Meeting of February 27, 2018

### **RESOLUTION P-5-18**

WHEREAS, The 2018 Budget, adopted October 24, 2017 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 2018 Budget, on October 24, 2017, 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 Councilman Muscarella Aye Aye Councilman Macagnone Aye Councilwoman Alesia Nay Councilwoman Johnson Abstain Councilman Imbroto Aye Councilman Hand

cc: Supervisor Town Attorney Comptroller Human Resources

Payroll

Resolution No. TF-04-2018

Meeting of February 27, 2018

Reviewed By
Office of Town Attorney

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
006-18	EXE	\$1,000,000.00	DPW SR 8160 12010 000 0000
			TO
		\$1,000,000.00	DPW SR 8160 12000 000 0000
			FROM
007-18	PKS	500.00	PKS A 7110 41600 000 0000
			TO
		500.00	PKS A 7110 41710 000 0000
			FROM
008-18	EXE	370,000.00	DPS A 3010 12010 000 0000
			TO
		370,000.00	DPS A 3010 12000 000 0000
			DECREASE
009-18	DPW	100.00	DPW A 1640 47900 000 0000
			INCREASE
		100.00	DPW A 1640 47200 000 0000
			FROM
010-18	EXE	6,000.00	CYS A 7020 47680 000 0000
			TO
		6,000.00	CYS A 7020 47660 000 0000
			FROM
011-18	OTA	32,000.00	OTA A 1420 44110 000 0000
			TO
		32,000.00	OTA A 1420 44800 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Parks
Public Works



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

January 30, 2018

To:

Memorandum Docket

From:

Robert Darienzo, Director of Finance

Subject:

Transfer of Funds

In order to provide funds for part time salaries in the Sanitation Division of the Department of Public Works, the following transfer of funds is hereby requested:

Transfer from:

DPW SR

8160 12010 000 0000 Salaries Seasonal

\$ 1,000,000.00

Transfer to:

DPW SR

8160 12000

000 0000

Salaries Part Time

\$1,000,000.00

Thank you.

Robert Darienzo Director of Finance

RD/rd

cc: Town Attorney (with 7 copies)
Word/Documents/Docket/TOF 2018 sanitation PT

## TOWN OF OYSTER BAY

### Inter-Departmental Memorandum

TO:

Memorandum Docket

FROM:

Joseph G. Pinto, Commissioner

Department of Parks

DATE:

February 8, 2018

SUBJECT:

2018 TRANSFER OF FUNDS

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

FROM:

PKS-A-7110-41600-000-0000

Materials & Supplies

\$ 500.00

TO:

PKS-A-7110-41710-000-0000

Signs & Supplies

\$ 500.00

This transfer is necessary for the Department to cover funds for the purchase of signs and supplies.

Joseph G. Pinto Commissioner

JGP:GS:ld cc: Town Attorney (+ 7 copies)

## Town of Oyster Bay Inter-Departmental Memo

February 12, 2018

To:

Memorandum Docket

From:

Robert Darienzo, Director of Finance

Subject:

Transfer of Funds

In order to provide funds for part time salaries in the Department of Public Safety, the following transfer of funds is hereby requested:

Transfer from:

DPS Α

0000 0000 Salaries Seasonal 3010 12010

\$370,000.00

Transfer to:

DPS Α

Salaries Part Time 3010 12000 000 0000

\$370,000.00

Thank you.

Robert Darienzo Director of Finance

RD/rd cc: Town Attorney (with 7 copies) Word/Documents/Docket/TOF 2018 DPS PT

### TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

February 15, 2018

TO

: MEMORANDUM DOCKET

FROM

: RICHARD W. LENZ, P.E., COMMISSIONER OF DPW/HIGHWAY

SUBJECT: AMENDMENT TO THE 2018 OPERATING BUDGET

Kindly arrange to transfer funds for the C.V.M. Division as follows:

ACCOUNT NO.

**OBJECT DESCRIPTION** 

**AMOUNT** 

**INCREASE**:

DPW A-1640-47200-000-0000

TRAVEL EXPENSE

\$ 100.00

**DECREASE**:

DPW A-1640-47900-000-0000

OTHER EXPENSES

\$ 100.00

This transfer is necessary to provide sufficient funds in order to pay for travel expenses to attend an equipment show.

COMMISSIONER OF DPW/HIGHWAY

RWL/MC/sb

C: Town Attorney - Original and 7 copies Michael Cipriano, Division Head/CVM Raymond Swierkowski, Warehouse Supervisor

Pat White, Automotive Shop Supervisor II



## Town of Oyster Bay Inter-Departmental Memo

February 16, 2018

To:

Memorandum Docket

From:

Robert Darienzo, Director of Finance

Subject:

Transfer of Funds

In order to provide funds for in the Special Events account in the Department of Community & Youth Services, the following transfer of funds is hereby requested:

Transfer from:

CYS Α

0000 0000 Awareness Program 7020 47680

\$6,000.00

Transfer to:

CYS

7020 47660 000 0000

Special Events

\$6,000.00

Thank you.

Director of Finance

RD/rd

cc: Town Attorney (with 7 popies)
Word/Documents/Docket/TQF 2018 QYS

20

## Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

FROM

OFFICE OF THE TOWN ATTORNEY

DATE

February 22, 2018

SUBJECT:

TRANSFER OF FUNDS

Town Board authorization is hereby requested to transfer funds between the following accounts:

FROM:

OTA A 1420 44110 000 0000 (Legal Fees)

\$32,000.00

TO:

OTA A 1420 44800 000 0000 (Professional Services)

\$32,000.00

Justification: To cover costs for court stenographers, hearing officers, and Westlaw services.

TOWN ATTOKNEY

Frank M. Scalera

Chief Deputy Town Attorney

FMS:mek

Cc: Town Attorney (w/ 7 copies)



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated January 26, 2018, has requested Town Board authorization to permit the services of the Saint Francis Hospital Community Outreach Van to provide screening for diabetes and cholesterol, as well as to take blood pressure and give appropriate patient education and referrals, at Glen Head Community Center on March 1, 2018 and August 1, 2018, at Syosset-Woodbury Community Park on March 14, 2018, and at Marjorie R. Post Community Park on March 2, 2018 and August 21, 2018; and

WHEREAS, The Town Board deems this program 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 accepted and approved, and the services of the Saint Francis Hospital Community Outreach Van is hereby authorized to provide services on the aforementioned dates and at the aforementioned locations, 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 aforedescribed activity; and
- 3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains comprehensive general liability insurance, with a commercial liability limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate per year, and naming the Town as an additional insured in connection with the aforedescribed activity.

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

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

cc: Supervisor Town Attorney Comptroller

Community & Youth Services

Reviewed By
Office of Town Attorney

### TOWN OF OYSTER BAY

### Inter-Departmental Memorandum

January 26, 2018

TO:

Memorandum Docket

FROM:

Maureen A. Fitzgerald, Commissioner

Department of Community and Youth Services

SUBJECT:

Saint Francis Hospital Outreach Van

The Department of Community and Youth Services requests Town Board authorization to permit the services of the Saint Francis Hospital Community Outreach Van from March 1, 2018 to December 31, 2018 at Town Parks & Community Centers.

The Community Outreach Van will provide screening for Diabetes and Cholesterol, take blood pressure and give appropriate patient education and referrals as needed.

Attached are the Certificates of Insurance which have been approved "as to form" by the Office of the Town Attorney. The certificates name the Town of Oyster Bay as an additional insured. There will be no costs incurred by the Town for these services.

Maureen A. Fitzgerald

Commissioner

MAF:mr

Attachments

cc: Town Attorney (+7 copies)



### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 1/11/2018

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). CONTACT Sandra Rucereto PRODUCER PHONE 212.842.3668
E-MAIL Sandra.rucere Commercial Lines FAX (A/C, No): USI Insurance Services National, Inc. sandra.rucereto@usi.com 261 Madison Ave INSURER(S) AFFORDING COVERAGE NAIC # New York, NY 10016 RVC Insurance Company, inc. INSURER A: NSURED INSURER B: St Francis Hospital INSURER C: 100 Port Washington Blvd INSURER D: INSURER E: Roslyn, NY 11576 INSURER F: CERTIFICATE NUMBER: 12599955 COVERAGES REVISION NUMBER: See below 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. ADDL SUBR POLICY EFF POLICY EXP
(MM/DD/YYYY) (MM/DD/YYYY) TYPE OF INSURANCE LIMITS POLICY NUMBER COMMERCIAL GENERAL LIABILITY 1,000,000 11/01/2017 | 11/01/2018 1RVCGL002017 Α CLAIMS-MADE X OCCUR 50,000 5 MED EXP (Any one person) 5,000 PERSONAL & ADV INJURY 1,000,000 \$ GEN'L AGGREGATE LIMIT APPLIES PER: GENERAL AGGREGATE 2,000,000 POLICY PRO-PRODUCTS - COMP/OP AGG 2,000,000 OTHER: COMBINED SINGLE LIMIT (Ea accident) 5 AUTOMOBILE LIABILITY BODILY INJURY (Per pers S ANY AUTO SCHEDULED AUTOS NON-OWNED AUTOS ONLY OWNED AUTOS ONLY BODILY INJURY (Per accident) 5 PROPERTY DAMAGE (Per accident) HIRED AUTOS ONLY s \$ UMBRELLA LIAB EACH OCCURRENCE OCCUR EXCESS LIAB AGGREGATE \$ CLAIMS-MADE RETENTION S WORKERS COMPENSATION
AND EMPLOYERS' LIABILITY
ANYPROPRIETOR/PARTNER/EXECUTIVE
OFFICER/MEMBER/EXCLUDED? STATUTE E.L. EACH ACCIDENT NJA (Mandatory In NH) E.L. DISEASE - EA EMPLOYEE S l yes, describe under DESCRIPTION OF OPERATIONS below E.L. DISEASE - POLICY LIMIT | S DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) RE: St. Francis Mobile Outreach bus events -2/21 at Hicksville Community Center 3/1 and 8/1 at Gien Head Community Center 3/14 at Syosset Woodbury Park 3/2 and 8/21 at Marjorie Post Park EVIDENCE OF INSURANCE CANCELLATION CERTIFICATE HOLDER SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. Town of Oyster Bay 977 Hicksville Road Reviewed By Massapequa, NY 11758 Office of Town Attorney AUTHORIZED REPRESENTATIVE

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gear Smale

ACORD 25 (2016/03)

### 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)

The Town of Oyster Bay 977 Hicksville Road Massapequa, NY 11758

As respects to St. Francis Hospital Mobile Outreach Bus:

February 21st - at Hicksville Community Center March 1<sup>st</sup> & August 1<sup>st</sup> - at Glen Head Community Center March 14th - at Syosset Woodbury Community Park March 2<sup>nd</sup> & August 21<sup>st</sup> - at Marjorie Post Park

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.

Office of Town Attorney

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Page 1 of 1

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 5, 2018, requested Town Board authorization to establish the administrative fees for the 2018 Summer Recreation Program, as follows:

One child

\$ 400.00

Each additional child

\$ 200.00

WHEREAS, it is further requested that the total of the administrative fees received be deposited into Account No. PKS A 0001 02001 510 0000, with the exception of \$85,000.00 of the total amount of said monies which shall be deposited in Special Events Account TWN TA 0000 0085 444 0000, to be used for the purpose of purchasing t-shirts, supplies, renting trailers for use at the parks and to provide field trip transportation for all recreation registrants,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town Board hereby authorizes the abovementioned fees for the 2018 Summer Recreation Program, to be deposited in Account No. PKS A 0001 02001 510 0000; and be it further

RESOLVED, That \$85,000.00 of the total amount collected shall be deposited in Special Events Account TWN TA 0000 0085 444 0000, for the purpose of purchasing t-shirts, supplies, renting trailers for use at the parks and to provide field trip transportation for all recreation registrants.

-#-

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Parks



### TOWN OF OYSTER BAY

### Inter-Departmental Memorandum

TO:

Memorandum Docket

FROM:

Joseph G. Pinto, Commissioner of Parks

DATE:

February 5, 2018

SUBJECT:

2018 Summer Recreation Program

Town Board authorization is respectfully requested to set the registration fees for the 2018 Summer Recreation Program as follows:

One Child

\$400.00

Each additional child

\$200.00

An increase in the administrative fees is required due to the escalating costs of running the program. The costs include, but are not limited to, the increasing cost of supplies such as: T-shirts for the campers and staff; arts and crafts supplies, sports equipment, field trips, etc. In addition, we will be renting a portable bathroom trailer for Allen Park that we have not had in the past.

The minimum wage has increased by \$1/hour for 2018 making that increase \$2.50/hour over the past 3 years. Due to that increase, all staff salaries have been increased according to their position and years of service. We currently have 205 seasonal staffers for Summer Recreation.

All monies will be deposited into account number PKS A 0001 02001 510 0000 with the exception of \$85,000, which will be deposited into the Special Events Account TWN TA 0000 0085 444 0000 for the purpose of purchasing t-shirts, supplies, renting trailers for use at the parks and to provide field trip transportation for all campers/staffers for the 2018 program.

The t-shirts are to be distributed to each child at the time of registration and are to be worn on all off-site field trips as a means for better identifying our campers for enhanced supervision as well as safety purposes.

Joseph G. Pinto Commissioner

JGP:DHR

cc: Office of the Town Atterney (with 7 copies)



WHEREAS, Resolution No. 622-2016, adopted on November 15, 2016, authorized the Supervisor to enter into an agreement with Sinnreich, Kosakoff and Messina, LLP, Kendric Law Group, P.C., and Walsh, Markus, McDougal & DeBellis, LLP, to provide legal services in connection with zoning and land use matters, from April 18, 2016 through December 31, 2016, with two (2), one (1) year renewal options for years 2017 and 2018; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 12, 2018, requested that the Town exercise the second one-year renewal option with Kendric Law Group, P.C. and Walsh, Markus, McDougal & DeBellis, LLP, from January 1, 2018 through December 31, 2018, to provide legal services in connection with zoning and land use matters, in an amount not to exceed \$30,000.00;

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the second one-year renewal option is hereby exercised from January 1, 2018 through December 31, 2018, with a maximum authorization of \$20,000.00 for the Kendric Law Group, P.C. and a maximum authorization of \$10,000.00 for Walsh, Markus, McDougal & DeBellis, LLP; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, the funds for said payment to be drawn from Account No. PAD B 8010 44800 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

## Town of Oyster Bay Inter-Departmental Memo

TO:

MEMORANDUM DOCKET

FROM:

ELIZABETH L. MACCARONE, COMMISSIONER

DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE:

**FEBRUARY 12, 2018** 

**SUBJECT:** 

REQUEST FOR AUTHORIZATION OF EXPENDITURES

FOR OUTSIDE COUNSEL FOR THE ZONING BOARD OF APPEALS LEGAL SERVICES FOR ZONING AND LAND USE LITIGATION

ACCOUNT NUMBER PAD B 8010 44800 000 0000

On November 15, 2016, the Town Board adopted Resolution Number 622-2016 authorizing the Supervisor to enter into an agreement with Sinnreich, Kosakoff and Messina, LLP, Kendric Law Group, P.C. and Walsh, Markus, McDougal & DeBellis, LLP to provide legal services for zoning and land use litigation to the Zoning Board of Appeals for the period from April 18, 2016 through December 31, 2016 with two (2) one (1) year renewal options.

On December 13, 2016, the Town Board adopted Resolution Number 718-2016 to renew the first (1<sup>st</sup>) of the two (2) available one (1) year renewal options.

In view of the above, it is respectfully requested that these firms listed below be retained for the second (2<sup>nd</sup>) one (1) year renewal option, nunc pro tune, from January 1, 2018 through December 31, 2018.

The hourly rates will remain the same. Authorization for calendar year 2018 will be for a total of \$30,000.00 which funds will be allocated as follows:

Kendric Law Group, P.C. Walsh, Markus, McDougal & DeBellis, LLP \$20,000.00 \$10,000.00

Funds for this request are available in Account Number PAD B 8010 44800 000 0000.

COMMISSIONER

ELM:tz

cc:

Town Attorney (+7 copies)

Meeting of November 15, 2016



WHEREAS, Diana S. Aquiar, Deputy Commissioner of the Department of Planning and Development, by memorandum dated October 31, 2016, advises that in accordance with the Town of Oyster Bay Procurement Policy, the Department of Planning and Development requested proposals from three qualified law firms to handle litigation relative to the Zoning Board of Appeals for a one (1) year term with the option for two (2) one year extensions upon mutual consent; and

WHEREAS, after review of the submitted proposals, Deputy Commissioner Aquiar recommends that the following law firms be retained, <u>nunc pro tunc</u> from April 18, 2016 through December 31, 2016, with two (2) one (1) year renewal options to be exercised upon mutual consent, in order to assist the Zoning Board of Appeals with respect to zoning and land use litigation, at the following indicated rates, with funds to be drawn from Account No. PAD B 8010 44800 000 0000:

Sinnreich, Kosakoff, and Messina, LLP 267 Carelton Avenue, Suite 301 Central Islip, New York 11722

Partners: \$225.00 per hour Associates: \$175.00 per hour Paralegals: \$90.00 per hour Amount not to exceed \$5,000.00

Kendric Law Group, P.C. 1225 Franklin Avenue, Suite 450 Garden City, New York 11530

Partners: \$200.00 per hour Paralegals: \$90.00 per hour Amount not to exceed \$10,000.00

Walsh Markus McDougal & DeBellis, LLP 229 Seventh Street, Suite 200 Garden City, New York 11530

Partners: \$200.00 per hour Paralegals: \$90.00 per hour Amount not to exceed \$5,000.00

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and the abovementioned law firms are hereby authorized to provide legal services to the Zoning Board of Appeals in connection with zoning and land use litigation nunc pro tune from April 18, 2016 through December 31, 2016, with two (2) one (1) year renewal options, to be exercised upon mutual consent, at the rates herein indicated in a total amount not to exceed \$20,000.00, and be it further

Resolution No. 622-2016

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 8010 44800 000 0000.

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
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc:

Supervisor
Town Attorney
Comptroller (2)
Planning & Development

Proviewed By Alfahey Land Alfahey

WHEREAS, pursuant to Town Board Resolution 622-2016, the Town Board authorized the retention of law firms to provide legal services to the Zoning Board of Appeals in connection with zoning and land use litigation for the period beginning April 18, 2016 through December 31, 2016, with two (2), one (1) year renewal options; and

WHEREAS, Timothy R. Zike, Acting Commissioner of the Department of Planning and Development, by memorandum dated November 28, 2016, has advised that these firms, Sinnreich, Kosakoff and Messina, LLP, Kendric Law Group, PC, and Walsh Markus McDougal & DeBellis, LLP, have provided exceptional service and rapid response to the Zoning Board of Appeals; and

WHEREAS, Acting Commissioner Zike has therefore requested that the Town Board authorize the Department of Planning and Development to exercise, on behalf of the Zoning Board of Appeals, the first, one year renewal option, in an amount not to exceed \$30,000.00, with funds to be drawn from Account No. PAD B 8010 44800 000 0000, allocated as follows:

Sinnreich, Kosakoff and Messina, LLP \$10,000.00 Kendric Law Group, PC \$15,000.00 Walsh Makus McDougal & DeBellis, LLP \$5,000.00

NOW, THEREFORE, BE IT RESOLVED, That upon the request as hereinabove set forth, the Town Board hereby authorizes the Department of Planning and Development to exercise the first renewal option with Sinnreich, Kosakoff and Messina, LLP, Kendric Law Group, PC, and Walsh Markus McDougal & DeBellis, LLP, to provide legal services to the Zoning Board of Appeals for the period beginning January 1, 2017 through December 31, 2017, 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 shall be drawn from Account No. PAD B 8010 44800 000 0000.

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

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

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

WHEREAS, Resolution No. 716-2017, adopted on November 14, 2017, authorized the Department of Community and Youth Services to employ the services of various specified performers for the 2017-2018 Distinguished Artists Concert Series, for the dates and at the various libraries indicated in the Resolution; and

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community & Youth Services, by memorandum dated February 1, 2018, has requested that the Town Board amend Resolution No. 716-2017, to permit the substitution of performer Linda Ciafalo, in place of Kate Beckman, who is presently unable to perform; and

WHEREAS, the Town and the Hicksville Public Library will each pay \$350 to Ms. Ciafalo for her performance, as was authorized for performers in Resolution 716-2017, with funds for these fees available in Account No. CYS A 7020 47660 000 0000; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and the Town Board hereby amends Resolution No. 716-2017, to substitute performer Linda Ciafalo for and in place of performer Linda Beckman, and authorizes the Supervisor or his designee to execute a contract with Ms. Ciafalo in the amount of \$350.00, and it is further

RESOLVED, That the Comptroller is hereby authorized to issue payment to Linda Ciafalo, 141 Shellbank Place, Rockville Centre, NY, 11570, in the amount of \$350.00, upon presentation of a duly certified claim, after audit, with funds for said payment to be drawn from Account No. CYS A 7020 47660 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor Town Attorney

Community & Youth Services

### TOWN OF OYSTER BAY

### Inter-Departmental Memorandum

February 1, 2018

TO:

Memorandum Docket

FROM:

Maureen A. Fitzgerald, Commissioner

Department of Community and Youth Services

SUBJECT:

Amendment to 2017-2018 Distinguished Artist Concert Series

Resolution No. 716-2017

The Department of Community & Youth Services is requesting Town Board authorization to amend resolution No. 716-2017 dated November 14, 2017 to make the following change:

Employ the services of Linda Ciafalo, performer, Sunday, March 18, 2018 at 2:00 PM at the Hicksville Public Library. Ms. Ciafalo who is located at 141 Shellbank Place, Rockville Centre, NY 11570 is replacing Kate Beckman who is not able to perform due to medical issues. Both the Town and the Hicksville Public Library will each pay \$350 toward the noted performance as previously approved.

In accordance with Guideline 5, Section b. of the Town Procurement Policy, the procurement of these musicians and artists is exempt from the solicitation, written proposal or quotation requirements of the policy.

Funds for these fees are available in Account CYS A 7020 47660 000 0000, Special Events.

Therefore, it is respectfully requested that the Town Board authorize this amendment and enter into an agreement as negotiated and attached and further authorize the Supervisor and/or his designee to execute said agreement.

Maureen A. Fitzgerald

Commissioner

MAF:sab

Attachment

cc: Town Attorney (+

Contract number: 038-2018

#### 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 Linda Ciafalo, located at 141 Shellbank Place, Rockville Centre, New York 11570 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by: Linda Ciafalo

Date:

March 18, 2018

Time:

2:00PM (a 75-90 minute performance is required)

Location:

Hicksville Public Library, 169 Jerusalem Ave., Hicksville

Contact:

Roseann Acosta (516) 931-1417 x 105

Amount:

\$350.00

In consideration of these services, the TOWN agrees to pay CONTRACTOR the sum of Three hundred and fifty dollars. If CONTRACTOR fails to appear, or is incapacitated from rendering a performance through sickness or otherwise, CONTRACTOR shall not receive any compensation. Payment for the above services shall be made upon submission of your invoice and the claim form provided by TOWN.

ΙΙΝΏΑ ΟΙΔΕΔΙ Ο

ENON ON NEO	
CONTRACTOR	
DATE:	, 2018
TOWN OF OYSTER BAY	
COMMISSIONER	
DATE	2018

WHEREAS, Resolution No. 31-2018, adopted on January 9, 2018, authorized the Department of Parks to retain the services of five individuals to serve as Instructors for Townsponsored Fitness Workshops for the calendar year 2018; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated January 30, 2018, has requested that the Town Board amend Resolution No. 31-2018, to add the payment limitation "not exceed \$25,000.00" where the bank account number appears,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation hereinabove set forth is hereby accepted and approved, and Resolution 31-2018 is amended to the extent that funds for the payment of instructors shall be paid from Account No. PKS A 7110 47660 000 0000, in an amount not to exceed \$25,000.00.

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor Town Attorney Comptroller Parks



## Town of Oyster Bay

### Inter- Departmental Memorandum

TO:

Memorandum Docket

From:

Joseph G. Pinto, Commissioner of Parks

Date:

January 30, 2018

Subject:

Fitness Workshops

The Department of Parks request Town Board approval to amend Resolution 31-2018 that was approved on January 9, 2018. The Department of Parks would like to amend this item to include the words "not exceed 25,000.00" after Account No. PKS- A-7110-47660-000-0000.

Joseph G. Pinto

Commissioner of Parks

JGP/lb

**Attachments** 

Cc: Office of the Town Attorney (original + 7 copies)

8 3/

TO:

MEMORANDUM DOCKET

FROM:

Joseph G. Pinto, Commissioner of Parks

DATE:

January 2, 2018.

SUBJECT:

Fitness Instructors

Supplemental to MD#13 of December 19, 2017

The Department of Parks has issued a Request for Proposals for Instructors for Fitness Workshops at various Town of Oyster Bay facilities in the following disciplines:

- a) Zumba
- b) Pilates
- c) Yoga
- d) Kickboxing

Less than three responses were received for any one discipline. A waiver of the Town's Procurement Policy, dated January 2, 2018, was obtained from the Office of the Town Attorney.

Based upon the responses received, the Department of Parks requests Town Board authorization to retain the services of the following individuals, for the disciplines noted and at the hourly rate noted for the calendar year 2018, with the Town to have an option to extend for three additional years at the same hourly rates:

Zumba: Cathy Cromer, 146 Myers Avenue, Hicksville 11801 at \$75.00

Pilates: Debra Tassone, 12 Amby Avenue, Plainview 11803 at \$75.00 and

Donna Martini, 154 Anstice Street, Oyster Bay 11771 at \$95.00

Donna Martini, 154 Anstice Street, Oyster Bay 11771 at \$95.00 and

Jingdi Lu, 8 Whitman Avenue, Syosset 11791 at \$112.50

Kickboxing: No responses received.

Payment for these services will be made from Account No. PKS A 7110 47660 000 0000.

It is respectfully requested that this matter be placed on the January 9, 2018 Town Board calendar for action.

JOSEPH G. PINTO

COMMISSIONER OF PARKS

cc: Office of the kown Attorney (with 7 copies)

## ED DAY

MD-12/19/17 #7 TBC-1/9/17 Repo#18-2018

## TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO:

MEMORANDUM DOCKET

FROM:

Joseph G. Pinto, Commissioner of Parks

DATE:

December 12, 2017

SUBJECT:

Fitness Workshops

The Department of Parks requests Town Board approval to hold Fitness Workshops at various Town of Oyster Bay facilities.

The Workshops are to include the following:

- Zumba
- Yoga
- Kickboxing
- Pilates

Dates, times and locations of the program are to be established by the Commissioner of Parks.

The fees for these workshops are as follows

- Town of Oyster Bay Residents \$60.00
- Non Town of Oyster Bay Resident \$70.00

This fee shall remain unchanged unless revised or amended by the Town Board upon the recommendation by the Commissioner of Parks.

The Monies from these workshops will be deposited in account PKS A 000102001 510 0000

Joseph G. Pinto

COMMISSIONER OF PARKS

CC: Office of Town Attorney (original + 7 copies)

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated December 12, 2017, requested Town Board authorization to conduct the following Fitness Workshops at various Town of Oyster Bay facilities; and

- Zumba
- Yoga
- Kickboxing
- Pilates; and

Dates, times and locations of these workshops shall be established by the Commissioner of Parks; and

WHEREAS, Commissioner Pinto requested authorization for the fees for the workshops be \$60.00 for Town of Oyster Bay residents and \$70.00 for non-residents; and

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned requests are hereby accepted and approved, and the Department of Parks, is hereby authorized to conduct the hereinabove described Fitness Workshops for the fees as requested, with funds to be deposited hereinabove described Fitness Workshops for the fees as requested, with funds to be deposited into Account No. PKS A 000102001 510 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

Supervisor Town Attorney Comptroller

## MO-12/19/17#13 TBC-1/9/18 Repo#31-2018

## TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO:

MEMORANDUM DOCKET

FROM:

Joseph G. Pinto, Commissioner of Parks

DATE:

December 14, 2017

SUBJECT:

Fitness Instructors

The Department of Parks has issued a Request for Proposals for instructors for Fitness Workshops at various Town of Oyster Bay facilities.

Please hold a space on the docket for the Town Board meeting of January 9, 2018, for Town Board authorization of the instructors, and payment of their fees, after proposals have been received and reviewed,

A supplemental memorandum will be submitted after the instructors have been identified.

Јоѕерh G. Pinto

COMMISSIONER OF PARKS

CC: Office of Town Attorney (original + 7 copies)



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memoranda dated December 14, 2017 and January 2, 2018, advised that the Department of Parks issued a Request for Proposals for Instructors for Fitness Workshops at various Town of Oyster Bay facilities in the disciplines of Zumba, Pilates, Yoga and Kickboxing, and that less than three responses were received for any one discipline; and

WHEREAS, Commissioner Pinto, by memorandum dated January 2, 2018, advised that a waiver of the Town's Procurement Policy, dated January 2, 2018, was obtained from the Office of the Town Attorney; and

WHEREAS, Commissioner Pinto, by memorandum dated January 2, 2018, recommended that based upon the responses received to the Request for Proposals, that the Town Board authorize the Department of Parks to retain the services of the following individuals, for the disciplines noted and at the hourly rate noted for the calendar year 2018, with the Town to have an option to extend for three additional years at the same hourly rates, for programs to be established by the Department of Parks:

Zumba: Cathy Cromer, 146 Myers Avenue, Hicksville 11801 at \$75.00

Pilates: Debra Tassone, 12 Amby Avenue, Plainview 11803 at \$75.00 and
Donna Martini, 154 Anstice Street, Oyster Bay 11771 at \$95.00

Yoga: Donna Martini, 154 Anstice Street, Oyster Bay 11771 at \$95.00 and

Jingdi Lu, 8 Whitman Avenue, Syosset 11791 at \$112.50,

and that payment for these services will be made from Account No. PKS A 7110 47660 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations hereinabove set forth are hereby accepted and approved, and the Department of Parks is hereby authorized to retain the services of the individuals named hereinabove, for the disciplines noted and at the hourly rate noted for the calendar year 2018, with the Town to have an option to extend for three additional years at the same hourly rates, for programs to be established by the Department of Parks, and fees for these services, after encumbrances have been approved 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 47660 000 0000.

-77

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 Alesia Aye
Councilwoman Johnson Aye
Councilman Imbroto Aye
Councilman Hand Aye

Supervisor
Town Attorne;
Comptroller
Parks

CC:

Commissioner, Department WHEREAS, Frank V. Sammartano, Intergovernmental Affairs, by memorandum dated January 31, 2018, requested that the Town Board authorize the Town Clerk to publish a Public Notice regarding the Forty Fourth Community Development Program Year 2018-2019, in Newsday, no later than March 1, 2018, to announce that a public hearing will be held on March 12, 2018, at 6:00 p.m., prevailing time, at Town Hall South, 977 Hicksville Road, Massapequa, New York 11758, to provide for public participation in the programming of Community Development funding,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the publication of the aforesaid Public Notice in Newsday by the Town Clerk no later than March 1, 2018 is hereby approved, and the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. IGA CD 8686 44100 000 CD 17.

-#-

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 Alesia Aye Councilwoman Johnson Aye Councilman Imbroto Aye Councilman Hand Aye

cc: Supervisor Town Attorney Comptroller

Intergovernmental Affairs

### Town of Oyster Bay Inter-Departmental Memorandum

TO:

Memorandum Docket

FROM:

Frank V. Sammartano, Commissioner

Intergovernmental Affairs

DATE:

January 31, 2018

SUBJECT:

Community Development Notice for Public Hearing 44th Program Year 2018-2019

To announce the Town's Community Development Forty Fourth Program Year and provide for public participation in the programming of Community Development funding, a public hearing must be held.

This notice is required to be in an English language paper of general town wide circulation. In this regard, it is recommended that Newsday be utilized to announce that the public hearing will be held on March 12, 2018, at 6:00 pm at Town Hall South. The public notice has been forwarded to the Town Attorney's Office under separate cover, and upon review will be forwarded to the Town Clerk for publication in the Nassau edition of Newsday no later than, March 1, 2018.

It is therefore, respectfully requested that the Town Board authorize said publication in Newsday no later than March 1, 2018. Funds for this purpose are available within account number IGA CD 8686 44100 000 CD 17.

Thank you for your attention to this matter.

Frank V. Sammartano

Commissioner

FVS/PA\_Attachment

cc: Town Attorney w/7 copie



WHEREAS, Frank V. Sammartano, Commissioner, Department of Intergovernmental Affairs, by memorandum dated January 29, 2018, requested that the Town Board authorize and direct the Town Clerk to publish a Public Notice of a Request for Proposals under the Workforce Innovation and Opportunity Act for the period July 1, 2018 through June 30, 2020, for One-Stop Operator services, in a newspaper of general circulation no later than March 1, 2018; and

WHEREAS, One-Stop Operator services will be funded through the Workforce Innovation and Opportunity Act, which is an eligible cost, and therefore, at no cost to the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the Town Clerk is hereby authorized and directed to publish a Public Notice of a Request for Proposals under the Workforce Innovation and Opportunity Act for the period July 1, 2018 through June 30, 2020 for One-Stop Operator services, in a newspaper of general circulation no later than March 1, 2018; 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. IGA CD 6293 47900 000 CW17.

-#-

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs

#### TOWN OF OYSTER BAY

### **Inter-Departmental Memo**

January 29, 2018

TO:

MEMORANDUM DOCKET

FROM:

FRANK V. SAMMARTANO, COMMISSIONER

INTERGOVERNMENTAL AFFAIRS

**SUBJECT:** 

PUBLICATION OF ONE-STOP OPERATOR REQUEST FOR PROPOSALS

UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

The Department of Intergovernmental Affairs' Division of Employment and Training has prepared the attached Public Notice with regard to a Request for Proposals for the delivery of One-Stop Operator services under the Workforce Innovation and Opportunity Act for the period July 1, 2018 through June 30, 2020. Requested services will include service delivery coordination for One-Stop partners and service providers across the One-Stop System; coordination of regional system activities; and coordination of partner responsibilities. This is a Workforce Innovation and Opportunity Act eligible cost and therefore at no cost to the Town of Oyster Bay.

In this regard, it is requested that the Office of the Town Attorney notify the Town Clerk that the subject notice be published in a newspaper of general circulation (NEWSDAY) on March 1, 2018. Funds are available in Other Expenses account IGA CD 6293 47900 000 CW17.

Frank V. Sammartano Commissioner

FVS:sd Attachment

cc: Town Attorney, 7 copies

# PUBLIC NOTICE NOTICE OF REQUEST FOR PROPOSALS FOR ONE-STOP OPERATOR SERVICES UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT

PLEASE TAKE NOTICE that the Town of Oyster Bay Department of Intergovernmental Affairs' Division of Employment and Training (as the Grant Recipient for the Oyster Bay-North Hempstead-Glen Cove Workforce Development Area) and the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board (WDB) are soliciting proposals for the provision of federally-funded Workforce Innovation and Opportunity Act of 2014 (WIOA) One-Stop Operator services. A maximum of \$30,000 in WIOA funding is available for the period July 1, 2018 through June 30, 2020. Eligible applicants include individuals and organizations who can successfully demonstrate administrative capacity to successfully provide WIOA One-Stop Operator workforce development services as specified in the Request for Proposals.

A response to this Request does not commit the Town of Oyster Bay to award a contract, nor does it hold the Town responsible for any costs incurred in the preparation of a proposal. The Town reserves the right to accept or reject any or all proposals as a result of this Request, and to negotiate with all qualified sources if it is in the best interest of the program.

The Oyster Bay-North Hempstead-Glen Cove Workforce Development Board is committed to the principles of Affirmative Action and Equal Employment Opportunity and hereby reaffirms that commitment. The Consortium and subcontractors will comply with all of the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act of 2014, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted permanent resident alien, refugee, asylee, parolee, or other immigrant authorized by the Attorney General to work in the United States, or participation in any WIOA financially assisted program or activity; Title II of the Genetic Information Nondiscrimination Act of 2008; the Non-traditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; the Americans with Disabilities Act, and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to, 29 CFR, Part 34. The United States Department of Labor has the right to seek judicial enforcement of this assurance.

The Request for Proposals package describing the scope of work and containing information necessary for submission can be obtained by contacting Steven Delligatti, Director of the Oyster Bay-North Hempstead-Glen Cove Workforce Development Board at (516) 797-7918, or by writing to:

Frank V. Sammartano, Commissioner Town of Oyster Bay Department of Intergovernmental Affairs 977 Hicksville Road Massapequa, New York 11758

The deadline for receipt of proposals submitted in response to this RFP is 4:00 p.m. on April 2, 2018. Faxed or emailed proposals will not be accepted.

BY THE ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY, JOSEPH SALADINO, Supervisor, JAMES ALTADONNA JR., Town Clerk. Dated: \_\_\_\_\_\_\_, 2017. Oyster Bay, New York.

Reviewed By Office of Town Attorney



WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 227-2013, adopted on March 19, 2013, granted the Petition of TRIANGLE EQUITIES 496 WEST JERICHO TURNPIKE, LLC, contract vendee, OAK PARTNERS, LLC, contract vendee, and BIG DOUGS ENTERPRISES, LLC, fee owner, (the "applicants"), for a Change of Zone for a 2.85 acre parcel of land located on Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 115, from R1-1A Residence District to a split zone, with 1.38 acres to be placed in the R1-20 One-Family Residence District (hereinafter referred to as "Parcel I") and 1.47 acres in the RMF-10 Multifamily Residence District (hereinafter referred to as "Parcel II"), and a Change of Zone for a 2.24 acre parcel of land situated on the southerly side of Jericho Turnpike, on the southeast corner of Jericho Turnpike and Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 114, from R1-1A One-Family Residence to RMF-10 Multifamily Residence (hereinafter referred to as "Parcel III"), and for Site Plan Approval to allow construction of a housing development ("Kensington Estates"), which will include the development of three 20,000-square foot single-family housing lots on Parcel I, the development of 14 multi-family residential units on Parcel II, and the development of a 2,800 square foot club house (recreation building), swimming pool, tennis court, gate house, and associated site improvements part of the overall development of an 80-unit multi-family residential community which includes the aforementioned 14 units on Parcel II in the Town of Oyster Bay, and 66 units on 13.5 acres of adjacent property situated in the Town of Huntington; and

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

WHEREAS, pursuant to the request of the applicants and upon the recommendation of the Commissioner of the Department of Planning and Development, applicants' time to apply for a building permit has previously been extended by Resolution No. 296-14, Resolution No. 197-2015, Resolution No. 164-2016 and Resolution No. 101-2017; and

WHEREAS, the applicants, through their attorneys, Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., by letter dated January 19, 2018, requested an extension of time from the current expiration date of March 19, 2018, to apply for a building permit; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 2, 2018, recommended that a one (1) year extension of time be granted, from the current expiration date of March 19, 2018, for applicants to apply for a building permit,

Resolution No. 97-2018

NOW, THEREFORE, BE IT RESOLVED, That the request of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., attorneys for applicants, for a one (1) year extension of time, from the current expiration date of March 19, 2018, to apply for a building permit, is hereby GRANTED, and the same terms and conditions effective pursuant to Town Board Resolution No. 227-2013, adopted on March 19, 2013, shall prevail.

-#-

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Abstain
Councilman Hand	Aye

cc:

Supervisor Town Attorney Comptroller Planning & Development

### TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

TO

MEMORANDUM DOCKET

**FROM** 

ELIZABETH L. MACCARONE, COMMISSIONER

DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE

**FEBRUARY 2, 2018** 

**SUBJECT:** 

REQUEST FOR EXTENSION OF TIME

TOWN BOARD RESOLUTION NUMBER 227-13

PETITION OF TRIANGLE EQUITIES,

OAK PARTNERS, LLC & BIG DOUGS ENTERPRISES, LLC

TRIANGLE EQUITIES/KENSINGTON ESTATES WOODBURY ROAD – WOODBURY, NEW YORK SECTION 13, BLOCK D, LOT(S) 114 AND 115

This Department is in receipt of correspondence from Miriam R. Milgrom, attorney, from the Law Offices of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., dated January 19, 2018, requesting an extension of time for Site Plan Approval in order to ultimately obtain a Certificate of Occupancy for the above captioned premises (see attached).

It is my opinion that an extension of time should be granted from the current expiration date of March 19, 2018 (granted by Town Board Resolution Number 101-2017) to March 19, 2019.

The same terms and conditions should prevail as contained in Town Board Resolution Number 227-13, dated March 19, 2013.

COMMISSIONER

ELM/dg Encls:

cc: Legislative Affairs (w/Att. + 7 copies)



### BERKMAN HENOCH

PETERSON PEDDY & FENCHEL, PC

Attorneys at Law

Steven J. Peddy
Gary H. Friedenberg
Miriam R. Milgrom
Joseph E. Macy\*
Rudolf J. Karvay
Gregory P. Peterson
Saul R. Fenchel\*\*

COUNSEL

Eugene Ferencik

Gilbert Henoch

David R. Kay MaryBeth Malloy Hon. Joseph N. Mondello William D. Siegel Terence E. Smoley, P.C.

Bruce J. Bergman Steven Brock Robert A. Carruba Vinson J. Friedman Christina Jonathan Stanley Mishkin Donna A. Napolitano Todd C. Steckler Peter Sullivan Erick R. Vallely

100 Garden City Plaza, Third Floor Garden City, New York 11530

Telephone: (516) 222-6200
Facsimile: (516) 222-6209
Website: www.bhpp.com
January 19, 2018

Christopher Barbarello
Kaitlyn Costello
James E. Durso
Daniel Evers
Thomas Hooker
Ronald Howard
Adam S. Kalb
Pesia M. Kinraich
Stephon D. Martin

Megan K. McNamara Randy S. Nissan Crystal S. Pannell Novica Petrovski Hillary Prada Eileen Ryan Rajdai D. Singh Jennifer Spirn Christopher F. Ulto

### Via Hand Delivery

Elizabeth Maccarone Commissioner Town of Oyster Bay, Department of Planning and Development 74 Audrey Avenue Oyster Bay, NY 11771

Re:

Triangle Equities 496 West Jericho Turnpike, LLC, Oak Partners, LLC, and Big Doug's Enterprises, LLC (collectively, the "Applicant") Application for a Change of Zone and for Site Plan approved pursuant to Resolution No. 227-13, adopted by the Town Board of the Town of Oyster Bay on March 19, 2013, as extended pursuant to Resolution No. 296-14, Resolution No. 197-2015, Resolution No. 164-2016 and Resolution No. 101-2017, adopted by the Town Board of the Town of Oyster Bay ("Site Plan Approval")

#### Dear Commissioner Maccarone:

In connection with the above referenced matter, pursuant to Section 6.8.2 of the Town of Oyster Bay Code, we on behalf of our client, the Applicant, hereby respectfully request an extension of the Site Plan Approval for an additional year. Since the last extension, the Applicant secured from the Nassau County Planning Commission final subdivision approval. Since then, the Applicant has been coordinating details between Nassau and Suffolk County, arranging for construction financing, and completing the Offering Plan. The Applicant intends to submit the Offering Plan to the Attorney General's Office for approval by March 1, 2018. I am enclosing a bank check in the amount of \$250.00 as payment for the request for an extension of the Site Plan Approval.

If you have any questions, please feel free to call me. Thank you.

Sincerely,

Museum R Mee

Miriam R. Milgrom

MRM/pk Enclosure

### RECEIPT ACKNOWLEDGED

By:

CC: Elysa Goldman, via email, with enclosure
CC: Gregory P. Peterson, via email, with enclosure

O\BHPP Department Data\Commercial Mortgage Department Data\COMMRE\Triangle Equities\Site Plan Submitted to Town of Oyster Bay 4-4-12\Application for Fifth Extension\Letter to Commissioner.doc

\*Admitted in New York and Florida | \*\*Admitted in New York, California, Florida, New Jersey. Pennsylvania, and District of Columbia

Meeting of March 19, 2013

RESOLUTION NO. 227-13

WHEREAS, TRIANGLE EQUITIES 496 WEST JERICHO TURNPIKE, LLC. contract vendee, OAK PARTNERS, LLC, contract vendee, and BIG DOUG'S ENTERPRISES. LLC, fee owner, (the "applicants"), submitted a Petition requesting that the Town Board of the Town of Oyster Bay (the "Town Board") approve a Change of Zone for a 2.85 acre parcel of land located on Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 115, from R1-1A Residence District to a split zone, with 1.38 acres to be placed in the R1-20 One-Family Residence District (hereinafter referred to as "Parcel I") and 1.47 acres in the RMF-10 Multifamily Residence District (hereinafter referred to as "Parcel II"), and a Change of Zone for a 2.24 acres parcel of land situated on the southerly side of Jericho Turnpike, on the southeast corner of Jericho Turnpike and Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 114, from R1-1A One-Family Residence to RMF-10 Multifamily Residence (hereinafter referred to as "Parcel III"), and for Site Plan Approval to allow construction of a housing development ("Kensington Estates"), which will include the development of three 20,000-square foot single-family housing lots on Parcel I, the development of 14 multi-family residential units on Parcel II, and the development of a 2,800 square foot club house (recreation building), swimming pool, tennis court, gate house, and associated site improvements part of the overall development of an 80-unit multi-family residential community which includes the aforementioned 14 units on Parcel II in the Town of Oyster Bay, and 66 units on 13.5 acres of adjacent property situated in the Town of Huntington; and

WHEREAS, the Town Board of the Town of Huntington, acting as lead agency pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA") and the implementing regulations thereto at 6 NYCRR Part 617, deemed that the proposed action – consisting of the approval of the change of zone of a 1.38 acre portion of Section 13, Block D, Lot 115 from R1-1A Residence District to R1-20 One-Family Residence (Parcel I), the change of zone of a 1.47 acre portion of Section 13, Block D, Lot 115 from R1-1A Residence District to RMF-10 Multifamily Residence District (Parcel II), and the change of zone of Section 13, Block D, Lot 114, from R1-1A One-Family Residence to RMF-10 Multifamily Residence (Parcel III), and approval of the site plan for the Kensington Estate development, has the potential for significant environmental impact and, accordingly, issued a Positive Declaration by Resolution; and

WHEREAS, in accordance with the aforementioned Positive Declaration, the proposed action was the subject of a Draft Environmental Impact Statement ("DEIS"). dated December 2009, which document was accepted by the Town Board of the Town of Huntington on April 13, 2010, and thereafter was circulated for public review and comment, in accordance with the requirements of SEQRA; and

WHEREAS, a Final Environmental Impact Statement ("FEIS") was prepared to address substantive issues raised during the public review of the DEIS, said FEIS, dated July 2010, being accepted by the Town Board of the Town of Huntington on December 14, 2010, and thereafter was circulated for public review, in accordance with the requirements of SEQRA; and

Reviewed By Office of Town Attorney

WHEREAS, the Town Board has completed its review of the subject action in accordance with the provisions of SEQRA and its implementing regulations at 6 NYCRR Part 617; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board on June 19, 2012, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

WHEREAS, by Resolution No. 105-13, adopted on February 5, 2013, the Town Board approved the findings, pursuant to the requirements of the SEQRA, and that said change of zone will not result in significant adverse environmental impacts, for the purposes of the Town Environmental Quality Review Law and the New York State Environmental Conservation Law and its applicable regulations thereon; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 9880-13, adopted on February 28, 2013, has 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, Frederick P. lppolito, Commissioner of the Department of Planning and Development, by memorandum dated May 8, 2012, has advised that the Department of Planning and Development has reviewed the following twenty-five (25) engineering documents prepared by Nelson & Pope, Engineers & Surveyors, Melville, New York:

SHEET NO.	TITLE	DATE
C-101	ALIGNMENT PLAN	April 27, 2012
C-102	GRADING PLAN 1	April 27, 2012
C-103	GRADING PLAN 2	April 27, 2012
C-104	UTILITY PLAN 1	April 27, 2012
C-105	UTILITY PLAN 2	April 27, 2012
C-106	DRAINAGE STRUCTURE TABLES	April 27, 2012
C-107	PROFILES 1	April 27, 2012
C-108	PROFILES 2	April 27, 2012
C-109	EROSION CONTROL PLAN 1	April 27, 2012
C-110	EROSION CONTROL PLAN 2	April 27, 2012
C-111	HANDICAPPED ACCESSIBILITY GRADING PLAN I	April 27, 2012
C-112	HANDICAPPED ACCESSIBILITY GRADING PLAN 2	April 27, 2012
C-113	HANDICAPPED ACCESSIBILITY GRADING PLAN 3	April 27, 2012
C-114	LANDSCAPE PLAN	April 27, 2012

C-115	EXISTING CONDITIONS/DEMOLITION PLAN	April 27, 2012 -
C-116	DRAINAGE DETAILS 1	April 27, 2012
C-117	DRAINAGE DETAILS 2	April 27, 2012
C-118	ON-SITE DETAILS	April 27, 2012
C-119	EROSION CONTROL DETAILS	April 27, 2012
C-120	HANDICAP RAMP DETAILS AND NOTES	April 27, 2012
C-121	HANDICAP DETAILS	April 27, 2012
C-122	RETAINING WALL DETAILS	April 27, 2012
C-123	BOARDWALK DETAILS	April 27, 2012
C-124	PAVILION DETAILS	April 27, 2012
LP-101	LIGHTING PLAN	April 26, 2012

And the following nineteen (19) architectural documents, prepared by GRCH Axelrod & Cherveny Architects, Commack, New York:

SHEET NO.	TITLE	DATE
CE1	BUILDING 12/13 CLUSTER ELEVATION	July 22, 2011
CE2	BUILDING 12/13 REAR CLUSTER ELEVATION	July 22, 2011
A-1	MODEL AL FIRST & SECOND FLOOR PLANS	July 13, 2011
~~~	MODEL A FOUNDATION PLAN	July 26, 2011
A-2	MODEL A FRONT & SIDE ELEVATIONS	July 22, 2011
A-3	MODEL AL FRONT ELEVATION & ROOF PLAN	July 22, 2011
B-1	MODEL B-1/B-3 PAIRED ELEVATIONS	July 13, 2011
B-2	MODEL B-1 FIRST FLOOR PLANS	July 13, 2011
B-3	MODEL BR-2 BL-3 SECOND FLOOR PLANS	July 13, 2011
B-4	MODEL BR-2 BL-3 SECOND FLOOR ROOF PLANS	July 13, 2011
~~~	MODEL B-2 FOUNDATION PLAN	July 26, 2011
D-1	MODEL DR FRONT & REAR ELEVATIONS	July 23, 2011
D-2	MODEL DR FLOOR PLANS	Nov. 14, 2011
D-3	MODEL DR FOUNDATION PLAN	Nov. 14, 2011
R-1	FRONT & RIGHT SIDE REC. BLDG. ELEVATIONS	July 14, 2011
R-2	REAR & LEFT SIDE ELEVATIONS (REC. BLDG.)	April 26, 2012
R-3	RECREATION BUILDING FLOOR PLAN	July 14, 2011
GHI	GATEHOUSE ELEVATIONS	July 21, 2011
GH2	GATEHOUSE FLOOR PLAN	Undated

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 site plans enumerated herein,

NOW, THEREFORE, BE IT RESOLVED, That the Petition of TRIANGLE EQUITIES 496 WEST JERICHO TURNPIKE, LLC, contract vendee, OAK PARTNERS, LLC, contract vendee, and BIG DOUG'S ENTERPRISES, LLC, fee owner, (the "applicants"). requesting that the Town Board of the Town of Oyster Bay (the "Town Board") approve a Change of Zone for a 2.85 acre parcel of land located on Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 115, from R1-1A Residence District to a split zone, with 1.38 acres to be placed in the R1-20 One-Family Residence District (Parcel I) and 1.47 acres in the RMF-10 Multifamily Residence District (Parcel II), and a Change of Zone for a 2.24 acres parcel of land situated on the southerly

side of Jericho Turnpike, on the southeast corner of Jericho Turnpike and Plainview Road. Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 114, from R1-1A One-Family Residence to RMF-10 Multifamily Residence (Parcel III), and for Site Plan Approval to allow construction of a housing development ("Kensington Estates"), which will include the development of three 20,000-square foot single-family housing lots on Parcel I, the development of 14 multi-family residential units on Parcel II, and the development of a 2,800 square foot club house (recreation building), swimming pool, tennis court, gate house, and associated site improvements part of the overall development of an 80-unit multi-family residential community which includes the aforementioned 14 units on Parcel II in the Town of Oyster Bay, and 66 units on 13.5 acres of adjacent property situated in the Town of Huntington, is hereby GRANTED, on the premises described as follows;

#### SCHEDULE A

### PARCEL I

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

BEGINNING at a point on the easterly side of Plainview Road, distant southerly approximately 611 feet along the easterly side of Plainview Road from the intersection of said road line with the southerly side of Jericho Turnpike (N.Y.S. Rte. 25);

RUNNING THENCE North 84 degrees 14 minutes 50 seconds East, 119.90 feet;

THENCE South 1 degree 47 minutes 30 seconds East, 509.98 feet;

THENCE North 87 degrees 45 minutes 00 seconds West, 119.91 feet to the easterly side of Plainview Road;

THENCE along said road line North 1 degree 47 minutes 30 seconds West, 493.25 feet to the point of place of BEGINNING, containing with said bounds 1.377 acres.

### **PARCEL II**

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

BEGINNING at a point, said point is described as being the following five (5) courses from the intersection formed by the

southerly side of Jericho Turnpike (N.Y.S. Rte. 25) and the easterly side of Plainview Road:

- 1) North 88 degrees 22 minutes 50 seconds East, 265.16 feet;
- 2) South 1 degree 43 minutes 13 seconds West, 365.75 feet;
- 3) North 88 degrees 3 minutes 50 seconds East, 109.46 feet;
- 4) South 1 degree 56 minutes 10 seconds East, 232.47 feet;
- 5) South 88 degrees 3 minutes 50 seconds West, 124.32 feet to the TRUE POINT of BEGINNING;

RUNNING THENCE South 1 degree 43 minutes 13 seconds West, 522.88 feet;

THENCE North 87 degrees 45 minutes 00 seconds West, 108.10 feet to the easterly side of Plainview Road;

THENCE along said road line North 1 degree 47 minutes 30 seconds East, 509.98 feet;

THENCE North 84 degrees 14 minutes 50 seconds East, 59.19 feet;

THENCE North 88 degrees 3 minutes 50 seconds East, 80.80 feet to the POINT or PLACE of BEGINNING, containing within said bounds, 1.471 acres.

### PARCEL III

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

BEGINNING at the intersection formed by the southerly side of Jericho Turnpike (N.Y.S. Rte. 25) and the easterly side of Plainview Road;

RUNNING THENCE along the southerly side of Jericho Tumpike North 88 degrees 22 minutes 50 seconds East, 265.16 feet;

THENCE South 1 degree 43 minutes 13 seconds West, 365.75 feet;

THENCE South 88 degrees 3 minutes 50 seconds West, 20.02 feet;

THENCE South 86 degrees 15 minutes 00 seconds West, 100.00 feet;

THENCE South 81 degrees 28 minutes 30 seconds East, 144.08 feet to the easterly side of Plainview Road;

THENCE along said road line North 1 degree 13 minutes 00 seconds East, 386.75 feet to the POINT or PLACE of BEGINNING, containing within said bounds, 2.252 acres

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

RESOLVED, That in accordance with the memorandum of Frederick P. Ippolito, Commissioner of the Department of Planning and Development, dated May 8, 2012, the twenty-five (25) engineering plans and nineteen (19) architectural documents described hereinabove are hereby approved.

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

Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilwoman Faughnan	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye

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

Meeting of March 7, 2017

Resolution No. 101-2017

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 227-2013, adopted on March 19, 2013, granted the Petition of TRIANGLE EQUITIES 496 WEST JERICHO TURNPIKE, LLC, contract vendee, OAK PARTNERS, LLC, contract vendee, and BIG DOUGS ENTERPRISES, LLC, fee owner, (the "applicants"), for a Change of Zone for a 2.85 acre parcel of land located on Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 115, from R1-1A Residence District to a split zone, with 1.38 acres to be placed in the R1-20 One-Family Residence District (hereinafter referred to as "Parcel I") and 1.47 acres in the RMF-10 Multifamily Residence District (hereinafter referred to as "Parcel II"), and a Change of Zone for a 2.24 acre parcel of land situated on the southerly side of Jericho Turnpike, on the southeast corner of Jericho Turnpike and Plainview Road, Woodbury, Town of Oyster Bay, County of Nassau, State of New York and described as Section 13, Block D, Lot 114, from R1-1A One-Family Residence to RMF-10 Multifamily Residence (hereinafter referred to as "Parcel III"), and for Site Plan Approval to allow construction of a housing development ("Kensington Estates"), which will include the development of three 20,000-square foot single-family housing lots on Parcel I, the development of 14 multi-family residential units on Parcel II, and the development of a 2,800 square foot club house (recreation building), swimming pool, tennis court, gate house, and associated site improvements part of the overall development of an 80-unit multi-family residential community which includes the aforementioned 14 units on Parcel II in the Town of Oyster Bay, and 66 units on 13.5 acres of adjacent property situated in the Town of Huntington; and

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

WHEREAS, pursuant to the request of the applicants and upon the recommendation of the Commissioner of the Department of Planning and Development, applicants' time to apply for a building permit has previously been extended by Resolution No. 296-14, Resolution No. 197-2015, and Resolution No. 164-2016; and

WHEREAS, the applicants, through their attorneys, Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., by letter dated December 16, 2016, requested an extension of time from the current expiration date of March 19, 2017, to apply for a building permit; and

WHEREAS, Timothy R. Zike, Acting Commissioner of the Department of Planning and Development, by memorandum dated February 3, 2017, recommended that a one (1) year extension of time be granted, from the current expiration date of March 19, 2017, for applicants to apply for a building permit,



NOW, THEREFORE, BE IT RESOLVED, That the request of Berkman, Henoch, Peterson, Peddy & Fenchel, P.C., attorneys for applicants, for a one (1) year extension of time, from the current expiration date of March 19, 2017, to apply for a building permit, is hereby GRANTED, and the same terms and conditions effective pursuant to Town Board Resolution No. 227-2013, adopted on March 19, 2013, shall prevail.

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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
Councilman Coschignano	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye

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

WHEREAS, this Town Board had heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board of the Town of Oyster Bay must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 26, 2018, have advised that claimant alleges that she sustained orthopedic and neurologic injuries to her back and neck as a result of an automobile accident occurring on the Long Island Expressway in Commack, New York; and

WHEREAS, after extensive negotiations, the matter has settled with the Town for \$22,500.00, in full resolution of all claims of Claimants, Marlene Filosa and Keith Filosa.

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the Town Board finds that it is just, reasonable, and in the best interests of the Town to settle this matter for the sum of \$22,500.00, which sum is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to Claimants, Marlene Filosa and Keith Filosa, with regard to Claim No. 2015-4964 and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to "Marlene S. Filosa and Keith M. Filosa and Amideo Nicholas Guzzone & Associates, P.C., as attorneys" in the amount of \$22,500.00; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

-#-

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller



# 10

## Town of Oyster Bay

### Inter-Departmental Memo

TO

MEMORANDUM DOCKET

**FROM** 

Office of the Town Attorney

DATE

January 26, 2018

SUBJECT:

SETTLEMENT OF NEGLIGENCE CLAIM

Claimant:

Filosa v. Town of Oyster Bay

Claim No.:

2015-4964

A resolution of the Town Board is required in order for the Town to settle claims, where the amount of the proposed settlement exceeds Ten Thousand (\$10,000.00) Dollars.

The above referenced claim arose as a result of an incident that occurred on March 19, 2015. Claimant, Marlene Filosa, alleges to have sustained personal injuries as a result of an automobile accident occurring on the Long Island Expressway in Commack, New York. A Town vehicle, driven by Town employee, James Memoli, was traveling on the entrance ramp from Commack Road and merging onto the highway. The vehicle driven by Mr. Memoli made contact with the front quarter panel of claimant's car. As a result of the accident, claimant alleges disc herniation of C5/6, contacting the cord and posterior disc herniation of C3/4. Plaintiff received orthopedic and neurologic treatment, including treatment by Dr. Todd Maltese, a neurologist, for headaches, pins and needle sensation with tingling sensation down both arms and pain to her back. An EMG revealed pinched nerves.

After extensive settlement negotiations, this matter was settled for \$22,500.00 It is this Office's opinion that such settlement is just, reasonable, and in the best interests of the Town given the uncertainties associated with litigation.

Accordingly, we have attached a resolution authorizing payment of \$22,500.00, together with copies of the Stipulation of Settlement and a General Release executed by Claimants, Marlene Filosa and by her husband, Keith Filosa, who maintained a derivative action. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

JOSEPH NOCELLA TOWN ATTORNEY

Jeffrey A. Lesser
Deputy Town Attorney

JAL:jl Attachment

cc: Town Attorney (V

copies)

WHEREAS, this Town Board had heretofore authorized and directed the implementation of a Self-Insurance Program for the Town's general liability; and

WHEREAS, the Town Board of the Town of Oyster Bay must authorize and approve the settlement of any negligence claims brought against the Town, where the amount of the proposed settlement is in excess of \$10,000.00; and

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated January 26, 2018, have advised that claimant alleges that she sustained orthopedic and neurologic injuries to her back and neck as a result of an automobile accident occurring on the Long Island Expressway in Commack, New York; and

WHEREAS, after extensive negotiations, the matter has settled with the Town for \$22,500.00, in full resolution of all claims of Claimants, Marlene Filosa and Keith Filosa.

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation as set forth above, the Town Board finds that it is just, reasonable, and in the best interests of the Town to settle this matter for the sum of \$22,500.00, which sum is hereby authorized and approved by the Town Board of the Town of Oyster Bay, as full settlement to Claimants, Marlene Filosa and Keith Filosa, with regard to Claim No. 2015-4964 and the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to "Marlene S. Filosa and Keith M. Filosa and Amideo Nicholas Guzzone & Associates, P.C., as attorneys" in the amount of \$22,500.00; and be it further

RESOLVED. That the funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

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Reviewed By
Office of Town Attorney

2015-4964 TL

## The Law Offices of Amideo Nicholas Guzzone & Associates, P.C.

2450 Middle Country Road Centereach, New York 11720 Telephone (631) 588-5000 Fax (631) 588-5001

Roberta Guzzone

Sara A. Navas Jeffrey T. Hofmann Of Counsel Landers & Cernigliaro, P.C.

Stanley A. Landers Frank Cernigliaro

January 12, 2018

### VIA EXPRESS MAIL

Joseph Nocella Town Attorney Town Hall 54 Audrey Avenue Oyster Bay, New York 11771

Attn: Jeffrey Lesser, Esq.
Deputy Town Attorney

Re: Filosa v. Town of Oyster Bay Your File No.: 2015-4964 Date of Accident: 3/19/15

Dear Mr. Lesser:

Following up settlement in the above matter, please find enclosed the General Release duly executed by my clients, together with two signed Stipulation of Settlement forms and my firm's W-9 form.

Upon approval by the Town Board, please forward the settlement check to my office, made payable to Marlene S. Filosa and Keith M. Filosa and Amideo Nicholas Guzzone & Associates, P.C., as attorneys.

Additionally, please file the Stipulation of Settlement with the court, and forward a fully executed copy to my office in the enclosed self-addressed stamped envelope.

Thank you for your kind attention to this matter.

Very truly yours.

SARA A. NAVAS

SAN/sm Enclosures

11th

### To all to whom these Fresents shall come or may Concern, Know That Marlene's Filosa and Keith M. Filosa

in consideration of the sum of TWENTY TWO THOUSAND FIVE HUNDRED AND 00/100 DOLLARS———	as RELEASOR
received from TOWN OF CYSTER BAY and JAMES P. MEMOLI	(\$ 22,500.00)
receipt whereof is hereby acknowledged, releases and discharges TOWN OF OYSTER BAY and JAMES P. MEMOLI	as RELEASEE,
the RELEASEE, RELEASEE'S trators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of mon bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespa extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which again RELEASOR, RELEASOR'S heirs, executors, administrators, successors and assigns ever had, no shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning the date of this RELEASE.	ney, accounts; reckonings, sses, damages, judgments, nst the RELEASEE, the ow have or hereafter can.
The words "DELEASOD" and "DELEASED" in the life of the	
The words "RELEASOR" and "RELEASEE" include all releasees under to the words "RELEASE may not be changed orally.	his RELEASE.
In Witness Whereaf, the RELEASOR has hereunto set RELEASOR'S hand and day of January, 2018  In presence of	
State of New York, County of Suffolk  On January 11, 2018  before me, the undersigned, personally appeared  MARLENE M. FILOSA and KEITH M. FILOSA  personally known to me or proved to me on the basis of satisfactory evidence to be the indi  name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/th  same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the	vidual(s) whose ey executed the
or the person upon be ARA A Which the individual(s) acted, executed the instrument.  Notary Public, state of lew individual(s) acted, executed the instrument.  No. 02NA6620555  Qualified in Sufficik County  Commission Expires Warch 1, 20  (signature and office of individual taking	ig acknowledgment)

If the party making payment is not the same as the party released, delete words "as RELEASEE" and add names of parties released after the word "discharges."

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NASSAU	· ·
MARLENE S. FILOSA and KEITH M. FILOSA,	——X STIPULATION OF
Plaintiff, -against -	<u>SETTLEMENT</u> Index No. 003267/2016
TOWN OF OYSTER BAY and JAMES P. MEMOLI	
Defendants.	X

IT IS HEREBY STIPULATED AND AGREED, by and between defendants, Town of Oyster Bay (hereinafter "the Town") and James P. Memoli, and the plaintiffs, and their respective counsel, that the above matter is settled in the total sum of \$22,500;

FURTHER STIPULATED AND AGREED TO that plaintiffs' counsel represented to the Town's counsel that he has spoken with his client and he agreed to the settlement and that plaintiffs' counsel represents that counsel has the authority to enter into this settlement agreement; and it is

FURTHER STIPULATED AND AGREED TO that the settlement of \$22,500 is the full and final settlement to be paid by the Town and it is inclusive of any and all liens, statutory and otherwise, including, to the extent applicable Medicare, Medicaid and Workers' Compensation, as well as attorneys fees and disbursements.

FURTHER STIPULATED AND AGREED TO that plaintiffs' counsel shall provide the Town's counsel with an original duly executed General Release releasing the Town of Oyster Bay, and also including a provision agreeing to hold the Town harmless and indemnify the Town as to any and all liens, statutory or otherwise; and an original duly executed Stipulation of Discontinuance discontinuing this action with prejudice without costs to either side; and a W-9 form with the Tax

ID: and it is

FURTHER STIPULATED AND AGREED TO, that the settlement is subject to the Town's Board approval after receipt of the above-referenced settlement documents. In the event said settlement approval is rejected by the Town Board, the Town, agrees to enter into a stipulation with plaintiffs' counsel restoring the above matter to the Court's calendar on 10 days written notice; and it is

FURTHER STIPULATED AND AGREED TO, that the plaintiffs recognize that the settlement is not subject to the provisions of CPLR §5003-a.

Dated: Oyster Bay, New York

January \_\_\_\_, 2018

BY: Olars A March

AMIDEO NICHOLAS GUZZONE &

ASSOCIATES, P.C.

Attorneys for Plaintiffs

Marlene S. Filosa And Keith M. Filosa

2450 Middle Country Road

Centereach, New York 11720

(631) 588-5000

BY:

JOSEPH NOCELLA
TOWN ATTORNEY
Attorneys for Defendants
Town of Oyster Bay
and James P. Memoli
54 Audrey Avenue
Oyster Bay, New York 11771

(516) 624-6150



## Request for Taxpayer

Give form to the

Departr	nent of the Treasury Revenue Service	identification Number	r and Certification	1	send to the IRS.	
	Name (as shown o	n your income tax return)				
2	AMIDEO NICHOLA	AMIDEO NICHOLAS GUZZONE & ASSOCIATES, P.C.				
page	Business name, if	different from above	Taraba Anna Anna Anna Anna Anna Anna Anna A			
Ĕ		·				
Print or type Specific Instructions on	Limited liabilit Other (see instr		Partnership ity, C=corporation, P=partnership)	·	Exempt payee	
rint	Address (number,	street, and apt. or suite no.)	Requeste	r's name and ad	dress (optional)	
<u> </u>	2450 Middle Cou	ntry Road				
e Ci	City, state, and ZII	code .				
å	Centereach, New	York 11720 .				
See	List account numb	er(s) here (optional)				
Par	Taxpaye	r Identification Number (TIN)				
backu alien,	p withholding. For sole proprietor, or	propriate box. The TIN provided must match the nation individuals, this is your social security number (SS disregarded entity, see the Part I instructions on prion number (EIN). If you do not have a number, se	N). However, for a resident age 3. For other entities, it is	Social securit	y number	
		more than one name, see the chart on page 4 for	guidelines on whose	Employer idea	ntification number	
	er to enter.			11	3499306	
Pari	Certifica	tion				
Under	penalties of perjui	y, I certify that:				
1. Th	e number shown (	n this form is my correct taxpayer identification nu	ımber (or I am waiting for a nur	nber to be issu	red to me), and	
2. Ia Re no	m not subject to to venue Service (IRS tified me that I am	ackup withholding because: (a) I am exempt from b) that I am subject to backup withholding as a res no longer subject to backup withholding, and	backup withholding, or (b) I have	ve not been no	tified by the Internal	
		other U.S. person (defined below).				
withho For mo arrang	iding because you ortgage interest pa ement (IRA), and g	s. You must cross out item 2 above if you have be have failed to report all interest and dividends on d, acquisition or abandonment of secured propert enerally, payments other than interest and dividend Gee the instructions on page 4.	your tax return. For real estate y, cancellation of debt, contribu	transactions, it	tem 2 does not apply. Iividual retirement	
Sign Here	Signature of U.S. person	obuta Duzzone	Date ►	[[][]	8	
Gen	eral Instru	ctions ~~	Definition of a U.S. person considered a U.S. person if y	. For federal	tax purposes, you are	
Section	n references are	o the Internal Revenue Code unless	<ul> <li>An individual who is a U.S.</li> </ul>		3 resident alien	

otherwise noted.

### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- 1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- 2. Certify that you are not subject to backup withholding, or
- 3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

. The U.S. owner of a disregarded entity and not the entity,

WHEREAS, Resolution No. 750-2015, adopted on December 15, 2015, authorized deBruin Engineering, P.C., to provide Engineering Services to the Town under Contract No. PWC10-16, On-Call Engineering Services Relative to Construction Management for Improvements to Pool Filter Systems at Various Town Parks; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 2, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$2,350.00, under Contract No. PWC10-16, for Engineering Services for Construction Management, with funds to be drawn from Account No. PKS H 7197 20000 000 1504 013,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$2,350.00, and to pay deBruin Engineering, P.C., for services rendered under Contract No. PWC10-16, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. PKS H 7197 20000 000 1504 013, for Contract No. PWC10-16.

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor Town Attorney Comptroller Public Works Parks



### TOWN OF OYSTER BAY

### INTER-DEPARTMENTAL MEMO

February 2, 2018

TO:

MEMORANDUM DOCKET

FROM:

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO CONSTRUCTION MANAGEMENT

CONTRACT NO. PWC10-16

ACCOUNT NO.: PKS H 7197 20000 000 1504 013

PROJECT ID NO. 1504 PKSSP-02

The consultant, deBruin Engineering P.C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC10-16 by Resolution No. 750-2015 for the subject project.

Attached is a letter dated December 27, 2017 from deBruin Engineering P.C. regarding the scope of work that was performed in an amount not to exceed \$2,350.00. Services performed include engineering services for bid review and construction management for Improvements to Pool Filter Systems at Various Town Parks.

Attached is an availability of funds in the amount of \$2,350.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1504 013.

It is hereby requested that the Town Board authorize by Resolution, deBruin Engineering P.C. under Contract No. PWC10-16, On-Call Engineering Services Relative to Construction Management 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/HIGHWAY

RWL/JCT/MR/HAS/lk

Attachment

cc: Office of the Town Attorney (w/7 copies)

Steven Ballas, Comptroller Katherine Stefanich, Administrative Division/DPW

Joseph G. Pinto Commissioner/Parks PWC 010-16 DOCKET deBruin \$2,350.00 for DP16-136



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



Requesting Division/Department

THIS SECTION TO BE COMPLET	ED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT	
Contract Number _	PWC 10-16	
Contract Period January 01, 2016 to December 31, 2017		
Consultant/Contractor_	de Bruin Engineering P.C.	
Discipline_	Construction Management	
Total Authorization_	\$ 2,350.°	
	0750-2015 Date 12/15/2015	
Funded To Date _	\$ 0.00	
Amount Requested_	\$2,350.00	
Account To Be Used_	DKS-4-7197-2000-000-1504-013 1504PKSSP-02	
Description Of Work  If a Capital Account is used and requested service that qualifies	count, State The Related Contract Number: DP16-136  If work is not related to a Capital Project, specify the nature of the it as a Capital Expense.  Decount overwents to Pool Filter Systems at Various Town Parks	
	DP16-136	
Work To Be Completed I  A "No" response will require To		
Required Insurances Are A "No" response will prevent fu		
Required 50% Performance Bo	nd For This Request In Effect: Yes No N/A X	
	Amount of Bond \$	
Requesting Division/D	epartment DPW Approval Only To Be Executed By The Commissioner	
Signature Signature	Signature Z. A. C. C.	
OTitle Commissioner /6	Title Commissioner of Public Works	
Date //29/18	Date 1/29/15	
THIS SECTION T	O BE COMPLETED BY THE DIRECTOR OF FINANCE	
Amount Requested _	2,350,00	
Unemcumbered Balance	062,279.56	
	With The Nature Of Work Listed Above?  Yes No	
Signature	Date	



## TOWN OF OYSTER BAY

### WORK ORDER



This Section To Be Completed	By The Department C	of Public Wor	ks
	•		
Work Order No.	E.O. No		·
	Contract Start	1/1/201	6
Contract No. PWC 010-16	Contract End	12/31/20	<u> 17 ·                                     </u>
Commencement Date	1/1/2017		
No claim shall be paid for work perf	ormed prior to th	ie Comme	ncement Date
Vendor Name and Address			
de Bruin E	Ingineering P.C.		
TI On	ion Avenue		
Bethpage, Ne	w York 11714-5811		
(516)	313-1313		
•			
Requesting Town Department	DPW E	ngineering	
Contact Hans	Stronstad	Phone	516-677-5852
Description of Work to be Performed (Attach Detail If	Necessary)		
,		6.126	
Construction Manager	nent for Contract DP I	0-130	
Improvements to Pool Filter	Systems at Various	Town Parks	
	· ·		
This work order shall not excee	ed \$	\$2,35	0.00
Please notify the above mentioned contact	person 48 hours pri	or to comm	encing any work.
Requesting Division/Department			lic Works Approval By The Commissioner
Signature	Signatore	T 0 (	Fee Can
100	. Signature	<u> </u>	
@ Title LUMMISCIONER / Parks		Commission	ner of Public Works



### de Bruin Engineering P.C.

### Civil Engineering & Construction Management

December 27, 2017

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

Attn:

Matthew Russo, P.E.

Re:

TOB Filter Rooms

Various Locations

de Bruin Project No. 6101

Dear Commissioner,

Our proposal of April 11, 2017 on the referenced project covered work through the Construction Phase, however the resolution issued was for work through the bid phase only. The project has been bid and awarded and work has begun on the construction phase, which will not be completed until 2018. We respectfully request that funding be approved to cover our Construction Phase services that will occur during 2017 as well as the cost of permit fees that we paid on behalf of the Town in 2017. These costs are as follows:

Services	, Who	Rate	Hrs/Units	Total
Meetings	Steven Rimkunas, PE	\$175.00	1	\$175.00
Meetings	Robert W. de Bruin, PE	\$175.00	1	\$175.00
Permits	Nassau County Dept. of Health	\$500.00	4	\$2,000.00
	Total			\$2,350.00

Thank you for your consideration in this matter. Please contact us should you have any questions.

Sincerely yours,

Robert W. de Bruin, P.E.

ROUB



WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, request and recommend that Cashin Associates, P.C., Cashin, Spinelli & Ferretti, LLC, CSM Engineering, P.C., Gibbons, Esposito & Boyce, Engineers, P.C., Nassau Suffolk Engineers & Architecture, PLLC, Nelson & Pope Engineers & Land Surveyor, PLLC, Sidney B. Bowne & Son, LLP, LiRo Engineers, Inc., Schneider Engineering, PLLC, de Bruin Engineering, P.C. and D & B Engineers and Architects, P.C., be authorized to provide on-call engineering services in connection with Contract No. PWC10-16, On-Call Engineering Services Relative to Construction Management, for a two (2) year contract term from January 1, 2016 through December 31, 2017; and

WHEREAS, Cashin Associates, P.C., Cashin, Spinelli & Ferretti, LLC, CSM Engineering, P.C., Gibbons, Esposito & Boyce, Engineers, P.C., Nassau Suffolk Engineers & Architecture, PLLC, Nelson & Pope Engineers & Land Surveyor, PLLC, Sidney B. Bowne & Son, LLP, LiRo Engineers, Inc., Schneider Engineering, PLLC, de Bruin Engineering, P.C. and D & P. Engineers and Architects, P.C., have an open-ended service agreement with the Town under which the services will be provided;

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved and Cashin Associates, P.C., Cashin, Spinelli & Ferretti, LLC, CSM Engineering, P.C., Gibbons, Esposito & Boyce, Engineers, P.C., Nassau Suffolk Engineers & Architecture, PLLC, Nelson & Pope Engineers & Land Surveyor, PLLC, Sidney B. Bowne & Son, LLP, LiRo Engineers, Inc., Schneider Engineering, PLLC, de Bruin Engineering, P.C. and D & B Engineers and Architects, P.C., are hereby authorized and directed to provide on-call engineering services in connection with Contract No. PWC10-16, On-Call Engineering Services Relative to Construction Management, for a two (2) year contract term from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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 Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Ave

Supervisor Town Attorney Comptroller (2) Public Works

cc:

AM i Reviewed By Office of Town Attorney

### TOWN OF OYSTER BAY

### INTER-DEPARTMENTAL MEMO

January 24, 2018

TO

: JOSEPH G. PINTO, COMMISSIONER

DEPARTMENT OF PARKS

FROM

: MATTHEW RUSSO, P.E., DIVISION OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

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

SUBJECT

: REQUEST FOR AVAILABILITY OF FUNDS

CONTRACT NO. PWC 10-16

ON-CALL ENGINEERING SERVICES RELATIVE TO

CONSTRUCTION MANAGEMENT DEBRUIN ENGINEERING, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$2,350.00.

Funds are required for on-site Construction Management Inspection for contract project, DP16-136 Improvements to Pool Filter Systems at Various Town Parks, as per the attached letter from deBruin Engineering, P.C., dated December 27, 2017.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$2,350.00 and Resolution No. 0750-2015 authorizing deBruin Engineering, P.C., for on-call services.

If you have any questions, please contact Hans A. Stronstad Sr., Division of Engineering, at extension 5852.

MATTHEW RUSSO, P.E. DIVISION OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/MR/HAS/lk Attachments

C:

Kathleen Stefanich, Administration/DPW John C. Tassone, Department of Parks

PWC 010-16 ROAF \$2,350.00 for deBruin Pool Filter Systems DP16-136

WHEREAS, Resolution No. 860-2017, adopted on December 12, 2017, authorized D & B Engineers and Architects, P.C., to provide engineering services to the Town of Oyster Bay under Contract No. PWC20-18, On-Call Engineering Services Relative to Tank Management Programs in the Town of Oyster Bay; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 1, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$17,883.35, under Contract No. PWC20-18, for Engineering Services for Tank Management, including Contract Document Preparation and Inspection of Abandoned Tank 31 at the DPW Complex, 150 Miller Place, Syosset, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$17,883.35, and to pay D & B Engineers and Architects, P.C., for services rendered under Contract No. PWC20-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008, for Contract No. PWC20-18.

-#-

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway



## TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

February 1, 2018

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT:

ON-CALL CONSULTANT SERVICE REQUEST

RELATIVE TO TANK MANAGEMENT

CONTRACT NO. PWC 20-18

ACCOUNT NO.: HWY H 5197 20000 000 1503 008

PROJECT ID: 1503HWY DB-19

The consultant, D & B Engineers and Architects, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC20-18 by Resolution No. 860-2017 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated January 25,2018 from D & B Engineers and Architects, P.C. regarding the scope of work to be performed in an amount not to exceed \$17,883.35. Services to be performed include contract document preparation and inspection of the abandonment of Tank 31 at the 150 Miller Place DPW Complex.

Attached is an availability of funds in the amount of \$17,883.35 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1503 008.

It is hereby requested that the Town Board authorize by Resolution D & B Engineers and Architects, P.C. under Contract No. PWC20-18, On-Call Engineering Services Relative to Tank Management and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

RICHARD W. LENZ, ED. COMMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JT/MR/SC/Ik

Attachment

cc: Town Attorney (w/7 copies)

Steven Ballas, Comptroller Kathy Stefanich, Public Works

John Bishop, Deputy Commissioner/Highway

PWC 20-18 - D&B - ON CALL SERVICE REQUEST\_17,883.35



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



Requesting Division/Department

HWY

THIS SECTION TO BE COMPLETED BY DEPAR	RTWENT ADMINISTERING ON-CALL CONSULTANT CONTRACT			
Contract Number	PWC 20-18			
Contract Period	01/01/18 - 12/31/19			
Consultant/Contractor	D & B Engineers and Architects, P.C.			
Discipline	Tank Management			
Total Authorization	\$ 17,883.35			
Resolution No.	860-2017 Date 12/17/2017			
Funded To Date	\$ 0.00 ,			
Amount Requested	\$17,883.35			
Account To Be Used HWY H 519	1 2000 000 1503 008/ID 1503 HWY DB-19 M			
i	he 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.				
Tank Management Program				
	Tank #31 - Highway			
Work To Be Completed In Contract Period:  A "No" response will require Town Board authorization to extend the contract period.				
Required Insurances Are In Effect:  A "No" response will prevent further processing of this form.				
Required 50% Performance Bond For This Reque				
·	Amount of Bond \$			
Requesting Division/Department	DPW Approval     Only To Be Executed By The Commissioner			
OLORIA				
Signature	Signature Talke (As they			
Title DEPUTY COMMISSIONER  Department of Highways	Title Commissioner of Public Works			
Date /-27-18	Date //26/18			
THIS SECTION TO BE COMP	PLETED BY THE DIRECTOR OF FINANCE			
Amount Requested 17883	38			
Unemcumbered Balance 68, 117.	<u> </u>			
Is The Account To Be Used Consistent With The Nature Of Work Listed Above?  Yes No				
Signature   Date   //31/18				
<b>*</b>	₹			



## TOWN OF OYSTER BAY

### WORK ORDER



This Section To Be Completed	By The Department C	of Public Works
Work Order No.	E.O. No.	
		1/1/2018
Contract No. PWC 20-18		12/31/2019
Commencement Date		
No claim shall be paid for work perf		
•	office prior to th	c Commencement Date
Vendor Name and Address		
D & B Engineer	s and Architects, P.C.	
330 Cross	ways Park Drive	
Woodbu	ıry, NY, 11797	
	-	
Requesting Town Department	P	arks
Contact Sunita	Chakraborti	Phone (516) 677 - 5725
Description of Work to be Performed (Attach Detail If N	lecessary)	
Tank Mana	gement Program	
Tank#		
I GISK T	or - riigtiway	
This work order shall not excee	d \$	17,883.35
Please notify the above mentioned contact		
Requesting Division/Department		ent Of Public Works Approval Be Executed By The Commissioner
Signature The Parties	Signature	De la Pula
DEPUTY COMMISSIONER'	0.91.0.01.0	Commissioner of Dublic Warley
Department of Highways		Commissioner of Public Works
Date	Date	1/30/18



Board of Director

Steven A. Fangmann, P.E., BCEE President & Chairman Robert L. Raab, P.E., BCEE, CCM Senior Vice President

#### Vice Presidents

Rob J. DeGlorgio, P.E., CPESC Senior Vice President Stephen M, Dudar, P.E. Senior Vice President Dennis F. Koehler, P.E. Senior Vice President Joseph H. Marturano Senior Vice President William D, Merklin, P.E. Senior Vice President John Schreck, P.E. Senior Vice President Brian M, Veith, P.E. Senior Vice President

Richard M. Walka Senior Vice President Dr. Nicholas W. Bodouva Senior Vice President Garrett M. Byrnes, P.E. Vice President

Matthew R. DeVinney, P.E. Vice President Frank DeVita Vice President Thomas P. Fox, P.G. Vice President

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Vice President
Philip R, Sachs, P.E.
Vice President

Dir. of Architecture Michael P. Sciarrillo, AIA, NCARB

Charles J. Wachsmuth, P.E. Vice President

#### Senior Associates

Roger L Cocchi, P.E. Joseph A, Fioraliso, P.E. Michael R. Hofgren Michael Mastrangelo Jamil Miranda, P.E. Adam Remick, P.E. Adriana S, Restrepo, P.E. Daniel Shabat, P.E.

Associates

Jeffrey G, Butler, P.E., BCEE
Meredith A. Byers
Anthony M. Carniano, P.G.
Rudolph F, Cannavale
Michael Carroll, P.E., CEM
Kevin J, Donlevy, P.E.
Lisa Lautato
Robbin A. Petrella
Swaroop C, Puchalapailli, P.E.
Edward J, Reilly
Michael G, Savarese, P.E.
Thomas Schaefer, P.E.
Alexis Schlessingerman, P.E., CCM
Stephen E, Tauss, P.G.
Frank Visingardi, Jr., P.E.

516-364-9890 • 718-460-3634 • Fax: 516-364-9045 • www.db-eng.com

January 19, 2018 Revised February 2, 2018

Mr. Matthew Russo, P.E. Department of Public Works Town of Oyster Bay 150 Miller Place Syosset, NY 11796

Re: Tank 31, Oil Interceptor and Compactor

Storm Water Collection and Disposal system at Highway Yard

PWC 20-18 D&B No. 3490

Dear Mr. Russo:

As the Town of Oyster Bay's tank management consultant under the above-mentioned contract, D&B Engineers and Architects, P.C. (D&B) is hereby requesting the transfer and encumbrance of funds from our previous tank management contract, PWC 20-16 to the new contract. This transfer will allow us to complete our design work on the project related to Tank 31 abandonment at the Town's Highway Yard at 150 Miller Place. Additionally, at this time, we also request encumbrance of funds to support bidding and construction administration activities for the project.

Specifically, to complete design and permitting, we are requesting a transfer of \$1,383.35 to the new (PWC 20-18) to complete design and permitting, and we are requesting new funding of \$16,500 to the new contract to perform bidding and construction services.

Our proposed scope for bidding and construction phase will include the following tasks:

- Prepare 10 copies of the project plans and specifications to the Town for use in publicly soliciting bids for the project work.
- Respond to bidder information requests and questions during the bid period.
- Attend the bid opening, review bids and make recommendation to the Town for award of the work to the lowest responsible and responsive bidder.
- Prepare 3 copies of conformed contract documents for the Town's use in contract signing.

"50+ Years of Facing Challenges, Finding Solutions... Since 1965"

Mr. Matthew Russo, P.E. Department of Public Works Town of Oyster Bay January 19, 2018 Revised February 2, 2018

Page 2

- Conduct a pre-construction conference with the selected contractor.
- Provide office-based construction services to review equipment submittals, construction progress, cost schedules, shop drawings, and payment requisitions.
- Provide oversight and administration of sampling procedures regarding drywell closure. An environmental scientist will be on-site during the excavation to verify compliance with the drywell closure and contract requirements.
- Review the contractor's draft tank removal and/or abandonment documentation to the USEPA for Tank 31 and the oil interceptor.
- Provide part-time on-site construction services to witness principal construction tasks including tank removal, foundation construction and controlled backfill of excavations and structures. A total of 40 hours is allocated for on-site inspection. If requested, additional inspection can be provided at a rate of \$100 per hour.

The total value requested to be encumbered for our remaining work under the new contract is \$17,883.35.

If you require further information or have any questions, please feel free to call to me.

Very truly yours,

Philip R. Sachs, P.E.

Vice President

PRSt/cf

S. Chakraborti (TOB-DPW) cc:

+3490\PRS012518MR-Ltr

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 4, 2017, advised that on October 20, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Tank Management Programs, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC20-18, for a two (2) year term contract commencing January 1, 2018 through December 31, 2019; and

WHEREAS, in response to that Request for Proposals, four (4) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected D & B Engineers & Architects, P.C., Cashin Associates, P.C., and Holzmacher, McLendon & Murrell, P.C. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with D & B Engineers & Architects, P.C., Cashin Associates, P.C., and Holzmacher, McLendon & Murrell, P.C. to provide Engineering Services elative to Tank Management Programs, in accordance with the specifications contained in Contract No. PWC20-18, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., Cashin Associates, P.C., and Holzmacher, McLendon & Murrell, P.C., in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2018 through December 31, 2019.

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

cc: Supervisor (2) Town Attorney Comptroller Public Works

Reviewed By Office of Town Attorney

# HIGHWAY VETARIMENT

### TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

January 26, 2018일을 기계2의 🗩 🕃 😘

TO:

JOHN BISHOP, DEPUTY COMMISIONER

DEPARTMENT OF HIGHWAYS

FROM:

MATTHEW RUSSO, P.E., DIVISION OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

THROUGH: RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT:

REQUEST FOR AVAILABILITY OF FUNDS

CONTRACT NO. PWC 20-18

TANK MANAGEMENT

D & B ENGINEERS AND ARCHITECTS, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$17,883.35.

Funds are required for assisting the Town with design work on the project realated to Tank 31 abandonment at the Town's Highway Yard at 150 Miller Place, as per the attached letter from D & B Engineers and Architects, P.C., dated January 25, 2018.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$17,883.35 and Resolution No. 860-2017 authorizing D & B Engineers and Architects, P.C. for on-call services.

If you have any questions, please contact Sunita Chakraborti, Division of Engineering, at extension

MATTHEW RUSSO, P.E.

DIVISION OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

RICHARD W. LENZ. P

COMMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

MC:MR:SC:lk Attachments

Kathleen Stefanich, Administration/DPW

PWC 20-18 D&B - REQUEST FOR FUNDS\_17,883,35



WHEREAS, Resolution No. 850-2017, adopted on December 12, 2017, authorized deBruin Engineering, P.C., to provide Engineering Services to the Town under Contract No. PWC10-18, On-Call Engineering Services Relative to Construction Management for Inspection of Improvements to Pool Filter Systems at Various Town Parks; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 1, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$31,500.00, under Contract No. PWC10-18, for Engineering Services for Construction Management, with funds to be drawn from Account No. PKS H 7197 20000 000 1504 013,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$31,500.00, and to pay deBruin Engineering, P.C., for services rendered under Contract No. PWC10-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. PKS H 7197 20000 000 1504 013, for Contract No. PWC10-18.

#

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Parks

19:101

### TOWN OF OYSTER BAY

#### INTER-DEPARTMENTAL MEMO

February 1, 2018

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO CONSTRUCTION MANAGEMENT

CONTRACT NO. PWC10-18

ACCOUNT NO.: PKS H 7197 20000 000 1504 013

PROJECT ID NO. 1504 PKSSP-02

The consultant, deBruin Engineering P.C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC10-18 by Resolution No. 850-2017 for the subject project.

Attached is a letter dated December 27, 2017 from deBruin Engineering P.C. regarding the scope of work to be performed in an amount not to exceed \$31,500.00. Services to be performed include inspection of Improvements to Pool Filter Systems at Various Town Parks.

Attached is an availability of funds in the amount of \$31,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1504-013.

It is hereby requested that the Town Board authorize by Resolution, deBruin Engineering P.C. under Contract No. PWC10-18, On-Call Engineering Services Relative to Construction Management and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

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

RWL/JT/MR/HAS/Ik

Attachment

cc: Office of the Town Attorney (w/7 copies)

Steven Ballas, Comptroller

Katherine Stefanich, Administrative Division/DPW

Joseph G. Pinto, Commissioner/Parks

PWC 010-18 DOCKET deBruin \$31,500.00 for DP16-136



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



Requesting Division/Department

THIS SECTION TO BE COMPLET				L CONSULTANT CONTRACT
•				
Contract Period	January 01, 2018 to December 31, 2019			
Consultant/Contractor	(	de Bruin Engine	eering P.C.	
Discipline	(	Construction Ma	anagement	
Total Authorization		\$ 31,500.	o ೧	
	0850-20			12/12/2017
Funded To Date		\$ 0,00	76	
Amount Requested		\$31,500	.00	
	PK5-4- 7197-20			1504 PKSSP-02
If Capital A Description Of Work	ccount, State The Related	i Contract Num	ber:	DP16-136
Imp	Improvements to Pool Filter Systems at Various Town Parks			
DP16-136				
Work To Be Completed In Contract Period:  A "No" response will require Town Board authorization to extend the contract period.				
Required Insurances Ar A "No" response will prevent to			Yes X	No
Required 50% Performance B	ond For This Request In Effect:		Yes	No N/A X
	Amo	ount of Bond	\$	
Requesting Division/	Department	Oni		V Approval ted By The Commissioner
Signature Family		Signature	De la	Qu Cen
Patitle Commission	er/Pinks	Title	Commis	ssioner of Public Works
Date //29/18	/ 10000	Date_		<del>9</del> /18
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE				
Amount Requested 3/ 535.00				
Unemcumbered Balance Is The Account To Be Used Consistent	With The Natura of Work in	sted Ahove?		Yes No
Signature	VVIII THE NAME OF VVOICE		ate /	13/18



# TOWN OF OYSTER BAY

# WORK ORDER



This Se	ction To Be Completed E	By The Department (	Of Public Work	S
Work Order No.		E.O. No		
		Contract Start_	1/1/2018	
Contract No	PWC 010-18			
C	ommencement Date	1/1/2018		
No claim shall be	paid for work perfo	ormed prior to the	ne Commen	cement Date
Vendor Name and Address				
	de Bruin Er	ngineering P.C.		
	11 <u>Uni</u>	on Avenue		
·	1			
	(516)	313-1313		•
Requesting Town De	epartment	DPW E	ngineering	
	Contact Hans	Stronstad	Phone	516-677-5852
Description of Work to be Per	formed (Attach Detail If I	Necessary)		
	Construction Managen	nent for Contract DF	16-136	
Imp	provements to Pool Filter	Systems at Various	Town Parks	
	•			
This work order	shall not excee	ed \$	\$31,50	00.00
	ve mentioned contact		rior to comm	encing any work.
	sion/Department	Departm	ent Of Publ	ic Works Approval By The Commissioner
Signature	( ) A	Signature	Jako C	reley
Q Title Com	nissioner Pu	uks	Commission	oner of Public Works
1	6/18		1	1



#### de Bruin Engineering P.C.

Civil Engineering & Construction Management

December 27, 2017

Richard W. Lenz, P.E.

Commissioner of Public Works

Town of Oyster Bay

150 Miller Place

Syosset, NY 11791

Attn:

Matthew Russo, P.E.

Re:

TOB Filter Rooms

Various Locations - Services for 2018

de Bruin Project No. 6101

Dear Commissioner,

Our proposal of April 11, 2017 on the referenced project covered work through the Construction Phase, however the resolution issued was for work through the bid phase only. The project has been bid and awarded and work has begun on the construction phase, which will not be completed until 2018. We respectfully request that funding be approved to cover our Construction Phase services that will occur during 2018. These costs are projected as follows:

Services	Who	Rate	Hrs/Units	Total
Construction Management	Steven Rimkunas, PE	\$175.00	180	\$31,500.00
wanagomore	Total			\$31,500.00

Thank you for your consideration in this matter. Please contact us should you have any questions.

Sincerely yours,

Robert W. de Bruin, P.E.

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 4, 2017, advised that on October 5, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Construction Management, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC10-18, for a two (2) year term contract commencing January 1, 2018 through December 31, 2019; and

WHEREAS, in response to that Request for Proposals, twelve (12) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected Cashin Associates, P.C., CSM Engineering, P.C., deBruin Engineering, P.C., D & B Engineers & Architects, P.C., LiRo Engineers, Inc., Schneider Engineering, PLLC and A. Vournou Construction Management Group, LLC. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with Cashin Associates, P.C., CSM Engineering, P.C., deBruin Engineering, P.C., D & B Engineers & Architects, P.C., LiRo Engineers, Inc., Schneider Engineering, PLLC and A. Vournou Construction Management Group, LLC, to provide Engineering Services relative to Construction Management, in accordance with the specification contained in Contract No. PWC10-18, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC10-18 with Cashin Associates, P.C., CSM Engineering, P.C., deBruin Engineering, P.C., D & B Engineers & Architects, P.C., LiRo Engineers, Inc., Schneider Engineering, PLLC and A. Vournou Construction Management Group, LLC, in accordance with the provisions thereunder, for a two (2) year term commencing on January 1, 2018 through December 31, 2019.

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

Supervisor (2) Town Attorney Comptroller Public Works

cc:



#### TOWN OF OYSTER BAY

#### INTER-DEPARTMENTAL MEMO

January 24, 2018

TO

: JOSEPH G. PINTO, COMMISSIONER

**DEPARTMENT OF PARKS** 

**FROM** 

: MATTHEW RUSSO, P.E., DIVISION OF ENGINEERING

DEPARTMENT OF PUBLIC WORKS

THROUGH:

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT

: REQUEST FOR AVAILABILITY OF FUNDS

CONTRACT NO. PWC 10-18

ON-CALL ENGINEERING SERVICES RELATIVE TO

CONSTRUCTION MANAGEMENT DEBRUIN ENGINEERING, P.C.

The Division of Engineering respectfully requests that you make available an account number to be used to satisfy costs related to the above-referenced contract in the amount of \$31,500.00.

Funds are required for on-site Construction Management Inspection for contract project, DP16-136 Improvements to Pool Filter Systems at Various Town Parks, as per the attached letter from deBruin Engineering, P.C., dated December 27, 2017.

Also attached is the "On-Call Consultant Service Request for Availability of Funds" in the amount of \$31,500.00 and Resolution No. 0850-2017 authorizing deBruin Engineering, P.C., for on-call services.

If you have any questions, please contact Hans A. Stronstad Sr., Division of Engineering, at extension 5852.

MATTHEW RUSSO, P.E.

DIVISION OF ENGINEERING DEPARTMENT OF PUBLIC WORKS

been

RICHARD W. LENZ COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/MR/HAS/lk Attachments

C:

Kathleen Stefanich, Administration/DPW John C. Tassone, Department of Parks

PWC 010-18 ROAF \$31,500.00 for deBruin Pool Filter Systems DP16-136

Reviewed By Office of Town Attorney

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 8, 2018, requested Town Board authorization to sponsor enrichment workshops and to retain the professional services of the instructors on the attached chart for the locations, services and fees listed therein, with funds to be drawn from Account No. CYS A 7020 47660 000 0000, for the Spring 2018 Town of Oyster Bay Enrichment Program Workshops, and Commissioner Fitzgerald advised that the registration fees for the Children's and Adult Workshops will range from \$20.00 to \$75.00 for Residents and \$45.00 to \$100.00 for Non-Residents and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 0000, and requested that the Department of Community and Youth Services be granted Town Board authorization to process refunds for workshops that do not materialize for cause,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Department of Community and Youth Services, is hereby authorized to retain the professional services of the instructors on the attached chart, for the locations, services and fees listed therein, for the Spring 2018 Town of Oyster Bay Enrichment Program Workshops; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. CYS A 7020 47660 000 0000; and be it further

RESOLVED, That the registration fees for the Children's and Adult Workshops will range from \$20.00 to \$75.00 for Residents and \$45.00 to \$100.00 for Non-Residents and monies collected from the workshops will be deposited in Revenue Account No. CYS A 0001 02001 511 0000; and be it further

RESOLVED, That the Department of Community and Youth Services is hereby authorized to process refunds for workshops that do not materialize for cause, and the Comptroller is hereby authorized to process refunds for resident and non-resident fees, 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

De los

# TOWN OF OYSTER BAY

#### Inter-Departmental Memorandum

February 8, 2018

TO:

Memorandum Docket

FROM:

Maureen A. Fitzgerald, Commissioner

Department of Community and Youth Services

SUBJECT:

Spring, 2018 Workshop Enrichment Program - Instructional Services

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

The Instructors shall render professional services and receive fees for the services in accordance with the attached table. The table also details the workshop types and locations. The funds for the Instructor's fees are available in Account CYS A 7020 47660 000 0000 Special Events, and will not exceed \$2,500.00

In accordance with Guideline 5, Section b. of the Town's Procurement Policy, that no proposals or quotations shall be required.

The registration fees for these Adult Workshops will range from \$20.00 to \$75.00 for Residents and \$45.00 to \$100.00 for Non-Residents. The registration fees collected from these workshops shall be deposited in Revenue Account CYS A 0001 02001 511 0000.

The Department also requests authorization for the Commissioner of Community & Youth Services to process refunds for workshops that do not materialize for cause. Said refunds will be issued by the Town's Comptroller's Office after audit.

Therefore, it is respectfully requested that the Town Board authorize the Town to enter into agreements as negotiated and attached and further authorize the Supervisor and/or his designee to execute said agreements.

Maureen A. Fitzgerald

Commissioner

MAF:SAB:dj Attachments

cc: Town Attorney (+7 copies)

2018 SPRING Instructional Services	Check Payable to:	Community Centers	Fee per Session x Amount of Sessions	Amount Not to Exceed
Sumi-E Painting One (1) Adult Workshop. Ten (10) sessions.	Gladys L. Yong Chu Stewart 28 20th Street Jericho, NY 11753	Syosset- Woodbury	\$100 per session x ten (10) sessions	\$1,000.00
Interior Decorating Classes Three (3) Separate Workshops. One (1) Session Each.	Caroline Wilkes 1921 Julian Lane Merrick NY 11566	Syosset- Woodbury	\$150 per workshop x three (3) workshops	\$450.00
Summertime Jewelry-Making Three (3) Separate Workshops. One (1) Session Each.	Theresa Muldoon 40 Stokes Ave Bethpage, NY 11714	Syosset- Woodbury	\$150 per workshop x three (3) workshops	\$450.00
Zumba Fitness One (1) Adult Workshop Ten (10) sessions.	Janet Spiro 17 Walters Avenue Syosset, NY 11791	Syosset- Woodbury	\$60.00 per session x Ten (10) sessions	\$600.00

TOTAL: \$2,500.00

## NO FUNDS NEED BE ENCUMBERED FOR THE FOLLOWING SIX (6) WORKSHOPS:

Six (6) Adult workshops in the field of applied fine arts - three workshops in Oil & Acrylics, one workshop in Watercolor and two workshops in Drawing Fundamentals. All six workshops will be held at the Syosset-Woodbury Community Center and all six workshops will be instructed by a Town of Oyster Bay employee.

Contract number: 044-2018

#### **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 Gladys L. Yong Chu Stewart, 28 20<sup>th</sup> Street, Jericho, New York 11753 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Workshop:

Sumi-E Painting

Location:

Syosset-Woodbury Community Center

Amount:

\$100.00 per session

Ten sessions

In consideration of these services, the TOWN agrees to pay CONTRACTOR an amount not to exceed One thousand 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 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.

GLADYS L. YONG CHU STEWART		TOWN OF OYSTER BAY	
CONTRACTOR		COMMISSIONER	
DATE:		DATE:	, 2018

Reviewed By Office of Town Altorney

WHEREAS, Resolution No. 826-2004, adopted on December 14, 2004, authorized the Department of Community and Youth Services to collect a \$100.00 donation semi-annually from participants in the Group Activities Program (GAP); and

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated February 12, 2018, requested that the Town Board amend Resolution No. 826-2004, to authorize the Department of Community and Youth Services to revise the amount of the donation from \$100.00 to \$150.00 semi-annually, due to the rising cost of operating the program,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and Resolution No. 826-2004, is hereby amended to authorize the revised donation amount of \$150.00 semi-annually for the GAP Program.

The foregoing resolution was declared adopted after a poll of the members of the Board; the

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc:

Supervisor Town Attorney Comptroller

vote being recorded as follows:

Community & Youth Services

5 103

# TOWN OF OYSTER BAY

#### Inter-Departmental Memorandum

February 12, 2018

TO:

Memorandum Docket

FROM:

Maureen A. Fitzgerald, Commissioner

Department of Community and Youth Services

SUBJECT:

Amendment to Town Board Resolution 826-2004

Town Board Resolution No. 826-2004, dated December 14, 2004, which is attached, authorized the Department of Community & Youth Services to collect a \$100 donation semi-annually for the Group Activities Program (GAP). The Department is now requesting authorization to revise the donation to \$150.00 semi-annually. The Summer Day Camp is a six week program, five days a week from 10:00 a.m. to 3:00 p.m. The Fall/Winter/Spring program is an eight month program, five days a week with various times and activities. The Department is requesting this increase due to the rising cost of operating the program.

Therefore, it is respectfully requested that the Town Board authorize the employees of the Department of Community & Youth Services to amend Resolution 826-2004 to accept donations of \$150.00 semi-annually for the GAP Program.

Maureen A. Fitzgerald

Commissioner

MAF:lw

cc: Town Atterney (+7 copies)

Attachment

Meeting of December 14, 2004

WHEREAS, Bruce E. Foley, Commissioner of the Department of Community and Youth Services, by memorandum dated November 16, 2004, requests that the Town Board amend Resolution No. 89-93, adopted on February 2, 1993, to permit employees, of the Department of Community and Youth Services to collect donations for the "Friends of Community and Youth Services, Inc.", a Section 501(c)(3) charitable organization authorized by Resolution No. 224-2001, adopted on April 24, 2001, from participants in the Fall/Winter/Spring Program (September through May) and the Summer Program (July and August) of the Group Activities Program for the Handicapped; and

WHEREAS, Bruce E. Foley, Commissioner of the Department of Community and Youth Services, by the aforementioned memorandum, recommends that the collected donations be used to defray the cost of trips and special activities offered to the participants of the Group Activities Program for the Handicapped, and be made semi-annually, up to \$100.00 per program, per participant, in an amount not to exceed \$200.00; and

WHEREAS, Bruce E. Foley, Commissioner of the Department of Community and Youth Services, further advises by the aforementioned memorandum that the Town will reimburse the "Friends of Community and Youth Services Department, Inc." through claims submitted by "Friends" for all payments of entrance fees for staff members who accompany the Group Activities Program for the Handicapped participants, to be taken from Account No. A 7020.4645,

NOW, THEREFORE, BE IT RESOLVED, That the hereinabove request is granted and approved, and the Town Board hereby amends Resolution No. 89-93 to permit employees of the Department of Community and Youth Services to collect donations for "Friends of Community and Youth Services, Inc.", as outlined hereinabove, <u>nunc pro tunc</u> from September 1, 2004.

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	Ave
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilwoman McCaffery	Aye
Councilwoman Walker	Aye

cc: Supervisor Town Attorney Comptroller ( C & Y Serv.

Deriend By Office of Your Attorney

Reviewed By Office of Town Attorney

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 7, 2018, recommended that the Town Board authorize a refund in the amount of \$35.00 to Nancy Lin, from account number PKS A 0001 02025 523 0000, for nine (9) unused Ice Skating tickets; and

WHEREAS, Commissioner Pinto, by same memorandum dated February 7, 2018, recommended that the Town Board authorize a refund in the amount of \$57.00 to Martha Parra, from account number PKS A 0001 02001 510 0000, because she was unable to attend Yoga Class due to personal circumstances; and

WHEREAS, Commissioner Pinto, by same memorandum dated February 7, 2018, recommended that the Town Board authorize a refund in the amount of \$70.00 to Susan Glickstein, from account number PKS A 0001 02001 510 0000, because she could not attend Zumba Class due to an injury; and

WHEREAS, Commissioner Pinto, by same memorandum dated February 7, 2018, recommended that the Town Board authorize a refund in the amount of \$190.00 to Patrick Carley, from account number PKS A 0001 02025 526 0000, for a Tappan Beach Marina Boat slip deposit in the amount of \$200.00, less an administration fee of \$10.00, due to his inability to use the boat slip,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Parks is hereby authorized to issue Nancy Lin a refund in the amount of \$35.00, from Account No. PKS A 0001 02025 523 0000, issue Martha Parra a refund in the amount of \$57.00, and issue Susan Glickstein a refund in the amount of \$70.00, both from Account No. PKS A 0001 02001 510 0000, and to issue Patrick Carly a refund in the amount of \$190.00, from Account No. PKS A 0001 02025 526 0000, payment of said refunds are to be made upon presentation of duly certified claims, after audit by the Comptroller.

\_#\_

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller

**Parks** 

6 104

# TOWN OF OYSTER BAY

## Inter-Departmental Memorandum

TO:

Memorandum Docket

FROM:

Joseph G. Pinto, Commissioner of Parks

DATE:

February 7, 2018

SUBJECT:

Resident Refunds

The Department of Parks has received correspondence from Nancy Lin, Martha Parra, Susan Glickstein and Patrick Carley, are requesting a refund. Please see attachments for all pertinent information regarding these four (4) refund requests. In light of the circumstances, the Parks Department believes a refund is in order.

The Department of Parks requests that the Town Board authorize a refund.

#### Nancy Lin

Ice Skating Tickets – 9 unused	\$	\$35.00		
5% Administration Fee waived	- \$	0.00		
Total Refund	<u>\$</u>	\$35.00		
Kindly debit account PKS A-0001-02025-523-0000				
Martha Parra				
Yoga Class	\$	\$60.00		
5% Administrations Fee	-\$	3.00		
Total Refund	\$	\$57.00		
Kindly debit account PKS A-0001-02001-510-0000				
Susan Glickstein				
Zumba Classes	\$	\$70.00		
5% Administration Fee waived	-\$	0.00		
Total Refund	\$	\$70.00		
Kindly debit account PKS A-0001-02001-510-0000				

#### Patrick Carley

Boat Slip # R15 \$200.00

5% Administration Fee -\$ 10.00

Total Refund <u>\$ \$190.00</u>

Kindly debt account PKS A-0001-02025-526-0000

Joseph Pinto

Commissioner of Parks

JGP:jm

Attachments

Cc: Office of the Town Attorney (original + 7 copies)

16/18 Dear Gabrielle, la per our emails, I am returning 9 unused 5 yours - Woodbury we skeeting tickets I purchased Thanks giving weekend for a refund. Both My Son & I are now in physical therapy of cannot ICL Skate. Thankspon So much for your Consideration. It spunded to reach me, my phone Sweedy Many Len

Bank ID: 6001 Merchant ID: 600015928382 Term ID: 602

VISA

Entry Method: Chip

Total: \$

39.00

11/25/17 Inv H: 000011 Apprvd: Online Retrieval Ref.W: 50100006 16:05:59 Appr Code: 09469C Batch#: 329001

I asree to pay above total amount according to card issuer agreement for chant agreement if credit voucher

CHASE VISA AID: A00000000031010 IS1: F800 IVR: 0080008000

Merchant Copy HAVI A NICE DAY

refundaf asking for resident adolf book = \$35

#### **Gabrielle Pontillo**

From:

Tina Roehn

Sent:

Thursday, January 11, 2018 10:27 AM

To:

Gabrielle Pontillo

Subject:

RE: Yoga class refund

Hi Gabby,

Ok this was for FALL 2017 Session Martha Parra 26 Ann Dr Syosset, NY 11791

receipt 23900 DOR# 008 9/26/17 check 1304

----Original Message-----From: Gabrielle Pontillo

Sent: Thursday, January 11, 2018 10:06 AM

To: Tina Roehn

Subject: FW: Yoga class refund

----Original Message-----From: Joseph Pinto

Sent: Friday, December 22, 2017 12:51 PM

To: Gabrielle Pontillo

Subject: FW: Yoga class refund

Please contact this woman and start process

Joe

----Original Message----

From: Martica PP [mailto:

Sent: Friday, December 22, 2017 12:49 PM

To: Joseph Pinto

Subject: Yoga class refund

Hello

My name is Martha Parra, I had registered for the yoga class with Jenny on Saturday morning at the Hicksville Athletic Center, however, for personal circumstances I wasn't able to attend, do you think you can issue a refund. I would really appreciate.

Martha Parra

#### **Gabrielle Pontillo**

From:

Joseph Pinto

Sent:

Friday, December 22, 2017 12:51 PM

To: Subject: Gabrielle Pontillo FW: Yoga class refund

Please contact this woman and start process

Joe

----Original Message----

From: Martica PP [mailto]

Sent: Friday, December 22, 2017 12:49 PM

To: Joseph Pinto

Subject: Yoga class refund

Hello

My name is Martha Parra, I had registered for the yoga class with Jenny on Saturday morning at the Hicksville Athletic Center, however, for personal circumstances I wasn't able to attend, do you think you can issue a refund. I would really appreciate.

Martha Parra

Sent from my iPhone

trochn - forwarded her email

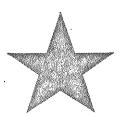




#### TOWN OF OYSTER BAY Department of Parks GENERAL RECEIPT

3900

ame Martha Par	YCI .	Phone
ab ann Dr.		Age U
Syosset.	Zip	Day Hour
ativity ga - Sat	Location	
0./ Day/ Year	Received By	Fee \$ QQ
DPY DISTRIBUTION hite - Office anary - Accounting nk - Program Head old - Registrant		Cash Check 304





January 18, 2018

Joseph G. Pinto Commissioner of Parks 977 Hicksville Road Massapequa, NY 11758

Dear Commissioner Pinto,

I am sending this letter to you at the suggestion of Ms. Tina Roehn of the Hicksville Athletic Center.

On November 28, 2017, I registered for Zumba classes at the Athletic Center and paid with a check for \$70, as a non-resident of Oyster Bay. The General Receipt I was given for my payment is numbered 4353. The classes were to begin on January 8, 2018.

In mid-December of 2017, I slipped and fell on some ice and suffered injuries for which I have been under medical care, and I am therefore unable to attend the Zumba classes.

I am requesting a refund of the \$70 registration fee.

Thank you very much.

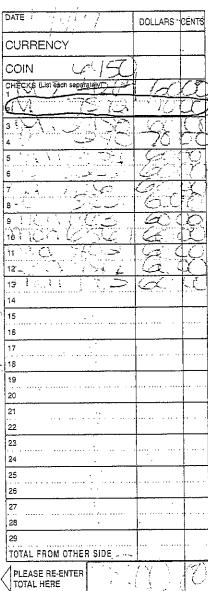
Sincerely,

Susan Glickstein 726 Bruce Drive

East Meadow, NY 11554

TOWN OF OYSTER BAY
74 AUDREY AVENUE
0YSTER BAY, NY 11771





DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAY A HOLD FOR UNCOLLECTED FUNDS MAY BE PIACED ON FUND OEPOSITED BY CHÉCK OR SIMILAR INSTRUMENTS. THIS COLLEY YOUR ABILTY TO WITHDRAW SUCH FUNDS. THE CELAX ANY WOULD NOT EXCEST THE PERIOD OF TIME PERMITTED BY LAW







#### TOWN OF OYSTER BAY Department of Parks GENERAL RECEIPT

435**3** 

Name	Dhono
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#### Town of Oyster Bay / Parks & Recreation

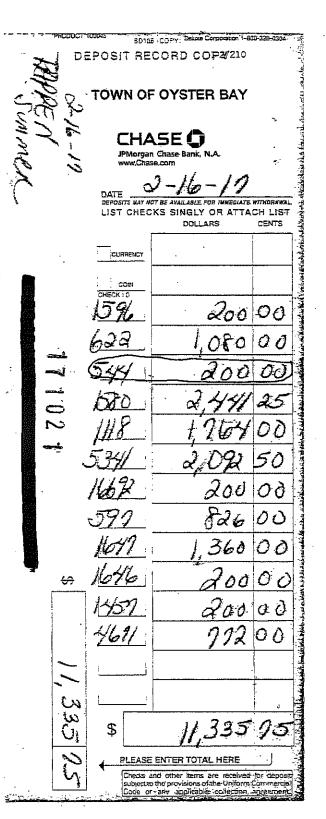
Due to mechanical failure on my boat, I was not able to put it in the water for the 2017 season. It has been at Quality Marine since early April and is still there now. I spoke to Chris at the Tappan Beach Marina and he advised me to write a letter stating that my boat was never kept at the Marina (slip R15 or R17) this year. I would like to request a refund for the 2017 season but would also like to keep my slip for the upcoming season. I'm hoping that you can use my \$200.00 deposit to secure my slip for 2018. Please feel free to contact me if you need any more information or for the outcome of this request. If needed, all receipts will be available upon request when the boat is finished being repaired.

Thanks and have a great day

Patrick Carley

3 HOOVER LANE Beth page, NY 11714





# Deposit cash or crecks at a Chase Deposit Franch or crecks at a Chase Deposit Friendly (Sh.) ATH. An image of your check can be printed on your receipt. Ty Transaction Summary Transaction #531 Account Number Ending In: 0206 Checking Deposit \$11,335.75

JPMorgan Chase Bank, N.A.
North Massapequa, Branch 000200
1-800-935-9935
Member FDIC, Equal Housing Lender
Please keep your receipt
02/21/2017 13:38

Business Date GZ/21/2017
Session #208
Thank you - Shanti
Cashbox #02





Frank A. Nocerino

#### STER BAY OWN OF ON Department of Parks

Joseph S. Saladino Town Supervisor

977 Hicksville Road Massapequa, NY 11758 (516) 797-4111

# SUMMER 2017 MARINA DEPOSIT RECEIPT

Patrick J. Carley			Receipt #:	14264
3 Hoover Lane			Slip No.:	Tappen Beach R15
Bethpage, NY 11714			Vessel:	
Birthdate: 11/6/1967	Payment Type:	Personal Check	Reg.#:	NY 9561 UM
Amount Received: \$200.00	Check #:	544	LOA:	
Balance Due - With Electric:		\$1,540.00	Date:	2/15/2017 10:57:39 AM
Balance Due - No Electric:		\$1,360.00	Payment F	Received By: KSKRYNECKI

#### TERMS AND CONDITIONS

The season shall begin on Monday, Apr 10, 2017 and end on Sunday, Nov 12, 2017.

- 1. All boat and boating equipment docked, berthed, located or left at Town Facilities are left at the sole risk of the owner of said boats and equipment and permission to so dock, berth, locate or leave such property is conditioned upon the owner's acceptance of said risk. All boat and boat equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
- 2. The licensee expressly assumes all risk of loss due to damages, theft, vandalism, or accident to his/her property while berthed in the marina and expressly releases the Town of Oyster Bay, its agents, officers, and employees from any and all claims whatsoever for loss, damage, fire, theft, or
- 3. The security that is provided at the marinas is for the protection of Town property. The Town does not assume responsibility for damage done to vessels docked at Town marinas.
- 4. Upon assignment of boat slip, which is for the exclusive use of the licensee, said boat slip SHALL NOT be transferable to another person or to
- 5. Once a vessel is assigned a slip in a category, only that vessel may occupy said slip. The only change in slip assignment permitted will be those that involve slips in the applicant's authorized category size. The change in slip assignment will only be made through the Beach Division 6. A tenant who wishes to place a different vessel in his/her assigned slip will be permitted to do so only under the following conditions:
- a. The vessel's overall length must fall within the original category size (for example in the 26-31 foot category, the different vessel cannot be less than 26 feet or more than 31 feet in overall length).
  - b. The tenant has ownership of the new vessel and he/she remains the primary owner.
- 7. A tenant may not:
  - a. Own or be co-owner of more than one vessel which occupies a slip in either north shore marina.
  - b. Trade up or down in vessel size that takes him/her out of his/her category size
  - Transfer ownership to other persons (full or part) and maintain current slip space
- 8. All deadlines for receipt of various documents, required deposits, and final payment must be met. No extensions will be granted.
- 9. The boat slip licensee's are under the express stipulation that the licensee shall not sub-lease or assign such space to anyone, and slips shall at all times remain under the full control of the Town of Oyster Bay.
- 10. All requests for refunds must be made in writing and received at the Parks Department main office.
- 11. Any false statement contained on the marina application shall constitute grounds for revocation of the assigned slip.
- 12. Violation of any of the rules and regulations governing the use of the marina area shall constitute grounds for revocation of slip assigned.
- No refunds of fees upon revocation of assigned slip.
- 14. Each licensee shall give the facility manager at least 48 hours notice of his/her occupancy of assigned slip and the licensee shall give notice to said manager by Sunday, Nov 5, 2017 as to the date of which licensee shall vacate assigned slip.
- 15. Any vessel remaining at a marina after Sunday, Nov 12, 2017, will be charged \$30 per day. Please note, regardless of what you may be told by facility employees, this fee cannot be waived. This does not apply to boat owners who have received winter storage assignments.
- 16. Lessees of boat slips, dinghy and sunfish/sailfish racks shall be issued one vehicle gate pass free of charge.
- 17. All rules and regulations governing the use of Town marinas shall be established by the Commissioner of Parks.

Final Payment Must be Received by Friday, Mar 24, 2017



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 6, 2018, requested Town Board authorization to employ the services of the Nassau County ASA Umpires Association, in connection with the Town of Oyster Bay Senior Citizen Softball League, for one hundred seventy (170) games during the 2018 softball season, at the rate of \$44.00 per seven-inning game, for a total amount not to exceed \$10,000, plus a travel fee of \$15.00 per occurrence should a team fail to cancel a game in advance because of field or weather conditions,

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 the Nassau County ASA Umpires Association, in connection with the Town of Oyster Bay Senior Citizen Softball League, for one hundred seventy (170) games, during the 2018 softball season, at the rate of \$44.00 per seven-inning game, for a total amount not to exceed \$10,000, plus a travel fee of \$15.00 per occurrence should a team fail to cancel a game in advance because of field or weather conditions; 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 funds for said payment are to be drawn 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Parks

755

# TOWN OF OYSTER BAY

#### Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph Pinto, Commissioner of Parks

DATE: February 6, 2018

SUBJECT: Umpire Services for Senior Citizen Softball

The Department of Parks requests Town Board authorization to employ the services of the Nassau County ASA Umpires Association to provide officials for the Town's Senior Citizen softball teams for the 2018 season. Town Board Resolution No. 547-2017, dated 9/12/2017, authorized the services last year.

The services of the Umpires Association has increased the rate of each game an extra \$2.00 per game, therefore they are requesting for 170 games at a rate of \$44.00 per seven-inning game, the total amount not to exceed \$10,000.00. The Association also charges a travel fee of \$15.00 per occurrence, should a team fail to cancel a game in advance due to field or weather conditions.

Attached is a current Certificate of Liability Insurance from Long Island Senior Softball Association that has been reviewed and approved by the Office of the Town Attorney.

Therefore, it is respectfully requested that the Town Board authorize the Department of Parks to employ the services of the Nassau County Asa Umpires. Funds for this purpose are available in account PKS A 7110 44900 000 0000, other contract.

Joseph Pinto Commissioner of Parks

CC: Town Attorney ( original + 7 copies)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MEN/DD/YYYY) 01/24/2018

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 Al	OITIO	NAL INSURED, the p	olicy(ies) mu:	st be endors	ed. If SUBROG	ATION IS V	NAIVE	), subject
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RODUCER				CONTACT NAME					
IPS Bollinger 50 _FK PARKWAY, 4TH FLOOR				PHORE		<b>1</b>	AX		
O Box 399			٠	A/C No Ext) 800	-446-5311	1	AC, No ) 973	921-84	74
HORT HILLS, N., 07078 HONE: 1-800-446-5311 FAX: 973-921-8474				E-MAIL ADDRESS					
HUNE: 1800-440-33 1 FAX 313-321-04114				INS	JRER(S) AFFOR	DING COVERAGE			NAIC #
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SUREO			_	NSURER B					
USA Softball Adult Team Registratio	n-Liat	ality In	isurance Program	NSURER C					
2801 N E 50th Street		HISURER D							
Oklahoma City, OK 73111									
				INSURER E					
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OVERAGES PC	LICY	CHANG	E NUMBER: ATL201	71101	RE	VISION NUMBE	R:		
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Massapequa NY, 11758			AUTHORIZED REPRESENTATIVE						
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WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 6, 2018, requested Town Board authorization to conduct the Town of Oyster Bay 2018 Supervisor's Laxfest; and

WHEREAS, the tournament will require participating teams to pay a per-team entry fee of \$750.00, to be used to purchase lacrosse equipment, t-shirts, and referees needed to run the tournament; and

WEHREAS, participating teams will be required to submit proper and acceptable documentation of their general liability insurance coverage, in the amount of One Million Dollars (\$1.000,000) per occurrence and Two Million Dollars (\$2,000,000) general aggregate and an endorsement naming the Town of Oyster Bay as an additional insured; and

WHEREAS, Commissioner Pinto will establish the length of the tournament, dates and times, as well as the locations of the games, in order to utilize available Town facilities to the greatest benefit of the participants and the residents of the Town of Oyster Bay; and

WHEREAS, funds collected will be deposited into the Parks Special Events Account No. TWN TA 0000 00085 444 0000,

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 conduct the Town of Oyster Bay 2018 Supervisor's Laxfest, with each team to pay an entry fee of \$750.00 and provide the required proof of insurance coverage; and be it further

RESOLVED, That funds collected from tournament entry fees will be deposited into the Parks Special Events Account No. TWN TA 0000 00085 444 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

Supervisor Town Attorney Comptroller Parks

cc:

# 7

# **Town of Oyster Bay**

# Inter-Departmental Memo

To:

Memorandum Docket

From:

Joseph G. Pinto, Commissioner

Department of Parks

Date:

February 6, 2018

Subject:

Town of Oyster Bay Supervisor's Lacrosse Tournament "Laxfest"

The Department of Parks, Division of Recreation, respectfully requests Town Board authorization to conduct the Town of Oyster Bay Supervisor's Laxfest. Participation in the tournament requires the adoption of an entry fee of seven hundred fifty dollars (\$750.00) per team. The entry fee provides the funds to purchase lacrosse equipment and t-shirts, plus hiring referees, needed to run the tournament. The entry fee shall remain in effect until revised or amended by the Town Board after recommendation by the Commissioner of the Department of Parks.

In addition, for a fee of two hundred dollars (\$200.00) per, vendors are being offered the opportunity to rent a booth.

Teams that wish to participate in the Town of Oyster Bay Supervisor's Laxfest will be required to submit a copy of their general liability insurance, in the amount of one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) general aggregate with endorsement naming the Town as an additional insured.

The Commissioner of the Department of Parks will establish the length of the tournament, dates and times, as well as the location of the games to utilize the facilities to the greatest benefit of the participants and the residents of the Town of Oyster Bay.

Funds collected will be deposited into the Parks Special Events account, TWN TA 0000 00085 444 0000.

Joseph G. Pinto Commissioner

JGP/id

cc: Office of the Town Attorney (with 7 copies)

WHEREAS, New York Naval Militia, by letter dated January 11, 2018 from D. K. McKnight, Commander, requested permission to dock its 34 foot patrol vessel (with trailer and tow vehicle) at the John J. Burns Park boat ramp for the 2018 boating season in support of the New York State Military Emergency Boat Service; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 7, 2018, requested and recommended Town Board authorization to allow the New York Naval Militia to dock its 34 foot patrol vessel (with trailer and tow vehicle) at the John J. Burns Park boat ramp for the 2018 boating season,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is hereby granted, and the Department of Parks is hereby authorized to allow the New York Naval Militia to dock its 34 foot patrol vessel (with trailer and tow vehicle) at the John J. Burns Park boat ramp for the 2018 boating season, subject to the following conditions:

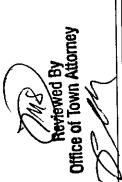
- The use of all Town property shall be in conformance with the direction of the Commissioner of the Department of Parks, or his duly designated representative;
- The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforedescribed activity; and
- The said organization shall file with the Town evidence of self-retention status for liability purposes.

п

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Parks



# TOWN OF OYSTER BAY

# Inter-Departmental Memorandum

TO:

Memorandum Docket

FROM:

Joseph G. Pinto, Commissioner of Parks

DATE:

February 7, 2018

SUBJECT:

New York Naval Militia at John J. Burns Park ramp

The Department of Parks requests Town Board authorization for the New York Naval Militia to dock their 34 foot catamaran patrol vessel, NY 3092 FR, with trailer and tow vehicle at John J. Burns Park ramp for the 2018 boating season, which begins April 16<sup>th</sup> and ends November 11<sup>th</sup>, 2018, with no fee.

Request letter and all necessary documents are attached.

Therefore, this department recommends approval of this request for the 2018 boating season as the New York Navel Militia patrols the waters within the Town of Oyster Bay.

Joseph G. Pinto

Commissioner of Parks

JGP:gv

Cc: Town Attorney (+7 copies w/ attachments)



#### STATE OF NEW YORK DIVISION OF MILITARY AND NAVAL AFFAIRS

# New York Naval Militia

330 OLD NISKAYUNA ROAD, LATHAM, NEW YORK 12110

3500 11JAN2018

Commissioner of Parks Town of Oyster Bay 977 Hicksville Rd. Massapequa, N.Y. 11758

Subject: Support for New York State Naval Militia Vessel

Dear Commissioner:

In recent boating seasons, the Town of Oyster Bay has supported the New York State Military Emergency Boat Service by hosting one of our vessels at the John J. Burns Park, in Massapequa Park.

In the past we have staged our PB 230 vessel at your park. We have determined that this 25 foot vessel does not serve your region adequately and we would like to stage a 34 foot catamaran instead.

We request the use of the Town of Oyster Bay, John J. Burns Park facility to store one 34-foot (total length) patrol vessel (with trailer and tow vehicle) in the same manner as we have in past years. The duration of the request is for the 2018 boating season, April through November.

The State of New York is self-insured. A statement attesting to that fact is attached to this letter.

Any questions regarding this matter may be directed to Naval Militia headquarters, at (518) 786-6021.

Thank you in advance for your continued support

MCKOPIGHT

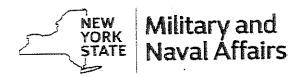
MUYU

NYN

By direction

Encl: Statement of self-insurance Boat Registration for PB 301

all



ANDREW M. CUOMO Governor Commander-in-Chief PATRICK A. MURPHY Major General The Adjutant General

December 10, 2015

Legal Affairs Directorate (518) 786-4541

### **MEMORANDUM**

SUBJECT: Statement of Self-retention Status of New York State for Liability Purposes

The general liability exposures of the State of New York, as well as those of its agencies, are "self-retained," meaning that, unlike "self-insurance" based on a state insurance fund, the State of New York pays settlements and judgments handed down by courts of competent jurisdiction from an annual appropriation funded by State tax revenues. Suits against the State of New York and its agencies and employees for bodily injury and property damage are brought in the New York State Court of Claims. The Division of Military and Naval Affairs, the agency of the New York State Executive Department of which the Naval Militia is a part, is a New York State agency and is self-retained against risk of loss and disability.

Questions regarding this memorandum may be referred to Counsel, New York State Division of Military and Naval Affairs, at (518) 786-4541.





EB039496







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330 OLD NISKAYUNA RD EXEMPT

NEW YORK STATE BOAT REGISTRATION

HERE IS YOUR WATER-REPELLENT BOAT REGISTRATION.

Please separate the registration from the rest of this card.

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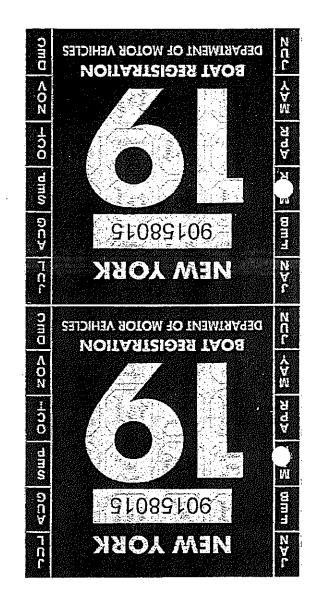
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331679 Repetence of August 18 (1908)

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PB.30



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At a regular meeting of the Town Board of Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, in said Town, on February 27, 2018, at 7:00 P.M., Prevailing Time.

The meeting was called to order by Supervisor Saladino, and upon roll being called, the following were

PRESENT: Supervisor Saladino

Councilman Muscarella

Councilman Macagnone

Councilwoman Alesia

Councilwoman Johnson

Councilman Imbroto

Councilman Hand

ABSENT: No one

The following resolution was offered by Councilman Muscarella who moved its adoption, seconded by Councilman Macagnone, to-wit:

REFUNDING BOND RESOLUTION DATED FEBRUARY 27, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 OR 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, TO BE DESIGNATED "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the Town heretofore issued, on June 11, 2008, an aggregate principal amount of \$25,599,433 Public Improvement (Serial) Bonds, 2008, dated June 1, 2008 (the "2008 Bonds"), pursuant to various bond resolutions for various objects or purposes all as set forth in Schedule A attached hereto and made a part hereof, and a bond certificate of the Supervisor dated June 11, 2008, and of which there are presently \$15,850,000 aggregate principal amount outstanding, maturing on March 1 in each of the following years and amounts;

Y <u>ear</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2018 2019 2020 2021 2022	\$1,330,000 1,380,000 1,435,000 1,490,000 1,545,000	2023 2024 2025 2026 2027	\$1,605,000 1,665,000 1,730,000 1,800,000 1,870,000

WHEREAS, it appears that it would be in the public interest to refund \$14,520,000 outstanding principal amount of the 2008 Bonds maturing in each of the years 2019 through 2027 (the "2008 Refunded Bonds") by the issuance of refunding bonds pursuant to Section 90.00 or 90.10 of the Local Finance Law; and

WHEREAS, the Town heretofore also issued, on August 17, 2010, an aggregate principal amount of \$126,314,000 Public Improvement (Serial) Bonds, 2010, dated August 15, 2010 (the "2010 Bonds"), pursuant to various bond resolutions for various objects or purposes all as set forth in Schedule A attached hereto and made a part hereof, and a bond certificate of the Supervisor dated August 17, 2010, and of which there are presently \$79,610,000 aggregate

principal amount outstanding, maturing on August 15 in each of the following years and amounts;

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2018	\$7,655,000	2023	\$9,135,000
2019	7,930,000	2024	9,450,000
2020	8,215,000	2025	9,780,000
2021	8,510,000	2026	10,120,000
2022	8,815,000		

WHEREAS, it appears that it would be in the public interest to refund \$71,955,000 outstanding principal amount of the 2010 Bonds maturing in each of the years 2019 through 2026 (the "2010 Refunded Bonds") by the issuance of refunding bonds pursuant to Section 90.00 or 90.10 of the Local Finance Law; and

WHEREAS, it appears that each of the refundings of the Series 2008 Refunded Bonds, and the 2010 Refunded Bonds (collectively, the "Refunded Bonds"), will result in present value savings in debt service as required by Section 90.00 or 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Oyster Bay, Nassau County, New York, as follows:

Section 1. For the object or purpose of refunding all or a portion of the \$86,475,000 aggregate outstanding principal amount of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) any redemption premiums on the Refunded Bonds at their respective call dates, (iii) the aggregate amount of interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds either maturing or are to be called prior to their respective maturities in accordance with the Refunding Financial Plan, as hereinafter defined, (iv) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the Refunding Financial Plan, as hereinafter defined,

compensation to the Underwriter, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the Escrow Contract, as hereinafter defined, and fees and charges of the Escrow Holder, as hereinafter mentioned, and (v) any premium or premiums for a policy or policies of municipal bond insurance for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued up to \$90,000,000 refunding bonds of the Town pursuant to the provisions of Section 90.00 or Section 90.10 of the Local Finance Law (the "Refunding Bonds" or the "Public Improvement Refunding Bonds"), it being anticipated that the aggregate amount of Refunding Bonds actually to be issued will be approximately \$81,105,000 as provided in Section 3 hereof. As indicated in the Refunding Financial Plan, as hereinafter defined, the Refunding Bonds shall be divided into two series of tax-exempt bonds. These two series of Refunding Bonds shall be combined for purposes of sale and be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND", or otherwise designated as shall be determined by the Supervisor, including the year of issuance, and a series designation if appropriate, shall be dated April 11, 2018, or such other date or dates as shall hereafter be determined by the Supervisor pursuant to Section 3 hereof, shall be of the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity, and shall mature annually on February 15 in each of the years 2019 through 2027, or such other dates as the Supervisor shall hereafter determine pursuant to Section 3 hereof, and shall bear interest payable on February 15 and August 15, commencing August 15, 2018, or such dates as the Supervisor shall hereafter determine pursuant to Section 3 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the Supervisor.

The Refunding Bonds may, if so determined by the Supervisor pursuant to Section 3 hereof, be subject to redemption prior to maturity upon such terms as the Supervisor shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed,

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the particular refunding bonds of such maturity to be redeemed shall be selected by the Town by lot in any customary manner of selection as determined by the Supervisor. Notice of such call for redemption shall be given by mailing such notice to the registered owners not more than sixty (60) days nor less than thirty (30) days prior to such dates. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the dates for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption dates, and interest shall cease to be paid thereon after such redemption dates.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. Principal of the Refunding Bonds shall be payable to the registered owners as shall hereafter be determined by the Supervisor. Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America. The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Supervisor, and a facsimile of its corporate seal shall be impressed, imprinted, affixed or otherwise reproduced thereon and may be attested by the manual or facsimile signature of the Town Clerk. In the event of facsimile signatures by the Supervisor and/or the Town Clerk, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of a bank or trust company acting in the capacity of the fiscal agent for the Refunding Bonds, and the Supervisor is hereby authorized to enter into an agreement or agreements containing such terms as he shall deem proper with a bank or trust company to perform the services described in Section 70.00 of the Local Finance Law. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring

bonds transferred or exchanged, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected.

### Section 2. It is hereby determined that:

- (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this Resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;
- (b) the maximum periods of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for objects or purposes for which the Refunded Bonds were issued are as described on Schedule A attached hereto and hereby made a part hereof;
- (c) the last installment of each series of the Public Improvement Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each object or purpose, or the weighted average of the periods of probable usefulness of objects or purposes, for which the Refunded Bonds of such series were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law or in accordance with subdivision 1 of paragraph a of Section 90.00 of the Local Finance Law, as applicable; and
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 3 hereof.
- Section 3. The financial plan for the refunding authorized by this Resolution, showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Schedule B attached hereto and hereby made a part of this Resolution (the "Refunding Financial Plan"). The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of \$81,105,000 and that the

Refunding Bonds will mature, be of such terms, and bear interest as set forth in Schedule B. This Town Board recognizes that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Town will probably differ from such assumptions and that the Refunding Financial Plan will also probably differ from that attached hereto as Schedule B. The Supervisor is hereby authorized and directed to determine the amount of the Refunded Bonds to be refunded, the amount of Refunding Bonds to be issued, the dates of such bonds and the dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, if any, whether the Public Improvement Refunding Bonds will be insured by a policy or policies of municipal bond insurance, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, or at par or with a premium, and the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds, and all powers in connection therewith are hereby delegated to the Supervisor; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Supervisor shall file a copy of the certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided. The Supervisor shall file the certificate, approved by the State Comptroller, setting for the present value of the total debt service savings from the issuance of the Refunding Bonds, with the Town Clerk as required by paragraph f of Section 90.10 of the Local Finance Law.

Section 4. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue the Refunding Bonds having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 and in paragraph c of Section 90.10 of the Local Finance Law, is hereby delegated to the

Supervisor. All other delegable matters relating to such Refunding Bonds to be issued by said Town are hereby delegated to the Supervisor.

Section 5. The Supervisor is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in the State of New York as he shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunded Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law. The Town is also authorized and directed to enter into a contract with a verification agent, if necessary, in connection with the issuance of the Refunding Bonds.

Section 6. The faith and credit of said Town of Oyster Bay, Nassau County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Public Improvement Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Any accrued interest on the Refunding Bonds shall be paid to the Supervisor to be expended to pay interest on the Refunding Bonds on their first interest payment date as may be determined in accordance with Section 3 hereof. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders,

from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this Resolution, so long as any of the Refunding Bonds shall be outstanding, the Town shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause any Refunding Bond issued as a tax-exempt bond to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder as then in effect.

Section 9. The Refunding Bonds shall be sold at private sale to Oppenheimer & Co., an underwriter designated by the Supervisor upon completion of the request for proposals procurement process (the "Underwriter"), for a purchase price to be determined by the Supervisor on the date of sale thereof, plus accrued interest from the date of the Refunding Bonds to the date of the delivery of and payment for the Refunding Bonds, and all powers in connection with the sale of the Refunding Bonds to the Underwriter are hereby delegated to the Supervisor. Subject to the approval of the terms and conditions of such sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the Supervisor is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Supervisor to the Underwriter in

accordance with said purchase contract upon the receipt by the Town of said purchase price, including accrued interest.

In accordance with the provisions of Section 53.00 and of paragraph h of Section 10. Section 90.10 of the Local Finance Law and as provided in the final Refunding Financial Plan, the Town hereby elects to call in and redeem all the callable Refunded Bonds thirty (30) days after the closing date of the Refunding Bonds or such later date or dates as shall be determined by the Supervisor in accordance with the final Refunding Financial Plan, provided, however, that only bonds determined to be refunded by the Supervisor as indicated in the final Refunding Final Plan shall be called and redeemed. The sum to be paid on such redemption dates shall be the par value of the called Refunded bonds, plus interest, without premium. The Escrow Agent for the Refunded Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Town in the manner and within the times provided in or otherwise applicable to the Refunded Bonds. Such notices of redemption shall be in substantially the forms to be attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 11. The Supervisor and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this Resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and conditions of issuance of the Refunding Bonds shall be determined by the Supervisor and all powers in connection thereof are hereby delegated to the Supervisor.

Section 13. The validity of the Refunding Bonds may be contested only if:

- 1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2. The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
  - Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in excerpted, summary form in a newspaper to be designated for this purpose as the official newspaper of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Reviewed By Office of Town Attorney

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The foreg	oing resolution was duly put to a	vote which resulted as follow
	Supervisor Saladino	VOTING Aye
	Councilman Muscarella	VOTINGAye
	_Councilman Macagnone	VOTINGAye
-	Councilwoman Alesia	_ VOTINGAye
	Councilwoman Johnson	VOTINGAye
	Councilman Imbroto	VOTINGAye
	Councilman Hand	VOTINGAye
Cc: Supervisor	The Resolution was thereupon	declared duly adopted.
Comptroller		
Town Attorney		
Finance		

STATE OF NEW YORK	)
	) ss.:
COUNTY OF NASSAU	)

I, the undersigned Clerk of the Town of Oyster Bay, Nassau County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the Resolution contained therein, held on February 27, 2018, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Dates given

Various publications throughout the

February 23, 2018

Town of Oyster Bay

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

<u>Designated Location(s)</u> of posted notice Bulletin Board, 54 Audrey Ave. Oyster Bay, NY 11771 <u>Dates of Posting</u> February 23, 2018

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on February 27, 2018.

Town Clerk

(CORPORATE SEAL)

### SCHEDULE A

### 2008 REFUNDED BONDS AND 2010 REFUNDED BONDS PERIODS OF PROBABLE USEFULNESS OF REFUNDED PURPOSES

# **SCHEDULE A**

# TOWN OF OYSTER BAY NASSAU COUNTY, NEW YORK Proposed Consolidated Bond Principal Maturity Schedule \$126,314,000 PUBLIC IMPROVEMENT (SERIAL) BONDS, 2010

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33	Machine, Apparatus & Machine, Communications Equisition of Apparatus & Alarm or Signal for Coust. & Improvements Equip. Maint.	58.470	60,220	62,210	<b>3</b> ,	05.00	71.670	74,240	76,910	079,67	82,530	85,490	38,88 03,19	0.00,14	94,450	000 acc 14	MUC77-18	222B-09			\$1,225,000			1 225.000	
Ë	Machine, C. Apparatus & A. Improvements	4.7K0	4,920	2,080	5,260	5,450	5.850	090'9	6,280	6,500	6,740	086'9	7230	0.480	07/7	O'n'o	\$100,000	80-96		10 years 09/20/2008	09/14/2000 S132,500			100,000	
8	Machine, Apparatus & Improvenients /	057 25	55,270	57,090	59,140	61,270	057.58	68,130	70,570	73,110	75,740	78,450	81,300	84 100	87,040	170,02	\$1,124,160	56-07		5 years 09/19/2008	09/19/2008 S1,448,300		1	324,140,00	A 1 (2 * 1 * 1
67	Machine, Apparatus & A Improvements In D	076.00	34.340	35,480	36,750	38,080	39,430	42,340	43,860	45,430	47,060	48,750	50,520	52,260	54,090	55.970	\$698,570	56-07		5 years 09/21/2007	\$1,200,200		300,200.00	201,430.00	0/6.00
. 788			3,320	3,550	3,680	3,810	3,940	4. d	36.	4.540	4.710	4,880	5,050	5,230	5,410	2,600	098'698	\$6.07	ž.	5 years 09/21/2007	09/21/2007 \$120,000	7.00	30,000.00	20,140.00	008,400
12	Nachine, Machine, Machine, Apparatus & App		25,570	27.200	28.170	29,190	30,230	31,330	11.620	34.830	36.080	37.380	38,730	40.070	41,470	42,910	5535,570	55.53	2000	5 years 09/21/2007	09/21/2007		234.000.00	154,430.00	535,570
<b>5</b> 6	Machine, d Apparatus & Af Improvements Inc		6,490	0.004	05.1	7,400	7 670	7,950	000	0,50	0,000	067.0	9,480	091 01	10.520	10.880	\$135,840		10-00	3 years	09/21/2007	22.5	00 005 681	39,160,00	135,840
25		Improvements	160,840	165,680	000.17	81.690	190,230	197,160	204,230	211,570	219,170	227,040	235,180	00, 696	069 096	0000000	000,07£ F2		55-07	10 years	09/21/2007	24,200,000	000000000	500,000,000	3,370,000
• •		August 15th Imp	2011	2012	2013	201×	2016	2017	2018	2019	2020	2021	2022	2023	2024	\$707	2020 TOTA15	Ž	Resolution #:	A do d	Ist BAN This Series:	BAN this Sones Prin. Ports:	2008	2010	Amt. to Bond

10604814.50 10604814.51(a) 10604814.51(b) 106(4814.51(c) 10604814.51(d) 10604814.51(e) 10604814.65 10604814.81 10604814.84

TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK
Proposed Couselidated Bond Princing Maturity Schedule
\$25,599,433 Public Indrovenem (Serial) Bonds, 2008

June 1, 2008	out Due: March 1, 2009-2027	Learner Date, Marris 1, 2009 & Semisnously theresiter
Dated: June 1,	Principal Duc	Tabaset Due

Sub-Total	Principal	Payacats	168,220	224,130	232,096	241.190	240 300	077 070	200,550	269,630	281,030	291,250	302,650	314,010	326,520	339,060	351,550	365.210	378.850	101 670	005 00F	425 500	\$5.825,000						• 1		5,825,000
	Park District	Improvements	200	1350	967	57	908	200	1,370	1,620	89.	1,750	1,820	1,890	1360	2,040	2,110	2.00	2,20	0110	2 5	2 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	235 000	_	280-96	15 years	1/25/2002	\$35,000			35,000
Solid Waste	Disposal	District	15,020	20,010	20.770	053.15		2	23,260	24,070	25,090	26.000	27.020	28.030	20150	070 01	82.15	2 2	מקלר פרק נר	25,040	33,140	95.60	000000		337-94	20 years	1242003	\$520,000		0	620,000
	Drainage	District	2300	1,080	902 2	2.5	2 2	0,440	3,580	3,700	3.860	4000	COST P	91.7	4465	057.7	7000 F	1000	070'5	378	3,410	5,630	2,840	ond iss	68-1201	30 years	5/17/1991	280,000		0	80,000
Various	Highway	mnrovements	000 101	022,431	200	2	74,740	181,330	188.750	105 740	200 100	000 110	030 010	007.617	200	000	743,620	X S	264,580	274,470	285,190	296,730	308,260	24,220,000	103-04	15 years	11/19/2004	\$4,220,000		0	4 220.000
Verious	Mahan		١,	20,65		32,670	33,950	35.240	24,680		006,50	000.4	200,14	42,600	977***	15,970	47,730	49,490	51,410	53,330	55,420	57,660	59,960	\$820,000	178-02	15 years	6/13/2003	\$820,000		0	000 000
	9		1 awa	3	₹.	35.	1,660	130	25	8	2	0.00	2,000	2,080	7,160	2,240	2,330	2,410	2,510	2,690	2.700	2.810	2,920	\$40,000	113-97	15 years	3/18/200\$	1/25/2002		e	0000
		**	Reconstruction	2	<u>S</u>	1700	1.240		2	3	8.7	0.450	205	1,560	029'1	089'1	 136	1,810	1.880	056	020 6	0116	2,90	000'088			10/2/1996	1,050,002	A CONTRACTOR	<	
	Bulkheading/Be		Improvement	3,300	3.080	967	פוני	2	3,440	3,580	3,700	3,860	900	4.160	4.310	4.480	4 660	7 870	100	900	204.	5.41¢	978	\$80,000		20.00	•	1242003		!	[ ا
	Principal	Des	March 1st	2009	Cior	107	1107	2012	2013	2014	2015	2016	1100	8102	0.00	000	202	20,43	7707	202	2024	2025	9202	TOTALS	Resolution #: 259-93		P. of P. U.	In BAN This Series.	BAN this Sens: Prin. Pents:		2008

Prepard By: Fiscal Addisor & Markeing, Inc. SZT1008

TOWN OF OYSTER BAY NASSAU COUNTY, NEW YORK Proposed Computed Bond Principal Maturity Schedule \$15,599,433 PUBLIC DAIROVEMENT (SERIAL) BONDS, 2008

	,	
	1	sally therealter
	1027	Semiann
	h 1, 2009-	1, 2009 &
e 1, 100k	Jue: Marc.	ne: March
Dated: June 1	Principal Due: March 1, 2009-2027	Interest Due: March 1, 2009 & Semlannunli

				South				Sub-Total	GRAND		Level Debi
Ħ.	Plainview	Oyster Bay	Plainview	Barningdale	Veriton	Verizon	Vertzon	Principal Payments	PRINCIPAL	Rates	Payments
_	Weter	Water	Water	Water	Jadgement	Jagenter	310311	516 163	739.433	3.850%	71,720,1
March 1st	WHICH	Ole OF	169,630	80,880	86,670	155,605	016(11	0000000	082 000	3.850%	1,923,149
2009	M5'7	017,07	145,020	107,740	115,430	207.250	154,420	0.000	000 000 1	1.850%	35,616,1
2010	201	V27.02	016 131	093 111	119,530	214,630	159,300	216,101	000000	78096	19.919.5
2011	3,190	27.890	017'16'	070	124 220	23.040	166,170	818,810	CONTROL I	0.000	50000
2012	3,310	28,990	7.7		010 801	231.440	172,440	849,700	000,000	2.000	
1.00	3,440	30,080	163,070	025,021	20170	240 900	179,500	\$84,450	1,145,000	3.850%	01/KIK1
202	3.580	31310	169,740	12,240	041,961	400,000	022.50	915 370	1.185,000	7,00%	410
2014	200	12 400	175,670	129,610	138,870	OCC 46.7	017 506	063 920	1,235,000	3.850%	1,918,275
2015	3 5	11 730	183,080	135,080	44,730	2557	155,000	056 340	1 280 000	3.850%	1,914,86
2016	200.	200	189 750	140,000	150,000	369,340	700,000	036,500	000 OLT	3.850%	1,914,62
7017	30.	27,000	167 170	145.470	155,860	279,820	208,500	200 200	000 000	1850%	1912.45
2018	3.4	246	2025 200	150.940	161,720	290,360	216,340	066,000,	000000	18668	913.26
2019	4,310	37,740	022 516	14 96n	168,170	301,946	224,960	1,108,480	000'00'1	2000	90110
2020	4,480	39,240	000 000	0.00 671	174.610	313,490	133,580	1.50,80	75000	10000	12. 200 1
300:	9,660	40,740	220,830	00000	181 060	325.070	242,210	1,193,450	25.65	ACOCO T	00000
CUL	4.830	42,250	229,040	266	000 881	117,700	251,610	1,239,790		3.8363	10'10'
1001	5,020	43,890	237,930	000	001	150 340	261.020	1,286,150	000'599'1	3.8505	16'HO''
100	5.200	45,530	246,830	011.79	202,200	363 080	271.210	1,336,330		3,850%	ACTOR!
1707	4410	47.310	256,460	189.220	107' (a)	200	027 020	190 410		3.850%	100
7073	5 630	49,230	266,840	196,830	25.0	3/0//50	303.160	444 500		3.850%	1,905,998
0707	2703	43.130	177,220	25.75	12,412	201.00	971 610 70	FED 774 433	575 599,633		536,395,97
7027	000 000	000 002	\$3,795,000	000'008'23	23,000,000	27.00.713	*CT'C17*	10.00			
TOTALS	200,000	La bank da					90 300		Avy. Life:	11.20 Yrs	
Resolution #: 1094-89		546-04	547-04	589-04	125-06	325-08	m-c74				
	į			AD years		15 years	15 years				
P. of P. U.	AO years			3/18/2005	3/16/2007	8002/1/9	8/1/2008				
LEI BAN	0.61/22/3			1/21/2005		8002/19	6/1/2008				
1st BAN This Senes	\$30,000	\$700,000	\$3,860,000	\$2,800,000	-•	\$5,386,275	oci'endet				
Prin. Print.								•			
	•	.<	900 99		•	٥	اه	65,000			
7008					3,000,000	5,386,275	4,013,158				
Ant, to Bond:	80,000	700,007	000'06/'s	12		7	<b>33</b>				
	>	2	:								

Prepared By: Fiscal Advisors & Marketing, Inc. S121008

### SCHEDULE B

### PRELIMINARY REFUNDING FINANCIAL PLAN

69673761.1

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### SOURCES AND USES OF FUNDS

Sources:	Proposed Refunding of Series 2008 Public Improvement	Proposed Refunding of Series 2010 Public Improvement	Total
Bond Proceeds: Par Amount Premium	13,565,000.00 1,151,597.35	67,540,000.00 5,374,883.80	81,105,000.00 6,526,481.15
	14,716,597.35	72,914,883.80	87,631,481.15
Uses:	Proposed Refunding of Series 2008 Public Improvement	Proposed Refunding of Series 2010 Public Improvement	Total
Refunding Escrow Deposits: PV cost of cashflows	14,617,768.86	72,445,870.14	87,063,639.00
Delivery Date Expenses: Cost of Issuance Underwriter's Discount	33,450.47 61,738.53 95,189.00	166,549.53 302,435.74 468,985.27	200,000.00 364,174.27 564,174.27
Other Uses of Funds: Additional Proceeds	3,639.49	28.39	3,667.88
	14,716,597.35	72,914,883.80	87,631,481.15

### SUMMARY OF REFUNDING RESULTS

	04/11/2018
Dated Date	04/11/2018
Delivery Date	• ,, , , , ,
Arbitrage yield	2.948644%
Escrow yield	1.285622%
	119,312.31
Value of Negative Arbitrage	, , .
Bond Par Amount 8	1,105,000.00
— · · ·	3.047780%
True Interest Cost	3.217061%
Net Interest Cost	4.834470%
Average Coupon	4.698
Average Life	4.070
Par amount of refunded bonds 8	6,475,000.00
Par amount of refunded bonds	3,548300%
Average coupon of refunded bonds	5.046
Average life of refunded bonds	3.010
	9,253,681.48
PV of prior debt to 04/11/2018 & 2.77007778	1,625,868.21
Net PV Savings	1.880160%
Percentage savings of refunded bonds	1.000100/0
Percentage savings of refunding bonds	2.004646%

### SUMMARY OF REFUNDING RESULTS

	Proposed Refunding of Series 2008 Public Improvement	Proposed Refunding of Series 2010 Public Improvement	Total
Dated Date Delivery Date Arbitrage Yield Escrow Yield Value of Negative Arbitrage	04/11/2018	04/11/2018	04/11/2018
	04/11/2018	04/11/2018	04/11/2018
	2.948644%	2.948644%	2.948644%
	1.285622%	1.285622%	1.285622%
	20,032.24	99,280.07	119,312.31
Bond Par Amount True Interest Cost Net Interest Cost Average Coupon Average Life	13,565,000.00	67,540,000.00	81,105,000.00
	3.118924%	3.031946%	3.047780%
	3.300699%	3.198323%	3.217061%
	4.863559%	4.827953%	4.834470%
	5.141	4.609	4.698
Par amount of refunded bonds	14,520,000.00	71,955,000.00	86,475,000.00
Average coupon of refunded bonds	4.027837%	3.449350%	3.548300%
Average life of refunded bonds	5.141	5.027	5.046
PV of prior debt	15,313,127.16	73,940,554.31	89,253,681.48
Net PV Savings	548,011.32	1,077,856.89	1,625,868.21
Percentage savings of refunded bonds	3.774183%	1.497960%	1.880160%
Percentage savings of refunding bonds	4.039892%	1.595879%	2.004646%

### SUMMARY OF BONDS REFUNDED

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2008 Public SERIAL	Improvement, 08PI: 03/01/2019 03/01/2020 03/01/2021 03/01/2022 03/01/2023 03/01/2024 03/01/2025 03/01/2026 03/01/2027	4.000% 4.000% 4.000% 4.000% 4.000% 4.000% 4.000% 4.125%	1,380,000.00 1,435,000.00 1,490,000.00 1,545,000.00 1,605,000.00 1,665,000.00 1,730,000.00 1,800,000.00 1,870,000.00	05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018	100.000 100.000 100.000 100.000 100.000 100.000 100.000 100.000
Series 2010 Public SERIAL	Improvement, 10PI: 08/15/2019 08/15/2020 08/15/2021 08/15/2022 08/15/2023 08/15/2024 08/15/2025 08/15/2026	3.000% 3.000% 3.000% 3.000% 3.250% 3.500% 4.000%	7,930,000.00 8,215,000.00 8,510,000.00 8,815,000.00 9,135,000.00 9,450,000.00 9,780,000.00 10,120,000.00 71,955,000.00	05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018 05/11/2018	100.000 100.000 100.000 100.000 100.000 100.000 100.000
<u>, in the same of </u>			86,475,000.00		

### SAVINGS

# Town of Oyster Bay Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 04/11/2018 @ 2.9486442%
12/31/2018	1,480,987.50	1,249,041.67	231,945.83	229,243.77
12/31/2019	12,244,375.00	11,922,450.00	321,925.00	203,124.23
12/31/2020	12.290.175.00	11,965,050.00	325,125.00	196,017.27
12/31/2021	12,335,225.00	12,009,850.00	325,375.00	186,270.81
12/31/2022	12,379,225.00	12,059,500.00	319,725.00	170,853.98
12/31/2023	12,431,775.00	12,108,500.00	323,275.00	163,865.70
12/31/2024	12,444,487.50	12,125,625.00	318,862.50	150,541.30
12/31/2025	12,440,837.50	12,120,875.00	319,962.50	142,236.18
12/31/2026	12,437,937.50	12,118,375.00	319,562.50	132,893.10
12/31/2027	1,908,568.75	1,845,000.00	63,568.75	47,153.99
	102,393,593.75	99,524,266.67	2,869,327.08	1,622,200.33

### Savings Summary

PV of savings from cash flow	1,622,200.33
Plus: Refunding funds on hand	3,667.88
Net PV Savings	1,625,868.21

### SAVINGS

# Town of Oyster Bay Proposed Refunding of Series 2008 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 04/11/2018 @ 2.9486442%
42 (24 /2019	291,568,75	211,247.78	80,320.97	79,139.95
12/31/2018	1,935,537.50	1,875,550.00	59,987.50	56,497.08
12/31/2019	1,934,237.50	1,871,600.00	62,637.50	57,413.54
12/31/2020	1,930,737.50	1,868,200.00	62,537.50	55,703.75
12/31/2021	1,925,037.50	1,865,500.00	59,537.50	51,362.54
12/31/2022	1,922,037.50	1,857,875.00	64,162.50	53,833.93
12/31/2023	1,916,637.50	1,856,750.00	59,887.50	48,613.78
12/31/2024		1,851,875.00	61,862.50	48,755.79
12/31/2025	1,913,737.50	1,853,000.00	60.137.50	45,897.48
12/31/2026	1,913,137.50	1,845,000.00	63,568.75	47,153.99
12/31/2027	1,908,568.75	1,643,000.00	05,505.75	
	17,591,237.50	16,956,597.78	634,639.72	544,371.83

### Savings Summary

PV of savings from cash flow	544,371.83
Plus: Refunding funds on hand	3,639.49
Net PV Savings	548,011.32

### SAVINGS

# Town of Oyster Bay Proposed Refunding of Series 2010 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 04/11/2018 @ 2.9486442%
42/24/2019	1,189,418.75	1,037,793.89	151,624.86	150,103.81
12/31/2018	10,308,837.50	10,046,900.00	261,937.50	146,627.15
12/31/2019	10,355,937.50	10,093,450.00	262,487.50	138,603.73
12/31/2020	10,404,487.50	10,141,650.00	262,837.50	130,567.07
12/31/2021	10,454,187.50	10,194,000.00	260,187.50	119,491.44
12/31/2022	10,509,737.50	10,250,625.00	259,112.50	110,031.77
12/31/2023	10,509,737.30	10,268,875.00	258,975.00	101,927.51
12/31/2024	10,527,830.00	10,269,000.00	258,100.00	93,480.39
12/31/2025 12/31/2026	10,524,800.00	10,265,375.00	259,425.00	86,995.62
12, 31, 2020	84,802,356.25	82,567,668.89	2,234,687.36	1,077,828.50

### Savings Summary

PV of savings from cash flow	1,077,828.50
Plus: Refunding funds on hand	28.39
Net PV Savings	1,077,856.89

### **BOND SUMMARY STATISTICS**

Dated Date	04/11/2018
Delivery Date	04/11/2018
Last Maturity	02/15/2027
Arbitrage Yield	2.948644%
True Interest Cost (TIC)	3.047780%
Net Interest Cost (NIC)	3.217061%
All-in TIC	3.102475%
Average Coupon	4.834470%
Average Life (years)	4.698
Duration of Issue (years)	4.261
Par Amount	81,105,000.00
Bond Proceeds	87,631,481.15
Total interest	18,419,266.67
Net Interest	12,256,959.79
Total Debt Service	99,524,266.67
Maximum Annual Debt Service	12,125,625.00
Average Annual Debt Service	11,252,743.72
Underwriter's Fees (per \$1000)	
Average Takedown	4.378213
Other Fee	0.111945
Total Underwriter's Discount	4,490158
Bid Price	107.597937

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bond	81,105,000.00	108.047	4.834%	4.698
	81,105,000.00			4.698

### BOND SUMMARY STATISTICS

	TIC	All-in TIC	Arbitrage Yield
Par Value	81,105,000.00	81,105,000.00	81,105,000.00
<ul> <li>+ Accrued Interest</li> <li>+ Premium (Discount)</li> <li>- Underwriter's Discount</li> <li>- Cost of Issuance Expense</li> <li>- Other Amounts</li> </ul>	6,526,481.15 -364,174.27	6,526,481.15 -364,174.27 -200,000.00	6,526,481.15
Target Value	87,267,306.88	87,067,306.88	87,631,481.15
Target Date Yield	04/11/2018 3.047780%	04/11/2018 3.1024 <b>7</b> 5%	04/11/2018 2.948644%

### BOND PRICING

			•				
	Maturity			V: 14	Daine	Premium (-Discount)	Takedown
Bond Component	Date	Amount	Rate	Yield	Price	(-Discourc)	Takedowii
Serial Bond:		e.			400.040	2 252 00	2.500
	02/15/2019	8,380,000	2.000%	1.950%	100.040	3,352.00	2.300 3.750
	02/15/2020	8,680,000	4.000%	2.180%	103.270	283,836.00	4.000
	02/15/2021	9,080,000	4.000%	2.450%	104.231	384,174.80	4.000
	02/15/2022	9,550,000	5.000%	2.620%	108.646	825,693.00	
	02/15/2023	10,090,000	5.000%	2.840%	109.708	979,537.20	5.000
	02/15/2024	10,625,000	5.000%	2.970%	110.81 <del>4</del>	1,148,987.50	5.000
	02/15/2025	11,165,000	5.000%	3.120%	111.501	1,284,086.65	5.000
	02/15/2026	11,735,000	5.000%	3.270%	111.880	1,394,118.00	5.000
	02/15/2027	1,800,000	5.000%	3.370%	112.372	222,696.00	5.000
		81,105,000				6,526,481.15	
				04/11/2018			
	Dated Date			04/11/2018			
	Delivery Date			08/15/2018			
	First Co	oupon		06/13/2016			
	Par Amount			81,105,000.00			
	Premium			6,526,481.15			
	Produc	tion		87,631,481.15	108.046953%		
	Underwriter's Discount			-364,174.27	-0.449016%		
	Purchase Price Accrued Interest Net Proceeds		*****	87,267,306.88	107.597937%		
				87,267,306.88			

#### AGGREGATE DEBT SERVICE

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Date	Proposed Refunding of Series 2008 Public Improvement	Proposed Refunding of Series 2010 Public Improvement	Unrefunded Bonds	Aggregate Debt Service	Annual Aggregate D/S
08/15/2018	211,247.78	1,037,793.89	7,769,825	9,018,866.67	
12/31/2018	<b>- ,</b> .	•			9,018,866.67
02/15/2019	1,581,650.00	8,611,475.00		10,193,125.00	
08/15/2019	293,900.00	1,435,425.00		1,729,325.00	
12/31/2019		, .			11,922,450.00
02/15/2020	1,603,900.00	8,805,425.00		10,409,325.00	
08/15/2020	267,700.00	1,288,025.00		1,555,725.00	
12/31/2020	,				11,965,050.00
02/15/2021	1,627,700.00	9,008,025.00		10,635,725.00	
08/15/2021	240,500.00	1,133,625.00		1,374,125.00	40 000 0E0 00
12/31/2021	•				12,009,850.00
02/15/2022	1,660,500.00	9,263,625.00		10,924,125.00	
08/15/2022	205,000.00	930,375.00		1,135,375.00	42 OFO FOO OO
12/31/2022	•				12,059,500.00
02/15/2023	1,690,000.00	9,535,375.00		11,225,375.00	
08/15/2023	167,875.00	715,250.00		883,125.00	40 400 E00 00
12/31/2023	ŕ				12,108,500.00
02/15/2024	1,727,875.00	9,780,250.00		11,508,125.00	
08/15/2024	128,875.00	488,625.00		617,500.00	42 425 425 00
12/31/2024	•	•			12,125,625.00
02/15/2025	1,763,875.00	10,018,625.00		11,782,500.00	
08/15/2025	88,000.00	250,375.00		338,375.00	12,120,875.00
12/31/2025				10 072 275 00	12,120,075.00
02/15/2026	1,808,000.00	10,265,375.00		12,073,375.00	
08/15/2026	45,000.00			45,000.00	12,118,375.00
12/31/2026				4 0 45 000 00	12,110,373.00
02/15/2027	1,845,000.00			1,845,000.00	1,845,000.00
12/31/2027					1,043,000.00
	16,956,597.78	82,567,668.89	7,769,825	107,294,091.67	107,294,091.67

#### UNREFUNDED BOND DEBT SERVICE

# Town of Oyster Bay Proposed Refunding of Series 2010 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Annual Debt Service	Debt Service	Interest	Coupon	Principal	Period Ending
7,769,825	7,769,825	114,825	3.000%	7,655,000	08/15/2018 12/31/2018
7,769,825	7,769,825	114,825		7,655,000	

#### ESCROW REQUIREMENTS

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Period Ending	Interest	Principal Redeemed	Total
05/11/2018	681,665.70	86,475,000.00	87,156,665.70
	681,665.70	86,475,000.00	87,156,665.70

#### ESCROW DESCRIPTIONS

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Apr 11, 2018: SLGS	Certificate	05/11/2018	05/11/2018	87,063,639	1.300%	1.300%
				87,063,639		

#### **SLGS Summary**

SLGS Rates File Total Certificates of Indebtedness 15FEB18 87,063,639.00

#### **ESCROW COST**

# Town of Oyster Bay Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Type of Security	Maturity Date	Par Amount	Rate		Total Cost
SLGS	05/11/2018	87,063,639	1.300%	87,0	63,639.00
		87,063,639		87,0	063,639.00
Purchase Date	Cost of Securities	Cash Deposit	T Escrow	otal Cost	Yield
04/11/2018	87,063,639		87,063,63	9.00	1.285622%
	87,063,639	0.00	87,063,63	9.00	

#### ESCROW CASH FLOW

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)
\*\*For Discussion Purposes Only\*\*

Date	Principal	Interest	Net Escrow Receipts	Present Value to 04/11/2018 @ 1.2856217%
05/11/2018	87,063,639.00	93,026.90	87,156,665.90	87,063,639.00
	87,063,639.00	93,026.90	87,156,665.90	87,063,639.00

#### **Escrow Cost Summary**

Purchase date	04/11/2018
Purchase cost of securities	87,063,639.00
Target for yield calculation	87,063,639.00

#### **ESCROW SUFFICIENCY**

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
05/11/2018	87,156,665.70	87,156,665.90	0.20	0.20
	87,156,665.70	87,156,665.90	0.20	

Feb 16, 2018 2:01 pm Prepared by Oppenheimer & Co. Inc.

ESCROW STATISTICS

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Puiblic Improvement Bonds
(Market Conditions as of February 15, 2018)
\*\*For Discussion Purposes Only\*\*

			(Market Colluit **For Disc	(market Culturions as on Contrary) 15, 25.5. **For Discussion Purposes Only**	ıty**		
Escrow	Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Jniversal Proceeds Escrow: 87,06	s Escrow: 87,063,639.00	0.083	0.083 1.285622%	1.285622%	1.285622% 86,944,326.69	119,312.31	
	87,063,639.00				86,944,326.69	119,312.31	0.00

Delivery date 04/11/2018 Arbitrage yield 2.948644%

#### PROOF OF ARBITRAGE YIELD

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

			Present Value to 04/11/2018
Date	Debt Service	Total	@ 2.9486441765%
08/15/2018	1,249,041.67	1,249,041.67	1,236,511.73
02/15/2019	10,193,125.00	10,193,125.00	9,944,260.77
08/15/2019	1,729,325.00	1,729,325.00	1,662,591.73
02/15/2020	10,409,325.00	10,409,325.00	9,862,236.33
08/15/2020	1,555,725.00	1,555,725.00	1,452,544.71
02/15/2021	10,635,725.00	10,635,725.00	9,786,054.26
08/15/2021	1,374,125.00	1,374,125.00	1,245,978.65
02/15/2022	10,924,125.00	10,924,125.00	9,761,461.90
08/15/2022	1,135,375.00	1,135,375.00	999,795.95
02/15/2023	11,225,375.00	11,225,375.00	9,741,296.07
08/15/2023	883,125.00	883,125.00	755,234.65
02/15/2024	11,508,125.00	11,508,125.00	9,698,579.69
08/15/2024	617,500.00	617,500.00	512,842.93
02/15/2025	11,782,500.00	11,782,500.00	9,643,367.09
08/15/2025	338,375.00	338,375.00	272,918.74
02/15/2026	12,073,375.00	12,073,375.00	9,596,384.12
08/15/2026	45,000.00	45,000.00	35,248.07
02/15/2027	1,845,000.00	1,845,000.00	1,424,173.78
	99,524,266.67	99,524,266.67	87,631,481.15

#### Proceeds Summary

Delivery date Par Value	04/11/2018 81,105,000.00 6,526,481.15
Premium (Discount)  Target for yield calculation	87,631,481.15

#### COST OF ISSUANCE

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Cost of Issuance	\$/1000	Amount
Cost of Issuance	2.46594	200,000.00
	2.46594	200,000.00

#### UNDERWRITER'S DISCOUNT

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

\$/1000	Amount
4.37821	355,095.00
0.00986	800.00
0.07000	5,677.35
0.00430	349.00
0.02778	2,252.92
4.49016	364,174.27
	4.37821 0.00986 0.07000 0.00430 0.02778

### PRIOR BOND DEBT SERVICE

Town of Oyster Bay
Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds
(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Pi	rincipal	Coupon	Interest	Debt Service	Annual Debt Service
	•		1,189,418.75	1,189,418.75	•
3			291,568.75	291,568.75	
3			_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		1,480,987.50
8			1,189,418.75	1,189,418.75	
9	200 000	4.000%	291,568.75	1,671,568.75	
	380,000	3.000%	1,189,418.75	9,119,418.75	
	930,000	3.000/8	263,968.75	263,968.75	
9			200,700		12,244,375.00
9			1,070,468.75	1,070,468.75	
0	435 000	4.000%	263,968.75	1,698,968.75	
	435,000	3.000%	1,070,468.75	9,285,468.75	
Ξ.	215,000	3.000%	235,268.75	235,268.75	
.0			255,200.75	<b></b>	12,290,175.00
.0			947,243.75	947,243.75	
.1		4 0000	235,268.75	1,725,268.75	
	,490,000	4.000%	•	9,457,243.75	
	,510,000	3.000%	947,243.75	205,468.75	
21	•		205,468.75	203,400.75	12,335,225.00
21			040 503 75	819,593.75	12,000,000
22			819,593.75	1,750,468.75	
22 1	,545,000	4.000%	205,468.75		
22 8	,815,000	3.000%	819,593.75	9,634,593.75	
22			174,568.75	174,568.75	12,379,225.00
22					12,377,223.00
23			687,368.75	687,368.75	
23 1	,605,000	4.000%	174,568.75	1,779,568.75	
	,135,000	3.250%	687,368.75	9,822,368.75	
23			142,468.75	142,468.75	40 404 775 00
 23					12,431,775.00
24			538,925.00	538,925.00	
24 1	,665,000	4.000%	142,468.75	1,807,468.75	
	,450,000	3.500%	538,925.00	9,988,925.00	
124	,,,		109,168.75	109,168.75	
)24					12,444,487.50
)25			373,550.00	373,550.00	
	1,730,000	4.000%	109,168.75	1,839,168.75	
	9,780,000	3.500%	373,550.00	10,153,550.00	
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	••••	74,568.75	74,568.75	
)25 >25			•		12,440,837.5
025			202,400.00	202,400.00	
026	4 900 000	4.000%	74,568.75	1,874,568.75	
	1,800,000	4.000%	202,400.00	10,322,400.00	
	0,120,000	4.000%	38,568.75	38,568.75	
026			30,300.75	• • •	12,437,937.5
026		4 43EW	38,568.75	1,908,568.75	- •
027	1,870,000	4.125%	50,500.75	.,,	1,908,568.7
027			45 019 502 75	102,393,593.75	102,393,593.7
8	36,475,000		15,918,593.75	(02,373,373.73	

#### PRIOR BOND DEBT SERVICE

# Town of Oyster Bay Proposed Refunding of Series 2008 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
09/01/2018			291,568.75	291,568.75	-04 548 75
12/31/2018					291,568.75
03/01/2019	1,380,000	4.000%	291,568.75	1,671,568.75	
09/01/2019	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		263,968.75	263,968.75	= 57 = 50
12/31/2019					1,935,537.50
03/01/2020	1,435,000	4.000%	263,968.75	1,698,968.75	
09/01/2020	1, 133,000		235,268.75	235,268.75	
12/31/2020					1,934,237.50
03/01/2021	1,490,000	4.000%	235,268.75	1,725,268.75	
09/01/2021	1,470,000	•••	205,468.75	205,468.75	
			Ť		1,930,737.50
12/31/2021	1.545,000	4.000%	205,468.75	1,750,468.75	
03/01/2022	1,343,000	1.000.0	174,568.75	174,568.75	
09/01/2022			,		1,925,037.50
12/31/2022	1,605,000	4.000%	174,568.75	1,779,568.75	
03/01/2023	1,003,000	4.000%	142,468.75	142,468.75	
09/01/2023			,	·	1,922,037.50
12/31/2023	4 //5 000	4.000%	142,468.75	1,807,468.75	
03/01/2024	1,665,000	4.000%	109,168.75	109,168.75	
09/01/2024			107,120112	•	1,916,637.50
12/31/2024	4 720 000	4,000%	109,168.75	1,839,168.75	
03/01/2025	1,730,000	4.000/0	74,568.75	74,568.75	
09/01/2025			7-1,500	, .	1,913,737.50
12/31/2025		4,000%	74,568.75	1,874,568.75	
03/01/2026	1,800,000	4.000%	38,568.75	38,568.75	
09/01/2026			30,300.73	,-	1,913,137.50
12/31/2026		4 4350	38,568.75	1,908,568.75	•
03/01/2027	1,870,000	4.125%	30,300.73	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1,908,568.75
12/31/2027				·	
	14,520,000		3,071,237.50	17,591,237.50	17,591,237.50

#### PRIOR BOND DEBT SERVICE

# Town of Oyster Bay Proposed Refunding of Series 2010 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
08/15/2018			1,189,418.75	1,189,418.75	4 400 410 75
12/31/2018					1,189,418.75
02/15/2019			1,189,418.75	1,189,418.75	
08/15/2019	7,930,000	3.000%	1,189, <del>4</del> 18.75	9,119,418.75	40 300 027 50
12/31/2019	•				10,308,837.50
02/15/2020			1,070,468.75	1,070,468.75	
08/15/2020	8,215,000	3.000%	1,070,468.75	9,285,468.75	40 355 037 FO
12/31/2020	-,				10,355,937.50
02/15/2021	•		947,243.75	947,243.75	
08/15/2021	8,510,000	3.000%	947,243.75	9,457,243.75	10 104 107 50
12/31/2021	, , ,		•		10,404,487.50
02/15/2022			819,593.75	819,593.75	
08/15/2022	8,815,000	3.000%	819,593.75	9,634,593.75	10 151 107 50
12/31/2022	-,,				10,454,187.50
02/15/2023			687,368. <i>7</i> 5	687,368.75	
08/15/2023	9,135,000	3.250%	687,368.75	9,822,368.75	
12/31/2023	,,,		•		10,509,737.50
02/15/2024			538,925.00	538,925.00	
08/15/2024	9,450,000	3.500%	538,925.00	9,988,925.00	
12/31/2024	,, 100,000				10,527,850.00
02/15/2025			373,550.00	373,550.00	
08/15/2025	9,780,000	3.500%	373,550.00	10,153,550.00	
12/31/2025	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		-		10,527,100.00
02/15/2026			202,400.00	202,400.00	
02/15/2026	10,120,000	4.000%	202,400.00	10,322,400.00	
12/31/2026	10, 120,000		•		10,524,800.00
12/31/2020				04 002 354 35	84,802,356.25
	71,955,000		12,847,356.25	84,802,356.25	04,002,330.23

#### BOND DEBT SERVICE

Town of Oyster Bay

Proposed Refunding of Series 2008 Public Improvement Bonds and 2010 Public Improvement Bonds

(Market Conditions as of February 15, 2018)

\*\*For Discussion Purposes Only\*\*

Period	Principal	Coupon	Interest	Debt Service	Annual Debt Service
Ending	Fincipat				
08/15/2018			1,249,041.67	1,249,041.67	4 242 244 67
12/31/2018					1,249,041.67
02/15/2019	8,380,000	2.000%	1,813,125.00	10,193,125.00	
08/15/2019	-,,		1,729,325.00	1,729,325.00	44 000 4F0 00
12/31/2019					11,922,450.00
02/15/2020	8,680,000	4.000%	1,729,325.00	10,409,325.00	
08/15/2020	•,•••,••		1,555,725.00	1,555,725.00	
12/31/2020			•		11,965,050.00
02/15/2021	9,080,000	4.000%	1,555,725.00	10,635,725.00	
08/15/2021	,,000,000		1,374,125.00	1,374,125.00	
12/31/2021					12,009,850.00
02/15/2022	9,550,000	5.000%	1,374,125.00	10,924,125.00	
08/15/2022	,,550,555		1,135,375.00	1,135,375.00	
12/31/2022					12,059,500.00
02/15/2023	10,090,000	5.000%	1,135,375.00	11,225,375.00	
08/15/2023	10,070,000		883,125.00	883,125.00	
12/31/2023					12,108,500.00
02/15/2024	10,625,000	5.000%	883,125.00	11,508,125.00	
02/15/2024	10,023,000	2122	617,500.00	617,500.00	
12/31/2024			•		12,125,625.00
	11,165,000	5.000%	617,500.00	11,782,500.00	
02/15/2025	11,103,000		338,375.00	338,375.00	
08/15/2025			,		12,120,875.00
12/31/2025	11,735,000	5.000%	338,375.00	12,073,375.00	
02/15/2026	(1,733,000	3.554.5	45,000.00	45,000.00	_
08/15/2026			,		12,118,375.00
12/31/2026	1,800,000	5.000%	45,000.00	1,845,000.00	
02/15/2027	1,000,000	3.000%	,	-	1,845,000.00
12/31/2027					
	81,105,000		18,419,266.67	99,524,266.67	99,524,266.67

#### BOND DEBT SERVICE

# Town of Oyster Bay Proposed Refunding of Series 2008 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
08/15/2018			211,247.78	211,247.78	
12/31/2018			·		211,247.78
02/15/2019	1,275,000	2.000%	306,650.00	1,581,650.00	
08/15/2019	1,273,000		293,900.00	293,900.00	
12/31/2019			·		1,875,550.00
,	1,310,000	4.000%	293,900.00	1,603,900.00	
02/15/2020	1,310,000	1.000.0	267,700.00	267,700.00	
08/15/2020			,		1,871,600.00
12/31/2020	1,360,000	4.000%	267,700.00	1,627,700.00	
02/15/2021	1,300,000	1.00070	240,500.00	240,500.00	
08/15/2021			<b>- ,</b>		1,868,200.00
12/31/2021	1,420,000	5.000%	240,500.00	1,660,500.00	
02/15/2022	1,420,000	3.000/-	205,000.00	205,000.00	
08/15/2022			<b>4.00</b>		1,865,500.00
12/31/2022	1,485,000	5.000%	205,000.00	1,690,000.00	
02/15/2023	1,463,000	5.000%	167,875.00	167,875.00	
08/15/2023			,	•	1,857,875.00
12/31/2023	1,560,000	5.000%	167,875.00	1,727,875.00	
02/15/2024	1,560,000	3.000/0	128,875.00	128,875.00	
08/15/2024			12,01	•	1,856,750.00
12/31/2024	4 425 000	5.000%	128,875.00	1,763,875.00	
02/15/2025	1,635,000	3.000/0	88,000.00	88,000.00	
08/15/2025			••,••••	,	1,851,875.00
12/31/2025	4 720 000	5.000%	88,000.00	1,808,000.00	
02/15/2026	1,720,000	3.000/0	45,000.00	45,000.00	
08/15/2026			15,000100	•	1,853,000.00
12/31/2026	4 000 000	5.000%	45,000.00	1,845,000.00	
02/15/2027	1,800,000	J.000/0	15,552.55	,,-	1,845,000.00
12/31/2027					
	13,565,000	·	3,391,597.78	16,956,597.78	16,956,597.78

#### BOND DEBT SERVICE

# Town of Oyster Bay Proposed Refunding of Series 2010 Public Improvement (Market Conditions as of February 15, 2018) \*\*For Discussion Purposes Only\*\*

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
08/15/2018			1,037,793.89	1,037,793.89	
12/31/2018					1,037,793.89
02/15/2019	7,105,000	2.000%	1,506,475.00	8,611,475.00	
08/15/2019	,,,,,		1,435,425.00	1,435,425.00	
12/31/2019					10,046,900.00
02/15/2020	7.370.000	4.000%	1,435,425.00	8,805,425.00	
08/15/2020	7,570,000		1,288,025.00	1,288,025.00	
12/31/2020			•		10,093,450.00
02/15/2021	7,720,000	4.000%	1,288,025.00	9,008,025.00	
08/15/2021	,,,20,000		1,133,625.00	1,133,625.00	
12/31/2021			, .	•	10,141,650.00
02/15/2022	8,130,000	5.000%	1,133,625.00	9,263,625.00	
08/15/2022	0,130,000	••••	930,375.00	930,375.00	
12/31/2022					10,194,000.00
02/15/2023	8,605,000	5.000%	930,375.00	9,535,375.00	
08/15/2023	0,000,000	0.000/0	715,250.00	715,250.00	
12/31/2023			,	·	10,250,625.00
02/15/2024	9,065,000	5.000%	715,250,00	9,780,250.00	
<b>4</b>	7,003,000	5.000,0	488,625.00	488,625.00	4
08/15/2024			,.	•	10,268,875.00
12/31/2024	9,530,000	5.000%	488.625.00	10,018,625.00	
02/15/2025	9,550,000	3.000/0	250,375.00	250,375.00	
08/15/2025		•	250,07777	,	10,269,000.00
12/31/2025	10,015,000	5,000%	250,375.00	10,265,375.00	
02/15/2026	10,010,000	3.000/0	200,0 100		10,265,375.00
12/31/2026					
	67,540,000		15,027,668.89	82,567,668.89	82,567,668.89



## Town of Oyster Bay Inter-Departmental Memo

February 12, 2018

To:

Memorandum Docket

From:

Robert Darienzo, Director of Finance

Subject:

Bond Refunding Resolution - \$90,000,000

Town Board action is required to authorize the Supervisor to refinance up to \$90,000,000.00 of outstanding Town of Oyster Bay bonds through the issuance of refunding bonds. Bond Counsel will prepare said resolution and forward same to the Office of the Town Attorney.

Thank you.

Robert Darienzo Director of Finance

RD/rd

cc: Town Attorney (with 7 copies)
Word/Documents/Docket refunding reso 2018

WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated February 12, 2018, requested that the Town Board authorize the Comptroller to make the following payment for expenses incurred in the sale of Public Improvement (Serial) Bonds for 2018:

SourceMedia/Bond Buyer - Advertising

\$1,045.00

P.O. Box 71633

Chicago, IL 60694-1633

Newsday - Advertising

\$2,020.00

P.O. Box 3002

Boston, MA 02241-3002

Moody's Investors Service, Inc. - Rating Fee

\$18,500.00

P.O. Box 102597

Atlanta, GA 30368-0597

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Comptroller is hereby authorized and directed to make payment for the abovementioned expenses incurred in the sale of Public Improvement (Serial) Bonds for 2018, upon submission of a duly certified claim, after audit; and be it further

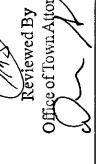
RESOLVED, That the funds for said payments shall be drawn from various capital accounts object .29999, Bonding and Finance.

\_#\_

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 Alesia Aye
Councilwoman Johnson Aye
Councilman Imbroto Aye
Councilman Hand Aye

cc: Supervisor
Town Attorney
Comptroller
Finance



### Town of Oyster Bay Inter-Departmental Memo

February 12, 2018

To:

Memorandum Docket

From:

Robert Darienzo, Director of Finance

Subject:

2018 Bond Sale Expenses

\$ 10,524,981 Public Improvement (Serial) Bonds

The Town successfully awarded the 2018 Bond Issue at an effective net interest rate of 3.34%.

In connection with the Bond Issue there are certain costs to be incurred and permission is hereby requested of the Town Board to enable the Town Comptroller to pay the following:

SourceMedia/Bond Buyer - Advertising

\$ 1,045.00

P.O. Box 71633

Chicago, Illinois 60694-1633

Newsday - Advertising

\$ 2,020.00

P.O. Box 3002

Boston, MA 02241-3002

Moody's Investors Service, Inc. – Rating Fee

\$ 18,500.00

P.O. Box 102597

Atlanta, GA 30368-0597

(Moody's Investors Service, Inc. provides professional services, secured pursuant to the Town's procurement policy; three responses were received and analyzed by Fiscal Advisors)

Funds are available in various capital accounts object .29999; Bonding & Finance.

Thank you.

Robert Darienzo Director of Finance

RD/rd

cc: Town Attorney (with 7 copies)

Word/Documents/Bond Expenses 2018

Meeting of February 27, 2018

Resolution No.110-2018

WHEREAS, Joseph Nocella, Town Attorney, and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated February 9, 2018, have recommended that the following court reporting companies provide stenographic services with respect to Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through December 31, 2018, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year:

North Shore Reporting Agency, Inc. P.O. Box 382 Manhasset, New York 11030

NY Reporting, Inc. 78 Division Avenue Massapequa, New York 11758

Fevola Reporting & Transcription, Inc. 15 Franciscan Lane Smithtown, New York 11787

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned court reporting companies are hereby authorized to provide stenographic services for Town of Oyster Bay employee relations matters and disciplinary proceedings, from February 27, 2018 through and including December 31, 2018, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, with funds to be drawn from Account No. OTA A 1420 44800 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	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller

### Town of Oyster Bay Inter-Departmental Memo

TO

Memorandum Docket

FROM

Office of the Town Attorney

DATE

February 9, 2018

SUBJECT:

Request for Proposals

Stenographic Services to the Office of the Town Attorney

Pursuant to the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney recently solicited court reporting companies regarding their interest in providing the Town of Oyster Bay with stenographic services for employee relation and disciplinary proceedings.

This Office received three (3) responses to the Request for Proposals.

After a review of the responses submitted by each court reporting company in accordance with Guideline 9 of the Town's procurement policy, this Office recommends that the following companies be retained to assist the Office of the Town Attorney, in the capacity as hereinabove described:

North Shore Reporting Agency, Inc.

P.O. Box 382 Manhasset, New York 11030 NY Reporting, Inc. 78 Division Avenue Massapequa, New York 11758

Fevola Reporting & Transcription, Inc. 15 Franciscan Lane Smithtown, New York 11787

Each company has completed the necessary disclosure affidavit.

Accordingly, attached hereto for Town Board consideration, is a proposed resolution to authorize the retention and use of above referenced court reporting companies for the Office of the Town Attorney, from February 27, 2018 through and including December 31, 2018, with two (2) one (1) year extension options, in an amount not to exceed \$15,000.00 per year, with funds to be drawn from Account No. OTA A 1420 44800 000 0000.

JOSEPH NOCEL

A STAN COLOR

Chief Deputy Town Attorney

FMS:mek

Attachment

File: 2016-5565

cc:Town attorney (with

(with 7 copies)



WHEREAS, Joseph Nocella, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated February 8, 2018, advised that at the Town Board meeting held on February 6, 2018, the Town Board requested that a resolution be prepared for the Town Board's consideration to amend the Code of the Town of Oyster Bay ("Town Code"). Chapter 233, Sections 17-101 and 17-102, and to amend Resolutions No. 510-2007 and No. 1042-2007 to the extent that they currently allow the Town Clerk to issue free Green Public Parking Passes; and

WHEREAS, Town Code Chapter 233, Sections 17-101 and 17-102, by their terms provide for the fees set forth in said Sections to be amended by the Town Board by resolution.

NOW, THEREFORE, BE IT RESOLVED, That Chapter 233 of the Town Code, Section 17-101(b) and Section 17-102(b) are hereby amended as follows:

Section 17-101. Domiciliary permits and stickers; application; fees.

(b) The fee for a permit and sticker issued pursuant to subsection (a) shall be One Hundred Dollars (\$100.00) for each two (2) year period, commencing April 1, 2018, and for residents 62 years of age or older as of April 1<sup>st</sup> of the permit period shall be Twenty Dollars (\$20.00) for each two (2) year period, commencing April 1, 2018. Thereafter, a new two (2) year permit period shall commence on April 1<sup>st</sup> of every even-numbered year. The fee for a permit issued after April 1<sup>st</sup> of any odd-numbered year shall be Fifty Dollars (\$50.00), and for residents 62 years of age or older as of April 1<sup>st</sup> of the permit period shall be Ten Dollars (\$10.00), and said permit shall be valid up to and including the following March 31<sup>st</sup>. The amount of the fee for any permit period, or any part thereof, may be changed from time to time by resolution of the Town Board. The required fee shall be paid before the issuance of any permit or sticker.

Section 17-102. Permits and stickers for domiciliaries of incorporated villages; application; fees.

(b) The fee for a permit and sticker issued pursuant to subsection (a) shall be One Hundred Twenty Dollars (\$120.00) for each one (1) year period, commencing April 1, 2018, and for residents 62 years of age or older as of April 1<sup>st</sup> of the permit period the fee shall be Ten Dollars (\$10.00) for each one (1) year period, commencing April 1, 2018. Thereafter, a new one (1) year permit period shall commence each April 1<sup>st</sup> and shall terminate on March 31<sup>st</sup> of the following year. The fee for a permit issued under this section on or after October 1<sup>st</sup> of any year shall be Sixty Dollars (\$60.00), and for residents 62 years of age or older as of October 1<sup>st</sup> of the permit period shall be Ten Dollars (\$10.00), and said permit shall be valid up to and including the following March 31<sup>st</sup>. The amount of the

Resolution No. 111-2018

fee for any permit period, or any part thereof, may be changed from time to time by resolution of the Town Board. The required fee shall be paid before the issuance of any permit or sticker.

and be it further

RESOLVED, That Town Code, Chapter 233, Section 17-102, subsection (d), shall be deleted, and be it further

RESOLVED, That Resolution No. 510-2007, adopted June 26, 2007, and Resolution No. 1042-2007, adopted December 18, 2007, be amended to the extent that the Town Clerk shall not be authorized to offer any free Green public parking permits, and be it further

RESOLVED, That all parking permit fees collected shall be deposited in Account No. HWY ST 0001 01721 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Town Clerk
Highway

# Town of Oyster Bay Inter-Departmental Memo

DRAF T

TO:

Memorandum Docket

FROM:

Office of the Town Attorney

DATE:

February 9, 2018

SUBJECT:

Amendment of Parking Permit Fees

Town Code - Chapter 233, Sections 17-101 and 17-102

At the Town Board meeting held on February 6, 2018, the Town Board voted to not adopt proposed Resolution No. 42-2018, which would have amended the Code of the Town of Oyster Bay ("Town Code"), Chapter 233 - Traffic, Sections 17-101 and 17-102. At that meeting, it was requested that the Office of the Town Attorney draft a new proposed resolution for consideration at the Town Board meeting to be held on February 27, 2018.

Accordingly, this office has prepared the attached proposed resolution and requests that it be placed on the February 27, 2018 Town Board action calendar for approval.

JOSEPH NOCELLA Town Attorney

BY:

THOMAS M. SABELLICO

Special Counsel

TMS/nb

Attachment

cc: Town Atty. (with 7 copies)

WHEREAS, the Town Board had previously adopted Resolution No. 731-2015 retaining the law firm of Cozen O'Connor, 45 Broadway, 16<sup>th</sup> Floor, New York, New York 10006, as special counsel to the Town of Oyster Bay to represent Town employees, identified to the Town Board in executive session, in proceedings involving each employee's work duties; and

WHEREAS, Joseph Nocella, Town Attorney, and Frank M. Scalera, Chief Deputy Town Attorney, by memorandum dated February 12, 2018, have requested that Resolution No. 731-2015, be amended to provide an additional amount not to exceed \$7,065.00 to continue the special counsel fees of Cozen O'Connor,

NOW, THEREFORE BE IT RESOLVED, That Town Board Resolution No. 731-2015 be amended to increase the authorized fees of Cozen O'Connor in an amount not to exceed \$7,065.00, including expenses and disbursements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment 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	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller

### 22

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

TO:

MEMORANDUM DOCKET

FROM:

OFFICE OF THE TOWN ATTORNEY

DATE:

February 12, 2018

**SUBJECT:** 

Special Counsel to the Town Attorney

Cozen O'Connor

The Town Board had previously adopted Resolution No. 731-2015 on December 15, 2015, retaining the law firm of Cozen O'Connor, 45 Broadway, 16<sup>th</sup> Floor, New York, New York 10006 as special counsel for the Town of Oyster Bay, in connection with the representation of Town employees identified to the Town Board in executive session in proceedings involving each employee's work duties. Said matters require additional funds to continue to work on same. Therefore, it is necessary to authorize additional funds, in the amount of \$7,065.00 to cover legal fees and expenses in connection therewith, to be paid from Account No. OTA A 1420 44110 000 0000.

Submitted herewith is the Resolution for the foregoing request.

JOSEPH NOCELA

Frank M. Scalera

Chief Deputy Town Attorney

FMS:mek Attachment

cc: Town Attorney (with 7 copies)

WHEREAS, by Resolution No. 35-2017, adopted on January 10, 2017, the Town Board authorized the retention of Cascone & Kluepfel, LLP, 1399 Franklin Avenue, Garden City, New York 11530, to provide legal services to the Town of Oyster Bay with respect to various negligence matters; and

WHEREAS, Joseph Nocella, Town Attorney, and Jeffrey Lesser, Deputy Town Attorney, by memorandum dated February 9, 2018, have requested that Resolution No. 35-2017 be amended, to provide an additional amount of \$21,864.80, to cover legal fees and expenses in connection with said negligence matters,

NOW, THEREFORE, BE IT RESOLVED, That Town Board Resolution No. 35-2017 be amended to increase the fees of Cascone & Kluepfel, LLP, 1339 Franklin Avenue, Garden City, New York 11530, in an amount of \$21,864.80, including expenses and disbursements; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment from Account No. TWN AMS 1910 43010 602 0000 000 in the amount of \$17,507.30 and from Account No. TWN AMS 1910 43020 602 0000 000 in the amount of \$4,357.50, 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	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller

Reviewed By

# Town of Oyster Bay Inter-Departmental Memo

TO:

MEMORANDUM DOCKET

FROM:

OFFICE OF THE TOWN ATTORNEY

DATE:

February 9, 2018

SUBJECT:

Cascone & Kluepfel, LLP

Outside Counsel to the Town of Oyster Bay

The Town Board previously adopted Resolution No. 35-2017, retaining the law firm of Cascone & Kluepfel, LLP, 1399 Franklin Avenue, Garden City, New York 11530, to provide legal services with respect to certain negligence matters. Said matters require additional work. Therefore, it is necessary to authorize an increase of funds, in the amount of \$21,864.80, to cover legal fees and expenses in connection therewith for the year 2017, to be paid from Account No. TWN AMS 1910 43010 602 0000 000 in the amount of \$17,507.30 and from Account No. TWN AMS 1910 43020 602 0000 000 in the amount of \$4,357.50.

Submitted herewith is the Resolution for the foregoing request.

JOSEPH NOCELLA TOWN ATTORNEY

Jeffrey Lesser

Deputy Town Attorney

JAL:jl Attachment

Town Attorney (w/7 copies)

S:\Attorney RESOS 2018\MD & RESO\Increase Fees Cascone2.doc

WHEREAS, by Resolution No. 854-2017, adopted on December 12, 2017, LiRo Engineers, Inc. was authorized by the Town Board to provide engineering services under On-Call Contract No. PWC07-18; and

WHEREAS, pursuant to Resolution 854-2017, On-Call Contract No. PWC07-18, and the direction of the Commissioner of the Department of Public Works, LiRo Engineers, Inc. is performing services for the Town of Oyster Bay pursuant to a scope of work dated February 7, 2018, including development of a sanitation and recycling database for use in preparing revised sanitation and recycling collection routes within the Town of Oyster Bay; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 12, 2018, requested that the Town Board direct the Comptroller to issue an encumbrance order in the amount of \$17,318.88 for LiRo Engineers, Inc. under Contract PWC07-18, and

WHEREAS, Robert Darienzo, Director of Finance, has indicated that the requested funds in the amount of \$17,318.88 are available in account DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved and the Comptroller is authorized to issue an encumbrance order in the amount of \$17,318.88, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000 for the hereinabove set forth 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, with the funds for said payment to be drawn from Account DER SR05 8160 44800 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc:

Supervisor Town Attorney Comptroller Public Works

**Environmental Resources** 

### TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

February 12, 2018

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO CIVIL ENGINEERING

CONTRACT NO. PWC07-18

ACCOUNT NO.: DER SR05 8160 44800 000 0000

The consultant, LiRo Engineers, Inc. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-18 by Resolution No. 854-2017 for the subject project.

Attached is a letter dated February 7, 2018 from LiRo Engineers, Inc. regarding the scope of work to be performed in an amount not to exceed \$17,318.88. Services to be performed include development of a sanitation and recycling database, for use in preparing revised sanitation and recycling collection routes.

Attached is an availability of funds in the amount of \$17,318.88 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

It is hereby requested that the Town Board authorize, by Resolution, LiRo Engineers, Inc. under Contract No. PWC07-18, 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, F COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

cc: Off

Office of the Town Attorney ( 7 copies)

Steven Ballas, Comptroller

Neil Bergin, Commissioner/Environmental Resources

Daniel Pearl, Deputy Commissioner/Environmental Resources

Kathy Stefanich, Administrative Division/DPW

PWC07-18 LIRO DOCKET ROUTING PA FUNDS



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



Requesting Division/Department

PUBLIC WORKS/ENV. RESOURCES

THIS SECTION TO BE COMPLET	ED BY DEPARTMENT A	ADMINISTERIN	G ON-CALL CONSULTANT CONTRACT			
Contract Number_	PWC07-18					
Contract Period	1/1/2018 - 12/31/2019					
Consultant/Contractor_	LIRO ENGINEERS, INC.					
Discipline _	CIVIL ENGINEERING					
Total Authorization	\$17,318.88					
Resolution No	854-201	17	Date12/12/2017			
Funded To Date		\$ 0				
Amount Requested		\$17,318	88			
Account To Be Used _	DER 5205 81	160 44180	0-000 0000			
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.						
MSW ANI	O SINGLE STREAM REG	CYCLING COLI	ECTION ROUTING			
Work To Be Completed Ir A "No" response will require Tou			Yes X No			
Required Insurances Are A "No" response will prevent fur			Yes X No			
Required 50% Performance Bor	nd For This Request In Effect:		Yes No N/A X			
		ount of Bond	\$			
Requesting Division/D	epartment	Onl	DPW Approval y To Be Executed By The Commissioner			
Signature Am		Signature<	Tille Gen Ca			
No. 1	n it size (n	Title	Commissioner of Public Works			
Date / 2/2//8		Date	2/9/18			
THIS SECTION T	THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE					
Amount Requested	17,318.88					
Unemcumbered Batarice	65,390.30		<u> </u>			
Is The Account To Be Used Consistent W	ith The Nature Of Work Lis	ted Above?	Yes No No			
Signature Signature		Da	ate			



### TOWN OF OYSTER BAY

### WORK ORDER



This Section To Be	e Completed By	The Department Of	Public Works	
Work Order No.	······································	E.O. No		
		Contract Start	1/1/2017	
Contract No. PWC0	7-18	Contract End	12/31/2019	) <u> </u>
Commencen	nent Date	1/1/2018		
No claim shall be paid for	work perforr	ned prior to the	Commend	ement Date
Vendor Name and Address				
	LIRO ENGIN	EERS, INC.		
,	3 AERIA	L WAY		
	SYOSSET, NEV	V YORK 11791		
Requesting Town Department	PUBLIC	WORKS & ENVIR	ONMENTAL I	RESOURCES
Contact_	MATTHEW R	USSO, P.E.	Phone	516-677-5719
Description of Work to be Performed (Atta	ich Detail If Nece	essary)		
MSW & SINGLE	STREAM RECY	CLING COLLECTION	ON ROUTING	
•				
		-		
This work order shall no	t exceed	\$		17,318.88
Please notify the above mention	ned contact per	rson 48 hours prid	or to commer	ncing any work.
Requesting Division/Department	artment			c Works Approval The Commissioner
Simply of		Signature	To let	Per Can
Signature // /	Programme Market	Olgi latai 0	Commission	ner of Public Works
Title // // / / / / / / / / / / / / / / / /	omstioned	Date	2/9/1	

Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421

February 7, 2018

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

Dα.

Proposal for Phase 1 – Town-wide Single Stream Routing; Contract No. PWC07-18, On-Call Civil Engineering

Dear Commissioner Lenz,

The Town of Oyster Bay has utilized computerized routing for almost thirty years for the creation of sanitation and recycling routes, under the concept of "two crews—two services". With the advent of single stream routing and the use of common shared equipment, the Town has elected to move to "one crew-two services". In order to accomplish this goal, the current Town routes need to be adjusted.

#### **Background**

The current routes were created using Routesmart Technologies routing software, which we recommend be used to adjust the current routes. Routesmart will require three datasets in order to adjust the routes: 1) Service Locations (i.e. customers), 2) Facilities (i.e. depots and intermediate facilities), and 3) Digital Street Data (i.e. street centerlines). The three datasets need to be created by the Town and reviewed by Routesmart prior to the actual route building.

It is our recommendation that the Town create the required data as Phase 1, in order not to delay the project. The required data will be used in the subsequent phase of the project to create the routes and make them operational.

#### Work Products to be Delivered

- Sanitation District Boundaries, in the Town's standard GIS format (Esri Geodatabase). These will be digitized from source material provided by the Town.
- Service Locations. The source of these will be Nassau County's Address Point database. The data
  will be transformed to meet the Routesmart's standard data model (SDM) and will be delivered in
  the Town's standard GIS format. In addition, LiRo will work with the Town to identify anything
  related to existing routes, e.g. route field, existing sequence, existing service day(s). Any time
  windows or service priorities or service flags (e.g. disability customers, backdoor pick-ups) are
  helpful to have provided as an attribute field (if the data exists already in the Town).
- Facility locations, in the Town's standard GIS format.

Richard Annitto, LiRo's GIS and Survey Division Head, will lead the project and will work with the Town and Routesmart Technologies to make the project successful. Mr. Annitto is very familiar with the Town's GIS as well as the Town's previous routing project. In addition, LiRo is the Town's GIS consultant.

Construction Managers • Engineers • Architects



Richard W. Lenz, PE, Commissioner Proposal for Phase 1 - Town-wide Single Stream Routing; Contract No. PWC07-18, On-Call Civil Engineering February 7, 2018 Pa 2

#### <u>Fees</u>

Sincerely,

LiRo Engineers, Inc.

The fee for the above services is a lump sum of \$ 17,318.88. We anticipate a single billing, due to the project schedule and the anticipated relative short duration of Phase 1 of the project. Work will be invoiced in accordance with the terms and conditions of our On-Call Civil Engineering Contract with the Town.

Phase 2 of the project will be the creation of the routes. For budget purposes, we recommend that the Town allocate \$70,000 for Phase 2. Phase 3 of the project, which is the long term maintenance of the routes, will include the Town acquiring an up to date license of RouteSmart software and the training of Town staff. For budget purposes, we recommend that the Town allocate \$75,000 for Phase 3 of the project.

Please indicate your acceptance of this proposal by signing below and returning a copy to the undersigned.

If you have any questions or concerns regarding this proposal, please contact me or Richard Annitto at (516) 746-2350. Thank you for this opportunity to be considered to assist the Town with our services.

cc: J. Tassone - TOB		
Signature	Date	
Name and Title	Fee	
Authorization to Proceed — Phase 1	\$ 17,318.88	
Michael P. Rennard, PE Vice President		•
Was Rue		

Meeting of December 12, 2017

Resolution No. 854-2017

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated November 27, 2017 and December 4, 2017, advised that on September 27, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Civil Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC07-18; and

WHEREAS, in response to that Request for Proposals, fifteen (15) responses were timely received by the Department of Public Works, Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memoranda, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected Nelson & Pope Engineers & Land Surveyor, PLLC, D&B Engineers & Architects, P.C., Holzmacher, McLendon & Murrell, P.C., deBruin Engineering, P.C., Lockwood, Kessler & Bartletts, Inc., LiRo Engineers, Inc., John Grillo, Architect, P.C., Savik & Murray, a Division of DCAK-MSA Architecture & Engineering, P.C. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with Nelson & Pope Engineers & Land Surveyor, PLLC, D&B Engineers & Architects, P.C., Holzmacher, McLendon & Murrell, P.C., deBruin Engineering, P.C., Lockwood, Kessler & Bartletts, Inc., LiRo Engineers, Inc., John Grillo, Architect, P.C., Savik & Murray, a Division of DCAK-MSA Architecture & Engineering, P.C., to provide Engineering Services relative to Civil Engineering, in accordance with the specifications contained in Contract No. PWC07-18, for a two (2) year term commencing on January 1, 2018 through December 31, 2019

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC07-18 with Nelson & Pope Engineers & Land Surveyor, PLLC, D&B Engineers & Architects, P.C., Holzmacher, McLendon & Murrell, P.C., deBruin Engineering, P.C., Lockwood, Kessler & Bartletts, Inc., LiRo Engineers, Inc., John Grillo, Architect, P.C., Savik & Murray, a Division of DCAK-MSA Architecture & Engineering, P.C., in accordance with the provisions thereunder, for a two (2) year term, commencing on January 1, 2018 through and including December 31, 2019.

#--

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Improto Absent
Councilman Hand Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works



WHEREAS, Resolution No. 867-2017, adopted on December 12, 2017, authorized Lockwood, Kessler & Bartlett, Inc., to provide engineering services to the Town of Oyster Bay under Contract No. PWC31-18, On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 12, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$22,000.00, under Contract No. PWC31-18, for Engineering Services for the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, including Evaluation and Research of Yard Waste Collection Practices, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$22,000.00, and to pay Lockwood, Kessler & Bartlett, Inc., for services rendered under Contract No. PWC31-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000, for Contract No. PWC31-18.

\_#\_

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works

Environmental Resources



## TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

**FEBRUARY 12, 2018** 

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO OPERATION AND DEVELOPMENT OF

THE OLD BETHPAGE SOLID WASTE DISPOSAL COMPLEX

CONTRACT NO. PWC31-18

ACCOUNT NO.: DER SR05 8160 44800 000 0000

The consultant, Lockwood, Kessler & Bartlett, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC31-18 by Resolution No. 867-2017 for the subject project.

Attached is a letter dated January 18, 2018 from Lockwood, Kessler & Bartlett, Inc. regarding the scope of work to be performed in an amount not to exceed \$22,000.00. Services to be performed. include evaluation and research of yard waste collection practices.

Attached is an availability of funds in the amount of \$22,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

It is hereby requested that the Town Board authorize, by Resolution, Lockwood, Kessler & Bartlett, Inc. under Contract No. PWC31-18, On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MI

Attachment

Office of the Town Attorney (w/7 copies) CC:

Steven Ballas, Comptroller

Neil Bergin, Commissioner/Environmental Resources

Kathy Stefanich, Administrative Division/DPW

PWC31-18 LKB DOCKET 2018 SWTF FUNDS



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



Requesting Division/Department

ENVIRONMENTAL RESOURCES

THIS SECTION TO BE COMPLETED BY	DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT
Contract Number	PWC31-18
Contract Period	1/1/2018 - 12/31/2019
Consultant/Contractor	LOCKWOOD, KESSLER & BARTLETT, INC.
Discipline	OPERATION AND DEVELOPMENT OF THE OBSWDC
Total Authorization	\$22,000.00
Resolution No.	867-17 Date 12/12/2018
Funded To Date	\$0.00
Amount Requested	\$22,000.00
Account To Be Used DC	ESROS 8160 44800. 000 DEOOLA!
Description Of Work  If a Capital Account is used and work is requested service that qualifies it as a 0	
SOLID W	ASTE PLANNING - YARD WAST COLLECTION
Work To Be Completed In Cont A "No" response will require Town Boar Required Insurances Are In Effe A "No" response will prevent further pro	ect: Yes X No
Required 50% Performance Bond For 1	This Request In Effect: Yes No N/A X
	. Amount of Bond \$
Signature  Title  Requesting Division/Departs  Commission  Requesting Division/Departs	Only To Be Executed By The Commissioner Signature Lands Dev Cay
Date <u>2/1//8</u>	Date 2/1/18
THIS SECTION TO BE	COMPLETED BY THE DIRECTOR OF FINANCE
Amount Requested 2	2,500.03
Unemcumbered Balance 36	
s The Account To Bed sed Consistent With The	Nature Of Work Listed Above?  Yes No
Signature / J	Date <u>2/9//</u> 3

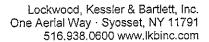


# TOWN OF OYSTER BAY

## WORK ORDER



This Sec	tion To Be Complet	ted By The Department Of	Public Works
Work Order No.		E.O. No	
		Contract Start	
Contract No.	PWC31-18		
Co	mmencement Date	JANUARY 1, 2018	
No claim shall be j	paid for work p	erformed prior to the	Commencement Date
Vendor Name and Address			
	LOCKWOOD, K	ESSLER & BARTLETT, IN	IC.
	1	AERIAL WAY	
	SYOSSE	T,NEW YORK 11791	
Requesting Town Dep	artment	ENVIRONMENT	AL RESOURCES
	Contact MATT	HEW RUSSO, P.E.	Phone 516-677-5719
Description of Work to be Perform	rmed (Attach Detail	If Necessary)	
·.			
SO	LID WASTE PLANI	NING - YARD WAST COLL	ECTION "
			•
This work order sh	nall not exce	eed \$	22,000.00
Please notify the above	e mentioned cont	act person 48 hours pric	or to commencing any work.
Requesting Divisi	ion/Department		nt Of Public Works Approval e Executed By The Commissioner
Signature Dr./N	4-1	Signature <u></u>	sile Orley_
Title <u>DEAL,</u>	Commissions	<del></del>	Commissioner of Rublic Works





January 18, 2018 LKB # 2017-0126

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

Attn: Matthew Russo, PE, Engineering Division

Re: TOB Contract No. PWC 31-18, Operation and Development of the OBSWDC

Dear Commissioner Lenz,

Lockwood Kessler and Bartlett, Inc. (LKB) was authorized by the Town, under resolution number 867-2017, dated December 12, 2017 and the above-referenced contract, to provide services to support the Town in the oversight of OBSWDC facility operations as well as solid waste planning services.

Regarding solid waste planning services, as per your directive at a scoping meeting on December 19, 2017, LKB was requested to perform a task for yard waste disposal planning. This Task will include the following;

- Evaluate the Town's existing yard waste collection and disposal practices. This will
  include reviewing existing or new routing maps, and records review to determine
  existing yard waste collection and disposal practices, quantities, overall costs and
  overtime costs.
- Determine the status of yard waste collection and disposal in the other eight Towns on Long Island and two cities. Our analysis will exclude Shelter Island due to its unique location. This effort will include consulting the Towns' websites and confirmation of information by telephone or email. If quantities and disposal costs are available, this information will also be collected.
- Provide recommendations to reduce the cost of yard waste collection and disposal.

We request \$22,000 dollars be appropriated in 2018 for this solid waste planning task under Contract No. PWC 31-18.

AN EQUAL OPPORTUNITY EMPLOYER

We appreciate the opportunity to serve the Town on this project. Should you have any questions regarding this letter please contact our office.

Very truly yours, LOCKWOOD, KESSLER & BARTLETT, INC.

Paul Lappano, PE, BCEE, LEED AP Vice President of Environmental Services



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, resulting in the receipt of three (3) submissions, and after review and analysis of the submissions based upon the technical merits of the responses has selected Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., to perform On-Call Engineering Services in connection with Contract No. PWC31-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved and in connection with Contract No. PWC31-18, Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., are hereby authorized and directed to provide On-Call Engineering Services to the Town, relative to relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, in connection with Contract No. PWC31-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019.

#

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

cc: Supervisor (2)
Town Attorney

Comptroller Public Works Reviewed By
Office of Town Attorney

WHEREAS, by Resolution No. 857-2017, adopted on December 12, 2017, LiRo Engineers, Inc. was authorized by the Town Board to provide engineering services relative to transportation engineering under On-Call Contract No. PWC15-18; and

WHEREAS, pursuant to Resolution 857-2017, On-Call Contract No. PWC15-18, and the direction of the Commissioner of the Department of Public Works, LiRo Engineers, Inc. is performing services for the Town of Oyster Bay pursuant to a scope of work dated February 5, 2018, including creation of a Town street network inventory, condition assessment and pavement management program for all roads within the Town of Oyster Bay; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 9, 2018, requested that the Town Board direct the Comptroller to issue an encumbrance order in the amount of \$224,500.00 for LiRo Engineers, Inc. under Contract PWC15-18, and

WHEREAS, Robert Darienzo, Director of Finance, has indicated that the requested funds in the amount of \$224,500.00 are available in account HWY H 5197 20000 000 1503 008,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved and the Comptroller is authorized to issue an encumbrance order in the amount of \$224,500.00, with funds to be drawn from Account No. HWY H 5197 20000 000 1503 008 for the hereinabove set forth 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, with the funds for said payment to be drawn from Account HWY H 5197 20000 000 1503 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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

## TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

**FEBRUARY 9, 2018** 

TO:

MEMORANDUM DOCKET

FROM:

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAYS

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO TRANSPORTATION ENGINEERING

CONTRACT NO. PWC15-18

ACCOUNT NO.: HWY H 5197 20000 000 1503 008

PROJECT ID NO. 1503HWYDB-03

The consultant, LiRo Engineers, Inc., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC15-18 by Resolution No. 857-2017 for the subject project.

Attached is a letter dated February 5, 2018 from LiRo Engineers, Inc. regarding the scope of work to be performed in an amount not to exceed \$224,500.00. Services to be performed include the town street network inventory, condition assessment and pavement management program for all roads within the Town of Oyster Bay.

Attached is an availability of funds in the amount of \$224,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5197 20000 000 1503 008 / Project Id. No. 1503HWYDB-03.

It is hereby requested that the Town Board authorize, by Resolution, LiRo Engineers, Inc. under Contract No. PWC15-18, On-Call Engineering Services Relative to Transportation Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAYS

RWL/JCT/MR/nm

Attachment

cc: Office of the Town Attorney (w/7 copies) Steven Ballas, Comptrollet John P. Bishop / Department of Highways Kathy Stefanich, Administrative Division/DPW

PWC15-18 DOCKET LIRO PAVEMENT ASSESSMENT



Three Aerial Way, Syosset, NY 11791 Telephone 516.938.5476 Facsimile 516.937.5421.

February 5, 2018

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

Program; Contract No. PWC15-18, On-Call Transportation Engineering

Dear Commissioner Lenz,

LiRo Engineers, Inc. (LiRo) is pleased to present this proposal to update the 2004 the condition assessment of the Town's 707-mile street network, and to make recommendations for a pavement management program. With such a program, the Town will then be able to plan and budget for the maintenance and rehabilitation of its roadways and keep them in an acceptable condition. This program is consistent with GASB 34 (the Government Accounting Standards Board, statement 34), an accounting system that the New York State Comptroller has encouraged local municipalities to follow. We propose to use On-call Transportation Engineering Agreement; Number PWC15-18.

Proposal for a Town Street Network Inventory, Condition Assessment, and Pavement Management

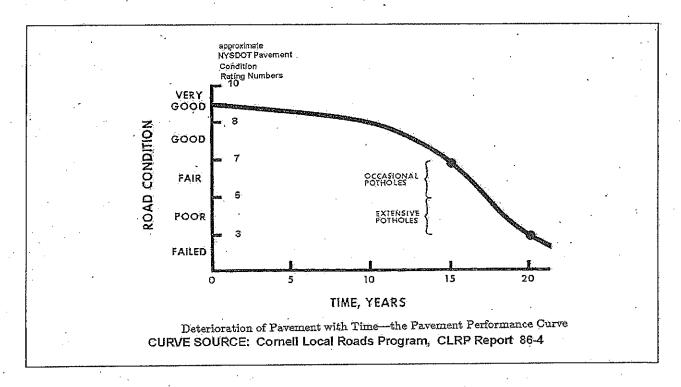
LiRo proposes to perform a local street condition survey (LSCS) in accordance with the New York State Department of Transportation *Pavement Condition Rating Manual*. The entire Town 707 mile street network will be rated based on a scale of one (1) to ten (10). One (1) is a pavement in extremely poor condition and ten (10) is a pavement in excellent (new) condition

#### Background:

Experience has shown that pavements deteriorate at a predictable rate. When pavements are new, they standup well and deteriorate slowly until they reach a good-fair condition. Then, they deteriorate at a much greater rate. Once this happens, it becomes much more expensive to restore the roadway to an acceptable level. The pavement deterioration curve below illustrates this point.

Construction Managers • Engineers • Architects



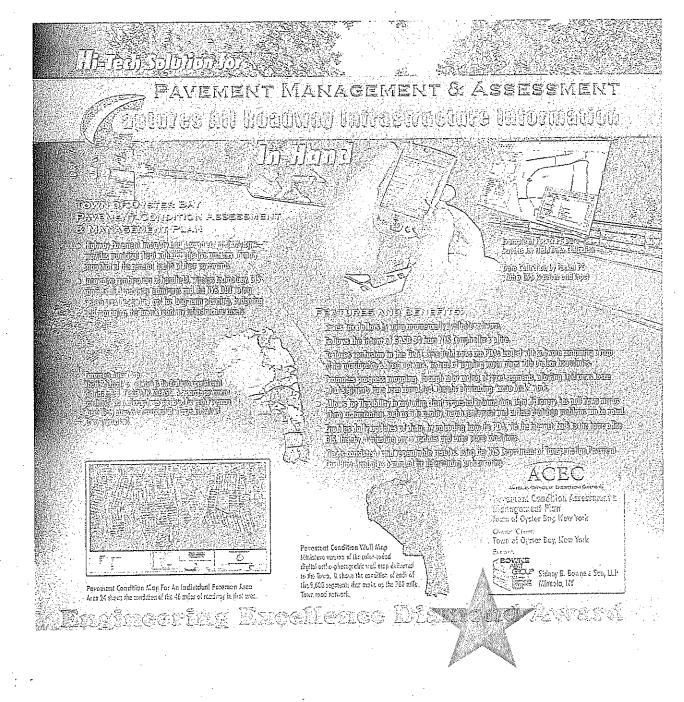


A pavement condition assessment will give the Town a picture of general health of the roadway network and show where your pavements fit the on the condition rating curve. With this data, an informed decision can be made on where to spend limited resources. Also, a program can be implemented to provide preventative maintenance to extend the pavement life in the "good to very good" condition.

LiRo staff of former Town and County Highway Officials have developed an award-winning process for user friendly pavement management especially designed to assist Town and Village Highway Departments in managing their roadway networks.

- Uses a straight forward pavement condition rating system developed by NYSDOT
- Uses no proprietary software, Microsoft Office (Access & Excel) & ESRI Arcview







#### Scope of Services and Work Products to be Delivered:

LiRo proposes to perform and deliver the following services and products for all 707 miles (9,546 segments) of the Town highway network:

- 1. Update the data base defining pavement segments and establishing identification designations.
- 2. Perform a local street condition inventory on a segment by segment basis, listing:
  - a. average road segment length, width and area
  - b. pavement type
  - c. pavement condition rating per NYSDOT method
  - d. an inventory and general condition of the curbs (good, fair, poor)
  - e. a representative photo of the segment.
  - f. pavement/segment distresses
    - alligator cracking
    - transverse cracking
    - patches/potholes
    - ride quality
    - surface drainage
    - the existence of noticeable settlement at catch basins
- 3. Provide two series of tabular electronic PDF reports of the data listed above for each of the Town's 17 Foreman Maintenance Areas and a master town-wide tabular report listing the same data. One series of reports will list the segments in alphabetical order, and the second series of reports will list the segments sorted by pavement condition rating. Color coded aerial photograph maps in an 11"x17" format will be included for each Foreman Area indicating the Town street names and the pavement condition.
- 4. Provide two wall size aerial photograph map indicating the Town street names and the pavement condition ratings by color for the entire Town.
- 5. Provide maintenance/rehabilitation/replacement cost estimates for the pavement segments based on the Town's historical cost.
- 6. Provide a pavement management plan for the life cycle of the pavement



7. Add the GIS files to the Town's GIS data base and design and build an ArcGIS for Server web application using the Esri JavaScript API. The viewer will allow users to query data by pavement rating, street segment, address, or nearest intersection. The viewer will also provide access to historical ratings data (if available), Foreman area PDFs, and photographs taken during the field assessment. The viewer will display street centerlines, pavement segments; Foreman areas and digital orthophotography (supplied by the NYS Digital Orthophotography Program).

#### Fees:

Sincerely,

The fee for the above pavement management services listed in the foregoing seven (7) items is a lump sum of \$224,500, and is predicated on the Town's provision of full-time drivers and cars for two teams. Work will be billed monthly as the work progresses up to 90% of the fee, with the balance due at delivery of all of the work products.

Please indicate your acceptance of this proposal by signing below.

If you have any questions, please call me or John Waltz at (516) 746-2350. Thank you for this opportunity to be considered to assist the Town with our services.

LiRo Engineers, Inc.			
Michael Rennard PE Vice President			
Division Leader, Engineering			
	<b>\$</b> .		
Name and Title	Fee	,	
Authorization to Proceed			
Signature .	Date		÷

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memoranda dated November 27, 2017 and December 4, 2017, advised that on October 5, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Transportation Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC15-18, and

WHEREAS, in response to that Request for Proposals, seven (7) responses were timely received by the Department of Public Works, Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memoranda, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected Barbara Thayer, P.E., Arch., Landscape Architecture, LS, DPC; Gedeon Engineering, P.C.; LiRo Engineers, Inc.; Nelson & Pope Engineers & Land Surveyor, PLLC; and NV5 New York Engineers, Architects, Landscape Architects & Surveyors. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with Barbara Thayer, P.E., Arch., Landscape Architecture, LS, DPC, Gedeon Engineering, P.C., LiRo Engineers, Inc., Nelson & Pope Engineers & Land Surveyor, PLLC, and NV5 New York Engineers, Architects, Landscape Architects & Surveyors, to provide Engineering Services relative to Transportation Engineering, in accordance with the specifications contained in Contract No. PWC15-18, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC15-18 with Barbara Thayer, P.E., Arch., Landscape Architecture, LS, DPC, Gedeon Engineering, P.C., LiRo Engineers, Inc., Nelson & Pope Engineers & Land Surveyor, PLLC, and NV5 New York Engineers, Architects, Landscape Architects & Surveyors, in accordance with the provisions thereunder, for a two (2) year term, commencing on January 1, 2018 through and including December 31, 2019.

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works

Review Office of Lev



# TOWN OF OYSTER BAY

## WORK ORDER



This Section To Be Con	pleted By The Department (	Of Public Works	
Work Order No.	E.O. No.		
		1/1/2018	ì
Contract No. PWC15-18		12/31/2019	
Commencement	) ata		
	Date		
No claim shall be paid for wor	k periormed prior to ti	ie Commend	ement Date
Vendor Name and Address	·		
LII	RO ENGINEERS, INC.		
	3 AERIAL WAY		
•			
			,
Requesting Town Department	HIC	SHWAY	
Contact	John C. Tassone	Phone	x-5722
Description of Work to be Performed (Attach De		•	
·	RK INVENTORY, ROAD AS	SESSMENT AN	חו
		OLOGIMENT AI	4 1.0
PAV	EMENT MANAGEMENT		
This work order shall not ex	ceed \$	\$224,50	0.00
Please notify the above mentioned o	contact person 48 hours p	rior to commer	ncing any work.
Requesting Division/Departm		,	c Works Approval
Requesting Division Departm			The Commissioner
Signature A S S	Signature	Thefan	Folley_
DERUTY COMMISSIONE Title Department of Highway	R	Commission	ner of Public Works
Data 2-0-18	Date.	2/0	1, 2



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



Requesting Division/Department

HIGHWAY

THIS SECTION TO BE COMPLETE	D BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT
Contract Number	PWC15-18
Contract Period	1/1/18 THROUGH 12/31/19
Consultant/Contractor	LIRO ENGINEERS, INC.
Discipline	ON-CALL TRANSPORTATION ENGINEERING
Total Authorization	
Resolution No.	857-2017 Date 12/12/2017
Funded To Date	\$0.00
Amount Requested	\$224,500.00
Account To Be Used	HWY H 5197 20000 000 1503 008 / 1503HWYDB-03
If Capital Acc Description Of Work	ount, State The Related Contract Number: N/A  vork is not related to a Capital Project, specify the nature of the
TOWN STR	EET NETWORK INVENTORY , ROAD ASSESSMENT AND
	PAVEMENT MANAGEMENT
Work To Be Completed In A "No" response will require Town	Contract Period: Yes X No
Required Insurances Are Ir A "No" response will prevent furth	
Required 50% Performance Bond	/ <u>Lamanana</u>
Requesting Division/De	Amount of Bond \$ <u>n/a</u> partment   DPW Approval
Signature DEPUTY COMMISSION Department of High	Only To Be Executed By The Commissioner  Signature Ze Lau Ce Cey  Title Commissioner of Public Works
Date 2-9-18	Date 2/9/19
THIS SECTION TO  Amount Requested 2  Unemcumbered Balance 2	
s The Account To De Joseph Consistent With	
Signature	Date 2/9/18

WHEREAS, Resolution No. 867-2017, adopted on December 12, 2017, authorized D & B Engineers and Architects, P.C., to provide engineering services to the Town of Oyster Bay under Contract No. PWC31-18, On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 12, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$20,000.00, under Contract No. PWC31-18, for Engineering Services for the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, including Evaluation and Research of Single Stream Recycling Collection and Processing, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$20,000.00, and to pay D & B Engineers and Architects, P.C., for services rendered under Contract No. PWC31-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000, for Contract No. PWC31-18.

#\_

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc:

Supervisor Town Attorney Comptroller Public Works

**Environmental Resources** 

### TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

**FEBRUARY 12, 2018** 

TO:

MEMORANDUM DOCKET

FROM:

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT.

ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO OPERATION AND DEVELOPMENT OF

THE OLD BETHPAGE SOLID WASTE DISPOSAL COMPLEX

CONTRACT NO. PWC31-18

ACCOUNT NO.: DER SR05 8160 44800 000 0000

The consultant, D & B Engineers & Architects, P.C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC31-18 by Resolution No. 867-2017 for the subject project.

Attached is a letter dated January 2, 2018 from D & B Engineers & Architects, P.C. regarding the scope of work to be performed in an amount not to exceed \$20,000.00. Services to be performed include evaluation and research of single stream recycling collection and processing.

Attached is an availability of funds in the amount of \$20,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

It is hereby requested that the Town Board authorize, by Resolution, D & B Engineers & Architects, P.C. under Contract No. PWC31-18, On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

> RICHARD W. LENZ, PA COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

Office of the Town Attorney (w/7 copies)

Steven Ballas, Comptroller

Neil Bergin, Commissioner/Environmental Resources

Kathy Stefanich, Administrative Division/DPW

PWC31-18 D&B DOCKET 2018 SWIF FUNDS



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



A AQA	Requesting Division/D	epartment _	ENVIRONM	ENTAL RESC	OURCES	A AQUA
THIS SEC	CTION TO BE COMPLET	ED BY DEPARTMENT	ADMINISTER	ING ON-CAL	L CONSULTA	NT CONTRACT
	Contract Number_		PWC	31-18		
•	Contract Period _		1/1/2018 - 1	12/31/2019		
	Consultant/Contractor_	D & E	BENGINEERS	S & ARCHITE	CTS	
	Discipline _	OPERATION A	AND DEVELO	PMENT OF T	HE OBSWDC	,
	Total Authorization _		\$20,00	00.00		
•	Resolution No	867-17	7	Date_	12/12/2	018
	Funded To Date _		\$0.0	00		
	Amount Requested _		\$20,00	00.00		
	Account To Be Used_	DER SLOS	8/60	44800	2000	0000 U
	If Capital Ad Description Of Work If a Capital Account is used and requested service that qualifies					
·· •	S <del>O</del> LI	D WASTE PLANNING -	SINGLE STR	EAM RECYC	LING_=	
	Work To Be Completed I A "No" response will require To	n Contract Period: own Board authorization to exte	end the contract p	Yes X	No	
	Required Insurances Are A "No" response will prevent fu		n.	Yes X	No	
	Required 50% Performance Bo	and For This Request in Effect:		Yes	No	N/A X
		Am	ount of Bond	\$		
	Requesting Division/D	)epartment			<b>N Approval</b> uted By The Com	missioner
Signature	I/m-		Signature	Tak	Que Ca	<u> </u>
Title	DEALT Com	missiones 1	Title	Commi	ssioner of Pu	blic Works
Date	2/1/13		Date	2/9	118	
	THIS SECTION 1	O BE COMPLETED	BY THE C	IRECTOR	OF FINANC	E
	Amount Requested	20,000.00				
L	Inemcumbered Balance	365,000.00				
	nt To Be Used Consistent V	1			Yes	No
Signature				Date	17/10	



# TOWN OF OYSTER BAY

## WORK ORDER



This Section To Be Com	pleted By The Department Of	Public Works
Work Order No.	E.O. No.	
vvoire order red.	Contract Start	
Contract No. PWC31-18	,	12/31/2019
•	Date JANUARY 1, 2018	
		Commencement Date
No claim shall be paid for wor	k performed prior to the	9 Commencement Date
Vendor Name and Address		
D & B ENG	SINEERS & ARCHITECTS, P.O	C
330 C	ROSSWAYS PARK DRIVE	
WOOL	DBURY, NEW YORK 11797	
Requesting Town Department	ENVIRONM <u>EN</u> T	TAL RESOURCES
Contact M	ATTHEW RUSSO, P.E.	Phone 516-677-5719
Description of Work to be Performed (Attach D	etail If Necessary)	
Description of work to be a difference ( massive.	•	•
	ONO FOTOEANA	DECYCLING
SOLID WASTE PLA	NNING - SINGLE STREAM F	RECTCLING
		20,000.00
This work order shall not e		
Please notify the above mentioned	· · · · · · · · · · · · · · · · · · ·	
Requesting Division/Departn	nent Departme	ent Of Public Works Approval Be Executed By The Commissioner
1 I and		-5 a Carlo
Signature Official	Signature	Janes J
Title Veffer former 5510	nter	Commissioner of Public Works
Date 2/1/18	Date_	2/9/18



Steven A. Fangmann, P.E., BCEE President & Chairman Robert L. Raab, P.E., BCEE, CCM Senior Vice President

Vice Presidents

Rob J. DeGlorgio, P.E., CPESC Senior Vice President Stephen M. Oudar, P.E. Senior Vice President Joseph H. Marturano Senior Vice President

William D. Merklin, P.E. Senior Vice President

Brian M. Veith, P.E. Senior Vice President

Dr. Nicholas W. Bodouva Senior Vice President Garrett M. Byrnes, P.E. Vice President

Matthew R. DeVinney, P.E. Vice President Frank DeVita Vice President

Thomas P. Fox, P.G. Vice President

Christopher Koegel, P.E., CCM Vice President

Olga Mubarak Vice President Michael Neuberger, P.E Vice President Theodore S. Pytlar, Jr. Vice President Philip R Sachs, P.E. Vice President Charles J. Wachsmuth, P.E. Vice President

Dir. of Architecture Michael P. Sciarrillo, AIA, NCARB

Senior Associates

Roger L. Cocchi, P.E. Joseph A. Floraliso, P.E. Michael R. Hofgren Michele Mastrangelo Jamil Miranda, P.E Adam Remick, P.E. Adriana S. Restrepo, P.E. Daniel Shabat, P.E.

Associates

Jeffrey G. Butler, P.E., BCEE Meredith A Byers Anthony M. Caniano, P.G. Rudolon F. Cannavale Michael Carroll, P.E., CEM Kevin J. Donlevy, P.E Lisa Lautato Robbin A Petrella Swaroop C Puchalapalli, P.E. Edward J. Reilly Michael G, Savarese, P.E. Alexis Schlessingerman, P.E., CCM Stephen E Tauss, P.G Frank Visingardi, Jr., P.E.

516-364-9890 • 718-460-3634 • Fax: 516-364-9045 • www.db-eng.com

January 25, 2018

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

On Call Engineering Services Re:

Operation and Development of the OBSWDC Proposal for White Paper on Single Stream Recycling

Contract No. PWC31-18

Dear Commissioner Lenz:

Pursuant to our discussions on the above-captioned topic, D&B Engineers and Architects, P.C. (D&B) is submitting the attached Proposal to prepare a White Paper on Single Stream Recycling. The Proposal addresses all of the topics regarding single stream recycling that we discussed during our meeting. It also identifies the D&B staff to be assigned, the schedule for completion and our proposed budget.

We are available at your convenience to discuss this matter; and are prepared to initiate the work upon receipt of your authorization.

Sleven A. Fangmann, P.E., BCEE

President

Very truly yours

SAF/TPt/cf Attachment

cc w/encl.:

Neil Bergin, Commissioner Matthew Russo, P.E., DPW Theodore Pytlar, Jr. (D&B) ◆0010\SAF012518RWL\_Ltr(R01)

"50+ Years of Facing Challenges, Finding Solutions... Since 1965"

#### TOWN OF OYSTER BAY SINGLE STREAM RECYCLING – WHITE PAPER SCOPE OF WORK, STAFFING BUDGET AND SCHEDULE

#### **JANUARY 2, 2018**

#### SCOPE OF WORK

#### Objectives

The Town of Oyster Bay has instituted single stream collection to increase the level of residential participation and the quantity of recyclables diverted from the waste stream. The Town wishes to assess the most efficient and cost-effective means for processing the single stream recyclables and marketing the recovered recyclable commodities. To assist the Town, D&B will provide an overview of the status of single stream recycling and a review of the options for the Town of Oyster Bay to optimize the efficiency and cost effectiveness of its single stream recycling program. D&B's review will address the topics described below, to provide Oyster Bay with information needed to develop a plan for achieving its objectives regarding the single stream recycling program.

- 1. Single Stream Recycling on Long Island and Neighboring Areas Single stream recycling has achieved wide adoption throughout the country and in the New York Metropolitan Region (NYMR). However, adoption has not been as extensive on Long Island. D&B will report on the extent of adoption of single stream recycling by communities on Long Island, in New York City, upstate New York, New Jersey and Connecticut. This will include approaches for public education to encourage participation and minimize contamination. The types of bins and carts and collection vehicles utilized for single stream will be described. We will also describe the reasons cited by other programs that have not adopted single stream.
- 2. Facilities Capable of Processing Single Stream Recyclables In association with the adoption of single stream collection programs, many recycling facilities in the NYMR have been upgraded with equipment for processing single stream recyclables. D&B will identify typical single stream processing facilities and describe the major improvements instituted. This will include facilities on Long Island, New York City, Upstate New York, New Jersey, and Connecticut. Please note, this will not be a complete list of every facility in the region.

D&B will work with Town staff to identify two (2) single stream processing facilities for visits. D&B will schedule and coordinate the visits on behalf of the Town. D&B will attend the visits with the Town and prepare a trip report.

3. Collection, Transfer, Transport, and Processing Options for Single Stream Recyclables - The adoption of single stream has caused changes in practices for collection, transfer, and transport. The increased weight of the set-out bins has led to increased use of wheeled carts and semi-automated and automated collection vehicles.

The increased weight of the mixed loads as opposed to separated paper and container loads, has made the long-haul transport of recyclables more cost effective. This has led to longer transport distances for single stream compared to dual stream. D&B will describe programs that have instituted the use of wheeled carts, semi-automated or automated collection and long haul of single stream recyclables.

- 4. Single Stream Collection, Transport and Processing Costs and Contractual Options Single stream has become an attractive option for its ability to reduce collection costs, along with the increased quantities of recyclables collected. As stated above, it also enables long-haul of recyclables. These cost benefits are offset by costs for semi/automated collection vehicles and wheeled carts and the addition of equipment at recycling facilities. D&B will describe previous analyses, conducted for similar communities, of the cost impacts of single stream on collection and transport. The current costs for processing single stream at existing facilities will be reported. Typical contractual arrangements for single stream transport, processing and marketing and options for structuring the contracts will be described. Please note, this will not include an analysis of Oyster Bay's existing collection program, or cost estimates for any revised practices associated with the Town's recycling program.
- 5. Recyclables Marketing Issues The adoption of single stream has resulted in greater levels of contaminants in recyclables collected from residents, causing end users, such as paper mills, to warn about the decline in quality of the materials they received from single stream programs. In addition, market prices worldwide have declined significantly because of a program being undertaken by Chinese Government authorities to reduce the level of contamination in recyclables purchased by their end users. The price impact has been particularly severe for fiber recyclables (newspaper, corrugated) and plastics. D&B will report on the status of markets as they impact the Oyster Bay recycling program.
- 6. Report- D&B will prepare a "White Paper" report on the findings of the tasks described above.

#### STAFFING

The D&B staff to be assigned are Theodore Pytlar, Scott Mills, P.E., and Rudy Cannavale.

#### BUDGET

The proposed budget for this assignment is \$20,000.

#### **SCHEDULE**

The above described tasks and report will be complete six (6) weeks following receipt of the Town's authorization.



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, resulting in the receipt of three (3) submissions, and after review and analysis of the submissions based upon the technical merits of the responses has selected Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., to perform On-Call Engineering Services in connection with Contract No. PWC31-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved and in connection with Contract No. PWC31-18, Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., are hereby authorized and directed to provide On-Call Engineering Services to the Town, relative to relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, in connection with Contract No. PWC31-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019.

#

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

cc: Supervisor (2) Town Attorney Comptroller Public Works WHEREAS, Resolution No. 867-2017, adopted on December 12, 2017, authorized Cashin Associates, P.C., to provide engineering services to the Town of Oyster Bay under Contract No. PWC31-18, On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 12, 2018, has requested that the Comptroller issue an encumbrance order in an amount not to exceed \$111,000.00, under Contract No. PWC31-18, for Engineering Services for the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, including Assistance with Solid Waste and Recycling Issues, Regulatory Coordination, and Facility Management, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Office of the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$111,000.00, and to pay Cashin Associates, P.C., for services rendered under Contract No. PWC31-18, upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. DER SR05 8160 44800 000 0000, for Contract No. PWC31-18.

#

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works

Environmental Resources



29 118

# TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

February 12, 2018

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO OPERATION AND DEVELOPMENT OF

THE OLD BETHPAGE SOLID WASTE DISPOSAL COMPLEX

CONTRACT NO. PWC31-18

ACCOUNT NO.: DER SR05 8160 44800 000 0000

The consultant, Cashin Associates, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC31-18 by Resolution No. 867-2017 for the subject project.

Attached is a letter dated February 2, 2018 from Cashin Associates, P.C. regarding the scope of work to be performed in an amount not to exceed \$111,000.00. Services to be performed include assistance with solid waste and recycling issues, regulatory coordination, and facilty management.

Attached is an availability of funds in the amount of \$111,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

It is hereby requested that the Town Board authorize, by Resolution, Cashin Associates, P.C. under Contract No. PWC31-18, On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

RICHARD W. LEMZ, P.E. COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/ik

Attachment

cc: Office of the Town Attorney (w/7 copies)

Steven Ballas, Comptroller

Neil Bergin, Commissioner/Environmental Resources

Kathy Stefanich, Administrative Division/DPW

PWC31-18 CA DOCKET 2018 SWTF FUNDS



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



Requesting Division/Department

ENVIRONMENTAL RESOURCES

]		ED BY DEPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT		
	Contract Number _	PWC31-18		
	Contract Period _	1/1/2018 - 12/31/2019		
_	Consultant/Contractor_	CASHIN ASSOCIATES, P.C.		
	Discipline_	OPERATION AND DEVELOPMENT OF THE OBSWDC		
	Total Authorization	\$111,000.00		
	Resolution No.	867-17 Date12/12/2018		
	. Funded To Date	\$0.00		
	Amount Requested _	\$111,000.00		
	Account To Be Used	DER 5205 8160 44800 000 0000 ////		
	Description Of Work  If a Capital Account is used and requested service that qualifies in	work is not related to a Capital Project, specify the nature of the it as a Capital Expense.  DLID WASTE PLANNING - OVERSIGHT SERVICES		
	Work To Be Completed In A "No" response will require Town Required Insurances Are I A "No" response will prevent furth Required 50% Performance Bond	n Effect: Yes X No her processing of this form.		
	Requesting Division/De			
Signature Title Date	15/14 Commasion 2/8/18	Only To Be Executed By The Commissioner  Signature Rula Ce Cay		
	THIS SECTION TO	D BE COMPLETED BY THE DIRECTOR OF FINANCE		
	Amount Requested	///,000.00		



## 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 1/1/2018			
Contract No. PWC31-18	•			
Commencement Da	te. JANUARY 1, 2018			
	performed prior to the Commencement Date			
Vendor Name and Address				
CASHI	N ASSOCIATES, P.C.			
	ANS MEMORIAL HIGHWAY			
HAUPPAUGE, NEW YORK 11788				
Requesting Town Department	ENVIRONMENTAL RESOURCES			
	THEW RUSSO, P.E. Phone 516-677-5719			
Description of Work to be Performed (Attach Deta	ill If Necessary)			
SOLID WASTE PLANNING - OVERSIGHT SERVICES				
Marine and the state of the sta				
This work order shall not exc	ceed \$111,000.00			
Please notify the above mentioned cor	ntact person 48 hours prior to commencing any work.			
Requesting Division/Departmen				
	Only To Be Executed By The Commissioner			
Signature	Signature Tula tectory			
Title MANG Commissions	<u>√</u> Commissioner of Public Works			
Date <u>2/8//2</u>	Date 2/9-118			

# Cashin Associates, P.C. Engineering • Planning Construction Management

February 2, 2018

Richard Lenz, P.E., Commissioner Department of Public Works Town of Oyster Bay 150 Miller Place Syosset, New York 11791-5699

Attention: Matt Russo, P.E.

Re: On-Call Engineering Services Relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex - Fee Proposal

Dear Commissioner Lenz:

Further to our fee proposal of December 27, 2017, Cashin Associates, P.C. (CA) respectfully requests an initial authorization of \$111,000 in order to commence the work outlined in our proposed scope of services. A tabular breakdown of this request is attached hereto.

Please let me know if you require any additional information at this time.

Very truly yours,

CASHIN ASSOCIATES, P.C.

Alfred J. Angiola, P.E.

President

AJA/mag

Neil Bergin, Commissioner, Dept. of Environmental Resources

1:19ROPOSALSIProposals Proposals and Quals Towns of Ovster Bay, DPW2617 Proposals 2017-154 Solid Waste Disposal Complex 2017-154 Lenz Lin-Fee Proposal docu

1200 Veterans Memorial Highway • Hauppauge, NY 11788 • (631) 348-7600 • FAX (631) 348-7601

# Fee Proposal for Engineering Services Operation and Development of the OBSWDC Contract PWC 31-18

Task * Group	Hourly Billing Rate **	Hours	Task Fee
А	\$175. \$125.	160 80	\$38,000
В	\$175. \$125.	130 90	\$34,000
С	\$175. \$125.	180 60	\$39,000
		Total Fee:	\$111,000

Task Group 8, OBSWDC Oversight, includes task 1 (oversight of facilities), Task 10 (meetings with agencies), Task 11 (design, surveys and construction), Task 14 (Town permits) and Task 17 (assistance with tenants) of CA's Technical Proposal.

Task Group C, Solid Waste Planning, includes Task 5 (SWMP and CRA), Task 6 (facility planning and design), Task 7 (analysis of policy issues), and Task 8 (consultation on SWM issues) of CA's Technical Proposal Task C also includes coordination of the SWTF.

<sup>\*</sup> Task Group A, Coordination of Solid Waste Disposal Contracts, includes Task 2 (preparation of waste and recycling contracts), Task 3 (evaluation of waste disposal facilities), Task 4 (liaison with private vendors) and Task 16 (meetings with hauling companies) of CA's Technical Proposal.

<sup>\*\*</sup> Principals' billing rate is \$1.75./hour Engineers'/Planners' billing rate is \$1.25:/hour



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated November 27, 2017 and December 4, 2017, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, resulting in the receipt of three (3) submissions, and after review and analysis of the submissions based upon the technical merits of the responses has selected Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., to perform On-Call Engineering Services in connection with Contract No. PWC31-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved and in connection with Contract No. PWC31-18, Cashin Associates, P.C., D&B Engineering & Architects, and Lockwood, Kessler & Bartlett, Inc., are hereby authorized and directed to provide On-Call Engineering Services to the Town, relative to relative to Operation and Development of the Old Bethpage Solid Waste Disposal Complex, in connection with Contract No. PWC31-18, for a two (2) year contract, from January 1, 2018 through December 31, 2019.

#

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works

WHEREAS, by Resolution No. 860-2017, adopted on December 12, 2017, the Town Board authorized and directed D & B Engineers and Architects, P.C., to provide on-call engineering services in connection with Contract No. PWC20-18, On-Call Engineering Services Relative to Tank Management, for a two (2) year contract term, from January 1, 2018 through December 31, 2019; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated February 12, 2018, provided the Town Board with scope of work to be performed by D&B Engineers and Architects, P.C., in support of the Town's Tank Management program, including the examination and repair of Tank 18 at the CVM facility at 150 Miller Place, Syosset; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize D & B Engineers and Architects, P.C., to use Containment Services Inc., as a sub-consultant for tank evaluation and repair services; and

WHEREAS, by letter dated January 5, 2018, D & B Engineers and Architects, P.C., has advised the Town that the cost for these tank management services will not exceed \$15,000.00; and

WHEREAS, funds in the amount of \$15,000.00 to satisfy said engineering costs are available in Account No. DPW H 1997 20000 000 1401 001; and

WHEREAS, Commissioner Lenz has requested that the Town Board authorize D & B Engineers and Architects, P.C, under Contract PWC20-18, and Containment Services Inc., as a sub-consultant, to perform the above engineering services and requested that the Comptroller be directed to issue an encumbrance order for this purpose,

NOW, THEREFORE, BE IT RESOLVED, that under Contract No. PWC20-18, On-Call Engineering Services Relative to Tank Management, D & B Engineers and Architects, P.C., is hereby authorized to use Containment Services Inc., as a sub-consultant for tank evaluation and repair services in connection with Tank 18 at the CVM facility at 150 Miller Place, Syosset; and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$15,000.00, for D & B Engineers and Architects, P.C., for Contract No. PWC20-18, with funds to be drawn from Account No. DPW H 1997 20000 000 1401 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works

## TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

February 12, 2018

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO TANK MANAGEMENT PROGRAM

AND USE OF SUB-CONSULTANT

CONTRACT NO. PWC20-18

ACCOUNT NO.: DPW H 1997 20000 000 1401 001

PROJECT ID. 1401TWNA-06

The consultant, D & B Engineers & Architects, P.C. has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC20-18 by Resolution No. 860-2017 for the subject project.

Attached is a letter dated January 5, 2018 from D & B Engineers & Architects, P.C. regarding the scope of work to be performed in an amount not to exceed \$15,000.00. Services to be performed include investigation and repair of Tank 18 at the CVM facility at 150 Miller Place, Syosset.

Attached is an availability of funds in the amount of \$15,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DPW H 1997 20000 000 1401 001.

Further, the office of D & B Engineers & Architects, P.C., requests the use of Containment Solutions, Inc. as a sub-consultant for tank evaluation and repair services.

It is hereby requested that the Town Board authorize, by Resolution, D & B Engineers & Architects, P.C. under Contract No. PWC20-18, On-Call Engineering Services Relative to Tank Management Programs and requests that the Comptroller be directed to issue an encumbrance order for this purpose, and that Containment Solutions, Inc. be authorized as a sub-consultant.

> RICHARD W. LENZOP.E. COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/SC/lk

Attachment

Office of the Town Attorney (w/7 copies) cc:

Steven Ballas, Comptroller

Michael Cipriano, Division Head/CVM Kathy Stefanich, Administrative Division/DPW

PWC20-18 D&B DOCKET TANK 18 FUNDS



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



Requesting Division/Department

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THIS SECTION TO BE COMPLETED BY D	EPARTMENT ADMINISTERING ON-CALL CONSULTANT CONTRACT			
Contract Number	PWC 20-18			
Contract Period	01/01/18 - 12/31/19			
Consultant/Contractor	D & B Engineers and Architects, P.C.			
Discipline	Tank Management			
	\$15,000.00			
Resolution No.				
Funded To Date				
	\$15,000.00 ID# 140/TWNA.			
Account To Be Used DPW	-H-1997-20000-000-1401-001			
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.  Tank Management Program				
	Tank #18 - CVM			
Work To Be Completed In Contract Period:  A "No" response will require Town Board authorization to extend the contract period.				
Required Insurances Are In Effect: Yes X No				
Required 50% Performance Bond For Thi	s Request In Effect: Yes No N/A X			
	Amount of Bond \$			
Requesting Division/Departme	ent DPW Approval Only To Be Executed By The Commissioner			
Signature A head ( com-	Signature Packa Orlan			
Title DIVISION HEAD CV	Title Commissioner of Public Works			
	Date 2/8/18			
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE				
Amount Requested 15,550 to				
Unemcumbered Balance /53, >>> >>				
Is The Account To Be Used Consistent With The Nature Of Work Listed Above?  Yes No				
Signature Date				
	l/			



# 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	1/1/2018	
Contract No. PWC 20-18		12/31/2019	
· · · · · · · · · · · · · · · · · · ·			
No claim shall be paid for work per	formed prior to the	e Commencement Date	
Vendor Name and Address		•	
D & B Enginee	rs and Architects, P.C.		
Woodb	ury, NY, 11797		
		and on	
Requesting Town Department	P	arks	
Contact Sunit	a Chakraborti	Phone (516) 677 - 5725	
Description of Work to be Performed (Attach Detail If	Necessary)		
Tall	K#10 - OVIVI		
This work order shall not exce	ed \$	15,000.00	
		ior to commencing any work.	
Please notify the above mentioned contac			
Requesting Division/Department	<b>Departm</b> Only To	ent Of Public Works Approval Be Executed By The Commissioner	
	Signature	= alance	
Signature Alah (	Olghadi 6-	December of Dublic Works	
Title Division Head (V.		Commissioner of Public Works	
Date 2-8-/8	Date	2/8/18	
		•	



330 Crossways Park Drive, Woodbury, New York 11797

516-364-9890 • 718-460-3634 • Fax: 516-364-9045 • www.db-eng.com

November 14, 2017 Revised January 5, 2018

Steven A. Fangmann, P.E., BCEE President & Chairman Robert L. Raab, P.E., BCEE, CCM Senior Vice President

Rob J. DeGiorgio, P.E., CPESC Senior Vice President Stephen M. Dudar, P.E. Senior Vice President Dennis F. Koehler, P.E.

Joseph H. Marturano Senior Vice President

William D. Merklin, P.E. Senior Vice President John Schreck, P.E.

Senior Vice President

Richard M. Walka Senior Vice President Garrett M. Byrnes, P.E. Vice President

Matthew R. DeVinney, P.E.

Frank DeVita Vice President

Thomas P. Fox, P.G. Vice President

Christopher Koegel, P.E., CCM Vice President

Olga Mubarak Vice President

Michael Neuberger, P.E. Vice President

Theodore S. Pytlar, Jr.

Philip R. Sachs, P.E. Vice President

Dir. of Architecture Michael P. Sciarrillo, AIA, NCARB

Senior Associates

Roger L. Cocchi, P.E. Joseph A. Fioraliso, P.E. Michael R. Hofgren Michele Mastrangelo Jamil Miranda, P.E. Adam Remick, P.E. Adriana S. Restrepo, P.E. Daniel Shabat, P.E.

**Associates** 

Jeffrey G. Butler, P.E., BCEE Meredith A. Byers Anthony M. Caniano, P.G. Rudolph F. Cannavale Michael Carroll, P.E., CEM Kevin J. Donlevy, P.E. Lisa Lautato Robbin A. Petrella Swaroop C. Puchalapalli, P.E. Edward J. Reilly Michael G. Savarese, P.E. Thomas Schaefer, P.E. Alexis Schlessingerman, P.E., CCM Stephen E. Tauss, P.G. Frank Visingardi, Jr., P.E.

Mr. Matthew Russo, P.E. Department of Public Works Town of Oyster Bay 150 Miller Place Syosset, NY 11796

Sunita Chakraborti Attn:

150 Miller Place

Department of Engineering

Tank 18, Waste Oil Tank Tightness Failure Re:

TOB Contract No.: PWC 20-18

Dear Mr. Russo:

As the Town's Tank Management Consultant under the above-referenced contract, we are pleased to submit this Task Order Proposal to assist the Town with the recent tank testing failure of Tank No. 18 which services the Vehicle Maintenance Garage at 150 Miller Place. As you are aware, during recent routine tank testing operations, the existing Waste Oil Tank #18 has failed its routine regulatory tightness test. This condition indicates that the tank system is no longer effective as a double-walled storage tank due to leakage present between the primary and secondary tank walls.

Local and state regulations require that this tank be repaired or replaced. The Nassau County Department of Health has been notified of this tank's condition by the testing company as required by law. We have reviewed the current arrangement of this tank, and find that the replacement of this tank will be challenging due to several factors including its relatively deep burial depth (8-feet to tank manway), its close proximity to Tank #17 (approximately 3-feet sidewall separation), and the suspected proximity of the maintenance building's foundation to the tank. For these reasons, we feel that replacement of the tank is a costly alternative that justifies attempts to repair the existing tank. Abandonment of this existing tank was also evaluated; however, this tank serves the existing trench drains and oil/water separator in the vehicle maintenance garage, and we understand that operation of these components is critical to routine operation of the garage facility.

As the tightness testing technician reported evidence of a breach between the inner and outer tank walls below the liquid product level, it is likely that the outer tank shell is intact and the inner shell is damaged. If this were confirmed, a repair to the inner tank shell could be implemented and the tank could be re-tested and returned

"50+ Years of Facing Challenges, Finding Solutions... Since 1965"

Mr. Matthew Russo, P.E. Department of Public Works Town of Oyster Bay November 14, 2017 Revised January 5, 2018

to service. Although there is some chance that an inspection could reveal unrepairable damage, or the repair may not provide an acceptable tightness testing result, it is our recommendation that repair be pursued to avoid the costly alternative for complete tank replacement.

The work of this proposal will include providing professional engineering and specialty subcontractor services to assist the Town with investigation, repair and permitting to attempt to return the existing Tank #18 to service. We note that as this tank is double-walled fiberglass with an electronic leak detection system, there is no current regulatory schedule for removal or replacement of this tank, and therefore, the successful repair will represent a satisfactory solution for this tank system.

In order to investigate the tank's condition and perform a repair, we propose to utilize a recognized storage tank manufacturer acceptable to the Nassau County Department of Health (NCDH) to enter the tank, investigate the inner tank breach, and attempt to implement a repair. The typical repair technique for a breach of the inner wall shell is a fiberglass and resin lay-up using materials compatible with the original fiberglass storage tank construction. We note that the NCDH requires any storage tank repair to be performed by the original manufacturer, and requires a permit application, including engineering drawings and specifications to detail the proposed repair for approval.

To support the tank manufacturer, we suggest that the Town's existing storage tank on-call contractor, Phoenix Environmental Technology, be requested to excavate to expose the tank manway, unbolt the manway, provide drums for liquids disposal, and support the tank manufacturer in the repair process. As this support work can be provided under the on-call contract, the costs for this support are not included in our proposal. We propose to coordinate these activities through Central Vehicle Maintenance staff.

To assist the Town with the resolution of this issue, we propose the following itemized tasks:

- Coordinate with the specialty contractor (Containment Solutions) and the Town's oncall contractor (Phoenix Environmental Technology) to gain access to the tank, remove residuals from the tank, and investigate the existing interior condition of the existing Tank #18.
- Assess the extent of existing damage from within the tank and if repairs are minor in nature, direct repairs to be completed on site during the same tank entry event.
- Coordinate with Central Vehicle maintenance staff to conduct a follow-up tank tightness testing event.

Mr. Matthew Russo, P.E. Department of Public Works Town of Oyster Bay November 14, 2017 Revised January 5, 2018

- Prepare drawings and specifications, and submit to the NCDH along with permit
  applications to represent the repair of the tank and request permission to return the tank
  to service.
- Respond to questions and comments from the NCDH, provide certifications for the tank manufacturer (repair contractor) as may be required for NCDH approval of the repair work.
- Provide a licensed professional engineering certification to NCDH to represent the successful completion of the repair work as per the approved plans and specifications.

We propose and hereby respectfully request permission from the Town to utilize Containment Solutions, Inc., as our specialty subcontractor for performing the tank repair.

In order to accomplish this work, we propose to invoice for this work on time and expenses actually incurred in accordance with our existing engineering services agreement, for a not-to-exceed fee as follows:

Project Coordination, Permitting and Certification\$8,	500
Subcontractor Investigation and Repair Service Expenses	<u>500</u>
Total	000

The specialty subcontractor costs will be pass-along without markup and the costs for engineering expenses (mileage, postage, reproduction, etc.) are included in our fee for services above.

If you require further information or have any questions, please feel free to call to me at (516) 364-9890, Ext. 3401.

Very truly yours,

Philip R. Sachs, P.E. Vice President

PRSt/kap

... N

M. Cipriano (CVM)

R. Swierkowski (CVM)

R. Reiner (CVM)

+PX9263\PRS010518MR-Ltr

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated December 4, 2017, advised that on October 20, 2017, the Department of Public Works issued a Request for Proposals for Engineering Services relative to Tank Management Programs, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC20-18, for a two (2) year term contract commencing January 1, 2018 through December 31, 2019; and

WHEREAS, in response to that Request for Proposals, four (4) responses were timely received by the Department of Public Works; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected D & B Engineers & Architects, P.C., Cashin Associates, P.C., and Holzmacher, McLendon & Murrell, P.C. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with D & B Engineers & Architects, P.C., Cashin Associates, P.C., and Holzmacher, McLendon & Murrell, P.C. to provide Engineering Services elative to Tank Management Programs, in accordance with the specifications contained in Contract No. PWC20-18, for a two (2) year term, commencing on January 1, 2018 through December 31, 2019,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., authorized to enter into Contract No. PWC20-

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 Alesia Absent
Councilwoman Johnson Aye
Councilman Imbroto Absent
Councilman Hand Aye

Supervisor (2) Town Attorney Comptroller Public Works

cc:

Reviewed By Office of Town Attorney

WHEREAS, pursuant to Resolution No. 401-2017, dated July 11, 2017, Structural Preservation Systems, LLC was authorized to install a temporary reinforcement system at certain locations in the lower decks of the Hicksville Parking Facility ("Garage") in order to protect the public during the pendency of emergency repairs; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 12, 2018, requested that the rental of the reinforcement system employed by Structural Preservation Systems, LLC be extended for an additional six month period through June 17, 2018, to allow that system to remain in place through construction of the necessary repairs to the Garage; and

WHEREAS, Commissioner Lenz provided the Town Board with a proposal from Structural Preservation Systems, LLC, dated February 12, 2018, whereby Structural Preservation Systems, LLC proposed to continue the existing rental agreement at the previously negotiated and approved monthly rental rate of \$6,630.00 for the six month period through June 17, 2018, for the total amount of \$39,780.00; and

WHEREAS, funds are available for this purpose from Account No. HWY H 5997 20000 000 0811 016,

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is hereby approved, nunc pro tunc, and the Department of Public Works is hereby authorized to extend the agreement with Structural Preservation Systems, LLC to continue to provide a temporary shoring system at the facility for six months, through June 17, 2018, for the total amount of \$39,780.00; and it is further

RESOLVED, that the Comptroller is authorized to make payment to Structural Preservation Systems, LLC in the total amount of \$39,780.00 upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016.

-#-

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

- <del>-</del>	
Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway



TOWN OF OYSTER BAY

#### INTER-DEPARTMENTAL MEMO

**FEBRUARY 12, 2018** 

TO

MEMORANDUM DOCKET

FROM

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT:

HICKSVILLE PARKING FACILITY SHORING RENTAL

CONTRACT NO. H17-153

ACCOUNT NO. HWY H 5997 20000 000 0811 016

PROJECT ID NO. 0811 HWYST 01

Town Board Resolution 401-2017, dated July 11, 2017, authorized Structural Preservation Systems, LLC to install reinforcement at certain locations in the lower decks of the Hicksville Parking Facility in order to be protective of the public. This authorization covered the initial installation of the reinforcing system and an eight-month rental period through December 17, 2017.

At this time the Department of Public Works requests that the rental of the reinforcing system be extended for an additional six month period to allow the system to remain in place through construction of the necessary repairs to the Facility.

Attached is a proposal from Structural Preservation Systems, LLC dated February 12, 2018 to continue the rental period at the previously negotiated monthly rental rate of \$6,630.00 for a six month period through June 17, 2018 in the total amount of \$39,780.00. Funds are available for this purpose from Account No. HWY H 5997 20000 000 0811 016.

Therefore, we request the Town Board authorize, by resolution, a continuation of the services by Structural Preservation Systems, LLC for a six-month period, nunc pro tunc from December 18, 2017, in the total amount of \$39,780.00 and that payment be issued by the Office of the Comptroller upon submission of a proper claim.

RICHARD W. LENZ DE COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

Joseph Nocella, Town Attorney (w/7 copies)

Steven Ballas, Comptroller

John Bishop, Deputy Commissioner/Highways

DKT HICKSVILLE PARKING FACILITY SHORING RENTAL EXTENSION 2

### struc tural

Proposal No. 429458-4 (Rev1) 55 Duffy Ave Garage – Emergency Shoring February 12, 2018

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

Re:

Parking Garage Emergency Shoring – Extend Rental period thru 6/17/18 55 Duffy Ave, Hicksville NY 11801

Dear Richard,

Structural Preservation Systems, LLC proposes to furnish all equipment to perform the following items of work as described below:

1. Extend Rental period for shoring system currently in place at subject property.

a. Rental Period covered by this proposal is 12/18/17 thru 6/17/18.

Notes:

It is assumed that this is a Tax Exempt Project and that no tax has been added to the proposal.
 The Owner shall furnish a Tax Exempt Certificate before commencement of work.

### THE FOLLOWING SHALL BE PROVIDED BY THE OWNER, BUYER OR OTHERS AT NO ADDITIONAL COST TO SPS, LLC:

1) Storage area for equipment, materials, etc.

2) Parking for service vehicles.

- 3) 110V/220V electric power source and potable water.
- 4) Free and clear access to work areas.

#### ITEMS EXCLUDED FROM THIS PROPOSAL:

- 1) Permits and fees.
- 2) Design and Engineering
- 3) Testing and inspections.
- 4) Special Insurance.
- 5) Temporary heating.6) Bonds and associated costs.

. Confidential: Any unauthorized use or distribution is prohibited.

- 7) Asbestos and other hazardous waste removal.
- 8) Electrical, mechanical and sprinkler work, including the removal and installation of fixtures.
- 9) The repair to hidden items in the slab, such as post-tension cables and conduits, that cannot be accurately located and our damaged by our work.
- 10) Any special safety requirements.
- 11) Any work specifically not included in this proposal.

#### **SCHEDULE**

To be determined upon acceptance of this proposal.

#### PRICE:

#### Base Bid

All the work shall be paid in accordance with the following schedule of value on time & material basis.

1) Monthly Rental

a. 600 Post shores and 36 aluminum beams @ \$6,630.00 / month x 6 months = \$39,780.00

Total L.S. =\$39,780.00

#### **PAYMENT TERMS:**

Net 10 days. No retainage.

#### GENERAL CONDITIONS:

Please see attached.

#### EXPIRATION:

This proposal may be withdrawn if not accepted by February 28, 2018

Very truly yours,

STRUCTURAL PRESERVATION SYSTEMS, LLC

Steve Camisa Branch Director

Confidential: Any unauthorized use or distribution is prohibited.



WHEREAS, pursuant to Contract PWC07-16, Hirani Engineering & Land Surveying, P.C. ("Hirani") was directed to perform a structural investigation of the Hicksville Parking Facility ("Garage") in order to determine the current condition of the Garage and the need for repairs; and

WHEREAS, on March 17, 2017, Hirani issued a recommendation that the Town immediately install reinforcement at certain locations in the lower decks of the Garage in order to be protective of the public; and

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated March 17, 2017, requested a waiver of the Town procurement policy in order to secure a contractor to perform the services recommended by Hirani, under the direction of Hirani; and

WHEREAS, by memo dated March 20, 2017, the Office of the Town Attorney concurred with the Department of Public Works that the repairs were of an emergency nature and that the provisions of the Town's Procurement Policy may be waived in this instance to allow the Department of Public Works to secure a contractor to make the necessary repairs; and

WHEREAS, the Department of Public Works and Hirani retained Structural Preservation Systems, LLC ("Structural") of Hawthorne, New Jersey and authorized Structural to begin work immediately; due to the emergency nature of the project, additional manpower and services were requested of Structural during the course of this project; and

WHEREAS, pursuant to Hirani's obligations to the Town, Hirani reviewed Structural's original proposal as well as Structural's Change Order regarding additional labor. Hirani found the submitted additional cost to be fair and reasonable. By letter dated June 28, 2017, Hirani recommended acceptance of Structural's initial proposal of \$66,675.00 and the Change Order in the amount of \$15,000.00; and

WHEREAS, Commissioner Lenz and Hirani negotiated a separate discounted monthly rental cost of \$6,630.00 for the temporary shoring system that is now installed in the Garage. Commissioner Lenz and Hirani recommend that sufficient funding be allocated to allow the system remain in place for eight months, in an amount not to exceed \$53,040.00; and

WHEREAS, Commissioner Lenz has requested Town Board authorization for the Comptroller to issue an encumbrance order in an amount not to exceed \$134,715.00, under Contract No. PWC07-16, for engineering services for the aforesaid emergency engineering services and temporary shoring at the Hicksville Parking Facility. Funds are available from Account No. HWY H 5997 20000 000 0811 016;

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth, are hereby approved, *nunc pro tunc*, and the Department of Public Works is hereby authorized to utilize the services of Structural Preservation Systems, LLC to provide emergency repair services at the Hicksville Parking Facility and to provide a temporary shoring system at the facility for eight months (in an amount not to exceed \$53,040.00) as a subcontractor to Hirani Engineering and Land Surveying, PC, under Contract No. PWC 07-16, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$134,715 upon presentation of a duly certified claim, after audit, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016; and it is further

RESOLVED, that with respect to the aforementioned requests, the Town procurement policy is hereby waived, to allow full payment to Structural Preservation Systems, LLC.

-#-

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works
Highway

Reviewed By fflice of Town Attorney WHEREAS, Neil O. Bergin, Commissioner, Department of Environmental Resources, by memorandum dated February 6, 2018, requested Town Board authorization to host the 2018 Dune Stabilization Program at TOBAY Beach, on Saturday, March 24, 2018, and to purchase food, supplies and reusable grocery bags for the staff and volunteers of said Program, in an amount not to exceed \$5,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Environmental Resources' hosting of the Dune Stabilization Program at TOBAY Beach, on March 24, 2018 and the purchase of food, supplies and reusable grocery bags for the staff and volunteers of said Program, in an amount not to exceed \$5,000.00 is hereby approved and authorized, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payments for same, upon submission of duly certified claims, after audit, and the funds for said payments are to be drawn from Account No. DER A8090 47680 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
Councilman Muscarella	Aye
Councilman Macagnone	Nay
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Parks

Environmental Resources

# 37

### TOWN OF OYSTER BAY Inter-Departmental Memo

February 6, 2018

TO:

**MEMORANDUM DOCKET** 

FROM:

**NEIL O. BERGIN, COMMISSIONER** 

DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT:

2018 DUNE STABILAZATION PROGRAM

**DER FILE NO.: G-500 & E-900** 

The Department of Environmental Resources (DER) respectfully requests Town Board authorization to host the 2018 Dune Stabilization Program at TOBAY Beach in cooperation with the Parks Department on Saturday, March 24, 2018. DER has managed this event at TOBAY Beach for over 28 years and as stated the event is scheduled on the Town calendar for Saturday, March 24, 2018 starting at 10:00 a.m.

Residents and organizations such as scouting groups, environmental awareness groups, and local residents participate in the program attracting over 1,160 volunteers each year. The TOBAY Beach Dune Stabilization Project is one of the most successful examples of government and residents working together for a common cause, in this case helping to preserve the dunes.

The Department of Environmental Resources provides the volunteers with a reusable grocery bag, healthy snacks, coffee, tea, and hot chocolate.

It is hereby requested to host the Dune Stabilization Program at TOBAY Beach and to purchase food, supplies, and reusable grocery bags for said Program, in the amounts not to exceed \$5,000.00. Funds for this purpose are available in Account No. DER A8090.47680-000-0000.

NEIL O. BERGIN

COMMISSIONER OF ENVIRONMENTAL RESOURCES

NOB:MW

C:

Office of the Town Attorney w/7 copies Hon. Michele M. Johnson Town Board

Steven C. Ballas, Comptroller

Joseph Pinto, Commissioner/Parks Department

Attn: William Zang



WHEREAS, Neil O. Bergin, Commissioner, Department of Environmental Resources, by memorandum dated February 13, 2018, requested that the Town Board amend Resolution 48-2018 relating to Town employees that are current members to the New York State Association of Solid Waste Management, by removing Maryann Webb and adding Richard Lenz, P.E., as a member to the New York State Association of Solid Waste Management for the year 2018; at an annual fee of \$75.00 per person, with the amended list of persons as members being as follows:

Neil O. Bergin, Commissioner, Department of Environmental Resources Daniel Pearl, Deputy Commissioner, Department of Environmental Resources Richard Lenz, P.E., Commissioner, Department of Highways Gary Terrell, Supervisor, Solid Waste Disposal District

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and Resolution 48-2018 is hereby amended to remove Maryann Webb and to add Richard Lenz, P.E. as member to the New York State Association of Solid Waste Management for the year 2018; and that Neil O. Bergin, Commissioner of the Department of Environmental Resources, is hereby authorized to renew the membership of the abovementioned employees in the New York State Association for Solid Waste Management, for the 2018 calendar year, at an annual fee of \$75.00 per person, for a total amount of \$300.00; 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. DER SR05 8160 47900 000 0000.

\_#\_

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller
Environmental Resources

57 ,00

#### TOWN OF OYSTER BAY

#### Inter-Departmental Memo

February 13, 2018

TO:

MEMORANDUM DOCKET

FROM:

NEIL O. BERGIN, COMMISSIONER ENVIRONMENTAL

RESOURCES

SUBJECT:

AMENDMENT TO RESOLUTION 48-2018 NEW YORK STATE

ASSOCIATION FOR SOLID WASTE MANAGEMENT

MEMBERSHIP 2018

As members of the docket committee may be aware, The Town of Oyster Bay has four employees that are current members to the New York State Association of Solid Waste Management. We are requesting an amendment to this resolution by removing one (1) employee and adding another as follows:

Remove: Maryann Webb, Research Assistant Town Board, DER Add: Richard Lenz, P.E., Commissioner/DPW/Highways

We therefore recommend that the Town Board, by Resolution, amend its membership in NYSASWM and that they authorize the aforementioned change to read as follows:

Neil O. Bergin, Commissioner of Environmental Resources Daniel Pearl, Deputy Commissioner/DPW Richard Lenz, P.E., Commissioner/DPW/Highway Gary Terrell, Supervisor, Solid Waste Disposal District

Neil O. Bergin

Commissioner Department of Environmental Resources

Attachments

cc: Town Attorney /7 copie Steve Ballas, Comproller

File B100/G500

Docket Memo to amend Res

48-2018 Pebruary 2018.doc

Meeting of January 23, 2018

WHEREAS, Neil O. Bergin, Commissioner, Department of Environmental Resources, by memorandum dated January 2, 2018, requested Town Board authorization to renew the membership of the following employees in the New York State Association for Solid Waste Management for 2018, at an annual fee of \$75.00 per person, for a total amount of \$300.00:

Neil O. Bergin, Commissioner, Department of Environmental Resources Daniel Pearl, Deputy Commissioner, Department of Environmental Resources Maryann Webb, Research Assistant Town Board. Department of Environmental Resources Gary Terrell, Supervisor, Solid Waste Disposal District

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is granted and approved, and Neil O. Bergin, Commissioner of the Department of Environmental Resources, is hereby authorized to renew the membership of the abovementioned employees in the New York State Association for Solid Waste Management, for the 2018 calendar year, at an annual fee of \$75.00 per person, for a total amount of \$300.00; 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. DER SR05 8160 47900 000 0000.

E0 2630

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

Aye Supervisor Saladino Аус Councilman Muscarella Councilman Maçagnone Aye Councilwoman Alesia Aye Councilwoman Johnson Ayc Councilman Imbroto Councilman Hand

Supervisor Town Attorney Comptroller

cc:

Environmental Resources

OF OYST	TOWN OF OYSTER BA	AY	TAXPAYER IDENTIFIC	CATION NUMBER SOCIAL SECURITY #
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· · · · · · · · · · · · · · · · · · ·	AUDREY AVENUE, OYSTER BAY, NEW YO	ORK 11771		
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NYSAS CLAIMANT'S		ONTRACT NAME		
546 Eas	st Road, St. Johnsville, NY 113452			
TOWN DEPA		LAJMANT INVOICE # see atta	ched	
ENVIOR	DLOW INSTRUCTIONS ON REVERSE SIDE THEN RETURN CLAIM AN			S OR SERVICES
	DETAILED DESCRIPTION O		ES	
DATE	DESCRIPTION		UNIT PRICE	TOTAL
	NYSASWM Membership Dues for 2018 for the	he following persons	\$ 75.00	
<del></del> -	@ \$75.00 per person:			
	Neil Bergin			
	Daniel Pearl			
	Maryann Webb		, ,	
	Gary Terrell			\$300.00
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	,			
	DEPT. ENVIRONMENTAL RESOURCES	Encumbrance#		
<u> </u>	Mm	7430		
	Signature:			
	Title: DERRY COUNTSSIONER			
THE BELOW	CERTIFICATION MUST BE PROPERLY FILLED OUT BY THE CLAIMA	T	TOTAL AMOUNT	\$300.00
I HEREBY CE	RTIFY the above articles were sold and delivered and/or the above	service rendered to the Town of	CASH DISCOUNT %	
Ovster Bay	on the dates and for the prices or amounts billed; that the above bi f has been paid except as stated therein and that the balance there	ill is just, true and correct; that no	NET AMOUNT	\$300.00
thereof has	been paid except as stated therein and that the balance there in st	ated in the amount of		
Three	Hundred and 00/100*********************************	*****	_	
is actually d	ue and owing, and that taxes from which the Town of Oyster Bay is	s exempt are excluded therefrom.	•	ı
CLAIMANT	FURTHER CERTIFIES that the unit prices charged herein are not high	ner than those charged to any	Gilli W	30/18
governmen	tal or commercial consumer for like deliveries.		(Date)	50/10
Signature	Joll Buckers	Title C	executive 1	Director
Print or typ	e name Neff Bouchard	Name of Company	NYSASWM	
I HEARBY A	PPROVE this claim form for the sum of Three Hundred & (	00/100*********************************	ervices, disbursemen	ts and materials herein
indicated w	hich were actually performed and were for the Town of Oyster Ba	y.		
Signature	Title	Commissioner	Date	2.2.8

Account DER SR05 8160 47900 000 00000

Department Environmental Resources



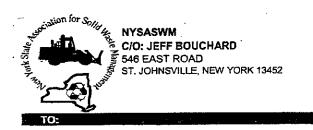
Invoice

January 1, 2018

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

Cyster bay, N1				•	
Please provide NY	SASWM with your em	ail address		AMOUNT DUE	AMOUNT ENC.
PLEASE DE	ETACH AND RETURN T	HIS PORTION WITH Y	OUR PAYMENT	\$75 each	\$75.00
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NEW YORK STATE ASSOCIATION FOR SOLID WASTE MANAGEMENT



Invoice

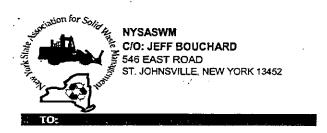
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January 1, 2018

Gary Terrell Town of Oyster Bay, DER 150 Miller Place Syosset, NY 11791

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NEW YORK STATE ASSOCIATION FOR SOLID WASTE MANAGEMENT



Invoice

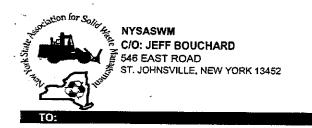
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January 1, 2018

Daniel Pearl Town of Oyster Bay 150 Miller Place Syosset, NY 11791

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Invoice

PLEASE PAY BY

January 1, 2018

Neil Bergin Town of Oyster Bay 150 Miller Place Syosset, NY 11791

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Please note contributio	that while NYSASWM is n. To the extent permitte	s a not-for-profit organi d under the Internal R	zation, membership du evenue Code, dues ma	es are not tax deductible a ly be deducted as a busine	s a charitable ess expense.
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	NEW YORK S	STATE ASSOCIATION	I FOR SOLID WASTE	MANAGEMENT	

wn.Attorney

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 February 12, 2018, have advised that pursuant to the Town's Procurement Policy, law firms were recently solicited 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, after a review of the responding firms' qualifications, experience, and references, the Office of the Town Attorney recommends that Young Sommer, LLC, Five Palisades Drive, Albany, NY 12205 be retained to assist the Office of the Town Attorney with said litigation at a rate of \$325.00 per hour for Senior Partners; at a rate of \$300.00 per hour for Partners and Senior Of-Counsel, at a rate of \$250.00 for Associates, and at a rate of \$95.00 for paralegals,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and Young Sommer, LLC, Five Palisades Drive, Albany, NY 12205 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	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor Town Attorney Comptroller

# Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

**FROM** 

OFFICE OF THE TOWN ATTORNEY

DATE

February 12, 2018

SUBJECT:

Request for Proposals

Special Counsel to the Town for Environmental Litigation Town of Oyster Bay v. Northrop Grumman Corporation, et al.

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.

Pursuant to the Town of Oyster Bay Procurement Policy, the Office of the Town Attorney recently solicited law firms to represent the Town in connection with the aforementioned civil action, *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.

Given the complexity of the claims asserted in that action, together with the specialized knowledge and resources that will be required to defend against said claims, this Office solicited proposals pursuant to two RFPs, each RFP providing the same amount of time for response. The first RFP, issued October 11, 2017, solicited sixteen (16) law firms that have experience handling such claims, as well as publication in Newsday on October 13, 2017. Three (3) responses to the RFP were received by the deadline established in the RFP, each of which included a synopsis of the firms' qualifications, experience, and references. A second RFP issued January 16, 2018, solicited three (3) law firms that have experience handling such claims. One (1) further response to the RFP was received by the deadline established in the RFP, which included a synopsis of the firm's qualifications, experience, and references.

Pursuant to Guideline 9 of the Procurement Policy, and after a thorough investigation and a review of the qualifications, this Office recommends the following firm be retained to assist the Office of the Town Attorney with respect to the foregoing:

Young Sommer, LLC Five Palisades Drive Albany, NY 12205 Under the proposal submitted by the firm, Senior Partners shall bill the Town at a rate of \$325.00 per hour, Partners and Senior Of-Counsel shall bill the Town at a rate of \$300.00 per hour, Associates shall bill the Town at a rate of \$250.00, and paralegals shall bill the Town at a rate of \$95.00, with funds to be drawn from Account No. OTA A 1420 44110 000 0000, in an amount not to exceed \$40,000.00.

Accordingly, attached hereto for Town Board consideration is a proposed resolution appointing the above referenced firm as special counsel to the Town of Oyster Bay for purposes of representing the Town in connection with *Town of Oyster Bay v. Northrop Grumman Corporation, et al.* 

JOSEPH NOCELLA TOWN ATTORNEY

Jeffrey Lesser

Deputy Town Attorney

JAL:ba

Attachment

LT 1130

cc: Town Attorney (w 7/copies)

S:\Attorney\RESOS 2018\MD & Reso\TOB Northrop attys reso.docx



WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated January 29, 2018, recommends that the following banks and financial institutions be designated as Town depositories:

Bank of New York
Capital One Bank N.A.
Chase Bank (JP Morgan)
Depository Trust Company (Cede & Co., as nominee)
Deutsche Bank
Empire National Bank
First National Bank of Long Island
Flushing Bank
HSBC Bank USA
Sterling National Bank
TD Bank

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned banks and financial institutions are hereby designated as Town depositories in which the Supervisor, Town Clerk and Receiver of Taxes of this Town shall deposit all monies coming into their hands by virtue of their offices; and be it further

RESOLVED, That the Town Supervisor shall authorize certain Town officers to use wire procedures to transfer funds to place deduction of deferred compensation from employee payroll by Federal Funds with the corresponding bank; and be it further

RESOLVED, That the abovementioned banks and financial institutions are hereby authorized and directed to honor checks or drafts for the payment of monies drawn against accounts in the name of the Town of Oyster Bay when bearing the original or facsimile signatures of the Supervisor and the Comptroller; and be it further

RESOLVED, That the Receiver of Taxes is hereby authorized and directed to deposit all monies coming into his hands into interest bearing accounts in such of the above named banks and financial institutions as shall provide the Town with the most favorable interest rates, which shall be obtained from informal bids received under temporary borrowing procedures; and be it further

RESOLVED, That the Supervisor shall authorize certain Town Officers to use wire procedures to direct the transfer of Town funds between banks and from one account to another account within the same bank; and be it further

RESOLVED, That upon notice to the Supervisor, Town Comptroller and Receiver of Taxes, certain employees are hereby authorized to approve the release of securities from Collateral Agreements of the combined Supervisor and Receiver of Taxes account; and be it further

Resolution No. 124-2018

RESOLVED, That the Supervisor is hereby authorized to enter into transfer, collateral and repurchase agreements that may be required by the various banks and financial institutions.

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor Town Attorney

Comptroller Finance

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## Town of Oyster Bay Inter-Departmental Memo

January 29, 2018

To:

Memorandum Docket

From:

Robert Darienzo, Director of Finance

Subject:

Designation of Town Depositories - 2018

I have reviewed Resolution #415-2015 dated July 21, 2015, which designated the Town's depositories.

It is recommended that a similar resolution be adopted at the February 27, 2018 Town Board meeting. If the Town Attorney's Office concurs, the resolution should include:

NOW, THEREFORE, BE IT RESOLVED, That the Bank of New York
Capital One Bank N.A.
Chase Bank (JP Morgan)
Depository Trust Company (Cede & Co., as nominee)
Deutsche Bank
Empire National Bank
First National Bank of Long Island
Flushing Bank
HSBC Bank USA
Sterling National Bank
TD Bank

BE AND THEY ARE HEREBY DESIGNATED as depositories in which the Supervisor, Town Clerk and the Receiver of Taxes of this Town shall deposit all monies coming into their hands by virtue of their offices; and be it further

RESOLVED, That the Town supervisor shall authorize certain Town officers to use wire procedures to transfer funds to place deduction of deferred compensation from employee payroll by Federal Funds with the corresponding bank; and be it further

RESOLVED, That the above mentioned banks and financial institutions are hereby authorized and directed to honor checks or drafts for the payment of

monies drawn against accounts in the name of the Town of Oyster Bay when bearing the original or facsimile signature of the Town Supervisor and Town Comptroller; and be it further

RESOLVED, That the Receiver of Taxes is hereby authorized and directed to deposit all monies coming into his hands into interest bearing accounts in such of the above named banks and financial institutions as shall provide the Town with the most favorable interest rates, which shall be obtained from informal bids received under temporary borrowing procedures; and be it further

RESOLVED, That the Supervisor shall authorize certain Town Officers to use wire procedures to direct the transfer of Town funds between banks and from one account to another account within the same bank; and be it further

RESOLVED, That upon notice to the Town Comptroller, Town Supervisor and Receiver of Taxes, certain employees are hereby authorized to approve the release of securities from Collateral Agreements of the combined Supervisor and Receiver of Taxes account; and be it further

RESOLVED, That the Supervisor is hereby authorized to enter into transfer, collateral, and repurchase agreements that may be required by the various banks and financial institutions.

Thank you.

Rebert Darienzo Director of Finance

RD/rd

cc: Town Attorney (with 7 copies)
Word/Documents/Docket/depositories 2018

Reviewed By
Office of Town Attorner

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 13<sup>th</sup> day of March, 2018, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW AUTHORIZING A VOLUNTARY SEPARATION INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY"; and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Nay
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney
Comptroller
Human Resources

DRAFT

#### PUBLIC NOTICE

Reviewed By Office of Town Attorney

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 13<sup>th</sup> day of March, 2018, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW AUTHORIZING A VOLUNTARY SEPARATION INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: Oyster Bay, New York

February 27, 2018

# 10

# Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

**FROM** 

Office of the Town Attorney

DATE

February 13, 2018

SUBJECT:

Proposed Local Law

Supplemental to Memorandum Docket February 13, 2018 Item No. 18

This memo shall serve as a supplemental memorandum to our memorandum of February 7, 2018.

The Supervisor has requested the Office of the Town Attorney to prepare a proposed Local Law for the adoption of a Voluntary Separation Incentive Program. In order for a hearing to be held at the March 13, 2018 Town Board meeting, it is requested and recommended that at the February 27, 2018 Town Board meeting the board adopt a resolution to publish a Public Notice in the form attached.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Sabellico Special Counsel

TMS:st

cc: Town Attorney (w/7 copies)

S:\Attorney\LOCAL\LAWS\2018 Voluntary Separation\MD RESO PN.docx

### 18

## Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

FROM

Office of the Town Attorney

DATE

February 7, 2018

SUBJECT:

Local Law -Voluntary Separation Incentive

Please hold a spot on the docket for a resolution authorizing publication of Public Notice for a Hearing on the above-referenced Local Law; said resolution to be considered at the February 27, 2018 Town Board meeting.

A Supplemental Memorandum, Proposed Resolution and Public Notice will be submitted to you as soon as possible.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Sabellico Special Counsel

TMS:mek

cc: Office of the TA w/7 copies

Meeting of February 27, 2018

Resolution No.126-2018

Reviewed By Office of Town Attorney

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 13<sup>th</sup> day of March, 2018, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND LOCAL LAW NO. 11-2017 AND AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY;" and be it further

RESOLVED, That the Town Clerk shall publish a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Nay
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Ave

cc: Supervisor
Town Attorney

Comptroller Human Resources

DRAET

#### 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 13<sup>th</sup> day of March, 2018, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the following amendment to the Code of the Town of Oyster Bay, in the manner set forth hereinafter: "A LOCAL LAW TO AMEND LOCAL LAW NO. 11-2017 AND AUTHORIZING A LOCAL RETIREMENT INCENTIVE PROGRAM FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF OYSTER BAY." The abovementioned Local Law is on file and may be viewed daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time, at the Office of the Town Clerk located at Oyster Bay and Massapequa. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein. TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.

Dated: Oyster Bay, New York

February 27, 2018



# Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

**FROM** 

Office of the Town Attorney

DATE

February 13, 2018

**SUBJECT:** 

Proposed Local Law

Retirement Incentive for Town of Oyster Bay Employees

Supplemental to Memorandum Docket February 13, 2018, Item #19

This memo shall serve as a supplemental memorandum to our memorandum of February 7, 2018.

The Supervisor has requested the Office of the Town Attorney to prepare a proposed Local Law for the amendment of Local Law No. 11-2017, and the adoption of a Retirement Incentive for Town of Oyster Bay employees. In order for a hearing to be held at the March 13, 2018 Town Board meeting, it is requested and recommended that at the February 27, 2018 Town Board meeting the board adopt a resolution to publish a Public Notice in the form attached.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Sabellico Special Counsel

TMS:st

cc: Town Attorney (w/7 copies)

S:\Attorney\LOCAL LAWS\2018 Retirement Incentive\MD RESO PN.docx

## Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

**FROM** 

Office of the Town Attorney

DATE

February 7, 2018

**SUBJECT:** 

Local Law -Retirement Incentive

Amendment of Local Law -Retirement Incentive

Please hold a spot on the docket for a resolution authorizing publication of Public Notice for a Hearing on the above-referenced Local Law; said resolution to be considered at the February 27, 2018 Town Board meeting.

A Supplemental Memorandum, Proposed Resolution and Public Notice will be submitted to you as soon as possible.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Sabellico Special Counsel

TMS:mek

cc: Office of the TA w/7 copies

Meeting of February 27, 2018

Resolution No.127-2018

WHEREAS, the Town of Oyster Bay has heretofore entered into a Collective Bargaining Agreement with the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Oyster Bay Unit, Nassau County Local 881 (hereinafter referred to as "CSEA"), for the period from January 1, 2017 through December 31, 2020; and

WHEREAS, pursuant to the terms of said Collective Bargaining Agreement, the annual salary of full-time employees of the Town covered by the Agreement were reduced two (2%) percent for the calendar years 2017 and 2018; and

WHEREAS, Resolution No. 36-2017, adopted on January 10, 2017, authorized the wages of exempt employees to also be reduced by two (2%) percent during the calendar years 2017 and 2018; and

WHEREAS, the Town has heretofore entered into negotiations with the representative members of the CSEA, to amend said Collective Bargaining Agreement; and

WHEREAS, as the result of said negotiations, the CSEA and the Town entered into a Memorandum of Agreement, dated January 9, 2018, which Memorandum of Agreement provided, in pertinent part, to amend the Collective Bargaining Agreement, to restore the two (2%) percent to the salary of full-time employees covered by the Agreement, on July 5, 2018, rather than January 1, 2019; and

WHEREAS, said Memorandum of Agreement was approved by the Town Board on January 9, 2018, by Resolution No. 44-2018,

NOW, THEREFORE, BE IT RESOLVED, That except for elected public officials, all full-time employees of the Town of Oyster Bay not covered by the new Collective Bargaining Agreement between the Town of Oyster Bay and CSEA, whose wages were reduced by two (2%) percent, shall have their wages increased by two (2%) percent effective July 5, 2018, and be it further

RESOLVED, That the Comptroller of the Town of Oyster Bay is hereby authorized to implement the appropriate salary changes, and such other applicable terms and conditions, as provided for in this resolution.

-#-

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

Supervisor Town Attorney Comptroller

cc:

# 5

## Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

FROM

Office of the Town Attorney

DATE

February 15, 2018

**SUBJECT:** 

Salaries of Exempt Employees

Supplemental to Memorandum Docket of February 13, 2018 Item No. 20

This memo shall serve as a supplemental memorandum to our earlier memorandum dated February 8, 2018.

The current Collective Bargaining Agreement between the Town and the CSEA provided that the annual salary of full-time employees of the Town covered by the Agreement were to be reduced two (2%) percent for the calendar years 2017 and 2018. By Resolution 36-2017, adopted on January 10, 2017, the Town Board authorized that the wages of exempt employees also be reduced by two (2%) percent during the calendar years 2017 and 2018.

On January 9, 2018, the Town and the CSEA entered into a Memorandum of Agreement, which provided, in pertinent part, to restore the two (2%) percent to the salary of full-time employees covered by the Agreement on July 5, 2018. In order to treat the exempt employees not covered by the Collective Bargaining Agreement, and whose wages were reduced by two (2%) percent, on the same basis as those employees covered by the Agreement, it will be necessary for the Town Board to adopt a resolution to that extent.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Šabellico Špecial Counsel

TMS:st Enclosure

cc: Town Attorney (w/7 copies)

### 29

## Town of Oyster Bay Inter-Departmental Memo

TO

MEMORANDUM DOCKET

**FROM** 

Office of the Town Attorney

DATE

February 7, 2018

**SUBJECT:** 

Salaries of Exempt Employees

Please hold a spot on the docket for a resolution regarding the above-referenced item, to be considered at the February 27, 2018 Town Board meeting.

A Supplemental Memorandum and proposed resolution will be submitted to you as soon as possible.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Sabellico Special Counsel

TMS:mek

cc: Office of the TA w/7 copies

Town Attorney

WHEREAS, by Resolution No. 753-2015, adopted on December 15, 2015, the Town Board authorized and directed Hirani Engineering & Land Surveying, P.C., to provide on-call engineering services in connection with Contract No. PWC 07-16, On-Call Engineering Services Relative to Civil Engineering, for a two-year term, from January 1, 2016 through December 31, 2017; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated February 16, 2018, advised the Town Board of engineering services performed by Hirani Engineering & Land Surveying, P.C. relative to necessary repairs at the Hicksville Parking Facility including construction means and methods design and shoring and crack monitoring; and

WHEREAS, Commissioner Lenz requested that the Comptroller issue an encumbrance order in an amount not to exceed \$31,134.00, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016; and

WHEREAS funds to satisfy said engineering costs in an amount not to exceed \$31,134.00 are available in Account No. HWY H 5997 20000 000 0811 016; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth, is hereby approved, and the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$31,134.00, for Contract No. PWC 07-16, with funds to be drawn from Account No. HWY H 5997 20000 000 0811 016.

\_#\_

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

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

**FEBRUARY 16, 2018** 

TO:

MEMORANDUM DOCKET

FROM:

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

SUBJECT:

SUPPLEMENTAL MEMO TO ITEM NO. 24

DOCKET OF FEBRUARY 13, 2018

ON-CALL ENGINEERING SERVICE REQUEST RELATIVE TO CIVIL ENGINEERING

CONTRACT NO. PWC07-16

ACCOUNT NO.: HWY H 5997 20000 000 0811 016

PROJECT ID NO. 0811 HWYST 01

In furtherance to Item No. 24 of the docket of February 13, 2018, the consultant, Hirani Engineering & Land Surveying, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC07-16 by Resolution No. 753-2015 for the subject project.

Attached is a letter dated February 13, 2017 from Hirani Engineering & Land Surveying, P.C. regarding the scope of work performed in the amount of \$31,134.00. Services performed include additional engineering services relative to necessary repairs at the Hicksville Parking Facility including construction means and methods design and shoring & crack monitoring.

Attached is an availability of funds in the amount of \$31,134.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. HWY H 5997 20000 000 0811 016.

It is hereby requested that the Town Board authorize by Resolution Hirani Engineering & Land Surveying, P.C. under Contract No. PWC07-16, On-Call Engineering Services Relative to Civil Engineering, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/IK Attachment

cc: Office of the Town Attorney (w/7 copies)

Steven Ballas, Comptroller

Kathy Stefanich, Administrative Division/DPW John Bishop, Deputy Commissioner/Highways

PWC07-16 HIRANI DOCKET HIX GARAGE ADD DESIGN FUNDS SUPP



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



Requesting Division/Department HIGHWAY

THE DESCRIPTION OF CONSULTANT CONTRACT

,	PWC07-16
	JANAURY 1, 2016 - DECEMBER 31, 2017
	HIRANI ENGINEERING & LAND SURVEYING, P.C.
	CIVIL ENGINEERING
	\$380,234.00
Resolution No.	753-2015 Date 12/15/2015
Funded To Date	\$349,100.00
Amount Requested	\$31,134.00
	HWY H 5997 20000 000 0811 016, PROJECT ID 0811 HWYST 01
Description Of Work	ount, State The Related Contract Number: H17-155  ork is not related to a Capital Project, specify the nature of the as a Capital Expense.
ENGINEERING	SERVICES FOR HICKSVILLE PARKING FACILITY REPAIRS
Work To Be Completed In A "No" response will require Tow Required Insurances Are I A "No" response will prevent furt	Board authorization to extend the contract period.  Effect: Yes X No
Required 50% Performance Bon	For This Request In Effect: Yes No N/A X
	Amount of Bond \$  DPW Approval
Signature Signat	Only To Be Executed By The Commissioner  Signature  Commissioner of Public Works
Date <u>0-10-163</u>	D BE COMPLETED BY THE DIRECTOR OF FINANCE
Amount Requested	31,134.20
Is The Account To Be Used Consistent/W Signature	th The Nature Of Work Listed Above?  Date Z/6/8



### TOWN OF OYSTER BAY

#### WORK ORDER



					5 (1) 16/ //-	
	This Sec	ction To Be Complete	ed By The Depai	rtment Of I	Public Works	
Work	c Order No.		E.	O. No		·
,			Contrac	t Start	1/1/2016	
0	traat Na	PWC07-16			12/31/2017	
	ontract No	F 44001-10	,			
		mmencement Date				
No clai	im shall be	paid for work pe	erformed pric	or to the	Commenc	ement Date
						•
Vendor Name an				101 /EN/1810	. D.O	
		HIRANI ENGINEER	ING & LAND SU	IRVEYING	i, P.C.	
	,	120 WE	EST JOHN STRE	<u>EET</u>		
		HICKSVIL	LE, NEW YORK	11801		
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_	C - Tour Da	partment		HIGH	łWAY	•
Reque	sting town De					516-677-5897
		Contact DAN	IELLE MIDGE I	<u> </u>	Phone	310-077 0007
Description of W	ork to be Perf	ormed (Attach Detail	l If Necessary)			
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	ENGINEER	NG SERVICES FOR	Y HICKSVILLE F	ARRING	7 COLLI C. COL.	
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This wor	k order s	hall not exc	eed \$ _		\$31,13	4.00
		ove mentioned con		hours pri	or to comme	ncing any work.
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- '•				Unly To t	oe Executed C	By The Commissioner
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Tít	DEPU"	TY COMMISSIONER			Commissio	oner of Public Works
		u <del>nentu riigilways</del> 15 16		Date	2.715	118
Da	<u>- کختر</u> te	<u>u-/x</u>				-



## Hirani Engineering and Land Surveying, P.C.

Engineers ■ Land Surveyors ■ Construction Managers

February 13, 2018

Re:

Hicksville Parking Facility

Contract No. PWC07-16

Dear Mr. Lenz,

The Town Board authorized Hirani Engineering & Land Surveying \$297,000 to perform engineering services for repairs to the Hicksville Parking Facility, following the completion of a study of existing problems and a review of the construction documents for the facility.

The overall scope of work was modified throughout the year as potential solutions were identified for incorporation into the construction documents which required further investigation in the field and research by the design staff. Once a repair solution was selected we were tasked with developing a 'means and methods' protocol to demonstrate the recommended repair procedure. Additional services were also requested to monitor the temporary shoring that had been installed within the facility and to monitor existing cracks to determine if any other action was warranted.

This change in scope requires additional funding to be provided to cover these costs. It is requested that additional funding in the amount of \$31,134.00 be provided to cover services completed as follows on a lump sum basis:

Design:

\$277,935.00

Testing Services:

\$12,049.00

Peer Review:

\$12,000.00

Shoring Inspection:

\$16,200.00 (@ \$1,800 per report)

Crack Monitor Install:

\$2,250.00

Crack Monitoring:

\$7,700.00 (@ \$550 per report)

TOTAL for 2017:

\$328,134.00

As services will continue in 2018, Hirani will submit a separate authorization request under a current On-Call contract.

Sincerely

Jitendra Hirani

120 West John Street - Hicksville, NY 11801 - 516-248-1010 - Fax: 516-248-9018 421 Seventh Avenue, Room 808 • New York, NY 10001 • 646-273-5000

www.hiranigroup.com

D/M/SBE

WHEREAS, Richard T. Betz, Commissioner of the Department of Public Works, and Elizabeth L. Maccarone, Deputy Commissioner of the Department of Public Works, by memorandum dated December 1, 2015, request that LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers, be authorized to provide on-call engineering services in connection with Contract No. PWC07-16, On-Call Engineering Services, Relative to Civil Engineering, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and

WHEREAS, LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers have an open-ended service agreement with the Town under which the services will be provided; and

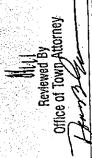
NOW, THEREFORE, BE IT RESOLVED, That the abovementioned request is hereby accepted and approved, and LiRo Engineers, Inc., Sidney B. Bowne & Son, LLP, Lockwood, Kessler & Bartlett, Inc., de Bruin Engineering, PC, Nassau Suffolk Engineering & Architecture PLLC, Cashin Associates, PC, Nelson & Pope Engineers & Land Surveyor, PLLC, John A. Grillo Architect, PC, Schneider Engineering, PLLC, Gibbons, Esposito & Boyce, Engineers, PC, Hirani Engineering & Land Surveying PC and O'Connor-Petito LLP, Consulting Engineers are hereby authorized and directed to provide on-call engineering services, for a two (2) year contract term, from January 1, 2016 through December 31, 2017; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment in accordance with the provisions of the Consultants' Agreement with the Town, 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:

A #A***	
Supervisor Venditto	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilman Coschignano	Aye
Councilman Pinto	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye

cc: Supervisor
Town Attorney
Comptroller (2)
Public Works



24

### TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

FEBRUARY 12, 2018

TO:

MEMORANDUM DOCKET

FROM:

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT:

ON-CALL ENGINEERING SERVICE REQUEST

RELATIVE TO CIVIL ENGINEERING

CONTRACT NO. PWC07-16

SUPPLEMENTAL MEMO TO FOLLOW

The Department of Public Works is compiling the necessary documentation relative to a request for authorization of on-call engineering services. Further documentation and a formal recommendation will be provided by Supplemental Memorandum docket.

It is therefore requested that a space be reserved at the Town Board meeting of February 27, 2018 for the Town Board to take action on an authorization under PWC07-16, On-Call Engineering Services relative to Civil Engineering.

RICHARD W. LENZ DE COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

cc: Office of the Town Attorney (w/7 copies)
Christine M. Wiss, Deputy Comptroller
John Bishop, Deputy Commissioner/Highways
Kathy Stefanich, Administrative Division/DPW

PWC07-16 DOCKET HIRANI GARAGE RESERVE

WHEREAS, Steven C. Ballas, Comptroller, by memoranda dated February 12, 2018 and February 16, 2018, requested Town Board authorization for the Town to enter into an agreement with Argus Computer Consulting, Inc. ("Argus") for purposes of assisting in data migration from the Town's IBM AS400 system to the Microsoft AX system, for a period commencing March 2, 2018 through and including December 31, 2018, in an amount not to exceed \$175,000.00, with three (3) one-year extension options; and

WHEREAS, Comptroller Ballas has advised that the funds for this consultant are part of the funds authorized for On-Call Technology Consulting Services by Resolution No. 82-2018, adopted on February 6, 2018, and are not an additional expense; and

WHEREAS, Joseph Nocella, Town Attorney, and Thomas M. Sabellico, Special Counsel, by memorandum dated February 16, 2018, have advised and opined that in view of the particularized knowledge held by Argus relative to the Town's historical and present computer systems, Argus is a sole source provider in this instance and therefore the Town's Procurement Policy has been satisfied,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is authorized to execute an agreement with Argus Computer Consulting, Inc. for a period commencing March 2, 2018 through and including December 31, 2018, in an amount not to exceed \$175,000.00, with three (3) one-year extension options; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account Nos. CMP A 1315 44800 000 0000, CMP H 1997 26000 000 1508 001 and ROT H 1997 26000 000 1409 001.

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

19 10110 119:	
Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

Supervisor cc: Town Attorney Comptroller



12,00

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

**FEBRUARY 16, 2018** 

TO:

MEMORANDUM DOCKET

FROM:

STEVEN C. BALLAS, COMPTROLLER

SUBJECT:

SUPPLEMENTAL MEMO TO ITEM #13 ON MEMORANDUM DOCKET

**DATED 2/13/18** 

ON-CALL TECHNOLOGY CONSULTING SERVICES

ARGUS COMPUTER CONSULTING, INC.

Town Board authorization is hereby requested to allow this office to enter into an agreement with Argus Computer Consulting, Inc. to provide On-Call Technology Consulting Services to the Town in order to assist in the data migration from the Town's IBM AS400 mainframe system to Microsoft AX system as well as the implementation of additional AX modules.

Its sole proprietor, Itoe Sagai, possesses expert knowledge of both the Town's historic system, the IBM AS400 mainframe and with the Microsoft AX software application. As this office plans to implement additional AX modules that require migrating the associated data, we feel it would be imperative that we utilize her services.

Attached please find a letter from Thomas M. Sabellico, Special Counsel, dated February 16, 2018, whereby he has determined that Argus Computer Consulting, Inc. is considered a sole source vendor, complying with the Town's procurement policy.

Therefore, it is hereby requested that the Town Board authorize the Comptroller to enter into an agreement from March 2, 2018 through December 31, 2018, with an option of three (3) one-year extensions with Argus Computer Consulting, Inc. with a not-to-exceed cost of \$175,000.00. This contract will not increase the funds authorized by the Town Board for On-Call Technology Consulting Services in Resolution 82-2018 dated February 6, 2018.

STEVEN C. BALLAS COMPTROLLER

Attachment SCB:mr

cc: Town Attorney (7)

IT Division Reading File

SEEDING BEET

Mis FED 20

WHEREAS, Steven C. Ballas, Comptroller, by memorandum dated January 29, 2018, advised that in accordance with a Request for Proposal process pursuant to the Town's procurement policy, the Office of the Comptroller solicited proposals from firms interested in providing On-Call Technology Consulting Services to the Town, Contract No. PWC 72-18; and

WHEREAS, nine (9) firms responded by the October 23, 2017 response date, and IT RFP Review Committee was formed and 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

WHEREAS, it is the recommendation of said Committee that the following six (6) firms be awarded for various technology services: 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys International, Inc., ITSavvy and The LiRo Group; and

WHEREAS, Comptroller Ballas, by said memorandum requested Town Board authorization for the Town to enter into agreements to be negotiated by the Office of the Comptroller and approved by the Office of the Town Attorney, and further requested that the Supervisor and/or his designee be authorized to execute said agreements for the purpose of providing On-Call Technology Services for Contract No. PWC72-18 from March 2, 2018 through December 31, 2018 with the option of three (3) one-year extensions, if mutually agreeable,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and it is hereby authorized to use the services of 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys International, Inc., ITSavvy and The LiRo Group, for the purpose of providing On-Call Technology Consulting Services for Contract No. PWC72-18 and that the Supervisor or his designee is authorized to execute agreements with said entities; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment, upon submission of a duly certified claim, in an amount not to exceed \$1,750,000, with funds to be drawn from Account Nos. CMP A 1315 44800 000 0000, CMP H 1997 26000 000 1508 001 (Project ID 1508 TWN TWN 02) and ROT H 1997 26000 000 1409 001 (Project ID 1409 ROT A 02).

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 Alesia Abstain
Councilwoman Johnson Aye
Councilman Imbroto Aye
Councilman Hand Aye

cc: Supervisor



## Town of Oyster Bay Inter-Departmental Memo

TO

Steven C. Ballas, Comptroller

FROM

Office of the Town Attorney

DATE

February 16, 2018

SUBJECT:

Argus Computer Consulting, Inc.

We are in receipt of your memorandum dated February 14, 2018 with respect to Argus Computer Consulting Inc. ("Argus").

In light of the facts you set forth including the particularized knowledge of the Town's computer systems and software possessed by Itoe Sagai, the sole proprietor of Argus, it is our opinion that Argus is a sole source provider in this instance, under the Town's Procurement Policy, and may be procured for this service without seeking additional proposals.

JOSEPH NOCELLA TOWN ATTORNEY

Thomas M. Sabellico Special Counsel

TMS:st

#### TOWN OF OYSTER BAY

#### **Inter-Departmental Memo**

**FEBRUARY 12, 2018** 

To:

MEMORANDUM DOCKET

From:

STEVEN C. BALLAS, COMPTROLLER

Subject: AWARD OF CONTRACT FOR

TECHNOLOGY ON-CALL CONSULTING SERVICES

SUPPLEMENTAL MEMO TO FOLLOW

Additional information will be provided in a Supplemental Docket Memorandum to the Docket Committee at the next docket meeting. I therefore recommend and request that a space be reserved at the Town Board Meeting of February 27, 2018.

COMPTROLLER

SCB:mr

cc: Town Attorney (7)

IAD

Accounts Payable Division

Reading File

ce of Town Attorney

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC), as a result of its investigation to analyze containment options of the U.S. Navy-Northrop Grumman underground plume of contamination and threat to drinking water within the Town of Oyster Bay ("Town"), has determined it appropriate to install a series of groundwater recovery wells in the hamlet of Bethpage for the purpose of removing high levels of groundwater contamination within the U.S. Navy-Northrop Grumman underground plume, and has requested access to Town property for the purpose of installing three (3) groundwater recovery wells to remove contaminated groundwater from the aquifer and convey the groundwater to a groundwater treatment facility and transmission piping at a location to be subsequently agreed upon between NYSDEC and the Town, in writing, if such treatment facility is installed with the Town, with the installation of the groundwater recovery wells to be performed by NYSDEC at the following locations:

- 1. Town of Oyster Bay Recharge Basin 16, located on Meade Avenue in Bethpage;
- 2. Town of Oyster Bay Recharge Basin 17, located on South 2<sup>nd</sup> Street in Bethpage; and
- 3. Town of Oyster Bay Parking Field B-1, located on Stewart Avenue and Benkert Street in Bethpage; and

WHEREAS, Richard W. Lenz. P.E., Commissioner, Department of Public Works, by memorandum dated February 16, 2018, has advised that a Site Access Agreement has been drafted between the Town and NYSDEC containing the terms and conditions of the use of Town property for the proposed installation of the aforementioned groundwater recovery wells, including requirements for the performance of community outreach to residents in the immediate area of the installations, and submission by NYSDEC of necessary Highway Test Well applications prior to work performed; and

WHEREAS, the aforementioned agreement provides that NYSDEC is to procure Certificates of Insurance, with the Town named as an additional insured,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved and the Supervisor is hereby authorized to enter into the Site Access Agreement with NYSDEC, for access by the NYSDEC to Town property for the purposes of installation of three (3) groundwater recovery wells at the aforementioned locations, to remove contaminated groundwater from the aquifer and convey the groundwater to a groundwater treatment facility and transmission piping at a location to be agreed upon, and for the issuance by the Department of Highways of Highway Test Well Permits upon proper submission of applications by NYSDEC.

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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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway

TOWN OF OYSTER BAY INTER-DEPARTMENTAL MEMO

FEBRUARY 16, 2018

TO

: MEMORANDUM DOCKET

**FROM** 

RICHARD W. LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT:

INSTALLATION OF GROUNDWATER RECOVERY WELLS BY

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

FOR THE U.S. NAVY/GRUMMAN PLUME

SUSPEND THE RULES

As directed by Governor Andrew Cuomo, the New York State Department of Environmental Conservation ("DEC") has undertaken an investigation to fully analyze containment options of the U.S. Navy/Northrop Grumman underground plume of contamination in Nassau County. As a result of this investigation, the DEC has determined that it is appropriate to install a series of groundwater recovery wells in the hamlet of Bethpage whose purpose is to remove high levels of groundwater contamination within the U.S. Navy/Northrop Grumman underground plume as this contamination is an immediate threat to drinking water wells in the area.

The DEC has requested to access the Town Property in order to install three (3) groundwater recovery wells which will be utilized to remove contaminated groundwater from the aquifer and conveyed to a groundwater treatment facility for remediation and recharge. The location of the of groundwater treatment facility and recharge area has not yet been identified, and will be subject to a future Agreement if these facilities are to be installed on Town property. The three locations identified by DEC for these recovery wells are:

1. Recharge Basin 16, located on Meade Avenue, Bethpage

Recharge Basin 17, locate on South 2nd Street, Bethpage

Parking Field B-1, located at Stewart Avenue and Benkert Street, Bethpage

For this purpose, the attached Site Access Agreement has been developed between the Town of Oyster Bay and DEC, which dictates the conditions of the use of Town property. Among these is the performance of community outreach to residents in the immediate area of these installations, to the satisfaction of the Town. The contractor selected by the DEC will further be required to submit the necessary Highway Test Well applications.

It is therefore recommended and requested that the Town Board suspend the rules to authorize the Supervisor, or his designee, to execute the attached Agreement upon satisfaction of the community outreach requirement, and further, authorize the Department of Highways to issue the necessary permits.

> RICHARD W. LENZ, P.E. COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

Office of the Town Attorney (w/7 copies)

Steven Ballas, Town Comptroller John Bishop, Deputy Commissioner/Highways

DOCKET DEC BETHPAGE RW INSTALL





#### NYSDEC DRILLING & TESTING SCOPE Stewart Avenue Area, Bethpage Town of Oyster Bay, NY

The New York State Department of Environmental Conservation (NYSDEC), in conjunction with HDR and its subcontractors, will be conducting drilling and testing activities at three locations in the vicinity of Stewart Avenue in Bethpage (Figures 1 to 3). The objective of the proposed work is to fast track the installation and testing of three groundwater extraction wells. In the future the three extraction wells will be incorporated in the remedy for the groundwater plume associated with the Northrup Grumman and Naval Weapons Industrial Reserve Plant sites.

The three extraction wells (DECEX6 to 8) are anticipated to be 520, 490, and 430 ft. deep respectively. The final depths will be selected based on data collected from an initial pilot soil boring that will eventually be completed as a 4-inch monitoring well to accompany the extraction well. The soil boring will be completed using a standard truck-mounted drilling rig and one support vehicle. As the boring is advanced, samples will be collected to evaluate groundwater quality and the water bearing characteristics of the underlying soils.

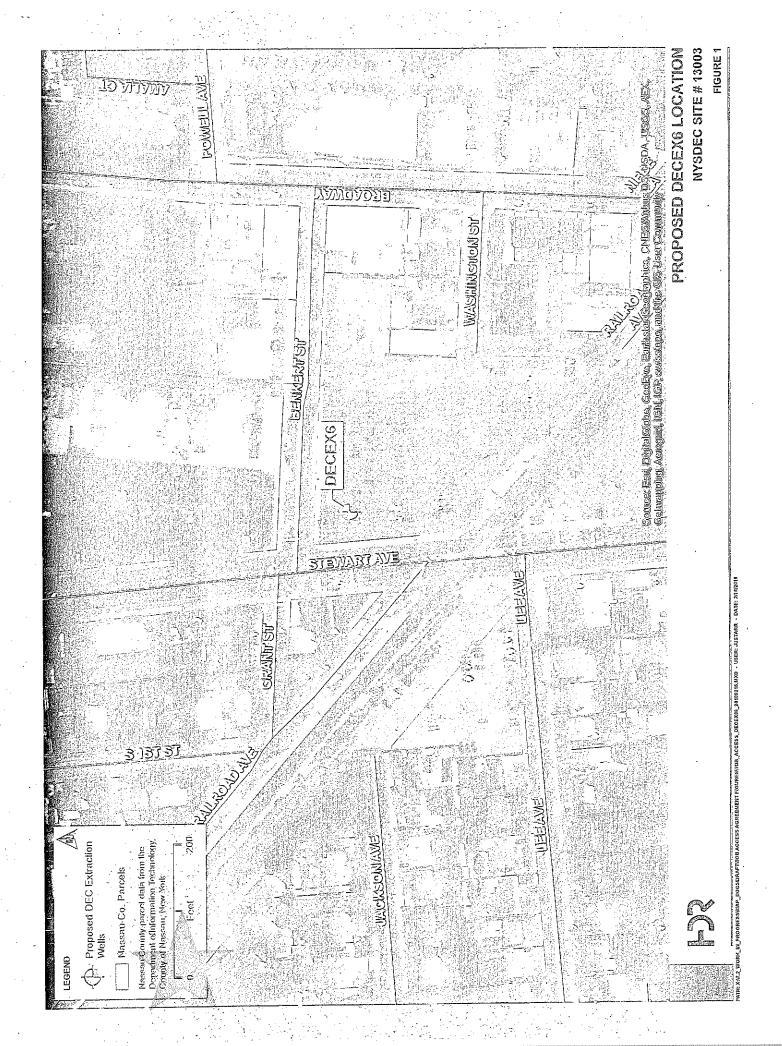
Based on the results from the pilot boring the extraction well will then be installed using a slightly larger truck mounted drilling rig to install a 14-inch diameter extraction well. The 14-inch extraction well will be a high capacity well similar in construction to a municipal supply well. In order to maximize the well yield and the wells ability to capture contaminants it will require development by pumping. This process will take approximately two weeks and will produce well development water that will require treatment. A temporary treatment system will be setup at the site to treat the water prior to discharge of the water to the storm or sanitary sewer system. The final step in the proposed work will be to test the extraction wells performance by pumping the well at various steps and fixed rates over a two day period. Similar to the development process the pumped water will be treated prior to discharge.

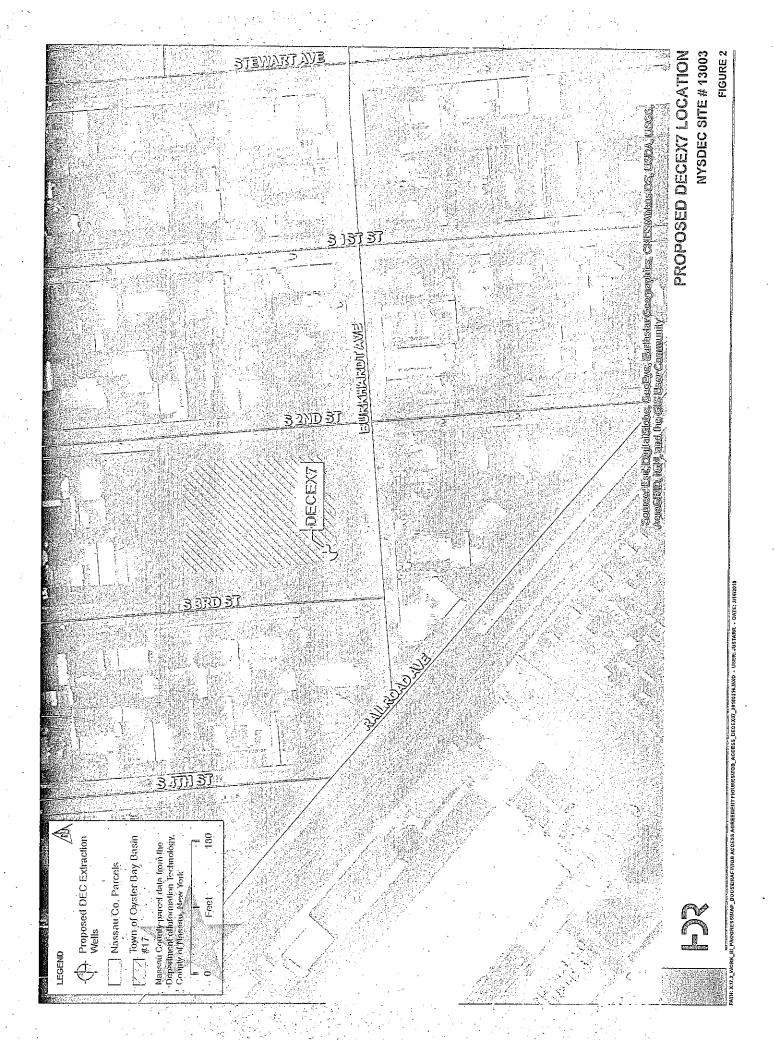
The three extraction well locations are within in an area of the plume where trichloroethylene (TCE) concentrations have been found to be elevated in groundwater. The contamination is isolated to the groundwater and the work poses no exposure risk to those residing or traveling in the area. As an added precaution, a NYSDEC-approved community air monitoring program will be implemented during the drilling.

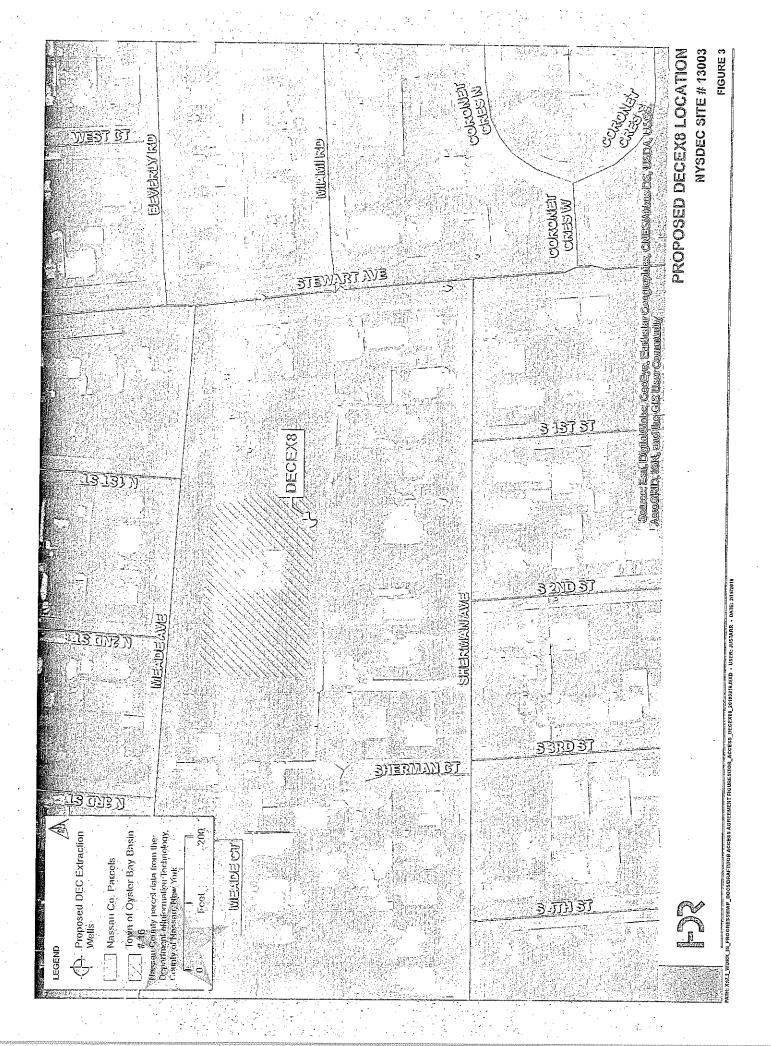
Because of the depth of the soil borings, the drill rig, support vehicles, and a temporary groundwater treatment system will be present at each location for approximately eight weeks. Once the work is completed, the area will be returned to its current condition (soil and grass seed) and a small concrete pad (3 ft by 3 ft) and manhole cover will be installed to protect the wells until they are placed in service.

Work hours will normally be Monday through Friday from 7:00 a.m. to 5:00 p.m. Extended work hours and limited weekend activities may be required during drilling operations, however, the operation of the drill rig will not occur before 8:00 a.m. During the extraction well testing the final pumping period will require pumping continuously over a 24-hour period.

The onsite contractor for the drilling operations will be selected by NYSDEC and HDR. During the work HDR will be present to provide oversight on behalf of the NYSDEC.







#### DRAFT

#### SITE ACCESS AGREEMENT

### NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR U.S. NAVY/NORTHROP CONTAMINATION PLUME REMEDIATION

THIS ACCESS AGREEMENT (the "Agreement"), effective on the date of the last signature below (the "Effective Date) is entered into by and between THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION and THE TOWN OF OYSTER BAY.

#### WITNESSETH:

WHEREAS, THE TOWN OF OYSTER BAY (the "TOWN") is a municipal corporation, having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York 11771; and

WHEREAS, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ("DEC") is a municipal corporation having its principal place of business at 625 Broadway, Albany, New York 12233; and

WHEREAS, the DEC, as directed by Governor Andrew Cuomo, has undertaken an investigation to fully analyze containment options of the U.S. Navy/Northrop Grumman underground plume of contamination in Nassau County.

WHEREAS, as a result of this investigation, the DEC has determined that it is appropriate to install a series of groundwater recovery wells in the hamlet of Bethpage whose purpose is to remove high levels of groundwater contamination within the U.S. Navy/Northrop Grumman underground plume as this contamination is an immediate threat to drinking water wells in the area. The DEC finds it necessary to access the Town Property in order to install

three (3) groundwater recovery wells (collectively, the "Work") in advance of the construction of a groundwater treatment system and transmission piping, whose installation will be subject to a separate Agreement. This agreement is limited to Work to be performed at Town of Oyster Bay Recharge Basin 16, located on Meade Avenue, Bethpage; Town of Oyster Bay Recharge Basin 17, locate on South 2<sup>nd</sup> Street, Bethpage; and, Town of Oyster Bay Parking Field B-1, located at Stewart Avenue and Benkert Street, Bethpage, as shown on Exhibit "A" (the "Town Property"); and

WHEREAS, in the spirit of cooperation and in order to expedite the remediation process and without assuming any remediation obligations, or any other obligations that are not set forth in this Agreement, the TOWN desires to cooperate with DEC in its performance of its work, the Town requires that any Work Plan be presented and discussed with the Town and that any work by DEC and its representatives be performed in a manner as to reasonably minimize any impact upon the public.

NOW, THEREFORE, for the purpose set forth above and in consideration of the promises and mutual covenants contained in this Agreement, it is hereby agreed as follows:

1. The TOWN agrees to provide DEC and its duly authorized agents, employees, contractors, consultants and sub-consultants (collectively, the "DEC Representatives") reasonable access (in accordance with Paragraphs 2 and 3 of this Agreement) to the Town Property for the purpose of conducting the Work. The Work shall include the installation of a recovery well at the locations shown in Exhibit "A". Work, including any excavation, on the Town Property granted pursuant to this Agreement shall be limited to weekdays from 7:00 a.m. to 6:00 p.m., and none of the Work shall be permitted on Saturdays, Sundays, or official TOWN holidays, unless the TOWN agrees otherwise or unless required by to respond to an emergency.

- 2. DEC agrees to conduct the Work, in cooperation with the TOWN, in a manner and on a schedule that reasonably minimizes the impacts on the Town, Town residents, the Town Property and the public. DEC shall also participate in meetings with the TOWN prior to the commencement of the Work for the purposes of coordinating said Work and to reasonably minimize potential conflicts with the TOWN and its residents.
- 3. DEC agrees to perform community outreach to the satisfaction of the Town, to ensure the proper dissemination of information regarding the Work.
- 4. Prior to being provided access to the Town Property for any portion of the Work, DEC shall provide the TOWN a copy of the Work Plan depicting the actions that DEC intends to undertake and provide the Town a reasonable opportunity to review, comment and request additional information or changes to said plan. The Work Plan shall consist of a comprehensive compilation of drawings and descriptions to describe the scope of the work, Project components, mitigation measures (including, but not limited to, noise mitigation measures around the drill motors, traffic control signage, etc.), a schedule, and other relevant information. DEC shall accommodate reasonable requests to modify the plan as long as said requests do not add significant cost or time to the Work. DEC shall also provide the TOWN with name and telephone number of two (2) emergency contacts who can be reached on a 24-hour basis in the event of emergency. Upon TOWN review of the Work Plan for each aspect of the Work, DEC shall have access to the area of the Town Property shown on the respective Work Plan to perform the Work described in such Work Plan.
- 5. During all field activities, DEC shall have on-site a representative who is qualified to supervise the Work to be undertaken, and whose name shall be submitted to the TOWN prior to such field activities. This individual shall be available for contact by telephone

from the TOWN at all times during the performance of the Work in the event that the TOWN has a need to establish contact with an on-site representative of DEC.

- 6. DEC shall implement mitigation measures as described in Paragraph 3 above so as to mitigate impacts to adjacent residential properties.
- 7. In coordination with the Town and subject to the Town's approval, which approval shall not be unreasonably withheld or delayed, DEC shall install appropriate signage at suitable locations to alert motorists of any temporary roadway or traffic lane closures. Such signage shall be installed approximately one week in advance of the temporary roadway or traffic lane closures and shall be removed as soon as practicable upon the reopening of the roadway or lane(s). During the period of such roadway or traffic lane closures, DEC shall provide a flag-person at all times during such closures in order to ensure public safety, particularly with respect to pedestrian and vehicular movements.
- 8. DEC shall provide, when reasonably practicable, prior notice to the TOWN regarding additions, changes, or modifications to the Work that are to be performed at the Town Property. DEC shall promptly inform the TOWN of any material or significant additions, changes or modifications in the Work made in the field. If an emergency condition arises such that DEC needs to respond immediately, DEC may address the emergency situation and provide prompt notice to the Town after the event.
- 9. Any and all solid waste, soil cuttings, and groundwater development water or any other waste generated as a result of the Work by DEC Representatives shall be controlled, removed and disposed, and, if necessary treated, consistent with applicable law, at the sole cost and expense of DEC. DEC Representatives shall not perform any equipment decontamination on or at the Town Property, except as specified in the Work Plan.

- DEC shall provide to the TOWN a copy of any and all data and reports generated regarding the Work covered by this Agreement. DEC provision of such data and reports to the TOWN shall be concurrent with DEC submission to said agency or agencies.
- 11. The Town may have a representative present to observe the Work and may, at its own cost and expense, take split samples as long as its sampling and analysis follows the same protocols as set forth in the applicable Work Plan.
- 12. All Project-related excavations in the Town Property shall be restored upon the completion of the Work, with all joints properly sealed, in accordance with good construction practice.
- 13. DEC and DEC Representatives shall be solely responsible for compliance with any and all applicable laws governing or relating to their activities pursuant to this Agreement, and all work performed at the Town Property shall be done in workmanlike manner.
- 14. DEC Representatives having access to the Town Property shall maintain, at their sole cost and expense, the following insurance coverage: (a) worker's compensation insurance, as required by law, to cover employees engaged in the activities conducted pursuant this Agreement; (b) automobile insurance with a combined single limit of not less than \$1,000,000; (c) comprehensive commercial liability insurance with a general aggregate limit of not less than \$2,000,000 and a per occurrence limit of not less than \$1,000,000; and (d) professional liability or contractor's pollution liability insurance with an aggregate limit of not less than \$5,000,000, with respect to the performance of the activities conducted pursuant to this Agreement. The TOWN and any participating consultants shall be named as an additional insurance provided by issued pursuant to (b), (c), and (d) above, except for professional liability insurance provided by

its consultants, and DEC shall provide the TOWN with certificates of insurance and policy endorsements prior to entry onto the Town Property.

- 15. The DEC Representative who will be installing the recovery wells shall prepare and submit the necessary Highway Test Well Permit Application(s).
- DEC shall indemnify and hold the TOWN and/or its agents, employees, tenants, invitees, contractors and/or consultants harmless from any and all losses, costs, damages, liens, claims, actions, liabilities, and expenses (including, but not limited to, reasonable attorneys' fees, court costs and disbursements), resulting from personal injury or property damage of whatsoever kind whether direct or indirectly caused by the negligent acts or omissions or malfeasance of DEC or DEC Representatives arising from or by reason of the Work conducted by or on behalf of DEC or DEC Representatives at the Town Property pursuant to this Agreement. DEC's obligation to indemnify and hold the TOWN harmless shall not apply to the extent the abovedescribed losses, costs, damages, liens, claims, actions, liabilities, and expenses result from the negligence or malfeasance of the TOWN and/or its agents, employees, contractors, consultants, tenants, invitees or licensees. To the extent the negligent and/or intentional malfeasance of the TOWN and/or its agents, etc. caused or contributed in any way to the loss, cost, damage, claim, lien, action, liability, or expense, DEC shall have no obligation to indemnify or hold the TOWN or its agents, etc. harmless with respect to the percentage of the loss, cost, etc. resulting therefrom. Under those circumstances, DEC shall indemnify and hold the TOWN and its agents and consultants harmless only for that percentage of the loss, claim, etc. that resulted from the negligent conduct, omissions, or malfeasance of DEC and/or the DEC Representatives. DEC's obligation to indemnify and hold the TOWN harmless relates exclusively to the Work performed and DEC's access to the Town Property under this Agreement and shall not apply to any losses,

claims, actions or liabilities arising from the environmental conditions existing at the Town Property at the time access to such area was first granted and/or to activities not undertaken as Work under this Agreement. This indemnification shall survive the expiration and/or termination of this Agreement. This Paragraph is not intended to be, nor shall it be interpreted as, a waiver or release by either party for any claim or potential claim arising outside of this Agreement.

- 17. This Agreement shall constitute a temporary license that may not be expanded or extended without the written consent of the TOWN, and the granting of access conferred by this Agreement shall not be construed as any form of tenancy interest or ownership interest in the Town Property or other type of interest.
- 18. This Agreement shall expire the earlier of either: (1) DEC's written notification to the TOWN that DEC's activities at the Town Property have been completed and that access to the Town Property is no longer needed for construction purposes with respect thereto, or (2) Notice by the Town Board of the TOWN, upon thirty (30) days' written notice and for good cause that it is terminating its grant of access provided under this Agreement to DEC. Notice by the Town Board shall be preceded by a letter to DEC informing them of the pending termination and the cause and providing DEC 15 days to cure the cause.
- 19. This Agreement shall be binding upon and inure to the benefit of DEC and the TOWN and their respective assigns, successors, and any subsequent owner, transferee, or lessee.
- 20. Except for notices referenced in Paragraphs 3, 7 and 9 all notices desired or required to be given hereunder, shall be given in writing by certified mail, return receipt requested, or by Federal Express, or other overnight courier service to the respective addresses

shown below or such other address as the parties may later specify for that purpose by notice to the other party. All such notices shall be deemed given effective upon receipt.

If to NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

With a copy to:

#### If to the TOWN:

Office of the Town Attorney TOWN OF OYSTER BAY 54 Audrey Avenue Oyster Bay, N.Y. 11771 Attn: Matthew M. Rozea, Esq. Phone: (516) 624-6150 Fax: (516) 624-6196

Richard Lenz P.E., Commissioner TOWN OF OYSTER BAY Department of Public Works 150 Miller Place Syosset, N.Y. 11791 Phone: (516) 677-5706 Fax: (516) 677-5878

With a copy to:

James Altadonna, Jr., Town Clerk TOWN OF OYSTER BAY 54 Audrey Avenue Oyster Bay, N.Y. 11771 Phone: (516) 624-6133

Fax: (516) 624-6396

Communications other than legal Notices and necessary to coordinate field work, and to comply with Sections 3, 4 and 5 above may be directed to the following individuals:

If to NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION:

#### If to the TOWN:

Richard Lenz P.E., Commissioner TOWN OF OYSTER BAY Department of Public Works 150 Miller Place Syosset, N.Y. 11791 Phone: (516) 677-5706

Fax: (516) 677-5878

- 21. This Agreement is not an admission of liability or responsibility as against either DEC or the TOWN for any environmental contamination nor is this Agreement admissible in any proceeding except in connection with the enforcement of its terms. This Agreement shall not give rise to any rights by parties who are not signatories to this Agreement and may not be deemed to grant any rights whatsoever to third parties.
- 22. This Agreement is the complete and exclusive Agreement between the parties, notwithstanding any representations or statements to the contrary heretofore made.
- 23. Any modifications to this Agreement shall be in writing, executed by authorized representatives of NGSC and the TOWN, and shall specifically state that it is such a modification. This provision cannot be waived orally.

	24.	This	Agreemen	nt sha	ll be g	overned	by	and o	construed	in	accordance	e w	ith th	e la	iws
of the	State	of Nev	v York.	Any	dispute	arising	here	eunde	r shall be	cc	mmenced	and	tried	in	the
Supren	ne Con	urt of th	e State of	New	York,	County	of N	Jassaı	1.						

	. 25.	This	Agreement	may	be	executed	in	one	or	more	counterparts,	which	together
			•							•			
shall	constitute	one	Agreement.									•	

26.	This	execution	of	this	Agreement	by	the	Town	has	been	authorized	by	Towr
Board Resol	ution _		,	ado	pted on		·						

IN WITNESS WHEREOF, NORTHROP GRUMMAN SYSTEMS CORPORATION and TOWN OF OYSTER BAY have executed this Agreement.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

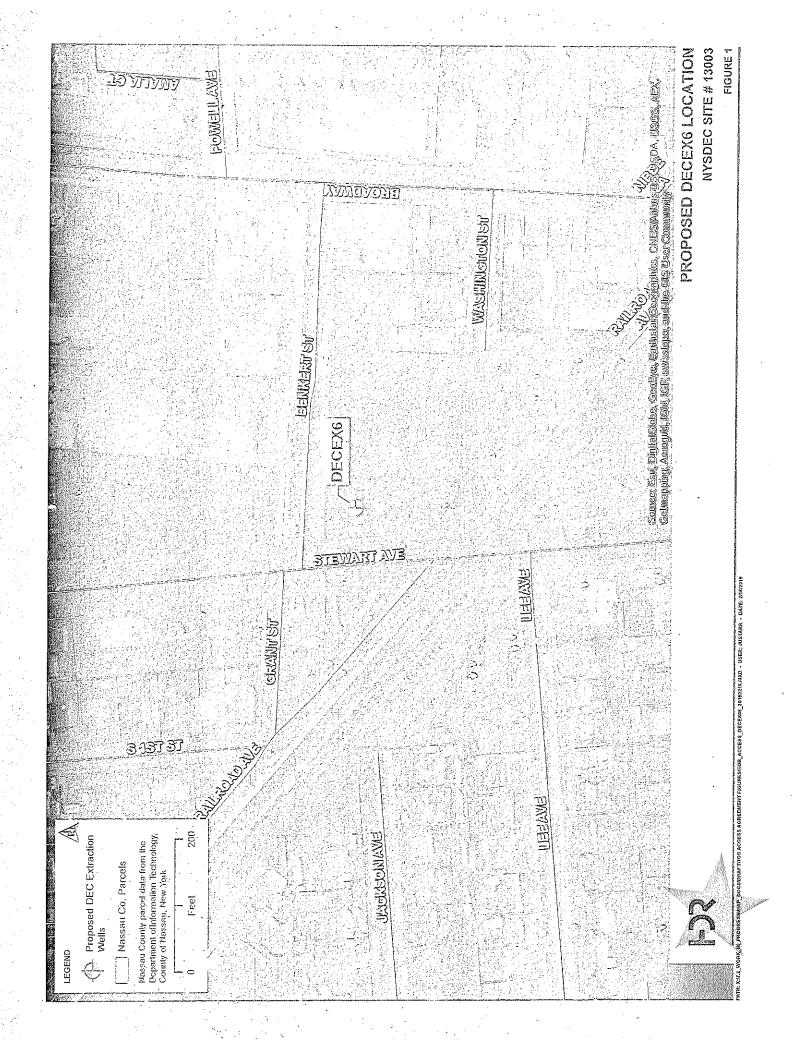
By:	 		 	 
Name:		-	 	
Title:	 			
Dated;	 		 	

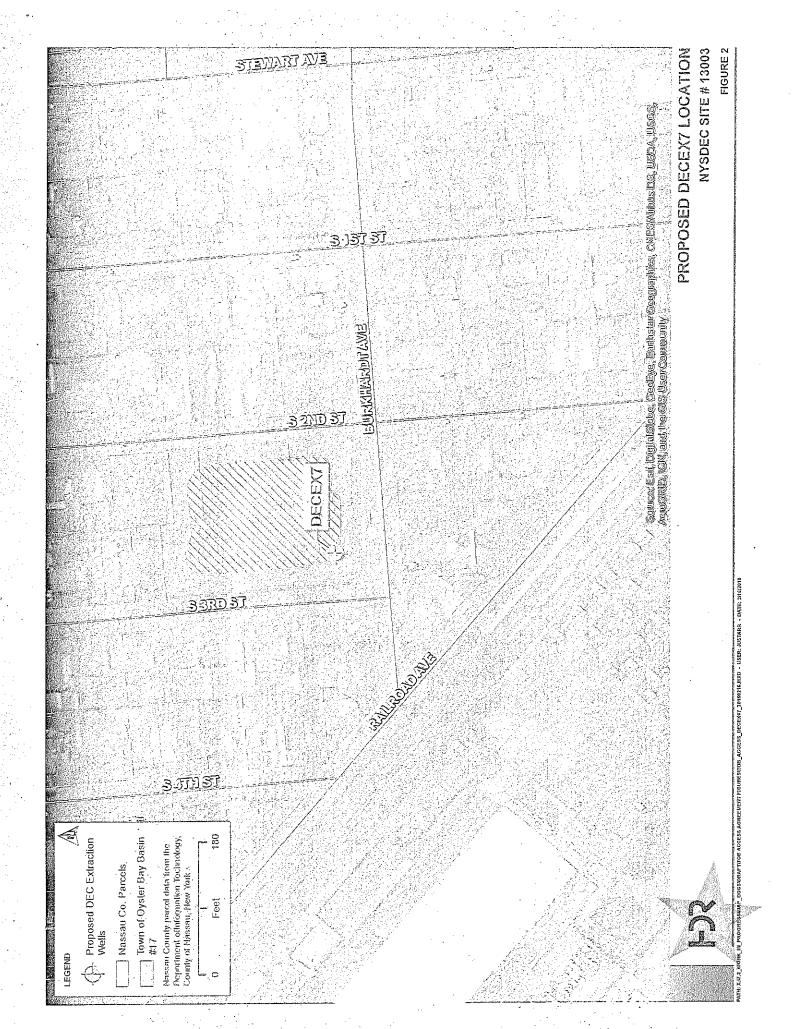
#### TOWN OF OYSTER BAY

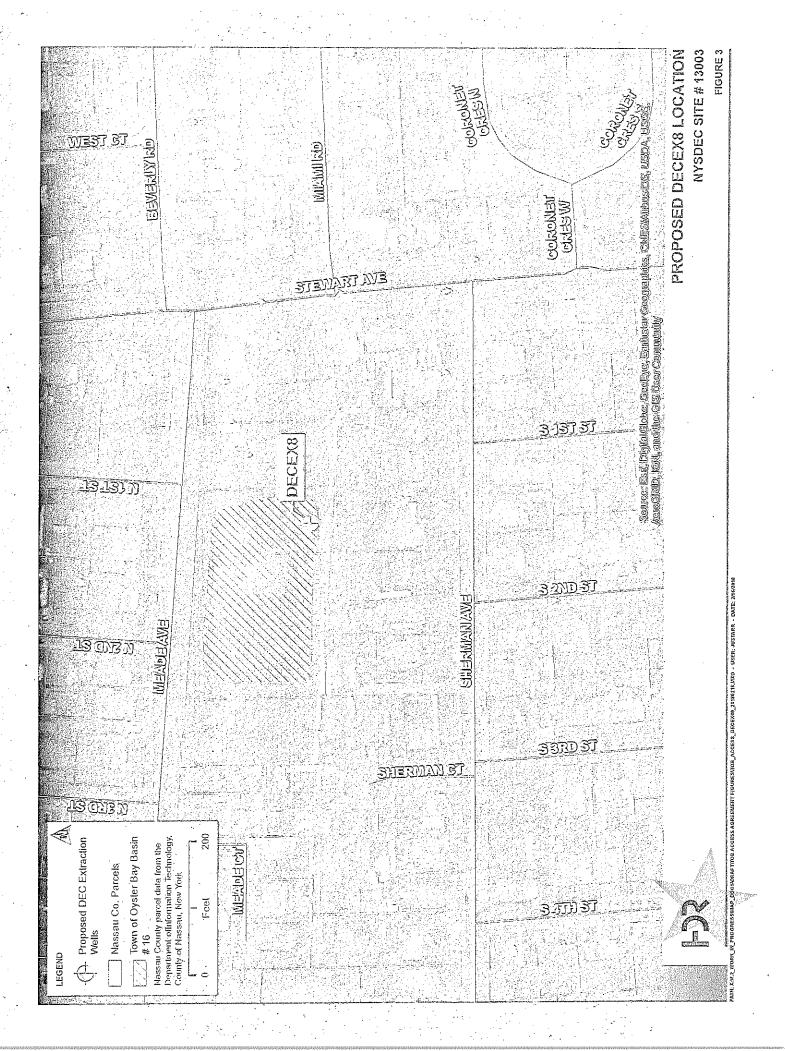
Ву:	•	
Name:		<u>ē</u>
Title:		
Dated:		

#### [INSERT NOTARY VERIFICATION PAGE]









Meeting of February 27, 2018

Resolution No. 131-2018



WHEREAS, James Altadonna Jr., Town Clerk, by memorandum dated February 21, 2018, requested that the Town Board reappoint James Altadonna, Jr., Town Clerk, to the position of Registrar of Vital Statistics for the Town of Oyster Bay, pursuant to Section 4121, Article 41 of the Public Health Law of the State of New York, nunc pro tunc from January 1, 2018 through December 31, 2019,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted, and James Altadonna, Jr., Town Clerk, is hereby reappointed to the position of Registrar of Vital Statistics for the Town of Oyster Bay, nunc pro tunc from January 1, 2018 through December 31, 2019.

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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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Town Clerk

# TOWN OF OYSTER BAY

# Inter-Office Memorandum

TO:

**MEMORANDUM DOCKET** 

FROM:

JAMES ALTADONNA JR., TOWN CLERK

DATE:

February 21, 2018

SUBJECT: REAPPOINT TOWN CLERK AS REGISTRAR OF VITAL STATISTICS FOR

THE TOWN OF OYSTER BAY

It is hereby requested, pursuant to Section 4121, Article 41 of the Public Health Law of the State of New York, that the Town Board reappoint James Altadonna Jr., Town Clerk of the Town of Oyster Bay, as Registrar of Vital Statistics ,nunc pro tunc, for the period beginning January 1, 2018 and ending December 31, 2019.

I hereby request that the above-mentioned matter be placed on the next available Town Board calendar.

JAMES ALTADONNA JR.

TOWN CLERK

JA/cm

cc: Town Attorney/w 7 copies

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works and Highways, by memorandum dated February 21, 2018, has advised in the course of reconstruction at the North Massapequa Community Center, additional items of work, in the total amount of \$137,440.00, were identified as being necessary for proper, code-compliant completion of the project; and

WHEREAS, Commissioner Lenz indicated that the Town's insurance carrier, York Risk Services Group, Inc. has contracted directly with Bar Construction Corp., as contractor, and Signal USA, LLC, as construction manager, to perform the re-construction work, with all costs borne by York Risk Services Group, Inc.; and

WHEREAS, in order to authorize the additional necessary work, Commissioner Lenz has requested that the Town Board authorize the Supervisor, or his designee, to execute a change order agreement with Bar Construction Corp. in the amount of \$137,440.00, which sum shall be paid by York Risk Services Group, Inc.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is hereby authorized to execute a change order agreement with Bar Construction Corp. in the amount of \$137,440.00 to perform additional necessary work at the North Massapequa Community Center, to be paid by York Risk Services Group, Inc.

#

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 Alesia	Aye
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
General Services



TOWN OF OYSTER BAY

# **INTER-DEPARTMENTAL MEMO**

FEBRUARY 21, 2018

TO

MEMORANDUM DOCKET

**FROM** 

RICHARD W.LENZ, P.E., COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

SUBJECT:

AUTHORIZATION OF CHANGE ORDER

RECONSTRUCTION OF THE NORTH MASSAPEQUA COMMUNITY CENTER

SUSPEND THE RULES

Town Board Resolution 600-2017, dated September 12, 2017, authorized an agreement with the Town's insurance carrier, York Risk Services Group, Inc. ("York"), for the reconstruction of the North Massapequa Community Center by Bar Construction Corp. ("Bar"), as contractor, and Signal USA, LLC ("Signal"), as construction manager, under direct contract with York. The services of these firms will be paid for directly by York utilizing the funds available under the Town's insurance policy for this loss.

During the course of construction additional items of work were identified as necessary for the proper reconstruction of the facility and to meet current building codes. These items of work are outlined in the proposal from Bar Construction Corp., dated February 7, 2018, in the total amount of \$137,440.00. This additional cost will be paid by York, with no funding supplied by the Town.

The Department of Public Works, in consultation with the Office of the Town Attorney, recommends that the Town authorize the attached agreement.

It is hereby requested that the Town Board suspend the rules to authorize, by Resolution at the Town Board meeting of February 27, 2018, the Town Supervisor, or his designee, to authorize the Change Order agreement with Bar Construction Corp. for the Reconstruction of the North Massapequa Community Center.

RICHARD W. LENZ, P.E.O COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachments

C:

Office of the Town Attorney (w/7 copies)

Steven Ballas, Comptroller

Eric Tuman, Commissioner/General Services

NMCC DOCKET CONTRACT CHANGE ORDER AUTHORIZATION

WHEREAS, Richard W. Lenz, P.E., Commissioner of the Department of Public Works, by memorandum dated September 8, 2017, has advised that the Town has reached an agreement with the Town's insurance carrier, York Risk Services Group, Inc., (the "Carrier") relative to the reconstruction of the North Massapequa Community Center by which the reconstruction work will be performed by Bar Construction Corp., 2536 Jackson Avenue, Long Island City, New York 11101, as contractor, and Signal USA, LLC, 2490 Industrial Row Drive, Troy, MI 48084, as construction manager, both under direct contract with the Carrier; and

WHEREAS, by the aforementioned memorandum, Commissioner Lenz recommended and requested that the Town Board of the Town of Oyster Bay (the "Town Board"), authorize the Supervisor, or his designee, to execute any and all documents necessary to provide for the reconstruction of the North Massapequa Community Center, by the carrier's chosen contractors, at no cost to the Town, pursuant to plans and specifications that have been approved by the Department of Public Works,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is accepted and approved, and the Supervisor, or his designee, is hereby authorized to execute any and all documents necessary to provide for the reconstruction of the North Massapequa Community Center, at no cost to the Town, pursuant to plans and specifications that have been approved by the Department of Public Works, with such work to be performed by Bar Construction Corp., 2536 Jackson Avenue, Long Island City, New York 11101, as contractor, and Signal USA, LLC, 2490 Industrial Row Drive, Troy, MI 48084, as construction manager, both under direct contract with York Risk Services Group, Inc.

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

Supervisor Saladino Councilman Muscarella Councilman Macagnone Aye Aye Aye Councilwoman Alesia Ave Councilwoman Johnson Absent Councilman Imbroto Aye Councilman Hand Aye

Town Attorney Comptroller (2) Public Works General Services







Proposal

License #

North Massapequa Community Center 214 N Albany Avenue, Massapequa, NY 11758

	Description		Amount
	Scope of work:		
. 1	Supply & Install sewage ejector pump due to missing	\$19,500	
2	Supply & Install fans/lights in bathrooms as per cod	\$5,450	
3	Supply & Install additional 4 exit signs as per code.	\$2,400	
4	Supply & Install new 10 heaters. (hard wired electric	\$6,300	
5	Supply & Install insulation at only 1st floor ceiling as others)	\$ <b>5,72</b> 0	
6	Upgrade 1 hr. rated shaft wall on each floor to Arch.	shaft wall.	\$4,025
7	Laminate sides and bottom of beam at existing wood	\$8,030	
8	Furnish & Install new soffit for duct enclosure.	\$4,140	
9	Laminate existing block at skylight and wrap beam to acc	\$2,185	
10	Supply & Install new steel support for vinyl accordion fold	\$3,500	
11	Supply & Install new soffit for vinyl accordion folding par	\$5,490	
12	Supply & Install (1) new entry door .	\$1,500	
13	(1) Passenger Elevator Repair Work as per Proposal	\$44,850	
14	Supply & Install New Smoke Detector - Qty6		\$2,500
		Sub Total General Condition	\$115,590 \$12,715 \$128,305
		Insurance	\$5,132
-		Fees	\$133,437 \$4,003
and a second		Total:	<b>\$</b> 137,440

Acceptance of Proposal

Desmond Reid

Overlime, Plumbing Fixtures, Audio Equipment, NYC filing fees & permits, Sprinkler Work, Asbestos, Lead ebetement, Teledata work Building/elevator charges, Fire-Alarm Work, Architectural metal, Co-ordinating other trades

2536 Jackson Avenue, LIC, NY 11101

Office: 718 458 0664 Fax: 718 205 4557



# Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the Thirteenth day of February in the year Two Thousand Eighteen

(In words, indicate day, month and year)

BETWEEN the Owner:

(Name, legal status, address and other information)

Town of Oyster Bay 54 Audrey Avenue, Oyster Bay, NY 11771 Telephone Number: 516 624 6150

and the Contractor: (Name, legal status, address and other information)

BAR Construction Corp. 2536 Jackson Avenue Long Island City, NY 11101 Telephone Number: 718 458 0664 Fax Number: 718 205 4557

for the following Project: (Name, location and detailed description):

North Massapequa Community Center 214 N Albany Avenue, Massapequa, NY 11758

The Architect: (Name, legal status, address and other information)

The Owner and Contractor agree as follows.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An Additions and Deletions Report that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

The parties should complete A101<sup>TM</sup> -2017, Exhibit A, Insurance and Bonds, contemporaneously with this Agreement. AIA Document A201<sup>TM</sup> -2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

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Reviewed By Office of Joyn Attorney 312597552)

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#### TABLE OF ARTICLES

- THE CONTRACT DOCUMENTS
- THE WORK OF THIS CONTRACT
- DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
- CONTRACT SUM
- PAYMENTS
- DISPUTE RESOLUTION
- TERMINATION OR SUSPENSION
- MISCELLANEOUS PROVISIONS
- ENUMERATION OF CONTRACT DOCUMENTS

#### EXHIBIT A INSURANCE AND BONDS

# ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary, and other Conditions), Drawings, Specifications. Addenda issued prior to execution of this Agreement, other documents listed in this Agreement, and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

#### ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

#### ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1. The date of commencement of the Work shall be: (Check one of the following boxes.)

- The date of this Agreement,
- A date set forth in a notice to proceed issued by the Owner.
- [ X ] Established as follows:

(Insert a date or a means to determine the date of commencement of the Work.)

September 13th, 2017

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of this

§ 3.2 The Contract Time shall be measured from the date of commencement of the Work.

# § 3.3 Substantial Completion

§13.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Contractor shall achieve Substantial Completion of the entire Work: (Check one of the following boxes and complete the necessary information.)

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Reviewed By (812597552)

Reviewed By Office of Nwn Attorney

	February 20th, 2018	
§ 3.3.2 Subject to adjustments of the to be completed prior to Substantial Completion of such portions by the	Contract Time as provided in the Contract Doi Completion of the entire Work, the Contracto following dates:	cuments, if portions of the Work are r shall achieve Substantial
Portion of Work	Substantial Completion Date	
§ 3.3.3 If the Contractor fails to achie any, shall be assessed as set forth in	eve Substantial Completion as provided in this Section 4.5.	Section 3.3, liquidated damages, if
in current funds for the Contractor's Seven Thousand, Four Hundred and deductions as provided in the Contra	ly, Starr Insurance Company ("Starr"), shall p performance of the Contract. The Contract St Forty Dollars and Zero Cents (\$ 937,440.00 let Documents. This amount includes the originate Change Order sum of One Hundred Thir	m shall be Nine Hundred Thirty ), subject to additions and nai contract sum of Eight Hundred
§ 4.2 Alternates § 4.2.1 Alternates, if any, included in	the Contract Sum:	
(tem	Price	
execution of this Agreement. Upon a	d below, the following alternates may be acceptance, the Owner shall issue a Modificati conditions that must be met for the Owner to	on to this Agreement.
ltern	Price	Conditions for Acceptance
	the Contract Sum:	
§ 4.3 Allowances, if any, included in (laentify each allowance)	「高さ」(「高」と「奇様と「高さ」となる。 せいこうがくがく 「触りが発し、正常にはしていますす	and an abandon to the first the third and the control of the contr
	Price	
(Identify each allowance.)  Item  \$ 4.4 Unit prices, if any:	Price  Price and quantity limitations, if any, to which	the unit price will be applicable.)

§ 4.6 Other:

(Insert provisions for bonus or other incentives) if any, that might result in a change to the Contract Sum.)

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User Notes:

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ARTICLE 5 PAYMENTS

§ 5.1 Progress Payments

\$5.11 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, Starr shall make progress payments on account of the Contract Sum to the Contractor. as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

Deposit of 25% to be paid by Starr prior to commencement. The Contractor shall submit bi-weekly applications for payment setting forth the percentage of completion of the Work.

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the day of a month, the Owner shall make payment of the amount certified to the Contractor not later than the day of the month. If an Application for Payment is received by the Architect after the application date fixed above, payment of the amount certified shall be made by the Owner not later than ( ) days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

- § 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractorin accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form, and supported by such data to substantiate its accuracy, as the Architect may require. This schedule of values shall be used as a basis for reviewing the Contractor's Applications for Payment.
- § 5.15 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.
- \$5.16 In accordance with AIA Document A20111-2017, General Conditions of the Contract for Construction, and subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as

§ 5.1.6.1 The amount of each progress payment shall first include:

That portion of the Contract Sum properly allocable to completed Work;

- That portion of the Contract Sum properly allocable to materials and equipment delivered and suitably . 2 stored at the site for subsequent incorporation in the completed construction, or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing; and
- That portion of Construction Change Directives that the Architect determines, in the Architect's professional judgment, to be reasonably justified.

§ 5.1.6.2 The amount of each progress payment shall then be reduced by:

The aggregate of any amounts previously paid by the Owner;

The amount, if any, for Work that remains uncorrected and for which the Architect has previously withheld a Certificate for Payment as provided in Article 9 of AIA Document A201-2017;

Any amount for which the Contractor does not intend to pay a Subcontractor or material supplier, unless the Work has been performed by others the Contractor intends to pay;

- For Work performed or defects discovered since the last payment application, any amount for which the Architect may withhold payment, or nullify a Certificate of Payment in whole or in part, as provided in Article 9 of AIA Document A201-2017; and
- Retainage withheld pursuant to Section 5.1.7.

§ 5.1.7 Retainage

§ 5.17.1 For each progress payment made prior to Substantial Completion of the Work, the Owner may withhold the following amount, as retainage, from the payment otherwise due:

(Insert a percentage or amount to be withheld as retainage from each Application for Payment. The amount of retainage may be limited by governing law.)

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Reviewed By

(812597552) (812597552) Office of Nown Attorney

Init.

§ 5.1.7.1.1 The following items are not subject to retainage:

(Insert any items not subject to the withholding of retainage, such as general conditions, insurance, etc.)

§ 5.17-2 Reduction or limitation of retainage, if any; shall be as follows:
(If the retainage established in Section 5.1-7.1 is to be modified prior to Substantial Completion of the entire Work. including modifications for Substantial Completion of portions of the Work as provided in Section 3.3.2, insert provisions for such modifications.)

§ 5.1.7.3 Except as set forth in this Section 5.1.7.3, upon Substantial Completion of the Work, the Contractor may submit an Application for Payment that includes the retainage withheld from prior Applications for Payment pursuant. to this Section 5.1.7. The Application for Payment submitted at Substantial Completion shall not include retainage as

(Insert any other conditions for release of retainage upon Substantial Completion.)

§ 5.1.8 If final completion of the Work is materially delayed through no fault of the Contractor, the Owner shall pay the Contractor any additional amounts in accordance with Article 9 of AIA Document A201-2017.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 Final Payment

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Article 12 of AIA Document A201–2017, and to satisfy other requirements, if any, which extend beyond final payment; and

a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

§ 5.3 Interest

Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located. (Insert rate of interest agreed upon, if any.)

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 Initial Decision Maker

The Architect will serve as the Initial Decision Maker pursuant to Article 15 of AIA Decument A201–2017, unless the parties appoint below another individual, not a party to this Agreement, to serve as the Initial Decision Maker. If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

1987, 1991, 1997, 2007 and 2017 by The

Reviewed By Office of Town Attorney

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§ 6.2 Binding Dispute Resolution
For any Claim subject to, but not resolved by, mediation pursuant to Article 15 of AIA Document A201–2017, the method of binding dispute resolution shall be as follows: (Check the appropriate box.)

[X] Arbitration pursuant to Section 15.4 of AIA Document A201-2017

Litigation in a court of competent jurisdiction

Other (Specify)

If the Owner and Contractor do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation. Claims will be resolved by litigation in a court of competent jurisdiction.

ARTICLE 7: TERMINATION OR SUSPENSION
\$7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201–2017.

§ 7.1.1 If the Contract is terminated for the Owner's convenience in accordance with Article 14 of AIA Document A201–2017, then the Owner shall pay the Contractor a termination fee as follows: (Insert the amount of, or method for determining, the fee, if any, payable to the Contractor following a termination for the Owner's convenience.)

§3.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201-2017.

#### ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201–2017 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents,

§ 8.2 The Owner's representative:
(Name, address, email address, and other information)

Gregory W. Carman 54 Audrey Avenue, Oyster Bay, NY 11771

§ 8.3 The Contractor's representative:

(Name, address, email address, and other information)

Desmond Reid 2536 Jackson Avenue Long Island City, NY 11101

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Maximum extent possible under the law. This document was produced by AIA software at 40.55. Office of fown Attorney

Email Address: dreid@barconstructioncorp.com

§ 8.4 Neither the Owner's nor the Contractor's representative shall be changed without ten days' prior notice to the other party.

#### § 8.5 Insurance and Bonds

§ 8.5.1 The Owner and the Contractor shall purchase and maintain insurance as set forth in AIA Document A1017M 2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum, Exhibit A. Insurance and Bonds, and elsewhere in the Contract Documents,

§8.5:2 The Contractor shall provide bonds asiset forth in AIA Document A101™ 2017 Exhibit A, and elsewhere in the Contract Documents.

§ 8,6 Notice in electronic format, pursuant to Article 1 of AIA Document A201-2017, may be given in accordance with AIA Document B203™ 2013, Building Information Modeling and Digital Data Exhibit, if completed, or as otherwise set forth below:

(If other than in accordance with AIA Document E203–2013, insert requirements for delivering notice in electronic format such as name, title, and email address of the reciptent and whether and how the system will be required to generate a read receipt for the transmission.)

§ 8.7 Other provisions:

#### ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§.9.1 This Agreement is comprised of the following documents:

- effect is comprised of the following documents.

  AIA Document A101<sup>TM</sup>-2017, Standard Form of Agreement Between Owner and Contractor

  AIA Document A101<sup>TM</sup>-2017, Exhibit A, Insurance and Bonds

  AIA Document A201<sup>TM</sup>-2017, General Conditions of the Contract for Construction

  AIA Document E203<sup>TM</sup>-2013, Building Information Modeling and Digital Data Exhibit, dated as indicated below:

(Insert the date of the E203-2013 incorporated into this Agreement.).

Drawings

Date 6/20/2017 Architectural MEPs 6/20/2017 Specifications Title Date Addenda, if any: Date Number **Pages** 

Portions of Addenda relating to bidding or proposal requirements are not part of the Contract Documents unless the bidding or proposal requirements are also enumerated in this Article 9

Other Exhibits:

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Office Allown Attorney

(Check all boxes that apply and include appropriate information identifying the exhibit where required.)

AIA Document E204<sup>TM</sup>-2017; Sustainable Projects Exhibit, dated as indicated below (Insert the date of the E204-2017 incorporated into this Agreement). ( )

The Sustainability Plan: [ 7] Title Date Pages Supplementary and other Conditions of the Contract: 

Other documents, if any, listed below: Other documents, if any, listed below:
(List here any additional documents that are intended to form part of the Contract Documents. AIA
Document A201 2017 provides that the advertisement or invitation to bid, Instructions to Bidders, sample forms, the Contractor's bid or proposal, portions of Addenda relating to bidding or proposal requirements, and other information furnished by the Owner in anticipation of receiving bids or proposals, are not part of the Contract Documents unless enumerated in this Agreement. Any such documents should be listed here only if intended to be part of the Contract Documents.)

Bar Construction Proposal dated September 1s, 2017 for \$800,000 Bar Construction Change Order dated February 7h, 2018 for \$137,440.

This Agreement entered into as of the day and year first written above.

TOWN OF OYSTER BAY (Signature)

(Row deleted)

Gregory W. Carman, Deputy Supervisor

Document:

(Printed name and title)

BAR CONSTRUCTION CORP. (Signature)

Desmond Reid, Principal

(Printed name and title)

Init

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# Additions and Deletions Report for AlA® Document A101™ – 2017

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# PAGE 1

AGREEMENT made as of the Thirteenth day of February in the year Two Thousand Eighteen

100 m

Town of Oyster Bay 54 Audrey Avenue, Oyster Bay, NY 11771 Telephone Number: 516 624 6150

BAR Construction Corp. 2536 Jackson Avenue Long Island City, NY 11101 Telephone Number: 718 458 0664 Fax Number: 718 205 4557

North Massapequa Community Center 214 N Albany Avenue, Massapequa, NY 11758

[ X ] Established as follows:

September 13th, 2017

PAGE 3

[X] By the following date: February 20th, 2018

§ 4.1 The Owner Owner's insurance company, Starr Insurance Company ("Starr"), shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract, The Contract Sum shall be: Nine Hundred Thirty Seven Thousand, Four Hundred and Forty Dollars and Zero Cents (\$ 937,440.00 ), subject to additions and deductions as provided in the Contract Documents. This amount includes the original contract sum of Eight Hundred Thousand Dollars (\$800,000,00) and the Change Order sum of One Hundred Thirty Seven Thousand, Four Hundred Forty Dollars (\$137,440).

Additions and Deletions Report for AIA Document A101 — 2017. Copyright © 1915, 1918, 1925, 1937, 1951, 1958, 1961, 1963, 1967, 1974, 1977, 1987, 1997, Reviewed By

Town Attorney

#### PAGE 4

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner Starr shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

Deposit of 25% to be paid by Start prior to commencement. The Contractor shall submit bi-weekly applications for payment setting forth the percentage of completion of the Work. PAGE 6

Arbitration pursuant to Section 15.4 of AIA Document A201-2017

Gregory W. Carman 54 Audrey Avenue, Ovster Bay, NY 11771

Desmond Reid 2536 Jackson Avenue Long Island City, NY 11101

Email Address: dreid@barconstructioncorp.com

Architectural MEPs :

6/20/2017

PAGE 8

Bar Construction Proposal dated September 1st, 201 Bar Construction Change Order dated February 7th 2018 nor \$137

TOWN OF OYSTER BAY (Signature):

OWNER (Signature)

Gregory W. Carman, Deputy Superviso

BAR CONSTRUCTION CORP. (Signature)

CONTRACTOR (Signature)

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September 1st, 2017

Signal Restoration Attn: John Lonergan New York, NY

Re: North Massapequa Community Center 214 N Albany Avenue; Massapequa, NY 11758

Dear:

Ban Construction Corp. is pleased to participate in the bid process of the abovereferenced project. Our trade cost breakdown is attached.

It. -- Bar Construction hereby proposes to perform all work as outlined in the following plans and specifications:

PLANS DATE
Architectural 06/20/2017
MEP's 06/20/2017

- II. Items included in our bid which fall under the "General Conditions" category are as follows:
  - A. Permit applications and coordination of all inspections.
  - B. Full time supervision of trades and tradesman.
  - C. Regular jobsite meetings.
  - D. Coordination of all owner contracted vendors.
- III. Items excluded from our bid proposal, which were included in contract documents or were unclear:
  - A.: Hazardous Material Handling
  - B. Union and Overtime Work
  - C. Existing Code Violation, Building Service Charges and Overtime Charges
  - D. Permit Fee, Building Department Fees & Utility Fees
  - E. Filing & Inspection Fees with NYC Building and Fire Department
  - F. Tele-data Equipment and Audio Visual work by others
  - G. Existing AC Unit Service Work
  - H. Existing Flooring Work

Reviewed By Office of Town Attorney





# IV: Trade Cost Breakdown:

PROTECTION, CLEAN UP & RUBBISH REMOVAL	
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ROOF PATCHING WORK	de les transferences de la communicación de la
MASONRY	A property of the second secon
DOOR/FRAME	
HARDWARE	
DRYWALL& CELLING	a partir de la companya de la compan
The state of the s	
WOOD FLOORING (ALLOWANCE)	
PAINTING	The state of the s
APPLIANCES	te description of the second of the second description of the second d
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HVAC internal control of the control	
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ELECTRICAL FIXTURE (ALLOWANCE)	
	ra (Maria punta da Amilia per managana Maria da br>Maria da Maria da Ma
	A North Control of the Control of th
TOTAL	\$800,000

Reviewed By
Office of Fown Attorney





# V. Terms:

Payment terms are 25% deposit upon commencement and then bi-weekly requisitions. All work will be done in a neat, workmanlike manner and the premises will be left clean at the completion of work. Certificates of insurance for workman's compensation and liability will be forwarded upon request. Sales tax will be collected if a certificate of capital improvement (ST-8) is not furnished. This proposal shall be deemed null and void unless signed and returned within thirty days. If the above is agreed and accepted please sign and date below.

We thank you for the opportunity to submit this bid and look forward to serving you. If you should have any questions or require additional information, please do not hesitate to contact us.

Respectfully Submitted, Bar Construction Corp.

Desmond Reid President

With your signature, this proposal shall become a binding contract for the abovementioned project.

Namet
Date:

Reviewed By Office Jown Attorney



Proposal

North Massapequa Community Center 214 N Albany Avenue; Massapequa, NY 11758

Description Scope of work:	Amount
[4] [4] [4] [4] [4] [4] [4] [4] [4] [4]	\$19,500
2 Supply & Install fans/lights in bathrooms as per code: (Allowance)	\$5,450
3 Supply & Install additional 4 exit signs as per code.	\$2,400
4 Supply & Install new 10 heaters. (hard wired electric)	\$6,300
5 Supply & Install insulation at only 1st floor ceiling as per code: (Cellar work by - others)	\$5,720
6. Upgrade 1 hr. rated shaft wall on each floor to Arch. shaft wall.	\$4,025
7 - Laminate sides and bottom of beam at existing wood trusts.	\$8,030
8 Furnish & Install new soffit for duct enclosure.	\$4,140
9 Laminate existing block at skylight and wrap beam to accept acoustical ceiling.	\$2,185
10 Supply & Install new steel support for vinyl accordion folding partition.	\$3,500
41 Supply & Install new soffit for vinyl accordion folding partition.	\$5,490
12 :Supply & Install (1) new entry door.	\$1,500
18 (1) Passenger Elevator Repair Work as per Proposal	\$44,850
14 . Supply & Install New Smoke Detector - Qty-6	\$2,500
SubTotal	\$115 590 \$12 715
General Condition	\$128,305
Trisurance	\$5,132 \$133,437
Fees	\$4,003
Total:	\$137,440

Acceptance of Proposal

Building/elaystor charges, Fire-Alarm Work, Anthiladural metal, Co-ordinating other trades

2536 Jackson Avenue, ElC, NY 11101

Office: 718 458 0664 Fax: 718 205 4557 

Reviewed By Office of Town Attorney



COVERAGES

# CERTIFICATE OF LIABILITY INSURANCE

DATE (WMIDDIYYYY) 9/14/2017

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(les) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT Dana Tedeschi NAKE: Dana Tedeschi
Keevily Spero Whitelaw, Inc.	PHONE (914) 381-5511 (AC Ho): (914) 381-1134
<b>经过滤点的运动 基础 医毛发性 化二乙基甲基基甲基基基 化二乙基基基基 化二乙基基基基 医二乙基基基基基基基基基基基基</b>	(AC, Ho)
500 Mamaroneck Ave	EMAIL dtedeschi@keevily.com
	ADDRESS;
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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.

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CERTIFICATE NUMBER:17/18 Master

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	X Contractual Liability X \$10,000 SIR	~~~~~ [1] - 한 본경 하는 항상 나는 방송 보다 비밀되고 있다. 그 하고 그 나는 방하다 다.	4/21/2017	4/21/2018	MED EXP (Any one person) \$\ 10,000 PERSONAL & ADV INJURY \$\ 11,000,000 GENERAL AGGREGATE \$\ 2,000,000	
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CERTIFICATE HOLDER

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

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

REVISION NUMBER:

AUTHORIZED REPRESENTATIVE

T McEvily III, CECU/D

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Reviewed By Office of Bown Attorney



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#### CERTIFICATE OF WORKERS! COMPENSATION INSURANCE

AAAAAA 113127507 BE HAMOND SAFETY MANAGEMENT LLC BE800 JERICHO TURNPIKE SUITE 105W SYOSSET NY 11791



Scan to Valida

POLICYHOLDER

BAR CONSTRUCTION CORP 2536 JACKSON AVE 2ND FL LONG ISLAND CITY NY 11101 CERTIFICATE HOLDER

TOWN OF OYSTER BAY 54 AUDREY AVENUE OYSTER BAY NY 11771

POLICY NUMBER Z2368 025-9 CERTIFICATE NUMBER

POLICY PERIOD 01/01/2018

DATE 9/14/2017

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 2368-025-9. COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS: COMPENSATION UNDER THE NEW YORK WORKERS COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE VISIT OUR WEBSITE AT HTTPS://WWW.NYSIF.COM/CERT/CERTVAL ASP. THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS:

THE POLICY INCLUDES A WAIVER OF SUBROGATION ENDORSEMENT, UNDER WHICH NYSIF AGREES TO WAIVE ITS RIGHT OF SUBROGATION TO BRING AN ACTION AGAINST THE CERTIFICATE HOLDER TO RECOVER AMOUNTS WE PAID IN WORKERS COMPENSATION AND/OR MEDICAL BENEFITS TO OR ON BEHALF OF AN EMPLOYEE OF OUR INSURED IN THE EVENT THAT, PRIOR TO THE DATE OF THE ACCIDENT. THE CERTIFICATE HOLDER HAS ENTERED INTO A WRITTEN CONTRACT WITH OUR INSURED THAT REQUIRES THAT SUCH RIGHT OF SUBROGATION BE WAIVED.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE, UPON THE CERTIFICATE HOLDER THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUND

DIRECTOR, INSURANCE FUND UNDERWRITING

Reviewed By Office of Hwn Attorney

VALIDATION NUMBER: 363933033

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