, yet at an increased price. The breakdown below is for the additional cost related to the item described from the original contract documents:

**Item 506-15W – Inline Checkvalve – 15" Diameter**

Qty: 1EA

Unit Price: \$9,787.69

Anticipated Cost: \$9,787.69

Cost Increase (From Orig Bid Price): \$2,787.69

**Item 506-18W – Inline Checkvalve – 18" Diameter**

Qty: 1EA

Unit Price: \$11,651.51

Anticipated Cost: \$11,651.51

Cost Increase (From Orig Bid Price): \$3,151.51

**Item 506-30W – Inline Checkvalve – 30" Diameter**

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57

Cost Increase (From Orig Bid Price): \$3,798.57

**Item 506-36W – Inline Checkvalve – 36" Diameter**

Qty: 1EA

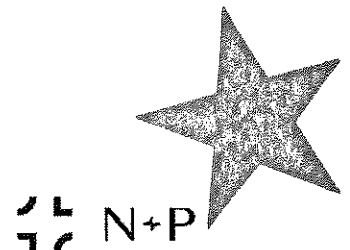
Unit Price: \$23,326.34

Anticipated Cost: \$23,326.34

Cost Increase (From Orig Bid Price): \$5,326.34

**TOTAL OF ITEM 2: \$63,564.11**

Total Increase Cost due for Change Order No. 1 (Items 1 & 2) is \$429,564.11



In addition to the Change Order No. 1 increases, there are anticipated increases/decreases in contract quantities due to offset and removals from the above change order and work that was required by the Massapequa Water District. Such increases/decreases include but are not limited to:

(Associated Item Qty Increases for work required by the Massapequa Water District)

**Item 99x – Water Main Relocation**

Qty: 927 LF/IN

Contract Bid Price: \$90.00 / LF-in

Anticipated Cost: \$83,430.00

**Item 34 – Miscellaneous Metals**

Qty: 512LBS

Contract Bid Price: \$3.00/lbs

Anticipated Cost: \$1,536.00

**Item 100x – Adjust Hydrant Assembly Complete**

Qty: 1 EACH

Contract Bid Price: \$7,000.00 / ea

Anticipated Cost: \$7,000.00

Subtotal Increase Related to Massapequa Water District work: \$91,966.00

Total Increased Cost due to anticipated increase of contract quantities amounting to: **+\$91,966.00**

(Associated Item Qty Deductions as a result of Change Order No. 1, Item 1: Underground Leaching Galley)

**Item 2X - Unclassified Excavation**

Qty: 400CY

Unit Price: \$60.00/CY

Anticipated Cost: \$24,000.00

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

Qty: 15EA

Unit Price: \$2,000.00

Anticipated Cost: \$30,000.00

**Item 361-B – Furnish & Install Shrubs (#3 Container)**

Qty: 400EA

Unit Price: \$150.00

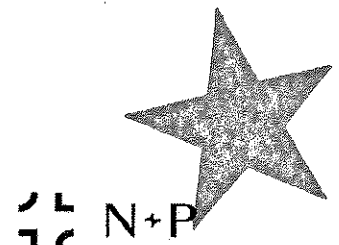
Anticipated Cost: \$60,000.00

**Item 361-C – Furnish & Install Perennials (#1 Container)**

Qty: 3,585

Unit Price: \$70.00

Anticipated Cost: \$250,950.00



**Item 515 – Sand Compost Mix**

Qty: 490CY

Unit Price: \$80.00

Anticipated Cost: \$39,200.00

Subtotal Decrease Related to Leaching Galleys: (\$404,150.00)

(Associated Deductions as a result of Change Order No. 1, Item 2: Checkvalve Manufacturer Substitutions)

**Item 506-15 – Inline Checkvalve – 15" Diameter**

Qty: 1EA

Contract Bid Price: \$7,000.00

Anticipated Cost: \$7,000.00

**Item 506-18 – Inline Checkvalve – 18" Diameter**

Qty: 1EA

Contract Bid Price: \$8,500.00

Anticipated Cost: \$8,500.00

**Item 506-30 – Inline Checkvalve – 30" Diameter**

Qty: 1EA

Contract Bid Price: \$15,000.00

Anticipated Cost: \$15,000.00

**Item 506-36 – Inline Checkvalve – 36" Diameter**

Qty: 1EA

Contract Bid Price: \$18,000.00

Anticipated Cost: \$18,000.00

Subtotal Decrease Related to Checkvalves: (\$48,500.00)

Total Decrease Cost due to anticipated removals of contract quantities amounting to **(\$360,684.00)**.

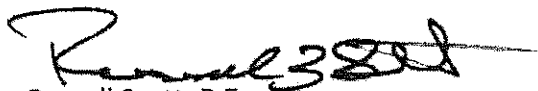
The net total of this Change Order No. 1 and Quantity Increase/Decrease No. 1 will amount to a contract increase of \$68,880.11. All prices have been negotiated with the Contractor. Our office has reviewed these prices and find them to be reasonable. It is our recommendation that Change Order No. 1 be accepted by the Town. We trust this information is sufficient for your records.

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

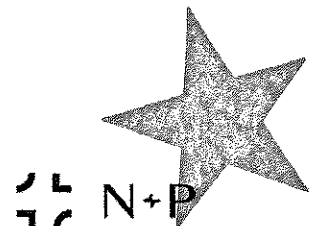
Very truly yours,

Respectfully submitted,

**NELSON + POPE**



Russell Scott, P.E.  
Partner



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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

**Change Order**

**ITEM 1: NEW CONTRACT ITEMS**

Installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive N, E Shore Drive, and Peconic Drive S; a segment from the Harbor Place project location. This work includes the items required for the excavation and installation of precast concrete leaching galleys, associated piping and other related materials, crushed stone and backfill in lieu of the original above ground bio-retention drainage area. The following breakdown of items for this work is as follows:

**Item 12P-8 – Furnish & Install HDPE 8" Diameter Pipe**

Qty: 200LF

Unit Price: \$160.00/LF

Anticipated Cost: \$32,000.00

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Unit Price: \$2,550.00/EA

Anticipated Cost: \$306,000.00

**Item 604 – ¾" Crushed Stone**

Qty: 225CY

Unit Price: \$106.66666

Anticipated Cost: \$24,000.00

**Item 605 – Furnish & Install Soil Stabilization Fabric**

Qty: 700SY

Unit Price: \$5.71429

Anticipated Cost: \$4,000.00

SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, has obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, at an increased price. The items and prices described below are being requested to replace the original contract items; *includes Furnishing, Delivery, and Installs per contract specifications:*

**Item 506-15W – Inline Checkvalve – 15" Diameter**

Qty: 1EA

Unit Price: \$9,787.69

Anticipated Cost: \$9,787.69

**Item 506-18W – Inline Checkvalve – 18" Diameter**

Qty: 1EA

Unit Price: \$11,651.51

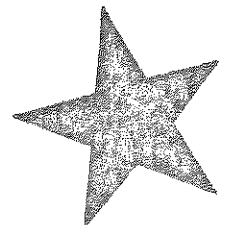
Anticipated Cost: \$11,651.51

**Item 506-30W – Inline Checkvalve – 30" Diameter**

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57



Item 506-36W - Inline Checkvalve - 36" Diameter  
Qty: 1EA  
Unit Price: \$23,326.34  
Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

|  |                 |
|--|-----------------|
| The original Contract sum was:                     | \$ 2,648,585.00 |
| Net Change by previously authorized Change Orders: | \$ 0.00         |
| Total Contract sum prior to this Change Order:     | \$ 2,648,585.00 |
| Change Order No. 1:                                | \$ 429,564.11   |
| New Contract sum including CHANGE ORDER NO. 1:     | \$ 3,078,149.11 |

The above work is to be performed in accordance with the letters from Nelson + Pope (N+P Engineering, Architecture and Land Surveying PLLC) dated March 14, 2022 and the memorandum of the Department of Public Works, dated \_\_\_\_\_, at a cost to the Town in the amount of four hundred and twenty nine thousand, five hundred and sixty four dollars and eleven cents.

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

Recommended by:  
Nelson + Pope

by: [Signature]  
Title: Partner

Dated: 7.25.22

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

by: [Signature] 7/27/22  
Robert Darienzo, Director of Finance

by: [Signature] 7/26/22  
Steven Ballas, Comptroller

by: [Signature]  
Brian Noone, Inspector General

Accepted by:  
Roadwork Ahead Inc.

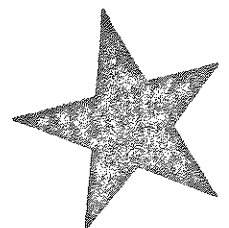
by: [Signature]  
Title: Project Manager

Dated: 7/25/2022

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

\_\_\_\_\_  
Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_





TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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

Change Order

**ITEM 1: NEW CONTRACT ITEMS**

Installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive N, E Shore Drive, and Peconic Drive S; a segment from the Harbor Place project location. This work includes the items required for the excavation and installation of precast concrete leaching galleys, associated piping and other related materials, crushed stone and backfill in lieu of the original above ground bio-retention drainage area. The following breakdown of items for this work is as follows:

**Item 12P-8 – Furnish & Install HDPE 8" Diameter Pipe**

Qty: 200LF

Unit Price: \$160.00/LF

Anticipated Cost: \$32,000.00

**Item 99-SS – Furnish & Install 2'-0" Height Leaching Galley**

Qty: 120EA

Unit Price: \$2,550.00/EA

Anticipated Cost: \$306,000.00

**Item 604 – ¾" Crushed Stone**

Qty: 225CY

Unit Price: \$106.66666

Anticipated Cost: \$24,000.00

**Item 605 – Furnish & Install Soil Stabilization Fabric**

Qty: 700SY

Unit Price: \$5.71429

Anticipated Cost: \$4,000.00

SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, has obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, at an increased price. The items and prices described below are being requested to replace the original contract items; Includes Furnishing, Delivery, and Installs per contract specifications:

**Item 506-15W – Inline Checkvalve – 15" Diameter**

Qty: 1EA

Unit Price: \$9,787.69

Anticipated Cost: \$9,787.69

**Item 506-18W – Inline Checkvalve – 18" Diameter**

Qty: 1EA

Unit Price: \$11,651.51

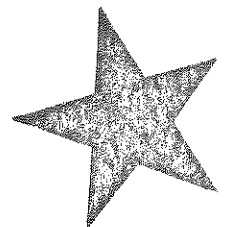
Anticipated Cost: \$11,651.51

**Item 506-30W – Inline Checkvalve – 30" Diameter**

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57



Item 506-36W - Inline Checkvalve - 36" Diameter  
Qty: 1EA  
Unit Price: \$23,326.34  
Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

|  |                 |
|--|-----------------|
| The original Contract sum was:                     | \$ 2,648,585.00 |
| Net Change by previously authorized Change Orders: | \$ 0.00         |
| Total Contract sum prior to this Change Order:     | \$ 2,648,585.00 |
| Change Order No. 1:                                | \$ 429,564.11   |
| New Contract sum including CHANGE ORDER NO. 1:     | \$ 3,078,149.11 |

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

Recommended by:  
Nelson + Pope

by: [Signature]

Title: Partner

Dated: 7.25.22

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

by: [Signature] 7/27/22

Robert Darienzo, Director of Finance

by: [Signature] 7/26/22

Steven Ballas, Comptroller

by: [Signature]

Brian Noone, Inspector General

Accepted by:  
Roadwork Ahead Inc.

by: [Signature]

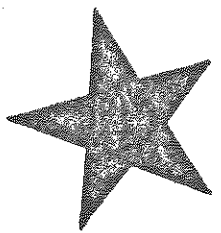
Title: Project Manager

Dated: 7/29/2022

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

\_\_\_\_\_  
Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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

Change Order

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Qty: 200LF

Unit Price: \$160.00/LF

Anticipated Cost: \$32,000.00

Item 99-SS -- Furnish & Install 2'-0" Height Leaching Galley

Qty: 120EA

Unit Price: \$2,550.00/EA

Anticipated Cost: \$306,000.00

Item 604 -- ¾" Crushed Stone

Qty: 225CY

Unit Price: \$106.66666

Anticipated Cost: \$24,000.00

Item 605 -- Furnish & Install Soil Stabilization Fabric

Qty: 700SY

Unit Price: \$5.71429

Anticipated Cost: \$4,000.00

SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, has obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, at an increased price. The items and prices described below are being requested to replace the original contract items; includes Furnishing, Delivery, and Installs per contract specifications:

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Qty: 1EA

Unit Price: \$9,787.69

Anticipated Cost: \$9,787.69

Item 506-18W -- Inline Checkvalve -- 18" Diameter

Qty: 1EA

Unit Price: \$11,651.51

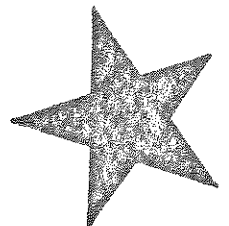
Anticipated Cost: \$11,651.51

Item 506-30W -- Inline Checkvalve -- 30" Diameter

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57



Item 506-36W – Inline Checkvalve – 36" Diameter  
Qty: 1EA  
Unit Price: \$23,326.34  
Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

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| New Contract sum including CHANGE ORDER NO. 1:     | \$ 3,078,149.11 |

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

Recommended by:  
Nelson + Pope

by: [Signature]  
Title: Partner

Dated: 7.25.22

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

by: [Signature] 7/27/22  
Robert Darienzo, Director of Finance

by: [Signature] 7/26/22  
Steven Ballas, Comptroller

by: [Signature]  
Brian Noone, Inspector General

Accepted by:  
Roadwork Ahead Inc.

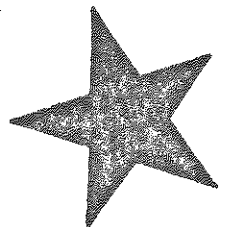
by: [Signature]  
Title: Project Manager

Dated: 7/25/2022

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

\_\_\_\_\_  
Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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Qty: 200LF  
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Qty: 120EA  
Unit Price: \$2,550.00/EA  
Anticipated Cost: \$306,000.00

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Qty: 225CY  
Unit Price: \$106.66666  
Anticipated Cost: \$24,000.00

Item 605 -- Furnish & Install Soil Stabilization Fabric  
Qty: 700SY  
Unit Price: \$5.71429  
Anticipated Cost: \$4,000.00

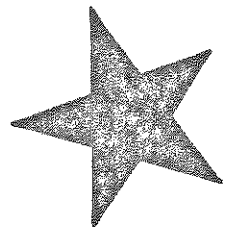
SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

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Item 506-15W -- Inline Checkvalve -- 15" Diameter  
Qty: 1EA  
Unit Price: \$9,787.69  
Anticipated Cost: \$9,787.69

Item 506-18W -- Inline Checkvalve -- 18" Diameter  
Qty: 1EA  
Unit Price: \$11,651.51  
Anticipated Cost: \$11,651.51

Item 506-30W -- Inline Checkvalve -- 30" Diameter  
Qty: 1EA  
Unit Price: \$18,798.57  
Anticipated Cost: \$18,798.57



Item 506-36W -- Inline Checkvalve -- 36" Diameter

Qty: 1EA

Unit Price: \$23,326.34

Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

|  |                 |
|--|-----------------|
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Recommended by:  
Nelson + Pope

by: [Signature]  
Title: Partner

Dated: 7.25.22

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

by: [Signature] 7/27/22  
Robert Daricenzo, Director of Finance

by: [Signature] 7/26/22  
Steven Ballas, Comptroller

by: [Signature]  
Brian Noone, Inspector General

Accepted by:  
Roadwork Ahead Inc.

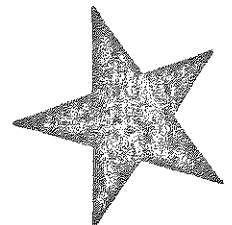
by: [Signature]  
Title: Project Manager

Dated: 7/29/2022

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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

Change Order

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Qty: 120EA

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Anticipated Cost: \$306,000.00

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Qty: 225CY

Unit Price: \$106.66666

Anticipated Cost: \$24,000.00

Item 605 – Furnish & Install Soil Stabilization Fabric

Qty: 700SY

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Anticipated Cost: \$4,000.00

SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

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Anticipated Cost: \$9,787.69

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Qty: 1EA

Unit Price: \$11,651.51

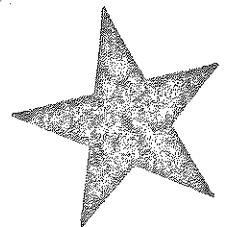
Anticipated Cost: \$11,651.51

Item 506-30W – Inline Checkvalve – 30" Diameter

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57



Item 506-36W – Inline Checkvalve – 36" Diameter

Qty: 1EA

Unit Price: \$23,326.34

Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

|  |                 |
|--|-----------------|
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Recommended by:  
Nelson + Pope

by: [Signature]

Title: Partner

Dated: 7.25.22

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

by: [Signature]

Robert Darienzo, Director of Finance

by: [Signature]

Steven Ballas, Comptroller

by: [Signature]

Brian Noone, Inspector General

Accepted by:  
Roadwork Ahead Inc.

by: [Signature]

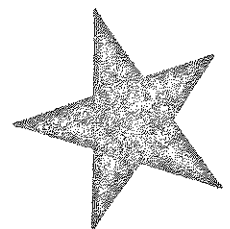
Title: Project Manager

Dated: 7/25/2022

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_





TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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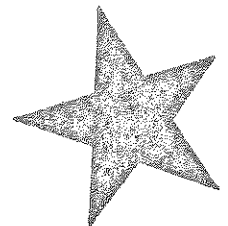
Anticipated Cost: \$11,651.51

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Anticipated Cost: \$18,798.57



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Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

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Recommended by:  
Nelson + Pope

by: \_\_\_\_\_

Title: Partner

Dated: 7.25.22

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

by: \_\_\_\_\_

Robert Darienzo, Director of Finance

by: \_\_\_\_\_

Steven Ballas, Comptroller

by: \_\_\_\_\_

Brian Noone, Inspector General

Accepted by:  
Roadwork Ahead Inc.

by: \_\_\_\_\_

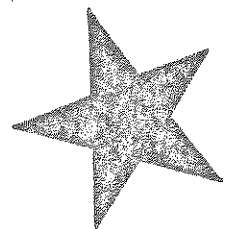
Title: Project Manager

Dated: 7/25/2023

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
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Anticipated Cost: \$4,000.00

SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, has obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, at an increased price. The items and prices described below are being requested to replace the original contract items; Includes Furnishing, Delivery, and Installs per contract specifications:

Item 506-15W – Inline Checkvalve – 15" Diameter

Qty: 1EA

Unit Price: \$9,787.69

Anticipated Cost: \$9,787.69

Item 506-18W – Inline Checkvalve – 18" Diameter

Qty: 1EA

Unit Price: \$11,651.51

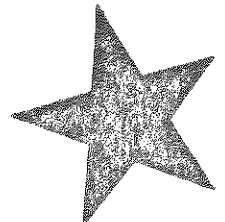
Anticipated Cost: \$11,651.51

Item 506-30W – Inline Checkvalve – 30" Diameter

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57



Item 506-36W – Inline Checkvalve – 36" Diameter  
Qty: 1EA  
Unit Price: \$23,326.34  
Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

|  |                 |
|--|-----------------|
| The original Contract sum was:                     | \$ 2,648,585.00 |
| Net Change by previously authorized Change Orders: | \$ 0.00         |
| Total Contract sum prior to this Change Order:     | \$ 2,648,585.00 |
| Change Order No. 1:                                | \$ 429,564.11   |
| New Contract sum including CHANGE ORDER NO. 1:     | \$ 3,078,149.11 |

The above work is to be performed in accordance with the letters from Nelson + Pope (N+P Engineering, Architecture and Land Surveying PLLC) dated March 14, 2022 and the memorandum of the Department of Public Works, dated \_\_\_\_\_ at a cost to the Town in the amount of four hundred and twenty nine thousand, five hundred and sixty four dollars and eleven cents.

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

Recommended by:  
Nelson + Pope

by: [Signature]

Title: Partner

Dated: 7.25.22

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

by: [Signature]

Robert Darienzo, Director of Finance

by: [Signature]

Steven Ballas, Comptroller

by: [Signature]

Brian Noone, Inspector General

Accepted by:

Roadwork Ahead Inc.

by: [Signature]

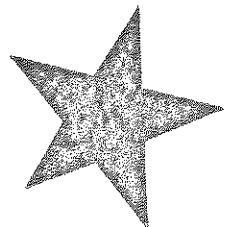
Title: Project Manager

Dated: 7/25/2022

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



TOWN OF OYSTER BAY DEPARTMENT OF PUBLIC WORKS  
MASSAPEQUA FLOOD DIVERSION CONTROL PROJECT #1 (HARBOR PLACE/CABOT ROAD)  
Contract No. H181-171-P1  
CHANGE ORDER NO. 1

To: Roadwork Ahead Inc  
180 Linden Avenue  
Westbury, NY 11590

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

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

Change Order

**ITEM 1: NEW CONTRACT ITEMS**

Installation of underground drainage leaching galleys in the grass area surrounded by Peconic Drive N, E Shore Drive, and Peconic Drive S; a segment from the Harbor Place project location. This work includes the items required for the excavation and installation of precast concrete leaching galleys, associated piping and other related materials, crushed stone and backfill in lieu of the original above ground bio-retention drainage area. The following breakdown of items for this work is as follows:

Item 12P-8 – Furnish & Install HDPE 8" Diameter Pipe

Qty: 200LF

Unit Price: \$160.00/LF

Anticipated Cost: \$32,000.00

Item 99-SS – Furnish & Install 2'-0" Height Leaching Galley

Qty: 120EA

Unit Price: \$2,550.00/EA

Anticipated Cost: \$306,000.00

Item 604 – ¾" Crushed Stone

Qty: 225CY

Unit Price: \$106.66666

Anticipated Cost: \$24,000.00

Item 605 – Furnish & Install Soil Stabilization Fabric

Qty: 700SY

Unit Price: \$5.71429

Anticipated Cost: \$4,000.00

SUBTOTAL LEACHING GALLEYS ITEM 1: \$366,000.00

The original 'Check Valve' specified for this Contract has not been available due to production/shipping issues. In order to meet the timelines required of this project, the Contractor, has obtained check valves from an alternate manufacturer having sufficient inventory, which met the requirements as an approved equal of the specified check valve, at an increased price. The items and prices described below are being requested to replace the original contract items; Includes Furnishing, Delivery, and Installs per contract specifications:

Item 506-15W – Inline Checkvalve – 15" Diameter

Qty: 1EA

Unit Price: \$9,787.69

Anticipated Cost: \$9,787.69

Item 506-18W – Inline Checkvalve – 18" Diameter

Qty: 1EA

Unit Price: \$11,651.51

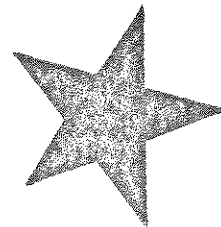
Anticipated Cost: \$11,651.51

Item 506-30W – Inline Checkvalve – 30" Diameter

Qty: 1EA

Unit Price: \$18,798.57

Anticipated Cost: \$18,798.57



Item 506-36W – Inline Checkvalve – 36" Diameter

Qty: 1EA

Unit Price: \$23,326.34

Anticipated Cost: \$23,326.34

SUBTOTAL CHECKVALVES ITEM 1: \$63,564.11

TOTAL INCREASE ITEM 1: \$429,564.11

TOTAL OF CHANGE ORDER NO. 1: \$429,564.11

|  |                 |
|--|-----------------|
| The original Contract sum was:                     | \$ 2,648,585.00 |
| Net Change by previously authorized Change Orders: | \$ 0.00         |
| Total Contract sum prior to this Change Order:     | \$ 2,648,585.00 |
| Change Order No. 1:                                | \$ 429,564.11   |
| New Contract sum including CHANGE ORDER NO. 1:     | \$ 3,078,149.11 |

The above work is to be performed in accordance with the letters from Nelson + Pope (N+P Engineering, Architecture and Land Surveying PLLC) dated March 14, 2022 and the memorandum of the Department of Public Works, dated \_\_\_\_\_, at a cost to the Town in the amount of four hundred and twenty nine thousand, five hundred and sixty four dollars and eleven cents.

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

Recommended by:

Nelson + Pope

by: [Signature]  
Title: Partner

Dated: 7.25.22

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

by: [Signature] 7/27/22  
Robert Darlenzo, Director of Finance

by: [Signature] 7/26/22  
Steven Ballas, Comptroller

by: [Signature]  
Brian Noone, Inspector General

Accepted by:

Roadwork Ahead Inc.

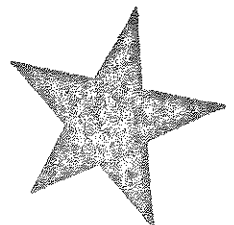
by: [Signature]  
Title: Project Manager

Dated: 7/25/2022

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

Joseph S. Saladino, Town Supervisor

Dated: \_\_\_\_\_



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

July 20, 2022


TO: MEMORANDUM DOCKET

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

SUBJECT: CHANGE ORDER NO. 1  
QUANTITY INCREASE/DECREASE 1  
MASSAPEQUA FLOOD DIVERSION AND CONTROL PROJECT #1  
OUTFALLS 126 & 67 (HARBOR PLACE/CABOT ROAD WEST)  
MASSAPEQUA, NEW YORK  
CONTRACT NO. H18-171-P1  
SUPPLEMENTAL MEMO TO FOLLOW

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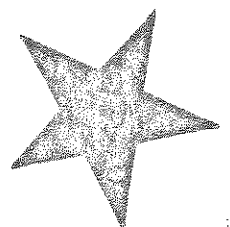
Additional information and a formal change order request will be provided in a Supplemental Docket Memorandum to the Docket Committee at the next docket meeting. We therefore recommend and request that a space be reserved at the next Town Board meeting on August 9, 2022.

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

RWL/JCT/<sup>gyl</sup>MR/DM/ik

cc: Steven C. Ballas, Comptroller  
Colin Bell, Office of the Supervisor

H18-171-P1 DOCKET CO1 QI.QD1Hold Spot



Meeting of August 9, 2022

Resolution No. 577-2022

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works, by memoranda dated July 25, 2022 and August 1, 2022, advised that on May 9, 2022 a request for proposals ("RFP") was issued to thirty-two (32) firm, in addition to being posted on the Town website, advertised in Newsday and printed in the New York State Contract Reporter, in connection with Contract No. DP22-231, Theodore Roosevelt Memorial Park Sanitary System Upgrades, Oyster Bay; and

WHEREAS, on June 1, 2022, the Division of Engineering received a total of eleven (11) responses, and following a review and evaluation of all of the responses received, in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz, by the aforementioned memoranda, requested and recommended that the Town Board authorize D&B Engineers & Architects, D.P.C., 330 Crossways Park Drive, Woodbury, New York, to provide design, bid and construction phase engineering services, for a total fee of \$86,300.00; and

WHEREAS, Steven A. Fangmann, P.E., BCEE, President and CEO, D&B Engineers and Architects, D.P.C., by letters dated July 29, 2022, requested the use of, as sub-consultants, Premier Private Locating, LLC for utility mark out, Soil Mechanics Drilling Corp., for soil borings, and National Water Main Cleaning Company for pipeline video inspection; and

WHEREAS, Commissioner Lenz, by said memoranda, requested Town Board authorization to permit D&B Engineers & Architects, D.P.C., to use, as sub-consultants, Premier Private Locating, LLC for utility mark out, Soil Mechanics Drilling Corp., for soil borings, and National Water Main Cleaning Company for pipeline video inspection, in connection with the aforementioned project; and

WHEREAS, this project is to be funded in full with use of Coronavirus State and Local Fiscal Recovery Program (SLRF) funding, as provided by the American Rescue Plan Act, and as such, the funds for this initiative shall be utilized in accordance with the guidelines set forth by the Office of the New York State Comptroller; and

WHEREAS, Commissioner Lenz has advised the Board that the Office of the Inspector General has reviewed the contract and the disclosure questionnaires submitted by the proposed vendor and subcontractors in accordance with the Town Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and D&B Engineers & Architects, D.P.C., is hereby authorized to provide engineering services relative to Contract No. DP22-231, Theodore Roosevelt Memorial Park Sanitary System Upgrades, Oyster Bay, for a total fee of \$86,300.00, and to utilize Premier Private Locating, LLC, Soil Mechanics Drilling Corp and National Water Main Cleaning Company, as sub-consultants for this project, and be it further

Reviewed By  
Office of Town Attorney  
*Elizabeth A. Taughman*



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

-#-

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

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

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

AUGUST 1, 2022

TO: MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 32  
DOCKET OF JULY 26, 2022  
AWARD OF ENGINEERING SERVICES AND USE OF SUB-CONSULTANTS  
THEODORE ROOSEVELT MEMORIAL PARK SANITARY SYSTEM UPGRADES  
SOLICITATION NO. 2022-04  
CONTRACT NO. DP22-231

---

In furtherance to Item No. 32 of the docket of July 26, 2022, this project is to improve the sanitary system servicing the existing beachfront concession facility and adjacent restroom facility at Theodore Roosevelt Memorial Park, Oyster Bay. This project is to be funded in full with use of Coronavirus State and Local Fiscal Recovery Program (SLFR) funding, as provided through the American Rescue Plan Act.

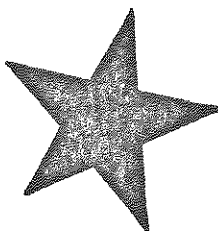
In accordance with the approved procurement procedure, on May 9, 2022 the Department of Public Works issued "Requests for Proposals" to thirty-two (32) firms in addition to a posting in on the Town website, an advertisement in Newsday, and an advertisement in the New York State Contract Reporter, which generate an addition six (6) requests for the RFP documents. On June 1, 2022 the Division of Engineering had received eleven (11) responses which were reviewed and evaluated by a selection committee based on the technical merits of the responses. Related support documentation is on file in the Division of Engineering.

The Commissioner of Public Works, after review of the Division's preliminary recommendations and in conjunction with the current workload, has selected D&B Engineers & Architects, D.P.C. to perform the work. The evaluation and selection process was performed in compliance with the requirements of Guideline 6 & 9 of the Town of Oyster Bay Procurement Policy.

The selected consultant shall provide design, bid and construction phase engineering services. At this time the Division of Engineering requests funding for design and bid phase services in the total amount of \$86,300.00, and bid phase, as stated in the attached letter from D&B Engineers & Architects, D.P.C., dated June 1, 2022. Construction phase service fees will be authorized upon completion of the design phase, once the final project scope is defined. The firm of D&B Engineers & Architects, D.P.C. has previously executed a Standard Consultant Agreement with the Department of Public Works under which their services are to be provided, which is on file in the Division of Engineering.

The Town is in receipt of its full SLFR funding. Funds allocated for this initiative will be in accordance with guidelines set forth by the New York State Office of the Comptroller.


Further, the office of D&B Engineers & Architects, D.P.C., through their letters dated July 29, 2022, requests the use of, as sub-consultants, Premier Private Locating, LLC for utility mark out, Soil Mechanics Drilling Corp. for soil borings, and National Water Main Cleaning Company for pipeline video inspection.



TO: Memorandum Docket  
Page 2

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

It is hereby requested that the Town Board authorize, by resolution, D&B Engineers & Architects, D.P.C., Consulting Engineers, to perform engineering services relative for Contract No. DP22-231, and to utilize Premier Private Locating, LLC, Soil Mechanics Drilling Corp., and National Water Main Cleaning Company as sub-consultants.

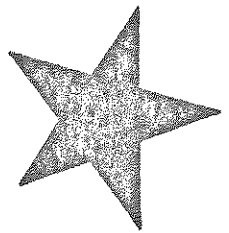
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS

RWL/JCT/MR/nm

Attachment

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

DP22-231 DOCKET AWARD ENGINEERING SUPP





330 Crossways Park Drive, Woodbury, New York 11797  
516-364-9890 • 718-460-3634 • Fax 516-364-9045 • www.db-eng.com

**Board of Directors**

Steven A. Fangmann, P.E., BCEE  
President & Chairman

Robert L. Raab, P.E., BCEE, CCM  
Senior Vice President

William D. Merklin, P.E.  
Senior Vice President

June 1, 2022

John C. Tassone, Deputy Commissioner  
Division of Engineering  
Town of Oyster Bay Department of Public Works  
150 Miller Place  
Syosset, NY 11791

Re: Proposal for Consultant Services for Theodore Roosevelt Memorial Park  
Sanitary System Upgrades  
Solicitation No. 2022-04, Contract No. DP22-231


Dear Mr. Tassone:

As a supplement to our June 1, 2022 proposal submission for the above-referenced project, D&B Engineers and Architects (D&B) is pleased to submit our detailed engineering fee summary.

Our fees are proposed in a tabulated summary (attached) which is consistent with the manpower estimate and staff rates submitted in D&B's proposal. We note that our effort reflects a 3.0 salary multiplier and \$175.00 maximum rate in accordance with the terms of the proposal solicitation.

Please review the enclosed with regard to our submission. If necessary, we are available to further discuss our proposed approach or costs.

Very truly yours,

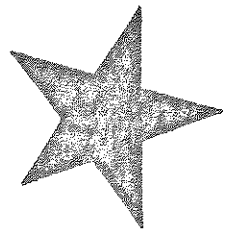
  
Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/PRS/kb

Enclosure

cc: J.H. Marturano (D&B)

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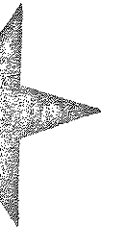
## COST PROPOSAL

| Employee                   | Employee Classification                            | Task D1                  | Task D2*                          | Task D3*    | Task D4*     | Task D5*  | Rate  | Total Hours for all Tasks | Total     | Total % of Time for Project |
|----------------------------|--|--------------------------|-----------------------------------|-------------|--------------|---|-------|---------------------------|-----------|-----------------------------|
|                            |  | Preliminary Design Phase | Plans and Specifications (Design) | Bidding     | BSDC         | Construction/ Administration/ Construction Inspection |       |                           |           |                             |
| J. Marturano               | Project Director (QA)                              | NC                       | NC                                | NC          | NC           | NC  | 58.33 | 0                         | \$ -      | 0.0                         |
| P. Sachs                   | Project Manager                                    | 2                        | 8                                 | 2           | 4            | 2   | 58.33 | 18                        | \$ 3,200  | 1.9                         |
| L. Laulato                 | Lead Design Engineer                               | 12                       | 50                                | 8           | 40           | 4   | 58.33 | 114                       | \$ 20,000 | 12.1                        |
| M. Thogersen               | Design Engineer                                    | 20                       | 100                               | 10          | 80           | 10  | 50    | 220                       | \$ 33,000 | 23.3                        |
| M. Pistone                 | Design Engineer                                    | 20                       | 120                               |             | 128          |   | 40    | 268                       | \$ 32,200 | 28.3                        |
| F. Fantal                  | Construction Inspector                             | 7                        | 24                                |             |              | 215   | 39    | 215                       | \$ 25,200 | 22.7                        |
| E. Kozik                   | Civil Engineer III/Survey Permitting Specialist II | 4                        | 4                                 |             |              |   | 58.33 | 31                        | \$ 5,500  | 3.3                         |
| M. Byers                   | Electrical Design/Inspection                       | 8                        | 40                                |             | 24           |   | 49    | 8                         | \$ 1,200  | 0.8                         |
| M. Neuburger               |  |                          |                                   |             |              |   | 58.33 | 72                        | \$ 12,600 | 7.6                         |
| Totals                     |  | 73                       | 346                               | 20          | 276          | 231   |       | 946                       |           |                             |
| % of Effort for Each Phase |  | 8                        | 37                                | 2           | 29           | 24  |       |                           |           |                             |
| Subtotal                   |  | \$ 6,000.00              | \$ 52,000.00                      | \$ 4,000.00 | \$ 40,000.00 | \$ 28,000.00  |       |                           |           |                             |
| Survey                     |  | \$ 3,600.00              |                                   |             |              |   |       |                           |           |                             |
| Soil Boring                |  | \$ 7,800.00              |                                   |             |              |   |       |                           |           |                             |
| CCTV                       |  | \$ 12,000.00             |                                   |             |              |   |       |                           |           |                             |
| Warranty/On Call           |  | \$ -                     | \$ 5,000.00                       |             |              |   |       |                           |           |                             |
| Other Direct Costs (ODCs)  |  | \$ -                     | \$ 1,500.00                       |             |              |   |       |                           |           |                             |
| Total Fee                  |  | \$ 160,000.00            |                                   |             |              |   |       |                           |           |                             |

\* Fee to be finalized once Task D1 is completed and the scope of services is defined.

DESIGN PHASE TASKS, TOTALING \$82,300.00

BID PHASE TASK, TOTALING \$4,000.00





330 Crossways Park Drive, Woodbury, New York 11797  
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**Board of Directors**

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*President & Chairman*

Robert L. Raab, P.E., BCEE, CCM  
*Senior Vice President*

William D. Merklin, P.E.  
*Senior Vice President*

July 29, 2022

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

Re: Theodore Roosevelt Memorial Park Sanitary System Upgrades  
Contract No. DP22-231  
Closed Circuit Television (CCTV) Inspection

Dear Mr. Lenz:

D&B Engineers and Architects (D&B) is seeking Town Board approval to utilize, as a subcontractor, National Water Main Cleaning Company for the CCTV inspection work for the above referenced project. Enclosed for the Town's use is a Vendor Background Check form prepared for this proposed subcontractor.

Should you have any questions, please do not hesitate to call our office.

Very truly yours,

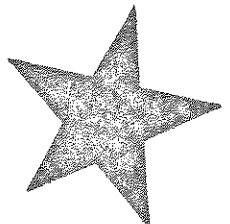
  
Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/LLt/cf

Enclosure

cc: J. Tassone (TOBAY)  
M. Russo (TOBAY)  
T. Immerso (TOBAY)  
L. Lautato (D&B)

♦PJ11480\SAF072922RL\_Ltr1





# D&B ENGINEERS AND ARCHITECTS

330 Crossways Park Drive, Woodbury, New York 11797  
516-364-9890 • 718-460-3634 • Fax: 516-364-9045 • www.db-eng.com

## Board of Directors

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*Senior Vice President*

July 29, 2022

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

Re: Theodore Roosevelt Memorial Park Sanitary System Upgrades  
Contract No. DP22-231  
Private Utility Mark Out

Dear Mr. Lenz:

D&B Engineers and Architects (D&B) is seeking Town Board approval to utilize, as a subcontractor, Premier Private Locating LLC, for the private utility mark out work for the above referenced project. Enclosed for the Town's use is a Vendor Background Check form prepared for this proposed subcontractor.

Should you have any questions, please do not hesitate to call our office.

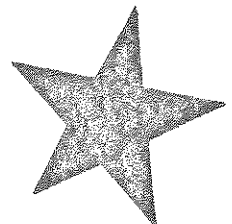
Very truly yours,

Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/LLt/cf  
Enclosure

cc: J. Tassone (TOBAY)  
M. Russo (TOBAY)  
T. Immerso (TOBAY)  
L. Lautato (D&B)

♦PJ11480\SAF072922RL\_Ltr2





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*Senior Vice President*

July 29, 2022

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

Re: Theodore Roosevelt Memorial Park Sanitary System Upgrades  
Contract No. DP22-231  
Soil Borings

Dear Mr. Lenz:

D&B Engineers and Architects (D&B) is seeking Town Board approval to utilize, as a subcontractor, Soil Mechanics Drilling Corp., for the Soil Boring work for the above referenced project. Enclosed for the Town's use is a Vendor Background Check form prepared for this proposed subcontractor.

Should you have any questions, please do not hesitate to call our office.

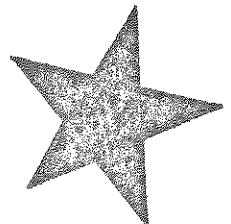
Very truly yours,

  
Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/LLt/cf  
Enclosure

cc: J. Tassone (TOBAY)  
M. Russo (TOBAY)  
T. Immerso (TOBAY)  
L. Lautato (D&B)

•PJ11480\SAF072922RL\_Ltr3





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

JULY 25, 2022

TO : MEMORANDUM DOCKET


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

SUBJECT : AWARD OF CONSULTANT CONTRACT  
THEODORE ROOSEVELT MEMORIAL PARK SANITARY SYSTEM UPGRADES  
SOLICITATION NO. 2022-04  
CONTRACT NO. DP22-231  
SUPPLEMENTAL MEMO TO FOLLOW

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The Department of Public Works has issued a Request for Proposal to firms seeking to engineering services for Theodore Roosevelt Memorial Park Sanitary System Upgrades. Upon completion of fee negotiation a formal recommendation of contract award will be submitted by supplemental memorandum docket.

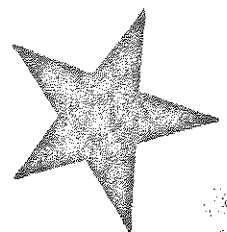
It is hereby requested that a space be reserved at the August 9, 2022 meeting for the Town Board to authorize the award of engineering services for Theodore Roosevelt Memorial Park Sanitary System Upgrades Contract No. DP22-231.

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

RWL/JCT/MR/lk

cc: Steven Ballas, Comptroller

DP22-231 DOCKET AWARD ENGINEERING RESTRICTION



Meeting of August 9, 2022

Resolution No. 578-2022

WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs (IGA), by memoranda dated July 25, 2022 and August 1, 2022, advised that on May 10, 2022, a request for proposals ("RFP") was issued, in addition to being posted on the Town's website, advertised in Newsday, to procure Website Development Services and the Department of Intergovernmental Affairs received twenty-two (22) responses; and

WHEREAS, on June 1, 2022, the Department of Intergovernmental Affairs received a total of twenty-two (22) responses, and following a review and evaluation of all of the responses in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Sammartano, by the aforementioned memoranda, requested and recommended that the Town Board authorize Niki Jones Agency, Inc., 39 Front Street, Port Jervis, New York, to provide Website Development Services for a period from September 1, 2022 through and including August 31, 2024, with the provision of two (2) one-year extension options, if mutually agreeable, for a total fee in an estimated amount of \$52,680.00; and

WHEREAS, Commissioner Sammartano, by said memoranda, further requests Town Board authorization for the Supervisor, or his designee, to enter into the aforementioned agreement, to be negotiated by the Department of Intergovernmental Affairs and approved by the Office of the Town Attorney, with Niki Jones Agency, Inc., and for incidental costs estimated in the amount of \$25,000.00 associated with the development of this website; and

WHEREAS, this project is to be funded in full with use of Coronavirus State and Local Fiscal Recovery Program (SLRF) funding, as provided by the American Rescue Plan Act and is of no cost to the Town. IGA will work in accordance with the Office of the Comptroller as funds are expended and in accordance with U.S. Treasury Department and New York State funding guidelines; and

WHEREAS, Commissioner Sammartano has advised the Board that the Office of the Inspector General has reviewed the contract and the disclosure questionnaires submitted by the proposed vendor in accordance with the Town Procurement Policy,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and Niki Jones, Agency, Inc., shall provide Website Design Services for a period from September 1, 2022 through and including August 31, 2024, with the provision of two (2), one-year extension options, if mutually agreeable, and be it further

(KJ)  
Reviewed By  
Office of Town Attorney  
Elizabeth A. Taubman

Resolution No. 578-2022

RESOLVED, That the Town Board authorizes the Supervisor, or his designee, execute an agreement, to be negotiated by IGA and approved by the Office of the Town Attorney with Niki Jones Agency, Inc., for the above-referenced Website Design Services and the payment of incidental costs, estimated in the amount of \$25,000.00 associated with the development of this website, and be it further

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

-#-

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

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

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

**TO:** MEMORANDUM DOCKET

**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
INTERGOVERNMENTAL AFFAIRS

**DATE:** AUGUST 1, 2022

**SUBJECT:** SUPPLEMENTAL MEMORANDUM TO MD 7/26/22 ITEM # 35  
AMERICAN RESCUE PLAN ACT:  
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDING  
WEBSITE DEVELOPMENT INITIATIVE

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The U.S. Treasury Department, Coronavirus State and Local Fiscal Recovery (SLFR) program, is a part of the American Rescue Plan Act, and delivers \$350 billion to state, local and tribal governments across the country to support their response and recovery from the COVID-19 public health emergency. The Town of Oyster Bay (Town) is in receipt of \$24,464,541.82 in SLFR funding and in accordance with guidelines set forth by the Office of the New York State Comptroller, the Town has recorded these funds pursuant to State guidelines.

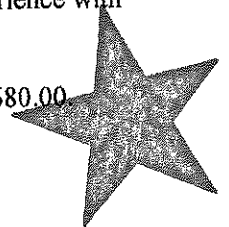
Per the U.S. Treasury Department, Coronavirus State and Local Fiscal Recovery Funding Final Rule, SLFR funding may be applied to initiatives which *'respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality'*. In-line with this programmatic priority, the Town has allocated a portion of its SLFR funding to develop a website designed to stimulate the local economy by drawing attention to community events inclusive of but not limited to street fairs, festivals, farmers markets, and other community events, as sponsored by local businesses, non-profit organizations and other entities, located within the Town.

Pursuant to the Town of Oyster Bay Procurement Policy, Resolution No. 154-2021, the Town advertised a Request for Proposals (RFP) in Newsday on May 10, 2022 in pursuit of firms to provide Website Development Services for a two (2) year period with the provision of two (2), one-year extension options, if mutually agreeable. In addition, the RFP was posted on the Town's website.

In response to the RFP, twenty-two (22) proposals were received by the June 1, 2022 response date. 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. A RFP Review Committee was formed with four (4) employees from three departments within the Town. Each of the twenty-two (22) responses were reviewed, evaluated and rated in detail by the RFP Review Committee.

Of the twenty-two (22) firms reviewed and evaluated, Niki Jones Agency, Inc, 39 Front Street, Port Jervis, NY 12771 was the highest ranked firm based upon the company's special knowledge and experience with various aspects of Website Development Services.

Services provided by Niki Jones Agency, Inc. for this initiative is an estimated amount of \$52,680.00




Accordingly, the Department of Intergovernmental Affairs (IGA) respectfully requests Town Board authorization for the Town to enter into an agreement to be negotiated by IGA and approved by the Office of the Town Attorney. Authorization is further requested for the Supervisor or his designee to execute said agreement for providing Website Design Services to the Town for a period from September 1, 2022 through and including August 31, 2024, with the provision of two (2), one-year extension options, if mutually agreeable.

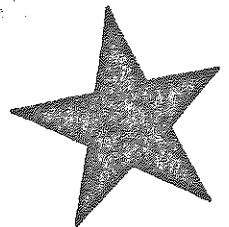
The Office of the Inspector General has reviewed the disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

Further, it is anticipated that there will be incidental costs estimated at \$25,000.00 associated with the development of this website. Services may include but are not limited to audio/visual equipment, hardware/software, website hosting fees, etc. All purchases will be made in accordance with the Town's Procurement policy.

Funding for both the contractual services rendered by the Niki Jones Agency, Inc. and the incidental costs outside the scope of that contract are eligible expenses under the SLFR program and are at no cost to the Town. IGA will work in accordance with the Office of the Comptroller as funds are expended and in accordance with U.S. Treasury Department and New York State funding guidelines.

  
Frank V. Sammartano  
Commissioner

FVS/cb



TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

**TO:** MEMORANDUM DOCKET

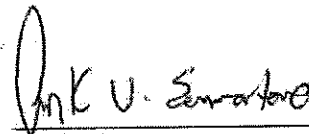
**FROM:** FRANK V. SAMMARTANO, COMMISSIONER  
DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

**DATE:** JULY 25, 2022

**SUBJECT:** AMERICAN RESCUE PLAN ACT:  
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDING  
WEBSITE DEVELOPMENT INITIATIVE

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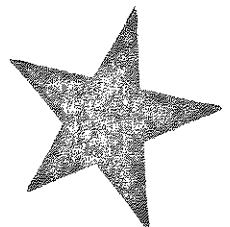
In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of August 9, 2022. Details will follow by supplemental memorandum.



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Frank V. Sammartano  
Commissioner

By Colin Bell



Meeting of August 9, 2022

Resolution No 579-2022

WHEREAS, a Notice of Claim of B&B Maintenance Services, Inc. was served upon the Town alleging contractual damages emanating from street sweeping removal services at the Old Bethpage Solid Waste Complex; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated August 4, 2022, have advised that a Request for Proposals ("RFP") was issued by the Office of the Town Attorney to two (2) law firms having experience in the relevant areas of law and was posted to the Town of Oyster Bay website, which resulted in the receipt of five (5) responses prior to the deadline established by the RFP; and

WHEREAS, following review of the responses in accordance with all of the terms of the Town's Procurement Policy, and in compliance with Guideline 9 of the Procurement Policy, the Office of the Town Attorney recommended that the Town Board authorize the retention of Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530, to serve as special counsel to the Office of the Town Attorney in connection with the aforementioned matter; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Office of the Town Attorney is hereby authorized to retain Rosenberg, Calica & Birney, LLP to represent the Town in connection with the civil matter of B&B Maintenance Services, Inc., at the agreed upon hourly rates as set forth in the proposal in an amount not to exceed \$18,000.00, with funds available in Account No. OTA A 1420 44110 000 0000; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$18,000.00, for expenses and disbursements incurred in connection with the legal services to be rendered under the terms of the RFP, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

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

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

Reviewed By  
Office of Town Attorney

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

**TO :** Memorandum Docket  
**FROM :** Office of the Town Attorney  
**DATE :** August 4, 2022  
**SUBJECT:** Authorization to Retain Counsel Relative to a Civil Action  
*In re Claim of B&B Maintenance Services, Inc.*

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In May 2022, B&B Maintenance Services, Inc. served a Notice of Claim upon the Town alleging contractual damages emanating from street sweeping removal services at the Old Bethpage Solid Waste Complex.

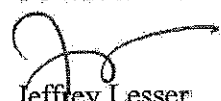
Consequently, this Office released a Request for Proposals ("RFP") on June 30, 2022, which sought proposals from qualified law firms to serve as litigation counsel to the Town. The RFP was sent by direct mail to two (2) firms that this Office reasonably believed to have the requisite experience necessary to defend against the action, and the RFP was additionally posted to the Town of Oyster Bay website. In response, five (5) proposals were received prior to the deadline for submissions.

A careful review of each of the five proposals was conducted by members of this Office, with a view towards the criteria set forth in the Town of Oyster Bay Procurement Policy and in the RFP. Following such review, which was conducted in compliance with Guideline 9 of the Procurement Policy, this Office recommends that the firm of Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530, be retained to provide litigation counsel. Copies of the firm's proposals are attached hereto.

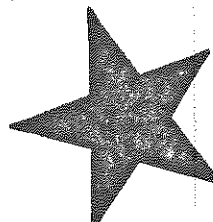
This Office recommends that the Town Board authorize retention of Rosenberg, Calica & Birney, LLP, to provide litigation counsel in connection with the claim of B&B Maintenance Services, Inc. Request is also made to authorize payment in an amount not to exceed \$18,000.00 for legal services rendered and associated disbursements, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

Kindly suspend the rules and place this matter on the August 9, 2022 Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Jeffrey Lesser  
Deputy Town Attorney

JL:jl  
Attachment





Reviewed By  
Office of Town Attorney

WHEREAS, a Notice of Claim of B&B Maintenance Services, Inc. was served upon the Town alleging contractual damages emanating from street sweeping removal services at the Old Bethpage Solid Waste Complex; and

WHEREAS, Frank M. Scalera, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated August 4, 2022, have advised that a Request for Proposals ("RFP") was issued by the Office of the Town Attorney to two (2) law firms having experience in the relevant areas of law and was posted to the Town of Oyster Bay website, which resulted in the receipt of five (5) responses prior to the deadline established by the RFP; and

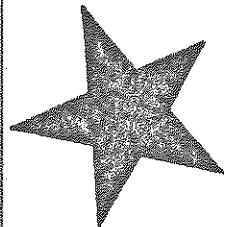
WHEREAS, following review of the responses in accordance with all of the terms of the Town's Procurement Policy, and in compliance with Guideline 9 of the Procurement Policy, the Office of the Town Attorney recommended that the Town Board authorize the retention of Rosenberg, Calica & Birney, LLP, 100 Garden City Plaza, Suite 408, Garden City, NY 11530, to serve as special counsel to the Office of the Town Attorney in connection with the aforementioned matter; and

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

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Office of the Town Attorney is hereby authorized to retain Rosenberg, Calica & Birney, LLP to represent the Town in connection with the civil matter of B&B Maintenance Services, Inc., at the agreed upon hourly rates as set forth in the proposal in an amount not to exceed \$18,000.00, with funds available in Account No. OTA A 1420 44110 000 0000; and be it further

RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$18,000.00, for expenses and disbursements incurred in connection with the legal services to be rendered under the terms of the RFP, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

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Meeting of August 9, 2022

WHEREAS, by Resolution No. 636-2021, adopted on November 16, 2021, the Town Board authorized the Department of Parks to pay, on an hourly basis, the vendors listed in said resolution, to serve as instructors for Ballroom Dancing, Cardio-Kickboxing, Pilates, Strength Training, Yoga and Zumba classes at various Town facilities, for the period from January 1, 2022 through December 31, 2022, for a total amount not to exceed \$2,600.00, with the funds for said payment being drawn from Account No. PKS A 7110 44900 000 0000, and with the Comptroller being authorized and directed to make payment for same, upon the submission of a duly certified claim therefore, after audit; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated August 1, 2022, requested that the Town Board amend Resolution No. 636-2021 so as to add the following individual as an approved vendor for the class specified below:

Tai Chi - Steven Jackowitz, 1536 Wantagh Avenue, Wantagh, New York 11793;  
and

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

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted, and the Town Board hereby amends Resolution No. 636-2021, adopted on November 16, 2021, so as to add the foregoing individual, as an approved vendor, for the class specified above; and be it further

RESOLVED, That all other terms and conditions of Resolution No. 636-2021 shall remain in full force and effect.

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Reviewed By  
Office of Town Attorney

*Debra P. Healey*

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

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

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: August 1, 2022

SUBJECT: Amendment to Resolution No 636 – 2021 Fitness Instructors

---

Resolution No. 636 – 2021 (attached) authorized payments to various fitness instructors by the Department of Parks for Ballroom Dancing, Cardio Kickboxing, Pilates, Strength Training, Yoga and Zumba.

The Department of Parks is seeking authorization pursuant to Guideline 5 (b) of the Town's Procurement Policy to add a fitness instructor for Tai Chi at the Hicksville Athletic Center.

Funds for this additional service are available in PKS A 7110 44900 000 0000.

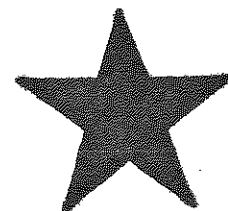
Therefore, Town Board approval is requested to amend Resolution No. 636– 2021 to add Mr. Steve Jackowicz, 1536 Wantagh Avenue, Wantagh, NY 11793, as an approved vendor for Tai Chi.

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

Please suspend the rules and place this item on the Town Board calendar of August 9, 2022.

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER

JGP/jd



Meeting of November 16, 2021

Resolution No.636-2021

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated October 14, 2021, requested Town Board authorization to pay instructors for fitness classes to be provided at various Town facilities in the disciplines of Ballroom Dancing, Cardio Kickboxing, Pilates, Strength Training, Yoga and Zumba, during the period January 1, 2022 through and including December 31, 2022, and

WHEREAS, Commissioner Pinto, by said memorandum advised that the Department procured these instructors pursuant to Guideline 5 of the Town's Procurement Policy; and

WHEREAS, Commissioner Pinto, by said memorandum recommended and requested Town Board authorization pay the following instructors, on an hourly basis, in a total not to exceed \$42,600.00, as follows:

|                   |  |
|-------------------|--|
| Ballroom Dancing  | Donatas Nacajus, 4303 215 <sup>th</sup> Pl, Apt. 2, Bayside, 11361 |
| Cardio Kickboxing | Jessica Reilly, 425 Outlook Ave., West Babylon 11704               |
| Pilates           | Debra Tassone, 12 Amby Ave., Plainview 11803                       |
| Pilates           | Donna Martini, 154 Anstice Ave., Oyster Bay 11771                  |
| Strength Training | Tracy Jolly, 17 Granada Place, Massapequa 11758                    |
| Yoga              | Jingdi Lu, 8 Whitman Ave., Syosset 11791                           |
| Yoga              | Tracy Jolly, 17 Granada Place, Massapequa 11758                    |
| Zumba             | Victoria DeSalvo, 22 Linden Blvd., Hicksville 11801                |
| Zumba             | Jessica Reilly, 425 Outlook Ave., West Babylon 11704               |

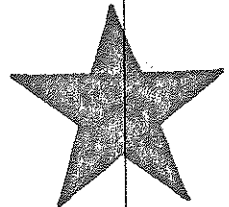
with payment for these services to be made from Account No. PKS A 7110 44900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized to pay for the services of the individuals named hereinabove, for the disciplines noted and in the total not to exceed amount listed above for services provided during the period January 1, 2022 through and including December 31, 2022, for programs to be established by the Department of Parks, and upon presentation of a duly certified claim, after audit, and the funds for said payment shall be paid from Account No. PKS A 7110 44900 000 0000.

-#-

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

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



Reviewed By  
Office of Town Attorney  
*[Signature]*

Meeting of August 9, 2022

Resolution No 581-2022

WHEREAS, pursuant to Resolution No. 254-2017, adopted on May 9, 2017, the Town Board authorized the commencement of litigation against those parties responsible for deficiencies in the design, construction, inspection, and remedial work of the Town of Oyster Bay Garage, Hicksville; and thereafter, pursuant to Resolution No. 485-2021, adopted on August 17, 2021, the Town Board authorized Hirani Engineering & Land Surveying P.C. to perform services relating to the Hicksville Parking Facility; and

WHEREAS, Frank M. Scalera and Jeffrey Lesser, by memorandum dated August 2, 2022, requested and recommended that the Town Board direct the Comptroller to issue an encumbrance order in an amount not to exceed \$38,000.00 so to satisfy outstanding invoices for the above referenced services performed by Hirani Engineering & Land Surveying P.C. with funds to be drawn from Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and the Town Board hereby directs and authorizes the Comptroller to issue an encumbrance order in an amount not to exceed \$38,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

-#-

Reviewed By  
Office of Town Attorney

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

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

581

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

To : Memorandum Docket

From : Office of the Town Attorney

Date : August 2, 2022

Subject : Engineering Fees of Hirani Engineering and Land Surveying, P.C.  
Hicksville Parking Facility


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Pursuant to Resolution No. 254-2017, adopted on May 9, 2017, the Town Board authorized the commencement of litigation against those parties responsible for deficiencies in the design, construction, inspection, and remedial work of the Town of Oyster Bay Garage, Hicksville. Thereafter, pursuant to Resolution No. 485-2021, adopted on August 17, 2021, the Town Board authorized *inter alia*, Hirani Engineering & Land Surveying P.C. to perform services relating to the Hicksville Parking Facility.

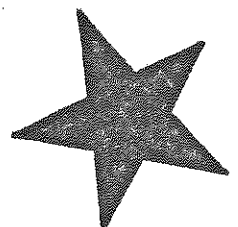
There are outstanding invoices from Hirani Engineering & Land Surveying P.C. for the performance of above referenced services in the amount of \$38,000.00. Accordingly, this Office requests and recommends that the Town Board direct the Comptroller to issue an encumbrance order in an amount not to exceed \$38,000.00 to make payment, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

Kindly suspend the rules and place this matter on the August 9, 2022 Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Jeffrey Lesser  
Deputy Town Attorney

JL:jl  
Attachment



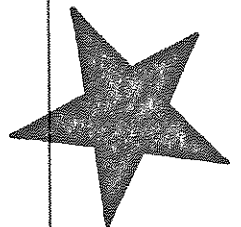
Reviewed By  
Office of Town Attorney

WHEREAS, pursuant to Resolution No. 254-2017, adopted on May 9, 2017, the Town Board authorized the commencement of litigation against those parties responsible for deficiencies in the design, construction, inspection, and remedial work of the Town of Oyster Bay Garage, Hicksville; and thereafter, pursuant to Resolution No. 485-2021, adopted on August 17, 2021, the Town Board authorized Hirani Engineering & Land Surveying P.C. to perform services relating to the Hicksville Parking Facility; and

WHEREAS, Frank M. Scalera and Jeffrey Lesser, by memorandum dated August 2, 2022, requested and recommended that the Town Board direct the Comptroller to issue an encumbrance order in an amount not to exceed \$38,000.00 so to satisfy outstanding invoices for the above referenced services performed by Hirani Engineering & Land Surveying P.C. with funds to be drawn from Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are accepted and approved, and the Town Board hereby directs and authorizes the Comptroller to issue an encumbrance order in an amount not to exceed \$38,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000.

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Meeting of May 9, 2017

Resolution No. 254-2017

Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, in connection with Supervisor Joseph S. Saladino's directive to determine the causes of and remedies for deficiencies in the design, construction, inspection, and remedial work of the Town of Oyster Bay Garage, located at Hicksville, New York, this Office issued a request for proposals for special counsel services in connection with anticipated construction litigation; and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated May 9, 2017, have advised that the Office of the Town Attorney received five (5) responses, each of which was evaluated according to the criteria set forth in the Town's Procurement Policy and in accordance with Guideline 9 thereof; and

WHEREAS, following such review, it was recommended that the Town Board of the Town of Oyster Bay (the "Town Board") authorize the retention of Kushnick Pallaci, PLLC, 630 Johnson Avenue, Suite 201, Bohemia, New York 11716 to serve as special counsel to the Office of the Town Attorney in connection with certain construction related litigation; and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by the aforementioned memorandum recommend that the Town Board authorize that Kushnick Pallaci, PLLC be retained, for an amount not to exceed \$35,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, and that the Office of the Town Attorney, aided by Kushnick Pallaci, PLLC be authorized to commence litigation against all parties that are deemed to be responsible for the damages sustained by the Town and its residents in connection with the design, construction, inspection, and remedial work of the Town of Oyster Bay Garage, located at Hicksville, New York,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and the Office of the Town Attorney is hereby authorized to retain Kushnick Pallaci, PLLC, 630 Johnson Avenue, Suite 201, Bohemia, New York 11716 for the purpose of commencing litigation against any and all parties deemed responsible for deficiencies in the design, construction, inspection, and remedial work of the Town of Oyster Bay garage, and be it further

RESOLVED, That the Office of the Town Attorney, aided by Kushnick Pallaci, PLLC, 630 Johnson Avenue, Suite 201, Bohemia, New York 11716 is hereby authorized to commence such litigation, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, in an amount not to exceed \$35,000.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, upon submission of a duly certified claim, after audit.

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

|                        |     |
|------------------------|-----|
| Supervisor Saladino    | Aye |
| Councilman Muscarella  | Aye |
| Councilman Macagnone   | Nay |
| Councilman Coschignano | Aye |
| Councilwoman Alesia    | Aye |
| Councilwoman Johnson   | Aye |
| Councilman Imbroto     | Aye |

cc: Supervisor  
Town Attorney  
Comptroller (2)



WHEREAS, pursuant to Resolution No. 805-2019, adopted on December 10, 2019, 2019, the Town Board authorized the Department of Public Works to enter into Contract No. PWC14-20, On-Call Engineering Services Relative to Surveying, with Hirani Engineering and Land Surveying, P.C., for a two (2) year term, commencing on January 1 2020 through December 31, 2021; and

WHEREAS, Mr. Latif Muqtadir, Project Manager, Hirani Engineering and Land Surveying, P.C., Consulting Engineers, by letter dated July 23, 2021 described the scope of work to be performed under Contract No. PWC14-20, which includes a survey of the Hicksville Parking Facility for necessary maintenance and waterproofing, in an amount not to exceed \$44,750.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated August 2, 2021, and August 9, 2021, requested Town Board authorization for Hirani Engineering and Land Surveying, P.C., Consulting Engineers, to perform the aforesaid engineering services under Contract No. PWC14-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$47,750.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memoranda, advised that funds in the amount of \$44,750.00 to satisfy said engineering costs are available in Account No. HWY H 5997 20000 000 1804 016, Project ID No. 1804HWYST-02; and

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

NOW, THEREFORE, BE IT RESOLVED, that upon the request as hereinabove set forth, the Town Comptroller is hereby authorized and directed to issue an encumbrance order in the amount of \$44,750.00, for Contract No. PWC14-20, in connection with the abovementioned project; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. HWY H 5997 20000 1804 016, Project ID No. 1804 HWYST-02; and be it further

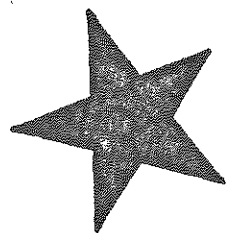
RESOLVED, that the Town Comptroller is hereby authorized and directed to make payment for same therefor, upon the submission of a duly certified claim, after audit.

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

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

Not  
Reviewed By  
Office of Town Attorney



Meeting of August 9, 2022

Resolution No. 582-2022

WHEREAS, Pursuant to Resolution No 412-2021, adopted on July 13, 2021, the Town Board held a duly advertised Public Hearing on August 17, 2021 to consider the Town's acquisition of the interest and rights in real property for a commuter parking lot, approximately 0.5 acres in size, known as N/E/C West Barclay Street & Wyckoff Street, Hicksville New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau ("subject property"); and

WHEREAS, pursuant to Resolution No. 678-2021, adopted on November 16, 2021, the Town Board, based upon the hearing testimony and evidence presented at the August 17, 2021 public hearing, and in accordance with the procedures set forth in the New York Eminent Domain Procedure Law ("EDPL"), set forth its determination and findings in support of acquisition of the subject property through condemnation as in the best interests of the Town of Oyster Bay, and authorized the Office of the Town Attorney to take steps to acquire the subject property and to execute any other documentation necessary to facilitate the proposed condemnation of the subject property; and

WHEREAS, the Town of Oyster Bay acquired title to the subject property, pursuant to the procedures set forth in EDPL, by Vesting Order of the Nassau Supreme Court, entered June 10, 2022 and duly recorded in the Office of the Nassau County Clerk on June 14, 2022, along with the subject property acquisition map; and

WHEREAS, Upon acquisition of the subject property, the Office of the Town Attorney applied to the Nassau County Department of Assessment, for real property exemption pursuant to New York State Real Property Tax Law, Section 406, and said application was approved for the 2022/2023 School and 2023 General Assessment Roll; and

WHEREAS, Frank M. Scalera, Town Attorney and Karen J. Underwood, Deputy Town Attorney, by memorandum dated August 4, 2022, requested Town Board authorization for the payment of the Second Half of the 2022 General Tax for the subject property by the Town, in the amount of \$8,187.67, and to authorize the Office of the Town Attorney to obtain retroactive relief for the remainder of the 2021/2022 School and 2022 General Taxes, by seeking a Chapter Bill with the New York State Assembly/Senate,

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove recommendations and requests are accepted and approved, and the Town Board hereby authorizes the Comptroller payment of the Second Half of the 2022 General Tax of the property known as N/E/C West Barclay Street & Wyckoff Street, Hicksville New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau, by the Town, in the amount of \$8,187.67, with funds available for payment from Account No. TWN A 1989 47900 0000000, and be it further

RESOLVED, that the Office of the Town Attorney is hereby authorized to take necessary steps to obtain retroactive relief for the remainder of the 2021/2022 School and 2022 General Taxes associated with the subject property, by seeking a Chapter Bill with the New York State Assembly/Senate.

-#-

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

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

Reviewed By  
Office of Town Attorney  
*[Signature]*

19

582

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

**TO** : MEMORANDUM DOCKET

**FROM** : Office of the Town Attorney

**DATE** : August 4, 2022

**SUBJECT** : Payment of Taxes associated with Acquisition by Eminent Domain of the following property: N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street) Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau

Pursuant to Resolution No 412-2021, adopted on July 13, 2021, the Town Board held a duly advertised Public Hearing on August 17, 2021 to consider the Town's acquisition of the interest and rights in real property for a commuter parking lot, approximately 0.5 acres in size, known as N/E/C West Barclay Street & Wyckoff Street, Hicksville New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau ("subject property").

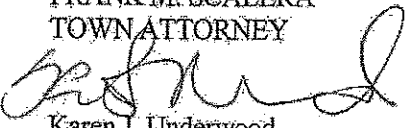
Pursuant to Resolution No. 678-2021, adopted on November 16, 2021, the Town Board, based upon the hearing testimony and evidence presented at the August 17, 2021 public hearing, and in accordance with the procedures set forth in the New York Eminent Domain Procedure Law ("EDPL"), set forth its determination and findings in support of acquisition of the property through condemnation as in the best interests of the Town of Oyster Bay, and authorized the Office of the Town Attorney to take steps to acquire the subject property and to execute any other documentation necessary to facilitate the proposed condemnation of the subject property.

The Town of Oyster Bay has acquired title to the subject property, pursuant to the procedures set forth in EDPL, by Vesting Order of the Nassau Supreme Court, entered June 10, 2022 and duly recorded in the Office of the Nassau County Clerk on June 14, 2022, along with the subject property acquisition map.

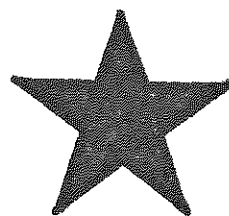
Upon acquisition of the subject property, the Office of the Town Attorney applied to the Nassau County Department of Assessment, for real property exemption pursuant to New York State Real Property Tax Law, Section 406, and said application was approved for the 2022/2023 School and 2023 General Assessment Roll. Accordingly, it is respectfully requested that the Town Board authorize the Comptroller to make payment of the Second Half of the 2022 General Tax associated with the subject property by the Town, in the amount of \$8,187.67, and to authorize the Office of the Town Attorney to obtain retroactive relief for the remainder of the 2021/2022 School and 2022 General Taxes, by seeking a Chapter Bill with the New York State Assembly/Senate. Funds for said payment are available in Account No. TWN A 1989 47900 000 0000.

Kindly suspend the rules and place this matter on the August 9, 2022 Town Board Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Karen J. Underwood  
Deputy Town Attorney

KJU:kju  
Attachments  
File No. 2021-8162



Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, Pursuant to Resolution No 412-2021, adopted on July 13, 2021, the Town Board held a duly advertised Public Hearing on August 17, 2021 to consider the Town's acquisition of the interest and rights in real property for a commuter parking lot, approximately 0.5 acres in size, known as N/E/C West Barclay Street & Wyckoff Street, Hicksville New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau ("subject property"); and

WHEREAS, pursuant to Resolution No. 678-2021, adopted on November 16, 2021, the Town Board, based upon the hearing testimony and evidence presented at the August 17, 2021 public hearing, and in accordance with the procedures set forth in the New York Eminent Domain Procedure Law ("EDPL"), set forth its determination and findings in support of acquisition of the subject property through condemnation as in the best interests of the Town of Oyster Bay, and authorized the Office of the Town Attorney to take steps to acquire the subject property and to execute any other documentation necessary to facilitate the proposed condemnation of the subject property; and

WHEREAS, the Town of Oyster Bay acquired title to the subject property, pursuant to the procedures set forth in EDPL, by Vesting Order of the Nassau Supreme Court, entered June 10, 2022 and duly recorded in the Office of the Nassau County Clerk on June 14, 2022, along with the subject property acquisition map; and

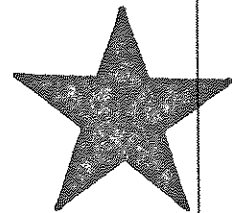
WHEREAS, Upon acquisition of the subject property, the Office of the Town Attorney applied to the Nassau County Department of Assessment, for real property exemption pursuant to New York State Real Property Tax Law, Section 406, and said application was approved for the 2022/2023 School and 2023 General Assessment Roll; and

WHEREAS, Frank M. Scalera, Town Attorney and Karen J. Underwood, Deputy Town Attorney, by memorandum dated August 4, 2022, requested Town Board authorization for the payment of the Second Half of the 2022 General Tax for the subject property by the Town, in the amount of \$8,187.67, and to authorize the Office of the Town Attorney to obtain retroactive relief for the remainder of the 2021/2022 School and 2022 General Taxes, by seeking a Chapter Bill with the New York State Assembly/Senate,

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove recommendations and requests are accepted and approved, and the Town Board hereby authorizes the Comptroller payment of the Second Half of the 2022 General Tax of the property known as N/E/C West Barclay Street & Wyckoff Street, Hicksville New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau, by the Town, in the amount of \$8,187.67, with funds available for payment from Account No. TWN A 1989 47900 0000000, and be it further

RESOLVED, that the Office of the Town Attorney is hereby authorized to take necessary steps to obtain retroactive relief for the remainder of the 2021/2022 School and 2022 General Taxes associated with the subject property, by seeking a Chapter Bill with the New York State Assembly/Senate.

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Meeting of November 16, 2021

Resolution No. 678-2021

WHEREAS, the Town of Oyster Bay seeks to acquire the interest and rights in real property for a commuter parking lot, a public use; and

WHEREAS, the Town of Oyster Bay has identified and proposed to acquire, through condemnation, the interest and rights to approximately one-half (0.5) acre of real property known as N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of Nassau County; and

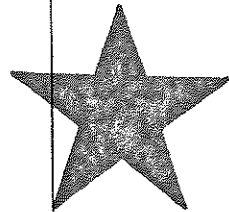
WHEREAS, a duly advertised Public Hearing was held on August 17, 2021, at which hearing testimony and evidence was presented before the Town Board, including the purpose, proposed location or alternate locations of the public project, maps and descriptions of the subject property to be acquired and adjacent parcels, and all other statements and documents as presented at the hearing and in the public record relating to the subject property, and at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, pursuant to the provisions of the New York State Environmental Review Act (6 NYCRR, Part 617) and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Code of the Town of Oyster Bay), the Town of Oyster Bay Department of Environmental Resources, Town Environmental Quality Review Division has reviewed and submitted its Quality Review Report regarding environmental impacts contemplated by said acquisition; and

WHEREAS, the Quality Review Report, was dated September 27, 2021, with said report rendering the Division's assessment of the relevant environmental factors compiled with respect to the proposed acquisition and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Negative Declaration, indicating that the proposed action would not cause significant impact upon the environment, and would even result in certain environmental benefits, and recommended, accordingly, that the Town Board issue a Negative Declaration; and

WHEREAS, the Town Board of the Town of Oyster Bay, after having reviewed all of the evidence and considered all of the issues, and in accordance with the procedures set forth in the New York Eminent Domain Procedure Law, ("EDPL"), hereby declares and finds the following:

7/16/21  
Reviewed By  
Office of Town Attorney  
*[Signature]*

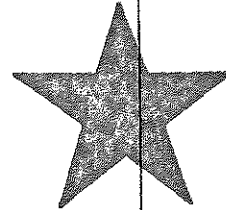


1. The evidence presented at the Public Hearing in the form of testimony and documents submitted established the public use, benefit and purpose to be served by the proposed public project. Specifically, the Town Board finds that the acquisition of the subject property will ensure that the public continues to have ample access to commuter parking within the Town of Oyster Bay. The public use, benefit or purpose to be served by the acquisition is to provide much needed parking for resident commuting purposes, and the parking lot will offer Town residents with additional parking options.

2. Based upon all of the evidence, the Town has determined that it is appropriate to acquire, through condemnation, the property known as N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of Nassau County, an area encompassing approximately one-half (0.5) acre. The reasons for the selection of the subject location are as follows:

- (1) to ensure the continuing availability of the site for public parking, a critical ancillary use supporting the viability of the important transit resources of Hicksville Station;
- (2) the use of the site, which is already among the most important components of the network of public parking facilities in this area;
- (3) the proposed parking lot will serve the anticipated increase in Long Island Railroad ridership to provide parking spaces immediately beyond the locations that are currently essentially fully occupied in closest proximity to the Hicksville train station resulting in providing convenient public parking within a short walking distance of the Hicksville Station;
- (4) the anticipated effect of the Metropolitan Transit Authority's Third Track and East Side Access Projects scheduled for completion by the end of 2022, in conjunction with its decision to drop its proposal to provide additional parking spaces near the Hicksville Station, and a part of these majority projects provides a shortfall in the number of available commuter parking spaces; and
- (5) while the property is currently operated as a commuter parking lot under the Town's control, said control is contingent upon a month-to-month rental arrangement which can be terminated at any time.

3. The Town Board specifically incorporates, by reference, all of the beneficial environmental effects previously identified in this Resolution. The Town Board's environmental findings are equally applicable to the analysis required under the EDPL and those findings are



hereby incorporated. The general effect of the proposed project on the environment and residents of the locality will be extremely beneficial.

4. The Town Board has agreed to compensate the subject property owner and all persons having an interest in the subject property in accordance with the procedures set forth in the EDPL.

5. After considering all of the evidence presented, the Town Board determines that acquisition, through condemnation of the subject property, is in the best interest of the Town of Oyster Bay and will further the health, safety and welfare of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED, That the Town Board adopts the abovementioned recommendations and findings and does hereby find and determine that it is appropriate for the Town to proceed to acquire the subject property, through condemnation, in accordance with the procedures set forth in the EDPL and applicable law, and the Town, acting through the Office of the Town Attorney, shall take such steps as are reasonable and necessary to acquire the subject property including, but not limited to, entering into an Advance Payment Agreement with the condemnee(s) and to execute any other documentation necessary to facilitate the proposed condemnation of the subject property; and be it further

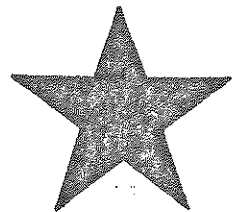
RESOLVED, That the abovementioned recommendations are hereby accepted and that the Town Board of the Town of Oyster Bay hereby finds that the proposed action will not have a significant effect on the environment, and that the Town Board does hereby find, based upon the memorandum, dated September 27, 2021, submitted by the Town of Oyster Bay Environmental Quality Review Division, that said proposed action falls under the New York State Environmental Quality Review Act, as a negative declaration, and as such does not require the completion of an Environmental Impact Statement or other environmental consideration; and be it further

RESOLVED, That the Town Clerk shall publish a brief synopsis of the aforesaid determination and findings in at least two successive issues of an official newspaper if there is one designated in the locality where the project will be situated and in at least two successive issues of a newspaper of general circulation in such locality, which synopsis shall include this determination and findings and the other matters required by EDPL §204 to be included in such synopsis.

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

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



Meeting of July 13, 2021

Resolution No. 412-2021

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 17<sup>th</sup> day of August, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the condemnation of real property known as NE/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of the County of Nassau, and to determine the need and location of a commuter parking lot, a public use, prior to any acquisition of the aforementioned real property required for the project, which will provide open parking for commuting residents of the Town of Oyster Bay; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said Town Board meeting and hearing in the

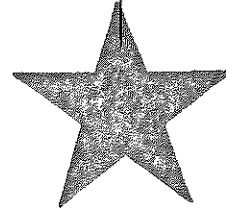
newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of the law.

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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   | Absent |
| Councilwoman Walsh   | Aye    |





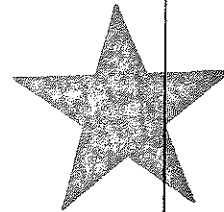
PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to law, a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, Audrey Avenue, Oyster Bay, New York, on the 17<sup>th</sup> day of August, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the condemnation of real property known as N/E/C/ West Barclay Street & Wyckoff Street, Hicksville, New York (a/k/a 47 West Barclay Street), and designated as Section 11, Block 185, Lots 2 & 8 on the Land and Tax Map of Nassau County, and to determine the need and location of a commuter parking lot, a public use, prior to any acquisition of the aforementioned real property required for the project, which will provide open parking for commuting residents of the Town of Oyster Bay. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned hearing at the time and place designated herein.

IF YOU, THE PROPERTY OWNER(S), SUBSEQUENTLY WISH TO CHALLENGE CONDEMNATION OF THE AFORESAID PROPERTY VIA JUDICIAL REVIEW, YOU MAY DO SO ONLY ON THE BASIS OF ISSUES, FACTS, AND OBJECTIONS RAISED AT THE ABOVE REFERENCED HEARING.

TOWN BOARD OF THE TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.  
RICHARD LAMARCA, Town Clerk. Dated: July 13, 2021, Oyster Bay, New York.

7/13/21  
Reviewed By  
Office of Town Attorney  
*[Signature]*



Meeting of August 9, 2022

Resolution No. 584-2022

Reviewed By  
Office of Town Attorney  
*Ralph P. Healey*

WHEREAS, the Town solicited quotes from twelve brokers for renewal of the Town's Storage Tank Third Party Liability Insurance coverage for the policy period of July 31, 2022 through July 31, 2023, and received responses from four (4) insurance carriers, of which two declined to extend a quotation for coverage, and the proposal received with the lowest cost is from Ironshore/Liberty Surplus Insurance Corporation ("Liberty"), which currently provides this coverage to the Town through FOA & Son Corporation ("FOA"); and

WHEREAS, Frank M. Scalera, Town Attorney and Ralph P. Healey, Special Counsel, by memorandum dated August 9, 2022, recommended that the Town's Storage Tank Third Party Liability insurance coverage, for the policy period of July 31, 2022 through July 31, 2023, be obtained from Liberty, through FOA, at a premium of \$12,591.00, along with Surplus Lines Taxes and Stamping Office fees of \$474.69; for a total premium and fees amount of \$13,065.69, and request that the Comptroller be authorized and directed to make payment in said amount, with funds available to be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and

WHEREAS, the Office of the Inspector General has reviewed the RFP and the proposed vendor's disclosure, and is satisfied that the procurement policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, nunc pro tunc from July 31, 2022, and the Office of the Town Attorney is hereby authorized to obtain the Town's Storage Tank Third Party Liability insurance coverage from Liberty Surplus Insurance Corporation through FOA & Son Corporation, for the period from July 31, 2022 to July 31, 2023, at a premium of \$12,591.00 along with a Surplus Lines Taxes and Stamping Office fees of \$474.69, for a total premium and fees of \$13,065.69; and be it further

RESOLVED, That the funds for said payment shall be drawn from Account No. TWN AMS 1910 43010 602 0000 000; and be it further

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

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

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