

*John Canning*  
APPROVED  
COMMISSIONER OF HUMAN RESOURCES

Meeting of March 23, 2021

RESOLUTION P-6-2021

WHEREAS, The 2021 Budget, adopted October 27, 2020 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 2021 Budget, on October 27, 2020, was by a Resolution of the Town Board; and

WHEREAS, Resolution #P1063, dated December 12, 1972, provides a procedure for the amendment of the Resolution establishing grades, salaries and titles as required and requested by Department Heads,

NOW, THEREFORE, BE IT RESOLVED, That the Budget as adopted be and hereby is amended to reflect the approved additions and deletions as indicated by the attached.

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

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

Meeting of March 23, 2021

Resolution No. TF-4-2021

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

ITEM NO.	DEPT.	AMOUNT	FROM
004-21	PKS	\$714.00	PKS A 7110 47670 000 0000
			TO
		\$714.00	PKS A 7110 25000 000 0000
			FROM
		\$3,550.00	PKS A 7110 46300 000 0000
			TO
		\$3,550.00	PKS A 7110 25000 000 0000

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

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

Reviewed By  
Office of Town Attorney  
*Thomas M. McNamee*

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner  
Department of Parks

DATE: March 5, 2021

SUBJECT: 2021 Transfer of Funds

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

FROM:

PKS-A-7110-47670-000-0000	Special Sporting Events	\$714.00
PKS-A-7110-46300-000-0000	Building, Property Maintenance	\$3,550.00

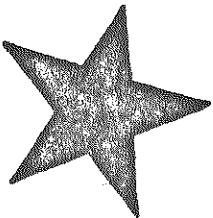
TO:

PKS-A-7110-25000-000-0000	General Equipment	\$714.00
PKS-A-7110-25000-000-0000	General Equipment	\$3,550.00

This transfer request is to provide funds necessary for (6) 6 1/2' Aluminum Patio Umbrellas for use during special events and 10 x 10 tents for use by the lifeguards.

  
Joseph G. Pinto  
Commissioner

JGP:dim



WHEREAS, by Resolution No. 269-2019, adopted on May 7, 2019, the Town Board granted the Petition of KIMCO JERICHO MI LLC, KIMCO BIRCHWOOD JERICHO SOUTH LLC, KIMCO BIRCHWOOD JERICHO LOT LLC, JERICHO ATRIUM 1761 LLC, and KIMCO BIRCHWOOD JERICHO OFFICE LLC, fee owners and ground lessees, ("Petitioners") for a Special Use Permit and Site Plan Approval to allow for the construction of a ninety-three (93) room limited service hotel, and the incorporation of said hotel into the area of the property where the Milleridge Inn, restaurant, Milleridge Cottage, and Milleridge Village shops are situated, on property located in a "GB" (General Business) District, on the east side of North Broadway (NYS Route 106) and the south side of the access road to Jericho Turnpike (NYS Route 25), Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block A, Lots 859, 861, 952, 953, 956, 1075, 1077, 1078, 1127, 1334, 1341, 1343, 1345, 1351, and 1352, on the Land and Tax Map of Nassau County; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Section 9.3.5, Expiration, provides that the approval of a Special Use Permit shall expire in the event that the approved use and/or site development is not commenced within one year after the date the Special Use Permit was granted, unless an extension of the time is granted; and

WHEREAS, by Resolution No. 285-2020, adopted on June 2, 2020. The Town Board granted the application of Petitioners for a six (6) month extension of their time to commence the approved use and/or site development, to November 7, 2020; and

WHEREAS, the applicants, through their attorneys, Weber Law Group, LLP, by letter dated February 11, 2021, requested a further extension of time from the current expiration date of November 7, 2020, nunc pro tunc, to May 7, 2021; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated February 23, 2021, recommended that a one (1) year extension of time be granted, from the current expiration date of May 7, 2020, nunc pro tunc,

NOW, THEREFORE, BE IT RESOLVED, That the request of Weber Law Group, LLP, attorneys for applicants, for a six (6) month extension of time, from the current expiration date of November 7, 2020, to commence the approved use and/or site development is hereby GRANTED, nunc pro tunc, to May 7, 2021, and the same terms and conditions effective pursuant to Resolution No. 269-2019, adopted on May 7, 2019, 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



TOWN OF OYSTER BAY  
Inter-Departmental Memo

February 23, 2021

**To : MEMORANDUM DOCKET**

**From : ELIZABETH MACCARONE, COMMISSIONER  
DEPARTMENT OF PLANNING & DEVELOPMENT**

**Subject : REQUEST FOR EXTENSION OF TIME FOR SPECIAL USE PERMIT  
AND APPROVED SITE PLAN  
TOWN BOARD RESOLUTION # 269-2019  
PETITION OF KIMCO JERICHO MI, LLC  
585 NORTH BROADWAY JERICHO, NY  
SECTION: 12 BLOCK: A LOTS: 859,861,952,953,  
956,1075,1077,1078,1127,1334,1341,1343,1345,1351 & 1352**

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This Department is in receipt of correspondence, dated February 11, 2021, from Bram D. Weber of Weber Law Group, LLP requesting an extension of time to commence with the approved use and development of the site for the above captioned premises (see attached). Subsequent to Resolution Number 269-2019 dated May 7, 2019, which granted the approval for the use and site plan, Resolution 285-2020 (copy attached) was granted on June 2, 2020, which granted a six (6) month extension. It is my recommendation that a six (6) month extension of time should be granted from the current expiration date of November 7, 2020 to May 7, 2021, nunc pro tunc.

The same terms and conditions should prevail as contained in Town Board Resolution Number 269-2019 dated May 7, 2019.



Very Truly Yours,

*Elizabeth L. MacCarone*  
\_\_\_\_\_  
ELIZABETH L. MACCARONE  
COMMISSIONER

ELM/cm  
Enclosure

Planning

February 11, 2021

**VIA FEDERAL EXPRESS**

Supervisor Joseph S. Saladino and  
Members of the Oyster Bay Town Board  
54 Audrey Avenue  
Oyster Bay, New York 11771

Attention: Leslie Maccarone, Commissioner, Department of Planning and Development

Re: Marriott Residence Inn at Jericho Commons  
Special Use Permit Extension Request - Resolution No. 269-2019 (May 7, 2019)

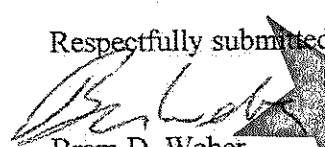
Dear Supervisor Saladino and Members of the Town Board:

This firm is legal counsel to Kimco Jericho MI LLC, and affiliated entities (collectively, the "Applicant") in the matter of the Marriott Residence Inn at Jericho Commons, approved by special use permit by the Oyster Bay Town Board on May 7, 2019 and subsequently was extended by the Town Board. This letter requests an extension of the special use permit pursuant to Section 246-9.3.4 of the Town Code.

The Applicant has completed its permit processes with the Town and the Building Department has prepared the building permit. Due to the COVID-19 pandemic, the ability for the Applicant to commence construction of the project has been delayed. The Applicant respectfully requests that the Town Board further extend the special permit and site plan approval as the Applicant continues to navigate the changing market conditions caused by the pandemic.

Thank you for your consideration of this special use permit extension request.

Respectfully submitted,

  
Bram D. Weber

Reviewed By  
Office of Town Attorney

WHEREAS, the Town Board of the Town of Oyster Bay, by Resolution No. 269-2019, adopted on May 7, 2019, granted the Petition of KIMCO JERICHO MI LLC, KIMCO BIRCHWOOD JERICHO SOUTH LLC, KIMCO BIRCHWOOD JERICHO LOT LLC, JERICHO ATRIUM 1761 LLC, and KIMCO BIRCHWOOD JERICHO OFFICE LLC, fee owners and ground lessees, for a Special Use Permit and Site Plan Approval to allow for the construction of a ninety-three (93) room limited service hotel, and the incorporation of said hotel into the area of the property where the Milleridge Inn, restaurant, Milleridge Cottage, and Milleridge Village shops are situated, on property located in a "GB" (General Business) District, on the east side of North Broadway (NYS Route 106) and the south side of the access road to Jericho Turnpike (NYS Route 25), Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block A, Lots 859, 861, 952, 953, 956, 1075, 1077, 1078, 1127, 1334, 1341, 1343, 1345, 1351, and 1352, on the Land and Tax Map of Nassau County; and

WHEREAS, the Code of the Town of Oyster Bay, Chapter 246, Section 9.3.5, Expiration, provides that the approval of a Special Use Permit shall expire in the event that the approved use and/or site development is not commenced within one year after the date the Special Use Permit was granted, unless an extension of the time is granted; and

WHEREAS, the applicants, through their attorneys, Weber Law Group, LLP, by letter dated April 9, 2020, requested an extension of time from the current expiration date of May 7, 2020; and

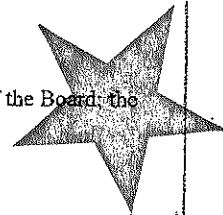
WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated May 11, 2020, recommended that a six (6) month extension of time be granted, from the current expiration date of May 7, 2020, nunc pro tunc,

NOW, THEREFORE, BE IT RESOLVED, That the request of Weber Law Group, LLP, attorneys for applicants, for a six (6) month extension of time, from the current expiration date of May 7, 2020, to commence the approved use and/or site development is hereby GRANTED, nunc pro tunc, and the same terms and conditions effective pursuant to Town Board Resolution No. 269-2019, adopted on May 7, 2019, 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
Councilwoman Johnson	Recused
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



WHEREAS, KIMCO JERICHO MI LLC, KIMCO BIRCHWOOD JERICHO SOUTH LLC, KIMCO BIRCHWOOD JERICHO LOT LLC, JERICHO ATRIUM 1761 LLC, and KIMCO BIRCHWOOD JERICHO OFFICE LLC, fee owners and ground lessees, petitioned the Town Board of the Town of Oyster Bay for a Special Use Permit and Site Plan Approval to allow for the construction of a ninety-three (93) room limited service hotel, and the incorporation of said hotel into the area of the property where the Milleridge Inn, restaurant, Milleridge Cottage, and Milleridge Village shops are situated, on property located in a "GB" (General Business) District, on the east side of North Broadway (NYS Route 106) and the south side of the access road to Jericho Turnpike (NYS Route 25), Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block A, Lots 859, 861, 952, 953, 956, 1075, 1077, 1078, 1127, 1334, 1341, 1343, 1345, 1351, and 1352, on the Land and Tax Map of Nassau County; and

WHEREAS, a duly advertised public hearing on said Petition was held by the Town Board of the Town of Oyster Bay on December 11, 2018 and January 29, 2019, at which hearing all parties interested in the subject matter and desiring to be heard were heard; and

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

WHEREAS, the Quality Review Report was dated March 26, 2019, with said report rendering the Division's assessment of the relevant environmental factors affected by the uses proposed in the subject Petition and recommending that the conclusions contained therein be accepted, and that same be deemed to constitute a Negative Declaration, indicating that the proposed actions would not cause significant impacts upon the environment and recommended, accordingly, that the Town Board issue a Negative Declaration; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10296-19, adopted on March 28, 2019; deferred to the Town Board of the Town of Oyster Bay to take action as it deemed appropriate on said application; and

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

Reviewed By  
Office of Town Attorney  
*John Miller*

Meeting of May 7, 2019

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memoranda dated July 24, 2018 and November 29, 2018 has advised that the Department of Planning and Development has reviewed the following ten (10) plans prepared by Robert W. Hutteman, P.E., Liro Engineers Inc., Mineola, New York, one (1) plan prepared by William W. Johnson, R.L.A., Liro Engineers Inc., Mineola, New York, and six (6) plans prepared by Greg L. Allwine, R.A., Greg L. Allwine Architect, Seattle, Washington:

<u>SHEET NO.</u>	<u>TITLE</u>	<u>PREPARED BY</u>	<u>DATE</u>
EX-1	EXISTING CONDITIONS AND SITE REMOVAL PLAN	Robert W. Hutteman, P.E.	08/20/18
OP-1	OVERALL SITE LAYOUT PLAN	Robert W. Hutteman, P.E.	08/20/18
C-1	SITE LAYOUT PLAN	Robert W. Hutteman, P.E.	08/20/18
C-2	GRADING DRAINAGE & UTILITY PLAN	Robert W. Hutteman, P.E.	08/20/18
C-3	SITE DETAILS	Robert W. Hutteman, P.E.	08/20/18
C-4	SANITARY AND DRAINAGE DETAILS	Robert W. Hutteman, P.E.	08/20/18
C-5	SITE LIGHTING PLAN	Robert W. Hutteman, P.E.	08/20/18
EC-1	EROSION CONTROL PLAN	Robert W. Hutteman, P.E.	08/20/18
EC-2	EROSION CONTROL DETAILS	Robert W. Hutteman, P.E.	08/20/18
MS-1	MASTER SIGNAGE PLAN	Robert W. Hutteman, P.E.	08/20/18
L-1	LANDSCAPING PLAN	William W. Johnson, R.L.A.	08/20/18
A101	GROUND FLOOR PLAN	Greg L. Allwine, R.A.	03/16/18
A102	SECOND FLOOR PLAN	Greg L. Allwine, R.A.	10/09/18
A103	THIRD FLOOR PLAN	Greg L. Allwine, R.A.	03/16/18
A105	ROOF PLAN	Greg L. Allwine, R.A.	03/16/18
A200	EXTERIOR ELEVATIONS	Greg L. Allwine, R.A.	10/09/18
A201	EXTERIOR ELEVATIONS	Greg L. Allwine, R.A.	10/09/18

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 Town Board of the Town of Oyster Bay does hereby adopt a Negative Declaration with respect to the Petition of KIMCO JERICHO MI LLC, KIMCO BIRCHWOOD JERICHO SOUTH LLC, KIMCO BIRCHWOOD JERICHO LOT LLC, JERICHO ATRIUM 1761 LLC, and KIMCO BIRCHWOOD JERICHO OFFICE LLC, fee owners and ground lessees, for a Special Use Permit and Site Plan Approval to allow for the construction of a ninety-three (93) room limited service hotel, and the incorporation of said hotel into the area of the property where the Milleridge Inn, restaurant, Milleridge Cottage, and Milleridge Village shops are situated, on property located in a "GB" (General Business) District, on the east side of North Broadway (NYS Route 106) and the south side of the access road to Jericho

Turnpike (NYS Route 25), Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block A, Lots 859, 861, 952, 953, 956, 1075, 1077, 1078, 1127, 1334, 1341, 1343, 1345, 1351, and 1352, on the Land and Tax Map of Nassau County; and it is further

RESOLVED, That the Petition of KIMCO JERICO MI LLC, KIMCO BIRCHWOOD JERICO SOUTH LLC, KIMCO BIRCHWOOD JERICO LOT LLC, JERICO ATRIUM 1761 LLC, and KIMCO BIRCHWOOD JERICO OFFICE LLC, fee owners and ground lessees, for a Special Use Permit and Site Plan Approval to allow for the construction of a ninety-three (93) room limited service hotel, and the incorporation of said hotel into the area of the property where the Milleridge Inn, restaurant, Milleridge Cottage, and Milleridge Village shops are situated, on property located in a "GB" (General Business) District, on the east side of North Broadway (NYS Route 106) and the south side of the access road to Jericho Turnpike (NYS Route 25), Jericho, Town of Oyster Bay, County of Nassau, State of New York, and described as Section 12, Block A, Lots 859, 861, 952, 953, 956, 1075, 1077, 1078, 1127, 1334, 1341, 1343, 1345, 1351, and 1352, on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

AS TO LOTS 859, 861, 952, 1077, AND 1078:

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

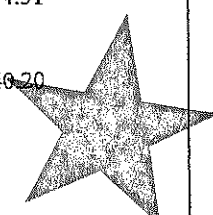
BEGINNING at a point on the southeasterly side of the access road running from Massapequa-Glen Cove Road to Jericho Turnpike, said point of BEGINNING being at the northeasterly end of the curve having a radius of 140 feet and a length of 104.56 feet, which connects the southeasterly side of said access road with the northeasterly side of Broadway (Massapequa-Glen Cove Road);

RUNNING THENCE North 42 degrees 48 minutes 46 seconds East along the southeasterly side of said access road, 212.65 feet;

THENCE South 32 degrees 16 minutes 00 seconds East, 121.22 feet;

THENCE North 42 degrees 14 minutes 50 seconds East, 34.51 feet;

THENCE North 68 degrees 17 minutes 50 seconds East, 40.20 feet;



THENCE North 72 degrees 47 minutes 20 seconds East 37.50 feet;

THENCE North 77 degrees 32 minutes 20 seconds East 43.10 feet;

THENCE North 80 degrees 39 minutes 30 seconds East 176.25 feet;

THENCE South 11 degrees 08 minutes 30 seconds East, 393.10 feet;

THENCE South 82 degrees 50 minutes (record, 52 minutes, actual) 10 seconds West, 228.30 feet;

THENCE South 74 degrees 33 minutes 34 seconds West, 157.33 feet;

THENCE South 35 degrees 22 minutes 30 seconds West, 58.02 feet to the northeasterly side of Massapequa-Glen Cove Road;

THENCE along the northeasterly side of said road the following two (2) courses and distances:

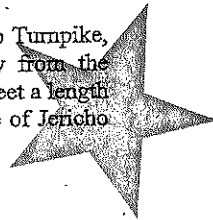
1. North 46 degrees 28 minutes 55 seconds West, 199.08 feet;
2. North 31 degrees 32 minutes 34 seconds West, 150.48 feet to the southwesterly end of the connecting curve first above mentioned;

THENCE Northeasterly along the said connecting curve bearing to the right, having a radius of 140 feet, a distance along said curve of 104.56 feet to the southeasterly side of the above mentioned access road at the point or place of BEGINNING.

**AS TO LOT 953:**

ALL that certain plot, piece or parcel of land, situate, lying and being at Jericho, Town of Oyster Bay, County of Nassau, State of New York, designated as Section 12 Block A Lot 953 on the Land and Tax Map of Nassau County, bounded and described as follows:

BEGINNING at a point on the southerly side of Jericho Turnpike, as widened (access road) distant 212.65 feet easterly from the extreme easterly end of a curve having a radius of 140 feet a length of 104.56 feet, which curve connects the southerly side of Jericho



Turnpike (access road) with the easterly side of Massapequa-Glen Cove Road (Hicksville Jericho Highway), said point of BEGINNING being the extreme northeasterly corner of land formerly of Miller's Eat Shoppe Co., Inc.;

RUNNING THENCE North 42 degrees 48 minutes 46 seconds East along the southerly side of Jericho Turnpike as widened, 440.53 feet;

THENCE South 14 degrees 19 minutes 45 seconds East, 40.26 feet;

THENCE South 12 degrees 50 minutes 10 seconds East, 304.84 feet to land formerly of Miller's Eat Shoppe Co., Inc.;

THENCE along said last mentioned land the following six (6) courses and distances:

1. South 80 degrees 39 minutes 30 seconds West, 176.25 feet;
2. South 77 degrees 32 minutes 20 seconds West, 43.10 feet;
3. South 72 degrees 47 minutes 20 seconds West, 37.50 feet;
4. South 68 degrees 17 minutes 50 seconds West 40.20 feet;
5. South 42 degrees 14 minutes 50 seconds West 34.51 feet;
6. North 32 degrees 16 minutes West, 121.22 feet to the southerly side of Jericho Turnpike at the point or place of BEGINNING.

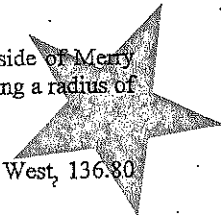
AS TO LOT 1334:

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

BEGINNING at a point on the westerly side of Merry Lane, distant 239.17 feet southerly from the corner formed by the intersection of the westerly side of Merry Lane with the southerly side of Jericho Turnpike;

RUNNING THENCE Southerly along the westerly side of Merry Lane, along the arc of a curve bearing to the left, having a radius of 429.51 feet, a distance of 86.24 feet;

THENCE South 45 degrees 52 minutes 50 seconds West, 136.80 feet;





THENCE South 38 degrees 48 minutes 30 seconds East, 177.47 feet;

THENCE South 59 degrees 20 minutes 00 seconds East, 70.00 feet;

THENCE South 41 degrees 52 minutes 48 seconds West, 364.78 feet;

THENCE North 19 degrees 11 minutes 18 seconds West, 288.00 feet;

THENCE North 21 degrees 06 minutes 05 seconds West, 151.90 feet;

THENCE North 71 degrees 53 minutes 51 seconds East, 152.17 feet;

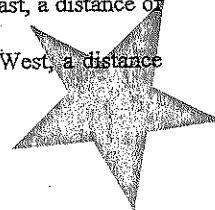
THENCE Easterly along the arc of a curve bearing to the right, having a radius of 204.00 feet, a distance of 227.68 feet to the westerly side of Merry Lane, the point or place of BEGINNING.

**AS TO LOT 1341:**

ALL that certain plot, piece or parcel of land, situate, lying and being PART OF (FORMER) LOT No. 1335, Block A, Section 12, on the Land and Tax Map of Nassau County, situated at Jericho, Town of Oyster Bay, Nassau County, New York.

BEGINNING of following five (5) courses and distances from the intersection of the easterly side of Hicksville-Jericho Road (Broadway, Massapequa-Glen Cove Road) with the northerly side of Village Drive (Marginal Road);

1. Northerly along the easterly side of said Hicksville-Jericho Road, a distance of 1506.36 feet;
2. North 66 degrees 32 minutes 08 seconds East, a distance of 186.00 feet;
3. North 23 degrees 27 minutes 52 seconds West, a distance of 230.27 feet;
4. North 74 degrees 48 minutes 18 seconds East, a distance of 151.16 feet;
5. North 19 degrees 11 minutes 18 seconds West, a distance of 58.66 feet to the point of BEGINNING;



RUNNING THENCE from said point of BEGINNING North 19 degrees 11 minutes 18 seconds West, a distance of 46.60 feet;

THENCE North 41 degrees 52 minutes 48 seconds East, a distance of 364.78 feet to land shown on the Map of Birchwood at Jericho - Section No. 4-A;

THENCE South 59 degrees 20 minutes 00 seconds East, a distance of 429.20 feet along land shown on said Map of Birchwood at Jericho - Section No. 4-A;

THENCE South 10 degrees 23 minutes 10 seconds West, a distance of 193.28 feet, partly along land shown on said Map of Birchwood at Jericho - Section No. 4-A and partly along land shown on Map of Birchwood at Jericho - Section No. 3;

THENCE North 80 degrees 34 minutes 16 seconds West, a distance of 570.24 feet to the point or place of BEGINNING.

**AS TO LOT 1352:**

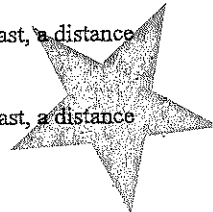
ALL that certain plot, piece or parcel of land, situate, lying and being at Jericho, Town of Oyster Bay, County of Nassau, State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Hicksville-Jericho Road (Broadway, Massapequa-Glen Cove Road, NYS Route 106, NYS Route 107), 1,075.39 feet measured northerly along the easterly side of said Hicksville-Jericho Road from the intersection of the easterly side of said Hicksville-Jericho Road with the northerly side of Village Drive (Marginal Road);

RUNNING THENCE from said point of BEGINNING North 28 degrees 50 minutes 12 seconds West, a distance of 324.43 feet along the easterly side of said Hicksville-Jericho Road;

THENCE North 61 degrees 37 minutes 54 seconds East, a distance of 20.87 feet;

THENCE South 28 degrees 22 minutes 06 seconds East, a distance of 60.51 feet;



THENCE North 61 degrees 37 minutes 54 seconds East, a distance of 229.20 feet;

THENCE North 09 degrees 37 minutes 43 seconds East, a distance of 84.34 feet;

THENCE North 31 degrees 11 minutes 35 seconds West, a distance of 52.95 feet;

THENCE South 59 degrees 01 minutes 37 seconds West, a distance of 305.98 feet to the easterly side of Hicksville-Jericho Road;

THENCE North 44 degrees 23 minutes 12 seconds West, a distance of 60.77 feet along the easterly side of Hicksville-Jericho Road;

THENCE North 66 degrees 32 minutes 08 seconds East, a distance of 320.00 feet;

THENCE North 19 degrees 11 minutes 18 seconds West, a distance of 267.67 feet;

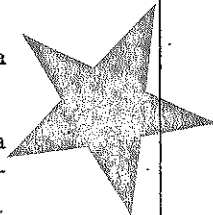
THENCE South 80 degrees 34 minutes 16 seconds East, a distance of 570.23 feet to lands shown on the Map of Birchwood at Jericho, Section No. 3;

THENCE the following two (2) courses and distances along lands shown on the Map of Birchwood at Jericho, Section No. 3:

1. South 4 degrees 03 minutes 30 seconds West, a distance of 190.58 feet;
2. South 14 degrees 02 minutes 54 seconds East, a distance of 345.30 feet;

THENCE North 86 degrees 12 minutes 10 seconds West, a distance of 270.00 feet;

THENCE South 67 degrees 16 minutes 00 seconds West, a distance of 372.07 feet to the easterly side of said Hicksville-Jericho Road at the point or place of BEGINNING.



**AS TO LOT 1351:**

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

BEGINNING at a point on the easterly side of Hicksville-Jericho Road (Broadway, Massapequa-Glen Cove Road, NYS Route 106, NYS Route 107), 1,399.82 feet measured northerly along the easterly side of said Hicksville-Jericho Road from the intersection of the easterly side of said Hicksville-Jericho Road with the northerly side of Village Drive (Marginal Road);

RUNNING THENCE from said point of BEGINNING the following two (2) courses and distances along the easterly side of Hicksville-Jericho Road:

1. North 28 degrees 50 minutes 12 seconds West, a distance of 23.76 feet;
2. North 44 degrees 23 minutes 12 seconds West, a distance of 22.03 feet;

THENCE North 59 degrees 01 minutes 37 seconds East, a distance of 305.98 feet;

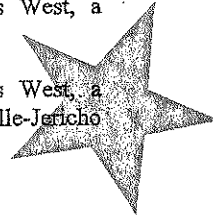
THENCE South 31 degrees 11 minutes 35 seconds East, a distance of 52.95 feet;

THENCE South 09 degrees 37 minutes 43 seconds West, a distance of 84.34 feet;

THENCE South 61 degrees 37 minutes 54 seconds West, a distance of 229.20 feet;

THENCE North 28 degrees 22 minutes 06 seconds West, a distance of 60.51 feet;

THENCE South 61 degrees 37 minutes 54 seconds West, a distance of 20.87 feet to the easterly side of said Hicksville-Jericho Road at the point or place of BEGINNING.



AS TO LOTS 1127, 1343 and 1345:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Jericho, Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at the northeasterly corner of the premises to be described distant the following three (3) courses and distances from the intersection of the northeasterly corner of land now or formerly of Miller's Eat Shoppe Co., Inc. formerly Halleran and the northwesterly corner of land now or formerly of Jericho Water District with the southeasterly side of the Access Road leading from the easterly side of Massapequa-Glen Cove Road (NYS Route 107) to the southerly side of Jericho Turnpike:

1. South 14 degrees 19 minutes 45 seconds East 40.26 feet;
2. South 12 degrees 50 minutes 10 seconds East, 304.84 feet;
3. South 11 degrees 08 minutes 30 seconds East 393.10 feet;

RUNNING THENCE from said point of BEGINNING South 11 degrees 08 minutes 30 seconds East, along land now or formerly of Floyd Bennett Stores, 209.10 feet;

THENCE South 74 degrees 34 minutes 00 seconds West, still along land now or formerly of Floyd Bennett Stores, 320.00 feet;

THENCE North 36 degrees 21 minutes 20 seconds West, 50.00 feet;

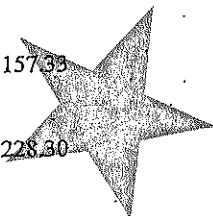
THENCE North 40 degrees 05 minutes 40 seconds West, 156.83 feet;

THENCE North 46 degrees 28 minutes 55 seconds West, 18.00 feet;

THENCE North 35 degrees 22 minutes 30 seconds East, 58.02 feet;

THENCE North 74 degrees 33 minutes 00 seconds East 157.33 feet;

THENCE North 82 degrees 50 minutes 10 seconds East 228.30 feet to the point or place of BEGINNING.



**AS TO LOT 956:**

ALL that certain plot, piece or parcel of land, situate, lying and being at Jericho, Town of Oyster Bay, Nassau County, N.Y., Tax Map Designation, Section 12, Block A, Lot 956:

BEGINNING at a point on the easterly side of Hicksville-Jericho Road (NYS Route 106 and 107), 471.34 feet northerly from the intersection of the easterly side of Hicksville-Jericho Road (NYS Route 106 and 107) with the northerly side of Village Drive;

RUNNING THENCE along the easterly side of Hicksville-Jericho Road (NYS Route 106 and 107), the following two (2) courses and distances:

1. Northerly along the arc of a curve bearing to the right having a radius of 4,075.00 feet, a distance of 70.19 feet;
2. North 23 degrees 35 minutes 32 seconds West, 129.68 feet;

THENCE North 62 degrees 30 minutes 55 seconds East, 154.00 feet;

THENCE South 23 degrees 35 minutes 32 seconds East, 200.00 feet;

THENCE South 62 degrees 30 minutes 55 seconds West, 150.22 feet to the point or place of BEGINNING.

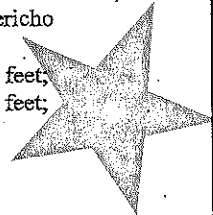
**AS TO LOT 1075:**

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

BEGINNING at a point on the easterly side of Hicksville-Jericho Road (Broadway, Massapequa-Glen Cove Road), distant 671.21 feet northerly from the corner formed by the intersection of the easterly side of Hicksville-Jericho Road and the northerly side of Marginal Road as shown on Map of Birchwood at Jericho Section No. 1;

RUNNING THENCE along the easterly side of Hicksville-Jericho Road, the following courses and distances:

1. North 23 degrees 35 minutes 32 seconds West, 232.49 feet;
2. North 28 degrees 50 minutes 12 seconds West, 171.69 feet;



THENCE North 67 degrees 16 minutes 00 seconds East, 372.07 feet;

THENCE South 86 degrees 12 minutes 10 seconds East, 270.00 feet to the westerly extremity of Market Street;

THENCE along the same South 14 degrees 02 minutes 54 seconds East, 42.02 feet;

THENCE South 10 degrees 16 minutes 00 seconds West, 417.03 feet;

THENCE South 24 degrees 44 minutes 20 seconds West, 100.41 feet;

THENCE South 62 degrees 30 minutes 55 seconds West, 128.40 feet;

THENCE North 23 degrees 35 minutes 32 seconds West, 200.00 feet;

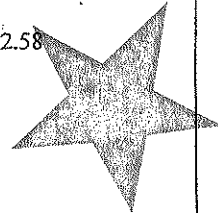
THENCE South 62 degrees 30 minutes 55 seconds West, 154.00 feet to the easterly side of Hicksville-Jericho Road at the point or place of BEGINNING.

EXCEPTING therefrom all that certain plot, piece or parcel of land, situate, lying and being at Jericho, Town of Oyster Bay, Nassau County, New York, Nassau County Tax Map Designation: Section 12, Block A, part of Lots 956 and 1075;

BEGINNING at a point on the easterly side of Hicksville-Jericho Road (NYS Route 106 and 107), 471.34 feet northerly from the intersection of the easterly side of Hicksville-Jericho Road (NYS Route 106 and 107) with the northerly side of Village Drive;

RUNNING THENCE Northerly along the easterly side of Hicksville-Jericho Road (NYS Route 106 and 107) along the arc of a curve bearing to the right having a radius of 4075.00 feet, a distance of 70.01 feet;

THENCE North 62 degrees 30 minutes 55 seconds East, 92.58 feet;



THENCE South 79 degrees 21 minutes 22 seconds East, 68.02 feet;

THENCE North 62 degrees 30 minutes 55 seconds East, 167.66 feet to the westerly line of Map of Birchwood at Jericho, Section No. 3;

THENCE South 24 degrees 44 minutes 20 seconds West, along said Map, 45.71 feet to land now or formerly of A. & J. Jackson;

THENCE South 62 degrees 30 minutes 55 seconds West, along said land, 278.62 feet to the point or place of BEGINNING.

and be it further

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

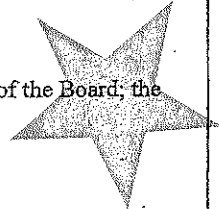
RESOLVED, That in accordance with the memorandum of Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, dated November 29, 2018, the seventeen (17) plans described herein are hereby approved.

#

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

Supervisor Saladino	13	Aye
Councilman Muscarella		Aye
Councilman Macagnone		Recused
Councilwoman Johnson		Recused
Councilman Imbroto		Aye
Councilman Hand		Aye
Councilman Labriola		Aye

cc: Supervisor  
Town Attorney  
Comptroller  
Planning & Development





Meeting of March 23, 2021

Corrected Copy  
Resolution No. 156-2021

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

WHEREAS, the Town Board 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, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated February 23, 2021, advised that claimant, GEICO General Insurance Company, a/s/o Kristen Cruz, alleges that their insured sustained damages to her 2020 Honda Pilot, Black Edition, when a Town dump truck pay load door struck her vehicle, while said vehicle was parked legally in front of her home at 158 Radcliff Drive, East Norwich, New York; and

WHEREAS, after extensive negotiations, the matter has settled with the Town for a total of \$12,496.96, in full resolution of all claims of claimant, and the Office of the Town Attorney recommends settling this matter for \$12,496.96,

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation as hereinabove set forth, 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 \$12,496.96, the payment of which sum is hereby authorized and approved by the Town Board, as full settlement to claimant, GEICO General Insurance Company, a/s/o of Kristen Cruz, with regard to Claim No. 2020-7834, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment therefor, in accordance with the procedures established under the Town's Self-Insurance Program, by issuing a check made payable to "GEICO General Insurance Company, a/s/o Kristen Cruz", in the amount of \$12,496.96, with funds for such payment 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

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

**TO** : MEMORANDUM DOCKET  
**FROM** : Office of the Town Attorney  
**DATE** : February 23, 2021  
**SUBJECT:** SETTLEMENT OF NEGLIGENCE CLAIM

Claimant: GEICO a/s/o Kristen Cruz v. Town of Oyster Bay

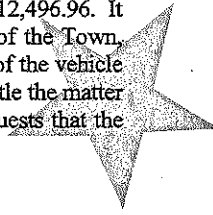
Claim No.: 2020-7834

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

The above referenced claim arose as a result of an incident that occurred on August 14, 2020, in front of the premises located at 158 Radcliff Drive, East Norwich. The insured's vehicle was a 2020 Honda Pilot, Black Edition (New York State License Plate: 5PD6129). The Honda Pilot was parked legally on the street in front of the insured's house, and was unoccupied at the time of the incident. A Town of Oyster Bay dump truck was passing between the Honda Pilot and a Town of Oyster Bay bucket truck that was parked on the opposite side of the street. As the dump truck passed between the two vehicles, its back gate clipped the bucket truck. The contact between the two vehicles caused the chain which held shut the swinging doors of the dump truck to fall off and onto the ground. The left door of the dump truck swung free, and as it did so, it hit the back and rear driver's side quarter panel of the Honda Pilot. The door caused extensive damage to the vehicle, including the destruction of the rear and side windows which had to be replaced. The amount of damage done to the Honda Pilot totaled \$12,496.96, including body work, part replacement, repainting, refinishing, parts, labor and towing fees. The statement given by the driver of the Town dump truck confirms the events described herein.

This matter cannot be settled for an amount lower than the total claim of \$12,496.96. It is this Office's opinion that this settlement is just, reasonable, and in the best interests of the Town, because liability on the part of the Town is clear. Moreover, the Kelley Blue Book value of the vehicle is listed as being between \$36,638.00 and \$39,127.00. Thus, it is more cost effective to settle the matter for the amount indicated. In light of the foregoing, the Office of the Town Attorney requests that the Town Board approve the proposed settlement.



We have attached a resolution authorizing payment of \$12,496.96, together with a copy of the General Release executed by Claimant, GEICO General Insurance Company a/s/o Kristen Cruz. Additionally, we have attached a copy of the body shop estimate, and the claim payment detail sheets. The funds for said payment are to be drawn from Account No. TWN AMS 1910 43020 602 0000 000.

FRANK M. SCALERA

TOWN ATTORNEY

*Ralph P. Healey*

Ralph P. Healey

Special Counsel

RPH:  
Attachments



TOWN ATTORNEY  
FRANK M. SCALERA

Office of the Town Attorney  
Town of Oyster Bay

SPECIAL COUNSEL  
RALPH P. HEALEY  
THOMAS M. SABELLICO

TOWN HALL  
54 AUDREY AVENUE  
OYSTER BAY, NY 11771  
(516) 624-6150  
FAX (516) 624-6196  
[www.oysterbaytown.com](http://www.oysterbaytown.com)

DEPUTY TOWN ATTORNEY  
PAUL S. EHRLICH  
ELIZABETH A. FAUGHNAN  
JEFFREY A. LESSER  
HAROLD B. MAYER, JR.  
MATTHEW M. ROZEA  
DENNIS P. SHEEHAN

ASSISTANT TOWN ATTORNEY  
MATTHEW D. FERNANDO  
SAMANTHA A. GOETZ  
CHARLES G. McQUAIR

January 22, 2021

GEICO  
P.O. Box 88  
Woodbury, NY 11797

Attention: Kayla Croson, Payment Recovery Unit

Re: In the Matter of the Claim of GEICO a/s/o Kristen Cruz v. Town of Oyster Bay

Your Claim No. 016214310 0101 073  
Matter ID No. 2020-7834

Dear Ms. Croson:

Enclosed herewith you will find a General Release for the sum of \$12,496.96, in connection with the above referenced matter.

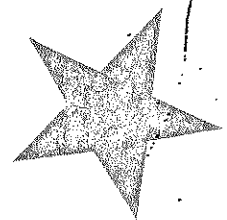
The General Release:

- a) Must be signed by Corporate Officer;
- b) Must list title (President, Vice-President, Assistant Vice-President); and
- c) If a Corporate Officer is not signing this Release, a Corporate Resolution *must be* attached, authorizing that signatory to sign Release.

The Notary is required to:

- 
- a) Print the name of the signatory after the words "personally appeared";
  - b) List the date;
  - c) List the state and county;
  - d) Affix the current Notary seal; and
  - e) Sign the verification.

  
OFFICE OF THE TOWN ATTORNEY  
FILE COPY



Please return the signed and notarized General Release to my attention at your earliest convenience.

If you have any questions, kindly contact the undersigned.

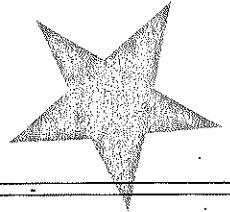
Very truly yours,

FRANK M. SCALERA  
TOWN ATTORNEY

Ralph P. Healey  
Special Counsel

RPH:mz  
Enclosure

OFFICE OF THE TOWN ATTORNEY  
FILE COPY



RPH  
5

# General Release

BE IT KNOWN, that GEICO a/s/o Kristen Cruz

P.O. Box 88

Woodbury, NY 11797

Claim No. 016214310 0101 073

as RELEASOR(S),

A corporation organized under the laws of the State of New York

in consideration of the sum of

TWELVE THOUSAND FOUR HUNDRED NINETY SIX 96/100— dollars. \$ 12,496.96

REC'D TOWN ATTORNEY  
21 FEB 16 AM 10:19

received from

THE TOWN OF OYSTER BAY

as RELEASEE,

the receipt of which is hereby acknowledged, releases and forever discharges

the RELEASEE, its officers, employees, agents, successors and assigns,

of and from all manner of actions, causes of action, suits, debts, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, executions, claims and demands whatsoever, in law or in equity, which the RELEASOR, its successors, assigns, heirs, executors, and administrators ever had, now have, or hereafter may have, against the RELEASEE, by reason of any matter, cause, or thing whatsoever, from the beginning of time to the date of this release.

It is further understood and agreed that this document contains the entire contents and terms of the settlement being entered into.

GEICO

Company Name

Kayla Croson - Senior Payment

By: (name and title) Recovery Examiner

*Kayla M Croson*  
Signature

02/09/2021

Date

## ACKNOWLEDGMENT

State of

, County of

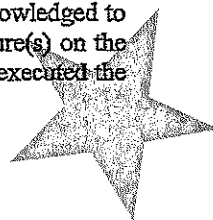
ss.:

On this 9 day of February, 2021, before me, the undersigned personally appeared

Kayla Croson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person/corporation upon behalf of which the individual(s) acted, executed the instrument.

*Wanda Lee Cantrell*  
(signature and office of individual taking acknowledgment)

Wanda Lee Cantrell  
Notary Public  
Commonwealth of Virginia  
Reg. No. 7354138  
My Commission Expires 10/31/2022

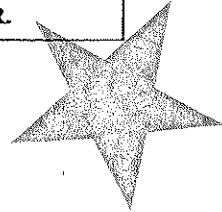


**GEICO**

■ Government Employees Insurance Company

P. O. BOX 9505  
FREDERICKSBURG, VA 22403

WHEN RESPONDING-  
PLEASE REFER TO OUR  
CLAIM NUMBER.



OFFICE OF THE TOWN ATTORNEY  
TOWN OF OYSTER BAY  
54 AUDREY AVENUE  
OYSTER BAY, NY 11771

REC'D TOWN ATTORNEY  
721 FEB 95 AM 10:17

Sensitivity: Confidential

Authority To File A Claim

**Purpose:** This form is used to document the fact that the officer or agent signing the Standard Form 95 (SF95) is authorized to act on behalf of the Company or Corporation filing the claim. This Form may not be signed by the agent signing the Standard Form 95 (SF95), but rather should be signed by that agent's supervisor or manager.

I, Charles C. Brown Jr., am the manager of Geico, One Geico Boulevard, Fredericksburg, Va. 22412, and in such capacity have access to the books and records of Geico.

Kayla Croson for Geico and has the power of authority to adjust and settle claims for and on behalf of Geico as its duly authorized agent.



Charles C. Brown, Jr.

\*\* This form must be signed by someone other than the person signing the SF 95.

RECEIVED ATTORNEY  
21 FEB 1974 10:19



RPH  
✓

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

NOVEMBER 20, 2020

TO : FRANK M. SCALERA/ TOWN ATTORNEY  
ATTENTION : RALPH P. HEALEY, SPECIAL COUNSEL

FROM : JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

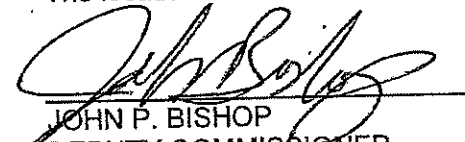
SUBJECT : NOTICE OF CLAIM  
CLAIMANT : GEICO A/S/O KRISTEN CRUZ  
CLAIM NO. : 2020-7834  
D/A : AUGUST 14, 2020

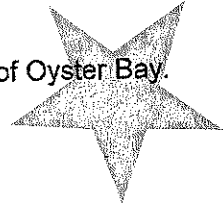
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In response to your November 6, 2020 memo the following is submitted concerning the above captioned.

Our records indicate that Eric Golden of the Highway Department was in an accident on August 14, 2020 on Radcliff Drive in East Norwich. Attached for your use is a copy of Mr. Golden's statement.

The location where the incident happened is within the jurisdiction of the Town of Oyster Bay.

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT



JPB/kjb

C: Ken Bishop, Engineering Aide 1  
Steve Kelly/Highway Supervisor 1 Sign Department

---



GEICO General Insurance Company

2020-7834

P.O. BOX 88  
Woodbury, NY 11797-2589

10/21/2020

Oyster Bay  
Town Clerk  
54 Audrey Ave  
Oyster Bay, NY 11771-1504

Company Name: GEICO General Insurance Company  
Claim Number: 016214310 0101 073  
Loss Date: Friday, August 14, 2020  
Policyholder: Kristen Cruz

Dear Town Clerk,

Please accept the attached form as our submission for subrogation.

If you have any questions, please contact me at the number listed below.

Sincerely,

Kayla Croson  
540-356-6168  
Payment Recovery Unit

Original to TA 11/2/20

ES0550 (07/2017)



CLAIM AGAINST OYSTER BAY  
VEHICULAR PROPERTY DAMAGE  
\*\*\*\*READ AND FOLLOW THE INSTRUCTIONS ON THE REVERSE SIDE\*\*\*\*  
TYPE OR PRINT ALL INFORMATION CLEARLY

DATE: 10/21/2020

OWNER'S INFORMATION

Kristen Cruz  
Full Name

158 Radcliff Dr East Norwich, NY 11732-1225  
Street Address

S.S.#

Home Tel#

Bus Tel#

COMPLETE VEHICULAR INFORMATION

2020  
Year

Honda  
Make

Pilot ex  
Model

UNKNOWN  
Plate

DRIVER'S INFORMATION

Full Name

Street Address

S.S.#

Home Tel#

Bus Tel#

INSURANCE INFORMATION

GEICO General Insurance Company  
Carrier Name

P.O. Box 88 Woodbury, NY 11797  
Street Address

Kayla Croson  
Contact

540-356-6168  
Tele #

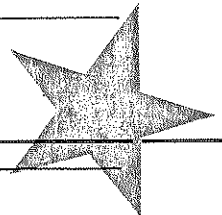
0162143100101073  
Claim Number

Do you have insurance? ☒ Yes ☐ No

Did you report the accident to your Insurance Company? ☒ Yes ☐ No

Were you paid by your Insurance Company? ☒ Yes ☐ No

\$1,000.00  
Amount of Deductible?



**ACCIDENT INFORMATION**

Date of Loss: August 14, 2020

Time of Loss: \_\_\_\_\_

Accident Location: 158 RADCLIFF DR, EAST NORWICH, NY, 11732

Detailed Accident Description: Oyster Bay struck GEICO's parked and unoccupied vehicle.

Did the Police Investigate the Accident: Yes

Officer's Name: \_\_\_\_\_  
Precinct: \_\_\_\_\_

Shield: \_\_\_\_\_  
Report Number: \_\_\_\_\_

**TOW CLAIMS**

Exact Date of Tow: \_\_\_\_\_

Time: \_\_\_\_\_

Exact Location Vehicle was towed from: \_\_\_\_\_

Location Vehicle was picked up at: \_\_\_\_\_

Receipt Number: \_\_\_\_\_ Voucher Number: \_\_\_\_\_

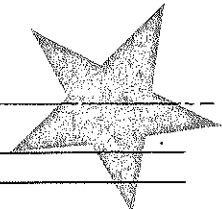
**LIST OF DAMAGES & COST**

DATE:	DESCRIPTION:	COST:
8/19/2020	Collision	\$11,496.96

TOTAL AMOUNT OF CLAIM: \_\_\_\_\_ \$12,496.96

**VEHICLE INFORMATION**

Municipality:	<u>Oyster Bay</u>
Address:	<u>54 Audrey Ave, Oyster Bay, NY, 11771-1504</u>
Agency/Employed By:	<u>Oyster Bay</u>
Vehicle:	<u>2020 INTERNATIONAL UNKNOWN</u>
License Plate:	<u>AM8385</u>



IM NT INSTRUCTIONS FOR FILING THIS 1

CLAIMS MUST BE FILED WITHIN 90 DAYS FROM THE DATE OF THE INCIDENT AT OYSTER BAY 54 AUDREY AVE, OYSTER BAY, NY, 11771-1504 . COMPLETE ALL OF THE QUESTIONS ON THE FORM WHICH APPLY TO YOUR CLAIM.

PURSUANT TO STATE AND FEDERAL LAWS, THE COMPTROLLER'S OFFICE IS AUTHORIZED TO OBTAIN SOCIAL SECURITY NUMBERS FOR TAX PURPOSES AND FOR THE COLLECTION OF LIENS HELD BY THE CITY AND STATE.

COPIES OF THE FOLLOWING ARE ENCLOSED:

- ITEMIZED STATEMENTS OF ESTIMATES OF DAMAGES.
- ITEMIZED PAID BILLS, CANCELLED CHECKS, ETC. AS PROOF OF PAYMENT FOR THE REPAIR OF THE DAMAGE.
- PHOTOGRAPHS OF DAMAGE DONE TO THE VEHICLE, IF AVAILABLE, WITH YOUR NAME AND ADDRESS PRINTED CLEARLY BEHIND EACH ONE SUBMITTED.
- PHOTOGRAPHS OF THE DEFECTIVE STREET OR ROADWAY, IF AVAILABLE.
- NOTARIZED WITNESS STATEMENTS, IF AVAILABLE.
- COPIES OF REGISTRATION, DRIVER LICENSE, TITLE AND LEASE AGREEMENT, IF APPLICABLE, VALID AT THE TIME OF THE ACCIDENT.

NOTARY CERTIFICATION

Signature/ Title:

Kayla M Croson  
CLAIMS SUPERVISOR

Date: 10/20/20

State of ~~New York~~ VA ss:

County of ~~Nassau~~ Stafford

Kayla Croson

Being duly sworn deposes and says that I have read the foregoing NOTICE OF CLAIM and know the contents thereof, that the same is true to the best of my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

Signature of Claimant:

Kayla M Croson

Date: 10/20/20

IMPORTANT: IF THE CLAIM IS NOT SETTLED, YOU MUST START LEGAL ACTION WITHIN ONE YEAR AND NINETY DAYS FROM THE DATE OF THE INCIDENT.

Subscribed and sworn to before me this 20 day of October 20 20

Wanda Lee Cantrell  
Notary Public Signature

Please provide the relevant information for the following applicable items and return this form promptly along with the main claim form.

CONDITIONS & DESCRIPTION OF ACCIDENT/INCIDENT LOCATION

Wanda Lee Cantrell  
Notary Public

Select the Actions of the vehicle before the accident:

Commonwealth of Virginia  
Reg. No. 7354138

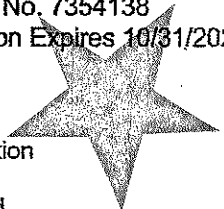
Yours NYC

Yours NYC

My Commission Expires 10/31/2022

- |                          |                          |                                   |
|--------------------------|--------------------------|-----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | - Going Straight Ahead            |
| <input type="checkbox"/> | <input type="checkbox"/> | - Making a Right Turn             |
| <input type="checkbox"/> | <input type="checkbox"/> | - Making a Left Turn              |
| <input type="checkbox"/> | <input type="checkbox"/> | - Making a U-Turn                 |
| <input type="checkbox"/> | <input type="checkbox"/> | - Starting From A Parked Position |
| <input type="checkbox"/> | <input type="checkbox"/> | - Starting in Traffic             |

- |                          |                          |                              |
|--------------------------|--------------------------|------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | - Slowing or Stopping        |
| <input type="checkbox"/> | <input type="checkbox"/> | - Stopped in Traffic         |
| <input type="checkbox"/> | <input type="checkbox"/> | - Entering a Parked Position |
| <input type="checkbox"/> | <input type="checkbox"/> | - Parked                     |
| <input type="checkbox"/> | <input type="checkbox"/> | - Avoiding Object in Road    |



Yours NYC

ROADWAY/SUR. CONDITIONS:

- ☐ ☐ - Overtaking  
☐ ☐ - Merging  
☐ ☐ - Backing  
☐ ☐ - Changing Lanes  
☐ ☐ - Other \_\_\_\_\_

- ☐ - Dry ☐ - Wet  
☐ - Muddy ☐ - Snow/Ice  
☐ - Slush ☐ - Other  
☐ - Construction (man-made cut)  
☐ - Pothole (wear & tear condition)

WEATHER:

TRAFFIC CONTROL:

Yours NYC

- ☐ - Clear  
☐ - Rain  
☐ - Snow  
☐ - Fog/Smog/Smoke  
☐ - Sleet/Hail/Freezing Rain  
☐ - Other \_\_\_\_\_

- ☐ ☐ - None  
☐ ☐ - Red  
☐ ☐ - Yellow  
☐ ☐ - Green  
☐ ☐ - Yield Sign  
☐ ☐ - Stop Sign  
☐ ☐ - Flashing Light  
☐ ☐ - Not Working  
☐ ☐ - Person Directing Traffic  
☐ ☐ - Other \_\_\_\_\_

Accident Diagram: PLEASE USE THE DIAGRAM TO ILLUSTRATE THE EXACT LOCATION OF THE ROADWAY OR SIDEWALK DEFECT: Number all the Vehicles  
(Your Vehicle is #: 1 and NYC is #: 2)

Diagram area with two sets of horizontal lines and vertical markers for vehicle positions.

(a) What caused the accident?

Four horizontal lines for text entry.

(b) Is the location under repair? Yes \_\_\_\_\_

No \_\_\_\_\_

(c) Were the repairs recently completed? Yes \_\_\_\_\_

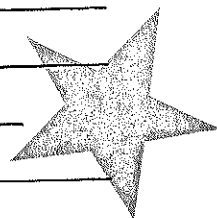
No \_\_\_\_\_

If YES, When? \_\_\_\_\_

(d) Does the defect appear to be man-made? Yes \_\_\_\_\_

No \_\_\_\_\_

If YES, explain whether this defect was a construction cut in the roadway or sidewalk:



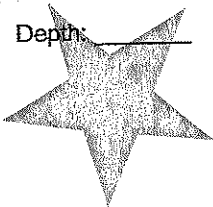
\_\_\_\_\_  
\_\_\_\_\_

(e) Name of construction company (If Known): \_\_\_\_\_

(f) Was the defect next to a man hole? Yes \_\_\_\_\_ No \_\_\_\_\_

If YES, please specify which utility (BY NAME): \_\_\_\_\_

Measurement of the defect? Length: \_\_\_\_\_ Width: \_\_\_\_\_ Depth: \_\_\_\_\_





GEICO General Insurance Company

2020-7834

P.O. BOX 88  
Woodbury, NY 11797-2589

10/21/2020

Oyster Bay  
Town Clerk  
54 Audrey Ave  
Oyster Bay, NY 11771-1504

Company Name:	GEICO General Insurance Company
Claim Number:	016214310 0101 073
Loss Date:	Friday, August 14, 2020
Policyholder:	Kristen Cruz

Dear Town Clerk,

Please accept the attached form as our submission for subrogation.

If you have any questions, please contact me at the number listed below.

Sincerely,

Kayla Croson  
540-356-6168  
Payment Recovery Unit

Original to TA 11/2/20

ES0550 (07/2017)





CLAIM AGAINST OYSTER BAY  
VEHICULAR PROPERTY DAMAGE  
\*\*\*\*READ AND FOLLOW THE INSTRUCTIONS ON THE REVERSE SIDE\*\*\*\*  
TYPE OR PRINT ALL INFORMATION CLEARLY

DATE: 10/21/2020

OWNER'S INFORMATION

Kristen Cruz  
Full Name

158 Radcliff Dr East Norwich, NY 11732-1225  
Street Address

S.S.#

Home Tel#

Bus Tel#

COMPLETE VEHICULAR INFORMATION

2020  
Year

Honda  
Make

Pilot ex  
Model

UNKNOWN  
Plate

DRIVER'S INFORMATION

Full Name

Street Address

S.S.#

Home Tel#

Bus Tel#

INSURANCE INFORMATION

GEICO General Insurance Company  
Carrier Name

P.O. Box 88 Woodbury, NY 11797  
Street Address

Kayla Croson  
Contact

540-356-6168  
Tele #

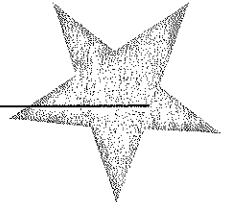
0162143100101073  
Claim Number

Do you have insurance? ☒ Yes ☐ No

Did you report the accident to your Insurance Company? ☒ Yes ☐ No

Were you paid by your Insurance Company? ☒ Yes ☐ No

\$1,000.00  
Amount of Deductible?



**ACCIDENT INFORMATION**

Date of Loss: August 14, 2020

Time of Loss: \_\_\_\_\_

Accident Location: 158 RADCLIFF DR, EAST NORWICH, NY, 11732

Detailed Accident Description: Oyster Bay struck GEICO's parked and unoccupied vehicle.

Did the Police Investigate the Accident: Yes

Officer's Name: \_\_\_\_\_

Shield: \_\_\_\_\_

Precinct: \_\_\_\_\_

Report Number: \_\_\_\_\_

**TOW CLAIMS**

Exact Date of Tow: \_\_\_\_\_

Time: \_\_\_\_\_

Exact Location Vehicle was towed from: \_\_\_\_\_

Location Vehicle was picked up at: \_\_\_\_\_

Receipt Number: \_\_\_\_\_ Voucher Number: \_\_\_\_\_

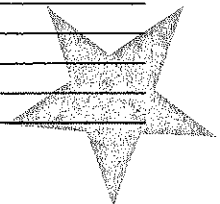
**LIST OF DAMAGES & COST**

DATE:	DESCRIPTION:	COST:
<u>8/19/2020</u>	<u>Collision</u>	<u>\$11,496.96</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL AMOUNT OF CLAIM: \_\_\_\_\_ \$12,496.96

**VEHICLE INFORMATION**

Municipality: Oyster Bay  
Address: 54 Audrey Ave, Oyster Bay, NY, 11771-1504  
Agency/Employed By: Oyster Bay  
Vehicle: 2020 INTERNATIONAL UNKNOWN  
License Plate: AM8385



**IMPORTANT INSTRUCTIONS FOR FILING THIS CLAIM**

CLAIMS MUST BE FILED WITHIN 90 DAYS FROM THE DATE OF THE INCIDENT AT OYSTER BAY 54 AUDREY AVE, OYSTER BAY, NY, 11771-1504 . COMPLETE ALL OF THE QUESTIONS ON THE FORM WHICH APPLY TO YOUR CLAIM.

PURSUANT TO STATE AND FEDERAL LAWS, THE COMPTROLLER'S OFFICE IS AUTHORIZED TO OBTAIN SOCIAL SECURITY NUMBERS FOR TAX PURPOSES AND FOR THE COLLECTION OF LIENS HELD BY THE CITY AND STATE.

COPIES OF THE FOLLOWING ARE ENCLOSED:

- ITEMIZED STATEMENTS OF ESTIMATES OF DAMAGES.
- ITEMIZED PAID BILLS, CANCELLED CHECKS, ETC. AS PROOF OF PAYMENT FOR THE REPAIR OF THE DAMAGE.
- PHOTOGRAPHS OF DAMAGE DONE TO THE VEHICLE, IF AVAILABLE, WITH YOUR NAME AND ADDRESS PRINTED CLEARLY BEHIND EACH ONE SUBMITTED.
- PHOTOGRAPHS OF THE DEFECTIVE STREET OR ROADWAY, IF AVAILABLE.
- NOTARIZED WITNESS STATEMENTS, IF AVAILABLE.
- COPIES OF REGISTRATION, DRIVER LICENSE, TITLE AND LEASE AGREEMENT, IF APPLICABLE, VALID AT THE TIME OF THE ACCIDENT.

**NOTARY CERTIFICATION**

Signature/ Title: Kayla M Croson  
CLAIMS SUPERVISOR

Date: 10/20/20

State of ~~New York~~ VA ss:  
County of ~~Nassau~~ Stafford

Kayla Croson Being duly sworn deposes and says that I have read the foregoing NOTICE OF CLAIM and know the contents thereof, that the same is true to the best of my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

Signature of Claimant: Kayla M Croson

Date: 10/20/20

IMPORTANT: IF THE CLAIM IS NOT SETTLED, YOU MUST START LEGAL ACTION WITHIN ONE YEAR AND NINETY DAYS FROM THE DATE OF THE INCIDENT.

Subscribed and sworn to before me this 20 day of October 20 20

Wanda Lee Cantrell  
Notary Public Signature

Please provide the relevant information for the following applicable items and return this form promptly along with the main claim form.

**CONDITIONS & DESCRIPTION OF ACCIDENT/INCIDENT LOCATION**

Wanda Lee Cantrell  
Notary Public

Select the Actions of the vehicle before the accident:

Commonwealth of Virginia  
Reg. No. 7354138

My Commission Expires 10/31/2022

Yours NYC

Yours NYC

- |                          |                          |                                   |
|--------------------------|--------------------------|-----------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | - Going Straight Ahead            |
| <input type="checkbox"/> | <input type="checkbox"/> | - Making a Right Turn             |
| <input type="checkbox"/> | <input type="checkbox"/> | - Making a Left Turn              |
| <input type="checkbox"/> | <input type="checkbox"/> | - Making a U-Turn                 |
| <input type="checkbox"/> | <input type="checkbox"/> | - Starting From A Parked Position |
| <input type="checkbox"/> | <input type="checkbox"/> | - Starting in Traffic             |

- |                          |                          |                              |
|--------------------------|--------------------------|------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | - Slowing or Stopping        |
| <input type="checkbox"/> | <input type="checkbox"/> | - Stopped in Traffic         |
| <input type="checkbox"/> | <input type="checkbox"/> | - Entering a Parked Position |
| <input type="checkbox"/> | <input type="checkbox"/> | - Parked                     |
| <input type="checkbox"/> | <input type="checkbox"/> | - Avoiding Object in Road    |

Yours    NYC

ROADWAY/SURFACE CONDITIONS:

- ☐ ☐ - Overtaking  
☐ ☐ - Merging  
☐ ☐ - Backing  
☐ ☐ - Changing Lanes  
☐ ☐ - Other \_\_\_\_\_

- ☐ - Dry    ☐ - Wet  
☐ - Muddy    ☐ - Snow/Ice  
☐ - Slush    ☐ - Other  
☐ - Construction (man-made cut)  
☐ - Pothole (wear & tear condition)

WEATHER:

TRAFFIC CONTROL:

Yours    NYC

- ☐ - Clear  
☐ - Rain  
☐ - Snow  
☐ - Fog/Smog/Smoke  
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- ☐ ☐ - None  
☐ ☐ - Red  
☐ ☐ - Yellow  
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☐ ☐ - Yield Sign  
☐ ☐ - Stop Sign  
☐ ☐ - Flashing Light  
☐ ☐ - Not Working  
☐ ☐ - Person Directing Traffic  
☐ ☐ - Other \_\_\_\_\_

Accident Diagram: PLEASE USE THE DIAGRAM TO ILLUSTRATE THE EXACT LOCATION OF THE ROADWAY OR SIDEWALK DEFECT: Number all the Vehicles  
(Your Vehicle is #: 1 and NYC is #: 2)


(a) What caused the accident?

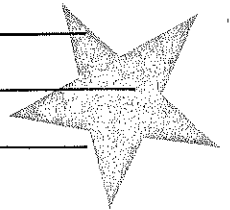

(b) Is the location under repair? Yes \_\_\_\_\_ No \_\_\_\_\_

(c) Were the repairs recently completed? Yes \_\_\_\_\_ No \_\_\_\_\_

If YES, When? \_\_\_\_\_

(d) Does the defect appear to be man-made? Yes \_\_\_\_\_ No \_\_\_\_\_

If YES, explain whether this defect was a construction cut in the roadway or sidewalk:



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

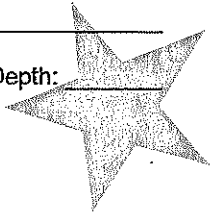
(e) Name of construction company (If Known): \_\_\_\_\_

(f) Was the defect next to a man hole? Yes \_\_\_\_\_ No \_\_\_\_\_

If YES, please specify which utility (BY NAME): \_\_\_\_\_

Measurement of the defect? Length: \_\_\_\_\_ Width: \_\_\_\_\_

Depth: \_\_\_\_\_



GEICO

02

Request a Supplement at  
Partners.Geico.com  
750 Woodbury rd  
Woodbury, NY 11797  
Phone: (631) 317-7850  
Fax: (833) 959-1741

Claim #: 0162143100101073-01  
Workfile ID: 0108dc86

Estimate of Record

Written By: TRAVIS BARNES, License Number: IA1601734, 08/19/2020 1:08:28 PM  
Adjuster: Barnes, Travis

Insured: Kristen Cruz      Owner Policy #: 0494271406      Claim #: 0162143100101073-01  
Type of Loss: Collision      Date of Loss: 08/14/2020 07:55 AM      Days to Repair: 18  
Point of Impact: 07 Left Rear      Deductible: 1000.00

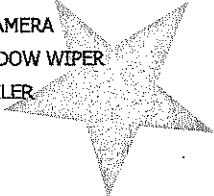
<b>Owner (Insured):</b> Kristen Cruz 158 Raddliff Dr East Norwich, NY 11732 [REDACTED]	<b>Inspection Location:</b> NORTH FORK AUTO BODY NORTH FORK AUTO BODY 26 Edgar Ave Aquebogue, NY 11931 Field (631) 722-4290 Day	<b>Repair Facility:</b> NORTH FORK AUTO BODY P.O. BOX 2274 AQUEBOGUE, NY 11931 (631) 722-4290 Business 463654822 Federal ID 7116931 License Number NORTHFORKAUTOBODY@GMAIL.COM
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VEHICLE

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

VIN: 5FNYF6H74LB003320	Production Date:	Interior Color:
License: JPD6129	Odometer: 4271	Exterior Color: BLACK
State: NY	Condition: Good	

<b>TRANSMISSION</b> AUTOMATIC TRANSMISSION 4 WHEEL DRIVE <b>DRIVER CONVENIENCE</b> KEYLESS ENTRY REMOTE STARTER MESSAGE CENTER POWER DRIVER SEAT POWER WINDOWS POWER LOCKS POWER MIRRORS HEATED MIRRORS POWER TRUNK/GATE RELEASE CRUISE CONTROL INTELLIGENT CRUISE	HOME LINK <b>INSTRUMENT PANEL</b> TRACTION CONTROL STABILITY CONTROL BLIND SPOT DETECTION LANE DEPARTURE WARNING ALARM AIR CONDITIONING CLIMATE CONTROL REAR DEFOGGER HANDS FREE DEVICE NAVIGATION SYSTEM <b>RADIO</b> AM RADIO FM RADIO	SKYVIEW ROOF <b>SAFETY</b> DRIVERS SIDE AIR BAG PASSENGER AIR BAG FRONT SIDE IMPACT AIR BAGS HEAD/CURTAIN AIR BAGS <b>PAINT</b> CLEARCOAT PAINT <b>FRONT END</b> FOG LAMPS XENON HEADLAMPS POWER STEERING POWER BRAKES ANTI-LOCK BRAKES (4) <b>GLASS &amp; MIRRORS</b>	POWER PASSENGER SEAT VENTILATED SEATS HEATED SEATS REAR HEATED SEATS 3RD ROW SEAT <b>REAR CONVENIENCE</b> DUAL AIR CONDITIONING ENTERTAINMENT CENTER <b>DECOR</b> LUGGAGE/ROOF RACK <b>REAR END</b> PARKING SENSORS BACKUP CAMERA REAR WINDOW WIPER REAR SPOILER
--	--	--	--



Estimate of Record

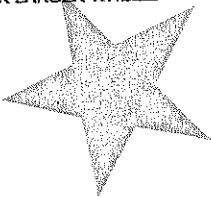
2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

INTERMITTENT WIPERS  
TILT WHEEL  
TELESCOPIC WHEEL  
STEERING WHEEL TOUCH  
CONTROLS  
CONSOLE/STORAGE  
OVERHEAD CONSOLE

STEREO  
SEARCH/SEEK  
AUXILIARY AUDIO CONNECTION  
SATELLITE RADIO  
  
**ROOF**  
ELECTRIC GLASS ROOF

DUAL MIRRORS  
SIGNAL INTEGRATED MIRRORS  
PRIVACY GLASS  
**SEATS**  
  
LEATHER SEATS  
BUCKET SEATS

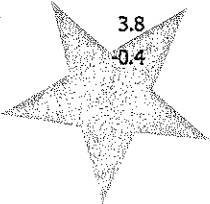
**WHEELS**  
4-WHEEL DISC BRAKES  
20" OR LARGER WHEELS



Estimate of Record

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1	WHEELS						
2	Repl	RT/Rear Wheel, alloy 20"	42700TG7A82	1	578.97 m	0.3	
3	RESTRAINT SYSTEMS						
4	R&I	LT Head air bag	78875TG7A81		m	0.5	
5	Repl	LT Outer belt assy w/leather gray	04868TG7A01ZB	1	89.82	0.5	
6	Repl	Air bag system diagnosis		1	m	0.5	
7	R&I	LT Outer belt assy gray	04828TG7A00ZB			0.5	
8	SEATS & TRACKS						
9	R&I	LT R&I second row seat				Incl.	
10	R&I	LT R&I third row seat				Incl.	
11	R&I	RT R&I third row seat				0.4	
12	ROOF						
13	R&I	LT Roof rail	75260TG7A02			0.5	
14	R&I	LT Roof molding w/roof rails	74316TG7A12			0.1	
15	R&I	R&I headliner	83201TG7A72ZB			3.3	
16	Repl	LT Roof trim LX, EX, EX-L gray	83275TG7A01ZB	1	21.55	Incl.	
17	PILLARS, ROCKER & FLOOR						
18	R&I	RT Rocker molding	71800TG7A00			0.6	
19	R&I	LT Rocker molding	71850TG7A00			0.6	
20	FRONT DOOR						
21	Blnd	LT Outer panel	67151TG7325ZZ				1.2
22	R&I	LT Surround w'strip	72350TG7A01			0.3	
23	R&I	LT Belt molding	72450TG7A03			0.3	
24	R&I	LT Applique gloss black	72470TG7A11			0.2	
25	R&I	LT Mirror cover w/o LX crystal black	76251TG7A31ZD			0.3	
26	R&I	LT Moveable glass Honda w/o acoustic glass	73350TG7A10			0.5	
27	R&I	LT Handle, outside w/body-color black	72181TG7A81ZD			0.5	
28	R&I	LT R&I trim panel	83551TG7A34ZB			0.4	
29	REAR DOOR						
30	Repl	LT Door shell w/sunshade (HSS)	67550TG7A11ZZ	1	1,123.33	5.3	3.4
31	Repl	LT Surround w'strip	72850TG7A02	1	100.83	0.5	
32	Repl	LT Upper molding	72965TG7A01	1	35.45		
33	Repl	LT Rear molding gloss black	72955TG7A31	1	52.87	0.2	
34	Repl	LT Applique gloss black	72970TG7A11	1	47.88	Incl.	
35	QUARTER PANEL						
36	Repl	LT Quarter panel w/o LX	04646TG7A90ZZ	1	1,011.42	19.5	3.8
37		Overlap Major Adj. Panel					0.4
38	Repl	LT Wheelhouse liner	74556TG7A00	1	43.73	Incl.	
39	Repl	LT Wheel flare	74450TG7A02	1	41.53	Incl.	

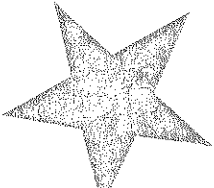




Estimate of Record

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

40		Repl	LT Quarter glass Honda all	73550TG7A01	1	460.25	Incl.	
41		Repl	LT Inner panel assy w/skyview (UHS)	64710TG7306ZZ	1	522.80 s	3.5	0.5
42	*	Rpr	LT Filler panel	74515TG7A00			2.0	0.4
			NOTE: BURN TIME					
43	#		ADJ FOR PANEL BONDING ADHESIVE		1	42.00	0.3	
44		R&I	Fuel door	63910TG7A00ZZ			0.1	
45		Refrn	Fuel door	63910TG7A00ZZ				0.3
46		Repl	LT Extension (UHS)	64720TG7315ZZ	1	320.90 s	3.5	
47		Repl	LT Inner wheelhouse 4WD, w/power liftgate (HSS)	64730TG7A00ZZ	1	351.38 s	3.0	0.8
48			Overlap Minor Panel					-0.2
49		Repl	LT Pillar trim w/captains chair's gray	84181TG7A11ZB	1	28.03	Incl.	
50		Repl	LT Side trim panel w/woofer	84667TG7A01ZA	1	350.33	Incl.	
51			REAR BODY & FLOOR					
52	*	Rpr	Rear body panel	65750TG7A00ZZ			1.0	1.2
53			Overlap Major Adj. Panel					-0.4
54	*	R&I	Carpet	83303TG7A00ZA			1.5	
			NOTE: TIME IS TO R&I CARPET AND TRUNK TRIM					
55			LIFT GATE					
56		R&I	R&I liftgate assy	68100TG7A30ZZ			1.6	
57		R&I	Spoiler black	74900TG7A51ZD			1.0	
58	*	Rpr	Spoiler black	74900TG7A51ZD			1.0	1.2
59			Overlap Major Non-Adj. Panel					-0.2
60			Clear Coat					2.5
61			REAR LAMPS					
62		Repl	LT Tail lamp assy	33550TG7A11	1	324.63	Incl.	
63			REAR BUMPER					
64			O/H bumper assy	NONE			2.0	
65			Deduct for Rear Bumper R&I				-1.1	
66	*	Rpr	Bumper cover	04715TG7A50ZZ			1.0	2.6
67			Add for Clear Coat					1.0
68			VEHICLE DIAGNOSTICS					
69	*	Repl	Pre-repair scan ADJ		1	119.95 m	0.5	
70	*	Repl	Post-repair scan ADJ		1	50.00 m	0.5	
71			MISCELLANEOUS OPERATIONS					
72	#	Rpr	Color Match				0.3	
73	#		Car Cover / Bagging PRIME		1			0.2
74	#	Subl	Seam Sealer ADJ		1	10.00		
75	#		Car Cover / Bagging PAINT		1			0.2
76	#	Rpr	Wet Sand & Polish ADJ				0.3	
77	#		Restore Corrosion Protection		1	10.00	0.2	
78	#	Subl	Flex Additive		1	5.00		



Estimate of Record

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

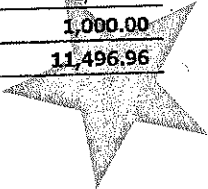
79	#	R&I	D&R Battery ADJ			0.1	
80	#	Rpr	Setup & Measure			2.0	
81	#	Rpr	Pinch Welds			0.5	0.5
82	#	Rpr	Pull & Square			4.0	
83	**	Subl	A/M Glass Kit	1	25.00		
84	#	Repl	Sound-Deadening Foam	1	20.00		
85	#	Subl	Suspension Alignment	1	89.99		
86	#	Refn	Spray-Out Panel ADJ				0.5
87	#		Mask Jamb ADJ	1	5.00	0.5	
88	#		Expense for COVID-19 Disinfecting	1	15.00	0.5	
89	#		BROKEN GLASS CLEAN UP	1		2.0	
			NOTE: TIME IS TO CLEAN BROKEN GLASS FROM CARPETS AND PERFORATED SEATS				
90	#		CONCESSION FOR AP	1	190.50		
91	#		CONCESSION FOR MITCHELL	1	259.51		
92	OTHER CHARGES						
93	#		Towing	1	476.32		
94	#		E.P.C.	1	3.41		
SUBTOTALS					6,827.38	67.6	19.1

NOTES

Prior Damage Notes:  
NONE VISABLE

ESTIMATE TOTALS

Category	Basis		Rate	Cost \$
Parts				6,347.65
Body Labor	67.6 hrs	@	\$ 48.00 /hr	3,244.80
Paint Labor	19.1 hrs	@	\$ 48.00 /hr	916.80
Paint Supplies	19.1 hrs	@	\$ 27.00 /hr	515.70
Other Charges				479.73
Subtotal				11,504.68
Sales Tax	\$ 11,504.68	@	8.6250 %	992.28
Total Cost of Repairs				12,496.96
Deductible				1,000.00
Total Adjustments				1,000.00
Net Cost of Repairs				11,496.96



**Estimate of Record**

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

This is not an authorization to repair.

All GEICO customers have the right to have their vehicle repaired in the shop of their choice.

No Supplement will be honored unless authorized by GEICO.

NOTICE: Vehicles constructed of special metals may require the use of specialized welding and bonding equipment. Proper measuring and structural repair systems are required on today's vehicle to accurately accomplish vehicle repairs. Make sure your shop has the proper equipment to repair your vehicle.

**ALTERNATE PARTS DISCLAIMER:**

IF A QUALITY REPLACEMENT PART (A/M, LKQ, RECOND OR OPT OEM) APPEARS ON THIS ESTIMATE, IT INDICATES THAT THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. GUARANTEES, IF ANY, APPLICABLE TO THESE REPLACEMENT CRASH PARTS ARE PROVIDED BY THE PART MANUFACTURER OR DISTRIBUTOR RATHER THAN BY THE MANUFACTURER OF YOUR VEHICLE.

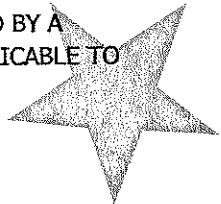
\*\*\*IN ADDITION TO ANY SUCH GUARANTEES, GEICO PROVIDES THE FOLLOWING:

\*\*\*\*OWNER LIMITED GUARANTEE\*\*\*\* WE GUARANTEE THAT ALL QUALITY REPLACEMENT BODY PARTS (PARTS NOT MANUFACTURED BY THE MANUFACTURER) IDENTIFIED ON YOUR ESTIMATE, ARE FREE OF DEFECTS IN MATERIAL AND WORKMANSHIP AND MEET GENERALLY ACCEPTED INDUSTRY STANDARDS. THIS PARTS AND LABOR GUARANTEE WILL BE IN EFFECT FOR AS LONG AS YOU OWN THE VEHICLE DESCRIBED IN THE ESTIMATE. THIS GUARANTEE COVERS THE COST OF THE PART, LABOR TO INSTALL, AND INCIDENTALS SUCH AS PAINT AND MATERIALS AND IS SPECIFICALLY LIMITED TO THOSE ITEMS. THIS GUARANTEE DOES NOT COVER LOSS OR DAMAGE THAT IS UNRELATED TO DEFECTS IN THE QUALITY REPLACEMENT PARTS. THIS IS NOT TRANSFERABLE. IF ANY QUALITY REPLACEMENT PARTS ARE DEFECTIVE IN EITHER MATERIAL OR WORKMANSHIP, CONTACT YOUR LOCAL GEICO REPRESENTATIVE.

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

You are entitled to the return of all replaced parts, except warranty and exchange parts, but you must ask for them in writing before any work is done. If you authorize work by phone, the shop must keep any replaced parts, and make them available when you pick up the vehicle.

THE PREPARATION OF THIS ESTIMATE MAY HAVE BEEN BASED ON THE USE OF CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THERE ARE WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS. THESE WARRANTIES ARE PROVIDED BY THE MANUFACTURER AND/OR DISTRIBUTOR OF THE PARTS RATHER THAN BY THE ORIGINAL MANUFACTURER OF YOUR VEHICLE.



## Estimate of Record

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide ARG4457, CCC Data Date 08/10/2020, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehide dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (\*) or Double Asterisk (\*\*) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2021 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

### SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category.  
X=Miscellaneous Non-Taxed charge category.

### SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category.  
M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

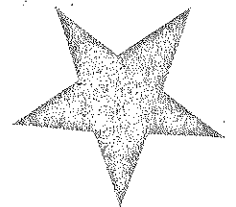
### OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel.  
CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel.  
HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non  
Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace.  
R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel.  
Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway  
Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

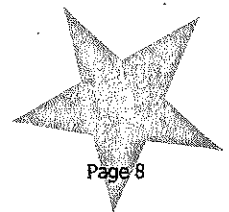


**Estimate of Record**

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2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

PURSUANT TO SECTION 2610 OF THE INSURANCE LAW, AN INSURANCE COMPANY CANNOT REQUIRE THAT REPAIRS BE MADE TO A MOTOR VEHICLE IN A PARTICULAR PLACE OR REPAIR SHOP. YOU HAVE THE RIGHT TO HAVE YOUR VEHICLE REPAIRED IN THE SHOP OF YOUR CHOICE.



Estimate of Record

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

ALTERNATE PARTS USAGE

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

VIN: 5FNYP6H74LB003320

License: JPD6129

State: NY

Production Date:

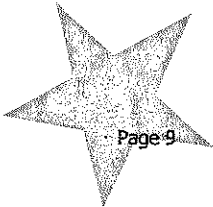
Odometer: 4271

Condition: Good

Interior Color:

Exterior Color: BLACK

Alternate Part Type	# Of Available Parts	# Of Parts Selected
Aftermarket	0	1
Optional OEM	0	0
Reconditioned	0	0
Recycled	0	0



Estimate of Record

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

RECALL INFO

2020 HOND Pilot Black Edition AWD 4D UTV 6-3.5L Gasoline Gasoline Direct Injection BLACK

VIN:	5FNYF6H74LB003320	Production Date:		Interior Color:	
License:	JPD6129	Odometer:	4271	Exterior Color:	BLACK
State:	NY	Condition:	Good		

The National Highway Transportation and Safety Administration (NHTSA) has issued 2 safety-related recall notice(s) that may apply to the selected vehicle.

NHTSA ID:20V067000

Issued:Feb 2, 20

Number of Vehicles:00010050

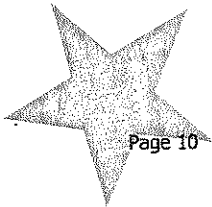
EQUIPMENT:OTHER:LABELS Honda (American Honda Motor Co.) is recalling certain 2020 Passport and Pilot vehicles. The certification label may have been printed with ink that can be wiped away with a solvent, removing the Gross Axle Weight Rating (GAWR) and Gross Vehicle Weight Rating (GVWR) information. If the operator is unable to refer to the label information, the vehicle may be overloaded, increasing the risk of a crash. Honda will notify owners, and dealers will replace the certification label, free of charge. The recall began March 24, 2020. Owners may contact Honda customer service at 1-888-234-2138. Honda's number for this recall is B6T.

NHTSA ID:19V784000

Issued:Oct 10, 19

Number of Vehicles:00000010

STRUCTURE:BODY Honda (American Honda Motor Co.) is recalling certain 2019-2020 Pilot and 2019 Passport vehicles. The front frame left and right side upper members may not have been welded completely to the unibody. As such, these vehicles may fail to comply with the requirements of Federal Motor Vehicle Safety Standard (FMVSS) numbers 208, "Occupant Crash Protection" and 219, "Windshield Zone Intrusion." In the event of a crash, incomplete body welding may provide inadequate protection to occupants, increasing the risk of an injury. Honda will notify owners, and dealers will inspect the vehicle for missing welds, free of charge. If the vehicle is identified as missing welds, the dealer will offer to repurchase the vehicle or provide a similar replacement vehicle. Owner notification began November 6 2019. Owners may contact Honda customer service at 1-888-234-2138. Honda's number for this recall is X6J.



Trade-In Value

\$36,638

Trade-in Value

\$37,885

1

Important info & definitions

KELLEY

BLUEBOOK

OFFICIAL

Condition: Excellent

Valid for ZIP Code 11732 through 02/23/2021

3.3 (189 Ratings)

Write a review

## Track This Car's Value

Be the first to know when this vehicle's trade-in value changes by more than 2%.

Email Address

Yes, I would like to receive pricing



Home / What's My Car Worth / Category & Style / Options & Condition / Black Edition Sport Utility 4D

Advertisement



My Car's Value

## 2020 Honda Pilot Black Edition Sport Utility 4D

near East Norwich, NY 11732 Mileage: 4,271 Edit Options 3.3 (189 Ratings) Write a review



Recalls: 4 Recalls Found  
Is my car affected?



Repair Estimator: See Pricing  
What's a fair price?

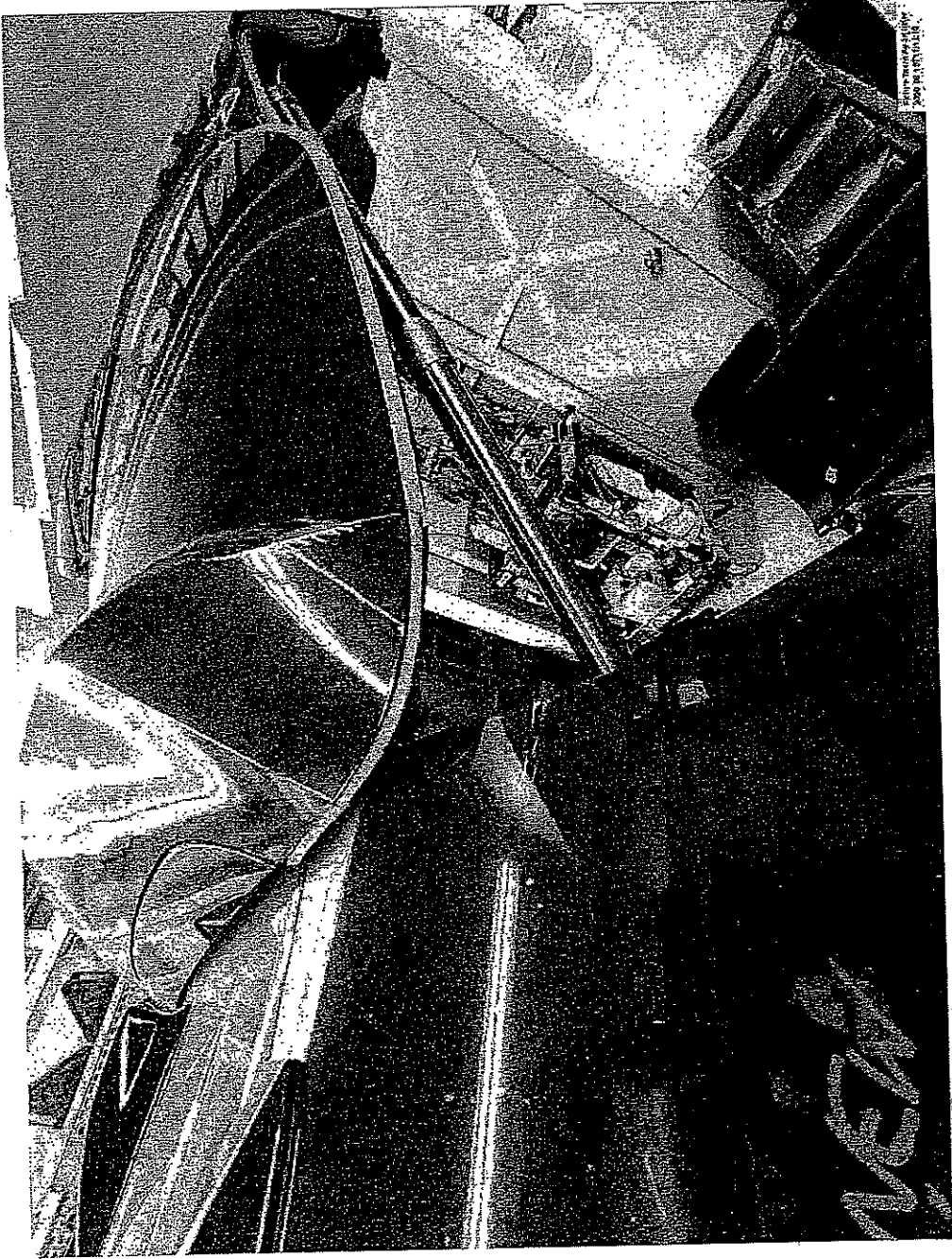
## Compare Your Values

Use these values to help make a confident decision on whether to sell, trade or donate your car.

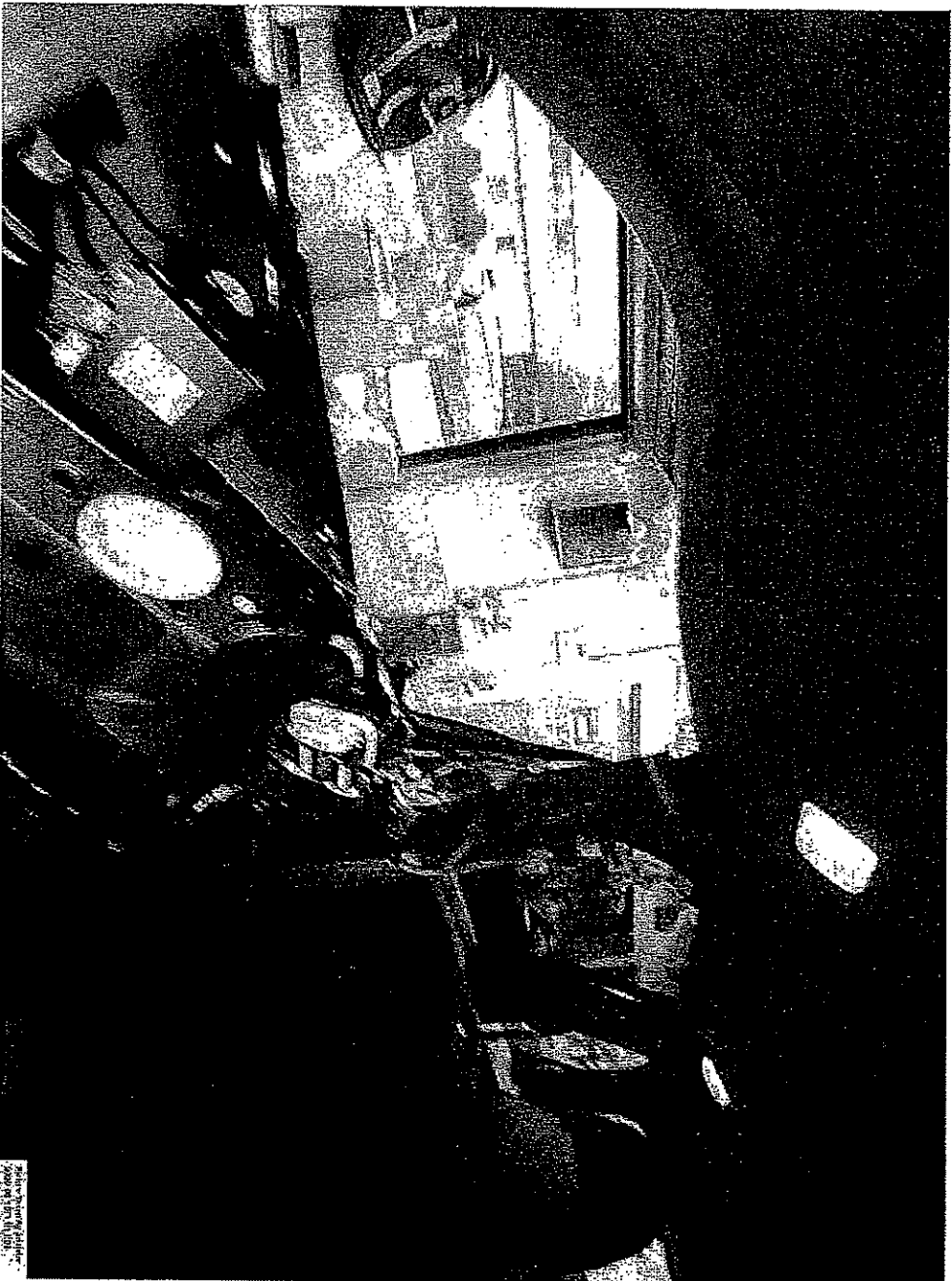
Instant Cash Offer

Trade-in Private Party Donate Your Car

Get Offer



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Make : HONDA  
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Insured : Kristen Cruz  
Adjuster : Travis Barnes  
Policy Number : 0494271406  
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Vehicle Owner : Kristen Cruz  
Supplement Number : 00



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Insured:  
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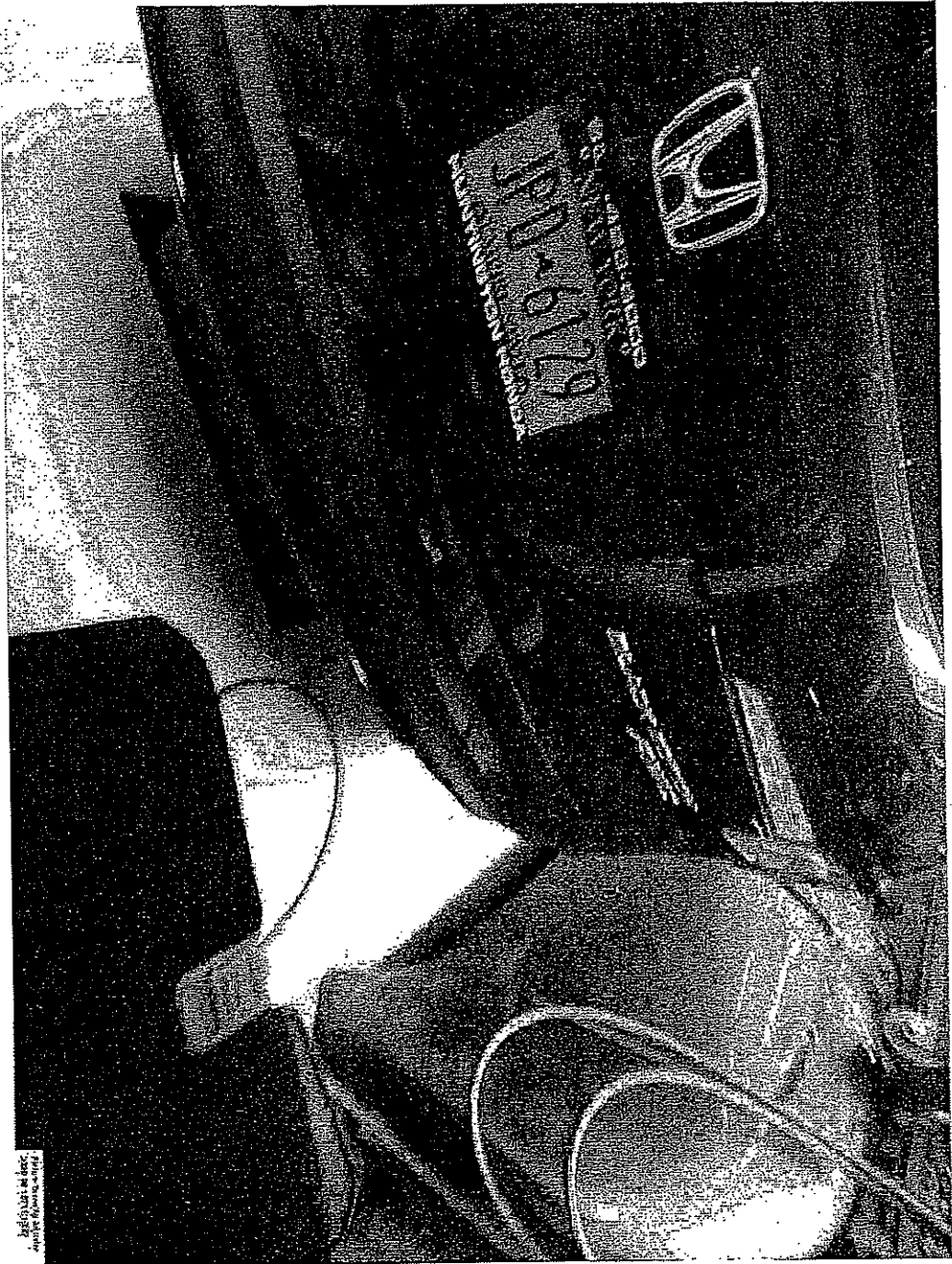
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Vehicle Owner:  
Kristen Cruz

Supplement Number:  
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Claim Number :

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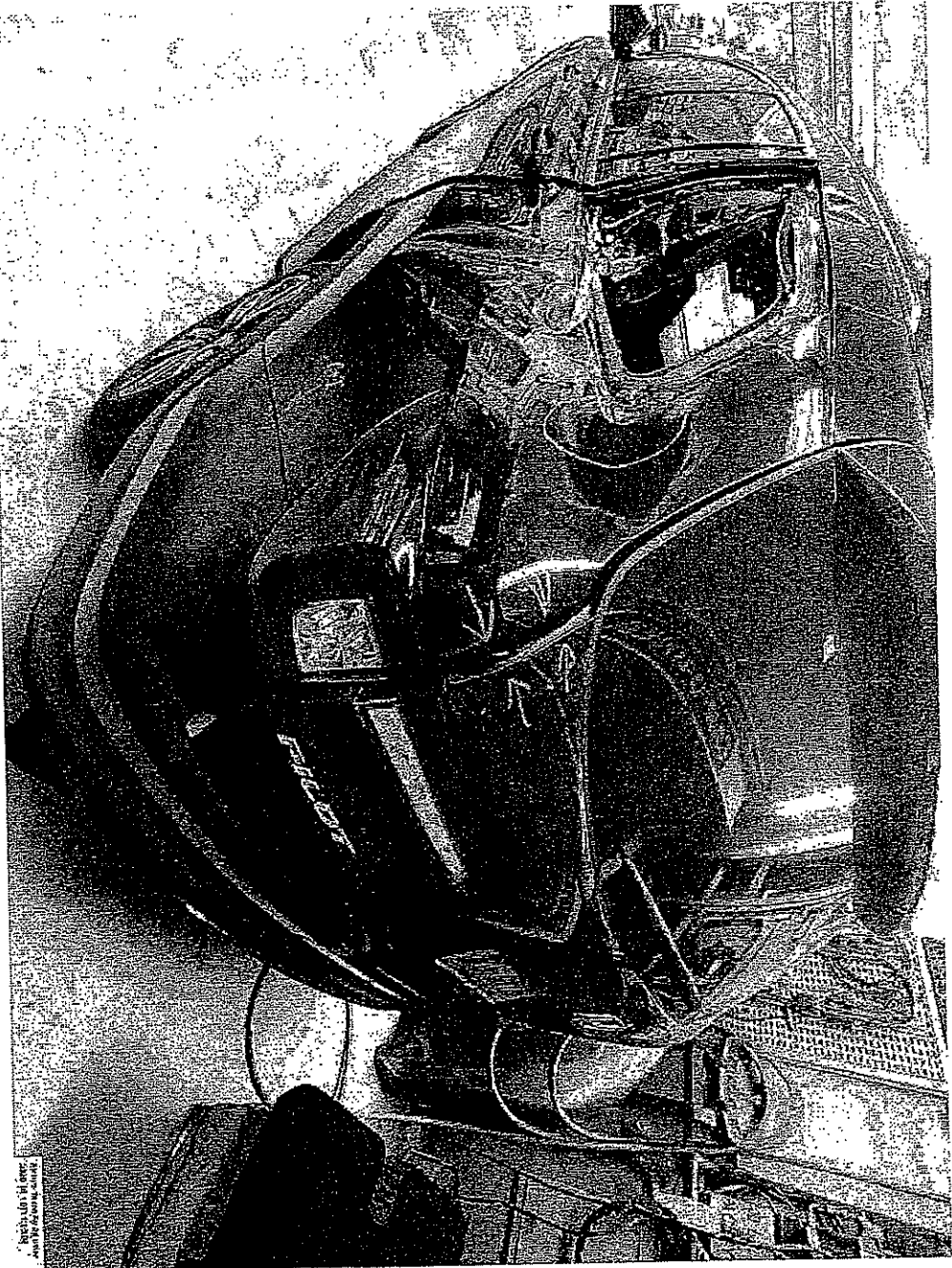
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Supplement Number :

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08/14/2020

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Adjuster:

Travis Barnes

Policy Number:

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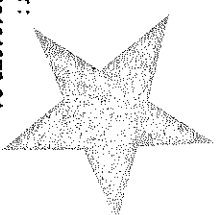
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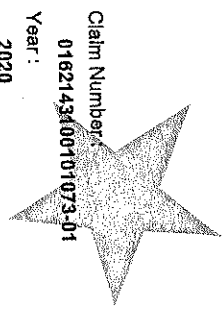
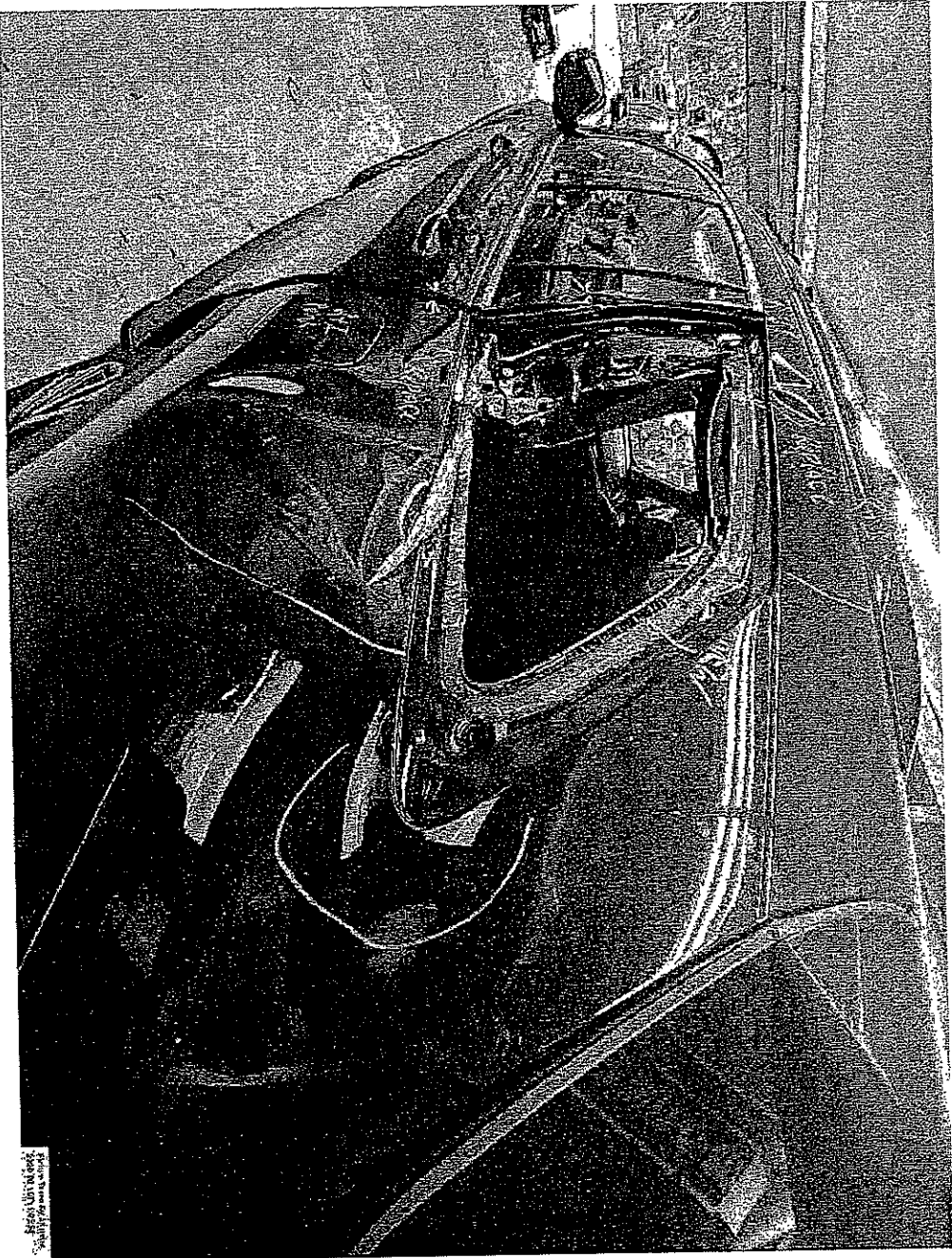
Kristen Cruz

Supplement Number:

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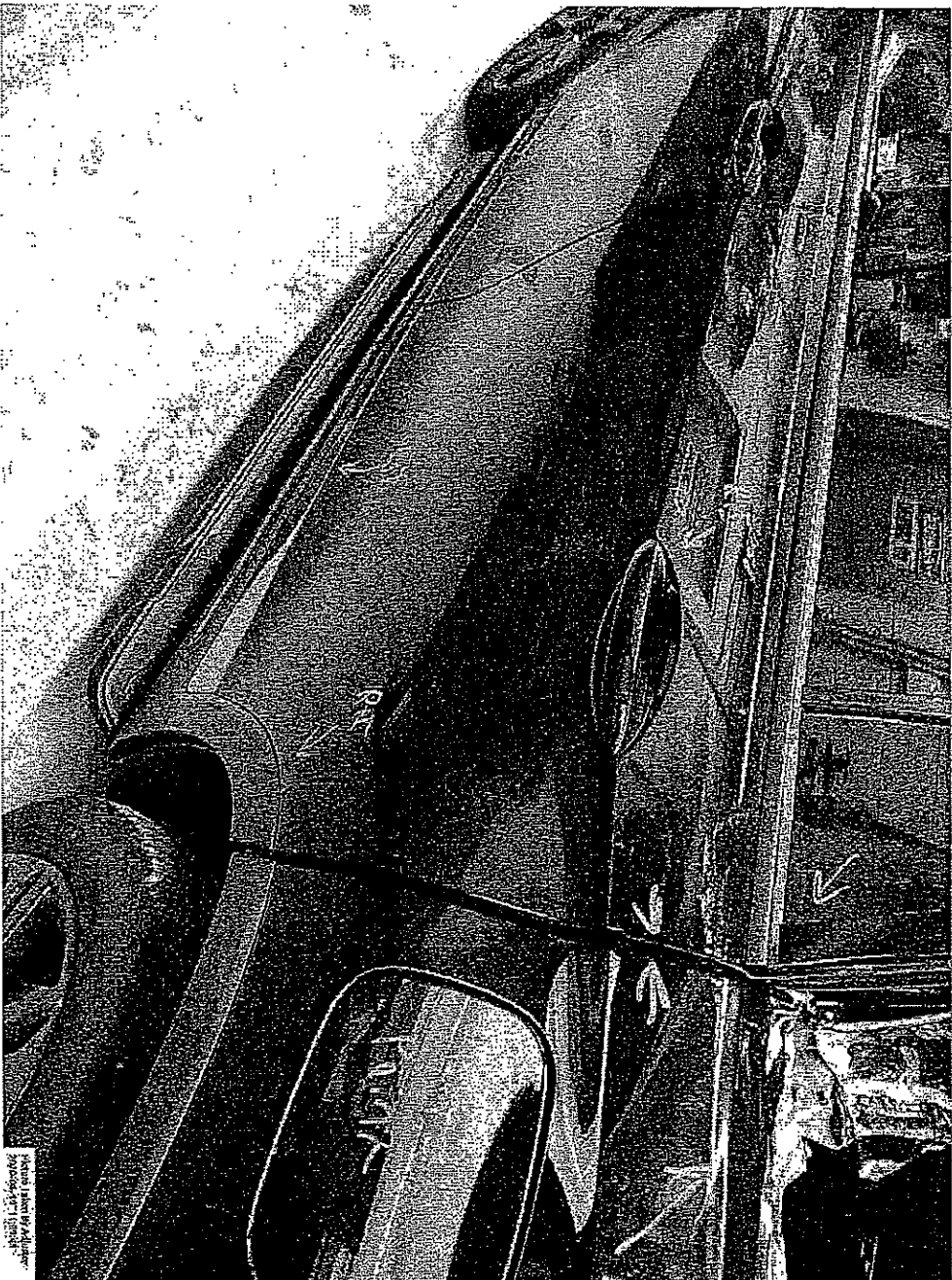


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Vehicle Owner : Kristen Cruz  
Supplement Number : 00



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Adjuster :  
Travis Barnes  
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Vehicle Owner :  
Kristen Cruz  
Supplement Number :  
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Adjuster :

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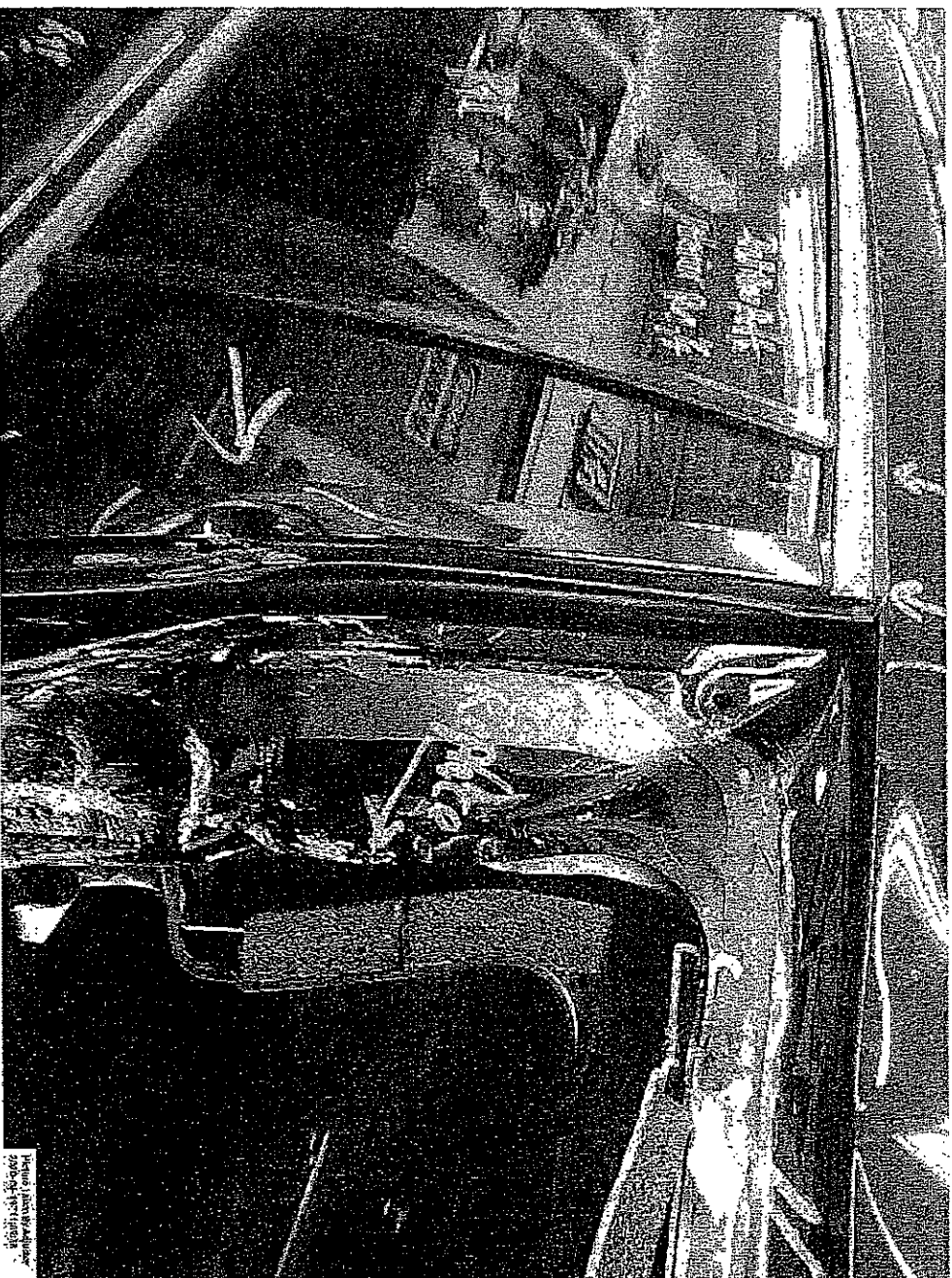
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Kristen Cruz

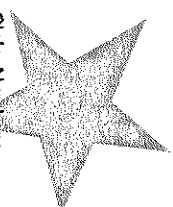
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Honda Pilot EX  
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Sub Category :

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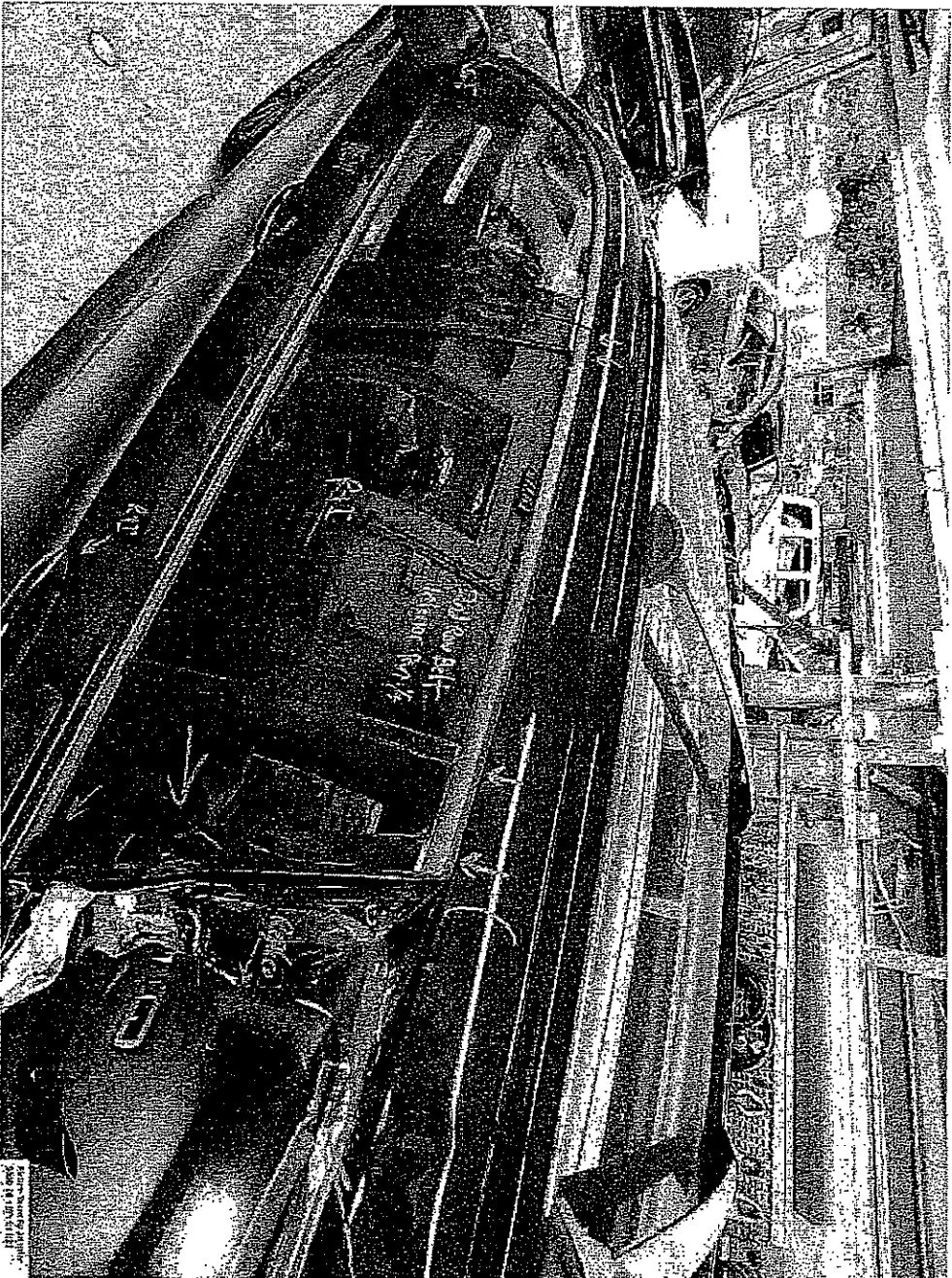
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Supplement Number :

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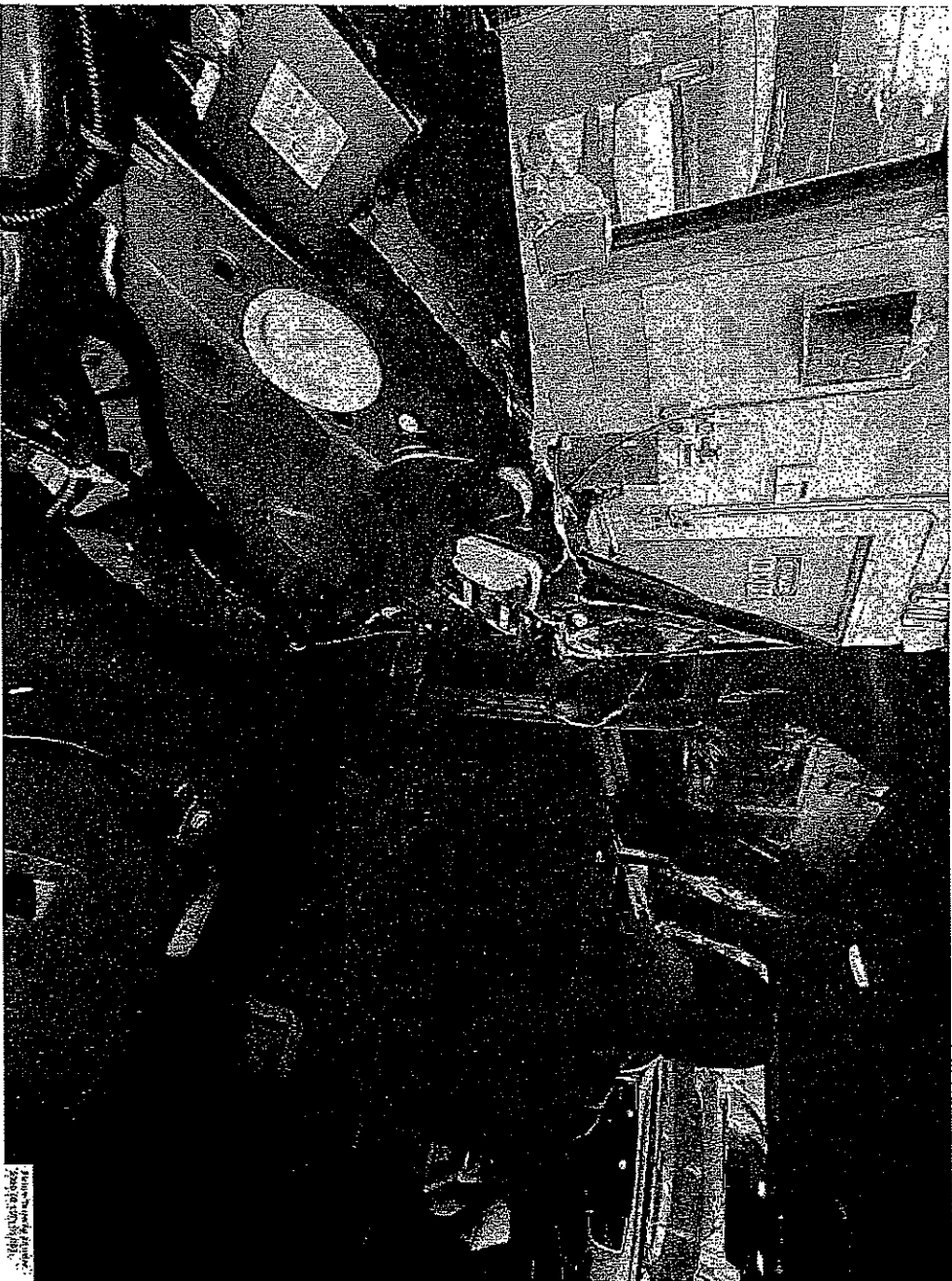


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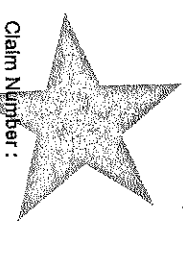
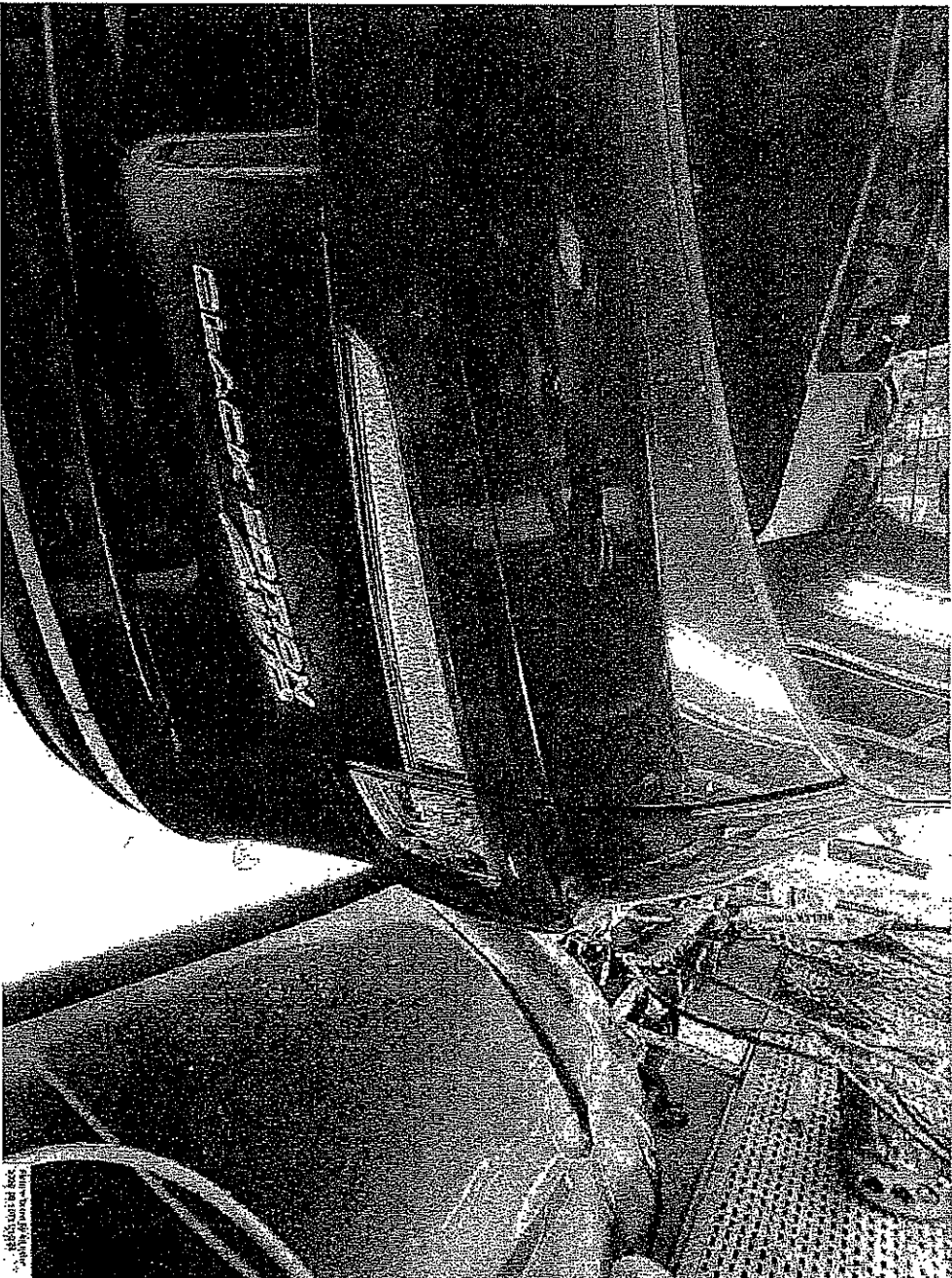
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Kristen Cruz

Supplement Number :

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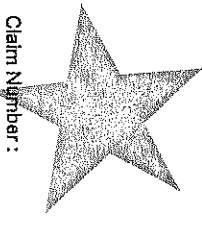
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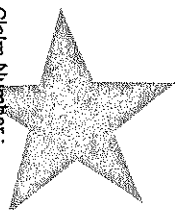
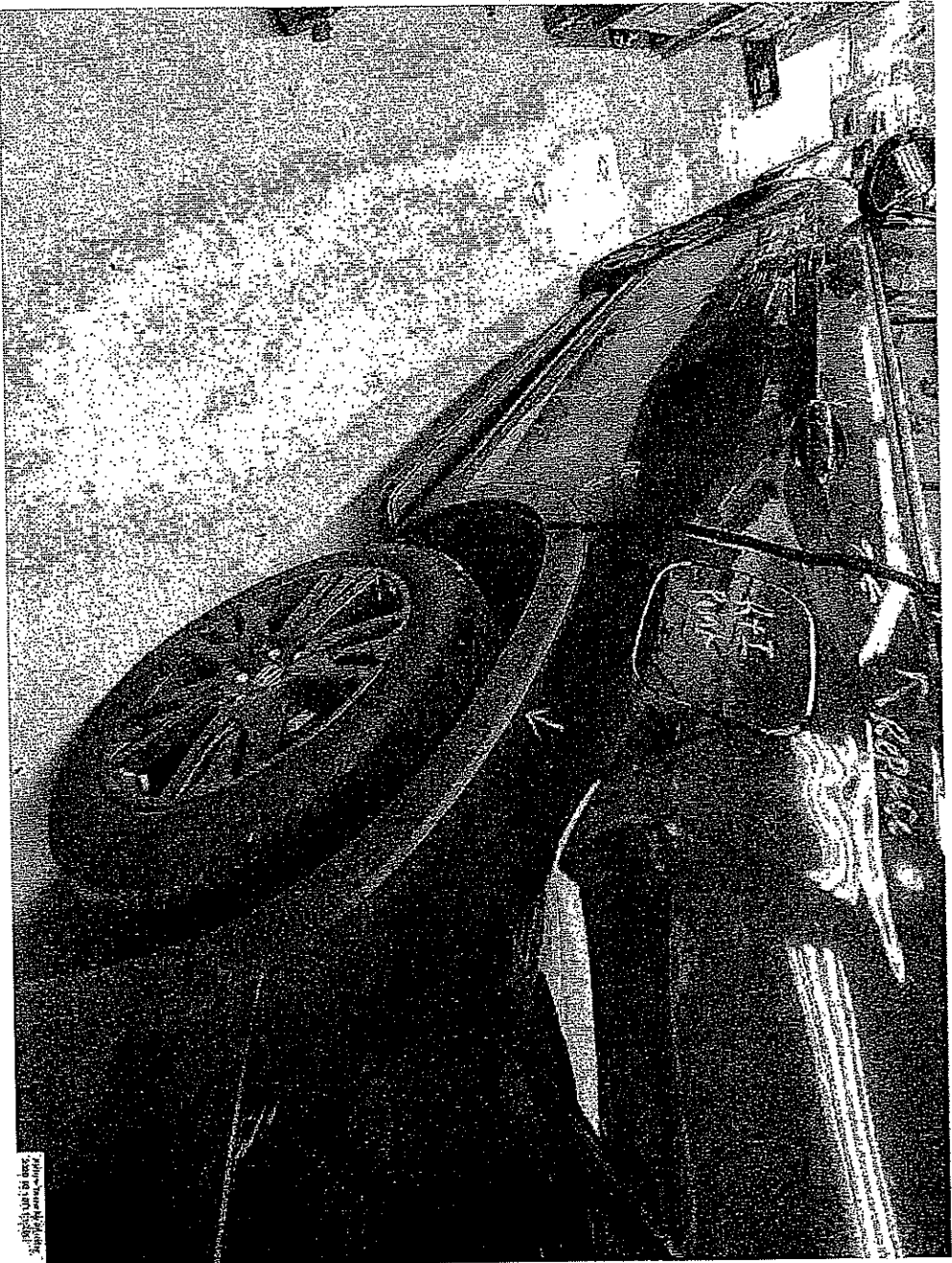
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Supplement Number :  
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Claim Number :  
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Adjuster :  
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Supplement Number :  
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Kristen Cruz

Supplement Number:  
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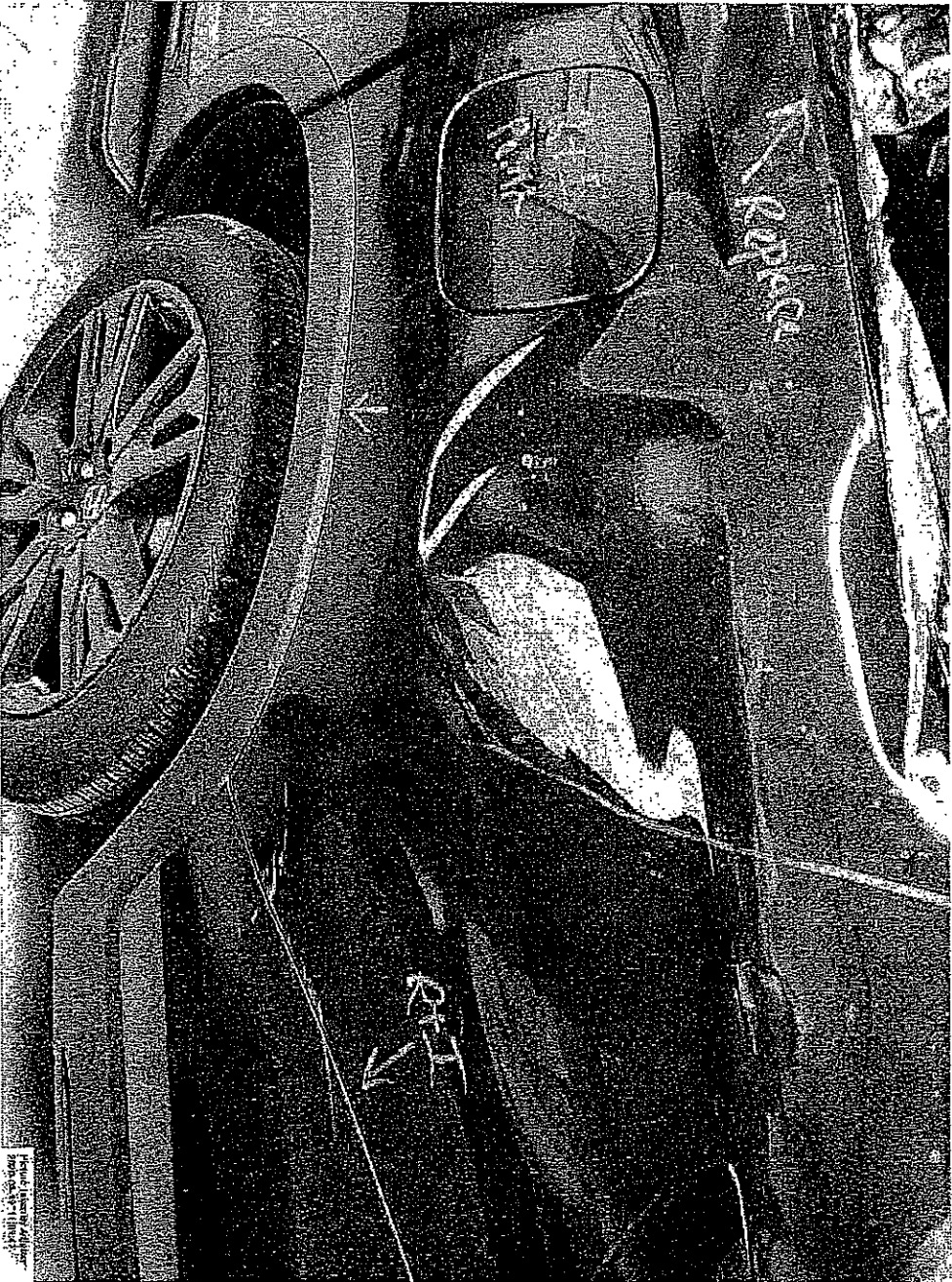
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Kristen Cruz

Supplement Number:

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08/14/2020

Insured :

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Adjuster :

Travis Barnes

Policy Number :

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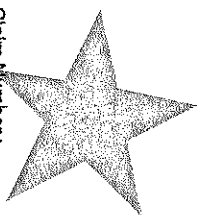
Vehicle Owner :

Kristen Cruz

Supplement Number :

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Claim Number :

0162143100101073-01

Year :

2020

Category :

Estimate

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Sub Category :

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08/14/2020

Insured :

Kristen Cruz

Adjuster :

Travis Barnes

Policy Number :

0494271406

Photo Taken Date :

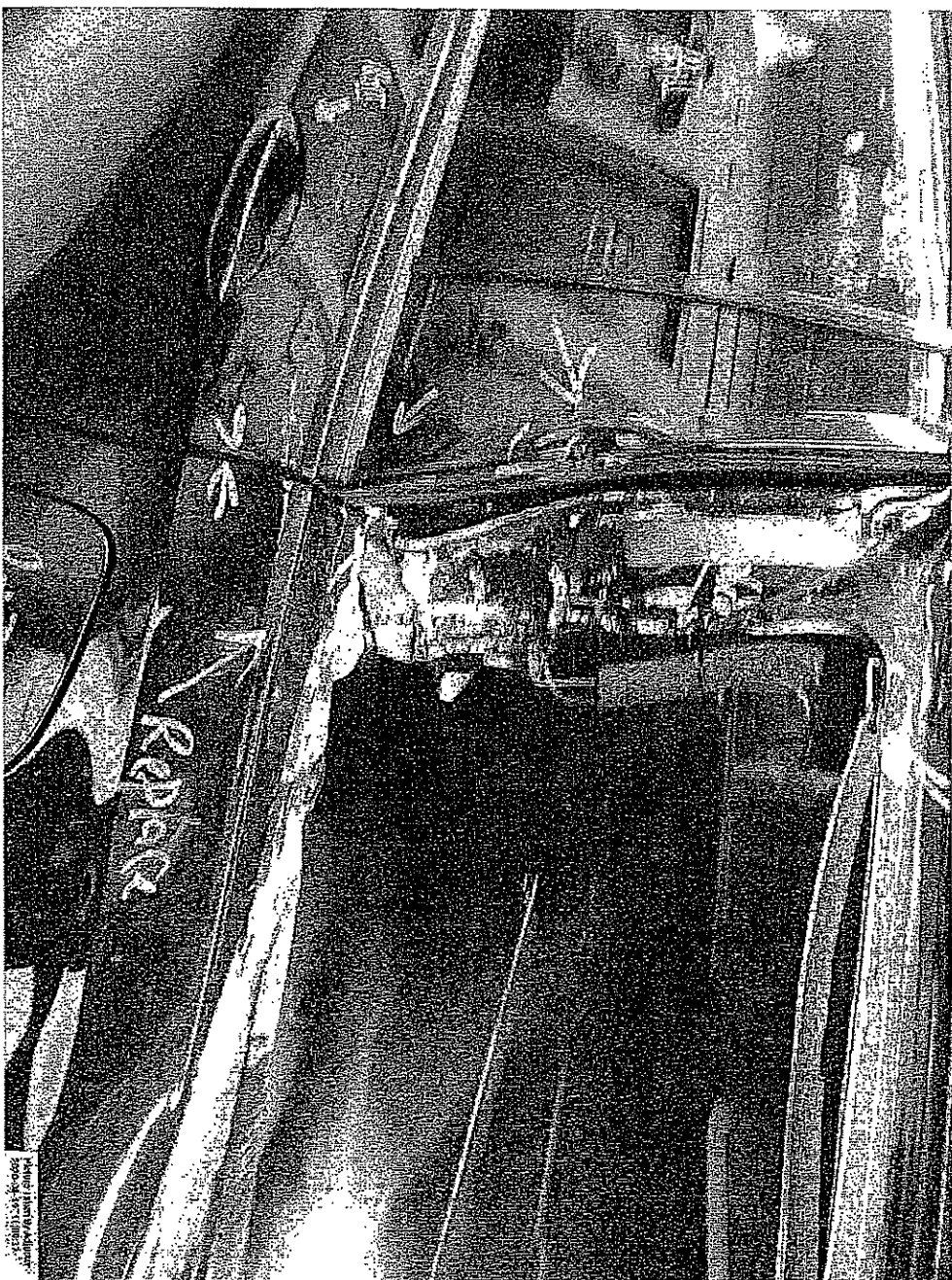
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Vehicle Owner :

Kristen Cruz

Supplement Number :

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Claim Number :

0162143100101073-01

Year :

2020

Category :

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Make :

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Sub Category :

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08/14/2020

Insured :

Kristen Cruz

Adjuster :

Travis Barnes

Policy Number :

0494271406

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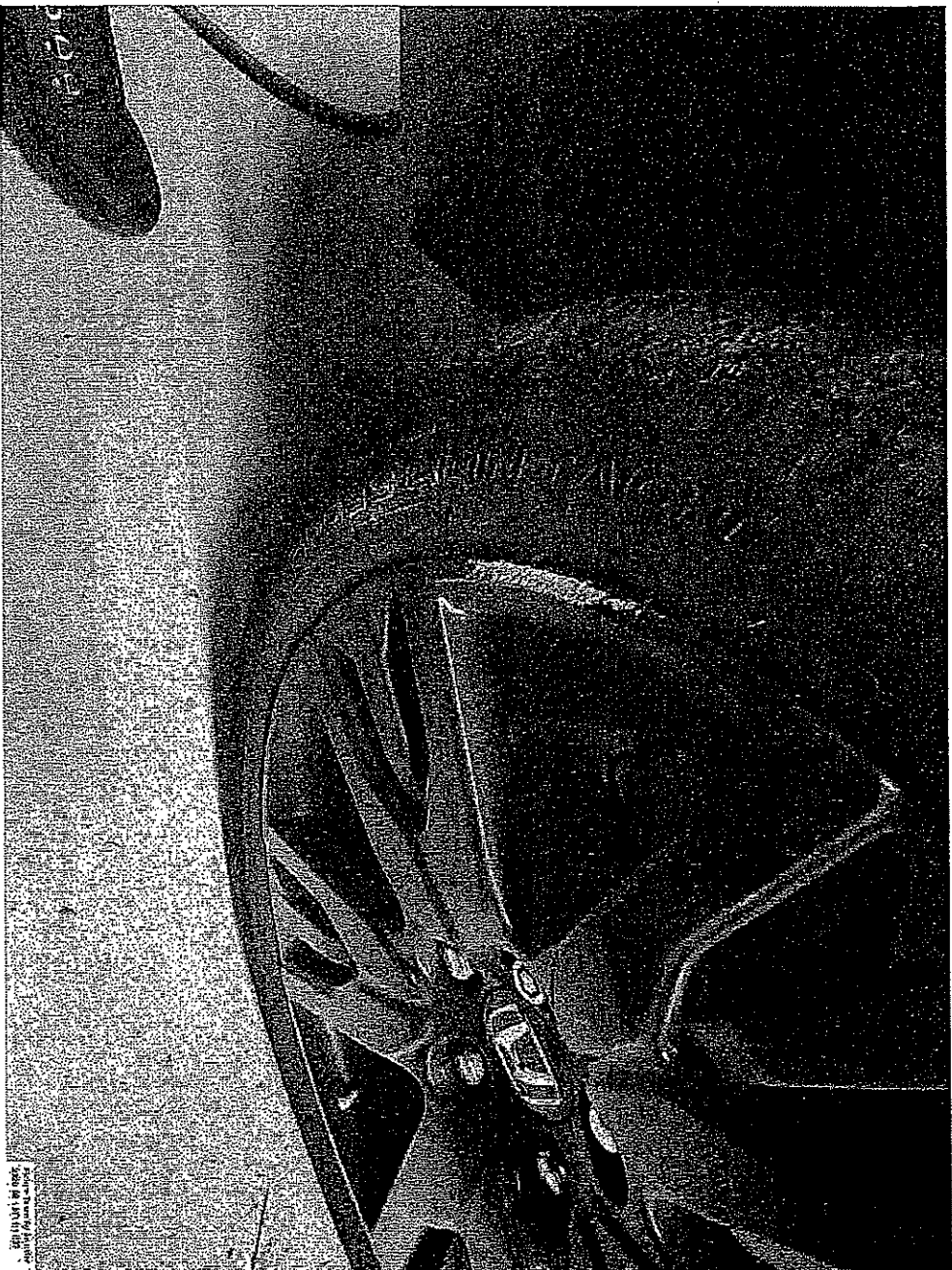
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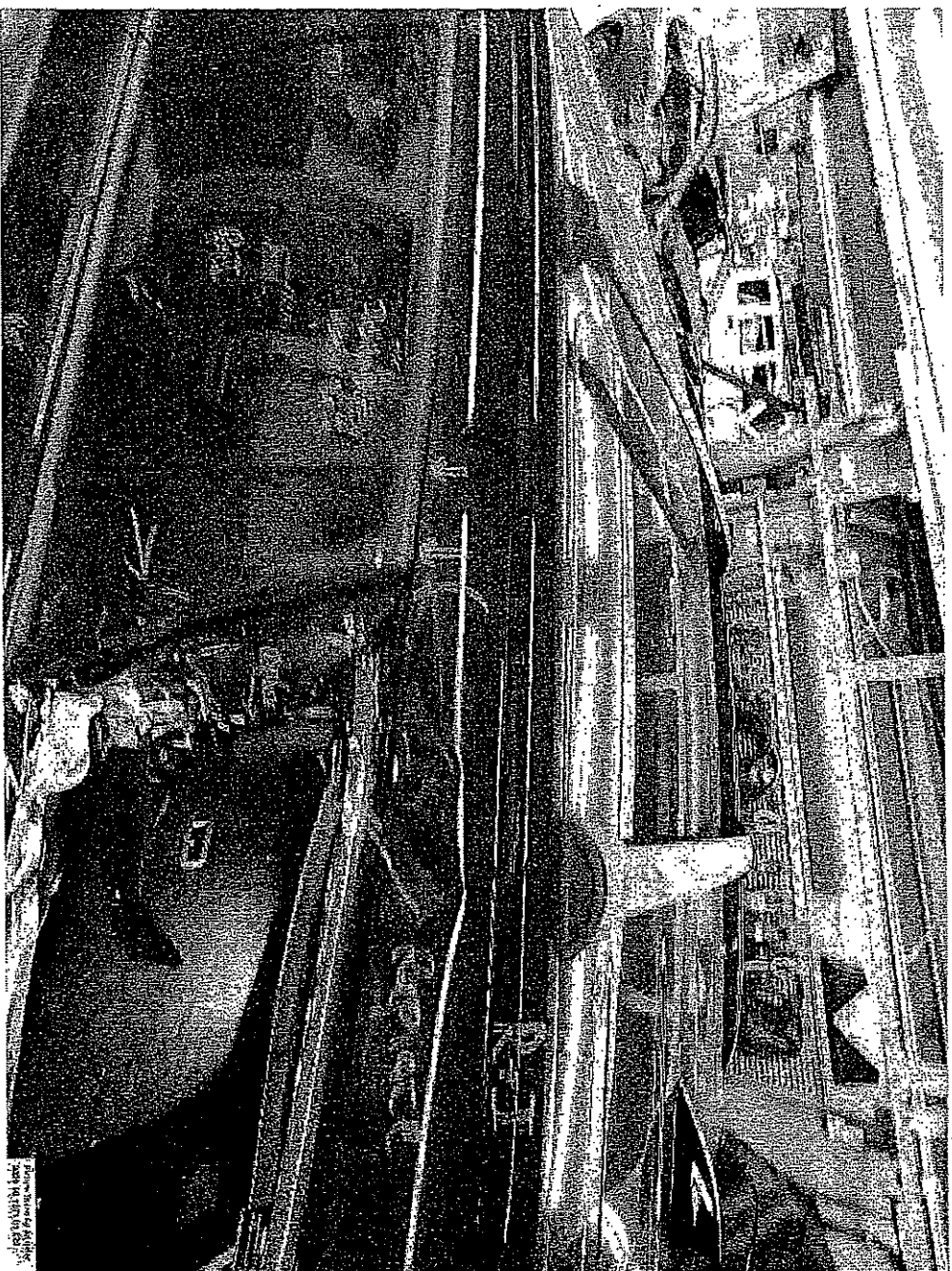
Vehicle Owner :

Kristen Cruz

Supplement Number :

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Claim Number :  
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Year :  
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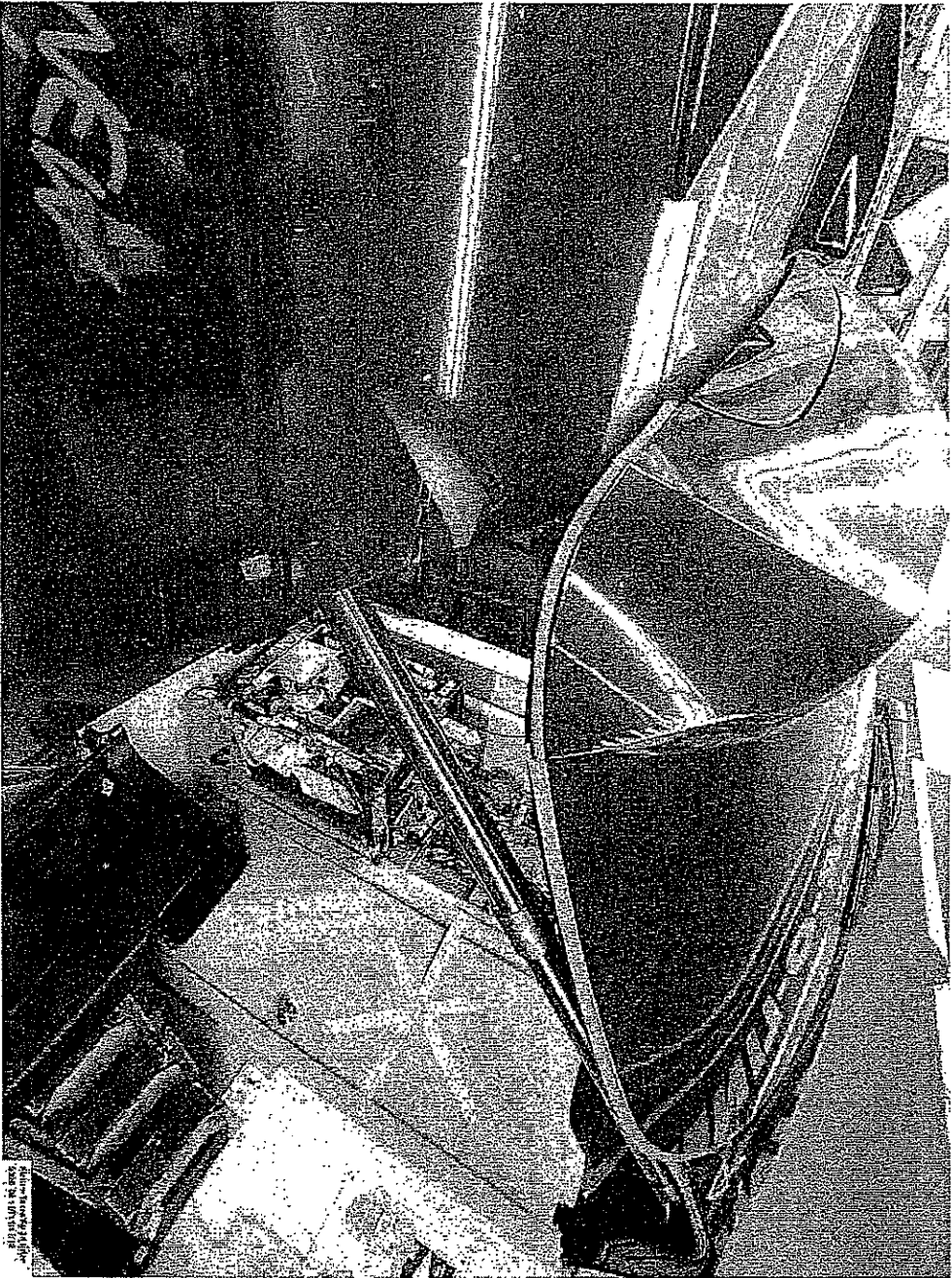
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Kristen Cruz

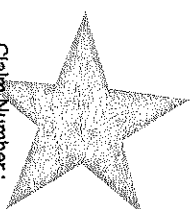
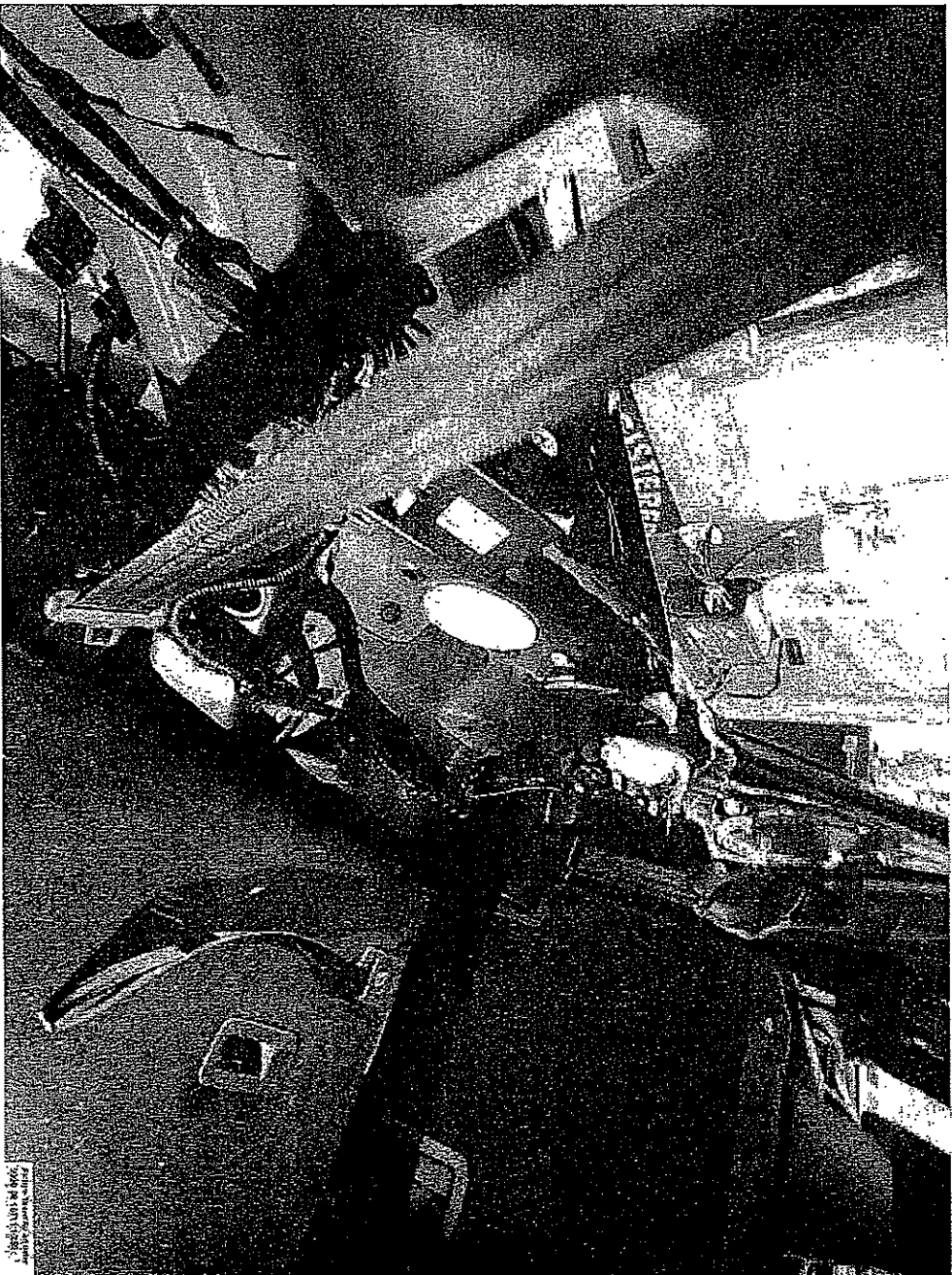
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Travis Barnes  
Policy Number :  
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Kristen Cruz  
Supplement Number :  
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Claim Number:  
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Year:  
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0494271406  
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Supplement Number:  
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Claim Number :

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Year :

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Adjuster :

Travis Barnes

Policy Number :

0494271406

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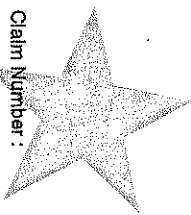
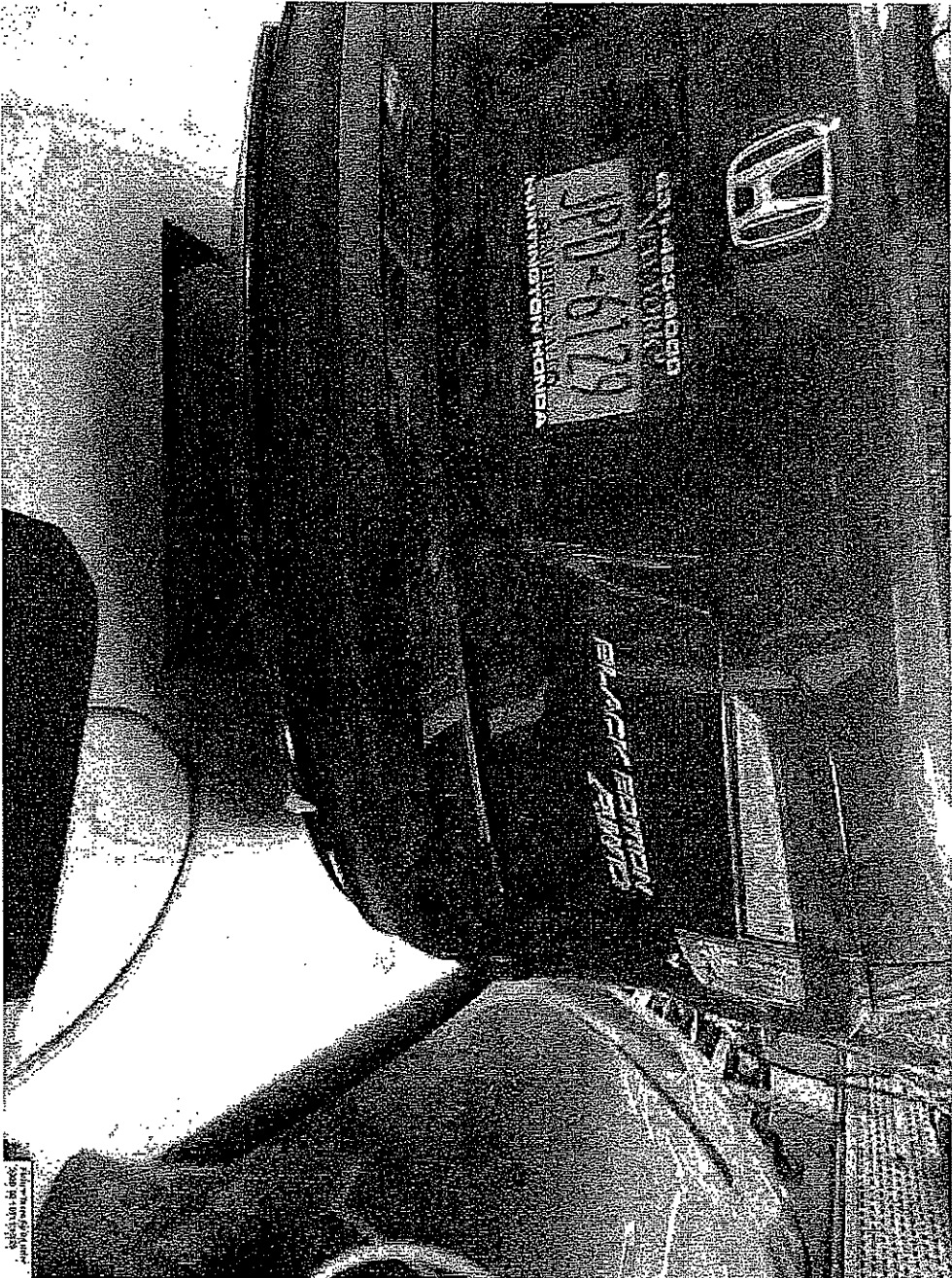
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Kristen Cruz

Supplement Number :

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Year :

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Adjuster :

Travis Barnes

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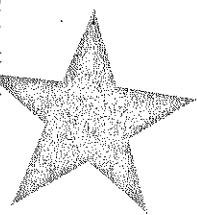
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Claim Number :

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Year :

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Adjuster :

Travis Barnes

Policy Number :

0494271406

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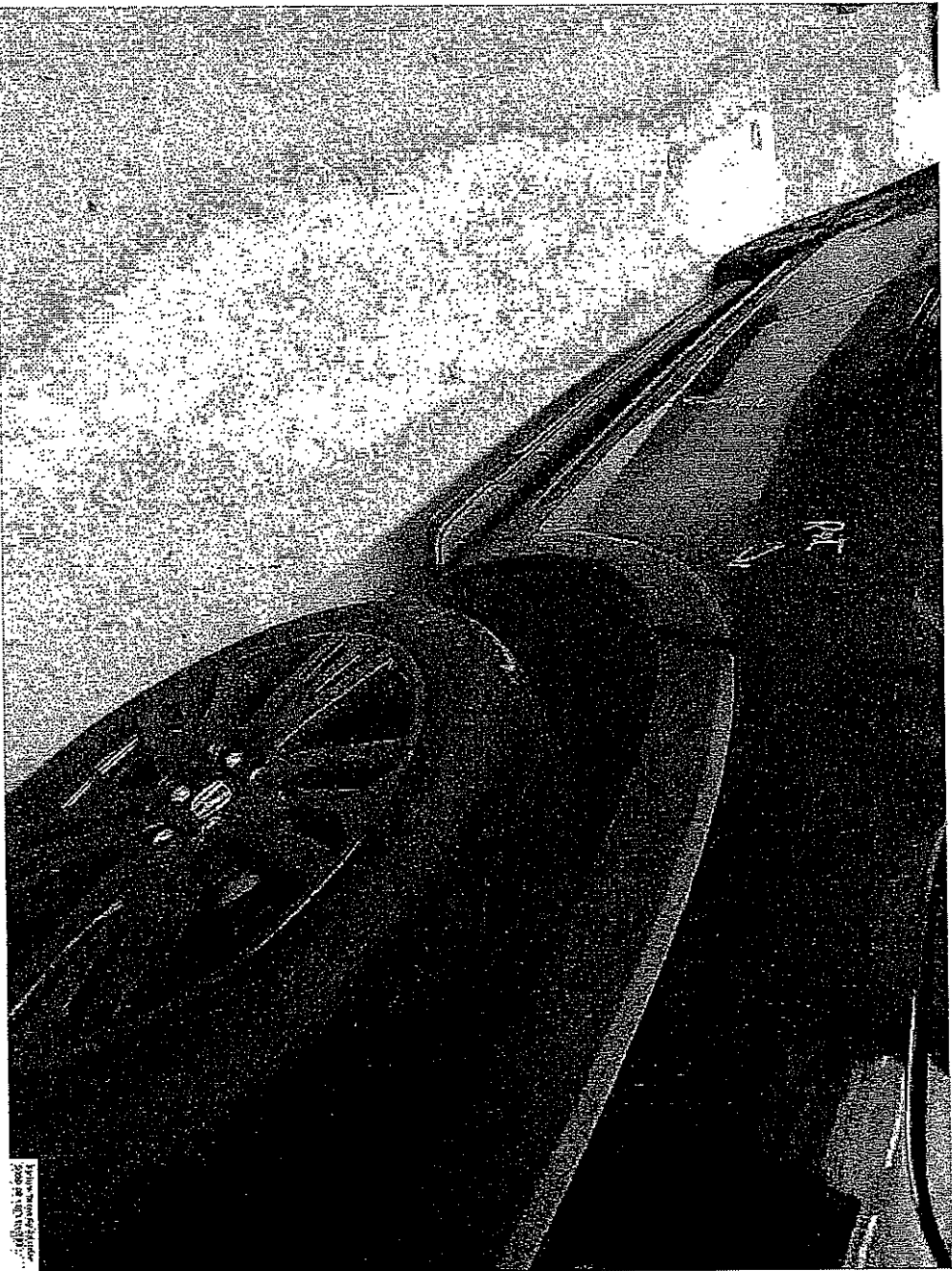
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Claim Number:

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Year:

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Loss Date:

08/14/2020

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Kristen Cruz

Adjuster:

Travis Barnes

Policy Number:

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Kristen Cruz

Supplement Number:

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Claim Number:  
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Claim Number:

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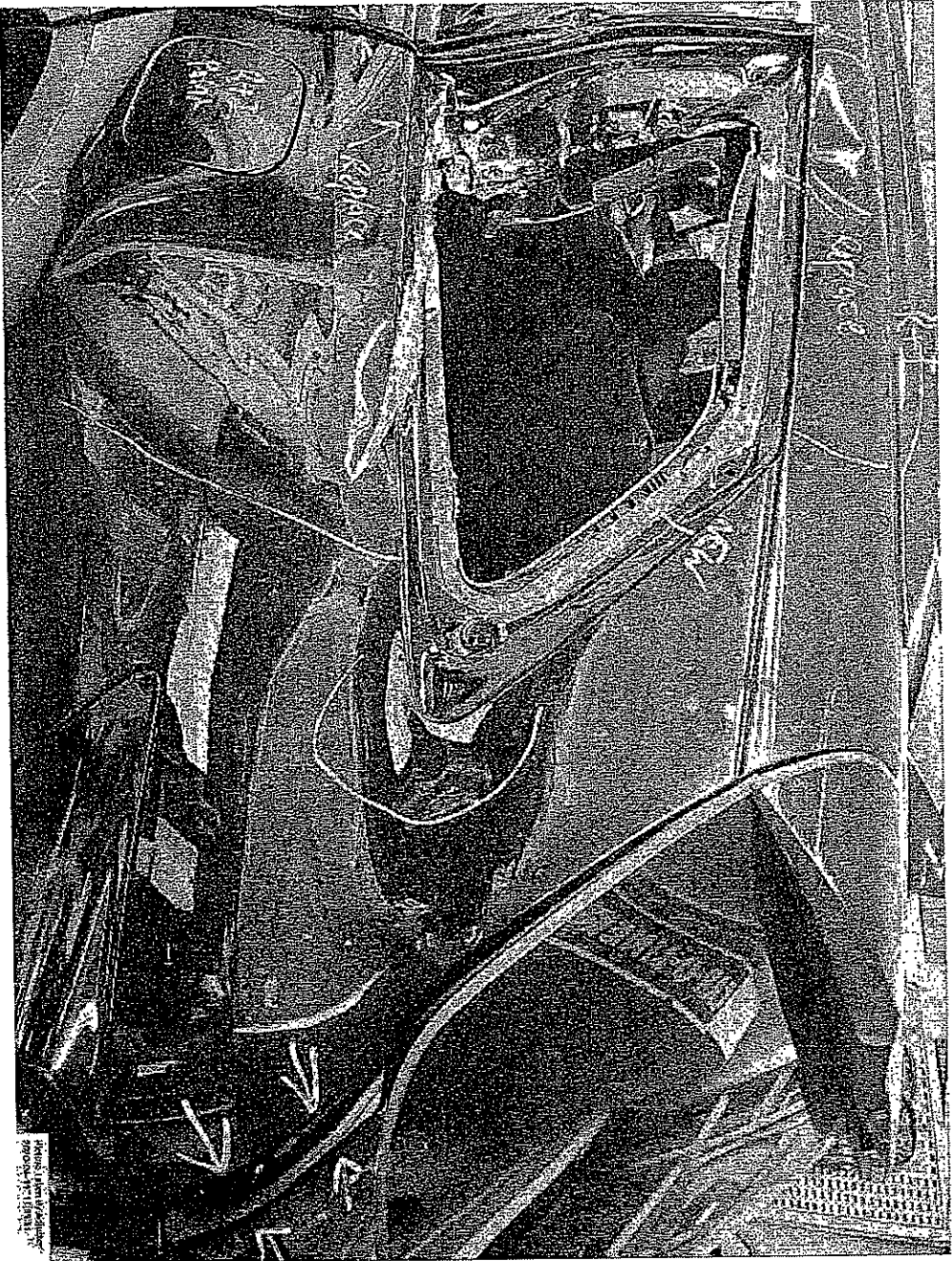
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Insured :  
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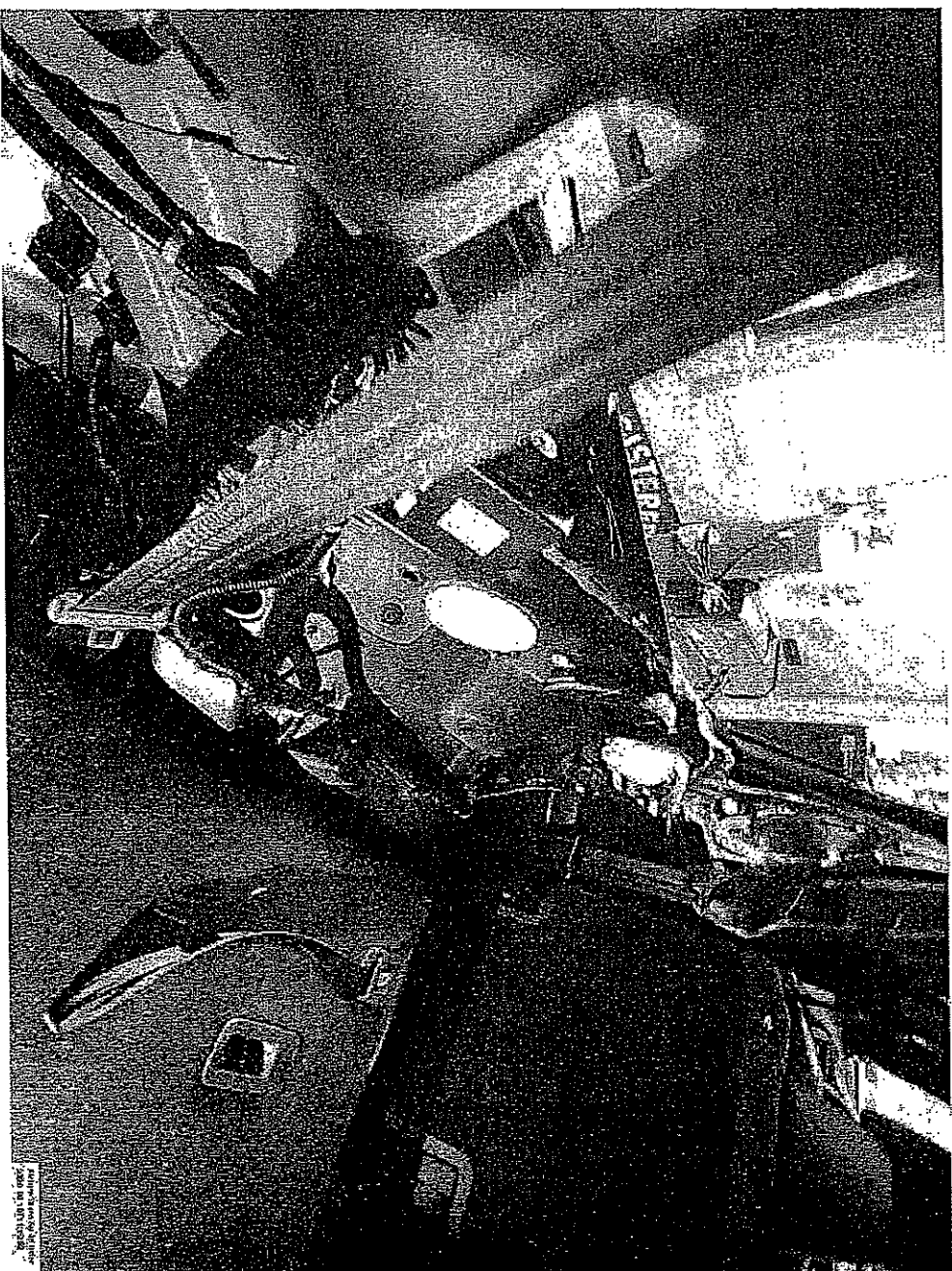
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Policy Number :  
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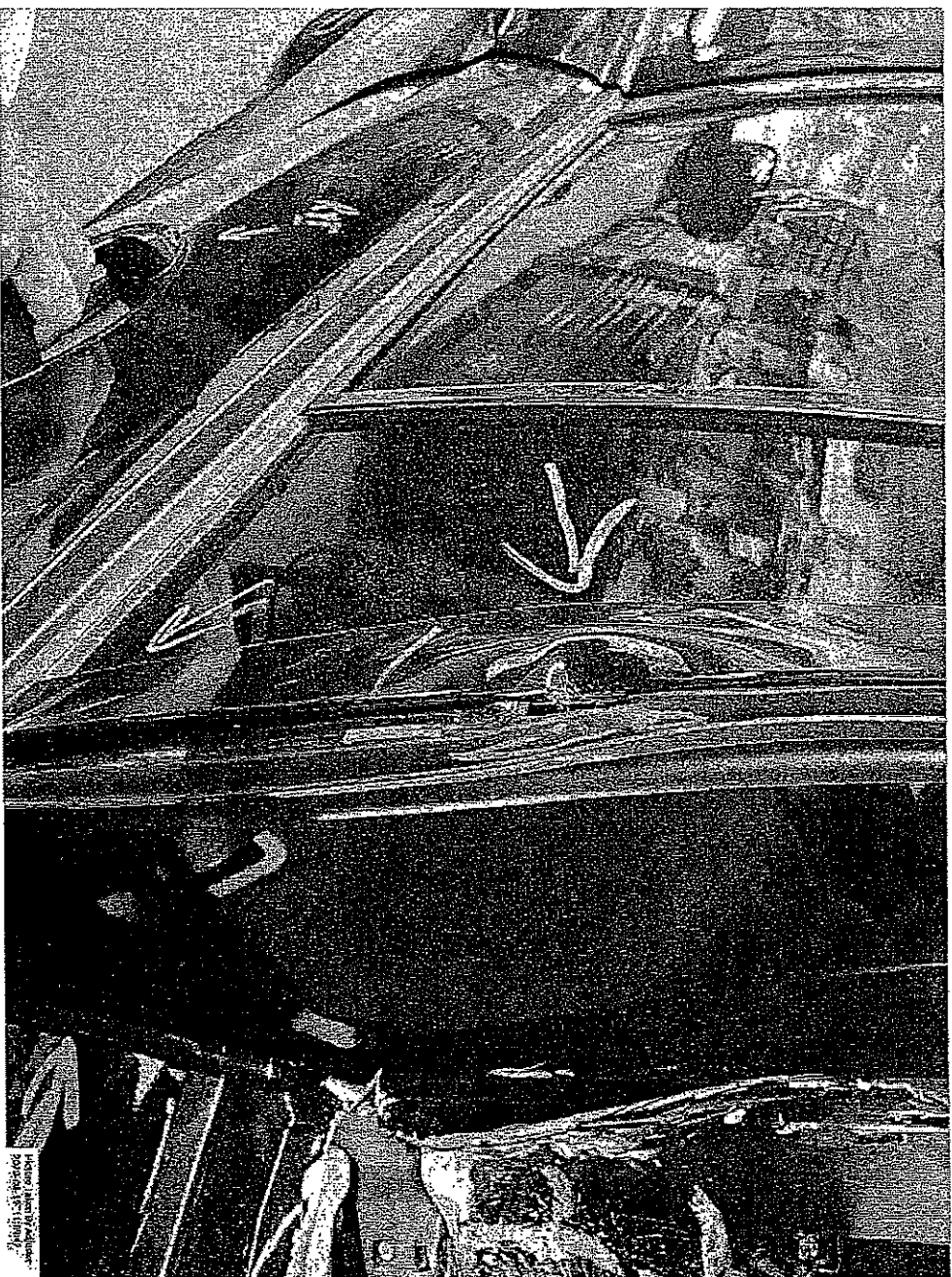
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Supplement Number :  
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Claim Number :

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08/14/2020

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Adjuster :

Travis Barnes

Policy Number :

0494271406

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Kristen Cruz

Supplement Number :

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Claim Number :

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Travis Barnes

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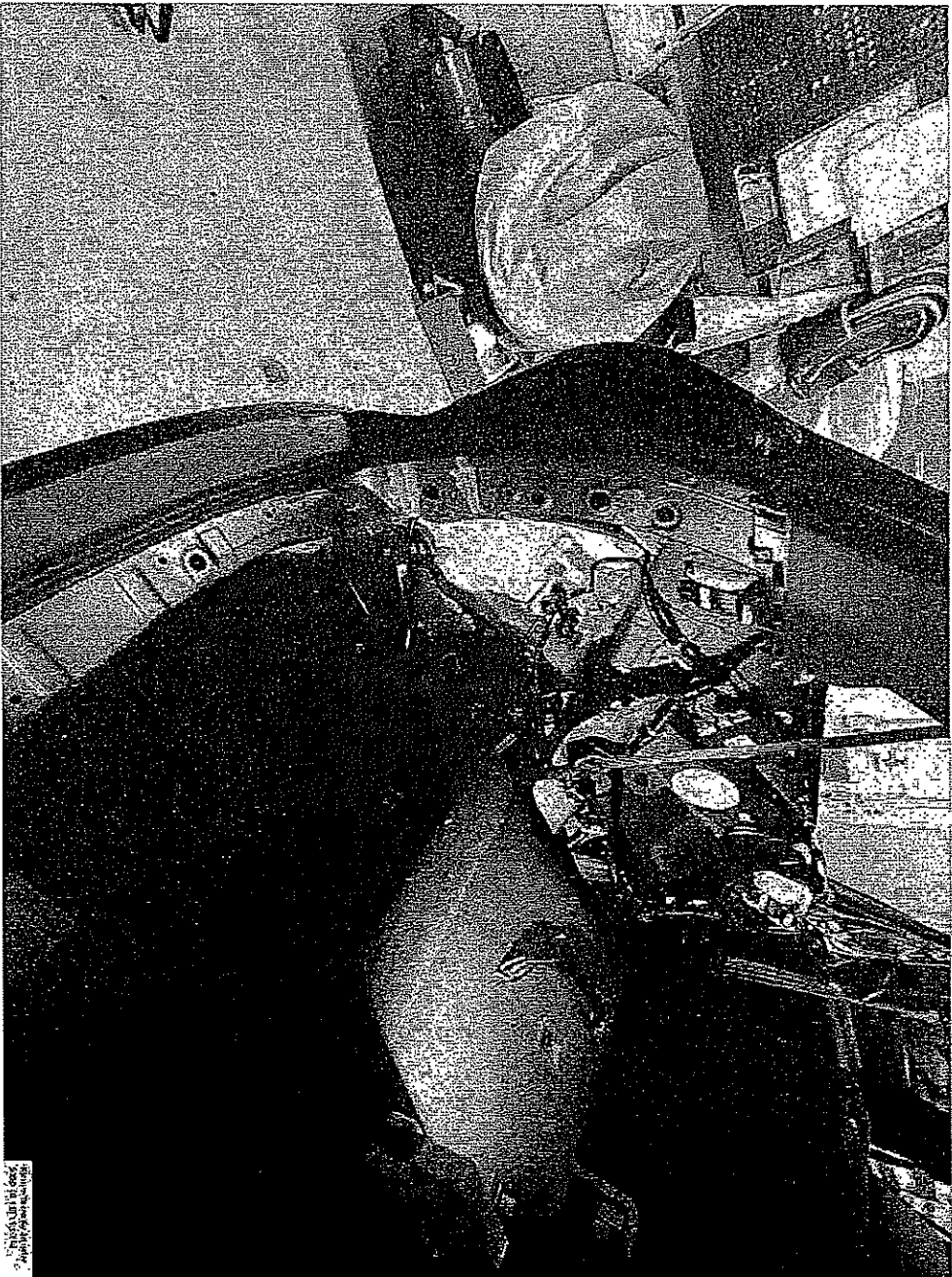
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Supplement Number :

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Claim Number :

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Travis Barnes

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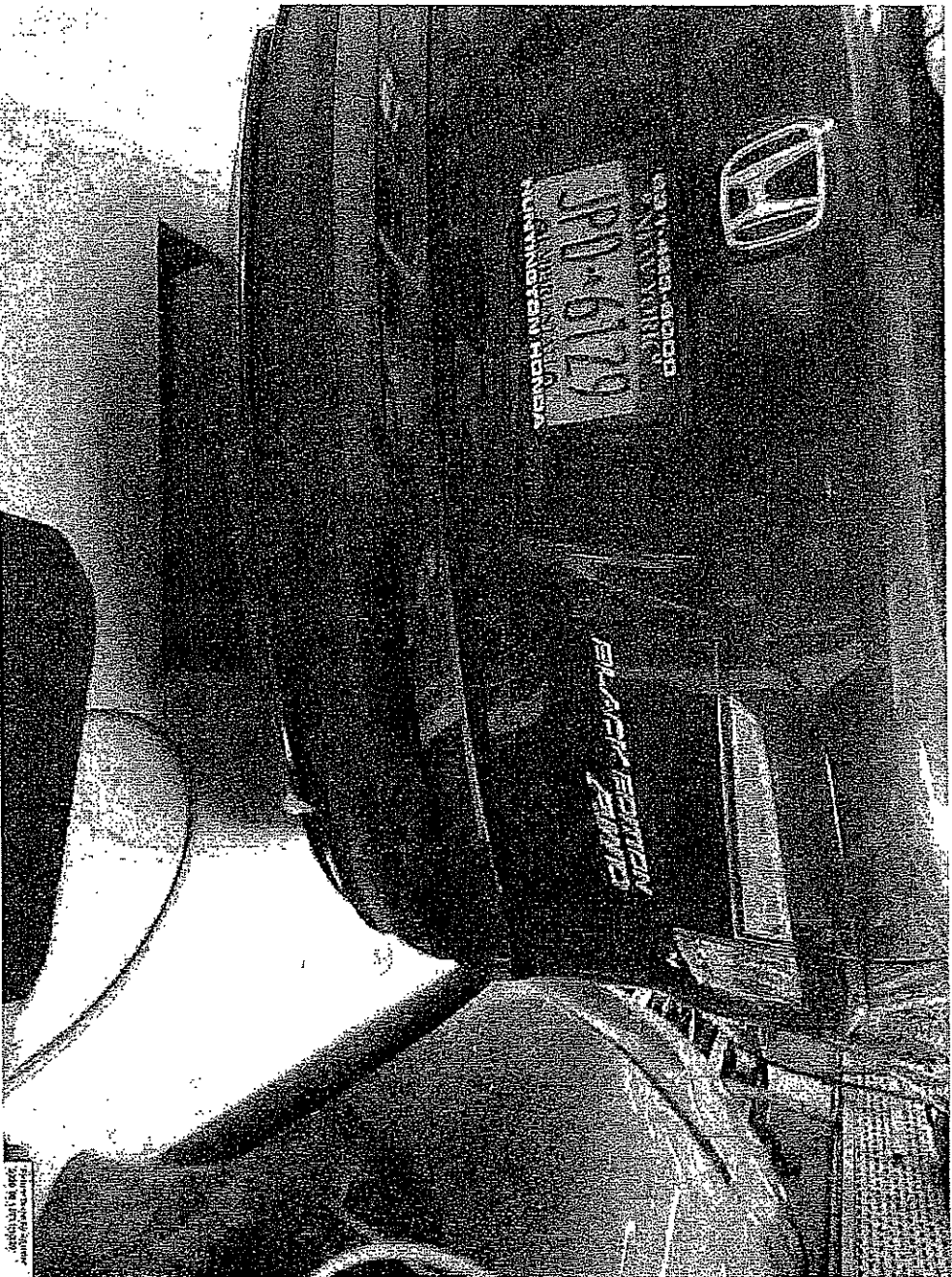
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Kristen Cruz

Supplement Number :

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Claim Number:

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08/14/2020

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Adjuster:

Travis Barnes

Policy Number:

0494271406

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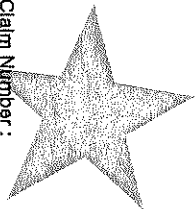
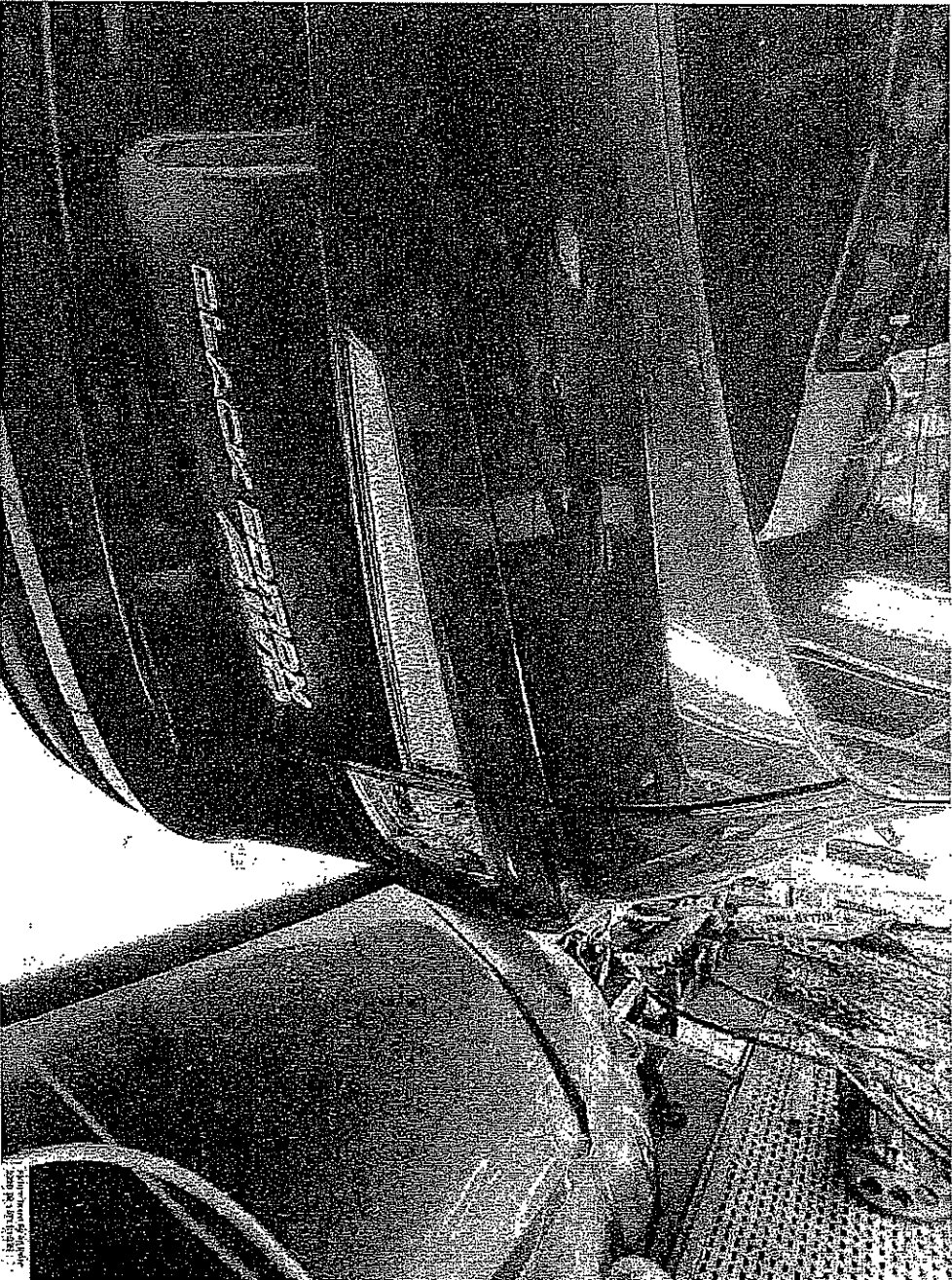
Vehicle Owner:

Kristen Cruz

Supplement Number:

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Claim Number :  
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Adjuster :

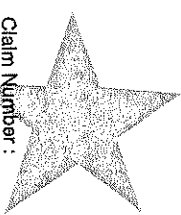
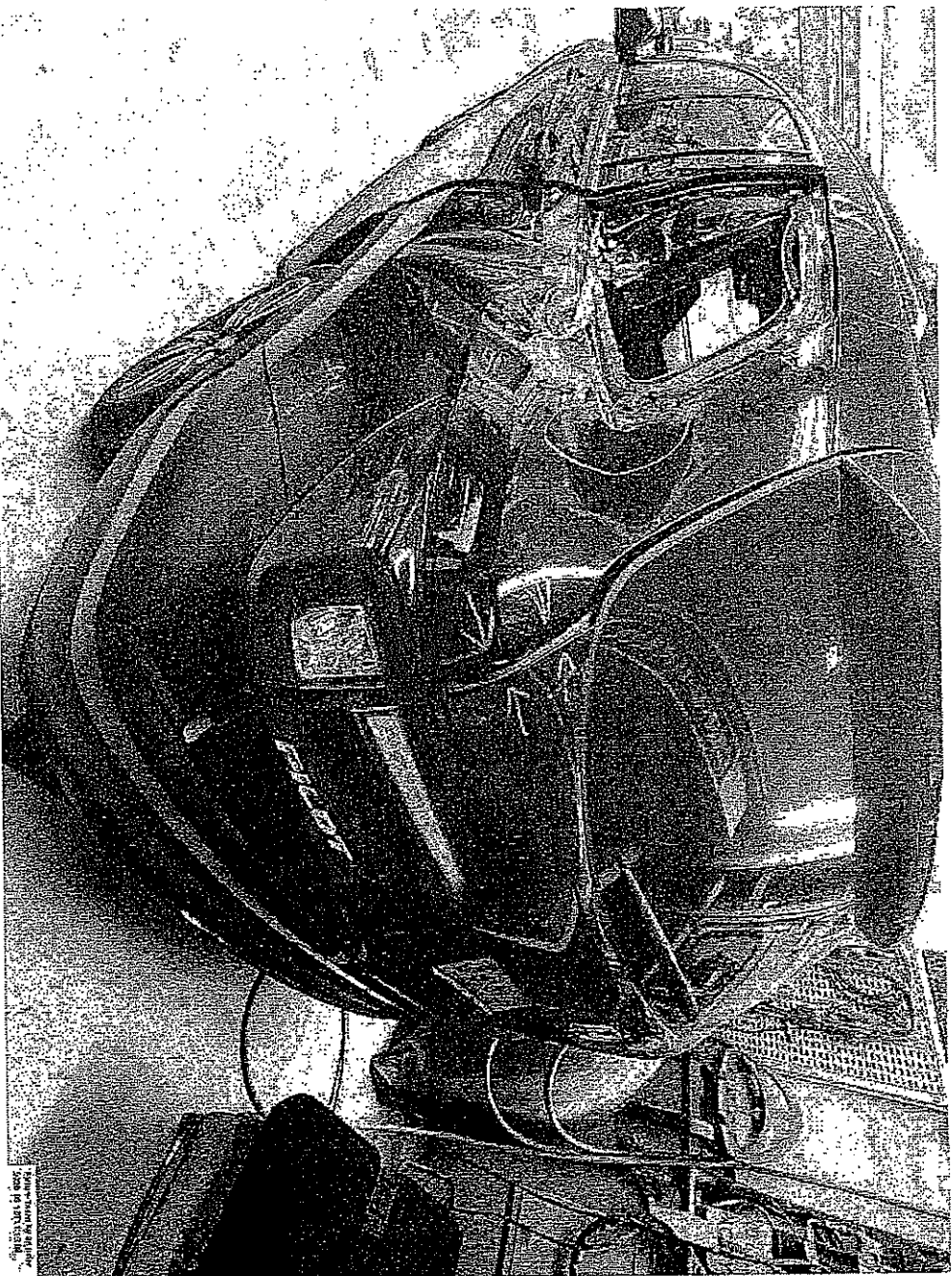
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Policy Number :  
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Supplement Number :  
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Claim Number :  
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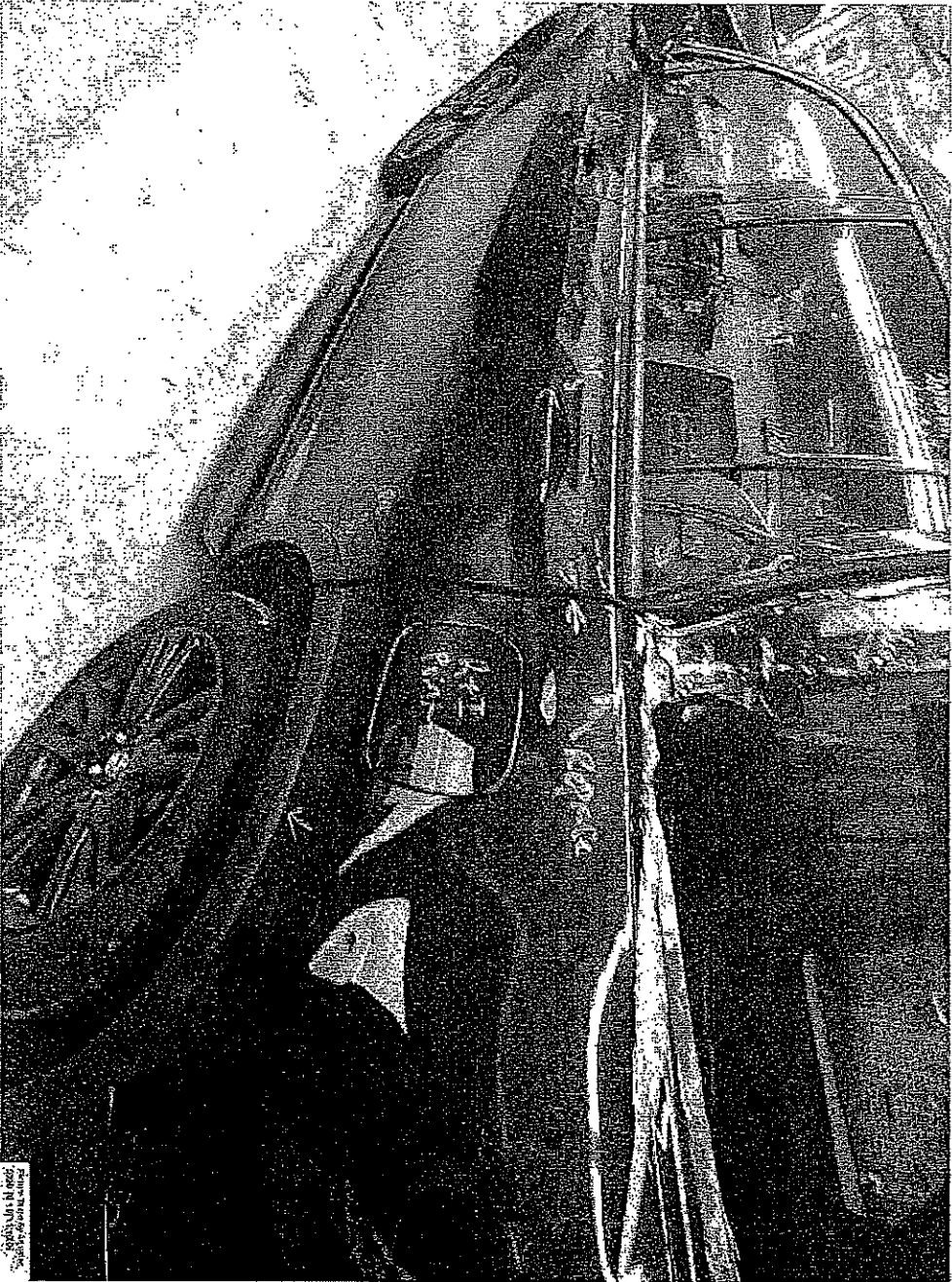
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Policy Number :  
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Supplement Number :  
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Claim Number:

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Year:

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Travis Barnes

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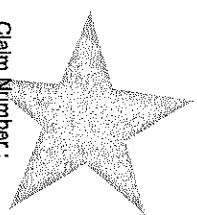
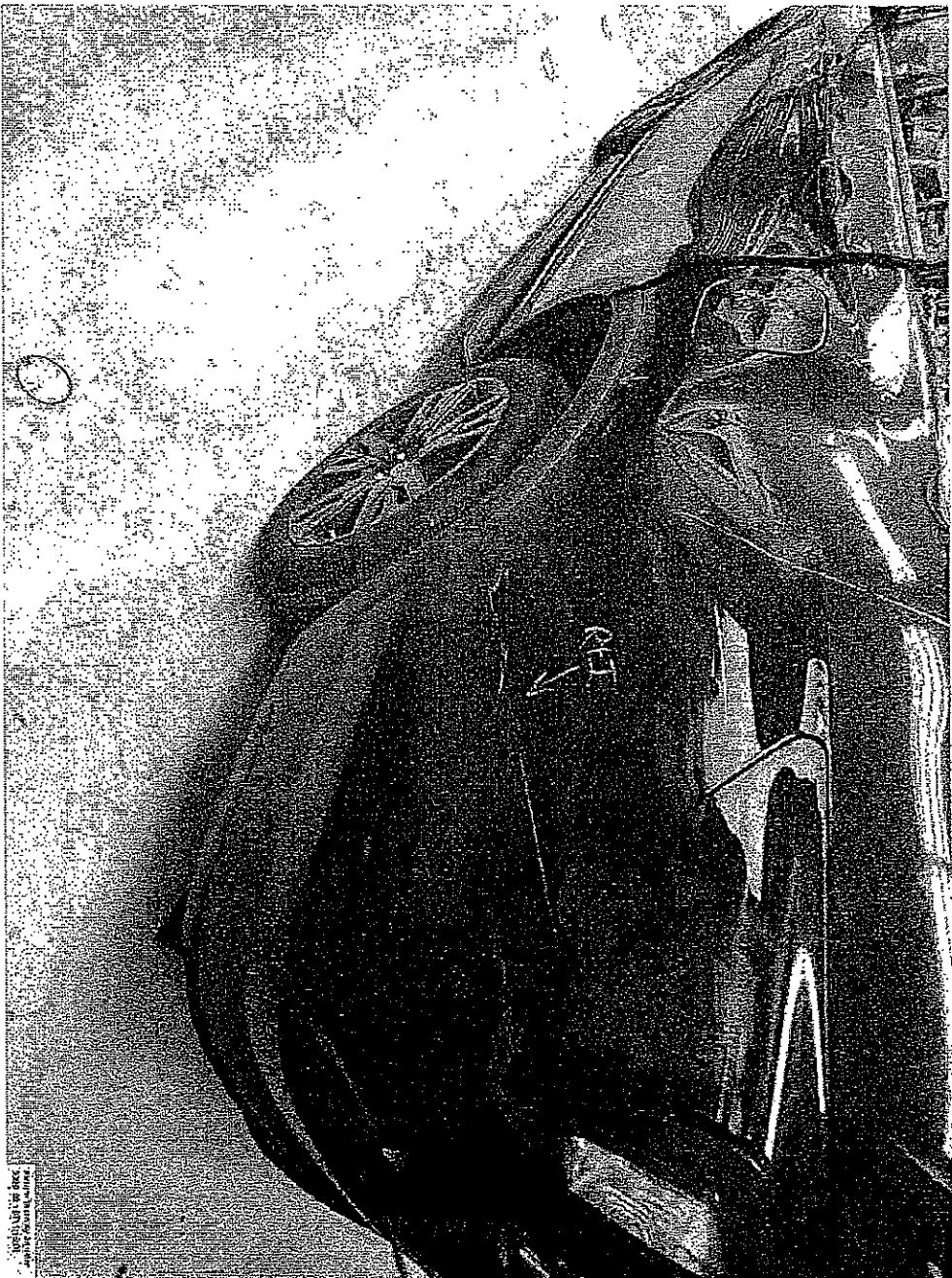
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Vehicle Owner:

Kristen Cruz

Supplement Number:

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Claim Number :  
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Year :  
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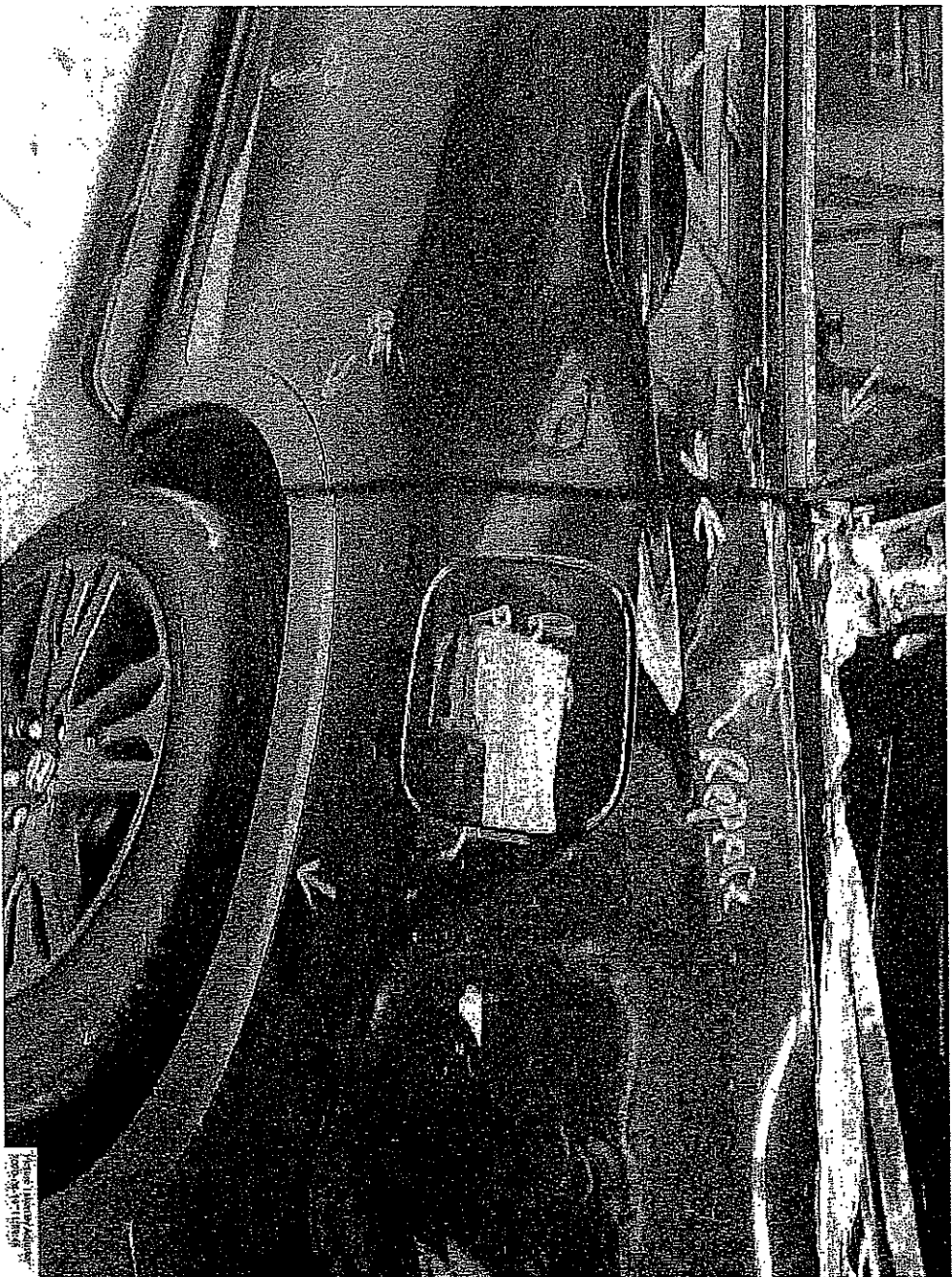
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Travis Barnes

Policy Number :  
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Supplement Number :  
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08/14/2020

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Adjuster :

Travis Barnes

Policy Number :

0494271406

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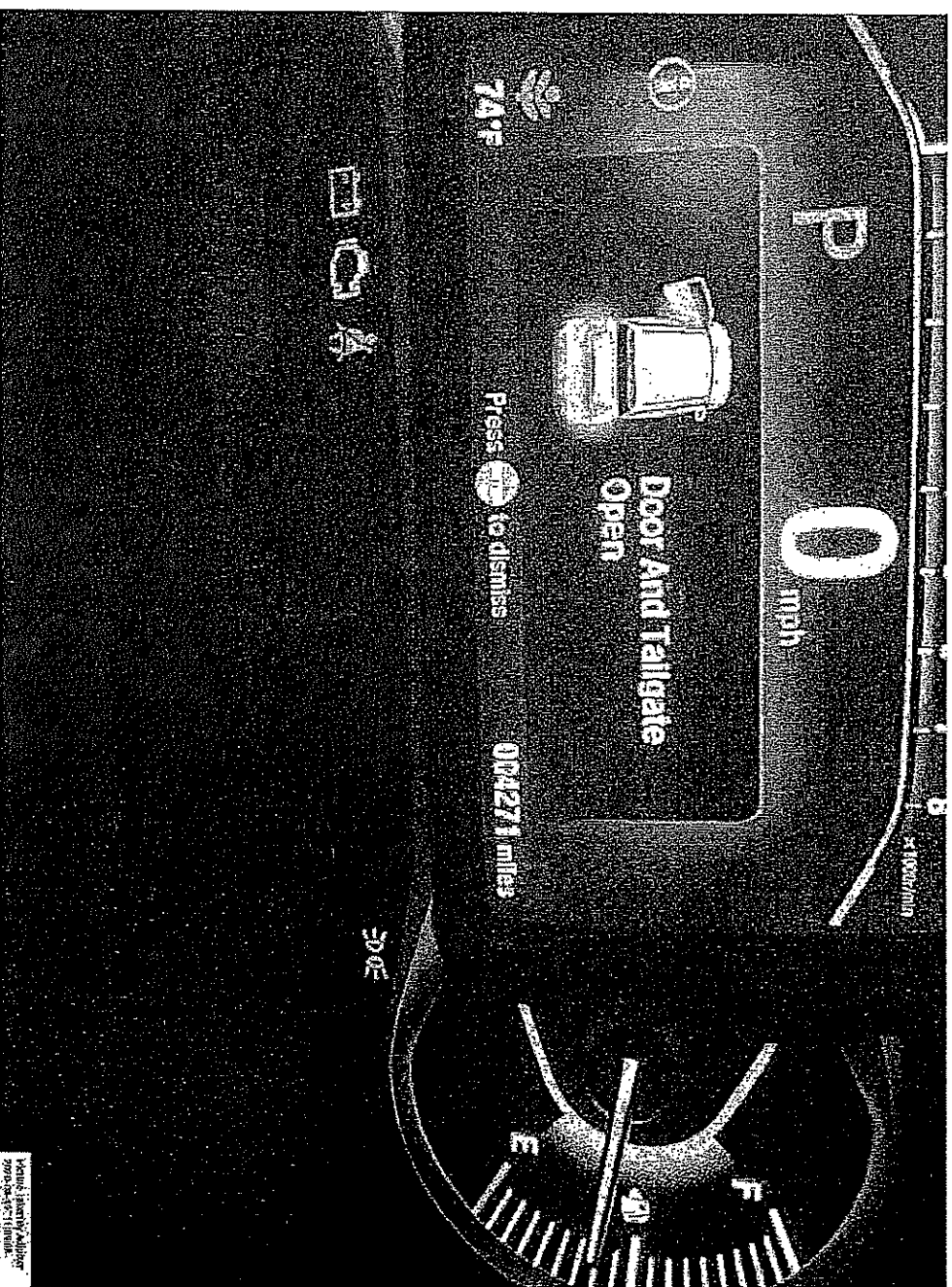
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Kristen Cruz

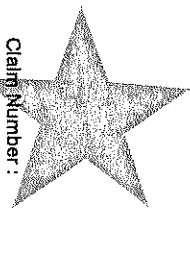
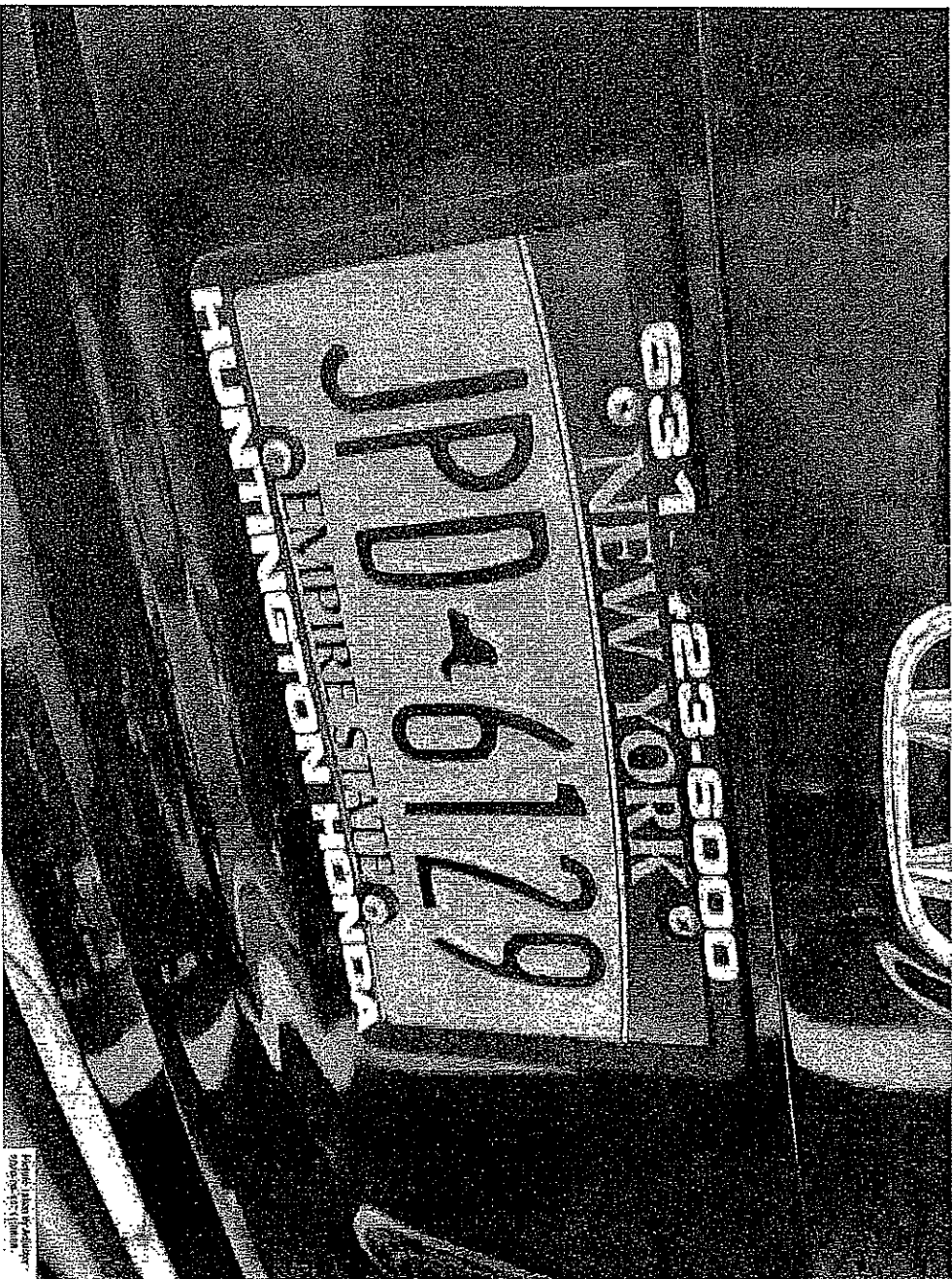
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Insured : Kristen Cruz  
Adjuster : Travis Barnes  
Policy Number : 0494271406  
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Vehicle Owner : Kristen Cruz  
Supplement Number : 00



Claim Number :  
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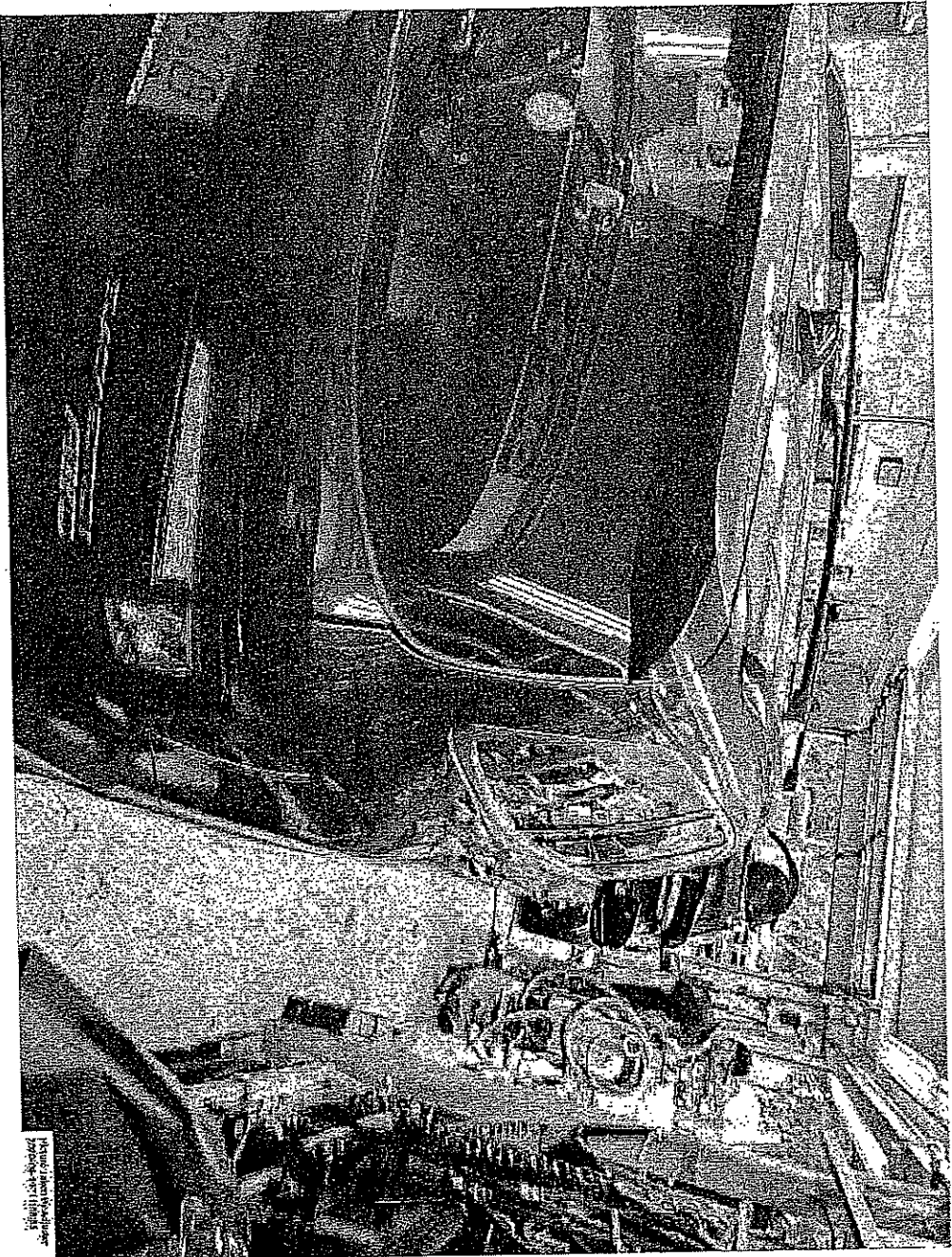
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Travis Barnes

Policy Number :  
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Photo Taken Date :  
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Vehicle Owner :  
Kristen Cruz

Supplement Number :  
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**Claim Number:**

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**Year:**

2020

**Category:**

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**Sub Category:**

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**Adjuster:**

Travis Barnes

**Policy Number:**

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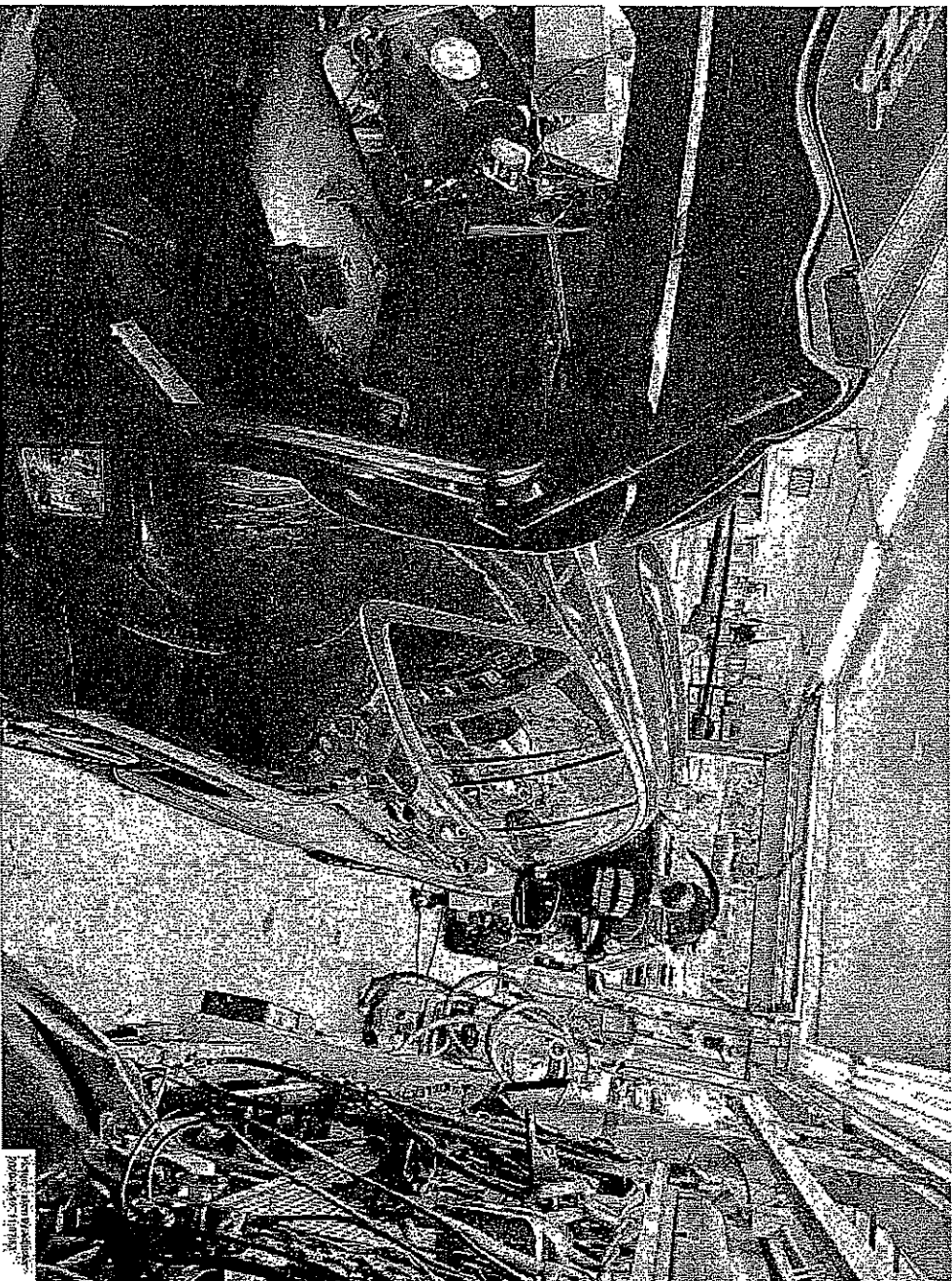
**Vehicle Owner:**

Kristen Cruz

**Supplement Number:**

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Travis Barnes

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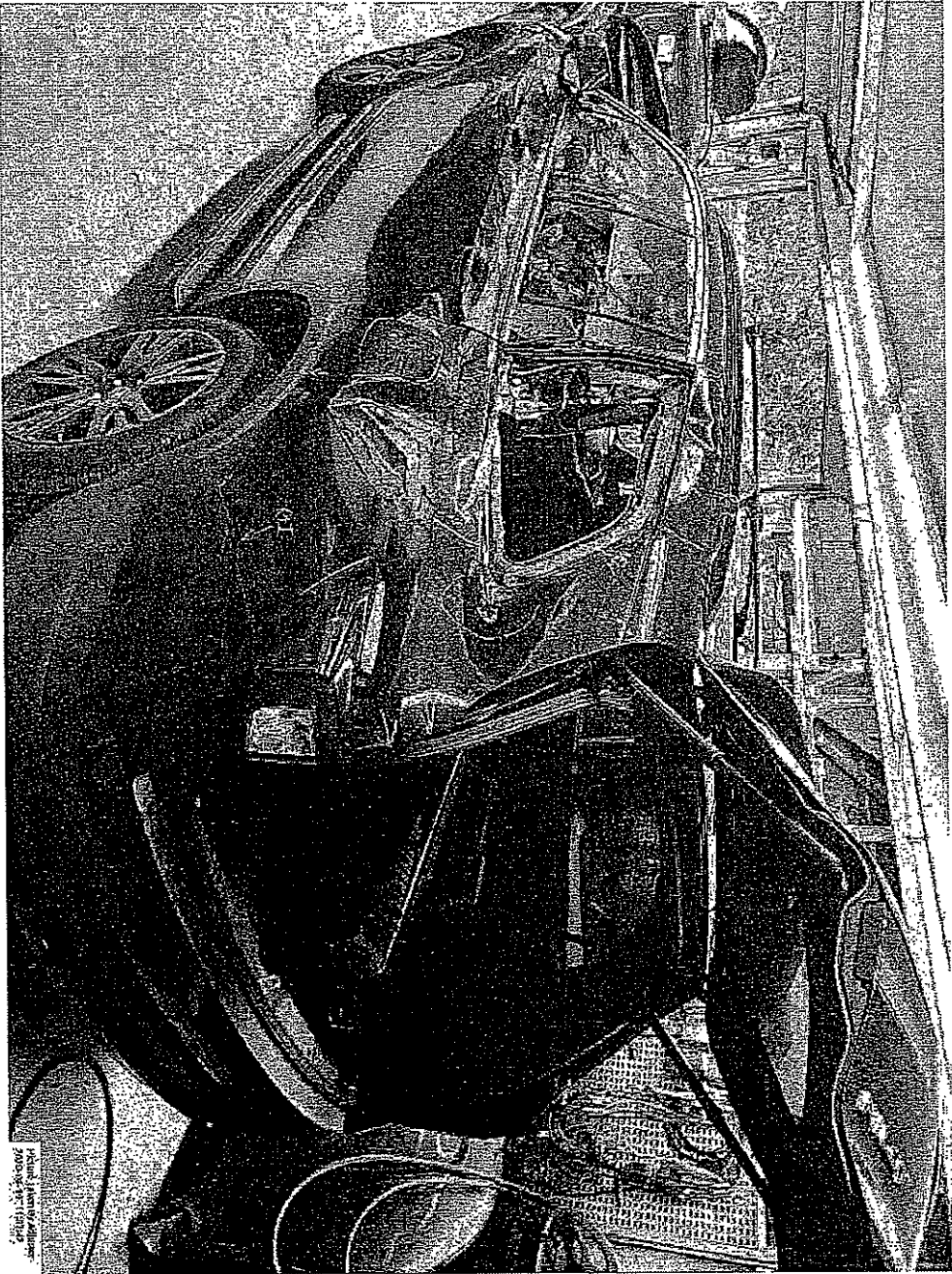
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Kristen Cruz

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Travis Barnes

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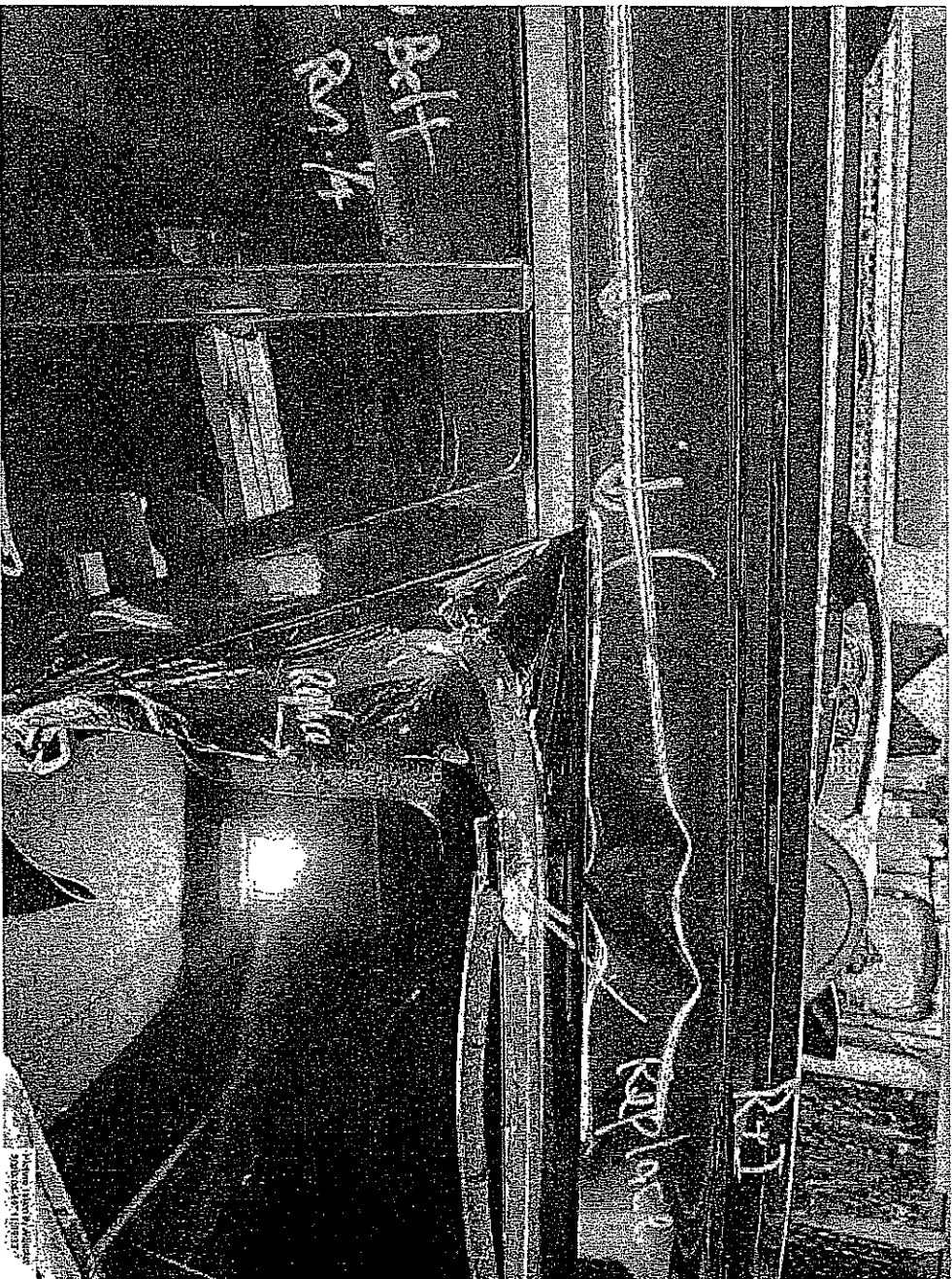
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Year :

2020

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08/14/2020

Insured :

Kristen Cruz

Adjuster :

Travis Barnes

Policy Number :

0494271406

Photo Taken Date :

2020-08-19T11:09:33

Vehicle Owner :

Kristen Cruz

Supplement Number :

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Claim Number :

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Year :

2020

Category :

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Travis Barnes

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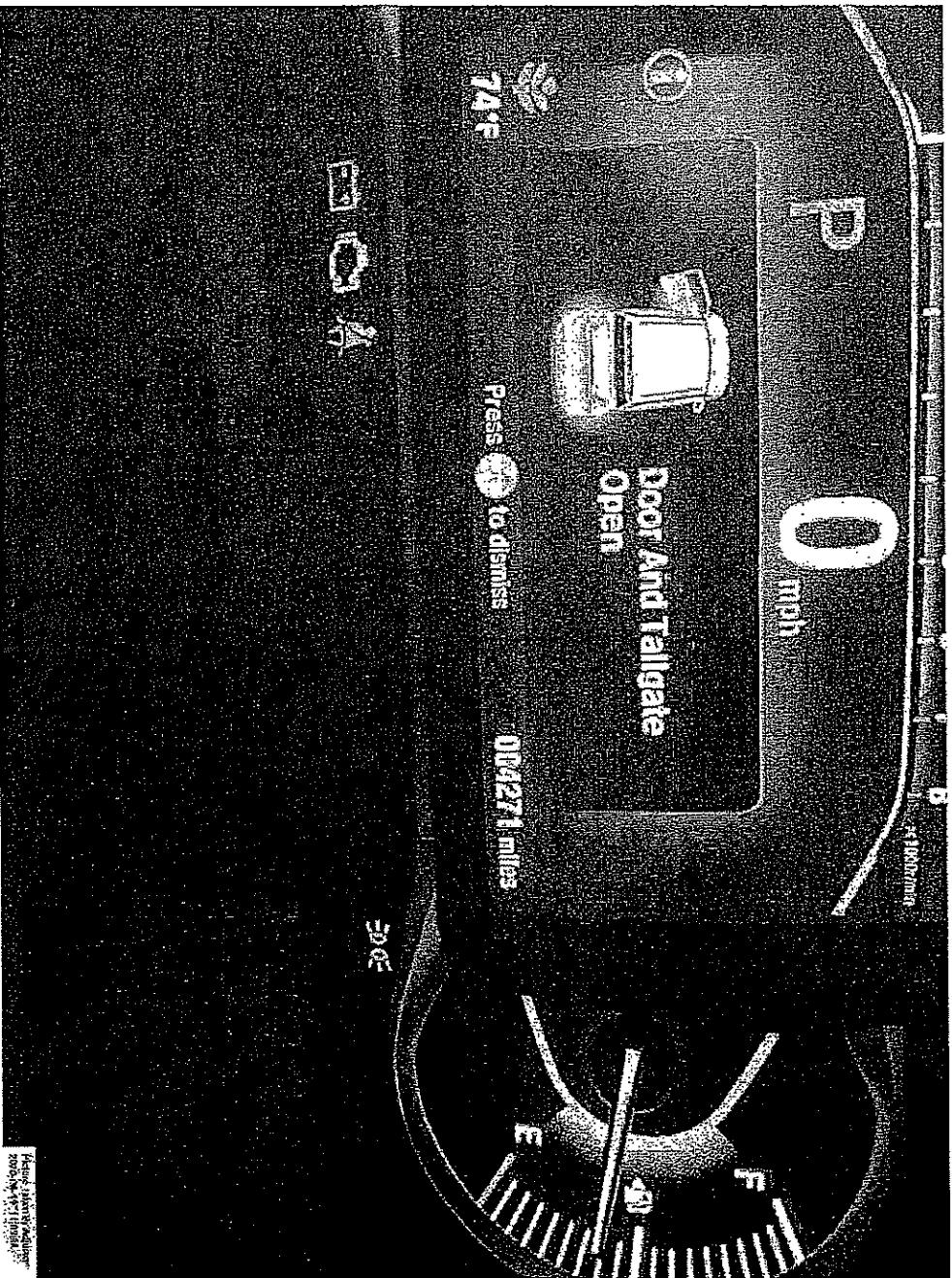
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Travis Barnes

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Photo Taken Date:

2020-08-19T11:09:08

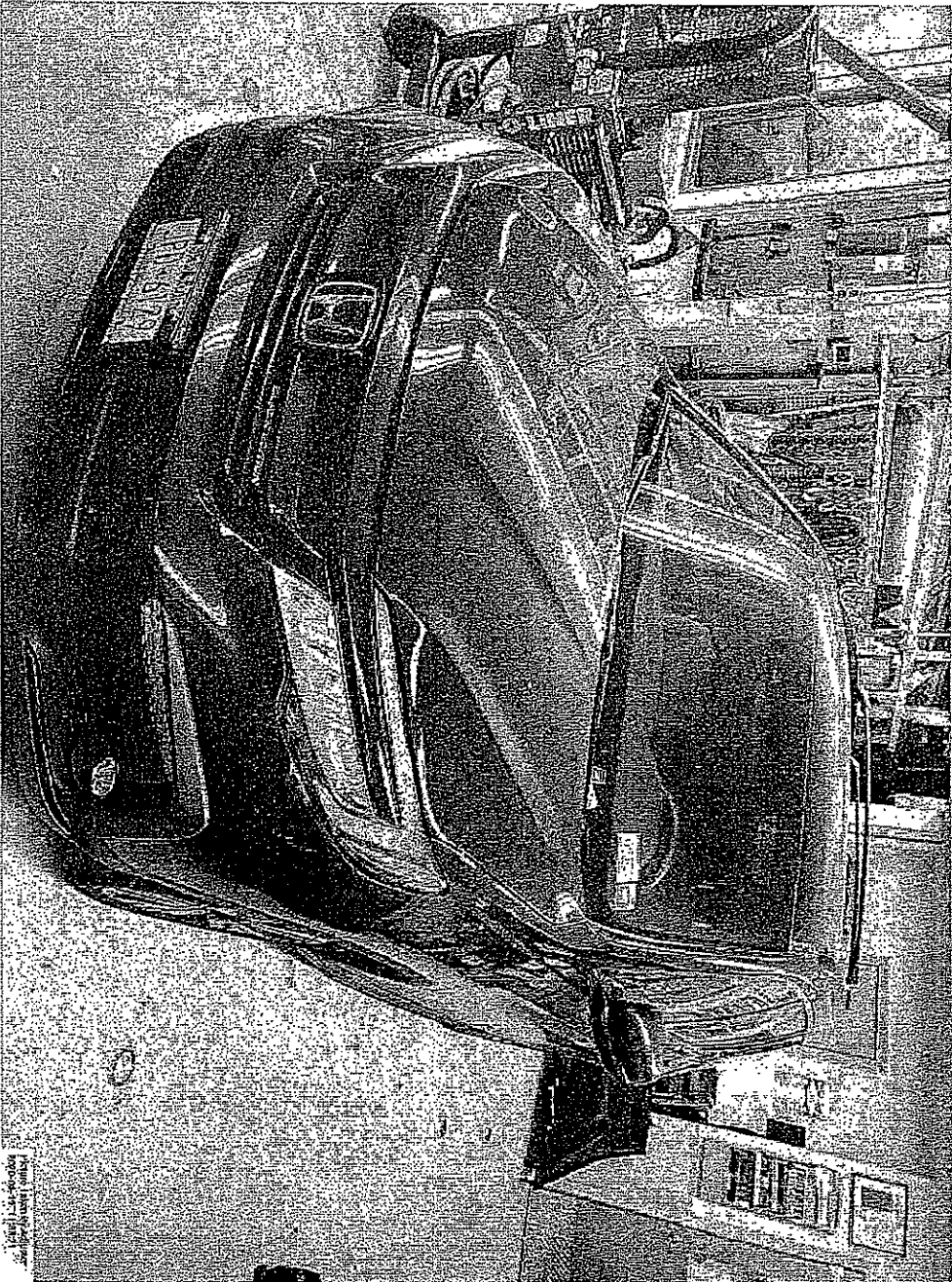
Vehicle Owner:

Kristen Cruz

Supplement Number:

00





Claim Number :

0162143100101073-01

Year :

2020

Category :

Estimate

Make :

HONDA

Sub Category :

Model :

PILOT EX

Image FileName :

cc139474453-1597849701043.jpg

VIN :

5FNYP6H74LB003320

Image Label :

Image

Loss Date :

08/14/2020

Insured :

Kristen Cruz

Adjuster :

Travis Barnes

Policy Number :

0494271406

Photo Taken Date :

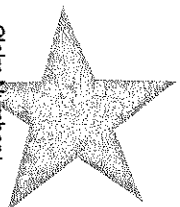
2020-08-19T11:08:21

Vehicle Owner :

Kristen Cruz

Supplement Number :

00



Claim Number :  
0162143100101073-01

Year :  
2020

Category :  
Estimate

Make :  
HONDA

Sub Category :

Model :  
PILOT EX

Image FileName :  
cc139474453-1597849888045.jpg

VIN :  
5FNYF6H74LB003320

Image Label :

Image  
Loss Date :  
08/14/2020

Insured :  
Kristen Cruz

Adjuster :  
Travis Barnes

Policy Number :  
0494271406

Photo Taken Date :  
2020-08-19T11:08:08

Vehicle Owner :  
Kristen Cruz

Supplement Number :  
00





North Fork Auto Body  
26 Edgar Avenue  
Mail to: PO Box 2274  
Aquebogue, NY 11791  
Phone: (631) 722-4290 Fax: (631) 722-2675  
northforkautobody@gmail.com  
24 Hour Towing Service

5FNYF6H74LB003320  
Accident Site: 168 Radcliffe Drive, Oyster Bay, NY 11771  
2020 Make/Model/Color: Honda, Pilot, Black

Loaded Ramp	Yard Fee	Mileage Charge
Back	Admin Fee	Flatbed Charge
Overly	Clean Area & W/itch	
Le Line Winching	Speedy Dry	Storage @
Line Winching	Collision Wrap	Date in
n Blocks	Haz Waste	& Date out
Blocks	Gate Fee	Subtotal
Labor		Sales Tax @ 8.625%

Insurance check amount received:  
TOTAL \$ 476.32

Photo Taken External Storage  
2020-08-19T12:12:11

Claim Number :0162143100101073-01  
Year :2020  
Category :Estimate  
Make :HONDA  
Sub Category :  
Model :PILOT EX  
Image FileName :cc139474453-1597853531000.jpg  
VIN :5FNYF6H74LB003320  
Image Label :image  
Loss Date :08/14/2020  
Insured :Kristen Cruz  
Adjuster :Travis Barnes  
Policy Number :0494271406  
Photo Taken Date :2020-08-19T12:12:11  
Vehicle Owner :Kristen Cruz  
Supplement Number :00

Claim Number

62143108101073

Pay To The Order Of

NORTH FORK AUTO BODY and KRISTEN  
A  
CRUZ

Financials

Gross Amount

\$11,496.96

Net Amount

\$11,496.96

Backup Withholding

\$0.00

Payment Identification

Issued Date

08/19/2020

Mail To Name

NORTH FORK AUTO BODY

Mail To Address

Memo

COLLISION COVERAGE

Payment Type

System Check

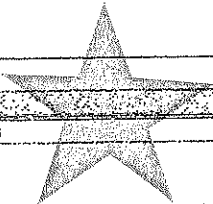
Check Number

217290589

Related Documents

Document Name

Reserve Line Allocation			
Exposure	Reserve Line	Cost Type	Amount
Kristen A Cruz - Collision (2020 HONDA)	Collision	Loss	\$11,496.96



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated September 1, 2020, authorized the Highway Department to clean up the premises located at 63 Vandewater Street, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 114, on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated February 19, 2021, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on September 11, 2020, in the total amount of \$1,336.05, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank M. Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated February 19, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,336.05 may be assessed by the Legislature of the County of Nassau against the parcel known as 63 Vandewater Street, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 114 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: February 19, 2021

SUBJECT: Property Cleanup Assessment  
63 Vandewater Street, Farmingdale, New York 11735  
Section 48, Block 503, Lot 114

---

The Department of Planning and Development, by memorandum dated September 1, 2020, directed the Highway Department to clean the premises located at 63 Vandewater Street, Farmingdale, New York 11735, also known as Section 48, Block 503, Lot 114 on the Land and Tax Map of the County of Nassau. (See attached copy of Deed). The Highway Department has, by memorandum dated September 17, 2020, advised that the property was cleaned by a crew from the Highway Department on September 11, 2020. The cost incurred by the Town of Oyster Bay was \$1,336.05.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments

2020-7800

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

September 1, 2020

**To:** JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
**From:** MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
**Through:** ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
**Subject:** 63 Vanderwater Street, Farmingdale NY 11735  
SBL: 48-503-114

---

Notice of Violation No. 02367 was issued to the owner of the above-referenced premises on 08/20/20 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, I am directing that:

- Cut and trim grass and vegetation.
- Trim bushes of sidewalk.

Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME:tc

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



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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCAFFREY**  
DEPUTY COMMISSIONER

September 1, 2020

The Estate of Donald Temple  
743 Shirley Avenue  
Norfolk, VA 23517

RE: PREMISES: 63 Vanderwater Street, New York 11735  
SECTION 48 BLOCK 503 LOT 114


Dear Property Owner:


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

Please be advised that N.O.V. No. 02367 (copy attached) has been served on 08/20/20. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs thereof.

Very truly yours,

**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito, Bureau Chief  
Code Compliance Division

  
ELM:ME:tc  
Andrew Preston, Esq., BRFH&D Attorneys-at-Law  
Enclosure

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THE INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INSTRUMENT, made the 13th day of July, nineteen hundred and eighty-nine  
 BETWEEN Donald E. Temple, residing at 63 Vandewater Street, Farmingdale, New York  
 and Lucy C. Temple, residing at 1692 Powers Avenue, East Meadow, New York

party of the first part, and Donald E. Temple, residing at 63 Vandewater Street, Farmingdale,  
 New York

AS SHOWN ON THE MAPS  
 COUNTY LAND-TAX MAP 28

LOT 119  
 SEC 50.3

party of the second part,

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

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the at Farmingdale, in the Town of Oyster Bay, County of Nassau and State of New York, known and designated as and by the part of Lots Numbered 56, 57, 58, 59 and 60 in Block 35, on a certain map entitled, "Map of Fallwood Realty Corp., Section #1, properties at Farmingdale, Nassau County, N.Y., surveyed by C.W. Smith, April 9, 1917" and filed in the Nassau County Clerk's Office on April 20, 1917 as Map #32, Case #278, which said part of Lots are more particularly bounded and described accordingly to said map, as follows:

BEGINNING at the corner formed by the intersection of the northerly side of Radcliffe Avenue with the westerly side of Vandewater Street; Running thence westerly along the northerly side of Radcliffe Avenue, 70 feet; Thence Northerly, parallel with Vandewater Street, 100 feet; Thence Easterly, parallel with Radcliffe Avenue, 70 feet to the westerly side of Vandewater Street; Thence Southerly along the westerly side of Vandewater Street, 100 feet to the corner, the point or place of BEGINNING

SAID PREMISES known as and by the street number 63 Vandewater Street, Farmingdale, NY and intended being the same premises as conveyed to the party of the first part herein by deeds dated 8/20/58 and recorded 8/25/58 in Liber 6218 pp 583.

SUBJECT TO easements, covenants, easements, restrictions and agreements of record. If any; and to any state of facts an accurate survey would show.

SAID premises being more commonly known as 63 Vandewater Street, Farmingdale, New York.

SAID premises being and intending to be the same premises as was conveyed to the party of the first part by deed dated July 25, 1979 which deed was recorded on July 31, 1979 in the office of the Clerk in the County of Nassau in Liber 9205 of deeds in page 626.

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

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

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

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

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

In presence of:

*Donald E. Temple*  
*Lucy C. Temple*

DEED 10015 PAGE 670

*Donald E. Temple*  
*Lucy C. Temple*  
*Lucy C. Temple*

DEED 10015 PAGE 670

503 114

AC

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

September 17, 2020

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

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

**SUBJECT:** 63 VANDERWATER STREET, FARMINGDALE  
BOARD-UP/ CLEAN-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,336.05.

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

  
\_\_\_\_\_  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

REC'D TOWN ATTORNEY  
20 SEP 24 AM 9:50



BOARD - UP/CLEAN-UP 63 VANDERWATER STREET, FARMINGDALE TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (48-503-114) 63 VANDERWATER ST FARMINGDALE 11735

Date Sep 11, 2020

Work Order # 74255

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JAMES CHADWICK, II	General Maintenance	01:00	\$46.66	00:00	0	\$46.66
DONALD CHANDLER	General Maintenance	01:00	\$47.39	00:00	0	\$47.39
ANTHONY MODAFFERI	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
SCOTT KELLY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00
STEVEN KELLY	General Maintenance	01:00	\$15.00	00:00	0	\$15.00

Total Labor \$139.05

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD667	PICK-UP TRUCK 2009 FORD F-250 YW (22 / 022)	\$79.00	01:00	\$79.00
TD683	TRUCK DUMP 2010 FORD F-350 YW (T-225) - Power Wagons	\$105.00	01:00	\$105.00
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:00	\$105.00
TD095	TRACTOR 2005 NHOLL TN60D BLUE (LT-14 / LT14)	\$158.00	01:00	\$158.00

Total Equipment \$447.00

Materials


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

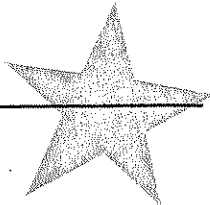
Total Materials \$750.00

Grand Total \$1336.05

Description of Work:

CLEAN UP 63 VANDERWATER STREET FM

Signature:   
Name: PETER BROWN  
Title: DIRECTOR OF HIGHWAY OPERATIONS  
Date: Sep 14, 2020



WHEREAS, pursuant to Section 182-22(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 15, 2020, authorized the Highway Department to clean up the premises located at Old Country Road and East Avenue, Hicksville, New York 11801, also known as Section 45, Block 66, Lot 292 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated February 16, 2021, pursuant to Section 182-22(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on October 20, 2020. In the total amount of \$2,237.59, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated February 16, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$2,237.59 may be assessed by the Legislature of the County of Nassau against the parcel known as Old Country Road and East Avenue, Hicksville, New York 11801, also known as Section 45, Block 66, Lot 292 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

-#-

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

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

Reviewed By  
Office of Town Attorney  
Ralph P. Healey

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET  
FROM: Office of the Town Attorney  
DATE: February 16, 2021  
SUBJECT: Property Cleanup Assessment  
Old Country Road, Hicksville, New York 11801  
Section 45, Block 66, Lot 292

---

The Department of Planning and Development by memorandum dated October 15, 2020, directed the Highway Department to clean the premises located at the corner of Old Country Road and East Avenue, Hicksville, New York 11801, also known as Section 45, Block 66, Lot 292 (see attached copy of deed), on the Land and Tax Map of the County of Nassau. The Highway Department has, by memorandum dated October 26, 2020, advised that the property was cleaned by a crew from the Highway Department on October 20, 2020. The cost incurred by the Town of Oyster Bay was \$2,237.59.

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

Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY



Ralph P. Healey  
Special Counsel

RPH:aml  
Attachment

S:\Cleanup MD & Reso\MD Old Country Rd Comm 2.16.21.doc

## TOWN OF OYSTER BAY

## Inter-Departmental Memo

October 15, 2020

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: Old Country Road, Hicksville, New York 11801  
SBL: 45-66-292

Notice of Violation No. 03324 was issued to the owner of the above-referenced premises on 09/24/20 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, I am directing that:

- Cut and trim lawn and vegetation.
- Remove debris

Pursuant to the provisions of Section <sup>182-22</sup> 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU



ME:tc

cc: Frank Scalera, Chief Deputy Town Attorney



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

**ELIZABETH L. MACCARONE**  
COMMISSIONER

**TIMOTHY R. ZIKE**  
DEPUTY COMMISSIONER

**JAMES McCAFFREY**  
DEPUTY COMMISSIONER

October 15, 2020

Peter A. Pekich  
139 Oakland Avenue  
W. Hempstead, New York 11552

RE: PREMISES: Old Country Road, Hicksville, New York 11801  
SECTION 45 BLOCK 66 LOT 292

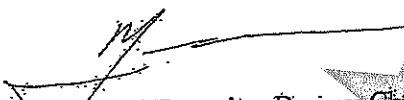
Dear Property Owner:

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

Please be advised that N.O.V. No. 03324 (copy attached) has been served on 09/24/20. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs thereof.

Very truly yours,

**ELIZABETH L. MACCARONE**  
COMMISSIONER

  
Michael Esposito, Bureau Chief  
Code Compliance Division

  
ELM:ME:tc  
Enclosure

This Indenture, made this 17 day of NYKIL in the year

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

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

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

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

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

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

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

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

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

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

School District 17

Section 45

Block 66

Lot 292 as shown on the Nassau County Land and Tax Map.

(Cert. # 489/07)

AL

Town of Oyster Bay  
Inter- Departmental Memo

October 26, 2020

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

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

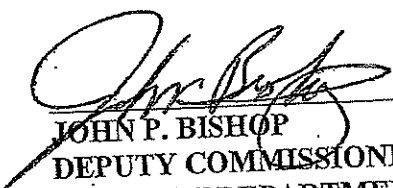
**SUBJECT:** OLD COUNTRY ROAD, HICKSVILLE  
BOARD-UP/ CLEAN-UP

---

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


In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,237.59

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

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

  
REC'D TOWN ATTORNEY  
20 NOV 24 4:58 PM

BOARD - UP/CLEAN-UP OLD COUNTRY ROAD, HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Date Oct 20, 2020

Location (45-66-292) OLD COUNTRY RD

Work Order # 76017

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	03:00	\$35.17	00:00	0	\$105.51
JAMES ROMANO	General Maintenance	02:30	\$29.28	00:00	0	\$73.20
VINCENT PADAVANO	General Maintenance	02:30	\$51.35	00:00	0	\$128.38
Total Labor						\$307.09

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU443	PICK UP 2012 FORD F-250 YW (25 / 025)	\$79.00	02:30	\$197.50
SK009	SKID LOADER 2007 KOMAT 1020 YW	\$26.00	02:30	\$65.00
TD731	2016 INTER 4200 YW 6 WHEELER	\$131.00	03:00	\$393.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	02:30	\$262.50
TR199	TRAILER 2014 FELLI FT14E BLACK	\$105.00	02:30	\$262.50
Total Equipment				\$1180.50

Materials

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

Grand Total \$2237.59

Description of Work:  
CLEAN UP OLD COUNTRY ROAD HV

Signature:

Name: PETER BROWN

Title: DIRECTOR OF HIGHWAY OPERATIONS

Date: Oct 23, 2020



WHEREAS, by Resolution No. 802-2019, adopted on December 10, 2019, the Town Board authorized and directed D&B Engineers and Architects, P.C. to provide on-call engineering services in connection with Contract No. PWC20-20, On-Call Engineering Services relative to Tank Management, for a two-year term, from January 1, 2020 through December 31, 2021; and

WHEREAS, Steven A. Fangmann, P.E., President and CEO, D&B Engineers and Architects, P.C., by letter dated February 12, 2021, set forth the scope of work to be performed under Contract No. PWC20-20, in an amount not to exceed \$33,800.00, in connection with On-Call Engineering Services relative to construction support services, regulatory inspections and certification, sub-contractor expenses and Nassau County Department of Health plan review fees related to Tank #18 in the Central Vehicle Maintenance Garage; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 1, 2021, requested Town Board authorization for D&B Engineers and Architects, P.C. to provide On-Call Engineering Services in connection with construction support services, regulatory inspections and certification, sub-contractor expenses and Nassau County Department of Health plan review fees related to Tank #18 in the Central Vehicle Maintenance Garage under Contract No. PWC20-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$33,800.00 for this purpose, and advised that funds in the amount of \$33,800.00, to satisfy said engineering costs, are available in Account No. DPW H 1997 2000 000 2110 001,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are accepted and approved, and D&B Engineers and Architects, P.C. is hereby authorized to proceed to provide the aforementioned services in connection with Contract No. PWC20-20, On-Call Engineering Services relative to Tank #18 in the Central Vehicle Maintenance Garage, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue an encumbrance order in an amount not to exceed \$33,800.00, with funds to be drawn from Account No. DPW H 1997 2000 000 2110 001.

-#-

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

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

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

March 1, 2021

TO: MEMORANDUM DOCKET

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


SUBJECT: ON-CALL CONSULTANT SERVICE REQUEST  
 CONTRACT NO. PWC 20-20  
 TANK MANAGEMENT  
 D & B ENGINEERS AND ARCHITECTS, P.C.  
 ACCOUNT NO.: DPW H 1997 20000 000 2110 001  
 PROJECT ID: 2110TWNA-02

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. 20-20 by Resolution No. 802-2019 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated February 12, 2021 from D & B Engineers and Architects, P.C. regarding the scope of work to be performed in an amount not to exceed \$33,800.00. Services to be performed include construction support services, regulatory inspections and certification, subcontractor expenses and NCDH plan review fee for Tank #18 in the central Vehicle Maintenance Garage.

Attached is an availability of funds in the amount of \$33,800.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. DPW-H-1997-20000-000-2110-001.

It is hereby requested that the Town Board authorize by Resolution D & B Engineers and Architects, P.C. under Contract No. PWC 20-20, 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, P.E.  
 COMMISSIONER  
 DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/CT/MR/SC//lk

Attachment

cc: Steven C. Ballas, Comptroller  
 Eric Tuman, Commissioner/General Services  
 Michael Cipriano, Devion Head/CVM

PWC 20-20 - D&B - ON CALL SERVICE REQUEST\_33,800

S.C.



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



Requesting Division/Department

CVM

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

Contract Number PWC 20-20

Contract Period 01/01/20 - 12/31/21

Consultant/Contractor D & B Engineers and Architects, P.C.

Discipline Tank Management

Total Authorization \$ 81,800.00

Resolution No. 802-2019 Date 12/10/2019

Funded To Date \$ 48,000.00

Amount Requested \$33,800.00

Account To Be Used DPW-H-1997-2000-000210-001 | 2110 TWNA-02

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.

Tank Management Program

Tank #18 - CVM

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

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

Requesting Division/Department

Signature [Signature]

DIVISION HEAD

Title CVM

Date 2-26-2021

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 2/26/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 33,800.00

Unencumbered Balance 1,000,000.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature]

Date 3/1/21



# 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 1/1/2020

Contract No. PWC 20-20

Contract End 12/31/2021

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

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

Vendor Name and Address

D & B Engineers and Architects, P.C.

330 Crossways Park Drive

Woodbury, NY, 11797

Requesting Town Department Parks

Contact Sunita Chakraborti Phone (516) 677 - 5725

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

Tank Management Program

Tank #18 - CVM

**This work order shall not exceed \$ 33,800.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

*Only To Be Executed By The Commissioner*

Signature [Signature]

Signature [Signature]

Title DIVISION HEAD  
CVM

Commissioner of Public Works

Date 2-26-2021

Date 2/26/21

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2019, advised that on September 4, 2019, a Request for Proposals for On-Call Engineering Services relative to Tank Management, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC20-20, for a two (2) year term contract commencing January 1, 2020 through December 31, 2021 was issued by the Department of Public Works to four (4) firms, and was placed on the Town of Oyster Bay website; and

WHEREAS, in response to that Request for Proposals, five (5) responses were timely received by the Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review and evaluation performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy of the Division of Engineering's preliminary recommendations, and in conjunction with the current workload, the Department has selected D&B Engineers & Architects, H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C. and LiRo Engineers, Inc.; and

WHEREAS, Commissioner Lenz requested that the Town Board authorize the Department of Public Works to enter into an agreement with D & B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C. and LiRo Engineers, Inc. to provide On-Call Engineering Services relative to Tank Management, in accordance with the specifications contained in Contract No. PWC20-20, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC20-20 with D & B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C. and LiRo Engineers, Inc., in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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

#### A. SCOPE OF WORK

##### Construction Support Services

- Coordinate with the Town's on-call contractors to develop an anticipated schedule for the project work. Prepare notifications to the NCDH and NYSDEC as required for the Tank 0018 sampling and closure/abandonment activities.
- Utilize a subcontractor to perform an underground site utility mark-out to verify absence of underground utilities in the area of tank abandonment and soil sampling activities.

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

February 26, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO ENVIRONMENTAL ENGINEERING  
CONTRACT NO. PWC23-20  
ACCOUNT NO.: PKS H 7197 20000 000 2002 001  
PROJECT ID NO. 2002 PKSA-02


---

The consultant, P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC23-20 by Resolution No. 804-2019 for the subject project.

Attached is a letter dated February 12, 2021 from P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., regarding the scope of work performed in an amount not to exceed \$16,400.00. Funds are required for the obtaining of a SPDES permit, the modification of already approved plans, and water sampling inspections to meet newly imposed requirements, put forth by the NYSDEC and NYDOH, related to the Tobay Beach Potable Water Treatment System Upgrade as described in the attached letter from P.W. Grosser Consulting Engineer & Hydrogeologist, P.C.

Attached is an availability of funds in the amount of \$16,400.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 2002 001.

It is hereby requested that the Town Board authorize by Resolution, P.W. Grosser Consulting Engineer & Hydrogeologist, P.C. under Contract No. PWC23-20 for On-Call Engineering Services Relative to Environmental Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

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

 RWL/OT/MR/BK/lk

Attachment

cc: Steve C. Ballas, Comptroller

PWC23-20 Docket Funding 16,400



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



Requesting Division/Department

Parks

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

Contract Number PWC23-20

Contract Period January 1, 2020 Through December 31, 2021

Consultant/Contractor P.W. Grosser Consulting Engineer & Hydrogeologist, P.C.

Discipline Environmental Engineering

Total Authorization \$ 115,036.00

Resolution No. 804-2019 Date 12/10/2019

Funded To Date \$ 98,636.00

Amount Requested \$16,400.00

Account To Be Used PKS-H-7197-20000-000-2002-001 2002 PKSA-0:

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.

Funds are required for the completion of the project due to added requirements by the NYSDEC

and NYSDOH regarding the Tobay Potable Water Treatment System Upgrade.

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

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

Requesting Division/Department

Signature [Signature]

Title Parks Commissioner

Date 2/18/21

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Title Commissioner of Public Works

Date 2/18/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 16,400.00

Unencumbered Balance 220,812.25

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature]

Date 2/23/21



# 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 1/1/2020

Contract No. PWC23-20

Contract End 12/31/2021

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

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

Vendor Name and Address

P.W. Grosser Consulting Engineer & Hydrogeologist, P.C.

630 Johnson Ave, Suite 7

Bohemia, NY 11716

Requesting Town Department Parks

Contact Brian Kunzig Phone 677-5741

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

Funds are required for the completion of the proejct due to added requirements by the NYSDEC

and NYSDOH regarding the Tobay Potable Water Treatment System Upgrade.

**This work order shall not exceed \$ 16,400.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

**Only To Be Executed By The Commissioner**

Signature [Signature]

Signature [Signature]

Title Parks Commissioner

**Commissioner of Public Works**

Date 2/18/21

Date 2/18/21





February 12, 2021

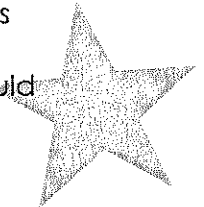
Mr. Brian Kunzig  
Town of Oyster Bay  
Department of Public Works  
Division of Engineering  
150 Miller Place  
Syosset, NY 11791

**RE: TOBAY Beach Iron Removal Treatment System**

Dear Mr. Kunzig:

PWGC is requesting additional funding to complete the above referenced project. This request is attributed to unforeseen efforts that were imposed by the Nassau County Department of Health and the New York State Department of Environmental Conservation. The following items describe the additional work that was required.

1. The Nassau County Department of Health required the existing and proposed backwash treatment systems to the ground waters of the State be permitted with the NYSDEC. PWGC was required to obtain and Industrial SPDES permit from the NYSDEC. This required the preparation of an engineering report, plans, applications and numerous correspondences with the NYSDEC. The permit has is still ongoing and has not been resolved.
2. After the approval of the design plans and specification, the Nassau County Department of Health has required additional modifications to the system. PWGC had to prepare additional drawings, figures and attend site meetings with the contractor and negotiate change orders with the contractor.
3. Upon the final inspection of the treatment system, the Nassau County Department of Health has requested additional electrical modifications to the existing chemical treatment room. PWGC has had numerous discussions with the NCDHS to address these issues and negotiate change orders with the contractor so the work could be performed.



CLIENT DRIVEN SOLUTIONS

PHONE: 631.589.6353 630 JOHNSON AVENUE, STE 7  
PWGROSSER.COM BOHEMIA, NY 11716

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4. The Nassau County Department of Health imposed an onerous sampling regimen that required PWGC to be on-site for several days while the sampling was being completed.
5. The Nassau County Department of Health required PWGC to put valve tags on every valve in the iron removal treatment facility and to prepare operational and maintenance manuals with valve schedules.

PWGC is requesting an addition \$16,400 in funding to cover the additional project cost. This amount will enable PWGC to bring this project to final completion.

If you have any questions please do not hesitate to call me.

Very truly yours,  
P.W. Grosser Consulting

Gerry Rosen, PE  
Vice President



CLIENT DRIVEN SOLUTIONS

PHONE: 631.589.6353 630 JOHNSON AVENUE, STE 7  
PWGROSSER.COM BOHEMIA, NY 11716

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Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2019, advised that a Request for Proposals for On-Call Engineering Services relative to Environmental Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC23-20, for a two (2) year term contract commencing January 1, 2020 through December 31, 2021 was issued to five (5) firms, and was placed on the Town of Oyster Bay website; and

WHEREAS, in response to that Request for Proposals, nine (9) responses were timely received by the Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy, and in conjunction with the current workload, the Department has selected AECOM USA, Inc., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and P.W. Grosser Consulting Engineer & Hydrogeologist, P.C.; and

WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with AECOM USA, Inc., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., to provide On-Call Engineering Services relative to Environmental Engineering, in accordance with the specifications contained in Contract No. PWC23-20, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC23-20 with AECOM USA, Inc., D&B Engineers & Architects, P.C., H2M Engineers, Architects, Land Surveying & Landscape Architecture, D.P.C., LiRo Engineers, Inc., Lockwood, Kessler & Bartlett, Inc., and P.W. Grosser Consulting Engineer & Hydrogeologist, P.C., in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

-#-

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

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

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated March 4, 2021, requested Town Board authorization for the Department of Community and Youth Services to present the 2021 Spring Drive-In Movie Series; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, further requested that she or her designee be granted the discretion to schedule the dates, times, and locations of said events; and

WHEREAS, Commissioner Fitzgerald, by said memorandum, advised that the total cost for the five drive-in movie events will not exceed \$27,000.00. The movies and drive-in equipment for the events will be procured through the Purchasing Division. Funding is available in Account Nos. CYS A 7020 4180 000 0000, Recreational Supplies, CYS A 7020 45100 000 0000, Equipment Rental and CYS A 7020 47660 000 0000, Special Events,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved and the Department of Community and Youth Services is authorized to host a series of drive-in movies, on the dates, times, and locations as established by Commissioner Fitzgerald or her designee; and be it further

RESOLVED, the total cost for the five drive-in movie events will not exceed \$27,000.00; the movies and drive-in equipment for the events will be procured through the Purchasing Division, with funding from Account Nos. CYS A 7020 4180 000 0000, Recreational Supplies, CYS A 7020 45100 000 0000, Equipment Rental and CYS A 7020 47660 000 0000, Special Events; and be it further

RESOLVED, That the Comptroller be authorized to pay said additional expenses, upon presentation of a certified claim form, after audit.

#

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

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

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

TOWN OF OYSTER BAY  
Inter-Departmental Memorandum

March 4, 2021

TO: Memorandum Docket

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

SUBJECT: 2021 Spring Drive-In Movie Series


---

The Department of Community and Youth Services is requesting Town Board authorization to present the 2021 Spring Drive-In Movie Series.

Dates and movie selections have not yet been determined. We request that the Town Board authorize the Commissioner of the Department to make that determination. Movies will begin at dusk. The events are free to the public.

The total cost for the five drive-in movie events will not exceed \$27,000.00. The movies and drive-in equipment for the events will be procured through the Purchasing Division. Funding is available in account CYS A 7020 41800 000 0000, Recreational Supplies, CYS A 7020 45100 000 0000, Equipment Rental and CYS A 7020 47660 000 0000, Special Events.

Therefore, it is respectfully requested that the Town Board authorize the Department to present the Spring Drive-In Movie Series.

  
Maureen A. Fitzgerald  
Commissioner

MAF:kf

WHEREAS, By Resolution No. 618-2020, adopted on November 17, 2020, the Town Board authorized the Department of Parks to conduct two Town of Oyster Bay Car Show Long Island events to be held at TOBAY Beach, on Saturday, April 24, 2021, from 11:00 am to 4:00 pm, with a rain date set for Sunday, April 25, 2021; and on Sunday, October 3, 2021, from 11:00 am to 4:00 pm, with a rain date set for Sunday, October 10, 2021, or as otherwise determined by the Department; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated February 18, 2021, requested Town Board approval to conduct the Town of Oyster Bay Car Show Long Island Drive-In Movie, to be held at TOBAY Beach, on Sunday, April 24, 2021, from 6:00 pm to 11:00 pm, with a rain date set for Sunday, April 25, 2021, or as otherwise determined by the Department of Parks, in lieu of the previously approved Car Show Long Island Spring TOBAY Classic scheduled for April 24, 2021; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested that cars be admitted free of charge and be required to register online through CarShowLI.com or by U.S. Mail to Town of Oyster Bay, Department of Parks, Special Events, 977 Hicksville Road, Massapequa, N.Y. 11758, with registration limited to the first 475 cars registered; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested that food and beverage be available to the public for purchase, to be provided by the then-current Town Concessionaire at TOBAY Beach or by an alternate food and beverage provider(s), as determined by the Commissioner of the Department of Parks, or his designee, and pursuant to the Town's procurement policy; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested authorization to incorporate the use of mobile food concessions to provide food and beverage, in lieu of the then-current Town Food and Beverage Concessionaire, and requested a waiver of the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers, provided that all mobile food concessions shall be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary, valid and current, insurance, permissions and permits required by the Nassau County Department of Health, and also requested authorization to charge each such participating mobile food concession a fee not to exceed One Hundred (\$100.00) Dollars, all fees collected for each event to be deposited in the Town of Oyster Bay General Fund Account No. TWN A 0001 02770 590 0000; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested approval to accept the addition of In-Kind Sponsors in exchange for promotional consideration for the event; sponsorship of the program may include the logo and/or wordmark on all promotional

Reviewed By  
Office of Town Attorney  
Elizabeth A. Fanchon

impressions, including but not limited to printings, posters, banners, press releases, media promotion and/or advertising and mailings; and

WHEREAS, Commissioner Pinto, by said memorandum, confirmed that the Town of Oyster Bay and the Department of Parks reserves the right to refuse any Sponsor, vendor and exhibitor, for any reason that it deems does not properly serve said event and/or the public in attendance; and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the use of DJ and/or audio services may be incorporated into the event, and further requested approval to utilize the services of EKO Productions, Inc., pursuant to Resolution No.664-2020 and

WHEREAS, Commissioner Pinto, by said memorandum, further advised that the use of movie and drive-in equipment will be provided by Swank Motion Pictures and Dynamic Entertainment Incorporated under previously authorized agreements; and

WHEREAS, event expenses including, but not limited to, DJ/audio services, movie rights, drive-in equipment, signage, promotional advertising, such as print, radio, television, internet and computerized pre-recorded messaging, shall not exceed the total amount of Ten Thousand Five Hundred (\$10,500.00) Dollars, and shall be paid from the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000. Any further event expenses (pursuant to the Town's procurement policy) not listed that are deemed appropriate by the Commissioner of Parks or his designee shall not exceed the total amount of Two Thousand (\$2,000.00) Dollars, and shall be paid from the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000; and

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

NOW, THEREFORE, BE IT RESOLVED, That the requests as set forth hereinabove are hereby approved, and the Department of Parks is hereby authorized to conduct the Town of Oyster Bay Car Show Long Island Drive-In Movie, to be held at TOBAY Beach, on Saturday, April 24, 2021, from 6:00 pm to 11:00 pm, with a rain date set for Sunday, April 25, 2021; or as otherwise determined by the Department, upon the terms as requested by Commissioner Pinto in his memorandum dated February 18, 2021, and as set forth hereinabove.

#

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

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

## TOWN OF OYSTER BAY

### Inter-Department Memo

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: FEBRUARY 18, 2021

SUBJECT: TOWN OF OYSTER BAY CAR SHOW LONG ISLAND DRIVE-IN MOVIE

---

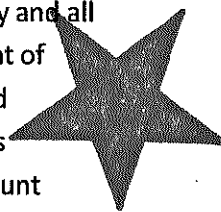
The Department of Parks, in cooperation with the Department of Community and Youth Services requests Town Board approval to conduct the Town of Oyster Bay Car Show Long Island Drive-In Movie, to be held at TOBAY Beach, Saturday, April 24, 2021, from 6:00pm to 11:00pm with a rain date set for Sunday, April 25, 2021. Dates and/or times may change as determined by this department.

Due to NY State and CDC Covid-19 regulations, the proposed Car Show Long Island Drive-In Movie will take the place of the previously scheduled Car Show Long Island Spring TOBAY Classic scheduled for April 24, 2021, resolution 618-2020 (attached).

Cars will be admitted free of charge and shall be required to register online through CarShowLI.com or by U.S Mail to Town of Oyster Bay, Department of Parks, Special Events, 977 Hicksville Road, Massapequa, NY 11758. Registration shall be limited to the first 475 cars registered.

Food and beverage shall be available to the public for purchase. The Department of Parks reserves the right to utilize the current Town concessionaire(s) at TOBAY (as of the date of the event) and/or reserves the right to select alternate food and beverage provider(s), as determined by the Commissioner of Parks or his designee and pursuant to the Town's procurement policy.

The Commissioner of Parks or his designee may incorporate the use of mobile food concession(s), in lieu of the current Town Food and Beverage concessionaire(s), at said event. The Department of Parks requests that the Town Board waive the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers, provided that all mobile food concession merchants shall be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary insurance, permissions and permits required by the Nassau County Department of Health, said insurance, permissions and permits to be valid and current. Each mobile food concession shall be charged a fee not to exceed \$100.00. All mobile food concession fees collected for the event shall be deposited in the Town of Oyster Bay General Fund Account No. TWN A 0001 02770 590 0000.





The Department of Parks requests Town Board approval to accept the addition of In-kind sponsors in exchange for promotional consideration for the event. Sponsorship of the program may include the logo and/or wordmark on all promotional impressions, including but not limited to printings, posters, banners, press releases, media promotion and/or advertising and mailings.

The Town of Oyster Bay and the Department of Parks reserves the right to refuse any sponsor/vendor/exhibitor, for any reason, that it deems does not properly serve said event and/or the public in attendance.

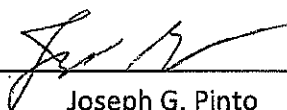
The use of DJ and/or audio services may be incorporated into the event. The Department of Parks requests Town Board approval to utilize the services of EKO Productions Inc. per Town Board Resolution No. 608-2020 (attached).

The use of movie and drive-in equipment will be provided by Swank Motion Pictures and Dynamic Entertainment Incorporated under previously authorized agreements.

Event expenses including but not be limited to DJ/audio services, movie rights, drive-in equipment, signage, promotional advertising, such as print, radio, television, internet and computerized pre-recorded messaging shall not exceed the total amount of \$10,500.00 and are to be paid from Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000, through the Town Purchasing Division.

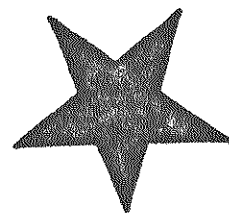
Any further event expenses (pursuant to the Town's procurement policy) not listed that are deemed appropriate by the Commissioner of Parks or his designee shall not exceed the total amount of \$2,000.00 and are to be paid from the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000.

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



Joseph G. Pinto  
Commissioner of Parks

JGP; EW



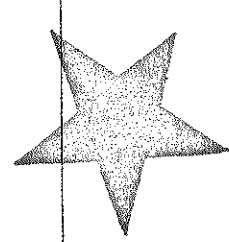
Reviewed By  
Office of Town Attorney

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated October 30, 2020, requested Town Board approval to conduct two Town of Oyster Bay Car Show Long Island events, to be held at TOBAY Beach, on Sunday, April 24, 2021, from 11:00 am to 4:00 pm, with a rain date set for Sunday, April 25, 2021; and on Sunday, October 3, 2021, from 11:00 am to 4:00 pm, with a rain date set for Sunday, October 10, 2021, or as otherwise determined by the Department of Parks, as well as Town Board approval to accept registration fees for said event, along with sponsor fees, vendor fees, exhibitor fees, mobile food concession fees and commemorative merchandise revenue; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested that spectators attending each event be admitted to each event free of charge, and that food and beverage be available to the public for purchase, to be provided by the then-current Town Concessionaire at TOBAY Beach or by an alternate food and beverage provider(s), as determined by the Commissioner of the Department of Parks, or his designee, and pursuant to the Town's procurement policy; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested authorization to incorporate the use of mobile food concessions to provide food and beverage, in lieu of the then-current Town Food and Beverage Concessionaire, and requested a waiver of the provisions of Chapter 173 of the Code of the Town of Oyster Bay - Peddlers, provided that all mobile food concessions shall be in compliance with the provisions of the New York State Sanitary Code and shall possess any and all necessary, valid and current, insurance, permissions and permits required by the Nassau County Department of Health, and also requested authorization to charge each such participating mobile food concessions a fee not to exceed Two Hundred Fifty (\$250.00) Dollars per event, all fees collected for each event to be deposited in the Town of Oyster Bay General Fund Account No. TWN A 0001 02770 590 0000; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested approval for event entertainment to be provided by the Department of Parks, the then-current Town Concessionaire at TOBAY Beach and/or a participating sponsor(s) of that event, with the talent selection to be approved by the Commissioner of the Department of Parks or his designee, with the entertainment fees to be satisfied solely by or in conjunction with the Department of Parks, the then-current Town Concessionaire at TOBAY Beach and/or a participating sponsor(s) of that event, and shall not exceed a total amount of \$4,500.00 for each such event, with any partial or whole fees billed to the Town by the entertainment group to be drawn from the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000 in accordance with Guideline 5, Section b of the Town Procurement Policy; and



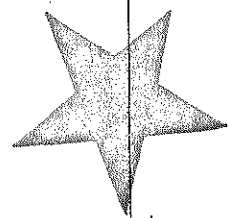
WHEREAS, Commissioner Pinto, by said memorandum, further requested Town Board approval to employ the services of a dedicated judging staff to adjudicate the aforesaid Town of Oyster Bay Car Show Long Island events, said judges to be recognized and selected by the Commissioner of Parks or his designee based on their expertise and knowledge of classic, antique and show cars, which is in accordance with Guideline 5, Section 6, of the Town's Procurement Policy, whereby the procurement of judges is exempt from the solicitation, written proposal and response requirements of the policy, with the number of judges not to exceed twenty (20) per event, and each individual judge's fee not to exceed One Hundred Fifty (\$150.00) Dollars per event, with payment of such fees to be drawn from the Oyster Bay Car Show Trust Account No. TWN TA 0000 00085 438 0000; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested approval to produce commemorative merchandise highlighting the events to be sold by the Department at each event, such merchandise to be ordered in compliance with the Town's procurement policy, such merchandise to be available for public purchase at each event at a price to be determined by the Parks Department, and which shall not exceed Twenty (\$20.00) Dollars per item; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested approval to hire an outside organization or company to arrange for insurance and transportation for specialty vehicles and/or show cars to appear in either or both shows to help promote and/or benefit the show, which cost of such service shall not exceed Five Hundred (\$500.00) Dollars per vehicle, with payment to be drawn from the Oyster Bay Car Show Trust Account No. TWN TA 0000 00085 438 0000; and

WHEREAS, all monies collected from each event, including, but not limited to, vehicle Registration Fees, Sponsor Fees, Vendor Fees, Exhibitor Fees, mobile food concession fees and commemorative merchandise revenue shall be deposited in the Town of Oyster General Fund Account No. TWN A 0001 02770 590 0000. Upon event reconciliation, 35% of total monies received from the event shall be transferred to the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000 to be used to develop and execute future events for the Town of Oyster Bay. Additionally, a working bank shall be established prior to each event to allow on site staff to facilitate the proper change for day-of registrants and/or merchandise sales; and

WHEREAS, event expenses including, but not limited to, signage, branded merchandise, trophies, promotional advertising, such as print, radio, television, internet and computerized pre-recorded messaging, shall not exceed the total amount of Fifteen Thousand Five Hundred (\$15,500.00) Dollars, and shall be paid from the Town of Oyster Bay Car Shows Program



WHEREAS, Commissioner Pinto, by said memorandum, further requested approval to set a Fifteen (\$15.00) Dollar Registration Fee for all vehicles pre-registered prior to the day of each event, and a Twenty-Five (\$25.00) Dollar Registration Fee for all vehicles registering on the day of each event; and

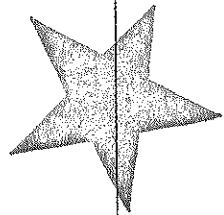
WHEREAS, Commissioner Pinto, by said memorandum, further requested approval to offer the following sponsorship levels with varying valuation amounts and promotional opportunities: Presenting Sponsor with a monetary valuation set by the Department, which value shall not exceed Five Thousand (\$5,000.00) Dollars, Event Sponsor with a monetary valuation set by the Department, which value shall not exceed Two Thousand Five Hundred (\$2,500.00) Dollars, Sponsor with a monetary valuation set by the Department, which value shall not exceed One Thousand (\$1,000.00) Dollars, In-Kind Sponsor based on their commitment of service and/or promotional value provided to the event, to be determined by the Commissioner of the Department of Parks or his designee; and

WHEREAS, Commissioner Pinto, by said memorandum, further requested approval to offer Vendors the opportunity to sell products directly to the public and to offer Exhibitors the opportunity to display product and distribute product related literature, each such Vendor or Exhibitor to be allotted a specific 10 foot x 15 foot area at the event as designated by the Department of Parks, and up to two 8 foot tables, one 6 foot table and one 10 foot x 10 foot tent, said tables and tents to be provided by each Vendor and Exhibitor, with a monetary valuation set by the Department, which value shall not exceed One Hundred Fifty (\$150.00) Dollars; and

WHEREAS, Commissioner Pinto, by said memorandum, further confirmed that each such Sponsor, Vendor and Exhibitor shall be a legal, accredited business in good standing with the State of New York and will be required to provide such documentation upon request, including, but not limited to a then-current certificate of insurance naming the Town of Oyster Bay as an additional insured; and

WHEREAS, Commissioner Pinto, by said memorandum, further confirmed that all media-based organizations partnering with the Town of Oyster Bay for Car Show Long Island events, shall be permitted the right to sell new sponsorships, brought in jointly with the Town, and equally share any revenues (50%/50%) upon reconciliation of said event; and

WHEREAS, Commissioner Pinto, by said memorandum, further confirmed that the Town of Oyster Bay and the Department of Parks reserves the right to refuse any Sponsor, Vendor and Exhibitor, for any reason that it deems does not properly serve said event and/or the public in attendance; and



Trust Account No. TWN TA 0000 00085 438 0000. Any further event expenses (pursuant to the Town's procurement policy) not listed that are deemed appropriate by the Commissioner of Parks or his designee shall not exceed the total amount of Two Thousand (\$2,000.00) Dollars, and shall be paid from the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000; and

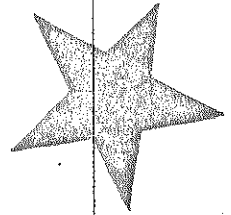
WHEREAS, the Town Board deems these events to be an appropriate and worthwhile endeavor, and has determined that the approval of this request will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as set forth hereinabove are hereby accepted and approved, and the Department of Parks is hereby authorized to conduct two Town of Oyster Bay Car Show Long Island events to be held at TOBAY Beach, on Saturday, April 24, 2021, from 11:00 am to 4:00 pm, with a rain date set for Sunday, April 25, 2021; and on Sunday, October 3, 2021, from 11:00 am to 4:00 pm, with a rain date set for Sunday, October 10, 2021, or as otherwise determined by the Department, upon the terms as requested by Commissioner Pinto in his memorandum dated October 30, 2020, and as set forth hereinabove.

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

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



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated November 20, 2020, requested Town Board authorization for the Town Supervisor, or his designee, to execute an agreement, negotiated and approved by the Office of the Town Attorney, with EKO Productions, Incorporated, 360-C Commack Road Deer Park, New York 11729, to provide professional sound equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2021 through December 31, 2021, in an amount not to exceed \$140,000.00, with two (2) one (1) year extension options, to be exercised by the Town, if it is in the Town's best interest to do so,

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Town Supervisor, or his designee, to execute an agreement, negotiated and approved by the Office of the Town Attorney, with EKO Productions, to provide professional sound equipment and services for the Town of Oyster Bay's "Music Under the Stars" Concert Series, and various other events, for a period of one (1) year, commencing on January 1, 2021 through December 31, 2021, in an amount not to exceed \$140,000.00, with two (2) one (1) year extension options, to be exercised by the Town, if it is in the Town's best interest to do so; and be it further

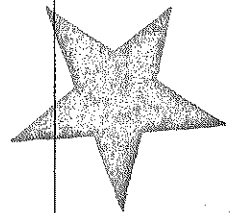
RESOLVED, that the funds for said payment shall be drawn from Account No. CYS A 7020 47660 000 0000; and be it further

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

#

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

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



Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, Ellen Mager has requested to donate a memorial plaque and a bench to be placed in Theodore Roosevelt Park, Oyster Bay, in memory of Sandy and Art Mager; and

WHEREAS, the value of the plaque and bench is estimated to be \$880.00, and the monies donated will be deposited into Account No. PKS A 0001 02705 000 0000; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 5, 2021, recommended that the Town accept said donation,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation of \$880.00 from Ellen Mager to be deposited into Account No. PKS A 0001 02705 000 0000, to purchase a plaque and bench to be placed in Theodore Roosevelt Park, Oyster Bay, in memory of Sandy and Art Mager.

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

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

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

**TO:** Memorandum Docket  
**FROM:** Joseph G. Pinto, Commissioner of Parks  
**SUBJECT:** Memorial Plaque and Bench  
**DATE:** March 5, 2021

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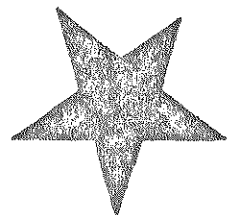
The Department of Parks has received a request from Ellen Mager (letter attached) requesting to donate a memorial plaque and bench to be placed in Theodore Roosevelt Memorial Park and Beach in memory of Sandy and Art Mager.

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

The plaque and bench will be purchased by Ellen Mager and donated to the Parks Department. The value of the plaque and bench is estimated to be \$880.00. Town Board approval is requested on behalf of Ellen Mager. The monies will be collected in account PKS A 0001 02705 000 0000.

  
\_\_\_\_\_  
Joseph G. Pinto  
COMMISSIONER OF PARKS

JGP/dc





Ellen Mager



March 5, 2021

To Whom It May Concern:

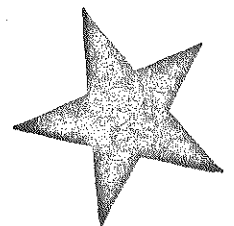
We would like to purchase a bench to replace the one at Teddy Roosevelt Beach that comes just before the snack stand (it is in slight disrepair) when you walk on the beach from the parking lot and put a plaque on it in memory of our parents who lived in the community for almost 50 years. (There is another water facing bench currently unplaqued that sits on the other side of the snack stand a few benches down which we believe is spoken for but if somehow that becomes available, we would prefer that one and are happy to assume the cost of that bench).

I have submitted the plaque wording to Diann already. We are hoping to have the bench and plaque in place by Friday April 23<sup>rd</sup> so that we can have a small family remembrance gathering that weekend.

I do need to know if that is feasible or not because people need to make travel arrangements. We want to avoid the main beach season so if that is not possible, we will do something sometime after Labor Day so will wait to have the new bench and plaque attached until then if possible.

I look forward to hearing about this soon. Thanks so much for your help.

Sincerely,  
Ellen Mager



WHEREAS, by Resolution No. 507-2020 adopted on September 15, 2020, the Town Board authorized payment to Island Occupational Medical Resources, P.C., *nunc pro tunc* for testing through September 8, 2020, for the provision of rapid testing of Town employees for COVID-19, in an amount not to exceed \$38,450.00;

WHEREAS, the Office of the Town Attorney, by memorandum dated September 14, 2020, furnished an opinion indicating that in light of the emergency need for COVID-19 testing services, the retention of Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York was in compliance with the Procurement Policy; and

WHEREAS, by Resolution No. 634-2020 adopted on December 8, 2020, and by Resolution No. 77-2021, the Town Board authorized payment to Island Occupational Medical Resources, P.C., *nunc pro tunc* from September 9, 2020 through December 31, 2020, for the provision of rapid testing of Town employees for COVID-19 in a total amount not to exceed \$100,000.00;

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated March 8, 2021, advised that due to the continued influx in COVID-19 cases, the Department of General Services deemed it necessary to continue to retain the professional services of Island Occupational Medical Resources, P.C., to perform rapid testing of Town employees for COVID-19, due to its possession of unique data which is crucial to the Town's need and obligation to conduct contact tracing; and

WHEREAS, the Office of the Town Attorney, by memorandum dated January 28, 2021, furnished an opinion indicating that in light of the possession of one-of-a-kind data which is crucial to the Town's need and obligation to conduct contact tracing, the retention of Island Occupational Medical Resources, P.C. to perform rapid testing of Town employees for COVID-19, was in compliance with the Procurement Policy; and

WHEREAS, Commissioner Tuman, by memorandum dated March 8, 2021, requested and recommended that the Town Board approve an encumbrance order, *nunc pro tunc*, for the period January 1, 2021 through and including December 31, 2021, in an amount not to exceed \$225,000.00 to pay Island Occupational Medical Resources, P.C., for continued professional services pertaining to COVID-19 testing and the safe return of our employees to the workplace, with funds to be drawn from Account No. TWN A 1989 47900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted and approved, and the Town Board hereby approves an encumbrance order, *nunc pro tunc*, for the period January 1, 2021 through and including December 31, 2021, in an amount not to exceed \$225,000.00 to pay Island Occupational Medical Resources, P.C. for continued professional services pertaining to COVID-19 testing of Town employees, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. TWN A 1989 47900 000 0000.

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

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

Reviewed By  
Office of Town Attorney  
Elizabeth A. Faughnan

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

To: MEMORANDUM DOCKET

From: ERIC TUMAN, COMMISSIONER  
GENERAL SERVICES DEPARTMENT

Date: MARCH 8, 2021

Subject: COVID19 TESTING FOR FACILITY HEALTH AND SAFETY

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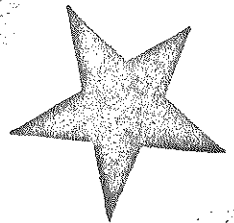
Referencing previous Town Board Resolutions No. 507-2020, 634-2020 and 77-2021(attached) and due to the continued influx of COVID19 virus cases coming to the attention of our COVID RESPONSE Team, the General Services Department has continued to secure the services of IOMR, Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York to perform the testing on an expedited, emergency basis.

The Office of the Town Attorney, by memorandum dated January 28, 2021 (attached), rendered an opinion that based on IOMR's unique and particular data, no further compliance with the Town's Procurement Policy is required.

With the continued pandemic of COVID19 involving Town of Oyster Bay employees, the General Services Department requests and recommends the Town Board to approve an encumbrance order nunc pro tunc January 1, 2021 through December 31, 2021 in an amount not to exceed \$225,000.00 to pay IOMR, Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York for professional services pertaining to COVID19 testing and the safe return of our employees to the workplace. These funds are available from account TWN-A-1989-47900-000-0000, Other General Government Support for Professional Services.

*Eric Tuman* By: *[Signature]*  
Eric Tuman, Commissioner  
General Services Department

ET/sc  
Attachments  
cc: Comptrollers/Account Payable  
General Services Department



Meeting of September 15, 2020

Resolution No. 507-2020

WHEREAS, Eric Tuman, Commissioner, General Services Department, by memorandum dated September 14, 2020, advised that based on several Town of Oyster Bay employees having tested positive for the COVID 19 virus, it became necessary to test additional employees on an emergency basis. The General Services Department was able to secure the services of Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York to perform the testing on an emergency basis; and

WHEREAS, the Office of the Town Attorney, by memorandum dated September 14, 2020, advised that the requirements of the Town's Procurement policy may be waived concerning the procurement of Island Occupational Medical Resources, P.C., to provide same day COVID-19 testing of Town of Oyster Bay employees and to provide results in 24 hours, insuring the Town's ability to continue to provide services; and

WHEREAS, Commissioner Tuman, by said memorandum, requested that the Town Board authorize payment to Island Occupational Medical Resources, P.C., in an amount not to exceed \$38,450.00, for Town of Oyster Bay employee COVID 19 testing, provided to the Town, on an emergency basis,

NOW, THEREFORE, BE IT RESOLVED, that the abovementioned request is hereby accepted and approved, and the General Services Department is hereby authorized to make payment to Island Occupational Medical Resources, P.C., in an amount not to exceed \$38,450.00, for Town of Oyster Bay employee COVID 19 testing, on an emergency basis; and be it further

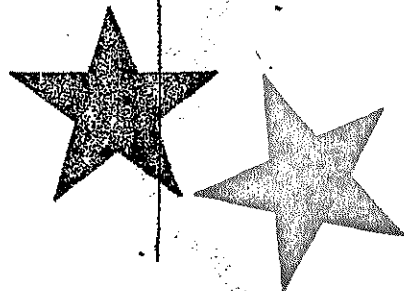
RESOLVED, that the funds for said payment shall be drawn from Account No. TWN-A-1989-47900-000-0000; and be it further

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

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

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



Meeting of December 8, 2020

Resolution No. 634-2020

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated November 9, 2020, advised that due to the increase in COVID-19 cases, the Department of General Services deemed it necessary to retain the professional services of Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York, to perform rapid virus testing of employees; and

WHEREAS, the Office of the Town Attorney, by memorandum dated September 14, 2020, furnished an opinion indicating that in light of the emergency need for COVID-19 testing services, the retention of Island Occupational Medical Resources, P.C. was in compliance with the Procurement Policy; and

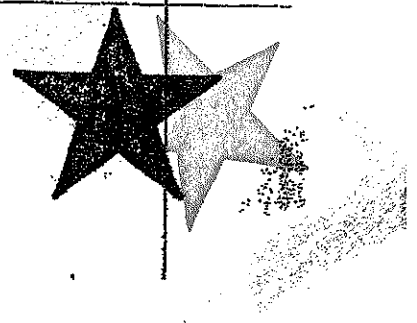
WHEREAS, Commissioner Tuman, by the aforementioned memorandum, requested and recommended that the Town Board authorize payment to Island Occupational Medical Resources, P.C. in an amount not to exceed \$50,000.00, with funds to be drawn from Account No. TWN A 1989 47900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation hereinabove set forth are accepted and approved, and the Town Board hereby authorizes payment to Island Occupational Medical Resources, P.C., *non pro tunc* from September 9, 2020 through December 31, 2020, in an amount not to exceed \$50,000.00, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. TWN A 1989 47900 000 0000.

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

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



Office of Town Attorney  
Edmund J. Kearney

WHEREAS, the Office of the Town Attorney, by memorandum dated September 14, 2020, furnished an opinion indicating that in light of the emergency need for COVID-19 testing services, the retention of Island Occupational Medical Resources, P.C. was in compliance with the Procurement Policy; and

WHEREAS, by Town Board Resolution No. 507-2020 adopted September 15, 2020, the Town Board authorized payment to Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York, *nunc pro tunc* for testing through September 8, 2020, for the provision of rapid testing of Town employees for COVID-19, in an amount not to exceed \$38,450.00;

WHEREAS, by Town Board Resolution No. 634-2020 adopted December 8, 2020, the Town Board authorized payment to Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York, *nunc pro tunc* from September 9, 2020 through December 31, 2020, for the provision of rapid testing of Town employees for COVID-19 in an amount not to exceed \$50,000.00;

WHEREAS, Eric Tuman, Commissioner, Department of General Services, by memorandum dated January 25, 2021, advised that due to a renewed spike in COVID-19 cases, the Department of General Services deemed it necessary to continue to retain the professional services of Island Occupational Medical Resources, P.C., 618 Broadway, Amityville, New York, to perform rapid testing of Town employees for COVID-19, due to its possession of unique data which is crucial to the Town's need and obligation to conduct contact tracing; and

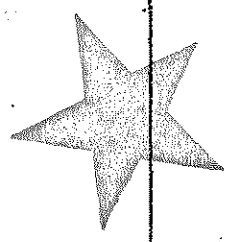
WHEREAS, the Office of the Town Attorney, by memorandum dated January 27, 2021, furnished an opinion indicating that in light of the possession of one-of-a-kind data which is crucial to the Town's need and obligation to conduct contact tracing, the retention of Island Occupational Medical Resources, P.C. to perform rapid testing of Town employees for COVID-19, was in compliance with the Procurement Policy; and

WHEREAS, Commissioner Tuman, by memorandum dated January 25, 2021, requested and recommended that the Town Board amend Resolution No. 634-2020 adopted December 8, 2020, and authorize increased payment to Island Occupational Medical Resources, P.C. in an additional amount not to exceed \$50,000.00, for a total authorization of \$100,000.00, with funds to be drawn from Account No. TWN A 1989 47900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted and approved, and the Town Board hereby amends Resolution No. 634-2020 adopted December 8, 2020, and authorizes payment to Island Occupational Medical Resources, P.C., *nunc pro tunc* from September 9, 2020 through December 31, 2020, in an additional amount not to exceed \$50,000.00, for a total authorization of \$100,000.00, and be it further

Reviewed By  
Office of Town Attorney

Elizabeth A. Jaughan

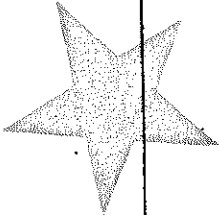


RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account No. TWN A 1989 47900 000 0000.

~~#~~

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

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



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

**MEMO SENT BY EMAIL; ORIGINAL SENT BY INTER-OFFICE MAIL.**

TO: ERIC TUMAN, Deputy Commissioner  
Department of General Services

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: January 28, 2021

SUBJECT: Continued Procurement of Island Occupational Medical Resources, P.C.

---

We are in receipt of your request for a waiver of the Town's procurement policy, for the continued procurement of Island Occupational Medical Resources, P.C. ("IOMR") to provide Covid 19 testing to Town employees.

It is our understanding that since September 2020, IOMR has conducted several hundred COVID-19 tests of Town employees and has provided an invaluable service to the Town in its attempt to contain the pandemic. Because of the extensive number of tests conducted, IOMR is in possession of one-of-a-kind data which is crucial to the Town to conduct contact tracing.

We recognize this asset as being particular to IOMR. Therefore, this memorandum shall serve as the opinion of the Office of Town Attorney that the procurement of Island Occupational Medical Resources, P.C. is in compliance with the Town's Procurement Policy and any further need to comply with the Town's procurement policy for this item shall be waived.

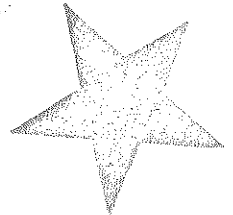
Very truly yours,

*Thomas M. Sabellico*

Thomas M. Sabellico  
Special Counsel

TMS/nb

cc: Gregory W. Carman, Jr., Deputy Supervisor  
Brian Noone, Inspector General  
Frank M. Scalera, Town Attorney  
Ralph Raymond, Deputy Commissioner, Dept. of General Services





WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 5, 2021, requested that the Town Board appoint current Town of Oyster Bay Zoning Board of Appeals member Rita Byrne, 22 Woods Road, Locust Valley, New York, as Chairwoman of the Zoning Board of Appeals, at an annual salary of \$26,790.00, for the remainder of her term ending December 31, 2022; and

WHEREAS, Commissioner Maccarone, by said memorandum, further requested that the Town Board appoint current Town of Oyster Bay Zoning Board of Appeals member Lois Schmitt, as Vice-Chairwoman of the Zoning Board of Appeals for the remainder of her term ending December 31, 2024, with her salary to remain unchanged; and

WHEREAS, funds for said annual salaries are available in Account No. B 8010 11000 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth is approved, and Rita Byrne is hereby appointed as Chairwoman of the Zoning Board of Appeals for the Town of Oyster Bay, at an annual salary of \$26,790.00, for the remainder of her term ending December 31, 2022, and Lois Schmitt, is hereby appointed as Vice-Chairwoman of the Zoning Board of Appeals for the remainder of her term ending December 31, 2024, with her salary to remain unchanged.

-#-

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

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

Office of Town Attorney  
Elizabeth A. Faughnan

## TOWN OF OYSTER BAY

## Inter-Departmental Memo

**To:** MEMORANDUM DOCKET

**From:** ELIZABETH L. MACCARONE  
DEPARTMENT OF PLANNING AND DEVELOPMENT

**Date:** MARCH 5, 2021

**Subject:** APPOINTMENT OF ZONING BOARD OF APPEALS  
CHAIRWOMAN AND VICE CHAIRWOMAN

---

With the retirement of Chairwoman Arlene Van Loan, I am respectfully requesting that current Zoning Board of Appeals Member Rita Byrne, 22 Woods Road, Locust Valley, New York be appointed as Chairwoman at an annual salary of \$26,790.00 for the remainder of her term ending 12/31/2022.

In addition, I am respectfully requesting that current Zoning Board of Appeals Member Lois Schmitt be appointed as Vice Chairwoman for the remainder of her term ending 12/31/2024. Her current salary remains unchanged.

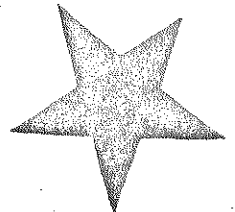
Thank you for your consideration.

  
Elizabeth L. Maccarone  
Commissioner

ELM:dm

Cc: Legislative Affairs

Vicki Spinelli, Deputy Commissioner/Human Resources



WHEREAS, by Resolution No. 82-2018, adopted on February 6, 2018, the Town Board authorized the Supervisor, or his duly authorized designee, to execute agreements with 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys, International, Inc., ITSAVY and LiRo GIS, and Survey, P.C., to provide the Town with On-Call Technology Consulting services in connection with Contract No. PWC72-18, On-Call Technology Consulting Services, with said agreements to be negotiated by the Office of the Town Comptroller and approved by the Office of the Town Attorney, in an amount not to exceed \$1,750,000.00, from March 18, 2018 through December 31, 2018, with three (3) one (1) year extension options; and

WHEREAS, by Resolution No. 805-2018, adopted on December 11, 2018, in connection with Contract No. PWC72-18, the Town Board authorized the Town Comptroller to enter into the first one (1) year extension option of the agreements with the aforementioned firms, for the period from January 1, 2019, through and including December 31, 2019, in an amount not to exceed \$2,396,500.00; and

WHEREAS, by Resolution No. 781-2019, adopted on December 10, 2019, in connection with Contract No. PWC72-18, the Town Board authorized the Town Comptroller to enter into the second one (1) year extension option of the agreements with the aforementioned firms, for the period from January 1, 2020, through and including December 31, 2020, in an amount not to exceed \$2,060,000.00; and

WHEREAS, by Resolution No. 723-2020, adopted on December 8, 2020, the Town Board authorized the extension of Contract No. PWC72-18, for a period of ninety days, through March 31, 2021; and

WHEREAS, Guideline 6(e) of the Town's Procurement Policy, provides a pertinent part, that:

***"When requesting Town Board approval of an extension of an agreement, which agreement would extend beyond three (3) years from the original commencement date of the agreement, the Department shall advise the Town Board that either: i) an RFP has been issued within the past two years, or ii) it issued an RFP and that it is the best interests of the Town to exercise the option, if applicable."***; and

WHEREAS, Steven C. Ballas, Town Comptroller, by memorandum dated March 4, 2021, advised that pursuant to Guideline 6 (e) of the Town's Procurement Policy, the Office of the Town Comptroller submitted Requests For Proposals ("RFP") to fifty-five (55) firms, from which it received forty-five (45) responses by the due date of February 23, 2021, and three (3) responses were received after the due date, and were thus deemed invalid; and

*Paul P. Healey*

WHEREAS, each response received validly was reviewed evaluated carefully pursuant to criteria comprised of municipal experience, qualifications, location, staffing and rates; and

WHEREAS, a thorough review of each proposal timely received revealed the following:

- 1) Local firms that could provide staffing by the April 1, 2021 start date either did not possess the necessary municipal experience, or did not fall within the cost range deemed acceptable.
- 2) Firms outside the tri-state area could not provide adequate local staffing by the contract start date.
- 3) Entities that submitted costs that were well below the current rates offered staffing that did not meet with the experience needed to complete the job duties as they are currently being performed;
- 4) It is in the best interests of the Town to exercise the third one (1) year extension option; and

WHEREAS, Frank M. Scalera, Town Attorney, and Thomas M. Sabellico Special Counsel, by memorandum dated March 2, 2021, advised that in connection with Contract No. PWC72-18, the Office of the Town Comptroller satisfied the guidelines of the Town's Procurement Policy, in that the Office had issued an RFP, and had demonstrated that it was in the best interests of the Town to exercise the third one (1) year renewal option, and that consequently, it could proceed to request Town Board authorization to extend the Contract, under the same terms and conditions as provided for as per Resolution No.82-2018; and

WHEREAS, Comptroller Ballas, by the aforementioned memorandum, advised further that the Office of the Inspector General reviewed the disclosure questionnaires and determined that the Town of Oyster Bay Procurement Policy had been satisfied ; and

WHEREAS, in connection with Contract No. PWC72-18, and in light of the foregoing, Comptroller Ballas, by said memorandum, requested that the Town Board authorize The Comptroller to enter into the third one (1) year extension option of the agreements, with the aforementioned firms, for the period from April 1, 2021 through March 31, 2022, in an amount not to exceed \$1,522,500.00, under the same terms and conditions found in Resolution No. 82-2018,

NOW, THEREFORE, BE IT RESOLVED, that the request as hereinabove set forth is hereby approved, and the Town Board authorizes the Comptroller to enter into the third one (1) year extension option of the agreements with with 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys, International, Inc., ITSAVY and LiRo

GIS, and Survey, P.C., to provide the Town with on-call technology consulting services in connection with Contract No. PWC72-18, On-Call Technology Consulting Services, for a period of one (1) year, from April 1, 2021 through March 31, 2022, in an amount not to exceed \$1,522,500.00, under the same terms and conditions set forth in Resolution No. 82-2018; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account Nos. CMP A 1680 46410 000 0000, CMP-H-1997-26000-000-2007-001 (Project ID 2007 TWN TWN 12) and ROT H 1997 26000 000 1409 001 (Project ID 1409 ROT A 02); and be it further

RESOLVED, that the Town Board authorizes and directs the Comptroller to make payment for same, upon the submission of duly certified claims, after audit.

-#-

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

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

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

March 4, 2021

**To: MEMORANDUM DOCKET**  
**From: STEVEN C. BALLAS, COMPTROLLER**  
**Subject: ON-CALL TECHNOLOGY CONSULTING SERVICES PWC 72-18**

---

Town Board Resolution No. 82-2018 authorized the Office of the Comptroller to enter into a one year agreement with various IT firms for three (3), one-year extension options, if mutually agreeable. Town Board Resolution No. 805-2018 authorized this office to enter into the first, one-year extension and Town Board Resolution No. 781-2019 authorized the second, one-year extension.

Since any further extension of this contract would extend beyond three years from the date of the original contract, Guideline 6E of the Town's Procurement Policy requires this Department to issue a Request for Proposal (RFP) before any further extension option is exercised. Therefore, this office issued pursuant to the Town's Procurement Policy, Requests for Proposals (RFPs) from fifty-five (55) firms interested in providing On-Call Technology Consulting Services to the Town for the period of April 1, 2021 through and including December 31, 2021. In addition, the RFP was posted on the Town's website.

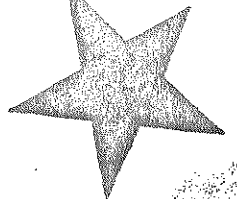
Forty-five (45) responses were received by the February 23, 2021 response date. Three (3) firms replied after the due date and were deemed invalid. The evaluation and selection process was performed in compliance with the requirements of the Town's Procurement Policy. With the length of this contract and the feasibility of staffing during a global pandemic in mind, each response was carefully reviewed and evaluated based on the following criteria:

- Municipal Experience
- Qualifications
- Location
- Staffing
- Rates

A thorough review of each proposal revealed the following results:

- Local firms that could provide the staffing by the April 1, 2021 start date did not possess the necessary municipal experience or did not fall in the cost range deemed acceptable.
- Firms outside the tri-state area cannot provide adequate local staffing by the contract start date.
- Entities that submitted costs that were well below the current rates offered staffing that did not meet with the experience needed to complete the job duties as they are currently being performed.

Further, an opinion was sought from the Office of the Town Attorney pursuant to Guideline 6E of the Town's Procurement Policy, which confirms this office has satisfied the guidelines of the Town's procurement policy and further that this office may proceed to request Town Board authorization to extend the current contract under the same terms and conditions.



**Data Administrator (Business Intelligence)/Database Administrator**

Custom Computer Specialists  
CSDNET Inc  
Liro GIS & Survey, P.C.

**System Developers**

Custom Computer Specialists  
IT Savvy  
Liro GIS & Survey, P.C.

**Business/Systems Analyst**

22<sup>nd</sup> Century Technologies  
Custom Computer Specialists  
Liro GIS & Survey, P.C.

**Project Managers**

Custom Computer Specialists  
IT Savvy  
Liro GIS & Survey, P.C.

**Geographic Information Systems (GIS) Analyst**

22<sup>nd</sup> Century Technologies  
Custom Computer Specialists  
Liro GIS & Survey, P.C.

**Quality Assurance and Quality Control Specialists**

22<sup>nd</sup> Century Technologies  
Custom Computer Specialists  
Infosys

**Network Infrastructure Support Specialist, Physical layer (Cisco); (Design, Construction, and Maintenance)**

22<sup>nd</sup> Century Technologies  
Custom Computer Specialists  
IT Savvy

**Wireless LAN/WAN Design and Implementation**

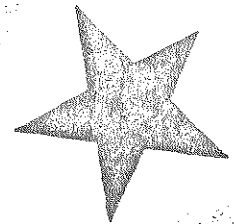
22<sup>nd</sup> Century Technologies  
Custom Computer Specialists  
IT Savvy

**PC Support Specialists**

Custom Computer Specialists  
IT Savvy  
Liro GIS & Survey, P.C.

**Server/Operations Support Specialists (Design, Support, and Implementation)**

Custom Computer Specialists  
IT Savvy  
Liro GIS & Survey, P.C.



Accordingly, it is hereby requested that the Town Board authorize the Comptroller to enter into an extension with the above mentioned firms for a period commencing April 1, 2021 through and including December 31, 2021 at the same terms and conditions pursuant to Town Board Resolution No. 82-2018.

The Office of the Inspector General has reviewed the disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.

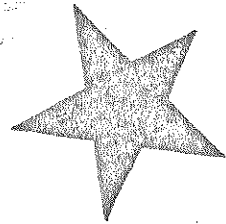
Funds are available in accounts CMP A 1680 46410 000 0000, CMP-H-1997-26000-000-2007-001 (Project ID 2007 TWN TWN 12) and ROT H 1997 26000 000 1409 001 (Project ID 1409 ROT A 02) with an amount not to exceed \$1,522,500.00.

  
STEVEN C. BALLAS  
COMPTROLLER

Attachments

SCB:rpp

cc: IT Division  
Internal Audit Division (RFP File)  
Reading File





# **Town of Oyster Bay**

## **Inter-Departmental Memorandum**

**MEMO SENT BY EMAIL; ORIGINAL SENT BY INTER-OFFICE MAIL.**

**TO** : STEVEN BALLAS, Comptroller  
CHRISTINE WISS, Deputy Comptroller

**FROM** : OFFICE OF THE TOWN ATTORNEY

**DATE** : March 2, 2021

**SUBJECT:** On-Call Technology Consulting Services PWC72-18 - Extension

---

This Memo is in response to your memorandum of this date requesting an opinion from our office regarding the due diligence performed by your office in determining if exercising the option to extend the above-referenced contract is in the best interests of the Town.

It is our understanding that you:

1. Issued a Request for Proposals to fifty-five firms that could provide these services to the Town;
2. Posted the RFP on the Town website;
3. Received forty-five responses;
4. Reviewed and evaluated all responses in compliance with the Town's procurement policy; and
5. Presented your reasoning as to why it is in the best interests of the Town to extend the existing Contract.

Therefore, it is the opinion of this office that you have satisfied the guidelines of the Town's procurement policy and may proceed to request Town Board authorization to extend the current Contract under the same terms and conditions.

FRANK SCALERA

Town Attorney

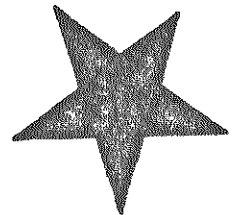
*Thomas M. Sabellico*

Thomas M. Sabellico

Special Counsel

TMS/nb

cc: Frank M. Scalera, Town Attorney  
Gregory W. Carman, Jr., Deputy Supervisor  
Brian Noone, Inspector General



Meeting of February 6, 2018

CORRECTED COPY  
Resolution No. 82-2018

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. PWC72-18; 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 LiRo GIS and Survey, P.C.; 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 LiRo GIS and Survey, P.C., 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).

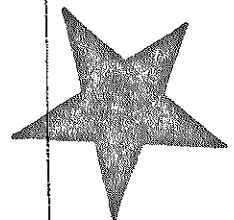
-#-

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 Attorney  
Comptroller

Reviewed By  
Office of Town Attorney



Meeting of December 11, 2018

Resolution No. 805-2018

Reviewed By  
Office of Town Attorney  
*Peter J. Dierdy*

WHEREAS, by Resolution No. 82-2018, adopted on February 6, 2018, this Town Board authorized the Town to enter into agreements with 22<sup>nd</sup> Century Technologies, Inc., CSDNRT, Inc., Custom Computer Specialists, Infosys International, Inc., ITSAVY and the LiRo Group, in connection with Contract No. PWC 72-18, On-Call Technology Consulting Services, with said agreements to be negotiated by the Town Comptroller and approved by the Office of the Town Attorney, and executed by the Supervisor, or his designee, for the period from March 2, 2018, through and including December 31, 2018, with three (3) one (1) year extension options, if mutually agreeable; and

WHEREAS, in connection with Contract No. PWC 72-18, Steven C. Ballas, Town Comptroller, by memorandum dated November 26, 2018, requests that the Town Board authorize the Town Comptroller to enter into the first one (1) year extension option for the agreements with 22<sup>nd</sup> Century Technologies, Inc., CSDNRT, Inc., Custom Computer Specialists, Infosys International, Inc., ITSAVY and the LiRo Group, for the period from January 1, 2019 through and including December 31, 2019, with said agreements to be negotiated by the Town Comptroller and approved by the Office of the Town Attorney, and executed by the Supervisor, or his designee,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and in connection with Contract No. PWC 72-18, the Town Comptroller is hereby authorized to enter into the first one (1) year extension option for the agreements with 22<sup>nd</sup> Century Technologies, Inc., CSDNRT, Inc., Custom Computer Specialists, Infosys International, Inc., ITSAVY and the LiRo Group, for the period commencing January 1, 2019, through and including December 31, 2019, with said agreements to be negotiated by the Town Comptroller and approved by the Office of the Town Attorney, and executed by the Supervisor, or his designee, and be it further

RESOLVED, That the funds for said payment shall be drawn from Account Nos. CMP A 1680 44800 000 0000, CMP A 1680 46410 000 0000 CMP H 1997 26000 000 1580 001 (Project ID 1508 TWN TWN 02) and ROT H 1997 26000 000 1409 001 (Project ID 1409 ROT A 02), in an amount not to exceed \$2,396,500.00, as approved in the 2019 budget; and be it further

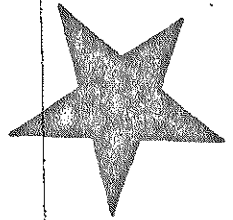
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller



WHEREAS, by Resolution No. 82-2018, adopted on February 6, 2018, the Town Board authorized the Town to enter into agreements with 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys International, Inc., IT Savvy and LiRo GIS, Inc., in connection with Contract No. PWC 72-18, On-Call Technology Consulting Services, for the period from March 2, 2018, through and including December 31, 2018, with three (3) one (1) year extension options, if mutually agreeable; and

WHEREAS, by Resolution No. 805-2018, adopted on December 11, 2018, the Town Board authorized the Town to exercise the first one-year extension option under Contract No. PWC 72-18 with the above-referenced firm; and

WHEREAS, in connection with Contract No. PWC 72-18, Steven C. Ballas, Comptroller, by memorandum dated November 21, 2019, requested that the Town Board authorize the Town to exercise the second one-year extension option for the agreements with 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys International, Inc., IT Savvy, and the LiRo GIS, Inc., for the period beginning January 1, 2020 through and including December 31, 2020,

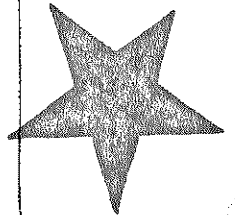
NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Town Board hereby exercises the second one-year extension option under Contract No. PWC 72-18 with 22<sup>nd</sup> Century Technologies, Inc., CSDNET, Inc., Custom Computer Specialists, Infosys International, Inc., IT Savvy and LiRo GIS, Inc., for the period beginning January 1, 2020, through and including December 31, 2020, 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 Nos. CMP A 1680 46410 000 0000, CMP H 1997 26000 000 1580 001 (Project ID 1508 TWN TWN 02) and ROT H 1997 26000 000 1409 001 (Project ID 1409 ROT A 02), in an amount not to exceed \$2,060,000.00.

-#-

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 Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye



DRS  
Reviewed By  
Office of the Comptroller  
Steven C. Ballas

RESOLVED, That a public hearing will be held in the Hearing Room, Town Hall North, 54 Audrey Avenue, Oyster Bay, New York on the 20th day of April, 2021, at 10:00 o'clock, a.m. prevailing time on that day, or as soon thereafter as practicable, to consider the application of F AND Q PROPERTIES, LLC, fee owner, for a Special Use Permit to allow for operation of a day care facility, on premises located in a Residential ("R1-7") District, at 208 Merritts Road, Farmingdale, Town of Oyster Bay, County of Nassau, State of New York and described as Section 49, Block 257, Lot 9, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order remain in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com. The record will remain open for thirty (30) days following the hearing and comments may be submitted by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov), or in writing to Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, no later than thirty days after the date of hearing; and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in newspapers of general circulation within the Town of Oyster Bay.

-#-

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

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

2021  
Reviewed By  
Office of Town Attorney  
Thomas M. Mott

Reviewed By  
Office of Town Attorney

Thom M. McKee

Thom M. McKee

Thom M. McKee

Thom M. McKee

WHEREAS, in accordance with the provisions of Chapter 30 – Ethics, of the Code of the Town of Oyster Bay and regulations promulgated thereunder, the Town Board must make an annual determination regarding which elected officials, officers and employees must file a financial disclosure form for that year, and such determination must be filed with the Town of Oyster Bay Board of Ethics; and

WHEREAS, Steven Leventhal, Esq., Counsel to the Board of Ethics, by letter dated March 8, 2021, requested that the Town Board consider the following list of individuals file financial disclosure forms for the year ended December 31, 2020:

ELECTED OFFICIALS

Joseph S. Saladino, Town Supervisor  
Michele M. Johnson, Councilwoman  
Louis B. Imbroto, Councilman  
Thomas P. Hand, Councilman  
Steven L. Labriola, Councilman  
Laura L. Maier, Councilwoman  
Vicki Walsh, Councilwoman  
Richard LaMarca, Town Clerk  
Jeffrey P. Pravato, Receiver of Taxes

OFFICE OF THE EXECUTIVE

Gregory W. Carman, Jr., Deputy Supervisor  
Robert Darienzo  
Erin Smith-Kelly  
Ronald Scaglia  
Roy Seter  
Elizabeth Tarpinian  
Kevin DeLury  
Andrew Rothstein  
Debra Regenbogen

INSPECTOR GENERAL

Brian J. Noone

JONES FUND TRUSTEES

Michael Scarpa  
Daniel S. McLane  
Robert McGeever

OFFICE OF THE TOWN BOARD

Karen Romito Solomon  
Nancy Haarstick  
Donna Weiss  
Emma Rosasco  
Meredith Gioeli

7/2/21  
Reviewed By  
Office of Town Attorney  
[Signature]

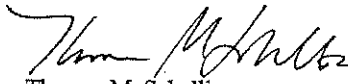
**TOWN OF OYSTER BAY**  
**Inter-Departmental Memorandum**

**TO** : MEMORANDUM DOCKET  
**FROM** : OFFICE OF THE TOWN ATTORNEY  
**DATE** : March 8, 2021  
**SUBJECT:** F and Q Properties, LLC, fee owner  
Special Use Permit  
Premises: 208 Merritts Road, Farmingdale, New York  
Section 49, Block 257, Lot 9

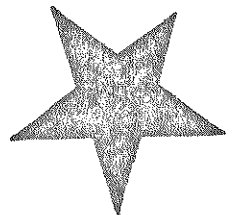
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It is requested that the Town Board authorize the Town Clerk to advertise a Notice of Hearing, for a Public Hearing to be held on April 20, 2021, in connection with the above referenced matter.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Thomas M. Sabellico  
Special Counsel

TMS:nb  
Enclosure  
File No. LA 2017-6171





(Office of  
Town Board,  
continued)

Serafina White  
Brian Nevin  
Marta Kane  
Brian P. Devine  
Kurt Ludwig  
Marybeth Krummenacker  
Richard Zyta  
Esther Alter  
James Suozzi  
Marissa Boccio  
John T. Surlis

OFFICE OF THE TOWN ATTORNEY

Frank M. Scalera, Town Attorney  
Thomas M. Sabellico, Special Counsel  
Ralph P. Healey, Special Counsel  
Paul Ehrlich  
Elizabeth A. Faughnan  
Matthew Fernando  
Jeffrey Lesser  
Harold B. Mayer, Jr.  
Matthew M. Rozea  
Samantha A. Scappaticci  
Dennis P. Sheehan  
Charles McQuair  
Karen J. Underwood  
Sheila Tarnowski

OFFICE OF THE TOWN CLERK

Donna Antetomaso, Deputy Town Clerk  
Raymond Averna, Deputy Town Clerk  
Paul Meli, Deputy Town Clerk  
Carol Fiorenza  
TinaMarie Roehn  
Sheri Porter  
Jean Aarons

OFFICE OF THE RECEIVER OF TAXES

Maura Fahey  
Kathleen Tobin

OFFICE OF THE COMPTROLLER

Steven C. Ballas, Comptroller  
Christine Wiss, Deputy Comptroller  
John J. Bellock  
Joseph E. Carbone  
Richard P. Principe

DEPARTMENT OF COMMUNITY AND YOUTH SERVICES

Maureen A. Fitzgerald, Commissioner  
Patricia A. Beckerle, Deputy Commissioner  
Krista Fileccia-Hardman  
Mary E. Hurst  
Maureen Loesch  
Mary T. Ryan  
Joseph Visconti  
Iris Williams

DEPARTMENT OF GENERAL SERVICES

Eric Tuman, Commissioner  
Ralph Raymond, Deputy Commissioner  
Thomas Bradke  
Brian Brown  
Jaime Conologue  
Susan Cowley  
Francis Frost  
Francene Iaizzo  
Ernest Lustenring  
Bradley Panetta  
Robert Scarpa

DEPARTMENT OF HUMAN RESOURCES

John Canning, Commissioner  
Vicki Spinelli, Deputy Commissioner  
Denise Olivieri-Rosner

DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

Frank Sammartano, Commissioner  
Colin Bell, Deputy Commissioner  
Peter Aiello  
John Sarcone  
Regan Lally  
Michael Imbergamo  
Michael Schwalje  
Dennis Palmieri

DEPARTMENT OF PLANNING AND DEVELOPMENT

Elizabeth Maccarone, Commissioner

Timothy R. Zike, Deputy Commissioner

James McCaffrey, Deputy Commissioner

Michael Fabrizio

Scott Byrne

Gregory Aiello

Thomas Reddy

Kurt LeBright

Jane Fanizza

Joseph Cangro

Nicholas Condoleo

Bryan Hardman

Michael Landman

David Mercado

Richard Peters

Vito Rella

Michael Esposito

John Bacigalupo

Kevin Conway

Nicholas Domingo

James Jazwinski

Margaret Lippolt

Richard Marino

Joseph Ciambra

John Rice

Eileen Cannizzaro

Michael Dicarlo

Kenneth Feeley

Suzanne Fitzgerald

Kamila Matulik

Gustas Mavroudis

Emily Monteleone

Thomas Robinson

Lynneann Sullivan

Craig Thomas

Linda Varricchio

Luis Zeda

Liam O'Keefe

James Nicollet

Lara Jahchan

Ellen Katz

James Whalen

Alexander Chebuske

Jeffrey Vitale

(Dept. of  
Planning &  
Development  
continued)

John Laruccia  
Rick Fiumara-Enrico  
Anthony Dichiaro  
Susan Cloninger  
Kaitlyn Pignataro  
Anthony Ciervo  
John Barnett  
John Zebro

ZONING BOARD OF APPEALS

Rita Byrne  
Rebecca Alesia  
Kathleen Mulligan  
Lois Schmitt  
Jerome Fitzpatrick  
Lewis Yevoli  
Andrew Monteleone  
Donald Mackenzie, Counsel

PLANNING ADVISORY BOARD

Angelo Stanco  
Anthony DiLeonardo  
Louis Warner, Jr.  
Clifford P. Chabina  
James Castellane

LANDMARKS PRESERVATION COMMITTEE

Michael Dileo  
John Collins  
Denise Gold  
Matthew Lenner  
Patrick Stone

PLUMBERS AND ELECTRICAL BOARDS

Barry Konchinski  
Thomas Bailey, Sr.  
Thomas Blacharski  
Kevin Viteritti  
Albert Bruns  
Brian Quinn  
James Lorenzo  
Robert Ceriello  
Michael Silvestri

DEPARTMENT OF PUBLIC WORKS

Richard W. Lenz, P.E., Commissioner  
John Caruso, Deputy Commissioner  
Gregory Mangino, Deputy Commissioner  
John Tassone, Deputy Commissioner  
Daniel Pearl, Deputy Commissioner  
Michael Cipriano  
William Fox  
Sunita Chakraborti  
Frank Melillo III  
Daniel Midgette  
Richard F. Porcelli  
Matthew Russo  
Gary Terrell  
Thomas Scalfano  
John Jordan, III  
Brian Kunzig  
Hans Stronstad  
Robert Tassone  
Thomas Ryan  
Kenneth Hamel  
MaryAnn Webb

HIGHWAY DEPARTMENT

John P. Bishop, Deputy Commissioner  
Peter Brown  
John Guarino  
Donald Pascucci  
Lenore Booth  
Kenneth Bishop  
Scott Pfeifer  
Daniel Kornfeld  
Rubina Usman  
Christopher Gioia

DEPARTMENT OF ENVIRONMENTAL RESOURCES

Louis G. Savinetti, Commissioner  
George Baptista, Jr., Deputy Commissioner  
Julia Schneider  
Laurie Scarpa, Deputy Commissioner  
Thomas Licata  
Gary Terrell  
Elizabeth Carroll

DEPARTMENT OF PARKS

Joseph G. Pinto, Commissioner  
Gregory Skupinsky, Deputy Commissioner  
Frank Gatto, Deputy Commissioner  
William Zang  
Vincent Saviano  
Anthony Alesi, Jr.  
Anthony Curcio  
Bernard Deschamps  
Andrew Gaynor  
Rachelle Gucker  
Kurt Lettal  
Travis McCabe  
Christopher Nocella  
Thomas Nunns  
Michael Principe  
Robert Schiff  
Sean Gardner  
Vincent Capuano  
Daniel Mendelson  
Ernest Weber  
John Pietrosante  
Neil Varricchio  
Gregory Kolodinsky, Jr.  
Gary Bergenstock  
Jacqueline Devlin  
Patricia Woodstock  
Michael Rauff  
Joseph Reilly  
Amanda Roberts  
Daniel Kane  
Louise Taaffe  
John Raymond  
Lisa Pinuelo  
Christopher Sabellico  
Stephan Carrieri  
Scott Russo  
James Backman

DEPARTMENT OF PUBLIC SAFETY

Justin McCaffrey, Commissioner  
Robert Mangano, Deputy Commissioner  
Leonard Symons, Deputy Commissioner

BOARD OF ETHICS

Alfred C. Constants III  
Margaret Eaton  
Rabbi Perry Raphael Rank  
Hal Simon  
Michael Goldberg  
Samantha Biondo

NOW, THEREFORE, BE IT RESOLVED, That this Town Board does hereby determine that all individuals contained in the abovementioned list shall complete a Statement of Financial Disclosure for the 2020 calendar year, and file same with the Town of Oyster Bay Board of Ethics on or before May 15, 2021; and be it further

RESOLVED, That the Department of Human Resources is hereby directed to supply the title, social security number, and office address for each individual in the abovementioned list, and forward the completed list to the Town of Oyster Bay Board of Ethics.

-#-

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

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

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

**TO :** Sheila Tarnowski, Director  
Office of Legislative Affairs

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

**DATE :** March 8, 2021

**SUBJECT:** Annual Financial Disclosure 2021

---

Our office is in receipt of a memorandum from Steven G. Leventhal, Esq., Counsel, Board of Ethics, dated March 8, 2021, requesting that the Town Board adopt a resolution setting forth the names of those individuals required to file an Annual Financial Disclosure Form for the year ended December 31, 2020, said form to be filed on or before May 15, 2021.

Accordingly, please place this matter on the docket for a resolution, to be prepared by this office, to appear on the March 23, 2021 Town Board action calendar.

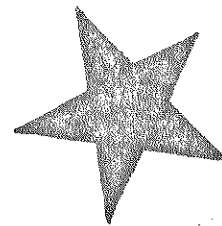
Office of the Town Attorney



Thomas M. Sabellico  
Special Counsel

TMS:nb

cc: Gregory W. Carman, Jr., Deputy Supervisor  
Frank M. Scalera, Esq., Town Attorney  
Steven G. Leventhal, Esq., Counsel, Board of Ethics  
Samantha Spadaro, Secretary, Board of Ethics







**BOARD OF ETHICS**

Alfred C. Constants III

*Chair*

Margaret Eaton

Rabbi Perry Raphael Rank

Hal Simon

Michael Goldberg

**TOWN OF OYSTER BAY**

**BOARD OF ETHICS**

54 Audrey Avenue

Oyster Bay, New York 11771

(516) 624-6860

[boardofethics@oysterbay-ny.gov](mailto:boardofethics@oysterbay-ny.gov)

**OF COUNSEL:**

Steven G. Leventhal, Esq.

Samantha Spadaro

*Secretary*

March 8, 2021

Thomas M. Sabellico, Esq.

54 Audrey Avenue

Oyster Bay, NY 11771

Re: Annual Financial Disclosure- 2021

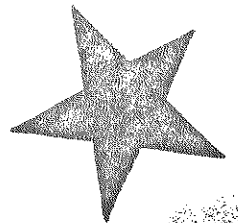
Dear Mr. Sabellico:

It is respectfully requested that the Town Board adopt the accompanying list of persons required to file annual statements of financial disclosure for the year ended December 31, 2020, pursuant to Town Code 30-22. The annual disclosure statements for the 2020 reporting year must be filed with the Board of Ethics on or before May 15, 2021.

Very truly yours,

*Steven G. Leventhal*

Steven G. Leventhal



WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated October 19, 2020, authorized the Highway Department to clean up the premises located at 6 Primrose Avenue, Hicksville, New York 11801, also known as Section 12, Block 361, Lot 23 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 4, 2021, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on November 5, 2020, in the total amount of \$3,044.86, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 4, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$3,044.86 may be assessed by the Legislature of the County of Nassau against the parcel known as 6 Primrose Avenue, Hicksville, New York 11801, also known as Section 12, Block 361, Lot 23 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

Reviewed By  
Office of Town Attorney

*Ralph P. Healey*

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 4, 2021

SUBJECT: Property Cleanup Assessment  
6 Primrose Avenue, Hicksville, New York 11801  
Section 12, Block 361, Lot 23


---

The Department of Planning and Development, by memorandum dated October 19, 2020, directed the Highway Department to clean the premises located at 6 Primrose Avenue, Hicksville, New York 11801, also known as Section 12, Block 361, Lot 23 on the Land and Tax Map of the County of Nassau. (See attached copy of property card). The Highway Department has, by memorandum dated November 9, 2020, advised that the property was cleaned by a crew from the Highway Department on November 5, 2020. The cost incurred by the Town of Oyster Bay was \$3,044.86.

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

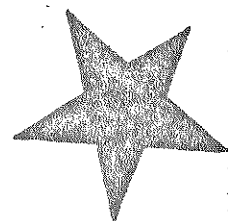
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments

amlS:\Attorney\RESOS 2021\MD 6 Primrose Ave 3.4.2021.doc



2021-7910

TOWN OF OYSTER BAY

Inter-Departmental Memo

October 19, 2020

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY  
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU  
Through: ELIZABETH L. MACCARONE: COMMISSIONER  
DEPARTMENT OF PLANNING AND DEVELOPMENT  
Subject: 6 Primrose Avenue, Hicksville, New York 11801  
SBL: 12-361-23

Notice of Violation No. 03244 was issued to the owner of the above-referenced premises on 09/15/20 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, I am directing that:

- Cut and trim grass and vegetation.
- Remove all outdoor storage in front and rear yard.

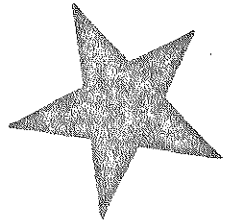
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME:tc

cc: Frank Scalera, Chief Deputy Town Attorney





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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

JAMES MCCAFFREY  
DEPUTY COMMISSIONER

October 13, 2020

Frank Yasus  
6 Primrose Avenue  
Hicksville, NY 11801

RE: PREMISES: 6 Primrose Avenue, Hicksville, NY 11801  
SECTION 12 BLOCK 361 LOT 23


Dear Property Owner:

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

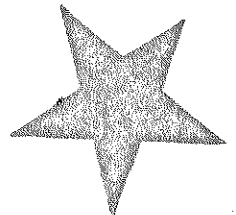
Please be advised that N.O.V. No. 03244 (copy attached) has been served on 09/15/20. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs thereof.

Very truly yours,

ELIZABETH L. MACCARONE  
COMMISSIONER

  
Michael Esposito, Bureau Chief  
Code Compliance Division

ELM:MR:te  
Enclosure





AL

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

November 9, 2020

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

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

**SUBJECT:** 6 PRIMROES AVENUE, HICKSVILLE  
BOARD-UP/ CLEAN-UP

---

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$3,044.86.

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

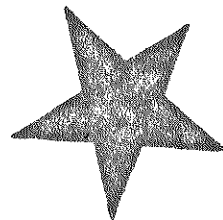
  
\_\_\_\_\_  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

BOARD - UP/CLEAN-UP 6 PRIMROSE AVENUE, HICKSVILLE TO P & D

REC'D TOWN ATTORNEY  
20 NOV 24 4:51 PM





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED  
UNDER ROAD RESTORATION

Location (12-361-23) 6 PRIMROSE AVE HICKSVILLE 11801  
Date Nov 5, 2020  
Work Order # 75734

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PETER LLOYD	General Maintenance	02:30	\$44.99	00:00	0	\$112.48
JAMES AJAMIAN	General Maintenance	02:30	\$47.21	00:00	0	\$118.03
JUAN ALFARO	General Maintenance	02:30	\$27.30	00:00	0	\$68.25
VICTOR NIETO	General Maintenance	02:30	\$27.30	00:00	0	\$68.25
MICHAEL RICCARDO	General Maintenance	02:30	\$48.79	00:00	0	\$121.98
OSCAR GUEVARA	General Maintenance	02:30	\$25.81	00:00	0	\$64.52
ROBERT SANZOVERINO	General Maintenance	02:30	\$26.54	00:00	0	\$66.35
Total Labor						\$619.86

Tools/Vehicle


Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK411	2012 INTERNATIONAL 7400 SANI PACKER	\$105.00	02:30	\$262.50
PU437	PICK UP 2012 FORD F250 TAN (8 / 008)	\$79.00	02:30	\$197.50
RO025	ROLL-OFF CHASSIS 2006 INTL 7600 YW (T-618)	\$250.00	02:30	\$625.00
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	02:30	\$262.50
TD717	TRUCK DUMP 2013 INTER 7300 YELLO (T-161)- 6 Wheeler	\$131.00	02:30	\$327.50
Total Equipment				\$1675.00

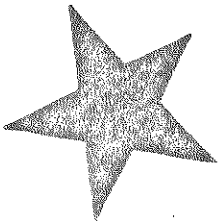
Materials

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

Grand Total \$3044.86

Description of Work:  
CLEAN UP 6 PRIMROSE AVENUE HV

Signature:   
Name: PETER BROWN  
Title: DIRECTOR OF HIGHWAY OPERATIONS  
Date: Nov 9, 2020





WHEREAS, pursuant to Section 135-54(B) of the Code of the Town of Oyster Bay, the Department of Planning and Development, by memorandum dated May 27, 2020, authorized the Highway Department to clean up the premises located at 72 Lantern Lane, Hicksville, New York 11801, also known as Section 45, Block 287, Lot 2 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Frank Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 4, 2021, pursuant to Section 135-54(C) of the Code of the Town of Oyster Bay, have requested that the cost of cleaning up the aforementioned premises on June 12, 2020, in the total amount of \$1,810.95, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Frank Scalera, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 4, 2021, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,810.95 may be assessed by the Legislature of the County of Nassau against the parcel known as 72 Lantern Lane, Hicksville, New York 11801, also known as Section 45, Block 287, Lot 2 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

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

Town of Oyster Bay  
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 4, 2021

SUBJECT: Property Cleanup Assessment  
72 Lantern Lane, Hicksville, New York 11801  
Section 45, Block 287, Lot 2


---

The Department of Planning and Development, by memorandum dated May 27, 2020, directed the Highway Department to clean the premises located at 72 Lantern Road, Hicksville, New York 11801, also known as Section 45, Block 287, Lot 2 on the Land and Tax Map of the County of Nassau. (See attached copy of property card). The Highway Department has, by memorandum dated June 15, 2020, advised that the property was cleaned by a crew from the Highway Department on June 12, 2020. The cost incurred by the Town of Oyster Bay was \$1,810.95.

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

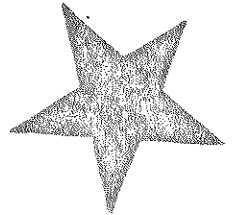
Kindly place this matter on the Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Ralph P. Healey  
Special Counsel

RPH:aml  
Attachments

amlS:\Attorney\RESOS 2021\MD 72 Lantern Ln 3.4.2021.doc



2021-7908

**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

**May 27, 2020**

**To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY**  
**From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU**  
**Through: ELIZABETH L. MACCARONE: COMMISSIONER**  
**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
**Subject: 72 Lantern Road, Hicksville, New York 11801**  
**SBL: 45-287-2**

Notice of Violation No. 01725 was issued to the owner of the above-referenced premises on 05/21/20 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

In accordance with the provisions of Section 135.54, I am directing that:

- Cut and trim lawn and vegetation in front, side and rear yard.
- Cleanup garbage, litter and debris on premises.

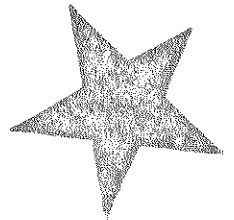
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE  
COMMISSIONER  
BY:

  
MICHAEL ESPOSITO  
CODE ENFORCEMENT BUREAU

ME:tc

cc: Frank Scalera, Chief Deputy Town Attorney





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

ELIZABETH L. MACCARONE  
COMMISSIONER

TIMOTHY R. ZIKE  
DEPUTY COMMISSIONER

JAMES McCaffrey  
DEPUTY COMMISSIONER

May 27, 2020

Helen Rudowsky  
72 Lantern Road  
Hicksville, New York 11552

RE: PREMISES: 72 Lantern Road, Hicksville, New York 11801  
SECTION 45 BLOCK 287 LOT 2

Dear Property Owner:

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

Please be advised that N.O.V. No. 01725 (copy attached) has been served on 05/21/20. As of this date, the violation has not been rectified and the conditions at the premises continue to endanger the health, safety and welfare of the residents of the Town of Oyster Bay. Please be further advised that I have directed the Highway Department to perform the necessary maintenance, and to take all the necessary steps to recover from you the costs thereof.

Further, the premises will be inspected every ten (10) days thereafter. If the premises continues not to be maintained and the conditions are found to violate the provisions of the code, the Highway Department will be directed to perform subsequent maintenance with no further notice to you concerning the violations, nor additional time to correct such violations.

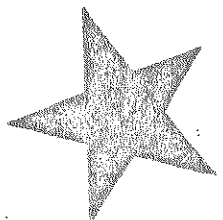
Very truly yours,

ELIZABETH L. MACCARONE  
COMMISSIONER

Michael Esposito, Bureau Chief  
Code Compliance Division



ELM:ME:tc  
Enclosure



## ASSESSMENT SUMMARY

STATEMENT RECORD NASSAU COUNTY, NEW YORK

RPH

Town of Oyster Bay  
Inter- Departmental Memo

June 15, 2020

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

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


**SUBJECT:** 72 LANTERN ROAD, HICKSVILLE  
CLEAN-UP / BOARD-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,810.95.

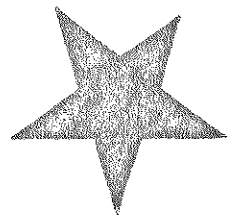
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.

  
JOHN P. BISHOP  
DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

REC'D TOWN ATTORNEY  
20 JUN 26 AM 11:14

JPB/kjb

Enc. T & M sheet



CLEAN - UP / BOARD-UP 72 LANTERN ROAD, HICKSVILLE TO P&D

ML



# MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (45-287-2) 72 LANTERN RD HICKSVILLE 11801

Date Jun 12, 2020

Work Order # 70316

## Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:30	\$34.52	00:00	0	\$51.78
JAMES ROMANO	General Maintenance	01:30	\$28.74	00:00	0	\$43.11
JOSEPH SANTANGELO	General Maintenance	01:30	\$43.19	00:00	0	\$64.79
OSCAR GUEVARA	General Maintenance	01:30	\$25.33	00:00	0	\$38.00
JOSEPH PISZCZATOWSKI	General Maintenance	01:30	\$53.49	00:00	0	\$80.24
VINCENT PADAVANO	General Maintenance	01:30	\$49.02	00:00	0	\$73.53
Total Labor						\$351.45

## Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU433	PICK UP 2012 FORD F250 YW	\$79.00	01:30	\$118.50
TD627	PICK-UP TRUCK 2008 FORD F-250 YW (HP911)	\$79.00	01:30	\$118.50
TD634	TRUCK DUMP 2008 FORD F350 YW (T175 / T-175) - Power Wagons	\$105.00	01:30	\$157.50
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:30	\$157.50
TR203	TRAILER 2015 FELLINGS BL	\$105.00	01:30	\$157.50
Total Equipment				\$709.50

## Materials

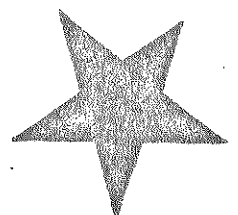
Material	Cost Per Unit	Units	Line Cost
Administrative Fee	\$750.00	1	\$750.00
Total Materials			\$750.00

**Grand Total \$1810.95**

## Description of Work:

CLEAN UP 72 LANTERN ROAD HV

Signature: Peter Brown  
Name: PETER BROWN  
Title: DIRECTOR OF HIGHWAY OPERATIONS  
Date: Jun 16, 2020



WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on February 8, 2021, for Contract No. DP17-151, Restoration and Improvements to Alhambra Park, Massapequa, as a part of the New York Rising Community Reconstruction Program, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 4, 2021, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. DP17-151, were reviewed by the Consulting Architect, Cashin Associates, P.C., and

WHEREAS, by letter dated February 27, 2021, Cashin Associates, P.C., recommended the award of Contract No. DP17-151 to Galvin Brothers, Inc./Madhue Cont., 149 Steamboat Road, Great Neck, NY 11024, the lowest responsive bidder among eleven (11) bids received, in the amount of \$2,952,090.00; and

WHEREAS, as per Town policy, \$147,604.50 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$3,099,694.50; and

WHEREAS Commissioner Lenz, by said memorandum, concurred with the recommendation of Cashin Associates, P.C., and recommended the award of Contract No. DP17-151 to Galvin Brothers, Inc./Madhue Cont., the lowest responsive bidder, in the amount of \$2,952,090.00, and \$147,604.50 for potential quantity increases, for a total bid encumbrance of \$3,099,694.50; and

WHEREAS, the estimated construction time for completion of the contract is two hundred seventy (270) calendar days, with funds to be drawn from Account No. IGA CD 8689 27000 551 CN17; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the Bids and the Contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and Contract No. H18-171-P5 is awarded to Galvin Brothers, Inc./Madhue Cont., in an amount not to exceed \$3,099,694.50 in accordance with the provisions herein, and the Supervisor or his designee is hereby authorized and directed to execute documents accordingly; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$3,099,694.50, upon presentation of a duly certified claim, after audit, to be drawn from Account No. IGA CD 8689 27000 551 CN17.

-#-

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

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

Reviewed By  
Office of Town Attorney  
*[Signature]*



TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

March 4, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
RESTORATION AND IMPROVEMENTS TO ALHAMBRA PARK  
GOSR FUNDED DISASTER RECOVERY  
CONTRACT NO.: DP17-151  
ACCOUNT NO. IGA CD 8689 27000 551 CN17

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On February 8, 2021, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Galvin Bros., Inc./Madhue Cont., Inc, 149 Steamboat Road, Great Neck, NY 11024, Federal ID#: 26-4699648 submitted the lowest responsive bid among 11 (eleven) in the amount of \$2,952,090.00.

Attached is a letter dated February 27, 2021 from the office of Cashin Associates, P.C. recommending the award of this contract to Galvin Bros., Inc./Madhue Cont., Inc. in the amount of \$2,952,090.00. In accordance with Town policy \$147,604.50 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$3,099,694.50.

The estimated construction time for completion of the subject contract is 270 calendar days. Funds are available for the subject contract work in Account No. IGA CD 8689 27000 551 CN17.

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

We concur with the recommendation of Cashin Associates, P.C. and request that Contract No. DP17-151 be awarded to Galvin Bros., Inc./Madhue Cont., Inc. in the total bid amount of \$2,952,090.00 and that \$147,604.50 be applied to the low bid amount for a total bid encumbrance of \$3,099,694.50.

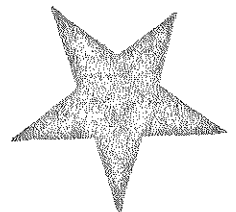
  
RICHARD W. LENZ, P.E.

COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/~~CT~~/MR/SC/  
Attachments

cc: Steven Ballas, Comptroller  
Eric Tuman, Commissioner/General Services  
Joseph Pinto, Commissioner/Parks  
Colin J. Bell, Supervisors Office

DP17-151\_IMPROVEMENTS TO ALHAMBRA PARK \_\_award letter



February 27, 2021

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

**Attn: Matt Russo, P.E.**

Reference:     **Award Recommendation**  
                  Alhambra Park Improvements  
                  Massapequa, NY  
                  Contract No. DPW 17-151/Bid No. PW 025-21

Dear Commissioner Lenz:

Cashin Associates, P.C. (CA) has reviewed the eleven (11) bids received by the Town of Oyster Bay for the above referenced project. The bids were received at Town Hall, and were opened on February 8, 2021.

The results of the bids received are as follows (a further detailed breakdown is attached):

<u>Company</u>	<u>Bid</u>
1. Gorilla Cont. Group	\$1,205,950.00 (withdrawn)
2. Galvin Bros., Inc/Madhue Cont., Inc.	\$2,952,090.00
3. Woodstock Construction Group	\$3,176,620.00
4. Quintal Cont. Corp	\$3,457,048.00
5. Chesterfield Associates, Inc.	\$3,470,633.00
6. Loduca Associates	\$3,524,634.00
7. Atlantic Coast Dock Const. Corp.	\$3,667,205.00
8. Roadwork Ahead, Inc.	\$3,671,625.80
9. Allen Industries	\$3,839,260.00
10. Coastal Contracting Corp	\$4,220,740.00
11. Gazebo Contracting Group	\$5,568,320.00

Gorilla Contracting Group requested the withdrawal of their bid due to the identification of a mathematical error.

Galvin Bros., Inc/Madhue Cont., Inc. (Galvin) is the second low bidder. Galvin provided the bid bond and surety guarantee from Liberty Mutual Insurance Company as well as included information of their Apprenticeship Program.

Galvin, based on information available from the New York State Department of Labor Standards (DOL), has no current labor law violations identified. We found no evidence that Galvin defaulted on their contract obligations on other projects or otherwise were not responsible. With regards to judgements, claims and lawsuits pending or outstanding, Galvin lists none.

The Town met with Galvin Brothers representatives and Cashin Associates, P.C. on February 23, 2021. Items discussed included the project schedule, Galvin's bid price, and the GOSR requirements including the Elations program. The Town requested Galvin submit the GOSR M/WBE Utilization Plan to Cashin prior to bid recommendation. The M/WBE plan is attached to this recommendation letter.

Cashin Associates, P.C. has engineered several municipal projects where Galvin was awarded and constructed the work and has always found their work to be excellent and their firm to be professional and responsive to their clients.

Nothing found during this review indicates that Galvin will be unable to perform under the above referenced contract. Based on the above information, we find no reason not to award the contract to Galvin Bros, Inc./Madhue Contracting, Inc.

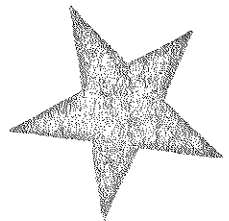
If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Very truly yours,

**CASHIN ASSOCIATES, P.C.**



Alfred Angiola, P.E.  
President

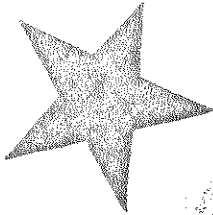


M/WBE UTILIZATION PLAN

**INSTRUCTIONS:** This form is submitted at the time of bid or procurement submission, or at the time of contract execution, or within a reasonable time thereafter as outlined in procurement submission instructions. This Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Attach additional sheets if necessary.

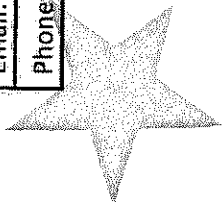
Subrecipient Name:	Town of Oyster Bay	Project Name:	Alhambra Park Improvements
Offeror's Name:	Galvin Bros., Inc./ Madhue Contracting, Inc., a joint venture	Federal ID Number:	11-2667069
Address:	149 Steamboat Rd	Contract Number (if applicable):	DP17-151
City State & Zip Code:	Great Neck, NY 11024	Phone:	(516) 466 - 3785
Location of Work:	Massapequa, NY		

M/WBE Target Goal				Proposed M/WBE Participation			
Category	Percentage	Amount	Category	Percentage	Amount		
MBE:	15	% \$	442,813.50	MBE:	% 13.04	\$	384,850.00
WBE:	15	% \$	442,813.50	WBE:	% 19.26	\$	568,670.00
Totals:	30	% \$	885,627.00	Totals:	% 32.30	\$	953,520.00



1. Certified M/WBE Subcontractors/Suppliers Information:		Classification NYS-ESD Certified (Choose One Only)		Federal ID No. :	Detailed Description of Work:	Dollar Value of Subcontractors/Supplies/Services	Intended performance dates on each component of the contract
		MBE	WBE				
A	Name: Breit Enterprises Inc.			[REDACTED]	Timber piles, composite sheathing and treated lumber	\$435,470.00	May 2021 -
	Address: 68 Verdi St, Farmingdale NY		YES				Sept 2021
	Email: breitinc@optonline.net						
	Phone: (516) 845-1163						
B	Name: In-City Enterprises Inc.			[REDACTED]	Fabricator and installer of ornamental fencing, double gate and wings, wire railing, and handrail	\$354,860.00	Sept 2021 -
	Address: 125 Bruckner Blvd, Bronx NY		YES				Dec 2021
	Email: incity08@optonline.net						
	Phone: (516) 845-1163						
C	Name: Garden Environments Inc.			[REDACTED]	Landscaping	\$133,200.00	Sept 2021 -
	Address: PO Box 648 Speonk, NY		YES				Nov 2021
	Email: mw@gardenenvironmentsinc.com						
	Phone: (401) 662 - 6131						
D	Name: Parce Trucking Inc.				Trucking and disposal	\$30,000.00	May 2021 -
	Address: 1315 C St Elmont, NY		YES				August 2021
	Email:						
	Phone: (516) 972 - 7693						

Contractor Use:	
Name of Preparer: Matthew O'Neill	
Authorized Signature: <i>Matthew O'Neill</i>	
Date: 2/26/21	
Email: m.oneill@galvinbrothers.com	
Phone: (516) 466-3785	



WHEREAS, by Resolution No. 248-2019, adopted on April 16, 2019, the Town Board authorized the firm of Lockwood Kessler & Bartlett, Inc., One Aerial Way Syosset, New York 11791, Consulting Engineers, to provide the Town with engineering services in connection with Contract No. H19-198 PH1, Construction of Highway & Drainage Improvements to the Southwood Circle Area, Phase 1, Syosset, New York; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 5, 2021, and Bart A. Marino, P.E., Chief Civil Engineer, Lockwood, Kessler & Bartlett, Inc., Consulting Engineers, by letter dated March 2, 2021, advised that the parties negotiated a fee of \$199,500.00 for said firm to provide engineering services, and requested that the Town Board authorize said firm to proceed with work relative to the construction phase of Contract No. H19-198 PH1; and

WHEREAS, Commissioner Lenz, by said memorandum, and Bart A. Marino, P.E., Chief Civil Engineer, Lockwood, Kessler & Bartlett, Inc., Consulting Engineers, by letter dated March 2, 2021, requested further, that the Town Board authorize said firm to use Municipal Testing Laboratory, Inc., 375 Rabro Drive Hauppauge, New York 11788, as a sub-consultant, in connection with Contract No. H19-198 PH1, for concrete laboratory testing purposes;

NOW, THEREFORE, BE IT RESOLVED, that the abovementioned requests are hereby approved, and the Town Board authorizes Lockwood, Kessler & Bartlett, Inc. Consulting Engineers, to provide engineering services relative to the Construction Phase of Contract No. H19-198-PH1, in an amount not to exceed \$199,500.00; and be it further

RESOLVED, that in connection with Contract No. H19-198-PH1, the Town Board hereby authorizes Lockwood, Kessler & Bartlett, Inc., Consulting Engineers, to use Municipal Testing Laboratory, Inc., as a sub-consultant, for concrete laboratory testing purposes; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. H5197 20000 000 2103 008 (Project ID No. 2103 HWYDB-02); and be it further

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

-#-

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

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

Reviewed By  
Office of Town Attorney  
Paul P. Healey

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

March 5, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF ENGINEERING SERVICES & USE OF SUB-CONSULTANT  
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS  
TO THE SOUTHWOOD CIRCLE AREA PHASE 1, SYOSSET, NEW YORK  
CONTRACT NO. H19-198 PH1  
ACCOUNT NO. HWY H5197 20000 000 2103 008  
PROJECT ID# 2103 HWYDB-02

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In furtherance to resolution 248-2019, and consequent to the completion of the design phase provided by Lockwood, Kessler & Bartlett, Inc., the Division of Engineering has solicited Lockwood, Kessler & Bartlett, Inc. for a cost estimate regarding the construction phase of said project.


The Department of Public Works has negotiated a fee of \$199,500.00 to proceed with the work, as outlined in the attached letter from Lockwood, Kessler & Bartlett, Inc., dated March 2, 2021. The firm of Lockwood, Kessler & Bartlett, Inc. has previously executed a Standard Consultant Agreement with the Department of Public Works under which their services are to be provided, which is on file in the Division of Engineering.

Funds are available to satisfy these engineering services in Account No. H5197 20000 000 2103 008, Project ID #. 2103 HWYDB-02

Further, the office of Lockwood Kessler & Bartlett, Inc. requests the use of Municipal Testing Laboratory, Inc. as a sub-consultant, for concrete laboratory testing services.

The Office of the Inspector General has reviewed the RFP/Contract and the proposed consultant's and sub-consultant's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

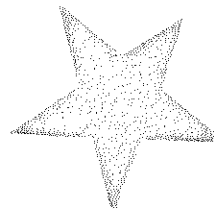
It is hereby requested that the Town Board authorize, by resolution, Lockwood, Kessler & Bartlett, Inc., to perform engineering services and the authorization by resolution to utilize, as a sub-consultant, Municipal Testing Laboratory, Inc., relative to Highway & Drainage Improvements to the Southwood Circle Area, Syosset, Contract No. H19-198 PH1.

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

  
RWL/JOB/MR/HAS/lk  
Attachments

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

H19-198 DOCKET Consultant Construction Fee Award to LKB



Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works/Highways, by memorandum dated April 1, 2019, advised that a request for proposals was issued to eight (8) firms in accordance with the Town's procurement policy, and was advertised on the Town of Oyster Bay website, to procure engineering services relative to highway improvements to the Southwood Circle Area, Syosset, Contract No. H19-198, and the Division of Engineering received nine (9) responses; and

WHEREAS, following a review and evaluation of said nine (9) responses by a selection committee, based on the technical merits of said responses, and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz by said memorandum, requested and recommended that the Town Board authorize Lockwood, Kessler & Bartlett, Inc., One Aerial Way, Syosset, New York 11791, to first complete a preliminary design report for the project area for which it will perform surveying, site investigation, preliminary design, project phasing, and cost estimating, for a total fee of \$365,000.00, with performance of the final Design, Bid and Construction phases at costs to be negotiated and approved by the Town Board by future Board action; and

WHEREAS, Bart A. Marino, P.E., of Lockwood, Kessler & Bartlett, Inc., by letter dated March 27, 2019, requested the use of Gayron deBruin Land Surveying & Engineering, P.C. as sub-consultant, for surveying services; and

WHEREAS, the requested services to be provided by Lockwood, Kessler & Bartlett, Inc., including the use of the above sub-consultant, are to be for a total amount not to exceed \$365,000.00, with funds for said payment available from Account No. HWY H 5197 20000 000 1903 008,

RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and that Lockwood, Kessler & Bartlett, Inc., is hereby authorized to provide the above-referenced engineering services relative to highway improvements to the Southwood Circle Area, Syosset, Contract No. H19-198, and to use Gayron deBruin, Land Surveying & Engineering, P.C., as a sub-consultant for surveying services, in a total amount not to exceed \$365,000.00, and the Supervisor or his designee is authorized to execute an agreement for same, and be it further

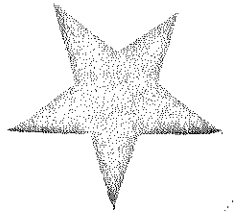
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. HWY H 5197 20000 000 1903 008.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works







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

March 2, 2021  
LKB# 2020-0064

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

**Re: Highway Improvements to the Southwood Circle Area, Syosset  
Phase 1 Area – Construction Administration and Inspection Services  
Contract No. H19-198 PH1**

Dear Commissioner Lenz:

Lockwood Kessler & Bartlett, Inc. has completed the final design and bid phases for the phase 1 area of the above referenced project and requests approval to proceed with the construction phase. The phase 1 portion of the project area includes the northern sections of Southwood Circle and Candy Lane as well as Bruce Street, James Street, Donna Lane, and Milton Lane. Our services for the construction phase of the project include providing resident engineering inspection, reviewing contractor submittals, preparing monthly contractor payment claims, and concrete strength testing.

Accordingly, we propose to retain the services of Municipal Testing Laboratory, Inc., 375 Rabro Dr., Hauppauge, NY to perform the strength tests on the poured in place concrete installed on the project.

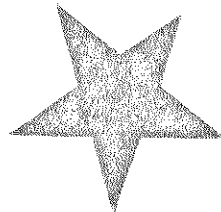
We believe a 6 month (180 calendar days) construction duration will be necessary for the contractor to complete the work. Accordingly, we estimate \$189,500.00 to provide construction administration and inspection services, and \$10,000.00 for testing laboratory services amounting to a grand total of \$199,500.00 to fund these services for the entirety of the project.

Our fee does not include construction stake-out, which is to be performed by the contractor as a requirement of his construction contract.

It is our pleasure to continue to provide these engineering services to the Town of Oyster Bay. Should you have questions or comments on this request, please do not hesitate to contact me.

Very truly yours,

Bart A. Marino, PE  
Chief Civil Engineer



AN EQUAL OPPORTUNITY EMPLOYER

WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on February 17, 2021, for Contract No. H19-198-PH1, Construction of Highway & Drainage Improvements to the Southwood Circle Area Located in Syosset, New York, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 5, 2021, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. H19-198-PH1, were reviewed by the Consulting Engineers, Lockwood Kessler & Bartlett, Inc., and

WHEREAS, by letter dated February 26, 2021, Lockwood, Kessler & Bartlett, Inc., Consulting Engineers, recommended the award of Contract No. H19-198-PH1 to Metro Paving, LLC., the lowest responsive and responsible bidder among eleven (11) bids received, in the amount of \$1,581,595.00; and

WHEREAS, as per Town policy, \$79,079.75 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$1,660,674.75; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the recommendation of Lockwood, Kessler & Bartlett, Inc., Consulting Engineers, and recommended the award of Contract No. H19-198-PH1, to Metro Paving, LLC., the lowest responsive bidder, in the amount of \$1,581,595.00, and \$79,079.75 for potential quantity increases, for a total bid encumbrance of \$1,660,674.75; and

WHEREAS, the estimated construction time for completion of the contract is one hundred and fifty (150) calendar days, with funds to be drawn from Account No. HWY H 5197 20000 000 2103 008, Project ID No. HWYDB-02; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the Bids, the Contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, that the recommendation as hereinabove set forth is accepted, and Contract No. H19-198-PH1 is awarded to Metro Paving LLC., in an amount not to exceed \$1,660,674.75 in accordance with the provisions herein, and the Supervisor or his designee is hereby authorized and directed to execute documents accordingly; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. HWY H 197 20000 000 2103 008, Project ID No. HWYDB-02; and be it further

RESOLVED, That the Town Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$1,660,674.75, upon presentation of a duly certified claim, after audit.

~~#~~

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

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

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

March 5, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS  
TO THE SOUTHWOOD CIRCLE AREA  
LOCATED IN SYOSSET, NEW YORK  
CONTRACT NO. H19-198 PH1  
ACCOUNT NO. HWY H 5197 20000 000 2103 008  
PROJECT ID# 2103 HWYDB-02

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On February 17, 2021, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Metro Paving, LLC, 500 Patton Avenue, West Babylon, NY 11704, Federal Id# 46-5339257 submitted the lowest responsive bid among eleven (11) in the amount of \$1,581,595.00.

Attached is a letter dated February 26, 2021 from the office of Lockwood, Kessler & Bartlett, Inc., recommending the award of this contract to Metro Paving, LLC. in the amount of \$1,581,595.00. In accordance with Town policy \$79,079.75 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$1,660,674.75.

The estimated construction time for completion of the subject contract is 150 calendar days. Funds are available for the subject contract work in Account No. HWY H 5197 20000 000 2103 008

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

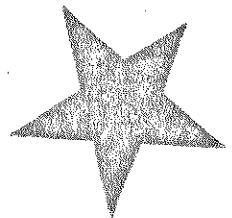
We concur with the recommendation of Lockwood, Kessler & Bartlett, Inc., and request that Contract No. H19-198 PH1 be awarded to Metro Paving, LLC, in the total bid amount of \$1,581,595.00 and that \$79,079.75 be applied to the low bid amount for a total bid encumbrance of \$1,660,674.75.

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

RWL/JCM/MR/HAS/lk  
Attachments

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

H19-198 DOCKET Contractor Award to Metro Paving





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

February 26, 2021

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

**RE: Construction of Highway Improvements Southwood Circle Area, Phase 1 H19-128PH1**

Dear Commissioner Lenz:

The eleven bids received on February 17, 2021 for this project ranged from a low of \$1,581,595.00 to a high of \$2,984,935.00. We conducted a thorough review of the four apparent low bidders and prepared the enclosed bid summary table. The four low bids are as follows: Metro Paving LLC at \$1,581,595.00, Laser Industries at \$1,670,980.00, United Paving Corp. at \$1,703,835.00, and Macedo Contracting Services at \$1,760,253.00. The low bid is 10% below the engineer's estimate of \$1,753,560.00.

Review of the bid documents found no bidding errors or irregularities. It therefore appears Metro Paving LLC is the apparent lowest bidder at \$1,581,595.00.

We have been in contact with Metro Paving LLC since the bid opening with regards to this project. Dennis Kellerman of Metro Paving LLC, confirmed the appropriateness of the bid total and has confidence with the company's roadwork experience to complete the project.

It is our understanding Metro Paving LLC has performed satisfactory work for the Town of Oyster Bay on multiple projects. Metro's qualification statement indicates work on various village, town, and county municipal projects over the last 7 years.

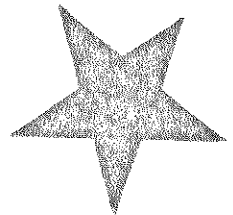
Based on our review of information provided in the proposal, we find no sufficient cause for the Town to not award the contract to the apparent low bidder Metro Paving LLC in the total amount bid of \$1,581,595.00.

Please call if you have any questions.

Sincerely,  
Lockwood, Kessler & Bartlett, Inc.

Christopher M. Prunty, P.E.

AN EQUAL OPPORTUNITY EMPLOYER



WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on February 17, 2021, for Contract No. H19-197-PH1, Construction of Highway & Drainage Improvements to the Intervale Avenue Area, Farmingdale, New York, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 8, 2021, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. H19-197-PH1, were reviewed by LiRo Engineers, Inc., Consulting Engineers; and

WHEREAS, LiRo Engineers, Inc., Consulting Engineers, by letter dated February 25, 2021, recommended the award of Contract No. H19-197-PH1 to Metro Paving, LLC., the lowest responsive and responsible bidder among eleven (11) bids received, in the amount of \$1,884,860.00; and

WHEREAS, as per Town policy, \$94,423.00 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$1,979,103.00; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the recommendation of LiRo Engineers, Inc., Consulting Engineers, and recommended the award of Contract No. H19-197-PH1, to Metro Paving, LLC., the lowest responsive and responsible bidder, in the amount of \$1,884,860.00, and \$94,423.00 for potential quantity increases, for a total bid encumbrance of \$1,979,103.00; and

WHEREAS, the estimated construction time for completion of the contract is one hundred and eighty (180) calendar days, with funds to be drawn from Account No. HWY H 5197 20000 000 2103 008, Project ID No.2103 HWYDB-02; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the Bids, the Contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. H19-197-PH1 is awarded to Metro Paving LLC., in an amount not to exceed \$1,979,103.00 in accordance with the provisions herein, and the Supervisor, or his designee, is hereby authorized and directed to execute documents accordingly; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. HWY H 197 20000 000 2103 008, Project ID No. 2103 HWYDB-02; and be it further

*Paul R. Kelly*

RESOLVED, that the Town Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$1,979,103.00, upon presentation of a duly certified claim, after audit.

-#-

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

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

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

March 8, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS  
TO THE INTERVALE AVENUE AREA, FARMINGDALE, NEW YORK  
CONTRACT NO. H19-197 PH1  
ACCOUNT NO. HWY H 5197 20000 000 2103 008  
PROJECT ID# 2103 HWYDB-02

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On February 17, 2021, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. Metro Paving, LLC, 500 Patton Avenue, West Babylon, NY 11704, Federal ID# 46-5339257 submitted the lowest responsive bid among eleven (11) in the amount of \$1,884,860.00.

Attached is a letter dated February 25, 2021 from the office of LiRo Engineers, Inc. recommending the award of this contract to Metro Paving, LLC, in the amount of \$1,884,860.00. In accordance with Town policy \$94,243.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$1,979,103.00.

The estimated construction time for completion of the subject contract is 180 calendar days. Funds are available for the subject contract work in Account No. HWY H 5197 20000 000 2103 008, Project ID# 2103 HWYDB-02.

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

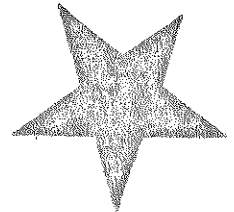
We concur with the recommendation of LiRo Engineers, Inc. and request that Contract No. H19-197 PH1 be awarded to Metro Paving, LLC, in the total bid amount of \$1,884,860.00 and that \$94,243.00 be applied to the low bid amount for a total bid encumbrance of \$1,979,103.00.

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

  
RWL/SOT/MR/BK/IK  
Attachments

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

H19-197 PH1 DOCKET CONTRACTOR AWARD TO METRO PAVING INTERVALE







**LiRo Engineers, Inc.**  
A LiRo Group Company

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

February 25, 2021

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

Attention: Brian Kunzig

Re: Bid Review for the Highway Improvements to the Intervale Ave. Area  
Located in Farmingdale, New York  
Contract No. H19-197  
Bid No.: PW 027-21

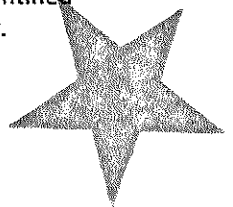
Dear Commissioner Lenz,

Bids were received on the above referenced project on February 17, 2021. The four (4) below contractors submitted the lowest cost proposals. The four (4) lowest bids received are as follows:

Metro Paving LLC 200 Cabot Street West Babylon, NY, 11704	\$1,884,860.00
Valente Contracting Corp. 77 Jackson Avenue Mineola, NY, 11501	\$2,148,037.00
Macedo Contracting Services, Inc. 685 Station Road Bellport, NY 11713	\$2,174,996.50
Suffolk Paving Corp. 30 N. Dunton Avenue Medford, NY 11763	\$2,292,292.00

The bid results were competitive from quality contractors and ranged from \$1,884,860.00 to \$2,292,292.00. All four (4) bids were evaluated by our office. Metro Paving LLC is the lowest bidder based upon our evaluation and based on the range of costs associated with the received bids, we conclude that the low bid is a fair price for the work.

Metro Paving LLC has extensive experience with roadway re-construction. The scope of work identified for this contract is in their area of expertise. The tabulation of the bids is enclosed for your review.



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

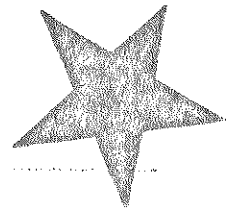
Very truly yours,

LiRo Engineers, Inc.



Heather V. Sonnenberg  
Senior Associate Vice President

HVS: DA  
Enclosures



WHEREAS, pursuant to public notice, bids were duly solicited, and were regularly received on February 17, 2021, for Contract No. H19-196, Road Improvements to the Hicks Avenue Area in Syosset New York, and said bids were publicly opened and read; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 5, 2021, advised that in compliance with the Town's Procurement Policy, the bid proposals received for Contract No. H19-196 were reviewed by L.K. McLean Associates, P.C., Consulting Engineers; and

WHEREAS, by letter dated February 24, 2021, L.K. McLean Associates, P.C., Consulting Engineers, recommended the award of Contract No. H19-196 to United Paving Corp, 6316 Northern Boulevard East Norwich, New York 11732, the lowest responsive and responsible bidder among fifteen (15) bids received, in the amount of \$2,103,333.00; and

WHEREAS, as per Town policy, \$105,166.65 should be added to the low bid amount for potential quantity increases, for a total bid encumbrance of \$2,208,499.65; and

WHEREAS, Commissioner Lenz, by said memorandum, concurred with the recommendation of L.K. McLean Associates, P.C., Consulting Engineers, and recommended the award of Contract No. H19-196, to United Paving Corp., the lowest responsive and responsible bidder, in the amount of \$2,103,333.00, and \$105,166.65 for potential quantity increases, for a total bid encumbrance of \$2,208,499.65; and

WHEREAS, the estimated construction time for completion of the contract is one hundred and eighty (180) calendar days, with funds to be drawn from Account No. HWY H5197 20000 000 2103 008, Project ID No. 2103 HWYDB-02; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the Bids, the Contract, and the proposed vendor's disclosure questionnaire and is satisfied that the Town's Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. H19-196 is awarded to United Paving Corp., in an amount not to exceed \$2,208,499.65, in accordance with the provisions herein, and the Supervisor, or his designee, is hereby authorized and directed to execute documents accordingly; and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. HWY H 197 20000 000 2103 008, Project ID No. 2103 HWYDB-02; and be it further

Reviewed By  
Office of Town Attorney

*[Signature]*

RESOLVED, that the Town Comptroller is hereby authorized and directed to issue a total encumbrance order in a total amount not to exceed \$2,208,499.65, upon presentation of a duly certified claim, after audit.

-#-

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

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

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

March 5, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF CONSTRUCTION CONTRACT  
ROAD IMPROVEMENTS TO THE HICKS AVENUE AREA IN SYOSSET, NY  
CONTRACT NO.: H19-196  
ACCOUNT NO. HWY H5197 20000 000 2103 008  
PROJECT ID NO. 2103HWYDB-02

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On February 17, 2021, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. United Paving Corp, 6316 Northern Blvd, East Norwich, NY 11732, Federal ID #:47-3095219 submitted the lowest responsive bid among 15 (fifteen) in the amount of \$2,103,333.00.

Attached is a letter dated February 24, 2021 from the office of L.K. McLean Associates, P.C. recommending the award of this contract to United Paving Corp, 6316 Northern Blvd, East Norwich, NY 11732, in the amount of \$2,103,333.00. In accordance with Town policy \$105,166.65 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$2,208,499.65.

The estimated construction time for completion of the subject contract is 180 calendar days. Funds are available for the subject contract work in Account No. HWY H5197 20000 000 2103 008 .

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

We concur with the recommendation of L.K. McLean Associates, P.C. and request that Contract No. H19-196 be awarded to United Paving Corp, in the total bid amount of \$2,103,333.00 and that \$105,166.65 be applied to the low bid amount for a total bid encumbrance of \$2,208,499.65.

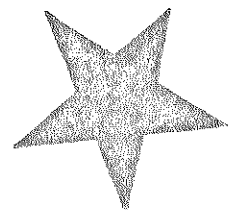
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.

COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/SC/nm  
Attachments

cc: Steven Ballas, Comptroller  
Eric Tuman, Commissioner/General Services  
John Bishop, Deputy Commissioner/Highway

H19-196\_Hicks Ave Road Improvement\_LKML\_award





*L. K. McLean Associates, P.C.*

❖ 437 South Country Road • Brookhaven • New York • 11719  
❖ 25 Newbridge Road • Suite 304 • Hicksville • New York • 11801

(631) 286-8668 • FAX (631) 286-6314  
<https://www.lkma.com>

RAYMOND G. DiBIASE, P.E., PTOE, PTP, PRESIDENT and CEO  
ROBERT A. STEELE, P.E., EXECUTIVE VICE PRESIDENT  
JAMES L. DeKONING, P.E., VICE PRESIDENT

Associates

CHRISTOPHER F. DWYER  
STEVEN W. EISENBERG, P.E.  
- ANDREW B. SPEISER  
MATTHEW C. JEDLICKA, LEED AP  
KEITH J. MASSERIA, P.E.  
VINCENT A. CORRADO, P.E.  
TAMARA L. STILLMAN, P.L.S.

February 24, 2021

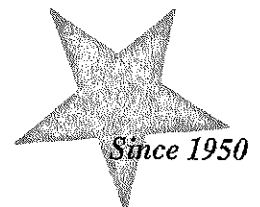
Richard Lenz, P.E., Commissioner  
Town of Oyster Bay  
Department of Public Works  
150 Miller Place  
Syosset, NY 11791

Attn.: Sunita Chakraborti, Project Manager

Re: Analysis of Bids Received for the Construction of Highway Improvements to the  
Hicks Avenue Area, Phase 1, Syosset, New York  
TOB Contract No. H19-196PH1,  
Bid No.: 026-21  
LKMA Project No. 19067

Madam:

On February 17, 2021, bids for the referenced project were received and publically opened. Fifteen (15) bids were received. Of these, the bid from United Paving Corp. is the apparent low bid at \$2,103,333.00. The bids received range from the apparent low bidder up to \$3,784,910.00, with the Engineer's Estimate at \$2,730,963.74. After analysis of the three (3) low bidders, all of their unit prices bid are in range of each other and reasonable.

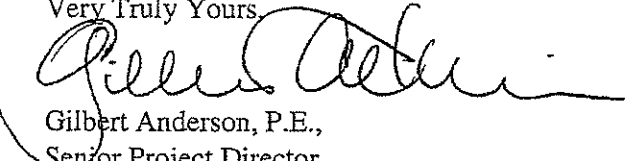


United Paving Corp. is a local firm, based out of East Norwich, New York. They have completed numerous heavy construction improvement projects for smaller municipalities, such as local villages and school districts, as well as private facilities and Brookhaven National Laboratory. Although this project is one of the larger projects they have recently undertaken, the scope of work falls within their abilities and the project is within the range of public works that they have completed.

As such and based on our review of the bids received, we would recommend that the contract for this project be awarded to United Paving Corp. in the amount of \$2,103,333.00.

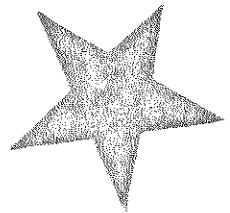
Please contact the undersigned if you have any questions or comments on these matters at (631) 286-8668, ext. 268.

Very Truly Yours,



Gilbert Anderson, P.E.,  
Senior Project Director

- c. John C. Tassone, Deputy Commissioner, TOBDPW  
Raymond DiBiase, PE, President/CEO, LKMA  
Robert Steele, PE, Executive Vice President, LKMA



WHEREAS, pursuant to Resolution No. 247-2019, the Town procured the engineering services of L.K. McLean Associates, P.C., 437 South Country Road, Brookhaven, New York, to complete a preliminary design report for a highway improvement project to the Hicks Avenue Area, Syosset, Contract No. H19-196PH1, and for the use of Universal Testing and Inspection Services, Inc., as sub-consultant for materials testing services with performance of the final Design, Bid and Construction phases at costs to be negotiated and approved by the Town Board by future Board action; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 5, 2021, requested that the Town proceed with the design phase of the Hicks Avenue Area project following the completion of the preliminary design report, and to retain the services of L.K. McLean Associates, P.C., as consultant, and of Universal Testing and Inspection Services, Inc., as sub-consultant, for materials testing services, for a total negotiated contracted fee of \$163,906.52, and has further advised that the Office of the Inspector General has reviewed the contract and the proposed vendor's disclosure questionnaire in accordance with the Town Procurement Policy; and

WHEREAS, Gilbert Anderson, P.E. of L.K. McLean Associates, P.C., by letter dated March 4, 2021 has advised that \$163,906.52 is required to complete the final design, bid, and construction for Phase 1 of the Hicks Avenue Area project, and requested an encumbrance by the Town in the resulting amount of \$163,906.52, and further requested to use Universal Testing and Inspection Services, Inc. as sub-consultant, for materials testing services; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds are available to satisfy the cost of the services to be provided by L. K. McLean Associates, P.C., including the use of the sub-consultant, in the total amount not to exceed \$163,906.52, in Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-02,

NOW, THEREFORE, BE IT RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and that L.K. McLean Associates, P.C., is hereby authorized to provide the above-referenced engineering services relative to the final design, bid, and construction for Phase 1 for the Hicks Avenue Area project, Syosset, New York, and to use Universal Testing and Inspection Services, Inc., as a sub-consultant for materials testing services, in an amount not to exceed \$163,906.52, and the Supervisor or his designee is authorized to execute an agreement for same, and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. HWY H 5197 20000 000 2103 008, Project ID No. 2103HWYDB-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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Highway  
m. [Signature]



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

March 5, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: AWARD OF ENGINEERING SERVICES  
AND THE USE OF SUB-CONSULTANT  
HIGHWAY IMPROVEMENTS TO THE HICKS AVE AREA, SYOSSET  
CONTRACT NO. H19-196PH1  
ACCOUNT NO. HWY H5197 20000 000 2103 008  
PROJECT ID NO. 2103HWYDB-02

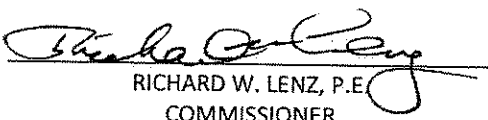
In furtherance to resolution 247-2019, and consequent to the completion of the design phase services by L. K. McLean Associates, P. C., the Division of Engineering has solicited L. K. McLean Associates, P. C. for a proposal to provide bid support and construction administration services of said contract.


The Department of Public Works has negotiated a fee of \$163,906.52 to proceed with the work, as outlined in the attached letter from L. K. McLean Associates, P. C dated March 5, 2021 as well as to utilize Universal Testing and Inspection services, Inc., as a sub-consultant for Construction Material Testing Services. The firm of L. K. McLean Associates, P. C has previously executed a Standard Consultant Agreement with the Department of Public Works under which services are to be provided, which is on file in the Division of Engineering.

Funds are available to satisfy these engineering services in Account No. HWY H5197 20000 000 2103 008 and Project ID No. 2103HWYDB-02

The Office of The Inspector General has reviewed the RFP/Contract and proposed vendor's and proposed sub-consultant disclosure questionnaires and is satisfied that the procurement Policy has been fulfilled

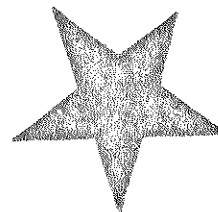
It is hereby requested that the Town Board authorize, by resolution, L. K. McLean Associates, P. C., to perform bid support and construction administration services relative to Contract No. H19-196PH1 and use Universal Testing and Inspection Services, Inc. as sub-consultant, for construction materials testing services for this project, and that the office of the Comptroller hereby encumber said funds.

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

  
RWL/JCT/NR/SC/nm  
Attachment

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

H19-196\_HICKS\_ENG SERVICES\_SUBPH1\_163,906



Reviewed By  
Office of Town Attorney

WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works/Highways, by memorandum dated April 1, 2019, advised that a request for proposals (RFP) was issued to seven (7) firms and notice of the RFP was placed on the Town of Oyster Bay website, to procure engineering services relative to road improvements to the Hicks Avenue Area, Syosset, Contract No. H19-196, and the Division of Engineering received nine (9) responses; and

WHEREAS, following a review and evaluation of said nine (9) responses by a selection committee, based on the technical merits of said responses, and in compliance with the requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz by said memorandum, requested and recommended that the Town Board authorize L.K. McLean Associates, P.C., 437 South Country Road, Brookhaven, New York 11719, to first complete a preliminary design report for the project area for which it will perform surveying, site investigation, preliminary design, project phasing, and cost estimating, for a total fee of \$162,341.52, with performance of the final Design, Bid and Construction phases at costs to be negotiated and approved by the Town Board by future Board action; and

WHEREAS, Gilbert A. Anderson, P.E., Senior Project Director, L.K. McLean Associates, P.C., by letter dated March 22, 2019, requested the use of Universal Testing and Inspection Services, Inc., as sub-consultant, for geotechnical investigation services; and

WHEREAS, the requested services to be provided by L.K. McLean Associates, P.C., including the use of the above sub-consultant, are to be for a total amount not to exceed \$162,341.52, with funds for said payment available from Account No. HWY H5197 20000 000 1903 008,

RESOLVED, That the requests and recommendations as hereinabove set forth are accepted and approved, and that L.K. McLean Associates, P.C., Inc., is hereby authorized to provide the above-referenced engineering services relative to road improvements to the Hicks Avenue Area, Syosset, Contract No. H19-196, and to use Universal Testing and Inspection Services, Inc., as a sub-consultant for geotechnical investigation services, in a total amount not to exceed \$162,341.52, and the Supervisor or his designee is authorized to execute an agreement for same, and be it further

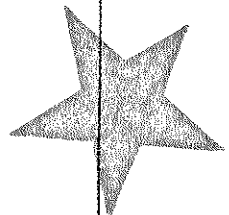
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds for said payment are to be drawn from Account No. HWY H5197 20000 000 1903 008.

-#-

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works





***L. K. McLean Associates, P.C.***

❖ 437 South Country Road • Brookhaven • New York • 11719  
❖ 25 Newbridge Road • Suite 304 • Hicksville • New York • 11801

(631) 286-8668 • FAX (631) 286-6314  
<https://www.lkma.com>

RAYMOND G. DiBIASE, P.E., PTOE, PTP, PRESIDENT and CEO  
ROBERT A. STEELE, P.E., EXECUTIVE VICE PRESIDENT  
JAMES L. DeKONING, P.E., VICE PRESIDENT

Associates

CHRISTOPHER F. DWYER  
STEVEN W. EISENBERG, P.E.  
ANDREW B. SPEISER  
MATTHEW C. JEDLICKA, LEED AP  
KEITH J. MASSERIA, P.E.  
VINCENT A. CORRADO, P.E.  
TAMARA L. STILLMAN, P.L.S.

March 4, 2021

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

Attn.: Sunita Chakraborti, Project Manager

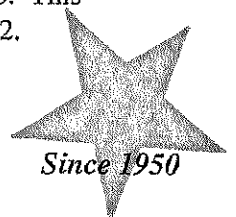
Re: **Engineering Services for Bid Support and Construction Administration of Phase 1  
of Reconstruction of the Hicks Avenue Area, Syosset, New York,  
TOB Contract No. H19-196PH1,  
LKMA Project No. 19067**

Madam:

Please allow this to serve as a formal request for funding to provide Professional Engineering Construction Services in conjunction with the referenced project. Specifically, LKMA's services will include bidding and construction administration/inspection for Phase I of the Hicks Avenue Area Reconstruction Project.

Based on previous correspondence, we estimate that approximately 18 Man-hours of engineering services will be required to provide Bid Support and Review, totaling \$2,857.86. Construction Administration and Inspection is estimated to require 934 man-hours, totaling \$129,048.66. This will bring L. K. McLean Associates total fees for these services is estimated at \$131,906.52.

**TODAY'S CHALLENGES | TOMORROW'S SOLUTIONS**




In addition to the above, we would propose that Universal Testing & Inspection Services, of 73 Otis Street, West Babylon, NY 11704, will provide Construction Materials Testing services for this project. The estimated fee for these services is estimated at \$32,000.00.

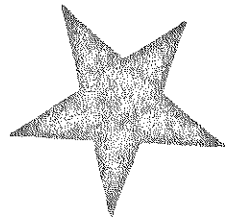
As such, the total fees for both LKMA's inspection and Universal's testing services under this contract is \$163,906.52.

Thank you again for this opportunity and we look forward to working with the Town of Oyster Bay Department of Public Works on this important project. Please contact the undersigned if you have any questions or comments on these matters at (631) 286-8668, ext. 268.

Very Truly Yours,

  
Gilbert Anderson, P.E.,  
Senior Project Director

- c. John C. Tassone, Deputy Commissioner, TOBDPW  
Raymond DiBiase, PE, President/CEO, LKMA  
Robert Steele, PE, Executive Vice President, LKMA



WHEREAS, by Resolution No. 810-2019, adopted on December 10, 2019, the Town Board authorized D&B Engineers & Architects, P.C. to provide the Town of Oyster Bay with technical services pursuant to Contract No. PWC19-20, On-Call Engineering Services relative to Structural Engineering for a term of two years, commencing on January 1, 2020 through December 31, 2021; and

WHEREAS, Steven A. Fangmann, P.E., President and CEO, D&B Engineers & Architects, P.C., by letter dated January 7, 2021, described the scope of work to be performed under Project No. 1902PKSA-04 regarding bulkhead improvements at the Joseph J. Saladino Memorial Marina at TOBAY Beach, in an amount not to exceed \$110,000.00; and

WHEREAS, Mr. Fangmann, in the aforementioned letter, requested that D&B Engineers & Architects, P.C. be permitted to use Vachris Engineering, P.C. for bulkhead design services and Rising Tide Waterfront Solutions – An Engineering Company, PLLC for dive team underwater bulkhead inspection services; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 5, 2021 requested that the Town Board authorize D&B Engineers & Architects, P.C., to perform the aforesaid services relative to Contract No. PWC19-20 and to use Vachris Engineering, P.C. and Rising Tide Waterfront Solutions – An Engineering Company, PLLC as sub-consultants; and

WHEREAS, Commissioner Lenz, by said memorandum, further requested that the Town Board authorize and direct the Town Comptroller to issue an encumbrance order, in an amount not to exceed \$110,000.00, to satisfy said engineering costs, and advised that funds to satisfy said engineering costs are available in Account No. PKS H 7197 20000 000 1902 001; and

WHEREAS, Commissioner Lenz, by said memorandum, further advised that the Office of the Inspector General has reviewed the Contract documents and the proposed vendor's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and D&B Engineers & Architects, P.C., is authorized to provide the aforementioned technical services and to utilize the services of Vachris Engineering, P.C. and Rising Tide Waterfront Solutions – An Engineering Company, PLLC relative to On-Call Engineering Services relative to Structural Engineering in connection with Contract No. PWC19-20, and it is further

RESOLVED, that the Comptroller is authorized to issue an encumbrance order, in an amount not to exceed \$110,000.00, to satisfy said engineering costs, with funds to be drawn from Account No. PKS H 7197 20000 000 1902 001.

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

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

Reviewed By  
Office of Town Attorney  
*[Signature]*

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

March 5, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST &  
USE OF A SUB-CONSULTANT  
CONTRACT NO. PWC19-20  
STRUCTURAL ENGINEERING  
ACCOUNT NO.: PKS H 7197 20000 000 1902 001  
PROJECT ID NO. 1902PKSA-04

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. PWC19-20 by Resolution No. 810-2019 for the subject project. Funds have been made available by the Director of Finance.


Attached is a letter dated January 7, 2021 from D&B Engineers & Architects, P.C., regarding the scope of work to be performed in an amount not to exceed \$110,000.00. Services to be provided include design, bid and wetland permitting regarding the improvements made to the bulkhead at the Joseph J. Saladino Memorial Marina at TOBAY.

Also included is a request by D&B Engineers & Architects, P.C. to be authorized to use, as sub-consultants, Vachris Engineering, P.C. for bulkhead design services and Rising Tide Waterfront Solutions-An Engineering Company, PLLC for dive team underwater bulkhead inspection relative to Contract No. PWC19-20.

Attached is an availability of funds in the amount of \$110,000.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. PKS H 7197 20000 000 1902 001.

The Office of the Inspector General has reviewed the RFP/Contract and the proposed vendor's disclosure questionnaire and the sub-consultants disclosure questionnaires is satisfied that the Procurement Policy has been fulfilled.

It is hereby requested that the Town Board authorize, by Resolution D&B Engineers & Architects, P.C. under Contract No. PWC19-20, On-Call Engineering Services relative to Structural Engineering and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

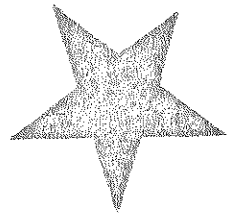
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/CT/MR/HAS/SJ/lk

Attachment

cc: Steven Ballas, Comptroller  
Joseph G. Pinto, Commissioner/Parks

PWC19-20 Docket 167000 D&B





# 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 1/1/2020

Contract No. PWC19-20

Contract End 12/31/2021

Commencement Date 1/1/2021

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

Vendor Name and Address

D&B ENGINEERS & ARCHITECTS, P.C.

330 Crossways Park Drive

Woodbury, NY 11797

Requesting Town Department

DIVISION OF ENGINEERING

Contact

HANS STRONSTAD

Phone

516-677-5852

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

ENGINEERING SERVICES FOR

TOBAY MARINA BULKHEAD IMPROVEMENTS

TOWN OF OYSTER BAY, NEW YORK

**This work order shall not exceed \$** \$110,000.<sup>00</sup> ~~167,000.00~~

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

**Requesting Division/Department**

**Department Of Public Works Approval**

**Only To Be Executed By The Commissioner**

Signature

[Signature]

Title

Parks Commissioner

Date

2/8/21

Signature

[Signature]

**Commissioner of Public Works**

Date

2/10/21



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



Requesting Division/Department

PARKS

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

Contract Number PWC19-20

Contract Period 1/1/2021 - 12/31/2021

Consultant/Contractor D&B ENGINEERS & ARCHITECTS, P.C.

Discipline STRUCTURAL ENGINEERING

Total Authorization ~~\$ 167,000.00~~ \$ 110,000.00

Resolution No. 810-2019 Date 12/10/2019

Funded To Date \$ 0.00

Amount Requested ~~\$167,000.00~~ \$ 110,000.00

Account To Be Used PKS-H-7197-20000-000-1902-001 1902PKSA-04

If Capital Account, State The Related Contract Number: \_\_\_\_\_

Description Of Work:

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

ENGINEERING SERVICES FOR TOBAY MARINA BULKHEAD IMPROVEMENTS

TOWN OF OYSTER BAY, NEW YORK

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

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

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature [Signature]

Signature [Signature]

Title Parks Commissioner

Title Commissioner of Public Works

Date 2/8/21

Date 2/10/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested ~~167,000.00~~ \$ 110,000.00

Unencumbered Balance 1,135,000.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature] Date 2/17/21





# D&B ENGINEERS AND ARCHITECTS

330 Crossways Park Drive, Woodbury, New York, 11797  
516-364-9890 • 718-460-3634 • Fax: 516-364-9045 • [www.db-eng.com](http://www.db-eng.com)

## Board of Directors

Steven A. Fangmann, P.E., BCEE  
*President & Chairman*

Robert L. Raab, P.E., BCEE, CCM  
*Senior Vice President*

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

January 7, 2021

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
150 Miller Place  
Syosset, NY 11791

Attn: Hans Stronstad Sr., Project Manager  
Engineering Division

Re: TOBAY Marina Bulkhead Improvements  
Professional Engineering Design, Permitting, Bidding and Construction Services  
TOB Contract No.: PWC 19-20, Resolution 810-2019

Dear Deputy Commissioner:

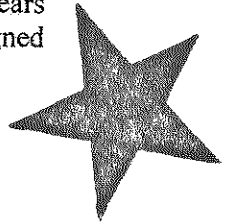
As the Town's Structural Engineering Consultant under the above-referenced contract, D&B Engineers and Architects (D&B) is pleased to submit this Task Order Proposal to provide assistance to the Town with professional engineering services related to the design and construction of bulkhead improvements at the TOBAY Beach Marina Facility to mitigate soil loss on the landward side of the bulkhead structure related to deterioration of the timber wales and timber sheeting.

As you are aware, an Engineering Report was developed by others in 2018 and revised in 2019 to document a 2018 investigation performed on the existing timber bulkhead structure and make recommendations relative to repair or replacement options.

The existing timber bulkhead was constructed in approximately 1990 and consists of 12-inch face piles, timber upper and lower wales, and 4-inch tongue/grove vertically oriented timber sheeting with lengths from 16 to 22-feet. The existing bulkhead is approximately 980-feet in length and includes 10-foot return sections on either end, oriented perpendicular to the bulkhead. The area of the existing bulkhead is categorized as a tidal wetland area by the New York State Department of Environmental Conservation (NYSDEC).

The observations and recommendations of the Engineering Report generally indicate that the face piles and upper wale are in serviceable condition, however the lower wale and sheeting show significant deterioration and are contributing to soil migration through the bulkhead. The top cap and related strapping are damaged or missing in various locations. The structure as a whole appears straight and plumb, which suggests the bulkhead's tie-back system is intact and was designed correctly.

*"Facing Challenges, Providing Solutions... Since 1965"*



John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
January 7, 2021

Page 2

Based upon the existing condition of the timber bulkhead structure and our preliminary discussions regarding efficient repair/replacement alternatives, it is anticipated that this project will include rehabilitation of the existing bulkhead through sheeting reinforcement and replacement of existing deteriorated components with new. Maintenance dredging will be performed consistent with the terms of the NYSDEC's General Permit for Bulkhead Removal and Replacement, which allows for maintenance dredging of the area within 5-feet seaward of the bulkhead with seasonal restrictions.

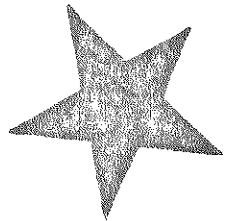
As the project area is classified as a tidal wetland, the project will require preparation and submission of a Joint Application for Permit for review by the NYSDEC, the United States Army Corps of Engineers (USACE) and the New York Department of State (NYDOS) for the proposed bulkhead work.

Additionally, as requested we will prepare a design memorandum to present and evaluate the two primary alternatives, including a full in-place replacement of the existing bulkhead with new materials and the repair and re-facing of the existing bulkhead. The memorandum will detail aspects of each alternative, including scope elements, permitting aspects, construction costs, timeframes and service life. These two alternatives have been selected for consideration as they represent the most favorable approaches to addressing the failures observed in the existing structure and will not require permitting efforts and risks related to the seaward replacement of the existing bulkhead and associated landfilling between the new and existing systems, which represents a 'presumptively incompatible use' in the NYSDEC's Tidal Wetlands regulations.

With the exception to the overall length of the existing bulkhead, the in-place replacement or the re-facing options conform to the requirements of the NYSDEC's General Permit for Bulkhead Removal and Replacement, which suggests that these alternatives are consistent with standard permitting criteria and practices and are therefore less likely to be met with objection and an extended regulatory review period. It is our experience that the permitting for the bulkhead re-facing including maintenance dredging can likely be obtained within 9-12 months from the date of filing.

Our proposed scope includes effort related to an underwater investigation of the bulkhead with a certified dive team as we perform our inspection of the exposed portion of the bulkhead. This preventative measure will serve to protect against potential cost overruns in the construction phase related to underwater deterioration that may have been missed or has progressed since the previous inspection.

In order to support the Town with this project, we propose the following detailed scope of work, which is based upon the assumed alternative to repair and reface the existing structure:



John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
January 7, 2021

Page 3

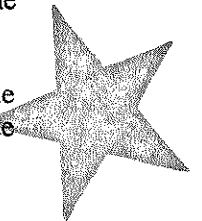
**A. SCOPE OF WORK**

Technical Design Memorandum

- Prepare a brief technical letter report to describe the relevant aspects of the in-kind replacement and re-facing options, including preparation of conceptual cost estimates for these two alternatives and discussion of material options and relative costs and benefits including service life expectancies and permitting timeframes. The report will include a description of construction activities and approximate timelines associated with permitting and construction of each alternative.
- Meet with Town representatives to discuss the technical report and options, including relative costs and benefits of using composite structural sheeting and facing materials in lieu of treated timber to accomplish the bulkhead improvements.

Detailed Design

- Perform a site visit to inspect and confirm existing conditions represented in the existing Engineering Report and assess any additional damage visually observable from grade. Discuss and record any recent damage that may not be represented in the Engineering Report with Town representatives.
- Perform an underwater investigation of the concealed portions of the existing bulkhead structure to document current conditions and necessary replacements. Two days of dive team investigation are included in our scope.
- Review available drawings and other data relative to the existing bulkhead system and surrounding areas.
- Perform a topographic field survey to document the details and arrangement of the existing bulkhead system and related marina features, including the paved access road, dock ramps, bulkhead-mounted utility pedestals and adjacent areas for the purpose of development of an existing bulkhead and site plan, including actual face pile locations. Install a benchmark on site and develop related project stationing for use in design and construction efforts.
- Perform a bathymetric survey of the area within a 10-foot seaward distance from the existing bulkhead to document the existing submerged topography in the area of the bulkhead to determine maintenance dredging requirements that will accompany the bulkhead rehabilitation work to restore lost depth in the area of the existing bulkhead.
- Prepare plans and details to define the construction requirements related to refacing the existing timber sheeting and wale replacement. Develop relief drainage details to mitigate



John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
January 7, 2021

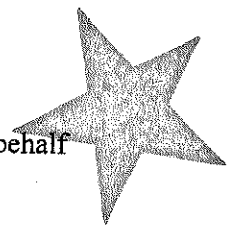
Page 4

erosion during storm surges which may top the bulkhead structure. Identify areas and appropriate requirements for the repair of settlement behind the existing bulkhead.

- Develop recommended sequencing of construction activities and related construction requirements to avoid impacts to seasonal marina operation.
- Develop construction requirements related to dewatering and reuse of dredged soils, coordinate with the Town to designate suitable soils disposal locations on site, as available and consistent with NYSDEC criteria.
- Prepare construction specifications to define specific requirements related to construction of the work to accompany the drawings.
- Coordinate the detailed design documents with requirements resulting from the Joint Application Permit to the NYSDEC, USACE and NYDOS. Incorporate the conditions of the permit into the project construction documents.
- Provide the draft detailed design drawings to the Town for review and comment. Meet with the Town to discuss questions and comments. Integrate the Town's comments into the final certified bidding documents.
- Prepare a construction cost estimate for bidding of the project, based upon the final drawings.
- Prepare bid sheets and integrate the Town's front end documents into the construction documents. Solicit the Town's endorsement of the documents for public bidding.

#### Wetland Permit Application

- Determine applicability of state and/or federal wetland jurisdiction based on the final project description, design, and footprint.
- If necessary, coordinate and attend a pre-application meeting or teleconference with regulatory agencies to determine or confirm agency jurisdiction, type of permits required, agency requests for specific information, and any special permit applications procedures.
- Prepare the draft Joint Application for Permit package including application forms, project location/site maps, aerials, photographs, design drawings, and project narrative, for review by the Town.
- Revise the Joint Application for Permit package based on Town comments.
- Prepare the final Joint Application for Permit package and submit on the Town's behalf to the appropriate regulatory agencies for review and approval.



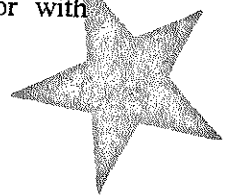
John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
January 7, 2021

Page 5

- Respond to relevant agency comments, inquiries, or requests for additional information and, as necessary, confer with the agencies to clarify or confirm issues identified in agency comments.
- Coordinate with Town representatives and submit responses to each regulatory review agency for final review and approval, based upon input from all stakeholder comments.
- Maintain communication with agencies on status of application review and estimated schedule for permit issuance.
- Review and evaluate permit conditions and incorporate regulatory aspects of the work into the construction documents and provide guidance to the Town on complying with any special permit conditions and work notification requirements.

Bidding and Construction

- Prepare fifteen (15) copies of the bidding documents on compact disk for use in public bidding of the project. Provide contact information for qualified marine contractors to the Town, as requested.
- Respond to questions and requests for information received from bidders during the bid period.
- Attend the bid opening, review bids received, make recommendation for award of the work, and prepare conformed documents for signing of the contract.
- Conduct a pre-construction meeting with the selected contractor and representatives of the Town. Prepare and issue minutes of the meeting.
- Perform review of contractor equipment submittals, review and make recommendation for monthly contractor payment requisitions, and perform project-related correspondence on behalf of the Town.
- Perform part-time inspection during principal construction activities. A total of 140 hours of on-site inspection is included in the scope of this proposal.
- At the completion of construction, perform a joint inspection with representatives of the Town and prepare a project punch list to assist the construction contractor with completion of the contract work.



D&B ENGINEERS AND ARCHITECTS

John Tassone, Deputy Commissioner  
Town of Oyster Bay  
Department of Public Works  
January 7, 2021

Page 6

**B. FEES**

The proposed fees to complete the above tasks will be based upon time and expenses actually incurred in relation to the above scope in accordance with the terms of our on-call agreement with the Town and will not exceed the following values:

Technical Memorandum.....	\$18,000
Detailed Design .....	\$81,000
Wetland Permitting.....	\$11,000
<del>Bidding and Construction.....</del>	<del>\$57,000</del>
Total.....	<del>\$167,000</del>

\$110,000. <sup>60</sup>

Direct expenses, including document reproduction are included in the above fees.

As the project includes a geotechnical component, D&B intends to utilize the services of Vachris Engineering, P.C. as a specialty subconsultant to assist our team with bulkhead evaluation and design services. We propose to utilize a subcontract dive team to perform the underwater bulkhead investigation and have included a subcontractor cost of \$10,000 for this service in the detailed design fees represented above.

We are hereby requesting the Town's approval of **Vachris Engineering** and **Rising Tide Waterfront Solutions** as subconsultant and subcontractor partners for this assignment, respectively. These services are encompassed in the above scope and fees and subconsultant services shall conform to the terms of our current on-call contract with the Town.

If you have any questions regarding this proposal, please feel free to call me or Phil Sachs, Vice President, at (516) 364-9890, Ext. 3005 or Ext. 3401, respectively.

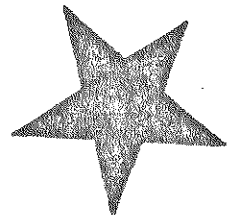
Very truly yours,

  
Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/PRSt/kb

cc: M. Russo (TOB-Eng)  
H. Stronstad (TOB-Eng)  
P. Sachs (D&B)

♦PX10764\SAF010721JT-Ltr



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated November 22, 2019, advised that, pursuant to the Town of Oyster Bay Procurement Policy, a request for proposals (RFP) to procure On-Call Engineering Services relative to Structural Engineering, Contract No. PWC19-20, to the Town for a two (2) year term commencing on January 1, 2020 through December 31, 2021, and the Department of Public Works received eight (8) responses by the October 16, 2019 response date was issued and was placed on the Town of Oyster Bay website; and

WHEREAS, following a review and evaluation of said eight (8) responses by an RFP review committee, based on the established criteria in conjunction with a set of guidelines for the purpose of choosing the most qualified firms, in compliance with requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz, by said memorandum, requested that the Town Board authorize the Department of Public Works to utilize the services of Cameron Engineering & Associates, LLP, D & B Engineers & Architects, P.C., LiRo Engineers, Inc., and Lockwood, Kessler & Bartlett, Inc., in accordance with the specifications contained in the RFP for the purposes of providing On-Call Engineering Services relative to Structural Engineering services to the Town;

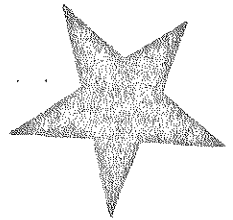
NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to utilize the services of Cameron Engineering & Associates, LLP, D & B Engineers & Architects, P.C., LiRo Engineers, Inc., and Lockwood, Kessler & Bartlett, Inc., under contract No. PWC19-20, for the purposes of providing On-Call Engineering Services relative to Structural Engineering to the Town for a period of two (2) years, commencing on January 1, 2020 through December 31, 2021.

#

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

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

Reviewed By  
Office of Town Attorney



WHEREAS, by Resolution No. 816-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with Pace Analytical Services, LLC, to provide engineering services in connection with Contract No. PWC17-20, On-Call Engineering Services in connection with Technical Assistance Relative to Laboratory Analysis, for a two (2) year period, from January 1, 2020 through December 31, 2021; and

WHEREAS, Nicolette Lovari, Claims Service Manager, Pace Analytical Services, LLC, by letter dated March 1, 2021, described the scope of work to be performed under Contract No. PWC17-20, which includes laboratory analysis for the 2021 landfill monitoring program, for an amount not to exceed \$30,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 5, 2021, requested Town Board authorization for Pace Analytical Services, LLC to perform the aforesaid engineering services under Contract No. PWC17-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$30,000.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, and advised that funds in the amount of \$30,000.00, to satisfy said engineering costs, are available in Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and Pace Analytical Services, LLC is hereby authorized to perform the aforementioned services in connection with Contract No. PWC17-20, On-Call Engineering Services in connection with Technical Assistance Relative to Laboratory Analysis at a cost not to exceed \$30,000.00, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye



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

MARCH 5, 2021

TO: MEMORANDUM DOCKET

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

SUBJECT: ON-CALL ENGINEERING SERVICE REQUEST  
RELATIVE TO LABORATORY ANALYSIS  
CONTRACT NO. PWC17-20  
ACCOUNT NO.: DER SR05 8160 44800 000 0000

---

The consultant, Pace Analytical Services, LLC, has been approved by the Commissioner of Public Works to provide engineering services under On-Call Contract No. PWC17-20 by Resolution No. 816-2019 for the subject project.

Attached is a letter dated March 1, 2021 from Pace Analytical Services, LLC regarding the scope of work to be performed in an amount not to exceed \$30,000.00. Services to be performed include laboratory analysis for the 2021 landfill monitoring program.

Attached is an availability of funds in the amount of \$30,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

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

It is hereby requested that the Town Board authorize, by Resolution, Pace Analytical Services, LLC under Contract No. PWC17-20, On-Call Engineering Services Relative to Laboratory Analysis and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

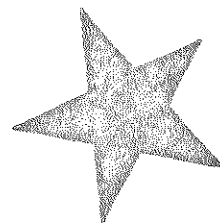
  
RICHARD W. LENZ, P.E.

COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL//MR/lk  
Attachment

cc: Steven C. Ballas, Comptroller  
Louis Savinetti, Commissioner/Environmental Resources

PWC17-20 PACE DOCKET 2021 FUNDS





# TOWN OF OYSTER BAY

## WORK ORDER



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

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

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

Contract Start 1/1/2020

Contract No. 1/1/2020

Contract End 12/31/2021

Commencement Date JANUARY 1, 2021

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

Vendor Name and Address

PACE ANALYTICAL SERVICES, LLC

575 BROAD HOLLOW ROAD

MELVILLE, NEW YORK 11747

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

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

LABORATORY ANALYSIS OF AIR AND WATER SAMPLES FROM THE

OLD BETHPAGE LANDFILL ENVIRONMENTAL MONITORING

**This work order shall not exceed \$ 30,000.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

*Only To Be Executed By The Commissioner*

Signature \_\_\_\_\_

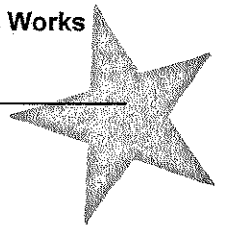
Signature *Paul H. J. J. J.*

Title Commissioner

**Commissioner of Public Works**

Date March 3, 2021

Date 3/4/21





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 PWC17-20  
Contract Period JANUARY 1, 2020 - DECEMBER 31, 2021  
Consultant/Contractor PAGE ANALYTICAL SERVICES, LLC  
Discipline LABORATORY ANALYSIS  
Total Authorization \$60,000.00  
Resolution No. 816-19 Date 12/10/2019  
Funded To Date \$30,000.00  
Amount Requested \$30,000.00  
Account To Be Used DER SR05 8160 44800 000 0000

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

**Description Of Work**

*If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.*

LABORATORY ANALYSIS OF AIR & WATER SAMPLES

FROM THE OLD BETHPAGE LANDFILL ENVIRONMENTAL MONITORING

Work To Be Completed In Contract Period: Yes ☒ No ☐

*A "No" response will require Town Board authorization to extend the contract period.*

Required Insurances Are In Effect: Yes ☒ No ☐

*A "No" response will prevent further processing of this form.*

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$                     

**Requesting Division/Department**

Signature [Signature]  
Title Commissioner  
Date March 3, 2021

**DPW Approval**

Only To Be Executed By The Commissioner

Signature [Signature]  
Title Commissioner of Public Works  
Date 3/4/21

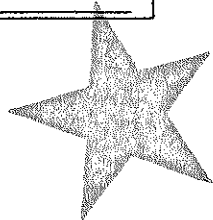
**THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE**

Amount Requested 30,000.00

Unencumbered Balance 652,875.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature] Date 3/4/21





**Pace Analytical Services, LLC**  
575 Broad Hollow Road  
Melville, NY 11747  
Phone: 631.694.3040  
Fax: 631.420.8436  
[www.pacelabs.com](http://www.pacelabs.com)

March 1st, 2021

Mr. Matthew Russo, P.E.  
Town of Oyster Bay  
Department of Public Works  
Division of Engineering  
150 Miller Place  
Syosset, New York 11791

**Re: Town of Oyster Bay Landfill Complex  
Cost Proposal for 2021 Laboratory Analysis of Air and Water Samples  
Contract No.: PWC 17-20**

Dear Mr. Russo:

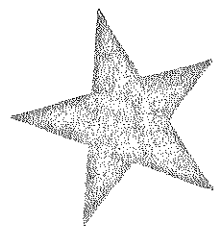
Pace Analytical Services Inc. is pleased to submit this proposal for laboratory analysis for the Town of Oyster Bay Landfill Complex sampling for Contract No.: PWC 17-20 On-Call Engineering Services for Laboratory Analysis of Air and Water Samples from the Old Bethpage Landfill. The new annual total will not exceed \$30,000.00

Should you have any questions concerning the proposal please call me at 516-370-6044 or send an email [Nicolette.Lovari@pacelabs.com](mailto:Nicolette.Lovari@pacelabs.com).

We look forward to continuing to provide these services to the Town.

Best Regards,

Nicolette Lovari  
Client Services Manager



Meeting of December 10, 2019

Resolution No. 816-2019

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 25, 2019, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town in connection with Technical Assistance Relative to Laboratory Analysis, resulting in the receipt of one (1) submission; and

WHEREAS, Joseph Nocella, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated November 20, 2019, advised that, in accordance with Guideline 7 of the Procurement Policy, the Department of Public Work's efforts to secure responses to the Request for Proposals was in compliance with the Procurement Policy; and

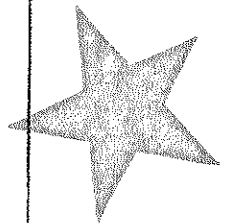
WHEREAS, Commissioner Lenz has, after review and analysis of the submissions based upon the technical merits of the responses, requested and recommended that Pace Analytical Services, LLC be authorized to perform On-Call Engineering Services in connection with Contract No. PWC17-20, Technical Assistance Relative to Laboratory Analysis, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is hereby accepted and approved and Pace Analytical Services, LLC is hereby authorized and directed to provide On-Call Engineering Services in connection with Contract No. PWC17-20, Technical Assistance Relative to Laboratory Analysis, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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



WHEREAS, by Resolution No. 818-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with D&B Engineers and Architects, P.C., to provide engineering services in connection with Contract No. PWC27-20, On-Call Engineering Services in connection with Groundwater Monitoring for the Old Bethpage Landfill, for a two (2) year period, from January 1, 2020 through December 31, 2021; and

WHEREAS, Steven A. Fangmann, P.E., BCEE, President and CEO, D&B Engineers and Architects, P.C., by letter dated February 12, 2021, described the scope of work to be performed under Contract No. PWC27-20, which includes required groundwater monitoring program for the former Old Bethpage Landfill, for an amount not to exceed \$45,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 3, 2021, requested Town Board authorization for D&B Engineers and Architects, P.C. to perform the aforesaid engineering services under Contract No. PWC27-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$45,000.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$45,000.00 to satisfy said engineering costs are available in Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and D&B Engineers and Architects, P.C. is hereby authorized to perform the aforementioned services in connection with Contract No. PWC27-20, On-Call Engineering Services in connection with Groundwater Monitoring for the Old Bethpage Landfill at a cost not to exceed \$45,000.00, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

1/18  
Reviewed By  
Office of Town Attorney  
[Signature]

TOWN OF OYSTER BAY  
INTER-DEPARTMENTAL MEMO

March 3, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST  
CONTRACT NO. PWC27-20  
GROUNDWATER MONITORING FOR THE OLD BETHPAGE LANDFILL  
ACCOUNT NO.: DER SR05 8160 44800 000 0000

---

The consultant, D&B Engineers and Architects, P.C., has been approved by the Commissioner of Public Works to provide technical services under On-Call Contract No. PWC27-20 by Resolution No. 818-2019 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated February 12, 2021 from D&B Engineers and Architects, P.C., regarding the scope of work to be performed in an amount not to exceed \$45,000.00. Services to be provided include the required groundwater monitoring program for the former Old Bethpage Landfill.

Attached is an availability of funds in the amount of \$45,000.00 to satisfy said engineering costs from the Office of 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 and Architects, P.C. under Contract No. PWC27-20, On-Call Technical Assistance Relative to Groundwater Monitoring for the Old Bethpage Landfill, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.



RICHARD W. LENZ, P.E.  
COMMISSIONER

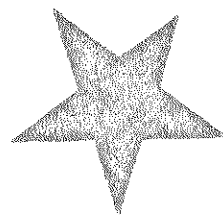
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/CT/MR/lk

Attachment

cc: Steven Ballas, Comptroller  
George Baptista, Deputy Commissioner/Environmental Resources  
Daniel Pearl, Deputy Commissioner/Public Works

PWC27-20 D&B DOCKET 2021 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 PWC27-20

Contract Period JANUARY 1, 2020 - DECEMBER 31, 2021

Consultant/Contractor D&B ENGINEERS AND ARCHITECTS, P.C.

Discipline GROUNDWATER MONITORING FOR OLD BETHPAGE LANDFILL

Total Authorization \$90,000

Resolution No. 818-2019 Date 12/10/2019

Funded To Date \$45,000.00

Amount Requested \$45,000.00

Account To Be Used DEL SR05 8160 44800 000 0000

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

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

2021 MONITORING EFFORT FOR OLD BETHPAGE LANDFILL

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$                     

Requesting Division/Department  
Signature [Signature]  
Title COMMISSIONER - DEPT. ENV. RES.  
Date MARCH 2, 2021

DPW Approval  
Only To Be Executed By The Commissioner  
Signature [Signature]  
Title Commissioner of Public Works  
Date 3/4/21

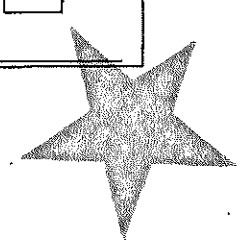
THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 45,000.00

Unencumbered Balance 652,875.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature] Date 3/3/21







# TOWN OF OYSTER BAY

## WORK ORDER



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

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

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

Contract No. PWC 27-20

Contract Start 1/1/2020

Contract End 12/31/2021

Commencement Date JANUARY 1, 2021

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

Vendor Name and Address

D&B ENGINEERS & ARCHITECTS, P.C.

330 CROSSWAYS PARK DRIVE

WOODBURY, NEW YORK 11797

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

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

2021 MONITORING EFFORT FOR OLD BETHPAGE LANDFILL

**This work order shall not exceed \$ 45,000.00**

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

**Requesting Division/Department**

Signature \_\_\_\_\_

Title COMMISSIONER - DER

Date MARCH 2, 2021

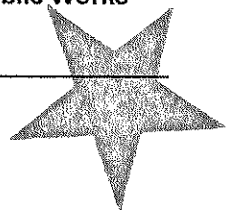
**Department Of Public Works Approval**

**Only To Be Executed By The Commissioner**

Signature [Signature]

**Commissioner of Public Works**

Date 3/4/21





**Board of Directors**

Steven A. Fangmann, P.E., BCEE  
*President & Chairman*

Robert L. Raab, P.E., BCEE, CCM  
*Senior Vice President*

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

February 12, 2021

Matthew Russo, P.E.  
Department of Public Works  
Town of Oyster Bay  
150 Miller Place  
Syosset, NY 11791

Re: Engineering Services for Groundwater Monitoring at  
Old Bethpage Landfill  
TOB Contract No. PWC 27-20, Resolution 818-2019

Dear Mr. Russo:

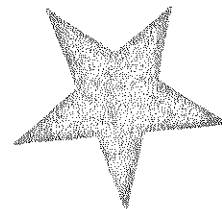
As the Town's approved consultant for the above referenced contract, D&B Engineers and Architects (D&B) is pleased to present this proposal to the Town of Oyster Bay (the Town) to conduct Post-Termination groundwater monitoring at the Old Bethpage Landfill. D&B previously completed several years of quarterly groundwater monitoring in accordance with the Town's Consent Decree with the New York State Department of Environmental Conservation (NYSDEC), and assisted the Town in obtaining approval from the NYSDEC in 2016 to enter into three years of semi-annual Post-Termination groundwater monitoring for which sampling and reporting has now been completed. Our work will include supporting the Town with negotiations with NYSDEC on an as-needed basis on groundwater sampling and contamination issues.

As requested by the Town, D&B proposes the following Post-Termination groundwater monitoring tasks for the 2021 reporting year, unless otherwise modified by NYSDEC correspondence and negotiation.

Old Bethpage Landfill Groundwater Monitoring and Reporting

1. Post-Termination Groundwater Monitoring:
  - a. Semi-annual groundwater quality sampling of monitoring wells will be conducted for VOCs, total and dissolved metals and leachate parameters.
  - b. The following 13 wells will be sampled during each sampling round: LF-1, LF-2, MW-5B, MW-6A, MW-6B, MW-6C, MW-6E, MW-6F, MW-8A, MW-8B, MW-9B, MW-9C and OBS-1. Note that Well MW-6A has been observed to be dry during several sampling events and will only be sampled if sufficient groundwater is present in the well.

*"Facing Challenges, Providing Solutions... Since 1965"*



Matthew Russo, P.E.  
Department of Public Works  
Town of Oyster Bay  
February 12, 2021

Page 2

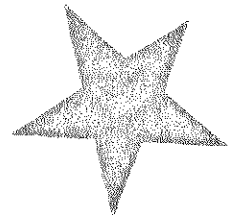
- c. Two semi-annual sampling rounds are anticipated to be completed in 2021.
2. Groundwater Monitoring Reports:
  - a. Draft Semi-annual Groundwater Monitoring Reports for each of the two (2) sampling events will be submitted to the Town for review.
  - b. Each semi-annual report will be a stand-alone report and will include the data obtained from all the previous Post-Termination Monitoring and Reporting events.
  - c. D&B will prepare trend graphs for key contaminants and analyze Post-Termination Monitoring concentration trends.
  - d. After Town review, D&B will revise each semi-annual report, as required, and submit the final report to NYSDEC, no more than 60 days from each sampling event.
  - e. A maximum of five (5) copies of each final report will be submitted.
3. Laboratory analyses for all samples will be conducted under a separate contract, as follows:
  - a. VOCs, metals and wet chemistry analyses will be conducted by Pace Analytical Services, Inc. (Pace), located at 575 Broadhollow Road in Melville, NY 11747, under direct contract with the Town.

Post-Termination Monitoring and Coordination with NYSDEC

1. Coordinate with the Town and the Town's oversight consultant to develop and respond to correspondence related to proposed post-termination and emerging contaminant monitoring and reporting obligations as necessary.
2. Attend meetings and represent the Town's interests with regard to merit and justification of future sampling and monitoring at the landfill, as may be necessary.

The proposed fees to complete the above tasks will be based upon time and expenses actually incurred in relation to the above scope in accordance with our On-Call Agreement with the Town and will not exceed a value of \$45,000 for the 2021 scope defined above.

D&B intends to utilize Pine Environmental Services, Inc. for specialized sampling equipment rental needs and is hereby requesting the Town's approval of this proposed subcontractor. Pine



D&B ENGINEERS AND ARCHITECTS

Matthew Russo, P.E.  
Department of Public Works  
Town of Oyster Bay  
February 12, 2021

Page 3

Environmental Services, Inc. is located at Windsor Industrial Park, 92 North Main Street, Building 20, Windsor, NJ 08561.

Laboratory analysis will be performed by Pace Analytical Services, Inc. under contract with the Town and therefore, costs for laboratory analyses are not included in D&B's authorization request.

If you have any questions or comments, please do not hesitate to contact me at (516) 364-9890, Ext. 3005.

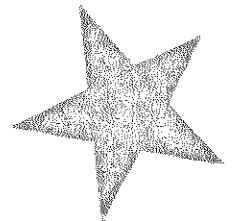
Very truly yours,



Steven A. Fangmann, P.E., BCEE  
President and CEO

SAF/PRS/kb

cc: P. Sachs (D&B)  
♦PX10441\SAF021221MR-Ltr



Meeting of December 10, 2019

Resolution No. 818-2019

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 25, 2019, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town in connection with Groundwater Monitoring for the Old Bethpage Landfill, resulting in the receipt of two (2) submissions; and

WHEREAS, Joseph Nocella, Town Attorney, and Paul S. Ehrlich, Deputy Town Attorney, by memorandum dated November 20, 2019, advised that, in accordance with Guideline 7 of the Town's Procurement Policy, the Department of Public Work's efforts to secure responses to the Request for Proposals were in compliance with the Procurement Policy; and

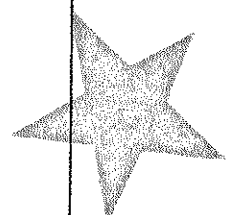
WHEREAS, Commissioner Lenz has, after review and analysis of the submissions based upon the technical merits of the responses, requested and recommended that D&B Engineers & Architects, P.C. be authorized to perform On-Call Engineering Services in connection with Contract No. PWC27-20, Groundwater Monitoring for the Old Bethpage Landfill, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth is hereby accepted and approved and D&B Engineers and Architects, P.C. is hereby authorized and directed to provide On-Call Engineering Services in connection with Contract No. PWC27-20, Groundwater Monitoring for the Old Bethpage Landfill, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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



Reviewed By  
Office of Town Attorney  
*[Signature]*

WHEREAS, by Resolution No. 817-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with Cashin Associates, P.C., to provide engineering services in connection with Contract No. PWC31-20, On-Call Engineering Services in connection with the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, for a two (2) year period, from January 1, 2020 through December 31, 2021; and

WHEREAS, Alfred J. Angiola, P.E., President, Cashin Associates, P.C., by letter dated December 15, 2020, described the scope of work to be performed under Contract No. PWC31-20, which includes services relative to the new solid waste and recyclables contract, and operational and regulatory assistance with solid waste issues at the Old Bethpage Solid Waste Disposal Complex, for an amount not to exceed \$262,500.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 4, 2021, requested Town Board authorization for Cashin Associates, P.C. to perform the aforesaid engineering services under Contract No. PWC31-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$262,500.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$262,500.00 to satisfy said engineering costs are available in Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth approved, and Cashin Associates, P.C. is hereby authorized to perform for the aforementioned services in connection with Contract No. PWC31-20, On-Call Engineering Services in connection with the Operation and Development of the Old Bethpage Solid Waste Disposal Complex at a cost not to exceed \$262,500.00, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, with the funds for said payment to be drawn from Account 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney  
*[Signature]*

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

MARCH 4, 2021

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. PWC31-20  
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. PWC31-20 by Resolution No. 817-2019 for the subject project.

Attached is a letter dated December 15, 2020 from Cashin Associates, P.C. regarding the scope of work to be performed in an amount not to exceed \$262,500.00. Services performed and to be performed include services relative to the new solid waste and recyclables contract, and operational and regulatory assistance with solid waste issues at the Old Bethpage Solid Waste Disposal Complex.

Attached is an availability of funds in the amount of \$262,500.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

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

It is hereby requested that the Town Board authorize, by Resolution, Cashin Associates, P.C. under Contract No. PWC31-20, 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, P.E.

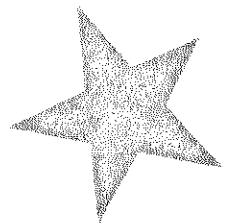
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/DET/MR/lk

Attachment

cc: Steven C. Ballas, Comptroller  
Louis Savinetti, Commissioner/Environmental Resources

PWC31-20 CASHIN DOCKET 2021 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 PWC31-20  
Contract Period JANUARY 1, 2020 - DECEMBER 31, 2021  
Consultant/Contractor CASHIN ASSOCIATES, P.C.  
Discipline OPERATION AND DEVELOPMENT OF O.B.S.W.D.C.  
Total Authorization \$534,875.00  
Resolution No. 817-2019 Date 12/10/2019  
Funded To Date \$272,375.00  
Amount Requested \$262,500.00  
Account To Be Used DER SR05 8160 44800 000 0000

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

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

2021 SERVICES FOR ASSISTANCE AND EVALUATION OF THE NEW SOLID WASTE

DISPOSAL CONTRACT, AND VENDOR & REGULATORY OVERSIGHT

Work To Be Completed In Contract Period:

Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect:

Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect:

Yes ☐ No ☐ N/A ☒

Amount of Bond \$                     

Requesting Division/Department

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title

Date

Commissioner

Commissioner March 3, 2021

Signature

Title

Date

Commissioner of Public Works

3/4/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested

262,500.00

Unencumbered Balance

652,875.00

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

Yes ☒ No ☐

Signature

Date

3/4/21





# 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 1/1/2020

Contract No. PWC31-20

Contract End 12/31/2021

Commencement Date JANUARY 1, 2021

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

Vendor Name and Address

CASHIN ASSOCIATES, P.C.

1200 VETERANS MEMORIAL HIGHWAY

HAUPPAUGE, NEW YORK 11788

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

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

2021 SERVICES FOR ASSISTANCE AND EVALUATION OF THE NEW SOLID WASTE

DISPOSAL CONTRACT, AND VENDOR & REGULATORY OVERSIGHT

**This work order shall not exceed \$ 262,500.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

Only To Be Executed By The Commissioner

Signature \_\_\_\_\_

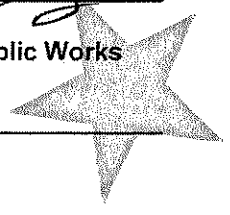
Signature 

Title Commissioner

**Commissioner of Public Works**

Date March 3, 2021

Date 3/4/21



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 25, 2019, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town in connection with the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, resulting in the receipt of three (3) submissions; and

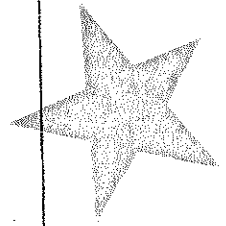
WHEREAS, Commissioner Lenz has, after review and analysis of the submissions based upon the technical merits of the responses, in compliance with the Town's Procurement Policy, requested and recommended that Cashin Associates, P.C., D&B Engineers & Architects, P.C., and Lockwood, Kessler & Bartlett, Inc. be authorized to perform On-Call Engineering Services in connection with Contract No. PWC31-20, Operation and Development of the Old Bethpage Solid Waste Disposal Complex, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved and Cashin Associates, P.C., D&B Engineers & Architects, P.C., and Lockwood, Kessler & Bartlett, Inc. are hereby authorized and directed to provide On-Call Engineering Services in connection with Contract No. PWC31-20, Operation and Development of the Old Bethpage Solid Waste Disposal Complex, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

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

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



Reviewed By  
Office of Town Attorney  
*[Signature]*

December 15, 2020

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

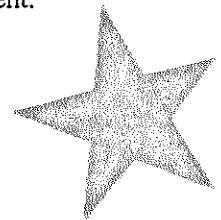
**Attention: Matt Russo, P.E.**

**Re: Contract PWC 31-20 - - On-Call Services for Operation and Development of the Old Bethpage Disposal Complex**

Dear Commissioner Lenz:

Pursuant to Town Board Resolutions 817-2019 and 156-2020, Cashin Associates, P.C. (CA) has been providing on-call engineering services in 2020 for the operation and development of the Old Bethpage Solid Waste Disposal Complex (OBSWDC). CA enters 2021 having performed the following solid waste management tasks for the Town of Oyster Bay in 2020:

- Annual reports to the NYSDEC detailing tonnages of waste handled at the OBSWDC in 2019.
- Site report for the Seville Central Mix Corp., detailing environmental issues and suggested boundaries, in support of lease negotiations.
- Finalization of the Town's Local Solid Waste Management Plan (SWMP).
- Negotiations in support of granting Winters Bros. Recycling (WBR) a third term under Contract DPW 09-999 for disposing of the Town's MSW.
- WBR baler proposal analysis.
- Recommendations for upgrading the yard waste program, especially with respect to collecting leaves and grass clippings.
- Final (conditional) approval of the Alliance Landfill and initiation of the approval process for the Modern and Conestoga landfills, all in Pennsylvania.
- Preparation of a comprehensive 120-w RFP, including vendor conferences and establishment of evaluation criteria, for disposing of the Solid Waste Disposal District's (SWDD) MSW and recyclables.
- Letter report to DEC updating that agency on the status of all solid waste contracts, the baler installation at the transfer station, and the new 120-w RFP for solid waste management.



For CY 2021, CA anticipates being called upon to assist the Town with the following solid waste task groups (per our technical proposal of November 14, 2019):

**Task Group A. Preparation of Waste and Recycling Contracts/Planning and Design of New Solid Waste Facilities**

- Evaluation of responses to the 120-w RFP issued in October 2020 for disposal of the Town's solid wastes will be of paramount importance in the first half of 2020. CA will continue to chair the Solid Waste Task Force assigned the responsibility of evaluating proposals for disposing of the Town's residential solid waste. Unlike the previous RFP, this one:
  - 1) Emphasizes all components of the waste stream, especially MSW and recyclables.
  - 2) Allows vendors to utilize parcels at the OBSWDC previously occupied by tenants.
  - 3) Allows vendors to accept out-of-town recyclables.
  - 4) Invites innovative technologies for waste reduction, processing and/or disposal, including construction of new facilities.
- CA will assist DPW in evaluating vendor proposals for replacing or renovating the Transfer Station, scale house, tarping station, etc., or for new facilities such as baler building, off-site transloading station, relocated Transfer Station, or even a new recycling facility (e.g. MRF). CA has considerable recent experience in providing these services for both the public and private sector. We would expect to work closely with key Town personnel and prominent solid waste handling vendors to ensure that a balance is struck among the Town's needs, the requirements of the regulatory agencies, and the practical costs and benefits of addressing those needs. This task will include preparing for and conducting vendor interviews and summarizing the results.

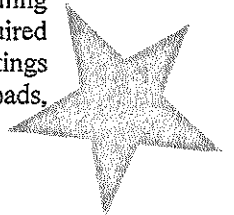
**Task Group B. Private Vendor Liaison/Evaluation of Proposed Waste Disposal Facilities**

- Liaison will pertain to long-term vendors (e.g., the firms operating the solid waste transfer station and the single stream, glass and yard waste disposal contractors), as well as short-term vendors that may be called in during the course of the year to undertake smaller or temporary tasks, such as transfer and disposal of street sweepings. CA's responsibilities will typically entail monitoring the work progress and the quality of services provided by the private vendors, reporting to the Town any deficiencies in the vendors' work, meeting with the Town to discuss problems with the vendors' work, and conveying the Town's requirements for correcting deficiencies back to the vendor.

As directed by the Town, CA will document in writing all problems involving the activities of the on-site private vendors in order to create a suitable "paper trail" for facilitating actions by the Town to address or correct unsatisfactory vendor performance. CA will also review contract documents which cover services provided by each private vendor to ensure that the vendor's work product complies with contract specifications and NYSDEC regulations.

- CA will attend regular meetings with the Town and the solid waste and recyclables hauling contractors. These meetings will be held at intervals to be determined by the Town, as required to ensure smooth continuous operations or to address any significant problems. Such meetings typically include the following agenda items: conditions of transfer station and haul roads,

Cashin Associates, P.C. • Engineers and Architects



changes in key personnel, and status of vendor subcontracts. CA's main responsibilities under this task will be to provide the Town with technical consultation, and to record meeting notes and issue written minutes, and to ensure that the vendors' operations are in conformance with their contracts with the Town and with the requirements of the appropriate regulatory agencies.

- CA will provide engineering, environmental and technical evaluation of in-state or out-of-state disposal facilities in use and/or proposed by private on-site vendors. CA can provide whatever back-up technical evaluation is required by the Town including: condition surveys, environmental compliance assessments, code compliance inspections, review of designs for facility modifications, pre-demobilization surveys, and operational efficiency reviews. Potential waste disposal facilities include sanitary landfills, recycling facilities and waste to energy plants, as well as intermediate waste transfer stations. Currently, CA is following an established protocol to evaluate alternative MSW disposal sites proposed by Winters Bros. Recycling. In 2021, we expect to issue a final approval of the Alliance Landfill in PA, and conditional approvals of the Modern and Conestoga landfills, also in PA.

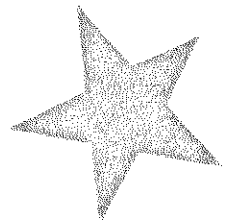
#### **Task Group C. Solid Waste Management Plan (SWMP) Implementation**

- As part of this task, CA will ensure that the Town remains mindful of the policies and practices outlined in the SWMP, especially as they pertain to implementing the solid waste management objectives contained therein (Chapter 7), as well as the revised Part 360 regulations, including and especially recently revised reporting requirements. Some of the important implementation objectives scheduled for 2020 included collection of data on commercially generated waste, C&D debris, and waste flows associated with other solid waste facilities in the SWDD.
- These investigations will be continued in 2021. In addition, per the SWMP, CA will 1) explore ways to reduce municipally generated waste, and to improve the yard waste collection program, and 2) evaluate current composting programs in the region.

#### **Task Group D. Design Review and Oversight of Construction Activities**

- This task pertains to modifications of existing facilities or construction of non-major, new facilities. (CY 2021 may be impacted by the results of the new 120-w RFP solicitation currently being prepared.) Under this task, CA will perform design work and land surveys, prepare bid documents, and provide on-site inspection services during the course of any contract work.
- If this task involves repairs, CA will oversee all repairs and replacement of structures and equipment, to ensure that such work is performed in accordance with system requirements (including manufacturer specifications) and is consistent with acceptable general work practices.
- Such services may be called upon for transfer/tarping station modifications, circulation pattern improvements, further development of the so-called yard waste deck, the areas previously occupied by lessees or the C & D storage area.

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**Task Group E. Revision of the Town's Part 360 Permit/Consultation**

- CA will assist in identifying, completing, processing and following-up on revisions, modifications and renewals of Town permits and registrations relating to its solid waste management facilities. CA can prepare the applications and associated documentation on behalf of the Town, as well as discuss permit requirements with regulatory agencies. For many years, CA has successfully obtained a series of NYSDEC Part 360 operation permits for the OBSWDC. The most recent five-year permit was issued in June 2018. In 2019, an update to the Engineering Report was triggered by the revision to the Town's single stream recycling (SSR) program.
- In addition, CA will be available in an on-call capacity to provide technical assistance to the Town with regard to any unexpected issues that may arise relative to the Town's solid waste management program. These may include, at the Town's direction, review of permit requirements for new and modified facilities, technical assistance in preparing permit applications, responding to notices of violation, interaction with NYSDEC to ensure that permit applications are complete, technical assistance in responding to NYSDEC regarding other permitting issues, and similar activities. Most importantly, in the event major, new facilities are proposed at the OBSWDC under the 120-w RFP currently on the street, CA will serve as liaison among the vendor(s), Town and any other participating municipal agencies to ensure that any new facilities are properly permitted, licensed or registered.
- CA will assist the Town in completing and filing with NYSDEC the 2020 Transfer Station Facility Annual Report. This effort will take place during the first quarter of 2021.

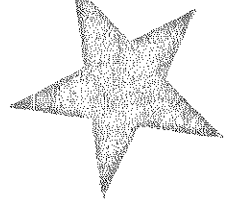
**Task Group F. Meetings and Correspondence with Regulatory Agencies**

- At the Town's request, CA will attend meetings with representatives of regulatory agencies (e.g., U.S. EPA, NYS Department of Law, NYS Department of Environmental Conservation, Nassau County Department of Health, Nassau County Department of Public Works, etc.). In the past few years, CA has been heavily involved in such inter-agency coordination as a result of the Town's renewal of its Part 360 permit as well as post-Sandy debris stockpiling, disposal and reporting. CA will prepare minutes of each such meeting in order to provide a written record of the participating personnel, issues discussed, and the understandings reached.
- This task will entail drafting letters for transmitting documents or otherwise simply updating regulatory agencies on the status of the Town's solid waste programs. It is also recommended that notices be provided to these agencies advising them of any milestones achieved by the Town in its efforts to comply with regulations. All such correspondence will be submitted in draft form for the Town's review prior to agency submission.

**Task Group G. Miscellaneous Services**

- If called upon, CA will provide analysis and recommendations on policy issues related to waste regulations, regional trends in solid waste management, union work rules, state-of-the-art in collection and processing equipment, the interstate regulation of waste flows, and new developments in rail haul regulations.

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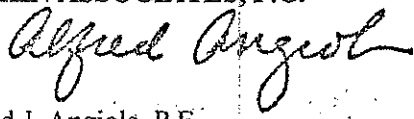
- As requested by the Town, CA will conduct supplemental engineering inspections of the facilities at the OBSWDC. These inspections will typically entail the supervision of major repairs, punch list inspections for contract close-outs, or trouble-shooting tenant related issues. CA will be continuously available on an on-call basis, including during off-hours (i.e., nights, weekends, and holidays) to attend to emergency situations.
- CA proposes to continue technical assistance going forward as required for the remaining tenant at the OBSWDC. CA will regularly continue to monitor that tenant's activities to ensure that they pose no threats to the environment, create unsafe conditions, or interfere with landfill operations. For the three vacated parcels, if asked, we will continue the program of environmental testing to ensure that all properties are remediated to the appropriate standards.

CA proposes to perform the scope of services described herein under Contract No. PWC-31-20 as authorized by Town Board Resolution 817-2019. In addition, CA hereby proposes to utilize the services of Germano & Cahill, P.C. as a subconsultant. G & C's knowledge and experience with legislative solid waste issues on Long Island, including existing and proposed statutes and waste flow control findings, will provide a valuable perspective to the Solid Waste Task Force as it evaluates vendor proposals for MSW/recyclables disposal. Germano & Cahill's proposal is attached.

We respectfully request that the Town authorize a sum of \$262,500. for continuation of our services in 2021. A breakdown of this total by task grouping is provided in the attached table.

As always, we appreciate this opportunity to continue our solid waste consulting services to the Town of Oyster Bay. Please let me know if you have any questions or desire additional information.

Respectfully submitted,  
CASHIN ASSOCIATES, P.C.

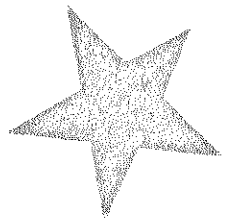
  
Alfred J. Angiola, P.E.  
President

AJA/ck  
Enclosure

P# 2020-121

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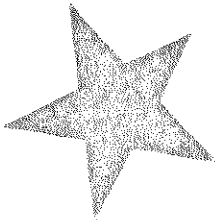
Cashin Associates, P.C. • Engineers and Architects



**Fee Proposal for CY 2021 Engineering Services  
Operation and Development of the Old Bethpage Disposal Complex  
Contract PWC 31-20**

Task Group	Hourly Billing Rate *	Hours	Task Fee
A	\$175. \$125.	520 260	\$123,500
B	\$175. \$125.	200 60	\$42,500
C	\$175. \$125.	40 100	\$19,500
D	\$175. \$125.	40 120	\$22,000
E	\$175. \$125.	100 40	\$22,500
F	\$175. \$125.		No Assignments Anticipated At This Time
G	\$175. \$125.		No Assignments Anticipated At This Time
			<b>\$230,000</b>
Germano & Cahill, P.C.			\$32,500
<b>Total Fee:</b>			<b>\$262,500</b>

\* Principals' billing rate is \$175./hour  
Engineers'/Planners' billing rate is \$125./hour





# GERMANO & CAHILL, P.C.

Of Counsel to MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

Guy W. Germano  
Michael J. Cahill  
G. William Germano, Jr.  
Meghan Healy, *Of Counsel*

December 14, 2020

## Via E-Mail

Mr. Alfred Angiola, P.E.  
Cashin Associates P.C.  
1200 Veterans Memorial Highway  
Suite 200  
Hauppauge N.Y. 117187

Re: Preparation of RFP for Town of Oyster Bay 2021 Extension

Dear Mr. Angiola:

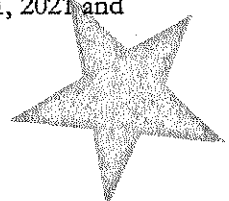
We appreciate your engagement of *Germano & Cahill, P.C.* to assist Cashin Associates in the preparation of a Request for Proposals for the Town of Oyster Bay. This letter will restate the terms of our participation in an extension of our engagement through December 31, 2021. If it is acceptable, you may execute this letter as provided below.

## Scope of Representation

You have asked us to participate in a team of engineers, consultants and other professionals to provide options to the Town of Oyster Bay for the procurement of solid waste, composting and recycling services upon the expiration of the Town's current contracts for these services. Our contribution to these efforts will be directed to procurement methods and potential contractual provisions that may be of benefit to the Town. We will attend meetings and discussions with Cashin Associates and other team members under the direction of Cashin, and prepare such written materials and deliverables as needed to present a range of options to the Town.

Our billings for these services as a member of the advisory team will be made to Cashin, which will bill the Town for team services, including ours. However, insofar as we are directed to prepare bidding documents, contracts, or memoranda for the use of the Town, or to provide other legal services to the Town, it is accepted and agreed that our attorney-client relationship will be solely with the Town of Oyster Bay.

This agreement will commence upon execution and extend through December 31, 2021 and may be extended by mutual agreement thereafter.



Following execution of this agreement, we anticipate approximately 100 hours of work through December 31, 2021, or \$32,500.00 in fees.

### Fees and Costs

Our billing to you for services rendered will be based upon our hourly fees and the costs and expenses we incur in the course of our services. I expect to perform the work on this matter, but if additional research becomes necessary, an associate may be assigned to assist. The hourly billing rates for attorneys and paralegals in our firm are as follows:

Michael J. Cahill	\$325.00
Guy W. Germano	\$325.00
Associates	\$210.00
Paralegals	\$ 70.00

These rates will be inclusive of all office overhead and ordinary expenses. All work assignments will be made, to the extent feasible, so as to maximize our legal effectiveness and our time efficiency, and to minimize your legal expenses. We do not expect to incur significant costs in the course of our services to you, and do not expect to request that you reimburse us for our ordinary expenses. In the event that it becomes necessary to incur an unexpected cost that will require reimbursement, we will obtain your consent before incurring it.

### Resolution of Fee Disputes

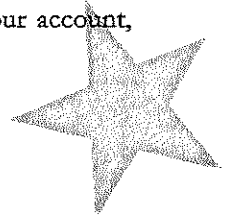
In accordance with Part 137 of the Rules of the Chief Administrator of the Courts, you have the right to request arbitration of any dispute regarding fees charged by us where the fees in dispute are between \$1,000.00 and \$50,000.00. In the event such a dispute arises, and we are unable to reach an agreement with you, we will forward to you a written Notice of Client's Right to Arbitrate as provided under Part 137.

### Statements

In order to permit you to monitor our activities in the most efficient manner, you will be provided, on a monthly basis, with detailed documentation of our services and disbursements. Our statements will indicate the work performed during the time period covered by the statement, the attorney/paralegal who performed the work, the amount of time devoted to the work performed, and the costs advanced by us on your behalf. We ask that statements be paid promptly upon receipt of payment from the Town of Oyster Bay.

### Termination of Representation

Our representation of you may be terminated by you or by this law firm at any time. If this firm wishes to withdraw from representation for any reason, you will not unreasonably withhold your consent for us to do so. If at any time you wish to terminate our representation, please advise us in writing, and we will then deliver a final statement to you and return any balance in your account.



adjusted for work done and costs advanced through the date of termination. If we should determine to withdraw as counsel, we will return the adjusted balance, with a final statement, in the same manner.

**Approval**

If you have any questions concerning our fee and cost arrangements or procedures, the scope of legal services or any other matters set forth in this letter, please call me at any time.

\* \* \*

Once again, thank you for considering our proposal. We look forward to working with you.

Very truly yours,



Michael J. Cahill

MJC/df

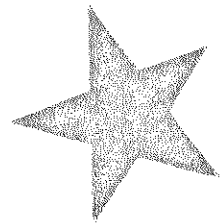
**CLIENT APPROVAL**

I hereby approve of and authorize the representation and fee agreements as set forth in the foregoing letter.

Cashin Associates, PC

Date: December 15, 2020

By: Alfred Angiol



WHEREAS, by Resolution No. 817-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with D&B Engineers and Architects, P.C., to provide engineering services in connection with Contract No. PWC31-20, On-Call Engineering Services in connection with the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, for a two (2) year period, from January 1, 2020 through December 31, 2021; and

WHEREAS, Steven A. Fangmann, P.E., BCEE, President and CEO, D&B Engineers and Architects, P.C., by letter dated February 12, 2021, described the scope of work to be performed under Contract No. PWC31-20, which includes services relative to the new solid waste and recyclables contract, for an amount not to exceed \$52,000.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 5, 2021, requested Town Board authorization for D&B Engineers and Architects, P.C., to perform the aforesaid engineering services under Contract No. PWC31-20, and further requested that the Comptroller be directed to issue an encumbrance order in an amount not to exceed \$52,000.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$52,000.00 to satisfy said engineering costs are available in Account No. DER SR05 8160 44800 000 0000,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and D&B Engineers and Architects, P.C. is hereby authorized to perform for the aforementioned services in connection with Contract No. PWC31-20, On-Call Engineering Services in connection with the Operation and Development of the Old Bethpage Solid Waste Disposal Complex at a cost not to exceed \$52,000.00, and be it further

RESOLVED, that the Comptroller is hereby authorized and directed to make payment for same upon presentation of a duly certified claim, after audit, 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
Councilwoman Johnson	Aye
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye
Councilwoman Maier	Aye
Councilwoman Walsh	Aye

Reviewed By  
Office of Town Attorney

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

MARCH 5, 2021

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. PWC31-20  
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. PWC31-20 by Resolution No. 817-2019 for the subject project.

Attached is a letter dated February 12, 2021 from D&B Engineers & Architects, P.C. regarding the scope of work to be performed in an amount not to exceed \$52,000.00. Services to be performed include services for the new solid waste and recyclables contract.

Attached is an availability of funds in the amount of \$52,000.00 to satisfy said engineering costs from the Director of Finance indicating that funds are available in Account No. DER SR05 8160 44800 000 0000.

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

It is hereby requested that the Town Board authorize, by Resolution, D&B Engineers & Architects, P.C. under Contract No. PWC31-20, 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, P.E.

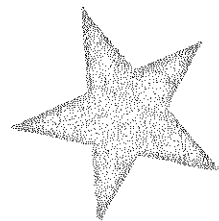
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL//MR/lk

Attachment

cc: Steve C. Ballas, Comptroller  
Louis Savinetti, Commissioner/Environmental Resources

PWC31-20 D&B DOCKET 2021 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 PWC31-20

Contract Period JANUARY 1, 2020 - DECEMBER 31, 2021

Consultant/Contractor D&B ENGINEERS & ARCHITECTS, P.C.

Discipline OPERATION AND DEVELOPMENT OF O.B.S.W.D.C.

Total Authorization \$212,000.00

Resolution No. 817-2019 Date 12/10/2019

Funded To Date \$160,000.00

Amount Requested \$52,000.00

Account To Be Used DER 5205 8160 44800 000 0000

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

Description Of Work

If a Capital Account is used and work is not related to a Capital Project, specify the nature of the requested service that qualifies it as a Capital Expense.

2021 SERVICES FOR PREPARATION AND ASSISTANCE WITH

NEW SOLID WASTE DISPOSAL CONTRACT

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$                     

Requesting Division/Department  
Signature [Signature]  
Title Commissioner  
Date March 3, 2021

DPW Approval  
Only To Be Executed By The Commissioner  
Signature [Signature]  
Title Commissioner of Public Works  
Date 3/4/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 52,000.00

Unencumbered Balance 652,875.00

Is The Account To Be Used Consistent With The Nature Of Work Listed Above? Yes ☒ No ☐

Signature [Signature] Date 3/4/21



# 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 1/1/2020

Contract No. PWC31-20

Contract End 12/31/2021

Commencement Date JANUARY 1, 2021

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

Vendor Name and Address

D&B ENGINEERS & ARCHITECTS, P.C.

330 CROSSWAYS PARK DRIVE

WOODBURY, NEW YORK 11797

Requesting Town Department ENVIRONMENTAL RESOURCES

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

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

2021 SERVICES FOR PREPARATION AND ASSISTANCE WITH

NEW SOLID WASTE DISPOSAL CONTRACT.

**This work order shall not exceed \$ 52,000.00**

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

**Requesting Division/Department**

**Department Of Public Works Approval**

*Only To Be Executed By The Commissioner*

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Commissioner

**Commissioner of Public Works**

Date \_\_\_\_\_

March 3, 2021

Date \_\_\_\_\_

3/4/21


**Board of Directors**

 Steven A. Fangmann, P.E., BCEE  
*President & Chairman*

 Robert L. Raab, P.E., BCEE, CCM  
*Senior Vice President*

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

February 12, 2021

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

 Attn: Matthew Russo, P.E.  
 Department of Engineering

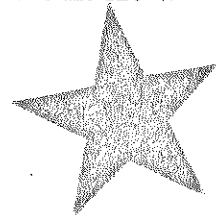
 Re: On-Call Engineering Services for the Operation and Development of the  
 Old Bethpage Solid Waste Disposal Complex (OBSWDC)  
 Solid Waste Task Force  
 TOB Contract No. PWC 31-20

Dear Commissioner Lenz:

As part of the Town of Oyster Bay's Solid Waste Management Task Force, D&B Engineers and Architects (D&B) is pleased to provide this proposal for anticipated engineering services through December 31, 2021 related to our on-call engineering services contract referenced above authorized by Resolution 817-2019. D&B's efforts for 2021 will focus on supporting the review of solid waste management and recycling proposals recently received under Town Contract Solicitation DPW 20-205 under General Municipal Law 120-W. Based upon discussions with the Town and the Task Force, D&B is proposing to carry out the following scope of work related to this principal Town contract.

**SCOPE**
Proposal Review and Evaluation

Our services will include collaborative work and support to the Town and the Task Force related to the proposal review and evaluation effort. D&B will provide assistance with technical and administrative review of the proposals received and participate in respondent interviews and development of questions and comments related to the proposals on an as-needed basis. We will conduct and participate in meetings and public hearings as called upon during the evaluation and vendor and technology selection effort in the best interest of the Town. For the purposes of this proposal and its intent to address 12 months of 2021, we have included effort for senior technical staff of 240 hours (20 hrs/month) to attend meetings, perform and prepare technical reviews, opinions and recommendations related to the 120-W proposal review and award process.



*"Facing Challenges, Providing Solutions... Since 1965"*



D&B ENGINEERS AND ARCHITECTS

Richard W. Lenz, P.E., Commissioner  
Department of Public Works  
Town of Oyster Bay  
February 12, 2021

Page 2

Solid Waste Fuel Conversion Technology Review

As the proposals received by the Town include the proposed implementation of advanced technologies related to conversion of recyclables and solid waste into marketable fuel materials, and these technologies have not been successfully implemented in New York State, D&B's scope of activities will include a technological and regulatory review of the representations contained in the proposal for potential benefit to the Town's solid waste management practices. Our work will include research and interviews with other public and private agencies which currently utilize this technology, and coordination with local regulators regarding the application of this technology to the Town's various waste streams. D&B will prepare a report to summarize the work of our activities and consult with the Task Force as necessary to inform the Town and its representatives of potential benefits the new technology may offer the Town, challenges in its potential implementation and assistance to the team in preparing for evaluation of the technical and cost proposals received.

**FEES**

The proposed fees to complete the above tasks will be based upon time and expenses actually incurred in relation to the above scope in accordance with the terms of our on-call agreement with the Town and will not exceed the following values:

Proposal Review and Evaluation.....	\$42,000
Solid Waste Fuel Conversation Technology Review.....	<u>\$10,000</u>
<b>Total.....</b>	<b><u>\$52,000</u></b>

Direct expenses, including mileage and document reproduction are included in the above fees.

If you have any questions or wish to discuss this further, please feel free to contact the undersigned at (516) 364-9890, Ext. 3005.

Very truly yours,

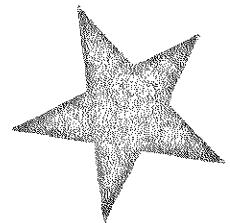


Steven A. Fangmann, P.E.  
President and CEO

SAF/PRS/kb

cc: John Tassone, Deputy Commissioner DPW (TOB)  
Philip Sachs, (D&B)

♦PX10373\SAF021221RL-Ltr(R01)



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated November 25, 2019, advised that the Department of Public Works issued a Request for Proposal to firms seeking to provide On-Call Engineering Services to the Town in connection with the Operation and Development of the Old Bethpage Solid Waste Disposal Complex, resulting in the receipt of three (3) submissions; and

WHEREAS, Commissioner Lenz has, after review and analysis of the submissions based upon the technical merits of the responses, in compliance with the Town's Procurement Policy, requested and recommended that Cashin Associates, P.C., D&B Engineers & Architects, P.C., and Lockwood, Kessler & Bartlett, Inc. be authorized to perform On-Call Engineering Services in connection with Contract No. PWC31-20, Operation and Development of the Old Bethpage Solid Waste Disposal Complex, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021; and

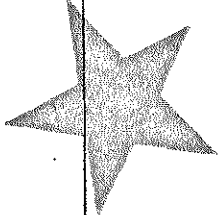
NOW, THEREFORE, BE IT RESOLVED, That the request and recommendation as hereinabove set forth are hereby accepted and approved and Cashin Associates, P.C., D&B Engineers & Architects, P.C., and Lockwood, Kessler & Bartlett, Inc. are hereby authorized and directed to provide On-Call Engineering Services in connection with Contract No. PWC31-20, Operation and Development of the Old Bethpage Solid Waste Disposal Complex, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

#

Reviewed By  
Office of Town Attorney  
*[Signature]*

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

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



WHEREAS, Meredith Maus, Executive Director, Oyster Bay Main Street Association, Inc., Post Office Box 116, Oyster Bay, New York 11771, by letter dated March 10, 2021, requested the use of both Municipal Parking Field O-8, Oyster Bay, and Audrey Avenue between South Street and Spring Street, as well as the use of twelve (12) complete barricades and twelve (12) traffic cones, for the Association's Oyster Bay Farmers' Market, to be held from 9:00 a.m. until 3:00 p.m., on alternating Sundays, beginning on March 28, 2021, through and including Sunday, November 21, 2021; and

WHEREAS, John P. Bishop, Deputy Commissioner, Highway Department, by memorandum dated March 12, 2021, advised that the abovementioned property and equipment will not be required for use by the Town at those times, and that he has no objection to providing the Oyster Bay Main Street Association, Inc., with the use of Municipal Parking Field O-8, Oyster Bay, and the use of Audrey Avenue between South Street and Spring Street, twelve (12) complete barricades and twelve (12) traffic cones for the Association's Oyster Bay Farmers' Market, to be held from 9:00 a.m. until 3:00 p.m., on alternating Sundays, beginning on March 28, 2021, through and including Sunday, November 21, 2021; and

WHEREAS, Deputy Commissioner Bishop, by said memorandum, advised that the Oyster Bay Main Street Association, Inc., is aware that they must follow New York State guidelines for social distancing, that the event can be cancelled at any time due to COVID-19 concerns, and they are also aware that in the event of a conflict with the closure of a road or parking lot for any of the above mentioned dates and times, the Town reserves the right to cancel any date requested and will make all efforts to provide the Oyster Bay Main Street Association, Inc. with two weeks notice of any such cancellation; and

WHEREAS, the Town Board deems this an appropriate and worthwhile endeavor, and one which shall benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby approved, and the Highway Department is hereby authorized to provide the Oyster Bay Main Street Association, Inc. with the use of Municipal Parking Field O-8 in Oyster Bay, and Audrey Avenue between South Street and Spring Street, as well as twelve (12) complete barricades and twelve (12) traffic cones, for the Association's Oyster Bay Farmers' Market, to be held from 9:00 a.m. until 3:00 p.m., on Sunday, October 4, 2020, and from 9:00 a.m. until 3:00 p.m., on alternating Sundays, beginning on March 28, 2021, through and including Sunday, November 21, 2021, subject to the following terms and conditions:

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

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

Reviewed By  
Office of Town Attorney  
Ralph P. Deady

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

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

5. In the event of a conflict with the closure of a road or parking lot for any of the above mentioned dates and times, the Town reserves the right to cancel any date requested and will make all efforts to provide the Oyster Bay Main Street Association, Inc. with two weeks notice of any such cancellation.

-#-

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

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

## TOWN OF OYSTER BAY

## Inter-Departmental Memo

March 12, 2021

**TO:** MEMORANDUM DOCKET

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

**SUBJECT:** OYSTER BAY MAIN STREET ASSOC.  
OYSTER BAY FARMERS MARKET  
ALT. SUNDAYS FROM MARCH 28<sup>TH</sup> 2021 THROUGH NOVEMBER 21<sup>ST</sup> 2021  
SUPPLEMENTAL MEMO M/D 3/9/21 #39

Enclosed please find a copy of the letter from Meredith Maus, Executive Director, of the Oyster Bay Main Street Association requesting the Town's assistance in conducting their Oyster Bay Farmers Market on alternating Sundays starting March 28<sup>th</sup> 2021 through November 21<sup>st</sup> 2021.

The Highway Department has no objection to the closing or Parking in lot O-8 in Oyster Bay as well as Audrey Ave. from South Street to Spring Street and will provide "No Parking" signs to close off the area for the market on the above mentioned dates from 9:00 A.M. to 3:00 P.M. Further, the Highway Department can supply twelve (12) complete barricades and twelve (12) traffic cones for the event.

The Oyster Bay Main Street Association is aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

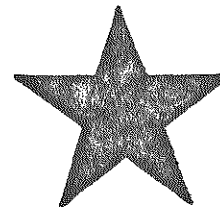
In the event of a conflict with the closure of a road or parking lot for any of the above mentioned dates and times, the Town of Oyster Bay has the right to cancel any date requested and will make all efforts to provide the Oyster Bay Main Street Association with a two week notice.

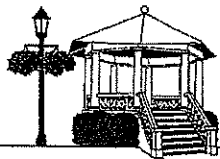
Attached are the Certificates of Insurance, Endorsement Sheets and Hold Harmless Agreements to cover the event. Town Board approval is requested.

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kaz  
Attachments

C: Richard Lenz, P.E. Commissioner of DPW     Steve Kelly, Sign Bureau Supervisor  
Grace SantaMaria, Highway Administration     Justin McCaffrey, Dept. Public Safety  
Peter Brown, General Foreman 002





# OYSTER BAY

## MAIN STREET ASSOCIATION

March 10, 2021

### Officers

#### *President*

Sandra Coudert Graham

#### *Vice-President*

John Bonifacio

#### *Treasurer*

Timothy DiPietro

#### *Secretary*

Diana Hauser

### Board of Directors

Claude Bahnik

Andrew Carr

Linda Cassola

Henry C. Clark

Kevin Curry

Mario Gallo

Janine Lizza

Richard McKean

Diane Meltzer

Alexis Pagano

Megan Pearson

### Advisory Board

Roger Bahnik

Robert Brusca

John Collins

Harriet Gerard Clark

Kimberly Dey

Denice Evans-Sheppard

Kelly Fuhrmann

Jerritt Gluck

Rep. Steve Israel

Billy Joel

Leg. Joshua Lafazan

Richard LaMarca

Hunt & Betsy Lawrence

Colleen McKean

Edward Mohlenhoff

Robert Santos

Ryan Schlotter

Dr. Laura Scinfeld

William Sheeline

Dottie Simons

John Specce

Claudia Taglich

Alex Urdea

### Staff

#### *Executive Director*

Meredith Maus

#### *Project Manager*

Sasha Freedman

Supervisor Joseph Saladino  
54 Audrey Avenue  
Oyster Bay, NY 11771

Dear Supervisor Saladino,

The Oyster Bay Main Street Association would like to formally request permission to bring the Oyster Bay Market back to the downtown of Oyster Bay for the 2021 season. We would like to host the market with about 25 vendors starting on Sunday March 28, 2021 from 10am to 2pm. With your permission, we are looking to host the event in the same location as last year - the Town of Oyster Bay parking lot on Audrey Ave, including the section of Audrey Ave between Shore Ave and the municipal lot. If this is amenable to the Town the market would be held every other Sunday through November (the following dates: 3/28; 4/11; 4/25; 5/9; 5/23; 6/6; 6/20; 7/4; 7/18; 8/1; 8/15; 8/29; 9/12; 9/26; 10/10; 10/24; 11/7; 11/21).

We have read through the NYS guidance on outdoor markets and taken into consideration the need to leave the center of Audrey Ave clear for emergency vehicles in our proposed layout of the market. We will continue to adhere to New York State Guidelines regarding social distancing measures and understand that events may be cancelled due to Covid-19 if the state or Town of Oyster Bay requires it.

We further acknowledge, that in the event of a conflict with the closure of the road the Town has the right to cancel any date required and will make all efforts to provide OBMSA with a two-week notice.

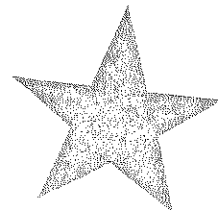
In order to assist with the lay out of the market, we would request that the Town of Oyster Bay close off access to the above referenced parking lot and roadway for our purposes on the requested dates. Set up of the market would begin at 9 am and would be fully closed down by 3 pm. To help control the flow of traffic we request that 12 barriers and 12 cones be delivered to the parking lot and placed near the generator by Saturday evening.

If there are any questions regarding our protocols or further requirements, please do not hesitate to contact me by phone at 516.922.6982 or email: [maus@obmsa.org](mailto:maus@obmsa.org).

Thank you for your consideration.

Sincerely,

Meredith Maus  
Executive Director



CC: Deputy Supervisor Gregory Carman  
Commissioner Richard Lenz  
Deputy Commissioner John Bishop

P.O. Box 116 • Oyster Bay, NY 11771 • Tel (516) 922-6982 • [www.oysterbaymainstreet.org](http://www.oysterbaymainstreet.org)



OYSTBAY-01

OWITTELSBERGER

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/11/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  
Maury, Donnelly & Parr  
24 Commerce St.  
Baltimore, MD 21202

CONTACT  
NAME:  
PHONE (A/C, No, Ext): (410) 685-4625 FAX (A/C, No): (410) 685-3071  
E-MAIL ADDRESS:

INSURED

Oyster Bay Main Street Association Inc.  
PO BOX 116  
Oyster Bay, NY 11771

INSURER(S) AFFORDING COVERAGE  
INSURER A: Continental Casualty Company NAIC # 20443  
INSURER B:  
INSURER C:  
INSURER D:  
INSURER E:  
INSURER F:

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

TYPE OF INSURANCE	ADDL SUBR (INS) (WYO)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>A</b> <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b>					
<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	4025932909	6/3/2020	6/3/2021	EACH OCCURRENCE \$ 1,000,000
					DAMAGE TO RENTED PREMISES (Per occurrence) \$ 300,000
					MED EXP (Any one person) \$ 10,000
					PERSONAL & ACV INJURY \$ 1,000,000
					GENERAL AGGREGATE \$ 2,000,000
					PRODUCTS - COMPROP AGG \$ 2,000,000
<b>AUTOMOBILE LIABILITY</b>					
<input type="checkbox"/> ANY AUTO					COMBINED SINGLE LIMIT (Per accident) \$
<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per person) \$
<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE (Per accident) \$
<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
<b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
<b>DED</b> <input type="checkbox"/> RETENTIONS					
<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>					
<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NY)	Y/N	N/A			PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/>
If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
					E.L. DISEASE - EA EMPLOYEE \$
					E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
The Town of Oyster Bay is listed as an additional insured.

Sunday March 28, 2021 from 10am to 2pm at the Town of Oyster Bay parking lot on Audray Ave, including the section of Audray Ave between Shore Ave and the municipal lot. If this is amenable to the Town the market would be held every other Sunday through November (the following dates: 3/28; 4/11; 4/25; 5/9; 5/23; 6/6; 6/20).

## CERTIFICATE HOLDER

Town of Oyster Bay  
54 Audray Avenue  
Oyster Bay, NY 11771

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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**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**

<p><b>Name of Additional Insured Person(s) Or Organization(s):</b></p> <p>Town of Oyster Bay Highway Dept. 150 Miller Place Syosset, NY 11791</p>
<p>Information required to complete this Schedule, if not shown above, will be shown in the Declarations.</p>

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

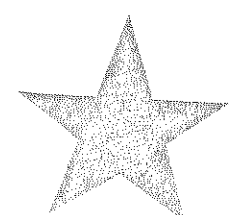
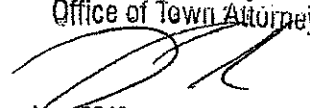
B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
  2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

Reviewed By  
Office of Town Attorney





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

This Agreement is made this 10th day of March 2021, by the Oyster Bay Main Street Association, Inc. (Hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as the municipal parking lot adjacent to 54 Audrey Avenue and the section of Audrey Avenue extending from the parking lot to the intersection with Spring Street. To help control the flow of traffic we request that 12 barriers and 12 cones be placed in the parking lot near the generator

For the event described as the Oyster Bay Market

The property/equipment is need from 9 am to 3 pm on the following dates: 3/28; 4/11; 4/25; 5/9; 5/23; 6/6; 6/20; 7/4; 7/18; 8/1; 8/15; 8/29; 9/12; 9/26; 10/10; 10/24; 11/7; 11/21.

The event for which the property and/or equipment is requested is not a profit making event.

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

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

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

Name of Organization:

Oyster Bay Main Street Association, Inc.

Address of Organization:

P.O. Box 116

Oyster Bay, NY 11771

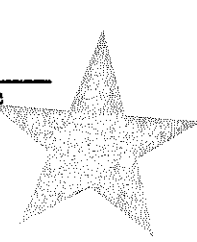
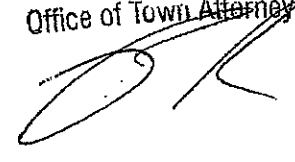
By: 

Authorized Representative

Title: Executive Director

Telephone Number: 516.922.6982

Reviewed By  
Office of Town Attorney



**TOWN OF OYSTER BAY**

**Inter-Departmental Memo**

March 11, 2021

**TO:** MEMORANDUM DOCKET

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

**SUBJECT:** NORTH SHORE LAND ALLIANCE VENDOR DAY  
APRIL 21<sup>ST</sup> 2021 – R/D APRIL 22<sup>ND</sup> 2021

---

Enclosed please find a copy of the letter from Lisa Ott, President and CEO, of the North Shore Land Alliance, requesting our assistance in conducting their North Shore Vendor Day on Wednesday, April 21, 2021 with a rain date of Thursday, April 22, 2021.

The Highway Department has no objection to the organizations closing Parking lot O-6 (Fireman's Field) in Oyster Bay and will provide "No Parking" signs to close off the area for the market on the above mentioned dates from 9:00 A.M. to 3:00 P.M. Further, the Highway Department can readily supply twenty (20) complete barricades and ten (10) traffic cones for the event.

North Shore Land Alliance are aware that they must follow New York State Guidelines for social distancing and are also aware that the event can be cancelled at any time due to Covid-19.

Also attached are the Certificates of Insurance, Endorsement Sheets and Hold Harmless Agreements to cover the event. Therefore, Town Board approval is requested.



JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kaz  
Attachments

C: Richard Lenz, P.E. Commissioner of DPW    Steve Kelly, Sign Bureau Supervisor  
Grace SantaMaria, Highway Administration    Justin McCaffrey, Dept. Public Safety  
Peter Brown, General Foreman 002





P.O. Box 658  
1395 Planting Fields Road  
Oyster Bay, NY 11771  
Tel: 516.922.1828  
Fax: 516.922.1075  
info@northshorelandalliance.org  
www.northshorelandalliance.org

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Luis Rinaldini, *Senior Vice Chair*  
John Bralover, *Vice Chair*  
Augusta Reese Donohue, *Vice Chair*  
Tim Dooley, *Vice Chair*  
Hollis Russell, *Vice Chair*  
Jonathan Moore, *Treasurer*  
Tom Lieber, *Secretary*

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Christoph Cushman  
Nancy Douzinas  
Jack Foley  
Susan Foley  
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Liz Swenson, *Events Manager*  
Jenny Einhorn, *Public Relations Manager*  
Kristen Hameyer, *Volunteer Coordinator*  
Katherine Coughlin, *Water Quality Improvement Coordinator*

HIGHWAY DEPARTMENT Km 2

## North Shore Vendor Day Letter of Request:

On Long Island, nitrogen pollution from outdated septic systems has been named the number one cause of harmful algal blooms, fish kills, and the overall decline of the shellfish industry. Innovative Advanced (IA) nitrogen-reducing wastewater treatment systems can now significantly improve water quality conditions on Long Island. However, IA technology is relatively new and an overall unfamiliarity of the technology has caused a slowdown in installations. The objective of North Shore Vendor Day is to provide technical professionals with the opportunity to gain expertise in IA technology. Interested parties including design professionals, building inspectors, local government officials, environmental groups, homeowners, and small business owners will have an opportunity to learn about IA technology from IA septic distributors on Long Island.

Vendor Day will be divided into two sessions with the first session geared toward technical personal and the second for homeowners and small business owners. Prior to Vendor Day a series of prerecorded videos will be available for attendees to learn about nitrogen pollution from IA systems and come with targeted questions. During the event, attendees will have the opportunity to travel in small groups from vendor to vendor and ask questions about IA technology.

The North Shore Land Alliance is requesting the Town of Oyster Bay to use Fireman's Field for North Shore Vendor Day on April 21st, 2021 between 9AM and 3PM, with a rain date on April 22nd. The Land Alliance will adhere to COVID-19 guidelines pursuant to the most current New York State guidance. The Land Alliance understands that North Shore Vendor Day can be cancelled at any time due to COVID-19.

### Event Details:

<b>Hosts:</b>	North Shore Land Alliance & Friends of the Bay
<b>Primary Contact:</b>	Katherine Coughlin (katherine@northshorelandalliance.org)
<b>Date:</b>	April 21st, 2021 (Wednesday)
<b>Rain Date:</b>	April 22nd, 2021 (Thursday)
<b>Time of Event:</b>	10AM-2PM
<b>Time Requested for Venue:</b>	9AM-3PM (1 hour for set up and 1 hour for breakdown)
<b>Location:</b>	Fireman's Field (Lot 06) between Shore Avenue and Maxwell Avenue

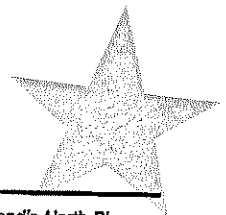
The Land Alliance looks forward to working with the Town of Oyster Bay to support North Shore Vendor Day and continuing to improve water quality throughout Long Island.

Sincerely,

Lisa Ott  
President & CEO



Protecting Open Space on Long Island's North Shore





NORTSHO-02

BAVERHART

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
3/3/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0C36861  
Chantilly-Alliant Ins Svc Inc.  
4530 Walney Rd Ste 200  
Chantilly, VA 20151-2285

CONTACT Balisha Averhart

PHONE (A/C, No, Ext): (703) 397-0977

FAX (A/C, No): (703) 397-0995

E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Pacific Indemnity Company

20346

INSURER B: Hartford Accident and Indemnity Company

22357

INSURER C: Federal Insurance Company

20281

INSURER D:

INSURER E:

INSURER F:

INSURED

The North Shore Land Alliance, Inc.  
PO Box 658  
Oyster Bay, NY 11771

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADOL SUBR (NSD) (WVD)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GENT. AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	35837265	12/31/2020	12/31/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (If a occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ included
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		42 UEC NA9698	11/26/2020	11/26/2021	COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> RETENTIONS		7984-50-28	12/31/2020	12/31/2021	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ Aggregate \$ 2,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in NY) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	(21) 7175-76-00	12/31/2020	12/31/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.I. EACH ACCIDENT \$ 100,000 E.I. DISEASE - EA EMPLOYEE \$ 100,000 E.I. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Event date: 4/21/2021 rain date 4/22/2021.

Event name: North Shore Vendor Day.

The Certificate Holder is an additional insured with respect to the General Liability as required by written contract.

## CERTIFICATE HOLDER

## CANCELLATION

The Town of Oyster Bay Highway  
Attn: Kimberly Zervos  
150 Miller Place  
Syosset, NY 11791

Reviewed By  
Office of Town Attorney

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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**Liability Insurance****Endorsement**

**Policy Period** DECEMBER 31, 2020 TO DECEMBER 31, 2021  
**Effective Date** DECEMBER 31, 2020  
**Policy Number** 3583-72-65 EUC  
**Insured** THE NORTH SHORE LAND ALLIANCE, INC.  
**Name of Company** PACIFIC INDEMNITY COMPANY  
**Date Issued** NOVEMBER 30, 2020

This Endorsement applies to the following forms:

**GENERAL LIABILITY**

Under Who Is An Insured, the following provision is added.

**Who Is An Insured****Additional Insured -  
Scheduled Person  
Or Organization**

Persons or organizations shown in the Schedule are insureds; but they are insureds only if you are obligated pursuant to a contract or agreement to provide them with such insurance as is afforded by this policy.

However, the person or organization is an insured only:

- if and then only to the extent the person or organization is described in the Schedule;
- to the extent such contract or agreement requires the person or organization to be afforded status as an insured;
- for activities that did not occur, in whole or in part, before the execution of the contract or agreement; and
- with respect to damages, loss, cost or expense for injury or damage to which this insurance applies.

No person or organization is an insured under this provision:

- that is more specifically identified under any other provision of the Who Is An Insured section (regardless of any limitation applicable thereto).
- with respect to any assumption of liability (of another person or organization) by them in a contract or agreement. This limitation does not apply to the liability for damages, loss, cost or expense for injury or damage, to which this insurance applies, that the person or organization would have in the absence of such contract or agreement.

Reviewed By  
Office of Iowa Attorney

Liability Insurance  
Form 80-02-2367 (Rev. 5-07)

Additional Insured - Scheduled Person Or Organization  
Endorsement

continued  
Page 1

**Liability Endorsement**  
(continued)

Under Conditions, the following provision is added to the condition titled Other Insurance.

**Conditions**

**Other Insurance –  
Primary, Noncontributory  
Insurance – Scheduled  
Person Or Organization**

If you are obligated, pursuant to a contract or agreement, to provide the person or organization shown in the Schedule with primary insurance such as is afforded by this policy, then in such case this insurance is primary and we will not seek contribution from insurance available to such person or organization.

**Schedule**

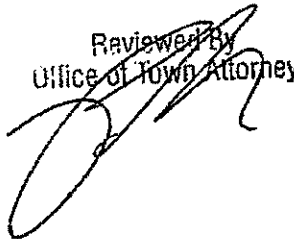
Persons or organizations that you are obligated, pursuant to a contract or agreement, to provide with such insurance as is afforded by this policy.

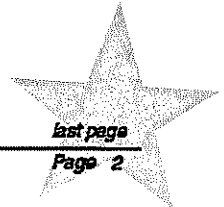
All other terms and conditions remain unchanged.

Authorized Representative



Reviewed By  
Office of Town Attorney





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

This Agreement is made this 3rd day of March 2021, by The North Shore Land Alliance (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Lot 06 at Fireman Field. Vendor Day will be an event to provide technical professionals, homeowners, small business owners, and government officials with the opportunity to view nitrogen-reducing innovative alternative (IA) septic systems. IA distributors from Suffolk County will show their technology and attendees will have the opportunity to travel in small, COVID-friendly groups and ask questions.

Please provide cones and or barricades to block lot off for event.

for the event described as North Shore Vendor Day

The property/equipment is needed from 4/20/2021 to 4/23/2021

The event for which the property and/or equipment is requested ( ) is ( X ) is not a profit making event.

Profit Event    Not a Profit Event

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

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

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

Name of Organization

North Shore Land Alliance

Address of Organization

1395 Planting Fields Road, The Manor House  
Oyster Bay, New York, 11771

By:

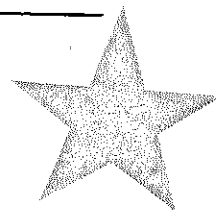
Lisa W. Orr

Authorized Representative    Lisa Orr

Title: President & CEO

Telephone Number: (516) 922-1028

s:\attorney\1511\hold harmless for use of town property equip.docx



Reviewed By  
Office of Town Attorney

[Signature]

**DATE:** 03/11/21  
**TO:** HIGHWAY OPERATIONS  
**SUBJECT:** North Shore Land Alliance Vendor Day

**PLEASE DELIVER TO:** **DATE OF EVENT:** 4/21/21 R/D 4/22/21

The parking lot on Audrey  
Avenue – Lot O-6

**BARRICADES:** 20

**CONTACT:** Katherine Coughlin  
516-922-6982 C: (315) 345-0263

**CONES:** 10

**SHORT PAILS:**

**PORTABLE LIGHTS:**

**GENERATOR:**

**PACKER:**

**DELIVER ON:** April 20, 2021

**PICKUP ON:** April 22, 2021

**SWEEPING BEFORE AFFAIR IS NEEDED:** XX  
YES NO

Please be advised that when signing on receipt of Town Equipment, your organization will be held responsible for their return.

JPB/kaz

  
\_\_\_\_\_  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT



CC: Dan Kornfeld  
Peter Brown, General Foreman 002  
Mike Ricardo, Regional Foreman 009  
Kevin Freiberg, Area Foreman 013

Public Safety Division  
Jeff VanNostrand, Woodshop



## TOWN OF OYSTER BAY

## Inter-Departmental Memo

March 10, 2021

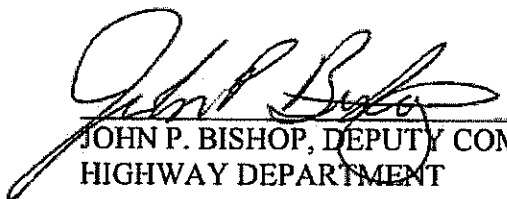
**TO:** MEMORANDUM DOCKET

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

**SUBJECT:** OYSTER BAY MAIN STREET ASSOC.FARMERS MARKET

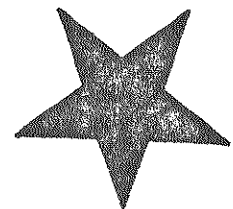
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Please reserve a space on the Town Board calendar of March 15, 2021 with respect to the Oyster Bay Main Street Association Farmer's Market event beginning on March 28<sup>th</sup> 2021 and continuing every other Sunday through November 21, 2021. Supplemental memorandum to follow.

  
JOHN P. BISHOP, DEPUTY COMMISSIONER  
HIGHWAY DEPARTMENT

JPB/kaz  
Attachments

C: Richard W. Lenz, P.E. Commissioner of DPW//HWY  
Peter Brown, General Foreman 002  
Justin McCaffrey, Commissioner, Department of Public Safety  
Grace SantaMaria, Highway Administration



WHEREAS, by Resolution No. 246-2019, adopted on April 16, 2019, the Town Board authorized LiRo Engineers, Inc., 235 East Jericho Turnpike, Mineola, New York 11501, to provide the Town of Oyster Bay with engineering services pursuant to Contract No. H19-197 Phase 1, Highway Improvements to the Intervale Avenue Area, Farmingdale; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 9, 2021, requested that the Town Board authorize LiRo Engineers, Inc., to perform a cost estimate for the construction phase relative to Contract No. H19-197 Phase 1; and further requested that the Town Board authorize LiRo Engineers, Inc., to use Universal Testing & Inspection as a sub-consultant, for concrete laboratory testing services; and

WHEREAS, Daniel Hurley, P.E., Project Manager, LiRo Engineers, Inc., by letter dated March 8, 2021, described the scope of work to be performed regarding the construction phase of Contract H19-197 Phase 1, in accordance with the Standard Consultant Agreement which is on file in the Division of Engineering, Department of Public Works, and for which the Department of Public Works negotiated a fee of \$268,914.50 to proceed with the work,

WHEREAS, Mr. Hurley, by said memorandum, requested Town Board authorization to use Universal Testing & Inspection, as a sub-consultant, for concrete laboratory testing services; and

WHEREAS, Commissioner Lenz, by the aforementioned memorandum, requested that the Town Board authorize LiRo Engineers, Inc., to perform engineering services relative to Highway Improvements to the Intervale Avenue area, Farmingdale, in connection with Contract No. H19-197 Phase 1, at a cost not to exceed \$268,914.00, and be authorized to use Universal Testing & Inspection, as a sub-consultant, for concrete laboratory testing services,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are approved, and LiRo Engineers, Inc., is authorized to provide construction phase engineering services relative to Highway Improvements to the Intervale Avenue Area, Farmingdale in connection with Contract No. H19-197 Phase 1, at a cost not to exceed \$268,914.00, and to use Universal Testing & Inspection as a sub-consultant, for concrete laboratory testing services; and it is further

RESOLVED, that the Town Board hereby authorizes and directs the Comptroller to issue an encumbrance order, in an amount not to exceed \$268,914.50, to satisfy said engineering costs, with funds to be drawn from Account No. HWY H5197 20000 000 2103 008.

-#-

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

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

*Robert P. Healey*

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

March 9, 2021

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF ENGINEERING SERVICES & USE OF SUB-CONSULTANT  
CONSTRUCTION OF HIGHWAY & DRAINAGE IMPROVEMENTS  
TO THE INTERVALE AVENUE AREA, FARMINGDALE, NEW YORK  
CONTRACT NO. H19-197 PH1  
ACCOUNT NO. HWY H5197 20000 000 2103 008  
PROJECT ID# 2103 HWYDB-02

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In furtherance to resolution 246-2019, and consequent to the completion of the design phase provided by LiRo Engineering, Inc. the Division of Engineering has solicited LiRo Engineering, Inc. for a cost estimate regarding the construction phase of said project.

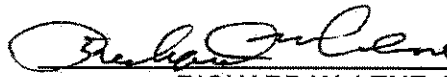
The Department of Public Works has negotiated a fee of \$268,914.50 to proceed with the work, as outlined in the attached letter from LiRo Engineering, Inc. dated March 8, 2021. The firm of LiRo Engineering, Inc. has previously executed a Standard Consultant Agreement with the Department of Public Works under which their services are to be provided, which is on file in the Division of Engineering.

Funds are available to satisfy these engineering services in Account No. H5197 20000 000 2103 008, Project ID #. 2103 HWYDB-02

Further, the office of LiRo Engineering, Inc. requests the use of Universal Testing & Inspection as a sub-consultant, for concrete laboratory testing services.

The Office of the Inspector General has reviewed the RFP/Contract and the proposed consultant's and sub-consultant's disclosure questionnaire and is satisfied that the Procurement Policy has been fulfilled.

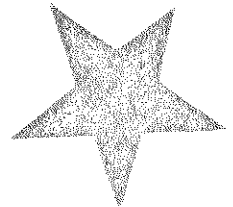
It is hereby requested that the Town Board authorize, by resolution, LiRo Engineering, Inc. to perform engineering services and the authorization by resolution to utilize, as a sub-consultant, Universal Testing & Inspection relative to Highway & Drainage Improvements to the Intervale Avenue Area, Farmingdale, Contract No. H19-197 PH1.

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

RWL/JCN/MR/ik  
Attachments

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

H19-197 ph1 DOCKET Consultant Construction Fee Award to Liro





**LiRo Engineers, Inc.**

A LiRo Group Company

235 East Jericho Tpke, Mineola, NY 11501 Telephone 516.746.2350 Facsimile 516.747.1396 www.liro.com

March 8, 2021

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

Re: Construction Inspection & Engineering Services  
Related to Construction Improvements for the  
Intervale Avenue Area located in Farmingdale, NY  
Contract H19-197

Dear Commissioner Lenz,

The design for this project has been completed and approved by your Department. The bids for this project were received on February 17, 2021. Eleven (11) bids were received and lowest bidder was Metro Paving LLC. We are submitting a proposal for engineering services relative to the Phase I Construction of this project. We propose to provide the following services during the construction of this project.

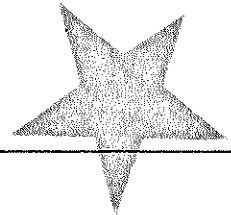
**CONSTRUCTION SERVICES**

- Print additional copies of plans and specifications as required for the Town, the Contractor, and Utilities during construction.
- Attend pre-construction meeting and bi-weekly meetings with the Contractor, and Town Representatives. Weekly meeting minutes will be prepared and submitted to all attendees.
- Coordinate and schedule all other construction phase engineering activities with the Contractor, Town, and Engineering staff.
- LiRo has contacted all utility companies regarding the proposed scope of work and no proposed utility work is anticipated for this construction phase.
- Review the Contractor's submissions of his proposed material suppliers, sub-contractors, concrete mix design and asphalt mix design; recommend approval as necessary.
- Review Contractor's proposals for modifications or substitutions.
- Maintain files of construction correspondence and related documents.
- Provide full time inspections during construction to verify that the new curb, curb and gutter, drainage facilities, valley gutters, and other new construction conforms to the design grades.
- Observe proof-rolling of the subgrade and determine undercut required from observations of subgrade deflection under specified wheel load. Mark out areas where subgrade reinforcement is required.
- Review Compressive Strength of Concrete reports prepared by others for compliance with specified strength, slump, air content, etc. Review PC Concrete and Asphalt Concrete batch plant reports prepared by others, for the compliance with mix design criteria, aggregate gradations, temperatures, etc. Prepare reports as required for the information of the Town and the Project Engineer.

- Prepare Monthly Quantities of Work Performed by the Contractor.
- Disapprove any of the Contractor's work, which fails to conform to the specifications.
- Prepare change orders in conjunction with the Resident Representative, if required.
- Provide offset lines and grades for horizontal and vertical control of new drainage catch basin, manhole and yard drain and face of curb prior to and during construction.
- Calculate cuts and/or fills for the proper installation of new drainage catch basin, manhole and yard drain and top of curb to allow for proper installation of same by the Contractor.
- Make modifications to the proposed curb grades and restoration limits as required as a result of changes made by property owners or municipal agencies after the submission of the final design of the project when such changes become apparent prior to the start of, or during construction, or due to resident or Town inquiries, utility conflicts, etc.
- Take elevations of subsurface utilities when test holes are dug by the Contractor.
- Review Contractor's list of subcontractors, emergency telephone numbers, construction schedule, traffic maintenance plan, and field office location.
- Mark widths of existing driveway aprons and private entrance walks on adjacent sidewalk to ensure that the new work will be at least equal to existing in physical dimensions.
- Mark locations of concrete and asphalt saw cutting.
- Mark (with paint) limits of sidewalk replacement and driveway restoration.
- Prepare Change Orders as required.
- Disapprove any of the Contractor's work which fails to conform to the specifications.
- After construction of the project is substantially complete, in conjunction with the finalization of the project, review all field records; Prepare quantity increase/decrease notifications in conjunction with the Resident Representative; Prepare a Final Certification of the Project; Review all field records and prepare the Final Certification of the project.
- Conduct weekly inspections for conformance with SWPPP and prepare necessary correspondence.

#### **MATERIAL TESTING**

Part of the construction inspection will be testing the quality of the concrete obtained by the contractor and their sub consultants. In addition, the compaction of subbase for the roadway will need to be checked to meet contract specifications. As part of this proposal, LiRo request approval from the Town to use Universal Testing + Inspection to conduct all material testing for this project. An estimated amount of \$20,000 was provided in the estimate. A construction schedule is required before an exact amount can be determined.



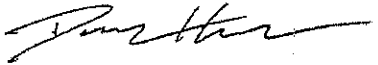
**COMPENSATION**

Lump Sum: \$268,914.50

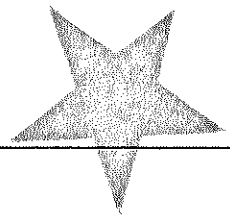
It has been a pleasure to prepare this proposal, and we look forward to working with you on this project. If you find the scope of work and compensation described above acceptable, please indicate your acceptance by responding back to the e-mail that you would like to provide us with the notice to proceed. We anticipate that the contract including this appendix for your review and signature.

Please do not hesitate to contact us if you have any questions or require any additional information.

Sincerely,



Daniel Hurley, PE  
Project Manager



WHEREAS, Richard W. Lenz, P.E., Commissioner, Departments of Public Works/Highway, by memorandum dated April 1, 2019, advised that a request for proposals was issued, in accordance with the Town's procurement policy, and was forwarded to seven firms, and was advertised on the Town of Oyster Bay website, to procure engineering services relative to highway improvements to the Intervale Avenue Area, Farmingdale, Contract No. H19-197, and the Division of Engineering received eight (8) responses; and

WHEREAS, following a review and evaluation of said eight (8) responses by selection committee, based on the technical merits of said responses, and in compliance with requirements of Guidelines 6 and 9 of the Town's Procurement Policy, Commissioner Lenz said memorandum, requested and recommended that the Town Board authorize LiRo Engineers Inc., 235 East Jericho Turnpike, Mineola, New York 11501, to first complete a preliminary design report for the project area, for which it will perform surveying, site investigation, preliminary design, project phasing, and cost estimating, for a total fee of \$310,000.00, and performance of the final Design, Bid and Construction phases at costs to be negotiated; and approved by the Town Board by future Board action; and

WHEREAS, the requested services to be provided by LiRo Engineers, Inc., are to be for a total amount not to exceed \$310,000.00, with funds for said payment available from Account No. HWY H5197 20000 000 1903 008,

RESOLVED, That the request and recommendation as hereinabove set forth is accepted and approved, and that LiRo Engineers, Inc., is hereby authorized to provide the above referenced engineering services relative to highway improvements to the Intervale Avenue Area, Farmingdale, Contract No. H19-197, in a total amount not to exceed \$310,000.00, and the Supervisor or his designee is authorized to execute an agreement for same, and be it further

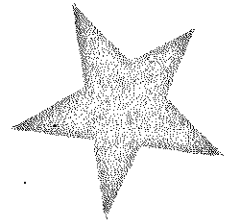
RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit, and that the funds said payment are to be drawn from Account No. HWY H5197 20000 000 1903 008.

—#—

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

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

cc: Supervisor  
Town Attorney  
Comptroller  
Public Works



Reviewed By  
Office of Town Attorney  
*[Signature]*

Reviewed By  
Office of Town Attorney  
*P. P. Deady*

WHEREAS, by Resolution No. 803-2019, adopted on December 10, 2019, the Town Board authorized the Department of Public Works to enter into an agreement with Lizardos Engineering Associates, P.C., 200 Old Country Road, Suite 670, Mineola, New York 11501, Consulting Engineers, to provide on-call engineering services relative to mechanical engineering, in connection with Contract No. PWC08-20, On-Call Consultant Services Relative to Mechanical Engineering, for a two (2) year period, from January 1, 2020 through December 31, 2021; and

WHEREAS, Robert Dructor, R.A., Senior Project Manager, Lizardos Engineering Associates, P.C., Consulting Engineers, by letter dated February 4, 2021, described the scope of work to be performed under Contract No. PWC08-20, which includes construction management services for the replacement of the elevators at the Hicksville Parking Garage Facility, in an amount not to exceed \$195,100.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 5, 2021, requested that the Town Board authorize Lizardos Engineering Associates, P.C., Consulting Engineers, to perform the aforesaid engineering services under Contract No. PWC08-20, and further requested that the Town Board authorize and direct the Town Comptroller to issue an encumbrance order in an amount not to exceed \$195,100.00 for this purpose; and

WHEREAS, Commissioner Lenz, by said memorandum, advised that funds in the amount of \$195,100.00 to satisfy said engineering costs are available in Account No. H 5997 20000 000 1804 016, Project ID No. 1804HWYST-02,

NOW, THEREFORE, BE IT RESOLVED, that the requests as hereinabove set forth are approved, and the Town Board hereby authorizes Lizardos Engineering, P.C., Consulting Engineers, to perform the aforementioned engineering services in connection with Contract No. PWC08-20, On-Call Consultant Services Relative to Mechanical Engineering at a cost not to exceed \$195,100.00, and be it further

RESOLVED, that the funds for said payment shall be drawn from Account No. H 5997 20000 000 1804 008, Project ID No. 1804HWYST-02; and be it further

RESOLVED, that the Town Board hereby authorizes and directs the Town Comptroller to make payment for same, upon submission of a duly certified claim, after audit.

-#-

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

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



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

MARCH 5, 2021

TO : MEMORANDUM DOCKET

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


SUBJECT : ON-CALL CONSULTANT SERVICE REQUEST  
CONTRACT NO. PWC08-20  
MECHANICAL ENGINEERING  
ACCOUNT NO.: HWY H 5997 20000 000 1804 016  
PROJECT ID NO. 1804HWYST-02

The consultant, Lizardos Engineering Associates, P.C. has been approved by the Commissioner of Public Works to provide Engineering Services under On-Call Contract No. PWC19-20 by Resolution No. 810-2019 for the subject project. Funds have been made available by the Director of Finance.

Attached is a letter dated February 4, 2021 from Lizardos Engineering Associates, P.C., regarding the scope of work to be performed in an amount not to exceed \$195,100.00. Services to be provided include construction management services for replacement of the elevators at the Hicksville Parking Facility.

Attached is an availability of funds in the amount of \$195,100.00 to satisfy said engineering costs from the Office of the Director of Finance indicating that funds are available in Account No. HWY H 5997 20000 000 1804 016.

It is hereby requested that the Town Board authorize, by Resolution Lizardos Engineering Associates, P.C. under Contract No. PWC08-20, On-Call Engineering Services relative to Mechanical Engineering, and requests that the Comptroller be directed to issue an encumbrance order for this purpose.

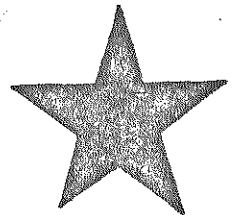
  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

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

PWC08-20 LEA DOCKET GARAGE CM FUNDS





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



Requesting Division/Department

HIGHWAY

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

Contract Number PWC 08-20

Contract Period JANUARY 1, 2020 - DECEMBER 31, 2021

Consultant/Contractor LIZARDOS ENGINEERING ASSOCIATES, P.C.

Discipline MECHANICAL ENGINEERING

Total Authorization \$369,100.00

Resolution No. 803-2019 Date 12/10/2019

Funded To Date \$174,000.00

Amount Requested \$195,100.00

Account To Be Used HWY H 5997 20000 000 1804 016, PROJ. ID. 1804HWYST-02

If Capital Account, State The Related Contract Number: H20-206

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.

CONSTRUCTION MANAGEMENT FOR ELEVATOR REPLACEMENT

AT HICKSVILLE PARKING FACILITY

Work To Be Completed In Contract Period: Yes ☒ No ☐

A "No" response will require Town Board authorization to extend the contract period.

Required Insurances Are In Effect: Yes ☒ No ☐

A "No" response will prevent further processing of this form.

Required 50% Performance Bond For This Request In Effect: Yes ☐ No ☐ N/A ☒

Amount of Bond \$                     

Requesting Division/Department

Signature

Title

Date

DEPUTY COMMISSIONER  
Department of Highways

3-1-2021

DPW Approval

Only To Be Executed By The Commissioner

Signature

Title

Date

Commissioner of Public Works

3/1/21

THIS SECTION TO BE COMPLETED BY THE DIRECTOR OF FINANCE

Amount Requested 195,100.00

Unencumbered Balance 503,617.05

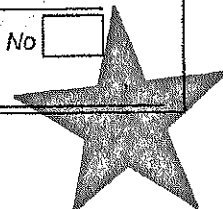
Is The Account To Be Used Consistent With The Nature Of Work Listed Above?

Yes ☒ No ☐

Signature

Date

3/1/21





# 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 1/1/2020

Contract No. PWC08-20

Contract End 12/31/2021

Commencement Date JANUARY 1, 2021

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

Vendor Name and Address

LIZARDOS ENGINEERING ASSOCIATES, P.C.

200 OLD COUNTRY ROAD

SUITE 670

MINEOLA, NEW YORK 11501

Requesting Town Department HIGHWAY

Contact MATTHEW RUSSO, P.E. Phone 516-677-5719

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

CONSTRUCTION MANAGEMENT SERVICES FOR REPLACEMENT OF ELEVATORS

AT THE HICKSVILLE PARKING FACILITY

**This work order shall not exceed \$ \$195,100.00**

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

**Requesting Division/Department**

Signature

  
DEPUTY COMMISSIONER

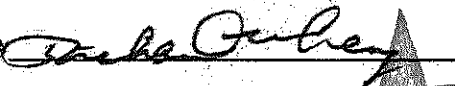
Title Department of Highways

Date 3-1-2021

**Department Of Public Works Approval**

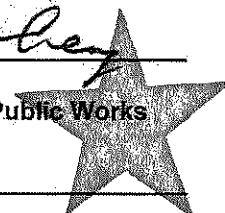
Only To Be Executed By The Commissioner

Signature



Commissioner of Public Works

Date 3/1/21





HEADQUARTERS  
200 Old Country Road Suite 670  
Mineola New York 11501  
v 516 484 1020 f 516 484 0926

NEW YORK CITY OFFICE  
222 West 37th Street - 7th Floor  
New York NY 10018  
v 212 967 7651 f 212 967 7654  
www.leapc.com

PRESIDENT AND CEO  
George A. Lombardo, PE LEED®

SENIOR VICE PRESIDENTS  
Ralph Aldorasi, PE LEED®  
John E. Lizardos, PE LEED®  
Marios C. Tinis, PE

ASSOCIATE VICE PRESIDENTS  
Dirk Anderson, PE LEED®  
Andrew Dubel, PE LEED®  
Steve Sonmez, PE LEED® CBCP CEM  
Matthew R. Liff, PE  
Patrick J. Tennant, PE CBCP CEM

SENIOR ASSOCIATE  
DIRECTOR OF OPERATIONS  
Thomas J. Cusack, PE LEED®

SENIOR ASSOCIATE  
DIRECTOR OF PLUMBING AND FIRE PROTECTION  
Keith P. Brumblay

SENIOR ASSOCIATES  
Dana L. Harris  
Vladimir P. Lamin  
Linda A. McNulty LEED®  
Thomas Roberts  
Maurice Stevenson  
Riza Susel, PE

ASSOCIATES  
Joseph A. Hayden, PE  
Giuseppe Licandro  
Kim Montague

FOUNDING PARTNER  
Evans J. Lizardos, PE LEED®

PRINCIPALS EMERITUS  
Lewis M. Damrauer, PE  
Douglas J. Pavone, PE

February 4, 2021

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

Reference: Town of Oyster Bay, Hicksville Parking Facility  
A&E Construction Services & On-Site Resident Engineer  
Lizardos Proposal Number: 21-072

Dear Commissioner Lenz:

As requested Lizardos Engineering Associates, P.C. (Lizardos) has prepared this proposal to provide Architectural & Engineering construction phase services and an on-site resident engineer for the referenced project. The Town of Oyster Bay (TOB) wishes to upgrade and refurbish the existing elevators at their Hicksville Parking Facility.

Lizardos intends to provide the following Scope of Services in connection with this project, based on the bid documents issued February 1, 2021. Lizardos intends to work together with our engaged consultants to coordinate the construction items for the TOB work.

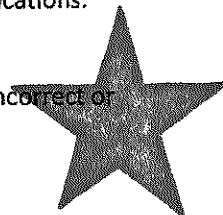
#### SCOPE OF SERVICES

##### General

1. Lizardos will prepare all construction bid documents in compliance with all NEC, NFPA 90A, NYS Health Codes, FGI, Federal, New York State (Energy Conservation Code and Mechanical Code) and local codes, laws, rules and regulations.
2. Lizardos shall provide a certificate of insurance evidencing general liability, auto liability, workman's compensation and professional liability of not less than \$1,000,000 with an A+ rated carrier, licensed in the State of New York.
3. At the end of the design for this project, Lizardos shall provide one set of reproducible contract drawings and an electronic copy (CD Rom) of all AutoCAD drawings.

##### Construction Phase Services

1. Assist Town of Oyster Bay in filling out technical portions of forms and sealing appropriate forms for filing purposes.
2. Review shop drawings to determine conformance with Lizardos specifications.
3. Respond to Contractor Requests for Information (RFI's).
4. Visit the site at completion of construction to prepare a punch list of incorrect or incomplete work.



**Construction Site Meetings**

1. Lizardos Engineering Associates, PC will attend weekly meetings during first 90 days of construction - ten (10) total meetings. During the day of the meeting, Lizardos will perform a field observation visit, up to ten (10). One (1) engineer representing all trades will walk the construction site to observe progress and compliance with the contract documents.
2. VDA will conduct ten (10) site visits during the construction phase of work to evaluate work progress of the elevator vendor. A report will be written on findings during each visit. Progress payment application approval, if required, shall be made during these visits only.
3. VDA's time includes witnessing the performance of the final accepted test and provide applicable A17.2 checklist for each elevator to the local AHJ.
4. Hirani will conduct ten (10) site visits during the construction phase of work to evaluate work progress of the structural construction. Development of a punch list and inspections will be included in this time frame.

**Final Acceptance Test Witnessing**

Witness the performance of the Final Acceptance Test and provide applicable A17.2 checklist to the local AHJ, per unit (two (2) total visits).

**Development of Maintenance and Protection of Traffic Plans (Previously Performed During Design Phase by Hirani)**

As requested by TOB, Lizardos has provided maintenance and protection of traffic (MPT) plans indicating how the parking garage will be operated during construction. The MPT was designed to be phased to reduce the impact of construction for each floor. Traffic attenuation devices, traffic control, and signage, indicated throughout the complex for each phased area of the construction. This work was not included in the original Lizardos proposal.

**Resident Engineer Services**

Furnish one (1) on-site MEP resident engineer for the duration of construction. Lizardos anticipates 120 person days. Duties to include maintenance of shop drawing submittal log, review of RFI's, and respond to contractor questions.

**SERVICES NOT INCLUDED**

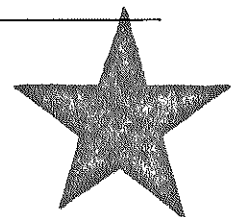
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1. Preparation of as-built drawings.
2. Controlled Inspections.
3. All environmental studies and testing.

**ADDITIONAL SERVICES**

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Retro-Commissioning Services are available at an additional cost.

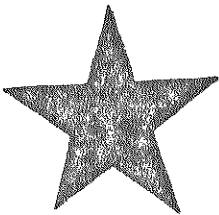


**FEES**

The engineering fee for the Scope of Services described shall be based on the total number of hours worked applied against an upset (not to exceed) fee as described below. All engineering services shall be billed monthly and shall be based on the actual employee salaries utilizing an overhead and profit multiplier of 3.0.

<u>Construction Administration</u>		\$ 31,000.00
• Lizardos Engineering	\$20,000.00	
• Hirani	\$ 7,500.00	
• VDA	\$ 3,500.00	
<u>Site Meetings/Visits</u>		\$ 32,900.00
• Lizardos Engineering	\$11,900.00	
• Hirani	\$ 7,000.00	
• VDA	\$14,000.00	
<u>Final Acceptance Test Witnessing</u>		\$ 3,500.00
• VDA	\$ 3,500.00	
<u>Traffic Study (Hirani)</u>		\$ 12,500.00
<u>On-Site Resident Engineer (120 Days/ 960 Hours – Gurkey Sebat)</u>		<u>\$115,200.00</u>
<b>Total Fee</b>		<b>\$195,100.00</b>


*\*Reimbursable expenses to be invoiced in addition to the above fees are as described in the attached Terms and Conditions.*



All engineering services shall be invoiced monthly based on the percentage of work completed. We will schedule work for this project upon our receipt of your written authorization to proceed. This proposal will remain in effect for 60 days from the date of this proposal. We trust that the terms set forth in this proposal sufficiently detail the engineering services which you require Lizardos to provide in connection with this project. If you should have any questions, please feel free to call me.

Sincerely,

LIZARDOS ENGINEERING ASSOCIATES, P.C.

  
Robert Dructor, RA, Senior Project Manager

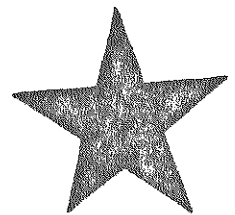
cc: Ms. M. Cocchi

ACCEPTED: Town of Oyster Bay

By \_\_\_\_\_

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date



Meeting of December 10, 2019

Resolution No. 803-2019

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated November 22, 2019, advised that a Request for Proposals for On-Call Engineering Services relative to Mechanical Engineering, in the Town of Oyster Bay, Nassau County, New York, in accordance with the specifications contained in Contract No. PWC08-20 was issued to three (3) firms, and was placed on the Town of Oyster Bay website; and

WHEREAS, in response to that Request for Proposals, eight (8) responses were timely received by the Division of Engineering; and

WHEREAS, Commissioner Lenz, by said memorandum, stated that after review of the Division of Engineering's preliminary recommendations and in conjunction with the current workload, the Department has selected LiRo Engineers, Inc., Lizardos Engineering Associates, P.C., and N&P Engineering, Architecture and Land Surveying, PLLC, based upon an evaluation and selection process performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

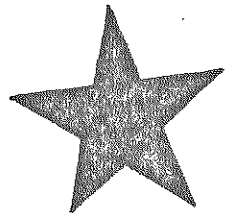
WHEREAS, the Department of Public Works requested that the Town Board authorize the Department of Public Works to enter into an agreement with LiRo Engineers, Inc., Lizardos Engineering Associates, P.C., and N&P Engineering, Architecture and Land Surveying, PLLC, to provide On-Call Engineering Services relative to Mechanical Engineering, in accordance with the specifications contained in Contract No. PWC08-20, for a two (2) year term, commencing on January 1, 2020 through December 31, 2021,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC08-20 with LiRo Engineers, Inc., Lizardos Engineering Associates, P.C., and N&P Engineering, Architecture and Land Surveying, PLLC, in accordance with the provisions thereunder for a two (2) year term, commencing on January 1, 2020 through December 31, 2021.

-#-

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

Supervisor Saladino	Aye
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Johnson	Recused
Councilman Imbroto	Aye
Councilman Hand	Aye
Councilman Labriola	Aye



Reviewed By  
Office of Town Attorney  
*[Signature]*



WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated March 10, 2021, requested that the Town Board authorize the Department, to host, in conjunction with the Department of Parks, the 2021 Dune Stabilization Program at TOBAY Beach, at 10:00 a.m., on Saturday, March 27, 2021; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which shall benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby authorizes the Department of Environmental Resources to host, in conjunction with the Department of Parks, the 2021 Dune Stabilization Program at TOBAY Beach, at 10:00 a.m., on Saturday, March 27, 2021.

-#-

Reviewed By  
Office of Town Attorney

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

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

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

TO: Memorandum Docket

FROM: Louis G. Savinetti, Commissioner  
Department of Environmental Resources

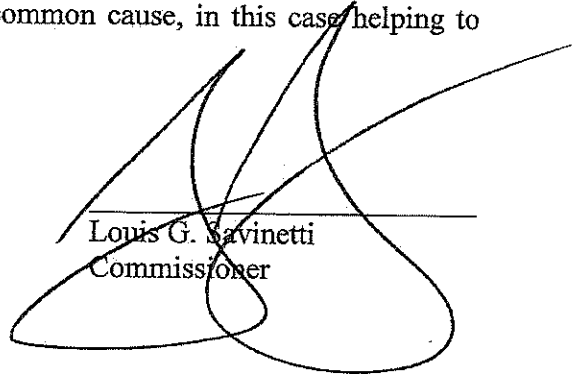
DATE: March 10, 2021

SUBJECT: 2021 Dune Stabilization Program

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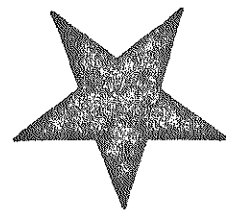
The Department of Environmental Resources respectfully request Town Board authorization to host the 2021 Dune Stabilization Program at TOBAY Beach in conjunction with the Parks Department on Saturday, March 27, 2021 starting at 10:00a.m.

Residents and organizations such as scouting groups, environmental awareness groups and local residents participate in the program attracting over 1,000 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 at TOBAY Beach.

  
Louis G. Savinetti  
Commissioner

LGS:ca

cc: Brian Nevin, Public Information Officer  
Joseph Pinto, Commissioner, Department of Parks  
File: E900 and G500



Reviewed By  
Office of Town Attorney

*Paul J. DeSantis*

WHEREAS, Louis G. Savinetti, Commissioner, Department of Environmental Resources, by memorandum dated March 10, 2021, requested that the Town Board authorize the Department to sponsor the Annual Spring Oyster Bay Harbor and Beach Cleanup on Saturday, April 17, 2021, from 8:00 a.m. to 12:00 p.m., at Theodore Roosevelt Memorial Park, Beekman Beach, Centre Island Beach and Stehli Beach, in conjunction with event sponsors Friends of the Bay and the North Oyster Bay Baymen's Association, with the approval of the Department of Parks, and with the assistance of the public; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby approved, and the Town Board hereby authorizes the Department of Environmental Resources to sponsor the Annual Spring Oyster Bay Harbor and Beach Cleanup on Saturday, April 17, 2021, from 8:00 a.m. to 12:00 p.m., at Theodore Roosevelt Memorial Park, Beekman Beach, Centre Island Beach and Stehli Beach, in conjunction with event sponsors Friends of the Bay and the North Oyster Bay Baymen's Association, with the approval of the Department of Parks, and with the assistance of the public.

-#-

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

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

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

TO: Memorandum Docket

FROM: Louis G. Savinetti, Commissioner  
Department of Environmental Resources

DATE: March 10, 2021

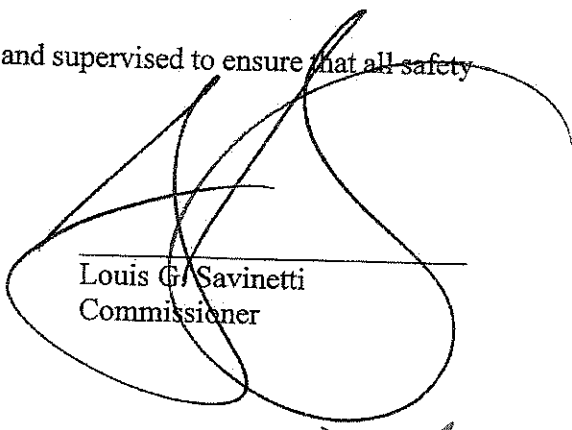
SUBJECT: Annual Spring Oyster Bay Harbor and Beach Cleanup

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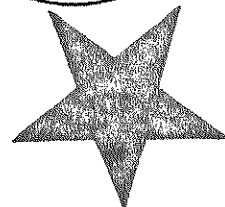
The Department of Environmental Resources requests Town Board authorization to conduct the 2021 Annual Spring Oyster Bay Harbor and Beach Cleanup, with our sponsors Friends of the Bay and The North Oyster Bay Baymen's Association on Saturday April 17, 2021 from 8:00 a.m. to 12:00 p.m. This event will remove accumulated litter and rubbish that would otherwise pollute our waterways and diminish the natural beauty and water quality of Oyster Bay Harbor.

The Department of Environmental Resources with approval by the Department of Parks will utilize Theodore Roosevelt Memorial Park, Beekman Beach, Centre Island Beach and Stehli Beach to conduct the harbor and beach cleanup. Volunteers will walk the Oyster Bay Harbor shoreline by foot while other volunteers will use boats to collect debris found on the shore and in the harbor. The rubbish will be brought to a central point near the Theodore Roosevelt Memorial Park boat launching ramps and the collected trash will be placed in dumpsters then brought to the Old Bethpage Solid Waste Disposal Complex (OBSWDC) by Environmental Resources OBSWDC personnel.

All event personnel and volunteers will be monitored and supervised to ensure that all safety precautions relative to COVID 19 are followed.

  
Louis G. Savinetti  
Commissioner

LGS:ca  
cc: Joseph G. Pinto, Commissioner, Department of Parks



RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 20<sup>th</sup> day of April, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 103 – DOGS AND OTHER ANIMALS, ARTICLE IV, OF THE CODE OF THE TOWN OF OYSTER BAY", and be it further


RESOLVED, That if meeting restrictions imposed by New York State Executive Order remain in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public will have until the end of business on May 20, 2021, to submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in newspapers of general circulation within the Town of Oyster Bay.

#

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

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

adp  
Reviewed By  
Office of Town Attorney  


PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 20<sup>th</sup> day of April, 2021 at 10:00 a.m., prevailing time, or as soon thereafter as may be 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 CHAPTER 103 – DOGS AND OTHER ANIMALS, ARTICLE IV, OF THE CODE OF THE TOWN OF OYSTER BAY."

The abovementioned proposed Local Law is on file and may be viewed on the Town website ([oysterbaytown.com](http://oysterbaytown.com)) or by contacting the Office of the Town Clerk (516-624-6320), daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

If New York State Executive Order No. 202.1, et seq, is still in effect at the time of the hearing, then, pursuant to the provisions of New York State Executive Order No. 202.1, et seq., this meeting may be held remotely by teleconference, and will be available for the public to view via live stream at [www.oysterbaytown.com](http://www.oysterbaytown.com), and such meeting will be recorded and later transcribed. Members of the public may comment on this proposed law, with such comments being entered into the record, by submitting said comments by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov), or by forwarding said comments to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, to be received no later than May 20, 2021. Any comments received will form part of the public record with respect to said hearing.

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

Dated: March 23, 2021, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

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

MEMO SENT BY EMAIL; ORIGINAL SENT BY INTER-OFFICE MAIL.

**TO** : MEMORANDUM DOCKET  
**FROM** : Thomas M. Sabellico, Special Counsel  
**DATE** : March 10, 2021  
**SUBJECT**: Proposed Local Law to Amend Chapter 103 – Dogs and Other Animals,  
Article IV, of the Code of the Town of Oyster Bay

---

The Town seeks to amend Chapter 103 – Dogs and Other Animals, Article IV, of the Code of the Town of Oyster Bay.

This office has prepared the following items necessary to establish a local law as referenced above:

1. Resolution calling for a Public Hearing to be held on April 20, 2021 at 10:00 a.m.;
2. Public Notice; and
3. Proposed Litigation.

Respectfully Submitted,

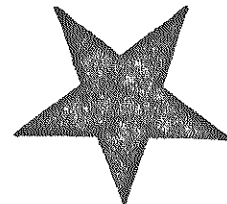
***Thomas M. Sabellico***

– Thomas M. Sabellico  
Special Counsel

TMS:nb

cc: Gregory W. Carman, Jr. Deputy Supervisor  
Frank Scalera, Town Attorney  
Louis Savinetti, Commissioner, Dept. of Environmental Resources  
Richard Lenz, P.E., Commissioner, DPW/Highway  
John Bishop, Deputy Commissioner, Highway

S:\Attorney\RESOS 2021\MD & RESO\MD LLAmend Ch 103 Dogs&OtherAnimals.docx



PUBLIC NOTICE

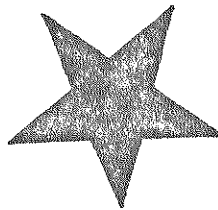
NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 20<sup>th</sup> day of April, 2021 at 10:00 a.m., prevailing time, or as soon thereafter as may be 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 CHAPTER 103 – DOGS AND OTHER ANIMALS, ARTICLE IV, OF THE CODE OF THE TOWN OF OYSTER BAY."

The abovementioned proposed Local Law is on file and may be viewed on the Town website (oysterbaytown.com) or by contacting the Office of the Town Clerk (516-624-6320), daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

If New York State Executive Order No. 202.1, et seq, is still in effect at the time of the hearing, then, pursuant to the provisions of New York State Executive Order No. 202.1, et seq., this meeting may be held remotely by teleconference, and will be available for the public to view via live stream at [www.oysterbaytown.com](http://www.oysterbaytown.com), and such meeting will be recorded and later transcribed. Members of the public may comment on this proposed law, with such comments being entered into the record, by submitting said comments by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov), or by forwarding said comments to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, to be received no later than May 20, 2021. Any comments received will form part of the public record with respect to said hearing.

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

Dated: March 23, 2021, Oyster Bay, New York.



Reviewed By  
Office of Town Attorney



**Local Law Filing**

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Town of OYSTER BAY

Local Law No. \_\_\_\_\_ of the year 2021

A LOCAL LAW TO AMEND CHAPTER 103 – DOGS AND OTHER ANIMALS, ARTICLE IV, OF THE CODE OF THE TOWN OF OYSTER BAY.

Be it enacted by the TOWN BOARD of THE TOWN OF OYSTER BAY as follows:

**Section 1.** Amend Chapter 103 – Dogs and Other Animals, Article IV, of the Code of the Town of Oyster Bay, to read as follows:

Article IV Fowl

§ 103-19 Definitions.

§ 103-20 Prohibition.

§ 103-21 Penalties for offenses.

§ 103-22 Applicability.

§ 103-19 Definitions.

For the purpose of this article, unless otherwise expressly stated or unless the context or subject matter requires otherwise:

**FEED**

Shall mean to give, place, expose, deposit, distribute, or scatter any edible material with the intention of feeding, attracting, or enticing fowl.

**FOWL**

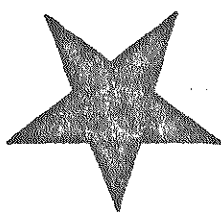
Shall include:

**PIGEONS**

Those domestic varieties belonging to the order Columbiformes.

**WATERFOWL**

Those species belonging to the order Anseriformes, including but not limited to mute swans, Canada geese, ducks, and mallards and any other waterfowl falling under the jurisdiction of the United States Fish and Wildlife Service.



**PERSON**

Any individual, company, partnership, corporation, limited partnership, joint venture, or other legal entity.

**TOWN PROPERTY**

Any land which is owned, maintained, leased, or managed by the Town of Oyster Bay for any purpose whatsoever, including, but not limited to parks, preserves, beaches and drains.

**§ 103-20 Prohibition.**

No person shall feed or provide food for any fowl on Town property or privately owned property located within the Town at any time of the year.

**§ 103-21 Penalties for offenses.**

A violation of this article shall be punishable by a fine of not less than \$100, nor more than \$500. Any subsequent violation occurring within five years of the date of such first violation shall be punishable by a fine of not less than \$250, nor more than \$750.

**§ 103-22 Applicability.**

A. The provisions of this article shall not apply to property owned by or under the jurisdiction of other municipal authorities, the State of New York, and any agency thereof or the government of the United States of America.

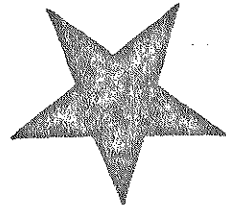
B. The above prohibition shall not apply to the feeding of domesticated or confined fowl, including those confined in zoos, animal shelters, or animal care facilities.

C. Nothing herein shall be construed to prohibit keeping, filling or maintaining a non-commercial bird feeder, unless said activity constitutes an attractant and its cessation is ordered by a Town enforcement officer in furtherance of the intent of this Article.

**Section 2. SEQRA Determination.** It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law will not have a significant impact on the environment and that the adoption of this local law constitutes a Negative Declaration in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon.

**Section 3. Severability.** If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

**Section 4. Effective Date.** This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.



**Certification:**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2021 of the Town of Oyster Bay was duly passed by the Town Board on \_\_\_\_\_ 2021, in accordance with the applicable provisions of law.

\_\_\_\_\_  
Clerk of the Town of Oyster Bay

(Seal)

Date: \_\_\_\_\_, 2021

STATE OF NEW YORK  
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

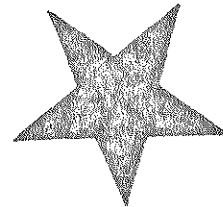
\_\_\_\_\_  
Signature

Town Attorney

Title

Town of \_\_\_\_\_ Oyster Bay

Date: \_\_\_\_\_ 2021



RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771 on the 20<sup>th</sup> day of April, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider amending the Code of the Town of Oyster Bay, New York, by adopting a new Local Law entitled, "A LOCAL LAW TO AMEND CHAPTER 246 – ZONING, SECTION 246-5.5.16, OF THE CODE OF THE TOWN OF OYSTER BAY", and be it further

RESOLVED, That if meeting restrictions imposed by New York State Executive Order remain in effect, said meeting may be held by teleconference, and said meeting will be livestreamed on oysterbaytown.com where the public will have the ability to view or listen to said hearing, and said hearing shall be recorded and later transcribed. The public will have until the end of business on May 20, 2021, to submit any comments on the subject of the hearing, by mailing or delivering same to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, or by submitting same by email to publiccomment@oysterbay-ny.gov. Any comments received will form part of the public record with respect to said hearing, and be it further

RESOLVED, That the Town Clerk shall publish notice of such hearing in newspapers of general circulation within the Town of Oyster Bay.

#

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

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

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

## Town of Oyster Bay Inter-Departmental Memorandum

MEMO SENT BY EMAIL; ORIGINAL SENT BY INTER-OFFICE MAIL

TO : MEMORANDUM DOCKET

FROM : Thomas M. Sabellico, Special Counsel

DATE : March 10, 2021

SUBJECT: Proposed Local Law to Amend Chapter 246 – Zoning, Section 246-5.5.16,  
of the Code of the Town of Oyster Bay

---

The Town seeks to amend Chapter 246 – Zoning, Section 246-5.5.16, of the Code of the Town of Oyster Bay.

This office has prepared the following items necessary to establish a local law as referenced above:

1. Resolution calling for a Public Hearing to be held on April 20, 2021 at 10:00 a.m.;
2. Public Notice; and
3. Proposed Litigation.

Respectfully Submitted,

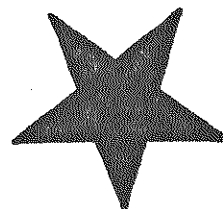
***Thomas M. Sabellico***

Thomas M. Sabellico  
Special Counsel

TMS:nb  
2021-7974

cc: Gregory W. Carman, Jr. Deputy Supervisor  
Frank Scalera, Town Attorney  
Louis Savinetti, Commissioner, Department of Environmental Resources  
Richard Lenz, P.E., Commissioner, DPW/Highway  
Elizabeth Maccarone, Commissioner, Department of Planning & Development  
Timothy Zike, Deputy Commissioner, Department of Planning & Development

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PUBLIC NOTICE

NOTICE is hereby given, pursuant to law, that a public hearing will be held before the Town Board of the Town of Oyster Bay, in the Hearing Room, Town Hall North, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 20<sup>th</sup> day of April, 2021 at 10:00 a.m., prevailing time, or as soon thereafter as may be 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 CHAPTER 246 – ZONING, SECTION 246-5.5.16, OF THE CODE OF THE TOWN OF OYSTER BAY."

The abovementioned proposed Local Law is on file and may be viewed on the Town website ([oysterbaytown.com](http://oysterbaytown.com)) or by contacting the Office of the Town Clerk (516-624-6320), daily (except Saturday, Sunday and Holidays) between the hours of 9:00 a.m. and 4:45 p.m., prevailing time. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

If New York State Executive Order No. 202.1, et seq, is still in effect at the time of the hearing, then, pursuant to the provisions of New York State Executive Order No. 202.1, et seq., this meeting may be held remotely by teleconference, and will be available for the public to view via live stream at [www.oysterbaytown.com](http://www.oysterbaytown.com), and such meeting will be recorded and later transcribed. Members of the public may comment on this proposed law, with such comments being entered n to the record, by submitting said comments by email to [publiccomment@oysterbay-ny.gov](mailto:publiccomment@oysterbay-ny.gov), or by forwarding said comments to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York 11771, to be received no later than May 20, 2021. Any comments received will form part of the public record with respect to said hearing.

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

Dated: March 23, 2021, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

**Local Law Filing**

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Town of OYSTER BAY

Local Law No. \_\_\_\_\_ of the year 2021

A LOCAL LAW TO AMEND CHAPTER 246 – ZONING, SECTION 246-5.5.16, OF THE CODE OF THE TOWN OF OYSTER BAY.

Be it enacted by the TOWN BOARD of THE TOWN OF OYSTER BAY as follows:

**Section 1.** Amend Chapter 246 – Zoning, Section 246-5.5.16, of the Code of the Town of Oyster Bay, to read as follows:

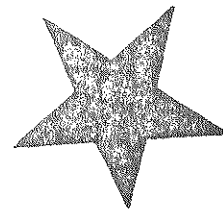
**246-5.5.16 Keeping of farm animals.**

No building, structure or premises shall be erected, altered or used in any residence district for the housing, feeding or harboring of pigeons, fowl, swine, goats, horses, rabbits, foxes, mink and bees, except when authorized by special use permit from the Board of Appeals. No accessory building or structure or part thereof used for the housing of such farm animals shall be located less than 50 feet from any lot line.

**Section 2. SEQRA Determination.** It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law will not have a significant impact on the environment and that the adoption of this local law constitutes a Negative Declaration in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon.

**Section 3. Severability.** If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

**Section 4. Effective Date.** This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.



**Certification:**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2021 of the Town of Oyster Bay was duly passed by the Town Board on \_\_\_\_\_ 2021, in accordance with the applicable provisions of law.

\_\_\_\_\_  
Clerk of the Town of Oyster Bay

(Seal)

Date: \_\_\_\_\_, 2021

STATE OF NEW YORK  
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

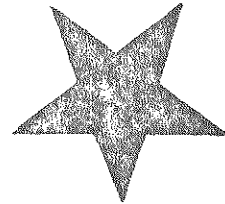
\_\_\_\_\_  
Signature

Town Attorney

\_\_\_\_\_  
Title

Town of Oyster Bay

Date: \_\_\_\_\_, 2021





WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memoranda dated March 8, 2021 and March 17, 2021, requested Town Board authorization to allow the Department of Parks to issue a facility permit to Octagon Marketing Group, representing the "2021 BMW Ultimate Driving Experience", for the use of TOBAY Beach parking field from Thursday, April 15, 2021 through Sunday, April 18, 2021 from 7:00 a.m.-7:00 p.m. for vehicle demonstration and test driving; and

WHEREAS, Commissioner Pinto, by said memoranda, advised that the abovementioned property will not be required for use by the Town at that time, and that the Department of Parks has no objection to providing the use of the parking field at TOBAY Beach to the Octagon Marketing Group for the "2021 BMW Ultimate Driving Experience" from Thursday, April 15, 2021 through Sunday, April 18, 2021, but dates and times may change as per the Commissioner of Parks or his designee; and

WHEREAS, Commissioner Pinto, by said memoranda, further advised that the "2021 BMW Ultimate Driving Experience" is an event designed and developed by the Octagon Marketing Group, EventLink Logistics and Czarnowski Display Services which allows attendees to test drive different BMW models on a series of low speed courses under the instruction of professional drivers, at no cost to attendees; and

WHEREAS, Commissioner Pinto, by said memoranda, further advised that fees shall be \$6,000.00 per day of permit use with the first day (Thursday, April 15, 2021) being a "Set Up" day at a fee of \$5,000.00, the total amount of \$23,000.00 and said fees shall be deposited into General Fund Account No. TWN A 0001 02770 590 0000. Upon completion of the event, 75% of the permit use fees shall remain in the Town of Oyster Bay General Fund Account No. TWN A 0001 02770 590 0000 and 25% of the permit use fees from the event shall be transferred to the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000 to be used to develop and execute future automotive events for the Town of Oyster Bay; and

WHEREAS, proper insurance and a hold harmless agreement, along with permit fees paid in full shall be provided by Octagon Marketing Group to the Town of Oyster Bay Department of Parks no later than 14 days prior to the event; and

WHEREAS, all New York State and Center for Disease Control deadlines shall be observed by the permit holder, their affiliates and participants in the event; and

WHEREAS, The Office of the Inspector General shall review and approve all disclosure questionnaires prior to the final issuance of the facility permit; and

WHEREAS, the Town Board deems this event to be an appropriate and worthwhile endeavor, and one which will benefit the residents of the Town of Oyster Bay,

7/18  
Reviewed By  
Office of Town Attorney

*Paul P. DeLong*

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is approved, and the Department of Parks is hereby authorized to provide the Octagon Marketing Group, the use of the parking field at TOBAY Beach, for “2021 BMW Ultimate Driving Experience”, from Thursday, April 15, 2021 through Sunday, April 18, 2021, subject to the following conditions:

1. The use of all Town property shall be in conformance with the direction of the Deputy Commissioner of the Highway Department, or his duly authorized designee;
2. The said organization shall comply with all ordinances of the Town of Oyster Bay, both in its use of Town property, and in the conduct of the aforescribed activities; and
3. The said organization shall file a Certificate of Insurance with the Office of the Town Clerk, indicating said organization maintains general liability insurance, in the amounts of \$1,000,000 each occurrence, and \$2,000,000 general aggregate, naming the Town of Oyster Bay and the County of Nassau as additional insureds, in connection with the aforementioned activity.
4. The said organization shall follow all New York State Guidelines with respect to social distancing, and the aforescribed activity may be cancelled by the Town of Oyster Bay at any time, to prevent harm to the population from the COVID-19 Virus, or any other threat to public health and/or safety.
5. The Office of the Inspector General shall review and approve all disclosure questionnaires prior to the final issuance of the facility permit.

-#-

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

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

# TOWN OF OYSTER BAY

## INTER-DEPARTMENTAL MEMORANDUM

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: MARCH 17, 2021

SUBJECT: PERMIT FOR THE USE OF TOBAY BEACH PARKING FIELD  
SUPPLEMENTAL MEMO MD3921 #7

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Town Board authorization is requested to allow the Department of Parks to issue a facility use permit to Octagon Marketing Group, representing the "2021 BMW Ultimate Driving Experience" for the use of TOBAY Beach parking field from Thursday, April 15, 2021 through Sunday, April 18, 2021 from 7:00am – 7:00pm for vehicle demonstration and test driving. Beach parking fields are currently available with no scheduled events but dates and times may change as per the Commissioner of Parks or his designee.

The 2021 BMW Ultimate Driving Experience is an event designed and developed by the Octagon Marketing Group, EventLink Logistics and Czarnowski Display Services which allows attendees to test drive different BMW models on a series of low speed courses under the instruction of professional drivers, at no cost to attendees.


Fees shall be \$6,000.00 per day of permit use with the first day (Thursday, April 15, 2021) being a "Set Up" day at a fee of \$5,000.00 for a total of \$23,000.00. Monies shall be deposited into General Fund Account No. TWN A 0001 02770 590 0000. Upon completion of the event, 75% of the permit use fees shall remain in the Town of Oyster Bay General Fund Account No. TWN A 0001 02770 590 0000 and 25% of the permit use fees received from the event shall be transferred to the Town of Oyster Bay Car Shows Program Trust Account No. TWN TA 0000 00085 438 0000 to be used to develop and execute future automotive events for the Town of Oyster Bay.

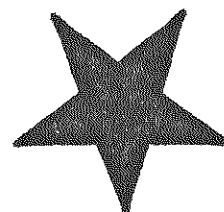
Proper insurance and hold harmless agreement(s), along with permit fee paid in full shall be provided by Octagon Marketing Group to the Town of Oyster Bay Department of Parks no later than 14 days prior to the event.

All New York State and CDC guidelines shall be observed by the permit holder, their affiliates and participants in the event.

The Office of the Inspector General shall review and approve disclosure questionnaires prior to the final execution of the contract. Currently, two of the three vendors have satisfied Exiger review with the third vendor pending satisfaction.

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

  
Joseph G. Pinto  
Commissioner of Parks



JGP; EW

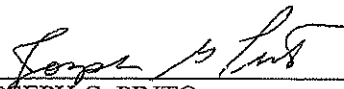
# TOWN OF OYSTER BAY

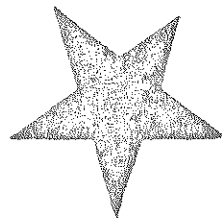
## Inter-Departmental Memorandum

TO : MEMORANDUM DOCKET  
FROM : JOSEPH G. PINTO, COMMISSIONER OF PARKS  
DATE : MARCH 8, 2021  
SUBJECT : PERMIT FOR USE OF TOBAY BEACH PARKING FIELD

---

The Department of Parks will submit a formal request to authorize a facility use permit for the "2021 BMW Ultimate Driving Experience at TOBAY Beach parking field from Thursday, April 15, 2021 through Sunday, April 18, 2021 in a supplemental memorandum. Therefore, we recommend and request that a space be reserved at the next Town Board meeting to be held on March 23, 2021.

  
\_\_\_\_\_  
JOSEPH G. PINTO  
COMMISSIONER OF PARKS



WHEREAS, Frank M. Scalera, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated March 16, 2021, advised that under NYS Labor Law § 27-c, the Town was required to prepare a plan for the continuation of operations in the event that the governor declares a state disaster emergency involving a communicable disease; and

WHEREAS, the Town timely prepared a draft health emergency plan, which was shared with the Town employees' Union, which offered its assent to the draft plan; and

WHEREAS, Frank M. Scalera, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by the aforementioned memorandum, recommended and requested that the Town Board adopt the draft health emergency plan and that the Supervisor, or his designee, be authorized to sign such health emergency plan,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation and request as hereinabove set forth are accepted and approved, and the Town Board hereby adopts the health emergency plan as prepared by the Town and agreed to by the Union, and be it further

RESOLVED, That the Supervisor, or his designee, is hereby authorized to sign the health emergency plan on behalf of the Town.

-#-

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

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

1/23/21  
Reviewed By  
Office of Town Attorney  
Matthew M. Rozea

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## Town of Oyster Bay Inter-Departmental Memo

To: Memorandum Docket  
From: Office of the Town Attorney  
Date: March 16, 2021  
Subject: Town of Oyster Bay Health Emergency Plan


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In September, 2020, Labor Law § 27-c was enacted, which required public employers to “prepare a plan for the continuation of operations in the event that the Governor declares a state disaster emergency involving a communicable disease.” Under the statute, the plan was to be developed by the employer in the first instance, then shared with the employees’ union by February 4, 2021, and must be adopted by April 1, 2021.

Attached is the Town’s draft Health Emergency Plan. As required by the statute, the draft was shared with the Union, which offered its assent thereto. Consequently, it is recommended and requested that the Town Board adopt the draft as the Town’s Health Emergency Plan, and authorize the Supervisor, or his designee, to execute same, which shall take effect on April 1, 2021.

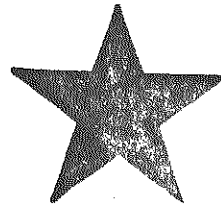
Kindly suspend the rules and add this matter to the March 23, 2021 Town Board Action Calendar.

FRANK M. SCALERA  
TOWN ATTORNEY

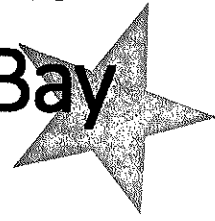
  
By: Matthew M. Rozea  
Deputy Town Attorney

MMR:mmr  
Enclosure  
2020-7562

S:\Attorney\RESOS 2021\MD & RESO\Health Emergency Plan MMR.docx



Public Employer Health  
Emergency Plan for the  
**Town of Oyster Bay**



April 1, 2021

Promulgation

With the input of CSEA, the Town developed this plan in accordance with the amended New York State Labor Law Section 27-c and New York State Education Law Section 2801-a(2)(k),(l), as amended, , as applicable.

No content of this plan is intended to impede, infringe, diminish, or impair the rights of the Town of Oyster Bay or the Town’s valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

This plan has been approved and adopted in accordance with the applicable State and Town laws, rules, and procedures.

As the authorized official of the TOWN OF OYSTER BAY, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832, which amends New York State Labor Law Section 27-c and New York State Education Law Section 2801-a(2)(k),(l), as amended, as applicable, to address public health emergency planning requirements.

Signed on this day:

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

Title:



Record of Changes

Date of Change	Description of Change	Implemented by

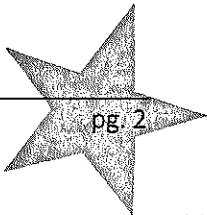


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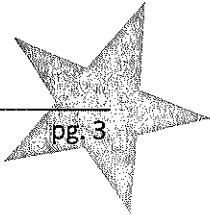
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# Purpose, Scope, Situation Overview, and Assumptions

## Purpose

This plan has been developed in accordance with the amended New York State Labor Law Section 27-c and New York State Education Law Section 2801-a(k), (l), as amended. These laws were amended on September 7, 2020, by legislation that requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.

## Scope

This plan was developed exclusively for and is applicable to the TOWN OF OYSTER BAY (the "Town"). This plan is pertinent to a declared public health emergency in the State of New York which may impact Town operations; and it is in the interest of the safety of Town employees and contractors, and the continuity of Town operations that we have promulgated this plan.

## Situation Overview

On March 11, 2020 the World Health Organization declared a pandemic for the novel coronavirus which causes the COVID-19 severe acute respiratory syndrome. The Town developed this plan in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency.

The health and safety of Town employees and contractors is crucial to maintaining our mission essential operations. The Town encourages all employees and contractors to use the most recent [CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe](#). The fundamentals of reducing the spread of infection include:

- Using hand sanitizer and washing hands with soap and water frequently, including:
  - After using the restroom
  - After returning from a public outing
  - After touching/disposing of garbage
  - After using public computers, touching public tables, and countertops, etc.
- Practicing social distancing when possible
- Not entering the work place if you feel ill.
- Notifying your supervisor immediately and going home if you are feeling ill or have a fever
- If you start to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or a tissue, the latter of which should be disposed of immediately
- Cleaning and disinfecting workstations at the beginning, middle, and end of each shift
- Following other guidance which may be published by the CDC, the State Department of Health, or County health officials.

## Planning Assumptions

This plan was developed based on information, best practices, and guidance available as of the date of publication. Although this plan was developed to largely reflect the circumstances of the current Coronavirus pandemic, it is also generally applicable to other infectious disease outbreaks.

The following assumptions have been made in the development of this plan:

- The health and safety of Town employees and contractors, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact Town operations.
- The impacts a public health emergency will upon the Town's ability to respond to the health emergency, with appropriate safety measures put into place and adjustments made to operations to maximize safety.
- The public and Town residents expect the Town to maintain a level of mission essential operations
- Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
- Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be heavily impacted, resulting in considerable delays in procurement
- The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or other disruptions in their services
- Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor
- Per S8617B/A10832, 'essential employee' is defined as a public employee or contractor that is required to be physically present at a work site to perform their job
- Per S8617B/A10832, 'non-essential employee' is defined as a public employee or contractor that is not required to be physically present at a work site to perform their job

### Concept of Operations

The Town Supervisor, or his designee, hold the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations, and adjustments to plan implementation may be supported by additional personnel, at the discretion and direction of the Town Supervisor or his designee.

Upon the determination of implementing this plan, all Town employees and contractors shall be notified by email or written memorandum, with details provided as possible and necessary, with additional information and updates provided on a regular basis. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Town's Public Information Office will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Town Supervisor, or his designee, will maintain awareness of information, direction, and guidance from public health officials and the Governor's office, directing the implementation of changes as necessary.

Upon conclusion of the public health emergency, the Town Supervisor, or his designee, will direct the resumption of normal operations or operations with modifications as necessary.

### Mission Essential Functions

When confronting events that disrupt normal operations, the Town of Oyster Bay is committed to ensuring that essential functions will be continued even under the most challenging circumstances.

Essential functions are those functions that enable an organization to:

1. Maintain the safety of employees, contractors, and Town residents
2. Provide vital services
3. Provide services required by law
4. Sustain quality operations
5. Uphold the core values of the Town of Oyster Bay

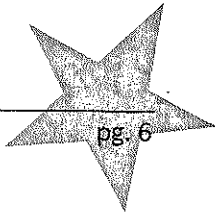
The Town of Oyster Bay has identified as critical only those essential functions that are required or are necessary to provide vital services. During activation of this plan, all other activities may be suspended to enable the organization to concentrate on providing the critical functions and building the internal capabilities necessary to increase and eventually restore operations. Appropriate communications with employees, contractors, our constituents, and other stakeholders will be an ongoing priority.

The mission essential functions for the Town of Oyster Bay have been identified as:

Essential Function	Description
Supervisor/Town Board	Provide for continuity of government.
Office of the Town Attorney	Ensure compliance with New York State law, Executive Orders, and other legal requirements.
General Services	Provides all building controls, HVAC, lighting, communications, phone system. Performs contact tracing in accordance to CDC requirements and HIPPA compliance, and acquires and distributes PPE.
Information Technology	Provides all hardware and software for the town. Maintains the town's network and phone system.
Sanitation Division	Collect refuse to maintain sanitary conditions Town-wide.
Public Safety	Patrol parks and other Town property, including waterways.
Code Enforcement/Building Inspection	Ensure code compliance to maintain safety for all residents.

#### Essential Positions

Each essential function identified above requires certain positions on-site to effectively operate. The table below identifies the positions or titles that are essential to be staffed on-site for the continued operation of each essential function. Note that while some functions and associated personnel may be essential, some of these can be conducted remotely and do not need to be identified in this section.



Essential Function	Essential Positions/Titles
Supervisor/Town Board	• Supervisor and Councilmembers
Office of the Town Attorney	• Town Attorney and Deputy Town Attorneys
General Services	• Commissioner/Deputy Commissioner and designated staff.
Information Technology	• [Manager] • [Staff] • [Staff]
Sanitation	• Sanitation collectors
Public Safety	• Commissioner/Deputy Commissioners, Public Safety Officers, and Bay Constables
Code Enforcement	• Commissioner/Deputy Commissioner Building Inspectors.

Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering weekly work shifts, 2 to 3 work shifts depending on shift size as defined by the department head, crowding and density at work sites may be decreased.

Remote Work Protocols

Non-essential employees and contractors able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:

- 1. Identification of staff who will work remotely
- 2. Approval and assignment of remote work
- 3. Equipping staff for remote work, which may include:
  - a. Internet capable laptop
  - b. Necessary peripherals
  - c. Access to VPN and/or secure network drives
  - d. Access to software and databases necessary to perform their duties
  - e. A solution for telephone communications
    - i. Note that phone lines may need to be forwarded to off-site staff

As possible, 'essential' staff may be assigned to work remotely for part of their work week to reduce exposures. Further, business hours and locations of Town government may be altered to best accommodate public health protective actions for employees and the public. Alterations to building access and the means by which the public interacts with Town employees may also take place to support these protections. Protective actions may include, but are not limited to occupancy restrictions, protective barriers, and increased conduct of business by

internet, phone, or other means. Protective actions will be taken in accordance with County and State Health Department, and CDC guidelines and requirements.

#### Staggered Shifts

Implementing staggered shifts may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, management will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, the Town of Oyster Bay will ensure that employees are provided with their typical or contracted minimum work hours per week. Staggering shifts requires:

1. Identification of positions for which work hours will be staggered
2. Approval and assignment of changed work hours

#### Personal Protective Equipment

The Department of General Services shall be responsible for coordinating the procurement and distribution of personal protective equipment (PPE) to employees.

The use of PPE to reduce the spread of infectious disease is important to supporting the health and safety of our employees and contractors. Potentially necessary PPE may include:

- Masks
- Face shields
- Gloves
- Disposable gowns and aprons
- Plexiglas
- Hand sanitizer

Note that while cleaning supplies are not PPE, there is a related need for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for these products early in the pandemic. As such, we are including these supplies in this section as they are pertinent to protecting the health and safety of our employees and contractors.

Protocols for providing PPE include the following:

1. Identification of need for PPE based upon job duties and work location
2. Procurement of PPE
  - a. As specified in the amended law, public employers must be able to provide at least two pieces of each required type of PPE to each essential employee and contractor during any given work shift for at least six months
  - b. Public employers must be able to mitigate supply chain disruptions to meet this requirement
3. Storage of, access to, and monitoring of PPE stock
  - a. PPE must be stored in a manner which will prevent degradation
  - b. Employees and contractors must have immediate access to PPE in the event of an emergency
  - c. The supply of PPE must be monitored to ensure integrity and to track usage rates
  - d. To the extent possible, PPE should be stockpiled in order to have adequate stock, particularly during the early stages of any pandemic or outbreak.

## Staff Exposures, Cleaning, and Disinfection

### Staff Exposures

Staff exposures are organized under several categories based upon the type of exposure and presence of symptoms. The Department of General Services shall be responsible to collect all necessary and relevant information in order to implement a testing, quarantine, and contact tracing program.

Following CDC guidelines, the Town have established the following protocols:

- A. If employees or contractors are exposed to a known case of communicable disease that is the subject of the public health emergency (defined as a 'close contact' with someone who is confirmed infected, which is a prolonged presence within six feet with that person):
  1. Potentially exposed employees or contractors who do not have symptoms should remain at home or in a comparable setting and practice social distancing for the lesser of 14 days or other current CDC/public health guidance for the communicable disease in question.
    - a. As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
    - b. The employee's respective Commissioner or Department Head must be notified and is responsible for ensuring these protocols are followed
    - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing
  2. CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
    - a. Additional precautions will include the requirement of the subject employee or contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.
    - b. In-person interactions with the subject employee or contractor will be limited as much as possible.
    - c. Work areas in which the subject employee or contractor are present will be disinfected according to current CDC/public health protocol at least every hour, as practical. See the section on Cleaning and Disinfection for additional information on that subject.
    - d. If at any time they exhibit symptoms, refer to item B below.
    - e. The employee's respective Commissioner or Department Head is the decision-maker in these circumstances and is responsible for ensuring these protocols are followed
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
  1. Employees and contractors who exhibit symptoms in the workplace should be immediately separated from other employees and visitors. They should immediately be sent home with a recommendation to contact their physician.
  2. Employees and contractors who exhibit symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
  3. Employees should not return to work until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider.



4. The Town of Oyster Bay will not require sick employees to provide a negative test result for the disease in question or healthcare provider's note to validate their illness, qualify for sick leave, or return to work; unless there is a recommendation from the CDC/public health officials to do so.
5. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 24 hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
6. The employee's respective Commissioner or Department Head must be informed in these circumstances and is responsible for ensuring these protocols are followed
- C. If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
  1. Apply the steps identified in item B, above, as applicable.
  2. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
    - a. CDC guidance for COVID-19 indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces will take place. If this time period is not possible, a period of as long as possible will be given. CDC/public health guidance for the disease in question will be followed.
    - b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
    - c. See the section on Cleaning and Disinfection for additional information on that subject.
  3. Identification of potential employee and contractor exposures will be conducted
    - a. If an employee or contractor is confirmed to have the disease in question, contact tracing and quarantine shall occur pursuant to established Town practice. Confidentiality shall be maintained as required by law.
    - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
  4. The employee's respective Commissioner or Department Head must be notified in these circumstances and is responsible for ensuring these protocols are followed

The Town recognizes there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. The Town will follow CDC/public health recommendations and requirements and coordinate with our local public health office for additional guidance and support as needed.

#### Cleaning and Disinfecting

CDC/public health guidelines will be followed for cleaning and disinfection of surfaces/areas. Present guidance for routine cleaning during a public health emergency includes:

1. As possible, employees and contractors will clean their own workspaces in the beginning, middle, and end of their shifts, at a minimum.
  - a. High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected at least hourly.
  - b. The Department of General Services is responsible for cleaning common areas, and the frequency of such cleaning.

2. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
3. Soiled surfaces will be cleaned with soap and water before being disinfected.
4. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
5. Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

### Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits. This information may be used by the Town of Oyster Bay to support contact tracing within the organization and may be shared with local public health officials in accordance with all HIPPA compliance.

The Town of Oyster Bay tracks hours and locations by means of a paper-based sign-in sheet at each facility and by requiring employees to complete an electronic survey prior to entering a Town facility, which survey is monitored by and used by the Department of General Services, who is responsible for handling and managing the information contained therein.

### Housing for Essential Employees

There are circumstances within a public health emergency when it may be prudent to have essential employees lodged in such a manner which will help prevent the spread of the subject communicable disease to protect these employees from potential exposures, thus helping to ensure their health and safety and the continuity of the Town of Oyster Bay's essential operations.

If such a need arises, hotel rooms are expected to be the most viable option. If hotel rooms are for some reason deemed not practical or ideal, or if there are no hotel rooms available, the Town of Oyster Bay will coordinate with the Nassau County Office of Emergency Management to help identify and arrange for these housing needs. The Department of Public Safety will be responsible for coordinating such housing arrangements.

WHEREAS, on March 10, 2021, pursuant to public notice, the Department of General Services, Division of Purchasing, received bids for Contract No. H20-206, Repairs to the Hicksville Parking Facility Elevators, in accordance with the specifications contained therein; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated March 18, 2021, requested that all of the bids for Contract No. H20-206 be rejected, and further recommended that the Division of Purchasing proceed with setting a bid date to receive new bids for said Contract,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, the bids received in connection with Contract No. H20-206 are hereby rejected, and the Division of Purchasing is hereby authorized and directed to proceed with setting a bid date for receiving new bids for the aforementioned Contract.

-#-

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

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

Reviewed By  
Office of Town Attorney  
*Richard W. Lenz*

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

MARCH 18, 2021

TO: MEMORANDUM DOCKET

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

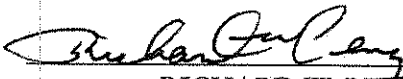
SUBJECT: REJECTION OF BIDS AND REQUEST TO REBID  
REPAIRS TO THE HICKSVILLE PARKING FACILITY ELEVATORS  
CONTRACT NO. H20-206

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Town Board Resolution No. 8-2021 authorized the Bidding Phase for Contract No. H20-206. On March 10, 2021, the Division of Purchasing received bids for the subject project. For the General Construction, Electrical, and Mechanical contracts, only a single bid had been received, while two bids were received for the Plumbing contract.

Upon review of the bids by the Department of Public Works and by its consultant, Lizardos Engineering & Associates, P.C., it has been determined that a rejection of these bids is the best interest of the Town. The Department of Public Works will make necessary modifications to the project plans and specifications and seek new bids.

It is hereby requested that the Town Board authorize by Resolution a rejection of the bids received and grant permission to rebid the project, and to direct the Division of Purchasing to proceed with setting a bid date for receiving bids for this contract. Kindly suspend the rules to add this docket item to the March 23, 2021 Town Board Action Calendar.

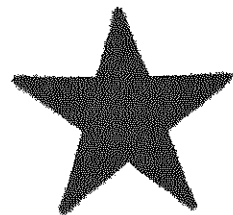
  
\_\_\_\_\_  
RICHARD W. LENZ, P.E.  
COMMISSIONER  
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/MR/lk

Attachment

cc: Steven Ballas, Comptroller  
Eric Tuman, Commissioner/General Services  
John Bishop, Deputy Commissioner/Highway

H20-206 DOCKET REJECT & REBID



Meeting of January 12, 2021

Resolution No. 8-2021

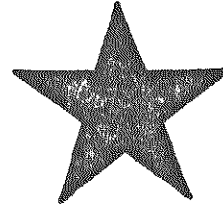
WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated December 14, 2020, advised that the design for Contract No. H20-206 regarding repairs to the Hicksville Parking Facility, has been completed; and

WHEREAS, Commissioner Lenz, by said memorandum advised that he has approved the plans and specifications submitted, with an estimated construction time for completion of two hundred and seventy (270) days, and recommended that the Department of General Services, Division of Purchasing, proceed with setting a date for receiving bids for said Contract,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved, and that the Department of General Services, Division of Purchasing, is hereby authorized and directed to contact the Division of Engineering and set a date for receiving bids for Contract No. H20-206.

#

OFFICE OF TOWN AUDITOR



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

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

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

March 22, 2021

**TO:** MEMORANDUM DOCKET

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

**SUBJECT:** REQUEST APPROVAL FOR EXTENSION  
SUSPEND THE RULES  
REQUIREMENTS CONTRACT FOR TREE REMOVAL AND TRIMMING  
THROUGHOUT THE TOWN OF OYSTER BAY / CONTRACT NO. HTR17-163  
LOOKS GREAT SERVICES, INC.

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The Highway Department has reviewed the work performed by Looks Great Services, Inc. with respect to Requirements contract for Tree Removal and Trimming throughout the Town of Oyster Bay under Contract Number HTR17-163 which was extended by Town Board Resolution No. 207-2020 on March 31, 2020. This will be the third extension of a four year extension option.

In accordance with the Town of Oyster Bay procurement policy, this office requests that said contract be extended for 90 calendar day nunc-pro-tunc to March 13, 2021 through June 10, 2021 to allow appropriate time to review the policy in accordance with Guideline 6 (a through e).

Therefore, it is hereby requested that the Town Board suspend the rules and authorize, as a walk on resolution to Town Board Meeting of March 23, 2021 the extension of Contract No. HTR17-163, Requirements contract for Tree Removal and Trimming throughout the Town of Oyster Bay for 90 calendar days, nunc-pro-tunc to March 13, 2021 through June 10, 2021. The Office of the Inspector General has reviewed the active vendor contracts and disclosure questionnaires and is satisfied that the Procurement Policy has been fulfilled.



RICHARD W. LENZ, P.E.

COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY



RWL/JCT/

Cc: Steven Ballas, Comptroller  
John P. Bishop, Deputy Commissioner/HWY

Htr17-163 extend 2021 90 days

RESOLVED, That a public hearing will be held before the Town Board, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 30<sup>th</sup> day of March, 2021, 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 ADD SECTION 246-5.5.34 - RESTRICTIONS ON SALE OF VAPING AND MARIJUANA PRODUCTS, VAPE SHOPS, HOOKAH LOUNGES, MARIJUANA DISPENSARIES AND MARIJUANA SHOPS, TO CHAPTER 246 - ZONING, OF THE CODE OF TOWN OF OYSTER BAY," and be it further

RESOLVED, That the Town Board hereby ratifies the action of the Town Clerk in having publishing a notice of said hearing in the newspapers of general circulation in the Town of Oyster Bay pursuant to the provisions of law.

-#-

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

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

Reviewed By  
Office of Town Attorney



**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, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 30<sup>th</sup> day of March, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the adoption of a local law to amend the Code of the Town of Oyster Bay, entitled: "A LOCAL LAW TO ADD SECTION 246-5.5.34 – RESTRICTIONS ON SALE OF VAPING AND MARIJUANA PRODUCTS, VAPE SHOPS, HOOKAH LOUNGES, MARIJUANA DISPENSARIES AND MARIJUANA SHOPS, TO CHAPTER 246 – ZONING, OF THE CODE OF 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, and online at oysterbaytown.com. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.  
RICHARD LaMARCA, Town Clerk.  
Dated: March 19, 2021, Oyster Bay, New York.

Reviewed By  
Office of Town Attorney

*John M. Salvo*



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

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 19, 2021

SUBJECT: Proposed Local law entitled:  
"A LOCAL LAW TO ADD SECTION 246-5.5.34 – RESTRICTIONS ON  
SALE OF VAPING AND MARIJUANA PRODUCTS, VAPE SHOPS,  
HOOKAH LOUNGES, MARIJUANA DISPENSARIES AND MARIJUANA  
SHOPS, TO CHAPTER 246 – ZONING, OF THE CODE OF TOWN OF  
OYSTER BAY."


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This office has prepared the following items necessary to establish a new local law referenced above:

1. Public Notice;
2. Resolution calling for a Public Hearing; and
3. Proposed legislation.

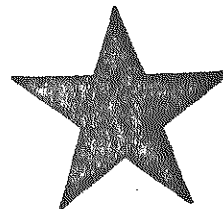
Kindly publish the notice today and suspend the rules and place this matter on the Town Board Action calendar for March 23, 2021 at 10:00 a.m.

FRANK M. SCALERA  
TOWN ATTORNEY

  
Thomas M. Sabellico  
Special Counsel

TMS:ba  
Enclosure

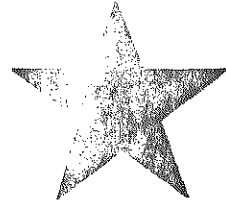
S:\Attorney\LOCAL LAWS\LAC 246 Vaping and Hookah\MD.docx



**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, 54 Audrey Avenue, Oyster Bay, New York 11771, on the 30<sup>th</sup> day of March, 2021, at 10:00 o'clock a.m., prevailing time, or as soon thereafter as practicable, to consider the adoption of a local law to amend the Code of the Town of Oyster Bay, entitled: "A LOCAL LAW TO ADD SECTION 246-5.5.34 – RESTRICTIONS ON SALE OF VAPING AND MARIJUANA PRODUCTS, VAPE SHOPS, HOOKAH LOUNGES, MARIJUANA DISPENSARIES AND MARIJUANA SHOPS, TO CHAPTER 246 – ZONING, OF THE CODE OF 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, and online at oysterbaytown.com. All persons interested in the subject matter of said hearing shall have an opportunity to be heard in connection with the aforementioned Local Law at the time and place designated herein.

TOWN BOARD OF TOWN OF OYSTER BAY. JOSEPH S. SALADINO, Supervisor.  
RICHARD LaMARCA, Town Clerk.  
Dated: March 19, 2021, Oyster Bay, New York.



Reviewed By  
Office of Town Attorney

*John A. Miller*

NEW YORK STATE DEPARTMENT OF STATE  
41 STATE STREET  
ALBANY, NY 12231

**Local Law Filing**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**Town of Oyster Bay**

**Local Law No. \_\_\_\_\_ of the year 2021**

**A local law entitled**

**"A LOCAL LAW TO ADD SECTION 246-5.5.34 – RESTRICTIONS ON SALE OF VAPING AND MARIJUANA PRODUCTS, VAPE SHOPS, HOOKAH LOUNGES, MARIJUANA DISPENSARIES AND MARIJUANA SHOPS, TO CHAPTER 246 – ZONING, OF THE CODE OF TOWN OF OYSTER BAY."**

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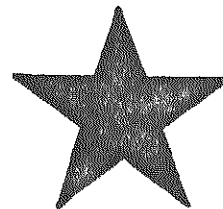
**Be it enacted by the Town Board of the Town of Oyster Bay as follows:**

**Section 1.** Add Section 246-5.5.34, Restrictions on Sale of Vaping and Marijuana Products, Vape Shops, Hookah Lounges, Marijuana Dispensaries and Marijuana Shops, to Chapter 246, Zoning, of the Town Code as follows:

**§ 246-5.5.34 Restrictions on Sale of Vaping and Marijuana Products, Vape Shops, Hookah Lounges, Marijuana Dispensaries and Marijuana Shops.**

**§ 246-5.5.34.1 Legislative Intent.**

The Town Board finds that it is in the best interest of the Town of Oyster Bay and its residents to restrict the sale of vaping products and marijuana products and the location of vape shops, hookah lounges, marijuana dispensaries, and marijuana shops to particular areas. In addition, all establishments that sell vape products, e-cigarettes, hookahs and accessories, and marijuana and marijuana products will be required to display signage that explains the potential dangers in using such products.



**§ 246-5.5.34.2 Definitions.** As used in this local law, unless the context clearly requires otherwise:

**CBD**

Cannabidiol, a naturally occurring compound found in the resinous flower of cannabis.

**ELECTRONIC CIGARETTES**

Also known as e-cigarettes, e-vaporizers, or electronic nicotine delivery systems, are battery-operated devices that people use to inhale an aerosol, which typically contains nicotine, flavorings, and other chemicals.

**HOOKAH LOUNGES AND VAPE LOUNGES**

Any facility or location whose business operation includes the on-site indoor smoking of electronic cigarettes, vape pens, vapors, e-liquids, or marijuana derivatives, including only CBD, as defined herein, or other substances, but not including THC, as defined herein. Smoking is the inhalation of the smoke/e-liquid nicotine/vapors water pipe tobacco and other substances encased in electronic cigarettes, vape pens, and pipes commonly known as "hookah," "waterpipe," "shisha" and "narghile" or any similar device.

**HOOKAH PIPE**

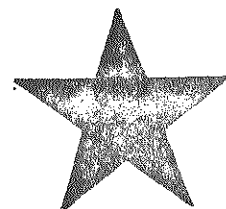
A single or multi-stemmed instrument used by one or more persons to smoke tobacco or other substance, which hookah pipe is also commonly referred to as a hookah, waterpipe, shisha or narghile.

**MARIJUANA**

Same definition ascribed to "marihuana" in NY Public Health Law § 3302: all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant, which seed is incapable of germination.

**MARIJUANA DISPENSARY**

A dispensary is a location (whether business or non-profit) where patients or consumers can access prescribed Marijuana (cannabis) in a legal and safe manner. Users get assistance from experts (bud tenders) who find an optimal dosage and recommend the delivery method to achieve optimal results when using medical cannabis.



## **MARIJUANA SHOP**

Any establishment which offers for sale or consideration, for on premises or off premises consumption, if allowed by law, cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquid, or any other product containing marijuana or a marijuana derivative, which products contain THC. This shall include recreational marijuana products, but shall exclude any non-prescription marijuana product or derivative that only contains CBD but not THC.

## **SMOKE SHOP AND VAPE SHOP**

Any establishment which offers for sale or consideration, cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquid, marijuana derivatives, including CBD but not THC or other substances, as a substantial or significant portion of its business, merchandise and/or stock-in-trade.

## **SUBSTANTIAL OR SIGNIFICANT PORTION**

(1) "Substantial or significant portion" shall be determined using the following considerations:

- a) Amount of floor area and basement space accessible to customers and allotted to the sale or consideration of cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type, generally, or as compared to the total floor area and basement space accessible to customers; and/or
- b) Amount of cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances stock-in-trade of any type accessible to customers, generally, or as compared to total stock accessible to customers; and/or
- c) Revenues derived from cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type, general, or compared to total revenues; and/or
- d) Advertising devoted to cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type, general, or compared to total advertising; and/or
- e) Use of the establishment for cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type, general, or compared to total use thereof; and/or

(2) Notwithstanding the above considerations, the following shall be conclusive in determining substantial or significant portion:

- a) Forty percent or more of floor area and basement space accessible to customers allotted to cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type; and/or



- b) Forty percent or more of its stock-in-trade in cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type; and/or
- c) Forty percent or more of its gross income derived from cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type; and/or
- d) Forty percent or more of its advertising devoted to cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other marijuana derivatives or like substances of any type.

## THC

Tetrahydrocannabinol, is the main psychoactive compound in cannabis that produces the high sensation.

### **§ 246-5.5.34.3 Restrictions on location of hookah lounges, vape lounges, smoke shops, vape shops, marijuana dispensaries and marijuana shops.**

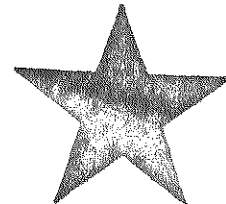
- (A) Hookah lounges, vape lounges, smoke shop, vape shop, marijuana dispensary or marijuana shop uses shall be allowable only in a Light Industry (LI) zoning district subject to issuance of a Special Use Permit by the Town of Oyster Bay Zoning Board of Appeals, and subject to the regulations set forth in this section.
- (B) The lot line of any property whereupon exists a hookah lounge, vape lounge, smoke shop, vape shop, marijuana dispensary or marijuana shop shall not be located within a thousand (1,000) foot radius of the lot line of any lot zoned for residential use, any school, park, playground, library or church or other place of worship.

### **§246-5.5.34.4 Posting of Signs.**

- (A) No person shall sell or continue to sell or distribute or continue to distribute electronic cigarettes, vape pens, vapors, e-liquids, hookah pipes, marijuana or marijuana products in the Town of Oyster Bay unless a sign is posted at the point of sale in a conspicuous place, that warns of the dangers of e-cigarettes, vape pens, vapors, e-liquids, hookah pipes, marijuana or marijuana products including, at a minimum, the following statement: **WARNING: electronic cigarettes, vape pens, vapors, e-liquids, and marijuana contain nicotine. Nicotine is an addictive chemical.**
- (B) Such sign shall be printed with letters at least one half inch in height. Signs shall be protected from tampering, damage, removal or concealment.

## **Section 2. SEQRA Determination.**

It is hereby determined pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5 (c)(26) of 6 N.Y.C.R.R., pertaining to "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" and,



accordingly, is of a class of actions which do not have a significant effect on the environment and no further review is required.

**Section 3. Severability.**

If any section, subdivision or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the section, subdivision or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law, or the application thereof to other persons or circumstances.

**Section 4. Effective Date.**

This local law shall take effect immediately upon its adoption and filing with the Office of the Secretary of State.

**Certification:**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2021 of the Town of Oyster Bay was duly passed by the Town Board on \_\_\_\_\_ 2021, in accordance with the applicable provisions of law.

\_\_\_\_\_  
Clerk of the Town of Oyster Bay

(Seal)

Date: \_\_\_\_\_, 2021

(Certification to be executed by Town Attorney).

STATE OF NEW YORK  
COUNTY OF NASSAU

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

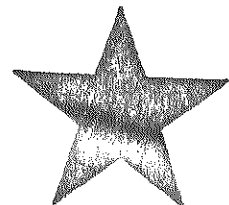
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Title

Town of Oyster Bay

Date: \_\_\_\_\_ 2021



WHEREAS, by Resolution No. 162-2018, adopted March 13, 2018, the Town Board awarded Contract No. HTR17-163, Requirements Contract for Tree Trimming and Tree Removal Throughout the Town of Oyster Bay, to Looks Great Services, Inc., 7 Lawrence Hill Road, Huntington, New York 11743, for the initial contract period of March 13, 2018 through March 12, 2019, with an option for four (4) one (1) year extensions upon the same terms of the original contract, with funds available as per Town Board Resolution No. 603A-2020; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 22, 2021, requested Town Board authorization to extend the contract for an additional ninety (90) days, *nunc pro tunc*, from March 13, 2021 through June 10, 2021, upon the same prices, conditions and terms, provided for in the original contract and to allow appropriate time to review the Town of Oyster Bay procurement policy in accordance with Guideline 6 (a through e); and

WHEREAS, Commissioner Lenz by said memorandum, informed the Town Board that, to date, Looks Great Services, Inc.'s work under Contract No. HTR17-163 has been satisfactorily completed in a timely manner,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and Contract No. HTR17-163 with Looks Great Services, Inc. is hereby extended, *nunc pro tunc*, for the period from March 13, 2021 through June 10, 2021, upon the same prices, conditions, and terms as provided in the original contract.

-#-

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

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

(ms)  
Reviewed By  
Office of Town Attorney  
