

Tom M. Saldaña

Meeting of April 10, 2018

Resolution No. TF-06-2018

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
016-18	PAD	\$ 1,000.00	PAD B 3620 44800 000 0000
			TO
		1,000.00	PAD B 3620 47900 000 0000
			FROM
017-18	HWY	5,115.00	HWY ST 5650 84000 000 0000
			TO
		5,115.00	HWY ST 5650 41300 000 0000
			FROM
018-18	HWY	1,500.00	HWY SD 8540 41600 000 0000
			TO
		1,500.00	HWY SD 8540 25000 000 0000
			FROM
		5,000.00	HWY DB 5110 41600 000 0000
			TO
		5,000.00	HWY DB 5110 25000 000 0000
			FROM
		5,000.00	HWY SL 5182 41600 000 0000
			TO
		5,000.00	HWY SL 5182 25000 000 0000
			FROM
019-18	CMP	230.00	CMP A 1315 47210 000 0000
			TO
		230.00	CMP A 1315 47900 000 0000

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

2A

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

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


DATE: MARCH 22, 2018

SUBJECT: TRANSFER OF FUNDS REQUEST

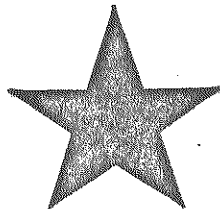
It is respectfully requested that the following transfer of funds within the Department of Planning and Development be executed:

FROM:	PAD B 3620 44800 000 0000 "PROFESSIONAL SERVICES"	\$1,000.00
TO:	PAD B 3620 47900 000 0000 "OTHER EXPENSES"	\$1,000.00

This transfer of funds is necessary to have sufficient funds available in order to process a payment voucher for the Code Enforcement Officials of this Department to become members of the Building Inspectors Association of Nassau County ("BIANCO") for the purposes of receiving New York State mandated in-service training courses.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM:tz
cc: Town Attorney (+7 Copies)



2A

TOWN OF OYSTER BAY
Inter-Departmental Memo

March 30, 2018

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: TRANSFER OF FUNDS

Town Board authorization is requested to transfer the following funds:

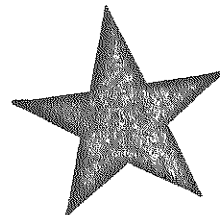
Account No.	Object Description	Amount
<u>From:</u> HWY ST 5650 84000 000 0000	WORKERS COMPENSATION	\$5,115.00
<u>To:</u> HWY ST 5650 41300 000 0000	OFFICE SUPPLIES	\$5,115.00

This transfer is necessary to provide funds to purchase public parking stickers for the period January 1, 2018 to December 31, 2019. These parking permits were inadvertently not purchased in 2017.


John P. Bishop, Deputy Commissioner
Highway Department

JPB/dp

C: Town Attorney (7)
Comptroller's Office
Richard Lenz, P.E., Commissioner of DPW/Highway



2B

TOWN OF OYSTER BAY
Inter-Departmental Memo

March 28, 2018

TO: MEMORANDUM DOCKET

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: TRANSFER OF FUNDS

Town Board authorization is requested to transfer the following funds:

Account No.	Object Description	Amount
<u>From:</u> HWY SD 8540 41600 000 0000	MATERIALS AND SUPPLIES	\$1,500.00
<u>To:</u> HWY SD 8540 25000 000 0000	EQUIPMENT	\$1,500.00
<u>From:</u> HWY DB 5110 41600 000 0000	MATERIALS AND SUPPLIES	\$5,000.00
<u>To:</u> HWY DB 5110 25000 000 0000	EQUIPMENT	\$5,000.00
<u>From:</u> HWY SL 5182 41600 000 0000	MATERIALS AND SUPPLIES	\$5,000.00
<u>To:</u> HWY SL 5182 25000 000 0000	EQUIPMENT	\$5,000.00

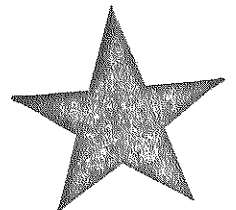
This transfer is necessary to use the 25000 Equipment Account for the purchase of any equipment and/or tools that cost over \$100.00 as required by the Comptroller's Office.



John P. Bishop, Deputy Commissioner
Highway Department

JPB/dp

C: Town Attorney (7)
Comptroller's Office
Richard Lenz, P.E., Commissioner of DPW/Highway



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TOWN OF OYSTER BAY

Inter-Departmental Memo

APRIL 2, 2018

To: MEMORANDUM DOCKET

From: STEVEN C. BALLAS, COMPTROLLER

Subject: TRANSFER OF FUNDS

Town Board authorization is hereby requested for the following transfer of funds:

FROM:

CMP A 1315.47210 000 0000
AUTO MILEAGE
\$230.00

TO:

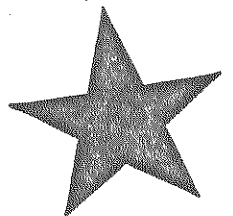
CMP A 1315.47900 000 0000
OTHER EXPENSES
\$230.00

The above transfer is necessary in order to renew GFOA membership for 2018.


STEVEN C. BALLAS
COMPTROLLER

SCB:mr

cc: Town Attorney (7)
Accounting Division
Accounts Payable Division
Reading File



WHEREAS, Joseph Orlich, Flotilla Operations Officer, U.S. Coast Guard Auxiliary Oyster Bay Flotilla 22-05, by letter dated March 1, 2018, requested a boat slip at the Theodore Roosevelt Marina, for the 2018 boating season, with a waiver of all Town of Oyster Bay fees; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 13, 2018, recommended that the abovementioned request be granted, and that the U.S. Coast Guard Auxiliary Oyster Bay Flotilla 22-05 be granted a boat slip at Theodore Roosevelt Marina, for the 2018 boating season, with a waiver of all Town of Oyster Bay fees;

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted and approved, and the Town Board authorizes the Department of Parks to grant the U.S. Coast Guard Oyster Bay Flotilla 22-05 a boat slip at the Theodore Roosevelt Marina, for the 2018 boating season, with all Town of Oyster Bay fees for same waived, said slip to be occupied by USCG Operational Facility 221722, the patrol vessel, with New York registration number NY5883FR.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: Memorandum Docket

FROM: Joseph G. Pinto, Commissioner of Parks

DATE: March 13, 2018

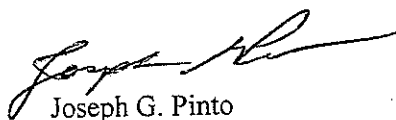
SUBJECT: Request for slip at Theodore Roosevelt Marina from United States
Coast Guard Auxiliary – Joseph Orlich, Flotilla Operations Officer, Oyster Bay
Flotilla 22-05

Joseph Orlich, Flotilla Operations Officer, Oyster Bay Flotilla 22-05 by his letter of March 1, 2018, copy attached, requests all fees waived for the use of one slip at Theodore Roosevelt Marina for the 2018 summer boating season.

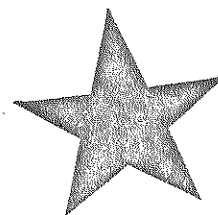
This department recommends approval of his request as Mr. Orlich is involved with Homeland Security's "Marine Domain Awareness Patrols", as well as continuous training and patrol missions. His participation in these activities protects and educates resident boaters.

Copies attached are: A Coast Guard Auxiliary yacht insurance policy declarations page, a New York State boat registration, New York State certificate of title, and New York driver license, all in Mr. Orlich's name.

Therefore, Town Board approval is requested to waive slip fees for the 2018 summer season for United States Coast Guard Operational Facility 221722, N.Y. registration number NY5883FR.


Joseph G. Pinto
Commissioner of Parks

JGP/gv
Cc: Town Attorney (+7copies)





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



THE CIVILIAN COMPONENT OF THE U. S. COAST GUARD

FLOTILLA 0142205, OYSTER BAY, NEW YORK
JOHN HUBBARD, Flotilla Commander - VALERIE ELEFONTE, Vice Flotilla Commander

March 1, 2018

Joseph A Orlich
Flotilla Operations Officer
U.S. Coast Guard Auxiliary
Oyster Bay Flotilla 22-05
[REDACTED]
[REDACTED]

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

a/k

Dear Commissioner Pinto,

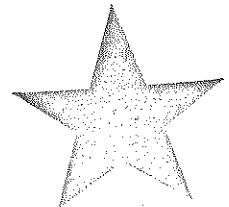
As part of our USCG Auxiliary mission goals of directly supporting local USCG activities as well as conducting recreational boating safety programs for Town of Oyster Bay residents, we are requesting a slip in the Roosevelt Marina for the 2018 boating season. As in past years, we are requesting a waiver of all Town fees.

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

A special thanks to you and your staff, especially Gina for our outreach to Town of Oyster Bay residents who rent kayak racks at Roosevelt and Tappan marinas in distributing the USCG safety identifications stickers for kayaks and small vessels using the racks. This is a part of a multi-faceted program of while on patrol encouraging small vessel users to wear their life preservers, performing courtesy inspections of kayaks by qualified USCG Auxiliary members and providing safe boating classes to all boaters.

Semper Paratus,

Joseph A Orlich
Joseph A Orlich



WWW.CGAUXOYSTERBAY.ORG (516) 624-USCG

NEW YORK STATE BOAT REGISTRATION

2003 WELLC WELHGA191203
FIBRE OUT PLEASURE
021 GAS WEB WEBCDA FEB 06 2016
NON-TRANSFERABLE EXPIRES 04/30/19




ORLICH, JOSEPH, A

DB 328560

VOID IF ALTERED EXCEPT FOR CHANGE OF ADDRESS
MV-639CB (8/08)

Fee Paid 57.50

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD AUXILIARY

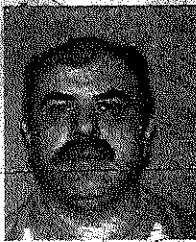
  

JOSEPH A. ORLICH

STATUS	GOAL	MEMBER ID#
MEMBER	BQ	
ISSUED BY: <i>Ezekiel C. DeJesus</i> YN2 Ezekiel C. DeJesus		

NEW YORK STATE

DRIVER LICENSE

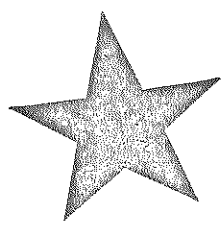
 **CLASS DM**

ORLICH, JOSEPH, A

SEX: M EYES: BR HT: 5-09
E: NONE
R: NONE

ISSUED: 11-30-10, EXPIRES: 12-11-18 NTOW2DWZD

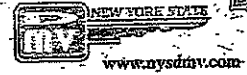
Joseph A. Orlich



CERTIFICATE OF TITLE



NEW YORK STATE



Title and Identification No.		Year	Make	Model Code	Body/Hull	Document No.
WELHGA19T203		2003	WELLC	N/A	FIBE	321857Y
Color	Wt/Sts./Lgth.	Fuel	Cyl./Prop.	New or Used	Type of Title	Date Issued
	21	GAS	OUT	USED	BOAT 5883FR	6/19/07

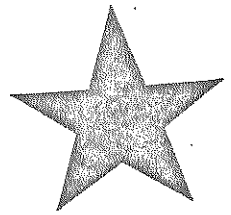
Name and Address of Owner(s)

ORLICH, JOSEPH, A

This document is your proof of ownership for this vehicle, boat or manufactured home. Keep it in a safe place, not with your license or registration or in your vehicle or boat. To dispose of your vehicle, boat or manufactured home, complete the transfer section on the back and give this title to the new owner.

Lienholder	Lienholder
* NO LIENS RECORDED *	* NO LIENS RECORDED *
Lienholder	Lienholder
* NO LIENS RECORDED *	* NO LIENS RECORDED *

MV-999 (7/03)



DECLARATIONS PAGE

Named JOSEPH ORLICH

"Insured" [REDACTED]

Address [REDACTED]

Policy No. BUS5139066-01 END

Policy Period: From 08/11/2017 to 08/11/2018 beginning and ending at 12:01 A.M. at the address of the named "insured" on this page.

Company: GEICO MARINE INSURANCE COMPANY

Upon the	2003	WELLCRAFT MARINE	22	Runabout	WELHGA19I203
Boat:	YEAR	MANUFACTURER	LENGTH	TYPE	IDENTIFICATION NUMBER

COVERAGE IS PROVIDED ONLY WHERE AN AMOUNT OF INSURANCE IS SHOWN			
COVERAGES		AMOUNT OF INSURANCE	
Hull and Equipment	Agreed Value	\$22,000	Incl
Commercial Towing and Assistance	Each Incident	\$250	Incl
Boating Liability (Protection and Indemnity)	Limit Each "Accident", Bodily Injury and Property Damage	\$300,000	Incl
Fuel and Other Spill Liability	Limit Each "Accident"	\$939,800	Incl
Longshore and Harbor Workers' Compensation	Limit of Liability	Statutory	Incl
Medical Payments	Limit Per Person Each "Accident"	\$5,000	Incl
Boat Trailer	Agreed Value	\$2,000	Incl
Personal Effects	Replacement Cost	\$500	Incl
Uninsured Boater	Limit Each "Accident"	\$300,000	Incl

FORMS AND ENDORSEMENTS made a part of this Policy at time of issue:

GM013 GM017 GM031 GM039 GM042
GM045

Total Premium	\$328.00
State Taxes/Fees	\$0.00
Net Annual Premium	\$328.00

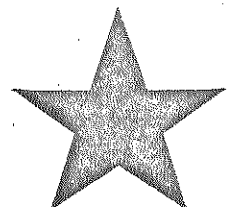
DEDUCTIBLES: \$0 Applicable to Hull and Equipment: For any covered loss due to a "named storm" that occurs while the "insured boat" is located in AL, FL, GA, LA, MS, NC, SC, TX, the Bahamas, the Caribbean or Mexico, the deductible applied to each loss is the greater of the Hull and Equipment deductible, \$1000, or 5% of boat's "insured value".

\$ 50 Applicable to Boat Trailer only
\$ 50 Applicable to Personal Effects only

CRUISING LIMITS: While afloat, warranted the "insured boat" shall be confined to the waters indicated below: (There is no coverage outside of this area without "our" written permission.)

Coastal and Inland waters of the U.S. and Canada

Loss, if any, payable to named "insured" and the Loss Payee printed below, as their interests may appear.



Print Date: 2/22/18

GMDEC001 02 16

INSURED COPY

Page 1 of 1

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

This Agreement is made this 1st day of March 2018 by U.S. Coast Guard Auxiliary (hereinafter "Organization"). Whereas, Organization desires to use Town of Oyster Bay property and/or equipment located at and/or described as Theodore Roosevelt Marina Slip

for the event described as Marine Safety Patrols
The property/equipment is needed from April 1, 2018 to November 1 2018
The event for which the property and/or equipment is requested ☐ is ☒ is not a profit making event.

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

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

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

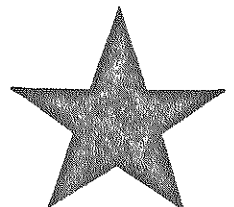
Name of Organization Oyster Bay Flotilla
U.S. Coast Guard Auxiliary

Address of Organization
[REDACTED]
[REDACTED]

By: Joselyn A. Orlin
Authorized Representative

Title: Operations Officer / Port Cmdr.

Telephone Number: [REDACTED]



WHEREAS, Delores Minuto has offered to donate a plaque to be placed on an existing bench at Plainview-Old Bethpage Community Park, in addition to donating a tree with an accompanying plaque to be located at Plainview-Old Bethpage Community Park, in memory of several family members; and

WHEREAS, the value of the plaque is estimated to be \$325.00, and the value of the tree with a plaque is estimated to be valued at \$450.00; and

WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 12, 2018, has recommended that the Town accept said donations,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is accepted, and the Town hereby accepts the donation from Delores Minuto of a plaque to be placed on an existing bench at Plainview-Old Bethpage Community Park, in addition to her donation of a tree with an accompanying plaque to be located at Plainview-Old Bethpage Community Park, in memory of several family members.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

Reviewed By
Office of Town Attorney

3

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

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TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: March 12, 2018

SUBJECT: MEMORIAL TREE AND PLAQUE

The Department of Parks has received a request from Delores (Dee) Minuto (letter attached) requesting to donate a tree with accompanying plaque in memory of several family members to be placed at Plainview-Old Bethpage Community Park.

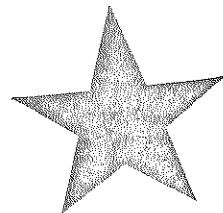
The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

The tree and plaque will be purchased by Delores (Dee) Minuto and donated to the Parks Department. The value of the tree and plaque are estimated to be \$450.00. Town Board approval is requested on behalf of Delores (Dee) Minuto.



JOSEPH G. PINTO
COMMISSIONER OF PARKS

JGP/dl
C: TOWN ATTORNEY (original +7 copies)
ATTACHMENT



Delores Minuto

561-676-6126 jashodaom@gmail.com 1623 N. Palmway Lake Worth, Fl. 33460

February 25, 2018
Debra A. LoGiudice
Aquatics Division
977 Hicksville Road
Massapequa, NY 11758

Dear Debbie,

First, on behalf of myself and my extended family - **thank you** for all of your guidance and assistance with my research on accomplishing this task. It means the world to us. We would like to request a tree planting, with a memorial plaque, to be placed in Plainview Old Bethpage Park. This has been the location of our family reunion picnic for many years, and seems to be the most appropriate to memorialize our family members.

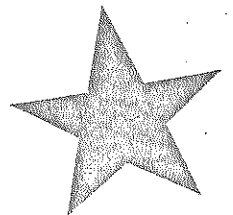
The tree will be in memory of the Mazzotti Siblings.

Dolly 4-19-1917-11-4-2005
Mary 5-8-1918-9-25-1977
Lizzie 11-15-1919-5-24-2002
Joey 2-10-1921-11-1-2007
Loretta 2-4-1922-9-11-1993
Jerry 5-18-1923-4-14-2011
Jennie 10-3-1925-12-28-2000
Fran 1-12-1928-2-6-2018

Please let me know what my next steps are, and my thanks to the board in advance for their kind consideration.

Sincerely yours,

Delores (Dee) Minuto



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TOWN OF OYSTER BAY

Inter-Departmental Memorandum

TO: MEMORANDUM DOCKET

FROM: JOSEPH G. PINTO, COMMISSIONER OF PARKS

DATE: March 12, 2018

SUBJECT: MEMORIAL PLAQUE

The Department of Parks has received a request from Delores (Dee) Minuto (letter attached) requesting to donate a plaque to be placed on an existing bench in memory of several family members to be placed at Plainview-Old Bethpage Community Park.

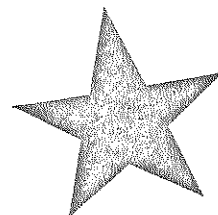
The Department of Parks has reviewed this request and concurs this will be a fitting tribute.

The plaque will be purchased by Delores (Dee) Minuto and donated to the Parks Department. The value of the plaque is estimated to be \$325.00. Town Board approval is requested on behalf of Delores (Dee) Minuto.



JOSEPH G. PINTO
COMMISSIONER OF PARKS

JGP/dl
C: TOWN ATTORNEY (original +7 copies)
ATTACHMENT



Delores Minuto

561-676-6126 jashodaom@gmail.com 1623 N. Palmway Lake Worth, Fl. 33460

February 25, 2018
Debra A. LoGiudice
Aquatics Division
977 Hicksville Road
Massapequa, NY 11758

Dear Debbie,

First, on behalf of myself and my extended family - **thank you** for all of your guidance and assistance with my research on accomplishing this task. It means the world to us.
We would like to request to purchase and donate a memorial plaque to be placed on an existing bench in Plainview Old Bethpage Park. This has been the location of our family reunion picnic for many years, and seems to be the most appropriate to memorialize our family members.

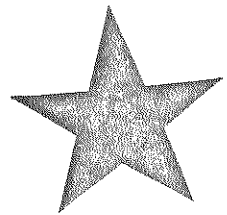
The tree will be in memory of the Mazzotti Siblings.

Dolly 4-19-1917-11-4-2005
Mary 5-8-1918-9-25-1977
Lizzie 11-15-1919-5-24-2002
Joey 2-10-1921-11-1-2007
Loretta 2-4-1922-9-11-1993
Jerry 5-18-1923-4-14-2011
Jennie 10-3-1925-12-28-2000
Fran 1-12-1928-2-6-2018

Please let me know what my next steps are, and my thanks to the board in advance for their kind consideration.

Sincerely yours,

Delores (Dee) Minuto



748
Reviewed by
Office of Town Attorney

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 16, 2018, requested Town Board authorization to renew membership in the Long Island Association, Inc. (LIA), from September 1, 2017 to August 31, 2018, nunc pro tunc, at a cost of \$625.00; and

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Planning and Development is hereby authorized to renew membership in the LIA, from September 1, 2017 to August 31, 2018, nunc pro tunc, at a cost of \$625.00, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. PAD B 3620 47900 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

12

219

✓

TOWN OF OYSTER BAY
Inter-Departmental Memo

MARCH 16, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: MEMBERSHIP RENEWAL IN THE
LONG ISLAND ASSOCIATION, INC. (LIA)

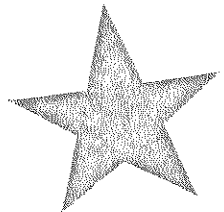
The Department of Planning and Development requests that the Town Board authorize the Department's membership in the Long Island Association, Inc. (LIA), nunc pro tunc from September 1, 2017 through August 31, 2018 for a period of (1) year and to authorize payment in the amount of \$625.00 and to pay this fee for the Department's membership. Please note, this membership was previously authorized in prior years for the Department of Economic Development.

Funds for this request in an amount not to exceed \$625.00 are available in Account No. PAD B 3620 47900 000 0000. The Department requests that the Town Board authorize and direct the Comptroller to make payment of said fee, upon submission of a duly certified claim, after audit.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM /dm
Attachments

cc: Legislative Affairs (w/ 7 copies)





Long Island Association, Inc.
300 Broadhollow Rd., Ste. 110W
Melville, NY 11747
(631) 493-3000
(631) 499-2194 Fax

INVOICE

Invoice Date: 9/1/17
Invoice Number: 313192
Period: September 2017 - August 2018

Mr. James Mc Caffrey
Town of Oyster Bay
Town Hall, 74 Audrey Avenue
Oyster Bay, NY 11771-1592

Description	Amount:
MEMBERSHIP DUES	\$625.00

A portion of your membership dues may be tax deductible as a business expense, but not as a charitable contribution. Ten percent of dues are non-deductible in accordance with IRS Sec. 6033.

Thank you for your support of the Long Island Association, Inc.
Visit us at www.longislandassociation.org

Total: \$625.00

Please return this portion with your payment.

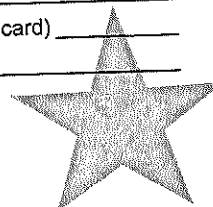
Town of Oyster Bay
Mr. James Mc Caffrey
Department of Economic Dev.
Town Hall, 74 Audrey Avenue
Oyster Bay, NY 11771

Invoice Date: 9/1/17
Invoice Number: 313192
Period: September 2017 - August 2018

Total Amount: \$625.00

Payment Method: ☐ Check # ☐ Credit Card
Make all checks payable to Long Island Association, Inc. or enter credit card information below.

Cardholder's Name (print): _____
Cardholder's Billing Address: _____
City/State/Zip: _____
Cardholder's Email Address: _____
Credit Card #: _____ Exp. Date: _____ CVV Code (3 digits on back of card) _____
Corp Card (Y/N): _____ Signature: _____



TUWIN OF OYSTER BAY, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771

CLAIM

CLAIMANT'S NAME <i>Long Island Association Inc</i>		TAXPAYER IDENTIFICATION NUMBER	
CLAIMANT'S ADDRESS <i>300 Broad Hollow Rd Ste 110W</i>		<input type="checkbox"/> FEDERAL ID#	
		<input type="checkbox"/> SOCIAL SECURITY #	
TOWN DEPARTMENT <i>Melville, NY 11747</i>	T.O.B. ORDER OR CONTRACT NUMBER	CLAIMANT'S INVOICE NO.	

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

DETAILED DESCRIPTION OF MATERIALS OR SERVICES

[illegible]

TOTAL AMOUNT	625	00
CASH DISCOUNT	%	
NET AMOUNT	625	00

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

actually due and owing, and that taxes from which the Town of Oyster Bay is exempt are excluded therefrom. CLAIMANT FURTHER CERTIFIES that the unit prices charged herein are not higher than those charged to any governmental or commercial consumer for like deliveries.

Signature [Signature] Title Office Mgr
Print or type name Nina Zoller Name of Company Long Island Assoc
Date 7-28-17

THE ABOVE CERTIFICATE MUST BE PROPERLY FILLED OUT BY CLAIMANT

I HEREBY APPROVE this claim form for the sum of _____ _____ for the services, disbursements and materials herein indicated which were actually performed and were for the Town of Oyster Bay. Signature _____ Title _____ Department _____ Date _____ Account _____		<table border="1"> <tr> <td>CONTRACT NUMBER</td> <td>CHECKED BY</td> </tr> <tr> <td>RESOLUTION NUMBER</td> <td>CHECKED BY</td> </tr> </table>	CONTRACT NUMBER	CHECKED BY	RESOLUTION NUMBER	CHECKED BY
CONTRACT NUMBER	CHECKED BY					
RESOLUTION NUMBER	CHECKED BY					
		I HEREBY AUDIT and allow this claim(s) for the sum indicated below, and order warrant drawn against account indicated below. Signature _____ Town Comptroller Date _____ Examined and Verified By _____				

CONTRACT NUMBER	CHECKED BY
RESOLUTION NUMBER	CHECKED BY

I HEREBY AUDIT and allow this claim(s) for the sum indicated below, and order warrant drawn against account indicated below.

Signature _____
 Town Comptroller

Date _____

Examined and Verified By _____

[illegible]

Meeting of April 10, 2018

Resolution No. 220-2018

WHEREAS, Elizabeth L. Maccarone, Commissioner, Department of Planning and Development, by memorandum dated March 19, 2018, requested Town Board authorization to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2018 to April 30, 2019, at a cost of \$2,975.00,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Department of Planning and Development is hereby authorized to renew the membership of the Town's Building and Code Enforcement Inspectors, in the Building Inspectors Association of Nassau County, for the period from May 1, 2018 to April 30, 2019, at a cost of \$2,975.00, and the Comptroller is hereby authorized and directed to make payment for same, upon presentation of a duly certified claim, after audit; and be it further

RESOLVED, That the funds for said payment are to be drawn from Account No. PAD B 3620 47900 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development

7ms
Reviewed By
Office of Town Attorney

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

TO: MEMORANDUM DOCKET

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

DATE: MARCH 19, 2018

**SUBJECT: MEMBERSHIP DUES FOR "BIANCO"
BUILDING INSPECTORS ASSOCIATION OF NASSAU COUNTY**

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

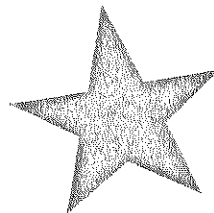
The Department of Planning and Development elected to register each Code Enforcement Official as a member of the Building Inspectors Association of Nassau County ("BIANCO"), which would then entitle them to take the in-service training courses sponsored by BIANCO. The cost of membership for each Code Enforcement Official in this Department is \$85.00 per year. The total amount owed to BIANCO for this Department's Code Enforcement Officials for the 2018 calendar year (May 1, 2018 – April 30, 2019) is \$2,975.00.

Authorization by the Town Board is therefore respectfully requested for the payment of said dues for each of this Department's Code Enforcement Officials in an amount not to exceed \$2,975.00 for BIANCO membership for the Calendar Year 2018 (May 1, 2018 – April 30, 2019).

Funds are available for this purpose in Account Number PAD B 3620 47900 000 0000.


ELIZABETH L. MACCARONE
COMMISSIONER

ELM:tz
cc: Legislative Affairs (+7 copies)





Timothy Dougherty

Treasurer
18 Horse Hill Road
Brookville, NY 11545

VOUCHER

Voucher Number: 2018-4
Voucher Date: 3/16/2018

Building Inspectors Association of Nassau County

Invoice To: Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, New York 11771
Attn: Tim Zikes

Mail To: Tim Dougherty
18 Horse Hill Road
Brookville, NY 11545

Make check payable to: BIANCO

\$ 85 PER MEMBERSHIP

MEMBERSHIP DUES:

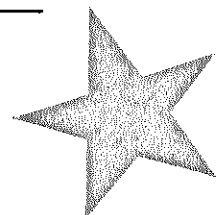
Gregory Aiello
Alfred Barbieri
Michael Bathie
James Baudille
Thomas Burke
Scott Byrne
Joseph Cangro
Alexander Chebuske
Joseph Ciambra
Kevin Conway
Nick Condoleo
Robert Cornicelli
Michael DiCarlo
Joseph DiSalvo
Nicholas Domingo
Michael Esposito
Michael Fabrizio
Enrico Fiumara

Chris Gioia
Bryan Hardman
Dennis Hill
Lara Jahchan
Jim Jazwinski
Michael Landman
John Laruccia
Kamila Matulik
David Mercado
James Nicollet
Liam O'Keefe
Richard Peters
Vito Rella
John Rice
Thomas Robinson
James Spano
Timothy Zike

Total Members:	35
AMOUNT DUE:	\$2,975.00

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


TREASURER



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 12, 2017, authorized the Highway Department to clean up the premises located at 30 Arch Lane, Hicksville, New York 11801, also known as Section 45, Block 357, Lot 18 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 18, 2017, in the total amount of \$1,271.28, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$1,271.28 maybe assessed by the Legislature of the County of Nassau against the parcel known as 30 Arch Lane, Hicksville, New York 11801, also known as Section 45, Block 357, Lot 18 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Highway
Planning & Development

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Reviewed By
Office of Town Attorney
Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 15, 2018

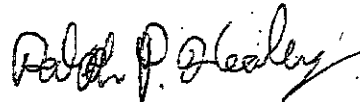
SUBJECT: Property Cleanup Assessment
30 Arch Lane, Hicksville, New York 11801
Section 45, Block 357, Lot 18

The Department of Planning and Development, by memorandum dated September 12, 2017, directed the Highway Department to clean the premises located at 30 Arch Lane, Hicksville, New York 11801, also known as Section 45, Block 357, Lot 18 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 25, 2017, advised that the property was cleaned by a crew from the Highway Department on September 18, 2017. The cost incurred by the Town of Oyster Bay was \$1,271.28.

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.

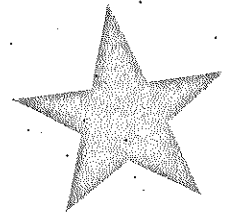
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)



2017-6308
Need it**TOWN OF OYSTER BAY****Inter-Departmental Memo**
September 12, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 30 Arch Lane Hicksville, NY 11801
SBL: 45-357-18

Notice of Violation (No.PG053) was issued to the owner of the above-referenced premises 08/25/2017 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:

- The grass and vegetation by the sidewalk be cut.

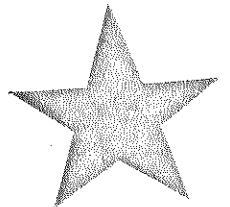
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



Transfer

Tax

\$1,500.00

THIS INDENTURE, made the 21st day of DECEMBER 2015.

BETWEEN

NANCY MURPHY, individually and as the surviving tenant of Frank Bruns, who resides at 30 Arch Lane, Hicksville, NY 11801

party of the first part, and

party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN AND 00/100 (\$10.00) dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE "A" ANNEXED HERETO AND MADE PART OF THIS DEED.
BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO THE PARTY OF THE FIRST PART BY DEED DATED 10/31/05 AND RECORDED 12/05/05, IN LIBER 12046, PAGE 643 IN THE NASSAU COUNTY CLERK'S OFFICE.

PREMISES ARE ALSO KNOWN AS: 30 ARCH LANE, HICKSVILLE, NEW YORK 11801.

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

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

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

IN PRESENCE OF:

[Signature]

[Signature]
NANCY MURPHY

**Bargain and Sale Deed
With Covenants**

Title No. STOR-0741N/15

SECTION: 45

BLOCK: 357

LOT: 18

COUNTY OR TOWN: NASSAU

NANCY MURPHY

TO

ELEANA GENAO

RETURN BY MAIL TO:

DISTRIBUTED BY



YOUR TITLE EXPERTS

The Judicial Title Insurance Agency LLC

CACAO
30 Arch Lane, Hicksville, NY,
LAW OFFICE OF ADAM KAHN
175 FINE LANE ROAD, SUITE 300
MELVILLE, NEW YORK 11747
11801

DB5

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

September 25, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 30 ARCH LANE, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,271.28.

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

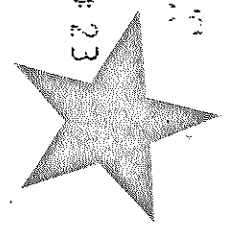


**JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT**

JPB/kjb

Enc. T & M sheet

2017 OCT 22 AM 10:23
TOWN OF OYSTER BAY
CLERK OF THE BOARD



CLEAN - UP 30 ARCH LANE , HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (45-357-18) 30 ARCH LA HICKSVILLE 11801

Date Sep 18, 2017

Work Order # 40263

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:00	\$32.87	00:00	0	\$32.87
OSCAR GUEVARA	General Maintenance	01:00	\$23.27	00:00	0	\$23.27
VINCENT PADAVANO	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
SEAN MCLAUGHLIN	General Maintenance	01:00	\$23.78	00:00	0	\$23.78

Total Labor \$127.28

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK357	SANI PACKER 2006 INTL 7400 YW (PP937 / PP-937)	\$105.00	01:00	\$105.00
TD648	PICK-UP TRUCK 2009 FORD F-250 YW (T-010 / 010)	\$79.00	01:00	\$79.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:00	\$105.00
TR204	TRAILER 2017 FELLI FT30 BL	\$105.00	01:00	\$105.00

Total Equipment \$394.00

Materials

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

Total Materials \$750.00

Grand Total \$1271.28

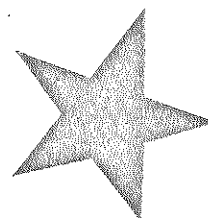
Description of Work:
CLEAN UP 30 ARCH LANE HV

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Sep 19, 2017



WHEREAS, pursuant to Sections 96-15 and 96-20 of the Code of the Town of Oyster Bay, the Department of Planning and Development, by its emergency powers, authorized the Highway Department to replace the hasp and lock at the premises located at 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8-10 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, pursuant to Section 96-19 of the Code of the Town of Oyster Bay, have requested that the cost of securing the premises on June 16, 2017, in the amount of \$142.40, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$142.40 may be assessed by the Legislature of the County of Nassau against the parcel known as 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8-10 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney

Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

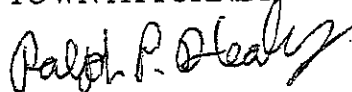
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 15, 2018
SUBJECT: Property Cleanup Assessment
47 Chestnut Street, Hicksville, New York 11801
Section 12, Block 253, Lots 8-10

By the emergency powers granted to the Commissioner of the Department of Planning and Development, the Highway Department was directed to replace the hasp and lock at the house at the premises located at 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8-10 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated June 20, 2017, advised that the property was secured by a crew from the Highway Department on June 16, 2017. The cost incurred by the Town of Oyster Bay was \$142.40.

Pursuant to Section 96-19 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.

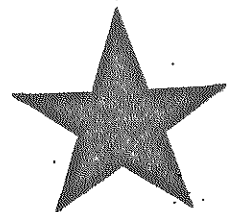
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
Town Attorney (w/7 copies)

S:\Attys\DBS\Cleanup MD&Reso\MD 47 Chestnut St. Bd Up 3.15.18



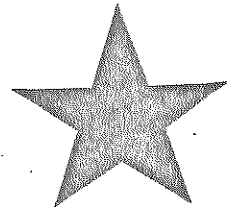
2017-6249

Ken Bishop

From: Michael Esposito
Sent: Thursday, June 15, 2017 12:41 PM
To: Ken Bishop
Subject: 47 chestnut st. hicksville 12-253-8

Kenny
Please have Jeff go and replace a hasp . Someone has broken into the home
Thanks

Michael Esposito
Bureau Chief
Code Compliance Bureau
Town of Oyster Bay
74 Audrey Avenue
Oyster Bay, New York 11771
(516) 624-6237



FM19785

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 18 day of January, in the year 2006
 BETWEEN DOUGLAS BEDELL residing at
 23 Parkview Circle
 Bethpage, New York 11714
 as the executor (executrix) of Estate of Kenneth Allen Bedell, the last will and testament of,
 KENNETH ALLEN BEDELL, late of
 47 Chestnut Street, Hicksville, New York 11803, deceased,
 party of the first part, and

[REDACTED]

party of the second part,
 WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and testament, and in consideration of

One Hundred Seventy-Two Thousand Five Hundred (\$172,500) dollars,
 paid by the party of the second part, does hereby grant
 and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

Section

12

Block

253

Lot(s)

819410

SEE SCHEDULE A ATTACHED HERETO
 AND MADE A PART HEREOF.

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 also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

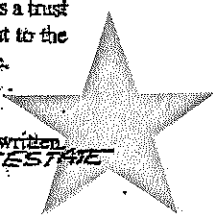
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Douglas Bedell EXECUTOR OF THE ESTATE
 OF KENNETH ALLEN BEDELL

DOUGLAS BEDELL, Executor of the Estate
 of Kenneth Allen Bedell



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

June 20, 2017

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

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

SUBJECT: 47 CHESTNUT STREET, HICKSVILLE
BOARD-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 \$142.40.

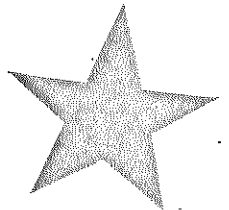
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
ACTING DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

BOARD-UP 47 CHESTNUT STREET, HICKSVILLE TO P & D



2017 AUG 29 P 10:21
TOWN OF OYSTER BAY
CLERK OF THE BOARD



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (12-253-8) 47 CHESTNUT ST HICKSVILLE 11801

Date Jun 16, 2017

Work Order # 37789

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
JEFFREY VAN NOSTRAND	General Maintenance	01:00	\$43.77	00:00	0	\$43.77
Total Labor						\$43.77

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$79.00

Materials

Material	Cost Per Unit	Units	Line Cost
Hasps	\$7.24	1	\$7.24
Locks	\$12.39	1	\$12.39
Total Materials			\$19.63

Grand Total \$142.40

Description of Work:

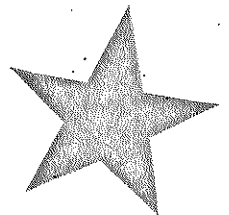
REPLASE HASP AT 47 CHESTNUT STREET HICKSVILLE

Signature: 

Name: Douglas Robalino

Title: Storeyard Supervisor

Date: Jun 19, 2017



Meeting of April 10, 2018

Resolution No. 223-2018

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 August 21, 2017, authorized the Highway Department to clean up the premises located at 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 5, 2017, in the total amount of \$1,430.35, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$1,430.35 may be assessed by the Legislature of the County of Nassau against the parcel known as 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney
Ralph P. Healey

17

Town of Oyster Bay Inter-Departmental Memo

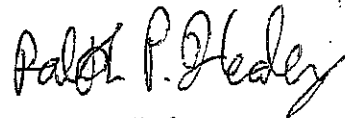
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 15, 2018
SUBJECT: Property Cleanup Assessment
14 Gainsboro Lane, Syosset, New York 11791
Section 12, Block 400, Lot 6

The Department of Planning and Development, by memorandum dated August 21, 2017, directed the Highway Department to clean the premises located at 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 8, 2017, advised that the property was cleaned by a crew from the Highway Department on September 5, 2017. The cost incurred by the Town of Oyster Bay was \$1,430.35.

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.

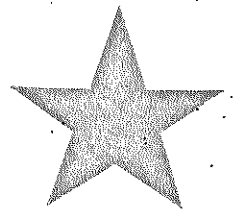
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\DBS\Cleanups MD & Reso\MD 14 Gainsboro Ln 3.15.18doc



2017-6225

TOWN OF OYSTER BAY

Inter-Departmental Memo
August 21, 2017

SEP 21 P 2 011

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 14 Gainsboro Lane Syosset, NY 11791
SBL: 12-400-6

Notice of Violation (No.17168) was issued to the owner of the above-referenced premises 08/07/2017 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.

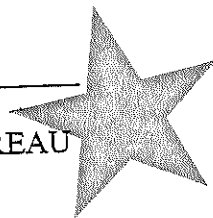
In accordance with the provisions of Section 135.54: I am directing that:

- The grass and weeds be cut
- The bushes be trimmed.

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



②
ME/js

cc: Joseph Nocella, Town Attorney

4
1000-CL-1000

THIS INDENTURE, made on Sept. 7th 2011
BETWEEN Dennis Jihon Ahn And Duk hee Jang
14 Gainsboro Lane
Syosset NY 11791

Sec. 0012
Block: 00400
Lot: 006
Town: Oyster Bay

party of the first part, and Duk hee Jang
14 Gainsboro Lane Syosset NY 11791

party of the second part, Duk hee Jang and Dennis Ahn
14 Gainsboro Lane Syosset NY 11791

WITNESSETH, that the party of the first part, in consideration of
~~One Hundred (\$100.00)~~ No Consideration dollars,
lawful money of the United States, ~~\$100-~~ paid
by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part,
the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the

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

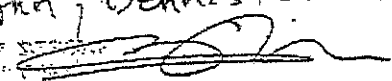
TOGETHER with the appurtenances and all the estate and rights of the party of the first part in :
said premises,

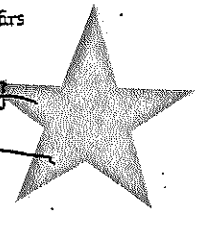

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs
successors and assigns of the party of the second part forever.

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

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

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

Ahn, Dennis, Jihon


Duk hee Jang


Notary Public
State of New York
My Comm. Expires 12/31/2012
Notary Seal

personally appeared Dennis Jihoon Ahn
and Dukhee Jang
personally known to me or proved to me on the basis of satisfac-
tory 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 indi-
vidual(s), or the person upon behalf of which the individual(s)
acted, executed the instrument, and that such individual made
such appearance before the undersigned in
(insert city or political subdivision and state or county or other place acknowl-
edgment taken)
ANDREA L. STORM
Notary Public, State of New York
No. 04ST6236226
Qualified in Nassau County
Commission Expires 2/22/2014

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)
State of _____ County of _____ ss.:

On _____ before me, the undersigned,
personally appeared _____

personally known to me or proved to me on the basis of satisfac-
tory 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 indi-
vidual(s), or the person upon behalf of which the individual(s)
acted, executed the instrument, and that such individual made
such appearance before the undersigned in

(insert city or political subdivision and state or county or other place acknowl-
edgment taken)

(signature and office of individual taking acknowledgment)

Guillermo Bred

_____ TITLE NO.

On _____ before me, the undersigned,
personally appeared _____

the subscribing witness(es) to the foregoing instrument, with
whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he/she/they reside(s) in (if the
place of residence is in a city, include the street and street number,
if any, thereof)

LEGIBILITY POOR

that he/she/they know(s)

to be the individual(s) described in and who executed the fore-
going instrument; that said subscribing witness(es) was (were)
present and saw said

execute the same; and that said witness(es) at the same time
subscribed his/her/their name(s) as a witness(es) thereto.

(☐ if taken outside New York State insert city or political subdivision and state
or county or other place acknowledgment taken And that said subscribing
witness(es) made such appearance before the undersigned in

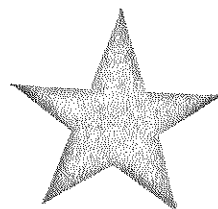
(signature and office of individual taking acknowledgment)

SECTION 0012

BLOCK 00400

LOT 006

COUNTY OR TOWN Oysterbau



abs

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

September 8, 2017

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

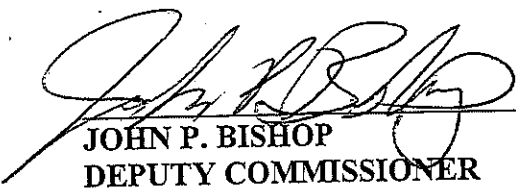
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 14 GAINSBORO LANE, SYOSSEY
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.

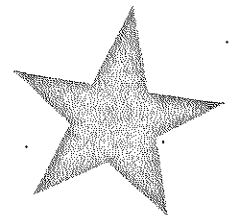
In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,430.35.

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



CLEAN - UP 14 GAINSBORO LANE, SYOSSET TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Date Sep 5, 2017

Location (12-400-6) 14 GAINSBORO LN SYOSSET 11791

Work Order # 39718

Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
ANGELO ABBONDANDOLO	General Maintenance	01:30	\$44.28	00:00	0	\$66.42
SCOTT DADE	General Maintenance	01:30	\$47.36	00:00	0	\$71.04
VICTOR NIETO	General Maintenance	01:30	\$24.60	00:00	0	\$36.90
MICHAEL CALAMIA	General Maintenance	01:30	\$25.05	00:00	0	\$37.58
OSCAR GUEVARA	General Maintenance	01:30	\$23.27	00:00	0	\$34.91
Total Labor						\$246.85

Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
PU406		PICK UP 2011 FORD F250 TAN (9 / 011)	\$79.00	01:30	\$118.50
TD634		TRUCK DUMP 2008 FORD F350 YW (T175 / T-175) - Power Wagons	\$105.00	01:30	\$157.50
TD702		TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	01:30	\$157.50
Total Equipment					\$433.50

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

Grand Total \$1430.35

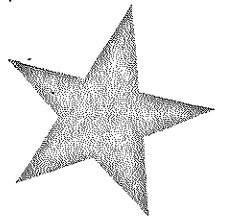
Description of Work:
CLEAN UP 14 GAINSBORO LANE SY

Signature:

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Sep 8, 2017



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 12, 2017, authorized the Highway Department to clean up the premises located at 44 Langdon Road, Farmingdale, New York 11735, also known as Section 49, Block 19, Lot 121 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 October 18, 2017, in the total amount of \$1,789.32, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$1,789.32 may be assessed by the Legislature of the County of Nassau against the parcel known as 44 Langdon Road, Farmingdale, New York 11735, also known as Section 49, Block 19, Lot 121 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

742
Reviewed By
Office of Town Attorney
Ralph P. Healey

18

Town of Oyster Bay Inter-Departmental Memo

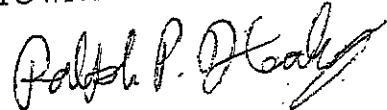
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 15, 2018
SUBJECT: Property Cleanup Assessment
44 Langdon Road, Farmingdale, New York 11735
Section 49, Block 19, Lot 121

The Department of Planning and Development, by memorandum dated October 12, 2017, directed the Highway Department to clean the premises located at 44 Langdon Road, Farmingdale, New York 11735, also known as Section 49, Block 19, Lot 121 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 20, 2017, advised that the property was cleaned by a crew from the Highway Department on October 18, 2017. The cost incurred by the Town of Oyster Bay was \$1,789.32.

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.

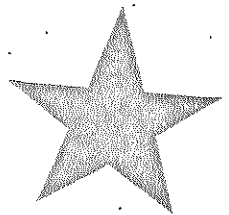
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\DBS\Cleanups MD & Reso\MD 44 Langdon Rd 3.15.18.doc



2018-6333

Need Ltr

TOWN OF OYSTER BAY

Inter-Departmental Memo
October 12, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 44 Langdon Road Farmingdale, NY 11735
SBL: 49-19-121

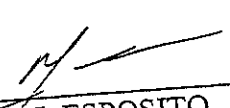
Notice of Violation (No.17979) was issued to the owner of the above-referenced premises 09/27/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

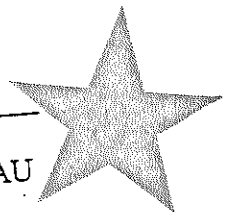
In accordance with the provisions of Section 135.54: I am directing that:

- The grass and vegetation be cut.
- Litter and debris be removed.

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/js

cc: Joseph Nocella, Town Attorney

SP-18725-

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 10th day of February, 2005

BETWEEN

Peter V. Testa, 26 Stem Street, Farmingdale, New York 11735

party of the first part, and

party of the second part,
WITNESSETH, that the party of the first part, in consideration of ten and 00/100—(\$10.00)—dollars paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

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

BEGINNING at a point on the westerly line of Langdon Road, distant 316.63 feet, northerly from the intersection of the northerly line of Boundary Avenue and the westerly line of Langdon Road;

THENCE RUNNING south 84 degrees 24 minutes 45 seconds west 147.96 feet;

THENCE north 13 degrees 7 minutes 19 seconds west, 150.00 feet to the southerly line of property known as Pinehurst Development Corp.;

THENCE north 89 degrees 17 minutes 25 seconds east and along the southerly line of property known as Pinehurst Development Corp., 112.08 feet to the westerly line of Langdon Road;

THENCE south 27 degrees 29 minutes 20 seconds east and along the westerly line of Langdon Road, 150.00 feet to the point or place of BEGINNING.

Said premises being known as 44 Langdon Road, Farmingdale, New York and shown as Section 49, Block 19, Lot 121 on the Nassau County Tax Map.

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

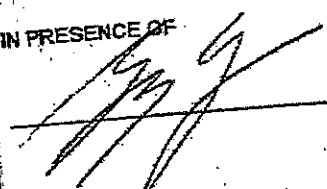
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

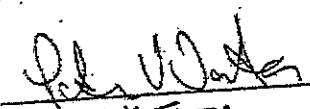
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied for the purpose of paying the cost of the improvement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

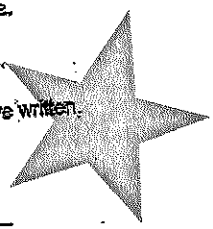
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF




PETER V. TESTA



5
49
B
19
L
121

DBS

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

PLANNING AND DEVELOPMENT

2017 OCT 23 A 9 58

October 20, 2017 TOWN OF OYSTER BAY

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

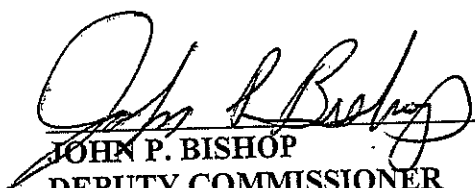
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 44 LANGDON ROAD, FARMINGDALE
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 \$1,789.32.

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

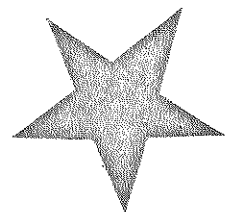

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 DEC 12 A 11:45

EDWARD J. BISHOP
TOWN OF OYSTER BAY
PLANNING & DEVELOPMENT



CLEAN - UP 44 LANGDON ROAD, FARMINGDALE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (49-19-121) 44 LANGDON RD FARMINGDALE 11735

Date Oct 18, 2017

Work Order # 41289

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
RICHARD JULIANO	General Maintenance	01:30	\$42.34	00:00	0	\$63.51
MICHAEL MARTIN	General Maintenance	01:30	\$24.36	00:00	0	\$36.54
CHRISTOPHER MOORE	General Maintenance	01:30	\$24.36	00:00	0	\$36.54
JAMES ROMANO	General Maintenance	01:30	\$27.75	00:00	0	\$41.63
ANTHONY VOLLONO	General Maintenance	01:30	\$50.61	00:00	0	\$75.91
NICOLAS CAMMARANO	General Maintenance	01:30	\$24.46	00:00	0	\$36.69
Total Labor						\$290.82

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	01:30	\$118.50
TD692	TRUCK DUMP 2010 FORD F-350 YW (T-215) - Power Wagons	\$105.00	01:30	\$157.50
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	01:30	\$157.50
TD728	POWER WAGON 2015 T-245	\$105.00	01:30	\$157.50
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	01:30	\$157.50
Total Equipment				\$748.50

Materials

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

Grand Total \$1789.32

Description of Work:

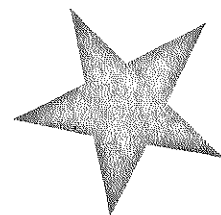
CLEAN UP 44 LANGDON ROAD FM

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 19, 2017



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 August 8, 2017, authorized the Highway Department to clean up the premises located at 6 Barbara Lynn Court, Plainview, New York 11803, also known as Section 47, Block 152, Lot 1 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 August 15, 2017, in the total amount of \$1,572.74, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, is approved, and the Town Clerk shall file a certified copy of this Resolution with the Clerk of the Legislature of the County of Nassau, so that the amount of \$1,572.74 may be assessed by the Legislature of the County of Nassau against the parcel known as 6 Barbara Lynn Court, Plainview, New York 11803, also known as Section 47, Block 152, Lot 1 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney
Ralph P. Healey

19

Town of Oyster Bay Inter-Departmental Memo

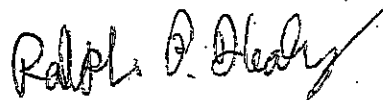
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 15, 2018
SUBJECT: Property Cleanup Assessment
6 Barbara Lynn Court, Plainview, New York 11803
Section 47, Block 152, Lot 1

The Department of Planning and Development, by memorandum dated August 8, 2017, directed the Highway Department to clean the premises located at 6 Barbara Lynn Court, Plainview, New York 11803, also known as Section 47, Block 152, Lot 1 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 18, 2017, advised that the property was cleaned by a crew from the Highway Department on August 15, 2017. The cost incurred by the Town of Oyster Bay was \$1,572.74.

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.

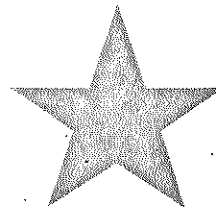
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\DEB\Cleanups MD & Reso\MD 6 Barbara Lynn Ct 3.15.18.doc



2018-6332
Need it

TOWN OF OYSTER BAY

Inter-Departmental Memo

August 8, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 6 Barbara Lynn Court Plainview, NY 11803
SBL: 47-152-1

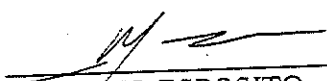
Notice of Violation (No.TL047) was issued to the owner of the above-referenced premises 07/31/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

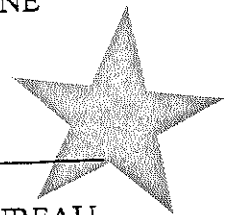
In accordance with the provisions of Section 135.54: I am directing that:

- The grass and weeds be cut.
- The bushes be trimmed.

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/js

cc: Joseph Nocella, Town Attorney

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

THIS INDENTURE, made the 27TH day of OCTOBER 2004

BETWEEN

JOHN R. BRAUN and DENISE M. BRAUN, his wife, residing at 6 BARBARA LYNN COURT, PLAINVIEW, NY 11803

party of the first part, and

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

Ten (\$10.00) dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See attached hereto Schedule "A"

Said premises being known as "6 BARBARA LYNN COURT, PLAINVIEW, NY 11803"

Being the same premises conveyed to the Grantor(s) herein by deed dated 8/22/75 in Liber 18837 Page 392 at the Nassau County Clerk's Office.

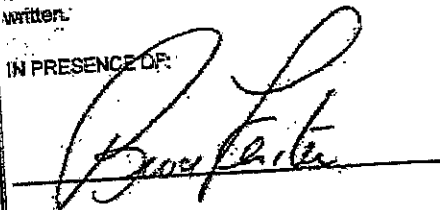
TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises;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


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

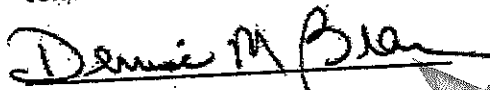
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so requires.

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

IN PRESENCE OF:




JOHN R. BRAUN


DENISE M. BRAUN

CEB DRS

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

August 18, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 6 BARBARA LYNN COURT, PLAINVIEW
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 \$1,572.74.

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

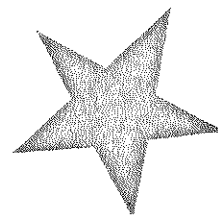
JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 DEC 12 A 11:46

JOHN A. HILLTOP COPY-
RIGHT CO. INC.



CLEAN - UP 6 BARBARA LYNN COURT, PLAINVIEW TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (47-152-1) 6 BARBARA LYNN CT PLAINVIEW 11803

Date Aug 15, 2017

Work Order # 39072

Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
SALVATORE DILEO, JR.	General Maintenance	02:00	\$35.90	00:00	0	\$71.80
MICHAEL SOLOMON	General Maintenance	02:00	\$23.27	00:00	0	\$46.54
JEFFREY CARTER	General Maintenance	02:00	\$38.84	00:00	0	\$77.68
CHRISTOPHER MADDEN	General Maintenance	02:00	\$24.36	00:00	0	\$48.72
Total Labor						\$244.74

Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
PK349		SANI PACKER 2004 INTL 7400 YW (PP936 / PP-936)	\$105.00	02:00	\$210.00
PU443		PICK UP 2012 FORD F-250 YW (25 / 025)	\$79.00	02:00	\$158.00
TD693		TRUCK DUMP 2010 FORD F-350 YW (T-255) - Power Wagons	\$105.00	02:00	\$210.00
Total Equipment					\$578.00

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

Grand Total \$1572.74

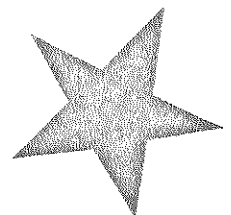
Description of Work:
CLEAN 6 BARBARA LYNN COURT PV

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Aug 17, 2017



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 17, 2017, authorized the Highway Department to clean up the premises located at 18 Sherman Avenue, Plainview, New York 11803, also known as Section 46, Block 554, Lot 28 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 October 24, 2017, in the total amount of \$1,299.01, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$1,299.01 may be assessed by the Legislature of the County of Nassau against the parcel known as 18 Sherman Avenue, Plainview, New York 11803, also known as Section 46, Block 554, Lot 28 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney
Ralph P. Healey

20

Town of Oyster Bay Inter-Departmental Memo

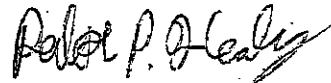
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 15, 2018
SUBJECT: Property Cleanup Assessment
18 Sherman Avenue, Plainview, New York 11803
Section 46, Block 554, Lot 28

The Department of Planning and Development, by memorandum dated October 17, 2017, directed the Highway Department to clean the premises located at 18 Sherman Avenue, Plainview, New York 11803, also known as Section 46, Block 554, Lot 28 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated November 2, 2017, advised that the property was cleaned by a crew from the Highway Department on October 24, 2017. The cost incurred by the Town of Oyster Bay was \$1,299.01.

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.

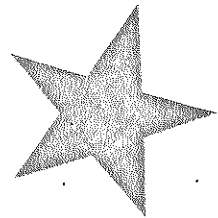
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\DBS\Cleanups MD & Reso\MD 18 Sherman Ave 3.15.18doc



2017-6269
Need ltr

TOWN OF OYSTER BAY

**Inter-Departmental Memo
October 17, 2017**

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 18 Sherman Avenue Plainview, NY 11803
SBL: 46-554-28

Notice of Violation (No.17734) was issued to the owner of the above-referenced premises 10/10/2017 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:

- The grass and vegetation be cut.

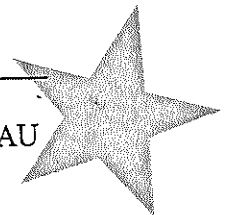
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney



Standard N.Y.R.L. Form 8002 - Mortgage and Sale Deed, with Covenant Against Grantor's Act-Indebtedness as Corporation.

THIS INDENTURE, made the 24th day of August, two thousand and seven.

BETWEEN

FRANK CALANDRIELLO residing at 14 Village Green Drive, Port Jefferson, New York 11766 and MARY CALANDRIELLO, his wife, residing at 18 Sherman Avenue, Plainview, New York 11803,

party of the first part, and

MARY CALANDRIELLO residing at 18 Sherman Avenue, Plainview, New York 11803,

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,

SEE ATTACHED SCHEDULE "A"

Subject to covenants, restrictions, easements and agreements of record.

SAID PREMISES BEING known as 18 Sherman Avenue, Plainview, New York 11803

BEING AND INTENDED to be the same premises by deed dated 12/03/63, recorded 12/05/63 in Deed 7231 page 295 from [REDACTED]

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

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

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

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

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

IN PRESENCE OF:

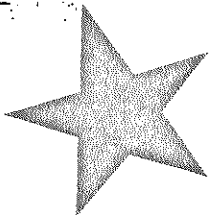
[Signature]

Frank Calandriello
FRANK CALANDRIELLO

IN PRESENCE OF:

[Signature]

Mary Calandriello
MARY CALANDRIELLO



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

NOVEMBER 2, 2017

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


FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 18 SHERMAN AVENUE, PLAINVIEW
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 \$1,299.01.

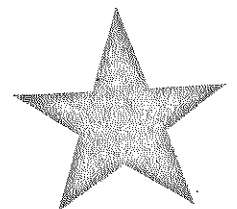
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 18 SCERMAN AVENUE, PLAINVIEW TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (46-554-28) 18 SHERMAN AVE PLAINVIEW 11803

Date Oct 24, 2017

Work Order # 41493

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:00	\$32.87	00:00	0	\$32.87
VINCENT PADAVANO	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
SEAN MCLAUGHLIN	General Maintenance	01:00	\$23.78	00:00	0	\$23.78
MICHAEL GIORDANO	General Maintenance	01:00	\$25.00	00:00	0	\$25.00

Total Labor \$129.01

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD551	TRUCK DUMP 2004 INTL 7300 YW (T-103)- 6 Wheeler	\$131.00	01:00	\$131.00
TD648	PICK-UP TRUCK 2009 FORD F-250 YW (T-010 / 010)	\$79.00	01:00	\$79.00
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	01:00	\$105.00
TR202	TRAILER 2015 FELLI FT6T BL	\$105.00	01:00	\$105.00

Total Equipment \$420.00

Materials

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

Total Materials \$750.00

Grand Total \$1299.01

Description of Work:

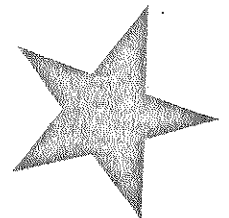
CLEAN UP 18 SHERMAN AVE PL

Signature: 

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Oct 31, 2017



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 13, 2017, authorized the Highway Department to clean up the premises located at 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 October 17, 2017, in the total amount of \$2,199.61, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$2,199.61 may be assessed by the Legislature of the County of Nassau against the parcel known as 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

72P
Reviewed By
Office of Town Attorney
Ralph P. Healey

21

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 15, 2018

SUBJECT: Property Cleanup Assessment
62 Alhambra Road, Massapequa, New York 11758
Section 65, Block 92, Lots 107 and 108

The Department of Planning and Development, by memorandum dated October 13, 2017, directed the Highway Department to clean the premises located at 62 Alhambra Road, Massapequa, New York 11758, also known as Section 65, Block 92, Lots 107 and 108 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated October 20, 2017, advised that the property was cleaned by a crew from the Highway Department on October 17, 2017. The cost incurred by the Town of Oyster Bay was \$2,199.61.

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.

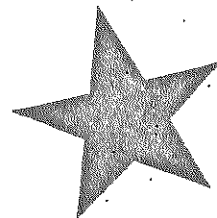
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY

Ralph P. Healey

Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)



2017-6291
Need it

TOWN OF OYSTER BAY

**Inter-Departmental Memo
October 13, 2017**

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 62 Alhambra Road Massapequa, NY 11758
SBL: 65-92-107-108

Notice of Violation (No.17881) was issued to the owner of the above-referenced premises 10/03/2017 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:

- The grass and vegetation be cut.

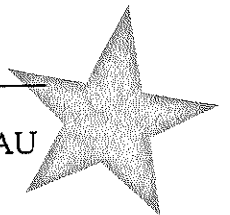
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



THIS INDENTURE, made the 30 day of Oct, nineteen hundred and 76

BETWEEN

Joseph N. Fratianni and Mary Fratianni, his wife
85 Huron Road
Bellerose Village, N. Y. 11001

party of the first part, and

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 Massapequa, Town of Oyster Bay, County of Nassau and State of New York, known and designated on a certain map entitled "Map of Biltmore Shores, Section 1, Massapequa, Long Island, surveyed March 1925, by Smith S. Malcolmson, Inc. Civ. Engineers, Freeport, N. Y." and filed in the office of the Clerk of the County of Nassau as Map No. 502, New No. 538, as and by the lot numbers 107, 108, 109 and 110 more particularly bounded and described as follows:
BEGINNING at a point on the westerly side of Alhambra Road, distant 488.98 feet northerly from the corner formed by the intersection on the northerly side Saltaire Place with the westerly side of Alhambra Road:

RUNNING Thence northerly along the westerly side of Alhambra Road, 80.0 feet;

THENCE westerly along a line which forms a right angle to the last mentioned course, 72.8 feet to the easterly side of Creek;

THENCE southerly and along the easterly side of Creek to the division line of lot 110 and 111 as shown on above mentioned filed map;

THENCE easterly and along a line which forms a right angle to the westerly side of Alhambra Road, 76.1 feet to the westerly side of Alhambra Road and the point or place of BEGINNING.

The grantors are the same persons as grantees in deed recorded in Liber 7206 and Page 83 and Liber 7206 Page 85.

Premises herein described are the and intended to be the same as those described in deed recorded in Liber 7206 Page 83 and Liber 7206 Page 85.

Subject to drainage easement by the Town of Oyster Bay in Liber 3723 and Page 565, over the northerly three feet of lot 107

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

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

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

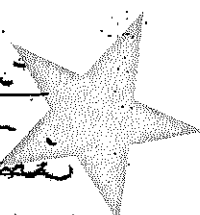
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Anthony La Brea

Joseph N. Fratianni
Mary Fratianni



and
MET

Jh. F

SC 65
SLK 092
A 107-110

DBS

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

PLANNING AND DEVELOPMENT

2017 OCT 23 A 9:58

October 20, 2017
TOWN OF OYSTER BAY

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

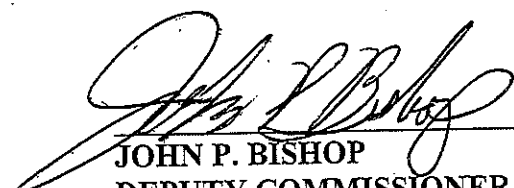
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 62 ALHAMBRA ROAD, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$2,199.61.

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

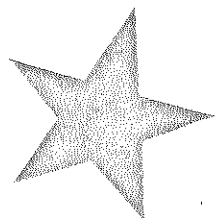

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 62 ALHAMBRA ROAD, MASSAPEQUA TO P & D

RECEIVED
OCT 23 2017
PLANNING AND DEVELOPMENT
TOWN OF OYSTER BAY





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (65-92-107) 62 ALHAMBRA RD MASSAPEQUA 11758

Date Oct 17, 2017

Work Order # 41288

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
PATRICK PETERS	General Maintenance	02:30	\$28.94	00:00	0	\$72.35
RICHARD JULIANO	General Maintenance	02:30	\$42.34	00:00	0	\$105.85
DERRICK SCOTT	General Maintenance	02:30	\$39.49	00:00	0	\$98.73
ANTHONY VOLLONO	General Maintenance	02:30	\$50.61	00:00	0	\$126.53
NICOLAS CAMMARANO	General Maintenance	02:30	\$24.46	00:00	0	\$61.15
Total Labor						\$464.61

Tools/Vehicle

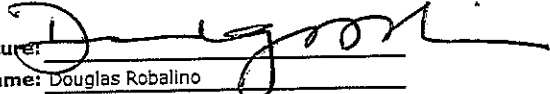
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK388	SANI PACKER 2008 INTL 7400 YW (PP931 / PP-931)	\$105.00	02:30	\$262.50
TD588	PICK-UP TRUCK 2006 FORD F-250 YW (27 / 013)	\$79.00	02:30	\$197.50
TD703	TRUCK DUMP 2011 FORD F350 YELLO (T-195) - Power Wagons	\$105.00	02:30	\$262.50
TR099	TRAILER 1993 CUSTM 6X10 YW (M-99 / M99)	\$105.00	02:30	\$262.50
Total Equipment				\$985.00

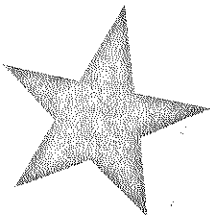
Materials

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

Grand Total \$2199.61

Description of Work:
CLEAN UP 62 ALHAMBRA ROAD MS

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Oct 19, 2017



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 11, 2017, authorized the Highway Department to clean up the premises located at 116 Thorne Drive, Bethpage, New York 11714, also known as Section 47, Block D, Lot 120 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 15, 2018, 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 19, 2017, in the total amount of \$1,811.49, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 15, 2018, 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 \$1,811.49 may be assessed by the Legislature of the County of Nassau against the parcel known as 116 Thorne Drive, Bethpage, New York 11714, also known as Section 47, Block D, Lot 120 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney
Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

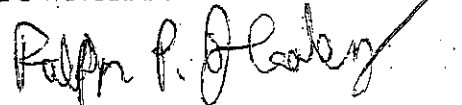
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 15, 2018
SUBJECT: Property Cleanup Assessment
116 Thorne Drive, Bethpage, New York 11714
Section 47, Block D, Lot 120

The Department of Planning and Development, by memorandum dated September 11, 2017, directed the Highway Department to clean the premises located at 116 Thorne Drive, Bethpage, New York 11714, also known as Section 47, Block D, Lot 120 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated September 26, 2017, advised that the property was cleaned by a crew from the Highway Department on September 19, 2017. The cost incurred by the Town of Oyster Bay was \$1,811.49.

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.

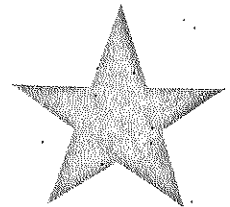
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\DBS\Cleanups MD & Resol\MD 116 Thorne Dr 3.15.18doc



2017-6325

Need it

TOWN OF OYSTER BAY**Inter-Departmental Memo**
September 11, 2017

To: JOHN BISHOP: DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 116 Thorne Drive Bethpage, NY 11714
SBL: 47-D-120

Notice of Violation (No.TL073) was issued to the owner of the above-referenced premises 08/29/2017 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:

- The grass and vegetation be cut.
- The bushes be trimmed.

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.

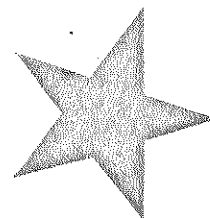
ELIZABETH L. MACCARONE
COMMISSIONER
BY:



MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



THIS INDENTURE, made the 10th day of ^{February} ~~January~~, nineteen hundred and ninety nine.

BETWEEN

Gennaro J. Scarpati, residing at

231 70th Ave

Yonkers, NY 10703

party of the first part, and

party of the second part,

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

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

Beginning at a point on the northeasterly side of Thorne (Central Park Avenue) Drive distant 298.41 feet southeasterly from the corner formed by the intersection of the northeasterly side of Thorne (Central Park Avenue) Drive with the southeasterly side of Shynas Avenue;

Running Thence North 45 degrees 27 minutes 10 seconds East 200.00 feet;

Thence South 44 degrees 00 minutes East 80.00 feet;

Thence South 45 degrees 27 minutes 10 seconds West 200.00 feet to the northeasterly side of Thorne (Central Park Avenue) Drive;

Thence northwesterly along the northeasterly side of Thorne (Central Park Avenue) Drive North 44 degrees 00 minutes West 80.00 feet to the point or place of Beginning.

SUBJECT TO UTILITY easement of record.

SUBJECT TO Mortgage dated April 2, 1993

BEING THE SAME PREMISES conveyed to Margaret A. Murphy and Gennaro J. Scarpati by deed dated April 2, 1993 and recorded on Liber 10302 page 0678.

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.

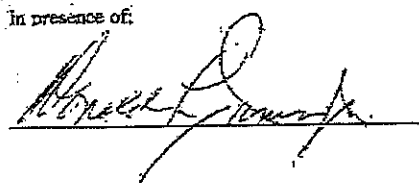
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

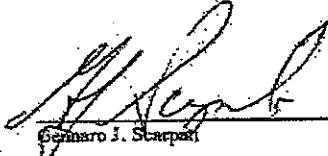
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of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

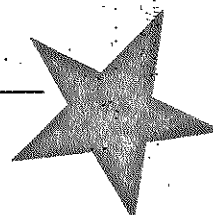
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

In presence of:




Gennaro J. Scarpati



DBS

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

September 26, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 116 THORNE DRIVE, BETHPAGE
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 \$1,811.49.

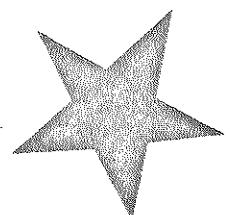
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 DEC -5 P 3:52
TOWN OF OYSTER BAY
RECEIVED
11/1/2017



CLEAN - UP 116 THORNE DRIVE, BETHPAGE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (47-D-120) 116 THORNE DR BETHPAGE 11714

Date Sep 19, 2017

Work Order # 40267

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
GARY LEWIS, II	General Maintenance	01:00	\$32.87	00:00	0	\$32.87
OSCAR GUEVARA	General Maintenance	01:00	\$23.27	00:00	0	\$23.27
VINCENT PADAVANO	General Maintenance	02:30	\$47.36	00:00	0	\$118.40
SEAN MCLAUGHLIN	General Maintenance	02:30	\$23.78	00:00	0	\$59.45
Total Labor						\$233.99

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PK357	SANI PACKER 2006 INTL 7400 YW (PP937 / PP-937)	\$105.00	01:00	\$105.00
TD648	PICK-UP TRUCK 2009 FORD F-250 YW (T-010 / 010)	\$79.00	02:30	\$197.50
TD736	TRUCK DUMP 2016 DODGE RAM 3500 - POWER WAGON (T105)	\$105.00	02:30	\$262.50
TR204	TRAILER 2017 FELLI FT30 BL	\$105.00	02:30	\$262.50
Total Equipment				\$827.50

Materials

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

Grand Total \$1811.49

Description of Work:

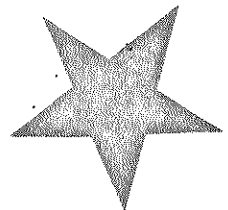
CLEAN UP 116 THORNE DRIVE BP

Signature: _____

Name: Douglas Robalino

Title: Director of Highway Operations

Date: Sep 26, 2017




WHEREAS, by Town Board Resolution No. 860-2017, adopted on December 12, 2017, D & B Engineers and Architects, P.C., was approved to perform engineering services relative to Tank Management Programs; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 22, 2018, advised that the Department of Public Works approved the plans and specifications for Contract No. DPW16-143, Closure of Tank #31 at Miller Place in Syosset, and recommended that the Division of Purchasing, Department of General Services, be authorized to 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 the Division of Purchasing, Department of General Services is hereby authorized and directed to proceed with setting a date for receiving bids for Contract No. DPW16-143.

-#-

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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Highway
General Services
Public Works

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

March 15, 2018

TO: MEMORANDUM DOCKET


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

SUBJECT: ACCEPTANCE OF THE DESIGN & REQUEST TO ENTER BID &
CONSTRUCTION PHASES
CLOSURE OF TANK #31 AT MILLER PLACE IN SYOSSET, NEW YORK
CONTRACT NO. DPW 16-143

Town Board Resolution No. 860-2017 authorized D & B Engineers and Architects, P.C. to perform engineering services relative to the above-mentioned contract.

The design has been completed, and the Commissioner of Public Works has approved the plans and specifications. The estimated construction time for completion of this subject contract is 60 days.

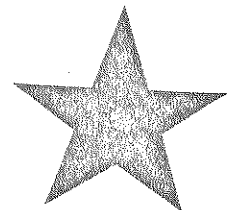
It is hereby requested that the Town Board authorize by Resolution No. 860-2017 that the Division of Purchasing, by copy of this memorandum, shall proceed with setting a bid date for receiving bids for this contract.


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

RWL/JCT/MR/SC/lk

Attachment

cc: Town Attorney (w/7 copies)
Steven C. Ballas, Comptroller
Eric Tuman, Commissioner/General Services
John Bishop, Deputy Commissioner/Highway



Meeting of December 12, 2017

Resolution No. 860-2017

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

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

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

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

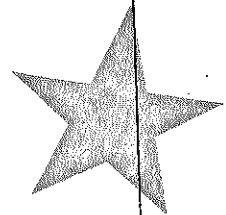
NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted and approved, and the Department of Public Works is hereby authorized to enter into Contract No. PWC20-18 with D & B Engineers & Architects, P.C., Cashin Associates, P.C., and Holzmacher, McLendon & Murrell,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

-#-

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

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

cc: Supervisor (2)
Town Attorney
Comptroller
Public Works



Reviewed By
Office of Town Attorney

Meeting of April 10, 2018

WHEREAS, pursuant to public notice, bids were duly and regularly received for Requirements Contract for Fence Replacement Throughout the Town of Oyster Bay, in accordance with the specifications contained in Contract No. HFR18-172, and said bids were publicly opened and read on March 14, 2018; and

WHEREAS, the lowest responsive weighted bid submitted was that of The LandTek Group, Inc., 235 County Line Road, Amityville, New York 11701; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memoranda dated March 19, 2018, and de Bruin Engineering P.C., by letter dated March 15, 2018, recommended that the bid as hereinabove set forth be accepted and awarded for a one-year term with the option for up to four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board. The estimated annual value of the contract is \$500,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth, are accepted, and Contract No. HFR18-172 shall be awarded to The LandTek Group, Inc. in accordance with the provisions thereunder, for a one-year term commencing on April 10, 2018 through and including April 9, 2019, for an amount not to exceed \$500,000.00, with the option for up to four (4) one-year extensions, such options to be exercised at the sole discretion of the Town Board.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Highway
General Services
Public Works

7ms
Reviewed By
Office of Town Attorney

TOWN OF OYSTER BAY

230

INTER-DEPARTMENTAL MEMO

March 19, 2018

24

TO: MEMORANDUM DOCKET

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


SUBJECT: AWARD OF CONSTRUCTION CONTRACT
REQUIREMENTS CONTRACT FOR FENCE REPLACEMENT THROUGHOUT
THE TOWN OF OYSTER BAY
CONTRACT NO. HFR18-172

On March 14, 2018, the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. The LandTek Group, Inc. submitted the lowest responsive weighted bid among two (2) in amount of \$1,430,510.00. This amount reflects the weighted total of all items within this Requirements Contract.

Attached is a letter dated March 15, 2018 from the office of deBruin Engineering, P.C. recommending the award of this contract to The LandTek Group, Inc. The estimated annual value of this contract is \$500,000.00. Requests for funding authorizations relative to this contract will be submitted by separate docket items.

The base term of the subject contract is one year from date of award. At the Town's option this contract can be extended for up to four (4) individual one-year terms.

We concur with the recommendation of deBruin Engineering, P.C. and request that Contract No. HFR18-172 be awarded to The LandTek Group, Inc. for the initial base term of one year with an estimated annual contract value of \$500,000.00.

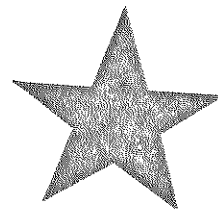

RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

ML
RWL/JCT/MR/lk

Attachments

cc: Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Kathy Stefanich, Public Works
Eric Tuman, Commissioner/General Services
John Bishop, Deputy Commissioner/Highways

HFR18-172 DOCKET AWARD LANDTEK



March 15, 2018

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

Re: REQUIREMENTS CONTRACT FOR FENCE REPLACEMENT
THROUGHOUT THE TOWN OF OYSTER BAY,
NASSAU COUNTY, NY.

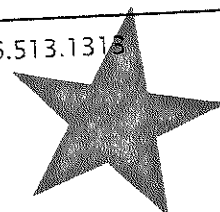
Contract No. HFR18- 172
Bid No. PW 004- 18
Project No. 6094
Bid Review

Dear Commissioner:

Bids were received on the referenced project on March 14, 2018 and 2 contractors submitted proposals as seen below:

CONTRACTOR	BID TOTAL
RESIDENTIAL FENCES CORP.	\$1,690,175.00
THE LANDTEK GROUP, INC	\$1,430,510.00

The Engineer's estimate for the project was \$1,364,555.00.
The LandTek Group is the lowest bidder for a total of \$1,430,510.00 . Review of LandTek's references indicates an experienced fence contractor that has performed fence installation for various municipalities. We have worked with this contractor as a Sub in recent Town and private projects and have found that the contractor completed their work in substantial conformance with the contract requirements and on schedule.



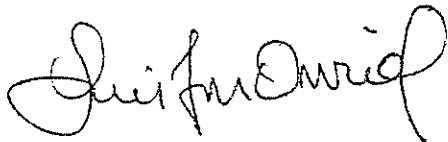
03/15/2018

The bid results were competitive with high quality contractors. The proximity of Landtek's bid to the Engineer's Estimate suggest a fair price for the work proposed.

Based on the foregoing analysis we find no reason not to recommend the award of this contract to The LandTek Group, Inc in the amount of \$1,430,510.00

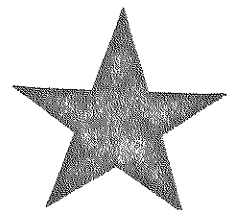
We are available to discuss this recommendation at your convenience.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Luis Osorio".

Luis Osorio, PE, CCM

Encls.



WHEREAS, Justin McCaffrey, Commissioner of the Department of Public Safety, by memorandum dated March 14, 2018, requested Town Board authorization to enter into a contract with Mark Safford, M.D., Queens Hospital Center, Dept. of Surgery A-368, 82-68 164th Street, Jamaica, New York, for the inspection of all Town owned Automated External Defibrillators (AEDs), as well as the oversight of training records and the verification of proper operation of all such AEDs, for Calendar Year 2018, for an annual cost not to exceed \$2,500.00, with the funds for said payment available in Account No. DPS A 3010 44900 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Supervisor and/or his designee is hereby authorized to enter into a one (1) year contract with Mark Safford, M.D., to be effective nunc pro tunc from January 1, 2018, for the inspection of all Town owned Automated External Defibrillators (AEDs), as well as the oversight of training records and the verification of proper operation of all such AED's, for an annual cost not to exceed \$2,500.00; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to make payment for same from Account No. DPS A 3010 44900 000 0000, upon submission of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Safety

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

231

75

TOWN OF OYSTER BAY

Inter-Departmental Memo

March 14, 2018

TO: Memorandum Docket

FROM: Justin McCaffrey, Commissioner, Department of Public Safety

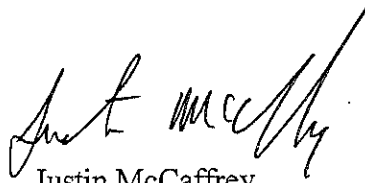
Subject: Professional Services AED Oversight

The Department of Public Safety has been utilizing the services of Mark Safford, MD., of Queens Hospital Center, Dept. of Surgery A-368 82-68 164th Street Jamaica, NY 11432-1121 for the inspection as well as overseeing training records and verification of proper operation of all AED's which are owned by the Town in all its facilities. This service is mandated by the New York State Public Health Law Article 30 and 30A Emergency Medical Services.

In accordance with the Town's Procurement Policy, the Department of Public Safety had verified with the Comptroller's Office that this professional service is exempt under guideline 6, services under \$10,000.00 in a calendar year.

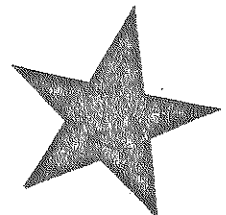
This service contract is not to exceed \$2,500.00. Funds for the above request are available in Account DPS A 3010 44900 000 0000 and have been approved by the Comptroller's Office

Therefore, we respectfully request the Town Board to authorize the Town to enter into an agreement and authorized the Supervisor and or his designee to execute the agreement. Further Town Board authorization is requested to ratify this service from January 1, 2018 through December 31, 2018.



Justin McCaffrey
Commissioner of Public Safety

cc: Town Attorney



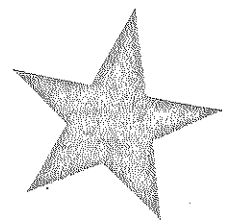
AED COLLABORATIVE
MEDICAL AGREEMENT

TOWN OF OYSTER BAY

&

DR. MARK SAFFORD

January 1, 2018 – December 31, 2018



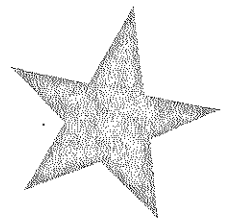
WRITTEN PRACTICE PROTOCOLS, POLICIES AND PROCEDURES RELATING TO THE AUTOMATED EXTERNAL DEFIBRILLATION (“AED PROGRAM”) of the Town of Oyster Bay.

In order to enhance safety measures for the residents, employees, and visitors of the Town of Oyster Bay facilities and property, an Automated External Defibrillation program (AED Program) has been instituted. This document sets forth the practice protocols, policies and procedures of the AED Program (the Program Policy), and is deemed incorporated into each collaborative agreement to which the Town of Oyster Bay is or becomes a party.

The policy is designed to assure that the Town of Oyster Bay personnel who operate the AEDs are properly trained, all AED equipment is maintained in good operating condition, and all New York State laws, rules and regulations applicable to the program are strictly adhered to by the Town of Oyster Bay staff.

A. Training

1. Only those who are trained to use AEDs in accordance with the laws of the State of New York shall be authorized to use the AEDs.
2. All authorized personnel must successfully complete a training course in the operation of AEDs approved by a nationally recognized organization approved by the New York State Department of Health for the purpose of training people in the use of AEDs.
3. All authorized personnel must maintain on file with the Town of Oyster Bay a written certification card or other written evidence satisfactory to the Medical Director Dr. Mark Safford, establishing such authorized personnel's successful completion of an approved AED training course.
4. All such certificates must be current and still effective under the standards of the organization that has approved the course to which such certification relates, and only authorized personnel with certifications effective at the time of use of any AED may use the AED.
5. The Town of Oyster Bay will provide ongoing training in the use of AEDs for its authorized personnel to the extent recommended by the organization that has approved the training course attended by authorized personnel.
6. All authorized personnel shall be familiar with and trained to use the specific model of AED owned by the Town of Oyster Bay.



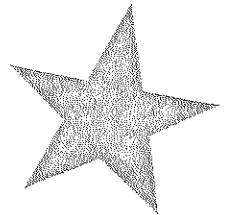
B. Location of AED Units.

19 Public Safety Vehicles & Boats
2 Town Hall North
2 Town Hall South
1 Landfill
7 DPW Facilities
7 Community Centers
22 Various Town Parks, Beaches, Pools.

If the Town elects to obtain additional AEDs, this policy shall be amended to reflect such additions, and the location at which same shall be employed.

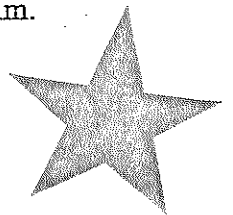
C. Maintenance and Inspection of the AED Units.

1. The AED will be kept protected in the case, as supplied by the manufacturer, and shall be kept clean, warm and dry at all times when not in use.
2. The AED is designed to perform routine self-diagnostic tests to verify its operating and battery status. The AED Unit will have both visual and audible status indicators, and a special service indicator light. To supplement and verify the self-diagnostic checks built into each unit, The Department of Public Safety and Parks Department shall conduct the following inspections:
 - a. Weekly inspections; a visual inspection of the AED to determine if any of the self-diagnostic tests and the special service lights indicate that attention is required.
 - b. Monthly inspection: On the first business day of each month the Department of Public Safety and Parks will prepare a monthly inspection report. Each inspection will include observation of all self-diagnostic indicators on the equipment as well as verification that the AED Unit is complete, clean and in good operating condition.
3. If a problem is detected in any such inspection, or if some attention otherwise seems warranted, then the AED should be serviced or attended to immediately. In the event service is needed contact the Department of Public Safety.
4. In the event that such service or attention so warrants, arrangements must be made immediately to have a replaced AED Unit until the AED Unit is serviced or repaired and is again fully functional.



D. In the event of emergency.

1. In the event of any medical emergency, immediately notify the Nassau County Police or local Fire Department by calling 911 for medical assistance, if the situation requires it.
2. If more than one employee is present in the course of an emergency situation, then one shall contact EMS while the other employee assists and stays with the victim.
3. Check the victim's Circulation, Airway and Breathing, confirm that victim is unconscious, not breathing and has no pulse or obvious signs of life. If necessary, start CPR until the AED is applied.
4. Position victim away from water and metal. Place unit by victim's shoulder and turn it on.
5. Expose victim's chest, and dry or shave the area if necessary.
6. Apply pads to victim's chest. If needed, plug cables into unit.
7. Stand clear during rhythm analysis.
8. Follow prompts from AED unit to (a) press shock button or (b) do not shock but immediately give CPR with the pads remaining in place, starting with chest compressions.
9. Follow the AED's prompts to analyze the rhythm again after 5 cycles of CPR (about 2 minutes).
10. Continue steps 8 & 9 until the victim recovers (moves) or professional rescuers arrive and take over.
11. If the victim recovers (moves), check for breathing and put a breathing unresponsive victim in the recovery position (with pads remaining in place) and continue the breathing.
12. After emergency medical service assistance has reached the location of the emergency, trained personnel will remain at the scene to assist EMS personnel.
13. If the victim must be transported from the facility, with the AED Unit employees will determine which hospital the victim is being transported to. Inquiry should be made of the ambulance or emergency vehicle operator. If that information is not available, then the employee should contact the Emergency Medical Provider's office to determine where the ambulance took the victim. Employees should not follow the ambulance.



14. The Town of Oyster Bay and the Emergency Health Care Provider (hereinafter "Medical Director") with which the Town has entered into a collaborative agreement related to this program must file reports with respect to each incident involving use of an AED. Such reports cannot be completed without information contained in computer chips installed within each AED unit. Therefore, it is imperative that the staff retrieve any AED unit that leaves the facility. To that end the AED is equipped with a special quick connect adapter, which allows the electrodes, which are attached to the victim when the AED is in use, to be connected to different brand units of AED's. Therefore, the EMS personnel attending to an incident involving the use of the AED will have the option of disconnecting the electrodes from the AED and connecting the same to AED's that the EMS personnel may have brought to the scene.
15. In any situation in which the AED remains at the scene after it is used, it should be secured by AED trained employees.

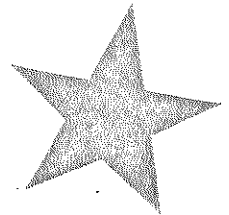
E. Documentation requirements.

1. In the event that a AED is used, the following steps are required:
 - A. The authorized personnel using the AED will prepare an incident report.
 - B. The Medical Director must be contacted promptly, and be provided with all relevant data.
 - C. The data on the computer chip installed in the AED Unit must be downloaded.
 - D. The Town of Oyster Bay must report and submit data to the Nassau County Regional Emergency Medical Services Council:
131 Mineola Blvd, Suite 105
Mineola NY 11501-0025,
(516) 542-0025.

F. Emergency Health Care Provider.

1. The Town of Oyster Bay has entered into a collaborative agreement with the following Medical Director:

Dr. Mark Safford
Queens Hospital Center
Department of Surgery A-368
82-68 164th Street
Jamaica, NY 11432-1121

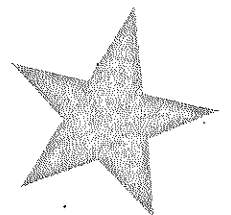


If the identity of the Medical Director changes, the Town shall enter into a collaborative agreement with the new Medical Director, and shall submit the new collaborative agreement to REMSCO.

G. Quality Improvement Program.

1. As required by the New York State Health Department, the Town will participate in a regional-approval quality improvement program, the details of which can be obtained from the following location:

Nassau County Regional EMS Council
131 Mineola Blvd. Suite 105
Mineola, NY 11501-3919
(516) 542-0025



Collaborative Agreement Pursuant to Public Health Law 3000-b
Between The Town of Oyster Bay & Dr. Mark Safford.

Dear Dr. Safford:

When signed by you and the Town of Oyster Bay below this letter will constitute our agreement with respect to the matters set forth below. We agree as follows:

As you know, the Town of Oyster Bay in connection with its proposed Public Access Defibrillation ("PAD") Program is required by law to have a "collaborative agreement" with an "Emergency Health Care Provider" (which we will refer to as "Medical Director"), as those terms are used in Section 3000-b of the Public Health Law.

The Town of Oyster Bay believes that its proposed PAD Program is an extremely important service to provide to its employees, residents and visitors. The Town of Oyster Bay is pleased that you have expressed an interest in serving as the Medical Director for the PAD Program.

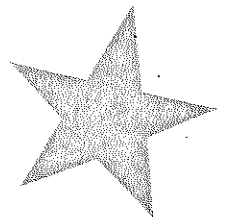
Annexed hereto, and incorporated into this agreement by reference, are written practice, protocols, policies, and procedures that will govern the Town of Oyster Bay proposed PAD Program.

You have represented to the Town of Oyster Bay that you have knowledge and experience in the delivery of emergency cardiac care, and that you will participate in the regional quality improvement program pursuant to Subdivision 1 of Section 3004-a of the Public Health Law.

The Town of Oyster Bay hereby retains you, and you agree to be retained by the Town of Oyster Bay, as the Medical Director for the PAD Program for the term, January 1, 2018 through December 31, 2018 for the fee of \$2,500.00. Either party may terminate this agreement at any time, upon thirty (30) days prior written notice. Provided however, that the Town of Oyster Bay may terminate the agreement immediately in the event that you cease to qualify for any reason as the Medical Director under applicable laws, rules and regulations.

Kindly acknowledge your understanding of and agreement to the foregoing by signing in the below space.

We greatly appreciate your assistance.



Town Representative (Print Name) Title

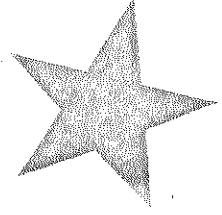
Town Representative (Signature & Date)

Mark B. SAFFORD 189482 B53267639
Physician Name (Print Name) NYS License # DEA #

Physician (Signature) 12-6-17
Date

Reviewed By
Office of Town Attorney

John M. Jallo



WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated March 22, 2018, requested Town Board authorization to employ the services of Thomas F. Ciavarella, 55 Arizona Avenue, Syosset, NY 11791, owner of TJ's Doghouse, to provide hotdogs, hamburgers, chips and soda from his food truck to participants during the Group Activities Program (GAP) barbeque, which will be held on Saturday, May 12, 2018, at Marjorie R. Post Community Park, and advised that the cost of this food truck will be determined by the number of enrollees, which cost will be paid from the Friends of Community Services Dept., Inc.,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is accepted and approved, and the Department of Community and Youth Services is hereby authorized to employ the services of Thomas F. Ciavarella, 55 Arizona Avenue, Syosset, NY 11791, owner of TJ's Doghouse, to provide hotdogs, hamburgers, chips and soda from his food truck to participants during the Group Activities Program (GAP) barbeque, on Saturday, May 12, 2018, at Marjorie R. Post Community Park. at a cost to be determined by the number of enrollees, which cost shall be paid from the Friends of Community Services Dept., Inc..

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Community & Youth Services

Reviewed By
Office of Town Attorney
TMS
JH

TOWN OF OYSTER BAY
Inter-Departmental Memorandum

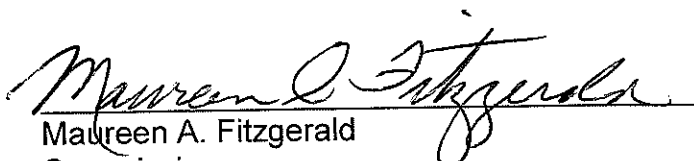
March 22, 2018

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

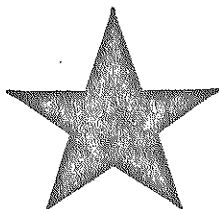
The Department of Community & Youth Services requests Town Board authorization to employ the services of Thomas Ciavarelli to provide food for the Group Activities Program (GAP) barbecue. Thomas Ciavarelli, of 55 Arizona Avenue, Syosset, NY 11791, is the owner of *TJS Doghouse*. Thomas will provide hotdogs, hamburgers, chips and soda from his food truck to the participants during the barbecue, which will be held on May 12, 2018 at Marjorie R. Post Community Park. The cost will be determined by the number of enrollees and will be paid by Friends of The Community Services Dept., Inc.

Attached, are the General Liability Insurances which have been approved "as to form" by the Office of the Town Attorney. The certificates name the Town of Oyster Bay as an additional insured.

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


Maureen A. Fitzgerald
Commissioner

MAF:jd
Attachments
cc: Town Attorney (+7 copies)



Contract

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Thomas Ciavarelli, located at 55 Arizona Avenue, Syosset, New York 11791 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Services by: TJS Doghouse
Date: May 12, 2018
Location: Marjorie R. Post Community Park
Amount: To be determined

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

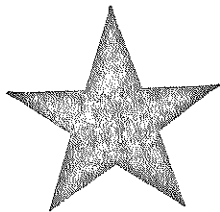
THOMAS CIAVARELLI

CONTRACTOR

DATE: _____, 2018

TOWN OF OYSTER BAY

COMMISSIONER
DATE: _____, 2018





COMMERCIAL GENERAL LIABILITY COVERAGE
PART DECLARATIONS

Renewal of Number L036008395-1

Policy No. L036008395-2

Named Insured and Mailing Address (No., Street, Town or City, County, State, Zip Code)*

THOMAS F CIAVARELLA
TJ'S DOG HOUSE
55 ARIZONA AVE
SYOSSET

NY 11791

Policy Period * : From 08/01/2017 to 08/01/2018 at 12:01 A.M. Standard Time at your mailing address shown above.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

LIMITS OF INSURANCE

Each Occurrence Limit	\$ 1,000,000	
Damages To Premises		Any one premises
Rented To You Limit	\$ 100,000	Any one person
Medical Expense Limit	\$ 5,000	Any one person or organization
Personal and Advertising Injury Limit	\$ 1,000,000	\$ 2,000,000
General Aggregate Limit		\$ 2,000,000
Products / Completed Operations Aggregate Limit		

RETROACTIVE DATE (CG 00 02 ONLY)

Coverage A of this Insurance does not apply to "bodily injury" or "property damage" which occurs before the Retroactive Date, if any, shown here:
(Enter Date or "None" if no Retroactive Date applies)

DESCRIPTION OF BUSINESS AND LOCATION OF PREMISES

Form of Business:
☒ Individual ☐ Joint Venture ☐ Partnership ☐ Organization (Other than Partnership or Joint Venture)

Business Description*:
RESTAURANT

Location of All premises You Own, Rent or Occupy:

55 ARIZONA AVE SYOSSET NY 11791

PREMIUM

Classification	Code No.	Premium Basis	Territory	Pr/Co	Rate	Advance Premium	All Other
Restaurants-with no sale of alcoholic beverages; without table service with seating	16901	S 3,500 GS	007	0.615	11.006	\$ 2	\$ 39

Minimum Premium Applies

See Attached ACD-GLS
Subtotal for ACD-GLS \$ 150.00
Total or Minimum Premium \$ 675.00

** (a) area (c) total cost (m) admission (p) payroll (s) gross sales (u) units (t) other

FORMS AND ENDORSEMENTS applying to this Coverage part and made part of this policy at time of issue + :
SEE SCHEDULE OF FORMS AND ENDORSEMENTS

Countersigned:*

By

Authorized Representative

* Entry optional if shown in Common Policy Declarations.

+ Forms and Endorsements applicable to this Coverage Part omitted if shown elsewhere in the policy.

THESE DECLARATIONS AND THE COMMON POLICY DECLARATIONS, IF APPLICABLE, TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

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Copyright, Insurance Services Office, Inc.

ACD-GL1 08-11

Reviewed By
Office of Town Attorney

INSURED -- Page 13



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED -
STATE OR POLITICAL SUBDIVISIONS - PERMITS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Political Subdivision:

TOWN OF OYSTER BAY
54 AUDREY AVE
OYSTER BAY, NY 11771

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

Section II - Who Is An Insured is amended to include as an insured any state or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.
2. This insurance does not apply to:
 - a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or
 - b. "Bodily injury" or "property damage" included within the "products-completed" operations hazard.

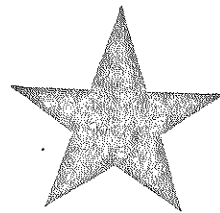
Reviewed By
Office of Town Attorney

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Page 1 of 1

INSURED -- Page 58



Meeting of April 10, 2018

Resolution No. 233-2018

WHEREAS, Maureen A. Fitzgerald, Commissioner, Department of Community and Youth Services, by memorandum dated March 22, 2018, requested Town Board approval to employ the services of the following musicians for the date, location and fee below noted:

Walter Lazauskas d/d/a John Walters
3983 Darby Lane
Seaford, N.Y. 11783
Performance at Glen Head Community Center for six (6) performances
Senior Summer Program
Wednesdays from July 11, 2018 to August 15, 2018
Fee: \$930.00

Walter Lazauskas d/d/a John Walters
3983 Darby Lane
Seaford, N.Y. 11783
Performance at Glen Head Community Center with four (4) musicians
Special Entertainment Senior Summer Program
Wednesday, July 25, 2018
Fee: \$425.00

Steel Margarita
Terry Muldoon
40 Stokes Avenue, Bethpage N.Y. 11714
Performance at Glen Head Community Center
Special Entertainment Senior Summer Program
Wednesday, July 11, 2018
Fee: \$350.00

JayCee Driesen
15 Ann Drive North
Freeport, N.Y. 11520
Performance at Glen Head Community Center
Special Entertainment Senior Summer Program
Wednesday, 18, 2018
Fee: \$350.00

Vincent Roccaro
Chicklettes, Inc.
58 Clearwater Avenue
Massapequa, N.Y. 11758
Performance at Glen Head Community Center
Special Entertainment Senior Summer Program
Wednesday, August 8, 2018
Fee: \$325.00

Reviewed By
Office of Town Attorney

Vic Vincent
21 Wilton Street
New Hyde Park, N.Y. 11040
Performance at Glen Head Community Center
Special Entertainment Senior Summer Program
Wednesday, August 15, 2018
Fee: \$300.00

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, for the musicians, dates, locations and fees as above noted; 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. CYS A 7020 47660 000 0000.

-#-

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

	Supervisor Saladino	Aye
	Councilman Muscarella	Aye
	Councilman Macagnone	Aye
	Councilwoman Alesia	Aye
	Councilwoman Johnson	Absent
	Councilman Imbroto	Aye
	Councilman Hand	Aye
cc:	Supervisor	
	Town Attorney	
	Comptroller	
	Community & Youth Services	

6

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

March 22, 2018

TO: Memorandum Docket

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

SUBJECT: Musician Services for Senior Summer Program

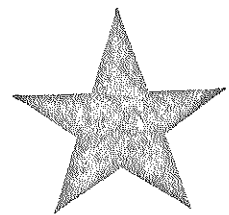
The Department of Community & Youth Services is requesting Town Board authorization to employ the services of the musicians on the attached, for the dates and location noted.

The total cost for the performances are \$2,680.00. Funds for the fees are available in Account CYS A 7020 47660 000 0000, Special Events. In accordance with Guideline 5, Section b of the Town Procurement Policy, the musicians are exempt from the solicitation, written proposal or requirements of the policy.

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


Maureen A. Fitzgerald
Commissioner

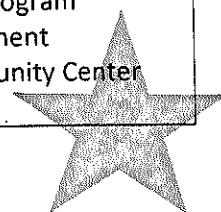
MAF:dw
Attachment(s)
cc: Town Attorney (+7 copies)



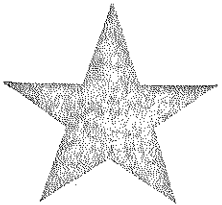
2018

SENIOR SUMMER PROGRAM

Date	Place & Cost	Includes
Wednesday, July 11, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$155.00 Senior Summer Program Glen Head Community Center
Wednesday, July 11, 2018	Steel Margarita Terry Muldoon 40 Stokes Avenue Bethpage, NY 11714	\$350.00 Senior Summer Program Special Entertainment Glen Head Community Center
Wednesday, July 18, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$155.00 Senior Summer Program Glen Head Community Center
Wednesday, July 18, 2018	JayCee Driesen JayCee Driesen 15 Ann Drive North Freeport, NY 11520	\$350.00 Senior Summer Program Special Entertainment Glen Head Community Center
Wednesday, July 25, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$155.00 Senior Summer Program Glen Head Community Center
Wednesday, July 25, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$425.00 4 Musicians Senior Summer Program Special Entertainment Glen Head Community Center
Wednesday, August 1, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$155.00 Senior Summer Program Glen Head Community Center
Wednesday, August 8, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$155.00 Senior Summer Program Special Entertainment Glen Head Community Center
Wednesday, August 8, 2018	Vincent Roccaro Chicklettes, Inc. 58 Clearwater Avenue Massapequa, NY 11758	\$325.00 Senior Summer Program Special Entertainment Glen Head Community Center



Wednesday, August, 15, 2018	Walter Lazauskas d/b/a John Walters 3983 Darby Lane Seaford, NY 11783	\$155.00 Senior Summer Program Glen Head Community Center
Wednesday, August, 15, 2018	Vic Vincent 21 Wilton Street New Hyde Park, NY 11040	\$300.00 Senior Summer Program Special Entertainment Glen Head Community Center



Contract

This Contract, made by and between the Town of Oyster Bay's Department of Community and Youth Services, located at 977 Hicksville Road, Massapequa, New York 11758 (hereinafter referred to as "TOWN") and Walter Lazauskas, d/b/a John Walters located at 3983 Darby Lane, Seaford, New York 11783 (hereinafter referred to as "CONTRACTOR") in consideration of mutual interests provided for hereby, the parties herein agree as follows:

Performance by: John Walters

Date: July 11, 2018

Location: Glen Head Community Center

Amount: \$155.00

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

WALTER LAZAUSKAS

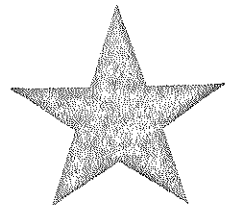
CONTRACTOR

DATE: _____, 2018

TOWN OF OYSTER BAY

COMMISSIONER

DATE: _____, 2018



WHEREAS, Robert Darienzo, Director of Finance, by memorandum dated March 26, 2018, recommends that the following banks and financial institutions be designated as Town depositories:

Bank of New York
Capital One Bank N.A.
Chase Bank (JP Morgan)
Depository Trust Company (Cede & Co., as nominee)
Deutsche Bank
Empire National Bank
First National Bank of Long Island
Flushing Bank
Gold Coats Bank
HSBC Bank USA
Sterling National Bank
TD Bank

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted and approved and the abovementioned banks and financial institutions are hereby designated as Town depositories in which the Supervisor, Town Clerk and Receiver of Taxes of this Town shall deposit all monies coming into their hands by virtue of their offices; and be it further

RESOLVED, That the Town Supervisor shall authorize certain Town officers to use wire procedures to transfer funds to place deduction of deferred compensation from employee payroll by Federal Funds with the corresponding bank; and be it further

RESOLVED, That the abovementioned banks and financial institutions are hereby authorized and directed to honor checks or drafts for the payment of monies drawn against accounts in the name of the Town of Oyster Bay when bearing the original or facsimile signatures of the Supervisor and the Comptroller; and be it further

RESOLVED, That the Receiver of Taxes is hereby authorized and directed to deposit all monies coming into his hands into interest bearing accounts in such of the above named banks and financial institutions as shall provide the Town with the most favorable interest rates, which shall be obtained from informal bids received under temporary borrowing procedures; and be it further

RESOLVED, That the Supervisor shall authorize certain Town Officers to use wire procedures to direct the transfer of Town funds between banks and from one account to another account within the same bank; and be it further

RESOLVED, That upon notice to the Supervisor, Town Comptroller and Receiver of Taxes, certain employees are hereby authorized to approve the release of securities from Collateral Agreements of the combined Supervisor and Receiver of Taxes account; and be it further

BLA

RESOLVED, That the Supervisor is hereby authorized to enter into transfer, collateral and repurchase agreements that may be required by the various banks and financial institutions.

#

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

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

cc: Supervisor
Town Attorney
Comptroller
Finance

14

234

Town of Oyster Bay Inter-Departmental Memo

March 26, 2018

To: Memorandum Docket
From: Robert Darienzo, Director of Finance
Subject: Designation of Town Depositories - 2018

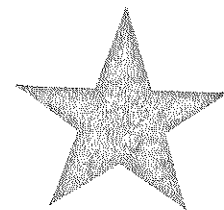
I have reviewed Resolution #124-2018 dated February 27, 2018, which designated the Town's depositories.

It is recommended that a similar resolution be adopted at the April 10, 2018 Town Board meeting. If the Town Attorney's Office concurs, the resolution should include:

NOW, THEREFORE, BE IT RESOLVED, That the
Bank of New York
Capital One Bank N.A.
Chase Bank (JP Morgan)
Depository Trust Company (Cede & Co., as nominee)
Deutsche Bank
Empire National Bank
First National Bank of Long Island
Flushing Bank
Gold Coast Bank
HSBC Bank USA
Sterling National Bank
TD Bank

BE AND THEY ARE HEREBY DESIGNATED as depositories in which the Supervisor, Town Clerk and the Receiver of Taxes of this Town shall deposit all monies coming into their hands by virtue of their offices; and be it further

RESOLVED, That the Town supervisor shall authorize certain Town officers to use wire procedures to transfer funds to place deduction of deferred compensation from employee payroll by Federal Funds with the corresponding bank; and be it further



RESOLVED, That the above mentioned banks and financial institutions are hereby authorized and directed to honor checks or drafts for the payment of monies drawn against accounts in the name of the Town of Oyster Bay when bearing the original or facsimile signature of the Town Supervisor and Town Comptroller; and be it further

RESOLVED, That the Receiver of Taxes is hereby authorized and directed to deposit all monies coming into his hands into interest bearing accounts in such of the above named banks and financial institutions as shall provide the Town with the most favorable interest rates, which shall be obtained from informal bids received under temporary borrowing procedures; and be it further

RESOLVED, That the Supervisor shall authorize certain Town Officers to use wire procedures to direct the transfer of Town funds between banks and from one account to another account within the same bank; and be it further

RESOLVED, That upon notice to the Town Comptroller, Town Supervisor and Receiver of Taxes, certain employees are hereby authorized to approve the release of securities from Collateral Agreements of the combined Supervisor and Receiver of Taxes account; and be it further

RESOLVED, That the Supervisor is hereby authorized to enter into transfer, collateral, and repurchase agreements that may be required by the various banks and financial institutions.

Thank you.

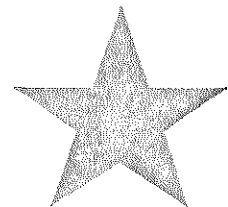


Robert Darienzo
Director of Finance

RD/rd

cc: Town Attorney (with 7 copies)

Word/Documents/Docket/depositories 2018



Meeting of April 10, 2018

Resolution No. 235-2018

Reviewed By
Office of Town Attorney

John M. Malle

RESOLVED, that the Town Clerk be and hereby is directed to advertise a Notice of Hearing on the proposed Amendments to the Code of the TOWN OF OYSTER BAY, New York, amending Chapter 233 of the said Code pertaining to parking, stopping, crossing, loading zones, thru traffic, trucking operations and other traffic regulations; and be it further

RESOLVED, that said hearing be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on Tuesday, April 24, 2018, at 7:00 p.m. o'clock prevailing time; and that the same be advertised in

-#-

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

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

Cc: Supervisor
Town Attorney
Comptroller
DPW
HWY
Traffic Safety Division

Meeting of April 10, 2018

Resolution No. 236-2018

WHEREAS, Quinn, Emanuel, Urquhart and Sullivan, LLP by Resolution No. 517-2015, adopted September 1, 2015, was retained as special counsel to represent the Town of Oyster Bay and protect its interest in connection with various matters; and

WHEREAS, Joseph Nocella, Town Attorney, and Matthew M. Rozea, Deputy Town Attorney, by memorandum dated March 19, 2018, have requested an authorization to pay Quinn, Emanuel, Urquhart and Sullivan, LLP, the amount of \$28,828.82, including expenses and disbursements; and

WHEREAS, funds are available in Account No. OTA A 1420 44110 000 0000,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the authorization of payment to Quinn, Emanuel, Urquhart and Sullivan, LLP, of the amount of \$28,828.82, for legal fees, costs and disbursements as outside counsel, which sum is to be paid at the predetermined rate; and be it further

RESOLVED, That the Comptroller is hereby authorized and directed to pay said outside counsel for legal fees, costs and disbursements rendered, upon the submission of a duly certified claim, after approval by the Town Attorney, and after audit, with funds available in Account No. OTA A 1420 44110 000 0000.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
[Signature]

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Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : March 19, 2018

SUBJECT: Outside Counsel to the Town of Oyster Bay
Quinn, Emanuel, Urquhart & Sullivan, LLP

By Resolution No. 517-2015, adopted on September 1, 2015, the law firm of Quinn, Emanuel, Urquhart & Sullivan, LLP was retained to represent and provide legal services to the Town of Oyster Bay in connection with various matters.

Legal costs have now exceeded the previously authorized sum, and an additional sum of \$28,828.82 is necessary. In keeping with a previously negotiated arrangement, the firm has applied a 5 percent discount to its legal fees.

It is recommended that the Town Board authorize the additional legal fees for Quinn, Emanuel, Urquhart & Sullivan, LLP with funds available in Account No. OTA A 1420 44110 000 0000.

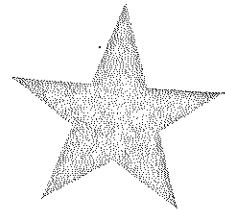
JOSEPH NOCELLA
TOWN ATTORNEY



Matthew M. Rozea
Deputy Town Attorney

MMR:mmr
Attachment
2015-5129

cc: Town Attorney (with 7 copies)



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 August 3, 2017, authorized the Highway Department to clean up the premises located at 173 15th Street, Hicksville, New York 11801, also known as Section 11, Block 239, Lot 40 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 23, 2018, 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 August 8, 2017, in the total amount of \$1,147.71, be referred to the County of Nassau for assessment,


NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 23, 2018, 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 \$1,147.71 may be assessed by the Legislature of the County of Nassau against the parcel known as 173 15th Street, Hicksville, New York 11801, also known as Section 11, Block 239, Lot 40 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway


Reviewed By
Office of Town Attorney
Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

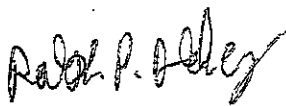
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 23, 2018
SUBJECT: Property Cleanup Assessment
173 15th Street, Hicksville, New York 11801
Section 11, Block 239, Lot 40

The Department of Planning and Development, by memorandum dated August 3, 2017, directed the Highway Department to clean the premises located at 173 15th Street, Hicksville, New York 11801, also known as Section 11, Block 239, Lot 40 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 11, 2017, advised that the property was cleaned by a crew from the Highway Department on August 8, 2017. The cost incurred by the Town of Oyster Bay was \$1,147.71.

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.

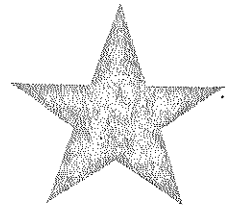
Kindly place this matter on the Town Board Action Calendar.

JOSEPH NOCELLA
TOWN ATTORNEY


Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 173 15th St 3.23.18.doc



HIGHWAY DEPARTMENT
Need for
Project to be done

TOWN OF OYSTER BAY

2017 AUG -14 A.D. 25

Inter-Departmental Memo
August 3, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY

From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU

Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT

Subject: 173 15th Street Hicksville, NY 11801
SBL:11-239-40

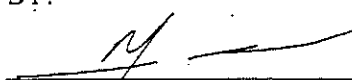
Notice of Violation (No. TL004) was issued to the owner of the above-referenced premises 07/26/2017 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass and weeds be cut.
- The bushes be trimmed.

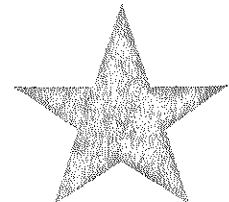
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



Referee's Deed In Foreclosure

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

THIS DEED, made December 5, 2017

BETWEEN

Charles Casolaro, Esq., referee
1050 Franklin Ave, Suite 402, Garden City, NY 11530

duly appointed in the action hereinafter mentioned, grantor, and

KPS Realty Inc, grantee
29 Maple Street, New Hyde Park, NY 11010

WITNESSETH, that the grantor, the referee appointed in the action between

ONEWEST BANK FSB

plaintiff,

and

PUBLIC ADMINISTRATOR OF NASSAU COUNTY AS
ADMINISTRATOR OF THE ESTATE OF DONALD YAROSHYK,
KENNETH YARKSHYK AS HEIR AT LAW, NEXT OF KIN, LEGATEE
AND DISTRIBUTE OF THE ESTATE OF DONALD YAROSHYK,
DONALD YAROSHYK, JR. AS HEIR AT LAW, NEXT OF KIN,
LEGATEE AND DISTRIBUTE OF THE ESTATE OF DONALD
YAROSHYK, MICHAEL YAROSHYK AS HEIR AT LAW, NEXT OF KIN,
LEGATEE AND DISTRIBUTE OF THE ESTATE OF DONALD
YAROSHYK, SECRETARY OF HOUSING AND URBAN
DEVELOPMENT, INTERNAL REVENUE SERVICE - UNITED STATES
OF AMERICA, NEW YORK STATE DEPARTMENT OF TAXATION AND
FINANCE - TAX COMPLIANCE DIVISION-C.O.-ATC,

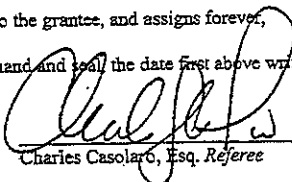
defendants,

foreclosing a mortgage recorded on October 16, 2002 in the office of the CLERK of the County of NASSAU in
LIBER 22994 at PAGES 374 in pursuance of a judgment entered April 13, 2017;
Three Hundred and Eighty Five Thousand Dollars paid by the grantee, being the highest sum bid at the sale under
said judgment does hereby grant and convey unto the grantee,

SEE SCHEDULE "A" LEGAL DESCRIPTION ATTACHED HERETO

TO HAVE AND TO HOLD the premises herein granted unto the grantee, and assigns forever,

IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal, the date first above written.
In presence of:

 L.S.
Charles Casolaro, Esq. Referee

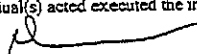
ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Nassau, ss:

On the 5th day of December in the year 2017
before me, the undersigned, personally appeared

Charles Casolaro

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


(signature and office of individual take acknowledgement)

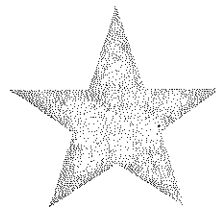
ROBERT A SULLIVAN
Notary Public, State of New York
No. 01SU6316493
Qualified in Nassau County
Commission Expires December 15, 2018

File No. <u>16-195652</u>	SECTION 11
Charles Casolaro, Esq.	BLOCK 239
TO	LOT 40
KPS Realty Inc,	DISTRICT
	COUNTY Nassau
	STREET ADDRESS 173 15th Ave., Hicksville, NY
	11801


<<Tracker.FileNumber>>







SCHEDULE A DESCRIPTION

ALL that certain plot, piece or parcel of Land, with the buildings and improvements thereon erected, situate, lying and being at Hicksville, Town of Oyster Bay, County of Nassau and State of New York, shown and designated as and by the Lots Numbers 6 & 10 in Block 40 upon a certain map entitled "Map of No. 2 property of New York Exchange & Investment Co.", and filed in the Office of the Clerk of the County of Queens on March 5, 1892 as Map #41 and subsequently filed in the Clerk's Office of the County of Nassau as Map No. 21 Case No. 164 bounded and described as follows:

BEGINNING at a point on the northerly side of 15th Street distant 180 feet easterly from the corner formed by the intersection of the northerly side of Fifteenth Street with the easterly side of Burns Avenue (East Ave.);

RUNNING THENCE northerly at right angles to the northerly side of Fifteenth Street 100 feet;

THENCE easterly parallel with the northerly side of Fifteenth Street 60 feet;

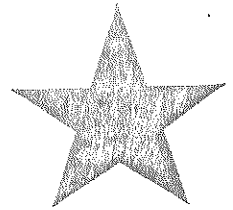
THENCE southerly at right angles to the northerly side of Fifteenth Street 100 feet to the northerly side of Fifteenth, street;

THENCE westerly along the northerly side of Fifteenth Street 60 feet to the point or place of BEGINNING.

FOR INFORMATION ONLY, NOT INSURED: SAID PREMISE BEING KNOWN AS AND BY 173 15TH STREET, HICKSVILLE, NY

SECTION: 11
BLOCK: 239
LOT: 40
COUNTY: NASSAU

Record and Return
to
Kathy Franzone
61-43 186th Street
Fresh Meadows, NY
11365



**** Electronically Filed Document ****

Instrument Number: 2018-5664

Recorded As: EX-D01 - DEED

Recorded On: January 19, 2018

Recorded At: 09:43:37 am

Receipt Number: 936657

Number of Pages: 3

Processed By: 001 CI

Book-VI/Pg: Bk-D VI-13610, Pg-734

Total Rec Fee(s): \$2,025.00

** Examined and Charged as Follows **

01 - DEED	\$ 55.00	EX-Blocks - Deeds - \$300	\$ 300.00	EX-RP5217 Residential Fee	\$ 125.00
EX-TP-584 Affidavit Fee	\$ 5.00				

	Tax Amount	Consid Amt	RS#/CS#		
Tax-Transfer	\$ 1540.00	\$ 385000.00	RE 13330	Basic	\$ 0.00
OYSTER BAY				Local NY CITY	\$ 0.00
				Additional MTA	\$ 0.00
				Spec ASST	\$ 0.00
				Spec ADDL SONYMA	\$ 0.00
				Transfer	\$ 1540.00

Tax Charge: \$ 1540.00

Property Information:

Section	Block	Lot	Unit	Town Name
11	239	40		OYSTER BAY

*****THIS PAGE IS PART OF THE INSTRUMENT*****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.



Maureen O'Connell
County Clerk Maureen O'Connell

Town of Oyster Bay
Inter- Departmental Memo

August 11, 2017

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

FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 173 15TH STREET, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,147.71.

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

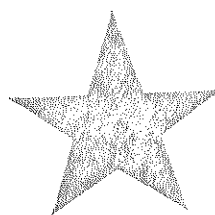


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

SEP 25 AM 11:11



CLEAN - UP 173 15TH STREET, HICKSVILLE TO P & D



MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Date Aug 8, 2017

Location (11-239-40) 173 15TH ST HICKSVILLE 11801

Work Order # 38937

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
KEVIN FREIBERG	General Maintenance	01:30	\$34.59	00:00	0	\$51.89
OSCAR GUEVARA	General Maintenance	01:30	\$23.27	00:00	0	\$34.91
PAUL HARABEDIAN	General Maintenance	01:30	\$23.27	00:00	0	\$34.91
Total Labor						\$121.71

Tools/Vehicle

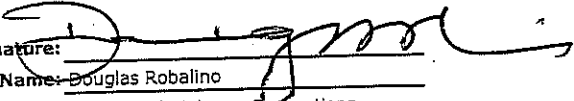
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
TD604	PICK-UP TRUCK 2007 FORD F-250 YW (HP907)	\$79.00	01:30	\$118.50
TD706	TRUCK DUMP 2011 FORD F350 YELLO (T-125) - Power Wagons	\$105.00	01:30	\$157.50
Total Equipment				\$276.00

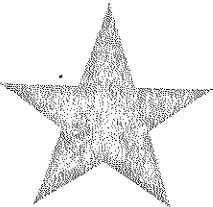
Materials

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

Grand Total \$1147.71

Description of Work:
CLEAN UP 173 15TH STREET HV

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Aug 10, 2017



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 June 28, 2017, authorized the Highway Department to clean up the premises located at 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8 to 10 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 23, 2018, 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 July 7, 2017, in the total amount of \$414.89, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 23, 2018, 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 \$414.89 may be assessed by the Legislature of the County of Nassau against the parcel known as 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8 to 10 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

245
Reviewed By
Office of Town Attorney
Ralph P. Healey

18

Town of Oyster Bay
Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 23, 2018

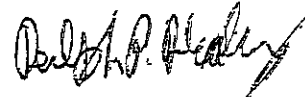
SUBJECT: Property Cleanup Assessment
47 Chestnut Street, Hicksville, New York 11801
Section 12, Block 253, Lots 8 to 10

The Department of Planning and Development, by memorandum dated June 28, 2017, directed the Highway Department to clean the premises located at 47 Chestnut Street, Hicksville, New York 11801, also known as Section 12, Block 253, Lots 8 to 10 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 12, 2017, advised that the property was cleaned by a crew from the Highway Department on July 7, 2017. The cost incurred by the Town of Oyster Bay was \$414.89.

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.

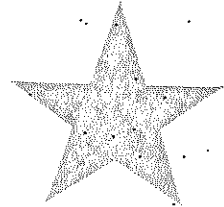
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\AMLA\Cleanup MD&Rso\Cleanups MD&Rso\MD 62AlhambraRd 3.15.18.doc



2018-6350
DBS
need to

TOWN OF OYSTER BAY

Inter-Departmental Memo
June 28, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 47 Chestnut Street Hicksville, NY 11801
SBL: 12-253-8

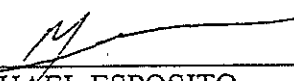
Notice of Violation (No.17105) was issued to the owner of the above-referenced premises 06/15/17 for property non-maintenance, in violation of Section 135.52 of the Town Code. More than five days have passed since the Notice was served and the condition still remains.

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

- The grass be cut.
- The side door that has been kicked in boarded up.

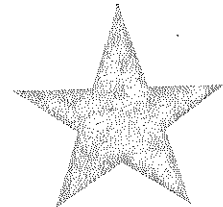
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

13
ME/j

cc: Joseph Nocella, Town Attorney



Town Attorney's Office
Joseph Nocella
2017 DEC 26 A 11:51

FM 119785

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 18 day of January, in the year 2006

BETWEEN DOUGLAS BEDELL residing at
23 Parkview Circle
Bethpage, New York 11714

as the executor (executrix) of Estate of Kenneth Allen Bedell, the last will and testament of,
KENNETH ALLEN BEDELL, late of
47 Chestnut Street, Hicksville, New York 11803, deceased,
party of the first part, and

BEVERLY SCHILLACI residing at
47 Chestnut Street, Hicksville, New York 11801

party of the second part,
WITNESSETH, that the party of the first part, by virtue of the power and authority given in and by said last will and
testament, and in consideration of

One Hundred Seventy-Two Thousand Five Hundred (\$172,500) dollars,
paid by the party of the second part, does hereby grant

and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and
being in the

Section

12

Block

253

Lot(s)

819 #10

SEE SCHEDULE A ATTACHED HERETO
AND MADE A PART HEREOF.

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 also all
the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein,
which the party of the first part has or has power to convey or dispose of, whether individually, or by virtue of said
will or otherwise; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the
heirs or successors and assigns of the party of the second part forever.

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

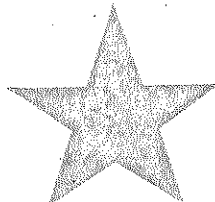
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust
fund to be applied first for the purpose of paying the cost of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

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

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written
DOUGLAS BEDELL, EXECUTOR OF THE ESTATE
OF KENNETH ALLEN BEDELL

IN PRESENCE OF:

DOUGLAS BEDELL, Executor of the Estate
of Kenneth Allen Bedell



CEB

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

July 12, 2017

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


FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 47 CHESTNUT STREET, HICKSVILLE
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$414.89.

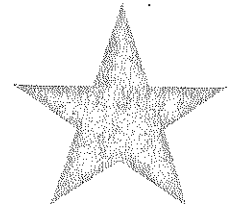
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN-UP 47 CHESTNUT STREET, HICKSVILLE TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (12-253-8) 47 CHESTNUT ST HICKSVILLE 11801

Date Jul 7, 2017

Work Order # 38208

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
RUBEN FOURNIER	General Maintenance	01:00	\$35.14	00:00	0	\$35.14
MICHAEL CALAMIA	General Maintenance	01:00	\$25.05	00:00	0	\$25.05
VINCENT CAGGIANO JR	General Maintenance	01:00	\$23.69	00:00	0	\$23.69
Total Labor						\$131.24

Tools/Vehicle

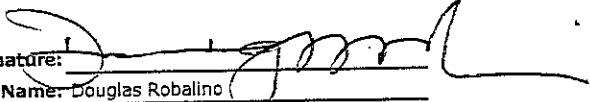
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$0.00	01:00	\$0.00
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$79.00	01:00	\$79.00
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	01:00	\$105.00
TU052	TRUCK UTILITY 2012 FORD F-350 YW (RR911)	\$79.00	01:00	\$79.00
Total Equipment				\$263.00

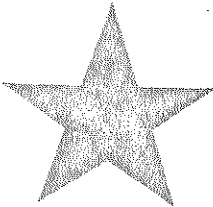
Materials

Material	Cost Per Unit	Units	Line Cost
Plywood 4'X8'X1/2"	\$20.65	1	\$20.65
Total Materials			\$20.65

Grand Total \$414.89

Description of Work:
CLEAN UP AND BOARD UP 47 CHESTNUT STREET HV

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Jul 12, 2017



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 June 28, 2017, authorized the Highway Department to clean up the premises located at 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 23, 2018, 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 July 7, 2017, in the total amount of \$280.10, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 23, 2018, 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 \$280.10 may be assessed by the Legislature of the County of Nassau against the parcel known as 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney
Ralph P. Healey

19

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: March 23, 2018

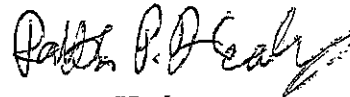
SUBJECT: Property Cleanup Assessment
14 Gainsboro Lane, Syosset, New York 11791
Section 12, Block 400, Lot 6

The Department of Planning and Development, by memorandum dated June 28, 2017, directed the Highway Department to clean the premises located at 14 Gainsboro Lane, Syosset, New York 11791, also known as Section 12, Block 400, Lot 6 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated July 12, 2017, advised that the property was cleaned by a crew from the Highway Department on July 7, 2017. The cost incurred by the Town of Oyster Bay was \$280.10.

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.

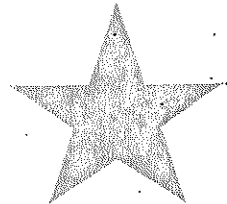
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\AMLA\Cleanup MD&Reso\CleanupMD&Reso\MD 14 Gainsboro Ln 3.23.18.doc



2018-6345
Nocella

TOWN OF OYSTER BAY

Inter-Departmental Memo
June 28, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 14 Gainsboro Lane Syosset, NY 11791
SBL: 12-400-6

Notice of Violation (No.17102) was issued to the owner of the above-referenced premises 06/15/17 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:

- The grass be cut.

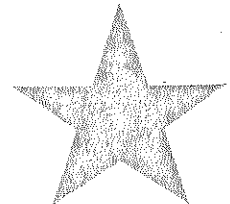
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

13
ME/j

cc: Joseph Nocella, Town Attorney



4
1916 Calendar

THIS INDENTURE, made on Sept. 7th 2011

BETWEEN Dennis J. Ahn And Duk hee Jang
14 Gainsboro Lane
Syosset NY 11791

Sec. 0012

Block: 00400

Lot: 006

Town: Oyster Bay

party of the first part, and

Duk hee Jang

14 Gainsboro Lane Syosset NY 11791

party of the second part, Duk hee Jang and Dennis J. Ahn

14 Gainsboro Lane Syosset NY 11791

WITNESSETH, that the party of the first part, in consideration of

~~One Hundred (00.00 00)~~ No Consideration dollars,

lawful money of the United States,

~~\$100~~ paid
No Consideration

by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any street 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 : said premises,

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

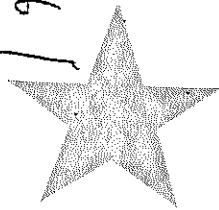
AND the party of the first part, in compliance with Section 13 of the Lien Law, hereby covenants that the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement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

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so require.
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first written.

Ahn, Dennis J. Ahn

Duk hee Jang

Duk hee Jang



personally appeared Dennis Jihoon Ahn
and Duk hee Jang
personally known to me or proved to me on the basis of satisfac-
tory 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 indi-
vidual(s), or the person upon behalf of which the individual(s)
acted, executed the instrument, and that such individual made
such appearance before the undersigned in
ANDREA L. STORM
Notary Public, State of New York
No. 045TB236226
Qualified in Nassau County
Commission Expires 12/22/2015 *Andrea L. Storm*
Not of individual taking acknowledgment

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)
State of _____ County of _____ ss.:
On _____ before me, the undersigned,
personally appeared _____

personally known to me or proved to me on the basis of satis-
factory 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 indi-
vidual(s), or the person upon behalf of which the individual(s)
acted, executed the instrument, and that such individual made
such appearance before the undersigned in _____

(insert city or political subdivision and state or country or other place acknowl-
edgment taken)

(Signature and office of individual taking acknowledgment)

Patricia Bratt

_____ TITLE No. _____

On _____ before me, the undersigned,
personally appeared _____
the subscribing witness(es) to the foregoing instrument, with
whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he/she/they reside(s) in (if the
place of residence is in a city, include the street and street number,
if any, thereof):

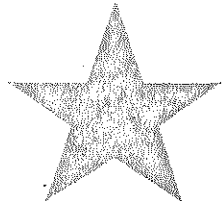
LEGIBILITY POOR

that he/she/they know(s) _____
to be the individual(s) described in and who executed the fore-
going instrument; that said subscribing witness(es) was (were)
present and saw said _____

execute the same; and that said witness(es) at the same time
subscribed his/her/their name(s) as a witness(es) thereto.
☐ (if taken outside New York State insert city or political subdivision and state
or country or other place acknowledgment taken. And that said subscribing
witness(es) made such appearance before the undersigned in _____)

(signature and office of individual taking acknowledgment)

SECTION 0012
BLOCK 00400
LOT 006
COUNTY OR TOWN Oysterbau



CEB DBS

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

July 12, 2017

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

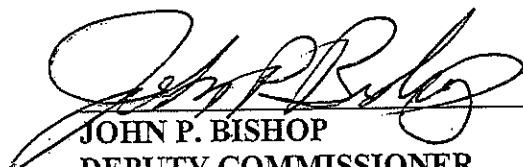
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 14 GAINSBORO LANE, SYOSSET
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 \$280.10.

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

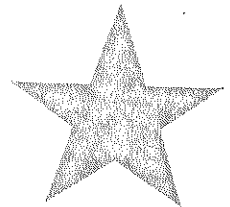

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

1 2017 DEC 20 A 9:47
TOWN OF OYSTER BAY
DEPT. OF PLANNING & DEVELOPMENT

CLEAN-UP 14 GAINSBORO LANE, SYOSSET TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED
UNDER ROAD RESTORATION

Location (12-400-6) 14 GAINSBORO LN SYOSSET 11791
Date Jul 7, 2017
Work Order # 38210

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
SCOTT DADE	General Maintenance	01:00	\$47.36	00:00	0	\$47.36
MICHAEL CALAMIA	General Maintenance	01:00	\$25.05	00:00	0	\$25.05
VINCENT CAGGIANO JR	General Maintenance	01:00	\$23.69	00:00	0	\$23.69
Total Labor						\$96.10

Tools/Vehicle

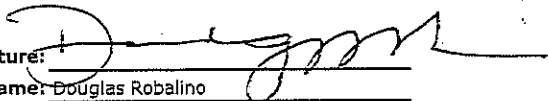
Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$0.00	01:00	\$0.00
PU406	PICK UP 2011 FORD F250 TAN (9 / 011)	\$79.00	01:00	\$79.00
TD702	TRUCK DUMP 2011 FORD F350 YELLO (T-165) - Power Wagons	\$105.00	01:00	\$105.00
Total Equipment				\$184.00

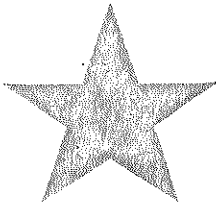
Materials

Material	Cost Per Unit	Units	Line Cost
Total Materials			

Grand Total \$280.10

Description of Work:
CLEAN UP 14 GAINSBORO LANE SYOSSET

Signature: 
Name: Douglas Robalino
Title: Director of Highway Operations
Date: Jul 12, 2017



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 July 25, 2017, authorized the Highway Department to clean up the premises located at 23 Soloff Road, Massapequa, New York 11758, also known as Section 53, Block 165, Lot 9 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 23, 2018, 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 August 8, 2017, in the total amount of \$1,802.08, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 23, 2018, 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 \$1,802.08 may be assessed by the Legislature of the County of Nassau against the parcel known as 23 Soloff Road, Massapequa, New York 11758, also known as Section 53, Block 165, Lot 9 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

Reviewed By
Office of Town Attorney
Ralph P. Healey

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

20

Town of Oyster Bay Inter-Departmental Memo

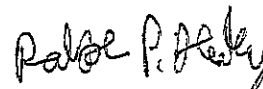
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 23, 2018
SUBJECT: Property Cleanup Assessment
23 Soloff Road, Massapequa, New York 11758
Section 53, Block 165, Lot 9

The Department of Planning and Development, by memorandum dated July 25, 2017, directed the Highway Department to clean the premises located at 23 Soloff Road, Massapequa, New York 11758, also known as Section 53, Block 165, Lot 9 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 11, 2017, advised that the property was cleaned by a crew from the Highway Department on August 8, 2017. The cost incurred by the Town of Oyster Bay was \$1,802.08.

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.

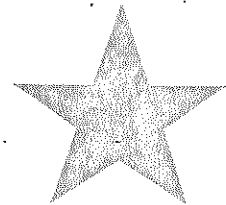
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

S:\AML\Cleanup MD&Reso\CleanupMD&Reso\MD 23 Soloff Rd 3.23.18.doc



2018-6351

Need it

TOWN OF OYSTER BAY

Inter-Departmental Memo
July 25, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 23 Soloff Road Massapequa, NY 11758
SBL:53-165-9

Notice of Violation (No.17778) was issued to the owner of the above-referenced premises 07/14/2017 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:

- The grass and weeds be cut.
- The bushes be trimmed.
- The litter and debris be removed.

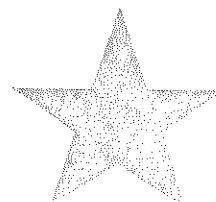
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU


ME/js

cc: Joseph Nocella, Town Attorney



CONSULT YOUR LAWYER BEFORE SIGNING THIS DOCUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made this 24th day of JUNE, in the year 2009

BETWEEN

NICHOLAS TEDESCO, as joint tenants with rights of survivorship, residing at 23 SOLOFF ROAD, MASSAPEQUA, NY 11758, party of the first part,

and

ALEJANDRO PANAMENO AND MARTHA PANAMENO, *as husband and wife*, residing at 14 EDMUNDS PLACE, CORAIGE, NY 11726, party of the second part,

WITNESSETH, that the party of the first part, in consideration of TWO HUNDRED FIFTY FIVE THOUSAND DOLLARS (\$255,000.00) and other valuable consideration paid by the party of the second part, does hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

SEE ATTACHED SCHEDULE A DESCRIPTION ATTACHED

Dist:
SECTION:
Block:
Lot

Property Address: 23 Soloff Road
Massapequa, New York

BEING AND INTENDED TO BE THE SAME PREMISES AS CONVEYED BY DEED DATED 07/16/2002 AND DULY RECORDED 09/04/2002 IN LIBER/PAGE 11522 - 852 AT COUNTY CLERK'S OFFICE

SEE LEGAL DESCRIPTION "SCHEDULE A" ATTACHED

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

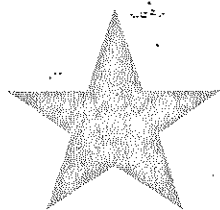
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of 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 to read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:


NICHOLAS TEDESCO



DBS

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

August 11, 2017

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


FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 23 SOLOFF ROAD, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,802.08.

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

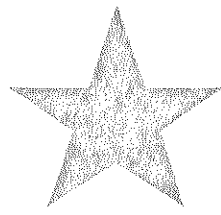

JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

2017 DEC 26 A 11:52
TOWN OF OYSTER BAY
CLERK

CLEAN - UP 23 SOLOFF ROAD, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (53-165-9) 23 SOLOFF RD MASSAPEQUA 11758

Date Aug 8, 2017

Work Order # 38712

Labor Costs		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
Employee's Name						
JAMES CHADWICK, II	General Maintenance	00:00	\$43.92	02:00	1.5	\$131.76
DONALD CHANDLER	General Maintenance	00:00	\$44.61	02:00	1.5	\$133.83
RICHARD JULIANO	General Maintenance	00:00	\$42.34	02:00	1.5	\$127.02
JOHN PIETROSANTE	General Maintenance	00:00	\$44.49	02:00	1.5	\$133.47
Total Labor						\$526.08

Tools/Vehicle		Description	Rate per Hour	Hours	Line Cost
Tool/Vehicle					
TD633		PICK-UP TRUCK 2008 FORD F-250 YW (24 / 024)	\$79.00	02:00	\$158.00
TD667		PICK-UP TRUCK 2009 FORD F-250 YW (22 / 022)	\$79.00	02:00	\$158.00
TD682		TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	02:00	\$210.00
Total Equipment					\$526.00

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

Grand Total \$1802.08

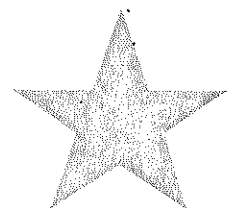
Description of Work:
CLEAN UP 23 SOLOFF ROAD MS

Signature:

Names: Douglas Robalino

Title: Director of Highway Operations

Date: Aug 10, 2017



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 August 3, 2017, authorized the Highway Department to clean up the premises located at 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau; and

WHEREAS, Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, by memorandum dated March 23, 2018, 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 August 11, 2017, in the total amount of \$1,664.57, be referred to the County of Nassau for assessment,

NOW, THEREFORE, BE IT RESOLVED, That the request of Joseph Nocella, Town Attorney, and Ralph P. Healey, Special Counsel, as set forth in their memorandum dated March 23, 2018, 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 \$1,664.57 may be assessed by the Legislature of the County of Nassau against the parcel known as 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau, at the same time as other taxes are levied or assessed.

- # -

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

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

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Highway

Reviewed By
Office of Town Attorney
Ralph P. Healey

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Town of Oyster Bay Inter-Departmental Memo

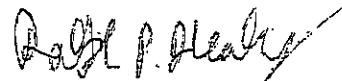
TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 23, 2018
SUBJECT: Property Cleanup Assessment
4699 Merrick Road, Massapequa, New York 11758
Section 57, Block 222, Lot 19

The Department of Planning and Development, by memorandum dated August 3, 2017, directed the Highway Department to clean the premises located at 4699 Merrick Road, Massapequa, New York 11758, also known as Section 57, Block 222, Lot 19 on the Land and Tax Map of the County of Nassau. (See attached copy of deed). The Highway Department has, by memorandum dated August 18, 2017, advised that the property was cleaned by a crew from the Highway Department on August 11, 2017. The cost incurred by the Town of Oyster Bay was \$1,664.57.

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.

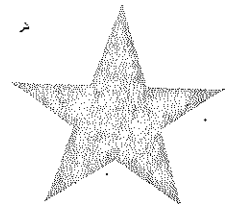
JOSEPH NOCELLA
TOWN ATTORNEY



Ralph P. Healey
Special Counsel

RPH:aml
Attachments
cc: Town Attorney (w/7 copies)

SAAML\Cleanup MD&Reso\CleanupMD&Reso\MD 4699 Merrick Rd 3.23.18.doc



2018-6363
Need to

TOWN OF OYSTER BAY

Inter-Departmental Memo
August 3, 2017

To: JOHN BISHOP: ACTING DEPUTY COMMISSIONER/HIGHWAY
From: MICHAEL ESPOSITO: CODE ENFORCEMENT BUREAU
Through: ELIZABETH L. MACCARONE: COMMISSIONER OF
DEPARTMENT OF PLANNING AND DEVELOPMENT
Subject: 4699 Merrick Rd. Massapequa, NY 11758
SBL:57-222-19

Notice of Violation (No.17155) was issued to the owner of the above-referenced premises 07/19/2017 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:

- The grass and weeds be cut.
- The bushes be trimmed.

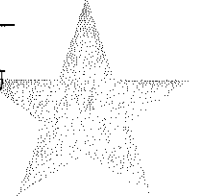
Pursuant to the provisions of Section 135.54(C) of the code, the Town is entitled to be reimbursed for the cost of the work performed by assessment against the owner. In addition, please notify us by fax, the date and time cleanup is completed. Please proceed accordingly.

ELIZABETH L. MACCARONE
COMMISSIONER
BY:


MICHAEL ESPOSITO
CODE ENFORCEMENT BUREAU

ME/js

cc: Joseph Nocella, Town Attorney



NYSTT
#700-

Standard N.Y.S.D. Form 1001 - Sample and Sale Deed with Covenants against Grantor's Acts - Individual or Corporation (Single Sheet)
CONSENT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INSTRUMENT, made the 28th day of September, nineteen hundred and eighty-nine
BETWEEN

DENNIS BRONZ, residing at
20 Broadway
Massapequa, New York 11758

party of the first part, and

BARBARA KERN, residing at
86 Ripplewater Avenue
Massapequa, New York 11758

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 Town of Oyster Bay, County of Nassau and State of New York, bounded and described as follows:

BEGINNING at a point on the new northerly side of Merrick Road, distant 328.81 feet westerly from the extreme westerly end of the arc of a curve connecting the new northerly side of Merrick Road with the westerly side of road known as Dover Road which point of beginning is also distant 500.82 feet westerly when measured along the new northerly side of Merrick Road from the westerly side of land of Grace Episcopal Church;

RUNNING THENCE westerly along the new northerly side of Merrick Road, 63 feet;

RUNNING THENCE northerly and at right angles to Merrick Road, 115 feet;

RUNNING THENCE easterly parallel with Merrick Road, 63 feet;

RUNNING THENCE southerly and at right angles to Merrick Road, 115 feet to the northerly side of Merrick Road, at the point or place of BEGINNING. Known as Section 57, Block 222, Lot 19 on the Nassau County Land & Tax map.

BEING AND INTENDED TO BE the same premises conveyed to the party of the first part by deed dated 3/4/82 and recorded 3/9/82 in Liber 9395 at page 263.

PREMISES ALSO KNOWN AS No. 4699 Merrick Road, Massapequa, New York.

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 shall not receive the consideration for this conveyance and will hold the right to receive such consideration 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.

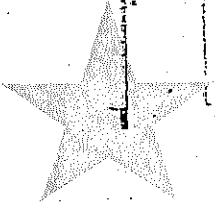
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

In presence of:

Dennis C. Bronz

REC-10024 REC 17

Lot 19
Block 222
Section 57
OCT 17 1989



RECORDED
OCT 25 10 29 AM '89

HAROLD A. WILSON
COUNTY CLERK
MASSACHUSETTS

OCT 25 10 15 AM '89

RECEIVED
TRANSFER TAX
REAL ESTATE
OCT 25 1989
NASSAU COUNTY

100155

005217

REC-10024 REC 16

200155

OCT 25 1989 / 45

100155

RECORDED BY SPRING MASTERS REAL SERVICE CORP.

dbs

TOWN ATTORNEY OFFICE
TOWN OF OYSTER BAY
JULY 2017

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

2017 DEC -6 A 11:16

August 18, 2017

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

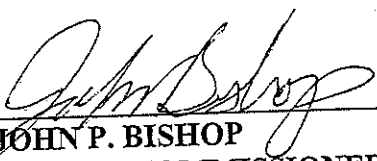
FROM: JOHN P. BISHOP, DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

SUBJECT: 4699 MERRICK ROAD, MASSAPEQUA
CLEAN-UP

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

In accordance with the rectification of this violation it is asked that this department be reimbursed in the total amount of \$1,664.57.

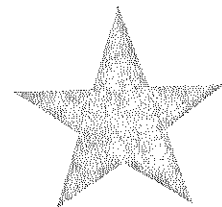
If you have any questions pertaining to the above subject, please feel free to contact John P. Bishop at 677-5804.


JOHN P. BISHOP
DEPUTY COMMISSIONER
HIGHWAY DEPARTMENT

JPB/kjb

Enc. T & M sheet

CLEAN - UP 4699 MERRICK ROAD, MASSAPEQUA TO P & D





MISCELLANEOUS HIGHWAY CLEANUP COSTS NOT COVERED UNDER ROAD RESTORATION

Location (57-222-19) 4699 MERRICK RD MASSAPEQUA 11758

Date Aug 11, 2017

Work Order # 38973

Labor Costs

Employee's Name		Regular Work Hours	Regular Rate	Overtime Hours	Overtime Rate	Line Cost
DONALD CHANDLER	General Maintenance	00:00	\$44.61	02:00	1.5	\$133.83
GIACOMO GRANDINE	General Maintenance	00:00	\$50.75	02:00	1.5	\$152.25
RICHARD JULIANO	General Maintenance	00:00	\$42.34	02:00	1.5	\$127.02
JOHN PIETROSANTE	General Maintenance	00:00	\$44.49	02:00	1.5	\$133.47
Total Labor						\$546.57

Tools/Vehicle

Tool/Vehicle	Description	Rate per Hour	Hours	Line Cost
PU409	PICK UP 2011 FORD F250 TAN (11 / 007)	\$0.00	02:00	\$0.00
TD667	PICK-UP TRUCK 2009 FORD F-250 YW (22 / 022)	\$79.00	02:00	\$158.00
TD682	TRUCK DUMP 2010 FORD F-350 YW (T-205) - Power Wagons	\$105.00	02:00	\$210.00
Total Equipment				\$368.00

Materials

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

Grand Total \$1664.57

Description of Work:

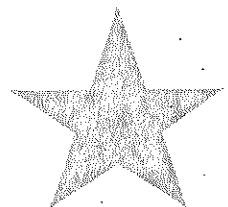
CLEAN UP 4699 MERRICK ROAD MASSAPEQUA

Signature: 

Name: Douglas Robalino

Title: Director of Highway Operations

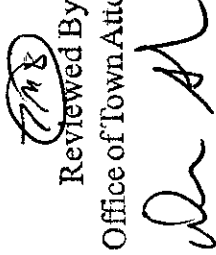
Date: Aug 16, 2017



WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highway, by memorandum dated March 22, 2018, stated that the Department of Public Works approved the specifications for Contract No. HMR18-174, Microsurfacing Throughout the Town of Oyster Bay, New York, and requested that the Division of Purchasing, Department of General Services, proceed with setting a date for receiving bids for said Contract, and the Division of Engineering, Department of Public Works, be authorized and directed to proceed with the Bid and Construction Phases of the above said Contract,

NOW, THEREFORE, BE IT RESOLVED, That the requests as hereinabove set forth are hereby accepted and approved, and the Division of Purchasing, Department of General Services is hereby authorized and directed to proceed with setting a date for receiving bids for Contract No. HMR18-174, and that the Division of Engineering, Department of Public Works is hereby authorized and directed to proceed with the Bid and Construction Phase of Contract No. HMR18-174.

-#-


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
Councilman Muscarella	Aye
Councilman Macagnone	Aye
Councilwoman Alesia	Aye
Councilwoman Johnson	Absent
Councilman Imbroto	Aye
Councilman Hand	Aye

cc: Supervisor
Town Attorney
Comptroller
Public Works
Highway
General Services

22

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TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

MARCH 22, 2018

TO: MEMORANDUM DOCKET


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

SUBJECT: REQUEST TO ENTER BID & CONSTRUCTION PHASES
REQUIREMENTS CONTRACT FOR MICROSURFACING
THROUGHOUT THE TOWN OF OYSTER BAY
CONTRACT NO. HMR18-174

The Division of Engineering has prepared construction contract documents for Requirements Contract for Microsurfacing throughout the Town of Oyster Bay. The initial term of this contract shall be one year from the date of award.

The Commissioner of the Department of Public Works has approved the specifications and recommends that the Division of Engineering be authorized and directed to proceed with the bidding phase and construction phase for Contract No. HMR18-174.

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



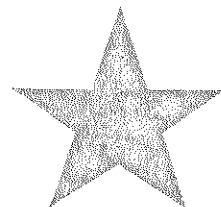
RICHARD W. LENZ, P.E.
COMMISSIONER
DEPARTMENT OF PUBLIC WORKS/HIGHWAY


RWL/JCT/MR/ik

Attachment

cc: Office of the Town Attorney (w/7 copies)
Steven Ballas, Comptroller
Eric Tuman, Commissioner/General Services
John Bishop, Deputy Commissioner/Highway

HMR18-174 DOCKET REQUEST TO BID



WHEREAS, pursuant to public notice, bids were duly and regularly received for the award of the Engineering Services Contract relative to the Retrofit Of Existing Streetlights To LED With Solar Power And Battery Backup As Part Of The N.Y. Rising Community Reconstruction Program, in accordance with the specifications contained in Contract No. H17-161, and said bids were publicly opened and read on October 30, 2017; and

WHEREAS the Department of Public Works received five (5) proposal responses which were reviewed and evaluated based upon the technical merits and cost of each and in accordance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works/Highways, by memorandum dated March 21, 2018, advised the Town Board that the highest ranking bid submitted was that of D&B Engineers & Architects, P.C., 330 Crossways Park Drive, Woodbury, New York 11797, with a bid for a maximum total fee for all phases of the project in the amount of \$299,180.00; and

WHEREAS, the Governor's Office of Storm Recovery reviewed and approved the procurement procedure followed by the Town and approved the selection of D&B Engineers & Architects, P.C., and

WHEREAS, Commissioner Lenz recommended that the bid as hereinabove set forth be accepted; and

WHEREAS, funds are available to satisfy engineering services at an amount not to exceed \$299,180.00 in Account No. IGA H 1997 20000 000 1303 001; and

NOW, THEREFORE, BE IT RESOLVED, That the recommendations as hereinabove set forth are accepted, and Contract No. H17-161 shall be awarded to D&B Engineers & Architects, P.C., in an amount of \$299,180.00, in accordance with the provisions thereunder; and be it further

RESOLVED, That in accordance with Town policy, the amount of \$299,180.00 shall be encumbered, with funds to be drawn from Account No. IGA H 1997 20000 000 1303 001.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Intergovernmental Affairs

Reviewed By
Office of Town Attorney
D. J. H.

24

TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

MARCH 21, 2018

TO : MEMORANDUM DOCKET

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

SUBJECT: AWARD OF ENGINEERING SERVICES CONTRACT
RETROFIT OF EXISTING STREETLIGHTS TO LED
WITH SOLAR POWER AND BATTERY BACKUP
AS PART OF THE N.Y. RISING COMMUNITY RECONSTRUCTION PROGRAM
CONTRACT NO. H17-161
ACCOUNT NO. IGA H 1997.20000 000 1303 001
PROJECT ID NO. 1303TWNA-05

This project will provide for the Retrofit of Existing Streetlights to LED with Solar Power and Battery Backup in Massapequa and Massapequa Park, as described in the Massapequas NY Rising Community Reconstruction (NYRCR) Plan, dated March 2014. This project is funded by and conceived through the New York Rising Community Reconstruction Program of the Governor's Office of Storm Recovery.

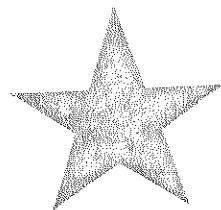
On October 2, 2017, the Department of Public Works, through the Office of the Town Clerk published a public notice in Newsday to announce the availability of Request for Proposals documents for this project. On October 30, 2017 the Division of Engineering had received five (5) proposal responses which were reviewed and evaluated by a selection committee based on the technical merits and cost. Related support documentation is on file in the Division of Engineering.

The Commissioner of Public Works, after review of the technical and cost factors associated with these proposals that were determined by the Division of Engineering has approved the selection of the top-ranking firm as D&B Engineers & Architects, P.C. The evaluation and selection process was performed in compliance with the requirements of Guideline 9 of the Town of Oyster Bay Procurement Policy. The Governor's Office of Storm Recovery has reviewed and approved the procurement procedure followed by the Town and the selection of D&B Engineers & Architects, P.C.

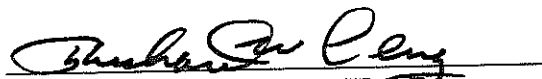
The maximum total fee for engineering services for all phases of the project is \$299,180.00, as detailed in the attached cost proposal submitted by D&B Engineers & Architects, P.C. as part of their proposal. In accordance with the requirements of the Governor's Office of Storm Recovery, engineering services are to be provided on a lump-sum basis.

Funds are available to satisfy engineering services at an amount not to exceed \$299,180.00 in Account No. IGA H 1997 20000 000 1303 001.

In accordance with the requirements of the Governor's Office of Storm Recovery, a project-specific consultant agreement must be executed reflecting the terms of the Request for Proposals, and the specific contract requirements of the Governor's Office of Storm Recovery. This Agreement, copy attached, has been reviewed and approved by the Office of the Town Attorney.



It is hereby requested that the Town Board authorize, by resolution, D&B Engineers & Architects, P.C., to perform engineering services relative to Retrofit of Existing Streetlights to LED with Solar Power and Battery Backup, for locations in Massapequa and Massapequa Park, and that the Town Supervisor, or his designee, be authorized to execute the Consultant Agreement for this project.



RICHARD W. LENZ, P.E.

COMMISSIONER

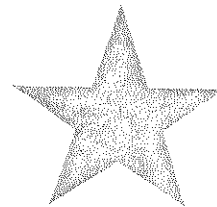
DEPARTMENT OF PUBLIC WORKS/HIGHWAY

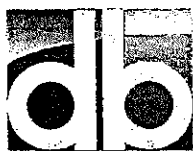

RWL/JCT/MR/lk

Attachments

- c: Office of the Town Attorney (w/7 copies)
 Steven Ballas, Comptroller
 Colin Bell, Deputy Commissioner/IGA
 Hans Stronstad, Division of Engineering

H17-161 DOCKET AWARD ENG SERVICES





**D&B ENGINEERS
AND
ARCHITECTS, P.C.**

330 Crossways Park Drive, Woodbury, New York 11797

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

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Michael P. Sciarillo, AIA, NCARB

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Associates

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Anthony M. Caniano

Rudolph F. Cannavale

James J. Magda

Michele Mastrangelo

Robbin A. Petrella

Swaroop C. Puchalapalli, P.E.

Edward J. Reilly

Michael G. Savarese, P.E.

Stephen E. Tauss, P.G.

October 30, 2017

Matthew Russo, P.E.

Town of Oyster Bay Department of Public Works

Division of Engineering

150 Miller Place

Syosset, NY 11791

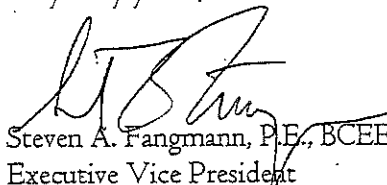
Re: Retrofit of Existing Streetlights to LED with
Solar Power and Battery Backup
Solicitation No. 2017-05

Dear Mr. Russo:

As requested in the Town of Oyster Bay's (Town) Request for Proposal for Retrofit of Existing Streetlights to LED with Solar Power and Battery Backup, D&B Engineers and Architects, P.C. is pleased to submit our Cost Proposal for the above-mentioned project under separate cover.

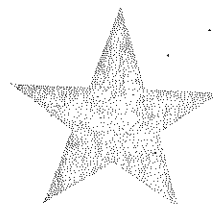
We look forward to working with the Town on this project. Should you have any questions or require any additional information, please do not hesitate to contact me at (516) 364-9890, by fax at (516) 364-9045, or via email at sfangmann@db-eng.com.

Very truly yours,


Steven A. Fangmann, P.E., BCEE
Executive Vice President

SAF/ACt/

*9186PX_Cost Letter



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

SCHEDULE IV: COST PROPOSAL

NAME OF PROPOSER: D&B Engineers and Architects, P.C.

ADDRESS: 330 Crossways Park Drive Woodbury NY 11797

PART I – Retrofit of Existing Streetlights to LED with Solar Power and Battery Backup

TOTAL LUMP SUM NOT TO EXCEED:

\$ Two Hundred Ninety Nine Thousand, One Hundred Eighty Dollars

In Words

\$ \$299,180.00

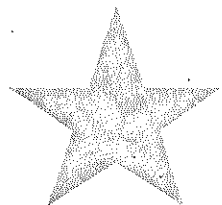
In Figures

PART II

All fees to be included in the lump sum

1. Include the names, titles and hourly rates for each individual to be associated with this project.
2. Include an itemized breakdown of the anticipated number of hours for all work under each task.

Reimbursable expenses to be invoiced at actual cost and must be included in lump sum.



Retrofit of Existing Streetlights to LED with Solar Power and Battery Backup
Solicitation No. 2017-05

Cost Proposal Breakdown

TASKS	Project Director	Project Manager	Senior Engineer	Project Engineer II	Project Engineer	Construction Inspector	GIS/CAD	HOURS / TASK	COST / TASK
Design									
1. Pre-Design Coordination and Condition Assessment									
Hour Subtotal:	8	16	16	40	20	0	8	108	
Cost Subtotal:	\$ 2,000	\$ 4,000	\$ 3,600	\$ 7,200	\$ 1,800	\$ -	\$ 840		\$ 19,440.00
2. Streetlight Reconnaissance and Inventory									
Hour Subtotal:	0	16	20	16	60	0	140	252	
Cost Subtotal:	\$ -	\$ 4,000	\$ 4,500	\$ 2,880	\$ 5,400	\$ -	\$ 14,700		\$ 31,480.00
3. Technical Alternative Evaluation									
Hour Subtotal:	12	24	24	40	40	0	0	140	
Cost Subtotal:	\$ 3,000	\$ 6,000	\$ 5,400	\$ 7,200	\$ 3,600	\$ -	\$ -		\$ 25,200.00
4. Conceptual Design									
Hour Subtotal:	8	12	32	24	40	0	0	116	
Cost Subtotal:	\$ 2,000	\$ 3,000	\$ 7,200	\$ 4,320	\$ 3,600	\$ -	\$ -		\$ 20,120.00
5. Public Outreach and Meetings									
Hour Subtotal:	4	24	16	40	16	0	0	100	
Cost Subtotal:	\$ 1,000	\$ 6,000	\$ 3,600	\$ 7,200	\$ 1,440	\$ -	\$ -		\$ 19,240.00
6. Detailed Design									
Hour Subtotal:	24	24	40	80	120	0	60	348	
Cost Subtotal:	\$ 6,000	\$ 6,000	\$ 9,000	\$ 14,400	\$ 10,800	\$ -	\$ 6,300		\$ 52,500.00
7. Permit Applications and Environmental Review									
Hour Subtotal:	8	8	4	8	32	0	0	60	
Cost Subtotal:	\$ 2,000	\$ 2,000	\$ 900	\$ 1,440	\$ 2,880	\$ -	\$ -		\$ 9,220.00
8. Final Design, Bidding and Award									
Hour Subtotal:	8	16	24	16	40	0	0	104	
Cost Subtotal:	\$ 2,000	\$ 4,000	\$ 5,400	\$ 2,880	\$ 3,600	\$ -	\$ -		\$ 17,880.00
9. Construction Administration and Inspection									
Hour Subtotal:	16	80	32	0	120	480	40	768	
Cost Subtotal:	\$ 4,000	\$ 20,000	\$ 7,200	\$ -	\$ 10,800	\$ 43,200	\$ 4,200		\$ 89,400.00
10. Project Closeout									
Hour Subtotal:	4	8	24	20	10	20	0	86	
Cost Subtotal:	\$ 1,000	\$ 2,000	\$ 5,400	\$ 3,600	\$ 900	\$ 1,800	\$ -		\$ 14,700.00
Total Person-Hours									
	92	228	232	284	498	500	248	2,082	
Loaded Labor Rate									
	\$ 250	\$ 250	\$ 225	\$ 180	\$ 90	\$ 90	\$ 90	105	
Labor Cost									
	\$23,000	\$57,000	\$52,200	\$51,120	\$44,820	\$45,000	\$26,040	\$295,180	
Total Project Fee:									
	\$299,180.0								
M/WBE Utilization Goal:									
	\$89,754.00								
									D&B ENGINEERS AND ARCHITECTS, P.C.

CONSULTANT AGREEMENT

RETROFIT OF EXISTING STREETLIGHTS TO LED WITH SOLAR POWER AND BATTERY BACKUP

CONTRACT NO. H17-161

*This is a project funded by and conceived through the NY Rising Community Reconstruction Program
of the Governor's Office of Storm Recovery.*

THIS AGREEMENT made as of the _____ day of _____, by and between TOWN OF OYSTER BAY, a municipal corporation having its principal place of business at Town Hall, Audrey Avenue, Oyster Bay, New York, acting on behalf of Town of Oyster Bay and Special Districts, hereinafter called the TOWN, and D&B Engineers and Architects, P.C., with their office and principal place of business at 330 Crossways Park Drive, Woodbury, New York 11797, hereinafter called CONSULTANT.

WITNESSETH, That whereas the Town deems it necessary and desirable to retain the services of a CONSULTANT for the purpose of preparing surveys, plans, contract documents, and specifications and provide other services in connection with the Retrofit of Existing Streetlights project.

NOW, THEREFORE, THE PARTIES HERETO MUTUALLY AGREE AS FOLLOWS:

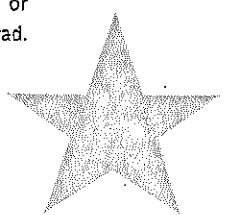
That the CONSULTANT is hereby retained, on a non-exclusive basis to render the services required of the Consultant in accordance with the terms, conditions, and provisions as set forth herein, commencing _____, and to continue until completion of all services outlined in the request for proposals, or until such time that this Agreement is terminated or cancelled in accordance with and pursuant to the terms, conditions, and provisions set forth herein.

SECTION I

General

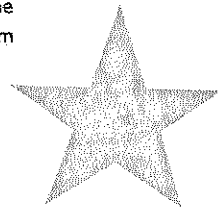
- A. CONSULTANT – Professional Representative. The CONSULTANT shall serve as the TOWN'S professional representative in the planning, design, professional supervision, and inspection of the construction of the Project and shall give consultation and advice to the TOWN during the performance of their services, and the CONSULTANT herein represents that they are adequately staffed, skilled, and experienced in the type of work proposed, and represents further that they are duly licensed and qualified to perform these services under the Laws of the State of New York; and it is understood and agreed that in the event the CONSULTANT herein should for any reason desire to subcontract for any of the consulting services herein even though this be an accepted or usual practice of the profession, the CONSULTANT shall advise the TOWN'S representative in writing as to the name and office address of the sub-consultant and obtain the Town Board's approval as to the scope and percentage of work to be performed by the sub-consultant and, further that all sub-consultant work is to be performed at no additional cost to the TOWN; however, in those instances where the CONSULTANT'S fee is based upon a multiple of wage rate, then it is agreed that the maximum cost for the Project shall include the cost of services rendered by all sub-consultants, and the CONSULTANT is required to file with the Town Comptroller a certified list of the payroll cost of those employees of the sub-consultant who are to perform services on the Project, and for purposes of payment and only for this purpose, under the provisions of Section V the sub-consultant and the designated employees of the sub-consultant will be deemed to be employees of the CONSULTANT.
- B. DESIGNATION OF TOWN'S REPRESENTATIVE – The TOWN hereby designates the Commissioner of Public Works as its representative. In the event the Commissioner is unavailable or incapacitated, his duly designated Deputy Commissioner of Public Works may act in his stead.

Reviewed By
Office of Town Attorney



The Commissioner shall have complete authority to transmit instructions, receive information, interpret, and define the TOWN'S general policy and decisions insofar as he is acting as the TOWN'S administrator under the terms of this Agreement. This authority, however, is restricted as aforesaid and there is no intention on the part of the Town Board, either express or implied, to delegate its exclusive authority insofar as other matters under this contract, such as but not limited to, increase or decrease in the scope of the work and approval of designs and plans.

- C. NON-DISCRIMINATION CLAUSE - The CONSULTANT agrees that neither he nor any sub-consultant, vendor, or other person shall discriminate in any manner by reason of race, creed, or color in employment of persons for the performance of any work under this contract.
- D. COMPLIANCE WITH LABOR STATUTES AND RULES AND WAIVER OF IMMUNITY - The CONSULTANT agrees to comply in all respects with the laws of the State of New York respecting labor and compensation and with all labor statutes, ordinances, rules and regulations applicable and having the force of law. In addition thereto, this contract is subject to cancellation pursuant to the provisions of Sec. 103-a of the General Municipal Law, which relates to refusal to sign a waiver of immunity when called to appear before a Grand Jury.
- E. SEPARATION OF CONSTRUCTION CONTRACTS - In those cases where a construction contract is subdivided into separate contracts in compliance with the provisions of law (General Municipal Law, Sec. 101) the separate contracts shall, for the purpose of determining the CONSULTANT'S fee as herein set forth, be treated as one contract.
- F. INSURANCE - The CONSULTANT shall secure and maintain such insurance as will protect him and the TOWN from claims under the Workmen's Compensation Acts, also secure and maintain bodily injury and property damage liability insurance coverage as will protect him and the TOWN, INCORPORATED VILLAGE OF MASSAPEQUA PARK, NASSAU COUNTY, NEW YORK STATE, and NEW YORK STATE HOUSING TRUST FUND CORPORATION, from claims which may arise from the performance of all services under this Agreement, in minimum limits of \$2,000,000.00, bodily injury and \$2,000,000.00 property damage, a Professional Liability Policy in an amount not less than \$2,000,000.00 insuring the CONSULTANT against errors and omissions. Automobile Liability and Property Damage Insurance is required in an amount not less than \$1,000,000.00 combined single limit for both Bodily Injury and Property Damage. The said insurance policies or certificates will be submitted for approval as to form to the Town Attorney's Office prior to or at the time of signing of this Agreement and copies then filed with the TOWN.
- G. COPYRIGHT OR PATENT INFRINGEMENT - The CONSULTANT shall defend actions or claims charging infringement of any copyright or patent by reason of the use of adoption of any designs, drawings, or specifications supplied by him, and he shall hold harmless the TOWN from loss or damage resulting therefrom.
- H. TESTING OF CONSTRUCTION MATERIALS - It is understood and agreed by the parties that the TOWN may contract with private testing laboratories for the purpose of testing construction materials that are typical of the construction contracts generally performed unless the private firm contracted with the Town is not equipped to do that particular type of testing or unless the facilities of the said laboratory are not available, or in the written opinion of the TOWN'S representative it is deemed to be in the best interests of the TOWN to use the facilities of an outside testing laboratory as a sub-contractor to the CONSULTANT, and in this regard the CONSULTANT shall comply with such procedures for testing as directed by the TOWN or the TOWN'S representative.
- The CONSULTANT shall process claims for payment from the outside testing laboratories and submit to the TOWN'S representative his certification that the testing results were acceptable.
- I. CHANGE ORDERS - In all those instances involving CONSULTANTS, Change Orders to the contractors, the CONSULTANT shall obtain written authorization in the form of a resolution from



the Town Board along with approval by the Governor's Office of Storm Recovery (GOSR) as to the details and cost prior to authorizing the contractors to proceed with the work provided for under Change Orders, except in those instances when the CONSULTANT must issue the Change Orders on an emergency basis, and in these instances he shall contact the TOWN'S representative and GOSR's representative as soon as reasonably possible to obtain his authorization to proceed with that amount of work made necessary by the emergency conditions, and he shall as soon as reasonably possible thereafter contact the Town Board to obtain the written authorization to proceed with the balance of the work in the same manner as prescribed for in regular change orders.

- J. DIVISIBLE AGREEMENT – The parties agree that the work and services to be performed by the CONSULTANT herein consists of three distinct but related phases of a program leading to the ultimate development and completion of the Project.

For this project, the funding authorization for the CONSULTANT will be made as a LUMP SUM which shall include all three phases of the project, and it is agreed that the fee for such services shall not be more than that set forth in Section V – PAYMENTS of this Agreement.

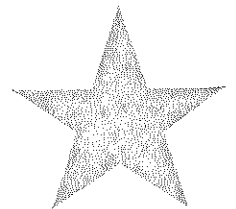
- K. OWNERSHIP OF DOCUMENTS – The completed original tracings and the original master specification sheets shall remain the property of the TOWN but may remain in the custody of the CONSULTANT, unless otherwise determined by the TOWN. In the event of any subsequent revisions, the CONSULTANT shall submit two (2) revised prints to the office of the TOWN'S representative.

Until final acceptance of the Project by the TOWN, there shall be no publication of the plans, specifications, or contract documents relating to the Project by the CONSULTANT without the prior approval of the TOWN.

- L. COMPLETION OF PROJECT WITHIN CONSULTANT'S FINAL PROJECT COST ESTIMATE – The CONSULTANT hereby acknowledges that he is familiar with the provisions of law dealing with municipal corporations, particularly those relating to the construction of Projects within the authorized amounts; therefore, said CONSULTANT hereby agrees to design the Project and arrive at his final Project cost estimate in such a manner as to allow the TOWN to build the Project at an amount which will not exceed the authorized amount which includes construction costs, engineering fees, and contingencies, and in the event that the bid amounts for the construction of the Project should exceed the CONSULTANT'S final Project cost estimate, the TOWN reserves the right to either cancel this Agreement or any portion thereof or instructs the CONSULTANT'S to redesign the plans so that the construction cost can come within the authorized amount, and if so directed to redesign, the CONSULTANT agrees to do so without any additional cost or fee to the TOWN, unless it is determined from a recognized construction cost index, such as the "Engineering News-Record Index," "Industrial Index," "Consumer Index," etc., that costs have increased beyond predictable amounts since the CONSULTANT'S design was submitted to the TOWN.

- M. SUCCESSORS AND ASSIGNS – This Agreement and all of the covenants hereof shall inure to the benefit of and be binding upon the Town and the CONSULTANT respectively and his partners, successors, assigns, and legal representatives. The CONSULTANT shall not have the right to assign, transfer or sublet his interest or obligations hereunder without written consent to the Town Board.

- N. By executing this agreement, CONSULTANT certifies that it is not currently engaged in a boycott of any American Allied Nation, as such term is defined by Town Code § 64-11, and CONSULTANT further agrees that it will not engage in a boycott of any American Allied Nation during the term of this agreement.

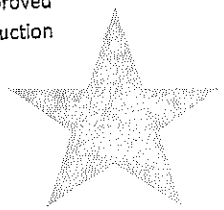


SECTION II

Services of the Consultant

A. THE DESIGN PHASE – After the Town Board adopts a resolution directing the CONSULTANT to proceed with the Design Phase, the principal services to be performed are as follows:

1. To avoid duplication of efforts, unless otherwise specified by GOSR in writing, the CONSULTANT will not conduct environmental review activities. It is presumed that GOSR will serve as lead agency for the purposes of NEPA and SEQRA. The selected A/E firm will be required to coordinate with GOSR and its contractors in support of any environmental review activity. Notwithstanding the above, the A/E will be responsible for applying for, obtaining and complying with all applicable, local, state and federal permits.
2. The CONSULTANT must abide by GOSR's environmental requirements, including but not limited to elevation design standards adapted to address impacts of climate change. Updated copies of these environmental requirements are available at www.stormrecovery.ny.gov/environmental-docs
3. After the initial pre-design conference, the CONSULTANT shall meet and work with the Town of Oyster Bay to determine more detailed program requirements for the project and shall refine and complete the program in a form acceptable to the Town of Oyster Bay.
4. Submit a conceptual design plan (10% design completion) for Town review that includes drawings reflecting the proposed locations of the retrofitted streetlights, roadway ownership, existing fixture type and wattage, and recommendation for an alternate size fixture, if necessary. The CONSULTANT will be required to perform any necessary structural calculations to confirm that the existing poles can support the new fixtures. A full survey should not be required, unless a need is detailed in the proposer's response.
5. The CONSULTANT will be granted access to the Town's GIS Information on existing streetlights. Upon completion of the contract, the selected firm will not be required to update the Town's GIS system, but to provide the necessary information to the Town for this update.
6. Upon acceptance of the conceptual design plan, prepare a design report for Town review that includes the following components: (1) problem definition; (2) existing conditions; (3) project description; (4) preliminary drawings/site plan including ownership information for all involved property; (5) estimate of total project costs broken out by services and construction costs; (6) project schedule; (7) preliminary engineering analysis (e.g. hydrocad model, building code, constructability, etc.); (8) alternatives to the project that address the problem, along with an alternatives analysis that explains the basis for selecting the proposed alternative(s); and (9) summary.
7. Upon acceptance of the design report, submit plans and specifications at the 30%, 60%, and 90% completion milestones for review and approval by the Town. With each submission, the Respondent shall provide a report which shall include an updated estimate of probable construction costs, suggestions for design modifications which shall bring the project into conformance with the project budget, if necessary, and a timeline for completion of the next design milestone. The CONSULTANT shall not advance drawings beyond these milestones until approval from the Town is received. The CONSULTANT shall also prepare a detailed schedule for the supply of next deliverable. Prepare a complete set of Final Contract Documents (drawings, specifications, and calculations), including an estimate of probable construction costs for use as the basis for advertising the construction project for bid. Upon the acceptance of each milestone submission, the Town will specify a deadline for the delivery of the next completion milestone.
8. Plan, advertise, and convene public meetings to gain feedback regarding the aesthetic, economic, and environmental impacts of the project.
9. Ascertain public opinion and incorporate resident feedback into project design.
10. Design the Project so that the actual Total Project Construction Cost does not exceed the Approved Construction Budget. In the event it is discovered at any phase of design that the estimated Total Project Construction Cost of the work is in excess of the Approved Construction Budget, or the bids received are in excess of the Approved Construction



Budget, the Respondent shall revise, at its own cost and expense, all or any part of the Schematic Deliverables, the Design Development Deliverables, the Construction Documents or the Bid Documents necessary to bring the estimated Total Project Construction Cost within the Approved Construction Budget. In order to reduce the estimated Total Project Construction Cost to the Approved Construction Budget, the Respondent shall, in addition to the above, at the Town of Oyster Bay's request and at no additional cost, (i) provide value engineering to reduce the estimated Total Project Construction Cost to the Approved Construction Budget; (ii) assist the Town of Oyster Bay in redefining the scope of the Project; (iii) incorporate all scope reductions and Project modifications into the modified Schematic Deliverables, Design Development Deliverables, Construction Documents or Bid Documents; and (iv) develop and incorporate bid alternates into the Construction Documents and Bid Documents.

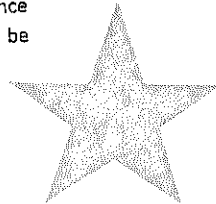
11. Prepare a complete set of Final Contract Documents (drawings, specifications, and calculations), including an estimate of probable construction costs for use as the basis for advertising the construction project for bid within 120 calendar days of the acceptance of the final design report for review and approval by both the Town and GOSR.
12. Deliver copies of all GIS data generated during this project to Town of Oyster Bay with the final design delivery.
13. Prepare and submit any and all required permit applications.
14. Attend and present project update at one NYRCR Planning Committee update meeting. This meeting is separate from other meetings referenced in this Scope of Work.

B. BIDDING PHASE – After the Town Board adopts a resolution approving the CONSULTANT'S final design, cost and construction time estimates, and directing the CONSULTANT to proceed with the Bidding Phase, the principal services to be performed are as follows:

1. After the TOWN sets down a bidding date, the CONSULTANT shall furnish as many additional copies of the contract documents, marked in numerical order, as directed by the TOWN'S representative, consisting of the Construction Agreement forms, general conditions, special provisions, detailed construction drawings, and specifications for the use of prospective bidders.
2. Attend the pre-bid coordination meeting with representatives of GOSR and Town.
3. Assist the TOWN in securing bids, distributing documents to prospective bidders by mail or email and maintaining a list of prospective bidders, issuing any necessary addenda, and reviewing bids received to determine technical responsiveness and bidder experience and qualification to perform the work.
4. Recommend to the Town of Oyster Bay, award to the lowest, responsive, responsible bidder and assist the Town of Oyster Bay in the preparation of the Notice of Award.
5. The Town Board will either approve the construction contract award or notify the CONSULTANT that they are not approving the award within forty-five (45) days from the date of receipt of bids.

C. CONSTRUCTION PHASE – This Phase is undertaken only after adoption of a resolution by the Town Board awarding construction contracts and authorizes the CONSULTANT to act on behalf of the TOWN in this Phase. The principal services to be performed are as follows:

1. Conform the required copies of the contract and bid documents to the originals, if so required by the TOWN'S representative.
2. Review the low bidder's submittals of bonds and Insurance certificates and assist the Town of Oyster Bay in the preparation of the Notice to Proceed.
3. Conduct the pre-construction meeting and prepare meeting minutes.
4. Review submittals for contract document compliance.
5. As lights may be installed on Town, Village or County roadways, the selected firm will be required to ensure that the awarded Contractor submits and complies with the permitting and maintenance & protection of traffic requirements of these agencies.
6. Answer Requests for Information within 5 business days.
7. Prepare agendas and conduct regular construction progress meetings in accordance with the Town of Oyster Bay's requests. Prepare meeting minutes. Meetings shall be



- held weekly, biweekly or monthly depending on the duration and complexity of the construction.
8. Conduct regular construction inspections to ensure contract compliance, design intent, quality of workmanship, and material acceptance. The frequency of inspections will be based on the duration and complexity of the construction and the level of construction activity.
 9. Review and approve all contractor requests for payment, and submit approved requests to the Town of Oyster Bay. Payment requests shall meet GOSR and CDBG-DR Program requirements for reimbursement.
 10. Prepare and issue Field Orders and Change Orders.
 11. At Substantial Completion, conduct Substantial Completion Inspection and prepare punchlist of work to be completed
 12. At Final Completion, conduct Final Completion Inspection and prepare Certification of Final Completion
 13. Collect contract closeout documents from all prime contractors, this includes but is not limited to lien and claim releases from all subcontractors and vendors, Consent of Surety to Final Payment, and equipment warranties, if applicable.
 14. Prepare Record (as-built) drawings
 15. If applicable, prepare Operation and Maintenance Manual
 16. Coordinate project activities with the activities of the Town of Oyster Bay and other parties.
 17. Conduct, in company with the TOWN'S representative, a final inspection of the Project for conformance with the design concept of the Project and compliance with the information given by the contract documents, approving, in writing, final payments to the contractors, and submit a written report of the completed Project to the TOWN.
 18. Inspection during the Guaranty Period and during the term of any Performance or Maintenance Bond relating to the Project and preparation of a written report listing discrepancies between guarantees and performance.

Change Orders shall not be permitted unless specifically requested and approved by the Town of Oyster Bay.

SECTION III

Project Description

The Town of Oyster Bay is proposing to design and construct upgrades to street lights that are located in priority locations along Merrick Road, Sunrise Highway, and additional streets that are critical for safe and secure passage during and after future storm events in the community. Upgrades to streetlights include retrofitting streetlights with solar power and backup battery storage, and conversions to LEDs with solar power and back up battery storage.

During Superstorm Sandy, residents needed clear routes for evacuation. Downed trees knocked over utility poles and wires, rendering street light and signals inoperative. Members of the Community reported that in some neighborhoods, the power was not restored for weeks after Superstorm Sandy resulting in some areas feeling deserted and unsafe at night. Floodwaters and debris from the strong winds caused road blockages.

To maintain functionality during power outages, streetlights will be upgraded to LED lightbulbs with solar power and backup power capabilities; street lights which are previously furnished with LED bulbs will be retrofitted to operate on solar power with battery backup power. This would make it safe for residents to evacuate during power outages whether by car or on foot, and improve security. Lighting during the night would also allow for first responders to clear roads quicker for residents and other first responders to provide lifesaving services. Backup batteries for these units can typically store enough energy to function for three days.

Additional details:

The Town of Oyster Bay is requesting CDBG-DR funding, as described in the *Massapequa's NY Rising*



Community Reconstruction Plan (NYRCR Plan), to design and construct upgrades to street lights that are located in priority locations along Merrick Road, Sunrise Highway, and additional streets that are critical for safe and secure passage during and after future storm events in the community. Upgrades to streetlights include retrofitting streetlights with solar power and backup battery storage, and conversions to LEDs with solar power and back up battery storage.

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The CONSULTANT shall provide the Town of Oyster Bay with all basic services necessary for design, bidding, and construction administration of this project in accordance with HUD and GOSR requirements and timetables.

The Town of Oyster Bay reserves the right to modify the project description.

PENALTIES FOR NON-PERFORMANCE

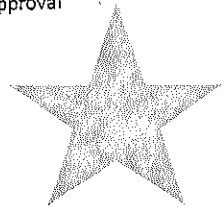
A design schedule, with all the critical completion dates for the above tasks, shall be prepared by the Consultant and approved by the Town and GOSR. If the design tasks are not achieved by the Consultant by the agreed to schedule deadlines, to the acceptance of the Town, payment will be withheld according to the payment schedule included in PAYMENT SCHEDULE.

Section IV

The Town

The TOWN agrees to provide the CONSULTANT, when requested, with complete information concerning the requirements of the project and to perform the following services:

- A. The TOWN shall provide legal access for the CONSULTANT to enter upon public and private lands as required for the CONSULTANT to perform such work and inspections in the development of the project.
- B. The TOWN shall give thorough consideration to all the CONSULTANT'S requests and proposals and shall inform the CONSULTANT of all decisions within a reasonable time.
- C. The TOWN shall hold all required public hearings and serve all required legal notices.
- D. The TOWN shall furnish all the necessary topographical and property line surveys required for design purposes unless the TOWN shall direct the CONSULTANT to obtain or perform such necessary surveys under the Optional Services provisions of the Agreement.
- E. The TOWN shall furnish the CONSULTANT with a copy of the design and construction standards, if any, and the CONSULTANT agrees to consider and incorporate same in his design. However, if the CONSULTANT, in his professional judgment, deems an alternate design to be more desirable, then the same may be incorporated in his design, provided he obtains the prior-written approval of the Town Board.



SECTION V

Payments to the Consultant

Payments to the CONSULTANT are contingent upon the TOWN's receipt of CDBG-DR funding to be applied to said payment and shall be made based upon the following schedule:

Task	Lump Sum
Pre-Design Coordination and Condition Assessment	\$19,440.00
Streetlight Reconnaissance and Inventory	\$31,480.00
Technical Alternative Evaluation	\$25,200.00
Conceptual Design	\$20,120.00
Public Outreach and Meetings	\$19,240.00
Detailed Design	\$52,500.00
Permit Application and Environmental Review	\$9,220.00
Final Design, Bidding and Award	\$17,880.00
Construction Administration and Inspection	\$89,400.00
Project Closeout	\$14,700.00
Total Project Hours/Cost	\$299,180.00

SECTION VI

Schedule of Payments

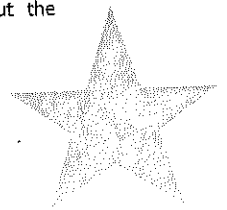
The CONSULTANT agrees to supply with all payment requests:

- A. A Consultant Claim summary report, outlining the status of the project budget, status of project completion, work performed in the claim period, and work anticipated to be performed in the next claim period.
- B. Time sheets for personnel working on the project, which shall be signed by the employee and approved by that employee's supervisor.
- C. Copies of all invoices for approved reimbursable costs, including, but not limited to, sub-contractor costs, sub-consultant costs, and supplies. No sales tax shall be reimbursed to the CONSULTANT. Copies of the Town's Tax-Exempt form can be provided upon request.

SECTION VII

Definitions & Requirements

- A. PROJECT CONSTRUCTION COST shall not include the CONSULTANT'S fee or that of other special consultants whose fee is paid by the TOWN, nor does it include the cost of land, right-of-way, or compensation for and/or damages to property unless this Agreement so specifies, nor does it include the TOWN'S legal, accounting, bonding or interest charges incurred in connection with the Project. It is further agreed that nothing contained in this definition shall be construed to entitle the CONSULTANT to a fee or additional fee where any of the provisions of this Agreement provide otherwise, such as but not limited to the requirement that the CONSULTANT agrees without additional fee to redesign plans in order to award construction contracts within the authorized amount or where he designs plans for alternate items, the cost of which is not included in his Project construction cost estimate, or is not included in a construction contract under this Agreement.
- B. WAGE RATE: The wage rate shall mean the actual hourly rate paid to the employee engaged directly in the project by the CONSULTANT, including, but not limited to principals, engineers, resident representatives, surveyors, designers, draftsmen, specification writers, estimators, and administrative staff. The CONSULTANT further agrees that in the event that an employee provides services to the project for which the time is in excess of a normal 40-hour week, the Town will only reimburse the CONSULTANT for the employee's wage rate without the application of a multiplier.



C. CERTIFIED LIST OF PAYROLL COST: Upon the signing of this Agreement, the CONSULTANT shall file with the Office of the Town Comptroller a certified list of all employees, including partners and principals, who may be engaged in any of the work under this Agreement in which the fee for a said service to be rendered the TOWN under any Phase or Optional Service is to be based on a multiple of payroll factor. Any changes in the said payroll list are to be certified and filed promptly with the Office of the Comptroller. The TOWN reserves the right to audit the CONSULTANT'S payroll records and all other financial records, and the CONSULTANT herein agrees to cooperate with the TOWN and to make said records available, upon reasonable notice of the request of the TOWN or the Town Comptroller.

D. REIMBURSABLE SERVICES: The CONSULTANT shall be reimbursed for the actual cost to the CONSULTANT for any authorized services as approved by the TOWN or the TOWN'S representative, for the following optional services such as, but not limited to:

1. Furnishing of drawings and specifications in addition to those provided for in this Agreement.
2. Work of special consultants when required by the complex nature of the Project, provided that the special consultant has been authorized by the Town Board as a sub-consultant.
3. Aerial Photography or photographic reproductions.
4. Soil Borings and Investigations

E. RESIDENT REPRESENTATIVES: The CONSULTANT shall furnish and direct qualified Resident Representatives, and the cost will be paid for by the TOWN as provided for the schedule of payments to be filed by the CONSULTANT in connection with the services to be rendered under the Optional Services section of this Agreement.

The program for Resident Representatives is to be submitted by the CONSULTANT for the approval of the Commissioner before such services begin.

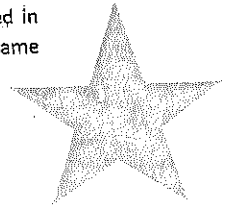
F. TERMINATION: Either party may terminate this Agreement hereto by giving a thirty-day (30-day) written notice to the other party of Notice of Cancellation. The CONSULTANT, shall be paid for services actually authorized and performed pursuant to the provisions of this Agreement up to the date of termination, including reimbursements then due unless the cancellation of the Agreement by the TOWN is due to the CONSULTANT'S failure to properly perform under the provisions of this Agreement.

G. ABANDONED OR SUSPENDED WORK: If any work performed by the CONSULTANT is abandoned or suspended, in whole or in part, by the TOWN without any fault of the CONSULTANT, then the CONSULTANT shall be paid for services which have been performed and approved pursuant to the provisions of this Agreement prior to the TOWN giving written notice to the CONSULTANT of such abandonment or suspension.

H. COMPLETION OF AUTHORIZED WORK: Any work authorized by the resolution and not completed nor abandoned nor suspended at the end of this contract shall be completed under the terms and conditions of this contract (until the effective date of a new or renewed contract, if any).

I. UNIT ITEMS OF WORK: Where a contract for construction employs the use of unit items of work, the CONSULTANT'S fee will be adjusted at the completion of work to account for the actual number of units used in the construction of Project and paid by the TOWN.

J. IT IS UNDERSTOOD AND AGREED that this Agreement may be amended only in writing and that all understandings and agreements heretofore had between the parties hereto are merged in this Agreement, which alone fully and completely expresses their agreement, and that the same



is entered into after full investigation, neither party relying upon any statement or representation, not embodied in this Agreement, made by the other.

- K. APPROVAL OR AUTHORIZATION: Whenever approval or authorization is required in this contract by the Town Board, such approval or authorization shall be deemed granted only upon the adoption of a resolution by the Town Board approving or authorizing same.

SECTION VIII

Additional Provisions

Any of the foregoing provisions to the contrary notwithstanding, the parties hereto agree as follows:

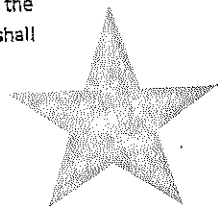
- A. That during the Design Phase, the CONSULTANT shall, in addition to performing the services enumerated in the "Design Phase," without limitation as therein prescribed, design and assume responsibility for the sufficiency and adequacy of the design, plans and specifications and assure the TOWN that the design, plans and specifications will accomplish the purpose intended by the TOWN.

In the event, however, that the CONSULTANT has, because of the existing state of knowledge within the profession, any reservations as to the sufficiency and adequacy of any aspect of the design to accomplish the purpose intended by the TOWN for the Project, he shall submit for review by the Town Board his reservations, in writing, enumerating with specificity, the reservations and the reasons therefor. Upon review of said reservations, the Town Board may at its option either accept the reservation or request the CONSULTANT to redesign without additional cost to the TOWN.

- B. The CONSULTANT agrees, after the construction contract has been awarded, to keep the TOWN informed of any delays in the construction of Project and to notify the Commissioner of the Department of Public Works of the reasons for such delays prior to recommending to the TOWN that an extension of time for completion be granted.
- C. The CONSULTANT agrees, with regard to this Project, generally to assist the TOWN, upon request of the Town Attorney, in preparations associated with legal actions arising therefrom and to testify on behalf of the TOWN should the same be requested by the TOWN. The parties agree, in the event the aforesaid services are required, that the CONSULTANT'S principals will be compensated at the rates specified elsewhere in this Agreement.
- D. The parties agree that wherever it is provided in the Agreement to which this Rider is attached that the TOWN "approves," or words of like effect, that the approval contemplated by the parties is pro forma approval and that the TOWN does not intend by such approval to assume any of the CONSULTANT'S responsibility with regard to any Phase of the Project.
- E. The CONSULTANT agrees that the services which he may be required to perform under this Agreement can generally be categorized in Phases as follows:

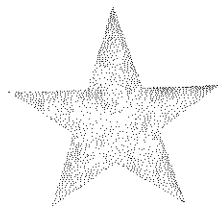
Design, Bidding and Construction

- F. It is understood and agreed by the CONSULTANT that in no event will the CONSULTANT commence work on any of the above Phases unless and until specifically directed to do so by a separate and distinct resolution by the Town Board.
- G. If, in the opinion of the CONSULTANT, any additions or changes of plans recommended or directed by the TOWN will increase the cost of the work beyond the amount agreed to by the TOWN after acceptance of the Preliminary Phase, then and in that event, the CONSULTANT shall



not incorporate said changes in his design unless specifically authorized and directed to do so by resolution of the Town Board.

- H. The CONSULTANT agrees prior to commencing on the Bidding Phase of any contract to submit, in writing, to the Town Board for approval of the CONSULTANT'S final Project cost estimate.
- I. It is hereby agreed by and between the parties hereto that if the CONSULTANT'S final Project cost estimate or the bid price exceed the amount appropriated therefor as herein above specified in Paragraph "L," of Section I, then and in that event the TOWN reserves the right to direct the CONSULTANT to redesign the Project so that the Project will not exceed the aforesaid amount and the CONSULTANT agrees, if so directed, to redesign and he will do so at no additional cost to the TOWN.
- J. The parties hereto agree that the TOWN may, if it decides to undertake the Construction Phase of this Project regardless of anything to the contrary therefore set forth in this Agreement, at its sole option and discretion, perform said Phase using TOWN personnel and/or any other consultants and is not constrained to use the services of the other party to this Agreement beyond the Bid Phase. In the event, however, that the TOWN directs the CONSULTANT to perform these services, it is agreed that the fee for such services shall be set forth in Section V, "Payment," of this Agreement.
- K. "All attachments and exhibits to this Contract are hereby incorporated by reference into the Contract and are considered a material part of this Contract. Should any provision(s) of this Contract (including any terms in any of the attachments and/or exhibits thereto and amendments thereof) be deemed to be in conflict with any other provision(s), the provisions shall be applied pursuant to the priority set forth in the Order of Precedence section of the Governor's Office of Storm Recovery Supplementary Conditions for Contracts."

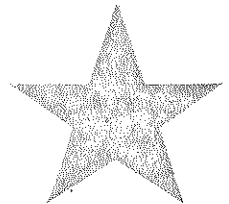


APPENDIX A

Governor's Office of Storm Recovery

Supplementary Conditions

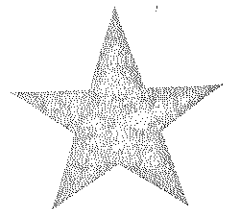
(Exhibit E)



APPENDIX B

Governor's Office of Storm Recovery

Environmental Requirements and Guidelines



IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, and such of them as are corporation have caused these present to be signed by their duly authorized officers.

APPROVED:

TOWN OF OYSTER BAY

Commissioner of Public Works
Town of Oyster Bay

By: _____
Supervisor

S
E
A
L

APPROVED AS TO FORM:

By: Steve A. Fandamann, PRESIDENT
Name & Title

Town Attorney

D+B ENGINEERS AND ARCHITECTS, P.C.
Firm

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

On this 7th day of March, 2018 before me personally appeared Steven A. Fandamann to me known to be a member of the firm D+B Engineers and Architects whose offices are located at 370 Casswell's Park Dr. Westbury, NY, the firm described in and which executed the foregoing instrument and he acknowledged to me that he subscribed the name of said firm thereto on behalf of said firm for the purpose therein mentioned.

KELLY PEDONE
Notary Public, State of New York
Registration #01PE5030019
Qualified in Nassau County
Commission Expires July 5, 20 21

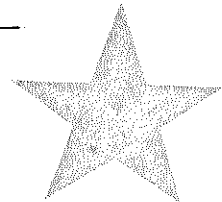
Kelly Pedone
NOTARY PUBLIC

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

On this _____ day of _____, _____ before me personally appeared _____, the duly elected and qualified Supervisor of the Town of Oyster Bay, the corporation described in and, which executed the foregoing instrument to me know and, known to me to be such Supervisor of the Town of Oyster Bay; and they being by me duly sworn did depose and say; that the Supervisor of the Town of Oyster Bay, resides at _____, Nassau County, New York; that he/she know the corporate seal of said Town of Oyster Bay; that the seal affixed to said instrument is such corporate seal; and that he/she executed the same as such Supervisor for the purpose therein mentioned.

NOTARY PUBLIC

Reviewed By
Office of Town Attorney
[Signature]



WHEREAS, Joseph G. Pinto, Commissioner, Department of Parks, by memorandum dated March 26, 2018, requested Town Board authorization to establish the attached 2018 Fee Schedule, Rules and Regulations for the Town of Oyster Bay beaches, beach parking, launching ramps and the Joseph J. Saladino Memorial Marina at TOBAY,

NOW, THEREFORE, BE IT RESOLVED, That the Town Board hereby approves the attached 2018 Fee Schedule, Rules and Regulations for the Town of Oyster Bay beaches, beach parking, launching ramps and the Joseph J. Saladino Memorial Marina at TOBAY, and authorizes the Department of Parks to establish and collect said fees.

-#-

Reviewed By
Office of Town Attorney
Elizabeth A. Jauchman

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

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

cc: Supervisor
Town Attorney
Comptroller
Parks

**2018 SUMMER BEACH, RAMP, AND JOSEPH J. SALADINO
MEMORIAL MARINA AT TOBAY OPERATION AND FEE
SCHEDULE**

1. Beaches

Centre Island Beach - Town of Oyster Bay residents and non-residents.

Charles E. Ransom Beach - Town of Oyster Bay residents and non-residents.

Harry Tappen Beach - Town of Oyster Bay residents and non-residents.

Theodore Roosevelt Memorial Park & Beach - Town of Oyster Bay Residents only.

Philip B. Healey Beach at Florence Avenue - Town of Oyster Bay residents only.

Stehli Beach - Town of Oyster Bay residents only.

Tobay Beach - Town of Oyster Bay residents, with non-residents permitted Monday through Friday, (excluding holidays).

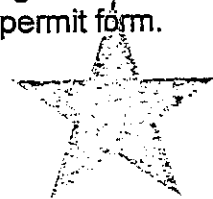
2. Town of Oyster Bay Beach Parking Fees

Resident Seasonal Sticker	Fee
Cars and motorcycles -	\$60.00
Senior Citizen Sticker -	No fee
Disabled Persons Permanent Disability/Social Security Act -	No Fee
Daily Admission (for vehicles without seasonal stickers) -	\$20.00

Volunteer Fire Department/Auxiliary Police Member/Coast Guard

	Resident	Non-residents, Within New York State (Tappen Only)
Active members seasonal sticker	\$30.00	\$60.00
Active members of the Wantagh Fire Department seasonal sticker (Tobay only)		\$60.00

Volunteer fire department/auxiliary police members/auxiliary U. S. Coast Guard must present valid proof of active membership and current vehicle registration in his/her name to the Beach Division's main office to obtain a special permit form.



Permit form may be presented to the gate attendant at any Town beach selling seasonal beach stickers

All Town of Oyster Bay Beach Parking Fees - continued

Active Military/Military Veterans

	Resident	Non-resident, Within New York State (Tappen Only)
Military member seasonal sticker	\$30.00	\$60.00
Active military and military veterans seasonal sticker	\$60.00 (Tobay only)	

Veterans wishing to obtain said discount must present a copy of an honorable discharge certificate, DD Form 214, or a membership card from any recognized veterans' organization. Active military service personnel seeking said discount must present their current military identification card.

Non-Resident Beach Locations

Fee

Tobay, Centre Island and Ransom

Daily admission - Monday through Friday
Cars and motorcycles

\$50.00

Centre Island and Ransom

Saturday, Sunday and holidays
Cars and motorcycles

\$60.00

Tappen

Seasonal Stickers – Tappen only

Car and motorcycles

\$120.00

Senior Stickers

No fee

Disabled Persons Permanent Disability/Social Security Act

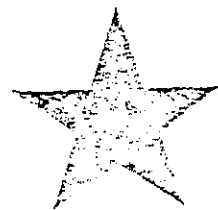
No fee.

Daily admission (for vehicles without seasonal stickers)

\$40.00

Bus Permit Fee Schedule

1. Non-profit organizations based within the Town of Oyster Bay, a fee of \$150.00 per bus, per season. Proof of non-profit status, such as 501c, required.
2. All other organizations based within the Town of Oyster Bay, a fee of \$150.00 per bus, per day.



All Town of Oyster Bay Beach Parking Fees - continued

3. No charge shall be made for programs sponsored by the Town of Oyster Bay or school districts located within the Town.

The following guidelines pertain to the issuance of bus permits:

- Organizations must have a minimum of 75% of participants residing in the Town.
- Permits are limited to Mondays thru Thursdays, except for Holidays.
- A five (5) bus limit, per day, for Tobay Beach.
- All permits are to be issued on a first come first serve basis.

Town of Oyster Bay Employees

Town of Oyster Bay employees required to be at any of the beach locations who drive their personal cars to their respective job site will be admitted pursuant to the rules and regulations as established by the Commissioner of Parks.

Food concession employees will be admitted pursuant to the rules and regulations as established by the Commissioner of Parks.

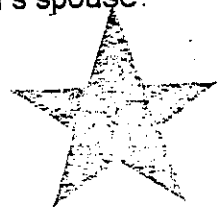
Replacement Beach Parking Stickers

Replacement beach parking stickers shall only be issued by gate attendants. Patron must submit satisfactory evidence of the original sticker, which shall be attached to the replacement stub. The original permit number shall be logged on the replacement stub.

All other issues of replacement permits shall be made by the Commissioner of Parks.

Senior Citizen / Disabled Persons Beach Sticker

Senior Citizens 60 years or older, upon presentation of proof (driver's license and car registration), shall be issued a permanent senior citizen's ID card, which shall be issued by the Town Clerk and be of a photo-laminated type and pre-numbered at the one-time fee of \$30.00 plus photo fee. Senior citizens, by presenting these cards and their vehicle registration at the tollgates, shall be issued a seasonal beach sticker at no additional charge; which shall be affixed to the vehicle by the issuer. The vehicle registration presented for the beach sticker may be that of the senior or the senior's spouse. At the time of issuing the senior citizen's ID card the Town Clerk will inform the senior that if the vehicle registration to be presented is that of the senior's spouse.



Senior Citizen / Disabled Persons Beach Sticker- continued

the senior will have to obtain, from the Town Clerk, a special beach pass form and submit evidence that the registered owner of the vehicle is the spouse of the senior. ID showing that the senior and the registered owner have the same address may be required by the Town Clerk's office when deemed necessary. In all cases, the sticker issued is to be affixed either to the vehicle registered to the senior or to the vehicle registered to the senior's spouse. If no vehicle is owned by the senior or the senior's spouse, the ID card becomes invalid.

Disabled Persons, who are residents of the Town of Oyster Bay, and have a permanent disability as certified in writing by a physician, may obtain a permanently disabled person's identification card which shall be issued by the Town Clerk and be of a photo-laminated type and pre-numbered at a one-time cost of \$30.00 plus photo fee. Disabled persons, by presenting these cards and their vehicle registration at the tollgates, shall be issued a seasonal beach sticker at no additional charge, which shall be affixed to their vehicle by the issuer. Disabled persons who have obtained a permanently disabled identification card as described above, but are unable to drive, can obtain a seasonal sticker for the vehicle of an immediate family member who provides transportation for the disabled individual. This can be obtained only at the Beach Division's main office by presenting the permanently disabled identification card, vehicle registration of an immediate family member and documented proof as required. The sticker issued hereunder, shall be personal to the disabled person involved and not to the vehicle to which it is affixed.

Disabled Persons Under The Social Security Act - Any person who is a resident of the Town of Oyster Bay and of good moral character and who is receiving disability insurance benefits under the Social Security Act, upon presentation of proof thereof, shall be issued a S.S.C. ID card, from the Town Clerk's office, which shall be valid during the period of such disability at a one-time cost of \$30.00 plus photo fee. Upon presentation of the card and his or her vehicle registration at the toll gates, such persons shall be issued a seasonal beach sticker at no charge, which shall be affixed to such person's vehicle by the issuer.

Replacement of Senior Citizen and Handicapped

In the event that a replacement is required in connection with an original senior citizen or handicapped permit, a permit from the original senior citizen or handicapped sticker sequence shall be issued.



3. Dates and Hours of Operation - Beaches

Tobay, Centre Island, Healey and Roosevelt Beaches will open for weekends only beginning, Saturday, May 26, 2018. All beach locations will be open 7 days per week Saturday, June 23, 2018 and close 6:00 p.m., Monday, September 3, 2018. The hours of operation for fee collection are 8:00 a.m. to 4:00 p.m., with the exception of Tobay Beach which will remain open until 6:00 p.m. for collection.

4. Revocation of Beach Sticker

A violation of the rules and regulations set forth will cause immediate revocation of all beach privileges and removal of beach sticker from vehicle.

5. Launching Ramps - Locations and Parking Fees

John J. Burns Park

	<u>Fee</u>
Residents - seasonal trailer sticker	\$65.00
Daily - no trailer sticker	\$20.00
Resident Senior Citizen	No fee
Non- Residents seasonal trailer sticker	\$150.00
Daily - no trailer sticker	\$40.00
Commercial	\$400.00

Theodore Roosevelt Ramp

Residents - seasonal trailer sticker	\$65.00
Daily - no trailer sticker	\$20.00
Resident Senior Citizen	No fee
Non-residents - daily car, truck and trailer	\$100.00
Commercial	\$400.00

Harry Tappen Ramp

	<u>Fee</u>
Residents - seasonal trailer sticker	\$65.00
Daily - no trailer sticker	\$20.00
Resident/ Non-resident Senior Citizen	No fee
Non-residents - seasonal trailer sticker	\$130.00
Daily - no trailer sticker	\$40.00
Commercial	\$400.00

1. Dates for ramp fee collection will be from Saturday, May 26, 2018 through Monday, September 3, 2018.
2. Seasonal trailer stickers and daily trailer fees are required in addition to the payment of all beach parking fees when applicable.
3. Senior citizens 60 years or older, upon proof of ownership of trailer and presentation of Senior ID card, shall be issued their seasonal ramp



sticker at no fee. The trailer may be owned by the senior or his/her spouse. Special trailer pass forms must be obtained from the Town Clerk's Office by seniors whose spouse owns the trailer.

6 Joseph J. Saladino Memorial Marina

Marina facilities will be restricted to boat owners or lessees of boats who reside in the Town of Oyster Bay and who submit proof of such ownership and residency to the Parks Department main office except hereinafter stated. When for maintenance reasons electrical service is not available at the slip, the fee for that slip may be adjusted by the Commissioner of Parks.

Residents

Entry Card	Fee
One (1) to twenty-five (25) feet	\$65.00
Twenty-six (26) to thirty-one (31) feet	\$75.00
Over thirty-one (31) feet	\$90.00

Entrance Fee - No Entry Card

One (1) to over thirty-one (31) feet	\$50.00
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Daily Slip Rental

Saturdays, Sundays, and Holidays

One (1) to twenty-five (25) feet	\$30.00 per day
Twenty-six (26) to thirty-one (31) feet	\$35.00 per day
Over thirty-one (31) feet	\$40.00 per day

Monday through Friday excluding Holidays

One (1) to twenty-five (25) feet	\$15.00 per day
Twenty-six (26) to thirty-one (31) feet	\$20.00 per day
Over thirty-one (31) feet	\$25.00 per day

Senior - Monday through Friday excluding Holidays

One (1) to twenty-five (25) feet	\$7.50 per day
Twenty-six (26) to thirty-one (31) feet	\$10.00 per day
Over thirty-one (31) feet	\$12.50 per day

"A" dock-no overnights

Boats under twenty-five (25) feet	\$20.00
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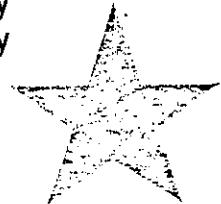
Non-Residents - Monday through Thursday (excluding Holidays) only.

Entrance Fee

One (1) to over thirty-one (31) feet	\$100.00
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Daily Slip Rental

One (1) to twenty-five (25) feet	\$30.00 per day
Twenty-six (26) to thirty-one (31) feet	\$40.00 per day
Over thirty-one (31) feet	\$80.00 per day



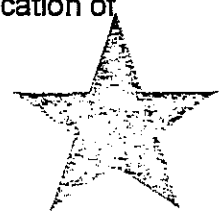
Joseph J. Saladino Memorial Marina - continued

"A" dock-no overnights

Boats under twenty-five (25) feet

\$25.00

1. One or more boat slips may be reserved for emergency purposes or other uses as directed by the Commissioner of Parks.
2. Non-residents will be permitted use of the facilities, if available, from 9 a.m. Monday to 9 a.m. Friday, except holidays and the day before a holiday, during the period from Saturday, May 12, 2018 through Sunday, September 23, 2018.
3. One boat slip will be allocated to the County of Nassau for the use of a Nassau County police boat, without payment of fee for one year.
4. Two boat slips will be allocated to the United States Coast Guard Auxiliary Flotilla 13-2 Massapequa, NY, for the promotion of safety in the maintenance operation, and navigation of small craft, without payment of daily fee for the year of 2018. A Coast Guard Auxiliary sign must be displayed. Slip assignments will be made by the Commissioner of Parks and may change periodically at the discretion of the Commissioner of Parks.
5. The official boating season for fee collection will be from Saturday, May 12, 2018 through Sunday, September 23, 2018 and all Fridays, Saturdays, Sundays, during the period of September 28, 2018 through October 31, 2018. Entry cards will be honored during this period. During the in-water boat show the Marina will be closed (actual dates of boat show to be determined).
6. All boats and boating equipment docked, berthed, located or left at Town facilities are so left at the sole risk of the owner of said boats or equipment. Permission to so dock, berth or locate such property is conditioned upon the owner's acceptance of said risk. All boat and boating equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
7. Senior slip rental rates apply to those residents 60 years or older whose name appears as the owner on the vessel registration.
8. Town rules, regulations and ordinances have been promulgated to create fairness among the members of the boating public. Violators of these rules, regulations and ordinances will be subject to revocation of



the license pursuant to these conditions and denied the use of all Town facilities.

9. All requests for refunds of fees must be made in writing and submitted to the Department of Parks. All refunds will be subject to the approval of the Commissioner of Parks.



25

TOWN OF OYSTER BAY

Inter-Departmental Memorandum

To: Memorandum Docket

From: Joseph G. Pinto, Commissioner of Parks


Date: March 26, 2018

Subject: 2018 Summer Beach, Ramp, and Joseph J. Saladino Memorial Marina at Tobay Operation and Fee Schedule

The Department of Parks requests Town Board approval to implement the attached 2018 Summer Beach, Ramp, and Joseph J. Saladino Memorial Marina at Tobay, operation and fee schedule.

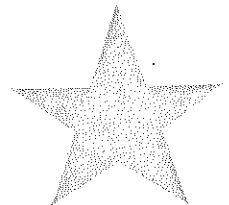
Please note that the Joseph J. Saladino Memorial Marina fee schedule has been amended to increase the non-resident "A" dock rate from \$20.00 to \$25.00. All other fees remain unchanged.

All dates have been changed to coincide with the 2018 calendar year.



Joseph G. Pinto
Commissioner of Parks

JGP:gv
Attachments
cc: Town Attorney (+7 copies)
Gabrielle Pontillo, Finance, Department of Parks



**2018 SUMMER BEACH, RAMP, AND JOSEPH J. SALADINO
MEMORIAL MARINA AT TOBAY OPERATION AND FEE
SCHEDULE**

1. Beaches

Centre Island Beach - Town of Oyster Bay residents and non-residents.

Charles E. Ransom Beach - Town of Oyster Bay residents and non-residents.

Harry Tappen Beach - Town of Oyster Bay residents and non-residents.

Theodore Roosevelt Memorial Park & Beach - Town of Oyster Bay Residents only.

Philip B. Healey Beach at Florence Avenue - Town of Oyster Bay residents only.

Stehli Beach - Town of Oyster Bay residents only.

Tobay Beach - Town of Oyster Bay residents, with non-residents permitted Monday through Friday, (excluding holidays).

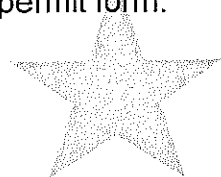
2. Town of Oyster Bay Beach Parking Fees

Resident Seasonal Sticker	Fee
Cars and motorcycles -	\$60.00
Senior Citizen Sticker -	No fee
Disabled Persons Permanent Disability/Social Security Act -	No Fee
Daily Admission (for vehicles without seasonal stickers) -	\$20.00

Volunteer Fire Department/Auxiliary Police Member/Coast Guard

	Resident	Non-residents, Within New York State (Tappen Only)
Active members seasonal sticker	\$30.00	\$60.00
Active members of the Wantagh Fire Department seasonal sticker (Tobay only)	\$60.00	

Volunteer fire department/auxiliary police members/auxiliary U. S. Coast Guard must present valid proof of active membership and current vehicle registration in his/her name to the Beach Division's main office to obtain a special permit form.



Permit form may be presented to the gate attendant at any Town beach selling seasonal beach stickers

All Town of Oyster Bay Beach Parking Fees - continued

Active Military/Military Veterans

	Resident	Non-resident, Within New York State (Tappen Only)
Military member seasonal sticker	\$30.00	\$60.00

Active military and military veterans seasonal sticker \$60.00 (Tobay only)

Veterans wishing to obtain said discount must present a copy of an honorable discharge certificate, DD Form 214, or a membership card from any recognized veterans' organization. Active military service personnel seeking said discount must present their current military identification card.

Non-Resident Beach Locations

Fee

Tobay, Centre Island and Ransom

Daily admission - Monday through Friday
Cars and motorcycles

\$50.00

Centre Island and Ransom

Saturday, Sunday and holidays
Cars and motorcycles

\$60.00

Tappen

Seasonal Stickers – Tappen only

Car and motorcycles

\$120.00

Senior Stickers

No fee

Disabled Persons Permanent Disability/Social Security Act

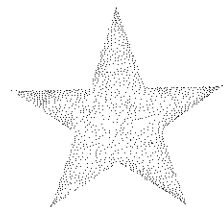
No fee

Daily admission (for vehicles without seasonal stickers)

\$40.00

Bus Permit Fee Schedule

1. Non-profit organizations based within the Town of Oyster Bay, a fee of \$150.00 per bus, per season. Proof of non-profit status, such as 501c, required.
2. All other organizations based within the Town of Oyster Bay, a fee of \$150.00 per bus, per day.



All Town of Oyster Bay Beach Parking Fees - continued

3. No charge shall be made for programs sponsored by the Town of Oyster Bay or school districts located within the Town.

The following guidelines pertain to the issuance of bus permits:

- Organizations must have a minimum of 75% of participants residing in the Town.
- Permits are limited to Mondays thru Thursdays, except for Holidays.
- A five (5) bus limit, per day, for Tobay Beach.
- All permits are to be issued on a first come first serve basis.

Town of Oyster Bay Employees

Town of Oyster Bay employees required to be at any of the beach locations who drive their personal cars to their respective job site will be admitted pursuant to the rules and regulations as established by the Commissioner of Parks.

Food concession employees will be admitted pursuant to the rules and regulations as established by the Commissioner of Parks.

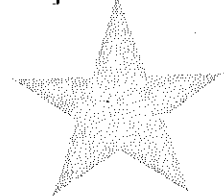
Replacement Beach Parking Stickers

Replacement beach parking stickers shall only be issued by gate attendants. Patron must submit satisfactory evidence of the original sticker, which shall be attached to the replacement stub. The original permit number shall be logged on the replacement stub.

All other issues of replacement permits shall be made by the Commissioner of Parks.

Senior Citizen / Disabled Persons Beach Sticker

Senior Citizens 60 years or older, upon presentation of proof (driver's license and car registration), shall be issued a permanent senior citizen's ID card, which shall be issued by the Town Clerk and be of a photo-laminated type and pre-numbered at the one-time fee of \$30.00 plus photo fee. Senior citizens, by presenting these cards and their vehicle registration at the tollgates, shall be issued a seasonal beach sticker at no additional charge; which shall be affixed to the vehicle by the issuer. The vehicle registration presented for the beach sticker may be that of the senior or the senior's spouse. At the time of issuing the senior citizen's ID card the Town Clerk will inform the senior that if the vehicle registration to be presented is that of the senior's spouse



Senior Citizen / Disabled Persons Beach Sticker- continued

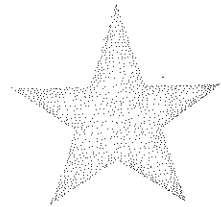
the senior will have to obtain, from the Town Clerk, a special beach pass form and submit evidence that the registered owner of the vehicle is the spouse of the senior. ID showing that the senior and the registered owner have the same address may be required by the Town Clerk's office when deemed necessary. In all cases, the sticker issued is to be affixed either to the vehicle registered to the senior or to the vehicle registered to the senior's spouse. If no vehicle is owned by the senior or the senior's spouse, the ID card becomes invalid.

Disabled Persons, who are residents of the Town of Oyster Bay, and have a permanent disability as certified in writing by a physician, may obtain a permanently disabled person's identification card which shall be issued by the Town Clerk and be of a photo-laminated type and pre-numbered at a one-time cost of \$30.00 plus photo fee. Disabled persons, by presenting these cards and their vehicle registration at the tollgates, shall be issued a seasonal beach sticker at no additional charge, which shall be affixed to their vehicle by the issuer. Disabled persons who have obtained a permanently disabled identification card as described above, but are unable to drive, can obtain a seasonal sticker for the vehicle of an immediate family member who provides transportation for the disabled individual. This can be obtained only at the Beach Division's main office by presenting the permanently disabled identification card, vehicle registration of an immediate family member and documented proof as required. The sticker issued hereunder, shall be personal to the disabled person involved and not to the vehicle to which it is affixed.

Disabled Persons Under The Social Security Act - Any person who is a resident of the Town of Oyster Bay and of good moral character and who is receiving disability insurance benefits under the Social Security Act, upon presentation of proof thereof, shall be issued a S.S.C. ID card, from the Town Clerk's office, which shall be valid during the period of such disability at a one-time cost of \$30.00 plus photo fee. Upon presentation of the card and his or her vehicle registration at the toll gates, such persons shall be issued a seasonal beach sticker at no charge, which shall be affixed to such person's vehicle by the issuer.

Replacement of Senior Citizen and Handicapped

In the event that a replacement is required in connection with an original senior citizen or handicapped permit, a permit from the original senior citizen or handicapped sticker sequence shall be issued.



3. Dates and Hours of Operation - Beaches

Tobay, Centre Island, Healey and Roosevelt Beaches will open for weekends only beginning, Saturday, May 26, 2018. All beach locations will be open 7 days per week Saturday, June 23, 2018 and close 6:00 p.m., Monday, September 3, 2018. The hours of operation for fee collection are 8:00 a.m. to 4:00 p.m., with the exception of Tobay Beach which will remain open until 6:00 p.m. for collection.

4. Revocation of Beach Sticker

A violation of the rules and regulations set forth will cause immediate revocation of all beach privileges and removal of beach sticker from vehicle.

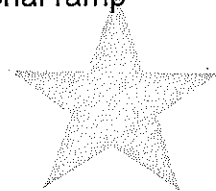
5. Launching Ramps - Locations and Parking Fees

<u>John J. Burns Park</u>	<u>Fee</u>
Residents - seasonal trailer sticker	\$65.00
Daily - no trailer sticker	\$20.00
Resident Senior Citizen	No fee
Non- Residents seasonal trailer sticker	\$150.00
Daily - no trailer sticker	\$40.00
Commercial	\$400.00

<u>Theodore Roosevelt Ramp</u>	
Residents - seasonal trailer sticker	\$65.00
Daily - no trailer sticker	\$20.00
Resident Senior Citizen	No fee
Non-residents - daily car, truck and trailer	\$100.00
Commercial	\$400.00

<u>Harry Tappen Ramp</u>	<u>Fee</u>
Residents - seasonal trailer sticker	\$65.00
Daily - no trailer sticker	\$20.00
Resident/ Non-resident Senior Citizen	No fee
Non-residents - seasonal trailer sticker	\$130.00
Daily - no trailer sticker	\$40.00
Commercial	\$400.00

1. Dates for ramp fee collection will be from Saturday, May 26, 2018 through Monday, September 3, 2018.
2. Seasonal trailer stickers and daily trailer fees are required in addition to the payment of all beach parking fees when applicable.
3. Senior citizens 60 years or older, upon proof of ownership of trailer and presentation of Senior ID card, shall be issued their seasonal ramp



sticker at no fee. The trailer may be owned by the senior or his/her spouse. Special trailer pass forms must be obtained from the Town Clerk's Office by seniors whose spouse owns the trailer.

6 Joseph J. Saladino Memorial Marina

Marina facilities will be restricted to boat owners or lessees of boats who reside in the Town of Oyster Bay and who submit proof of such ownership and residency to the Parks Department main office except hereinafter stated. When for maintenance reasons electrical service is not available at the slip, the fee for that slip may be adjusted by the Commissioner of Parks.

Residents

Entry Card	Fee
One (1) to twenty-five (25) feet	\$65.00
Twenty-six (26) to thirty-one (31) feet	\$75.00
Over thirty-one (31) feet	\$90.00

Entrance Fee - No Entry Card

One (1) to over thirty-one (31) feet	\$50.00
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Daily Slip Rental

Saturdays, Sundays, and Holidays

One (1) to twenty-five (25) feet	\$30.00 per day
Twenty-six (26) to thirty-one (31) feet	\$35.00 per day
Over thirty-one (31) feet	\$40.00 per day

Monday through Friday excluding Holidays

One (1) to twenty-five (25) feet	\$15.00 per day
Twenty-six (26) to thirty-one (31) feet	\$20.00 per day
Over thirty-one (31) feet	\$25.00 per day

Senior - Monday through Friday excluding Holidays

One (1) to twenty-five (25) feet	\$7.50 per day
Twenty-six (26) to thirty-one (31) feet	\$10.00 per day
Over thirty-one (31) feet	\$12.50 per day

"A" dock-no overnights

Boats under twenty-five (25) feet	\$20.00
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Non-Residents - Monday through Thursday (excluding Holidays) only.

Entrance Fee

One (1) to over thirty-one (31) feet	\$100.00
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Daily Slip Rental

One (1) to twenty-five (25) feet	\$30.00 per day
Twenty-six (26) to thirty-one (31) feet	\$40.00 per day
Over thirty-one (31) feet	\$80.00 per day

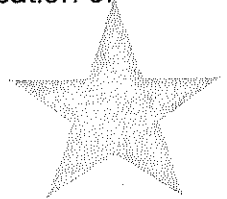


Joseph J. Saladino Memorial Marina - continued

"A" dock-no overnights

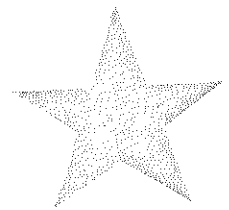
Boats under twenty-five (25) feet \$25.00

1. One or more boat slips may be reserved for emergency purposes or other uses as directed by the Commissioner of Parks.
2. Non-residents will be permitted use of the facilities, if available, from 9 a.m. Monday to 9 a.m. Friday, except holidays and the day before a holiday, during the period from Saturday, May 12, 2018 through Sunday, September 23, 2018.
3. One boat slip will be allocated to the County of Nassau for the use of a Nassau County police boat, without payment of fee for one year.
4. Two boat slips will be allocated to the United States Coast Guard Auxiliary Flotilla 13-2 Massapequa, NY, for the promotion of safety in the maintenance operation, and navigation of small craft, without payment of daily fee for the year of 2018. A Coast Guard Auxiliary sign must be displayed. Slip assignments will be made by the Commissioner of Parks and may change periodically at the discretion of the Commissioner of Parks.
5. The official boating season for fee collection will be from Saturday, May 12, 2018 through Sunday, September 23, 2018 and all Fridays, Saturdays, Sundays, during the period of September 28, 2018 through October 31, 2018. Entry cards will be honored during this period. During the in-water boat show the Marina will be closed (actual dates of boat show to be determined).
6. All boats and boating equipment docked, berthed, located or left at Town facilities are so left at the sole risk of the owner of said boats or equipment. Permission to so dock, berth or locate such property is conditioned upon the owner's acceptance of said risk. All boat and boating equipment owners are reminded to obtain adequate insurance before making use of Town facilities.
7. Senior slip rental rates apply to those residents 60 years or older whose name appears as the owner on the vessel registration.
8. Town rules, regulations and ordinances have been promulgated to create fairness among the members of the boating public. Violators of these rules, regulations and ordinances will be subject to revocation of



the license pursuant to these conditions and denied the use of all Town facilities.

9. All requests for refunds of fees must be made in writing and submitted to the Department of Parks. All refunds will be subject to the approval of the Commissioner of Parks.



WHEREAS, the United States Congress passed the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), appropriating \$15.18 billion to the U.S. Department of Housing and Urban Development for Community Development Block Grant Disaster Recovery; and

WHEREAS, by Resolution No. 836-2014, adopted on December 16, 2014, the Town Board authorized the Supervisor to enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement with the Housing Trust Fund Corporation, thereby making the Town of Oyster Bay an eligible Subrecipient of Community Development Block Grant Disaster Recovery funding, and

WHEREAS, Frank V. Sammartano, Commissioner of the Department of Intergovernmental Affairs, by memoranda dated March 26, 2018 and April 2, 2018, requested that the Town Board authorize the Supervisor, or his designee, to execute a third amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement with the Housing Trust Fund Corporation, thereby making up to an additional \$14,659,204.35 in Community Development Block Grant Disaster Recovery funding available to the Town of Oyster Bay to be applied to the Massapequa Flood Diversion and Control Project,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town Board hereby authorizes and directs the Supervisor, or his designee, to execute a third amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement with the Housing Trust Fund Corporation, thereby making up to an additional \$14,659,204.35 in Community Development Block Grant Disaster Recovery funding available to the Town of Oyster Bay to be applied to the Massapequa Flood Diversion and Control Project.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Intergovernmental Affairs

Reviewed By
Office of Town Attorney
[Signature]

INTER-DEPARTMENTAL MEMO

TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: APRIL 2, 2018

SUBJECT: SUPPLEMENTAL MEMORANDUM TO MD 3/27/18, ITEM # 13
NEW YORK RISING COMMUNITY RECONSTRUCTION PROGRAM
THIRD AMENDMENT TO SUBRECIPIENT AGREEMENT

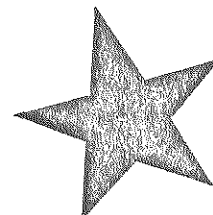
The Town of Oyster Bay (Town) has been identified by the Governor's Office of Storm Recovery (GOSR) as an eligible Subrecipient of Community Development Block Grant Disaster Recovery (CDBG-DR) Program funding provided through the New York Rising Community Reconstruction Program (NYCRP).

The New York Rising Community Reconstruction Program is a grant program designed to fund the development of Community Reconstruction Zone Plans and to facilitate the implementation of projects identified in Community Reconstruction Zone Plans in Community Reconstruction Zones (CRZ) as identified by GOSR. Massapequa and the Village of Massapequa Park (The Massapequa's) have been identified collectively as one CRZ by GOSR. GOSR has made up to \$26 million in CDBG-DR funding available to the Massapequa's to facilitate projects identified in The Massapequa's New York Rising Community Reconstruction Plan.

Resolution Number 836-2014 (enclosed) authorized the Supervisor to enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation (HTFC). Execution of the SRA made the Town an eligible recipient of CDBG-DR funding but did not allocate a specific grant award to the Town for any particular project; the SRA must first be entered into by both parties and then is to be later amended per each project that the Town will receive CDBG-DR funding to facilitate.

Subsequent to the execution of the SRA, Resolution Number 25-2016 (enclosed) authorized the Supervisor to execute the First Amendment to the SRA with HTFC thereby making \$324,247.36 in CDBG-DR funding to be applied to the Design portion of the Permanent Generators for Critical Facilities project.

Subsequent to the execution of the First Amendment to the SRA, Resolution Number 341-2017 (Enclosed) authorized the Supervisor to execute a Second Amendment to the SRA with HTFC thereby making \$9,945,814.50 in CDBG-DR funding available to the Town to be applied towards the Permanent Generators for Critical Facilities Project, the Alhambra Park Project and the Town of Oyster Bay Streetlights Project.



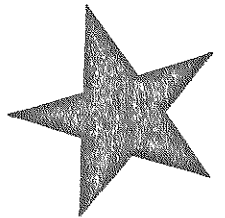
The Town and HTFC would now like to amend the SRA for a third time thereby making up to an additional \$14,659,204.35 in CDBG-DR funding available to the Town to be applied towards The Massapequa: Flood Diversion and Control Project. This Project and the shares at which CDBG-DR funds are proposed to be applied are detailed within the Third Amendment to Community Development Block Grant Disaster Recovery Subrecipient Agreement, enclosed with this Memorandum Docket item.

Therefore, it is respectfully requested that the Town Board authorize the Town to enter into a Third Amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement with the Housing Trust Fund Corporation to be negotiated and approved by the Town Attorney and further authorize the Supervisor and/or his designee to execute said Amendment.



Frank V. Sammartano,
Commissioner

cc: Town Attorney w/7 copies



Meeting of December 16, 2014

Resolution No. 836-2014

WHEREAS, the United States Congress passed the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), appropriating \$15.18 billion, to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant Disaster Recovery (CDBG-DR); and

WHEREAS, in March 2013, HUD appropriated \$1.7 billion in CDBG-DR to the Housing Trust Fund Corporation's (HTFC) Governor's Office of Storm Recovery (GOSR) to fund the New York Rising Community Reconstruction Program (NYCRP), a grant program designed to fund the development of Reconstruction Plans and facilitate the implementation of projects identified in Reconstruction Plans in Community Reconstruction Zones (CRZ) as identified by GOSR; and

WHEREAS, Massapequa, East Massapequa, and the Village of Massapequa Park (The Massapequas) have been identified collectively as one CRZ by GOSR; and

WHEREAS, GOSR has made up to \$26 million in CDBG-DR funding available to The Massapequas to facilitate projects identified in The Massapequas' New York Rising Community Reconstruction Plan (Plan) which was finalized in March of 2014; and

WHEREAS, The Town of Oyster Bay (Town) has been identified by GOSR as an eligible Subrecipient of CDBG-DR funding provided through the NYCRP for the purpose of carrying out select projects identified within the Plan; and

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, by memorandum dated December 2, 2014, requests that the Town Board authorize the Supervisor to enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement with the Housing Trust Fund Corporation, thereby making the Town of Oyster Bay an eligible Subrecipient of Community Development Block Grant Disaster Recovery funding,

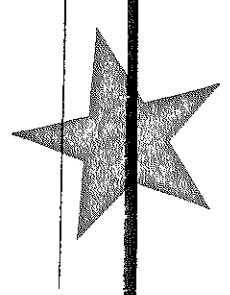
NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and the Town Board hereby authorizes and directs the Supervisor to enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement with the Housing Trust Fund Corporation, thereby making the Town of Oyster Bay an eligible Subrecipient of Community Development Block Grant Disaster Recovery funding.

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

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

cc: Supervisor
Town Attorney
Comptroller (2)
IGA

Reviewed By
Office of Town Attorney



WHEREAS, the United States Congress passed the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), appropriating \$15.18 billion, to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant Disaster Recovery (CDBG-DR); and

WHEREAS, by Resolution No. 836-2014, adopted on December 16, 2014, this Town Board authorized the Supervisor to enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation, thereby making the Town of Oyster Bay an eligible Subrecipient of Community Development Block Grant Disaster Recovery funding,

WHEREAS, Frank V. Sammartano, Deputy Commissioner of the Department of Intergovernmental Affairs, and Colin Bell, Department of Intergovernmental Affairs, by memorandum dated December 22, 2015, requests that the Town Board authorize the Supervisor to execute an amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation, thereby making \$324,247.36 in Community Development Block Grant Disaster Recovery funding available to the Town of Oyster Bay to be applied to the Permanent Generators for Critical Facilities Project.

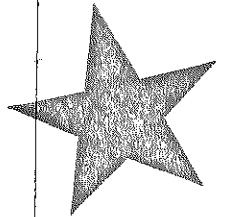
NOW, THEREFORE, BE IT RESOLVED, That the above request is hereby accepted and approved, and the Town Board hereby authorizes and directs the Supervisor to execute an amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation, thereby making \$324,247.36 in Community Development Block Grant Disaster Recovery funding available to the Town of Oyster Bay to be applied to the Permanent Generators for Critical Facilities Project.

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

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs



WHEREAS, the United States Congress passed the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, approved January 29, 2013), appropriating \$15.18 billion, to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant Disaster Recovery (CDBG-DR); and

WHEREAS, by Resolution No. 836-2014, adopted on December 16, 2014, the Town Board authorized the Supervisor to enter into a Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation, thereby making the Town of Oyster Bay an eligible Subrecipient of Community Development Block Grant Disaster Recovery funding,

WHEREAS, Frank V. Sammartano, Commissioner of the Department of Intergovernmental Affairs, by memorandum dated June 5, 2017, requested that the Town Board authorize the Supervisor, and/or his designee, and/or Colin Bell, Department of Intergovernmental Affairs, to execute a second amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation, thereby making up to an additional \$9,945,814.50 in Community Development Block Grant Disaster Recovery funding available to the Town of Oyster Bay to be applied to the Permanent Generators for Critical Facilities Project, the Alhambra Park Project and the Town of Oyster Bay Streetlights project,

NOW, THEREFORE, BE IT RESOLVED, That the request as hereinabove set forth is hereby accepted and approved, and the Town Board hereby authorizes and directs the Supervisor, and/or his designee and/or Colin Bell, Department of Intergovernmental Affairs, to execute an amendment to the Community Development Block Grant Disaster Recovery Subrecipient Agreement (SRA) with the Housing Trust Fund Corporation, thereby making up to an additional \$9,945,814.50 in Community Development Block Grant Disaster Recovery funding available to the Town of Oyster Bay to be applied to the Permanent Generators for Critical Facilities Project, the Alhambra Park Project and the Town of Oyster Bay Streetlights Project.

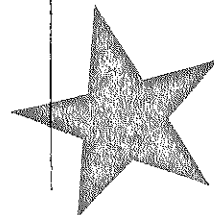
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The foregoing resolution was declared adopted after a poll of the members of the Board; the vote being recorded as follows:

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

cc: Supervisor
Town Attorney
Comptroller (2)
Intergovernmental Affairs

Reviewed By
Office of Town Attorney



THIRD AMENDMENT
TO
COMMUNITY DEVELOPMENT BLOCK GRANT
DISASTER RECOVERY
SUBRECIPIENT AGREEMENT

THIS THIRD AMENDMENT (the "Third Amendment") to the Community Development Block Grant Disaster Recovery Subrecipient Agreement dated January 22, 2015 is entered into and made effective as of _____, _____ (the "Effective Date") by and between the Housing Trust Fund Corporation, operating by and through its division, the Governor's Office of Storm Recovery ("GOSR"), (collectively referred to herein as the "Grantee") and the Town of Oyster Bay, a municipal corporation ("Subrecipient"). The foregoing Grantee and Subrecipient shall sometimes be referred to herein individually as a "Party" and collectively as the "Parties."

WHEREAS, Grantee and Subrecipient entered into a Community Development Block Grant - Disaster Recovery Subrecipient Agreement on January 22, 2015 (the "SRA" and, as amended by the Amendments, referred to herein as the "Agreement"), the terms of which govern Subrecipient's receipt of funds from the State of New York's Community Development Block Grant-Disaster Recovery ("CDBG-DR") program to provide certain services in support of the State of New York's recovery efforts following Hurricane Sandy and other eligible events in calendar years 2011, 2012, and 2013; and

WHEREAS, Grantee and Subrecipient entered into a first amendment to the SRA to provide funding in the amount of \$324,247.36 and disaster recovery support for Preliminary Work for the Permanent Generators for Critical Community Facilities Project, dated February 22, 2016 (the "First Amendment"); and

WHEREAS, Grantee and Subrecipient entered into a second amendment to the SRA to provide funding in the amount of \$9,945,814.50 and disaster recovery support for the Alhambra Park, Town of Oyster Bay Streetlights, and Construction of Permanent Generators for Critical Community Facilities projects, dated August 7, 2017 (the "Second Amendment" and, together with the First Amendment, collectively the "Amendments"); and

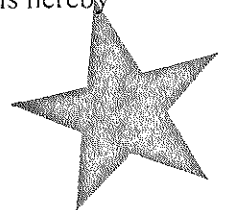
WHEREAS, pursuant to the Agreement, the Parties desire to enter into this Third Amendment to assist Subrecipient with the costs associated with the disaster recovery projects described herein; and

WHEREAS, Subrecipient has demonstrated an immediate need for \$14,659,204.35 of CDBG-DR funds in order to implement the project.

NOW THEREFORE, pursuant to and in consideration of the above, and other mutual covenants and obligations herein contained, it is

STIPULATED AND AGREED as follows:

1. The term end date of September 30, 2019, stated in Section II of the Agreement, is hereby replaced with the date September 30, 2022.



- 2. The amount of the Grant Funds, currently set at \$10,270,061.86 under Section IV of the Agreement, is hereby increased by \$14,659,204.35 to a total amount not to exceed \$24,929,266.21.
- 3. Exhibit A3 to this Third Amendment is hereby appended to Exhibit A of the Agreement.
- 4. Exhibit B3 to this Third Amendment is hereby appended to Exhibit B of the Agreement.

IN WITNESS WHEREOF, the parties executed this Third Amendment on the day and year first above written.

Town of Oyster Bay

Housing Trust Fund Corporation

By: _____
Name: Joseph S. Saladino
Title: Town Supervisor

By: _____
Name: Daniel Greene
Title: General Counsel
Governor's Office of Storm Recovery

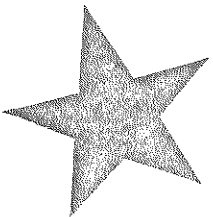


EXHIBIT A3

Third Amendment Subrecipient Program Description

Massapequa Drainage: Flood Diversion and Control - Seneca Place

As described in the project application submitted to GOSR on March 19, 2018, the Town of Oyster Bay will use CDBG-DR funds to implement flood mitigation interventions at Seneca Place, which is a low-to-moderate income residential area in the Hamlet of East Massapequa. The proposed improvements were identified in a comprehensive drainage study titled NYRCC Massapequa Flood Diversion and Control Technical Report (December 2017) that evaluated existing infrastructure conditions in areas where widespread flooding occurred during Superstorm Sandy and Hurricane Irene. The proposed drainage infrastructure upgrades at Seneca Place (Outfall 109) will provide solutions for unmet recovery needs pertaining to flood mitigation to ensure a more resilient, flood-protected community.

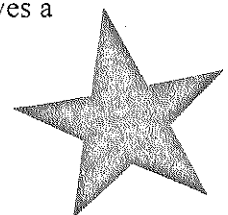
Seneca Place at West Shore Drive is a residential area in the Town of Oyster Bay. This is one of the locations reported to be flood-prone by the Town of Oyster Bay. Based on capacity calculations and model results for a 10-year return interval storm, the Technical Report recommended storm sewer capacity improvements. This project may require modifications, including road raising, to provide sufficient clearance above tidal-influenced groundwater for stormwater facilities, and to provide necessary pitch for the flow of stormwater to the drainage inlets. The existing drainage network will be adjusted to meet new grades, and will be analyzed to determine if additional capacity improvements are necessary. Tidal check valves will either be installed or replaced, as necessary. Other, alternative interventions, such as green infrastructure and improvements to canal outfalls will be considered during project design.

The deliverables for this project include:

- Plans and specifications
- Permitting
- Bid documents and bid award services
- Construction activities
- Construction administration
- Construction inspection
- Project close-out activities

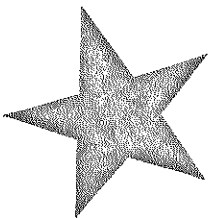
No acquisition is anticipated for the project. If it is determined that additional property is needed, the Town of Oyster Bay will comply with the Uniform Relocation and Assistance Act in acquiring property or rights-of-way.

No acquisition or construction activities are authorized until the Subrecipient receives a Clearance Letter (as defined in the Agreement) following Environmental Review.



Project Schedule:

CDBG-DR PROGRAM TIME SCHEDULE						APPLICANT NAME: Massapequa Drainage: Flood Diversion and Control – Seneca Place						
MILESTONES	Q 1	Q 2	Q 3	Q 4	Q 5	Q 6	Q 7	Q 8	Q 9	Q 10	Q 11	Q 12
	01/18-03/18	04/18-06/18	07/18-09/18	10/18-12/18	01/19-03/19	04/19-06/19	07/19-09/19	10/19-12/19	01/20-03/20	04/20-06/20	07/20-09/20	10/20-12/20
Activity: PUBLIC FACILITIES												
a. Environmental Review												
b. Engineering-Design												
c. Bidding/Award												
d. Construction												
e. Closeout												



Massapequa Drainage: Flood Diversion and Control - Division Ave

As described in the project application submitted to GOSR on March 19, 2018, the Town of Oyster Bay will use CDBG-DR funds to implement flood mitigation interventions at Division Avenue. The proposed improvements were identified in a comprehensive drainage study titled NYRCC Massapequa Flood Diversion and Control Technical Report (December 2017) (the Technical Report) that evaluated existing infrastructure conditions in areas where widespread flooding occurred during Superstorm Sandy and Hurricane Irene. The proposed drainage infrastructure upgrades at Division Avenue (Outfall 38) will provide solutions for unmet recovery needs pertaining to flood mitigation to ensure a more resilient, flood-protected community. Division Avenue will be constructed as a stand-alone project due to the magnitude of the interventions needed to mitigate flooding along this roadway.

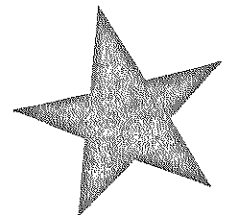
According to the Technical Report, Division Avenue at Jomarr Place is a residential area in the Town of Oyster Bay and includes waterfront property. This is one of the locations reported to be flood-prone by the Town of Oyster Bay. The sub-catchment drainage area totals 19 acres (approx.) discharging via Outfall 38 into South Oyster Bay. The drainage area for this network collects water from Division Avenue, Marie Place, Bayview Place West, Jomarr Place, and Jomarr Court. These six branches contribute to the main trunk line running along Division Avenue from North to South.

The Town reported that during flood events, such as occurred in Sandy and Irene, access to approximately 20 homes is restricted. The extended cradle outfall piping is continuously submerged and subject to filling with debris and sand during extreme weather events. This restricts the outfall from performing as intended. The structure located at the beach actually emerges on the open beach, and due to natural changes in the beach profile and high water line over the last 30 to 40 years, is now subject to continuously filling with debris and sand. Access for maintenance is severely limited and periodic blockages occurring during and after extreme weather events restrict the outfall from performing as intended.

Based on capacity calculations and the severity of flooding, the Report recommended that the system be upgraded to provide more storage volume in the storm sewer collection system. Additionally, the outfall structures will have to be replaced and/or modified to provide for continuous, reliable operation and access for maintenance.

The deliverables for this project include:

- Plans and specifications
- Permitting
- Bid documents and bid award services
- Construction activities
- Construction administration
- Construction inspection
- Project close-out activities

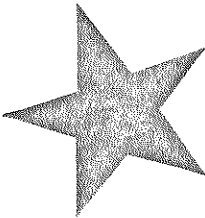


No acquisition is anticipated for the project. If it is determined that additional property is needed, the Town of Oyster Bay will comply with the Uniform Relocation and Assistance Act in acquiring property or rights-of-way.

No acquisition or construction activities are authorized until the Subrecipient receives a Clearance Letter (as defined in the Agreement) following Environmental Review.

Schedule

CDBG-DR PROGRAM TIME SCHEDULE						APPLICANT NAME: Massapequa Drainage: Flood Diversion and Control – Division Avenue						
MILESTONES	Q 1	Q 2	Q 3	Q 4	Q 5	Q 6	Q 7	Q 8	Q 9	Q 10	Q 11	Q 12
	01/18-03/18	04/18-06/18	07/18-09/18	10/18-12/18	01/19-03/19	04/19-06/19	07/19-09/19	10/19-12/19	01/20-03/20	04/20-06/20	07/20-09/20	10/20-12/20
Activity: PUBLIC FACILITIES												
a. Environmental Review												
b. Engineering-Design												
c. Bidding/Award												
d. Construction												
e. Closeout												



Massapequa Drainage: Flood Diversion and Control - Brockmeyer, Clearwater, and Iroquois

As described in the project application submitted to GOSR on March 19, 2018, the Town of Oyster Bay will use CDBG-DR funds to implement flood mitigation interventions at Brockmeyer Drive, Clearwater Avenue and Iroquois Place in the Hamlet of Massapequa. The proposed improvements were identified in a comprehensive drainage study titled NYRCC Massapequa Flood Diversion and Control Technical Report (December 2017) (the Technical Report) that evaluated existing infrastructure conditions in areas where widespread flooding occurred during Superstorm Sandy and Hurricane Irene. The proposed drainage infrastructure upgrades at these three locations will provide solutions for unmet recovery needs pertaining to flood mitigation to ensure a more resilient, flood-protected community. These projects were grouped together based on the similarities of drainage infrastructure improvements needed to mitigate flooding.

According to the Technical Report, **Brockmeyer Drive** is a residential area in the Town of Oyster Bay and includes waterfront property. This is one of the locations reported to be flood-prone by the Town of Oyster Bay. The sub-catchment drainage area totals four acres (approx.) discharging via Outfall 31 into the South Bay Inlet which is connected to the South Oyster Bay. The drainage area for this network collects water from both sides of Brockmeyer Drive, including a portion of the traffic island bounded by Brockmeyer Drive and Forest Avenue. Modeling performed in the Report indicated that flooding is likely caused by tidal water backing up into the storm water infrastructure and/or storm water infrastructure having insufficient capacity.

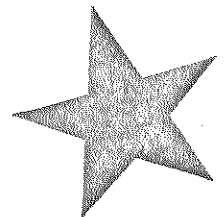
The Town of Oyster Bay reported that the residential area where **Clearwater** and Edgewater Avenues meet is flood-prone. According to the Technical Report, the subcatchment drainage area totals 12 acres (approx.) discharging via Outfall 114 into Canal 9, which is connected to the South Oyster Bay. The drainage area for this network collects water from Clearwater Avenue, Deepwater Avenue, and Edgewater Avenue. These three branches contribute to the main trunk line running along Clearwater Avenue from West to East. The modeling done for the Report indicates that the majority of the flooding problem is likely caused by storm water infrastructure having insufficient capacity.

Iroquois Place is a residential area in the Town of Oyster Bay and has historically been prone to flooding. According to the Technical Report, the subcatchment drainage area totals 51 acres (approx.) discharging via Outfall 128 into a channel, which empties into South Oyster Bay. The drainage area for this network collects water from Iroquois Street East, Nassau Road, and East Shore Drive. These three branches contribute to the main trunk line running along Iroquois Place from West to East. The Report recommends that the system be upgraded to provide more storage volume and an efficient drainage network.

To address the flooding in these flood-prone areas, the Town of Oyster Bay proposes to increase drainage capacity and install or replace tidal check valves.

The deliverables for this project include:

- Plans and specifications
- Permitting



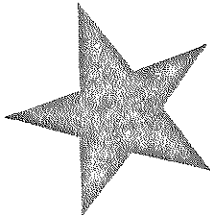
- Bid documents and bid award services
- Construction activities
- Construction administration
- Construction inspection
- Project close-out activities

No acquisition is anticipated for the project. If it is determined that additional property is needed, the Town of Oyster Bay will comply with the Uniform Relocation and Assistance Act in acquiring property or rights-of-way.

No acquisition or construction activities are authorized until the Subrecipient receives a Clearance Letter (as defined in the Agreement) following Environmental Review.

Project Schedule:

CDBG-DR PROGRAM TIME SCHEDULE						APPLICANT NAME: Massapequa Drainage: Flood Diversion and Control - Brockmeyer, Clearwater, Iroquois						
MILESTONES	Q 1	Q 2	Q 3	Q 4	Q 5	Q 6	Q 7	Q 8	Q 9	Q 10	Q 11	Q 12
	01/18-03/18	04/18-06/18	07/18-09/18	10/18-12/18	01/19-03/19	04/19-06/19	07/19-09/19	10/19-12/19	01/20-03/20	04/20-06/20	07/20-09/20	10/20-12/20
Activity: PUBLIC FACILITIES												
a. Environmental Review												
b. Engineering-Design												
c. Bidding/Award												
d. Construction												
e. Closeout												



Massapequa Drainage: Flood Diversion and Control - Cabot Rd W and Harbor Place

As described in the project application submitted to GOSR on March 19, 2018, the Town of Oyster Bay will use CDBG-DR funds to implement flood mitigation interventions at Cabot Road W and Harbor Place. The proposed improvements were identified in a comprehensive drainage study titled NYRCC Massapequa Flood Diversion and Control Technical Report (December 2017) (the Technical Report) that evaluated existing infrastructure conditions in areas where widespread flooding occurred during Superstorm Sandy and Hurricane Irene. The proposed drainage infrastructure upgrades at Cabot Rd W (Outfall 67) and Harbor Place (Outfall 126) will provide solutions for unmet recovery needs pertaining to flood mitigation to ensure a more resilient, flood-protected community. These sites were grouped together because the drainage problems and interventions needed to mitigate flooding are similar.

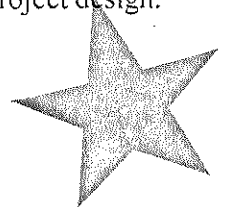
This project may require modifications, including road raising, where necessary, in addition to other modification to roadway grades, to provide sufficient clearance above tidal-influenced groundwater for stormwater facilities, and to provide necessary pitch for the flow of stormwater to the drainage inlets. Also to be included is the replacement of existing drainage pipes and installation of additional drainage inlet structures to provide more storage volume and an efficient drainage network. In addition to enlarging pipe diameters, the slopes of pipes and their respective manhole invert depths will be adjusted to allow for adequate flow and stormwater collection. The existing drainage network will be adjusted to meet new grades, and will be analyzed to determine if additional capacity improvements are necessary. Tidal check valves will either be installed or replaced, as necessary. Other, alternative interventions, such as green infrastructure and improvements to canal outfalls will be considered during project design.

Cabot Road

According to the Technical Report, Bayview Avenue at Cabot Road West is a residential area with waterfront property located in the Town of Oyster Bay. This is one of the locations reported to be flood-prone by the town of Oyster Bay. Based on capacity calculations and the severity of flooding in the model, the Technical Report recommended to upgrade the capacity of the downstream trunk line system and to install underground storage structures within the system to mitigate the major flooding shown in the model. In addition to enlarging pipe diameters, invert elevations and vertical alignments may be adjusted. Alternatives, including additional and/or improved inlet structures, tidal check valve(s), partial road raising, and/or green infrastructure, will be considered during project design.

Harbor Place

Harbor Place is a residential area in the Town of Oyster Bay and includes waterfront property. This is one of the locations reported to be flood-prone by the Town of Oyster Bay. Based on capacity calculations and flooding generated by the 10-year storm model, it is recommended that the pipes surrounding the existing traffic triangle be upgraded and that the traffic triangle be utilized for storage. Elliptical pipes are recommended to allow for increased pipe storage capacity while maintaining the minimum two feet cover at the existing invert on Seneca Place and West Shore Road. Alternatives, including additional and/or improved inlet structures, tidal check valve(s), partial road raising, and/or green infrastructure, will be considered during project design.



The deliverables for this project include:

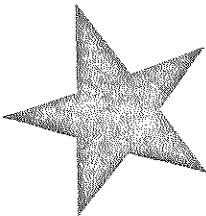
- Plans and specifications
- Permitting
- Bid documents and bid award services
- Construction activities
- Construction administration
- Construction inspection
- Project close-out activities

No acquisition is anticipated for the project. If it is determined that additional property is needed, the Town of Oyster Bay will comply with the Uniform Relocation and Assistance Act in acquiring property or rights-of-way.

No acquisition or construction activities are authorized until the Subrecipient receives a Clearance Letter (as defined in the Agreement) following Environmental Review.

Schedule:

CDBG-DR PROGRAM TIME SCHEDULE APPLICANT NAME: Massapequa Drainage: Flood Diversion and Control – Cabot Rd W and Harbor Place												
MILESTONES	Q 1	Q 2	Q 3	Q 4	Q 5	Q 6	Q 7	Q 8	Q 9	Q 10	Q 11	Q 12
	01/18-03/18	04/18-06/18	07/18-09/18	10/18-12/18	01/19-03/19	04/19-06/19	07/19-09/19	10/19-12/19	01/20-03/20	04/20-06/20	07/20-09/20	10/20-12/20
Activity: PUBLIC FACILITIES												
a. Environmental Review												
b. Engineering-Design												
c. Bidding/Award												
d. Construction												
e. Closeout												



Massapequa Drainage: Flood Diversion and Control - Village of Massapequa Park

As described in the project application submitted to GOSR on March 19, 2018, the Town of Oyster Bay will use CDBG-DR funds to implement flood mitigation interventions in the Village of Massapequa Park. Improvements were identified in a comprehensive drainage study titled NYRCC Massapequa Flood Diversion and Control Technical Report (December 2017) (the Technical Report) that evaluated existing infrastructure conditions in areas where widespread flooding occurred during Superstorm Sandy and Hurricane Irene. The Project Engineer will assist in selection of storm water flood mitigation interventions, from the Technical Report, within the allotted budget of \$2,200,000. The project will address unmet recovery needs pertaining to flood mitigation to ensure a more resilient, flood-protected community. Due to its incorporated status the Town of Oyster Bay elected to break-out the Village of Massapequa Park's infrastructure improvements as a stand-alone infrastructure project.

According to the Technical Report, improvements are recommended to address flooding in areas north of Sunrise Highway in Massapequa Park. These are residential areas reported to be flood-prone by the Village of Massapequa Park. Recommended interventions to be considered include improvements to the outfall systems, pipe capacity upgrades, re-grading of roadways, improvements to catch basins and manholes, diversion chambers, adding an additional conveyance to move storm water south beneath Sunrise Highway and the LIRR, and underground storage tanks to collect and store stormwater run-off. The Project Engineer procured for this project will review the Technical Report and budget for the village to determine the best alternatives for improvements.

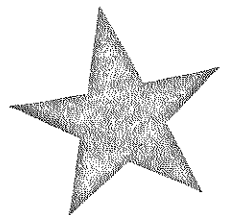
The deliverables for this project include:

- Plans and specifications
- Permitting
- Bid documents and bid award services
- Construction activities
- Construction administration
- Construction inspection
- Project close-out activities

No acquisition is anticipated for the project. If it is determined that additional property is needed, the Town of Oyster Bay will comply with the Uniform Relocation and Assistance Act in acquiring property or rights-of-way.

No acquisition or construction activities are authorized until the Subrecipient receives a Clearance Letter (as defined in the Agreement) following Environmental Review.

Schedule:



COBG-DR PROGRAM TIME SCHEDULE APPLICANT NAME: Massapequa Drainage: Flood Diversion and Control – Village of Massapequa Park												
MILESTONES	Q 1	Q 2	Q 3	Q 4	Q 5	Q 6	Q 7	Q 8	Q 9	Q 10	Q 11	Q 12
	01/18-03/18	04/18-06/18	07/18-09/18	10/18-12/18	01/19-03/19	04/19-06/19	07/19-09/19	10/19-12/19	01/20-03/20	04/20-06/20	07/20-09/20	10/20-12/20
Activity: PUBLIC FACILITIES												
a. Environmental Review												
b. Engineering-Design												
c. Bidding/Award												
d. Construction												
e. Closeout												

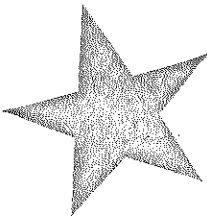


EXHIBIT B3
Third Amendment Budget

Budget for Massapequa Drainage: Flood Diversion and Control - Seneca Place

Project Component	Estimated Contract Execution Amount	Year 1	Year 2
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A/E Design Services	\$75,000.00	\$75,000.00	
Subtotal:	\$75,000.00	\$75,000.00	

Construction Activities	\$436,147.00		\$436,147.00
Subtotal:	\$436,147.00		\$436,147.00

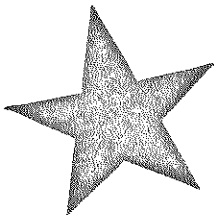
TOTAL PROJECT BUDGET: \$511,147.00 *

Project Delivery Costs	\$25,557.35	\$12,778.68	\$12,778.67
Administration Costs	\$0.00	\$0.00	\$0.00
Subtotal:	\$25,557.35	\$12,778.68	\$12,778.67

TOTAL PROJECT BUDGET WITH PD AND ADMIN: \$536,704.35 **

*Project Delivery and Administration costs for this project shall not be deducted from the Community allotment. The amount to be deducted from the Community's allotment for this project shall not exceed \$511,147.00 unless authorized in writing by the Grantee.

**Though the line item budgets above are estimates, the total budget for this project shall not exceed \$536,704.35 unless authorized in writing by the Grantee.



Budget for Massapequa Drainage: Flood Diversion and Control - Division Ave

Project Component	Estimated Contract Execution Amount	Year 1	Year 2
A/E Design Services	\$500,000.00	\$500,000.00	
Subtotal:	\$500,000.00	\$500,000.00	
Construction Activities	\$2,500,000.00		\$2,500,000.00
Subtotal:	\$2,500,000.00		\$2,500,000.00

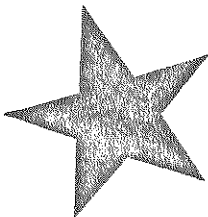
TOTAL PROJECT BUDGET: \$3,000,000.00 *

Project Delivery Costs	\$150,000.00	\$75,000.00	\$75,000.00
Administration Costs	\$0.00	\$0.00	\$0.00
Subtotal:	\$150,000.00	\$75,000.00	\$75,000.00

TOTAL PROJECT BUDGET WITH PD AND ADMIN: \$3,150,000.00 **

*Project Delivery and Administration costs for this project shall not be deducted from the Community allotment. The amount to be deducted from the Community’s allotment for this project shall not exceed \$3,000,000.00 unless authorized in writing by the Grantee.

**Though the line item budgets above are estimates, the total budget for this project shall not exceed \$3,150,000.00 unless authorized in writing by the Grantee.



Budget for Massapequa Drainage: Flood Diversion and Control - Brockmeyer, Clearwater, and Iroquois

Project Component	Estimated Contract Execution Amount	Year 1	Year 2
A/E Design Services	\$600,000.00	\$600,000.00	
Subtotal:	\$600,000.00	\$600,000.00	
Construction Activities	\$3,500,000.00		\$3,500,000.00
Subtotal:	\$3,500,000.00		\$3,500,000.00

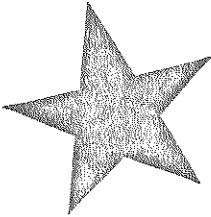
TOTAL PROJECT BUDGET: \$4,100,000.00 *

Project Delivery Costs	\$205,000.00	\$102,500.00	\$102,500.00
Administration Costs	\$0.00	\$0.00	\$0.00
Subtotal:	\$205,000.00	\$102,500.00	\$102,500.00

TOTAL PROJECT BUDGET WITH PD AND ADMIN: \$4,305,000.00 **

*Project Delivery and Administration costs for this project shall not be deducted from the Community allotment. The amount to be deducted from the Community’s allotment for this project shall not exceed \$4,100,000.00 unless authorized in writing by the Grantee.

**Though the line item budgets above are estimates, the total budget for this project shall not exceed \$4,305,000.00 unless authorized in writing by the Grantee.



Budget for Massapequa Drainage: Flood Diversion and Control - Cabot Rd W and Harbor Place

Project Component	Estimated Contract Execution Amount	Year 1	Year 2
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A/E Design Services	\$650,000.00	\$650,000.00	
Subtotal:	\$650,000.00	\$650,000.00	

Construction Activities	\$3,500,000.00		\$3,500,000.00
Subtotal:	\$3,500,000.00		\$3,500,000.00

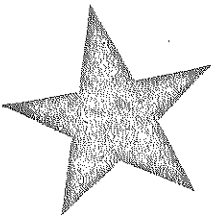
TOTAL PROJECT BUDGET: \$4,150,000.00 *

Project Delivery Costs	\$207,500.00	\$103,750.00	\$103,750.00
Administration Costs	\$0.00	\$0.00	\$0.00
Subtotal:	\$207,500.00	\$103,750.00	\$103,750.00

TOTAL PROJECT BUDGET WITH PD AND ADMIN: \$4,357,500.00 **

*Project Delivery and Administration costs for this project shall not be deducted from the Community allotment. The amount to be deducted from the Community's allotment for this project shall not exceed \$4,150,000.00 unless authorized in writing by the Grantee.

**Though the line item budgets above are estimates, the total budget for this project shall not exceed \$4,357,500.00 unless authorized in writing by the Grantee.



Budget for Massapequa Drainage: Flood Diversion and Control - Village of Massapequa Park

Project Component	Estimated Contract Execution Amount	Year 1	Year 2
A/E Design Services	\$400,000.00	\$400,000.00	
Subtotal:	\$400,000.00	\$400,000.00	
Construction Activities	\$1,800,000.00		\$1,800,000.00
Subtotal:	\$1,800,000.00		\$1,800,000.00

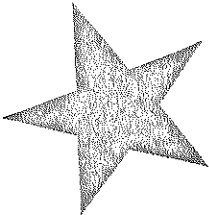
TOTAL PROJECT BUDGET: \$2,200,000.00 *

Project Delivery Costs	\$110,000.00	\$55,000.00	\$55,000.00
Administration Costs	\$0.00	\$0.00	\$0.00
Subtotal:	\$110,000.00	\$55,000.00	\$55,000.00

TOTAL PROJECT BUDGET WITH PD AND ADMIN: \$2,310,000.00 **

*Project Delivery and Administration costs for this project shall not be deducted from the Community allotment. The amount to be deducted from the Community’s allotment for this project shall not exceed \$2,200,000.00 unless authorized in writing by the Grantee.

**Though the line item budgets above are estimates, the total budget for this project shall not exceed \$2,310,000.00 unless authorized in writing by the Grantee.



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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO

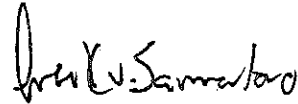
TO: MEMORANDUM DOCKET

FROM: FRANK V. SAMMARTANO, COMMISSIONER
INTERGOVERNMENTAL AFFAIRS

DATE: MARCH 26, 2018

SUBJECT: NEW YORK RISING COMMUNITY RECONSTRUCTION PROGRAM
THIRD AMENDMENT TO SUBRECIPIENT AGREEMENT

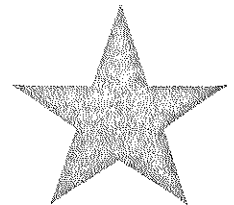
In connection with the above referenced matter, kindly reserve a space on the Town Board Action Calendar for the meeting of April 10, 2018. Details will follow by supplemental memorandum.



Frank V. Sammartano,
Commissioner

By Colin Bell

cc: Town Attorney w/7 copies



WHEREAS, pursuant to public notice, bids were duly solicited and regularly received for Construction Contract relative to Synthetic Turf Replacement at Syosset-Woodbury Park in accordance with the specifications contained in Contract No. DP17-166, and said bids were publicly opened and read on March 14, 2018; and

WHEREAS, the lowest responsible bid submitted was that of The LandTek Group Inc., 235 County Line Road, Amityville, NY 11701, with a bid in the amount of \$765,400.00; and

WHEREAS, Richard W. Lenz, P.E., Commissioner, Department of Public Works, by memorandum dated April 2, 2018, and John A. Grillo Architects, P.C., by letter dated March 15, 2018, recommended that the bid as hereinabove set forth be accepted,

NOW, THEREFORE, BE IT RESOLVED, that the recommendations as hereinabove set forth are accepted, and Contract No. DP17-166 shall be awarded to The LandTek Group Inc., in the amount of \$765,400.00, in accordance with the provisions thereunder; and be it further

RESOLVED, that in accordance with Town policy, the amount of \$38,270.00 shall be encumbered for potential quantity increases, for a total bid encumbrance in the amount of \$803,670.00, with funds to be drawn from Account No. PKS H 7197 20000 000 1803 001; and be it further

RESOLVED, that funds are available to satisfy the encumbrance in the amount of \$803,6670.00 from Account No. PKS H 7197 20000 000 1803 001.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Public Works
Parks
General Services

Reviewed By
Office of Town Attorney
J. R. G.

15
TOWN OF OYSTER BAY

INTER-DEPARTMENTAL MEMO

April 2, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: SUPPLEMENTAL DOCKET MEMO TO ITEM NO. 23
DOCKET OF MARCH 27, 2018
AWARD OF CONSTRUCTION CONTRACT
SYNTHETIC TURF FIELD REPLACEMENT AT SYOSSET WOODBURY PARK
CONTRACT NO.DP17-166
ACCOUNT NO.(S) PKS H 7197 20000 000 1802 001
PROJECT ID: 1802 PKSA-04

In furtherance to Item No. 23 of the docket on March 27, 2018 the Division of Purchasing received bids for the subject project and the consulting engineer reviewed the bids. The Landtek Group Inc., located at 235 County Line Road, Amityville, NY 11701, with Federal I.D. 112945683 submitted the lowest responsive bid among three (3) in the amount of \$765,400.00.

Attached is a letter dated March 15, 2018 from the office of John A. Grillo Architect, P.C. recommending the award of this contract to The Landtek Group, Inc. in the amount of \$765,400.00. In accordance with Town policy \$38,270.00 should be applied to the low bid amount for potential quantity increases for a total bid encumbrance of \$803,670.00.

The estimated construction time for completion of the subject contract is 45 calendar days. Funds are available for the subject contract work in Account No. PKS H 7197 20000 000 1802 001.

We concur with the recommendation of John A. Grillo Architect, P.C. and request that Contract No. DP17-166 be awarded to The Landtek Group, Inc. in the total bid amount of \$765,400.00 and that \$38,270.00 be applied to the low bid amount for a total bid encumbrance of \$803,670.00.

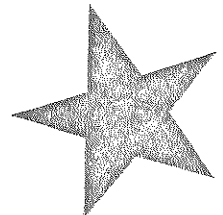

RICHARD W. LENZ, P.E.
COMMISSIONER

DEPARTMENT OF PUBLIC WORKS/HIGHWAY

RWL/JCT/BK/lk
Attachments

cc: Town Attorney (w/7 copies)
Steven C. Ballas, Comptroller
Kathy Stefanich, Public Works
Eric Tuman, Commissioner/General Services
Joseph Pinto, Commissioner of Parks

DP17-166 Supplemental Docket Award to Landtek





TEL: (631) 476-2161

FAX: (631) 476-9846

March 15, 2018

Mr. Richard Lenz, Commissioner
Town of Oyster Bay
Department of Public Work
150 Miller Place
Syosset, NY 11791

RE: Synthetic Turf Replacement at
Syosset-Woodmere Community Park
Contract No.: DP 17-166
Bid No.: PW 25-18

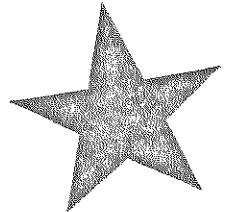
Dear Mr. Lenz:

Three (3) bids were received, on March 14, 2018, for the work of the referenced project. We have reviewed the bids received and recommend award of the contract to The LandTek Group, as follows:

The LandTek Group
235 County Line Road
Amityville, NY 11701
631-691-2381

in the following amounts:

- | | | |
|----|--|--------------|
| 1. | Base Bid: | \$737,000.00 |
| 2. | 50 LF - Replacement of Fabric For
6' High Black Vinyl Chain Link Fence: | \$550.00 |
| 3. | 50 LF - Replacement of Fabric For
8' High Black Vinyl Chain Link Fence: | \$1,500.00 |



4.	50 LF - Replacement of Fabric For 10' High Black Vinyl Chain Link Fence:	\$1,250.00
5.	50 LF - Replacement of Fabric For 12' High Black Vinyl Chain Link Fence:	\$1,050.00
6.	50 LF - Replacement of Fabric For 20' High Black Vinyl Chain Link Fence:	\$3,250.00
7.	50 LF - Black Privacy Slats For 6' High Vinyl Coated Chain Link Fence:	\$800.00
8.	Site Allowance:	\$20,000.00
9.	Total Bid:	<hr/> \$765,400.00

We have completed several projects with The LandTek Group in the past, all with excellent results. The LandTek Group has submitted the necessary documentation, as required, in support of their bid.

If additional information is required, please don't hesitate to contact our office.

Very truly yours,



John M. Grillo
Architect

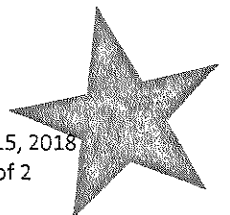
JMG:kw

cc: J. Tassone
M. Russo
B. Kunzig

TOB - Syosset-Woodbury Synthetic Turf Replacement - Rec Ltr

Town of Oyster Bay
Syosset-Woodbury Synthetic Turf Replacement

March 15, 2018
Page 2 of 2



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TOWN OF OYSTER BAY
INTER-DEPARTMENTAL MEMO


March 22, 2018

TO: MEMORANDUM DOCKET

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

SUBJECT: SYNTHETIC TURF FIELD REPLACEMENT AT SYOSSET WOODBURY PARK
CONTRACT NO. DP17-166
SUPPLEMENTAL MEMO TO FOLLOW

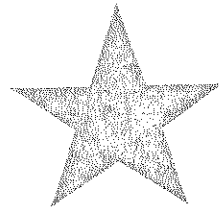
Additional information will be provided in a Supplemental Docket Memorandum at the next docket meeting. We, therefore, recommend and request that a space be reserved at the next Town Board meeting on April 10, 2018 to take action on the award of the Synthetic Turf Field Replacement At Syosset Woodbury Park.



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


RWL/JCT/MR/IK

cc: Joseph Nocella, Town Attorney (w/7 copies)
Joseph Pinto, Commissioner/Parks
Eric Tuman, Commissioner/General Services
DP17-166 Save A Space



WHEREAS, the Town of Oyster Bay is the owner of a parcel of improved real property of approximately 2.28 acres, located at 50 Engel Street, Hicksville and particularly described as Section 11, Block 187, Lots 9-15, 20-24, 29-32, 36-40, 46-48, 57 and 59-62 on the Nassau County Land and Tax Map; and

WHEREAS, by Resolution No. 659-2017, adopted on November 14, 2017, the Town Board has determined that said parcel of real property is surplus and the Town has no future use for same, and it is in the best interest of the Town to dispose of said property; and

WHEREAS, by Resolution No. 41-2018, adopted on January 9, 2018 the Town Board accepted the offer of Hicksville Bus Lot, LLC to purchase 50 Engel Street, Hicksville, New York from the Town for the sum of \$3,150,000; and

WHEREAS, the Town of Oyster Bay Environmental Quality Review Division (TEQR) did, by memorandum dated April 2, 2018, recommend that the Town Board issue a determination that the subject proposed action will not have significant adverse environmental impacts or effect on the environment, and the proposed action constitutes a Negative Declaration, in accordance with the New York State Environmental, Quality Review Act (SEQRA) and is applicable regulations, including 6 NYCRR Part 617, thereon,

NOW, THEREFORE, BE IT RESOLVED, That the abovementioned recommendations of the TEQR Division be hereby accepted and that the Town Board of the Town of Oyster Bay declares the Lead Agency shall be the Town Board of the Town of Oyster Bay, Town Hall, 54 Audrey Avenue, Oyster Bay, New York 11771, and the Contact Person is George Baptista, Town of Oyster Bay Department of Environmental Resources, 29 Spring Street, Oyster Bay, New York 11771, and hereby finds that the proposed action will not have a significant effect on the environment, and that the Town Board does hereby find, based upon the memorandum, dated April 2, 2018, submitted by the TEQR Division, that said proposed action falls under the New York State Environmental Quality Review Act, and issues a Negative Declaration in accordance with the New York State Environmental Conservation Law and its applicable regulations thereon, and as such does not require the completion of an Environmental Impact Statement or other environmental consideration; and be it further

RESOLVED, That the Town Board approves the sale of the above referenced surplus real property to Hicksville Bus Lot, LLC, for the amount of \$3,150,000, pursuant to the Contract of Sale negotiated between the Office of the Town Attorney and the attorneys for Hicksville Bus Lot, LLC and executed by Hicksville Bus Lot, LLC, and the Supervisor is hereby authorized to execute said Contract of Sale and any other documentation necessary to effectuate the sale of said property, after review and approval of the Office of the Town Attorney; and be it further

RESOLVED, That this Resolution is subject to permissive referendum.

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney

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Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : April 3, 2018

SUBJECT: Sale of 50 Engel Street, Hicksville, New York
Supplemental to Memorandum Docket No. 26 of the March 27, 2018 Docket


By Resolution 41-2018, adopted on January 9, 2018, the Town Board accepted the offer of Hicksville Bus Lot, LLC to purchase the above referenced premises from the Town for the sum of \$3,150,000, subject to execution of an approved contract and subject to permissive referendum.

On March 21, 2018, this office received the Contract of Sale executed by Hicksville Bus Lot, LLC, which Contract was prepared by this office and negotiated between this office and purchaser's attorney.

Attached hereto is the Review of Action and Recommended Determination of Significance of the Town Environmental Quality Review Division, dated April 2, 2018, which recommends adoption of a Negative Declaration, in accordance with the Environmental Conservation Law of the State of New York and its regulations thereon. In the event that the Town Board accepts the recommendation of the TEQR Division, the attached proposed Resolution is submitted for its approval.

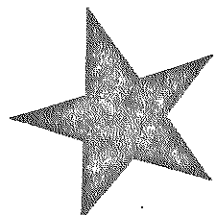
Our office now recommends that the Town Board adopt a Negative Declaration and approve the Contract and authorize the Supervisor or his designee to execute the Contract.

JOSEPH NOCELLA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:st
cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2018\MD & Reso\MD Engel Contract TMS.docx



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

April 2, 2018

TO: JOSEPH NOCELLO, TOWN ATTORNEY
ATT: CAROL STRAFFORD, DIRECTOR, OFFICE OF LEGISLATIVE AFFAIRS

FROM NEIL BERGIN, COMMISSIONER,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

SUBJECT: 50 ENGEL STREET LAND SALE – TEQR ANALYSIS
NEGATIVE DECLARATION RECOMMENDATION

Pursuant to the provisions of the Town of Oyster Bay Environmental Quality Review Act (TEQR) Law, Chapter 110 of the Code of the Town of Oyster Bay and the promulgating regulations of the State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, the Department of Environmental Resources has completed its review of the above captioned proposed action.

Based on our review, the Department of Environmental Resources recommends that the Town Board adopts a Negative Declaration for the subject proposed action. Accordingly, DER has prepared the attached proposed draft, Negative Declaration memo/notice that substantiates the basis for this recommendation for consideration by the Town Board.

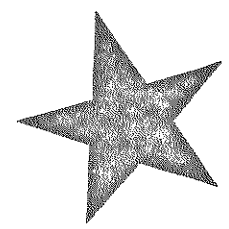
If the Town Board proceeds with the adoption of a Negative Declaration for this proposed action, the Department of Environmental Resources will finalize the attached document including any revisions that may be necessary at the direction of the Town Board as well as including the date of the Town Board adopting resolution on the final memo/notice. DER will then forward same for distribution and filing in accordance with the requirements of SEQRA.

The Town Board Resolution adopting a Negative Declaration for the proposed action can make reference to the detailed information contained in the attached proposed memo/notice that supports this decision.

Please do not hesitate to contact the TEQR Division of the Department of Environmental Resources if you have any questions.

Neil O. Bergin
BY *George Baptista Jr.*
NEIL O. BERGIN
COMMISSIONER

cc: Elizabeth L. Maccarone, Commissioner, Department of Planning & Development
att: Scott Byrne, Division of Planning



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

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

April 2, 2018

Pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA, 6 NYCRR Part 617) and the Town of Oyster Bay Environmental Quality Review Law (Chapter 110 of the Oyster Bay Town Code), the Town Environmental Quality Review Division has reviewed the following action:

Title of Action: Town of Oyster Bay Land Sale – 50 Engel Street

Applicant: Town of Oyster Bay

Description of Proposed Action: The proposed “action” addressed in this document consists of the execution of agreement and land sale by the Town of Oyster Bay of a 2.27-acre parcel of land located at 50 Engel Street in the hamlet of Hicksville. Before action is taken to implement whatever use(s) may be selected for this site, the property will be subject to further review and analysis as may be required pursuant to SEQRA.

History of the Proposed Action: This property has undergone a long and complicated review process, which included a series of proposals for the subject property and immediate areas. Ultimately, the former use of the property as an asphalt plant ceased, the site was remediated and the Town purchased the parcel. The land acquisition achieved the objective of eliminating the asphalt plant at this location without giving rise to the impacts that would be associated with certain proposed development in the immediate vicinity at that time.

Agency Approvals Required:

Oyster Bay Town Board – approval of contract of sale.

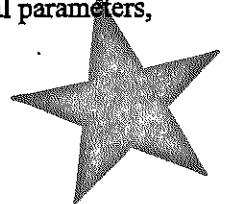
Location of Proposed Action: The proposed Engel Street site spans between Engel Street and Laurel Street, just north of the right-of-way of the LIRR Main Line, in Hicksville, New York, and further identified as Section 11, Block 187, Lots 9-15, 20-24, 29-32, 36-40, 46-48, 57, and 59-62 on the Land and Tax Map of Nassau County.

Type of Review: Uncoordinated

Lead Agency: Town Board of the Town of Oyster Bay

SEQRA Classification: Unlisted

Recommended Determination of Significance: **NEGATIVE DECLARATION**, indicating that the proposed action will not result in significant adverse environmental impacts. This recommendation is derived from the TEQR Division’s review and analysis of the full range of environmental parameters, as set forth below, based upon the information contained in the following documents:



**REASONS SUPPORTING RECOMMENDED DETERMINATION OF NO SIGNIFICANCE AND
ISSUANCE OF NEGATIVE DECLARATION**

DER recommends that the Town Board issue a **Negative Declaration**, establishing that the proposed action will not cause significant environmental impacts, based on the TEQR Division's review and analysis of the following environmental parameters relative to this matter:

- **Zoning and Land Use** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter as the sale of the property does not constitute a change in zoning or land use. Any changes in the land use as part of future redevelopment as a result of the land sale will be subject to appropriate reviews and approvals to ensure that there is no significant adverse impacts to these resources.

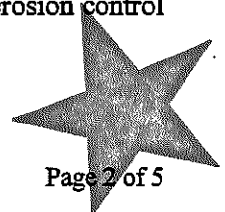
The uses in the nearby vicinity include:

- a commercial strip to the immediate north, fronting on West John Street;
- single-family residential homes further to the north, across West John Street;
- mixed commercial/industrial and possible residential uses to the east, across Laurel Street;
- the LIRR Main Line immediately to the south;
- general industrial uses, warehousing, offices and distribution centers further to the south, across the LIRR right-of-way, and a single-family residential neighborhood to the south of that, across Duffy Avenue;
- an industrial distribution warehouse to the west, across Engel Street; and
- industrial uses further to the west.

The site was formerly used as an asphalt plant, which was ceased upon land acquisition by the Town. The compatibility of any use(s) ultimately selected for this site, relative to surrounding land uses, will undergo further review at the appropriate time, as may be required pursuant to SEQRA.

- **Traffic and Transportation** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter. Sale of the property will not have any impact on traffic, as the action itself does not directly cause or effect traffic patterns. Further analysis will be conducted, as necessary, to determine any traffic impacts that may associated with any future use of the site during the site plan application process.
- **Topography** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter. The property is generally flat and devoid of significant vegetation due to the remediation and site restoration activities.
- **Soils** – The proposed action will not impact soils on site because it entails the sale of land and will not in-of-itself entail any soil disturbance. However, it is important to not the following soil characteristics of the site soil conditions:

According to the *Soil Survey of Nassau County, New York*, the subject property consists of soils comprised entirely of Ug (Urban Land) – that have been artificially altered by prior development. These soils generally do not have characteristics that place significant limitations on development activities. The soils on the project site are not highly susceptible to erosion, due primarily to the lack of significant topographic relief. In connection with any future development of the site, potential impacts to soils will have to be appropriately analyzed and suitable erosion control measures implemented as needed.



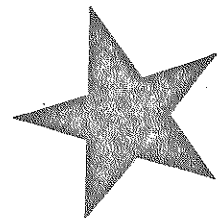
Operation of the former asphalt production facility at Engel Street included the storage, handling, and use of large quantities of petroleum products; these activities were halted upon the Town's acquisition of the site. As part of its due-diligence obligation in pursuing acquisition of this property, the Town undertook a Phase I Environmental Site Assessment (ESA) in September 2005. The findings of that investigation identified a number of recognized environmental conditions, which prompted preliminary testing during a November 2005 Phase II ESA. This latter report revealed the presence of soils contaminated with petroleum compounds in the vicinity of the asphalt plant and underground storage tanks. These testing results were forwarded to NYSDEC, and soil remediation was completed in accordance with applicable regulatory requirements.

- **Surface Waters** – No surface waters are present on either property that will be affected by the proposed action. On-site storage capacity for stormwater runoff in accordance with applicable Town or Oyster Bay requirements will be required for any future redevelopment. The land sale will not have an impact to surface waters or water resources.
 - **Groundwater** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter due to the fact that the land sale constitutes no site disturbance. As discussed previously, a program of soil testing and subsequent remediation was undertaken on the proposed project site. The sale of the land will have no anticipated impact on groundwater resources and any future uses of the land must be protective of groundwater resources.
 - **Special Groundwater Protection Area (SGPA)/Critical Environmental Area (CEA)** – The subject site is not listed in or contiguous to the SGPA, or in or contiguous to any other area designated as a CEA by the Town of Oyster Bay. Therefore, it is not anticipated that the land sale will have any impact on SPGAs or CEAs.
-
- **Flora and Fauna** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter due to the fact that the land sale does not entail disturbance to flora and fauna. Historic uses of the site precluded establishment of significant ecological communities, and the current conditions are not conducive to flora and fauna presence that could potentially be adversely impacted by the proposed project. It is expected that landscaping will be included in any future use implemented subsequent to sale of the land, and will be subject to site plan review provisions which will provide a minor benefit for wildlife.
 - **Air Quality and Odors** – The proposed action does not include any impacts to air quality nor does it entail any impact to odors as the action is comprised of the sale of land. Further, any future uses would be subject to attaining all air quality requirements and it is likely that any such future use would entail a much lower potential for contributing to air quality deterioration as compared to the former asphalt plant.
 - **Noise and Vibration** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter as there is no noise associated with the land sale action itself. Any future uses would be subject to Town of Oyster Bay Noise ordinance requirements. It is expected that any use which ultimately occupies the site after it has been sold by the Town would entail a much lower potential for contributing to ambient noise levels than occurs with an asphalt plant and associated heavy trucking activity that typified the historic use. If a future proposed use at this location is sensitive to noise and/or vibrations, special mitigation measures may be required at that time, however; there are no noise or vibration mitigation measures that would be necessary as part of this direct action.

- **Water Usage** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter as the land sale does not entail water usage. The subject property is located within the Hicksville Water District. Any future applicant will be subject to confirming that adequate water supply is available from the District to serve the needs of any future redevelopment.
- **Sewage Generation** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter as the land sale will not produce additional sewage. Sanitary sewers on the site were handled by Nassau County Department of Public Works and conveyed to the Cedar Creek Water Pollution Control Plant in Wantagh, in the Town of Hempstead on Long Island's south shore. It is any future user would continue to use this sewage disposal method, however; the land sale, as the proposed action, is not anticipated to have any significant adverse impact pertaining to sewage generation.
- **Solid Waste** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter as the land sale will not result in significant solid waste generation as associated documents will be retained and filed. Ultimately any paper waste generated will be minimal and is therefore not anticipated to have a significant adverse environmental impact.
- **Other Community Services** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter. Based on information received from various local service providers (e.g., police, fire, and health care), as presented in the DEIS, it is concluded that the proposed development will not adversely affect the operations of these entities.
- **Aesthetic Resources** – The proposed action is not expected to result in significant impacts with respect to this environmental parameter. The site is currently vacant and it is anticipated that any redevelopment proposal will include landscaping which will be an improvement to the fallow site, and a significant aesthetic improvement from the historic use as an asphalt plant. There are no significant viewsheds in the immediate vicinity that would be adversely impacted by the proposed action.
- **Historic and Archaeological Resources** – The property previously contained an asphalt plant and there are no historically significant historic or archeological resources on or substantially contiguous to the site. The entire area of this parcel has been extensively disturbed for industrial development and, therefore, is not likely to contain significant archaeological resources.
- **Open Space and Recreation** – The proposed land sale is not expected to adversely impact open space and recreation opportunities. The land has not been redeveloped into open space or parkland, therefore the community will not be disadvantaged by the loss of open space or parkland. While there were ongoing discussions pertaining to dedicating the land as parkland, the redevelopment did not come to fruition. There may be a minor impact to nearby residents who were expecting the subject property to be devoted to parkland or open space, but the impact is anticipated to be small and therefore not considered to be a significant environmental impact. Both of the properties that will be affected by the proposed action contain active industrial facilities, and neither site represents an open space or recreational asset for the community. In addition, Catiague County Park is conveniently located directly across West John Street from the subject property. Based on these considerations, it is concluded that the proposed action will not result in significant adverse impacts with respect to recreational facilities.
- **Energy** – The land sale activity is not anticipated to have any significant impact on energy. Existing facilities will be utilized to conduct business to facilitate the land sale agreement and execute the contract, therefore no adverse environmental impacts as it pertains to energy resources is anticipated.

- **Public Health and Safety** – The proposed action is not expected to adversely impact public health and safety. The site has been remediated in conformance with regulatory requirements and all future owners and tenants will be required to adhere to the stringent public health and safety requirements governing the property. Any potential soil vapor intrusion issues will be addressed when redevelopment plans are presented to the Town and, as aforementioned, all public health and safety measures will be applied as may be necessary by the appropriate government agency.
- **Community Growth and Character** – The proposed action is expected to be consistent with land uses and zoning and will not significantly impact community growth or significantly impact community character. The land sale property is beyond the Central Business District considered for rezoning and will not induce growth or be inconsistent with community character in the Light Industry zone. All future redevelopment proposals will consider potential impacts to the surrounding community and be subject to application Town Codes and regulations for conformance to same; as such, the potential impacts are anticipated to be minimal and will not adversely impact the community.

Additional information regarding the environmental review of the subject action may be obtained by contacting the Town Environmental Quality Review (TEQR) Division of the Department of Environmental Resources (DER).



617.20
Appendix B
Short Environmental Assessment Form

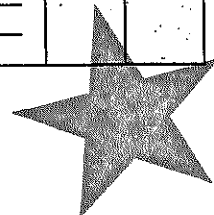
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: Town of Oyster Bay Land Sale - 50 Engel Street							
Project Location (describe, and attach a location map): 50 Engel Street, Hicksville, Town of Oyster Bay, NY							
Brief Description of Proposed Action: Execution of contract and sale of 50 Engel Street, Hicksville by the Town of Oyster Bay.							
Name of Applicant or Sponsor: Town of Oyster Bay Town Board		Telephone: 516-624-6300 E-Mail: TSabellco@oysterbay-ny.gov					
Address: 54 Audrey Avenue							
City/PO: Oyster Bay		State: NY	Zip Code: 11771				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td><td style="text-align: center; padding: 2px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 2px;">NO</td><td style="width: 50%; padding: 2px;">YES</td></tr><tr><td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td><td style="text-align: center; padding: 2px;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 2.27 acres							
b. Total acreage to be physically disturbed? 0 acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.27 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap; padding: 5px;"><div style="width: 25%;"><input type="checkbox"/> Urban</div><div style="width: 25%;"><input type="checkbox"/> Rural (non-agriculture)</div><div style="width: 25%;"><input checked="" type="checkbox"/> Industrial</div><div style="width: 25%;"><input checked="" type="checkbox"/> Commercial</div><div style="width: 25%;"><input checked="" type="checkbox"/> Residential (suburban)</div><div style="width: 25%;"><input type="checkbox"/> Forest</div><div style="width: 25%;"><input type="checkbox"/> Agriculture</div><div style="width: 25%;"><input type="checkbox"/> Aquatic</div><div style="width: 25%;"><input type="checkbox"/> Other (specify): _____</div><div style="width: 25%;"><input type="checkbox"/> Parkland</div></div>							

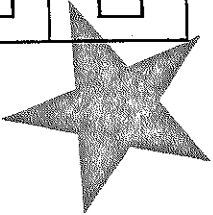
	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? _____ b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ A portion of the Twin County property was occupied by a former landfill (identified as the AGO site).	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ Extensive on-site investigation and subsequent remediation efforts have been enacted.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Town of Oyster Bay</u>		Date: _____
Signature: _____		

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

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

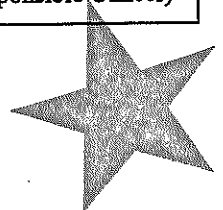


	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

PRINT





Town of Oyster Bay
Short Environmental Assessment Form
ADDENDUM

Town of Oyster Bay Department of Environmental Resources
150 Miller Place
Syosset, New York 11791

TO BE COMPLETED BY TOWN

FEE PAID _____

DATE _____

RECEIPT # _____

INSTRUCTIONS: This document is an Addendum to be used for any proposed development project in the Town of Oyster Bay for which the New York State Short Environmental Assessment Form (SEAF, effective October 7, 2013; see the New York State Department of Environmental Conservation web site at <http://www.dec.ny.gov/permits/6191.html>) is completed pursuant to the State Environmental Quality Review Act (SEQRA). Answers to the questions below, along with the information provided in the completed SEAF and other documents submitted to the Town in connection with the proposed action, will be considered as part of the application for approval and may be subject to further verification and public review. Please feel free to provide any additional information you believe will be helpful to understanding the proposed action and its potential impacts on the environment. Based on the Town's review of the SEAF and this Addendum, additional information may be requested.

It is expected that completion of this SEAF Addendum will be dependent on information currently available and readily accessible, and will not involve detailed studies or investigations. If the requested information is not available, so indicate and specify each instance. If a particular question is not applicable to the proposed action, respond "N.A." The impact analysis for the proposed action generally should be based on comparison to existing conditions; one notable exception is when approval (e.g., special use permit) is being sought to legalize an existing condition, in which case the analysis should be based on comparison to a permitted principal ("as-of-right") use at the project location.

Please enclose a check or money order in the amount of \$100.00 for the requisite review fee, made payable to "Supervisor, Town of Oyster Bay", and remit with the completed SEAF Addendum to the address specified above (along with the completed New York State SEAF, if not already submitted). Depending on the type of project and level of review required, additional fees may apply.

If you have any questions, need assistance in completing this form, or would like to obtain an electronic version of this form, please contact the Department of Environmental Resources at (516) 677-5824, between 9:00 a.m. and 4:45 p.m. on Town of Oyster Bay business days.

NAME OF PROPOSED ACTION/PROJECT: Town of Oyster Bay Land Sale - 50 Engel Street			
LOCATION OF PROPOSED ACTION/PROJECT (Nassau County Tax Map Designation)		9-15, 20-24, 29-32, 36-40,	
SECTION: 11	BLOCK: 187	LOT(S):	46-48, 57, and 59-62
NAME OF PROPERTY OWNER (If different from Applicant/Sponsor identified on SEAF) Town of Oyster Bay Town Board		BUSINESS TELEPHONE ()	
ADDRESS 54 Audrey Avenue			
CITY/POST OFFICE Oyster Bay		STATE NY	ZIP CODE 11771
NAME OF LEGAL REPRESENTATIVE Oyster Bay Town Attorney		BUSINESS TELEPHONE ()	
ADDRESS 54 Audrey Avue			
CITY/POST OFFICE Oyster Bay		STATE NY	ZIP CODE 11771

A. Site Description

1. Previous use(s) of the site of the proposed action (back to the time when the site was first developed, if known):

Historically used as an asphalt plant; site has since been remediated.

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

2. Approximate Acreages

	Without Proposed Action	After Completion
Forested	_____ acres	_____ acres
Meadow or Brushland	_____ acres	_____ acres
Freshwater Wetland	_____ acres	_____ acres
Tidal Wetland	_____ acres	_____ acres
Unvegetated (rock, earth or fill)	_____ acres	_____ acres
Roads, Buildings and Other Paved Surfaces	_____ acres	_____ acres
Turf Grasses	_____ acres	_____ acres
Other Landscaping Vegetation	_____ acres	_____ acres
Other (indicate type) stabilized soil (seeded)	2.27 acres	2.27 acres

B. Description of Proposed Action

1. On-site parking capacity for the overall site (i.e., marked parking stalls): N/A
- | | |
|----------|--|
| <u>0</u> | # of existing spaces |
| <u>0</u> | # of proposed spaces (separately indicate # of land-banked spaces, if any) |
| | # of spaces required for proposed condition under Town of Oyster Bay Zoning Code |

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

	<u>N/A</u>	Peak-hour two-way traffic volume	Peak-hour period (start time-end time)
Weekday morning			
Weekday afternoon			
Weekend (usually Saturday mid-day)			

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

3. Total volume of excavation to occur on-site under proposed action: N/A cubic yards
- Purpose of excavation (e.g., basement, drainage structures, etc.): _____
- Total volume of fill to be imported to site under proposed action: _____ cubic yards

4. Does the site of the proposed action contain slopes with gradient steeper than 25%? ☐ Yes ☒ No
- a. If yes, what is the area with slopes greater than 25% that would be disturbed under proposed action? _____ acres
- b. If yes, what measures will be implemented to mitigate erosion and sediment transport?

5. Describe any vegetation to be removed under proposed action, particularly any trees with diameter greater than 8 inches (measured 4 feet above grade).
- NONE

6. Is the site of the proposed action located in the Special Groundwater Protection Area? ☐ Yes ☒ No
- If yes, refer to Section 246-5.4.7 of Oyster Bay Town Code, Aquifer Protection Overlay (APO) District, and provide the following information:
- | | | | |
|--|----------------|--|----------------|
| a. Proposed Disturbance of Natural Vegetation | _____ sq. feet | Maximum Permitted Disturbance of Natural Vegetation (§246-5.4.7.3.1) | _____ sq. feet |
| b. Proposed Lot Coverage | _____ sq. feet | Maximum Permitted Lot Coverage (§246-5.4.7.3.2) | _____ sq. feet |
| c. Describe proposed action's consistency with the best management practices and other standards set forth in §246-5.4.7.3.3 through §246-5.4.7.3.6: | | | |

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

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

9. Will the proposed action provide increased on-site stormwater storage capacity (e.g., through additional drywells or similar structures) as compared to the existing condition? ☐ Yes ☒ No
- a. What will be the capacity of the on-site drainage system under the proposed action, in terms of the design storm event expressed in inches of rainfall? _____ inches
10. Sanitary waste disposal method (e.g., on-site septic system, municipal sewer system, none, etc.): N/A
- _____ existing condition
_____ proposed action
11. Will the proposed action increase the rate of solid waste generation on the subject property? ☐ Yes ☒ No
- a. If yes, what will be the increase in monthly average solid waste generation? _____ tons/month
- b. Indicate the source of this information (e.g., existing data [identify specifically, such as applicant's existing facilities], standard rates [with specific reference citation], etc.) _____
12. Describe any hazardous or infectious materials or wastes (e.g., petroleum products, chemicals, medical wastes, etc.) that would be generated, used, stored or processed at the site under the proposed action, and measures (e.g., procedures, protocols, equipment, etc.) that will be implemented to protect the environment from spills, leakage and other incidents.
- None - site has been remediated; land sale will not impact hazardous waste.
13. If the proposed action involves a non-residential (commercial, industrial, etc.) use, what are the proposed days and hours of operation?
N/A
14. If the proposed action is a non-residential (commercial, industrial, etc.) use on a site which is adjacent to residential uses, describe any measures that will be implemented to minimize potential impacts to the neighboring residences (e.g., screening and buffering, noise-abatement measures, odor-control systems for restaurant kitchen exhaust, litter collection, etc.).
N/A
15. Is the proposed action part of a large development plan or a plan that includes future phases? ☐ Yes ☒ No
- a. If yes, briefly describe the overall plan (e.g., total number of phases, location and size of land parcels involved, planned uses and/or facilities in future phases, schedule for completion, etc.).

C. Verification

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

George Baptista, Deputy Commissioner, Dept. of Environmental Resources

print name of preparer

Town of Oyster Bay

company name, if applicable

29 Spring street, Oyster Bay

city/post office

NY
state

11771
zip code

516-677-5811

telephone

GBaptista@oysterbay-ny.gov

email address

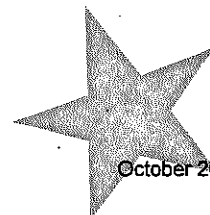
PREPARER'S
SIGNATURE:

TITLE:

Deputy Commissioner, Dept. of Environmental Resources

DATE:

APRIL 2, 2018





architects + engineers

538 Broad Hollow Road
Melville, NY 11747

tel 631.756.8000
fax 631.393.6322

January 8, 2014

Richard T. Betz, Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, N.Y. 11791

**Re.: Underground Storage Tank Removal and Subsurface Feature Remediation
50 Engel Street, Hicksville, New York**

Dear Commissioner Betz:

H2M architects + engineers (H2M) has completed an underground storage tank removal and subsurface feature remediation project at the above referenced property. The H2M scope of work was based upon our November 12, 2013 authorization request to the Town of Oyster Bay (Town) for professional engineering services.

The project background, work activity, and findings are summarized below.

Background

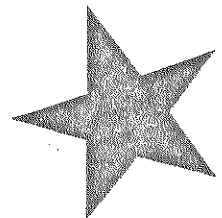
The subject property is approximately 2.3 acres in size and was formerly occupied by an asphalt plant and construction yard. Several structures associated with the historical site usage were previously demolished by others. The site location is depicted on the attached Figure 1 (Site Location Map).

Based upon the historical site usage, a Limited Phase II Environmental Site Assessment (ESA) was completed by Nelson, Pope, and Voorhis, LLC (NP&V) on September 4, 2013. The limited ESA included soil and groundwater sampling/analyses and a Ground Penetrating Radar (GPR) survey to locate potential underground storage tanks and subsurface leaching structures. Locations of the identified underground tanks and subsurface leaching structures are depicted on the attached Figure 2 (Site Plan).

As shown on Figure 2, the Phase II ESA identified five potential underground storage tanks. These tanks were believed to be five 10,000 gallon tanks previously abandoned in place based upon Nassau County Fire Marshal records.

Previous sampling/analyses of soils/sediments contained within the subsurface leaching structures (i.e., two catch basins and one leaching pool) conducted by others determined the presence of impacted material requiring removal and proper off-site disposal.

A Remediation Work Plan was submitted to Ms. Lisa Kim of the USEPA by NP&V on September 27, 2013. The remediation work plan provided a description of the remedial actions to be undertaken regarding the impacted sediments identified within the catch basins and leaching pool. The remedial actions and methodologies described in the NP & V Remedial Work Plan were utilized as appropriate in conjunction with the H2M subsurface feature remediation work and are summarized in subsequent sections of this report. The September 27, 2013 Remediation Work Plan included a description of NP&V's Phase II investigative work conducted regarding the catch basins and leaching pool.



H2M's inspection determined that the tanks were of steel construction, no holes and/or penetrations were evident on their exteriors, and there was no evidence of petroleum impacts to the subsurface soils within the tank excavations. However, results of our inspection determined that the sands removed from the tanks exhibited evidence of petroleum impacts (i.e., odor and staining). Apparently, residual petroleum product or sludge remained in the tanks prior to their abandonment, which impacted the sands utilized in the tank abandonment. The petroleum impacted sands were stockpiled and segregated from the clean overburden sands. Waste characterization soil samples were collected by H2M and analyzed in order to obtain waste disposal approval for proper off-site disposal at Clean Earth of Carteret (Carteret, NJ). All waste characterization lab analyses were conducted by H2M Labs, Inc. (NYSDOH ID No. 10478).

The tanks, associated piping, and concrete debris were removed and properly disposed of off-site at permitted disposal facilities. The tank excavations were backfilled to approximate site grade with clean fill. A total of 203.35 tons of impacted soils contained within the stockpiles were removed and transported to Clean Earth of Carteret on December 10 and December 11, 2013.

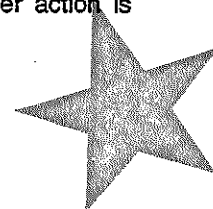
In consideration of the above, all underground storage tank work is complete as of the date of this correspondence. Based upon the results of our work, H2M recommends that no further actions are warranted with respect to the former underground storage tank removal areas. Copies of waste manifests documenting proper disposal of all liquids and impacted soils generated in conjunction with the tank removal work are presented in Appendix A (Waste Disposal Documentation).

Subsurface Feature Remediation

H2M conducted the subsurface feature remediation work on November 21, 2013. Sediment removal (i.e., remediation) was conducted utilizing a guzzler at two catch basins and one drywell. These locations were determined by others to contain impacted sediments. The catch basin and drywell locations are depicted on Figure 2. All remedial work was conducted by Aarco under the direction of H2M. Prior to commencing sediment removal, Aarco pumped 50 gallons of liquid from the drywell and disposed of the liquid waste at Clear Flo. In the process of conducting the drywell remediation, petroleum impacted (i.e., odor and dark staining) sediments were encountered. Based upon the evidence of petroleum impacts, H2M advised the New York State Department of Environmental Conservation (NYSDEC) and NYSDOH assigned spill number 1308516 to the subject property. In conjunction with our discussions with NYSDOH, H2M was advised of a previous historical spill on the subject property (Spill No. 1216829) that apparently had never been closed out. Based upon limited information, the historical spill was related to a report of petroleum spilled onto a concrete surface that was subsequently demolished and removed from the property. It is our understanding that NYSDOH plans to close spill 1216829 and remove it from the active spills database.

As indicated above, approximately 45 cubic yards of sediments were excavated and stockpiled adjacent to the drywell by others. Utilizing a guzzler, Aarco removed impacted sediments from the drywell until visually clean material was encountered. Upon completion of remedial actions, approximately 21 cubic yards of impacted sediments were added to the existing stockpile. In order to document the removal of all impacted material from the drywell bottom, H2M collected a confirmatory endpoint soil sample for lab analyses. Considering that the bottom sediments exhibited evidence of petroleum impacts, H2M analyzed the confirmatory endpoint sample for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs). All laboratory analyses were performed by H2M Labs, Inc. Copies of the laboratory reports presenting the results of our analyses are attached in Appendix B (Laboratory Reports).

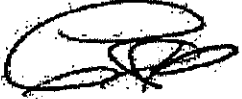
As presented in the lab reports, results of our analyses determined that all compounds were present at concentrations below their respective laboratory reporting limits. Based upon the endpoint sample analytical results, all impacted material has been removed from the drywell and no further action is recommended.



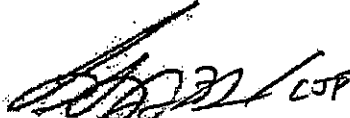
Should you have any questions or comments regarding this matter, please contact the undersigned at
(631) 756-8000, Ext. 1484.

Very truly yours,

H2M architects + engineers

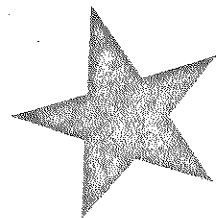


Philip J. Schade
Vice President



Christopher J. Flynn
Senior Project Manager

cc: Richard T. Betz/ Town of Oyster Bay
John Ellsworth/ Cashin Spinelli & Ferretti, LLC



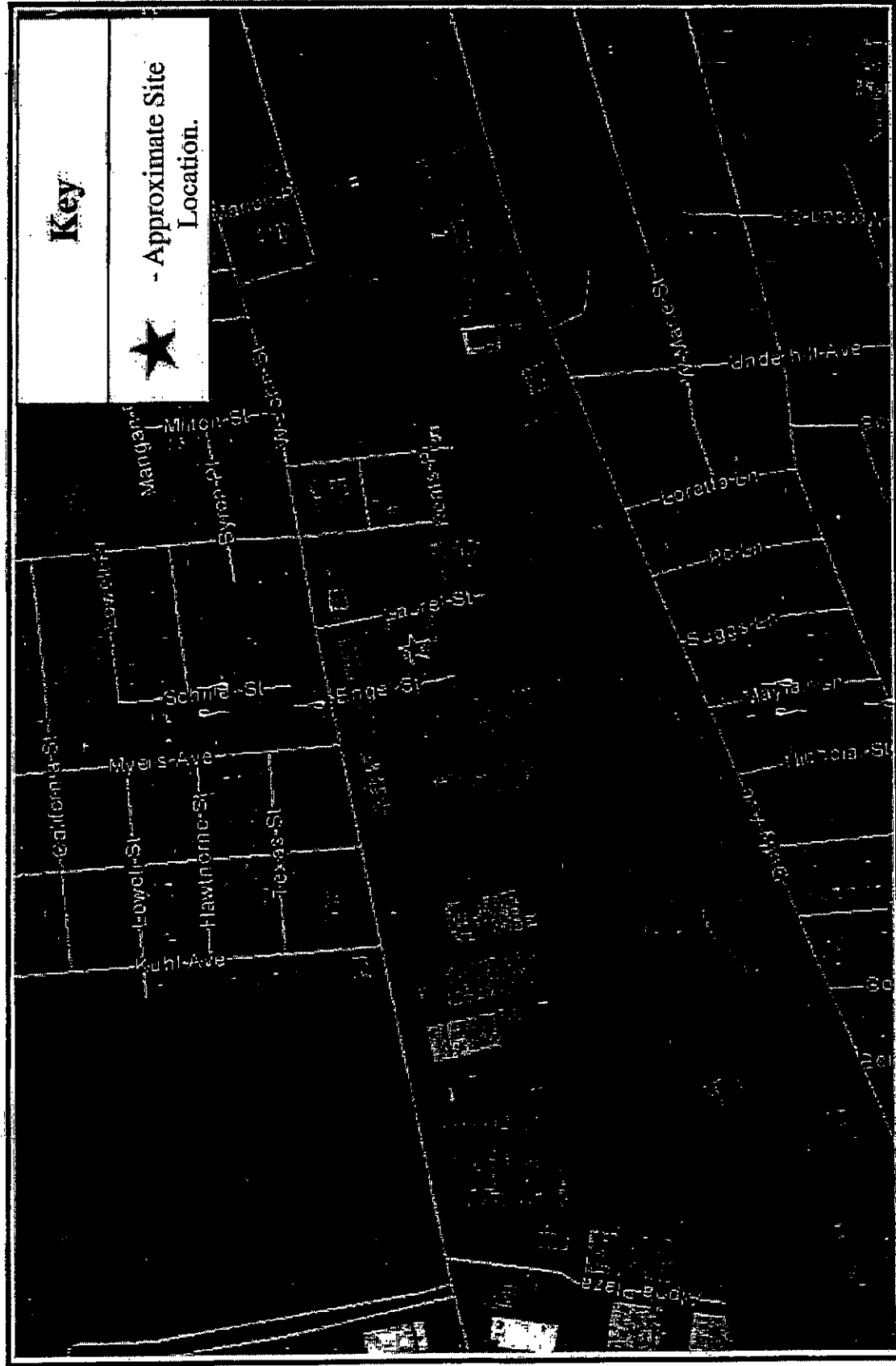
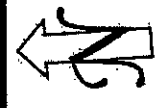
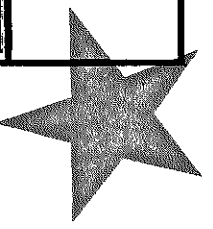


Figure 1. Site Location Map
 50 Engel Street
 Hicksville, New York
 H2M Project No. TOBY 13-06

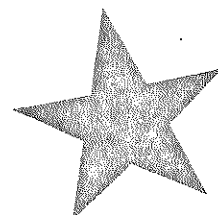


H 2 M

architects + engineers

APPENDIX A

Waste Disposal Documentation



110 Sand Company

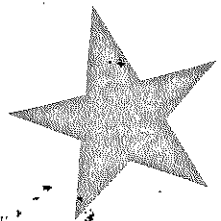
170 Cabot Street
West Babylon, New York 11704

CUSTOMER COPY

TELEPHONES

Office - 631-249-4108
Scalehouse - 631-694-2822
Landfill - 631-694-2848

CUSTOMER NO.	ORDER NUMBER	TRUCK NO.	TYPE OF SALE	JOB NO.	OUR ORDER NUMBER	TICKET NO.
915001		6138	LANDFILL		012930	251928
CUSTOMER NAME: AARCO-17Y						
LANDFILL SALE - CHECK						
DATE	RECEIVED	TIME	INITIALS			
11/25/13			930			
MATERIAL DESCRIPTION:						
QUANTITY THIS ORDER TODAY						
LOADS THIS ORDER TODAY						
OFFICE USE ONLY						
CARRIER SIGNATURE						
CUSTOMER SIGNATURE						
SEE REVERSE SIDE FOR COLLECTION TERMS						



110 Sand Company

170 Cabot Street
West Babylon, New York 11704

CUSTOMER COPY

TELEPHONES

Office - 631-249-4108
Scalehouse - 631-694-2822
Landfill - 631-694-2848

CUSTOMER NO.	P.O. NUMBER	TRUCK NO.	TYPE OF SALE	JOB NO.	OUR ORDER NUMBER	TICKET NO.
910001		1642	SHIPPING		012901	254868

CUSTOMER NAME: OH 4/2-30Y
MATERIAL SALE CHECK

DATE	TAX PERCENTAGE	TRUCK CODE	MATERIAL CODE
11/10/11			101

MATERIAL DESCRIPTION: NON-RECYCLABLE MIXED (C)

GROSS	TARE	NET	UNIT	WEIGHT
		8.00	CU YD	TEM
IN	OUT	CHECK NO./CHARGE TYPE	LICENSE NO.	
			10479PC	

DELIVERY ADDRESS

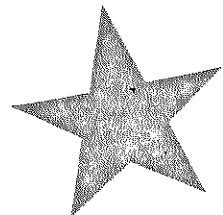
RECEIVED BY:

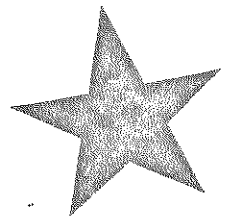
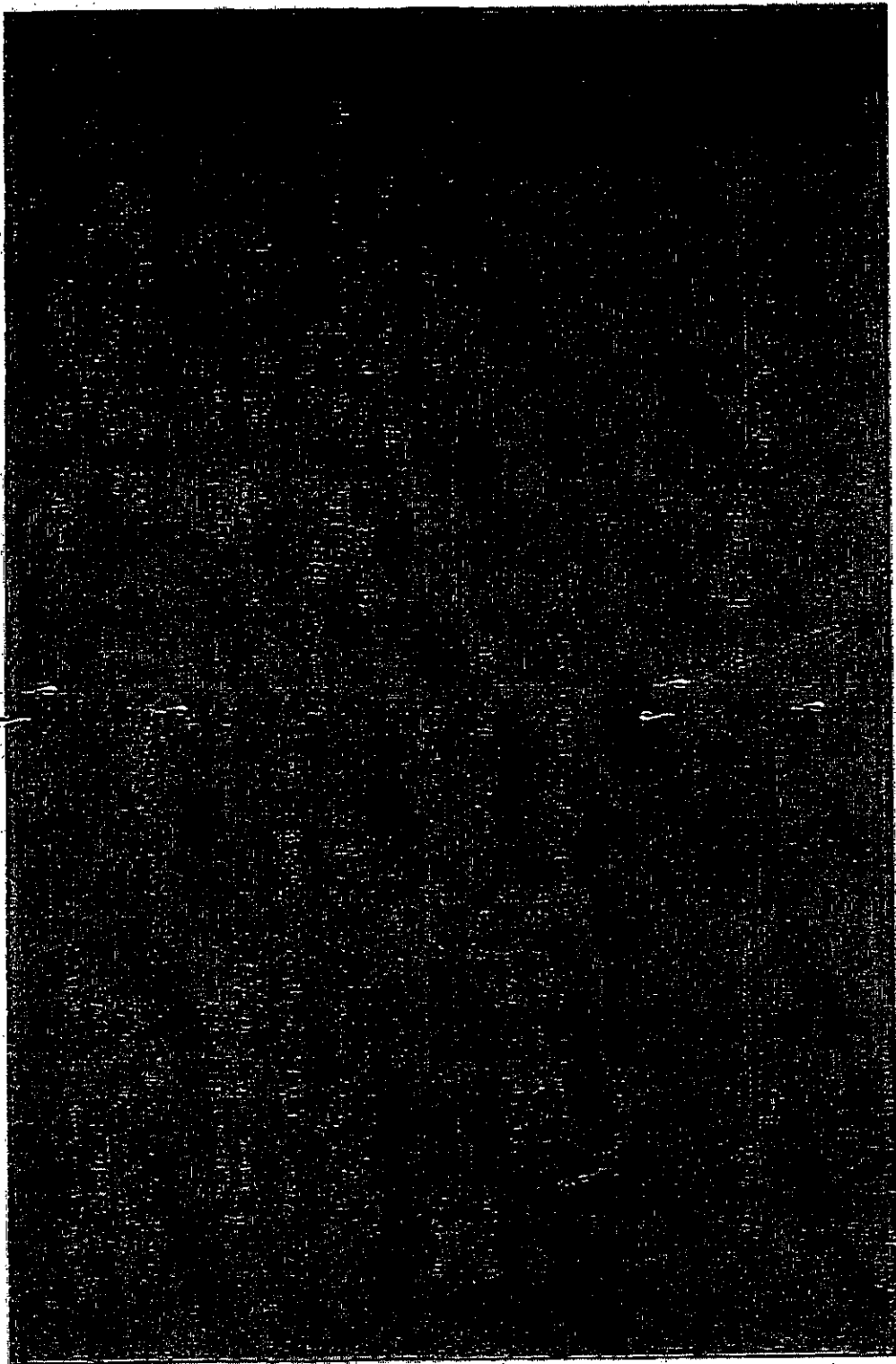
CARRIER
SIGNATURE

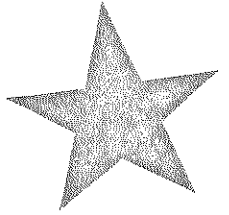
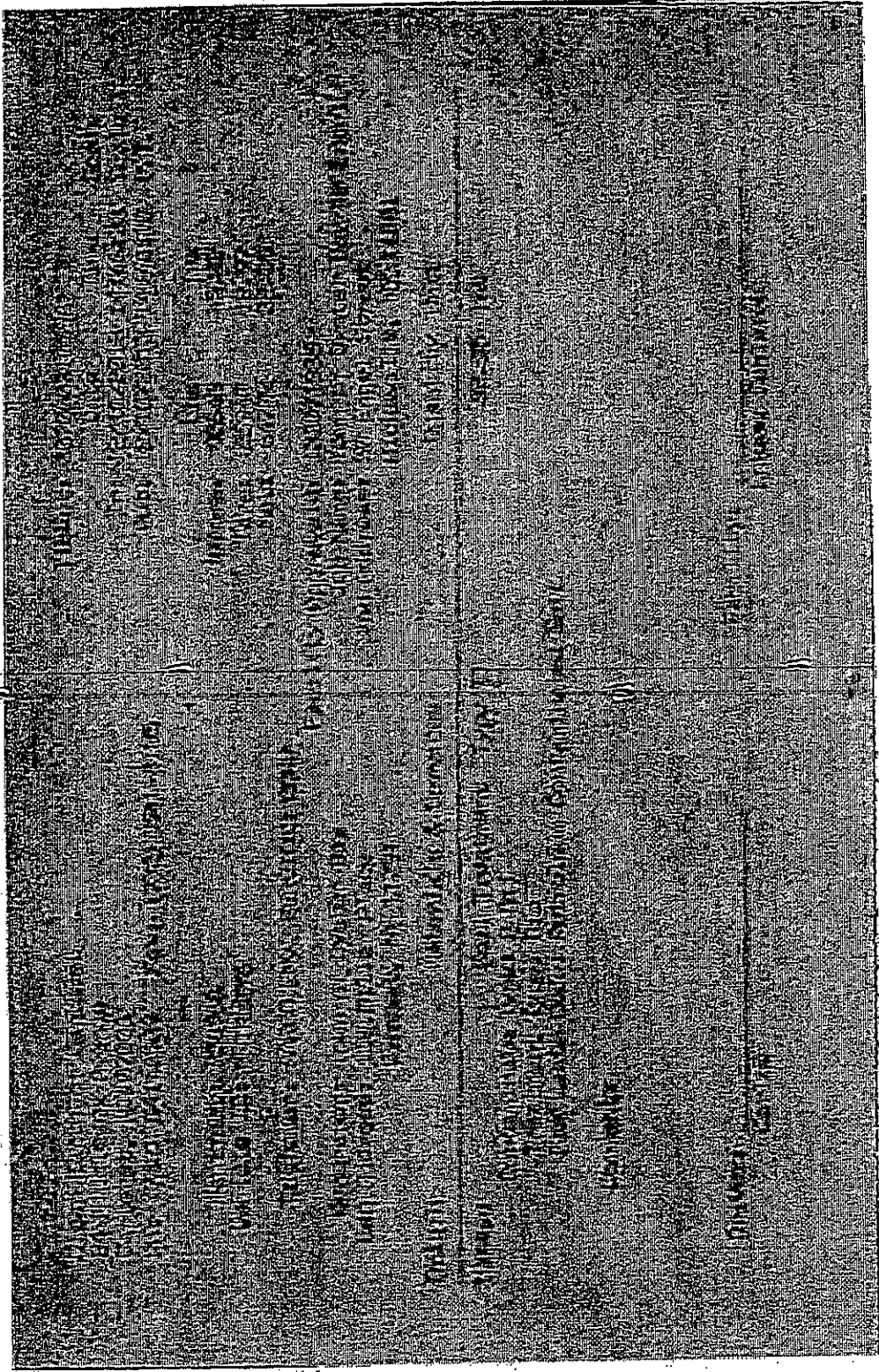
CUSTOMER
SIGNATURE

SEE REVERSE SIDE FOR COLLECTION TERMS

TOTAL TODAY
QUANTITY THIS ORDER TODAY
LOADS THIS ORDER TODAY
OFFICE USE ONLY









Manifest # 881320

GLOBAL JOB NUMBER:

132221

FACILITY APPROVAL NUMBER:

1330719345

Please Check One:

☒ Clean Earth of Carteret
24 Middlessex Avenue
Carteret, NJ 07008
Ph: 732-544-8909

☐ Clean Earth of Maryland
1489 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-6220

☐ Clean Earth of New Castle
84 Pyles Lane
New Castle, DE 19720
Ph: 302-427-8833

☐ Clean Earth of Greater Washington
6250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-599-0939

☐ Clean Earth of Philadelphia
3201 S. 81st Street
Philadelphia, PA 19153
Ph: 215-724-5520

☐ Clean Earth of North Jersey
115 Jacobus Avenue
Kearny, NJ 07032
Ph: 873-444-4004

☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Morrisville, PA 19067
Ph: 215-428-1700

☐ Other _____

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS:

Town Of Oyster Bay/50 Engel St. vacant lot
50 Engel Street Hicksville, NY 11801

GROSS WEIGHT:

☐ Tons ☐ Yards

TARE WEIGHT:

☐ Tons ☐ Yards

GENERATOR'S PHONE:

NET WEIGHT:

☐ Tons ☐ Yards

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION:

Non-Hazardous Soil

GENERATOR'S CERTIFICATION Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name: Dave Scheraga

Title:

Signature: [Signature]

Date and Time:

12-10-13 7AM

TRANSPORTER

Company: Shirley Express LLC

Phone Number:

(862) 779-0899

Address:

702 Ramsey Ave. Hillside, NJ 07205

Truck # and License Plate:

06 - AM1101

Driver:

(Type or Print Clearly):

Carlos

SW Haulers Permit #:

(applicable state permit #)

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature:

Date and Time:

12-10-13

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature:

Date and Time:

12-10-13

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature:

Date and Time:

12/10/13



Manifest # 881324

132721

133071936

GLOBAL JOB NUMBER:

FACILITY APPROVAL NUMBER:

Please Check One:

- ☒ Clean Earth of Carteret
24 Middlesex Avenue
Carteret, NJ 07008
Ph: 732-541-8909
- ☐ Clean Earth of Maryland
1488 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-8220
- ☐ Clean Earth of New Castle
94 Pyles Lane
New Castle, DE 19720
Ph: 302-427-8633
- ☐ Clean Earth of Greater Washington
8250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-599-0839
- ☐ Clean Earth of Philadelphia
3201 S. 61st Street
Philadelphia, PA 19153
Ph: 215-724-5820
- ☐ Clean Earth of North Jersey
115 Jacobus Avenue
Kearny, NJ 07032
Ph: 973-344-4004
- ☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Morgantown, PA 19067
Ph: 215-428-1700
- ☐ Other _____

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS:	GROSS WEIGHT:
Town Of Oyster Bay/50 Engel St vacant lot	<input type="checkbox"/> Tons <input type="checkbox"/> Yards
50 Engel Street Hicksville, NY 11801	TARE WEIGHT:
GENERATOR'S PHONE:	<input type="checkbox"/> Tons <input type="checkbox"/> Yards
	NET WEIGHT:
	<input type="checkbox"/> Tons <input type="checkbox"/> Yards

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION

Non-Hazardous Soil

GENERATOR'S CERTIFICATION - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name: Anthony J. ... Title: _____
Signature: Anthony J. ... Date and Time: _____

TRANSPORTER

Company: _____ Phone Number: _____
Address: Shirley Express LLC Truck # and License Plate: (867) 779-0899
Driver: 702 Ramsey Ave Hicksville, NY 11801 SW Haulers Permit #: A11316 N 44 05
(applicable state permit #) NI-864

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature: [Signature] Date and Time: 12/11/13

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature: [Signature] Date and Time: 12/11/13

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature: [Signature] Date and Time: 12/11/13

GENERATOR



Manifest # 881316

GLOBAL JOB NUMBER:

132221

FACILITY APPROVAL NUMBER:

133071936

Please Check One:

☒ Clean Earth of Carteret
24 Middlesex Avenue
Carteret, NJ 07008
Ph: 732-541-8809☐ Clean Earth of Maryland
1468 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-8220☐ Clean Earth of New Castle
94 Pyles Lane
New Castle, DE 19720
Ph: 302-427-8633☐ Clean Earth of Greater Washington
6250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-589-0938☐ Clean Earth of Philadelphia
3201 S. 81st Street
Philadelphia, PA 19153
Ph: 215-724-5520☐ Clean Earth of North Jersey
115 Jacobus Avenue
Kearny, NJ 07032
Ph: 873-344-4004☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Momsville, PA 19067
Ph: 215-428-1700☐ Other: _____

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS:		GROSS WEIGHT:	
Town Of Oyster Bay 50 Engel St vacant lot		<input type="checkbox"/> Tons <input type="checkbox"/> Yards	
50 Engel Street Hicksville, NY 11801		TARE WEIGHT:	
GENERATOR'S PHONE:		<input type="checkbox"/> Tons <input type="checkbox"/> Yards	
DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION		NET WEIGHT:	
Non-Hazardous Soil		<input type="checkbox"/> Tons <input type="checkbox"/> Yards	
GENERATOR'S CERTIFICATION - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected. I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.			
Name: Dave Silberman		Title:	
Signature: [Signature]		Date and Time: 12-10-13 3pm	
TRANSPORTER			
Company: Shirley Express LLC		Phone Number: (862) 270-0809	
Address: 702 Ramsey Ave, Hillside, NJ 07205		Truck # and License Plate: 408 AR645E	
Driver: [Signature]		SW Haulers Permit #: NJ-864	
I hereby certify that the above named material was picked up at the site listed above.			
Driver Signature: [Signature]		Date and Time: 12-10-13	
DESTINATION			
I hereby certify that the above named material was delivered without incident to the facility noted above.			
Driver Signature: [Signature]		Date and Time: 12/10/13	
I hereby certify that the above named material has been accepted at the above referenced facility.			
Authorized Signature: [Signature]		Date and Time: 12/10/13	

CLEAN EARTH



Manifest # 881317

GLOBAL JOB NUMBER: 132221

FACILITY APPROVAL NUMBER: 133071935

Please Check One:

☒ Clean Earth of Carteret
24 Middlesex Avenue
Carteret, NJ 07008
Ph: 732-541-8909☐ Clean Earth of Maryland
1469 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-6220☐ Clean Earth of New Castle
94 Pyles Lane
New Castle, DE 19720
Ph: 302-427-6633☐ Clean Earth of Greater Washington
6250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-599-0939☐ Clean Earth of Philadelphia
3201 S. 61st Street
Philadelphia, PA 19153
Ph: 215-724-5520☐ Clean Earth of North Jersey
115 Jacobus Avenue
Kearny, NJ 07032
Ph: 973-344-4004☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Morrisville, PA 19067
Ph: 215-428-1700☐ Other _____

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS: Town Of Oyster Bay/50 Engel St vacant lot 50 Engel Street Hicksville, NY 11801	GROSS WEIGHT: <input type="checkbox"/> Tons <input type="checkbox"/> Yards
	TARE WEIGHT: <input type="checkbox"/> Tons <input type="checkbox"/> Yards
GENERATOR'S PHONE:	NET WEIGHT: <input type="checkbox"/> Tons <input type="checkbox"/> Yards

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION

Non-Hazardous Soil

GENERATOR'S CERTIFICATION - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name: Wm Schuchman Title: _____
Signature: Wm Schuchman Date and Time: 12/10/13 7:45

TRANSPORTER

Company: Shirley Express LLC Phone Number: (862) 779-0899
Address: 702 Ramsey Ave. Hillside, NJ 07035 Truck # and License Plate: AN 3962 #12
Driver: Wm Schuchman SW Handlers Permit #: NJ 854
(Type or Print Clearly) (applicable state permit #)

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature: Wm Schuchman Date and Time: 12/10/13

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature: Wm Schuchman Date and Time: 12/10/13

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature: Wm Schuchman Date and Time: 12/10/13

GENERATED



Manifest # 881312

GLOBAL JOB NUMBER:

132221

FACILITY APPROVAL NUMBER:

133071933

Please Check One:

☒ Clean Earth of Carteret
24 Middlesex Avenue
Carteret, NJ 07008
Ph: 732-541-8909☐ Clean Earth of Maryland
1489 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-6220☐ Clean Earth of New Castle
94 Pyles Lane
New Castle, DE 19720
Ph: 302-427-6633☐ Clean Earth of Greater Washington
5250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-595-0939☐ Clean Earth of Philadelphia
3201 S. 81st Street
Philadelphia, PA 19153
Ph: 215-724-5520☐ Clean Earth of North Jersey
116 Jacobus Avenue
Kearny, NJ 07032
Ph: 973-344-4004☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Morrisville, PA 19067
Ph: 215-428-1700☐ Other:

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS

Town Of Oyster Bay/50 Engel St-vacant lot
50 Engel Street Hicksville, NY 11801

GENERATOR'S PHONE:

GROSS WEIGHT:

☐ Tons ☐ Yards

TARE WEIGHT:

☐ Tons ☐ Yards

NET WEIGHT:

☐ Tons ☐ Yards

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION

Non-Hazardous Soil

GENERATOR'S CERTIFICATION - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name: ASHLEY A. DEAN

Title:

Signature: ASHLEY A. DEAN

Date and Time: 12-10-13 730

TRANSPORTER

Company: Shirley Express LLC

Phone Number:

(862) 779-0899

Address: 702 Ranney Ave, Hillside, NJ 07035

Truck # and License Plate:

02-AN382

Driver: Kenneth Adams

SW Haulers Permit #:

NJ 2569
(applicable state permit #)

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature:

KA

Date and Time:

12-10-13

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature:

KA

Date and Time:

12-10-13

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature:

KA

Date and Time:

12/10/13



Manifest # 881313

GLOBAL JOB NUMBER: 13721

FACILITY APPROVAL NUMBER: 1330719345

Please Check One:

☒ Clean Earth of Carteret
24 Middlesex Avenue
Carteret, NJ 07008
Ph: 732-541-8909☐ Clean Earth of Maryland
1489 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-6220☐ Clean Earth of New Castle
94 Pyles Lane
New Castle, DE 19720
Ph: 302-427-6633☐ Clean Earth of Greater Washington
8250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-589-0939☐ Clean Earth of Philadelphia
3201 S. 61st Street
Philadelphia, PA 19153
Ph: 215-724-5520☐ Clean Earth of North Jersey
115 Jacobus Avenue
Kearny, NJ 07032
Ph: 973-344-4004☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Morgantown, PA 19067
Ph: 215-428-1700☐ Other: _____

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS:

Town Of Oyster Bay/50 Engel St vacant Lot
50 Engel Street Hicksville, NY 11801

GROSS WEIGHT:

☐ Tons ☐ Yards

TARE WEIGHT:

☐ Tons ☐ Yards

GENERATOR'S PHONE:

NET WEIGHT:

☐ Tons ☐ Yards

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION

Non-Hazardous Soil

GENERATOR'S CERTIFICATION - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name: Dave Schuchman

Title:

Signature: Dave Schuchman, SVP/ALSC

Date and Time: 12-10-13 7am

TRANSPORTER

Company: Shirley Express LLC

Phone Number:

(862) 279-0899

Address: 702 Ramsey Ave, Hillside, NJ 07205

Truck # and License Plate:

AN 316 N JK 05

Driver:

SW Haulers Permit #:

NJ 854
(applicable state permit #)

(Type or Print Clearly)

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature:

Date and Time:

12/10/13

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature:

Date and Time:

12/10/13

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature:

Date and Time:

12/10/13



Manifest # 381325

132221

133071936

GLOBAL JOB NUMBER:

FACILITY APPROVAL NUMBER:

Please Check One:

☒ Clean Earth of Carteret
24 Middlesex Avenue
Carteret, NJ 07008
Ph: 732-541-8909☐ Clean Earth of Maryland
1469 Oak Ridge Place
Hagerstown, MD 21740
Ph: 301-791-6220☐ Clean Earth of New Castle
94 Pyles Lane
New Castle, DE 19720
Ph: 302-427-6633☐ Clean Earth of Greater Washington
6250 Dower House Road
Upper Marlboro, MD 20772
Ph: 301-599-0939☐ Clean Earth of Philadelphia
3201 S. 61st Street
Philadelphia, PA 19153
Ph: 215-724-5520☐ Clean Earth of North Jersey
115 Jacobus Avenue
Kearny, NJ 07032
Ph: 973-344-4004☐ Clean Earth of Southeast Pennsylvania
7 Steel Road East
Morrisville, PA 19067
Ph: 215-428-1700☐ Other:

Non-Hazardous Material Manifest

(Type or Print Clearly)

GENERATOR'S NAME & SITE ADDRESS:	GROSS WEIGHT:
Town Of Oyster Bay/50 Engel Street/Variant 1 of 50 Engel Street Hicksville, NY 11801	<input type="checkbox"/> Tons <input type="checkbox"/> Yards
GENERATOR'S PHONE:	TARE WEIGHT:
	<input type="checkbox"/> Tons <input type="checkbox"/> Yards
	NET WEIGHT:
	<input type="checkbox"/> Tons <input type="checkbox"/> Yards

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION

Non-Hazardous Soil

GENERATOR'S CERTIFICATION - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name: Anthony J. [Signature]

Title:

Signature: [Signature]

Date and Time:

TRANSPORTER

Company:

Phone Number:

Address: Shirley Express LLCTruck # and License Plate: (862) 779-0899Driver: 702 Ramsey Ave. Hillside, NJ 07205

SW Haulers Permit #:

06 - Amv101

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature: [Signature]

Date and Time:

12-11-13

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature: [Signature]

Date and Time:

12-11-13

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature: [Signature]

Date and Time:

12-11-13

441866

*Almar Supplies*5705 47th Street
Maspeth, New York 11378VIA *FL 11/22/13*M FROM *ALMAR SUPPLIES*TO *BARCO ENV.*

Truck #	Ticket #	Driver
110		HENRY E
Concrete Sand		
Fine Sand		
Asphalt Sand		
LI Gravel		
3/4 Crushed Stone		
3/8 Crushed Stone		
Stone		
Topsoil		
Fill 35 YARDS		
Regular Blend		
Dot Blend		
Removal		
On Hire	Hrs.	

Accepted by _____

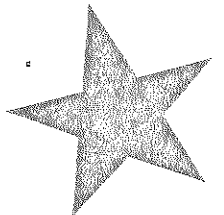
FULL PAYMENT MUST BE REMITTED FOR THE ABOVE
YARDAGE OR TIME WITHOUT QUESTION IF THIS IS SIGNED

441868

*Almar Supplies*5705 47th Street
Maspeth, New York 11378VIA *FL 11/22/13*M FROM *ALMAR SUPPLIES*TO *BARCO ENV.*

Truck #	Ticket #	Driver
110		HENRY E
Concrete Sand		
Fine Sand		
Asphalt Sand		
LI Gravel		
3/4 Crushed Stone		
3/8 Crushed Stone		
Stone		
Topsoil		
Fill 35 YARDS		
Regular Blend		
Dot Blend		
Removal		
On Hire	Hrs.	

Accepted by _____

FULL PAYMENT MUST BE REMITTED FOR THE ABOVE
YARDAGE OR TIME WITHOUT QUESTION IF THIS IS SIGNED

112156

D P R SCRAP METAL INC.

125 Hopper Street
Westbury, NY 11590

(516)280-9353

13-20301

TICKET: AAPRAQ

AARCO

50 Gear Ave
Lindenhurst, NY 11757

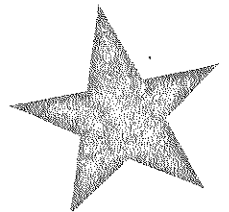
DATE: 11/22/2013
TIME: 10:41:55 AM
TYPE: INBOUND
CUSTOMER: AARCO
PICKUP REF:
CARRIER: .
TRUCK:
CONTAINER ID:
SERVICE LOC:
DSM LOT#:
COMMENT:

GROSS WEIGHT: 47320 lbs
TARE WEIGHT: 35880 lbs
NET WEIGHT: 11440 lbs
DEDUCT: 0 lbs
PAID WEIGHT: 11440 lbs

COMMODITIES:		
Line	Product	Pct Weight
1	Steel	100 114.40
		11,440 lbs

LBS TARE-DRIVER: ON / OFF X

WEIGHER: Deer Park Recycling



7112156

D P R SCRAP METAL INC.

125 Hopper Street

Westbury, NY 11590

(516)280-9353

13-20301

TI(RET: AAPREN

AARCO

50 Gear Ave

Lindenhurst, NY 11757

DATE: 11/22/2013
TIME: 12:46:30 PM
TYPE: INBOUND
CUSTOMER: AARCO
PICKUP REF:
CARRIER:
TRUCK:
CONTAINER ID:
SERVICE LOC:
DSM LOT#:
COMMENT:

GROSS WEIGHT: 40100 lbs
TARE WEIGHT: 35640 lbs
NET WEIGHT: 4460 lbs
DEDUCT: 0 lbs

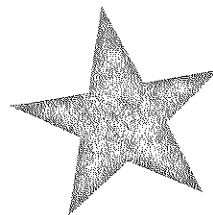
PAID WEIGHT: 4460 lbs

COMMODITIES:

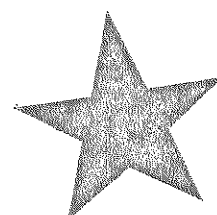
Line	Product	Pct	Weight
1	Steel	100	44.60
			4,460 lbs

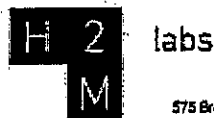
LBS TARE-DRIVER: ON / OFF X

WEIGHER: Deer Park Recycling



APPENDIX B
Laboratory Reports





575 Broad Hollow Road, Melville, NY 11747
TEL: (631) 694-3040 FAX: (631) 420-8438
NYSDOH ID#10478

LABORATORY RESULTS

Results for the samples and analytes requested

The lab is not directly responsible for the integrity of the sample before receipt at the lab and is responsible only for the certified tests requested.

Town of Oyster Bay

Lab No. : 1311B83-002
Client Sample ID: DW ENDPT. SAMPLE

Sample Information:

Type : Soil

Origin:

Attn To : Chris Flynn
Collected : 11/22/2013 9:20:00 AM
Received : 11/22/2013 3:20:00 PM
Collected By : CLIENT

Analytical Method: SW8260:		Prep Method: 5035A-L		Analyst: GKB	
Parameter(s)	Results	Qualifier	D.F.	Units	Container
Dichlorodifluoromethane	< 18	c	1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Ethylbenzene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Isopropylbenzene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Methyl Acetate	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Methyl tert-butyl ether	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Methylcyclohexane	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Methylene chloride	< 18	c	1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Styrene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Tetrachloroethene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Toluene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
trans-1,2-Dichloroethene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
trans-1,3-Dichloropropene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Trichloroethene	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Trichlorofluoromethane	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Vinyl chloride	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Xylene (total)	< 18		1	µg/Kg-dry	11/22/2013 10:18 PM Container-01 of 03
Sum: 1,2-Dichloroethane-d4	108		1	%REC Limit 33-150	11/22/2013 10:18 PM Container-01 of 03
Sum: 4-Bromofluorobenzene	95.1		1	%REC Limit 34-145	11/22/2013 10:18 PM Container-01 of 03
Sum: Toluene-d8	121		1	%REC Limit 43-157	11/22/2013 10:18 PM Container-01 of 03

Qualifiers: E = Value above quantitation range, Value estimated.
B = Found in Blank
D.F. = Dilution Factor D = Results for Dilution
H = Received/analyzed outside of analytical holding time
+ = ELAP / NELAC does not offer certification for this analyte
c = Calibration acceptability criteria exceeded for this analyte
r = Reporting limit > MDL and < LOQ, Value estimated.
J = Estimated value - below calibration range
S = Recovery exceeded control limits for this analyte
N = Indicates presumptive evidence of compound

Date Reported :

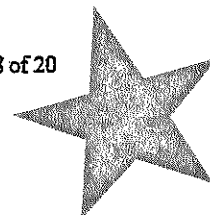
Joanne M. Albano

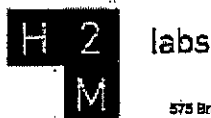
Laboratory Manager

Test results meet the requirements of NELAC unless otherwise noted.

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Page 8 of 20





575 Broad Hollow Road, Melville, NY 11747
TEL: (631) 694-3040 FAX: (631) 420-8436
NYSDOH ID#10478

LABORATORY RESULTS

Results for the samples and analytes requested

The lab is not directly responsible for the integrity of the sample before receipt at the lab and is responsible only for the certified tests requested.

Town of Oyster Bay

Lab No. : 1311B83-002

Client Sample ID: DW ENDPT. SAMPLE

Sample Information:

Type : Soil

Origin:

Attn To : Chris Flynn

Collected : 11/22/2013 9:20:00 AM

Received : 11/22/2013 3:20:00 PM

Collected By : CLIENT

Analytical Method: SW8270:		Prep Method: SW3545		Prep Date: 11/25/2013 9:25:57 AM		Analyst: SH	
Parameter(s)	Results	Qualifier	D.F.	Units	Analyzed:	Container:	
Benzo(a)pyrene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Benzo(b)fluoranthene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Benzo(g,h,i)perylene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Benzo(k)fluoranthene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Bis(2-chloroethoxy)methane	< 340	c	1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Bis(2-chloroethyl)ether	< 340	c	1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Bis(2-ethylhexyl)phthalate	< 340	c	1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Butyl benzyl phthalate	< 340	c	1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Caprolactam	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Carbazole	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Chrysene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Dibenzo(a,h)anthracene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Dibenzofuran	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Diethylphthalate	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Dimethylphthalate	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Di-n-butyl phthalate	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Di-n-octyl phthalate	< 340	c	1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Fluoranthene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Fluorene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Hexachlorobenzene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Hexachlorobutadiene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Hexachlorocyclopentadiene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Hexachloroethane	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Indeno(1,2,3-cd)pyrene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Isophorone	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Naphthalene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Nitrobenzene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
N-Nitroso-di-n-propylamine	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
N-Nitrosodiphenylamine	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Pentachlorophenol	< 860		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Phenanthrene	< 340		1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	
Phenol	< 340	c	1	µg/Kg-dry	11/27/2013 7:51 PM	Container-01 of 01	

Qualifiers: E = Value above quantitation range, Value estimated.
B = Found In Blank
D.F. = Dilution Factor D = Results for Dilution
H = Received/analyzed outside of analytical holding time
+ = ELAP / NELAC does not offer certification for this analyte
c = Calibration acceptability criteria exceeded for this analyte
r = Reporting limit > MDL and < LOQ, Value estimated.
J = Estimated value - below calibration range
S = Recovery exceeded control limits for this analyte
N = Indicates presumptive evidence of compound

Date Reported :

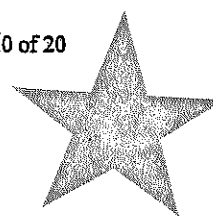
Joanna M. Alvarado

Laboratory Manager

Test results meet the requirements of NELAC unless otherwise noted.

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architects + engineers

538 Broad Hollow Road
Melville, NY 11747

tel 631.756.8000
fax 631.393.6322

March 11, 2015

Richard T. Betz, Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, N.Y. 11791

Re.: 50 Engel Street, Hicksville, New York

Dear Commissioner Betz:

Provided herein is a summary report documenting environmental due diligence activity conducted by H2M architects + engineers (H2M) on behalf of the Town of Oyster Bay regarding purchase of the above referenced property.

Background

The subject property is located at 50 Engel Street in Hicksville, New York. The subject property is identified as Tax Section 11, Block 187 and Lots 9 through 15, 20 through 24, 29 through 32, 36 through 40, 46, 47, 48, 57, 59, 60, 61, and 62. It is approximately 2.3 acres in size and was formerly utilized as an asphalt plant and construction yard.

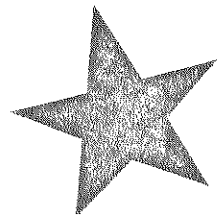
H2M conducted a Phase I Environmental Site Assessment (ESA) for the referenced property on behalf of the Town of Oyster Bay. A Phase I ESA report was prepared to document the findings and was submitted to the Town in October 2013.

Several structures associated with the historical site usage were demolished by others, prior to H2M accessing the site. At the time of the Phase I ESA site inspection, the site was vacant with no above-grade structures.

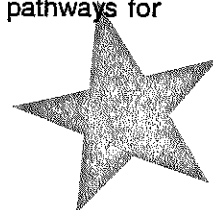
Phase I ESA Recognized Environmental Conditions

The ESA identified several Recognized Environmental Conditions (RECs), which are reiterated below:

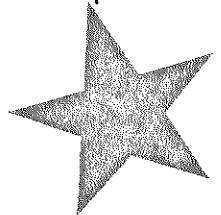
1. The Subject Property was historically utilized as a repair shop for machinery, service facility for air conditioners, storage yard, and an asphalt plant and operated an elevator to transport cement and transfer pumps.
2. The Subject Property historically used fuel oil, gasoline, and waste oil underground storage tanks (UST) and aboveground storage tanks (AST) of various sizes. Several ASTs and USTs are unregistered and NYSDEC issued a violation for the unregistered tanks. Removal documentation is not available for several ASTs and USTs. The following is a list of storage tanks that are unregistered and/or for which there is no removal documentation:
 - Four, 10,000-gallon diesel USTs;
 - Three, 10,000-gallon USTs with unknown contents;
 - Two, 10,000-gallon USTs with unknown contents;
 - One, 10,000-gallon gas UST;
 - One, 10,000-gallon #2 fuel oil UST;



- One, 10,000-gallon fuel oil UST;
 - Two, 10,000-gallon liquid asphalt storage tanks;
 - Two, 10,000-gallon fuel oil or gasoline USTs;
 - One, 10,000-gallon fuel oil storage tank;
 - One, 20,000-gallon liquid asphalt storage tank.
 - One, 8,000-gallon #2 fuel oil UST;
 - One, 2,000-gallon fuel oil UST;
 - One, 2,000-gallon UST with unknown contents;
 - One, 1,000-gallon UST with unknown contents;
 - Two, 1,000-gallon USTs with unknown contents;
 - Two, 1,000-gallon gasoline USTs;
 - One, 2,000-gallon gasoline UST;
 - One, 1,000-gallon diesel AST;
 - One, 2,000-gallon diesel AST;
 - One, 300-gallon waste oil AST;
 - Five, 275-gallon #2 fuel oil ASTs;
 - Two, 275-gallon ASTs of unknown contents;
 - One, 275-gallon diesel AST;
 - One, 200-gallon AST of unknown contents;
 - Six ASTs of unknown size and unknown contents;
 - Two USTs of unknown size and unknown contents; and
 - Three storage tanks (unknown size, contents, type).
3. One open spill is reported for the Subject Property (NYSDEC Spill Number 1216829);
 4. NYSDEC Spills 9111159 and 0505570 were "not cleaned up to standards"; and
 5. Petroleum-like and asphalt-like odors and surface staining were identified at the Subject Property.
 6. Impacted soil was left in place at the Subject Property;
 7. Soil exhibiting asphalt-, gasoline- and petroleum-like odors, staining and elevated total organic vapor concentrations were identified at the Subject Property; and
 8. Semivolatile organic compounds (SVOC) were detected in soil samples at concentrations greater than NYSDEC 6 Codes, Rules and Regulations of the State of New York (NYCRR) Part 375 Soil Cleanup Objectives (SCO) for Unrestricted Use (UU), Restricted Residential Use (RRU) and/or Industrial Use (IU) and/or NYSDEC Commissioner Policy on Soil Cleanup Guidance (CP-51) Tables 2 and 3- Soil Cleanup Levels for Gasoline Contaminated Soils and Fuel Oil Contaminated Soil (SCL).
 9. Metals, SVOCs and volatile organic compounds (VOC) were detected in groundwater samples at concentrations greater than the NYSDEC Division of Water Technical and Operational Guidance Series (TOGS) 1.1.1 Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations for Class GA Groundwater (SGV).
 10. Subsurface draining structures were located at the Subject Property. Any hazardous materials, solvents, chemicals, heavy metals, mercury, dyes, PCBs, degreasers, and/or petroleum products associated with the operations of the Subject Property could have impacted surface and subsurface conditions. The subsurface structures could provide preferential pathways for migration of spilled surface contaminants into the subsurface.



11. An NYSDEC Order on Consent dated October 26, 2006 (October 2006 NYSDEC Order on Consent; Case No. D1-1242-05-09) was issued for the Subject Property for the following violations:
 - Failure to maintain spill prevention equipment;
 - Failure to have proper labels and high level alarms on ASTs;
 - Failure to have proper color coding at fill ports;
 - Failure to have high level alarms on USTs;
 - Failure to properly close USTs;
 - Failure to conduct complete monthly inspections of ASTs;
 - Failure to have cathodic protection on USTs;
 - Failure to conduct timely tightness testing on USTs;
 - Failure to register the "facility"; and
 - Causing a spill and failing to remediate the spill in a "timely" manner; and
 - Failure to report spills in a "timely" manner to the NYSDEC.
12. The October 2006 NYSDEC Order on Consent compliance requirements included, but were not limited to the following:
 - Bring "all ASTs" into compliance;
 - Remove and "properly close two USTs beneath the cement slab";
 - Remove and "properly close the two USTs proximate to the on-site generator";
 - Conduct remediation, as required and as related to tank removals;
 - Complete cleanup of spills; and
 - Bring the Subject Property "into compliance" by completing "general housekeeping".
13. Based on NYSDEC correspondence in 2007, the Subject Property was "not in compliance with the terms and provisions" agreed upon in the October 2006 NYSDEC Order on Consent. "Required investigatory and remedial steps" include, but are not limited to the following:
 - Provide NYSDEC with a closure report that details tank removal (e.g., laboratory analytical data, disposal documentation).
 - Provide NYSDEC with groundwater monitoring data (obtained for the "existing monitoring well network").
 - Provide NYSDEC with a groundwater contour map.
 - Provide NYSDEC with a work plan for the proposed work.
 - The monitoring wells at the Subject Property must be sampled, at a minimum, on a monthly basis.
 - Provide to the NYSDEC, quarterly monitoring reports (minimum frequency of submittal) summarizing the groundwater monitoring data.
14. The Subject Property is listed as a small quantity generator (SQG) in the RCRA database for generating between 100 and 1,000 kilograms of ignitable hazardous waste and/or benzene per month. No violations were reported for the Subject Property in the RCRA database. Violations were identified at the Subject Property in a letter dated June 2006.
15. The Subject Property is listed in the FINDS database as part of the RCRA Information database, which tracks events and activities related to facilities that generate, transport and treat, store or dispose of hazardous waste. No violations were reported for the Subject Property in the FINDS / RCRA Information database.
16. The Subject Property is listed in the Finds database as part of the AIRS AFS, which tracks emissions and compliance data from industrial plants. The Subject Property had multiple violations with regards to emissions and procedural compliance.



17. The Subject Property is listed in the New York Spills databases for the following: NYSDEC Spill Number 1216829, 0505570, 0101209, 9502064, 8702083, 9107253, and 9111159.
18. The Subject Property is listed in the NY UST and AST databases.
19. Numerous adjoining and/or up-gradient surrounding properties were historically used as machine shops, engraving service facilities, manufacturers of electronic equipment, and transporters of cement. Any hazardous materials, solvents, chemicals, heavy metals, creosote, mercury, dyes, polychlorinated biphenyls (PCB), embalming fluids, pesticides, degreasers, and/or petroleum products associated with the operations of the surrounding properties could have impacted subsurface conditions at the Subject Property.
20. Adjoining and/or up-gradient surrounding properties are used as storage yards and railroad tracks. Any hazardous materials, solvents, chemicals, heavy metals, creosote, mercury, dyes, embalming fluids, pesticides, and/or petroleum products associated with the operations of the surrounding properties could have impacted surface and subsurface conditions at the Subject Property.
21. Numerous sites adjoining and/or surrounding the Subject Property are listed in one or more of the following databases: Delisted NPL, CERCLIS, CERC NFRAP, CORRACTS, RCRA-SQG, RCRA-CESQG, US ENG CONTROLS, NY SHWS, NY VAPOR REOPENED, NY SWF/LF, NY LTANKS, NY UST, NY MOSF UST, NY AST, NY MOSF, NY BROWNFIELDS, NY SWRCY, NY DEL SHWS, NY SPILLS, RCRA-NonGen/NLR, CONSENT, ROD, NY MANIFEST, EDR US HIST AUTO STAT, and EDR US HIST CLEANERS.

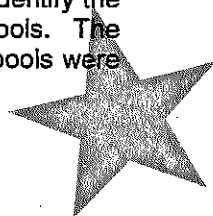
Phase II ESA and Remediation Activity

Phase II ESA

In response to preliminary findings identified during the Phase I ESA process, a limited site investigation was conducted by Nelson, Pope, and Voorhis, LLC (NP&V), on behalf of the property owner. The site investigation was identified by NP&V as a Phase II Environmental Site Assessment and included soil and groundwater sampling/analyses and a Ground Penetrating Radar (GPR) survey to locate potential underground storage tanks and subsurface leaching structures. The Phase II ESA identified five potential underground storage tanks. These tanks were believed to be five tanks previously abandoned in place based upon Nassau County Fire Marshal records. In addition, sampling/analyses of soils/sediments contained within the subsurface leaching structures (i.e., two catch basins and one leaching pool) determined the presence of impacted material requiring removal and proper off-site disposal. The catch basins were inspected to determine the presence of pipes and their discharge points were confirmed by NP&V. With respect to the leaching pool, a pipe connected to this structure was excavated and traced using a pipe camera. Utilizing the camera, an additional pipe installed vertically into the ground and containing petroleum impacted soils was located. The petroleum impacted soils were excavated and stockpiled on site as part of the Phase II ESA.

The results of the Phase II ESA were documented in a September 4, 2013 NP&V report titled "Limited Phase II Environmental Site Assessment. The findings section of the Phase II ESA report included six items which are reiterated below, as written in the NP&V report.

- The entire property was surveyed using Ground Penetrating Radar (GPR) in order to identify the location any of the abandoned underground storage tanks or subsurface leaching pools. The GPR survey identified six (6) underground storage tanks but, no subsurface leaching pools were identified.



- A pipe camera was utilized to trace the discharge and origins of pipes observed in on-site leaching pools or subsurface structures located on the subject property. This pipe camera investigation revealed that the two (2) structures located in the northeast quadrant of the property were connected together and the eastern structure was connected to two (2) structures located in Laurel Street. The structure located in the southeast quadrant of the property contained a pipe that lead to the west. This pipe was investigated and was found to be filled with sediment approximately eight (8) feet from the leaching structure. As a result, the pipe was excavated and traced to find its origin which was a two (2) foot diameter concrete pipe installed vertically in the ground. The interior of this pipe was excavated using a shovel and found to contain gray soil with a strong petroleum odor.

A backhoe provided by the property owner was utilized to excavate this contaminated soil which was placed on and covered with plastic. The USEPA was contacted to oversee the remediation process and endpoint samples were collected and sent to a laboratory for analysis.

A solid cast iron cover was discovered approximately seventy-five (75) feet east of the main entrance of the property. This cover was excavated using the backhoe and found to be covering a four (4) inch diameter vertical pipe. In order to determine the origin and discharge point of this pipe, the backhoe excavated the soil surrounding the pipe to uncover the base which consisted of a small concrete box with two (2) PVC pipes leading in a westerly and southeasterly direction. The pipe camera was utilized to trace the pipes to dead ends in both directions. It was determined based on the direction of the pipes and distance from the vertical pipe that these pipes were the sanitary sewer connection for the former office building. Based on this determination, no samples were collected and the excavation was backfilled.

- Four (4) shallow soil samples were collected at strategic locations throughout the subject property. These locations were chosen in order to determine if any fill imported to the subject property contained elevated concentrations of volatile and semi-volatile organic compounds with TICs, pesticides, herbicides, PCBs or TAL metals. The laboratory analysis completed on these samples revealed slightly elevated concentrations were present; however, none of the concentrations exceeded the NYSDEC Part 375 guidance values for the Protection of Groundwater.
- Seven (7) deep soil samples were collected at locations in the central and southern portions of the subject property. The central locations were placed in the area of former underground storage tanks and the southern locations were placed in the area of the former asphalt mixing plant. These samples were analysis for the presence of volatile and semi-volatile organic compounds with TICs, pesticides, herbicides, PCBs or TAL metals. The laboratory analysis completed on these samples revealed slightly elevated concentrations were present; however, none of the concentrations exceeded the NYSDEC Part 375 guidance values for the Protection of Groundwater.
- Three (3), one (1) inch diameter temporary groundwater monitoring wells were installed on the subject property. One (1) upgradient well in the central portion of the northern property boundary and two (2) down gradient wells located in the eastern and western quadrants along the southern property boundary were sampled using dedicated plastic micro bailers. These groundwater samples were analyzed for the presence of volatile and semi-volatile organic compounds with TICs and TAL metals. The laboratory analysis revealed that only samples GW-1 & GW-2 exhibited elevated concentrations of SVOCs. Only GW-2 exceeded guidance values for two (2) compounds, specifically Phenanthrene and Anthracene at concentrations of 80.6 and 80.0 ug/l, respectively, as compared to a guidance value of 50 ug/l. Please note that sample GW-1 only had elevated concentrations of the Tentatively Identified Compounds not the typical SVOCs. All of the



samples exhibited elevated concentrations of several of the analyzed metals. The concentration of iron, manganese and sodium were in excess of the NYSDEC TOGS 1.1.1 guidance values; however, these metals are naturally occurring in soils and are not expected to adversely impact the groundwater of the region.

• Evaluation of the results finds that no remedial activities with respect to on-site soils are warranted for the subject property based on the shallow and deep borings and soil samples. Groundwater samples analyzed from GW-2 detected the presence of relatively low concentration SVOC's, specifically, Phenanthrene and Anthracene at concentrations of 80.6 and 80.0 ug/l, respectively, as compared to a guidance value of 50 ug/l. These compounds were detected in soils below action levels in SB-3 based on strategic sampling of on-site soils in targeted locations. Given these circumstances, the following findings are offered:

- The area surrounding the subject site has historically been used for industrial use.
- The SVOCs detected in groundwater are common petroleum breakdown components which are frequently detected in groundwater in industrialized areas.
- No direct on-site source of said elevated SVOC concentrations in groundwater is evident based on the presence of these compounds in only one shallow boring, at concentrations below action levels for groundwater protection as listed in Part 375.
- Detected compounds may originate from an off-site source, and in any case are of low concentration that would not appear to warrant any further action.

The above summary indicates that six underground tanks were identified. Once excavated, the number of tanks were determined to be five.

Subsequent to completion of the Phase II ESA, a Remediation Work Plan was submitted to Ms. Lisa Kim of the USEPA. The Plan was prepared by NP&V and dated September 27, 2013. The remediation work plan provided a description of the remedial actions to be undertaken regarding the impacted sediments identified within the catch basins and leaching pool.

In response to the NP&V Phase II ESA report findings, additional remedial activity was conducted by H2M as follows.

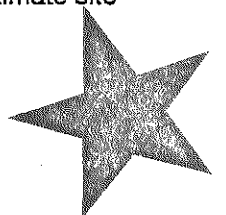
Underground Storage Tank Removal

H2M conducted the removal of five underground storage tanks (USTs) during the period of November 21 and 22, 2013. All tank removal work was documented in a January 8, 2014 report.

Three of the USTs were located on the north end of the property. Since available information regarding these tanks was limited, H2M assumed that they did not contain inert material (i.e. concrete, sand, or foam). The two remaining tanks were located on the west side of the property and were known to have been previously abandoned in place and filled with concrete.

With respect to the three USTs located in the northern section of the property, it was determined that all were previously abandoned in place by filling with sand and concrete. No evidence of residual petroleum impacts were noted within the tanks. The sand was removed and added to the overburden soils stockpile and the concrete was broken down, loaded into dump trucks, and properly disposed of off-site.

The USTs were determined to be 5,000 gallons in capacity. The tanks and associated piping were crushed, loaded, and properly disposed of off-site. The excavation was then backfilled to approximate site grade with overburden sands and clean backfill.



With respect to the two tanks located on the west side of the property, overburden soils were excavated and stockpiled so that the tanks could be cut open. After the tanks were cut open, it was determined that both tanks were abandoned in place utilizing sand and concrete. H2M also determined that the tanks contained petroleum impacted liquids (approximately 1,045 gallons), which were subsequently pumped out and properly disposed of off-site. The sand and concrete contained within the tanks was removed and stockpiled, and the tanks were then excavated and removed.

H2M's inspection determined that the tanks were of steel construction, no holes and/or penetrations were evident on their exteriors, and there was no evidence of petroleum impacts to the subsurface soils within the tank excavations. However, results of our inspection determined that the sands removed from the tanks exhibited evidence of petroleum impacts (i.e., odor and staining). Apparently, residual petroleum product or sludge remained in the tanks prior to their abandonment, which impacted the sands utilized in the tank abandonment. The petroleum impacted sands were stockpiled and segregated from the clean overburden sands. Waste characterization soil samples were collected and analyzed in order to obtain waste disposal approval for proper off-site disposal.

The tanks, associated piping, and concrete debris were removed and properly disposed of off-site at permitted disposal facilities. The tank excavations were backfilled to approximate site grade with clean fill.

All tank removal work was documented in a January 8, 2014 report which was submitted to the Town of Oyster Bay, the USEPA and the NYSDEC.

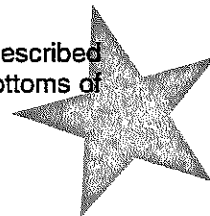
Subsurface Feature Remediation

H2M conducted the subsurface feature remediation work on November 21, 2013 to address the impacted features identified in the NP&V Phase I ESA and subsequent Work Plan submitted to USEPA. Prior to commencing sediment removal, 50 gallons of liquid was pumped from the drywell and properly disposed of, off site. In the process of conducting the drywell remediation, petroleum impacted (i.e., odor and dark staining) sediments were encountered. Based upon the evidence of petroleum impacts, H2M advised the New York State Department of Environmental Conservation (NYSDEC) and NYSDEC assigned spill number 1308516 to the subject property. In conjunction with our discussions with NYSDEC, H2M was advised of a previous historical spill on the subject property (Spill No. 1216829) that apparently had never been closed out. Based upon limited information, the historical spill was related to a report of petroleum spilled onto a concrete surface that was subsequently demolished and removed from the property.

Approximately 45 cubic yards of sediments had been excavated and stockpiled adjacent to the drywell by others as part of the Phase II ESA activity. Additionally, impacted sediments were removed from the drywell until visually clean material was encountered. Upon completion of remedial actions, approximately 21 cubic yards of impacted sediments were added to the existing stockpile. In order to document the removal of all impacted material from the drywell bottom, H2M collected a confirmatory endpoint soil sample for lab analyses. Considering that the bottom sediments exhibited evidence of petroleum impacts, H2M analyzed the confirmatory endpoint sample for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs).

As documented in the lab reports, results of our analyses determined that all compounds were present at concentrations below their respective laboratory reporting limits. Based upon the endpoint sample analytical results, all impacted material was removed from the drywell and no further action was recommended.

Approximately two to three cubic yards of sediments were removed from the two catch basins described above and added to the existing stockpile. Bottom sediments were removed until the concrete bottoms of



both structures were visually observed. As both structures were constructed with solid bottoms, H2M did not collect confirmatory endpoint samples at either structure. Based upon our visual observations, all impacted material was removed from the two catch basins and no further actions were recommended.

The catch basin and drywell sediments were removed from the property and properly disposed of off-site. The drywell was then backfilled to approximate site grade with approximately 30 cubic yards of clean backfill.

H2M requested that NYSDEC close both the drywell and historical petroleum spills and remove them from the active spills database. The spills were closed by NYSDEC on January 14, 2014 and April 17, 2014 respectively. Confirmation of spill closure from NYSDEC is attached.

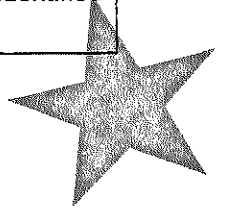
H2M requested that the Nassau County Fire Marshal remove the five recently excavated underground tanks from their list of active and abandoned tanks. The County Fire Marshal confirmed on June 24, 2014 that their records now reflect the five tanks as being removed with no further action required. Confirmation from NCFM is attached.

All remediation activities were documented in a January 8, 2014 report prepared by H2M. H2M provided a copy of our January 8th report to USEPA for their review along with a recommendation for no further action. On February 22, 2014, the USEPA notified H2M that the report was approved and the file regarding subsurface features would be closed. Confirmation of this approval is attached.

Summary

Considering the above, we provide the following summary of the status of each REC identified in the October 2013 Phase I ESA.

REC No. (see list above)	Status
1	With the exception of soil vapor conditions, the site was investigated for impacts from historical activities and remediated where deemed appropriate.
2	All storage tanks were removed from the property.
3	All open spills were investigated and closed with NYSDEC approval.
4	All open spills were investigated and closed with NYSDEC approval.
5	All impacted areas were investigated and remediated as deemed appropriate.
6	All impacted areas were investigated and remediated as deemed appropriate.
7	All impacted areas were investigated and remediated as deemed appropriate.
8	All impacted areas were investigated and remediated as deemed appropriate.
9	Groundwater impacts were determined to be minor and all identified source areas were removed or remediated.



REC No. (see list above)	Status
10	All identified subsurface structures were investigated and remediated as deemed appropriate.
11	All tanks were removed from the property and industrial activity discontinued.
12	All tanks were removed from the property and industrial activity discontinued.
13	All commercial activity was discontinued and industrial equipment removed.
14	All commercial activity was discontinued and industrial equipment removed.
15	All commercial activity was discontinued and industrial equipment removed.
16	All commercial activity was discontinued and industrial equipment removed.
17	All recorded spills have been closed with NYSDEC approval.
18	All tanks were removed from the property and industrial activity discontinued.
19	With the exception of soil vapor, subsurface conditions were investigated and remediated where deemed necessary.
20	With the exception of soil vapor, subsurface conditions were investigated and remediated where deemed necessary.
21	With the exception of soil vapor, subsurface conditions were investigated and remediated where deemed necessary.

Considering the above, all of the RECs identified in the October 2013 Phase I ESA have been addressed with the exception of potential soil vapor impacts from prior site activity or neighboring site activity. Based upon communications with representatives of the Town of Oyster Bay, it is understood that any potential soil vapor impacts will be addressed in the future if and when site development is contemplated.

Please contact the undersigned if you should have any questions or concerns regarding this report.

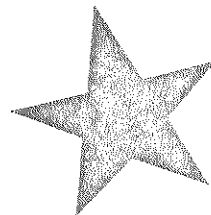
Very truly yours,

H2M architects + engineers



Philip J. Schade
Vice President

cc: Thomas Sabellico, Special Counsel, Office of the Town Attorney, Town of Oyster Bay
John Ellsworth/ Cashin Spinelli & Ferretti, LLC





NEW YORK STATE
DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1

Spill Number: 1308516

Spill Date/Time

Spill Date: 11/21/2013 Spill Time: 09:30:00 AM

Call Received Date: 11/21/2013 Call Received Time: 11:02:00 AM

Location

Spill Name: COMMERCIAL PROPERTY

Address: 50 ENGEL ST

City: HICKSVILLE County: NASSAU

Spill Description

Material Spilled	Amount Spilled	Resource Affected
UNKNOWN PETROLEUM	UNKNOWN	Sewer

Cause: Unknown

Source: Commercial/Industrial

Waterbody:

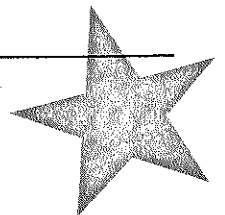
Record Close

Date Spill Closed: 01/14/2014

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.

[Refine Current Search](#)



Spill Incidents Database Search Details

Spill Record

Administrative Information

DEC Region: 1
Spill Number: 1216829

Spill Date/Time

Spill Date: 03/22/2013 Spill Time: 11:03:00 AM
Call Received Date: 03/29/2013 Call Received Time: 11:03:00 AM

Location

Spill Name: COMMERCIAL
Address: 50 ENGEL STREET
City: HICKSVILLE County: NASSAU

Spill Description

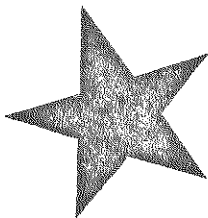
Material Spilled	Amount Spilled	Resource Affected
#2 Fuel Oil	10.00 Gal.	Soil , Surface Water

Cause: Housekeeping
Source: Private Dwelling
Waterbody:

Record Close

Date Spill Closed: 04/17/2014
"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

If you have questions about this reported incident, please contact the Regional Office where the incident occurred.
Refine Current Search





architects + engineers

538 Broad Hollow Road, 4th Floor East
Melville, NY 11747

tel 631.756.8000
fax 631.694.4122

April 16, 2014

Mr. Robert Schurr
Nassau County Office of the Fire Marshal
1194 Prospect Avenue
Westbury, New York 11590-2723

Re: Underground Storage Tank (UST) Removal Affidavit
 50 Engel Street, Hicksville, New York
 NYSDEC Spill No. 1308516
 H2M Project No.: TOBY 1306

Dear Mr. Schurr:

H2M architects and engineers (H2M) was retained by the Town of Oyster Bay to provide environmental services in conjunction with the removal of five (5) underground gasoline storage tanks at the above referenced property.

The tank removal work was conducted by an H2M subcontractor (AARCO Environmental Services Corp., Lindenhurst, NY) during November and December 2013. All work is complete.

In order to remove the subject tanks from the Nassau County Fire Marshal tank registry, we have attached a copy of the AARCO UST Removal Affidavit for your review.

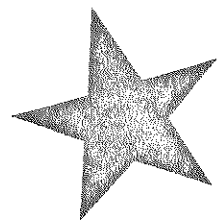
Should you require additional information regarding this matter, please contact the undersigned at (631) 756-8000, ext. 1484.

Very truly yours,

H2M architects + engineers

Christopher J. Flynn
Senior Project Manager

X:\TOBY (Town of Oyster Bay) - 1073\TOBY1306 (Tank Removal and SSF Remed)\NCFM tank deletion letter.docx



www.h2m.com



AARCO Environmental Services Corp.

December 13, 2013

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

Re: 50 Engel Street
Hicksville NY

UST Removal Affidavit

To: Whom it may concern,

AARCO Environmental Services Corp. (AARCO) in accordance with all local, state and federal regulations performed the following activities:

- Cut cleaned and removed two (2) 10,000 gallon gasoline Underground Storage Tanks (UST's) , Three (3) 10,000 gallon Diesel UST's and associated piping
- Backfilled Excavation to grade with clean fill
- Work was performed on or about November 1, 2013

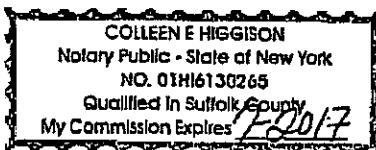
Sincerely,

Richard Spadalik
AARCO Environmental Services Corp

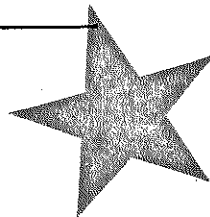
State of New York
County of Suffolk

SWORN TO AND SUBSCRIBED before me this 13 day of Dec in the year 2013

Colleen E. Higginson
Notary Public



50 Gear Avenue Lindenhurst, NY 11757 Phone (631) 586-5900 Fax (631) 586-5910



Chris Flynn

From: Chris Flynn
Sent: Tuesday, June 24, 2014 2:15 PM
To: Philip J. Schade
Cc: 'Steve Plofker'
Subject: 50 engel street ; 5 USTs removed by Aarco

PJS : I spoke to Fire Marshal Robert Schurr this date (516 573-9940) regarding the underground tank removal work at 50 Engel Street, Hicksville, NY.

The purpose of the call was to confirm that Nassau County Fire Marshall (NCFM) has all the pertinent information regarding the tank removal work conducted by Aarco in November 2013. On April 14, 2016 I had sent him a copy of the tank removal affidavit submitted to H2M by Aarco for this work.

Mr. Schurr advised me that he has updated the NCFM file to indicate that these tanks have been removed from the property.

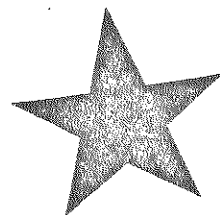
CJF

Christopher J. Flynn
Senior Project Manager | Environmental Services Division
H2M architects+engineers

538 Broad Hollow Road, 4th Floor East, Melville, NY 11747
tel 631.756.8000 x 1484 | cell 516.790.2389 | fax 631.393.6322

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www.h2m.com

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

FEB 20 2014

Richard T. Betz, Commissioner
Department of Public Works
Town of Oyster Bay
150 Miller Place
Syosset, NY 11791

Re: Underground Injection Control (UIC) Program Regulation
Property - 50 Engel Street (UICID: 14NY05999020)
50 Engel Street
Hicksville, NY 11801
Nassau County
Well Closure Review

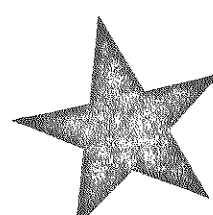
Dear Commissioner Betz:

The U.S. Environmental Protection Agency (EPA) has reviewed the well closure report for the above-referenced facility and finds it acceptable. EPA will now close the Underground Injection Control program file for the above-referenced facility.

Please address any future correspondence you may submit to this office as follows:

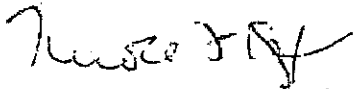
Nicole Foley Kraft, Chief
Ground Water Compliance Section
United States Environmental Protection Agency
290 Broadway, 20th Floor
New York, NY 10007-1866
Re: 14NY05999020
Attn: Lisa Kim Pelcyger

Failure to submit any and all information truthfully and accurately may subject you to sanctions authorized by federal law. Please also note that all information submitted by you may be used in an administrative, civil judicial, or criminal action. In addition, making a knowing submission of materially false information to the U.S. Government may be a criminal offense.



If you have any questions please contact Lisa Kim Pelcyger of my staff at (212) 637-4225 or kim.lisa@epa.gov.

Sincerely,

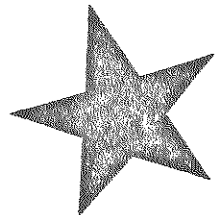


Nicole Foley Kraft, Chief
Ground Water Compliance Section

cc: John Lovejoy
Nassau County Health Dept.
106 Charles Lindbergh Boulevard
Uniondale, NY 11553

Bill Spitz
NYSDEC, Region 1
SUNY Stony Brook, 50 Circle Rd
Stony Brook, NY 11790

Philip J. Schade
H2M Architects and Engineers
538 Broad Hollow Road, 4th Floor East
Melville, NY 11747



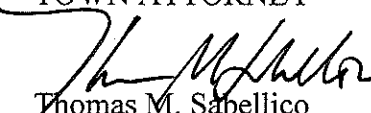
26

Town of Oyster Bay Inter-Departmental Memo

TO : MEMORANDUM DOCKET
FROM : Office of the Town Attorney
DATE : March 26, 2018
SUBJECT: Sale of 50 Engel Street, Hicksville, New York

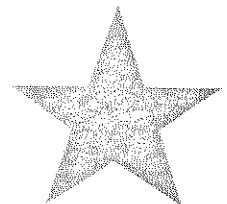
Please reserve a space on the Docket for the Board to approve the execution of the Contract of Sale for the above referenced premises at the April 10, 2018 Town Board meeting. A Supplemental Memorandum will follow.

JOSEPH NOCELLA
TOWN ATTORNEY


Thomas M. Sabellico
Special Counsel

TMS:st
cc: Town Attorney (w/7 copies)

S:\Attorney\RESOS 2018\MD & Reso\MD space Engel Contract TMS.docx



WHEREAS, by Resolution No. 98-2016, adopted on February 23, 2016, the Town Board approved a list of appraisal firms, including Wilson Appraisal Services, Inc., to be utilized for appraisal assignments as needed; and

WHEREAS, Joseph Nocella, Town Attorney, and Raymond J. Avera, Deputy Town Attorney, by memorandum dated April 2, 2018, have recommended that Wilson Appraisal Services, Inc., 223 Shoreward Drive, Great Neck, New York 11021, be authorized to perform an appraisal of the Vacant Lot on Orchard Street, Plainview, New York, more particularly described as Section 12, Block 35, Lot 12, for a fee of \$3,000.00,

NOW, THEREFORE, BE IT RESOLVED, That the recommendation as hereinabove set forth is hereby accepted, and Wilson Appraisal Services, Inc. is hereby authorized to perform an appraisal of the Vacant Lot on Orchard Street, Plainview, New York, more particularly described as Section 12, Block 35, Lot 12, for a fee of \$3,000.00; and it is further

RESOLVED, That the funds for said payment shall be drawn from Account No. OTA A 1420 44110 000 0000; and it is further

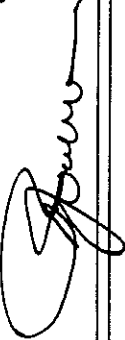
RESOLVED, That the Office of the Comptroller is hereby authorized and directed to make payment for same, upon submission of a duly certified claim, after audit.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller

7/1/18
Reviewed By
Office of Town Attorney


12

248

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET

FROM: OFFICE OF THE TOWN ATTORNEY

DATE: April 2, 2018

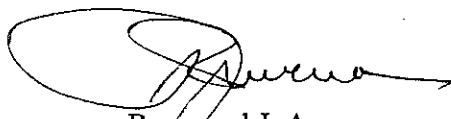
SUBJECT: Market Value Appraisal of Vacant Lot on Orchard Street, Plainview, New York
Section 12, Block 35, Lot 12
Supplemental to Memorandum Docket Item No. 27 of March 27, 2018

The Town Board, by Resolution No. 98-2016, adopted on February 23, 2016, approved a list of appraisal firms, including Wilson Appraisal Services, Inc., to be utilized for appraisal assignments as needed.

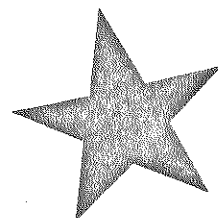
Town Board authorization is requested to engage the services of Wilson Appraisal Services, Inc., 223 Shoreward Drive, Great Neck, New York 11021, at a cost of \$3,000.00, to prepare an appraisal of the above-referenced property. Said appraisal will be utilized for determining the fair market value of said property for possible sale.

Funds for payment shall be drawn from Account No. OTA A 1420 44110 000 0000. Submitted herewith is the Resolution for the foregoing request, as well as the proposal submitted by Wilson Appraisal Services, Inc.

JOSEPH NOCELLA
TOWN ATTORNEY


Raymond J. Avera
Deputy Town Attorney

RJA:nb
Attachment
2017-6290
Town Attorney (w/7 copies)



27

Town of Oyster Bay Inter-Departmental Memo

TO: MEMORANDUM DOCKET
FROM: Office of the Town Attorney
DATE: March 27, 2018
SUBJECT: Appraisal of Vacant Lot on Orchard Street, Plainview, New York
Section 12, Block 35, Lot 12

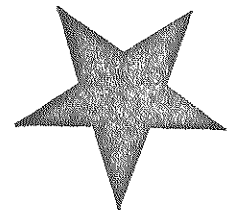
Please reserve a space on the Docket for the Board to approve the engagement of an appraiser from the approved list of appraisal firms, to prepare an appraisal of the above-referenced premises at the April 10, 2018 Town Board meeting. A Supplemental Memorandum will follow.

JOSEPH NOCELLA
TOWN ATTORNEY



Raymond J. Avena
Deputy Town Attorney

RJA:nb
cc: Town Attorney (w/7 copies)
S:\Attorney\RESOS 2018\MD & Reso\MD space Orchard Steet 3-27-18.docx
2017-6290



At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in said Town, on April 10, 2018, at 10:00 A.M., Prevailing Time.

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

PRESENT:

Joseph Saladino
Supervisor

Joseph D. Muscarella
Councilman

Anthony D. Macagnone
Councilman

Rebecca M. Alesia
Councilman

Louis B. Imbroto
Councilman

Thomas P. Hand
Councilman

Councilman

In the Matter of the Increase and Improvement
of the Facilities of the Town of Oyster Bay
Public Parking District in the Town of
Oyster Bay, Nassau County, New York.

Resolution No. 249A-2018

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Oyster Bay, Nassau County, New York, has had under consideration the increase and improvement of the facilities of the Public Parking District (the "District") in said Town, consisting of the partial refurbishing and improvement of the Hicksville Public Parking Garage in said District, including incidental expenses in connection therewith; and

WHEREAS, the Town Board of said Town has duly caused to be prepared a map, plan and report, including an estimate of cost relating to said increase and improvement of facilities in said District, which is on file in the office of the Town Clerk; and

WHEREAS, the estimated maximum cost to said District of such increase and improvement of facilities is determined to be \$6,800,000; and

WHEREAS, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement of the facilities of said District and use and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on March 27, 2018, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Town of Oyster Bay Public Parking District in said Town, consisting of the partial refurbishing and improvement of the Hicksville Public Parking Garage in said District, including incidental expenses in connection therewith, at an estimated maximum cost of \$6,800,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall East, 54 Audrey Avenue, in Oyster Bay, New York, in said Town, on April 10, 2018, at 10:00 A.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Public Parking District in said Town consisting of the partial refurbishing and improvement of the Hicksville Public Parking Garage in said District, including incidental expenses in connection therewith, at an estimated maximum cost of \$6,800,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

_____ Supervisor Saladino _____	VOTING _AYE_____
_____ Councilman Muscarella _____	VOTING _AYE _____
_____ Councilman Macagnone _____	VOTING _AYE _____
_____ Councilwoman Alesia _____	VOTING _AYE _____
_____ Councilwoman Johnson _____	VOTING _ABSENT _____
_____ Councilman Imbroto _____	VOTING _AYE _____
_____ Councilman Hand _____	VOTING _AYE _____

The order was thereupon declared duly adopted.

- Cc: Supervisor
- Town Attorney
- Comptroller
- Finance

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on April 10, 2018, with the original thereof
on file in my office, and that the same is a true and correct transcript therefrom and of the whole of
said original so far as the same relates to the subject matters therein referred to.

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

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

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

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town of Oyster Bay.	April 6, 2018

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

Designated Location(s) of Posted Notice

Bulletin board, 1st floor, 54 Audrey Ave.
Oyster Bay, NY 11771

Date of Posting

April 6, 2018

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on April 10, 2018.

(SEAL)



Town Clerk

At a regular meeting of the Town Board of the Town of Oyster Bay, Nassau County, New York, held at the Town Hall, Audrey Avenue, in Oyster Bay, New York, in said Town, on April 10, 2018, at 10:00 A.M., Prevailing Time.

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

PRESENT: Supervisor Saladino
Councilman Muscarella
Councilman Macagnone
Councilwoman Alesia
Councilman Imbroto
Councilman Hand

ABSENT: Councilwoman Johnson

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

Reviewed By
Office of Town Attorney
John M. H. H. H.

BOND RESOLUTION DATED APRIL 10, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,800,000 BONDS OF THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE PUBLIC PARKING DISTRICT IN THE TOWN OF OYSTER BAY, NASSAU COUNTY, NEW YORK, CONSISTING OF THE REFURBISHMENT AND IMPROVEMENT OF THE HICKSVILLE PUBLIC PARKING GARAGE.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated April 10, 2018, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Public Parking District (the "District") in the Town of Oyster Bay, Nassau County, New York, at an estimated maximum cost of \$6,800,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the Public Parking District (the "District") in said Town, consisting of the partial refurbishing and improvement of the Hicksville Public Parking Garage in said District, including incidental expenses in connection therewith, there are hereby authorized to be issued \$6,800,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$6,800,000 and that the plan for the financing thereof is by the issuance of the \$6,800,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five years, pursuant to subdivision twelve of

paragraph a of Section 11.00 of the Local Finance Law, and that the Hicksville Public Parking Garage constitutes a class "A" building within the meaning of said subdivision twelve. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Oyster Bay, Nassau County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Oyster Bay, Nassau County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State

Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in Newsday, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_____ Supervisor Saladino _____	VOTING _AYE_____
_____ Councilman Muscarella _____	VOTING _AYE_____
_____ Councilman Macagnone _____	VOTING _AYE_____
_____ Councilwoman Alesia _____	VOTING _AYE_____
_____ Councilwoman Johnson _____	VOTING _ABSENT_____
_____ Councilman Imbroto _____	VOTING _AYE_____
_____ Councilman Hand _____	VOTING _AYE_____

The resolution was thereupon declared duly adopted.

* * *

Cc: Supervisor

Town Attorney

Comptroller

Finance

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on April 10, 2018, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Various publications throughout the Town of Oyster Bay.	April 6, 2018

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

Designated Location(s) of Posted Notices

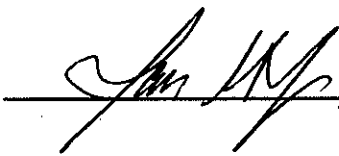
Date of Posting

Bulletin board, 1st floor, 54 Audrey Ave.
Oyster Bay, NY 11771

April 6, 2018

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on April 10, 2018.

(SEAL)



Town Clerk

WHEREAS, pursuant to public notice, a public hearing was held on April 10, 2018, at 10:00 a.m., prevailing time, in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, at which hearing parties interested were given an opportunity to be heard upon the question of the proposed plan of financing by the East Norwich Volunteer Fire Company No. 1, a New York not-for-profit corporation, also known as East Norwich Fire Company (the "Company"), for the purchase of a Ferrara 85' Tower Ladder Apparatus (the "Apparatus"), in the amount of \$500,000.00; and

WHEREAS, the Town has no financial obligation concerning this purchase; and

WHEREAS, as part of the proposed plan for financing of the Apparatus, the Company proposes to enter into a tax-exempt obligation wherein pursuant to Section 147(f) of the Internal Revenue Code, approval of the issuance of a tax-exempt obligation is required to be given by the governmental unit within which the Apparatus is to be located; and

WHEREAS, following due deliberation, it was determined to be in the best interests of the residents of the East Norwich Fire Protection Area to approve the issuance of a tax exempt obligation to purchase a Ferrara 85' Tower Ladder Apparatus; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the issuance of a tax-exempt obligation by East Norwich Volunteer Fire Company No. 1 in the amount of \$500,000.00 pursuant to the provisions of Section 150(e) of the Internal Revenue Code, and the Supervisor or his duly authorized representative is authorized to execute any and all necessary documentation in furtherance thereof.

-#-

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

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

cc: Supervisor
Town Attorney
Comptroller
Finance

7/15
Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

WHEREAS, TACO BELL OF AMERICA, LLC, lessee, and 426 JERICHO TURNPIKE ASSOCIATES, LLC, fee owner, have petitioned the Town Board of the Town of Oyster Bay ("Town Board") for a Special Use Permit and Site Plan Approval to construct and operate a 2,126 square-foot fast food restaurant with drive-through services at premises located in a Neighborhood Business (NB) District at 424 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 64, Lot 108, 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 June 6, 2017, 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 "Review of Action and Determination of Significance," regarding the environmental impacts contemplated by said Petitions; and

WHEREAS, the "Review of Action and Determination of Significance" was duly made in the Town Environmental Quality Review Division's report dated November 9, 2017, 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. 10217-17, adopted December 14, 2017, recommended local determination of said application, but noted two concerns in a letter dated December 15, 2017: 1) egress from the proposed restaurant, noting that consideration should be given to prohibiting left turns out of the property; and 2) the impact of a drive-through lane on nearby residential properties; and

WHEREAS, the Nassau County Planning Commission, by Resolution No. 10225, adopted on March 8, 2018, recommended local determination of said application, without comment; and

WHEREAS, Elizabeth L. Maccarone, Commissioner, and Timothy R. Zike, Deputy Commissioner, Department of Planning and Development, by memorandum dated April 5, 2018, have advised that the Department of Planning and Development has reviewed the following twelve (12) plans prepared by Joseph A. Deal, P.E., Bohler Engineering, Hauppauge, NY:

SHEET NO.	TITLE		DATE
C-1	COVER SHEET	Joseph A. Deal, P.E.	01/17/18
C-2	REMOVALS PLAN	Joseph A. Deal, P.E.	01/17/18
C-3	SITE PLAN	Joseph A. Deal, P.E.	06/29/17

C-4	GRADING AND DRAINAGE PLAN	Joseph A. Deal, P.E.	01/17/18
C-5	UTILITY PLAN	Joseph A. Deal, P.E.	01/17/18
C-6	SOIL EROSION & SEDIMENT CONTROL PLAN	Joseph A. Deal, P.E.	01/17/18
C-7	LANDSCAPE PLAN	Joseph A. Deal, P.E.	01/17/18
C-8	LANDSCAPE NOTES	Joseph A. Deal, P.E.	01/17/18
C-9	LIGHTING PLAN	Joseph A. Deal, P.E.	01/17/18
C-10	DETAIL SHEET I	Joseph A. Deal, P.E.	01/17/18
C-11	DETAIL SHEET II	Joseph A. Deal, P.E.	01/17/18
C-12	DETAIL SHEET III	Joseph A. Deal, P.E.	01/17/18
and			

WHEREAS, Elizabeth L. Maccarone, Commissioner, and Timothy R. Zike, Deputy Commissioner, Department of Planning and Development, by memorandum dated April 5, 2018, further reported that the plans submitted comply with the standards set forth in the Code of the Town of Oyster Bay, Section 246.6, Site Plan Review, and recommends Town Board approval for the twelve (12) plans enumerated herein; 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,

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 TACO BELL OF AMERICA, LLC, lessee, and 426 JERICHO TURNPIKE ASSOCIATES, LLC, fee owner, for a Special Use Permit and Site Plan Approval to construct and operate a 2,126 square-foot fast food restaurant with drive-through services at premises located in a Neighborhood Business (NB) District at 424 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15, Block 64, Lot 108, on the Land and Tax Map of Nassau County; and be it further

RESOLVED, That the Petition of TACO BELL OF AMERICA, LLC, lessee, and 426 JERICHO TURNPIKE ASSOCIATES, LLC, fee owner, for a Special Use Permit and Site Plan Approval to construct and operate a 2,126 square-foot fast food restaurant with drive-through services at premises located in a Neighborhood Business (NB) District at 424 Jericho Turnpike, Syosset, Town of Oyster Bay, County of Nassau, State of New York and described as Section 15,

Block 64, Lot 108, on the Land and Tax Map of Nassau County, is hereby GRANTED, on the premises described as follows:

SCHEDULE A

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

BEGINNING at a point on the southerly side of Jericho Turnpike, 372.44 feet easterly from the corner formed by the intersection of the easterly side of South Oyster Bay Road, as widened, and the southerly side of Jericho Turnpike;

RUNNING THENCE easterly along the southerly side of Jericho Turnpike, a distance of 100 feet;

THENCE southerly on a line forming an interior angle of 89 degrees 55 minutes 30 seconds to the southerly side of Jericho Turnpike, a distance of 200.72 feet;

THENCE westerly at right angles to the last mentioned course, a distance of 100 feet;

THENCE northerly at right angles to the last mentioned course, a distance of 200.58 feet to the southerly side of Jericho Turnpike, the point or place of BEGINNING.

SAID premises are known and described as Section 15, Block 64, Lot 108 on the Land and Tax Map of the County of Nassau.

and be it further

RESOLVED, That the Petition herein granted is subject to voluntary covenants and restrictions imposed upon the subject premises by the 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, and Timothy R Zike, Deputy Commissioner, Department of Planning and Development, dated April 5, 2018, the twelve (12) plans described herein are hereby approved.

-#-

The foregoing resolution was not adopted after a poll of the members of the Board; the vote being recorded as follows:

Supervisor Saladino	Nay
Councilman Muscarella	Nay
Councilman Macagnone	Nay
Councilwoman Alesia	Nay
Councilwoman Johnson	Absent
Councilman Imbroto	Nay
Councilman Hand	Nay

cc: Supervisor
Town Attorney
Comptroller
Planning & Development
Environmental Resources

WHEREAS, pursuant to duly published notice and a hearing held on January 9, 2018, the Town Board adopted Resolution 34-2018, Contracts for Fire Protection with various fire departments and companies; and

WHEREAS, the hearing date was incorrectly stated as December 12, 2017; and

WHEREAS, the Notice of Hearing stated that the Town Board would be considering proposed contracts for the calendar year 2018; and

WHEREAS, Glenwood Hook & Ladder, Engine & Hose Co., Inc. requested a one year contract for fire protection services for the Glenwood-Glen Head Fire Protection District for the calendar year 2018 in the amount of \$ 682,600.44; and

WHEREAS, Resolution 34-2018 approved a fire protection contract with the Glenwood Hook & Ladder, Engine & Hose Co., Inc. for the Glenwood-Glen Head Fire Protection District for the three year period 2018 through 2020, which approval was inconsistent with the request of the Glenwood Hook & Ladder, Engine & Hose Co., Inc. and the Notice of Hearing; and

WHEREAS, Joseph Nocella, Town Attorney, and Elizabeth A. Faughnan, Deputy Town Attorney, by memorandum dated April 5, 2018, requested that Resolution No. 34-2018 adopted on January 9, 2018, be amended and corrected to reflect the correct hearing date of January 9, 2018 and to approve a contract with Glenwood Hook & Ladder, Engine & Hose Co., Inc. for the Glenwood-Glen Head Fire Protection District for the calendar year 2018 in the amount of \$ 682,600.44 as requested; and

NOW, THEREFORE, BE IT RESOLVED, that the requests as set forth hereinabove are hereby accepted and that Resolution No. 34-2018 adopted on January 9, 2018, be amended and corrected to reflect the correct hearing date of January 9, 2018 and to approve a contract with Glenwood Hook & Ladder, Engine & Hose Co., Inc. for the Glenwood-Glen Head Fire Protection District for the calendar year 2018 in the amount of \$ 682,600.44 as requested, and in all other respect shall remain as adopted.

#

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

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

cc: Supervisor
Town Attorney
Comptroller

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

RESOLVED, That the Town Clerk is hereby authorized and directed to advertise a Notice of Hearing on proposed contracts with the East Norwich Volunteer Fire Company No. 1 for fire protection for the East Norwich Fire Protection District for the 2017 and the 2018 Calendar Years, in the amounts of \$313,765.04, and \$307,286.25, respectively, said hearing to be held in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on April 24, 2018, at 7:00 o'clock p.m., prevailing time, said Notice to be advertised in the Newsday

Newspapers of general circulation in the Town of Oyster Bay, pursuant to the provisions of law.

-#-

Reviewed By
Office of Town Attorney
Elizabeth A. Faughnan

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

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

cc: Supervisor
Town Attorney
Comptroller

23

Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM : Office of the Town Attorney

DATE : April 5, 2018

SUBJECT: Amendment of Resolution #34-2018, adopted January 9, 2018

Pursuant to Public Notice, a hearing was held on January 9, 2018 to present several Contracts for Fire Protection for calendar year 2018, including a Contract with the Glenwood Hook & Ladder, Engine & Hose Co., Inc. ("GLENWOOD") for the Glenwood- Glen Head Fire Protection District. After the hearing was closed, later in the January 9, 2018 meeting, by Resolution # 34-2018 the Town Board authorized a three year agreement with GLENWOOD for the calendar years 2018 through 2020.

In preparing the various agreements, the Town Attorney's office realized that the hearing date specified in the approved Resolution was incorrect; the hearing was not held on December 12, 2017 - it was held on January 9, 2018. In addition, Resolution #34-2018 purportedly approved a three year agreement for the period 2018 through 2020, which was not in conformance with the Public Notice and was longer than the one year term requested by Glenwood for calendar year 2018. Glenwood Hook & Ladder, Engine & Hose Co., Inc. requested a one year contract for calendar year 2018 in the amount of \$ 682,600.44.

In this regard, attached hereto is a proposed resolution to amend Resolution No. 34-2018 to correctly set forth the date of the Public Hearing and the one year term of contract requested by Glenwood Hook & Ladder, Engine & Hose Co., Inc..

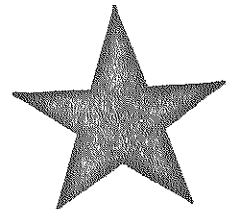
Accordingly, kindly suspend the rules and place this item on the April 10, 2018 Town Board action calendar.

JOSEPH NOCELLA
TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

EAF:ba
Attachment
Town Attorney w/7 copies
2016-5219

S:\Attorney\RESOS 2018\MD & Reso\2018FireProtectionContracts Correct Reso 34.2018.docx

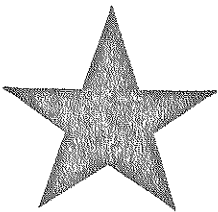


PUBLIC NOTICE

PLEASE TAKE NOTICE That a Public Hearing will be held by the Town Board of the Town of Oyster Bay in the Hearing Room, Town Hall, East Building, 54 Audrey Avenue, Oyster Bay, New York, on April 24, 2018, at 7:00 o'clock p.m., prevailing time, at which time residents and interested parties will have an opportunity to be heard on the proposed contracts for fire protection, copies of which are on file in the Town Clerk's Office, and may be viewed daily between the hours of 9:00 A.M. and 4:45 P.M., prevailing time, except Saturdays, Sundays and Holidays, and the contracts with the East Norwich Volunteer Fire Company No. 1 for the furnishing of fire protection during the 2017 and 2018 Calendar Years, to the East Norwich Fire Protection District at the agreed per annum charge set forth, all subject to taxation in said District, as shown on the last completed Town Assessment Roll:

<u>FIRE COMPANY</u>	<u>FIRE PROTECTION DISTRICT</u>	<u>AGREED PER ANNUM CHARGE</u>	
		<u>2017</u>	<u>2018</u>
East Norwich Volunteer Fire Company No. 1	East Norwich	\$ 313,765.04	\$ 307,286.25

BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY.
JOSEPH SALADINO, Supervisor. JAMES ALTADONNA, JR., Town Clerk.
Dated: , 2018, Oyster Bay, New York.



Reviewed By
Office of Town Attorney
Elizabeth A. Tauchman

Town of Oyster Bay

Inter-Departmental Memo

TO : MEMORANDUM DOCKET

FROM: Office of the Town Attorney

DATE: April 5, 2018

SUBJECT: 2017 & 2018 Fire Protection Agreements with East Norwich Volunteer Fire Company No. 1

The East Norwich Volunteer Fire Company No. 1 ("East Norwich Fire Company") was formed over 100 years ago and provides services to Town of Oyster Bay residents living in the Incorporated Villages of Upper Brookville, Brookville and Muttontown, as well as those living in the unincorporated area of the Town of Oyster Bay identified by the postal designation of East Norwich.

Because the area served by the East Norwich Fire Company encompasses 4 municipalities, there were discussions about doing a multi-year inter-municipal agreement commencing in 2017. Due to various issues, a multi-year agreement never came to fruition with all four municipalities. Because the East Norwich Fire Company contract was under discussion, the proposed contract was not included with the other 2017 Fire Protection Contracts when the Town held a duly noticed Hearing on April 4, 2017. Nonetheless, East Norwich Fire Company provided services to all residents in their service area throughout calendar year 2017. The Town of Oyster Bay is the only municipality that has not paid East Norwich Fire Company for services provided in 2017.

When the Town advertised a Notice of Hearing for the 2018 Fire Protection Contracts and held that hearing on January 9, 2018, East Norwich Fire Company was not included because of the 2017 contract issues. All other 2017 and 2018 Fire Protection agreements have been the subject of a hearing and subsequently approved by the Town Board. The East Norwich Fire Company continues to provide services to its residents without regard to the fact that it has not been paid by the Town.

It is requested that the Town Clerk be authorized to advertise a Notice of Hearing for April 24, 2018, in connection with the above referenced matter. Accordingly, kindly suspend the rules and place this item on the April 10, 2018, Town Board action calendar.

JOSEPH NOCELLA
TOWN ATTORNEY

Elizabeth A. Faughnan
Elizabeth A. Faughnan
Deputy Town Attorney

EAF:ba
Attachment
2016-5219

Town Attorney w/7copies

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